

**AGENDA
REGULAR MEETING**

**December 11, 2017
4:30 p.m.**

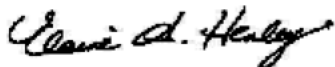
ST. JOHN'S

MEMORANDUM

December 8, 2017

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday, December 11, 2017 at 4:30 p.m.**

By Order



Elaine Henley
City Clerk

ST. JOHN'S

CITY MANAGER

AGENDA
REGULAR MEETING - CITY COUNCIL
December 11, 2017 – 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 December 4, 2017

4. BUDGET 2018

- Budget 2018 presented by Councillor Dave Lane

5. BUSINESS ARISING FROM THE MINUTES

a. Included in the Agenda:

- St. John's Development Regulations Amendment 672, 2017 Text Amendment to the Apartment Low Density (A1) Zone to add Semi-Detached Dwelling as a Discretionary Use REZ1700019 69 & 71 Charter Avenue (originally 55 Charter Avenue)
- St. John's Municipal Plan Amendment Number 141, 2017 and St. John's Development Regulations Amendment Number 650, 2017 Application to Rezone to the Commercial Central Mixed-Use (CCM) Zone File no. MPA1600007 90 Duckworth Street (former East End Fire Station) Applicant: Parlibright Holdings Ltd.

b. Other Matters

6. NOTICES PUBLISHED

- An application was received by the City to develop semi-detached dwellings (2 units) at **69 & 71 Charter Avenue** as part of a larger development that started at 55 Charter Avenue.
- A Discretionary Use application has been submitted requesting permission to change the occupancy of 7-9 Queen Street from a Restaurant to a Lounge.
- A Discretionary Use application has been submitted requesting permission to use 3220 Trans-Canada Highway to expand the Harbour Arterial Mineral Workings Area.

7. PUBLIC HEARINGS

8. COMMITTEE REPORTS

- a. Development Committee Report – December 5, 2017

9. RESOLUTIONS

10. DEVELOPMENT PERMITS LIST

- Development Permits List – November 30, 2017 to December 6, 2017

11. BUILDING PERMITS LIST

- Building Permits List – November 30, 2017 to December 6, 2017

12. REQUISITIONS, PAYROLLS AND ACCOUNTS

- Payroll and Accounts – Week ending December 6, 2017

13. TENDERS/RFPS

- a. Tender 2017239 – VMWare (Renewal)
- b. Council Approval for Contract Award without Tender Invitation – Key2Act
- c. Council Approval for Tender 2017229 – Security Services Robin Hood Bay Waste Facility

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

15. NEW BUSINESS

16. OTHER BUSINESS

- a. Decision Note dated December 6, 2017 re: 3-1-1 Call Centre Services from 11PM (23:00) to 7 AM (07:00) & Statutory Holidays
- b. Economic Update for December 2017

17. ADJOURNMENT

MINUTES

REGULAR MEETING - CITY COUNCIL

December 4, 2017 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

Present Mayor Danny Breen
Deputy Mayor Sheilagh O’Leary
Councillor Maggie Burton
Councillor Dave Lane
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Hope Jamieson
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins
Councillor Sandy Hickman

Others Kevin Breen, City Manager
Derek Coffey, Deputy City Manager of Finance and Administration
Jason Sinyard, Deputy City Manager of Planning, Engineering and Regulatory Services
Lynnann Winsor, Deputy City Manager of Public Works
Tanya Haywood, Deputy City Manager of Community Services
Cheryl Mullett, City Solicitor
Elaine Henley, City Clerk
Stacey Fallon, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2017-12-04/545R

Moved – Councillor Hanlon; Seconded – Councillor Korab

That the agenda be adopted as presented with the following additions:

- Decision Note dated November 22, 2017, re: Sale of City land 799 Water Street.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2017-12-04/546R

Moved - Councillor Lane; Seconded – Councillor Collins

That the minutes of November 27, 2017 be adopted.

Deputy Mayor O’Leary referenced page 8 of the minutes, under the Council Referrals and Staff Requests section, in relation to her request that staff consider providing child

care for staff members who are required to attend public meetings after hours. She asked that this request be further elaborated upon to include Council, Staff, and the General Public who also wish to avail of child care while attending public meetings at City Hall.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

NOTICES PUBLISHED

- A Discretionary Use Application has been submitted requesting permission to use 1151 Dunn's Hill Road for Horticultural Use. The proposed 3.85 Hectares of Crown Land will be used for growing vegetables.

SJMC2017-12-04/547R

Moved - Councillor Burton; Seconded – Councillor Hickman

That Council approve the above noted application at 1151 Dunn's Hill Road subject to all applicable City requirements

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Committee of the Whole Report – November 29, 2017

[Link to Report](#)

Council considered the above noted report and the recommendations therein.

SJMC2017-12-04/548R

Moved - Councillor Jamieson; Seconded – Councillor Lane

That Council approve the following recommendation pertaining to the awarding of the Housing Catalyst Fund Grant.

Recommendation: That Council approve the following recommendations:

1. Council approve the following three proposals:
 - Charter Group Inc. for the redevelopment of an existing property into 2 one bedroom rentals. Grant award \$10,000
 - Emily Campbell for creating a guidebook looking in-depth the architectural and urban aspects of Affordable Housing. Grant award \$9000

- **Wesley United Church of Canada for the pre-development cost associated building 10 new affordable housing units for seniors. Grant award \$10,000**

2. With the remaining \$21,000, it is recommended that Council consider an additional \$4,500 to be allocated to the Wesley United Church of Canada to cover the total expenses of the pre-development costs of the 10 affordable housing units for seniors. (\$14,500)

CARRIED UNANIMOUSLY

SJMC2017-12-04/549R

Moved – Councillor Froude; Seconded – Councillor Stapleton

That Council approve the following recommendation pertaining to the election report with a friendly amendment noting it not read “adopt the report”, instead it read “accept the report”.

Recommendation: That Council accepted the Final Report for Election 2017, the recommendations contained therein as well as the following which will be brought forward to a public consultation:

- **Consider advancing the election date to late October or early November**
- **Have more polling stations**
- **Review voting best practices across Canada as it pertains to new citizens eligibility to vote**
- **Consider call-in registration to address the following:**
 - **literacy issues**
 - **no household internet services**
- **Review of the process for self-registration/verification to ensure user-friendliness**

CARRIED UNANIMOUSLY

Councillor Burton asked that the wording associated to her comments on ranked voting be changed to say ranked ballots.

Special Events Advisory Committee Report – November 30, 2017

[*Link to Report*](#)

Council considered the above noted report and the recommendations therein.

1. Mummers Parade – December 9, 2017

SJMC2017-12-04/550R

Moved – Councillor Korab; Seconded – Councillor Lane

That the requested event and TBD associated road closures be approved.

CARRIED UNANIMOUSLY

2. George Street New Year's Eve Bash – December 31, 2017

SJMC2017-12-04/551R

Moved – Councillor Korab; Seconded – Councillor Hickman

That the requested event, Noise By-Law extension and associated road closure be approved.

CARRIED UNANIMOUSLY

3. City of St. John's New Year's Eve- Concert & Fireworks – December 31, 2017

SJMC2017-12-04/552R

Moved – Councillor Korab; Seconded – Councillor Collins

That the requested event and associated road closures be approved.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information, the above noted for the period November 23, 2017 to November 29, 2017.

BUILDING PERMITS LIST

[Link to List](#)

Council considered, for approval, the above noted for the period dated November 23, 2017 to November 29, 2017.

SJMC2017-12-04/553R

Moved – Councillor Hanlon; Seconded – Councillor Burton

That the building permits list dated November 23, 2017 – November 29, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending November 29, 2017.

SJMC2017-12-04/554R

Moved – Councillor Hanlon; Seconded – Councillor Burton

That the requisitions, payrolls and accounts for the week ending November 22, 2017 in the amount of \$ 2,808,837.24 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPS

Council Approval for Tender 2017176 – Goulds Sewage Pumping Station Replacement

Council considered the above noted.

SJMC2017-12-04/555R

Moved – Councillor Collins; Seconded – Councillor Froude

That the tender be awarded to the lowest bidder meeting specifications Pomerleau Inc. \$8,740,000.00, as per the Public Tendering Act. (Including Taxes HST)

CARRIED UNANIMOUSLY

Council Approval for Tender 2017210 - CCTV Door Access Systems (Standing Offer)

Council considered the above noted.

SJMC2017-12-04/556R

Moved – Councillor Korab; Seconded – Councillor Burton

That the tender be awarded to the lowest bidder meeting specifications Johnson Controls \$118,263.70, as per the Public Tendering Act. (Including Taxes HST)

CARRIED UNANIMOUSLY

Council Approval - Tender 2017225 - Snow Clearing and Ice Control for Riverhead Facility and Various Locations

Council considered the above noted.

SJMC2017-12-04/557R

Moved – Councillor Hickman; Seconded – Councillor O’Leary

That the tender be awarded to the lowest bidder meeting all specifications, Griffiges Investments Ltd., as per the Public Tendering Act. This contract is for a one year period with the option to extend for two additional one year periods. (Including Taxes HST)

CARRIED UNANIMOUSLY

Council Approval - Tender 2017227 – Supply of Annuals

Council considered the above noted.

SJMC2017-12-04/558R

Moved – Councillor Hanlon; Seconded – Councillor Stapleton

That the tender be awarded to the lowest bidder meeting all specifications, Stanley Flower Ltd., as per the Public Tendering Act. This contract is for a two year period. (Including Taxes HST)

CARRIED UNANIMOUSLY

Council Approval - Tender 2017230 – Install & Maintenance of Annuals

Council considered the above noted.

SJMC2017-12-04/559R

Moved – Councillor Hickman; Seconded – Councillor Lane

That the tender be awarded to the lowest bidder meeting all specifications, Stanley Flowers Ltd., as per the Public Tendering Act. This contract is for a two year period with the option to extend for two additional one year periods. (Including Taxes HST)

CARRIED UNANIMOUSLY

NOTICES OF MOTION, RESOLUTIONS, QUESTIONS AND PETITIONS

OTHER BUSINESS

E-poll Ratification - Tender 2017218 – Lease of Two (2) New Loaders

Council considered the above noted Decision Note.

SJMC2017-12-04/560R

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

That Council ratify the e-poll to award Tender 2017218 to the lowest bidder meeting specifications Toromont Cat for \$814,302.12 as per the Public Tendering Act.

CARRIED UNANIMOUSLY

Decision Note Dated November 30, 2017 - Travel – Federation of Canadian Municipalities (FCM) – Sustainable Communities Conference 2018

Council considered the above noted Decision Note.

SJMC2017-12-04/561R

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

That Council approve the travel and associated costs for Councillor Froude and Hickman to attend the Sustainable Communities Conference 2018 being held in Ottawa, Ontario from February 6 to 8, 2017

CARRIED UNANIMOUSLY

Decision Note dated November 22, 2017, re: Sale of City land 799 Water Street.

Council considered the above noted.

SJMC2017-12-04/562R

Moved – Deputy O’Leary; Seconded – Councillor Jamieson

That Council approve the sale of City owned land adjacent to 799 Water Street, such lands now being known as 789 Water Street for the negotiated price of \$38,886. 40

CARRIED UNANIMOUSLY

Council Referrals and Staff Requests

Councillor Burton spoke to the 2018 budget process. She noted hers as well as Councillor Froude’s disappointment on the lack of public engagement surrounding this budget and requested a much better engagement process take place next time around. She requested that Engagement also take place on the Capital Budget in the spring.

Councillor Froude requested that a clear public engagement Policy be implemented surrounding the budget moving forward and requested immediate action be taken to begin the engagement process for the capital budget in the spring and the next 3 year budget.

ADJOURNMENT

There being no further business, the meeting adjourned 5:22 p.m.

MAYOR

CITY CLERK

**REPORT
COMMITTEE OF THE WHOLE
November 29, 2017 – 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 Jamie Korab
Councillor Deanne Stapleton
Councillor Debbie Hanlon
Councillor Maggie Burton (arrived at 9:07)
Councillor Ian Froude (arrived at 9:07)
Councillor Wally Collins
Councillor Sandy Hickman

Staff: Kevin Breen, City Manager
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Derek Coffey, Deputy City Manager of Finance & Administration
Tanya Haywood, Deputy City Manager of Community Services
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Elaine Henley, City Clerk
Judy Tobin, Manager of Housing
Kathy Driscoll, Legislative Assistant

Approximately 3 members of the general public were also in attendance.

NEW BUSINESS

1. HOUSING – COUNCILLOR JAMIESON

a. Awarding of the Housing Catalyst Fund Grants

The Manager of Housing spoke to the above providing a breakdown of the Housing Catalyst Fund grant. Councillor Hickman questioned the fact the funding had not all been allocated. The Deputy City Manager advised the remaining funding would be reviewed before year end.

Recommendation

Moved – Councillor Jamieson; Seconded – Councillor Lane

That Council approve the following recommendation:

- 1. Council approve the following three proposals:**

- Charter Group Inc. for the redevelopment of an existing property into 2 one bedroom rentals. Grant award \$10,000
 - Emily Campbell for creating a guidebook looking in-depth the architectural and urban aspects of Affordable Housing. Grant award \$9000
 - Wesley United Church of Canada for the pre-development cost associated building 10 new affordable housing units for seniors. Grant award \$10,000
2. With the remaining \$21,000, it is recommended that Council consider an additional \$4,500 to be allocated to the Wesley United Church of Canada to cover the total expenses of the pre-development costs of the 10 affordable housing units for seniors. (\$14,500)

CARRIED UNANIMOUSLY

2. Election Report

The City Clerk spoke to the above noted stating the voter's list was the biggest challenge. She further expressed the difficulty in maintaining a clean voter's list as the variables were forever changing such as residential moves, deaths, etc. The Chair moved the floor to discussion. Councillor Burton spoke to rank voting and asked the City Clerk to provide her with a report on such. Councillor Lane addressed on-line voting and expressed his concerns with lack of security.

Recommendation

Moved – Councillor Froude Seconded – Councillor Jamieson

That Council adopt the Final Report for Election 2017, the recommendations contained therein as well as the following which will be brought forward to a public consultation.

- Consider advancing the election date to late October or early November
- Have more polling stations
- Review voting best practices across Canada as it pertains to new citizens eligibility to vote
- Consider call-in registration to address the following:
 - literacy issues
 - no household internet services
- Review of the process for self-registration/verification to ensure user-friendliness

CARRIED UNANIMOUSLY

Mayor Danny Breen
Chairperson

REPORTS/RECOMMENDATION
Special Events Advisory Committee Report
November 30, 2017

Event: Mummers Parade

Date: December 9, 2017 (back up date December 10)

Detail: Parade invites participants to dress as mummers and walk through the streets of St. John's. The Parade runs from 2pm to approximately 3pm.

The above noted event, requires rolling road closures. Due to circumstances beyond the organizers control, a new route is required for this year. SEAC (Traffic Division and RNC) is working closely with the organizer to finalize the route, which will originate at St. John's Boys and Girls Club Buckmasters Circle and finish at Bishop Abraham Elementary.

Organizer has secured a Traffic Control Company and the RNC for the event.

Recommendation

That the requested event and TBD associated road closures be approved.

Event: George Street New Year's Eve Bash

Date: December 31, 2017

Detail: An all ages, free event that will feature entertainment on George Street followed a pyrotechnics show at midnight from Prince Edward Plaza.

This will be a free event for the public.

A restriction will be added that all children under the age of 16 must be accompanied by an adult. This will be noted on all advertising and will be strictly enforced by Security Solutions NL staff onsite.

Additional security will be placed on doors to ensure liquor does not leave the premises.

Organizer is also requesting an extension to the Noise By-Law until 1am.

Pyrotechnics Show Implications

Temporary Road Closure

Duckworth Street – New Gower to Bates Hill

11pm to 12:30am or until the area is deemed safe by the pyrotechnics contractor.

There will be reduced parking in this area, with 14 meters bagged from December 30 to January 1.

Temporary Pedestrian Restriction

Duckworth Street will be closed to pedestrians at the 10-meter mark, from 11pm to 12:30am or until the area is deemed safe by the pyrotechnics contractor.



Addendum to Council Minutes of December 4, 2017

RNC and SJRFD will be on site for the event.

Recommendation

That the requested event, Noise By-Law extension and associated road closure be approved.

Event: City of St. John's New Years Eve – Concert & Fireworks

Date: December 31, 2017

Detail: An all ages, free event that will feature entertainment at the Quidi Vidi Boathouse area as well as fireworks at midnight.

Concert – 10pm to 12am

Road Closure

Lakeview Avenue and Clancey Drive

December 30 to January 1 (inclusive of set up, event date and take down)

Local access only.

Fireworks – 12am

Temporary Road Closure for the duration of the fireworks

The Boulevard – East White Hills Road to Legion Road

If weather is not favourable, both events will be held on January 1, early evening, with road closures being extended.

Recommendation

That the requested event and associated road closures be approved.

Tanya Haywood
Deputy City Manager – Community Services

Addendum to Council Minutes of December 4, 2017

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES
FOR THE PERIOD OF Nov 23, 2017 TO Nov 29, 2017

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Subdivide for Single Building Lot	83 Savannah Park Drive	4	Approved	17-11-24
REC	Avalon Nordic Ski Club	Proposed use of a City owned fire hydrant for the purpose of snow making	205 Allandale Road	4	Approved	17-11-27
RES		Home Office for Admin of Go Baby Rentals	128 Donovan's Road	5	Approved	17-11-27
IND		Screening Topsoil	581 Thorburn Road	4	Rejected. Not a permitted use in Watershed or Rural Zone	17-11-28

* 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 in Appeal.

Gerard Doran
Development Supervisor
Planning, Engineering and
Regulatory Services

Addendum to Council Minutes of December 4, 2017

Building Permits List

Council's December 04, 2017 Regular Meeting

Permits Issued: 2017/11/23 to 2017/11/29

Class: Commercial

673 TOPSAIL RD, UNIT 6	CO	RETAIL STORE
336 FRESHWATER RD, OLD TOWN	SN	RESTAURANT
14 INTERNATIONAL PL	SN	OFFICE
99 LEMARCHANT RD	SN	CLINIC
430 TORBAY RD	SN	PLACE OF AMUSEMENT
687 WATER ST,SIN CITY CLOTHING	SN	RETAIL STORE
268 WATER ST	RN	PLACE OF AMUSEMENT
333 DUCKWORTH ST	RN	OFFICE
21 QUEEN'S RD	RN	RETAIL STORE
145 KELSEY DR, SUITE 101	RN	OFFICE
354 WATER ST	RN	MIXED USE
235 WATER ST, SUITE 102	RN	OFFICE
80 HEBRON WAY,MD FINANCIAL MGT	CR	OFFICE
678-684 MAIN RD	NC	OTHER
55 WHITE ROSE DR, 2ND FLOOR	CR	CLINIC
330 PORTUGAL COVE PL, 2ND FL N	RN	OFFICE

THIS WEEK \$ 2,650,150.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

63 CIRCULAR RD	NC	ACCESSORY BUILDING
63 CIRCULAR RD	NC	FENCE
22 CYPRESS ST, LOT 15	NC	SINGLE DETACHED & SUB.APT
60 DOYLE'S RD	NC	ACCESSORY BUILDING
39 GALLIPOLI ST, LOT 229	NC	SINGLE DETACHED DWELLING
88 GALWAY BLVD, LOT 08	NC	SINGLE DETACHED DWELLING
47 GOWER ST	NC	FENCE
39 GREAT SOUTHERN DR, LOT 15	NC	DUPLEX DWELLING
41 GREAT SOUTHERN DR, LOT 16	NC	DUPLEX DWELLING
56 HENRY LARSEN ST, LOT 52	NC	SEMI-DETACHED DWELLING
58 HENRY LARSEN ST, LOT 51	NC	SEMI-DETACHED DWELLING
84 MAIN RD	NC	ACCESSORY BUILDING
4 OXEN POND RD	NC	FENCE
67 PRINCE OF WALES ST	NC	FENCE
43 DENSMORE'S LANE	CO	HOME OFFICE
5 OSBOURNE ST	CO	HOME OCCUPATION
13 DORSEY'S LANE	EX	PATIO DECK
8 ORLANDO PL	EX	SINGLE DETACHED & SUB.APT
2A ALLANDALE RD	RN	SINGLE DETACHED DWELLING
12 BARTLETT PL	RN	SINGLE DETACHED & SUB.APT
400 BAY BULLS RD	RN	SINGLE DETACHED DWELLING
80 BOULEVARD, UNIT 307	RN	APARTMENT BUILDING
44 FLOWER HILL	RN	SEMI-DETACHED DWELLING
241 HAMILTON AVE	RN	SEMI-DETACHED DWELLING
26 HYDE PARK DR	RN	SINGLE DETACHED DWELLING
48 LARKHALL ST	RN	SINGLE DETACHED DWELLING

Addendum to Council Minutes of December 4, 2017

16 LESLIE ST	RN	SINGLE DETACHED DWELLING
99 LOGY BAY RD	RN	SINGLE DETACHED & SUB.APT
11 MILBANKE ST	RN	SINGLE DETACHED DWELLING
11 MULLOCK ST	RN	SINGLE DETACHED DWELLING
52 PADDY DOBBIN DR	RN	SINGLE DETACHED DWELLING
10 PROSPECT ST	RN	TOWNHOUSING
2 SEABORN ST	RN	SEMI-DETACHED DWELLING
616 TOPSAIL RD	RN	SINGLE DETACHED DWELLING

THIS WEEK \$ 1,718,900.00

CLASS: DEMOLITION

184 MOUNT SCIO RD	DM	SINGLE DETACHED DWELLING
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THIS WEEK \$ 9,500.00

THIS WEEK'S TOTAL: \$ 4,378,550.00

REPAIR PERMITS ISSUED: 2017/11/23 TO 2017/11/24 \$ 23,000.00

LEGEND

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

YEAR TO DATE COMPARISONS			
December 4, 2017			
TYPE	2016	2017	% VARIANCE (+/-)
Commercial	\$122,436,558.00	\$145,586,487.00	19
Industrial	\$0.00	\$5,110,000.00	0
Government/Institutional	\$6,053,109.00	\$1,952,594.00	-68
Residential	\$72,546,705.00	\$84,294,875.00	16
Repairs	\$4,457,079.00	\$3,217,798.00	-28
Housing Units (1 & 2 Family Dwelling)	229	198	
TOTAL	\$205,493,451.00	\$240,161,754.00	17

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

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending November 29, 2017**

Payroll

Public Works	\$ 567,189.42
Bi-Weekly Administration	\$ 852,027.15
Bi-Weekly Management	\$ 878,472.07
Bi-Weekly Fire Department	\$ 806,307.37
Accounts Payable	\$ 3,046,574.92

Addendum to Council Minutes of December 4, 2017

Total: \$ 6,150,570.93

ST. JOHN'S

DEPARTMENT OF FINANCE

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

DECISION/DIRECTION NOTE

Title: St. John's Development Regulations Amendment 672, 2017
Text Amendment to the Apartment Low Density (A1) Zone to add
Semi-Detached Dwelling as a Discretionary Use
REZ1700019
69 & 71 Charter Avenue (originally 55 Charter Avenue)

Date Prepared: December 4, 2017

Report To: His Worship the Mayor and Members of Council

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

Ward: 1

Decision/Direction Required:

That Council adopt the attached resolution for St. John's Development Regulations Amendment 672, 2017.

Discussion – Background and Current Status:

The City received a development application to subdivide a large parcel of property at 55 Charter Avenue for 14 townhouses. The site is located in the Apartment Low Density (A1) Zone, and allows townhousing as a Permitted Use. There is a water and sewer easement running through the property, which splits the site leaving only enough land on the western end for two dwelling units (69 & 71 Charter Avenue). Based on the definition under the St. John's Development Regulations, three or more dwelling units are required for "townhousing", therefore the area of land would have to remain vacant as there is insufficient land for a third unit. By adding Semi-Detached Dwelling as a Discretionary Use in the Apartment Low Density (A1) Zone, an additional two dwelling units could be added to the site.

The subject property is designated Residential Medium Density (RMD) under the St. John's Municipal Plan and allows residential uses like townhousing, semi-detached dwellings and other house styles, with height limited to 3 storeys. The Apartment Low Density (A1) Zone is permitted under the RMD District but currently only allows apartment buildings and townhousing as permitted forms of residential development. Semi-detached dwellings are a similar form of housing that could be considered in the A1 Zone subject to Municipal Plan policies. As a Discretionary Use, Semi-Detached Dwellings could be considered as infill units where appropriate. A Municipal Plan amendment would not be required.

The proposed text amendment was advertised on two occasions in The Telegram newspaper and was posted on the City's website. Property owners within 150 metres of the application site were notified. Written submissions were received by the City Clerk and are included in the agenda for the Regular Meeting of Council. In conjunction with the proposed text amendment, the proposed Discretionary Use application to allow a semi-detached dwelling at 69 & 71 Charter Avenue was also advertised.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable
2. Partners or Other Stakeholders:
City residents and property owners.

ST. JOHN'S

3. Alignment with Strategic Directions/Adopted Plans:
City's Strategic Plan 2015-18: Neighbourhoods Build Our City – Increase access to range/type of housing.
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

Recommendation:

It is recommend that Council adopt St. John's Development Regulations Amendment Number 672, 2017, which will amend the Apartment Low Density (A1) Zone to allow Semi-Detached Dwellings as a Discretionary Use. 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*.

If the amendment is adopted, Council should also consider approval of a semi-detached dwelling at 69 & 71 Charter Avenue as a Discretionary Use.

Prepared by - Date/Signature:

Lindsay Lyghtle Brushett, MCIP – Planner III

Signature: _____

Approved by - Date/Signature:

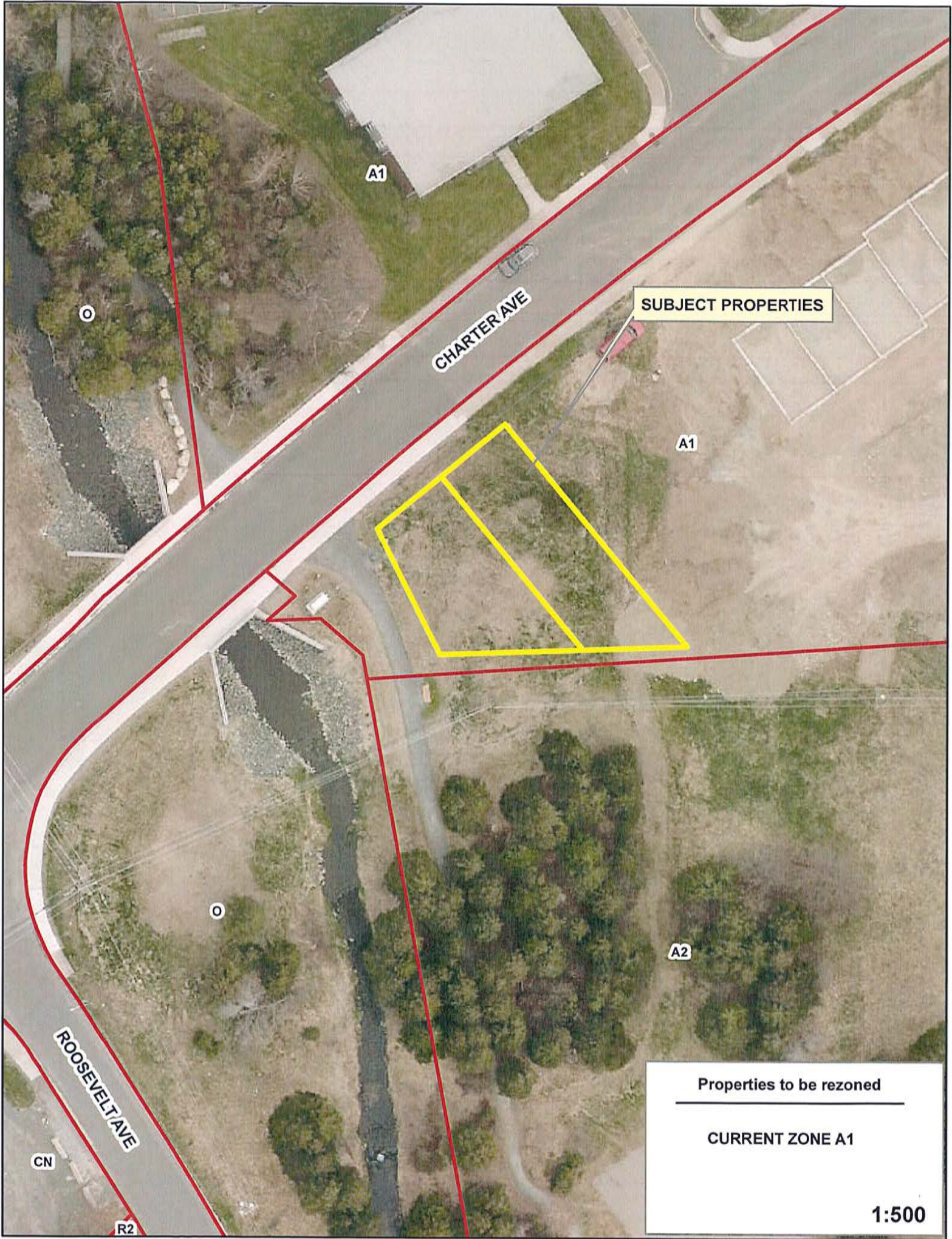
Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

LLB/dlm

Attachments:

Site Plan
Resolution
Public submissions



SUBJECT PROPERTIES

CHARTER AVE

ROOSEVELT AVE

A1

A1

A2

CN

R2

Properties to be rezoned

CURRENT ZONE A1

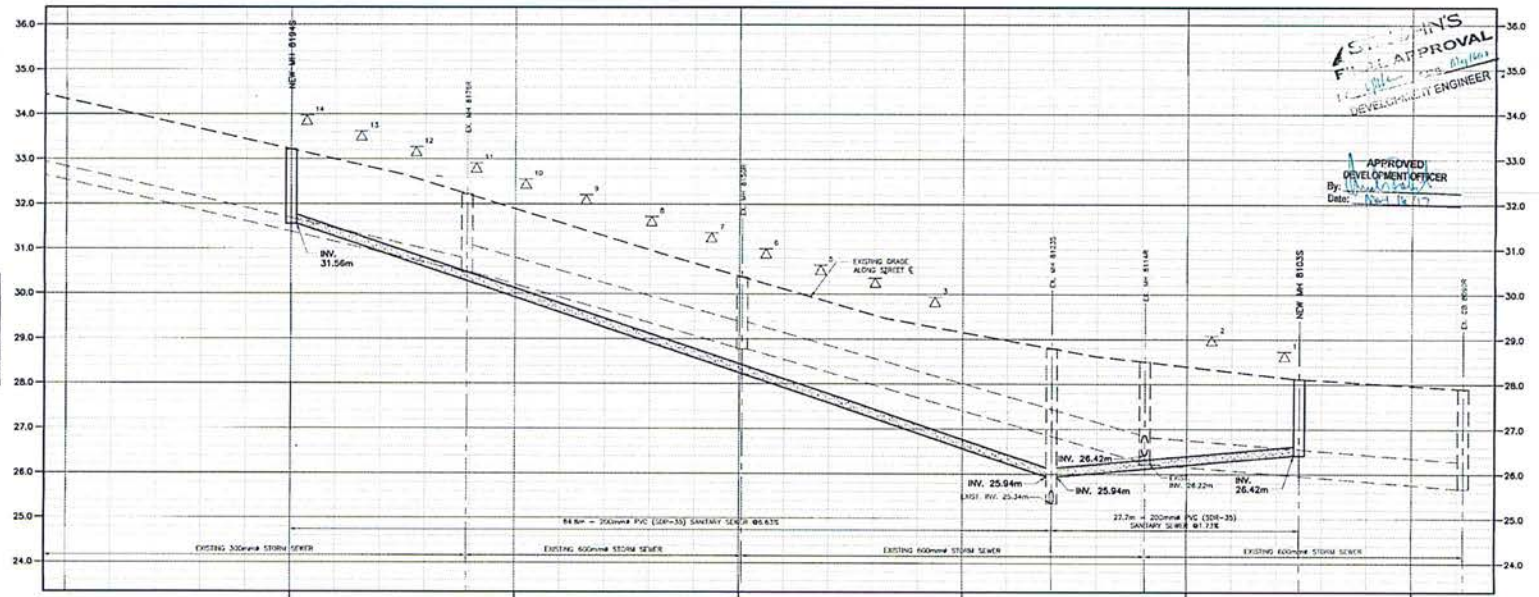
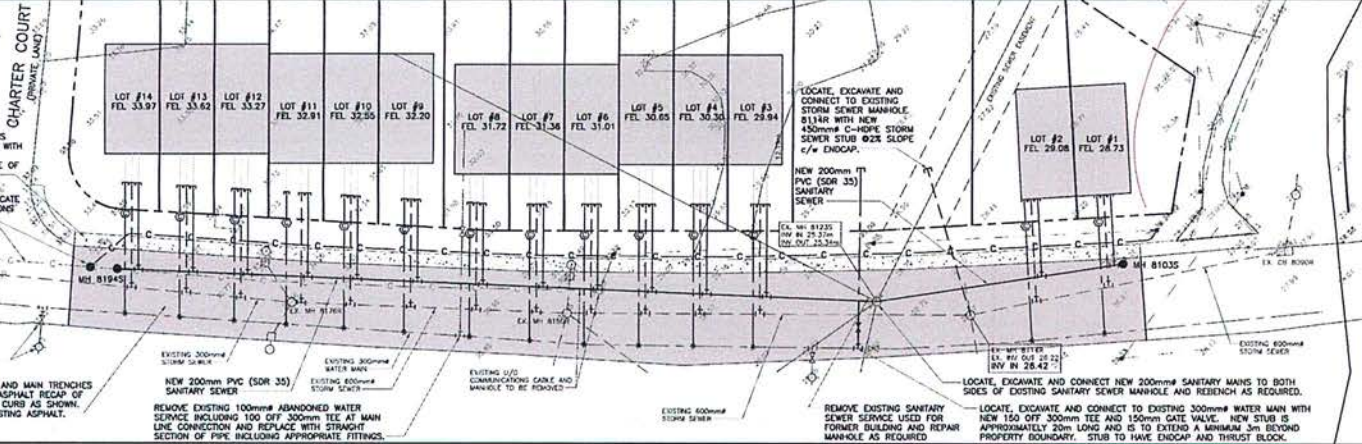
1:500

NOTE: ALL DWELLINGS SHALL BE SLAB-ON-GRADE AND HAVE IN-HOUSE GARAGES ON MAIN FLOOR.

AT ALL PROPOSED DRIVEWAY LOCATIONS REMOVE EXISTING CURB AND REPLACE WITH NEW LOWBACK CURB AND SIDEWALK. PROVIDE A 0.6m TAPER ON EACH SIDE OF DRIVEWAYS AND BLEND INTO EXISTING.

COORDINATE WORK AND REMOVE/RELOCATE EXISTING UNDERGROUND COMMUNICATIONS CABLE AS PER UTILITY COMPANY.

ASPHALT REINSTATEMENT OF SERVICE AND MAIN TRENCHES SHALL INCLUDE A SURFACE COURSE ASPHALT RECAP OF THE ENTIRE SECTION FROM CURB TO CURB AS SHOWN. NEW ASPHALT SHALL BLEND INTO EXISTING ASPHALT.



PROFILE STA 0+000 TO STA 0+112.5

- NOTES:
- DO NOT SCALE FROM DRAWINGS.
 - ALL WORK MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPLICABLE SECTIONS OF THE CITY OF ST. JOHN'S SPECIFICATIONS BOOK.
 - CONTRACTOR SHALL CONFIRM LOCATION, ALIGNMENT, INVERTS AND TYPE OF MATERIAL OF ALL UNDERGROUND SERVICES AND SHALL NOTIFY THE ENGINEER/OWNER PRIOR TO COMMENCING ANY WORK.
 - MINIMUM WIDTH OF ASPHALT REINSTATEMENT FOR THE TRENCH SHALL BE 3.0m. ASPHALT REINSTATEMENT MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF ITEM NO. 353, FULL DEPTH ASPHALT PATCH, OF THE CITY OF ST. JOHN'S SPECIFICATIONS BOOK.
 - STREET EXCAVATION PERMIT MUST BE OBTAINED PRIOR TO STARTING ANY WORK WITHIN THE PUBLIC STREET RIGHT-OF-WAY.
 - A PERMIT TO CONNECT MUST BE OBTAINED PRIOR TO PERFORMING ANY SEWERING WORK.
 - ALL WORK ON EXISTING WATER MAINS SHALL BE DONE BY CITY FORCES.
 - FOR TYPICAL SERVICE CONNECTION SEE DETAIL 1, SHEET D1

APPROVED FOR APPROVAL	DATE (DD/MM/YY)
BY	BY
A - PLAN SECTION, ELEVATION OR DETAIL NO.	
B - NO. OF DRAWING WHERE ABOVE IS DRAWN	

REFERENCE:

PROJECT STAMP:

PROVIDE BY: **DYNAMIC ENGINEERING LTD.**

PERMIT HOLDER: **The Permit Affix**

DYNAMIC ENGINEERING LTD.

As a qualified Professional Engineer in Newfoundland and Labrador, I hereby certify that I am the holder of the permit.

DYNAMIC ENGINEERING LTD.
PROJECT MANAGEMENT, ENGINEERING & CONSULTING

67 CAMPBELL AVENUE ST. JOHN'S, NL A1B 2Z6 TEL: (709) 368-1699 FAX: (709) 368-0316 info@dynamic-engineering.ca

FOR APPROVAL ONLY

CLIENT: **TREBLE CONSTRUCTION LTD.**

PROJECT TITLE: **PROPOSED TOWNHOUSING DEVELOPMENT 55 CHARTER AVENUE**

DRAWING TITLE: **CHARTER AVENUE PLAN - PROFILE STA.0 +000 TO 0+112.5**

DESIGNED BY: D.J.M.	DATE: DEC 2016
APPROVED BY: S.D.B.	SCALE: AS SHOWN
PROJECT No: 16234	DRAWING No: C2
	REV: A

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 672, 2017**

WHEREAS the City of St. John's wishes to allow Semi-Detached Dwellings as a Discretionary Use in the Apartment Low Density (A1) Zone.

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

1) Add Section 10.12.2 Discretionary Uses:

“(k) Semi-Detached Dwelling”

2) Add Section 10.12.3 Zone Requirements:

“(4) Semi-Detached Dwelling:

(a) Lot Area (minimum)	270m² per Dwelling Unit
(b) Lot Frontage (minimum)	18m; 9m per Dwelling Unit
(c) Building Line (minimum)	0m
(d) Side Yards (minimum)	Two of 1.2m
(e) Side Yard on Flanking Road (minimum)	6m
(f) Rear Yard (minimum)	6m”

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs and Environment 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 _____, 2017.

Mayor

MCIP

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

City Clerk

Council Adoption

Provincial Registration

DECISION/DIRECTION NOTE

Title: St. John's Municipal Plan Amendment Number 141, 2017 and St. John's Development Regulations Amendment Number 650, 2017
Application to Rezone to the Commercial Central Mixed-Use (CCM) Zone
File no. MPA1600007
90 Duckworth Street (former East End Fire Station)
Applicant: Parlibright Holdings Ltd.

Date Prepared: December 5, 2017

Report To: His Worship the Mayor and Members of Council

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

Ward: 2

Decision/Direction Required:

Following the Public Hearing, Council may proceed with the next steps in the amendment process for St. John's Municipal Plan Amendment Number 141, 2017, and St. John's Development Regulations Amendment Number 650, 2017. Commissioner, Marie Ryan, appointed by Council to review this matter, recommends approval of the amendments; staff agree.

Discussion – Background and Current Status:

The City received an application to redesignate and rezone 90 Duckworth Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone, to allow the redevelopment of the former East End Fire Station as a brewpub and coffee shop. Parlibright Holdings was the successful applicant in a request for proposals issued by the City for the possible sale of the former East End Fire Station. Depending on the outcome of the rezoning application, Parlibright seeks to buy the property from the City.

A Land Use Report was prepared by the applicant and advertised for review. A public meeting was held on August 30, 2017. A number of questions and concerns were raised at the public meeting pertaining to noise (especially night-time noise with houses so close by), odours from brewing beer, hours of operation, and what options area residents have if there are problems with the development after the property is rezoned.

Due to the City's concern for the site, the request for proposals was carried out before any rezoning, so future use of the property could be evaluated. Once a land-use zone is changed, the owner of a property is legally entitled to use the property for any land use in that zone, subject to meeting all standards. Prior to the rezoning application being considered by Council, the applicant was asked to respond to the concerns raised at the public meeting, did so with supplementary information.

At its Regular Meeting on September 25, 2017, Council agreed to proceed with the proposed amendments. Following provincial release, on October 16, 2017 Council adopted the amendments and appointed Ms. Marie Ryan as the commissioner to conduct a public hearing.

The hearing was held at City Hall on November 7, 2017. Commissioner Ryan has now submitted her report and recommends approval of the amendments. A copy of the Commissioner's report is attached for Council's consideration.

ST. JOHN'S

The former fire station also served as a City service depot for several division before the City decided to sell it. The fire station saw activity and noise around the clock, depending on when a fire alarm would come on. The City depot use was more of a daytime use.

Most of Duckworth Street has commercial zoning and sees daytime and nighttime activity. There are nearby houses along many blocks of Duckworth Street, as the commercial activity borders the downtown residential neighbourhoods. Duckworth itself is busy with vehicular traffic and pedestrians throughout the day and into the night.

The property at 90 Duckworth Street is bordered by a number of residential properties, and the quiet enjoyment of residents is important. The current residential zoning could have remained in place, but when the City offered the property for sale, there was no interest in redeveloping it for residential use.

Concern over a change in use of a nearby property is natural and understandable. The key is to avoid or minimize undue impacts. Commissioner Marie Ryan, appointed by Council to review the amendment to accommodate this proposed development, has recommended that they be approved.

The proponents have addressed concerns over parking, traffic, snow storage, the brewing process, their loading area, and outdoor deck. They have confirmed that they will not have outdoor speakers. Their hours of operation will be subject to a Development Agreement with the City.

Key Considerations/Implications:

1. Budget/Financial Implications: Not Applicable
2. Partners or Other Stakeholders:
Future property owner (applicant) & neighbouring residents.
3. Alignment with Strategic Directions/Adopted Plans:
This aligns with policies of the St. John's Municipal Plan for downtown commercial activity and redevelopments. It also aligns with the City's Strategic Plan for "Neighbours Build Our City".
4. Legal or Policy Implications: Not Applicable
5. Engagement and Communications Considerations:
Public Meeting and Commissioner's Public Hearing have been held.
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 that Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 141, 2017, and St. John's Development Regulations Amendment Number 650, 2017, as adopted. These amendments would redesignate and rezone the property at 90 Duckworth Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone for the redevelopment of the former East End Fire

Station as a brewpub and coffee shop. If approved, the amendments will 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*.

It is also recommended that Council approve the Discretionary Use of 90 Duckworth Street for a Lounge in the Commercial Central Mixed (CCM) Zone, subject to Section 7.21 of the St. John's Development Regulations where the property is within 150 metres of a residential zone. The lounge will be subject to the terms of a Development Agreement with the City for its operation.

Prepared by/Signature:

Lindsay Lyghtle-Brushett, MCIP, Planner III

Signature: _____

Approved by - Date/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

LLB/dlm

Attachments:

Commissioners Report
Amendments
Location map

COMMISSIONER'S REPORT ON THE

**ST. JOHN'S MUNICIPAL PLAN
AMENDMENT No. 141, 2017**

and

**ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT No. 650, 2017**

Prepared by:

Marie E. Ryan
Commissioner

December 5, 2017

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1.0 INTRODUCTION

At the Regular Meeting of the St. John’s Municipal Council (“Council”) held on October 16, 2017, I was appointed as the Commissioner to conduct a public hearing and prepare a report with recommendations with respect to proposed amendments to both the St. John’s Municipal Plan (*Amendment Number 141, 2017*) and the St. John’s Development Regulations (*Amendment Number 650, 2017*). The intent of these amendments is as follows:

St. John’s Municipal Plan (*Amendment Number 141, 2017*)

Redesignate property at 90 Duckworth Street [Parcel ID #33781] from the Residential Downtown Land-Use District to the Commercial Downtown Land-Use District.

St. John’s Development Regulations (*Amendment Number 650, 2017*)

Rezone property at 90 Duckworth Street [Parcel #33781] from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone.

This redesignation and rezoning of Civic #90 Duckworth Street (Parcel ID#33781) is in response to an application submitted by Parlibright Holdings Inc. to redevelop the former East End Fire Station (located on this parcel of land) to allow for a brewpub and café development.

It is important to state that the St. John’s Municipal Plan must conform to the St. John's Urban Region Regional Plan (the “Regional Plan”), which was adopted by the Province in 1976. The Regional Plan applies to all land in the St. John’s Urban Region, which is essentially the Northeast Avalon Peninsula. The Regional Plan is the Province’s principal document for determining land use and development in the Urban Region. It distinguishes between urban and rural areas, and provides protection for the Urban Region’s agricultural area, resource areas and designated scenic roads. It is the framework within which municipal plans are prepared by municipalities on the Northeast Avalon.¹

My appointment as Commissioner was made by Council under the authority of Section 19 of the *Urban and Rural Planning Act, 2000*, with the accompanying duties established in Section 21(2) and 22(1) which note that the Commissioner is to “[...] hear objections and representations orally or in writing [...]” and, subsequently, to submit a written report on the public hearing including recommendations arising from the hearing.

This public hearing was scheduled for 7 p.m. on Tuesday, November 7, 2017 at St. John’s City Hall. Prior to this date and as required by legislation the hearing was advertised in the Saturday, October 21, 2017 and Saturday, October 28, 2017 editions of The Telegram and additionally the amendments were publicized on the City of St. John’s website (<http://www.stjohns.ca/public-notice/public-hearing-90-duckworth-street>). Notices also were mailed out, as required, to all property owners within a minimum

¹ City of St. John’s. St. John’s Municipal Plan (June 2007). Section I -1.4 Relation to Other Levels of Planning. Pg. 1-4.

radius of 150 metres of the subject properties. This notice provided a site plan and advised of the date, time, location and purpose of the upcoming public hearing.

The public hearing was convened on Tuesday November 7, 2017 at 7 p.m. in the Foran/Greene Room of St. John's City Hall. There were approximately 22 interested persons in attendance, including city residents with questions about the proposed rezoning and representatives from Parlibright Holdings. Assistance at the meeting was provided to Your Commissioner by the following City staff: Mr. Ken O'Brien, Chief Planner, with the Department of Planning, Engineering and Regulatory Services.

Prior to this hearing, ten written submissions were received. These submissions are referenced in this Report under the section "Written Submissions Received in Advance of the Hearing" (see section 3.0 of this report) and the full text of each submission is found in Appendix "B".

No formal/taped transcript of the public hearing was made, and the notes made by Your Commissioner constitute the record of the hearing. All those requesting the opportunity to speak were accorded that right.

1.1 The issue

The issue for Your Commissioner and the topic for the hearing was whether or not the following two amendments should be approved. In general, the intent of the amendments is:

St. John's Municipal Plan (*Amendment Number 141, 2017*) - Redesignate property at 90 Duckworth Street [Parcel ID #33781] from the Residential Downtown Land-Use District to the Commercial Downtown Land-Use District.

St. John's Development Regulations (*Amendment Number 650, 2017*) - Rezone property at 90 Duckworth Street [Parcel #33781] from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone.

2.0 BACKGROUND

2.1 The application

The City of St. John's let a Request for Proposals (RFP) to seek expressions of interest in relation to the possible sale of the former East End Fire Station. Three submissions were received, with all related to non-residential development. Parlibright Holdings Inc. was the successful respondent to the RFP.

The process leading to the hearing on the proposed amendments was triggered by a November 2016 application from Parlibright Holdings to redevelop 90 Duckworth Street to accommodate a brewpub and café development. Depending on the outcome of the rezoning application, Parlibright Holdings will be seeking to buy the subject property from the City.

This parcel of land is City-owned and is on the northwest corner of Duckworth Street and Ordnance Street. The building is set back from the street by a large parking area that was originally used by fire trucks. It has frontage along Ordnance Street and borders the Red Ochre Gallery on the west side of Duckworth Street and houses on Ordnance and Wood Street on the northeast and northwest sides respectively.

At the time of the application and currently, the former East End Fire Station – a two-storey concrete building built in 1962 - is located on the parcel of land at 90 Duckworth Street. Following its use as a fire station, it was used by Parks and Buildings staff. It was unoccupied at the time of the application.

Of note, an earlier application to create a new zone to accommodate a large residential and commercial development (as a component of a proposal to also include rezoning of 83 Duckworth Street to accommodate a boutique hotel) did not proceed.

2.2 The review processes

The following provides a detailed overview of the relevant correspondence and activity related to the processing of the application from Parlibright Holdings.

November 16, 2016 – Correspondence from Arthur MacDonald, Planner, Urban Design and Heritage, to the City of St. John’s Planning and Development Committee

This correspondence to the Planning and Development Committee outlined Parlibright Holdings proposed redevelopment for 90 Duckworth Street to accommodate a brewpub and café. In addition, it detailed the required zoning changes and planning considerations relative to this proposed redevelopment.

This property is located in Planning Area 1, Downtown. Under the St. John’s Municipal Plan, the property is within the Residential Downtown (RD) Land Use District. Under the St. John’s Development Regulations, the current zoning is the Residential Downtown (RD) Zone. This current designation and zoning do not allow for the proposed development and so rezoning would be required. As such, approval was sought to redesignate 90 Duckworth Street to the Commercial Downtown (CD) Land-Use District and rezone the subject property to the Commercial Central Mixed-Use (CCM) Zone.

In terms of the surrounding zoning context, for 90 Duckworth Street:

- It directly abuts the Commercial Central Mixed (CCM) Zone to the west;
- It is across from other CCM-zoned properties on Duckworth Street; more generally, Duckworth Street properties nearby are zoned CCM.
- To the north is the Residential Downtown (RD) Zone along Wood and Ordnance Streets;
- Across Ordnance Street, to the east, is the street median in the Open Space (O) Zone and the Sheraton Hotel in the Commercial Office Hotel (COH) Zone.

It is stated in this correspondence that the rezoning of the subject property to the CCM Zone is a logical extension of the zoning along Duckworth Street.

Heritage considerations

The subject property at 90 Duckworth Street is located in Heritage Area 1, but is not designated by Council as a Heritage Building. From a heritage perspective, it is identified that Parlibright Holdings wishes to maintain the exterior façade of the existing building on the subject property, with renovations to open-up the historic fire hall service bay and build a canopy over the outside eating area.

Parking considerations

The property is located in the Downtown Business Improvement Area and is subject to the Downtown Parking Standards. The former “Public Utility”, a non-residential use, did not require any on-site parking at the time of its development; therefore, no additional parking spaces are required for Parlibright Holding’s pending non-residential use application, pursuant to Section 9.1.2(2)(I)(iii)(a) of the City’s Downtown Parking Standards. It is noted in the correspondence that the applicant may wish to provide parking for clients and staff.

Planning Considerations relative to major non-residential developments adjacent to dwellings in the Residential District

Major non-residential developments adjacent to dwellings in the Residential District shall:

- provide landscaping or screening of parking, shipping and storage areas directly visible from adjacent dwellings;
- provide a 3m landscaped area or a screen 1.8m in height, where a commercial use adjoins a residential use;
- control noise and/or odors to minimize negative effects;
- direct outside lighting onto the non-residential site to avoid spillover onto adjoining residential properties;
- locate snow piling areas away from common fences with residential properties and away from streets; and
- situate parking and on-site vehicular circulation to minimize impacts on adjoining residential properties.

Before considering approval of a significant extension to, or intensification of, a major non-residential use in or adjacent to a Residential District, Council may require a Land Use Assessment Report (LUAR). Due to the close proximity of residential dwellings, in particularly 8 and 10 Woods Street as well as 2 Ordnance Street, City staff recommended that the proponents be required to undertake such an Assessment.

Further, it was highlighted that Section 7.21 of the St. John’s Development Regulations requires the discretionary approval of Council in relation to applications such as the one under consideration, i.e.,

where a lounge is proposed within 150m of a residential zone, within the Downtown Business Improvement Area² and/or an outdoor eating area is proposed within 150m of a residential zone. Based on this requirement, the staff recommended that the discretionary use and rezoning processes run concurrently.

Finally, in terms of key considerations and/or implications for the City, the following were identified:

1. Budget/Financial Implications - The City is the property owner and, if the building is sold, the property will be added to the City's Assessment Roll.
2. Partners or Other Stakeholders include the applicant, City, community groups and citizens.
3. Alignment with the City's Strategic Directions/Adopted Plans:
 - Neighbourhoods Build Our City: develop parks and places for people – a private community hall; Maintain and position downtown as a distinct neighbourhood.
 - A city for all seasons: support year-round tourism and industry activity.
4. Legal or Policy Implications - Legal staff will be involved throughout the sale of the property.
5. Engagement and Communications Considerations – There would be a public meeting, followed by a commissioner's public hearing.

There were no considerations or implications related to human resources, procurement, information technology or "other".

In conclusion, it was recommended that the request to rezone 90 Duckworth Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone to accommodate a brewpub and café development, be considered. Staff further recommended that an LUAR be required, as per Terms of Reference which accompanied this correspondence. Once this report was accepted, staff recommended that it should be referred to a public meeting, chaired by a member of Council. Simultaneously, staff would undertake the requisite notification for a lounge and outdoor [eating] area.

It was also identified that, as an amendment to the Municipal Plan is necessary for the proposed redevelopment of 90 Duckworth Street, a commissioner's public hearing also would be required.

July 23, 2017 The "Fire Hall" Land Use Assessment Report (LUAR) – prepared by Phil Maloney on behalf of Fire Hall Brew Co. *(Note: this was revised from earlier drafts submitted to the City of St. John's Planning, Engineering and Regulatory Services)*

² As per the definition found in Section 2, pg. 6, of the St. John's Development Regulations, the *Downtown Business Improvement Area* means that area of the Downtown generally bounded by Harbour Drive, Temperance Street, Duckworth Street, Livingstone Street, and Springdale Street.

As stated previously, the City required Parlibright Holdings to complete an LUAR for the proposed redevelopment of 90 Duckworth Street. Formerly known as a Land Use Impact Assessment, and as defined in the St. John's Development Regulations, an LUAR is "any study prepared by a suitably qualified person who is a full member of the professional society or societies that licence or recognize practitioners in the field and who has had experience directly related to the matter at hand to assess any significant impacts a use or development may have on the urban environment and/or the quality of life of its citizens".

The City also stipulated the Terms of Reference for this LUAR as per the November 16, 2016 correspondence (see Appendix "A"). In particular, the applicant was to identify significant impacts on land uses adjoining the subject properties and, where appropriate, also identify measure to mitigate these impacts.

The LUAR presents an introduction to, and overview of, the proposed redevelopment, as summarized below:

Introduction

The Fire Hall" is to be developed as a "Newfoundland-focused premiere, rotating-tap craft brew pub and taproom" that will also serve as a cafe and community space in the heart of downtown. The vision is to fill the void in the ever-growing craft beer marketplace and satisfy this demand by supplying locally crafted beer on tap from their brewery, as well as guest taps offering beer from other craft breweries across Newfoundland and Labrador, and throughout Canada.

During the day, it is anticipated "The Fire Hall" would run as a third-wave espresso and coffee bar. They will strive to be a family establishment focused on serving the local community, and will monitor and adjust their hours of operation to minimize noise concerns for the neighbours. They would like to establish a symbiotic relationship with local farmers, families and restaurateurs and are committed to engaging local purveyors, suppliers and farmers.

Project overview

The proponent plans to reinvigorate the East End Fire Station space to complement the local area, while maintaining the heritage aspects of the building and respecting the historical significance of the building to St. John's. In so doing, they note benefits that will accrue to the local area: e.g., a community meeting space for the local neighbourhood, and potential to attract and stimulate business to the east Duckworth Street area.

They reiterate and acknowledge the need to be mindful of and responsive to concerns of the adjacent neighbours. "Every measure will be taken into consideration to ensure that our deliveries, equipment and patrons have minimal impact on the local residents during interior construction and operation."

The following summarizes the information provided in response to the City's Terms of Reference for the LUAR for the proposed development:

A. Building Use

The primary use of the East End Fire Hall building situated at 90 Duckworth Street is a micro-brewery/public house and coffee shop. The intent is to maintain the existing footprint, structure and exterior, while restoring the garage door on the front of the building to its original size. The Gross Floor Area of 90 Duckworth St. will remain unchanged. The Floor Area Ratio (FAR)³ also would remain unchanged.

The first-floor area of the building will be the primary brewing and café storefront space. It will have a seating allocation for approximately 90 patrons, and include a small kitchen in the south end of the first floor and brewing facilities in the north end. There will be a single unisex bathroom on the main floor, which will be accessible to persons with disabilities.

The second-floor area will be used primarily as office space and storage, but will also include public washrooms and a private function room in the southeast corner of the building, which will be able to accommodate up to 30 patrons. This area also will act as overflow seating in the event that the main floor reaches capacity.

The basement area will be used for storage of brewing materials and supplies (grain, hops, yeast), as well as a cold storage area for the finished beer. The basement will be available to staff only and will not be accessible to the public.

B. Elevation/Building Height and Materials and Locations

The elevation of the proposed redeveloped building will not change from that of the existing structure.

In terms of building materials, it is proposed that the exterior of the building will remain virtually unchanged, with the exception of signage, restoration maintenance, and paint (the exterior will be painted white). Additionally, there will be a 450 sq. ft. covered (wooden canopy) seating area at the front of the building. All structural and foundational design aspects shall be endorsed by a structural engineer licensed to practice in Newfoundland and Labrador.

C. Building Height and Location

The building height will not change and hence, there will be no more shadowing than currently is created by the existing building. Similarly, the building's footprint will remain the same and so will not impose any further on the surrounding buildings.

The garage door on the southeast side of the building will be enlarged and measure slightly larger than the original door at 11'10" high x 18'10" wide. The door will be comprised primarily of clear glass with some steel seen where each panel joins the next.

³ As per Section 2 – “Definitions” of the St. John’s Development Regulations, Floor Area Ratio means the ratio which the Gross Floor Area of the Building or Buildings on a Lot shall bear to the area of that Lot, expressed in terms of the number "one (1)".

D. Exterior Equipment and Lighting

Lighting

The plans for exterior lighting will be fashionable, modern and minimal. There will be small lights over the front door which will illuminate the passage for patrons. These will be located at the southeast corner of the building and should not be visible from any residential houses located directly next to the building. There will be multiple strings of residential patio lights hung up above the outdoor seating area to provide light after sundown. These will only be visible by a small number of residents on Wood Street and can be adjusted as required.

Noise

The HVAC equipment used to heat and cool the interior air will be located on the roof of the second story of The Fire Hall. It is noted that, in this location, it will not be visible to most neighbouring houses and noise will be dampened. At full load, this unit will only produce approximately 50dB which will hardly be audible from street level.

Other exterior equipment includes the glycol chiller unit used to cool the beer during fermentation. This unit will live on the 1st floor roof of the brew room on the north side of the building. This unit only produces 50-60dB which is comparable to a normal conversation and it should barely be audible from ground level. This equipment was said to have been sourced to minimize the impact on the surrounding neighbours.

Shipping/receiving is anticipated to take place biweekly and during daytime hours to further minimize disruption to the neighbours. This activity will take place on the west side of the building between the subject property and the backyard fence of #6 and #8 Wood Street. It was stated that the applicant can further visually dampen the effects of their operations to their neighbours on Wood Street as described in section "E".

Odour

The current plan is to brew twice a week and during midday hours. It is anticipated this will produce very minimal aromas impacting neighbours during production hours.

E. Landscaping and Screening

The required and minimal landscaping will be straightforward. In tandem with the restoration of the exterior, restoration activities will be performed at the southside of the building in the current asphalted area.

A wooden deck and canopy will be installed to facilitate an outdoor seating area measuring 20' wide and extending 22' towards the southeast. The canopy will be retractable and will be deployed pending weather conditions. It will be supported by a wooden frame that will be custom built around the perimeter of the outdoor seating area to be both sightly and durable.

This exterior refurbishment will also include stone walkways and planters/greenery to further beautify exterior seating areas.

A 1.8m opaque screen will be erected along the west side of the property line to shield the view of The Fire Hall's operations from the neighbours on Wood St.

F. Snow Clearing / Snow Storage

A private snow clearing company will be employed to keep the front of our establishment, as well as the loading bay, free of snow and ice throughout the winter. Small amounts of snow will be pushed into the northwest corner of the property, and large snow storage amounts will be collected and disposed off-site.

G. Off-Street Parking

The intention is for the business to primarily attract foot traffic. In the event that parking is required, they note that ample parking locations exist on local streets, via parking meter spaces and adjacent parking lots. There will be room for two staff vehicles to park in the loading path on the west side of The Fire Hall.

H. Traffic

It is anticipated there will be minimal impact on local traffic, as the intention is to avail of foot traffic from the local downtown area, hotels and nearby businesses. Vehicle trip generation will see approximately 50 trips in the peak AM hours and 46 trips in the peak PM hours. The surrounding road network is not expected to experience a noticeable level of impact due to these operations. Note: a traffic impact statement was completed by Harbourside Transportation Consultants.

I. Construction Timeframe

Construction operations shall be confined to the building and lot. During construction, the majority of activity would be interior work. All external construction on the building will be performed during daylight hours. The exterior asphalted area will be developed in the later stages of the construction to initially allow a suitable lay-down area and parking lot for the construction period. Additional lay-down space on the west side of the building will be utilized, if absolutely necessary. Workers' vehicles and equipment will primarily be confined to the asphalted space at the south end of the lot.

August 30, 2017 – Public meeting to discuss the proposed development of the East End Fire Station at 90 Duckworth Street

A duly constituted public meeting was held to provide an opportunity for public review and comment on Parlbright Holding's rezoning application and proposed development for 90 Duckworth Street, including the LUAR. Twenty-one members of the general public were in attendance for the meeting. As well, 12 written submissions were received.

A review of these submissions identifies that most were in support of the development and/or felt the development could be a good addition to the area, **if** the issues which concerned them (e.g., noise) were addressed to their satisfaction. A petition containing eight signatures also was received in advance of the public meeting: the signatories (some of whom provided written submissions citing their opposition to the proposal) were concerned about the potential impact the proposed brewpub would have on their neighbourhood. The discussion at the hearing and the written submissions were similar in nature and intent to that discussed in sections 3.0 and 4.0 herein. In summary, those who expressed concerns raised issues of hours of operation, noise (e.g., from patrons leaving the building, those sitting on the outdoor deck, music, A/C), lack of parking and traffic safety, odours emanating from the brewing aspect of their operations and storage of garbage, as well as outdoor lighting and the impact on the adjacent properties. Further, one of the questions raised was what recourse the neighbours have if the rezoning proceeded and another commercial use was proposed in the future.

Those expressing support for the development, some of whom live close to the subject property, including the owner of the adjacent Red Ochre Gallery, indicated they were in favour of the proposed zoning change and building use. They said, for example, that it is a welcome addition to the east end of Duckworth Street, supports small business, and/or is a good solution for use of a neglected building in a high visibility location.

September 20, 2017 – Correspondence from the Chief Municipal Planner to the Mayor and Members of Council

This correspondence overviewed information previously presented to Council on the proposed development for 90 Duckworth Street, including that Parlibright Holdings had been the successful applicant in relation to a Request for Proposals issued by the City in relation to the possible sale of the former East End Fire Station. It was explained that the City received three proposals in response to their Request, all of which proposed to reuse the existing building and none of which involved residential development.

The correspondence noted that a public meeting had been held on August 30, 2017 to provide the opportunity for public review of and comment on Parlibright Holding's rezoning application and proposed development, as well as on the related LUAR that previously had been advertised for public review. It was referenced in this correspondence that a number of concerns were raised at the public meeting (as detailed above) to which the applicants were asked to respond. To that end, they provided an addendum to their LUAR (September 11, 2017 – Public Meeting Mitigations), as summarized below.

- Noise – The propose that the patio will close at 10 p.m. Sunday to Thursday and 11 p.m. on Fridays and Saturdays, at which time the garage doors and all other exterior doors will be closed; there will be no outdoor speakers. Live music/events will end no later than 11 p.m. on weekdays and midnight on weekends. The brewpub will close no later than midnight on weekdays and 1 a.m. on weekends. The 1” thick rebar and concrete in the existing building was referenced as

contributing to noise reduction. Deliveries and brewing are to be done during daytime hours.
(*Note: hours of operation are addressed by Council during the development phase.*)

Also, it was stated that the intent is for the proposed development to more closely resemble a sit-down restaurant than a bar. An 8' foot high wooden fence with horizontal boards will be erected along the west boundary to further shield the neighbours on Wood Street from their operations and patrons.

- Odours - Odours associated with the brewing process are expected to be minimal (approximately an hour around mid-day twice a week), with a local farmer picking up the spent grains on the same day as the brewing process. The applicant has identified additional mitigating measures, albeit one described as extremely environmentally unfriendly, if these odours remain problematic. Garbage will be sheltered to minimize smell and for pest control and will be picked up multiple times a week. Smoking will not be allowed behind or on the west side of the building.
- Traffic – The only potential impact on traffic would be the few minutes when delivery trucks are backing onto the property.
- Parking – There will be two spots for staff parking. There is no requirement for additional parking, and it is anticipated patrons will avail of parking in the area. Wood Street is parking by permit only and so there should not be any problems for these neighbours.

(It was stated in the City correspondence that off-street parking and traffic meet the City standards.)

- Other mitigating actions detailed by the applicant during the public meeting related to the construction phase. It was highlighted that most of the renovations are related to the interior of the building, thus dust will be mainly contained inside, and the redevelopment of the East End Fire Station will primarily be during daytime hours. Trades people will park in front of the building on the existing lot during the construction phase.

In terms of planning considerations, the City correspondence detailed that the proposal is for a commercial redevelopment of a long-time institutional building, used for many decades as a fire station and subsequently a service building for the City. Further, it stated that introducing a commercial zone along this section of Duckworth Street is in line with surrounding zoning along both sides of Duckworth Street. There were no additional considerations/implications raised than presented in the November 16, 2016 correspondence discussed previously.

The correspondence concluded by recommending that Council adopt-in-principle the required amendments to the Municipal Plan and St. John's Development Regulations to allow the rezoning and redevelopment of the subject property at 90 Duckworth Street. It then outlined the process should Council accept this recommendation. This would include sending the amendments to the Department of Municipal Affairs and Environment with a request for provincial release, upon which time the

amendments would come back to Council for consideration of formal adoption and appointment of a Commissioner, as per the Urban and Rural Planning Act, to conduct a public hearing.

September 27, 2017 – Correspondence from Lindsay Lyghtle Brushett, Planner III, Department of Planning Engineering and Regulatory Services to Lindsay Church, Planner III, Department of Municipal Affairs and Environment

This correspondence details a request from Council to the Department of Municipal Affairs and Environment to review the amendments under consideration (i.e., Numbers 141 and 650, 2017) against provincial interests and policies, with a request for issuance of a Provincial release.

October 4, 2017 – Correspondence from Lindsay Church, Planner III, Department of Municipal Affairs and Environment to Lindsay Lyghtle Brushett, Planner III, Department of Planning, Engineering and Regulatory Services

This correspondence from the provincial Department of Municipal Affairs and Environment (Local Governance and Planning Division) advised that, in keeping with the requirements of Section 15 of the *Urban and Rural Planning Act, 2000*, the municipal amendments related to the proposed rezoning of the subject property had been reviewed to determine any provincial government or agency interests. With none identified, these amendments were released from provincial review.

It was noted that as a result, Council could consider adopting the proposed amendments and moving forward with scheduling a public hearing. Further, it was stated that the municipal amendments and the accompanying maps were to be certified by a full member or fellow of the Canadian Institute of Planners and be dated and signed on behalf of Council. [Of note, this certification was subsequently provided.]

October 6, 2017 – Correspondence from Lindsay Lyghtle Brushett, Planner III, to the Mayor and Council

This correspondence explained to Council that the St. John's Municipal Plan Amendment Number 141, 2017 and St. John's Development Regulations Amendment Number 650, 2017 had been given Provincial release by the Department of Municipal Affairs and Environment, and, as such, Council could proceed with the next steps in the process to adopt these amendments.

The background on the application from Parlibright Holdings to redesignate and rezone 90 Duckworth Street to allow redevelopment of the former East End Fire Station to accommodate a brewpub and coffee shop were summarized in this correspondence (i.e., the RFP process, application from Parlibright - the successful applicant in relation to the RFP, the LUAR - with revisions, the public meeting, and request to, and agreement from, the province for Provincial Release of the amendments). Additional information on the RFP process stated that due to the City's concern for the site in question, the RFP was initially undertaken prior to a rezoning so that potential future uses of the property could be evaluated.

It was recommended that Council adopt the resolutions for the St. John's Municipal Plan Number 141, 2017 and the St. John's Development Regulations Number 650, 2017. Further, it was recommended that Council appoint Your Commissioner to conduct the related public hearing proposed for Tuesday, November 7th, 2017, at 7 p.m. at City Hall.

3.0 Written submissions received in advance of the hearing

Ten written submissions were received in advance of the hearing on the evening of November 7th, 2017. Six of the submissions were in support of the application; four were against. One additional submission was received post-hearing and this has not been included in the report. The following is a list of those who provided written submissions and a summary of their comments. As previously referenced, the full text of each submission is found in Appendix "B".

3.1 Brenda McClellan – commercial property owner, █ Duckworth Street

Ms. McClellan is the owner of Red Ochre Gallery - which is immediately adjacent to 90 Duckworth Street to the west. She voiced her support for whatever changes are necessary to enable the proposal for 90 Duckworth Street to move forward, stating that she feels the proposal will be an asset to this area of Duckworth Street.

3.2 Todd Perrin – █ Gower Street

Mr. Perrin was in full support of the proposal. As a close neighbour, he feels that this development is positive and a welcome addition to the neighbourhood and the "fabric of the east end of downtown." Further, he stated that the adaptation of the former East End Fire Station into this level of [proposed] industry is a "perfect and reasonable expectation for this part of the city", and would be "an awesome business and tourism asset" to the city, especially the downtown.

3.3 Chris Shortall – area resident

Mr. Shortall stated that he approved and supported the endeavour. He felt that the proposed use, with opening hours until midnight, assuages any noise concerns, and that, generally, the concerns being expressed are a barrier to adaptive re-use of vacant buildings in the downtown. He noted that there should be an elevator in the building for accessibility purposes.

3.4 Maria Miskell – York Street resident

Ms. Miskell expressed full support for the proposed business project for 90 Duckworth Street. She is a resident and owner of a Southcott Award-winning home on York Street and feels that her area of the downtown would benefit from this community-focused business. It would offer an opportunity for locals to socialize and have their own gathering place.

3.5 Bruce Gilbert – Gower Street

Mr. Gilbert expressed support for the proposed development for 90 Duckworth Street. He noted that it was the type of development needed in this area and would maintain the unique building (the fire station) largely intact. He did not share the concerns of others in the area, although he stated that it would be important for the City to adequately patrol the surrounding streets for parking violations.

3.6 Camille Fouillard – Gower Street

Ms. Fouillard expressed similar sentiments as Mr. Gilbert (see the previous section 3.5). Again, the issue of monitoring parking violations was raised.

3.7 Caroline Keonig and Karen Cimer – Wood Street

Ms. Koenig and Ms. Cimer are small business owners who note they recognize the value of ensuring survival of downtown business and re-use of vacant buildings, but not at the expense of local residents' home life.

Their greatest concern is the unintended impact and consequences of the proposed late-night pub on their existing and peaceful neighbourhood. It is felt that the proposed hours of operations will permanently change the peaceful nature of the neighbourhood and that the introduction of a bar-type establishment is in contrast to what the neighbours initially thought would be a family establishment. Ms. Keonig and Ms. Cimer feel that there should be a noise impact study undertaken.

Other concerns cited include:

- Rezoning to CCM would set a precedent for the proposed space and allow potentially undesirable businesses without opportunity for residents' input.
- While the intention is to attract foot traffic, it is likely that many patrons would drive resulting in parking concerns on Gower and Wood Streets, which already experience parking concerns from patrons visiting other local establishments.
- Industrial Noise: Truck air brakes, refrigeration trucks, HVAC equipment, fans, air conditioning, and the unknown impact of brewing equipment noise, invite industrial disruption into a residential neighbourhood.
- Industrial odours from brewing materials (grain, hops, and yeast).

Overall, they note that if a business is coming into the community, it must contain its impact on the neighbours.

3.8 Don Nichol and Mary Walsh – Wood Street

Mr. Nichol and Ms. Walsh feel that, as their backyard directly abuts the subject property, they will be most adversely affected. Their concerns can be summarized as follows:

Traffic: Ordnance Street is “deceptively busy”: it is a major conduit from King’s Bridge Road and Military Road into the downtown area. The patio could prove distracting for drivers at this intersection, given there are multiple directions to proceed, a crosswalk in the vicinity and cars turning down Hill O’Chips. The constant flow of cars and trucks might not be ideal for outdoor customers.

Parking: The revised [LUAR] allows for two parking spaces. Parking in the neighbourhood is already a challenge and off-street parking can be blocked by parked cars. Wood Street (2-way) and York Street (1-way) can get very congested when snow is piling up.

Noise: If the proposed establishment is granted a full liquor license and allowed to keep George St. hours for late closing, then life in the neighbourhood could become unbearable.

Smell: No matter how small the batch, the effects of fermentation can be quite pungent. This could be problematic, as it would be difficult to keep the windows closed on brewing days during a hot summer.

Landscaping: The proposal’s drawings add trees and a canopy that would obstruct the view and light from their backyard and kitchen. Having customers seated at tables within five metres of their back fence may be a little too close for comfort on both sides.

Footprint: While the LUAR says “the building’s footprint is not changing at all” (p.12), a fixed deck and frame will be added with a 12'-high roof that looks more permanent than retractable.

Impact on Property Values: They question what impact this establishment will have on adjacent property values, in particular in an environment where house prices continue to fall, and the economic impact is grim. They wonder whether any decrease in property value would be reflected in municipal taxes.

3.9 Glenn Redmond and Tasha Grey – Ordnance St.

Mr. Redmond’s and Ms. Grey’s condominiums are stated to be about 10ft from the proposed development at 90 Duckworth Street. They thought this was to be a restaurant and coffee bar not a late-night business. They are concerned about the proposed late closing time, in particular in relation to noise. They noted that the closing time of 1 a.m. is contrary to bylaws which state that this type of activity would only be allowed to 11 p.m.

Their proximity to the existing building also raises concerns about smell, as the level of projected discomfort has not been quantified and the time allocated for brewing may increase if business increases.

Mr. Redmond and Ms. Grey are business owners. They state they are not against development, but feel the amendments to the original LUAR do not adequately address the issues of concern.

3.10 Christa Marshal – Wood Street

Ms. Marshal's property backs on the proposed development at 90 Duckworth Street. She has a young family and is most concerned about the potential noise disrupting their sleep and ability to play in their backyard.

She hopes this business would not be operating under the same umbrella as existing bars/pubs – e.g. speakers on the patio. A secondary concern is smell from the brewing processes.

4.0 THE HEARING

Your Commissioner explained the intent of the hearing to those in attendance and spoke to the process to be undertaken during the course of same, i.e. presentation of the application by City staff, presentation by the proponent for the rezoning of the subject property, and presentation by/questions from any in attendance who desired to express their support or objections/concerns regarding the rezoning under consideration. Further, Your Commissioner reminded those in attendance at the hearing that the intent of the proceedings was to discuss the rezoning and not to comment on the merits or lack thereof of the specifics of the proposed development for the subject property.

Your Commissioner explained to those in attendance what was within her purview to consider and requested that they be respectful in their comments over the course of the evening.

4.1 Overview of the Application

Mr. Ken O'Brien, Chief Planner with the Department of Planning, Engineering and Regulatory Services, presented the proposed amendments to the St. John's Municipal Plan and St. John's Development Regulations. He explained that the City of St. John's Council is considering rezoning the property under discussion at 90 Duckworth Street and this requires an amendment to the St. John's Municipal Plan. The East End Fire Station, which has been on this site for decades, and which was used as a municipal building in recent years, is considered a non-conforming use in a residential zone. He noted that there are many similar examples downtown. Council is now contemplating selling the property and received three proposals from external proponents. If rezoned, it is anticipated that the property will be sold.

Mr. O'Brien stressed that the intent of the hearing was not to evaluate a particular proposal, but the merits of the rezoning. The issue is whether the zoning is to be changed from a residential to a commercial zone. He noted that even though the zoning may change, because the subject property is proximal to a residential area, Council has discretion in relation to proposed uses of lounges/eating establishments.

Mr. O'Brien referenced that, following the public hearing, the proponents proposed changes to their LUAR, which he summarized as per the information presented in section 2.2 – see September 20, 2017 correspondence.

A question from those in attendance was relative to what happens if the rezoning proceeds and the use changes from what is proposed. Mr. O'Brien clarified that once a particular zone is in place, this confers certain legal rights to the property owner.

4.2 The submissions

Your Commissioner explained that numerous submissions had been received from city residents and business owners in relation to the proposed development – some in support and some in opposition. She provided a summary of the comments, as presented in section 3.0.

4.3 Presentations

Steve Follet – Parlibright Holdings

Mr. Steve Follett spoke on behalf of the proponents. He thanked the people who were at the meeting and who have been providing feedback and identifying their concerns. He noted that they had changed some of the components of the LUAR in response to concerns identified, and said they will continue to work with the neighbourhood and local area to address ongoing concerns.

He stated that they are proposing a community-focused microbrewery, with a focus on making their own beer on site, while also selling beer from other brewmakers around the province. He explained that it would be open early morning and function as an espresso bar, providing coffee and a small food menu during the day.

Mr. Follett stressed that they feel this development will be focused on the local community. Restoring the building and undertaking this development will help the local economy. He anticipates it will be a tourism destination and have a positive impact on the local area.

Don Nichol – [REDACTED] Street

As per his written submission, Mr. Nichol reiterated that from his perspective there has been little change regarding the proposed development, then that which was submitted the summer. He reiterated points which he had made in his earlier submissions: they would be affected more than most because of the proximity to the property; they will be impacted by crowds on the patio with their peace and sleep disrupted; parking is problematic and with addition of a new business, existing residents' parking will be compromised in particular during a snowy winter; the smells will be problematic and they don't want to have to keep their windows shut; and there are concerns re property values.

He also wondered if the building would be accessible.

Response from the proponent:

Mr. Follett said the main floor would be accessible and at grade.

Caroline Koenig – █ Wood Street

Ms. Koenig referenced the letter which she had submitted outlining her concerns, but stated she wanted to open on a positive note and said that she would love to access the proposed establishment, but is worried about the unintended consequences of the rezoning. If the rezoning proceeds and the venture fails, then this might open up the area for a less welcome commercial establishment. She referenced regulations in other jurisdictions which speak to specific stipulations re outdoor patios backing onto residences (e.g., outdoor speakers are not permitted). She asked that Council restrict outdoor music.

Ms. Keonig said that while she supports small business and is a small business owner, now is the opportunity to mitigate unknown impacts at this stage – upfront. The proposed business should be containing the impact.

Dwayne Andrews - █ York Street

Mr. Andrews is a long-time livier in the area. He supports the project, describing the concept as fantastic. However, he stated that he can understand the concerns being expressed by the neighbours.

Shelley Bowen – █ Wood Street resident

Ms. Bowen stated that she is in favor of the proposed rezoning, but worried about the hours of operation. She asked whether or not the brewing days would increase, if the business is robust. Finally, she identified the concern regarding noise and the potential disturbance to the local neighbourhood, if there are twenty or thirty people outside on the deck at any given time. Further, Ms. Bowen expressed a concern regarding parking which is an existing problem, and wondered if the patio could be eliminated and replaced with additional parking.

Response from the proponent:

Mr. Follett noted that the preliminary hours of operation, as per their last submission, were weekdays: opening at 7 a.m. and last call at 12:00 a.m., with the patio closing at 10 p.m.; weekends: opening at 9 a.m. and last call at 1 a.m., with the patio closing at 11 p.m. He reiterated that the establishment is not intended to be a late-night bar or club, but rather for seated patrons.

Glenn Redmond – █ Ordnance Street

Mr. Redmond reiterated concerns expressed in his correspondence. He felt that, due to the proximity of his dwelling to the proposed development, the potential emissions will be a particular and considerable concern and yet, an unknown quantity in terms of degree. He was concerned that, if the smell penetrates his condominium, this would diminish his property value.

He also stated that parking on Ordnance Street is currently problematic, especially in the winter and particularly since one side already has restrictions. Mr. Redmond stated that adding a new establishment and more cars will exacerbate these parking issues.

Mr. Redmond also spoke to the proposed hours of operations for the brewpub, which he said looks less like a family establishment and more like a bar. He compared it to bringing George St. eastward.

He referenced the brew waste and asked if there were to be any waste remnants which might attract vermin. As well, he also referenced the noise which would be associated with the trucks coming to access garbage bins, which he felt would be unsightly.

Mr. Redmond said that he felt a brew pub will be good for business, but not necessarily a tourism draw. He also does not feel that one application of interest is sufficient for moving forward with the rezoning.

He wondered if restrictions could be placed on any potential future commercial development at 90 Duckworth Street, should there be a change of use sought.

Response from the Chief Municipal Planner:

Mr. O'Brien highlighted that the Central Commercial Mixed-Use Designation is found along stretches of Duckworth and Water Streets. He stated that while Council could consider putting specific restrictions in this site, it is likely that these would not hold up over time or when challenged. Creation of a new zone – spot zoning – while possible, is not considered a preferred approach by Council, given the many and various planning considerations.

Karen Cimer – ■ Wood Street

Ms. Cimer expressed a level of distrust in relation to the proposal stating that, early on in the discussions, the intent was to have a family-type establishment with early closing hours. She stated that George St. has certain relevant by-laws, and that the proposal for 90 Duckworth Street will result in George Street hours, with noisy people leaving the bar late at night.

Ms. Cimer also questioned what the recourse would be after the fact, if there is an agreement in place with the developer, i.e., what would be done to mitigate the neighbours' complaints? She again expressed concern about lingering odours from the brewing process.

She described the area bordered by Ordnance, Wood and Gower Streets as a local corridor, and one in which any noise or change has ramifications for the entire neighbourhood. Ms. Cimer felt that the update to the LUAR did not present any additional information regarding remedies to their concerns, but rather the potential for displacing people. She asked Council to remember that the neighbours were there first.

Response from the proponent:

Mr. Follett said that there was much speculation about the odours, but that it would only be a concern during the day and two to three hours during brewing time. He said that they could

add additional equipment (e.g., a vapor condenser), but it is not at all environmentally friendly due to the amount of water it uses.

Chris Shortall

Mr. Shortall wondered if the intent of the rezoning was to remove the non-conforming use and why rezone to a commercial zone.

Response from the Chief Municipal Planner:

None of the responses to the City's Request for Proposals included residential development. The three responses included two for brew pubs and one for commercial office space.

Mr. Shortall said that while rezoning could be problematic, it will be a draw for the area and should be a commercial space. He felt the impact could raise property values, given it is replacing a derelict and vacant building.

He felt that many people who own vacant properties are waiting for the best offer. He said the proposed rezoning results in the best use of the building: it will employ people during a period of economic downturn, result in tax revenue to the City and possibly be a tourist destination.

Mr. Shortall said that anyone who bought in the area should have reasonably known that this building would always be some type of commercial use. He said that residential zoning would be less amenable for the property given the difficulty with parking.

Comments from the proponent:

Mr. Follett said that they had been looking for a suitable property for their proposed development for three or more years and had put in some offers. The property at 90 Duckworth Street is considered the ideal location.

Paul Baker – a west-end resident

Mr. Baker expressed being a “huge fan” of this project. He said it would be another draw to bring people downtown and replace a derelict building which he describes as an “eyesore”. He said it was as an opportunity to give the building a facelift.

He also wondered if there would be the possibility of a future non-conforming use, should the zoning change proceed.

Response from the Chief Municipal Planner:

The richness of downtown life is in part due to the non-conformity. However, the intent is to move toward alignment with other uses. Even if the rezoning proceeds, the possibility for another non-conforming use is available for up to three years once an existing non-

conforming use ends. Beyond that window, there is no opportunity for another non-conforming use.

Deputy Mayor Sheila O’Leary

The Deputy Mayor suggested that some of the issues relating to noise and odours could be mitigated by plants and trees, which would create a natural buffer and a barrier for sound and absorption of smells. She wondered if this was a consideration in relation to the design – i.e., to create a treed barrier somewhere around the property.

Comments from the proponent:

Mr. Follett said that while this had been contemplated early on, it had raised issues of blocking sunlight and views from the adjacent properties.

5.0 CONSIDERATIONS

In reaching a conclusion on the merits of the proposed amendments, Your Commissioner considered the following information.

5.1 Consistency with the Municipal Plan

5.1.1 The City of St. John’s Vision

As stated in Section II of the St. John’s Municipal Plan, the Vision for the City is:

[...] to preserve and enhance the City of St. John’s as one of the oldest continuous settlements in North America, as a home for its citizens, and as the economic engine of the Province of Newfoundland and Labrador.

This Vision will be achieved through reinforcement of the physical and social features of the city that define its character, notably the harbour, the Downtown, and the many distinct communities within its boundaries. It is the goal of this Plan to continue to nurture the City of St. John’s as a leading community in Atlantic Canada, and as a home that provides its residents with diverse and high-quality housing, employment opportunities, and the full range of supporting services.

5.1.2 City-Wide Objectives and Policies

As stated in Section III – City-wide Objectives and Policies, “within each Land Use District, the Plan recognizes Permitted and Conditional Land Zones”, and that “an array of land use types may be suitable with a District”, but there must be a focus on compatibility. The criteria for determining compatibility include:

- The particular zones are found to be compatible with the dominant use of the District(s) in which they are located;
- Impacts associated with the particular zones are compatible with the policies adopted under this Plan.

5.1.3 Urban Form

As stated in Section III-1, "Urban Form" of the Municipal Plan:

The broadest objective of land use policies is to facilitate an efficient pattern of development. Generally, this means building a compact city. A compact city makes better use of its infrastructure and needs less roadways. With shorter distances to travel to work and shopping, car trips are reduced and transit use is facilitated. Often too, parks, schools, and facilities can be used more intensively, meaning the same investment will serve more people. A compact city, furthermore, reflects the traditional character of much of St. John's, exemplified by such areas as the Downtown, Georgetown, and Churchill Park.

Encouraging development of a compact city is particularly challenging for the City of St. John's because of its geography and history. [...] City policies on parking and 'limited circulation' in the Downtown have sought to balance development of the Downtown with its traditional character.

The overall objective of the St. John's Municipal Plan in relation to Urban Form (Section III (1.1)) is to "encourage compact urban form to reinforce the older areas of St. John's, to reduce the cost of municipal services, and to ensure orderly development in new areas".

A number of the General Policies detailed in Section III (1.2) reinforce the City's focus on facilitating compact urban form:

1.2.1 Development in Serviced Areas

The City shall encourage new development and redevelopment in areas serviced with municipal water and sewer extending existing networks in adjacent areas where capacity is sufficient but, especially, emphasizing opportunities within currently serviced areas where existing systems can accommodate increased density or infill.

1.2.2 Development Density

The City shall encourage increased density in all areas where appropriate.

[...]

1.2.4 Mixed Use

The City shall encourage the mixture of land uses in all areas.

5.1.4 Commercial Land Uses

Section III-3 of the St. John's Municipal Plan speaks to the role of the City in relation to commercial activity:

The role of the City is to ensure an adequate level of commercial services throughout St. John's by facilitating appropriate development in new areas, maintaining the viability of older areas, and minimizing the impact of commercial development on residential neighbourhoods and municipal services.

Further, as detailed in the objective (3.1) and general policies (3.2) in this Section, the City must facilitate commercial activities in appropriate locations throughout the city (particularly in the downtown), but with attention to ensuring mitigation of any potential negative impacts of such activity on residential areas.

3.1 OBJECTIVE

To ensure an adequate supply of suitable land to accommodate a range of commercial activity throughout the City to meet the needs of residents and to offer opportunities for work and employment.

3.2 GENERAL POLICIES

Retail uses in Commercial areas directly serve residential areas and office uses attract employees from Residential Districts daily. It is, therefore, necessary and desirable to place commercial facilities close to developed residential neighbourhoods. The following policies are devoted to defining and encouraging commercial development in suitable locations to serve residents and visitors with appropriate measures to mitigate their impacts on residential areas.

3.2.1 Adequate Service Levels

The City shall provide ample scope for business expansion at appropriate locations throughout the city and assist in the reorganization and redevelopment of older business areas, particularly the Downtown.

3.2.2 Development Impacts

The City shall ensure adequate control of commercial developments to limit any detrimental effects that may result from such developments.

5.1.5 Redesignation of the subject property

The subject property at 90 Duckworth Street is located within the Residential Downtown Land-Use District. As per this designation and as detailed in section III-2, specifically 2.3.4, this Designation allows for residential development and a range of dwellings in both permitted and conditional zones.

2.3.4 Residential – Downtown

- Permitted Zones

The City shall permit single-detached dwellings, semi-detached dwellings, duplexes townhouses, and apartments not exceeding four units per building.

- Conditional Zones

Subject to a Land Use Assessment Report, the city may permit zones to allow apartments not exceeding 24 units per building and boarding homes.

As stated earlier, the East End Fire Station, which has been on this site for decades, is considered a non-conforming use in a residential zone. The Municipal Plan allows for such non-conforming development and also speaks to the opportunity to change such designation as per Section III (1) (1.3.1) Non-Conforming Development, wherein it states that “Council may permit the modification or change of a Non-Conforming Development”.

It is proposed that the subject property be redesignated to the Commercial Downtown Land-Use District, which as per Section III (3.3.4) permits the following commercial uses:

1. Retail;
2. Service shops;
3. Public;
4. Horticultural operations;
5. Office; and
6. Transient accommodations.

Redesignation of the subject property to the Commercial Downtown (CD) Land-Use District allows for the proposed development. This designation can accommodate a brewpub and café development.

5.1.6 Heritage Area

Section III-7 of the St. John’s Municipal Plan speaks to the critical nature and value of the city’s Heritage Areas. It references the importance of preserving and building on the city’s historical legacy and that this action is one of the key tenets of the Vision that guides the Municipal Plan. Further, it states that as the city develops, “heritage buildings should retain their original features, although their use can and must evolve over time; heritage areas also need to accommodate appropriate new buildings and redevelopment”. Relevant sections are presented below.

7.2. GENERAL POLICIES

7.2.1 Heritage Regulations

The City shall adopt regulations to encourage the conservation and continued use of buildings that have architectural or historical significance, and to encourage the preservation of building facades and other exterior physical features of architectural or historical significance.

7.2.2 Historic Character and Compatibility

The City shall encourage the renovation of existing buildings to their original designs. The City shall ensure that renovations and new development are compatible with adjoining buildings in terms of style, scale, height, and architectural detail.

[...]

7.3 LAND USE DISTRICT POLICIES

The City shall establish the St. John's Heritage area to identify and protect the historic built heritage of St. John's, and to ensure that building renovations and new development [are] in character with, or complementary to, older buildings.

5.2 The St. John's Development Regulations

5.2.1 Proposed zoning

Under the St. John's Development Regulations, the subject property at 90 Duckworth Street is located in the Residential Downtown (RD) Zone (see Section 10.6 of the Regulations). This Zone includes, as permitted uses, a range of residential type structures - e.g., Single and Semi-Detached Dwellings, Bed and Breakfast, Lodging House, as well as discretionary service-related uses - e.g., Adult Day Care Facility, Day Care Centres, Home Occupation and Public Use. The RD Zone does not accommodate the proposed development.

It is proposed that the subject property be rezoned to Commercial Central Mixed-Use (CCM) which, as detailed in Section 10.23 includes a range of commercial uses, including but not limited to:

10.23 COMMERCIAL CENTRAL MIXED-USE (CCM) ZONE

[...]

Commercial

[...]

(p) Eating Establishment

[...]

(r.1) Lounge

The proposed zoning could accommodate a development such as that being proposed by Parlbright Holdings.

Discretionary Use

As per Section 2 "Definitions" of the St. John's Development Regulations, a *Discretionary Use* is defined as follows:

Discretionary Use, as described in Section 5.8 of these Regulations, means a Use which may be permitted by Council to be established subject to special conditions or controls.

Section 5.8 of the St. John's Development Regulations sets out that:

Discretionary Uses may only be considered for approval where they are set out as Discretionary Uses in Section 10, subject to the requirements of these Regulations [...].

Section 10.23 Commercial Mixed-Use (CCM) Zone sets out the Discretionary Uses in the CCM Zone (10.23.2), which could accommodate the proposed development for 90 Duckworth Street.

Section 7 "Special Developments" discusses Lounges and Eating Establishments, including the discretionary powers of Council where these uses are proposed within 150M of a Residential Zone:

7.21 Lounges and Eating Establishments

[...]

(3) An application for a Lounge shall be processed as a Discretionary Use where a Lounge is proposed to be located with 150 metres of a Church, a School or a Residential Zone or an Apartment Zone.

(4) An application for a Lounge at a property located in the Downtown Business Improvement Area shall be processed as a Discretionary Use [...].

(5) An application for an outdoor eating area associated with an Eating Establishment shall be a Discretionary Use where the Eating Establishment is located within 150 metres of a Residential Zone, an Apartment Zone, a Church or a School.

5.2.2 Zoning considerations

5.2.2.1 Parking and traffic

The site of the proposed development falls under the purview of the City's Downtown Parking Standards. Off-street parking requirements are detailed in Section 9 of the St. John's Development Regulations. As per Section 9.1.1 General Parking Requirements, parking requirements in relation to a restaurant or tavern is one parking space per 5m² of seating area (Section 9, pg. 3).

However, as stated in the November 16, 2016 correspondence (see section 2.2 herein), the former use of the East End Fire Hall was as a Public Utility (as defined in Section 2, Pg. 14, of the St. John's Development Regulations). At the time of its development, this non-residential use did not require any

on-site parking. Therefore, no additional parking spaces are required for the pending non-residential use application under consideration, as per the following regulation:

9.1.2 Special Parking Requirements

[...]

9.1.2 (2) (I)(iii)(a)

Notwithstanding ss. 9.1.2(2) (I)(i) and (ii), where an existing non-residential Development was constructed further to an Approval issued prior to the coming into force of the Downtown Parking Standard, which Approval permitted a lesser parking requirement than stipulated by ss. 9.1.2(2)(I)(i) and (ii), then the parking requirement for the said non-residential Development shall, except as s. 9.1.2(2) may otherwise from time to time apply, remain as established pursuant to the said Approval.

5.2.2.2 Non-residential developments adjacent to dwellings in a residential area

Several sections of the St. John's Development Regulations speak to mitigating potential impacts arising from a non-residential development adjoining dwellings in a residential area.

7.4 COMMERCIAL DEVELOPMENT ADJACENT [TO] RESIDENTIAL AREAS

Where a commercial development adjoins a residential area:

[...]

(b) landscaping of the commercial properties shall Screen outdoor parking, shipping, and storage areas directly visible from adjacent Dwellings;

(c) snow piling areas shall be provided away from common Fences with residential properties and away from Streets;

(d) Parking Lots and motor vehicle circulation areas for Commercial Uses shall be situated to minimize the impact on adjoining residential properties.

8.5.1 Landscaped Area and Screens

A 3m landscaped area or a Screen at least 1.8m in height shall be provided where a Commercial, Industrial or Public Use adjoins a Residential Use.

Further, and as per the November 16, 2016 correspondence, additional requirements would be needed to control noise and/or odours to minimize negative effects on the adjoining residential area, and direct outside lighting onto the non-residential site to avoid spillover onto adjoining residential properties.

5.2.3 Heritage Areas Standards

In the early 2000s the City commissioned a study to:

- examine the boundaries of the St. John's heritage areas and determine whether they should be changed, by adding or deleting neighbourhoods and streets, and also to describe the main characteristics that need to be protected;
- recommend specific properties that should be designated as heritage buildings and to coordinate these lists and criteria with provincial and federal agencies; and
- identify and rank significant public views and scenic corridors, and recommend how best to protect them for public enjoyment. Primarily these views are in downtown St. John's, but also include significant public views elsewhere in the city.

The resulting study by PHB Group Inc. in consultation with Tract Consulting Inc. - St. John's Heritage Areas, Heritage Buildings and Public Views⁴ - detailed specific standards for three Heritage Areas: 1, 2 and 3. These Heritage Areas were designed to respond to the different characteristics within each Area and have specific design criteria attached to each. Heritage Area 1 has relevance to the subject property at 90 Duckworth Street.

As described in the PHB Group report for Heritage Area 1 (pg.19):⁵

Areas under this designation contain the city's most valuable heritage buildings and streetscapes. The boundaries are expanded slightly to include significant streetscapes that face into the areas identified as exceptional in the evaluation. Although many of the institutional and commercial buildings in these areas need repair, heritage character is generally intact. The objective of this designation is to protect and preserve these characteristics as close to the original as possible. There is not a lot of potential for new construction within this area, but, where it can occur, it must conform to existing scale, style and detail.

As previously stated, the subject property at 90 Duckworth Street is located in Heritage Area 1, but is not designated by Council as a Heritage Building. From a historical perspective, it is identified that Parlibright Holdings wishes to maintain the exterior façade of the existing building on the subject property, with renovations to open-up the historic fire hall service bay. Overall, the intent is to preserve the historical significance of the building and restore the condition of the façade.

Section 5.9.4 of the St. John's Development Regulations details stipulations/standards for the redevelopment of properties located in Heritage Areas 1, 2, and 3 – primarily in the downtown core and adjacent areas, and based on the findings of the 2003 Pratt report.

⁴ This report is available from the City's website under "Publications" - www.stjohns.ca/publications.

⁵ This information on the Heritage Areas is taken from the March 2003 report from the PHB Group Inc. (in consultation with Tract Consulting, Inc.) - St. John's Heritage Areas, Heritage Buildings and Public Views. Available from www.stjohns.ca/publications.

6.0 CONCLUSION

In reaching a conclusion on the merits of the proposed Amendments, Your Commissioner considered the following:

6.1 Consistency with the St. John's Municipal Plan

Overall vision and approach

The vision for the city, as provided in the St. John's Municipal Plan, includes a focus on preserving the past while enabling future development which is of benefit to all of its residents – in particular in relation to housing, employment and supporting services. The Plan speaks to promoting sustainable development and economic growth in keeping with the character and aspirations of the City of St. John's and its residents.

A critical focus of the St. John's Municipal Plan is to facilitate orderly development in the city – development which fosters a compact urban form, thus counteracting urban sprawl. In particular, and as previously stated, a compact city reflects the traditional character of much of St. John's, as it reinforces the older areas of the city.

In addition, specific Municipal Plan policies speak to the importance of encouraging increased density in all areas where appropriate and the mixture of land uses in all areas. Further, it identifies that zoning must be compatible with the dominant land use of the subject District.

Commercial Land Uses

The City has a role in ensuring appropriate and adequate commercial land use by facilitating appropriate development in new areas, maintaining the viability of older areas, and minimizing the impact of commercial development on residential neighbourhoods and municipal services.

It is clear that the proposed development is consistent with the intent and direction of the St. John's Municipal Plan – facilitating infill/density/a compact urban form, and ensuring opportunity for commercial land use.

6.1.1 Compatibility of zones and mitigation of impacts

The Municipal Plan identifies a role for the City in ensuring that impacts associated with particular zones are compatible with policies adopted under the Plan. Further, as previously noted, Section 3 "Commercial" of the Municipal Plan states that the City has a role in ensuring appropriate and adequate commercial land uses by "[...] minimizing the impact of commercial development on residential neighbourhoods [...]".

The issues of concern raised by those who attended the public meeting and/or public hearing, as well as those who provided written submission for one or both of these public processes, were fairly consistent and, in summary, primarily related to:

- Potential noise from the brewing process, bar-related activity, exterior deck, industrial equipment, loading activity and/or outdoor speakers/music;
- Potential smell and odours emanating from the brewing process, especially if this process were to be more than the projected two to three hours a week; as well as from any garbage bins/receptacles;
- Late night hours of operation which are akin to those found in and around George Street and could contravene the area residents' peaceful enjoyment of their properties;
- Increase in traffic and parking challenges in the neighbourhood; and
- Loss of privacy in relation to proximity of the proposed brewpub and related activity to the adjacent dwellings, in particular as it pertains to the proposed outdoor patio.

Your Commissioner draws your attention to several relevant points:

- The LUAR speaks to several mitigation strategies in relation to these potential impacts, as well as a desire on the part of the proponent to work with the neighbourhood to ensure minimal impact.
- As per the stipulations in the St. John's Development Regulations, there are several avenues which the City can pursue to reduce impacts.
- The Council has discretionary power in relation to this development, which would allow for maximum attention to ensuring minimum impact on the local residents' enjoyment of their neighbourhood and properties.

Of note, your Commissioner cautions that Council must balance these considerations with the recognition that the Municipal Plan encourages a compact urban form, and planned economic growth; that the long-time original use for 90 Duckworth Street was a Fire Station which would have created some level of activity, noise and disturbance; and that the proposed redevelopment is in keeping with the primary designations and zoning in the immediate area and along Duckworth Street.

6.2 Parking/traffic

While it is recognized that the corner of Ordnance and Duckworth Street is a busy intersection, it is not anticipated that the proposed use 90 Duckworth will appreciably add to this activity. As detailed in the Trip Generation report provided by Harbourside Transportation Consultants (see page 20 of the July 23, 2017 LUAR Report), potential increase in traffic activity from the proposed development was assessed in relation to the applicable land-use code of "High-Turnover (Sit-Down) Restaurant". The

Trip Generation report identifies that the effect on traffic will be minimal, with approximately 50 trips in the peak AM hours and 46 trips in the peak PM hours.

Harbourside Transportation Consultants also reviewed the metered parking in the area, stating that there is a complement of such parking on Cavendish Square and along Duckworth Street that can be utilized to accommodate customers with vehicles.

6.3 Historic considerations

As previously stated, the subject property at 90 Duckworth Street is located in Heritage Area 1, but is not designated by Council as a Heritage Building. Refurbishment of the East End Fire Hall to preserve the historical significance of the building and restore the condition of the façade (as described in section 5.2.3 herein) is in keeping with the intent of Section III-7 of the Municipal Plan.

It is important to restate that the subject property is in a defined Heritage Area, which includes properties of significant heritage character and value. It will be critical that the City ensure the final design, materials, lighting and other exterior features of the building are in keeping with the existing character of the surrounding areas.

The East End Fire Station

Documentation from the Heritage Foundation of Newfoundland and Labrador, *Building Preservation Brief: Central Fire Station and other St. John's Fire Halls*⁶, highlights that the original East End Fire Station was constructed c1893-1895. The original building was a wooden 3 ½ storey structure, with a two storey stable/hayloft in the rear. It housed a mixed police and fire department. Photographs from the late 1940s show the wooden building still in existence. On the 1962 St. John's Insurance Atlas, the wooden fire hall is noted to have been replaced by a modern reinforced two-storey concrete station.

As detailed in information provided by Gary F. Browne, these stations are an integral part of the illustrious history of the older police force in the British Colonies and the St. John's Regional Fire Services. He has suggested in the past and Your Commissioner recommends that the history of this site be commemorated in some fashion in the new development at 90 Duckworth Street.

7.0 RECOMMENDATIONS

Based on the foregoing considerations, Your Commissioner recommends the following:

Acceptance of the St. John's Municipal Plan Amendment Number 141, 2017:

Redesignate property at 90 Duckworth Street [Parcel ID #33781] from the Residential Downtown Land-Use District to the Commercial Downtown Land-Use District.

⁶ Dale Jarvis. Heritage Foundation of Newfoundland and Labrador, "Building Preservation Brief: Central Fire Station and other St. John's Fire Halls. April 2001. Pgs. 7-9. Available from <http://www.heritagefoundation.ca/media/731/report-st-johns-firehall.pdf>.

Acceptance of the St. John's Development Regulations Amendment Number 650, 2017:

Rezone property at 90 Duckworth Street [Parcel #33781] from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone.

RESPECTFULLY SUBMITTED THIS 5TH DAY OF DECEMBER 2017.



Marie. E Ryan,
Commissioner

APPENDIX “A” – LUAR Terms of Reference

TERMS OF REFERENCE

LAND USE ASSESSMENT REPORT (LUAR)

APPLICATION TO REZONE PROPERTY AT 90 DUCKWORTH STREET TO THE COMMERCIAL CENTRAL MIXED (CCM) ZONE

APPLICANT: PARLIBRIGHT HOLDINGS INC.

The proponent shall identify significant impacts and, where appropriate, also identify measures to mitigate impacts on land uses adjoining the subject property. All information is to be submitted under one report in a form that can be reproduced for public information and review. The numbering and ordering scheme used in the report shall correspond with that used in this Terms of Reference and a copy of the Terms of Reference shall be included as part of the report (including an electronic PDF version with a maximum file size of 15MB). A list of those persons/agencies who prepared the Land Use Assessment Report shall be provided as part of the report. The following items shall be addressed by the proponent at its expense:

A. Building Use

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

B. Building Materials

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

C. Building Height & Location

- Identify, graphically, the exact location with a site plan:
 - identify the proximity of the proposed buildings to property lines;
 - identify any parking areas, including vehicular ingress and egress and on-site traffic circulation and any loading areas;
 - identify the height of the building; and
 - provide information on the proposed construction of the garage door and canopy.

D. Exterior Equipment and Lighting

- Identify the location and type of exterior lighting to be utilized. Identify possible impacts on adjoining residential properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior equipment, including but not limited to any exterior HVAC equipment, to be used to service the building. Identify possible impacts on adjoining residential properties and measures to be instituted to minimize these impacts.

E. Landscaping & Buffering

- Identify with a landscaping plan, details of site landscaping and measures to be undertaken to buffer the building from adjoining developments including, but not limited to, possible traffic, lights from vehicles, vehicle traffic noise (including any shipping vehicles/truck refrigerated container (reefers operations)) as well as any noise associated with the proposed use (particular the micro-brewery operations), including noise from the outdoor patio area or any proposed indoor or outdoor entertainment including any audio or live music entertainment. Include the hour of operation of any indoor and outdoor activities.
- Identify any measures to be undertaken to minimize the effects associated with any odours associated with the micro-brewery operation.
- Identify the location and proposed methods of screening electrical transformers and refuse containers to be used at the site as well as any landscaping or screening of parking, shipping and storage areas directly visible from adjacent dwellings.

F. Snow clearing/Snow Storage

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

G. Off street Parking

- Identify the number and location of off street parking spaces to be provided and means by which parking area storm water runoff is to be managed.
- Identify any measures used to minimize parking and on-site vehicle circulation impacts on adjoining residential properties.

H. Traffic

Provide the anticipated traffic generation rates associated with the proposed development.

I. Construction Timeframe

- Indicate the phasing of the project and approximate timelines for beginning and completion of each phase.
- Graphically, indicate on a site plan how workers' parking is to be accommodated during the construction period and designated areas for equipment and materials during the construction period.

APPENDIX “B” – Written Submissions

#3.1

From: Brenda McClellan [REDACTED]

To: cityclerk@stjohns.ca

Subject: 90 Duckworth St

Dear Commissioner
90 Duckworth St Development

I should like to voice my support for whatever changes are necessary to enable the current proposal for 90 Duckworth St.

I am the property owner of the premises immediately adjacent to this development and feel that this proposal will be an asset to this area of Duckworth St.

I am strongly in support of this and recommend the changes necessary for this to proceed.

Yours sincerely
Brenda McClellan
owner
Red Ochre Gallery
[REDACTED] Duckworth St.

#3.2

From: The Mallard Cottage <[REDACTED]>
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>
Subject: 90 Duckworth Street

I am writing in full support of this proposal. As a close neighbour, I see this development as a positive and welcome addition to my neighbourhood and the fabric of the east end of downtown.

The adaptation of this former fire hall into this level of industry is in my opinion, a perfect and reasonable expectation for this part of our city and will be an awesome business and tourism asset to St. John's, especially downtown - which sorely needs it.

I urge Council to support this advance of the business and tourism product available in our historic downtown core.

Regards

Todd Perrin
[REDACTED] Gower Street
Co-owner/operator
Mallard Cottage

#3.3

From: Chris Shortall <[REDACTED]>
To: planning@stjohns.ca, City Clerk and Council <cityclerk@stjohns.ca>
Subject: Re: Public Notice Update - Public Meeting - 90 Duckworth Street

I did not attend the meeting because I didn't see a need to offer support for this endeavour.

however hearing the concerns of my neighbours this weekend, i want to voice that i approve and support this endeavor.

having a coffee shop, and brew pub offering limited food items during the hours up to 12:00 midnight. no later. is a good use of the building and that site.

the neighbours concerns about noise can be assuaged by a 12:00 midnight closing time and their NIMBY concerns are detrimental to adaptive re-use of vacant space. their fears are unfounded because they think it will be like George street, which it will not, and cannot be.

my only concern about the project is washroom accessibility - if the bathrooms are on the second floor there needs to be elevator access. a washroom should be on the main floor for accessibility.

please - grant the necessary permits to this project.
chris shortall

#3.4

From: "MISKELL, Maria (WG)" <[REDACTED]>
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>

Subject: "The Fire Hall" - Cafe & Microbrewery Pub - Public Hearing

Hello – While I am unable to attend the Public Hearing tonight for “The Fire Hall” (Community Focused Micro Brewery and Café) proposed for the corner of Duckworth and Ordinance, I wanted to extend my view for the consideration of the City Counsel.

As a resident and owner of a Southcott Award home on York Street, I am **FULLY SUPPORTIVE** of the proposed business project for this area.

I truly believe that this area of downtown (in which I plan to continue to reside throughout my life) could and should benefit from this type of community focused business. I believe it would be a wonderful opportunity for the neighbours of this area of downtown to gather over coffee or a pint, and socialize together as neighbours. I believe it would help to re-create the Newfoundland culture of times gone by in which neighbours actually acted “neighbourly” and gathered together, got to know one-another, and had their own “watering hole” to call their own. To me, our neighbourhood needs a type of “Cheers” business where you can walk in, and everybody knows your name.

As a supporter of this project, I firmly believe it will be beneficial to my neighbourhood.

Please vote yes. An interactive business – where you can socialize together with your neighbours - is what our area needs.

Kind Regards,

Maria Miskell

People & Organization Advisor



www.woodplc.com

The logo for Wood PLC, featuring the word "wood." in a bold, dark blue, lowercase sans-serif font.

#3.5

City Clerk
P.O. Box 908, St. John's, NL, A1C 5M2
709-576-8202
cityclerk@stjohns.ca

Dear City Clerk,

Please consider this short e-letter as evidence of my support for the proposed re-development of the old East End Fire Station building at 90 Duckworth Street. In my view this proposed brewery/cafe project is exactly the type of development we need in this part of town. It is considerably better than previously proposed developments. It keeps the unique building largely intact. It will be a place for my visitors and I to go for a meal and a beer. It fits in with the establishments surrounding it. It will be good for our sagging economy.

I am a home-owner who lives around the corner from the proposed site (attached to Coffee Matters at 4 Gower Street). I have lived in this house with my wife and two children since 2008. I have no concerns about the fact that this development will include a brew-pub. I have no concerns about the type of customers this establishment will attract (i.e., it is not a late-night party-bar after all). I have no concerns about noise and smells . As long as the City properly and adequately patrols the streets for parking violations (i.e., un-permitted cars parking in permitted spaces) there should be no significant impact on local parking (Note: if patrons of this new establishment choose to park in the public spaces next to Coffee Matters, this WILL cause some problems especially if the Coffee Matters patrons then spill over into permitted spaces - the Traffic Department must pay attention to this possibility and ticket accordingly).

Overall, I am fully supportive of this initiative. If you require any clarification from me on points I have raised in this e-letter, do not hesitate to find me.

Sincerely,
Bruce Gilbert

Bruce C. Gilbert, PhD
█ *Gower Street*
St. John's, NL
A1C 1N1



#3.6

City Clerk
P.O. Box 908, St. John's, NL, A1C 5M2
709-576-8202


Dear City Clerk,

I am writing to indicate my support for the proposed re-development of the old East End Fire Station building at 90 Duckworth Street. This brewery/cafe project is exactly the type of development we need in this part of town. It is considerably better than previously proposed developments. It keeps the unique building largely intact. It can cater to a local clientele as well as visitors to the city—a place for my visitors and I to go for a meal and a beer. It fits in with the establishments surrounding it. It is a new local business, not a chain, will provide much needed local employment. All of these are good for our sagging economy.

I am a home-owner who lives around the corner from the proposed site (attached to Coffee Matters at 4 Gower Street). I have lived in this house with my partner and two children since 2008. I have no concerns about the fact that this development will include a brew-pub. I have no concerns about the type of customers this establishment will attract (i.e., it is not a late-night party-bar after all). I have no concerns about noise and smells. As long as the City properly and adequately patrols the streets for parking violations (i.e., un-permitted cars parking in permitted spaces) there should be no significant impact on local parking.

Overall, I am fully supportive of this initiative. If you require any clarification from me on points I have raised in this e-letter, do not hesitate to find me.

Sincerely,
Camille Fouillard


Gower St., St. John's, NL
A1C 1N1

#3.7

November 1, 2017
Office of the City Clerk
City of St. John's
Newfoundland and Labrador

Re.: RESIDENT SUBMISSION regarding LUAR revised September 11, 2017 to address public meeting concerns re with rezoning from Residential Downtown (RD) to Commercial Central Mixed (CCM) to accommodate a micro-brewery and café development.

File No. MPA1600007 90 Duckworth Street.

Dear Honorable Mayor Danny Breen, esteemed City Councillors, and Commissioner,

We welcome this opportunity to bring concerns raised in the public meeting August 30, 2017 to your attention regarding the rezoning of 90 Duckworth Street. Firstly, it is important to state that we are small business owners ourselves and we support local businesses. We also understand, and care, about the survival of downtown businesses and the need to ameliorate and populate vacant buildings, however, not at the cost of resident's homes and home life.

The revisions to the LUAR submitted by Parlibright Holdings do not aptly address neighborhood concerns about noise raised at the public meeting August 30, 2017. We believe noise, in the form of outdoor music, and from the large proposed patio, will negatively impact our neighborhood courtyard. Be it known that our greatest concern is the unintended impact and consequences to a peaceful neighbourhood with a late night pub backing on to our courtyard (see City of St. John's public meeting notice map). We hereby request that a noise impact study be undertaken before licensing is to proceed.

There are no less than sixteen homes on this courtyard that will be affected by outdoor noise from this establishment. Noise travels into open windows and doors. When any neighbour has an outdoor gathering we all hear it, yet these are rare occurrences. The proposed hours of operating until 1:00-2:00 am will permanently change the peace we enjoy. A business may become part of our community but it must contain its impact on its neighbours by keeping music and patron noise inside its own walls. In our view, a 12' x 19' open door, whether or not speakers are directed inward, is not a sincere demonstration of a commitment to respecting the existing residents.

We ask you to entirely restrict any outside music, including the installation of a garage type door, which will not contain the sounds this type of business invites. The Crazy House Bar located on the opposite side on 90 Duckworth is an excellent case in point whereby there were no restrictions placed on speakers projecting onto the streets and into our homes late into the night. Allowing this disturbance to neighbours sets an unhealthy precedence around how neighbourhoods and new business can coexist.

At the first public meeting, this project was presented with an emphasis as a restaurant, with a family/community focus, which would not operate at late night hours. Indeed the words "early" closing and "not a late night" establishment were used, promised by the presenter. A city official, when called

upon at the meeting, informed us of the varying hours permitted for bars and restaurant, depending on area. We are now being presented with opening hours a mere 30 minutes less than the George Street bar district. The presenters explicitly agreed with the neighbours that a late night establishment was not the objective. This project is introducing a late night bar to our peaceful neighbourhood – fully contrasting the proposal initially put forth initially. Furthermore, this bar intends to operate into late night hours 7 nights a week - until 1am on weeknights. This is not a neighbourhood-friendly, community minded endeavour. This will change our homes and community permanently unless you act to limit the hours and external noise that will accompany this project.

In addition, and from our initial letter, below are some further concerns we hold beyond maintaining the highly valued quiet neighborhood we currently enjoy.

- Precedence setting: A rezoning to CCM would set precedence for the proposed space and allow any future business access to this site **without further neighborhood consultation** (i.e.: fast food restaurants such as Subway or other undesirable tenants permanently changing the residential environment).
- Lack of Parking: the intention is to attract foot traffic. However, this is out of the control of the proprietor. Volume of patrons: 90 main floor, 30 private parties, patio (450 sq. ft.) 20(?) patrons result in approximately 140 patrons when at capacity. It is fair to assume at least 50% would travel by vehicle, approximately 70 patrons at 2 per car equates to 35 cars. It is likely that patrons will park in residential areas as they do currently by parking on Gower and Wood when visiting Coffee Matters on Military Road.
- Outdoor Patio Generates Audible Patron Noise and Music: outdoor patio with patrons drinking alcohol (450 sq. ft- capacity not given), enlarged garage door approximately 12' x 19' allows inside patron noise (including music) to travel outside. Bylaws allow this type of noise until 11pm.
- Industrial Noise: shipping/receiving take place biweekly and during daytime hours. This will take place on the west side of the building between the 90 Duckworth St. building and the backyard fence of #6 and #8 Wood St. deliveries. This type of noise is not restricted to these residential numbers; industrial noise travels. There are a minimum of 12 residents and their families who are within earshot of this proposed venture. Truck air breaks, refrigeration trucks, HVAC equipment, fans, air conditioning, and the unknown impact of brewing equipment noise, invites industrial disruption into a residential neighbourhood.
- Impacts from brewing beer in a residential area will result in industrial odours from brewing materials (grain, hops, and yeast) which neighbours along Circular Road must live with due to Molson Breweries. While the proposal states: *the current plan is to brew just twice a week and during the mid- day hours. This will produce very minimal aromas effecting our neighbours during production hours.*

Plans can and do change. Production batches, demand, and brewing times will result in unwelcome industrial odours afflicting residents in their homes. The project plans fully admit that they are introducing odours to our neighbourhood, in fact, it states “we feel” the odours will be minimal, but may be more than “minimal”.

In conclusion the amendments to the original LUAR do not fully and clearly describe how the concerns expressed by neighbours can, and will, be satisfactorily mitigated. We therefore respectfully request that

the City Council and the Commissioner act to limit these outlined unwelcome impacts to our neighbourhood.

Sincerely,

Caroline Koenig & Karen Cimer
■ Wood Street
St. John's, Newfoundland

#3.8

To: Danny Breen, Mayor; Shelagh O’Leary, Deputy Mayor; City Council; and Elaine Henley, City Clerk

From: Don Nichol & Mary Walsh, 6 Wood Street

Re: Proposed Brewpub/Rezoning of 90 Duckworth Street

Please note: this adds a note on the **Impact on Property Values** to the signed paper copy I dropped off at City Hall on Friday afternoon.

Further to my email of June 29th last, we have a number of concerns about the proposed “brew pub and coffee shop with restaurant which includes an outdoor patio” at the old Fire Hall on the corner of Ordnance and Duckworth streets. On the City’s DECISION/DIRECTION NOTE of 16 Nov. 2016, our home at 6 Wood Street was omitted from the list of adjacent properties that would be affected by the proposed changes at 90 Duckworth St. 6 Wood St. is no longer a CCM Zone: it has now been restored to residential status (RD). As our entire backyard abuts the old Fire Hall for app. 15 metres, our home could well be the one most affected by any new development at this location.

My wife and I are both senior citizens. I bought 6 Wood St. as a retirement home and have had sleep shattered by late-night motorcycle revving and city-sanctioned jack-hammering and road-works at 4:00 a.m. While in choosing to live downtown we anticipated some night-time disturbance, we weren’t expecting to have a brewpub within just a few metres of our bedroom windows. My wife has a history of respiratory problems, so the last thing we want is brewing fumes coming into our home from next door. What hours will this be open?

Traffic: Ordnance Street is deceptively busy: it is a major conduit from King’s Bridge Road & Military Road into the downtown area. The constant flow of cars and trucks might not be ideal for outdoor customers. The patio could prove distracting for drivers coming down Ordnance St. faced with a complex junction with one right turn and two left turns, one circling back by the Sheraton, the other proceeding along Duckworth. Drivers turning right have to prepare to stop for the cross-walk in front of Hempware and cars turning down Hill o’Chips.

Parking: The revised proposal, “The Fire Hall” (23 July 2017), allows for two parking spaces. While the brewpub aims to cater mainly to foot traffic, some customers will no doubt drive.

Neighbours may not agree that “ample parking exists on local streets, parking meter spaces and adjacent parking lots.” The only parking lots nearby are for customers only. Finding a parking space can be difficult at the best of times. Our own off-street parking space has been blocked by parked cars on numerous occasions. When snow piles up (as it did last winter), there is often nowhere else to put the stuff. Wood Street (2-way) and York Street (1-way) can get very congested.

Noise: if the proposed established is granted a full liquor licence and allowed to keep George St. hours with 3:00 a.m. closing, then life in the neighbourhood could become hell.

Smell: having brewed beer myself, I realize no matter how small the batch, the effects of fermentation can be quite pungent. During a hot summer like the one we’ve had in 2017, it would be difficult to keep the windows closed on brewing days.

Landscaping: the proposal’s drawings add trees and a canopy that would obstruct the view and light from our backyard and kitchen. Having customers seated at tables within five metres of our back fence may be a little too close for comfort on both sides.

Footprint: while the proposal says “the building’s footprint is not changing at all” (p.12), a fixed deck and frame will be added with a 12'-high roof that looks more permanent than retractable.

Impact on Property Values: having purchased 6 Wood Street last January without any inkling that a brewpub was being proposed, we probably paid more than we should have. The house had been on the market for a long time, but we wanted an older, detached home downtown. House prices continue to fall; and the economic forecast is grim. I can’t imagine anyone on City Council would think that putting a brewpub next door would increase the value of their home. Do we not already have enough drinking establishments downtown? Will any decrease in property value be reflected in my municipal taxes?

According to the *Telegram* story (A3, 21 Aug. 2017), Parlibright Holdings Inc. director Jason Sharpe “declined comment on the development” until approval has been granted, which was not reassuring. We have no idea, for example, if “events” mean late-night outdoor concerts. While we support downtown development in general, we wonder if putting a brewpub-café-restaurant with an outdoor patio adjacent to a number of residential homes is a good idea.

Best wishes,

Don Nichol & Mary Walsh

■ Wood Street, St. John’s, NL [REDACTED]. [REDACTED]

#3.9

November 3, 2017
Office of the City Clerk
City of St. John's
Newfoundland and Labrador

File NO: MPA1600007 90 Duckworth Street

Dear Honorable Mayor Danny Breen, esteemed City Councillors and Commissioners,

We welcome the opportunity to reiterate the concerns raised at the public meeting of August 30, 2017. During this public meeting, representatives for Pal bright Holdings presented a much different version of what their project was going to be. The focus at this meeting was that this was more of a restaurant and coffee house with early closing hours and was stressed that this was not a late night business. This is now in direct contrast to the 1:00am closing time 7 nights a week. This raises a host of concerns for the neighbourhood and particularly for our 2 condos located at 2 Ordnance Street that are a mere 10 feet from this now proposed late night bar.

Rezoning to CCM - It was talked about at this public meeting that it would be looked into restricting future businesses on this site that now with CCM zoning could operate at will without any further neighbourhood consultation

Smell- At this public meeting it was stated that brew activity would be restricted to twice a week and during mid-day hours. There was also no real data on the amount of discomfort to residents as the smell generated by the brewing process could not be qualified. With extended hours being proposed brewing times I'm sure will be increased bringing unknown smell and bother to area residents especially our units that have windows mere feet away from the proposed location of the brewing stacks. This is a major concern and I would like to see the results of an omission study and how much smell will residents truly have to deal with.

Noise- The outdoor patio proposed will now have drinking patrons, music and noise until 1:00am or later which contradicts bylaws that state this type of activity would only be allowed to 11:00pm.

In conclusion, we are not against development in any way and being business owners ourselves support further growth in our business community. However, the amendments to the original LUAR do not address the concerns expressed by neighbours. We, therefore request with all due respect that city council and the commissioner act to limit these unwelcomed changes to our quiet residential neighbourhood.

Sincerely,

Glenn Redmond and Tasha Grey

Ordnance [REDACTED]

#3.10

Hello,

My name is Christa Marshall and I live at █ Wood Street. Our property backs on to the proposed development at the old Fire Hall on Duckworth. I had planned on attending the meeting tonight but unfortunately our babysitter fell through. So I just wanted to send a quick message outlining a couple of my concerns.

My main concern is noise. We have two small children (age 11 months and 3 years). Even though I realize Duckworth is a commercial street, this property couldn't be much closer to our home. My hope would be that it wouldn't be able to operate under the same umbrella as most bars/pubs. Will there be speakers on the patio? Live music? How late will it operate? Etc.

I think a secondary concern of mine would be smell from the brewing process. But I can't say anything worries me more than noise levels that might keep my children up or make it hard for them to play in our back yard.

I'm attaching a picture taken from our 3 year olds window just to give you an idea of the proximity. I'm sure you can appreciate why I would have these concerns.

Thank you for your attention on this matter.

Kind Regards,
Christa Marshall
█ Wood Street

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 141, 2017**

WHEREAS the City of St. John's wishes to allow a brewpub and coffee shop at 90 Duckworth Street.

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

Redesignate property at 90 Duckworth Street [Parcel ID #33781] from the Residential Downtown Land-Use District to the Commercial Downtown Land-Use District as shown on Map III-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs and Environment 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 _____, 2017.

Mayor

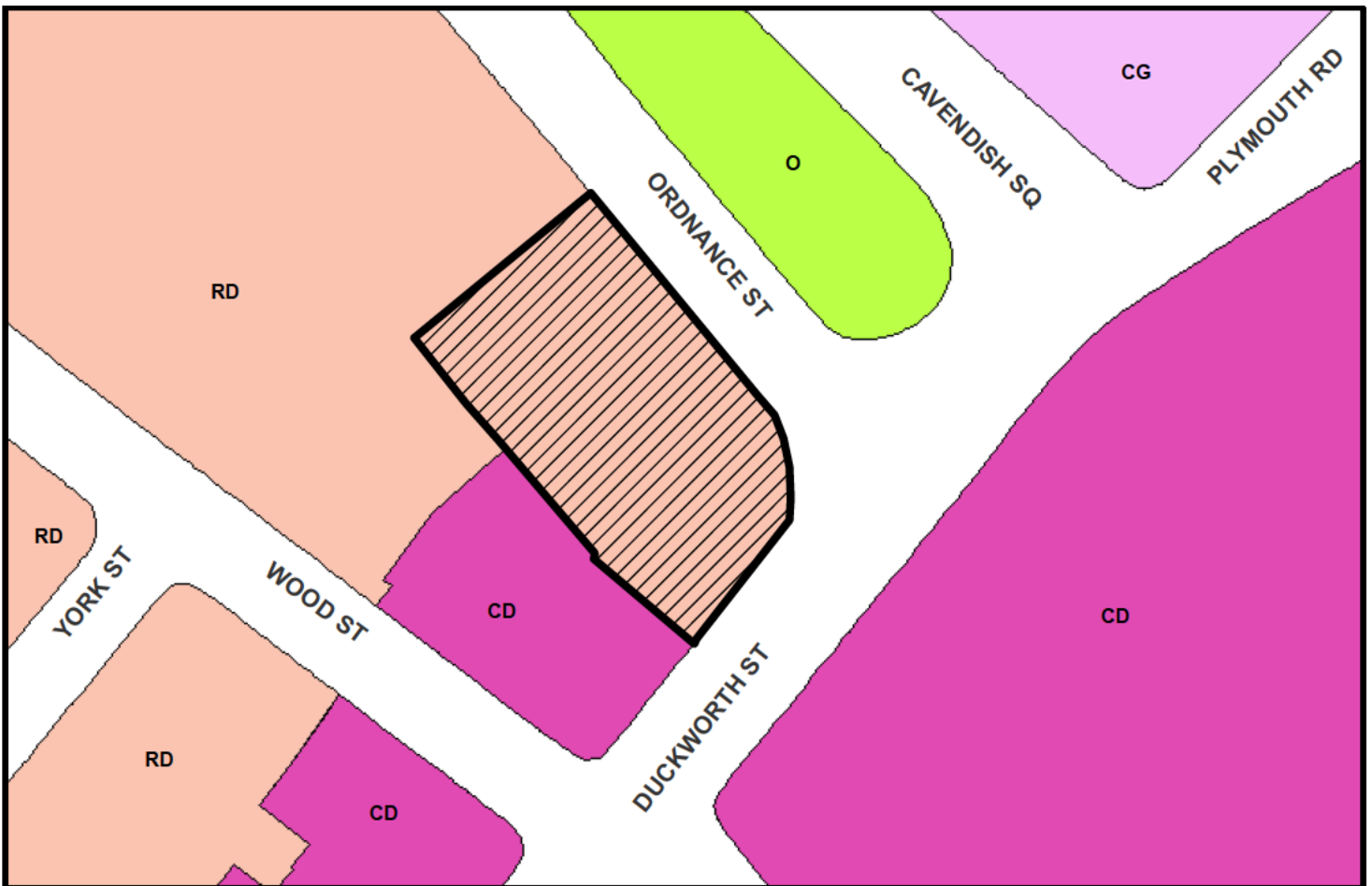
MCIP

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

City Clerk

Council Adoption


Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 141, 2017
[Map III-1A]**

2017 05 08 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 REDESIGNATED FROM
RESIDENTIAL DOWNTOWN (RD) LAND USE DISTRICT TO
COMMERCIAL DOWNTOWN (CD) LAND USE DISTRICT

90 DUCKWORTH STREET
Parcel ID# 33781

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 650, 2017**

WHEREAS the City of St. John's wishes to allow a brewpub and coffee shop at 90 Duckworth Street.

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 property at 90 Duckworth Street [Parcel ID #33781] from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs and Environment 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 _____, 2017.

Mayor

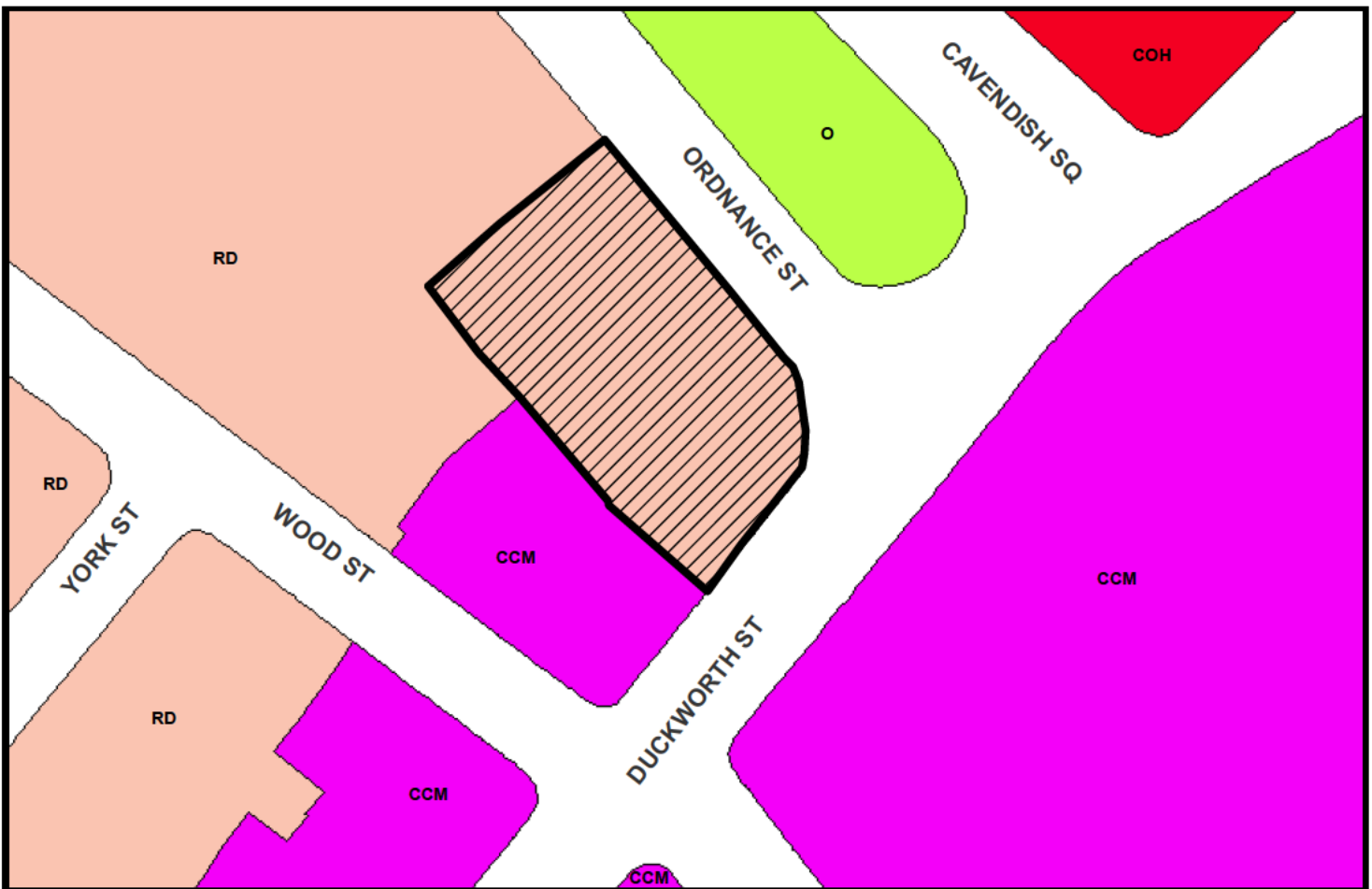
MCIP

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

City Clerk

Council Adoption

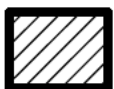
Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 650, 2017
[Map Z-1A]**

2017 05 08 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 DOWNTOWN (RD) LAND USE ZONE TO
COMMERCIAL CENTRAL MIXED (CCM) LAND USE ZONE

90 DUCKWORTH STREET
Parcel ID# 33781

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration



SUBJECT PROPERTY



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

W:\Engwork\Planw\2016 projects\90 duckworth street.mxd

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 December 11, 2017**.

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	Apartment Low Density (A1) Zone	2	An application was received by the City to develop semi-detached dwellings (2 units) at 69 & 71 Charter Avenue as part of a larger development that started at 55 Charter Avenue. The City is advertising the development of the semi-detached dwellings (2 units) at 69 & 71 Charter Avenue as a Discretionary Use.				2 Submissions received (attached)	The Planning and Development Division recommends approval of the application subject to all applicable City requirements
2	Commercial Central Mixed (CCM) Zone	2	A Discretionary Use application has been submitted requesting permission to change the occupancy of 7-9 Queen Street from a Restaurant to a Lounge. The business will occupy a total floor area of 186 m ² and will operate Monday-Wednesday 11 a.m.-2 a.m., and Thursday-Sunday 11 a.m.-3 a.m. No on-site parking is provided.	186 m ²			no Submissions received	The Planning and Development Division recommends deferral to allow the applicant an opportunity to provide additional information.
3	Forestry (F) Zone	5	A Discretionary Use application has been submitted requesting permission to use 3220 Trans-Canada Highway to expand the Harbour Arterial Mineral Workings Area. The proposed 83.45 hectares of Crown Land will be used for quarrying aggregate.				no Submission received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements

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



Fw: 55 Charter avenue houses ,
Planning to: City Clerk, Elaine Henley
Sent by: **Donna L Mullett**

2017/12/04 09:47 AM

----- Forwarded by Donna L Mullett/CSJ on 2017/12/04 09:36 AM -----

From: Rosaleen O Flaherty <[REDACTED]>
To: planning@stjohns.ca
Date: 2017/12/03 06:45 PM
Subject: 55 Charter avenue houses,

How can there be any further construction at Charter Ave unless the trail is removed or the homes are built in the Virginia River? This scenic area is already destroyed and turned into a sub division.
Please don't do any more destruction.

Rosaleen O'Flaherty

[REDACTED] Charter Ave., [REDACTED], St. John's,, A1A 1P8

Sent from my iPad

Re: Application to rezone 69 & 71 Charter Ave.

To Whom It May Concern,

This letter is in response to a notice we received last week regarding an application to build 2 semi-detached townhouses on Charter Ave. near the Virginia River. In fact the basements for these two houses have been constructed for some time and a sold sign was on each lot this past summer.

We live at [REDACTED] Charter Ave adjacent to this construction. When the provincial government owned this property there was an oil tank at the back of the building on the asphalt parking lot. This tank was visibly dripping oil for several years. We made a call to the provincial department of the environment and reported this leak because we were concerned about a fire. To our knowledge nothing was done about the leak. When the building was sold to be demolished we assumed that soil remediation would be done because of the oil leak and because it was a military building built in 1942. We have watched as the properties owned by Canada Lands are getting properly cleaned up, a process which seems to take several months. Imagine our surprise this spring when a sign appeared with 12 lots for sale and holes started to be dug for foundations.

The biggest surprise of all was when they started moving soil around the site and piled it up very close to the Virginia River trail. In fact some of that soil is very close to one of the park benches by the Charter Ave Bridge. Many mature trees were also bulldozed on the perimeter of the property. Some of this land had recently been landscaped and improved as part to the construction of the new Charter Ave. Bridge.

This notice we received last week is the first communication we have ever received regarding this or any construction in our neighbourhood and we feel duty bound to respond.

Some of the questions we have for the city include;

1. Is it normal practice for a construction company to build structures without permission?
2. If so, what is council's response to such construction?
3. Does the city have an environment department and what stand to they take on the development of properties on potentially contaminated soil?
4. Does this environment department do everything possible to protect waterways and make sure no contaminates are flowing into rivers?

We urge the entire council to reconsider this construction and start monitoring the activities of this and all other construction sites.

We appreciate the opportunity to respond to this application.

Regards,

William Pritchett

Margaret Pritchett

[REDACTED] Charter Ave

William Pritchett

Margaret Pritchett

REPORTS/RECOMMENDATION

Development Committee

December 5, 2017 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

- 1. Crown Land Permission to Upgrade a Private Road
CRW1700006
41B Sugarloaf Place
Fisheries, Forestry & Agrifood Agency**

It is recommend that council approve the Crown Land Permission referral subject to a Development Application being made and providing all necessary documents for review and approval.

**Jason Sinyard
Deputy City Manager – Planning, Engineering & Regulatory Services
Chairperson**

DECISION/DIRECTION NOTE

Title: Crown Land Permission to Upgrade a Private Road
CRW1700006
41B Sugarloaf Place
Fisheries, Forestry & Agrifood Agency

Date Prepared: December 5, 2017 (Date of next meeting: January 8, 2018)

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Maggie Burton, Planning and Development Lead

Ward: 2

Decision/Direction Required:

To seek approval for a Crown Land Permission to upgrade a private road to access land which is located in the Town of Logy Bay- Middle Cove- Outer Cove.

Discussion – Background and Current Status:

The Provincial Department of Municipal Affairs and Environment has referred an application to the City, requesting permission to upgrade a private road way by cutting brush, and resurfacing the road.

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 Permission referral be approved subject to a Development Application being made and providing all necessary documents for review and approval.

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: 

AAM/dlm

Attachments: Not applicable.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES
FOR THE PERIOD OF Nov 30, 2017 TO Dec 6, 2017**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office for Admin of S&S Education	33A Eric Street	2	Approved	17-11-30
COM		Art Studio	396 Back Line	5	Approved	17-11-30
RES	79899 Newfoundland & Labrador Corp	8 Unit Apartment Building & 5 Townhouses	50 Bennett Avenue	2	Approved	17-12-01
COM		Butcher/ Meat Processing Facility	47 Lundrigan's Road	5	Approved	17-12-04
IND	Modern Holding Ltd.	Crown Land License for Heavy Equipment Storage	2568 Trans-Canada Highway	5	Rejected- Not permitted in the OR Zone.	17-12-06
COM	Powers Brown Architecture	4 Storey Office Building & Site Work	20 Hebron Way	1	Approved	17-12-06

* 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 December 11, 2017 Regular Meeting

Permits Issued: 2017/11/30 to 2017/12/06

Class: Commercial

655 Topsail Rd, Unit 711	Co	Eating Establishment
286 Torbay Rd, Unit 5	Co	Retail Store
115 Kelsey Dr	Sn	Eating Establishment
80 Kenmount Rd, Pet Zone	Sn	Retail Store
160 Southlands Blvd	Sn	Mixed Use
75 Tiffany Crt	Sn	Office
673 Topsail Rd	Sn	Retail Store
215 Water St, Unit 304-305	Cr	Office
575 Newfoundland Dr	Rn	Service Station
Pier 14 Water St	Nc	Accessory Building
90 Duckworth St	Rn	Other
115 Kelsey Dr, Jumping Bean	Cr	Eating Establishment
2630 Trans Canada Hwy	Rn	Retail Store
430 Topsail Rd, Salvation Army	Cr	Retail Store
20 Hebron Way	Sw	Office
134 Airport Heights Dr	Nc	Home For Aged

This Week \$ 24,813,677.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

41 Gallipoli St, Lot 230	Nc	Single Detached Dwelling
29 Great Southern Dr, Lot 10	Nc	Single Detached Dwelling
50 Lilac Cres, Lot 86	Nc	Single Detached Dwelling
65 Maurice Putt Cres, Lot 305	Nc	Single Detached Dwelling
75 Maurice Putt Cres, Lot 310	Nc	Single Detached Dwelling
87 Maurice Putt Cres, Lot 316	Nc	Single Detached Dwelling
19 Otter Dr	Nc	Accessory Building
29 Sprucedale Dr	Nc	Accessory Building
16 Stanford Pl, Lot 29	Nc	Single Detached Dwelling
35 Tupper St	Nc	Accessory Building
46 Willenhall Pl	Nc	Accessory Building
128 Donovan's Rd	Co	Home Office
33 Eric St	Co	Home Office
19 Gosling St	Cr	Subsidiary Apartment
23 First Ave	Ex	Single Detached Dwelling
122 Quidi Vidi Rd	Ex	Single Detached Dwelling
104 Campbell Ave	Rn	Single Detached Dwelling
61 Frecker Dr	Rn	Single Detached & Sub.Apt
8 Mcneily St	Rn	Single Detached Dwelling
35 Whiteway St	Rn	Single Detached Dwelling

This Week \$ 1,578,030.00

Class: Demolition

57 Margaret's Pl

Dm Single Detached Dwelling

This Week \$ 285,000.00

This Week's Total: \$ 26,676,707.00

Repair Permits Issued: 2017/11/30 To 2017/12/06 \$ 24,400.00

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			
December 11, 2017			
TYPE	2016	2017	% VARIANCE (+/-)
Commercial	\$122,597,558.00	\$170,400,164.00	39
Industrial	\$5,500.00	\$5,110,000.00	93
Government/Institutional	\$6,053,109.00	\$1,952,594.00	-68
Residential	\$74,697,550.00	\$86,157,905.00	15
Repairs	\$4,463,979.00	\$3,242,198.00	-27
Housing Units (1 & 2 Family Dwelling)	238	205	
TOTAL	\$207,817,696.00	\$266,862,861.00	28

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

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending December 6, 2017**

Payroll

Public Works	\$ 450,622.73
Bi-Weekly Casual	\$ 34,115.07
Accounts Payable	\$ 3,994,433.18

Total: \$ 4,479,170.98

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
SUNRISE ANIMAL HOSPITAL LTD.	114093	PROFESSIONAL SERVICES	554.60
JELLY BEAN ENTERTAINMENT	114094	ENTERTAINMENT	522.00
RBC GLOBAL SERVICES/RBC INVESTOR SERVICES	114095	PAYROLL DEDUCTIONS	1,098,113.55
ST. JOHN'S TENNIS ASSOCIATION	114096	2017 CAPITAL GRANT	100,000.00
WENDY MUGFORD	114097	EMPLOYMENT RELATED EXPENSES	23.00
ENCON GROUP INC.	114098	HEALTH PREMIUMS	438.31
BREAKWATER BOOKS LTD.	114099	PROMOTIONAL ITEMS	126.59
MICRO-TECH COMPUTER CENTER INC	114100	COMPUTER EQUIPMENT	714.72
BELL ALIANT	114101	TELEPHONE SERVICES	1,935.07
JAGREEN ENTERPRISES LTD.	114102	PROMOTIONAL ITEMS	177.91
TINA NOSEWORTHY	114103	REFUND RENT SECURITY DEPOSIT	255.00
LORRAINE HILLER	114104	REFUND RENT SECURITY DEPOSIT	251.92
MARILYN HALLERAN	114105	REFUND RENT SECURITY DEPOSIT	300.00
WADE & SHIRLEY PARSONS	114106	REFUND RENT SECURITY DEPOSIT	250.84
BARNABLE, JOANNE	114107	REFUND RENT SECURITY DEPOSIT	255.00
SHAWN NEYLAN	114108	LEGAL CLAIM	100.00
ALYSSA'S PROPERTY SERVICES PRO INC.,	114109	PROFESSIONAL SERVICES	5,670.12
ACKLANDS-GRAINGER	114110	INDUSTRIAL SUPPLIES	963.67
RBC INVESTOR & TREASURY SERVICES	114111	CUSTODY FEES	718.75
ACAPULCO POOLS	114112	RECREATION SUPPLIES	960.41
COMFORT AIR LTD.	114113	PROFESSIONAL SERVICES	460.00
AUTOMOTIVE SUPPLIES 1985 LTD.	114114	AUTO SUPPLIES	37.46
MIGHTY WHITES LAUNDROMAT	114115	LAUNDRY SERVICES	137.02
NEFOUNDLAND EXCHEQUER ACCOUNT	114116	FILING FEE	10.00
HAROLD SNOW & SONS	114117	PROFESSIONAL SERVICES	213.62
CANADIAN BROADCASTING CORP.	114118	RENTAL OF TOWER SPACE	410.38
ROCK CONSTRUCTION CO LTD	114119	PROGRESS PAYMENT	93,040.76
SME LIMITED	114120	SANITARY SUPPLIES	39.85
D PETERS BRONZE & BRASS	114121	NAME PLATES	511.75
SOBEY'S INC	114122	PET SUPPLIES	146.16
CLEARWATER POOLS LTD.	114123	POOL SUPPLIES	2,059.01
HAZMASTERS INC.	114124	CHEMICALS	170.78
PETER'S AUTO WORKS INC.	114125	TOWING OF VEHICLES	433.54
LONG & MCQUADE	114126	REAL PROGRAM	113.85
SUNRISE ANIMAL HOSPITAL LTD.	114127	PROFESSIONAL SERVICES	583.93
WAJAX POWER SYSTEMS	114128	REPAIR PARTS	783.39
ISLAND WIDE IRRIGATION	114129	PROFESSIONAL SERVICES	759.00
CADILLAC SERVICES LTD.	114130	REFUND SECURITY DEPOSIT	14,600.00
CANADIAN TIRE CORP.-HEBRON WAY	114131	MISCELLANEOUS SUPPLIES	203.44
CANADIAN TIRE CORP.-MERCHANT DR.	114132	MISCELLANEOUS SUPPLIES	116.10
COLE-PARMER CANADA INC.	114133	ANALYZER CHLORINE LIQUID	797.05
HOME DEPOT OF CANADA INC.	114134	BUILDING SUPPLIES	896.08
21ST CENTURY OFFICE SYSTEMS 1992 LTD.	114135	OFFICE SUPPLIES	425.50

NAME	CHEQUE #	DESCRIPTION	AMOUNT
OMB PARTS & INDUSTRIAL INC.	114136	REPAIR PARTS	8.63
VITALSINE	114137	MAINTENANCE AGREEMENT	17,017.70
CENTAUR PRODUCTS ATLANTIC INC.	114138	RECREATION SUPPLIES	851.00
ATLANTIC CRANE & MATERIAL HANDLING	114139	PROFESSIONAL SERVICES	2,069.24
GUILLEVIN INTERNATIONAL CO.	114140	ELECTRICAL SUPPLIES	194.49
GRAYMONT (NB) INC.,	114141	HYDRATED LIME	21,305.13
HOLLAND NURSERIES LTD.	114142	FLORAL ARRANGEMENT	718.75
IDEXX LABORATORIES	114143	VETERINARY SUPPLIES	209.50
WESTECH INDUSTRIAL LTD.	114144	REPAIR PARTS	943.00
KANSTOR INC.	114145	REPAIR PARTS	341.17
CUSTOM CARD CANADA	114146	REPAIR PARTS	189.75
THE TOY BOX	114147	REPAIR PARTS	102.93
MEDICAL MART ATLANTIC	114148	SAFETY SUPPLIES	193.51
STAPLES ADVANTAGE	114149	OFFICE SUPPLIES	371.67
QUESTICA INC.	114150	PROFESSIONAL SERVICES	23,791.90
DISTRIBUTION NOW	114151	REPAIR PARTS	257.18
GROENEVELD LUBRICATION SOLUTIONS INC	114152	PROFESSIONAL SERVICES	1,086.75
MEMORIAL UNIVERSITY OF NFD.	114153	EMPLOYEE TRAINING	2,472.50
VETERINARY SPECIALTY CENTRE OF NEWFOUNDLAND & LABRAD	114154	PROFESSIONAL SERVICES	984.40
ENGBLE CORP	114155	PROFESSIONAL SERVICES	22,531.96
BACALAO NOUVELLE CUISINE NEWFOUNDLAND INC.,	114156	CATERING SERVICES	511.91
BELL MOBILITY PAGING	114157	PAGING SERVICES	98.61
QUALITY CARE HEARING	114158	SAFETY SUPPLIES	368.00
ORNAMENTAL CONCRETE LTD.	114159	CONCRETE/CEMENT	199.64
PROVINCIAL WOODPRODUCTS LTD.	114160	BUILDING MATERIALS	75.16
ROYAL FREIGHTLINER LTD	114161	REPAIR PARTS	2,831.80
SAMEDAY WORLDWIDE	114162	COURIER SERVICES	59.00
SMITH STOCKLEY LTD.	114163	PLUMBING SUPPLIES	1,866.04
SPORTSCRAFT 1990 LTD.	114164	SPORTING EQUIPMENT	2,380.34
ERIC TAYLOR LTD.	114165	PROGRESS PAYMENT	205,911.80
TRACTION DIV OF UAP	114166	REPAIR PARTS	4,361.36
UNITED SAIL WORKS LTD.	114167	VINYL COVER	1,190.25
CANSEL	114168	REPAIR PARTS	72.45
ORTHOPEDIC SOLUTIONS	114169	PROTECTIVE CLOTHING	218.50
LORRAINE MCDONALD	114170	REFUND SECURITY DEPOSIT	4,294.00
SPARTAN FITNESS	114171	RECREATION SUPPLIES	250.24
NEWFOUNDLAND ASSOCIATION OF APPRAISAL INSTITUTE OF CAN	114172	WORKSHOP FEES	75.00
SHARON ADAMSON & TREVOR MORRISSEY	114173	REFUND OVERPAYMENT OF TAXES	461.42
VINCENT & MRS. M. MCDONALD	114174	REFUND OVERPAYMENT OF TAXES	239.59
JOHN & ELLEN GOUGH	114175	REFUND OVERPAYMENT OF TAXES	378.94
LESLIE MCGRATH, SR.	114176	LEGAL CLAIM	148.35
STAPLES THE BUSINESS DEPOT - KELSEY DR	114177	OFFICE SUPPLIES	611.68
NEWFOUNDLAND EXCHEQUER ACCOUNT	114178	CADO LICENSE RENEWAL	350.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
TRICO ELECTIC	114179	REFUND SECURITY DEPOSIT	60.50
NOVELTY ENGRAVERS PLUS INC.	114180	NAME PLATES	51.75
GARY & LINDA WAY	114181	REFUND OVERPAYMENT OF TAXES	1,171.73
JAMES & JANICE SHEPPARD	114182	REFUND OVERPAYMENT OF TAXES	1,157.60
KAREN CHILDS	114183	LEGAL CLAIM	91.99
SALTWIRE, THE TELEGRAM, BOUNTY POINT	114184	ADVERTISING	2,208.00
SNT SOLUTIONS	114185	PROFESSIONAL SERVICES	4,043.56
CITY OF ST. JOHN'S	114186	REPLENISH PETTY CASH	292.33
RECEIVER GENERAL FOR CANADA	114187	PAYROLL DEDUCTIONS	379.97
NEWFOUNDLAND EXCHEQUER ACCOUNT	114188	PAYROLL DEDUCTIONS	139,618.66
CAMPBELL'S COMPLETE RENTALS	114189	RENTAL OF EQUIPMENT	345.00
THE UNIFUND ASSURANCE COMPANY	114190	LEGAL CLAIM	5,821.70
WILLIAM HILLIER	114191	MILEAGE	34.07
NEWFOUNDLAND POWER	EFT00000003782	ELECTRICAL SERVICES	122,194.14
ROGERS COMMUNICATIONS CANADA INC.	EFT00000003783	DATA & USAGE CHARGES	134.38
ROGERS COMMUNICATIONS CANADA INC.	EFT00000003784	DATA & USAGE CHARGES	713.00
DARLENE SHARPE	EFT00000003785	CLEANING SERVICES	750.00
NORTH ATLANTIC PETROLEUM	EFT00000003786	PETROLEUM PRODUCTS	122,233.54
SAFETYNL	EFT00000003787	PROFESSIONAL SERVICES	4,000.00
PIK-FAST EXPRESS INC.	EFT00000003788	BOTTLED WATER	29.00
DESTINATION ST. JOHN'S	EFT00000003789	DSJ 2018 PREMIUM PARTNERSHIP FEE	402.50
DICKS & COMPANY LIMITED	EFT00000003790	OFFICE SUPPLIES	181.61
VOKEY'S JANITORIAL SERVICE	EFT00000003791	JANITORIAL SERVICES	539.35
DESJARDINS FINANCIAL SECURITY	EFT00000003792	PAYROLL DEDUCTIONS	656,885.59
NEWFOUND DISPOSAL SYSTEMS LTD.	EFT00000003793	DISPOSAL SERVICES	179.03
BARRY MACKAY CONSULTANT	EFT00000003794	COMPUTER EQUIPMENT REPAIRS	138.00
TYCO INTEGRATED SECURITY CANADA, INC.	EFT00000003795	SECURITY SERVICES	566.09
PAJ CANADA COMPANY	EFT00000003796	PROMOTIONAL ITEMS	599.87
NEWFOUNDLAND POWER	EFT00000003797	ELECTRICAL SERVICES	494,889.18
ROGERS COMMUNICATIONS CANADA INC.	EFT00000003798	DATA & USAGE CHARGES	3,773.14
ALYSSA'S PROPERTY SERVICES PRO INC.	EFT00000003799	PROFESSIONAL SERVICES	8,505.17
GORDON BARNES	EFT00000003800	PROFESSIONAL SERVICES	2,400.00
HARRIS & ROOME SUPPLY LIMITED	EFT00000003801	ELECTRICAL SUPPLIES	2,102.99
PARTS FOR TRUCKS INC.	EFT00000003802	REPAIR PARTS	12,073.52
WENDY MUGFORD	EFT00000003803	EMPLOYMENT RELATED EXPENSES	23.00
COURAGE, SCOTT	EFT00000003804	MILEAGE	85.55
BURTON, PAUL	EFT00000003805	EMPLOYMENT RELATED EXPENSES	232.21
AFONSO GROUP LIMITED	EFT00000003806	SEWER INSPECTIONS	414.00
ACTION CAR AND TRUCK ACCESSORIES	EFT00000003807	REPAIR PARTS	835.06
ASHFORD SALES LTD.	EFT00000003808	REPAIR PARTS	310.73
ATLANTIC PURIFICATION SYSTEM LTD	EFT00000003809	WATER PURIFICATION SUPPLIES	3,083.40
AVALON FORD SALES LTD.	EFT00000003810	AUTO PARTS	49.11
BABB SECURITY SYSTEMS	EFT00000003811	PROFESSIONAL SERVICES	844.10

NAME	CHEQUE #	DESCRIPTION	AMOUNT
KELLOWAY CONSTRUCTION LIMITED	EFT000000003812	CLEANING SERVICES	115.00
HERCULES SLR INC.	EFT000000003813	REPAIR PARTS	6.62
BATTLEFIELD EQUIPMENT RENTALS	EFT000000003814	RENTAL OF EQUIPMENT	517.50
SMS EQUIPMENT	EFT000000003815	REPAIR PARTS	575.17
CABOT PEST CONTROL	EFT000000003816	PEST CONTROL	1,311.09
ROCKWATER PROFESSIONAL PRODUCT	EFT000000003817	CHEMICALS	3,907.82
DBA CONSULTING ENGINEERS LTD.	EFT000000003818	PROFESSIONAL SERVICES	8,085.94
FARRELL'S EXCAVATING LTD.	EFT000000003819	ROAD GRAVEL	3,315.58
WESTERN HYDRAULIC 2000 LTD	EFT000000003820	REPAIR PARTS	1,627.32
BDI CANADA INC	EFT000000003821	CHEMICALS	146.83
AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE	EFT000000003822	PROFESSIONAL SERVICES	11,535.33
THE OUTFITTERS	EFT000000003823	RECREATION SUPPLIES	4,370.00
ATLANTIC TRAILER & EQUIPMENT	EFT000000003824	REPAIR PARTS	206.98
CABOT BUSINESS FORMS AND PROMOTIONS	EFT000000003825	OFFICE SUPPLIES	1,170.47
LIFE SAFETY SYSTEMS	EFT000000003826	PROFESSIONAL SERVICES	160.89
CANADA POST CORPORATION	EFT000000003827	POSTAGE SERVICES	13.78
CANADIAN CORPS COMMISSIONAIRES	EFT000000003828	SECURITY SERVICES	318.69
AIR LIQUIDE CANADA INC.	EFT000000003829	CHEMICALS AND WELDING PRODUCTS	13,040.97
COASTAL DOOR & FRAME LTD	EFT000000003830	DOORS/FRAMES	915.40
CAPITAL PRE-CAST	EFT000000003831	REPAIR PARTS	379.50
MAC TOOLS	EFT000000003832	TOOLS	352.32
KENT	EFT000000003833	BUILDING SUPPLIES	1,924.27
ATLANTIC HOME FURNISHINGS LTD	EFT000000003834	APPLIANCES	832.60
DULUX PAINTS	EFT000000003835	PAINT SUPPLIES	512.53
PF COLLINS CUSTOMS BROKER LTD	EFT000000003836	DUTY AND TAXES	535.53
COLONIAL GARAGE & DIST. LTD.	EFT000000003837	AUTO PARTS	5,354.53
CONSTRUCTION SIGNS LTD.	EFT000000003838	SIGNAGE	170.20
COUNTER CORNER LTD.	EFT000000003839	BUILDING SUPPLIES	476.33
CRANE SUPPLY LTD.	EFT000000003840	PLUMBING SUPPLIES	2,063.10
FASTENAL CANADA	EFT000000003841	REPAIR PARTS	576.11
CUMMINS EASTERN CANADA LP	EFT000000003842	REPAIR PARTS	1,139.34
CREDIT RECOVERY 2003 LIMITED	EFT000000003843	CREDIT COLLECTIONS	103.50
CRAWFORD & COMPANY CANADA INC	EFT000000003844	ADJUSTING FEES	4,462.50
DICKS & COMPANY LIMITED	EFT000000003845	OFFICE SUPPLIES	2,002.74
MADSEN DIESEL & TURBINE INC.	EFT000000003846	REPAIR PARTS	218.50
REEFER REPAIR SERVICES (2015) LIMITED	EFT000000003847	REPAIR PARTS	10,191.31
THYSSENKRUPP ELEVATOR	EFT000000003848	ELEVATOR MAINTENANCE	115.00
RUSSEL METALS INC.	EFT000000003849	METALS	1,161.50
CANADIAN TIRE CORP.-KELSEY DR.	EFT000000003850	MISCELLANEOUS SUPPLIES	574.72
EASTERN MEDICAL SUPPLIES	EFT000000003851	MEDICAL SUPPLIES	1,575.50
NATIONAL ENERGY EQUIPMENT INC.	EFT000000003852	REPAIR PARTS	380.11
EMCO SUPPLY	EFT000000003853	REPAIR PARTS	138.54
BASIL FEARN 93 LTD.	EFT000000003854	REPAIR PARTS	127.77

NAME	CHEQUE #	DESCRIPTION	AMOUNT
EMERGENCY REPAIR LIMITED	EFT000000003855	AUTO PARTS AND LABOUR	9,038.30
REDWOOD CONSTRUCTION LIMITED	EFT000000003856	REFUND SECURITY DEPOSIT	1,000.00
FRESHWATER AUTO CENTRE LTD.	EFT000000003857	AUTO PARTS/MAINTENANCE	1,953.79
PRINCESS AUTO	EFT000000003858	MISCELLANEOUS ITEMS	747.49
COASTLINE SPECIALTIES	EFT000000003859	PROFESSIONAL SERVICES	4,197.50
STELLAR INDUSTRIAL SALES LTD.	EFT000000003860	INDUSTRIAL SUPPLIES	74.75
BOOMIT	EFT000000003861	PROFESSIONAL SERVICES	483.00
PROVINCIAL FENCE PRODUCTS	EFT000000003862	FENCING MATERIALS	2,021.36
WOLSELEY CANADA INC.	EFT000000003863	REPAIR PARTS	1,030.40
H & R MECHANICAL SUPPLIES LTD.	EFT000000003864	MECHANICAL SUPPLIES	1,297.27
ELECTRONIC WARFARE ASSOCIATES- CANADA LTD.	EFT000000003865	PROFESSIONAL SERVICES	3,270.60
XYLEM CANADA COMPANY	EFT000000003866	PROFESSIONAL SERVICES	758.71
HARVEY & COMPANY LIMITED	EFT000000003867	REPAIR PARTS	2,916.04
HARVEY'S OIL LTD.	EFT000000003868	PETROLEUM PRODUCTS	1,312.65
BRENNTAG CANADA INC	EFT000000003869	CHLORINE	23,194.52
RONA	EFT000000003870	BUILDING SUPPLIES	478.49
HICKMAN MOTORS LIMITED	EFT000000003871	AUTO PARTS	276.09
HOLDEN'S TRANSPORT LTD.	EFT000000003872	RENTAL OF EQUIPMENT	1,748.00
HONDA ONE	EFT000000003873	REPAIR PARTS	300.80
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	EFT000000003874	REPAIR PARTS	2,546.11
UNIVAR CANADA	EFT000000003875	CHEMICALS	3,667.12
PENNECON ENERGY TECHNICAL SERVICE	EFT000000003876	PROFESSIONAL SERVICES	310.85
CLEAN SWEEP PROPERTY MAINTENANCE	EFT000000003877	PROFESSIONAL SERVICES	718.75
CH2M HILL	EFT000000003878	PROFESSIONAL SERVICES	116,191.10
IMPRINT SPECIALTY PROMOTIONS LTD	EFT000000003879	PROMOTIONAL ITEMS	3,363.64
UMBRELLA SECURITY	EFT000000003880	ALARM MONITORING	3,643.20
BOSCH REXROTH CANADA CORP.	EFT000000003881	REPAIR PARTS	1,936.57
KAVANAGH & ASSOCIATES	EFT000000003882	PROFESSIONAL SERVICES	13,444.65
WORK AUTHORITY	EFT000000003883	PROTECTIVE CLOTHING	258.75
KENT BUILDING SUPPLIES-STAVANGER DR	EFT000000003884	BUILDING MATERIALS	156.15
CENTINEL SERVICES	EFT000000003885	REPAIR PARTS	270.25
DULUX PAINTS - OLD PENNYWELL RD	EFT000000003886	PAINT SUPPLIES	484.93
VOHL INC.,	EFT000000003887	REPAIR PARTS	1,364.64
MODERN MILLWORK & CABINETS LTD.	EFT000000003888	PROFESSIONAL SERVICES	6,881.60
C&S SNOW CLEARING LTD.	EFT000000003889	PROFESSIONAL SERVICES	6,200.40
WSP CANADA INC.	EFT000000003890	PROFESSIONAL SERVICES	12,746.03
JJ MACKAY CANADA LTD.	EFT000000003891	PARKING METER KEYS	22,188.88
MIKAN INC.	EFT000000003892	LABORATORY SUPPLIES	644.69
FOUGERE MENCHENTON ARCHITECTURE	EFT000000003893	PROFESSIONAL SERVICES	6,601.00
SHORELINE LUBRICANTS & INDUSTRIAL SUPPLY	EFT000000003894	CHEMICALS	1,219.94
PRINTERS PLUS	EFT000000003895	TONER CARTRIDGE	80.50
WAJAX INDUSTRIAL COMPONENTS	EFT000000003896	REPAIR PARTS	1,164.50
NEWFOUNDLAND DISTRIBUTORS LTD.	EFT000000003897	INDUSTRIAL SUPPLIES	1,288.69

NAME	CHEQUE #	DESCRIPTION	AMOUNT
NEWFOUNDLAND DESIGN ASSOCIATES	EFT000000003898	PROFESSIONAL SERVICES	17,701.75
NL KUBOTA LIMITED	EFT000000003899	REPAIR PARTS	82.85
TOROMONT CAT	EFT000000003900	AUTO PARTS	61,293.71
NORTH ATLANTIC PETROLEUM	EFT000000003901	PETROLEUM PRODUCTS	15,288.38
NOVA CONSULTANTS INC.	EFT000000003902	PROFESSIONAL SERVICES	23,381.23
GCR TIRE CENTRE	EFT000000003903	TIRES	3,381.12
THE HUB	EFT000000003904	BUSINESS CARDS	2,308.63
K & D PRATT LTD.	EFT000000003905	REPAIR PARTS AND CHEMICALS	545.04
RIDEOUT TOOL & MACHINE INC.	EFT000000003906	TOOLS	1,987.09
S & S SUPPLY LTD. CROSSTOWN RENTALS	EFT000000003907	REPAIR PARTS	23,833.31
ST. JOHN'S TRANSPORTATION COMMISSION	EFT000000003908	CHARTER SERVICES	1,288.15
BIG ERICS INC	EFT000000003909	SANITARY SUPPLIES	1,177.11
SAUNDERS EQUIPMENT LIMITED	EFT000000003910	REPAIR PARTS	9,126.29
SANSOM EQUIPMENT LTD.	EFT000000003911	REPAIR PARTS	1,627.66
SMITH'S HOME CENTRE LIMITED	EFT000000003912	HARDWARE SUPPLIES	367.29
STEELE FAB INDUSTRIES LTD.	EFT000000003913	STEEL	943.37
TULKES GLASS & KEY SHOP LTD.	EFT000000003914	PROFESSIONAL SERVICES	754.41
WATERWORKS SUPPLIES DIV OF EMCO LTD	EFT000000003915	REPAIR PARTS	2,117.97
WEIRS CONSTRUCTION LTD.	EFT000000003916	PROGRESS PAYMENT	57,837.72
BELL MOBILITY INC. RADIO DIVISION	EFT000000003917	MAINTENANCE CHARGES & REPAIRS	2,210.30
MAGNUM CONTRACTING LTD.	EFT000000003918	PROFESSIONAL SERVICES	19,152.10
SOBEYS ROPEWALK LANE	EFT000000003919	MISCELLANEOUS SUPPLIES	44.17
TYCO INTEGRATED SECURITY CANADA, INC.	EFT000000003920	PROFESSIONAL SERVICES	418.60
CAN-AM PLATFORMS & CONSTRUCTION LTD.	EFT000000003921	PROGRESS PAYMENT	12,286.44
TUCKER, WALLY	EFT000000003922	CLOTHING ALLOWANCE	239.99
KEATING, GREG	EFT000000003923	EMPLOYMENT RELATED EXPENSES	900.61
HAYES, CHAUNCEY	EFT000000003924	EMPLOYMENT RELATED EXPENSES	211.60
FREEMAN, EARLE	EFT000000003925	VEHICLE BUSINESS INSURANCE	148.35
ANGELA BLANCHARD	EFT000000003926	MILEAGE	76.88
SPURRELL, SHALANE	EFT000000003927	CLOTHING ALLOWANCE	125.00
FRANCIS SHEA	EFT000000003928	MILEAGE	18.10
ALANNA WICKS	EFT000000003929	EMPLOYMENT RELATED EXPENSES	59.78
DWAYNE JORDAN	EFT000000003930	EMPLOYMENT RELATED EXPENSES	169.19
FUTURA WORK WEAR	EFT000000003931	PROTECTIVE CLOTHING	13,745.38
ARMTEC LP	EFT000000003932	REPAIR PARTS	460.00
VALLEN	EFT000000003933	PROTECTIVE CLOTHING	1,045.36
DOMINION STORE 935	EFT000000003934	MISCELLANEOUS SUPPLIES	543.27
PLATINUM CONSTRUCTION CO LTD	EFT000000003935	PROGRESS PAYMENT	121,033.36
Total:			\$ 3,994,433.18

NAME	CHEQUE #	DESCRIPTION	AMOUNT
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3,994,433.18

MEMORANDUM

Date: December 5, 2017
To: Mr. Kevin Breen, Mr. Rick Squires, Ms. Elaine Henley
From: Sherri Higgins– Buyer
Re: Council Approval - Tender 2017239 – VMWare (Renewal)

This tender is required for support and subscription services required on our VMware licenses which also entitles us to upgrades. These licenses are the Hosting Platform for all our virtual servers (total 120).

VMWare (Renewal)	
TENDER #2017239 – December 5, 2017- 1:00 PM	
Powerland Computers	\$40,621.93
Pathix ASP	\$40,760.60
Triware Technologies Inc.	\$41,329.55
ITexpress Direct Inc	\$41,388.50
IMP Solutions	\$41,533.01
OnX Enterprise Solutions Ltd.	\$42,631.49

It is recommended to award this Tender to the lowest bidder meeting all specifications, Powerland Computers, as per the Public Tendering Act.

This contract is for a one year period with the option to extend for one additional year.

Taxes (HST) included

Sherri Higgins

ST. JOHN'S

DEPARTMENT OF FINANCE

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

MEMORANDUM

Date: December 7, 2017
To: Agenda, Senior Executives
From: Chris Davis
Re: Council Approval for Contract Award Without Tender Invitation – Key2Act

It is recommended by Derek Coffey, Deputy City Manager – Finance and Administration, to award this contract to Key2Act who is the sole supplier of the software licensing and maintenance for the Wennsoft software program used by the City. The cost is \$46,138.00.

Taxes are not included in the quoted price.



Chris Davis
Materials Supervisor



Derek Coffey
Deputy City Manager – Finance and Administration

ST. JOHN'S

DEPARTMENT OF FINANCE

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

**TO: GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
THE MINISTER OF WORKS, SERVICES AND TRANSPORTATION**

(Pursuant to Section 10 of The Public Tender Act, 1984 and Section 9 of the Regulations)

REPORT ON CONTRACT AWARD WITHOUT TENDER INVITATION

FROM: GOVERNMENT FUNDED BODY
City of St. John's, P.O. Box 908, St. John's, NL, A1C 5M2

Contract Description

Annual Software Maintenance Renewal For Wennsoft Licenses.
Renewal Date: January 21, 2018 to January 20, 2019
Reference Requisition # 70849

Contractor, Supplier or Lessor:

Name: KEY2ACT

Address: 1970 S Calhoun Road, New Berlin, WI 53151

Contract Price \$ \$46,138.00

Date of Award: Dec 5, 2017

Public Tender Act relevant exemption clause (tick as applicable):

3(2)(b) 3(2)(d) X 3(2)(e) 4(1)(b) 4(5)

Reason(s) why the tender was not invited:

This is not going to Tender because it is Sole Source and it is an ongoing yearly renewal for software support.

Head of Government-Funded Body

Prepared by: Keith Barrett


City Manager

Date: December 5, 2017

Date: December 5, 2017

CONTRACT AWARD WITHOUT TENDER INVITATION

Relevant Exemption Clauses:

- 3(2)(b): Where the estimated cost of the work or acquisition is not more than \$25,000, exclusive of goods and services tax imposable under Part IX of the Excise Tax Act (Canada) and retail sales tax imposable under the Retail Sales Tax Act, and it appears to the Chief Commissioner that in view of the nature of the work or acquisition it is not advisable to invite tenders.
- 3(2)(d): In the case of a pressing emergency where the delay resulting from inviting tender would be injurious to the public interest.
- 3(2)(e): Where the dealer, supplier or contractor providing the work or acquisition is the only source of that work or acquisition.
- 4(1)(b): The estimated rental value of the space is not more than \$30,000 exclusive of goods and services tax imposable under Part IX of the Excise Tax Act (Canada) and retail sales tax imposable under the Retail Sales Act, and it appears to the Chief Commissioner, in view of the nature of the lease, that it is not advisable to invite tenders.
- 4(5): A lease for space that was not originally publically tendered or that was originally publicly tendered without a clause for a further option to renew and a lease for an increase of the area of leased space may be renewed with the approval of the Lieutenant-Governor in Council.
 - (a): In accordance with the original terms of the lease; or
 - (b): On terms more favorable to the City where, in the opinion of the Chief Commissioner, those terms are consistent with the fair market value for that leased space.

MEMORANDUM

Date: December 12, 2017

To: Mr. Kevin Breen, Mr. Rick Squires, Ms. Elaine Henley

From: John Hamilton

Re: Council Approval for Tender 2017229 – Security Services Robin Hood Bay Waste Facility

Purpose of this tender is to provide security services, for the Robin Hood Bay Waste Facility. These services will provide onsite security for the City buildings and keep citizens away from the site for their own protection.

The results of Tender 2017229 – Security Services Robin Hood Bay Waste Facility is as follows:

<u>Vendor</u>	<u>Total Value</u>	<u>Extended</u>
Scarlet East Coast Security Ltd.	\$130,812.50	\$ 261,625.00
Garda Canada Security Corporation	\$136,194.50	\$ 272,389.00
Spectrum Security	\$143,445.25	\$ 286,890.50
Neptune Security Services Inc.	\$149,500.00	\$ 299,000.00
Commissionaires NL	\$153,237.50	\$ 306,475.00
Eastgate Security Inc	\$207,580.75	\$ 415,161.50
HS Security Services Corp	\$216,775.00	\$ 433,550.00
Cutting Edge Inc	\$216,775.00	\$ 433,550.00
Provincial Ready Mix	\$221,783.25	\$ 433,566.50

It is recommended to award this tender to the lowest bidder meeting specifications **Scarlet East Coast Security Ltd. \$130,812.50** per year, as per the Public Tendering Act.

Taxes are included with submitted bid.

John Hamilton
Senior Buyer

ST. JOHN'S

DEPARTMENT OF FINANCE

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

DECISION/DIRECTION NOTE

Title: 3-1-1 Call Centre Services from 11PM (23:00) to 7 AM (0700) & Statutory Holidays

Date Prepared: Dec 6, 2017

Report To: Mayor & Members of Council

Ward: N/A

Decision/Direction Required: Trial outsourcing of the 3-1-1 Call Centre telephone services for the 11 PM - 7 AM period daily and regularly scheduled statutory holidays for a six month period between January and June 2018.

Discussion: Background and Current status: The Citizen Services Centre opened in 2003 offering the first 3-1-1 non-emergency call service in Atlantic Canada. The Centre started operations with a 24/7/365 phone service. The overnight shift operates midnight to 8 am and is staffed by 1 employee. There is no on site supervisory support on the overnight shift.

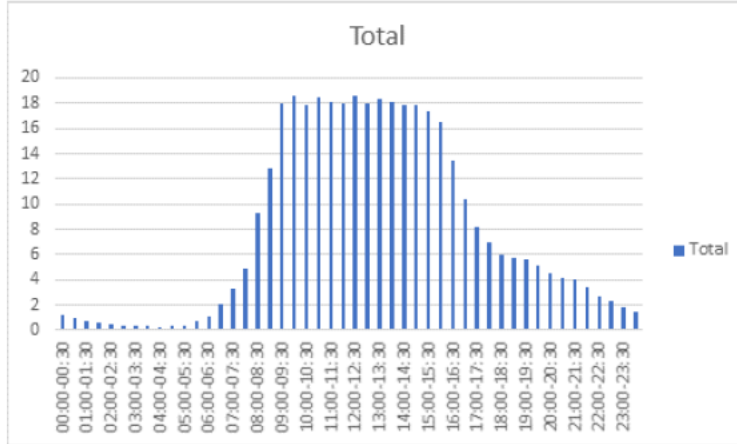
A workload review of data for the last 10 months, shows the overnight call volume at approximately 5000 calls/year. This is 4% of the total annual volume of 115k. The 311 agent also receives approximately 15 internal working alone check-in calls averaging 15 seconds per call. The total annual call volume for stat holidays (8 AM- midnight) is an additional 5000 which is another 4% of total annual volume. In total, 8% of calls are received on overnights and statutory holidays.

A limited jurisdictional scan showed the majority of municipal service Centre's outsource the overnight shift. Outsourcing has the potential to result in a cost savings of approximately 27k over the 6 month evaluation period.

The main issues/ calls received during these hours are generally noise complaints, parking (illegally parked vehicles), occasional water main breaks or other non-emergency calls.

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Jan-Oct 2017. Average Monthly call volumes per time period *



Key Considerations/Implications:

1. Budget/Financial Implications

Approximate savings of \$27,000 during the pilot project are realized through a reduction in the premiums associated with the outsourced hours.

2. Partners or Other Stakeholders

CUPE 1289 Collective Agreement: Requires 30-day written notice to change shift hours.

Vendor for Call Centre outsourcing: Will require collaboration for the service delivery & evaluation.

City Departments: As internal customers of the Citizen Service Centre, staff from various departments will be involved to ensure a smooth transition while maintaining service levels.

3. Legal or Policy Implications

N/A

4. Engagement and Communications Considerations

Coordination required of internal and external communication through Department Managers and City Communications Division.

5. Human Resource Implications

The staff complement of 9 FTP and 5 PTP (16 hr.) will not change throughout the pilot project period however the schedule will be adjusted to better meet the operational needs of the organization and the customer.

5. Information Technology Implications

N/A



6. Procurement Implications:

Vendors for outsourcing currently being investigated.

- 7. Recommendation:** Recommend outsourcing call answering services to 3-1-1 from January to June 2018 as a six month pilot project between the hours of 11 PM to 7 AM seven days per week plus all statutory holidays (24 hr).

The pilot project will include a robust evaluation to assess efficiency and effectiveness. At the end of the pilot project a report based on the evaluation will be submitted to council for review.

Prepared by: Mary Walsh, Manager Citizen Service

Approved by: Tanya Haywood, Deputy City Manager Community Services

Attachments: N/A

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Economic Update **December 2017**



The **New Housing Price Index** for St. John's Metro was 98.9 in September 2017 down -1.1%**

The **Consumer Price Index** for St. John's Metro was 135.7 in October 2017 up 0.8%*

Retail trade for Newfoundland and Labrador was \$779.2 million in September 2017 up 3.6%*

* same month in the previous year.

** With the release of the New Housing Price Index (NHPI) January 2017 data, the index base period, for which the NHPI equals 100, is December 2016.

... as of October 2017

Labour Force	118,400 (down 7.1%)
Unemployment Rate	8.5% (down 0.8 ppts)
Employment Rate	58.6% (down 4.8 ppts)
Participation Rate	64.1% (down 5.7 ppts)

St. John's CMA, seasonally adjusted, three-month moving average. Percentage change reflects the same month previous year.

Business Briefs



Offshore oil project Hebron produces first oil

On November 27 Exxon Mobil announced that first oil had been produced ahead of schedule from the \$14-billion Hebron project in the Jeanne D'Arc Basin about 350 kilometres southeast of St. John's. At its peak, it is designed to produce 150,000 barrels of oil per day. The project is expected to have a 30-year lifespan and will draw on a reservoir with 700-million barrels of oil. Hebron employed about 7,500 people at the peak of construction.

Education attainment and journey to work: 2016 Census results for the City of St. John's

- In 2016, 89.9% of people aged 25 to 64 in St. John's had a high school diploma or equivalency certificate, compared with 86.3% in Canada.
- In St. John's, 35.6% of people aged 25 to 64 had a bachelor's degree or higher in 2016, while 25.0% had a college, CEGEP or other non-university certificate or diploma as their highest level of education, and 3.5% had an apprenticeship certificate as their highest.
- In St. John's, 16.1% of women aged 25 to 64 with a bachelor's degree or higher studied STEM (science, technology, engineering and mathematics), compared with 36.5% of men. On the other hand, 83.9% of these women studied BHASE (non-STEM) fields of study such as business,

- humanities, health, arts, social sciences, education, etc., compared with 63.5% of men.
- Average commuting duration for the employed labour force in St. John's was 16.8 minutes; 5.2% of the employed workforce took public transit while 9.4% of the employed labour force used an active mode of transport like walking or cycling.
- 4.6% of the employed workforce in St. John's worked from home, compared to 3.4% in 2011.

St. John's area apartment rental market was relatively unchanged in 2017

According to the results of Canada Mortgage and Housing Corporation's Rental Market Survey conducted in October 2017, the vacancy rate in the St. John's metro area decreased slightly from 7.9% to 7.2% after eight years of increases. The easing of the rental market in recent years is attributed to lacklustre demand and because of economic weakness and an increase in newly built apartments since 2012. The overall average rent in the St. John's area for a two-bedroom apartment came in at \$941. The average national monthly rent for a two-bedroom rental apartment rose 2.8% to \$989. Read the full report here: www.cmhc-schl.gc.ca



City Building Permits (year to date)

As of December 4, 2017:

- **Commercial** permits are up 19% to \$145,586,487 for 2017 over \$122,436,558 for 2016
- **Industrial** permits are up 100%, from \$0 in 2016 to \$5,100,000 for 2017
- **Government/Institutional** permits are down 68% from \$6,053,109 in 2016 to \$1,952,594 in 2017.*
- **Residential** permits are up this year, 16% over 2016: \$84,294,875 for 2017 over \$72,546,705 for 2016.
- **Repairs** are down 28%, from \$4,457,079 in 2016 to \$3,217,798 in 2017

* Note that this data does not include the full range of permit activity undertaken by the provincial government and its agencies.



Business Approvals

E Bike Universe, 37 Stavanger Dr.
Sushi Maki, 655 Topsail Rd.
Natural Boutique, 25 Stavanger Dr.
Bow Shot, 152 Water St.
Yes B'Y'S, 7-9 Queen St.
H&R Block, 40-70 Hamlyn Rd.
Aylward Law, 400 Elizabeth Ave.
The Puffin Hut, 268 Water St.
Yellowbelly Brewery takeaway, 264 Water St.
Kuma Bento, Village Mall
Bark Avenue Groomer, 394 Kenmount Rd.
MD Financial Management, 80 Hebron Way

Home-based Businesses

Office for a project manager, 3 Eastmeadows Pl.
Carpenter, 43 Densmore's Ln.
Admin office for Go Baby Rentals, 128 Donovan's Rd.

Totals

Year to Date: 143

- Regular 82
- Home-based 61

City Initiatives



Planning Underway for Water Street Infrastructure Project in 2018

Following discussions with utility providers and an assessment of the use of trenchless technology to address the aging water and sewer infrastructure along Water Street, the City of St. John's is now prepared to move forward with plans for a rehabilitation program. Following the tendering process, Phase 1 should begin in April 2018 and covers the area between Queen Street to Bishop's Cove. Work will include installation of new manholes, catchbasins and leads, and storm sewers at the Water Street/Adelaide Street/Bishop's Cove intersection. Once the work is completed, the intersection will be reconfigured with accessible pedestrian signals. The City will share project information and updates using its website www.stjohns.ca and engagement site at engagesjohns.ca.

Upcoming Events

December 11 [Marketing & Communications Workshop: MOTR](#)
December 13 [Preparing to Compete and Win in a Low Carbon Economy workshop](#)
December 13 [Institute of Public Administration of Canada – NL chapter AGM](#)
December 13 [Extraordinary Women & Men Breakfast featuring entrepreneur Kathie Hicks](#)
December 14 [Webinar: Global Export Forecast 2017 with Peter Hall](#)
January 5 [St. John's Board of Trade 101 Session](#)



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