

**AGENDA
REGULAR MEETING**

**June 9, 2014
4:30 p.m.**

ST. JOHN'S

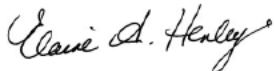
MEMORANDUM

June 6, 2014

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, June 9, 2013 at 4:30 p.m.**

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

By Order



Elaine Henley
City Clerk

ST. JOHN'S

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

AGENDA
REGULAR MEETING
June 9, 2014
4:30 p.m.

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

- 1. Call to Order**
- 2. Approval of the Agenda**
- 3. Adoption of the Minutes - June 2, 2014**
- 4. Business Arising from the Minutes**
 - a. Included in the Agenda**
 - i. Memo from Director of Engineering re: Rennies River Flood Mitigation – Phase 1 – Long Pond Weir
 - B. Other Matters**
- 5. Notices Published:**
 - a) A Discretionary Use Application requesting permission to occupy 43 Liverpool Avenue as a home occupation for a wedding decorating business. The proposed business will be located in the basement and occupy a floor area of approximately 33 m², which will be used primarily for storage and administrative purposes. Clients may be seen on-site infrequently, once a month or less. The applicant is the sole employee. (No submissions received).
- 6. Public Hearings**
 - a) Public Meeting of April 30, 2014 re: 12 – 20 Mount Cashel Road (Ward 4)
Application for a Townhouse Condominium Development
Proposed New R2 Condominium Zone
Applicant: 62554 Newfoundland and Labrador Inc.
- 7. Committee Reports**
 - a. Mayor's Advisory Committee on Affordable Housing Report – May 29, 2014
 - b. Development Committee Report – June 3, 2014
 - c. Regional Wastewater Minutes of May 7, 2014
 - d. Special Events Committee - June 6, 2014
- 8. Resolutions**
- 9. Development Permits List**
- 10. Building Permits List**
- 11. Requisitions, Payrolls and Accounts**
- 12. Tenders**

- a) Tender – 2014 Street Rehabilitation Program, Contract #2

13. Notices of Motion, Written Questions and Petitions

14. Other Business

- a. Memo dated June 3, 2014 from City Solicitor re: 10 Lamanche Place
- b. Letter of Congratulations from Mayor O'Keefe to Shannie Duff
- c. Memo from Deputy City Manager of Financial Services re: Quarterly Travel Report (1st Quarter)
- d. Memo re: Travel Authorization for Councillor Dave Lane (EDAC National Conference)

15. Adjournment

June 2, 2014

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

Deputy Mayor Ellsworth presided.

There were present also: Councillors Hann, Hickman, Lane, Puddister, Breen, Tilley, Davis, and Collins.

Regrets: Mayor Dennis O'Keefe and Councillor Galgay.

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

Call to Order and Adoption of the Agenda

SJMC2014-06-02/249R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That the Agenda be adopted with the following additions:

The motion being put was unanimously carried.

Adoption of Minutes

SJMC2014-06-02/250R

It was decided on motion of Councillor Tilley; seconded by Councillor Puddister: That the minutes of May 26, 2014 be adopted as presented.

The motion being put was unanimously carried.

**St. John’s Municipal Plan Amendment Number 125, 2014 and St. John’s
 Development Regulations Amendment Number 598, 2014
 Proposed Rezoning from R1 and OR to R2
 48-56 Bay Bulls Road**

Council considered a memo dated May 23, 2014 from the Chief Municipal Planner regarding the above noted matter.

SJMC2014-06-02/251R

It was decided on motion of Councillor Collins; seconded by Councillor Breen: that Council approve St. John’s Municipal Plan Amendment Number 125, 2014 and St. John’s Development Regulations Amendment Number 598, 2014 Proposed Rezoning from R1 and OR to R2 - 48-56 Bay Bulls Road.

**RESOLUTION
 ST. JOHN’S MUNICIPAL PLAN
 AMENDMENT NUMBER 125, 2014**

WHEREAS the City of St. John’s wishes to allow a residential development at Civic Numbers 48-56 Bay Bulls Road [**Parcel ID #37279**].

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 the land at Civic Numbers 48-56 Bay Bulls Road from the Open Space (O) Land Use District to the Residential Low Density (RLD) Land Use District as shown on Map III-1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 2nd day of June, 2014.

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. 125, 2014
[Map III-1A]**

2014 02 11 SCALE: 1:1250
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



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

48-56 Bay Bulls Road

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 598, 2014**

WHEREAS the City of St. John's wishes to allow a residential development at Civic Numbers 48-56 Bay Bulls Road [**Parcel ID #37279**].

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

**Rezone land at Civic Numbers 48-56 Bay Bulls
Road from the Residential Low Density (R1)
Zone and the Open Space (O) Zone to the
Residential Medium Density (R2) Zone as
shown on Map Z-1A attached.**

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 2nd day of June, 2014.

Mayor

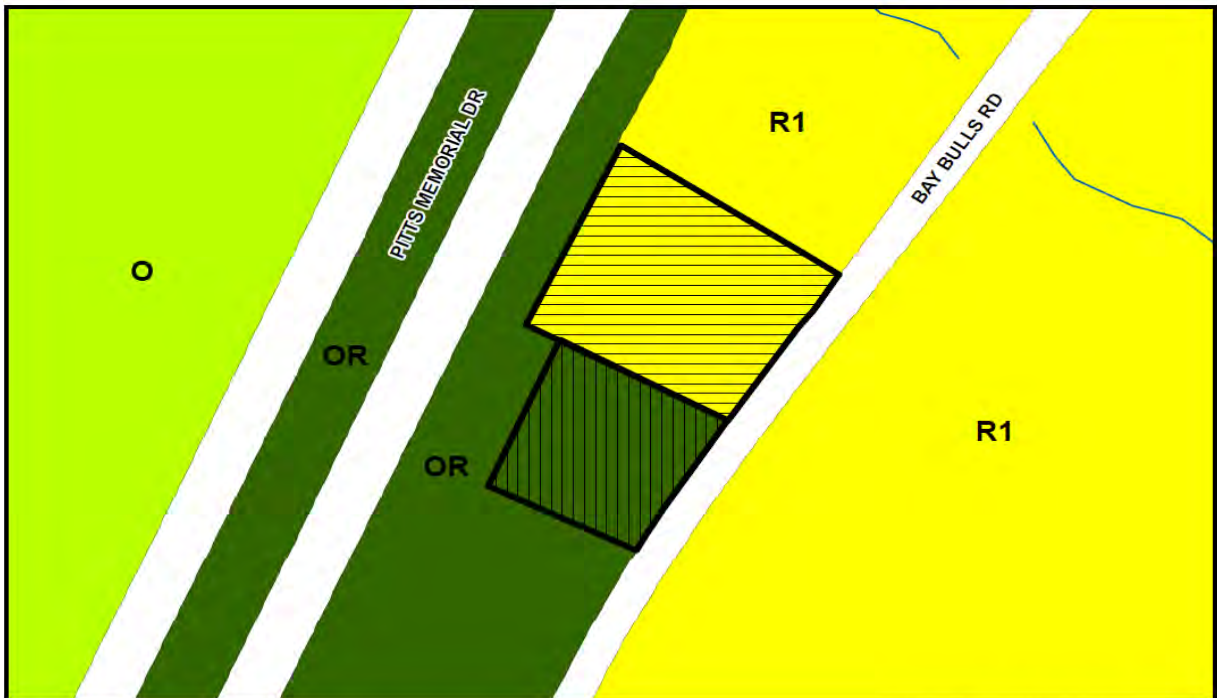
MCIP

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. 598, 2014
[Map Z-1A]**

2014 02 11 SCALE: 1:1250
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
OPEN SPACE RESERVE (OR) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

48-56 Bay Bulls Road

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was carried with Councillor Hickman dissenting.

Planning and Development Standing Committee Report – May 20, 2014

Councillor Hann introduced the following report of the Planning and Development Committee dated May 20, 2014.

In Attendance: Councillor Tom Hann, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Danny Breen
Councillor Sandy Hickman
Councillor Bernard Davis
Dave Blackmore, Deputy City Manager of Planning,
Development & Engineering
Jason Sinyard, Director, Planning and Development
Ken O'Brien, Chief Municipal Planner
Judy Powell, General Manager - Metrobus
Maureen Harvey, Senior Legislative Assistant

DELEGATIONS

- a. Application to Rezone Property to the Apartment Low Density (A1) Zone 26 Logy Bay Road, Ward 1
Applicant: Gibbons Snow Architects Inc.

The application is to have property situated at 26 Logy Bay Road (opposite the present intersection of Parsons Road and Logy Bay Road) rezoned from the Residential Low Density (R1) Zone to the Apartment Low Density (A1) zone. The purpose is to facilitate the development of an apartment building containing 8 dwelling units and having a height of 2 storeys.

Recommendation:

On a motion by Councillor Breen; seconded by Councillor Hickman: That approval be given to the Terms of Reference for a Land Use Assessment Report for this application. Upon receipt of a satisfactory report, the application will proceed to the public consultation process. A public meeting will be held and chaired by a member of Council.

- a. **Application for Proposed Rezoning of Land to Residential Kenmount (RK) and Commercial Neighbourhood (CN) Zones – Ladysmith Drive Applicant – 11368 Inc.**

The Committee entertained a request from the applicant for rezoning which involves two parcels of land within the Kenmount Terrace Subdivision. It is proposed to switch the existing zoning on two sites.

Parcel A located on the corner of Ladysmith Drive and Curlew Place is proposed to be rezoned from the RK to the CN Zone. This parcel is located beyond the current phase of development within the subdivision. Parcel B is located at the intersection of Ladysmith Drive, Lady Anderson Street and Tigress Street and is proposed to be rezoned from CN to the RK zone. This parcel has commercial servicing available.

Recommendation:

Moved by Councillor Davis: Seconded by Deputy Mayor Ellsworth: that the application be rejected as it is contrary to the objectives of the City's Municipal Plan and good planning practice, going against many of the factors that help to improve the quality, safety and walkability of the city's neighbourhoods.

2. 16-36 Bay Bulls Road

Rezoning of OR Zone to the Residential Low Density (R1) Zone along Pitts Memorial Drive which includes the deep rear yards of private properties.

The Committee considered a memorandum dated May 12, 2014 from the Chief Municipal Planner. The memo indicates staff has initiated the potential rezoning of the rear yards of the properties located at 16-36 Bay Bulls Road. The purpose of the application is to effectively remove the Open Space Resource (OR) Zone from the rear portions of the subject properties.

Initially the Open Space Reserve (OR) Zone was put in to act as a buffer between the residences and Pitts Memorial Highway. Since that time, it has been determined that there is little need for such a wide buffer and that the OR Zoned area is no longer serving its intended purpose.

It was noted that a Municipal Plan Amendment is not required.

Recommendation

On a motion put forth by Councillor Breen; seconded by Councillor Hickman that approval be given to approve St. John's Development Regulations Amendment Number 601, 2014 to facilitate rezoning from Residential Low Density (R1) Zone and Open Space (OR) Zone to the residential Low Density (R1) Zone for properties located at 16-36 Bay Bulls Road.

Councillor Tom Hann
Chairperson

SJMC2014-06-02/252R

**It was moved by Councillor Hann; seconded by Councillor Lane:
That the report of the Planning & Development Committee dated May
20, 2014 be adopted as presented.**

The motion being put was unanimously carried.

Community Services & Housing Committee report – May 27, 2014

Councillor Davis brought forward the Community Services and Housing Committee Report – May 27, 2014.

Attendees: Councillor Bernard Davis, Chairperson
Councillor Bruce Tilley
Councillor Tom Hann
Councillor Danny Breen
Jill Brewer, Deputy City Manager of Community Services
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Director of Recreation
Brian Head, Manager of Parks & Open Spaces
Janine Halliday, Manager of Citizen Services
Karen Chafe, Recording Secretary

1. **Colour Dye Road Races**

The Committee considered a memo dated May 20, 2014 from the Director of Recreation regarding a request submitted by a for-profit organization based in the United States to hold a Colour Dye Road Race along the roads and trails around Quidi Vidi Lake and residential areas in August, 2014.

The Committee on motion of Councillor Tilley; seconded by Councillor Breen recommends that Council not approve Colour Dye events on streets or open spaces in the City of St. John's given the extensive clean-up required after such events. There is also a concern about the congealing of the colour dye products which would settle in catch basins.

2. **Proposed Creation of Indoor Playground**

The Committee considered the Council Directive from the Regular Meeting of May 5, 2014 regarding Councillor Galgay's request that consideration be

given to the development of indoor playgrounds for the use of small children, particularly during the winter months. The following points were outlined:

- Currently there are many opportunities for children to access indoor recreational facilities, not only offered by the City of St. John's but other organizations such as the YMCA, the Provincial Training Center (Power Plex) to name a few.
- The City offers children and youth recreational programming for all age groups and there is access to portable equipment which is relocated during the summer months as needed.
- The City also intends to provide enhanced drop-in recreational and play programs once new facilities are constructed. Reference was made to the City's Active Living Guide which provides numerous opportunities for recreational activity both indoors and out.
- One of the mandates of the Department of Recreation is to encourage children to get outside. Pippy Park, Rotary Park, Bowring Park and Bannerman Park are just a few of the areas where opportunities exist for year round outdoor recreation.
- The City also works with schools to facilitate recreational programming in school facilities.
- The creation of an indoor facility for the exclusive purpose of providing an indoor playground will involve a significant fixed cost to pay for playground equipment, the purchase or rental of space, staffing requirements, heating and maintenance costs. It would also result in a duplication of programming that already exists.

Based on the foregoing, the Committee recommends that the status quo be maintained and that staff continue to provide recreational opportunities while enhancing its drop-in programs as additional spacing becomes available in new recreational facilities.

3. **Parking Permits**

The Committee considered the attached overview and administration of the City's Parking Permits process as prepared by the Manager of Citizen Services.

The Committee recommends that the status quo for the existing Parking Permit System be maintained.

4. **2014 Recreation Sport Grants**

The Committee considered a report from the Department of Community Services regarding an overview of the Sport Grant application process and the recommended approvals.

The Committee on motion of Councillor Breen; seconded by Councillor Hann recommends that the attached grants be approved in the amount of \$192,000 with a hold back of approximately 20% for late applications for a total allocation of \$241,000. It is also recommended that a one-time increase to the St. John's Senior Soccer Utility Grant for a one-time purchase of a turf groomer to maintain King George V Turf Field be approved.

**Councillor Bernard Davis
Chairperson**

SJMC2014-06-02/253R

**It was moved by Councillor Davis; seconded by Councillor Tilley:
That the report of the Community Services & Housing Committee dated
May 27, 2014 be adopted as presented.**

The motion being put was unanimously carried.

Special Events Advisory Committee Report – May 26, 2014

Councillor Davis brought forward the Special Events Advisory Committee Report of May 26, 2014

- 1. Event:** Tely Hike
Location: King George V
Date: June 7, 2014
Time: 8:00 a.m. to 4:00 p.m.

- 2. Event:** Uniformed Services Run
Location: Bowring Park
Date: June 15, 2014
Time: 6:00 a.m. to 12:00 p.m.

- 3. Event:** CIS Championship
Location: Bowring Park
Date: November 7-8, 2014
Time: 10:00 a.m. to 5:00 p.m.

- 4. Event:** Provincial Marathon,
Location: Bowring Park, Brookfield Road and area
Date: September 21, 2014

Time: 7:30 a.m. to 1:30 p.m.

Special Events Advisory Recommendation:

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

Tanya Haywood
Director, Recreation Division
Department of Community Services

SJMC2014-06-02/254R

**It was moved by Councillor Davis; seconded by Councillor Hickman:
That the report of the Special Events Advisory Committee dated May 26,
2014 be adopted as presented.**

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List for the week ending May 28th:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF May 22, 2014 TO May 28, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	APM Construction	Canadian Tire Building	40 Hebron Way	1	Approved	14-05-22
RES		Family Home Child Care	9 Horwood Street	4	Approved	14-05-23
RES	MHoward Enterprises Inc.	Three (3) Residential Dwellings, townhouses.	34 Freshwater Road	2	Approved	14-05-28

<p>* Code Classification: RES- Residential COM- Commercial AG - Agriculture OT - Other</p> <p>INST - Institutional IND - Industrial</p>
<p>** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision</p>

**Gerard Doran
Development Officer
Department of Planning**

to the St. John's Local Board of Appeal.

Building Permits List

SJMC2014-06-02/255R

It was decided on motion of Councillor Puddister; seconded by Councillor Breen: That the recommendations of the Director of Planning and Development with respect to the following Building Permits list for the period May 22 – May 28, 2014 be approved:

**Building Permits List
Council's June, 02 2014 Regular Meeting**

Permits Issued: 2014/05/22 To 2014/05/28

Class: Commercial

40 Hebron Way	Nc	Retail Store
25 Aberdeen Ave	Sn	Mixed Use
145 Kelsey Dr	Sn	Office
85-95 Kenmount Rd	Sn	Car Sales Lot
355 Main Rd Shamrock City	Sn	Eating Establishment
430 Topsail Rd, Unit #38	Sn	Retail Store
520 Topsail Rd., Burger King	Sn	Eating Establishment
277-281 Water St.,Bowring Bldg	Sn	Office
85 Jensen Camp Rd	Nc	Accessory Building
40 Hebron Way	Nc	Accessory Building
136-140 Water St. Jumping Bean	Co	Eating Establishment
348-350 Water St	Nc	Accessory Building
48 Kenmount Rd - Starbucks	Cr	Eating Establishment
662 Topsail Rd	Rn	Restaurant
520 Topsail Rd Burger King	Rn	Eating Establishment
10 Fort William Pl - Suite 701	Rn	Office
354 Water St	Rn	Mixed Use
12 Bay Bulls Rd Tim Hortons	Rn	Eating Establishment
215 Water St, Suite 511	Rn	Office
575 Kenmount Rd	Ex	Car Sales Lot

This Week \$ 2,034,348.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

6 Aldergrove Pl, Lot 252	Nc	Single Detached Dwelling
51 Baie Verte St	Nc	Accessory Building
42 Spruce Grove Ave	Nc	Accessory Building

116 Blue Puttee Dr	Nc	Accessory Building
118 Bonaventure Ave	Nc	Patio Deck
8 Caravelle Pl Lot 29	Nc	Single Detached & Sub.Apt
10 Caravelle Pl Lot 30	Nc	Single Detached & Sub.Apt
164 Cheeseman Dr	Nc	Fence
36 Cherrybark Cres, Lot 224	Nc	Single Detached Dwelling
57 Cheyne Dr	Nc	Accessory Building
57 Cheyne Dr	Nc	Fence
66 Coventry Way	Nc	Accessory Building
40 Dauntless St	Nc	Accessory Building
10 Drake Cres	Nc	Fence
59 Francis St	Nc	Fence
31 Gear St	Nc	Patio Deck
8 Gibbon Pl	Nc	Fence
20 Golf Course Rd	Nc	Patio Deck
44 Curling Pl	Nc	Fence
72 Iceland Pl	Nc	Accessory Building
6 Kerr St	Nc	Fence
97 Ladysmith Dr	Nc	Patio Deck
8 Legacy Pl, Lot 29	Nc	Single Detached & Sub.Apt
10 Legacy Pl, Lot 30	Nc	Single Detached & Sub.Apt
21 Long Beach St	Nc	Fence
14 Maclaren Pl	Nc	Fence
52 Mcniven Pl	Nc	Patio Deck
530 Main Rd	Nc	Patio Deck
110 Moss Heather Dr	Nc	Patio Deck
8 Mountainview Dr	Nc	Accessory Building
81 New Cove Rd	Nc	Accessory Building
101 New Cove Rd	Nc	Patio Deck
307 Newfoundland Dr	Nc	Accessory Building
8 Oakmount Street	Nc	Single Detached & Sub.Apt
10 Oakmount St	Nc	Single Detached & Sub.Apt
90 Pearltown Rd	Nc	Accessory Building
129 Airport Heights Dr	Nc	Accessory Building
68 Rosalind St	Nc	Fence
25 Stephano St, Lot 220	Nc	Single Detached & Sub.Apt
12 Westview Ave, Lot 6, Unit 1	Nc	Condominium
12 Westview Ave, Lot 6, Unit 2	Nc	Condominium
12 Westview Ave, Lot 6, Unit 3	Nc	Condominium
12 Westview Ave, Lot 6, Unit 4	Nc	Condominium
6 Willenhall Pl, Lot 41	Nc	Single Detached & Sub.Apt
52 Willenhall Pl, Lot 18	Nc	Single Detached & Sub.Apt
54 Willenhall Pl, Lot 17	Nc	Single Detached & Sub.Apt
41 Willenhall Pl Lot 13	Nc	Single Detached Dwelling
13 Cole Pl-Philnl Cleaning	Co	Home Office
19 1/2 Pine Bud Ave	Co	Home Office
123 Ladysmith Dr	Cr	Subsidiary Apartment
9 Sequoia Dr	Cr	Subsidiary Apartment
16 Shoal Bay Rd	Cr	Single Detached Dwelling
11 Lunenburg St	Ex	Single Detached Dwelling
17 Atlantic Ave	Rn	Semi-Detached Dwelling
27 Cambridge Ave	Rn	Single Detached Dwelling
111 Cheeseman Dr	Rn	Single Detached Dwelling
6 Douglas St	Rn	Subsidiary Apartment
69 Freshwater Rd	Rn	Single Detached Dwelling
58 King's Rd	Rn	Townhousing
15 Leslie St	Rn	Single Detached & Sub.Apt
48 Monroe St	Rn	Semi-Detached Dwelling
371 Newfoundland Dr	Rn	Single Detached Dwelling
67 Parsonage Dr	Rn	Single Detached Dwelling
117 Queen's Rd	Rn	Parking Lot
139 Queen's Rd	Rn	Single Detached Dwelling

75 Shaw St, Common, 2,3,4 & 5	Rn	Apartment Building
168 Higgins Line	Sw	Semi-Detached Dwelling
13 Oberon St	Sw	Single Detached Dwelling

This Week \$ 3,197,150.00

Class: Demolition

57 Carter's Hill	Dm	Single Detached Dwelling
5 Linegar Ave	Dm	Single Detached Dwelling

This Week \$ 12,000.00

This Week's Total: \$ 5,243,498.00

Repair Permits Issued: 2014/05/22 To 2014/05/28 \$ 147,950.00

37 Francis Street - accessory building rejected as per Section 8.3.6(4).

Legend

Co	Change Of Occupancy	Sn	Sign
Cr	Chng Of Occ/Renovtns	Sw	Site Work
Nc	New Construction	Ex	Extension
Rn	Renovations	Dm	Demolition
Ms	Mobile Sign		

YEAR TO DATE COMPARISONS			
June 02, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$45,699,000.00	\$43,776,000.00	-4
Industrial	\$28,000.00	\$125,300.00	348
Government/Institutional	\$7,524,000.00	\$42,505,000.00	46
Residential	\$57,202,000.00	\$44,351,000.00	-22
Repairs	\$1,365,000.00	\$1,405,000.00	3
Housing Units (1 & 2 Family Dwellings)	162	105	
TOTAL	\$111,818,000.00	\$132,162,300.00	18

Respectfully Submitted,

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

The motion being put was unanimously carried.

Requisitions, Payrolls and Accounts

SJMC2014-06-02/256R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That the following Payrolls and Accounts for the week ending May 28, 2014 be approved.

**Weekly Payment Vouchers
For The
Week Ending May 28, 2014**

Payroll

Public Works

\$ 432,183.71

Bi-Weekly Casual

\$ 19,993.75

Accounts Payable

\$ 2,121,099.98

Total:

\$ 2,573,277.44

Tenders

- a. Tender – Awarding of Advertising Contracts
- b. Tender – 2014008 – Lease Color Copier
- c. Award of contract for Seniors Housing Project

SJMC2014-06-02/257R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That the above noted contracts be awarded as follows:

- **Advertising Contracts**
 - **The Telegram– 52 week program at \$195,058.88 plus HST**
 - **Steele Communications – 52 week program at \$64,500 plus HST**
- **Color Lease Copier – Ricoh Canada \$2,577 per month (48) month term – total lease \$123,696.00**
- **Seniors Housing Research Project – SHS Consulting – \$25,000**

The motion being put was unanimously carried.

Notices of Motion, Written Questions and Petitions

Councillor Bernard Davis tabled a petition from the residents of Wigmore Court, Austin Street, Thorburn Road and Cumberland Crescent requesting the development of an outdoor playground in the area. The petition was forwarded to the Departments of Public Works and Community Services & Housing for review and consideration.

Sale of Property – 81 Merrymeeting Road

Council considered a memorandum from the City Solicitor dated May 28, 2014 regarding property at 81 Merrymeeting Road which has an encroachment of a porch and patio on City Land.

SJMC2014-06-02/258R

It was decided on motion of Councillor Breen; seconded by Councillor Tilley: That Council sell City land at the above noted location at the market value of \$10 per square foot (approximately \$1,500 plus HST) as recommended by the Manager of Real Estate Services.

The motion being put was unanimously carried.

Expropriation of Property – 15 Terra Nova Road

Council considered a memo dated May 29, 2014 from the City Solicitor regarding property at 15 Terra Nova Road owned by the Boy Scouts of Canada. It was noted that staff have negotiated a pre-expropriation settlement in the amount of \$770,000 plus legal fees for closing the transaction. The property will be officially conveyed to the city on June 30, 2014.

SJMC2014-06-02/259R

It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That Council approve compensation in the amount of \$770,000 plus legal fees for property located at 15 Terra Nova Road.

The motion being put was unanimously carried.

Economic Update – June 2014

Councillor Tilley presented the highlights of the Economic Update June 2014.

Appointment of New Members – Mayor’s Advisory Committee on Seniors

Councillor Hann put forth a recommendation from the Mayor’s Advisory Committee on Seniors regarding the appointment of two new members, replacing members whose terms of office had expired.

SJMC2014-06-02/259R

It was decided on motion of Councillor Hann; seconded by Councillor Tilley: That Council approve the appointment of Sharron Callahan and Patsy Yetman as Citizen representatives to the Mayor’s Advisory Committee on Seniors and further that letters of appreciation be forwarded to outgoing members Nancy Knight and Boyd Smith.

The motion being put was unanimously carried.

Councillor Breen

Approval of Grant for 37th Annual Teddy Bear’s Picnic

SJMC2014-06-02/260R

It was decided on motion of Councillor Breen; seconded by Councillor Lane: That Council approve a grant in the amount of \$2,000 to assist with hosting the 37th Annual Teddy Bear’s Picnic.

The motion being put was unanimously carried.

Councillor Davis

- Requested that consideration be given to the following initiatives that he became aware of at a recent FCM Conference:
 - Paying for parking via text messaging – referred to Community Services and Housing - Parking Services
 - An app that would facilitate the location of vacant parking spots – referred to Community Services and Housing – Parking Services
 - A GPS app that would facilitate the location of snow clearing equipment – referred to the Department of Public Works and Parks.

Councillor Puddister

- Requested that the Finance & Administration Committee consider a program that would allow senior citizens to pay taxes on a monthly basis.

Adjournment

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

MAYOR

CITY CLERK

MEMORANDUM

Date: June 4, 2014

To: His Worship the Mayor & Members of Council

From: Brendan O'Connell, P. Eng.

Re: Rennies River Flood Mitigation – Phase 1 – Long Pond Weir

In reference to Council Directive R2014-05-26/5, Council directed that the necessary approvals from Provincial and Federal agencies be obtained for the above project. CBCL Limited has provided a proposal to the City for Engineering Services related to the design and construction of the Long Pond Weir at a cost of \$173,980 (plus HST).

In an effort to have the design and approvals in place before the start of the 2015 construction season, in accordance with Item 3.4 of the policy for the “Hiring of External Consultants”, it is recommended that CBCL Limited be hired for this project based on their involvement with the Rennies River Storm Water Management Plan.

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

B'CO/dm


ST. JOHN'S

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on Monday, June 9, 2014**

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	43 Liverpool Avenue Residential High Density (R3) Zone	2	<p>A Discretionary Use Application has been submitted requesting permission to occupy 43 Liverpool Avenue as a home occupation for a wedding decorating business.</p> <p>The proposed business will be located in the basement, and occupy a floor area of approximately 33 m², which will be used primarily for storage and administrative purposes. Clients may be seen on-site infrequently, once a month or less. The applicant is the sole employee.</p>	33	1		no submissions received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

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

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

MEMORANDUM

Date: June 4, 2014

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File No. B-17-M.5 (2013) / 12-00243**
12-20 Mount Cashel Road, Ward 4
Application for a Townhouse Condominium Development
Proposed New R2 Condominium Zone
St. John's Development Regulations Amendment Number 584, 2014
Applicant: 62554 Newfoundland and Labrador Inc.
Council Directive CD # R2013-12-02/1

62554 NL Inc. has applied to develop 27 townhouses on vacant land at 12-20 Mount Cashel Road. The project is proposed as a planned-unit development under condominium ownership. The houses would be served by a private driveway leading to a parking lot. The individual units would not have frontage on a public road, but the residential condominium project as a planned-unit development would have frontage on the public road.

The attached resolution would finalize the proposed new zone to regulate this development and others that may come after it.

BACKGROUND

In fall 2012, the City's Development Committee reviewed an application for a residential development at 12-20 Mount Cashel Road and recommended that Council consider establishing a site-specific zone that could permit developments of this nature.

At its Regular Meeting on December 10, 2012, Council deferred a decision on the application to allow time for staff to review public submissions. Subsequently, Council directed staff to create a new zone that could accommodate this proposal and could be used for similar applications elsewhere. This application and the proposed new Residential Medium Density - Condominium Zone (R2 Condo Zone) were referred to a public meeting on August 14, 2013; minutes are attached.

New R2 Condo Zone / LUAR

St. John's Development Regulations Amendment Number 584 and minutes of the August public meeting were brought to the Regular Meeting of Council on September 9, 2013. Council directed staff to proceed with the rezoning process at 12-20 Mount Cashel Road and adopted the resolution for the R2 Condo Zone.

ST. JOHN'S

Subsequent to Council's Regular Meeting, it was determined by senior staff and agreed to by Council that a land-use assessment report (LUAR) should be prepared. When the report was completed, it was publicly advertised, then referred to a public meeting on April 30, 2014; minutes are attached.

Neighbourhood Concerns

The attached meeting minutes reflect the concerns brought forward by area residents. They include: density of the development with respect to the neighbourhood and in light of Municipal Plan density restrictions; privacy and shadowing of neighbouring properties; increased traffic; and snow clearing. The applicant's LUAR addresses these matters.

During the review period, a report was submitted by neighbours, prepared by the consulting firm, Planning & Design Centre. The detailed report presented alternate development plans for the site with a lower number of residential units and examined the proposed development on a number of matters including height, permitted Floor-Area Ratio (FAR) under the Municipal Plan, and permitted density under the Development Regulations. The report questioned the method by which the applicant's consultant calculated the FAR. City staff have determined that there was a slight discrepancy on how the FAR was calculated (using interior spaces instead of the area of the outside walls), but the development remains under an FAR of 1.0, therefore the difference in calculation is not significant.

Density and Number of Residential Units

In terms of density, the R2 Zone used on Mount Cashel Road permits townhouses with a minimum lot area of 180 square metres per dwelling unit and a minimum lot frontage of 6 metres per unit. The subject property is deep but narrow along Mount Cashel Road. If lots fronted on Mount Cashel Road only, then approximately four (4) single detached houses or eight (8) townhouses would be possible; each lot would be very deep. Alternatively, a public road cul-de-sac could be built; the width of the road and size of the turning bulb would possibly restrict houses to one side of the road. The developer applied for a planned-unit development in condominium ownership, with units fronting on a parking lot and private driveway rather than a public road.

The subject property has an area of 0.54 hectare. Under the Municipal Plan's density limit of 50 dwelling units per net hectare for medium-density residential uses in the RLD District (see Part III, Section 2.3.1 and 2.3.2, page III-21), this would allow up to 27 units. In this case, a net hectare calculation would be the same as a gross hectare calculation, since there would be no need to remove land for a public road or other public infrastructure.

Petition

At its Regular Meeting on May 5, 2014, Councillor Davis tabled a petition against the development of all the proposed lots at 12-20 Mount Cashel Road and called for the elimination of the first four (4) lots along the private driveway to allow space for snow storage and a small park. By Council Directive CD #R2014-05-05/7, this was referred to Council's Planning and Development Committee for review. Staff discussed this with the developer, who asserted that he would not be amenable to losing four proposed lots. The LUAR submitted by the developer states that snow will be trucked off-site when it builds up.

RECOMMENDATION

Council should now determine if it wishes to proceed with the proposed amendment for the new Residential Medium Density - Condominium (R2 Condo) Zone and the proposed rezoning of 12-20 Mount Cashel Road to that zone. If the amendment is adopted by Council, the amendment will be sent to the Department of Municipal Affairs with a request for provincial registration in accordance with the Urban and Rural Planning Act.



Ken O'Brien, MCIP
Chief Municipal Planner

KO'B/dlm

Attachments

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 584, 2014**

WHEREAS the City of St. John's wishes to establish a new land-use zone that can accommodate residential condominium development of multiple dwelling units on a single lot, and to consider this zone for the property located at 12-20 Mount Cashel Road,

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

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

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

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

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

10.4.(B).1 Permitted Uses

Residential Condominium:

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

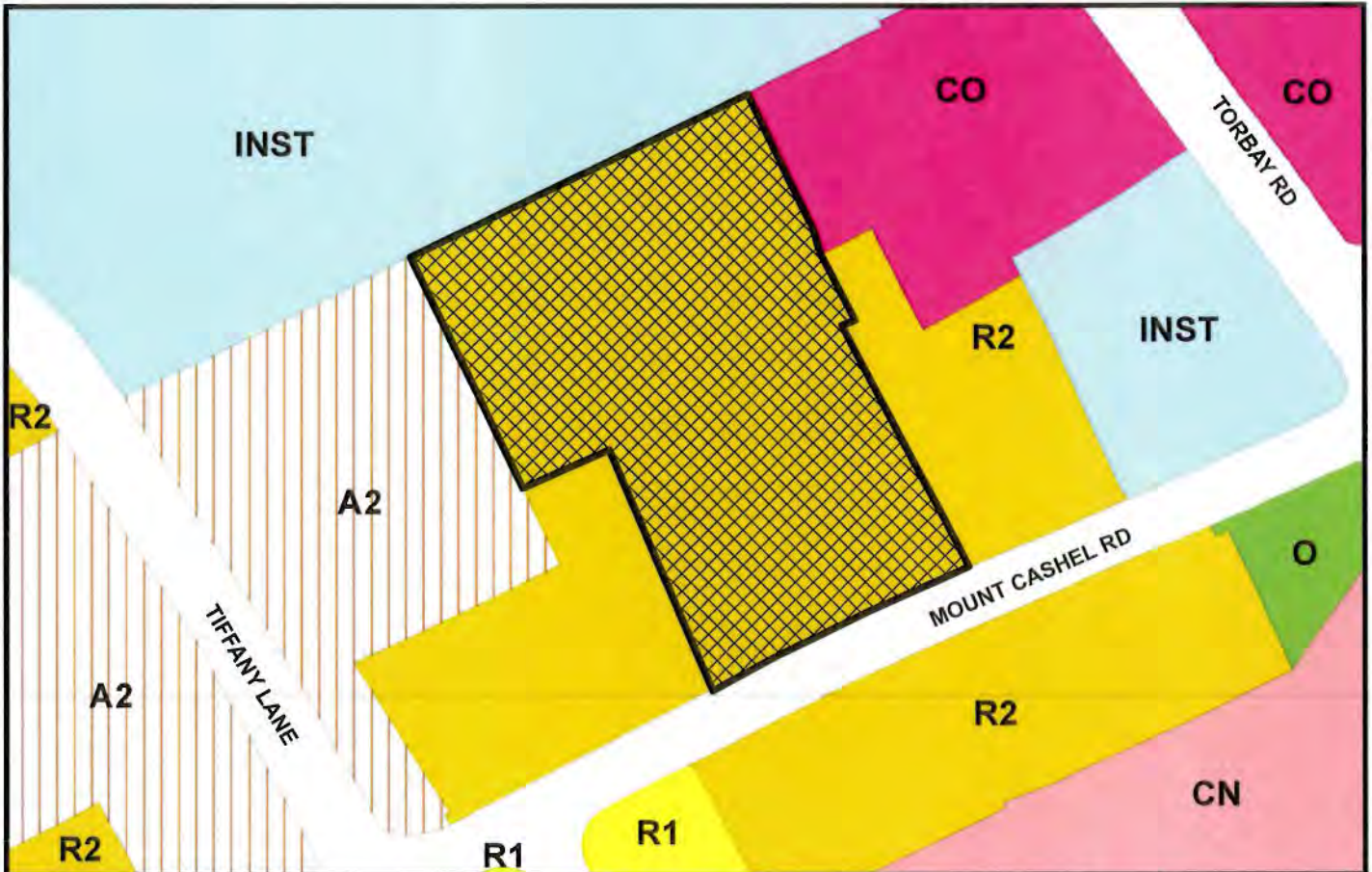
10.4.(B).2 Discretionary Uses (subject to Section 5.8)

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

10.4.(B).3 Zone Requirements

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

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



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

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

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



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

12-20 Mount Cashel Road



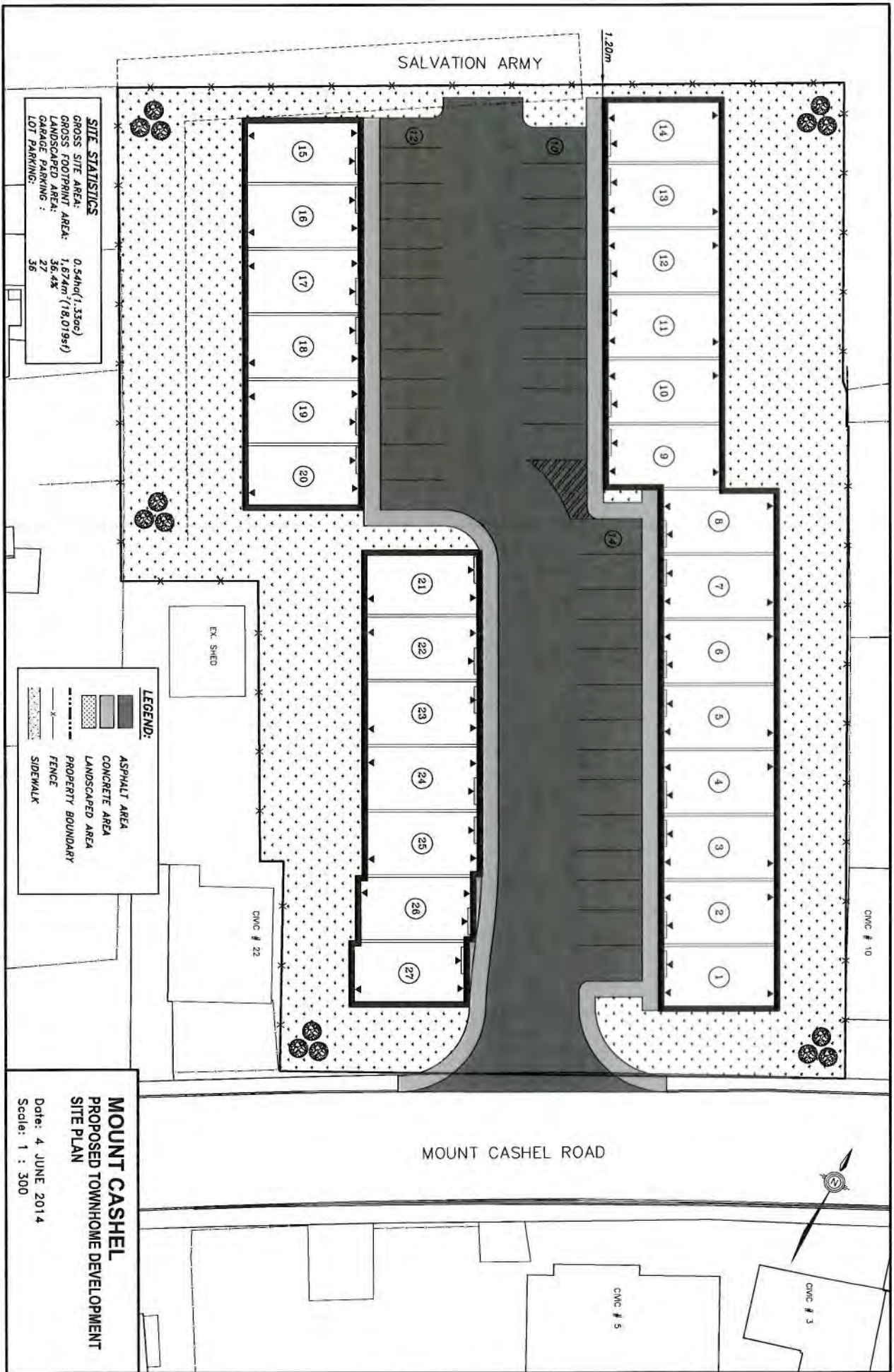
M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration



SALVATION ARMY

1.20m

SITE STATISTICS
 GROSS SITE AREA: 0.54ha (1.33ac)
 GROSS FOOTPRINT AREA: 1,674m² (18,019sf)
 LANDSCAPED AREA: 36.4%
 GARAGE PARKING: 27
 LOT PARKING: 36

LEGEND:
 ASPHALT AREA
 CONCRETE AREA
 LANDSCAPED AREA
 PROPERTY BOUNDARY
 FENCE
 SIDEWALK

**MOUNT CASHEL
 PROPOSED TOWNHOME DEVELOPMENT
 SITE PLAN**
 Date: 4 JUNE 2014
 Scale: 1 : 300

MOUNT CASHEL ROAD

CMC # 10

EX. SHED

CMC # 22

CMC # 3

CMC # 5

NOTE: The entire report of this LUAR is posted on the City's website under the following link:
<http://www.stjohns.ca/public-notice/public-meeting-12-20-mount-cashel-road>

LAND USE ASSESSMENT REPORT (LUAR)

**PROPOSED LUCAS EXECUTIVE
TOWNHOMES
CIVIC NUMBERS 12-20
MOUNT CASHEL ROAD, ST. JOHN'S**

Prepared for:

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

Proponent:

Lucas Executive Townhomes Inc.
40 Aberdeen Avenue, Suite 202
St. John's, NL A1A 5T3

Date: February 26, 2014

Prepared by:

Cliff Johnston, MCIP,
Planning Consultant



A public meeting was held on Wednesday, April 30, 2014 at 7:00 p.m. in the 4th Floor Conference Room A, City Hall.

In Attendance: Deputy Mayor Ron Ellsworth, Chairperson
Councillor Art Puddister
Councillor Bernard Davis
Ken O'Brien, Chief Municipal Planner
Mark Hefferton, Planner
Karen Chafe, Recording Secretary

Also present representing the proponent KMK Capital were Kevin King and Justin Ladha.

There were approximately eighteen (18) residents also present.

The purpose of the meeting was to discuss the following:

An application from 62554 Newfoundland and Labrador Inc. to rezone the property located at 12-20 Mount Cashel Road from the Residential Medium Density (R2) Zone to the Residential Medium Density – Condominium (R2 Condominium) Zone. This is to allow for a 27 unit residential townhouse development. A Land Use Assessment Report (LUAR) has been completed by the applicant. The subject property is situated in Ward 4.

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

- Letter from Nathalie Vanasse and Maurice Babin of [REDACTED] Mount Cashel Road
- E-mail from Patricia and Joe Mulrooney, [REDACTED] Mount Cashel Road
- E-mail from Jeremy Ibson of [REDACTED] Tiffany Lane
- E-mail from Adam Press of [REDACTED] Mount Cashel Road
- Submission from Nick Crosbie and Jessica Dellow of [REDACTED] Mount Cashel Road

The following petitions are also included:

- Petition signed by 28 residents. The prayer of the petition is as follows: *The undersigned residents of Mount Cashel Road wish to have the proposed townhouse development amended as per the attached drawing.*
- Petition signed by 30 residents: The prayer of the petition is as follows: *The undersigned residents of Mount Cashel Road wish to have the speed limit on Mount Cashel Road reduced to 30 km/hr.*
- Petition signed by 25 residents: The prayer of the petition is as follows: *The undersigned residents of Mount Cashel Road wish to have a NO LEFT TURN sign posted to prevent vehicles from turning left onto Torbay Road from Mount Cashel Road.*

Deputy Mayor Ellsworth called the meeting to order and introduced the staff and councillors present. He also outlined the process to ensue for this meeting wherein staff will first provide a presentation on the planning review process and the proponent will be given an opportunity to

present as well. The floor will then be opened for comments and questions. Mr. Mark Hefferton, Planner, outlined the planning review process involved as referenced in the staff memo dated September 4, 2013. A copy of this memo is on file with the City Clerk's Department and outlines the following:

- The subject property is zoned Residential Medium Density (R2) and designated by the St. John's Municipal Plan in the Residential Low Density District. The R2 Zone allows Townhouses as a Permitted Use. The applicant proposed the development as a private Planned Unit Development (PUD). This is a form of development whereby a condominium corporation would be established to maintain all infrastructure (including the private access road and parking lot, snow clearing, garbage collection, and so on). A PUD may be allowed as a Discretionary Use in the R2 Zone. The entire property would have frontage on Mount Cashel Road (a public road) but individual units would not.
- The City's Development Committee advised that the PUD provisions of the St. John's Development Regulations may need to be updated. Rather than considering this as a PUD, the Development Committee recommended that Council consider establishing a site-specific zone which could allow the development as proposed.
- The applicant proposes to construct 27 townhouses, each of which will be three (3) storeys high; each unit will have an indoor parking space. In addition, 36 outdoor parking spaces are proposed, for a total of 63 off-street parking spaces.
- The City's Transportation Engineer reviewed a traffic report from Genivar Inc. provided by the applicant, and advised of no traffic concerns from the proposed development.

Justin Ladha, proponent, and VP for KMK Capital, advised that the site plan has been public for some time and it is largely unchanged, and consisting of 27 townhomes with garages on the first level. The site plan and artist renderings were on display boards during the meeting for close inspection. The proponent felt that the property is a great location for the proposed use as it encourages increased density in compatible neighbourhoods where servicing is readily available.

The Chief Municipal Planner advised that with regard to a traffic impact study, the same developer was working on an adjacent development at Tiffany Lane wherein the City required a traffic report for that whole part of town which provided a good model of traffic flows in the area. The developer was asked to use that traffic model for the present development. It was determined that 27 additional units to the area would not have a major impact on existing traffic levels. Residents disputed this conclusion, noting that 27 extra units consisting of two vehicles each for a total additional traffic count of 54 vehicles would have a negative impact on current levels. In response, the Chief Municipal Planner advised that the model used is based on a national model and he noted that the residents would be of various demographics, some working, some students, some retired and that they would not all be coming and going at the same time. Though there would be more traffic, it would not according to the national traffic model have any undue impact.

Sheilagh Ryan - Mount Cashel Road Resident

Ms. Ryan questioned when the traffic density study was done and whether or not it did take into account the two additional ten-storey buildings that will be going in off that site on Mount Cashel Road.

The Chief Municipal Planner advised that the nearby development was included in the overall traffic study. He also noted that the development will consist of two 16-storey buildings with less units than originally proposed, even though the buildings themselves will be taller.

Ms. Ryan, noted that she has observed the increase of traffic on Mount Cashel Road which acts as a conduit for traffic coming to and from Portugal and Torbay Roads. It is particularly dangerous and congestive when vehicles try to make a left turn exit from Mount Cashel onto Torbay Road in the middle of an already busy intersection.

Nathalie Vanesse - Mount Cashel Road Resident

Ms. Vanesse has lived on the street since childhood and has noticed a significant increase in traffic and density. It is impossible to think that such an increase will not exacerbate traffic congestion. Her son had a close call with a car while walking down Tiffany Lane because the street is so narrow. She asserted that if Council thinks an additional 54 cars will not exacerbate the current situation, they are wrong.

Paul O'Brien - Mount Cashel Road Resident

The property behind Mr. O'Brien's house had condos built there. He asserted that the findings of the traffic study are based on Tiffany Lane where people do not drive much and that is quite a different demographic from the proposed property, which he felt was targeted toward the younger market. There will likely be more traffic exiting and entering the site at peak traffic hours than there would be at Tiffany Lane. Therefore, the conclusions of the assessment applied to Tiffany Lane should not be applied here as that would be unfair and inaccurate. Furthermore, this is not the only property to be developed in the area and to consider such developments on a piece meal basis is disingenuous to say the least. To target this area as one where increased density is going to happen should at least have an overall plan in place. He questioned why one end of the City should be made to suffer more than others. The City needs to get a plan for this area first and foremost and it should include cutting off access to Torbay Road. This will limit congestion to local traffic.

Peter Jackson – Mount Cashel Road Resident

Mr. Jackson felt it was misleading to state that a parking study was done and everything is ok. What is the standard for that particular street? Council should have a firm idea about what standard there is for traffic. Anyone who lives on Mount Cashel Road knows it is a one way road in winter. It is unthinkable that this road can accommodate any more traffic. The people doing this study are not taking the specific parameters of Mount Cashel Road into play and the results are totally unrealistic.

Ruth Trask - Mount Cashel Road Resident

Ms. Trask's major concern was with parking. There are 36 parking spots allocated for the proposed development which she felt would overflow out on to Mount Cashel Road itself. Cars are parked on the street all day long at present. There is no way to limit the number of cars per house. The proposed allocation is too small for a high density development which will be further exacerbated by snow accumulation in the winter. Once the parking ban comes into effect, there

will be even less places to park. Mr. Ladha noted that 63 spaces in total will be made available and that is more than double the requirements imposed by the City.

Dave Crosbie – Mount Cashel Road Resident

Mr. Crosbie questioned how the 63 spaces would work given the number of garages that will also be in place.

Mr. Ladha noted that parking will be available in front of the garages as stacked parking and these outside spaces will be allocated to the unit owners. Mr. Ladha also advised that this is a planned unit development and as such will be the property of the condominium corporation. All maintenance, surveillance, etc. would be paid through condo fees and it will be similar to other such condo models within the City, self-contained and self-sufficient.

Janet Fitzpatrick – Tiffany Lane (The Cedars Condominiums)

Ms. Fitzpatrick noted that what Mr. Lahda is describing is the same set up that her condominium corporation has. For example, if the condo corporation requires the use of a service vehicle, they are responsible for permitting that service vehicle to park on the lot. They are also responsible for private snow clearing and snow removal as well as private garbage collection. The reality is that snow has to be removed because of lack of space and private contractors often end up having to go back and forth numerous times to truck each load of snow out of the lot. It is also frustrating when city plows push snow in on the lot which has to be removed by the private contractor.

Paul Crosbie - Circular Road

Mr. Crosbie questioned what would be permitted on the property in question before Council changed the zoning. Mr. Hefferton noted that single detached homes were permitted as well as semi-detached or town homes. The reason for the rezoning was to enable more density on the property, as the lot is quite deep but with limited frontage. Development could have taken place along the road only but this would have significantly limited the amount of units which could be built. Alternately and more marketable to the developer, was the creation of a planned unit development allowing for more density but creating a private lot for which the sole responsibility for maintenance lies with the condominium corporation.

Mr. Crosbie felt that 27 units was too high a density to be considered for this small piece of land. He suggested going with half that amount and developing a proper roadway which would address concerns of residents as well as future tenants/owners of the proposed condo development.

Paul O'Brien – Mount Cashel Road Resident

Mr. O'Brien referenced similar properties to the proposed development that exist behind his own home, and he has observed that the garages are never used for parking vehicles. The owners' cars are always parked outside. He speculated that garages are instead used as storage spaces. The condos behind his property also had their ten parking spaces reduced to about 3 during the winter because they had to push all the snow back. That particular condo corporation did not truck snow away from the property. The proposed condos with their higher density would most certainly exacerbate that problem. Fortunately for him, the developers installed a fence to block

his property from the lot. When the developer leaves the property the problem of maintenance becomes the responsibility of the condo corporation, and they do not always do this in a timely manner. The residents will have to suffer especially if council is not going to help.

Mr. O'Brien questioned why the proponent cannot have 19 units instead of the now proposed 27? The additional space would relieve some of the traffic and snow storage issues.

Mr. Kevin King noted that the owners with two vehicles per household would have no choice but to use their garages for parking as there simply would not be enough parking elsewhere to do otherwise. If all units have two vehicles, then 27 of the 54 cars would have to park in the garage. When heavy snow fall occurs, there is no other choice but for it to get trucked away. He also assured that the developers will not run away from the project once it gets finished.

Adam Press - Mount Cashel Road Resident

Mr. Press tabled three petitions on behalf of the residents of Mount Cashel Road, the prayers for which are noted above on page 1 and included in this report. He also read into the record his letter to the City dated August 16, 2013, also included with this report.

Mr. King advised that the development does have 9 parking spaces available for snow storage and it works well. The development is situated in the center of St. John's where a lot of people want to live, close to all amenities and it is good urban planning. He further noted that the City has a legitimate concern about urban sprawl development, particularly with a transportation system that does not facilitate such.

Paul Doucette - Mount Cashel Road Resident

Mr. Doucette felt that the site should be developed; however, he criticized the Land Use Assessment Report as brushing over important points that were not adequately addressed. There was no real consideration or specific steps as to how various issues would play out to alleviate residents' concerns. He questioned if the City has any opinion on the depth of the Land Use Assessment Report, particularly regarding snow clearing, parking and noise issues. If this is all residents have to address their concerns, then it is not enough.

Nick Crosbie 10 Mount Cashel

Mr. Crosbie also challenged the contents of the Land Use Assessment Report, noting that a number of calculations did not add up, so he hired a planning consultant. Yesterday, they submitted a 65 page letter outlining a number of issues and gaps within the LUAR which need to be addressed before further action is taken. A copy of this submission is attached to this report. The main concerns noted in the letter are outlined below:

1. A municipal plan amendment is needed in order for this condominium development to proceed, as the development exceeds the net density per hectare restriction contained in the Municipal Plan;
2. The floor area ratio (FAR) calculation done by Mr. Johnston is incorrect;
3. The information contained in the LUAR with respect to shadowing on neighbouring properties is misleading and incomplete as the shadow cast by the proposed condominium project is significant, extending over three of its eastern neighbours; and,

4. The description throughout the LUAR of this condominium development as a “townhouse” development is inaccurate and misleading, as R2 zone townhousing is a defined term in the Development Regulations and this condominium development does not comply with the definition.

Mr. Crosbie also noted that the requirement to truck away snow is environmentally irresponsible, particularly given that snow could be stored on the site if the building was smaller in size. He will also go from one neighbor to eight which is also an unreasonable intensity of use. These new neighbours will be close by and imposing in size, being able to see through his sky light into his kitchen. The shadow effects are also significant, as he and his adjacent neighbors on Mount Cashel Road will lose all sun in their rear yards, particularly in the early evening when they come home from work. This is a huge impact to them and is not respectful of neighbouring properties.

Lorne Power - Mount Cashel Road Resident

Mr. Power noted that this is their first year living on Mount Cashel Road and he has observed that the snow gets piled up to such a point that it meets the center line of the street. Snow removal is also not as common as it should be to address that problem. The proposed development will exacerbate this problem during the winter.

Nathalie Vanasse – Mount Cashel Road Resident

Ms. Vanasse agreed with Mr. Crosbie’s and others’ assertions about the LUAR being thin in substance. She was also disturbed by the lack of transparency. Despite the LUAR’s claim that there will be no impact, her house will be in darkness by 5:00 p.m. on Sept. 21st. She also enquired about traffic information and was assured by members of Council that such would be considered; however, this did not happen.

Peter Jackson – Mount Cashel Road Resident

Mr. Jackson found it ironic that this meeting is being held in the midst of the City wanting feedback from the general public about green and open spaces in the City. Developers want to cram development in anywhere with no care for aesthetic value. For developers, it is all about the money but why is there no way for compromise in this situation. Why does it have to be this way? He could not understand why there's such intransigence on the part of Council regarding this development. Why is there no effort whatsoever by the developer to compromise? Why doesn't Council put their money where their mouth is when it comes to enhancing green space?

Councillor Bernard Davis retired from the meeting at this point to attend another meeting. He thanked everyone for attending and advised he would be in touch with residents to keep them apprised.

Ruth Trask - Mount Cashel Road Resident

Ms. Trask echoed the comments of the others, asserting that the proposal is not fit for the street. Though she was also not in favour of leaving the land vacant, she believed that there are more appropriate uses that could be considered, particularly those with lesser density and that are less imposing on neighbors. The shadowing impact is of major concern with some properties being relegated to total shadow almost 100% of the time. The LUAR uses the term “minimal impact”;

however, how can this be quantified given the huge impact on the residents of civic # 10 Mount Cashel Road?

Janet Fitzpatrick – The Cedars Condominium Corp.

Ms. Fitzpatrick is the president of The Cedars Condominium Corporation and she advised that this proposed development will also impact units 12, 14 and 16 in her building. Their rear doors and decks will now face onto the proposed property and she wondered how this will affect those unit owners. She questioned if the developer plans to erect a fence or buffer of some sort. She also referenced the river that is inhabited by ducks in the summer time.

Mr. King advised that the developer intends to fence the boundary of the property. Ms. Fitzpatrick requested specific information with regard to the plan to be forwarded to her on behalf of the Cedars Condominium Corporation.

Paul Crosbie – Mount Cashel Road Resident

Mr. Crosbie referenced the river that comes down around the property and enquired as to whether or not this was considered within the LUAR. Staff advised that the river is part of the Queen River system which empties out into Rennie's River and most of it is culverted. The City's Engineering staff reviewed this and recommended that should the development proceed, the river be culverted into a storm water system if it is determined to be fish bearing.

Paul Doucette – Mount Cashel Road Resident

Mr. Doucette questioned the plans for decks for the proposed property and the relevant municipal laws which govern this. Mr. Lahda advised that decks would be built off the second floor and would meet all regulatory requirements imposed by the City. Staff also advised that each of the residential zones will have requirements for decks whether they be free standing structures or attached to the building. Generally, decks are permitted to extend fairly close to a property boundary.

Maurice Babin - Mount Cashel Road

Mr. Babin also reiterated Mr. Doucette's concerns about the balconies, noting that a six foot fence will not stop someone from looking down onto a property from a 20 ft. balcony height. This severely compromises the whole concept of privacy and it is an important issue which should not be overlooked.

Nathalie Vanasse – Mount Cashel Road Resident

Ms. Vanasse speaking on the issue of privacy, noted that they do have a child and it is disconcerting to her to think that her son and his friends could be watched by strangers who would be made aware that he is home alone. Everyone should have a right to enjoy their gardens in relative privacy.

Peter Jackson – Mount Cashel Road Resident

Mr. Jackson questioned whether or not the developers were receptive to removing a few of the units? Mr. King advised that in order to make the development economical for people to buy and for the developers to make money, 27 is the number of units required. A certain number of units has to be required to amortize the costs associated with construction and there has to be a

return on the risk taken. Mr. Ladha also noted that the land has been tied up for three years now. If a more feasible development could have fit in, they would have proceeded with such, the building would be constructed and the units sold.

Patricia Mulronev – Mount Cashel Road Resident

Ms. Mulronev implored Council to be more considerate of residents rather than business owners who come in to an older well established neighborhoods and significantly change the face of them. She has been on Mount Cashel Road for 35 years and the changes to date are definitely not for the better and Council should listen to and respect the concerns of residents. Council was warned before by the residents when the previous condo development was constructed and at that time, Council had promised a full traffic study would be done. Instead, Council installed a light on Portugal Cove Road which has nothing to do with the traffic on Mount Cashel Road.

Adam Press – Mount Cashel Road Resident

Mr. Press stated that lesser units with more green space would make the property more desirable and therefore more marketable. The developer should consider this given the cooling of the condo market right now.

Maurice Babin

Mr. Babin responded to the developer's assertion that they have several years invested in to the development of this property; noting that residents have forty years invested in their properties.

Paul Crosbie

Mr. Crosbie questioned the cumulative impact of these developments as well as future developments within a relatively small area and whether or not the traffic study conducted in 2012 took this into consideration.

Mr. O'Brien advised that if another development was proposed, another traffic study would only be triggered if it was deemed that vehicular traffic to and from the development would be in excess of 100 vehicles during peak traffic hours.

Mr. Crosbie questioned the cost of the condos when built. Mr. Ladha advised that though the numbers have not been finalized, they expect to advertise them in the high 300 thousands.

Councillor Art Puddister

Councillor Puddister acknowledged the concerns raised by residents with respect to traffic, snow clearing and shadowing on neighboring properties. He also acknowledged the need to address the traffic issues. He was also sympathetic to the concerns expressed by the residents closet to the proposed development with respect to shadowing impacts.

Adjournment

There being no further business, the meeting adjourned at 8:31 p.m.

Ron Ellsworth, Deputy Mayor
Chairperson

City Clerk and City Councillors;

My family and I live at 8 Mt Cashel Rd and we are following with great interest and trepidation the proposed development at 12-20 Mt Cashel Rd. We have examined the land use assessment report as provided and we have some concerns.

The shadow study as provided has not been accurately interpreted. The photos show my house (#8) in full shadow at 5 pm on Sept 21 and again at 5 pm on March 21. Nowhere in this excerpt from the LUAR is this clearly stated

The results of the shadowing study images indicate that over the course of the year there will not be any significant shadowing impacts as a result of the construction of the townhome project on the majority of the adjoining properties. The shadowing study does indicate that there will be some limited shadowing on the existing residential property at Civic Number 10 Mount Cashel Road in March, June and September months but that this shadowing effect is expected to be limited primarily to the late part of the afternoon.

Legally the law only permits the construction of 13 units on the site at the present time, so I am assuming that the entire plan hinges upon a municipal plan amendment and that there would be consultation with residents before that could happen.

When regards to traffic density, it would be ideal if we were able to view the traffic impact study. The provision for 63 off street parking spaces appears to leave it open for residents to have two cars per townhouse. This makes the potential traffic impact to involve 54 vehicles travelling in and out of this small frontage. It is difficult to imagine that this will have no effect on what is currently a very busy street. In this excerpt from the LUAR it appears that consideration has only been made for 27 vehicles. There is also no opportunity to view the traffic impact study or to see at which point during the day the study was conducted. For example, between 8:00 and 8:30, there is a greatly increased traffic flow coming off Tiffany Lane due to cars exiting the MQP elementary school parking lot. The addition of 27 to 54 vehicles leaving for work on our street will create nothing less than mahem.

Genivar Inc. concluded in its traffic impact report that the additional vehicle trips generated by the proposed twenty-seven (27) unit townhome development “will not have any significant impact to Study Area streets or intersections.”

The City’s Transportation Engineer reviewed the Genivar traffic impact report for the proposed townhome development and concurred with the report’s conclusion that the additional vehicle trips generated by development will not have any significant impact to the study area streets or intersections.

We look forward to hearing from someone with more detailed and complete information on this matter which will affect my residence and neighbourhood.

Nathalie Vanasse and Maurice Babin

■ Mt Cashel Rd, St John’s, NL A1A 1X7



Fw: Mt.Cashel Rd. Development
City Clerk and Council to: Planning
Sent by: **Elaine Henley**
Cc: Ken O'Brien, Karen Chafe, Maureen Harvey

2014/04/14 02:37 PM

FYI and appropriate action

----- Forwarded by Elaine Henley/CSJ on 2014/04/14 02:36 PM -----

From: "Joe Mulrooney" <[REDACTED]>
To: <cityclerk@stjohns.ca>
Date: 2014/04/14 11:08 AM
Subject: Fw: Mt.Cashel Rd. Development

From: [Joe Mulrooney](mailto:jmulrooney@stjohns.ca)
Sent: Friday, April 11, 2014 4:59 PM
To: bdavis@stjohns.ca
Cc: jgalgay@stjohns.ca ; rellsworth@stjohns.ca ; dokeefe@stjohns.ca
Subject: Mt.Cashel Rd. Development

Once more city hall has targeted Mount Cashel Road for more infill housing with no consideration for the effect it will have on the lifestyle and safety of residents . When the Stone Lee property was approved by council , concerned residents tried to impress upon council , the traffic problem that already existed on the street and were told a COMPLETE traffic study would be done before any more development was approved . Council's solution was to install a traffic light at the intersection of Portugal Cove and New Cove Rd which did little to improve our situation and, in some aspects, compounded the problem . At this time it is still extremely dangerous and virtually impossible to make a left turn from either end of Mount Cashel Road at most times of day. In addition, the traffic light at Portugal and New Cove Road has only served back up traffic onto Mount Cashel Road during peak times due to the difficulty in making a right hand turn from Mount Cashel into the heavy traffic backed up by the red light on New Cove Road. Residents were told that the previous traffic survey estimated 2550 cars a day access Mt Cashel Rd., this number is sure to increase with the proposed developments . Tiffany Village was approved for 3 extra stories (without resident consultation) after initial approval for 7 stories, 3 more Apartment Complexes have been approved off Tiffany Lane . Now there is an attempt to have 27 more town houses approved on Mount Cashel Road . These new developments will certainly result in significant increases in traffic volume on Mount Cashel Road, which has neither the size nor design to safely accommodate the present level of traffic... You can't fit 10 gallons of water in a 5 gallon jug!!! I think the Mallard Cottage Restaurant parking issue highlights the problems with increased traffic demands on insufficient city infrastructure.

To add even more frustration, rumours have been circulating around the area that The Tiffany Village Complex is contemplating the development of a 16 story building for their next endeavour.

Now I ask you , in all good conscience, does this sound fair to do this to an older well established neighbourhood that was never designed to safely accommodate the traffic that these developments force through it , i don't think so.

May I make a humble suggestion and ask the decision makers to consider one simple question , "WOULD I WANT THIS SITUATION FORCED UPON ME IN MY NEIGHBOURHOOD?"... I think we know the answer to that.

Please do the right thing.

Regards,

Patricia & Joe Mulrooney

■ Mt. Cashel Rd



Fw: Rezoning of 12-20 Mount Cashel Road - concern
Ken O'Brien to: Maureen Harvey, Karen Chafe

2014/04/26 02:37 PM

History: This message has been forwarded.

"Jeremy Ibson" To Whom It May Concern,

2014/04/15 04:48:20 PM

From: "Jeremy Ibson" [REDACTED] <[REDACTED]>
To: <cityclerk@stjohns.ca>
Date: 2014/04/15 04:48 PM
Subject: Rezoning of 12-20 Mount Cashel Road

To Whom It May Concern,

I would like this email entered as a submission at the public meeting regarding the rezoning of the above property to be held April 30, 2014.

I am the owner of [REDACTED] Tiffany Lane and my backyard is directly adjacent to the property in question. The property is a wonderful four season natural habitat for many species of birds and other wildlife. I enjoy the changing views out my backyard year round and would prefer if the property were to remain exactly as. It is also a wetland area with a very defined stream/creek running diagonally through the property from the Salvation Army Citadel across the back boundary of my property into a culvert which takes the water under Mount Cashel Road. There is a high water table as a result of this being a natural wetland and this is where my primary concern with the proposed development comes in.

As the attached photos show there is a lot of water being drained through the property and this needs to be addressed in a comprehensive way for any development to process. My basement has a sump pump and there is standing water up to just below the level of the basement floor on a year round basis. In the spring and fall and during periods of heavy rain the sump pump fires on pretty regular basis to keep the water from rising into my basement. In the winter and summer and during drier periods the water level is very static and the sump pump hardly comes on at all.

I would like it on the record that the property is a watershed area, has a well established body of running water going through it and that properties adjacent to the property all have high water tables in their basements. I would like the developer to address at the meeting:

- What their intentions are regarding drainage of the huge amount of water on the property and are they and the city fully aware of the wetland nature of the property.
- That the grading of the proposed development will take water away from the adjacent properties and not use them as dump sites for excess water on the property.

Please confirm your receipt of this email and attachments and confirm that it will be read or distributed at the public meeting.

Thanks.









Fw: 12-20 Mount Cashel Road snow storage - objection
Ken O'Brien to: Maureen Harvey, Karen Chafe

2014/04/26 02:35 PM

History: This message has been forwarded.

----- Forwarded by Elaine Henley/CSJ on 2014/04/03 01:52 PM -----

From: Adam P [REDACTED]
To: cityclerk@stjohns.ca, bdavis@stjohns.ca, dlane@stjohns.ca
Date: 2014/04/03 12:11 PM
Subject: 12-20 Mount Cashel Road snow storage

Hello Dave and Bernard,

I'm writing to address an Issue I have with the proposed development at 20-12 Mount Cashel Road. My House, #5, is directly across the street from the proposed entrance to the town house development.

I will draw your attention to the LUAR, section F which states:

"F. SNOW CLEARING/SNOW STORAGE

1. Identify proposed methods of snow clearing and the location of snow storage areas.

LUAR RESPONSE

Snow clearing operations will be provided to the townhomes by a private contractor. The contractors will make their best efforts to ensure snow clearing operations are carried out in a manner to minimize the sound effects of the operations to both the residents of the new townhomes and the neighboring residents. Snow will be removed from the site as needed."

In their response, **THEY DO NOT IDENTIFY THE LOCATION FOR SNOW STORAGE**. If you look at the layout, you will clearly see that there is none.

It is unacceptable for the city to allow a new development that does not account for snow storage in our climate. I can assure you that the contractor will do everything to avoid trucking the snow away, which will result in my lawn being used for this development's snow storage. Trucking the snow away is a last resort

and not a responsible solution given that the problem could be eliminated by sound planning. Dumping snow in the harbour is ecologically destructive, expensive and must be avoided. The city must learn from the snow removal issues down town and strictly enforce measures to avoid that situation in all new developments.

Please consider limiting the number of units in this development to allow room for a snow storage area that doubles as a green space in the summer. Keep in mind, these condos have miniature back yards and no front lawns. A recreation area is desperately needed in this neighbourhood and home buyers will be looking for it.

I will elaborate more on my concerns at the public meeting on April 30th. I really hope to see you both there to support me and my neighbours regarding this and other concerns regarding this development.

Kind regards,
Adam Press

April 29, 2014

Nick Crosbie
Jessica Dellow
■ Mount Cashel Road
St. John's, NL A1A 1X7

Dear City Council:

**Re: Department of Planning File No. B-17-M.5/12-00243
12-20 Mount Cashel Road (Ward 4)
Application for a condominium development
Applicant: 62554 Newfoundland and Labrador Inc.**

We write in response to the application from 62554 Newfoundland and Labrador Inc. ("62554") to develop vacant land located at 12-20 Mount Cashel Road into a 27 unit condominium development. We have reviewed the Land Use Assessment Report ("LUAR") dated February 26, 2014 prepared by Cliff Johnston, MCIP, Planning Consultant.

We have the following comments with respect to the LUAR and this project:

- 1) a municipal plan amendment is needed in order for this condominium development to proceed, as the development exceeds the net density per hectare restriction contained in the Municipal Plan;
- 2) the floor area ratio ("FAR") calculation done by Mr. Johnston is incorrect;
- 3) the information contained in the LUAR with respect to shadowing on neighbouring properties is misleading and incomplete as the shadow cast by the proposed condominium project is significant, extending over three of its eastern neighbours; and,
- 4) the description throughout the LUAR of this condominium development as a "townhouse" development is inaccurate and misleading, as R2 zone townhousing is a defined term in the *Development Regulations* and this condominium development does not comply with the definition.

We accordingly write to request that the deficiencies with the LUAR be remedied, that a revised LUAR be filed with the City, and that the City confirm its agreement with our view that a Municipal Plan amendment is needed.

Finally, we enclose a copy of a report prepared by the Halifax-based Planning and Design Centre as Schedule "A". Please consider this report and comments made therein part of our written objection to this condominium development.

Procedural History

12-20 Mount Cashel Road is designated part of the Low Density District pursuant to the Municipal Plan. The following requirements are specified by the Municipal Plan in respect of the Low Density District:

- Maximum Permitted Density 25 units per net hectare, except in areas developed prior to 1940, where the maximum density may be 35 dwelling units per net hectare; and
- Building Height and Area – Buildings located in a Residential Low Density District shall be generally low profile, not exceeding two storeys or a Floor Area Ratio of 0.5. Subject to a Land Use Assessment Report, individual projects may be zoned to allow heights up to three storeys with a Floor Area Ratio not exceeding 1.0.

In the fall of 2012 62554 applied to the City for approval of this condominium project. At that time the application was for a Discretionary Use for a proposed planned unit development.

By letter dated December 5, 2012 (copy attached as Schedule “B”) we advised Council that we objected to Council exercising authority in respect of the application because:

- 1) the application filed by 62554 was incomplete; and,
- 2) the application did not demonstrate compliance with the Municipal Plan or the zoning requirements.

At the regular meeting of Council held December 10, 2012 Council made a decision to defer a decision on the application from 62554 to develop 12-20 Mount Cashel Road so that City staff could review the written submissions received.

Mr. Kevin King, President of 62554, wrote to Mr. Cliff Johnston (then the Director of Planning with the City, now the author of the LUAR filed in relation to this project) by letter dated December 21, 2012 (a copy of this letter is attached as Schedule “C”). In his correspondence Mr. King made the following statements:

- a) The application for development meets and exceeds both the City of St. John’s Development Regulations and the City’s Municipal Plan. ... The proposal also meets the Maximum Permitted Density of 50 dwelling units per net hectare (Schedule C, p.3);
- b) There are no FAR requirements in the R2 zone (Schedule C, p. 3);
- c) FAR requirements only apply to the operation of a business or service (Schedule C, p. 3); and

- d) The development submitted is clearly in line with the City's Municipal plan, adheres to or exceeds zoning requirements and is consistent with the development mix in the area (Schedule C, p. 4).

The maximum permitted density of 50 units per net hectare referred to by Mr. King is the maximum permitted density that applies to the Medium Density District. 12-20 Mount Cashel Road is situated in the Low Density District, which has a maximum permitted density of 25 units per net hectare. Mr. King is mistaken with respect to the FAR requirements.

On January 17, 2013 the Development Committee recommended that Council direct the Department of Planning to draft an amendment to the St. John's *Development Regulations* which would have the effect of establishing a new site-specific zone for 12-20 Mount Cashel Road and that once a new zone was drafted a public meeting take place. On January 21, 2013 Council adopted this motion unanimously. An amendment to the *Development Regulations* was needed because, contrary to Mr. King's representation to Mr. Johnston that the proposal met and exceeded the requirements in the *Development Regulations*, the proposal did not comply with the zoning requirements for the R2 zone.

The public meeting was held on Wednesday August 14, 2013. At the meeting we were provided for the first time with the draft wording of the proposed amendment to the *Development Regulations*. We advised Gerry Colbert, then a city councilor and chair of the meeting, that in our view the proposal was not compliant with the Municipal Plan as it exceeded the Low Density District requirements. An LUAR was needed, in our view, prior to Council voting on this project. However, an LUAR would only cure the issues relating to FAR and the number of storeys. In order to exceed the net density of 25 units per hectare, a Municipal plan amendment was also needed. We also filed a written submission, attached as Schedule "D" and dated August 13, 2013. We left the public meeting with the understanding that an LUAR would be completed prior to the matter being returned to Council.

On September 9, 2013 we learned through a telephone conversation with Ken O'Brien that it was the view of the Department of Planning that an LUAR was not needed in respect of this project. We immediately emailed the City Clerk and all City Councillors. A copy of this email is attached as Schedule "E".

We attended the regular City Council meeting held on September 9, 2013 and confirmed with the administrative staff that a copy of Schedule "E" would be printed and provided to Council in addition to the bound version of the agenda for the meeting. At that meeting the Department of Planning sought approval of the draft legislation that had been presented at the meeting of August 14, 2013. The Department of Planning placed a memorandum in front of Council that advised:

The alternative to this development would be to allow a small number of houses with frontage on Mount Cashel Road with very deep lots.

...

As information, an amendment to the St. John's Municipal Plan is not required in order to allow this proposed rezoning.

Council voted unanimously in favour of approving the proposed amendment to the *Development Regulations*. It also appeared to us that the project was being approved in principle on the motion of then-Councillor Debbie Hanlon, however, that was not reflected in the minutes recorded. Council was advised orally at the meeting that a Municipal Plan amendment was not needed.

On or about September 11, 2013 we spoke with Cheryl Mullett, a lawyer employed at City Hall. We reiterated our view that an LUAR was needed and a Municipal Plan amendment was needed. We felt that Council had acted without legal authority on September 9, 2013 in approving an amendment to the *Development Regulations* that conflicted with the Municipal Plan and without the requisite LUAR.

We were not contacted again by the City until late November or early December 2013. At that point we were advised that the City intended to revisit its decision made in September. A memorandum dated November 27, 2013 was next provided to Council by the Department of Planning. The Department of Planning advised that:

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

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

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

Notwithstanding the comment about past practice not requiring an LUAR, the legal framework governing Council required an LUAR. Council had no discretion to dispense with an LUAR. We question whether the City would have reviewed the policies related to the Municipal Plan without our involvement in this matter.

The matter returned to Council on December 2, 2013. Council voted unanimously in favour of carrying out an LUAR in respect of this proposal. The LUAR asked for information relating to the FAR of the condominium project and shadowing impacts, among other things. Contrary to Mr. King's assertion that FAR does not apply to this proposed condominium, the City appears to now share our view that FAR does apply to this condominium development. Council effectively nullified its September vote passing the amendment to the *Development Regulations*.

On March 26, 2014 the LUAR was released to the public by the City. A public meeting is scheduled for April 30, 2014.

The City maintains that an amendment to the Municipal Plan is not needed.

Issue 1: Net Density in Low Density Districts is limited to 25 units per net hectare

12-20 Mount Cashel Road are designated part of the Low Density District by the Municipal Plan. The Municipal Plan states that the Maximum Permitted Density in the Low Density District is 25 units per net hectare, except in areas developed prior to 1940 where it can be 25 units per net hectare. The subject area was not developed prior to 1940. The proposed condominium development has a net density of 50.9 units per hectare (27 units/0.53 hectare).

We suspect that Mr. King believed mistakenly that the property was designated Medium Density District pursuant to the Municipal Plan given his comment in his letter of December 21, 2012 where he stated that, "The proposal also meets the Maximum Permitted Density of 50 dwelling units per net hectare." (50 dwelling units per net hectare is the maximum permitted density in the Medium Density District). This is understandable, given that the property is zoned Residential Medium Density (R2) pursuant to the *Development Regulations*. It appears that Mr. King may have confused the zoning designation under the Development Regulations with the land use district designation under the Municipal Plan.

When we raised this issue, net density, in the past with the City has put forward three explanations to justify 27 units on a 0.53 hectare lot. First, that the Maximum Permitted Density is calculated across all of the Low Density District as a whole; secondly, that the Maximum Permitted Density is calculated for entire zones; and finally, that by creating a medium density zone in the Low Density District that the medium density zone will acquire all of the aspects of the Medium Density District.

The first explanation is untenable. The Low Density District comprises the majority of single dwelling houses in the City. In order for any project (even a detached home) to receive approval the City would need to count all dwelling structures in the Low Density District and divide by number of hectares within the district. We were advised by the Department of Planning that this, in fact, has never been done in respect of any project in St. John's. We suggest that this interpretation must be wrong, as it is not realistic to think that the drafters of the Municipal Plan created a test that was never intended to be used.

The second explanation is also unworkable. The City is proposing site-specific zoning for this project and as such this project constitutes the entirety of the zone. Therefore the density for both the proposed zone and the proposed development remains 50.9 units per net hectare.

We submit that net density is arrived at by dividing the number of the proposed units by the size of the development site and that the net density for a district is not subject to amendment without amendment to the Municipal Plan to re-designate the development. The reasonableness of this interpretation is borne out by the fact that Mr. King apparently used the same methodology to arrive at his net density calculation (although he mistakenly believed the Maximum Permitted Density to be 50 units per net hectare, rather than 25 units per net hectare).

The third explanation, while workable in theory, ignores the language of the Municipal Plan. Based on a discussion with Mr. Robert Bursey, Mr. Jason Sinyard, and Mr. Ken O'Brien on April 25, 2014, we understand that this argument is based on a reading of Section 2.3.1 of the Municipal Plan that states:

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit zones to allow such Medium Density Residential uses as may be deemed by Council to be compatible with single detached dwellings. (Municipal Plan, page III-21)

This third explanation, as we understand it, is that the above language permits the City to create zones within the Low Density District that have all of the characteristics of the Medium Density District without having to re-designate the area into a part of the Medium Density District. As the Medium Density District also permits, subject to a Land Use Assessment Report, that areas of the Medium Density District may be zoned for High Density Residential uses, presumably this would also be permissible.

Our interpretation of the above noted section is that it means exactly what it says: the City may permit Medium Density Residential **uses** that are compatible. Section 2.3.2 sets out the Medium Density Residential **uses** when it states:

In this District, the City shall permit zones providing for the following residential **uses**:

1. single detached dwellings,
2. semi-detached dwellings,
3. duplexes,
4. townhouses; and
5. walk-up apartments. (Municipal Plan, page III-22)

Our position is further supported by the fact that whereas the Conditional Zones and the Building Height and Area sections of the description each contain an option to exceed the thresholds subject to a land use assessment report, the requirements around maximum permitted density do not.

Maximum Permitted Density

25 units per net hectare, except in areas developed prior to 1940, where the maximum density may be 35 dwelling units per net hectare.

Building Height and Area

Buildings located in a Residential Low Density District shall be generally low profile, not exceeding two storeys or a Floor Area Ratio of 0.5. **Subject to a Land Use Assessment Report, individual projects may be zoned to allow heights up to three storeys with a Floor Area Ratio not exceeding 1.0.** (Municipal Plan, page III-22)

Furthermore, the section of the Municipal Plan entitled City Wide Objectives and Policies states:

The maximum Height and maximum Floor Area Ratio provided for individual land use zones permitted within a District may vary as long as they do not exceed the maximum limit provided for the District as a whole. (Municipal Plan, page III-10)

Again, the City turned its mind to variations of the requirements of the various districts, but instead opted only to allow amendments to maximum height and floor area ratio but not maximum net density.

Issue 2: The Floor Area Ratio for the condominium development may exceed 1.0, which is the maximum FAR permitted in a Low Density District (subject to an LUAR having been completed).

Floor Area Ratio ("FAR") in a Low Density District is restricted to 0.5 unless an LUAR is carried out, in which case it may go up to but not exceed 1.0. The calculation of our expert of the FAR of this condominium development is significantly different (and much higher) than that set out in the LUAR. We believe that this discrepancy should be resolved.

In the section of the LUAR dealing with FAR Mr. Johnston identifies two different sized units (Unit 1 and Unit 2) amongst this 27 unit condominium development. These units, according to Mr. Johnston, have a Gross Floor Area of 1643.6 and 1627.5 square feet respectively. However, a cursory review of the information contained in the LUAR and all documentation filed to date in respect of this development indicate that the outside envelope of each unit is 20 feet by 36 feet and each unit is three storeys tall for a total square footage of approximately 2160 per unit (20 feet X 36 feet X 3 storeys).

In the LUAR Mr. Johnston calculates an FAR for the proposed development of 0.77 (LUAR, p. 3). We feel there are two possible explanations for the discrepancy

between the calculation of Mr. Johnston and the calculation of our expert. First, it is possible that Mr. Johnston did not include the garages of each condominium unit in his calculation. The second possibility is that Mr. Johnston did not measure to the outside face of exterior walls.

(a) Garages are included when calculating Gross Floor Area

The LUAR refers to the definition in the *Development Regulations* for “Gross Floor Area”:

...the total Floor Area of all Floors in a Building or Buildings on the Lot including Basements and mezzanines but excluding any floor areas used exclusively for a Parking Area, amenity space, or an amenity area.

The LUAR did not include the *Development Regulations* definition for a “Parking Area” which is:

...a Lot or part of a Lot, a Building or part of a Building (other than a Street) used for the parking of vehicles and accessible to the public or as an accommodation to clients or customers.

Parking Areas are only excluded from the Gross Floor Area if they are accessible to the public, or are an accommodation to clients or customers. The residential garages contemplated for this condominium development will not be “...accessible to the public or as an accommodation to clients or customers.” They are for personal use. These residential garages are therefore not a Parking Area as defined in the *Development Regulations* and must be included when calculating FAR.

(b) Floor Area is measured to the outside face of exterior walls

The LUAR did not include the definition for Floor Area in the LUAR. The definition of Floor Area in the *Development Regulations* states that the measurement is to the outside face of exterior walls.

Issue 3: The LUAR is misleading and incomplete with respect to shadowing.

Shadowing is addressed in the LUAR at p. 7 and at Appendix E “Enlarged Shadow Study Illustrations”. At p. 7 Mr. Johnston writes:

The results of the shadowing study images indicate that over the course of the year ***there will not be any significant shadowing impacts as a result of the construction of the townhome project on the majority of the adjoining properties.*** The shadowing study does indicate that there will be some limited shadowing on the existing residential property at Civic Number 10 Mount Cashel Road in March, June and September months ***but that this***

shadowing effect is expected to be limited primarily to the late part of the afternoon. [emphasis added].

- (a) **The LUAR is misleading because the proposed development casts a shadow over the three adjoining properties to the east, not just Civic Number 10.**

The text of the LUAR suggests that only Civic Number 10 is in shadow by this condominium development. However, a review of Appendix E indicates that the shadows cast by this development will affect two houses east of Civic Number 10. Between September and March by 5:00 p.m. the entirety of the properties at Civic Number 10 and Number 8 are in shade. In March more than half of Civic Number 6 will be in shade by 5:00 p.m. The entirety of the property located at Civic Number 6, 8 and 10 will be in shade by 5:00 p.m. in September, as illustrated in the following image from the LUAR:



FALL EQUINOX – SEPTEMBER 21 – 5:00pm

- (b) The LUAR is incomplete because it does not provide enough information to conclude that the shadowing effect on Civic Number 10 is “...expected to be limited primarily to the late part of the afternoon”.**

The shadow studies in the LUAR only provide enough information to allow the reader to make conclusions with respect to three times of day: 9:00 a.m., noon, and 5:00 p.m. For Mr. Johnston to conclude that the shadowing effect on Civic Number 10 is expected to be limited primarily to the late part of the afternoon, he would need to know what shadows exist on Civic Number 10 (and 8 and 6) on an hourly basis throughout the afternoon. This information is not included in the LUAR – it is incomplete in that respect.

- (c) The LUAR is misleading because it argues that the proposed condominium development will have a less significant shadowing impact on the Civic Number 10 than would 3 storey residential homes fronting directly onto Mount Cashel Road.**

At page 7 of the LUAR Mr. Johnston states:

It should be noted, however, that the condominium nature of the site layout of this proposed development with the single driveway access for all twenty-seven (27) townhomes off Mount Cashel Road would, in fact, be expected to have less shadowing impacts on adjoining residential properties than would new residential homes built under the current Residential Medium Density (R2) Zone designation of the development site. Under the current zoning, three (3) storey residential homes, which would front directly onto Mount Cashel Road, could be built with minimum side yards of only 1.2 metres as opposed to the proposed 6 metre rear yards for the townhome layout. It is anticipated that this type of site layout, under the current zoning, would have an even greater shadowing impact on the adjoining residential properties than would the proposed townhome development.

Mr. Johnston repeats this argument about 1.2 metre side yards at pages 10 and 11 in the context of light spillover and privacy.

We understand the point Mr. Johnston is making that a detached home could be built closer to our home and property line than this proposed condominium development will be. However, under the current R2 zoning and Municipal Plan requirements with respect to the Low Density District it is not legal for a property owner to build a house 1.2 metres from our property line that runs the entire 200 foot length of our property as does this condominium development. As the former Chief Municipal Planner for the City of St. John’s, we assume Mr. Johnston is aware of that fact.

A single family detached home beside our home or a townhouse fronting on Mount Cashel Road would not shade the entirety of our yard as the proposed condominium development will do. The shadow would only fall on our house, not our yard.

Issue 4: Describing this Condominium Development as a “Townhouse” is inaccurate and misleading.

The subject property is zoned Residential Medium Density (R2). Since this proposal first came before Council both the Department of Planning and the proponent of this project have repeatedly referred to this development as a “townhouse development”. The Department of Planning and the proponent have also repeatedly advised City Council that, “The R2 Zone allows Townhouses as a permitted use.” See for example the LUAR at p. 17 where Mr. Johnston states:

The development site is presently zoned as Residential Medium Density (R2) under the City of St. John’s Development Regulations. The R2 Zone allows a variety of housing styles as Permitted Uses, including...townhomes. The St. John’s Municipal Council is presently considering the rezoning of the site from the R2 Zone to a specific new zone which would permit the proposed design layout of this townhome development.

“Townhousing” is a defined term in the *Development Regulations*. It means:

a Multiple Dwelling where the Building does not exceed a height of three (3) storeys, and where each Dwelling Unit is separated vertically from an adjoining unit by a common wall and may be situated on a separate Lot.

Multiple Dwelling is defined in the *Development Regulations* to mean “...a Building containing three or more Dwelling Units.” In the section of the *Development Regulations* where the R2 Zone is addressed further requirements are stated including the following:

10.4.3 Zone Requirements

(8) Multiple Dwelling

(a) Maximum # of Dwelling Units: 6

The proposed condominium development has three blocks of units. Each of the three blocks exceeds 6 joined units. The development does not meet the definition of townhousing as defined in the *Development Regulations*. Council should be advised of this fact.

We also attach a copy of an email from Ken O’Brien, Chief Municipal Planner for the City of St. John’s, to Dave Blackmore and Jason Sinyard dated July 19, 2013 (Schedule “F”). Mr. O’Brien writes of this project:

As for the number of linked units in a row, the site plan here shows 14 units linked on the east side of the site. This seems high. Along older roads like Craigmillar Avenue, 8 seems to be the highest number before there is a gap. If 14 is acceptable, so be it. I point it out because it creates an unbroken wall facing teh (sic) side and rear yard of the adjoining house.

Alternatives to the Proposed Condominium

Both the Department of Planning and 62554 have suggested that the only alternative to the proposed development is five detached single-family homes fronting on Mount Cashel Road. We disagree and we are not advocating that Council restrict the developer to 5 detached homes on the site.

At pages 17-18 of Schedule A is an alternative proposal that would permit 13-16 townhouses to be built on the site. 5-6 of these townhouses would front on Mount Cashel Road and 8-10 would line the rear of the property, parallel to Mount Cashel Road. Limiting construction the number of units on the site and their placement on the land could address the significant shadowing effect caused by the current proposal, although further shadow studies would be needed to assess the impact. The proposed alternative would also address snow clearing concerns raised by neighbourhood residents as there would be on site storage for snow.

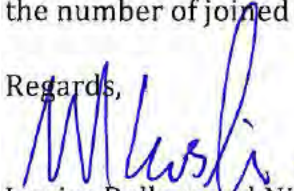
Relief Requested

We look forward to discussing this matter further and are seeking confirmation from the City that an amendment to the Municipal Plan is required in order for the development of a 27 unit condominium development at 12-20 Mount Cashel Road. We also ask that 62554 file a revised LUAR which includes the following:

- 1) information which explains how Mr. Johnston calculated an FAR of 0.77 for this project;
- 2) information which explains the shadowing effect on 10, 8 and 6 Mount Cashel Road on an hourly basis for the dates it has selected; and,
- 3) which strikes the word "townhouse" from the LUAR to the extent that it is used as a description for this condominium project.

Finally, we ask that the Department of Planning be directed by Council to refrain in future from referring to this condominium project as a "townhouse" development as it is misleading, given that the number of joined units proposed by 62554 exceeds the number of joined units permitted under the *Development Regulations* (6 units).

Regards,


Jessica Dellow and Nicholas Crosbie
[REDACTED] Mount Cashel Road

cc: Bernard Davis, Ward 4 Councillor
Robert Bursey, City Solicitor, City of St. John's
Ken O'Brien, Chief Municipal Planner, City of St. John's
Kevin King, President, 62554 Newfoundland and Labrador Inc. and KMK
Capital Inc.

SCHEDULE "A" to April 29, 2014 submission to council

PLANNING & DESIGN CENTRE

12-20 Mount Cashel Redevelopment Assessment



PLANNING
& DESIGN
CENTRE

Contents

3 | Executive Summary

7 | Introduction

8 | 1.0 Current Planning Framework

- 8 | Provincial Planning Framework
- 8 | Municipal Plan
- 9 | Planning Context for Mount Cashel Road
- 10 | Conditional Zones and LUAR
- 11 | General Policy Goals for Residential Development
- 11 | Development Regulations

14 | 2.0 Development Application KMK Properties

- 15 | Development Statistics
- 16 | Summary

17 | 3.0 Alternative Concept

- 17 | Alternative Development Concept Plans

19 | 4.0 Review of KMK Properties Concept

- 19 | Planning and Design Principles
- 21 | LUAR Response
- 23 | Impact on Neighbourhood
- 23 | Plan and Public Interest

25 | References

Executive Summary

This report provides an objective planning perspective outlining how lots 12-20 on Mount Cashel Road in St. Johns, Newfoundland might be developed to conform with existing policies and regulations, while respecting the low-density residential character of the street. The Planning and Design Centre (PDC) has reviewed the existing plans, policies and regulations to understand what is currently permitted on the development site in question. This information is used to assess the merit of the development proposal and its compatibility with the immediate neighbourhood. PDC has developed an alternative concept to describe how the site could be developed under the current plan and associated Low-Density Residential District Land Use Policies.

Planning Context for Mount Cashel Road

The General Land Use Map (*Map 3-1 in the St. John's Municipal Plan*) designates the development site as part of the Low-Density Residential District. "The Residential Low Density designation applies to those areas characterized by a predominance of single detached dwellings". The dominant land use is low-density residential supporting zones that will provide for single detached dwellings.

Part 3 (*Residential Development in the St. John's Municipal Plan*) identifies the primary objective for residential land use in St John's.

OBJECTIVE 2.1 (Residential Development, Pg. 19 of Municipal Plan)

Maintain and improve neighbourhood character and quality of life in residential neighbourhoods through maintenance and improvement of housing quality and variety, good subdivision design, management of non-residential land use, and appropriate infill.

This Objective states the fundamental intent for residential land use planning and development. Objective 2.1 is elaborated further in the Low-Density Residential District Land Use Policies. The quantitative and qualitative development constraints are described in Part 3, outlining the permitted zones, maximum density, maximum building height and floor area ratio for the Low-Density Residential District Zones. The density, height and Floor Area Ratio of the proposed condominium development exceed what is currently permitted in the Low-Density Residential District.

Table: Statistics of the Proposed Development

Categories	Proposed	Permitted
Density	50.9 units/ha	25 units/ha
Height	3 storeys	2 storeys (Max) or 3 storeys (with LUAR)
Floor Area Ratio	0.98	0.5 (Max) or 1.0 (with LUAR)

Review of Proposed Condominium Development

The Municipal Plan identifies the importance of developing in a compact manner to reduce infrastructure and servicing costs, but recognizes the importance of appropriate infill. PDC agrees the site has value for redevelopment from a servicing and infrastructure perspective; however redevelopment and densification must be considered in relation to the overall objective for residential development to ensure it does not adversely impact the character of the neighbourhood. First, the development site is within the Low-Density Residential District on Mount Cashel Road, characterized by single detached residential dwellings fronting on the local residential street. PDC challenges the assertion that the proposed condominium development reflects the existing neighbourhood character through its orientation to the street, building design and layout, proposed density and general incompatibility with neighbouring properties. Overall, the proposed development ignores the fact that the site is currently designated as part of the Low-Density Residential Land Use District and creates a proposal that disregards the pattern and character of low-density residential development on Mount Cashel Road.

Alternative Concept

The Planning and Design Centre have identified two alternative approaches to development that respect the existing character, while providing density to the proponent and supporting the broader Residential Policy Objective of the city. Both concepts assume relief from the existing R2 frontage requirements through a condominium corporation. The low-density alternative concept is illustrated on the next page. Both concepts (shown on pg. 17) emphasize the following planning and design principles:

1. Maintain and reinforce the pattern of residential development on Mount Cashel Road
2. Encourage an active public streetscape through facades and entries that contribute to the safety and security of Mount Cashel Road
3. Create a precedent for future residential infill and intensification projects that increase density and contribute public amenities to the immediate neighbourhood
4. Minimize the impact of vehicle access and parking on neighbouring properties

Concept 1

This Concept works within Low-Density Residential District Land Use Policies (Density, Floor Area Ratio, and Building Height).

Concept 2

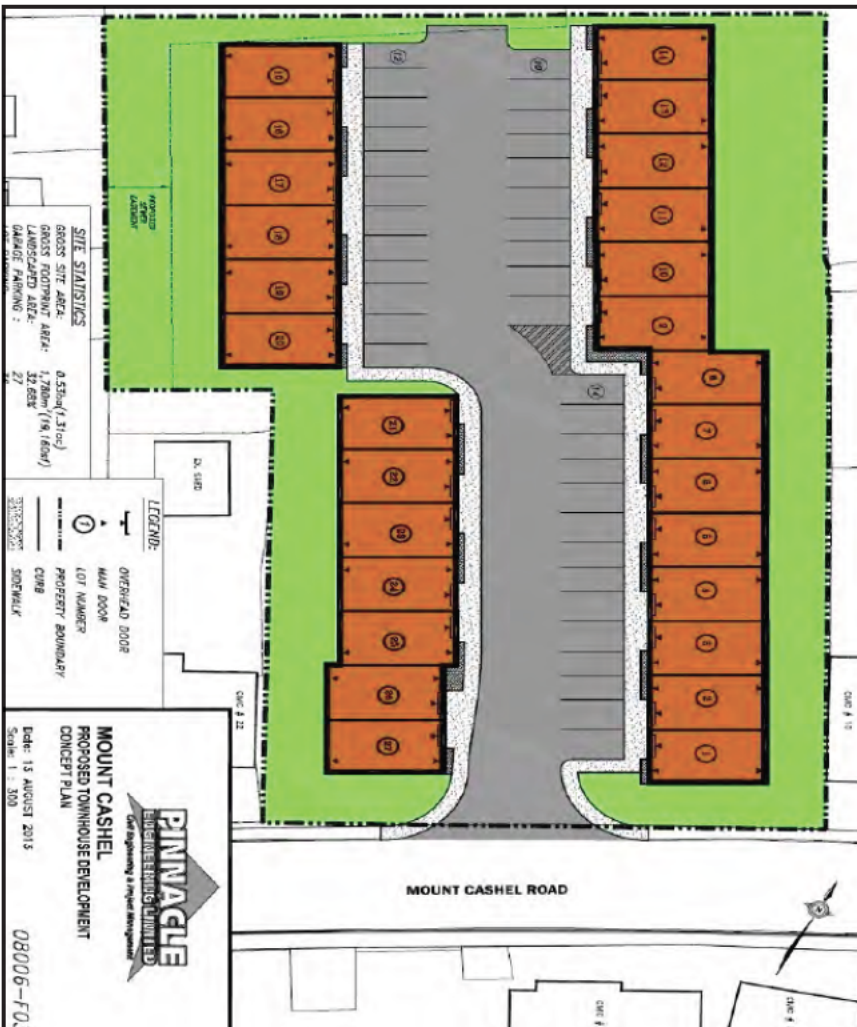
This Concept recognizes the unique potential for redevelopment of the .53 hectare site on lots 12-20 and sees potential for developing the lot in a manner that increases the density of the broader neighbourhood, while not adversely impacting the single detached dwelling character of Mount Cashel Road. This concept would require Plan Amendment to change the development site from a Low-Density Residential District to a Medium-Density Residential District. This concept for lots 12-20 Mount Cashel Road reinforces the dominant form of single detached dwellings with consistent setbacks, street entrances, front yards, landscaping and street trees. However, given the amount of land available for development on lots 12-20 Mount Cashel Road there is an opportunity to maintain the streetwall and residential character on Mount Cashel, while adding density and taking advantage of the urban location of the site.

Alternative Concept 1: Residential Low-Density Plan



The PDC alternative concept is based on the existing Low-Density Residential District Land Use Policies. More specifically, this concept respects the Maximum Permitted Density of 25 Units Per Hectare, resulting in 13 Condominium Units. The concept identifies how density could be increased in a manner that respects the existing and future neighbourhood character of Mount Cashel Road and maximizes compatibility with the surrounding lots.

KMK Properties Proposed Condominium Development Concept



KMK Properties is proposing a 27-unit condominium development on lots 12-20 Mount Cashel Road. Each of the 27 units would be three storeys high. The developer is proposing a condominium corporation to maintain a private road that would run perpendicular to Mount Cashel Road, creating a dead-end road as the only way to access the 36 off-road surface parking spaces and 27 condominium units.

Plan and Public Interest

Based on a review of the planning and design of the proposed development concept and our interpretation of the Low-Density Residential District Land Use Policies it appears as though this development would require an amendment of the Plan. Regardless of the amended Development Regulations for the site the proposed development is in conflict with the Maximum Permitted Density, Floor Area Coverage and Permitted Building Height of the Plan. Even with a Land Use Assessment Report and Conditional Zone the project seems incompatible with the Plan's goals for residential development in the Low-Density Residential District. Accordingly, a Plan amendment would be required and the development would need to clearly demonstrate the exceptional nature of the project and its associated benefit to the public.

The Planning and Design Centre finds it difficult to understand the benefit to the public and the justification of a Plan amendment based on the following points:

- The density of the development is substantially higher than the existing pattern of development and the planning and design of the project makes no effort to reduce this impact by maintaining the pattern of residential development facing Mount Cashel Road.
- Substantial shadowing of lots 10, 8, and 6 Mount Cashel Road will occur in late afternoon and early evening hours if the proposed development is approved.
- The addition of 27 condominium units under the proposed design will create a new private dead-end street running perpendicular to Mount Cashel and interrupt the single-family character of the street.
- The developer has identified one key characteristic of the project is the potential increase in affordability achieved based on the high number of units on site, but the 2013 CMHC Housing Outlook for St. John's states the average price for single-detached units in 2013 as \$394,000.
- CMHC also reports that "Demand for row and semi-detached homes remains weak, despite the substantial house price growth in this market." Based on KMK estimates that townhouse units in the project will be priced from \$380,000-\$400,000 it is difficult to see this project as delivering an exceptional level of affordability to prospective homeowners in St. John's.
- The conceptual design submitted to the City of St. John's does not include any innovative features (environmental sustainability, stormwater retention, public space, renewable energy, transportation demand management) that indicate the proponent is investing some of the increased revenue back to the project to raise the bar on urban redevelopment projects and improve the quality of development throughout the City of St. John's.
- Given the current state of lots 12-20 the development makes no effort to integrate existing trees and vegetation into the proposed design concept, instead the proposed concept recommends a high amount of parking and paved surfaces with limited mention of landscaping or natural features that exist on the site.

Introduction

This report provides an objective planning perspective outlining how lots 12-20 on Mount Cashel Road in St. Johns Newfoundland and Labrador might be developed to conform with existing policies and regulations, while respecting the low-density residential character of the street. First, the Planning & Design Centre (PDC) will review the existing plans, policies and regulations to understand what is currently permitted on the development site in question. PDC will also provide a development concept to describe how the site could be developed under the current plan and development regulations.

The report also reviews the KMK Properties Inc. (KMK) development proposal for 12-20 Mount Cashel Road in relation to the current Municipal Plan and Development Regulations, to determine if there is a requirement for a plan amendment. PDC will assess the merit of the development proposal using various criteria (planning and design principles, access, goals of the Municipal Plan, impact on neighbours and street) to resolve whether the associated public benefit of the project could justify such a Municipal Plan amendment and identify what conditions should be met to support a plan amendment.

Aerial Map: the Development Site on Mount Cashel Road



1.0 Current Planning Framework

Provincial Planning Framework

The development site in question (Mount Cashel Road lots 12-20) is located within the capital city of Newfoundland and Labrador, St John's. The Municipality of St John's derives its urban planning and development powers from *the Urban and Rural Planning Act (URPA)*, as well as *the City of St. Johns Act, 1990*. Both acts provide broad powers to the Municipality to manage land development and planning affairs within the Municipal boundaries of St. John's. However, *the Urban and Rural Planning Act (URPA)*, provides greater direction as to the authority of council to develop a Municipal Plan. Further, section 13 of *the URPA* mandates the various elements of a Municipal Plan.

Section 13

(2) A plan shall

- a) include a statement of the objectives of the plan;
- b) indicate the policies to be implemented under the plan;
- c) divide land into land use classes and the use that may be made in each class and shall include prohibited uses of land;
- d) include proposals for land use zoning regulations;

Section 35 of *the URPA* describes how council has the authority to create development regulations that are in accordance with the municipal plan, allowing for zoning and the dividing of the City of St. John's into various land use districts. Further council is given the authority to indicate permitted, prohibited and discretionary uses in each zone.

Section 35. (1)

A council or regional authority shall, to ensure that land is controlled and used only in accordance with the appropriate plan or scheme, make development regulations

- a) respecting land use zoning and shall require for that zoning, a map that divides the planning area into land use zones;
- b) indicating permitted, prohibited and discretionary uses of land in each land use zone;
- c) respecting the requirements for residential lots and access to residential lots;

Municipal Plan

The URPA provides the authority for the Municipality of St John's Municipal Plan (Plan) (last revised, 2014). Said Plan determines the process of residential development for properties such as those on Mount Cashel Road. The Plan "expresses the Municipality's policies for planning use and future development of land" (City of St John's, Plan, 2014). The Plan forms the legal basis for land use and development regulations and provides a framework for staff and council to weigh decisions on land use and development in St John's. The St John's Land Use Zoning also called the St John's Development Regulations "implement the policies of the St. John's Municipal Plan and area subordinate to it. The Development Regulations are the primary regulations used to process development applications in St. John's." (City of St. John's, Plan 2014, Pg.12 1.4) The Plan is organized around key policies that are designed "to protect the public interest and secure the health, safety, convenience, and welfare of the citizens of St. John's." Further the Plan is

committed to promoting economic development while maintaining the character of the City of St. Johns. Consequently, the vision and goals for lots 12-20 on Mount Cashel Road are articulated in the Plan with the Development Regulations serving as the tool to implement the Plan's policies.

Organization

Various elements coalesce to define the policies and objectives for land use, physical design and development in St. John's, thereby informing the development context for 12-20 Mount Cashel Road. The Vision (Part 2) describes the values of the region expressed by the Plan and its associated policies. The various policies and objectives related to development and land use flow from the Vision below.

This Municipal Plan has been adopted 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.

Part 3 of the Plan is where citywide objectives and policies are identified to guide land use planning decisions. Also, the General Land Use Map (*Map 3-1*) is included in Part 3, designating the location of Land Use Districts throughout St. John's. The General Land Use Map outlines the overarching zoning framework, designating the general uses for various areas of the city. The General Land Use Map is a flexible tool that separates incompatible uses along transportation arteries or important natural features. Within the "Urban" area of St. John's there are four Residential Land Use Districts (Low-Density Residential, Medium-Density Residential, High-Density Residential, and Residential Downtown).¹ The Development Site (Lots 12-20 Mount Cashel Road) is designated Low-Density Residential. Each District is defined by specific Land Use District Policies to indicate permitted and conditional uses, building mass and permitted building height. Part 3 of the Plan also includes more general policies to identify the broad strategic goals of the Municipality with respect to development, environmental protection or infrastructure. In summary, Part 3 of the Plan and the General Land Use Map inform the development goals as well as Development Regulations for particular parcels of land.

1 The urban areas of St John's are defined as areas where sidewalks and municipal services are present.

Planning Context for Mount Cashel Road

The land use planning context for Mount Cashel Road is described below to illustrate the Plan organization and clarify the intent of various policies with respect to lots 12-20 Mount Cashel Road. First, the General Land Use Map (*Map 3-1*) designates the land as part of the Low-Density Residential District. "The Residential Low Density designation applies to those areas characterized by a predominance of single detached dwellings". The dominant land use is low-density residential supporting zones that will provide for single detached dwellings.² The Plan provides for exceptions; Council can use a Land Use Assessment Report (LUAR) to permit medium density residential uses if they are deemed compatible with single detached dwellings.³

2 Permitted Zones: In this District, the City shall permit zones providing for single detached dwellings.

3 2.3.1 Conditional Zones: Subject to a Land Use Assessment Report, the City may permit zones to allow such Medium Density Residential uses as may be deemed by Council to be compatible with single detached dwellings.

Part 3 (*Residential Development*) identifies the primary objective for residential land use in St John's, emphasizing the importance of maintaining and improving neighbourhood character while promoting appropriate infill. This Objective states the fundamental intent for residential land use planning and development.

OBJECTIVE 2.1 (Residential Development, Pg. 19 of Municipal Plan)

Maintain and improve neighbourhood character and quality of life in residential neighbourhoods through maintenance and improvement of housing quality and variety, good subdivision design, management of non-residential land use, and appropriate infill.

Objective 2.1 is described further in the Low-Density Residential District Land Use Policies. The quantitative and qualitative development constraints are described in Part 3, outlining the permitted zones, maximum density, maximum building height and floor area ratio for the Low-Density Residential District Zones. Within the Low-Density Residential District the Maximum Permitted Density is 25 units per net hectare.⁴ The lots 12-20 Mount Cashel Road amount to .53 hectares. The Land Use District Policies indicate a maximum permitted density of 25 units per hectare, translating to 13.25 dwelling units of no more than 2 storeys in height with a maximum Floor Area Ratio of 0.5.

Conditional Zones and LUAR

The Plan does provide some flexibility within the Low-Density Residential District through a Conditional Zone. A "Land Use Assessment Report (LUAR) may permit Conditional Zones to allow for Residential Medium Density Uses in addition to single detached dwellings".³ For example in some cases the Conditional Zone allows for a variety of residential uses: semi-detached dwellings, duplexes, and townhouses⁵. These uses would be considered only if they were proposed in an area where they were seen as compatible with the predominant use in the District (single detached dwellings) with minimal impact on surrounding uses.⁶

The Land Use Assessment Report and Conditional Zone provide flexibility for proposed uses that are well suited to the existing and future character of development. This mechanism allows for complementary and compatible uses to the predominant use to be supported by the Plan, but not uses that fundamentally challenge the predominant use within the Low-Density Residential District. Accordingly, the LUAR is not intended to provide a mechanism to allow for development to circumvent the maximum density, building height and floor area ratio. Instead these tools provide a mechanism for Development that is well aligned with the character of the immediate area but not single detached dwellings. Part 3 of the Plan describes how individual zones may differ in terms of Maximum Height and Floor Area Ratio in relation to the District Policies if "they do not exceed the maximum limit provided for the District as a whole."⁷ However, if each individual project in the Low-Density Residential District proposed a doubling of the maximum density the character of the District would be dramatically impacted, reinforcing the challenge of approving development that is not compatible with the predominant uses.

4 Maximum Permitted Density 25 units per net hectare, except in areas developed prior to 1940, where the maximum density may be 35 dwelling units per net hectare.

5 Townhouses mean a Multiple Dwelling where the Building does not exceed a height of three (3) Storeys, and where each Dwelling Unit is separated vertically from an adjoining unit by a common wall and may be situated on a separate Lot.

Note. Multiple Dwelling is defined in the R2 zone as a maximum of 6 units.

6 The criteria for determining compatibility are as follows:
-the particular zones are found to be compatible with the dominant use of the District(s) in which they are to be located;
-areas designated in any of the categories of impacts associated with the particular zones are compatible with the policies adopted under this Plan; and
-the height and bulk of the developments permitted in such zones is compatible with the physical scale of the buildings in such District(s).

7 The maximum Height and maximum Floor Area Ratio provided for individual land use zones permitted within a District may vary as long as they do not exceed the maximum limit provided for the District as a whole.

General Policy Goals for Residential Development

The Plan identifies the importance of maintaining neighbourhood character, while exploring opportunities for appropriate infill and intensification. The City identifies the importance of developing in a compact manner to reduce infrastructure and servicing costs and improve housing options. For example, Policy 2.2.2 notes that the “City shall promote more intensive use of existing services through infill, rehabilitation and redevelopment projects”. The Development Regulations define infill as a maximum of four units permitted as a discretionary use in a residential zone. The development site (Lots 12-20 Mount Cashel Rd.) is a good example of an urban area that is closely located to a variety of services and amenities and able to take advantage of municipal services. The Plan makes numerous references to the value of developing in these sites as opposed to rural or suburban greenfield sites from both an economic and environmental perspective. However, it is important to keep in mind the overall objective for residential development and the importance of maintaining neighbourhood character in the face of redevelopment.

Development Regulations

Although the Mount Cashel site is identified in the General Land Use Map as within the Low-Density Residential District, the development site is currently zoned Residential Medium-Density-R2. The R2 Zone permits a range of low to medium density residential uses including: single-detached, semi-detached, duplexes, townhouses and multiple dwelling units. Regardless of housing type (townhouses or multiple dwelling) the R2 Zoning allows for a maximum of 6 dwelling units to be developed to a maximum of three storeys.

In fall 2013 the City of St. John’s proposed amending the Development Regulations to create a new R2 Medium Density Zone for the development site. This site-specific zone was created to allow for proposed condominium development on Mount Cashel Road (R2 Condominium Zone is in the Appendix). The Permitted Uses in the new zone relate to a Condominium Corporation. The general zone requirements are based on the existing R2 Medium Density Zone with greater flexibility for lot frontage. The R2 Condominium Zone requires a frontage minimum of 20m for the broader condominium corporation, excusing individual units. In contrast, the R2 Medium Density Zone requires a 6M frontage for each unit.

The Residential Medium Density R2 Zone is provided below as reference.

10.4 RESIDENTIAL-MEDIUM DENSITY (R2) ZONE

10.4.1 Permitted Uses

Residential:

- (a) Accessory Building (subject to Section 8.3.6) (1995-06-09)
- (b) Bed and Breakfast (subject to Section 7.27)(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Bed and Breakfast is not a Permitted Use) (1998-10-23)(2002-11-15)(2008-01-25)
- (c) Boarding or Lodging House (accommodating between five (5) and sixteen (16) persons) (Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Boarding or Lodging House is not a Permitted Use) (1999-04-16) (2002-11-15)
- (d) Duplex Dwelling (Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Duplex Dwelling is not a Permitted Use but a Discretionary Use and is subject to Section 5.8, and at 172 Mundy Pond Road, where Duplex Dwelling is not a Permitted Use) (2002-11-15) (2012-09-13)

(e) Home Office (subject to Section 7.9) (1997-08-08)

(f) Semi-Detached Dwelling

(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Semi-Detached Dwelling is not a Permitted Use but a Discretionary Use and is subject to Section 5.8) (2002-11-15)

(g) Single Detached Dwelling (see Section 10.4.3(5) - Zone Requirements where the application site is located in that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street) (2002-11-15)

(h) Subsidiary Apartment

(i) Townhousing

(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Townhousing is not a Permitted Use but a Discretionary Use and is subject to Section 5.8; and except for Planning Area 4 - Mundy Pond, where Townhousing is restricted to Blackmarsh Road and the area bounded by L'Anse aux Meadows Crescent, Captain Whelan Drive, and Columbus Drive, and Planning Area 13 - Shea Heights, where Townhousing is not a Permitted Use; and that section of Planning Area 2 - land located between Quidi Vidi Village Road and Cuckhold's Cove Road, west of Quidi Vidi Village and known as the Connor's Estate and Clarke Estate, where Townhousing is not a Permitted Use and at 172 Mundy Pond Road where Townhousing is not a Permitted Use. (2001-11-09) (2002-11-15)(2003-10-17)(2012-09-13)

Recreational:

(j) Park

Other

(k) Family Home Child Care Service (subject to Section 7.6) (2004-05-14)

10.4.2 Discretionary Uses (subject to Section 5.8)

(a) Adult Day Care Facility (subject to Section 7.3)

(b) Day Care Centre (subject to Section 7.6)

(c) Heritage Use

(d) Home Occupation (subject to Section 7.8)

(e) Multiple Dwelling not exceeding 6 Dwelling Units (subject to Section 10.4.3(8)) (2010-03-05)

(f) Parking Lot (subject to Section 7.13)

(g) Planned Unit Development (subject to Section 5.10.3)

(h) Private Park (2007-10-05)

(i) Public Utility

(j) Residential Retail Store (subject to Section 7.17) (1995-06-09)

10.4.3 Zone Requirements

The following requirements shall apply to:

(1) Bed and Breakfast:(subject to Section 7.27) (2008-01-25)

The same requirements as established for the Dwelling types in this Zone. (1998-10-23)

(2) Boarding or Lodging House:

The same requirements as established for the Dwelling types in this Zone.

(3) Duplex Dwelling:

(a) Lot Area (minimum) 510 m²

(b) Lot Frontage (minimum) 17 m

(c) Building Line (minimum) 6 m

(d) Side Yards (minimum) Two of 1.2 m (1994-11-04)

(e) Side Yard on Flanking Road (minimum) 6 m

(f) Rear Yard (minimum) 6 m

(4) Semi-Detached Dwelling:

(a) Lot Area (minimum)	270 m ² per Dwelling Unit	(1997-03-07)
(b) Lot Frontage (minimum)	18 m; 9 m per unit	
(c) Building Line (minimum)	6 m	
(d) Side Yards (minimum)	Two of 1.2 m	(1994-11-04)
(e) Side Yard on Flanking Road (min.)	6 m	
(f) Rear Yard (minimum)	6 m	
(5) Single Detached Dwelling:		
(a) Lot Area (minimum)	350 m ²	(1994-11-04)
(b) Lot Frontage (minimum)	12 m	(1994-11-04)
(c) Building Line (minimum)	6 m	
(d) Side Yards (minimum)	Two of 1.2 m	(1994-11-04)
(e) Side Yard on Flanking Road (min.)	6 m	
(f) Rear Yard (minimum)	6 m	
(g) Landscaping Front Yard	At least 50% of the Front Yard shall be landscaped. However, the Director of Building and Property Management, or designate, may vary this requirement where, in his/her opinion, it is deemed to be warranted and desirable. (2004-04-08)	
Note: If the application site is located in that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street then development of Single Detached Dwellings must be in accordance with the Residential Low Density (R1) Zone Requirements for Single Detached Dwellings as follows: (2002-11-15)		
(a) Lot Area (minimum)	450 m ²	
(b) Lot Frontage (minimum)	15 m	
(c) Building Line (minimum)	6 m	
(d) Side Yards (minimum)	Two of 1.2 m	
(e) Side Yard on Flanking Road (min.)	6 m	
(f) Rear Yard (minimum)	6 m	
(g) Landscaping Front Yard	At least 50% of the Front Yard shall be landscaped. However, the Director of Building and Property Management, or designate, may vary this requirement where, in his/her opinion, it is deemed to be warranted and desirable. (2004-04-08)	
(6) Townhousing:		
(a) Lot Area (minimum)	180 m ² per Dwelling Unit	
(b) Lot Frontage (minimum)	6m per Dwelling Unit	(1994-11-04)
(c) Building Line (minimum)	0 m	
(d) Side Yard for End Unit Townhouses (min.)	1.2 metres	(2002-07-05)
(e) Side Yard on Flanking Road (min.)	3 m	
(f) Rear Yard (minimum)	6 m	
(7) Day Care Centre in a non-residential Building:		
(a) Lot Size (minimum)	450 m ²	
(b) Lot Frontage (minimum)	15 m	
(c) Landscaping on Lot (minimum)	Subject to Section 8.5.1	(1998-09-11)
(8) Multiple Dwelling		
(a) Maximum # of Dwelling Units:	6	
(b) Minimum Density:	90 m ² Lot Area per Dwelling Unit	
(c) Minimum Lot Frontage:	6 metres per Ground Floor Dwelling unit	
(d) Maximum Building Height:	3 storeys	
(e) Building Line (minimum):	6 metres	
(f) Rear Yard (minimum):	6 metres	
(g) Side Yards (minimum):	Two of 1.2 metres	
(h) Side Yard on Flanking Road (min.):	6 metres	
(i) Off-Street Parking Spaces (min.):	1 space per Dwelling Unit	
(j) Landscaping Front Yard:	At least 40% of the Front Yard shall be landscaped. However, the Director of Building and Property Management or a designate may vary this requirement where, in his/her opinion, it is deemed warranted and desirable. (2010-03-05)	

2.0 Development Application KMK Properties

This section of the report will review the KMK development application for lots 12-20 on Mount Cashel Road in relation to the current Municipal Planning framework. The Proponent (KMK/Applicant 62544) is proposing to construct a 27 unit condominium development, each of which will be three storeys high. The development proposes a condominium corporation to maintain a private road that would run perpendicular to Mount Cashel Road, creating a dead-end road as the only way to access the 36 off-road surface parking spaces and 27 condominium units.

The Proposed Condominium Development Concept Plan



Map: the Development Site



Development Statistics

Proposed Density

The application is for 27 townhome units that will ultimately operate as a condominium corporation on the .53 hectare site. This translates to a Net Density of 50.9 Dwelling Units per Hectare = $27 / [0.53\text{ha} * 1.0]$

Maximum Permitted Density for Low-Density Residential District

Section 2.3.1 of the Municipal Plan of St John's

25 units per net hectare, except in areas developed prior to 1940, where the maximum density may be 35 dwelling units per net hectare.

Proposed Building Height

The applicant proposes to construct condominiums that will be three storeys in height. This is also evident in the rendering of the front elevation included as part of the LUAR prepared for the developer on February 26, 2014.

Maximum Permitted Building Height

Section 2.3.1 of the Municipal Plan of St John's

Buildings located in a Residential Low-Density District shall be generally low profile, not exceeding two storeys. Subject to a Land Use Assessment Report, individual projects may be zoned to allow heights up to three storeys.



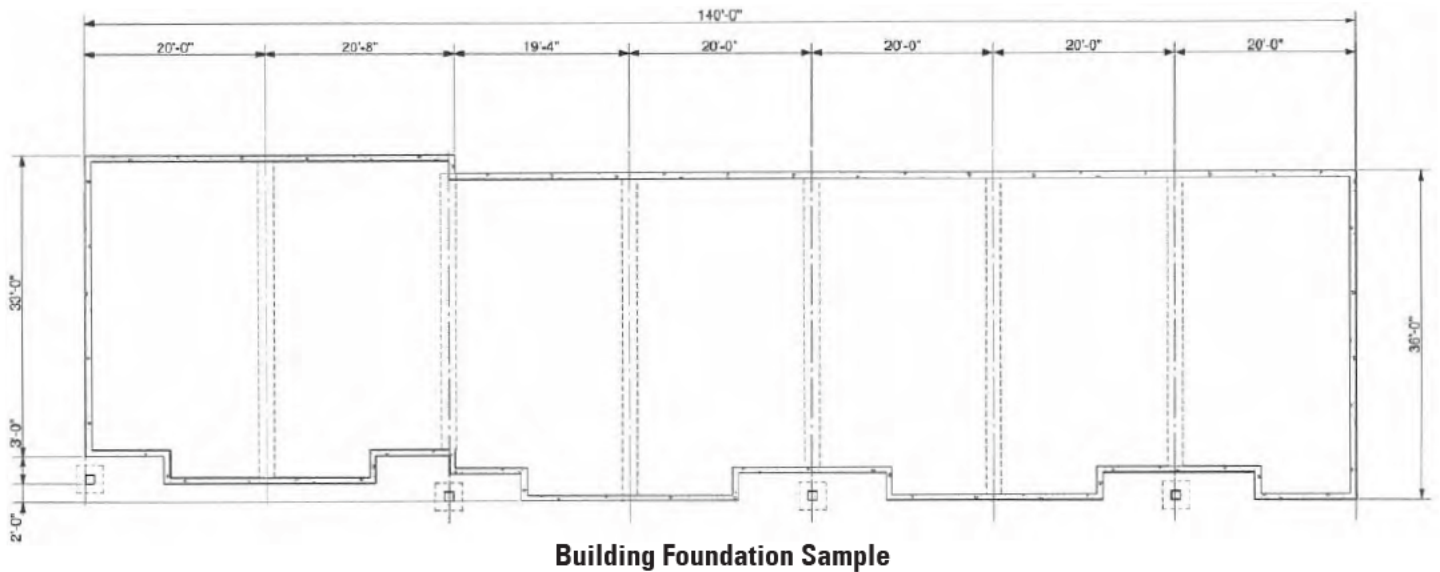
Proposed Buildings

Proposed Building Floor Area Ratio

Combined square footage for the 27 units as calculated based on the floor plans provided by the proponent is 56,142 square feet. (calculated as 2,082 square feet x 25 units + 2,010 square feet x 2 units) The Floor Area Ratio is calculated by dividing 56,070 by the area of the lot 57,049 square feet. Based on available information provided within the Land Use Assessment Report, PDC calculated a Floor Area Ratio of 0.98, this represents a doubling of the Floor Area Ratio permitted by the Plan without a LUAR. It is challenging to understand the exact Floor Area Ratio for the proposed development based on the lack of clarity from the proponent on the exact floor area of each of the proposed 27 units.

Maximum Permitted Building Floor Area Ratio

Section 2.3.1 of the Municipal Plan of St John's



Summary

The proposed condominium development conflicts with the Land Use District Policies of the St John's Municipal Plan. The density, height and Floor Area Ratio exceed what is currently permitted in the Low-Density Residential District. Moreover, the proposed development with its density and orientation to the street fundamentally challenges the single detached dwelling character of Mount Cashel Road. This 27 unit condominium development appears incompatible with Mount Cashel Road and exceeds what the Municipal Plan currently permits.

Table: Statistics of the Proposed Development

Categories	Proposed	Permitted
Density	50.9 units/ha	25 units/ha
Height	3 storeys	2 storeys (Max) or 3 storeys (with LUAR)
Floor Area Ratio	0.98	0.5 (Max) or 1.0 (with LUAR)

3.0 Alternative Concept

The PDC has designed two alternative concepts to the KMK development properties. The first concept is based on the existing Low-Density Residential District Land Use Policies. More specifically, this concept respects the Maximum Permitted Density of 25 Units Per Hectare, resulting in 13 Condominium Units. The second concept identifies how density could be increased in a manner that respects the existing and future neighbourhood character of Mount Cashel Road and maximizes compatibility with the surrounding lots. Both concepts assume relief from the existing R2 frontage requirements through a condominium corporation.

The proposed alternative approaches respect the existing character of Mount Cashel Road, while providing density to the proponent and supporting the broader Residential Policy Objective of the city. The preliminary concepts illustrated below emphasize the following principles:

1. Maintain and reinforce the pattern of residential development on Mount Cashel Road
2. Encourage an active public streetscape through facades and entries that contribute to the safety and security of Mount Cashel Road
3. Create a precedent for future residential infill and intensification projects that increase density and contribute public amenities to the immediate neighbourhood
4. Minimize the impact of vehicle access and parking on neighbouring properties

The Concept 1 works within Low-Density Residential District Land Use Policies (Density, Floor Area Ratio, and Building Height).

Concept 1: Residential Low-Density Plan



The Concept 2 recognizes the opportunity for redevelopment of the .53 hectare site on lots 12-20 and sees potential for developing the lot in a manner that increases the density of the broader neighbourhood, while not adversely impacting the single detached dwelling character of Mount Cashel Road. This concept would require Plan Amendment to change the development site from a Low-Density Residential District to a Medium-Density Residential District. This concept for lots 12-20 Mount Cashel Road reinforces the dominant form of single detached dwellings with consistent setbacks, street entrances, front yards, landscaping and street trees. However, given the amount of land available for development on lots 12-20 Mount Cashel Road there is an opportunity to maintain the streetwall and residential character, while adding density and taking advantage of the urban location of the site.

Concept 2: Residential Medium-Density Plan



4.0 Review of KMK Properties Concept

This section of the report assesses the proposed development application in relation to some general planning and design principles. This assessment provides an objective planning perspective on the value of the current proposal for the surrounding neighbourhood, providing insight as to its level of compatibility with the immediate neighbourhood. Also, this section will describe the public benefit associated with the project to determine the justification of a plan amendment to allow the project as currently proposed.

The Planning & Design Centre (PDC) conducted a best practices scan to identify planning and design principles associated with low-density and residential infill projects. The KMK proposal is assessed in relation to these planning and design principles to understand the degree to which the design is compatible with the immediate neighbourhood. The review of the proposed concept also provides insight as to the associated public benefit of the proposed 27-unit project. In summary, urban redevelopment or intensification projects within residential neighbourhoods require careful attention in site planning and building design to mitigate the impact of increased density on the existing neighbourhood character.

Planning and Design Principles

Public Streetscapes

A. Contribute to an inviting, safe, and accessible streetscape by emphasizing the ground floor and street façade of new buildings. Locate principal entries, windows, porches and key internal uses at street level.

The current design and configuration of the proposed concept does not enhance the public streetscape. The current streetscape of Mount Cashel is oriented around single detached Residential units with consistent setbacks and entries facing Mount Cashel. However, the proposed concept has no buildings contributing to the streetscape, no facades, principal entries, or porches are oriented to Mount Cashel Rd. The interaction with Mount Cashel is limited to the sidewall of two condominium units and the private access road that meets Mount Cashel Rd. The private access road is significantly wider than standard driveways and interrupts the continuous pedestrian zone far more due to the wide turning radius needed to support two-way vehicle traffic associated with this medium density project.

B. Reflect the desirable aspects of the established streetscape character, build projects that contribute to a more desirable pedestrian character and landscape pattern.

The proposed application is introducing a new type and form of residential development to the street. The dominant form of residential development on Mount Cashel Road is a single-detached residential dwelling that face Mount Cashel Road. Existing homes have generous setbacks allowing for landscaping and street trees in the front yard to complement the principal entries and sidewalk. The proposed development application ignores the existing streetscape pattern and creates a new internal streetscape that does not contribute to the existing or future character of Mount Cashel Road.

C. Ensure that new streets, if private, provide similar amenities as public streets, including safe pedestrian areas and street trees.

The proposed application provides little indication as to the treatment of the edge of the property where the private lane meets Mount Cashel Road. There is little indication as to impact on the existing sidewalk to account for the increased vehicle traffic on the street. Further, the proposal of a new street reduces the potential for permeable surfaces and further landscaping on Mount Cashel Road.

Building Design

A. In siting residential intensification projects, reflect the uniform setback along a street, support the existing neighbourhood pattern and create a continuous, legible edge to the public street.

The proposed application does not respect the existing pattern of development. The proposed application ignores the relationship with the existing street and instead orients all architectural details to the interior private street with side walls being the only interaction between the buildings and the current edge where development takes place. The building design and siting disrupts the continuous edge associated with the existing public streetscape.

B. Locate and build in a manner that reflects existing or desirable pattern of development in terms of building height, elevation, and the location of primary entrances.

The building design of the proposed application is different than the existing pattern of development. The proposed application has condominium units of three storeys, while the majority of homes on Mount Cashel Road are 1-2 storeys. A consistent design element is the presence of primary entrances facing Mount Cashel Road.

C. Where a new development is higher or more dense than existing buildings, create a transition in building heights through the harmonization and manipulation of mass to visually reduce the height and mass of new buildings.

The proposed development concept represents a significant increase in density, but the arrangement of buildings does little to reduce the impact of this density on Mount Cashel Road. The placement of density on the site is uniform with no difference between density and building configuration where the lots meet Mount Cashel and the back of the lot where there is less impact on neighbourhood character.

D. Design all sides of a building that face public streets to a similar level and quality, avoid large blank walls that are visible to the street.

The current development concept provides little in the way of architectural features (windows, bays, elevations etc.). As a result the development proposes two poorly articulated blank walls as the interface between the development and Mount Cashel Road.

Parking and Garages

Limit the amount paved surfaces devoted to parking and driveways to allow for greater potential for natural drainage on the site.

The proposed concept plan makes no reference to efforts to reduce the amount of paved

surfaces. Instead the concept proposes 36 off-street parking spaces with a large portion of the site devoted to surface parking even though the development regulations only requires one parking space per unit. Moreover, there is little effort to protect or preserve any existing vegetation on the site with the entire central area represented as a paved parking area.

LUAR Response

The Planning and Design Centre reviewed the LUAR that was submitted by the Proponent to better understand the proposed condominium development and its impact on Mount Cashel Road. The Planning & Design Centre has identified four areas within the LUAR that require further clarity to fully understand the impacts of the proposed condominium development on the immediate neighbourhood.

Shadowing

A shadow study helps assess the impact of the proposed development on nearby properties in comparison to the existing site conditions. Based on the comparison it is possible to determine if the proposed development creates greater shadowing for nearby properties. Further it is important to understand if this worsening of shadow conditions created by the proposed development is deemed unacceptable. This is determined by understanding extent of the shadowing (i.e. entire lot, part of the back yard, back deck etc) and the duration of the shadowing.

Based on the provided analysis the proposed development would increase shadowing for a number of single-detached residential homes on Mount Cashel Road. Lots 6,8 and 10 on Mount Cashel Road are all impacted by the proposed development and the shadowing it creates. 10 Mount Cashel Rd. is impacted by the proposed development on all four of the dates provided. At all times of the year 10 Mount Cashel Road would have significant shadows in the rear yard and much of the lot in late afternoon and into the evening. Also lots 6 and 8 on Mount Cashel Road would also be impacted significantly during Spring and Fall Equinox at 5PM. For an established low-density residential street like Mount Cashel the considerable shadowing impacts on the rear yards of the proposed condominium development appear out of character with the current neighbourhood. Further the orientation and massing of the proposed condominium development could be altered (as identified in PDC alternative concept) to reduce the impact of shadowing on potential owners of the proposed condominium units and immediate neighbours on Mount Cashel Road.

To fully understand the shadowing impacts of the proposed development on nearby properties it is vital to understand the shadowing conditions from dusk until dawn. Currently the shadowing analysis only goes until 5PM; however, sunset on June 21 is 9:02PM. Based on the shadow study provided it is not possible to understand the full impact of the proposed development on lots 6-10 Mount Cashel Road. Moreover, the provision of hourly intervals in the late afternoon and early evening are necessary to understand the exact impacts of the proposed development on nearby properties during the Spring and Fall Equinox. Overall, the shadowing on nearby properties as a result of the proposed development reinforces the lack of compatibility of this development with the character of the street.

Floor Area Ratio

The LUAR lists the Floor Area Ratio (FAR) of the proposed development as 0.77. Although, the design of some proposed condo units has decreased slightly from the original concept the proponent shared in 2013, the general form and layout of the development is the same. PDC has calculated the Floor Area Ratio as 0.98. This number is derived by calculating the square footage of all three floors of each of the 27 proposed units, including the private garages. The total Floor Area is then divided by the total site area to arrive at the FAR for the proposed development. The proponent should share the calculations used to arrive at the .77 FAR.

One possible explanation is that the FAR calculation does not include the private garage space within the FAR calculations of each unit. However, it is clear that the garages are privately owned and should be included as part of the FAR calculation for each unit. In summary, the PDC views the FAR of the proposed development as being in conflict with the Low-Density Residential District Land Use Policies and further evidence of how this development is out of character for the neighbourhood.

Landscape and Buffering Section

The LUAR describes how the proposed development is attempting to mitigate the impact of the Condominium Project on surrounding properties through landscaping and integration of site infrastructure. Snow clearing and storage is addressed in the landscaping plan. However, the proponent provides little detail as to how snow will be dealt with on-site, except to say that snow will be removed from the site as needed and that the contractors will make their best effort to minimize sound effect related to snow clearing operations.

The Landscaping Plan does not integrate any natural drainage or snow storage into the design of parking and vehicle access areas on-site. Instead, the proposed landscape plan emphasizes the 36 off-road parking spaces in a completely paved zone. There is no mention of integrating permeable surfaces on-site (green areas or permeable pavers) requiring all snow to be trucked out of the development with limited drainage on-site. In summary, the proposed plan does not integrate natural stormwater processes, increasing reliance on trucking of snow off-site and resulting in additional sound and traffic disturbance for nearby neighbours.

Municipal Planning Objectives

The LUAR lists a variety of planning objectives as being evidence of the value of the proposed development and its connection to the Municipal Plan. The Planning and Design Centre does not challenge the Municipal Planning Objectives listed and their inherent value in supporting rational land-use planning. But, the Planning and Design Centre differs in its assessment of how the proposed development is supporting some of these planning objectives. Many of these objectives relate to the overarching objective for residential development.

OBJECTIVE 2.1 (Residential Development, Pg. 19 of Municipal Plan)

Maintain and improve neighbourhood character and quality of life in residential neighbourhoods through maintenance and improvement of housing quality and variety, good subdivision design, management of non-residential land use, and appropriate infill.

The Municipal Plan identifies the importance of developing in a compact manner to reduce infrastructure and servicing costs, but recognizes the importance of appropriate

infill. PDC agrees the site has value for redevelopment from a servicing and infrastructure perspective; however redevelopment and densification must be considered in relation to the overall objective for residential development to ensure it does not adversely impact the character of the neighbourhood. First, the development site is within the Low-Density Residential District on Mount Cashel Road, characterized by single detached residential dwelling fronting on the local residential street. PDC challenges the assertion that the proposed condominium development reflects the existing neighbourhood character through its orientation to the street, building design and layout, proposed density and general incompatibility with neighbouring properties. In conclusion, the proposed development ignores the fact that the site is currently designated as part of the Low-Density Residential Land Use District and creates a proposal that disregards the pattern and character of low-density residential development on Mount Cashel Road.

Impact on Neighbourhood

Although, the design and planning of the project are critical to ensuring a development is in character with the surrounding neighbourhood. The addition of new condominium units will add greater density to the neighbourhood, resulting in more people and more traffic activity that will impact the neighbourhood. One concern is that lots 12-20 on Mount Cashel Road have no direct vehicle access. All vehicle traffic will be entering via Mount Cashel Road a small local street. This will result in more shortcutting through the residential New Cove Road and result in more people making left turns on the already busy arterial road (Torbay) in an area with a bus stop already.. The proposed project would generate roughly 27 times the traffic than its single-detached dwelling neighbours on Mount Cashel Road. Moreover, the approval of this project could also have the long-term impacts resulting in more medium density development in the Low-Density Residential District, affecting the current and future character of the neighbourhood.

Plan and Public Interest

Based on a review of the planning and design of the proposed development concept and our interpretation of the Low-Density Residential District Land Use Policies it appears as though this development would require an amendment of the Plan. Regardless of the amended Development Regulations for the site the proposed development is in conflict with the Maximum permitted density, Floor Area Coverage and Permitted Building Height of the Plan. Even with a Land Use Assessment Report and Conditional Zone the project seems incompatible with the Plan's goals for residential development in the Low-Density Residential District. Accordingly, a Plan amendment would be required and the development would need to clearly demonstrate the exceptional nature of the project and its associated benefit to the public.

It is difficult to view this medium density redevelopment project as compatible with the principal features of Mount Cashel Road and the Low-Density Residential District Policies. The Planning and Design Centre finds it difficult to understand the benefit to the public and the justification of a Plan amendment based on the following points:

- The density of the development is substantially higher than the existing pattern of development and the planning and design of the project makes no effort to reduce this impact by maintaining the pattern of residential development facing Mount Cashel Road.

- The addition of 27 townhouse units under the proposed design will create a new private street running perpendicular to Mount Cashel and interrupt the single-family character of the street.
- The developer has identified one key characteristic of the project is the potential increase in affordability achieved based on the high number of units on site, but the 2013 CMHC Housing Outlook for St. John’s states the average price for single-detached units in 2013 as \$394,000.
- CMHC also reports that “Demand for row and semi-detached homes remains weak, despite the substantial house price growth in this market. “ Based on KMK estimates that townhouse units in the project will be priced from \$380,000-\$400,000 it is difficult to see this project as delivering an exceptional level of affordability to prospective homeowners in St. John’s.
- The conceptual design submitted to the City of St. John’s does not include any innovative features (environmental sustainability, renewable energy, transportation demand management) that indicate the proponent is investing some of the increased revenue back to the project to raise the bar on urban redevelopment projects and improve the quality of development throughout the City of St. John’s.
- Given the current state of lots 12-20 the development makes no effort to integrate existing trees and vegetation into the proposed design concept, instead the proposed concept recommends a high amount of parking and paved surfaces with limited mention of landscaping or natural features that exist on the site.
- Given the large amount of land available for redevelopment there is no mention of any public amenity (public space, public art, heritage, environmental restoration) that is provided to the surrounding neighbourhood. Local Mount Cashel residents have mentioned the presence of an informal path through the site currently.

Property Map: Mount Cashel Road Building Footprints



This map illustrates the orientation of existing buildings to Mount Cashel Road.

References

City Of St. John's. (2014). *St. John's Municipal Plan*. Retrieved from <http://www.stJohn's.ca/publications/st-John's-municipal-plan>

City Of St. John's. (2014). *St. John's Development Regulations*. Retrieved from <http://www.stJohn's.ca/publications/st-John's-development-regulations>

City Of St. John's. (2013). *Regular Agenda September 9, 2013*. Retrieved from <http://www.stJohn's.ca/council-agenda/regular-agenda-september-9-2013>

St. John's Map Centre. (2013). [City of St. John's Interactive Maps]. *An interactive map of the City of St. John's*. Retrieved from <http://map.stJohn's.ca/mapcentre/mapcentre.html>

Johnston, Cliff. (2014). *Land Use Assessment Report (LUAR)*. Retrieved from <http://www.stJohn's.ca/event/public-meeting-12-20-mount-cashel-road-0>

The House of Assembly of Newfoundland and Labrador. (2000). *The Urban and Rural Planning Act*. Retrieved from <http://www.assembly.nl.ca/legislation/sr/annualstatutes/2000/U08.c00.htm>

SCHEDULE "B" to April 29, 2014 submission to council

and Yards) and bulk and height (Floor Area and Building Height). The information provided by the Applicants raises significant issues on each of these points.

Building Lines (including Building Lines and Yards): We have reviewed the draft site plan submitted by the Applicant and note the following:

- A. The boundary of the lot appears to encroach [REDACTED] [REDACTED]). This drawing is inaccurate.
- B. The Yards proposed in the site plan indicate that the rear yards of the properties on the East line of the property are only 16 feet wide. This width is less than the 20 foot minimum for residential R2 townhouses (or any other type of permitted use).

Bulk and Height (Floor Area and Building Height): We have reviewed the draft site plan and the scaled drawing of the proposed 'condos' and note the following:

- A. The Floor Area inferred from the site plan indicates that the properties have a Floor Area Ratio of approximately 1.8 (rather than 1.0 for medium density or even 1.5 for high density). Each lot will consist of a three story 'condo' unit with external dimensions of 20 feet wide and 36 feet deep (720 square feet per floor 2160 square feet per unit). The total lot size of each 'condo' lot will be 20 feet wide and 60 feet long (16 feet rear yard, 36 feet unit depth, 8 foot front yard) for a total lot size of 1200 square feet. A Gross Floor Area of 2160 / Lot Size of 1200 provides a Floor Area Ratio of exactly 1.8. This is significantly higher than permitted uses in medium density.
- B. The scaled drawing for the proposed condos does not include a proposed building height.

We believe that the drawing provided is misleading. The drawing shows two proposed 'condos' separated by intervening space. However, the site plan indicates that the two 'condos' contrary to the scaled drawing, will be connected. In fact, the eastern condos will consist of a single row of 14 connected condos. The drawing is misleading as the roofs of the scaled drawings indicate a 45 degree pitched roof visible from the front of the 'condos'. Attaching 14 'condos' with this type of pitched roof will create a series of very complicated rooflines (known as a saw-tooth roof). This type of roof creates considerable difficulty for drainage. We believe that the roof is much more likely to be one continuous roofline across all 14 'condos' pitched perpendicularly to what is shown in the drawing.

We believe that this issue is significant for two reasons: (1) in order to maintain the 45 degree pitch to the roof, the roof will need to be significantly higher (and the Applicant has failed to accurately provide the information required to approve the Application); and (2) if we are correct, the Applicant is in the very early stages of development of this project and this Application is premature.

- C. It should be noted that the size of the three buildings that the Applicant is proposing to develop are quite extensive. The eastern most block will be a three story building measuring 280 feet x 36 feet roughly 30,000 square feet. In a commercial setting a building of this size would require extensive review prior to approval.

In addition to the foregoing, the Application appears to raise some very considerable issues with respect to the property including garbage removal, snowclearing, increased traffic, and loss of an existing footpath. To our knowledge, none of these issues has been addressed.

Given the issues identified above, we believe that the information provided by the Applicant is insufficient in that it has not met the obligation set out in Section 5.3.1 to provide the required information and for this reason the Application should either be deferred or rejected.

The application should be rejected....

Should the Council determine that the information provided is sufficient to consider the Application, we believe that the Application should be rejected. The Planned Unit Development is a rarely used method of development. The Registry of Deeds - where the Unit Agreements are required to be filed - discloses only a very small number of Planned Unit Development Agreements that have been registered. The Regulations provide that a Planned Unit Development is entitled to relief from certain aspects of the Regulations in particular, lot frontage and off-street parking obligations can be exempted. But the Regulations provide that a development shall comply with:

1. the requirements of the Municipal Plan;
2. the zoning for the site as it pertains to land use, density and height; and
3. have a suitable relationship to nearby land uses in respect to appearance, traffic requirements, and demands on municipal services.

The Application fails to demonstrate that that the development meets the zoning requirements as it pertains to land use, density, height, and we believe emphatically that the proposed development does not have a "suitable relationship to nearby land uses in respect to appearance [or] traffic requirements".

Land Use, Density and Height: The two most relevant standards for a development in R2 are townhousing and multiple dwelling. The Application shows that the development will fail to meet the 6 m rear yard minimum for a town house and the maximum 6 units for a multiple dwelling. The Application doesn't demonstrate that the development will be in accordance with existing land use requirements. Further, as discussed above, the Floor Area Ratio for the development appears to be roughly 1.8, far beyond the 1.0 for medium density zones. The height is also a significant issue. As described above, it appears that the Application has not provided a realistic estimate of the height of the proposed development.

Suitable relationship: On Mount Cashel Road, there are two three story homes, four two story homes, and the remaining twenty or so homes single or split level. Adding 27 three story homes (and effectively doubling the size of the street) will have a drastic impact on the area.

Our property in particular is a perfect example of how this development will drastically change the neighbourhood. We will go from having two neighbours to having ten. The nine 'condos' that will be abutting our property will be a continuous block of between 35-40 feet high for the whole width of our property. We will lose all of the sun that our property used to enjoy in the late afternoons. Furthermore, we will lose all of the privacy we used to enjoy. The sky lights on our bungalow will be windows into our home for the three story building next door, as will our dining room window. Also, by putting homes 16 feet from the property line, any decks on the main floor (which is above the ground floor garage) will look into our backyard. Given that there are 9 homes, the likelihood is that we will no longer be able to be outside our home without being on display to at least one set of neighbours.

The traffic impacts will also be very significant. The Application indicates that there won't be a turn around at the end of the new road. While this might be fine for the homeowners, this means that garbage and snowclearing vehicles will need to back out the whole width of the road, and use Mount Cashel Road as their turn around. Doubling the number of houses on a street will have a considerable impact on the traffic on that street. We are not aware of any efforts taken by the Applicant to address traffic issues.

Snowclearing will also present other issues. Given the large number of proposed units and the comparatively minimal amount of private outdoor property in front of each unit, we are concerned about where cleared snow will be placed and whether there will be adequate room for the cleared snow.

For these reasons, we believe that the Application should be rejected. The proposal does not demonstrate that the development will have a suitable relationship to the surrounding neighbourhood. We would also like to make the point that we are not in opposition to any development on the proposed land just this development. We

recognize and respect the owner of the lot to develop its land, but believe that any development should be in accordance with the Development Regulations and the Planned Unit Development process shouldn't be used to circumvent the requirements Municipal Plan and the Development Regulations, except to the extent expressly provided for in those documents.

[REDACTED]

[REDACTED]

[REDACTED]

SCHEDULE "C" to April 29, 2014 submission to council

August 13, 2013

City of St. John's
10 New Gower Street
St. John's, NL A1C 5M2
Attention: City Clerk

Re: Application 12-20 Mount Cashel Road

My name is Jessica Dellow. My husband, Nick Crosbie, and I reside at [REDACTED] Mount Cashel Road. I am writing to express the concerns we have respecting the application made to the Council to amend the zoning for 12-20 Mount Cashel Road to permit the proposed development. Several of our neighbours have also signed this letter, as they too have concerns about this development. We also refer you to our original letter which we e-mailed to the City Clerk on December 5, 2013 – we continue to have those concerns, but will not repeat them in this letter other than to say that what is proposed does not comply with the St. John's Municipal Plan or the St. John's Development Regulations.

- (1) Site-specific zoning is not permitted by the St. John's Municipal Plan for residential development in St. John's.

St. John's has adopted and developed the St. John's Municipal Plan (the "Plan"). It is a **comprehensive policy document** on land use and development of the City. The Plan states at page I-2:

By establishing the position of the City on a wide range of land use matters, the Plan assists developers, as well as interested citizens to understand what is permitted or may be considered in the City. ...As such, the Plan provides City Council and municipal staff with a structure for both gathering information and making decisions about land use and development.

The Plan does not take a site-specific approach to residential housing, but rather identifies four broadly-based land use residential designations for the City. The zones are: residential low density, residential medium density, residential high density, and residential downtown.

There is no authority in the Plan which permits the City to designate individual properties within St. John's as something other than one of these four land use designations. An amendment to the Municipal Plan would be needed before the City is able to remove in a piecemeal fashion residential properties from the application of one of those four zones.

- (2) The proposed development does not comply with the infill housing requirement of the St. John's Development Regulations.

The Development Regulations provide at 7.10 that:

7.10 INFILL HOUSING

Infill Housing is subject to the following requirements:

- (a) the type, scale, massing, and design of the Development is generally appropriate to the neighbourhood;
- (b) adequate provision is made for light, privacy and amenity;

...

Mount Cashel Road is a short 2-block long residential street with approximately two three story homes, four two story homes, and 20 single or split level homes. There are approximately 26 structures on the road. The proposal is to add 27 units to the street in three buildings, more than doubling the population.

There is no building on Mount Cashel Road that is physically comparable in terms of scale or mass to what the property developer intends to build.

The residents of 10 Mount Cashel will seriously have their light impacted as a solid three-story mass is proposed to line the entire length of the western 10 Mount Cashel property boundary at a distance of less than 6 meters from the 10 Mount Cashel property.

Privacy at [redacted] Mount Cashel will also be greatly impacted as nine units with decks will line the entire western property line of [redacted] Mount Cashel. The privacy of the residents at 22 Mount Cashel will also be similarly negatively affected.

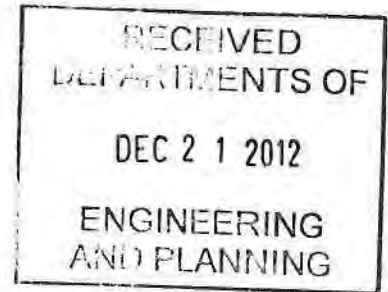
(3) Traffic study

Two additional 16 storey residential towers that will be accessed off of Mount Cashel Road have recently been approved by Council. This development is being undertaken by the same developer who proposes to develop 12-20 Mount Cashel Road. A further traffic study should be undertaken prior to Council's consideration of any development at 12-20 Mount Cashel Road.

Yours truly,

Nick Losbie ([redacted] Mount Cashel)
Jessica Bellon ([redacted] Mount Cashel)
Eddy Bragg ([redacted] MT Cashel Rd.)
Nathan [redacted] ([redacted] Mt. Cashel Rd.)
Maurice Babini ([redacted] Mt. Cashel Rd.)
Stacy M. Ryan ([redacted] Mount Cashel Rd.)
[redacted] ([redacted] Mount Cashel)

SCHEDULE "D" to April 29, 2014 submission to council



Friday, December 21, 2012

Mr. Cliff Johnson
Director of Planning
City of St. John's
P.O. Box 908
St John's, NL

Dear Mr. Johnson:

Re: Discretionary Use Application 12-20 Mount Cashel Road

We have been advised that your department has received enquiries with respect to our Discretionary Use Application for a Private Planned Unit Development (PUD) on the vacant parcel of land located on Civic No. 12-20 of Mount Cashel Road.

We understand it has come into question the use of a Private Planned Unit Development (PUD) as a method of a development application. We believe this is the best form of application for this parcel of land as it is an Infill project in an established section of the City. By developing a PUD the development will not create higher demands on municipal services such as garbage collection and snow removal as it will run under the private land owner and condominium agreement. A PUD development will also follow the vision of the city's municipal plan by providing high quality housing and meeting other objectives such as the following:

- **Section 1.2.3** "Increasing densities in residential areas; Encouraging a compatible mix of residential building; Encourage infill in older parts of the city; Minimize sprawl"
- **Section 2.2.2** "Provide Good Residential Neighbourhood at Reduced Public Cost" (See Figure 1 below)
- **Section 2.2.4** "Increase Housing Supply"

Specifically, this area has many local amenities such as shopping and essential services within walking distance which would continue to serve and benefit from population increase within the area. Furthermore, creating infill developments within the city boundary assists in limiting the continuation of urban sprawl, utilizes city services and roadways already established and develops a piece of vacant land which has been an eyesore for years. The proposal is also consistent with recent developments to the area which include other townhome communities such as the 22 Unit Stoneleigh Condo unit on New Cove Road and a 10-storey retirement facility within a 2 km radius of the civic addresses in question.

It should be noted, as a developer, KMK Capital is dedicated to providing quality housing. The townhome units in question will be marketed as executive townhomes intended to be priced in line with

the area's residential selling point. This development is intended to add to an already established neighbourhood. Building materials and architectural features will be considered when constructing the residential dwellings and will include attention to detail such as designer posts on entranceways, brick skirting on sides and rears and more (See Appendix A for renderings).

The site plan as depicted in "Appendix B" offers a unique opportunity to a large demographic via enabling the purchase of quality new home construction in one of the most sought after areas to live in the center of St. John's. Given land values in the area, the only way to provide this otherwise unattainable opportunity for most is with density. The site plan allows three key financial objectives aligning the interests of the general public, the developer, and the City of St. John's:

1. Quality new home construction in the center of the City at prices affordable to a much larger demographic than otherwise would be in this area with a less dense option. With the planned density sales prices are projected to be in the \$400,000 range, which is close to the current average price of \$380,000 for new home construction in the St. John's CMA today. Due to the price of land in the area, decreasing the density would drive the price point up exponentially making purchasing a home in the development unattainable for most and the sales price would be too high for the area.
2. Required return on investment at acceptable risk levels for the developer to proceed with a development
3. Maximizes the City's tax revenues while being the least cost option going forward for tax payers (see Figure 1 below)

FIGURE 1.

	Proposed Development	Townhomes Fronting Mt. Cashel	Single Family Homes
Assessed Value	\$ 11,205,000	\$ 3,320,000	\$ 2,340,000
Tax Revenue	\$ 90,761	\$ 26,892	\$ 18,954
	\$ 16,605	\$ 16,605	\$ 2,460
	<hr/>	<hr/>	<hr/>
	\$ 107,366	\$ 43,497	\$ 21,414
Servicing Costs			
Street Clearing & Street Markings	\$ -	\$ -	\$ -
Snow Clearing	\$ -	\$ -	\$ -
Garbage & Recycling Collection	\$ -	\$ 259	\$ 259
	<hr/>	<hr/>	<hr/>
	\$ -	\$ 259	\$ 259
Annual Net Tax Revenue Generated	<hr/>	<hr/>	<hr/>
	\$ 107,366	\$ 43,238	\$ 21,155

With respect to the four (4) submissions received by your department regarding our development proposal, we have prepared the following responses to the concerns raised:

Meeting Objectives of the Municipal Plan and Development Regulations

The application for development meets and exceeds both the City of St. John's Development Regulations and The City's Municipal Plan. We have proposed a PUD for the area zoned R2 (designated Medium Density). The proposal meets the permitted uses as defined in both documents. The proposal also meets the Maximum Permitted Density of 50 dwelling units per net hectare.

Area Zoning Requirements

The area in question is currently zoned R2 as outlined in section 10.4 of the Development Regulations. As per section 10.4.2 permitted uses for this zoning include a Discretionary Use of a PUD as proposed.

In regards to the concern of building line, rear and side yard minimums and height requirements, section 10.4.3 of the zoning requirements does not define zone requirements for a Discretionary Use of a PUD. In fact the side yard minimum of 1.2m is required from the adjacent single family dwelling properties, and as per the attached survey (see "Appendix C") it appears Civic 10 Mount Cashel Road does not meet this requirement. However, we have no objection to the location of this dwelling at this time.

The maximum number of dwelling units is not defined for a PUD in the R2 zone. The six maximum units indicated in the written enquiry pertain only to multiple dwelling units which is not proposed in this application.

Regarding the comments on Floor Area Ratios (FAR), as per the St. John's development regulations, there are no FAR requirements in the R2 zone. FAR requirements are only required for Discretionary Use Applications involving the operation of a business/service as outlined in section 5.3.3 of the St. John's Development Regulations.

Snow Clearing/Garbage Removal

As the proposed development is a Planned Unit Development (PUD) on a private parking lot, snow clearing and garbage removal will be accommodated through common area maintenance fee structure in a condominium corporation agreement. This is no different than the operations of Elizabeth Towers as an example.

Traffic

Traffic studies have been conducted (see "Appendix D") and it has been determined the proposed Townhouse development will not have any significant impact to the street or intersections.

Loss of Existing Footpath

There is currently no public footpath on the private land in question.

Parking

As outlined in "Appendix B" the development will have parking spaces totaling 64 for 27

dwellings, therefore, exceeding the development requirement for one parking space per dwelling unit as outlined in section 9.1.1 of the development regulations.

We feel it is important to note that only four submissions were received from the general public in response to approximately 165 notices sent to the neighbouring area by the City Planning Department as well as a Notice of Application placed in The Telegram newspaper on November 24, 2012. The response rate of only 2.4% demonstrates virtually no opposition in regards to our proposed development. Furthermore, contrary to what the submissions suggest, the development plan submitted is clearly in line with the City's Municipal plan, adheres to or exceeds zoning requirements and is consistent with the development mix in the area.

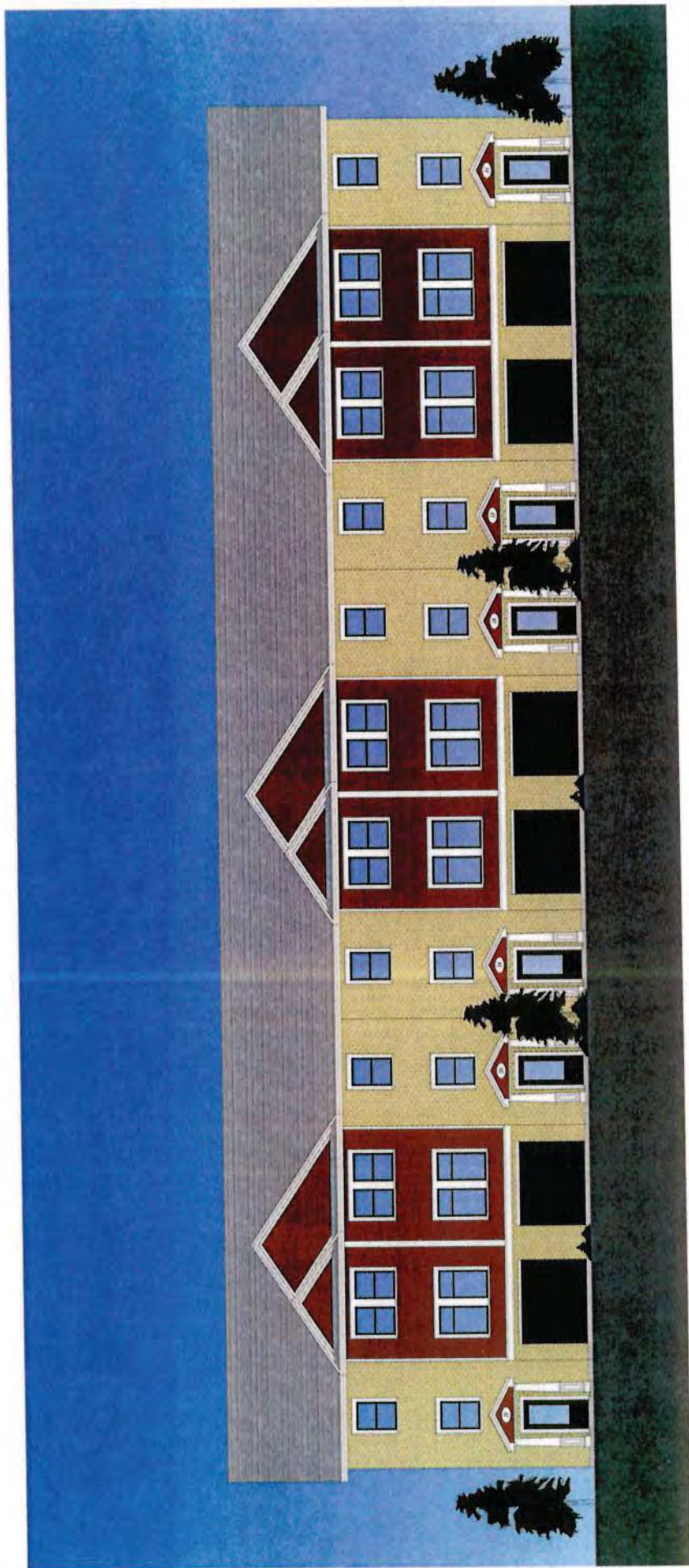
We look forward to proceeding with the development of this community. Please do not hesitate to contact the undersigned if you have any further questions or concerns.

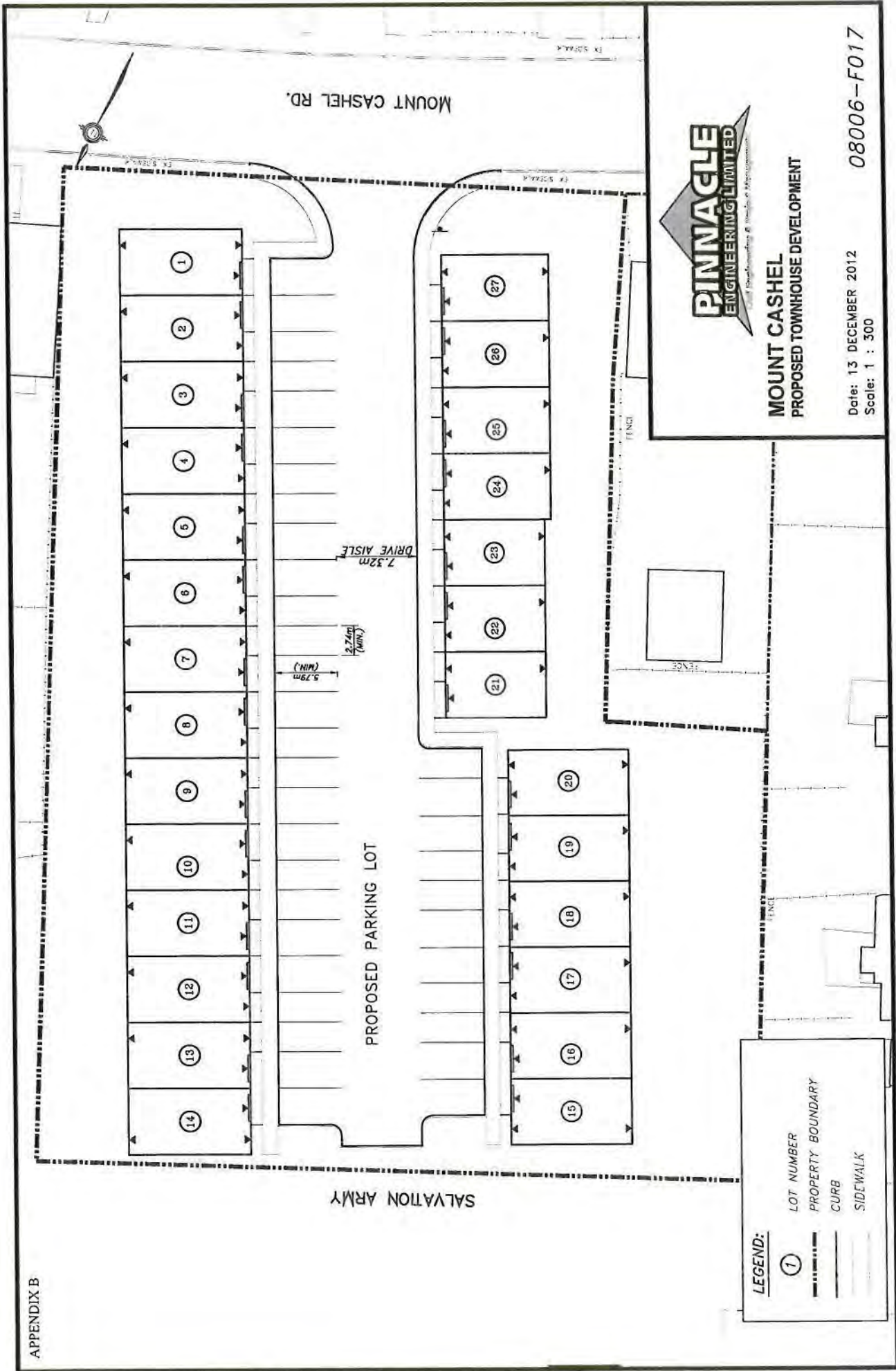
Regards,

A handwritten signature in blue ink that reads "Kevin King". The signature is written in a cursive, flowing style.

Kevin King,
President
62554 Newfoundland and Labrador Inc.

enclosures





MOUNT CASHEL RD.

DRIVE AISLE
7.32m

5.79m
(MIN)

PROPOSED PARKING LOT

SALVATION ARMY



MOUNT CASHEL
PROPOSED TOWNHOUSE DEVELOPMENT

Date: 13 DECEMBER 2012
Scale: 1 : 300

08006-F017

LEGEND:

- ① LOT NUMBER
- PROPERTY BOUNDARY
- CURB
- SIDEWALK

APPENDIX C

August 22, 2012

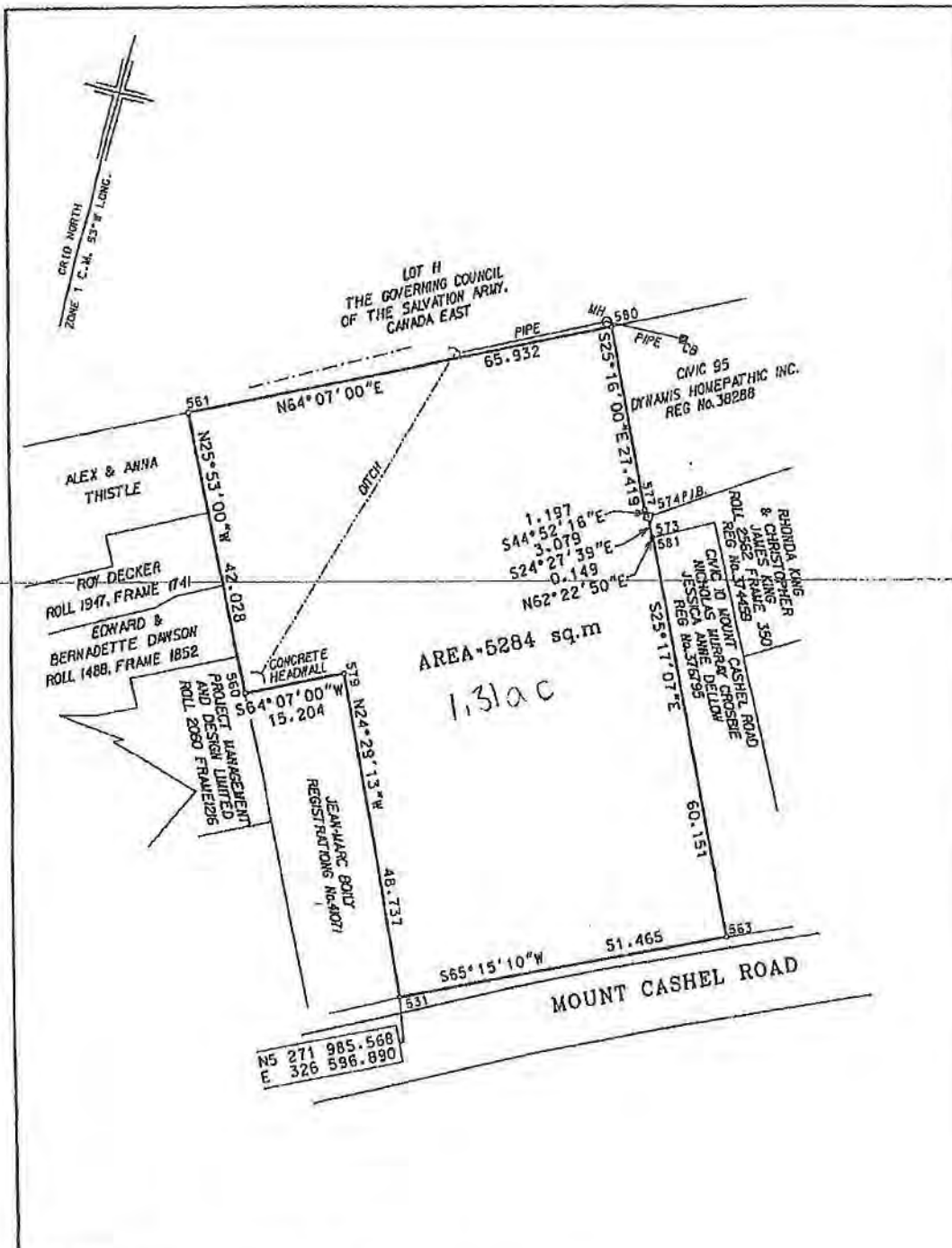
Job No. 9740-2

LEGAL SURVEY MOUNT CASHEL ROAD ST. JOHN'S, NL

ALL THAT piece or parcel of land, situate and being on the northern side of Mount Cashel Road, in the City of St. John's, in the Province of Newfoundland & Labrador, Canada, and being bounded and abutted as follows: THAT IS TO SAY, beginning at a point on the northern side of Mount Cashel Road, said point having coordinates N 5 271.985.568 metres and E 326.596.890 metres of the Three Degree Modified Transverse Mercator Projection NAD - 83 for the Province of Newfoundland & Labrador, THENCE by property of Jean- Marc Boily N 24°29'13" W for a distance of 48.737 metres, THENCE S 64°07'00" W for a distance of 15.204 metres, THENCE by property of Project Management and Design Limited, by property of Edward and Bernadette Dawson, by property of Roy Decker and by property of Alex and Anna Thistle N 25°53'00" W for a distance of 42.028 metres, THENCE by property of The Governing Council of the Salvation Army, Canada East N 64°07'00" E for a distance of 65.932 metres, THENCE by property of Dynamis Homeopathic Inc. S 25°16'00" E for a distance of 27.419 metres, THENCE S 44°52'16" E for a distance of 1.197 metres, THENCE by property of Rhonda King and Christopher James King S 24°27'39" E for a distance of 3.079 metres, THENCE N 62°22'50" E for a distance of 0.149 metres, THENCE by property of Nicholas Murray Crosbie and Jessica Anne Dellow S 25°17'07" E for a distance of 60.151 metres, THENCE along the northern side of Mount Cashel Road S 65°15'10" W for a distance of 51.465 metres, more or less, to the point of beginning and containing an area of 5284 square metres, more or less. Which land is more particularly shown on the plan hereto attached. All bearings being referred to the above mentioned projection. All linear measurements are horizontal ground distances.

This description and accompanying plan, Job # 9740-2 of Brown & Way Surveys, form an integral part of the returns and are not separable.

There is a drainage ditch crossing the property as shown on the attached plan.



© COPYRIGHT: ROBERT A. WAY, N.L.S.

Monument used for tie-in, Zone 1: 80G2248 N 5 272 832.622
E 326 665.248

NAD - 83

All linear measurements are horizontal ground distances.
For the computation of coordinates, horizontal ground distances have been reduced to the Nfld. 3' M T M
Projection plane by multiplying them by an average combined scale factor of 0.999895



BROWN & WAY SURVEYS

Professional Surveying Services
Tel: (709) 726-1040 Telecopier: (709) 726-1041
email: brownsur@nt.rogers.com

LEGAL SURVEY
MOUNT CASHEL ROAD

ST. JOHN'S NEWFOUNDLAND AND LABRADOR

SCALE: 1:750

DATE: AUGUST 22, 2012

JOB NO: 9740-2

SURVEY:



Ref. No. DA-10110

December 12, 2012

Mr. Keith Hannon, P. Eng.
Pinnacle Engineering Limited
40 Aberdeen Avenue - Suite 202
ST JOHNS NL A1A 5T3

**RE: Addendum - Traffic Impact Statement, Proposed Tiffany Village Seniors Complex
Tiffany Lane, St. John's
: Genivar Inc., June 10, 2011**

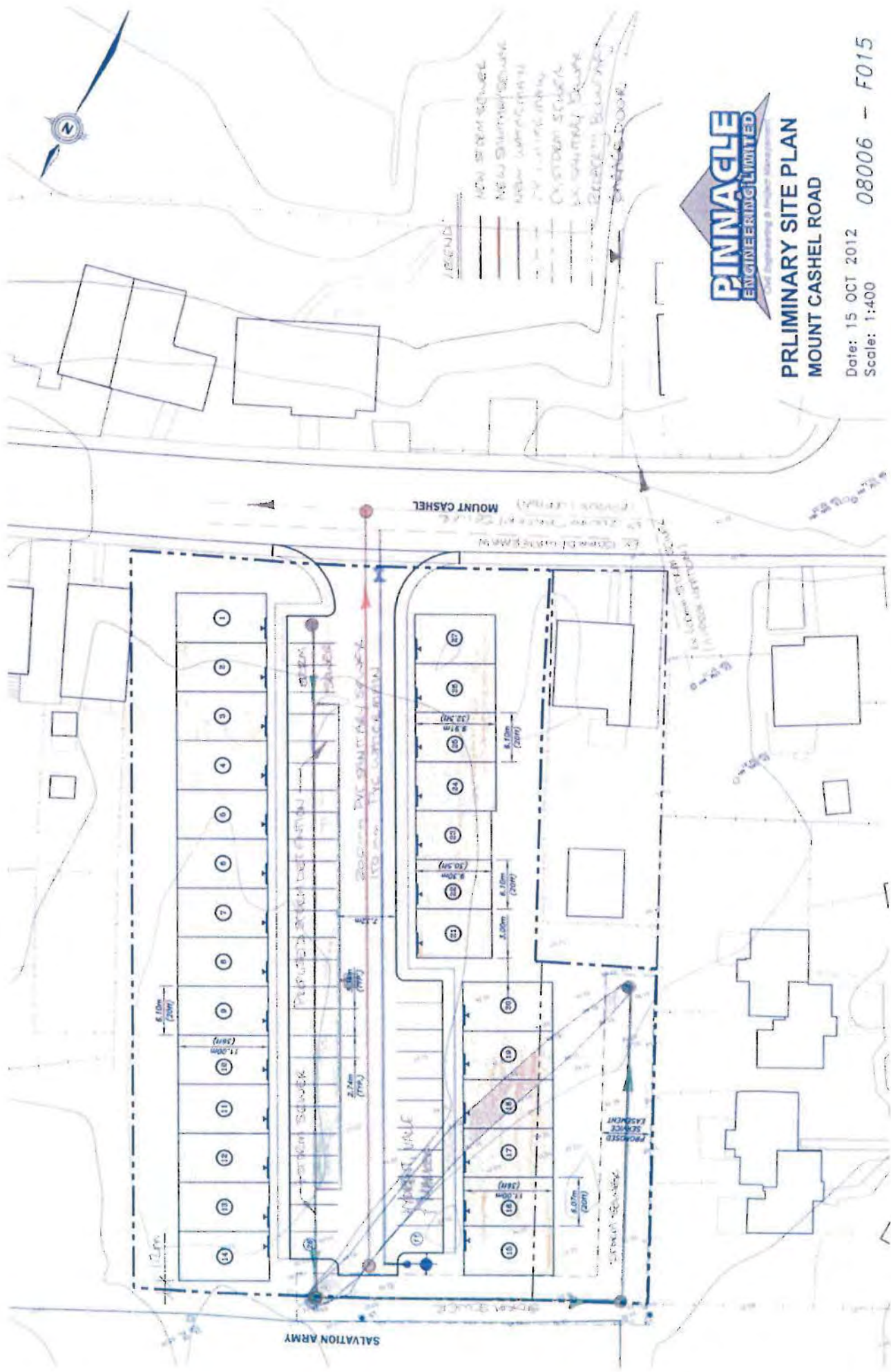
Dear Mr. Hannon:

This is an Addendum to the Traffic Impact Statement (TIS) for the proposed *Tiffany Village Seniors Complex* proposed by *Tiffany Village Inc.* that was prepared by Genivar Inc. during June, 2011, and is attached as Appendix B. The Addendum is required to consider the impacts of constructing 27 low rise townhouses that will have driveway access to Mount Cashel Road just east of Tiffany Lane (Figure 1).

Background - The June, 2011, TIS considered the traffic impacts of the *Tiffany Village* project that was to consist of five residential buildings which have been planned to include 422 seniors residential apartment units and approximately 28,200 square feet of General Office space. The TIS considered trips generated by existing site development or construction activities at times when turning movement counts were obtained at the Torbay Road / Mount Cashel Road intersection (January 2010) and the New Cove Road / Mount Cashel Road intersection during April and May, 2011.

Description of Site Access - The proposed 27 townhouse development (Figure 1) will have driveway access to Mount Cashel Road just east of Tiffany Lane. The proposed townhouse development will have access to Torbay Road to the east and New Cove Road to the west by way of Mount Cashel Road.

Projected 2012 Background Volumes - The projected 2011 background volumes at the Mount Cashel Road intersections with New Cove Road and Torbay Road included in Figure A-3 (Boxes A and B) of the June, 2011, TIS have been increased by an annual growth rate of 1.3% often used in studies completed in the City to provide projected 2012 background volumes for the intersections with Mount Cashel Road. Projected 2012 background volumes that include trips generated by existing land uses on the site when counts were obtained during 2010 at the Torbay Road intersection, and 2011 at the New Cove Road intersection, but do not include site generated trips for the proposed *Tiffany Village* or 27 townhouse units are shown diagrammatically in Figure A-1, Boxes A and B.



- LEGEND:
- NEW SITE BOUNDARY
 - NEW SHED/STORAGE
 - NEW ADMINISTRATION
 - NEW CAR PARKING
 - EXISTING SITE BOUNDARY
 - EXISTING BUILDING
 - EXISTING DRIVEWAY



**PRELIMINARY SITE PLAN
MOUNT CASHEL ROAD**

Date: 15 OCT 2012 08006 - F015
Scale: 1:400

Figure 1

Trip Generation - Trip generation estimates for the proposed 27 unit townhouse development (Table 1) are estimated to include 19 vehicle trips (5 entering and 14 exiting) during an AM peak hour and 21 vehicle trips (12 entering and 9 exiting) during a PM peak hour.

Land Use ¹	Units ²	Trip Generation Rates ³				Trips Generated ⁴			
		AM Peak		PM Peak		AM Peak		PM Peak	
		In	Out	In	Out	In	Out	In	Out
Low Rise Townhouses (Land Use 231)	27	0.168	0.502	0.452	0.328	5	14	12	9

NOTES: 1. Land Use Codes are from *Trip Generation, 8th Edition*, Institute of Transportation Engineers, Washington, 2008.
 2. Number of townhouse units.
 3. Trip generation rates are 'vehicles per hour per unit'.
 4. Trips generated are 'vehicles per hour' for AM and PM peak hours.

Revised Net Site Generated Trips - Table 3 of the June 2011 TIS included estimation of net site generated trips for the proposed Tiffany Village development that included reductions for trips generated by existing development and construction activity. The estimated AM and PM trips that will be generated by the proposed townhouses have been added to the net trips generated by Tiffany Village to provide revised net trip generation estimates that include the townhouses which are the subject of this Addendum.

Trip Distribution - Trip distribution has been estimated from the traffic patterns evident in the AM and PM peak hour volumes at the New Cove Road and Torbay Road intersections with Mount Cashel Road. Additional site generated trips have been distributed in the following manner:

Northwest	50%	Southwest	20%
Northeast	10%	Southeast	20%

Net site generated trips for Tiffany Village and the proposed 27 townhouse units, assigned to the New Cove Road and Torbay Road intersections, are illustrated diagrammatically in Figure A-1, Boxes C and D.

Projected 2012 Trips - Net site generated trips (Figure A-1, Boxes C and D) have been added to projected 2012 background volumes (Figure A-1, Boxes A and B) to produce projected 2012 AM and PM peak hourly volumes that include trips generated by the completed developments which are illustrated diagrammatically in Figure A-1, Boxes E and F.

Intersection Performance - The level or quality of performance of an intersection in terms of traffic movement is determined by a level of service (LOS) analysis. LOS for intersections is defined in terms of delay, which is a measure of driver discomfort and frustration, fuel consumption, and increased travel time. LOS criteria (Table 2) are stated in terms of average control delay per vehicle which includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

LOS analysis, completed using *Synchro 8.0*, has considered the impacts of the signalized intersection of New Cove Road at Portugal Cove Road. The analysis has also assumed that the Mount Cashel Road westbound approach to New Cove Road is re-marked as two lanes, one for left turning and one for right turning vehicles. LOS analysis has been completed for projected 2012 AM and PM volumes that include net site generated trips from full build-out of the Tiffany Village and townhouse developments (Figure A-1, Boxes E and F). LOS analysis results are included on Appendix A, Pages A-2 to A-5, and are summarized in Table 3.

LOS	LOS Description	Stop Controlled Intersections Control Delay (seconds per vehicle)
A	Very low delay; most vehicles do not stop (Excellent)	less than 10.0
B	Higher delay; more vehicles stop (Very Good)	between 10.0 and 15.0
C	Higher level of congestion; number of vehicles stopping is significant, although many still pass through intersection without stopping (Good)	between 15.0 and 25.0
D	Congestion becomes noticeable; vehicles must sometimes wait through more than one red light; many vehicles stop (Satisfactory)	between 25.0 and 35.0
E	Vehicles must often wait through more than one red light; considered by many agencies to be the limit of acceptable delay	between 35.0 and 50.0
F	This level is considered to be unacceptable to most drivers; occurs when arrival flow rates exceed the capacity of the intersection (Unacceptable)	greater than 50.0

Time of Day	Page #	Control Delay in Seconds per Vehicles and Level of Service by Approach					Overall Intersection	
		EB	WB-L	WB-R	NB-L	NB-TR		SB
New Cove Road / Mount Cashel Road Intersection								
AM Peak Hour	A-2		18.8 / C	11.4 / B		0.0 / A	2.4 / A	3.9 / A
PM Peak Hour	A-4		25.4 / D	13.8 / B		0.0 / A	2.8 / A	3.2 / A
Torbay Road / Mount Cashel Road Intersection								
AM Peak Hour	A-3	31.1 / D			11.9 / B	0.0 / A	0.0 / A	1.8 / A
PM Peak Hour	A-5	27.7 / D			10.6 / B	0.0 / A	0.0 / A	1.0 / A

Summary Intersection Performance Analysis - The LOS analyses of projected 2012 volumes at two Mount Cashel Road intersections indicate the following:

- Both the Mount Cashel Road / New Cove Road intersection and Mount Cashel Road / Torbay Road intersection are expected to operate at LOS 'A' with the addition of trips from full site development of Tiffany Village and the proposed Townhouse development.
- The Mount Cashel Road westbound approach to New Cove Road is expected to operate with low volume / capacity ratios (maximum 0.23, Page A-4) and 95% queues of about one vehicle.
- The Mount Cashel Road eastbound approach to Torbay Road is expected to operate with acceptable volume / capacity ratios (maximum 0.43, Page A-3) and 95% queues of about two vehicles.
- Site generated trips are not expected to have any significant impact on the level of performance of the Mount Cashel Road / New Cove Road intersection or the Mount Cashel Road / Torbay Road intersection.

Summary and Conclusions -

1. Trip generation estimates for the proposed 27 unit townhouse development are estimated to include 19 vehicle trips (5 entering and 14 exiting) during an AM peak hour and 21 vehicle trips (12 entering and 9 exiting) during a PM peak hour.
2. The level of service analyses of projected 2012 volumes at two Mount Cashel Road intersections indicate the following:
 - Both the Mount Cashel Road / New Cove Road intersection and Mount Cashel Road / Torbay Road intersection are expected to operate at LOS 'A' with the addition of trips from full site development of Tiffany Village and the proposed Townhouse development.
 - The Mount Cashel Road westbound approach to New Cove Road is expected to operate will low volume / capacity ratios (maximum 0.23, Page A-4) and 95% queues of about one vehicle.
 - The Mount Cashel Road eastbound approach to Torbay Road is expected to operate will acceptable volume / capacity ratios (maximum 0.43, Page A-3) and 95% queues of about two vehicles.
3. It is concluded that the additional trips generated by the Tiffany Village Seniors Complex and proposed Townhouse developments will not have any significant impact to Study Area streets or intersections.

Recommendation -

4. Re-mark Mount Cashel Road on the westbound approach to New Cove Road to include a left and a right turn lane.

If you require additional information please contact me by Email at greg.obrien@genivar.com or telephone 902-835-9955.

Sincerely:



Greg O'Brien, P. Eng.
Manager Traffic and Transportation
GENIVAR Inc.

SCHEDULE "E" to April 29, 2014 submission to council

Nick Crosbie

From: nick crosbie <nicholascrosbie@yahoo.ca>
Sent: Tuesday, April 29, 2014 3:41 PM
To: Nick Crosbie
Subject: Fw: Fwd: 12-20 Mount Cashel Road
Attachments: 12-20 Mount Cashel Shade 2.pdf; 12-20 Mount Cashel Shade 2.pdf

On Monday, April 28, 2014 8:52:23 PM, Jessica Dellow <dellow.jessica@gmail.com> wrote:

----- Forwarded message -----

From: nick crosbie [REDACTED]
Date: 9 September 2013 15:00
Subject: 12-20 Mount Cashel Road
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>
Cc: "dokeefe@stjohns.ca" <dokeefe@stjohns.ca>, "sduff@stjohns.ca" <sduff@stjohns.ca>, "dbreen@stjohns.ca" <dbreen@stjohns.ca>, "fgalgay@stjohns.ca" <fgalgay@stjohns.ca>, "btiley@stjohns.ca" <btiley@stjohns.ca>, "dhanlon@stjohns.ca" <dhanlon@stjohns.ca>, "wcollins@stjohns.ca" <wcollins@stjohns.ca>, "gcolbert@stjohns.ca" <gcolbert@stjohns.ca>, "thann@stjohns.ca" <thann@stjohns.ca>, "shickman@stjohns.ca" <shickman@stjohns.ca>, "soleary@stjohns.ca" <soleary@stjohns.ca>, [REDACTED]
[REDACTED] >

Good afternoon,

My name is Nick Crosbie, and I live with my wife at [REDACTED] Mount Cashel Road. I am writing once again to express my concerns over the proposed development at 12-20 Mount Cashel Road.

Prior to approving the proposal that a Land Use Assessment Report should be completed and that eventually an amendment to the Municipal Plan will be required.

The proposed development would see 27 3-story houses added to a street that current has 2 3-story houses, 4 2-story houses, and the remaining 20 odd properties are all single level or split level houses. So, in one stroke, we are doubling the number of houses and all of those new houses will be among the largest on the street. Furthermore, as the City Planner indicated in correspondence we obtained through an access to information request, the townhousing of 14 units in a single block does not appear to have ever been done in St. John's. Given the foregoing, we believe that a land use assessment should be completed prior to granting approval to this application.

Attached please find two scaled drawings we've had an architect prepare to show the scale of the proposed development in context with the surrounding homes (the homes on both sides are roughly the same sized bungalows). These two drawings also fail to show the decks that the proponent has added to the most recent version of the plans (which were only publicly disclosed on Friday). These decks, which are on the second floor, would cut in half the back yard (making the boundary of the deck less than 10 feet from our house and property).

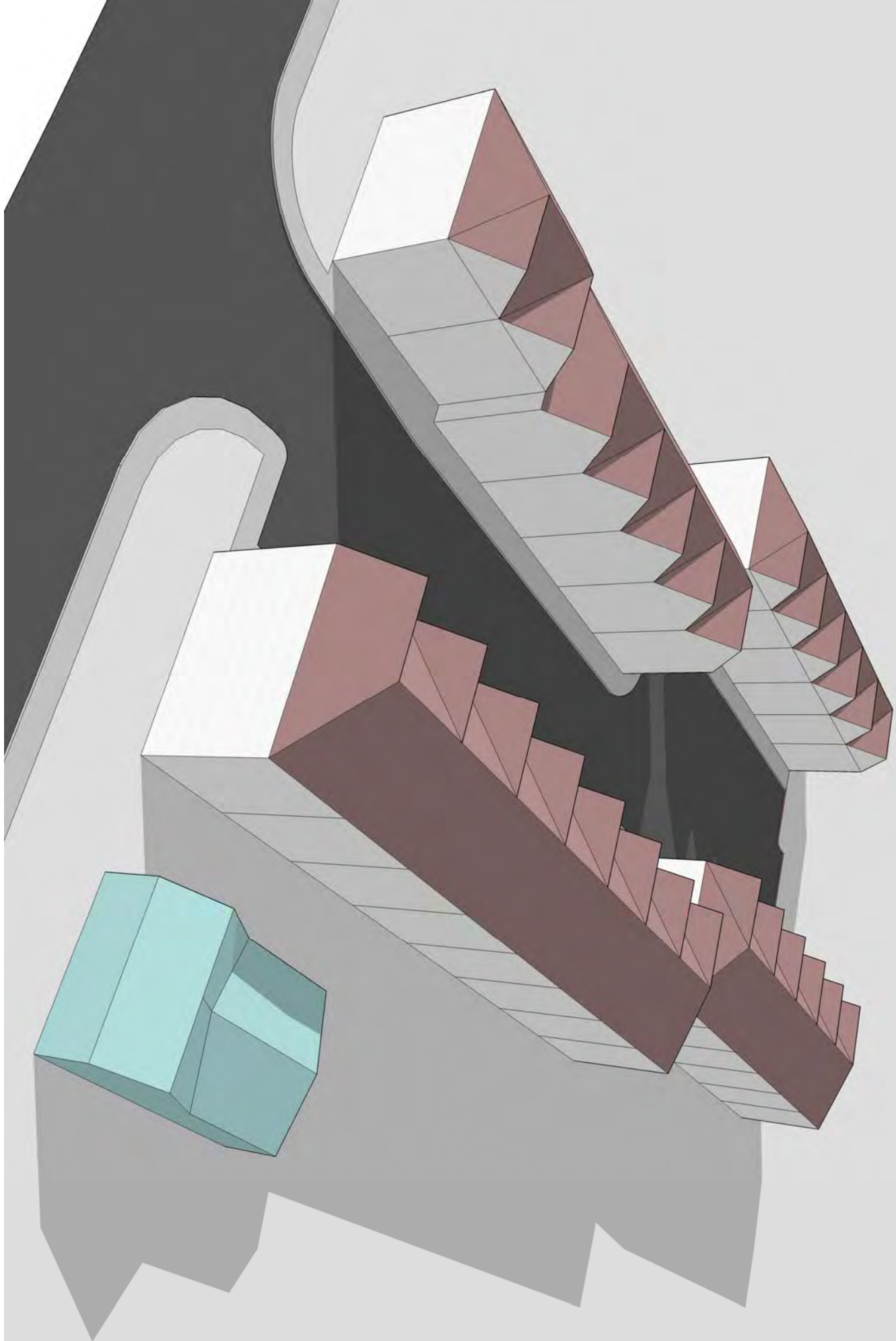
In notices prior to the August 14, 2013 public meeting and a memo dated September 4, 2013, City staff have indicated that the property is within the "low density residential" district. If that is the case, the maximum permitted density is 25 dwellings per net hectare (the proponents are proposing 51) and the maximum floor area ratio is 0.5 (the proponents are proposing 1.8 per dwelling, or 1.1 including all of the common spaces). In order to proceed with a development even remotely similar to the current proposal the Municipal Plan would need to be amended to designate the property "medium density". If it is in fact the case that the property is in the low density residential district, and an amendment to the Municipal Plan is required in order to permit the project to proceed as planned, it doesn't make sense at all to create "sight specific" zoning for the property until the amendment to the Municipal Plan proceeds (and after Council has reviewed the Commissioner's report).

We strongly believe that a Land Use Assessment Report would demonstrate that considerable changes are needed to this project before it would be considered to be in line with the current neighbourhood character.

I appologize for the lateness of this submssion, but on reading the minutes of the public meeting I had understood that a land use assessment report would be eventually prepared. I only learned this afternoon that approval of this amendment would remove this requirement.

Regards,

Nick Crosbie



SCHEDULE "F" to April 29, 2014 submission to council

T

Please file



B-17-m.s

12-20 Mount Cashel Road proposed residential development
Ken O'Brien to Dave Blackmore, Jason Sinyard

2013/07/19 08:58 AM

I have been reviewing the file to move it to a second public meeting. The initial approach was to treat this as a planned-unit-development (PUD), which is a discretionary use in the R2 Zone.

Mount Cashel Road has single detached houses in the R2 Zone (that zone does permit semi-detached houses and townhouses, though none are built here). Nearby, the Apartment Medium Density (A2) Zone is used for the development at 8-22 Tiffany Lane. There are also institutional and commercial uses at the eastern end of Mount Cashel Road and going north on Torbay Road, plus the institutional use (Salvation Army Temple and parking lot) bordering the north end of the subject property.

Following the first public meeting and some objections raised, Council directed staff to create a new zone for the subject property. This would have possibly new zone standards for development, and would be used at this site and possibly at other locations where similar projects are proposed.

Under the drawing attached, I have labelled what would be considered the side and rear yards as a PUD (one overall unit). In the R2 Zone, the side yards for townhouses do not have a minimum requirement (end units 1.2 metres and units on a flanking road 3 metres. In this case, the PUD side yards are actually rear yards, and I would want to see at least 6 metres from each unit to the property line.

The rear yard borders the Salvation Army parking lot. For a townhouse in the R2 Zone, the rear yard must be at least 6 metres. There appears to be little yard space provided in this plan, and again I would argue for at least 6 metres.

As for the number of linked units in a row, the site plan here shows 14 units linked on the east side of the site. This seems high. Along older roads like Craigmillar Avenue, 8 seems to be the highest number before there is a gap. If 14 is acceptable, so be it. I point it out because it creates an unbroken wall facing the side and rear yard of the adjoining house. Landscaping and trees may soften this.

We have a draft new zone that may accommodate this development, but before we set the zone standards, I wanted to discuss these items with the developer. We should also discuss modifying the standards that apply to PUDs in the Development Regulations.



12-20 Mount Cashel yards.pdf

Ken

.....
Ken O'Brien, MCIP -- Manager of Planning and Information






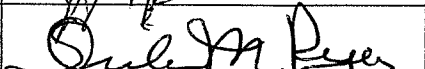
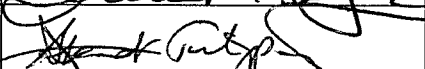
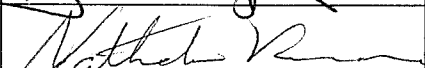
City of St. John's, Department of Planning, Development and Engineering
10 New Gower Street, 3rd floor -- Mailing address: PO Box 908, St. John's, NL, Canada A1C 5M2
Phone 709-576-6121 Fax 709-576-8625 Email kobrien@stjohns.ca

MCIP - Member of the Canadian Institute of Planners

The undersigned residents of Mount Cashel Road wish to have the speed limit on Mount Cashel Road reduced to 30km/hr.

NAME	ADDRESS	SIGNATURE
Kara Rumsey		Kara Rumsey
Linda Hibbs		Linda Hibbs
June G. LeNessum		June G. LeNessum
MYRA POWRI		Myra Powri
VINCENT McDONALD		Vincent M. McDonald
Patricia Mulrooney		P. Mulrooney
Joe Mulrooney		Joe Mulrooney
Peter Mulrooney		Peter Mulrooney
Nichola Neville		Nichola Neville
Edgar Goodaire		Edgar Goodaire
Neila Gallagher		Neila Gallagher
Wanda Chipman		W. Chipman
F. VENCZE		F. Vencze
Janice VanD Spiegel		Janice VanD Spiegel
Ruth E. Trank		Ruth E. Trank
NEIL Conarty		Neil Conarty
Lauren Power		Lauren Power
Peggy O'Brien		Peggy O'Brien
Paul O'Brien		Paul O'Brien
Erin Dawe		Erin Dawe
Ron Pell		Ron Pell
Ellen Pellerin		Ellen Pellerin

The undersigned residents of Mount Cashel Road wish to have the speed limit on Mount Cashel Road reduced to 30km/hr.

NAME	ADDRESS	SIGNATURE
GEORGE MORGAN		
R. Alex Bill		
D. Smeaton / Peter Jackson		
Sheila Ryan		
Janet Fitzgerald		
Nathalie Vanasse		
Maurice Babin		

The undersigned residents of Mount Cashel Road wish to have a NO LEFT TURN sign posted to prevent vehicles from turning left onto Torbay Road from Mount Cashel Road.

NAME	ADDRESS	SIGNATURE
Kara Rumsey		Kara Rumsey
Linda Hibbs		Linda Hibbs
June G. LeMessurier		June G. LeMessurier
MARA POWER		Mara Power
Diane McInnes		Diane M. McInnes
Patricia Mulrooney		P. Mulrooney
Joe Mulrooney		J. Mulrooney
Peter Mulrooney		P. Mulrooney
Nichola Neville		N. Neville
Edy G. Goodaire		Edy G. Goodaire
N. Gallacher		N. Gallacher
Wanda Chipman		W. Chipman
F. VERGÉ		F. Verge
Janice Van De Spiegle		Janice Van De Spiegle
Neil Conway		N. Conway
Peggy O'Brien		Peggy O'Brien
Kaul Buein		K. Buein
Erin Dant		E. Dant
Ron Pitt		R. Pitt
GEORGE MORGAN		G. Morgan
Doug Swartz		D. Swartz
Peter Jackson		P. Jackson

August 16, 2013

City of St. John's
10 Newower Street
St. John's, NL A1C5M2
Attention: City Clerk

Re: Development of lots 12-20 Mount Cashel Road - Elimination of lots 1,2,3,4 to allow for snow storage & small park

Upon review of the proposed layout for the Mount Cashel condominium development during the public meeting at City hall on Aug 14th, 2013, it was noted that no allowance has been made for snow storage. With no place for snow banks, the snow clearing contractor is left with the following two options:

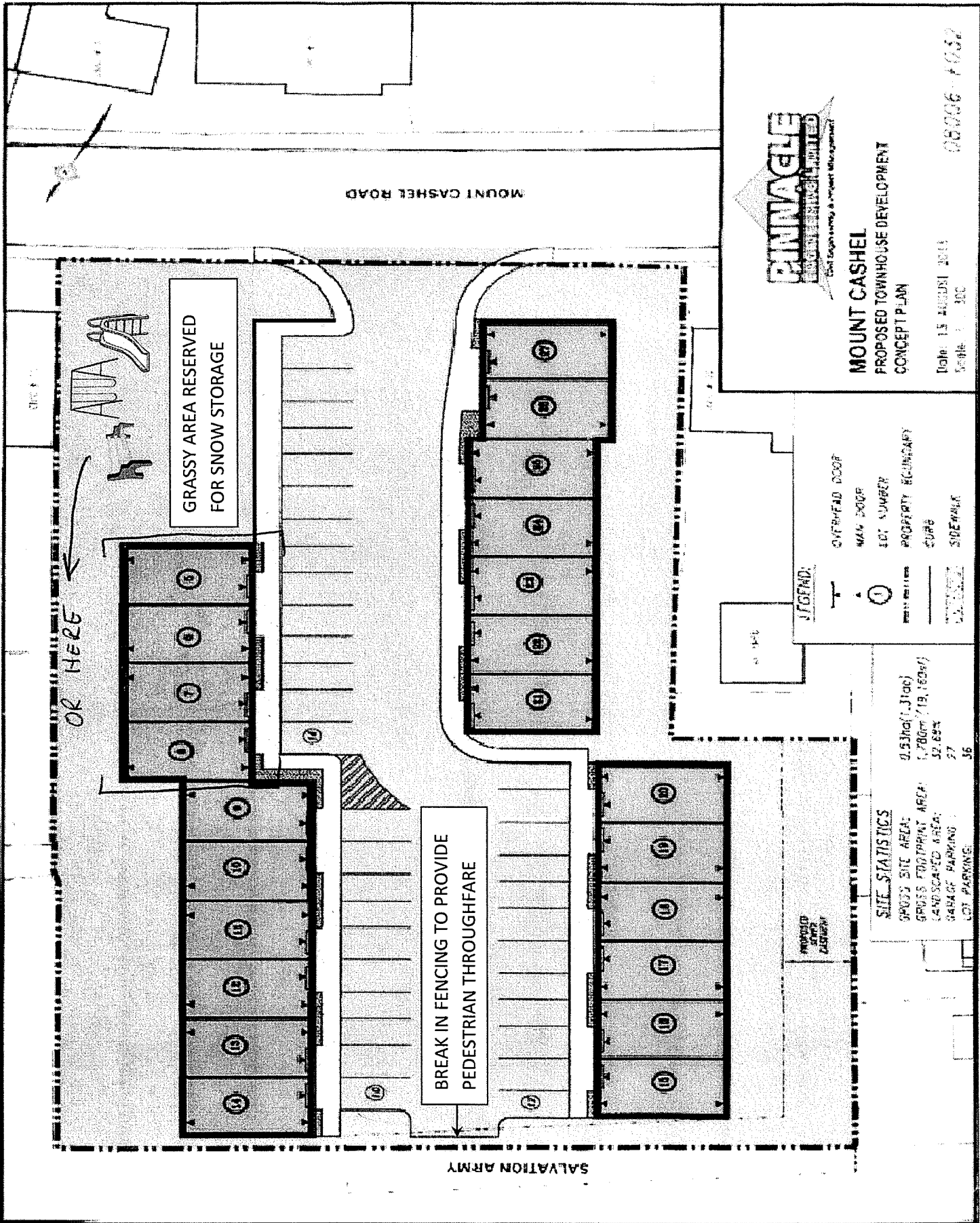
1. plow it onto mount cashel road (most likely) or
2. Truck it away (unlikely due to cost, time, and equipment required.)

The owner of #5 Mount Cashel Road is concerned that snow from the new development will be plowed onto his front lawn since it is located directly in front of the entrance to the proposed new development. The attached drawing illustrates a modification to the condominium layout to add snow storage and a small park. This modification would have several benefits listed below.

Benefits:

1. Eliminate need for new zoning designation
2. Reduces cost to city for snow clearing since condominium snow clearing contractor will have no where to put snow besides out on mount cashel road.
3. Eliminate need to truck away snow as suggested in public meeting on Wednesday Aug 14, 2013.
4. Reduce carbon footprint of condominiums by eliminating the need for backhoes and trucks to remove snow from area.
5. Create a place for children and parents to spend time
6. Help create sense of community.
7. Encourage outdoor activity among youth.
8. Green area to make up for lack of front lawns, trees and aesthetic appeal of new development.
9. Provide a play area for children who reside in condominiums with very small back yards.
10. Preserve property value and privacy of #10 Mount Cashel Road.
11. Increase appeal of condominiums and neighborhood
12. Reduce traffic in neighborhood

It should also be noted that Mount cashel road and horwood street area are without a park. All surrounding neighborhoods have their own park (Howley Estates, McLaughlin Street, Conway Glen, Macdonald Drive, etc.) In the interest of fairness, the city should consider the addition of a park to this neighborhood. There are several young families living in the area. It is unsafe to have children crossing Portugal cove road or Torbay road to access the closest parks.



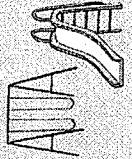
MOUNT CASHEL ROAD

SALVATION ARMY

GRASSY AREA RESERVED FOR SNOW STORAGE

BREAK IN FENCING TO PROVIDE PEDESTRIAN THROUGHFARE

OR HERE



MOUNT CASHEL
 PROPOSED TOWNHOUSE DEVELOPMENT
 CONCEPT PLAN

Date: 15 AUGUST 2011
 Scale: 1:300

08006-1052

LEGEND:

- OVERHEAD DOOR
- MAIN DOOR
- LOT NUMBER
- PROPERTY BOUNDARY
- CURB
- SIDEWALK

SITE STATISTICS

GROSS SITE AREA:	0.53ha (1.31ac)
GROSS FOOTPRINT AREA:	1,780m ² / 19,160sf
LANDSCAPED AREA:	52.65%
GAUGE PARKING:	27
LOT PARKING:	36

PROPOSED DRIVEWAY

The undersigned residents of Mount Cashel Road wish to have the proposed townhouse development amended as per the attached drawing.

NAME	ADDRESS	SIGNATURE
Jessica Dellow		JESSICA DELLOW
Kara Rumsey		Kara Rumsey
Linda Delik		Linda Delik
June G. LeMessurier		June G. LeMessurier
Myra Tower		Myra Tower
O. McDonald		O. McDonald
Patricia McLooney		P. McLooney
Joe McLooney		Joe McLooney
Peter McLooney		Peter McLooney
Nichola Neville		Nichola Neville
Edgar G. Goodaire		Edgar Goodaire
Neila Gallagher		N. Gallagher
W. Chipman		W. Chipman
F. Verve		F. Verve
Janice Van De Spiegle		Janice Van De Spiegle
Ruth E. Trank		Ruth E. Trank
K. Hollet		K. Hollet
NEIL CONWAY		Neil Conway
LAUREN POWER		Lauren Power
PAUL O'BRIEN		Paul O'Brien
Peggy O'Brien		Peggy O'Brien
Erin Dawe		Erin Dawe
Ellen Fellein		Ellen M. Fellein
Ron Pella		Ron Pella
Hyge Morgan		Hyge Morgan

Report/Recommendations
Mayor's Advisory Committee on Affordable Housing
May 29, 2014

Attendees: Victoria Belbin, Canadian Home Builders Association and Chairperson
Deputy Mayor Ron Ellsworth
Councillor Dave Lane
Glenn Furlong, Canada Mortgage & Housing
Gord Butler, Provincial Dept. of Advanced Education & Skills
Bruce Pearce, Housing & Homelessness Committee
Kathy Turner, Eastern Health
Dave Blackmore, Deputy City Manager of Planning, Development &
Engineering
Jason Sinyard, Director of Planning
Susan Bonnell, Manager of Communications
Scott Morton-Ninomiya, Affordable Housing Coordinator
Karen Chafe, Recording Secretary

1. **Affordable Housing Business Plan 2014 – 2017**
The Committee reviewed the Affordable Housing Business Plan as attached and recommends Council's approval.

2. **Draft Letter re: Urgent, Collaborative Action on Substandard Properties**
The Committee recommends that the following draft letter be sent to the Honourable Kevin O'Brien, Minister of Advanced Education & Skills and the Honourable Dan Crummell, Minister of Service NL.

Victoria Belbin
Chairperson

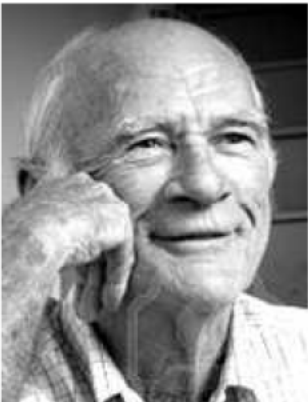
ST. JOHN'S



**CREATING
OPPORTUNITIES**



**HOUSING OUR
COMMUNITY**



Affordable Housing
BUSINESS PLAN

City of St John's
2014-2017

ST. JOHN'S

Contents

Introduction	3
The Housing Continuum: A Focus on the 'Crunch'	4
Context: Housing Market Realities in 2014	5
Context: Definition of Affordable Housing	5
Context: Demographic Realities	6
Housing Affordability = Housing Choices	7
Housing Choices = Opportunities	8
Engaging Partners to Create Opportunities	9
Implementation Strategies	11
Setting Targets	16
Evaluation and Communication	17
Appendix A: The City of St. John's Housing Charter	19
Appendix B: MACAH Membership	20
Appendix C: Income Ranges – Rationale	21
Appendix D: City Action on Housing	22

Introduction

The Affordable Housing Business Plan flows directly from the *City of St. John's Housing Charter*¹, drafted by the Mayor's Advisory Committee on Affordable Housing (MACAH)² and adopted by Council in 2011. The *Charter* states as its mission:

*"The City of St. John's will leverage its unique capacities and **build strong partnerships** to produce, protect and promote affordable housing for the people of St. John's."*

The Plan begins with a context section that situates the efforts of the Plan on the Housing Continuum. The focus is on the 'housing crunch' – faced by growing numbers of households that have incomes too high to be eligible for subsidized housing, but still struggle to afford rental and ownership options in the current housing market. The Context section also outlines **market and demographic realities** and also provides a **definition of affordable housing** in that context. There is also an outline of **the partners** who will be engaged in the implementation of this Plan: their current responses to address the shortage of affordable housing and potential new areas of collaboration.

The Housing Business Plan proposes a new approach to a complex issue, where problems are viewed as opportunities for collaborative action and investment that produces many dividends. The experience of communities across Canada shows that investment in innovative housing solutions can produce social, economic and environmental dividends such as stronger support networks, jobs in the residential construction industry and reductions in energy costs and greenhouse gases - among many others.

Implementation Strategies are identified along with an analysis of how they will be carried out as well as the financial implications.

In addition to the strategies, the *Affordable Housing Business Plan* sets out a concrete **target**: to create 500 affordable homes in the City of St. John's by 2017. This target is not one that the City can meet on its own. This is the bench mark that will guide and inspire the action of **all** the City's partners as we work together to address housing needs in our community. Finally, the Plan includes an **Evaluation and Communication** section, which outlines how progress toward the target will be monitored and regularly shared with the public.

The ultimate goal of this process is to achieve the vision outlined in the Housing Charter:

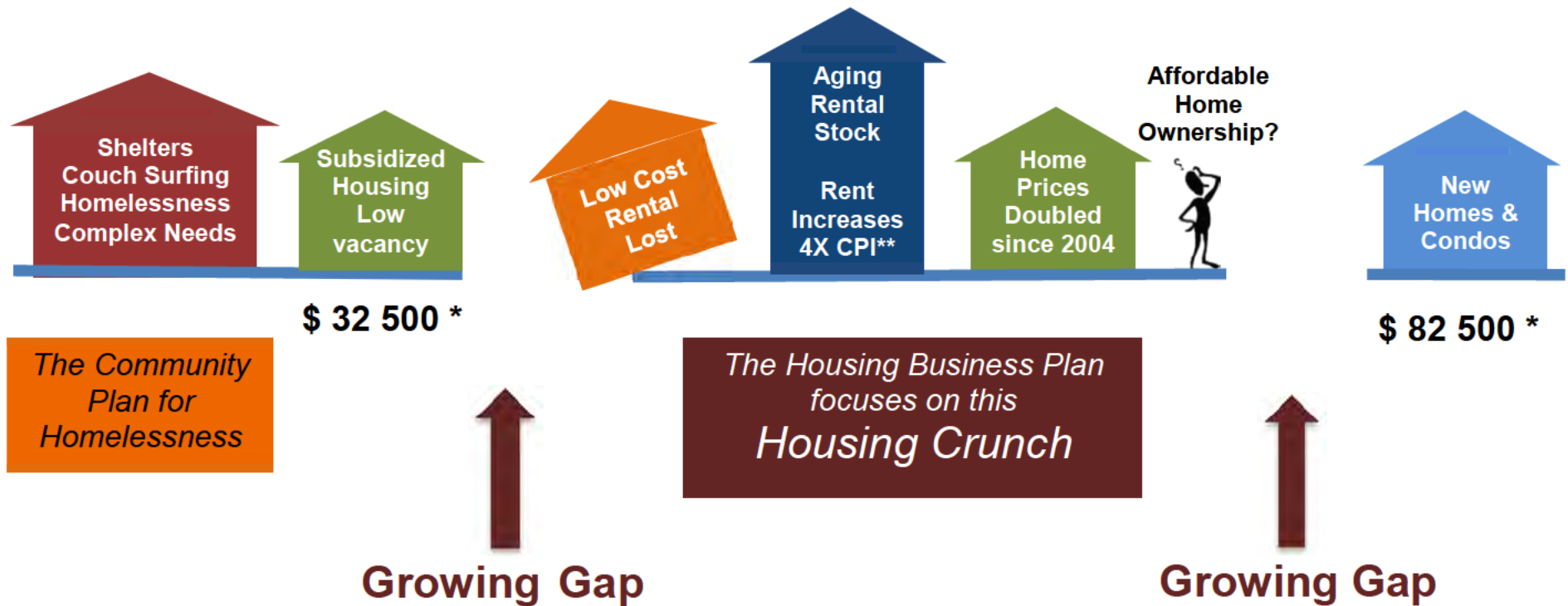
*"St. John's will be a vibrant, inclusive and thriving city with a **wide range of affordable housing options** that contribute directly to community health, sustainable growth and economic security."*

The City of St. John's looks forward to working with our partners to achieve that vision over the next four years.

¹ See appendix A for the full Charter
² See appendix B for membership of MACAH

The Housing Continuum: A Focus on the 'Crunch'

- Over 35% of local households are in this *housing crunch*
- Many work in the single biggest sector of the economy
- Ineligible for subsidy but can't afford market prices
- ***They need more housing choices***



Notes:

*With an income over **\$32 500**, a household is not eligible for social housing, but market rents are not affordable. Households with incomes under the local median of **\$82 500** cannot afford to purchase at current average house prices.

**CPI = Consumer Price Index

Context: Housing Market Realities in 2014



- Local rental vacancy rates were in the bottom five in Canada for much of 2008 -12. Availability of affordable rental is still very low.
- Increases in average market rent have outpaced inflation for several consecutive years.
- Most existing rental stock is old. Very little local rental construction occurred in the three decades before 2012.

- New home prices doubled between 2004 and 2013.
- Housing prices in St. John's rose faster than any city in Canada for much of 2008-13.
- Average MLS house listings prices have increased 54% since 2009 alone.



- Vacancy rates are low in social housing; very little turnover
- Little new stock is being constructed.
- Many households find themselves with incomes too high to qualify for social housing but too low to afford market rents.

A high percentage of local rental stock was converted to condos in the past decade.
Much new condo construction is at higher 'luxury' price points. Vacancy rates for new condos is increasing, indicating that the market is saturated.



Defining *Affordable Housing*

This document is based on the City's core belief that housing is a human right and that everyone needs and deserves a *home* that is affordable to them.

For housing to be considered **affordable**, it must cost less **than 30% of pre-tax income** including housing and related costs (mortgage or rent, along with property taxes, home energy, water and repairs). This Business Plan seeks to promote the creation of more housing choices that are affordable to a wider range of people according to the 30% criteria.

To be even more specific about affordability, the Targets section of the Plan identifies income ranges on page 16. The 500 homes produced must be affordable first and foremost to the people who are most seriously impacted by shortages of affordable housing. In addition, the homes must reflect the needs of a diverse population and be spread throughout all regions of the city.

Context: Demographic Realities

Working Families



- Working families power the local service industry which comprises 25% of the economy
- Affordable rental options are limited
- Home prices have risen out of reach for many
- Housing choices must be close to work, school

New Talent



- Employers say housing price and availability is becoming a barrier to attraction and retention of new talent
- The leap to home ownership is getting harder
- Artists and other creatives are seeking space where they can work and live

Seniors



- The fastest growing age segment of the population is 45–64: the seniors of the very near future
- Accessible and affordable housing is crucial to healthy aging in place
- Seniors have significantly lower median income
- Many live in older, inefficient housing stock with high energy costs

Students



- A huge population with shrinking rental options
- More innovative solutions like *Home Share* are needed

New Canadians



- Provincial government plans to **triple** immigration over next five years
- Attracting and retaining new comers is key to filling labour gaps
- Affordable rental and ownership options are needed

Complex Needs

- Number of people with mental health and addictions issues is rising, placing strain on social support systems
- Pioneering approaches are successfully integrating supportive housing into the community



Housing Affordability = *Housing Choices*

Different people have different housing needs based on their household size, employment, ability, health, income, stage in life, and a host of other factors. Affordable housing is about creating and promoting a **range of housing choices** as diverse as the city itself.

*"A community should not be judged on its economy alone. We need to ensure that everyone in our society has a **housing choice** so that we can build on these prosperous times. Prosperity tends to widen the gap in options available. **Our challenge is to find ways to narrow this gap.**"*

Craig Williams, Developer



Housing Choices = Opportunities

When the problem of an affordable housing shortage is viewed as an opportunity to create housing diversity it shifts perspective positively and radically. As a local home builder stated eloquently:

*"The greatest way to mobilize huge amounts of capital, resources and innovation towards affordable housing is to show industry that building affordable housing is an "opportunity" and not a "problem". Treated as an opportunity... building a continuous supply of affordable housing becomes part of the norm and **becomes part of our main business model as builders.**"*

Greg Hussey, Home Builder

Communities across Canada are already beginning to realize the practical benefits of engaging partners from all sectors to create more diverse housing choices as a part of their regular 'business'.

Collaborative investments in innovative solutions produce economic, social and environmental dividends for the entire community:

Economic Dividends

- Adequate supply of high quality and affordable housing attracts and retains young talent
- Construction and renovation create employment; and can be an opportunity to engage marginalized members of the labour force, such as youth at promise.
- Creates housing for workers in the service and hospitality industry close to their work
- Home ownership increases household equity, economic security, investment in the local economy.
- Building affordable rental housing creates local small business opportunities;
- Pilot projects provide opportunities for businesses to build capacity and skill to open new housing market niches (such as age friendly housing, energy efficient construction, affordable condos)
- Housing construction and renovation generates revenue for all levels of government

Social Dividends

- Housing is the fundamental basis from which to pursue health, employment and basic social needs.
- Accessible, age friendly housing promotes healthy aging in place, which is not only more desirable for most households but also more cost effective for society.
- Evidence from several national studies shows that proactive investment in housing solutions is far more cost effective than reactive, emergency responses for people experiencing housing crisis.

Environmental Dividends

- Higher density housing promotes affordability and makes more efficient use of land: that reduces the community's ecological footprint and prevents costly urban sprawl.
- Increasing energy efficiency in homes produces very significant and highly cost effective reductions in a community's greenhouse gas emissions.
- Remediation of brownfield³ sites as housing makes a community more beautiful and liveable in addition to cleaning up contamination.

³ A former industrial or commercial site where future use is affected by real or perceived environmental contamination.

Engaging Partners to Create Opportunities

Partnerships are essential to the success of this Business Plan and collaborative investment in housing solutions is the only way to realize the full potential of the economic, social and environmental dividends. This is a summary of the partners that must be engaged in this Plan, including their current activity related to affordable housing and potential new areas of collaboration. The St. John's **Mayor's Advisory Committee on Affordable Housing** (MACAH) is a hub of leadership and partnership for the City's housing initiatives, and includes representation from most of the stakeholders in this section.

Federal Partners

The Government of Canada, through **Canada Mortgage and Housing Corporation (CMHC)**, works with its provincial and territorial partners to reduce the number of Canadians in need by improving access to affordable, sound and suitable housing. CMHC has partnered with the City of St. John's by sponsoring the City's annual Housing Forum, typically held on National Housing Day on November 22. CMHC's Corporate Representative for NL is an active member of the City's MACAH as well as several subcommittees. More recently, the City has explored CMHC Seed Funding to resource early development work on an affordable home ownership project. CMHC Seed Funding and other grants can be very useful resources for future innovation.

Homelessness Partnering Strategy (HPS) allocates funding to address St. John's community priorities through Community Plan to Reduce Homelessness developed by the multi-stakeholder Community Advisory Board called the St. John's Advisory Committee on Homelessness. Since 2001, HPS has invested \$18 million in supportive and transitional housing, shelters and community capacity building. This funding is disbursed annually by means of a request for proposals and helps to fund both shelter construction and community capacity building initiatives. In 2013 the City became the Community Entity which administers HPS funding, and the 2014-19 renewal of HPS funding by the federal government bodes well for continuing collaboration.

Canada Lands transferred 2 acres of land for the City's 46 unit Pleasantville housing initiative in 2010 through the HPS [Surplus Federal Real Property for Homelessness Initiative](#). This Initiative and the partnership hold promise for future housing projects as well.

Provincial Partners

NL Housing owns and operates over 2800 units of affordable housing in the City, and provides a substantial annual operating grant to support the City's 426 Non-Profit Housing units. NL Housing is also the lead agency for the implementation of Secure Foundations housing action plan of Provincial Government and the administrator of the jointly funded Affordable Housing Initiative grants which are disbursed to non-profit and private sector proponents via regular requests for proposals. NL Housing is on the leading edge of social media engagement on housing issues, making them a very valuable partner and mentor for future communications projects.

Advanced Education and Skills delivers income and employment supports and also oversees the poverty reduction and immigration strategies for the provincial government. Both of these partners are members of the Mayor’s Advisory Committee on Affordable Housing.

Private Sector Partners

[Canadian Home Builders Association- NL](#) is the voice of the province’s residential construction industry. Membership includes new home builders, renovators, developers, trade contractors, manufacturers, suppliers, lenders, and other professionals – the companies and people who provide Newfoundlanders and Labradoreans with quality housing. Through the voluntary efforts of its members, the CHBA-NL serves both consumers and producers of housing by promoting quality, affordability, and choice in housing for all. CHBA-NL members contribute real solutions and make positive changes that promote and protect the interests of the industry and consumers by working with municipal, provincial, and federal governments in the areas of significant importance - labour market needs, government-imposed costs, the underground economy, and housing affordability.

Community Sector Partners

St. John’s Community Advisory Committee on Homelessness is community led and comprises over 30 organizations providing both strategic leadership and front line services to address homelessness in the St. John’s region (including the **NL Housing and Homelessness Network** – another valuable partner working at the province-wide level). The Committee’s Community Development Worker is now on contract through the City as the Community Entity that administers the federal HPS funding that funds the position. Several members of the Committee serve on MACAH.

Another important community partner on MACAH is the **Canadian Federation of Students – NL** which is active in collaborative initiatives like Home Share NL. The community housing sector in St. John’s has gained a national reputation for its high level of organization, collaboration and creativity and the potential for future partnership is formidable.

Faith Communities have become engaged in addressing housing issues through initiating housing projects, spearheading policy advocacy and providing services to people in housing crisis. Faith communities have made very significant contributions already, and there is certainly more potential.

Resident Partners

Residents in the community also represent interesting potential for collaboration. St. John’s is home to several grassroots organizations that promote citizen participation in the development of solutions to local issues. There are also several active neighbourhood associations that can be engaged to promote inclusive and affordable local housing solutions. Even at the household level, homeowners who choose to take part in Home Share programs, energy retrofits, or secondary suite renovations (among other practical solutions) make an important and tangible contribution to expanding housing choices. The potential for citizen engagement via social media is also an area that requires intentional exploration.

Implementation Strategies

Increase Engagement

Action	Implementation	Financial Implications
<p>Convene a Partnership Forum Bring diverse stakeholders together to publicly sign on to the Business Plan targets.</p>	<p>This event will be a half day forum in fall 2014. The main stakeholders identified in the Plan will be invited to discuss of how each of them can help to achieve the Plan’s targets.</p>	<p>Event can be held in Foran room for very little cost.</p>
<p>Craft a Social Media Campaign Design a campaign that engages the public to generate and take part in practical, local housing solutions.</p>	<p>Communications staff and all MACAH members will be engaged to help craft this strategy. Community input will also be sought early in the design process. This City has a wealth of internal expertise to draw upon.</p>	<p>This campaign can be planned and implemented by staff with stakeholder input and engagement with little to no cost.</p>
<p>Cultivate a Base of Landlords willing to rent to those seeking affordable housing (including those who may require supports) based on models like Calgary’s Community Partnership Housing Program.</p>	<p>A workshop has been planned with Boulder County Housing, recognized as a municipal best practice on landlord engagement. This workshop will inform the next steps in development of this strategy.</p>	<p>The workshop will be held via teleconference. Long distance phone charges will be absorbed by the City.</p>
<p>Engage multiple stakeholders in the creation of new policy and program models to address under-reporting of property standards violations in rental housing.</p>	<p>The Rental Housing Action Team of MACAH is working on several initiatives: revision and dissemination of a handbook on property standards protocols; a landlord engagement strategy (above); review of rental licensing models in other jurisdictions.</p>	<p>Costs will be minimal: printing handbooks internally, teleconference calls with other jurisdictions on rental licensing and other best practices.</p>

Inform Action

Action	Implementation	Financial Implications
<p>Conduct a Seniors Housing Market Survey Design and implement a comprehensive survey of seniors housing needs and emerging market opportunities. Publish findings widely.</p>	<p>An RFP has already been published to secure a consultant to do the research.</p>	<p>\$25 000 has already been secured to fund this research project from City Council and Provincial Office for Aging and Seniors.</p>
<p>Convene an Innovative Housing Workshop Invite local and national experts to share practical and innovative housing designs that meet emerging market needs</p>	<p>A workshop series on innovative housing options will be created with CHBA-NL and Harris Centre. Workshops on different topics will then be rolled out over a number of months on diverse housing forms to meet local needs.</p>	<p>Workshops will involve minimal costs and can be hosted in the Foran Room or other free venues.</p>
<p>Align the City and NL Housing Waiting Lists into a single list; and work with the province to Create a City Wide Housing Registry based on models like London and Waterloo Region</p>	<p>Terms of reference are being drafted for a feasibility study for a local housing registry.</p>	<p>Funding is required for the feasibility study – several external sources are being considered. Council may decide to contribute toward the completion of the study (\$10 -20 000).</p>

Revitalize Policy

Action	Implementation	Financial Implications
<p>Adopt Alternative Development Standards Complement the new Municipal Plan with comprehensive and flexible regulations that enable and encourage housing innovation.</p>	<p>A small housing team can work with the staff and/or consultants who craft the new Municipal Plan regulations.</p>	<p>No additional costs will be incurred. The regulations must be rewritten – this effort will inform that ongoing process.</p>

Unlock Resources

Action	Implementation	Financial Implications
<p>Create an Inventory of Land for Potential Redevelopment as Housing Identify opportunities where underutilized land can be used for housing and approach the owners about creative possibilities.</p>	<p>A staff team has already compiled an inventory for Ward 2 and research has been completed on several pieces of land that have potential. Next a strategy will be developed to approach the land owners to discuss potential redevelopment opportunities. Once this process is complete in Ward 2, lessons learned can be applied to complete an inventory in other wards.</p>	<p>Initial phase of inventory in Ward 2 has been completed by staff at no additional cost to City. Additional wards will be completed in the same manner. The Housing Catalyst Fund described below may be a source of funds to get redevelopment projects started.</p>
<p>Establish a Housing Catalyst Fund With the City providing the initial investment and inviting partners to help it grow, this fund can leverage significant resources for innovative housing solutions.</p>	<p>A small team of staff and some external stakeholders can be assembled to research best practices and develop a concept paper for Council review.</p>	<p>The team can develop a proposal for the fund, including where the funds will come from and how they will be used. The proposal will determine the annual amount to be invested in the fund. It is recommended that other partners (government and private sector) also be engaged to contribute to the fund to increase its leveraging power.</p>

Lead Innovation

Action	Implementation	Financial Implications
<p>Encourage Energy Retrofits Bring partners together to create collaborative projects to reduce heating costs and increase housing affordability; with a view to applying lessons learned throughout the city.</p>	<p>A team of diverse stakeholders has begun practical discussions on retrofit opportunities and the role that each party can play in making them happen. In the aftermath of recent power supply issues, utilities may be more interested than ever in the energy efficiencies that scalable retrofits can produce.</p>	<p>The City will not be playing a capital role in retrofit projects. Our role is as a convenor and catalyst, bringing partners together to discuss innovative options. Minimal costs for hosting events or teleconference workshops may be incurred.</p>

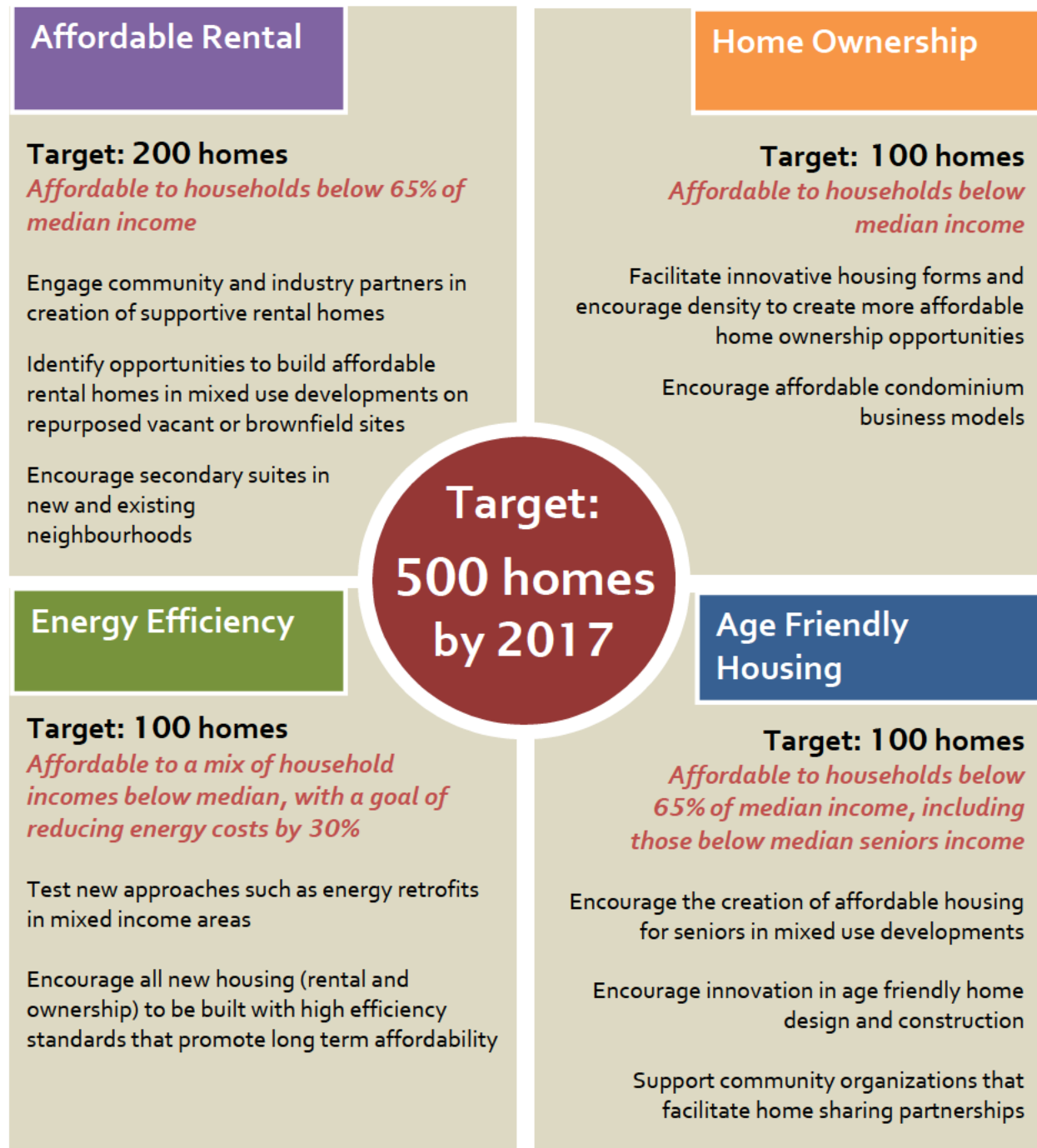
<p><i>Facilitate an Affordable Home Ownership Pilot Project</i> A project that uses City land and private sector innovation to create medium density home ownership possibilities.</p>	<p>An RFP process is already underway to select a proponent to develop the attainable subdivision on City owned land in Shea Heights. This project will be a testing ground for innovative affordable home ownership approaches.</p>	<p>Overall costs for this project will be minimal for the City, since the subdivision will be created by a private sector proponent (selected in RFP process). CMHC has already agreed to provide \$10 000 in seed funding to the winning proponent to help them develop their winning proposal further before development begins.</p>
<p><i>Facilitate a Housing Design Competition</i> An open competition with awards for designs that incorporate affordability as well as other important features to meet the needs of our changing population.</p>	<p>A concept paper is currently being drafted for Council review. This paper grew out of discussion at the 'Make Room in the Boom' Housing Forum in November 2013.</p>	<p>The concept paper will include a budget: items include prize money, a small budget to publicize the competition and a small amount to help the winning proponents translate their winning ideas into housing. CMHC will also be approached to provide seed funding to winning proponents for this purpose.</p>
<p><i>Promote Mixed Use Development</i> Identify an opportunity to incorporate affordable housing into a commercial construction project (e.g. hotel, mall, office) and work with developers to facilitate it.</p>	<p>The City can develop an RFP process to engage private sector interest in mixed-use projects that include housing. This could also fit into the land inventory project, or be a stand-alone initiative.</p>	<p>This project requires further research and development to determine the budget, but it will follow the same theme as other projects in this Plan. The City will be a catalyst, engaging other partners to help fund this pilot project.</p>
<p><i>Promote an Affordable Condominium Pilot Project</i> Invite an experienced non-profit developer like Creating Homes to build an affordable condo project and grow local capacity to build more.</p>	<p>This initiative may fit into the Shea Heights project or the land inventory project. If not, it could be developed as a stand-alone RFP if land can be identified.</p>	<p>The City will play a catalyst role here as well: not building a condominium project but rather creating the conditions and engaging the partners to help it happen.</p>
<p><i>Facilitate a Housing First pilot initiative</i> Earmark some City-owned housing (as it becomes available) to help people most in need to get out of the cycle of homelessness.</p>	<p>The City will work with the St. John's Community Advisory Committee on Homelessness as they develop and implement their 2014- 2019 Community Plan to identify how this project could work.</p>	<p>This will not involve the creation of new housing but rather potential re-purposing of existing City resources. Costs will be minimal, but cannot be exactly determined until the details of this project are worked out in conjunction with End Homelessness St. John's.</p>

Build Capacity

Action	Implementation	Financial Implications
<p>Create a St. John's Housing Initiatives Partnership (SJHIP) A non-profit, independent entity that provides capacity and expertise to affordable housing initiatives – modeled after SHIP Saskatoon.</p>	<p>The first step is to create a small working group to guide the development of this initiative. Several other cities including Saskatoon and Calgary have created similar organizations. The development of a proposed model will begin with a teleconference with cities that have been identified as best practices.</p> <p>The vision is to create a diverse board of directors that brings organizations together to form collaborations to do what no one organization can accomplish alone.</p> <p>SJHIP would play a role of facilitator – helping identify opportunities and the potential for collaboration to create projects with better outcomes in terms of design, affordability, and distribution across the city. SJHIP would also be a capacity builder and technical assistance provider; a one-stop-shop for affordable housing project development.</p>	<p>Cost depends on the model chosen: this requires more research. A concept paper with proposed budget will be presented to Council for consideration.</p>

Targets: Concrete, Collaborative Goals

Setting a concrete target to meet together inspires collaborative action and provides a benchmark to evaluate progress. The overall target of 500 homes by 2017 is broken down into four priority areas. Each priority area also includes an income range to ensure that the housing is truly affordable to those who are most seriously impacted by shortages of affordable housing.



See Appendix C for more on the income ranges.

Evaluation and Communication

“We strongly believe that housing stability for our residents is fundamental to our prosperity and vibrancy as a city.”

Mayor Dennis O’Keefe

Progress toward the target of 500 homes will be consistently monitored and reported throughout the four years. The City’s existing regulation regime already ensures that City staff is aware of all new residential construction and significant renovation projects undertaken in the city. Evaluating progress toward the Business Plan target will therefore involve careful monitoring of those projects to ensure that they include affordable options in the four categories outlined on page 16. The Affordable Housing Coordinator will help to create a simple monitoring process and provide support as required to staff in departments that review, approve, inspect and collect data on housing projects on a daily basis.

Based on all available data collected by various City departments, as well as input from the key partners outlined above, the Affordable Housing Coordinator will compile an annual report including:

- A comprehensive account of affordable housing built or renovated in the city during that year that meets the target criteria
- An account of housing that overlaps various target categories. For example, an affordable owner-occupied home might also include secondary suites that contribute to affordable rental targets. In addition, if the whole structure is built to a high energy efficiency standard, or using age friendly standards, it could count toward those categories as well.
- An initial analysis of successes and areas for improvement.
- A progress update on *Implementation Strategies* initiated or completed (pages 11-15).
- An initial analysis of emerging needs and trends in the housing market.

This report will be submitted to the Mayor’s Advisory Committee on Affordable Housing for review and analysis. The MACAH will also add recommendations to Council regarding:

- Required action by the partners to address any shortfalls where targets are not being met
- Required action that needs to be taken in response to emerging needs or trends

A draft of the final report will be presented to Council for consideration. After Council consideration, the report would be presented to the public at the City’s annual Housing Forum. The forum is usually held on National Housing Day on November 22 – a date that commemorates the 1998 call by the Canadian Big City Mayors Caucus (of which St. John’s is a member) for national action on housing. The annual report would then be open for feedback from stakeholders at the forum – and modifications to strategies required or even the targets themselves as necessary.

The final report would be presented to Council for formal adoption, with recommendations to be carried out over the coming year to maintain momentum toward the target of 500 homes by 2017.

From a communications standpoint, MACAH may wish to consider creating an annual communications plan with specific activities and goals to ensure that the affordable housing issue maintains an appropriate level of public attention and that the stories of success and action are shared broadly. This would also provide an opportunity for further collaboration between partners -a key consideration in the Housing Business Plan – and would also provide an opportunity to coordinate messaging on housing issues with other stakeholder groups. The communications plan can also help to ensure that the following objectives are met and that the key messages below are integrated into all communications:

Communications Objectives

- To increase and to improve access to information about affordable housing for the public
- To share the stories of what the City is doing to address affordable housing in multiple formats (traditional media, social media, print, dialogue, presentation, etc.)
- To coordinate messages about housing with key stakeholder groups
- To report action and progress towards the goals identified in the Affordable Housing Business Plan
- To utilize existing platforms for communications, where possible, and to devise new methods for communications and engagement that advance the City’s goals on affordable housing
- To facilitate open, two-way communications between stakeholder groups
- To seek opportunities to engage those in need of affordable housing options in the planning, design, development and evaluation stages of initiatives taken up by the City

Key Messages

- Affordable housing is a critical issue for the City of St. John’s.
- We want St. John’s to be a vibrant, inclusive and thriving city with a wide range of affordable housing options that contribute directly to community health, sustainable growth and economic security.
- The affordable housing issue is not unique to St. John’s.
- The City is learning from the experiences in other jurisdictions and applying best practices to St. John’s.
- The City cannot tackle the issue of affordable housing alone; addressing this issue will require a collective effort from all levels of government as well as from private and community partners.
- The City is investing its financial and human resources, as well as its physical resources (in the way of land) to improve access to affordable housing.
- The Affordable Housing Business Plan sets a concrete target - 500 new, affordable homes by 2017 – to be achieved in collaboration with private developers and government partnerships.
- Affordable housing is not low-income housing.
- To be considered “affordable” housing must cost less than 30 per cent of pre-tax household income. The city’s efforts on affordability are focused particularly on ensuring that people with incomes below median have access to affordable housing choices.

Evaluation

The City of St. John’s will utilize formal and informal mechanisms to measure success on individual strategies arising from this umbrella strategy; including comprehensive media monitoring and analysis for key messages and changes in public opinion, social media monitoring; surveys and questionnaires pre- and post – initiatives; and regular evaluation of success towards objectives for MACAH.

Appendix A: City of St. John's Housing Charter

Mission

The City of St. John's will leverage its unique capacities and build strong partnerships to *produce, protect and promote affordable housing* for the people of St. John's.

Vision

St. John's will be a vibrant, inclusive and thriving city with a wide range of affordable housing options that contribute directly to community health, sustainable growth and economic security.

Housing is Fundamental

Affordable Housing is:

- a foundation for a safe, prosperous and healthy community;
- a vital part of the infrastructure of our City;
- a human right enshrined in the Universal Declaration of Human Rights;
- a key pathway out of poverty;
- a sound public investment that contributes to resident well-being and the economy.

Values

The City's efforts to produce, protect and promote affordable housing will reflect the following values:

Collaboration

We will engage many partners in our work, focusing on the particular strengths of each partner.

Sustainability

We will produce and promote affordable housing solutions that incorporate both economic and ecological sustainability out of respect for future generations who inherit these solutions.

Accountability

We will set challenging, achievable goals and report regularly and publicly on our progress.

Ingenuity

We will build innovative solutions based on successful leading edge approaches that are carefully and creatively adapted to current and local realities.

Congruency

We will review relevant City decisions and policies using an *affordable housing lens* to ensure that they are congruent with our mission of production, protection and promotion.

Appendix B: MACAH Membership

The Mayor's Advisory Council on Affordable Housing (MACAH) was formed in 2009 by City Council to be a hub of leadership and partnership on housing issues in the City of St. John's. The Committee meets approximately six times per year and reports directly to Council. Membership is outlined below:

City of St. John's Representation

- Two City Council Members
- Representative from Mayor's Advisory Committee on Seniors
- City Staff from Planning Engineering and Development, Community Services and Corporate Services Departments

Government Representation

- Canada Mortgage and Housing Corporation (Canada)
- NL Housing (NL)
- Advanced Education and Skills (NL)
- Human Resources, Labour and Employment
- Eastern Health

Private Sector Representation

- Canadian Home Builders Association – NL

Community Sector Representation

- St. John's Community Advisory Committee on Homelessness
- NL Housing and Homelessness Network
- Stella's Circle
- Choices for Youth
- Canadian Federation of Students

Appendix C: Income Ranges - Rationale

The income ranges outlined in the Target section on page 16 provide a real world and locally relevant guideline for the concept of 'affordable housing'. The Business Plan's overall objective is to create housing that is affordable to households with **incomes below median** (about \$76 500 in 2013). Further detail for each category is outlined below:

Rental Housing - Target: 200 homes

Affordable to households below 65% of median income

Rent increases have significantly outpaced inflation in St. John's since 2009 and consequently many households find themselves with incomes too high to qualify for subsidized housing but too low to afford market rents. Average rent for a two bedroom apartment is predicted to top \$850 in 2014. The Business Plan seeks to create rental housing that is affordable to households with incomes above the NL Housing income cutoff of \$32 500 and below 65% of median income (~ \$50 000). The latter figure is the minimum income at which a household can afford average 2 bedroom rent plus utilities.

Home Ownership - Target: 100 homes

Affordable to households below median income

The average house price for St. John's is predicted to rise above \$306 000 in 2014. At that price point, even a household earning median income would have to spend approximately 35% of pre-tax income to cover the mortgage, property tax and utilities. The Business Plan seeks to create ownership housing at price points that are below average to ensure they are in the affordability range (30%) for households earning median income and below.

Energy Efficiency - Target: 100 homes

Affordable to a mix of household incomes below median, with a goal of reducing energy costs by 30%

As above, the goal for energy efficiency measures is to bring the cost of housing into the affordable range for households earning below median income range. The vision for energy efficiency programs is to engage many households with a range of incomes (below median). The 30% energy cost reduction target is comparable to the outcomes from the successful local *Train for Trades* program and reflects a vision for deep retrofits that have a significant impact.

Age Friendly Housing - Target: 100 homes

Affordable to households below 65% of median income, including those below median seniors income

Seniors are the fastest growing segment of the population with a wide range of needs as their household size and income levels decrease – median income for seniors is only \$26 500. Many seniors are downsizing from single family homes in search of quality rental housing that they can afford with shrinking incomes. The Business Plan seeks to create seniors rental options at below average rent to ensure that this growing seniors housing market is well served.

Appendix D: City Action on Housing Issues

The following is a summary of action that the City has taken in recent years to address housing and homelessness issues with its many partners:

Leadership and Partnership

- The Mayor's Advisory Committee on Affordable Housing was created in 2008 including stakeholders from all levels of government as well as industry and community partners.
- An Affordable Housing Coordinator was hired in 2010.
- St. John's Council adopted an Affordable Housing Action Plan and Charter in February 2011 which outlined the City's commitment to housing as a priority issue and concrete strategies to address the shortage of affordable housing options from 2011-13.
- City Council was the first funder (and committed to two years) for the Home Share Pilot project and city staff served on advisory committee for this pioneering local initiative that creates housing partnerships between seniors and students.
- A draft of *Housing Business Plan* for 2014-2017 is coming to Council soon for review.

Building and Land Projects

- The City built 30 new units of affordable housing in Pleasantville, together with NL Housing, using land acquired through the federal government's Surplus Federal Real Property for Homelessness Initiative. Twenty four of the units created will become part of the City's Non-Profit Housing portfolio, which means that the City will now own and operate approximately 450 units of social housing. This project includes office and social enterprise space for the NL Housing and Homelessness Network. The City contributed \$500 000 toward the development of the social enterprise space.
- The City donated land to Habitat for Humanity and Saint Vincent de Paul for their affordable housing developments.
- City land in the Shea Heights area has been earmarked for development of attainable housing. An RFP has gone out to attract qualified private sector proponents to create a plan for the site. The private sector has shown great interest in this project and the RFP.
- City staff has compiled an inventory of lands in Ward Two that could be suitable for redevelopment, including affordable housing options.

Policy and Information Sharing

- City of St. John's introduced new energy efficiency standards for all new home construction which will improve long term affordability and reduce greenhouse gases.

- City staff conducted national research and convened a workshop with the local private sector to craft a comprehensive submission on housing possibilities as part of the Municipal Plan review process.
- The City hosted a workshop on rental property standards with a large and diverse representation from community and government stakeholders and has convened a working group to develop concrete solutions to promote safe and healthy rental housing.

Homelessness Responses

- The City has been an active member of the St. John's Community Advisory Committee on Homelessness (SJCACH) since its inception in 2000. This diverse group has developed several four-year community plans to address homelessness through shelter creation, awareness raising, and community capacity building.
- In 2013 the City took on the role as the Community Entity that administers the federal Homelessness Partnering Strategy funds that power the work of the SJCACH
- The City waives permit and development fees for building projects initiated by the SJCACH
- City Hall is one of the many sites where the NL Housing and Homelessness Network's annual pancake breakfast is hosted. Proceeds go to projects that address homelessness.

Housing Forums and Outcomes

2011 City Housing Forum was a catalyst for the pioneering NIMBY project spearheaded by the Canadian Home Builders Association NL. The City serves on the committee that is guiding this project which focuses on promoting inclusive communities.

2012 Seniors Housing Forum sparked great interest in the private sector and identified three strategic action priorities. Developer ND Dobbin publicly credited the Forum as the catalyst for the seniors housing projects they are currently developing throughout the city. The forum also sparked the *Seniors Housing Research project*, which has been funded by the city and several partners to identify seniors housing needs and how the market can meet them.

Canadian Housing Renewal Association Congress 2012 saw 350 delegates come to St. John's from all over Canada. The City sponsored the Congress and co-presented a workshop on collaborative partnerships for housing solutions.

2013 City Housing Forum kick-started development of five new initiatives: an affordable housing design competition; an inter-faith housing working group; an Alternative Development Standards design project; a Housing Registry research project; and a shipping container housing pilot project.

Advocacy

- The Mayor's advocacy with the province in 2010 prompted their creation of a cross-sectoral committee to produce comprehensive statistics on housing needs.
- The City worked with several partners to launch an awareness campaign on housing issues in 2011 including a community poster campaign and a YouTube video.
- The Mayor wrote several letters to provincial ministers on priority issues such as: making provincial land available for housing; strengthening the Residential Tenancies Act; and promoting housing affordability to attract and retain skilled workers and new talent.
- The Mayor wrote several letters to the Prime Minister and federal Cabinet Ministers calling for a national housing strategy, improved federal tax policy to promote affordable rental construction; and continued investment in social housing.
- The City convened a working group on affordable home ownership, engaging several government and private sector partners to devise homegrown solutions. The ideas were adopted by the province and the city looks forward to the rollout of this program.

Communications Plan: ***Affordable Housing***

Drafted March 15, 2014
Susan Bonnell, Manager Marketing and Communications

Communications Analysis

Background

Affordable housing is a critical issue for the City of St. John's.

In the last ten years, new home prices in St. John's have doubled, from \$194,958 in 2005 to \$395,608 in 2013, and average MLS house listings prices have increased 54 per cent since 2009 alone. Housing prices in St. John's rose faster than any city in Canada for much of 2008-13. The average MLS housing price more than doubled since 2005 (+113.4 per cent), and increased 12.2 per cent in 2013, to just over \$301,000, making affordable housing a challenge for this region.

To be considered "affordable" housing must cost less than 30 per cent of pre-tax household income. While unemployment has reached an historic low in St. John's (6.1 per cent) and average weekly income continues to rise (to \$949 in 2013, up 57% since 2005) 35 percent of households are in the housing crunch, between subsidized housing and new, higher-end housing and condos that would stretch homeowners beyond the affordability range.

In terms of rental properties, local rental vacancy rates were in the bottom five for municipalities in Canada for much of the last five years, and average rents continue to climb, making the availability of affordable rent very low. Increases in average market rent have outpaced inflation for several consecutive years: the average rent in 2005 was \$589 a month; by comparison, average rent in Oct 2013 was \$804 in the St. John's metropolitan area.

Furthermore, seniors are the fastest growing segment of the population, and with an average median income of \$26,500, many seniors need to downsize and a searching for quality, affordable rental housing.

In 2009, the Mayor's Advisory Council on Affordable Housing (MACAH) was created by City Council to be a hub of leadership and partnership on housing issues in the City of St. John's. The Committee includes representatives from the City, provincial and federal government, the private sector and the community sector. MACAH developed a Housing Charter in 2011 that envisions a "vibrant, inclusive and prosperous city with a wide range of affordable housing options" contributing directly to "community health, sustainable growth and economic security."

Since 2009, the City has undertaken numerous initiatives to address the issue of affordable housing.

In 2010 an Affordable Housing Coordinator was hired to undertake these initiatives and to develop a business plan for 2014-2017 on the issue, which has recently been completed and is awaiting approvals.

Identified as a major issue the *Budget 2014: Steady the Course*, the City committed:

- to working collaboratively with its partners on the affordable housing issue; to invest in supportive housing developments;
- to maintain rental rates without increase for City-owned supportive housing units;
- to make City-owned land available for development, starting with a pilot project in Shea Heights;
- to establish zoning and development policies that encourage affordable housing construction; and
- to continue to oppose federal government reduction in funding, through the Big City Mayor's Caucus and the Federation of Canadian Municipalities.

A number of building and land projects are underway, including units developed with NL Housing in Pleasantville, land transfers to Habitat for Humanity and the Saint Vincent de Paul Society, and land inventories for suitable developments in Ward Two.

The City is also recognizing the importance of energy efficiency, which will improve affordability in the long term, hosting workshops and research and developing new efficiency standards for all new home construction.

In terms of homelessness, the City is an active member of the St. John's Community Advisory Committee on Homelessness, waiving fees for their projects and administering the funds on their behalf. And the Mayor, Council and staff advocate for affordable housing through awareness campaigns, forums, media and even through fundraising, such as the annual staff pancake breakfast for homelessness.

Stakeholders

The City of St. John's has numerous stakeholders on the affordable housing issue. Utilizing the theory of situational publics (*The Role of Information in Economic Decision Making*, James Grunig), it is important for the organization to the context to which stakeholders are *aware* of the problem and the extent to which they can or will *do something* about the problem.

Key influencers on this issue include:

- Provincial and Federal Partners, including NL Housing and CMHC
- MACAH (SJCACH, CFS and Faith Communities)
- City Council
- Planning, Development and Engineering Department
- Community Services Department
- Local/ regional developers and the Canadian Home Builders Association
- Citizen/ Neighbourhood Associations and Advocacy Group.
- Homeowners/ Landlords
- Media

In terms of the average St. John's resident, it is important to raise the awareness level about (1) what affordable housing means and what the housing picture looks like in the City and (2) what the City is doing to address the issues of affordable housing.

Consultations

As the lead influencer on the affordable housing issue for the City of St. John's, MACAH may wish to consider striking a communications sub-committee to ensure that the affordable housing issue maintains an appropriate level of public attention and that the stories of success and action are shared broadly. This would also provide an opportunity for further collaboration between partners - a key consideration in the Housing Business Plan – and would also provide an opportunity to coordinate messaging on housing issues with other stakeholder groups.

Communications Objectives

- To increase and to improve access to information about affordable housing for the general public
- To share the stories of what the City is doing to address affordable housing in multiple formats (traditional media, social media, print, dialogue, presentation, etc.)
- To coordinate messages about housing with key stakeholder groups
- To report action and progress towards the goals identified in the Affordable Housing Business Plan
- To utilize existing platforms for communications, where possible, and to devise new methods for communications and engagement that advance the City's goals on affordable housing
- To facilitate open, two-way communications between stakeholder groups
- To seek opportunities to engage those in need of affordable housing options in the planning, design, development and evaluation stages of initiatives taken up by the City

Key Messages

- Affordable housing is a critical issue for the City of St. John's.
- We want St. John's to be a vibrant, inclusive and thriving city with a wide range of affordable housing options that contribute directly to community health, sustainable growth and economic security.
- The affordable housing issue is not unique to St. John's.
- The City is learning from the experiences in other jurisdictions and applying best practices to St. John's.
- The City cannot tackle the issue of affordable housing alone; addressing this issue will require a collective effort from all levels of government as well as from private and community partners.
- The City is investing its financial and human resources, as well as its physical resources (in the way of land) to improve access to affordable housing.
- The Affordable Housing Business Plan sets a concrete target - 500 new, affordable homes by 2017 – to be achieved in collaboration with private developers and government partnerships.
- Affordable housing is not low-income housing.
- To be considered "affordable" housing must cost less than 30 per cent of pre-tax household income.

Strategic Considerations

To achieve success in its affordable housing initiatives, the City must invest in long-term, sustained communications. Short-term, “one-of” communications strategies, such as those developed for program launches or building openings should reflect the long-term goals in this over-arching communications plan.

It will be important to ensure that departments with a piece of the affordable housing issue collaborate and communicate often. In addition, it will be important for MACAH and the Standing Committees to coordinate responses and to share messages.

Every member of Council has an interest in promoting the affordable housing issue. Ensuring that Councillors have the latest, most up-to-date information about initiatives and actions throughout the City and in their particular Wards will also contribute to overall success.

An important first step in the long-term strategy is to increase public awareness about what *affordable housing* means, paying particular attention to the “NIMBY” syndrome – “not in my backyard.”

Communications and Marketing Activities

Tactics

OBJECTIVES	ACTIONS
Awareness and Information	Develop a tag to be presented in banner bugs, presentation templates with all affordable-housing related initiatives, ie. <i>A Home for All; Afford-ABLE (TBD)</i>
	Messages and talking points for Councillors; MACAH
	Develop an enhanced section for the City’s website
	Create a Social Media Campaign, utilizing existing social media platforms and establishing new social media platforms for developing initiatives, such as Instagram for the Shea Heights project
Sharing the Stories	Articles in the new City Guide/ Website/ Social Media
	Event Strategy for Openings/ Sod Turnings/etc.
	Proactive media for affordable housing stories
Messaging	Fact sheets on affordable housing stats
	Coordination with partners in proactive media opportunities
Reporting	Regular reports on progress to MACAH and from MACAH to partners, including an annual printed report
Collaboration and Engagement	Continue to facilitate and / or sponsor and actively participate in housing forums and public discussions on housing

Evaluation

The City of St. John’s will utilize formal and informal mechanisms to measure success on individual strategies arising from this umbrella strategy; including comprehensive media monitoring and analysis for key messages and changes in public opinion, social media monitoring; surveys and questionnaires pre- and post – initiatives; and regular evaluation of success towards objectives for MACAH.



Memo:

The Mayor's Advisory Committee on Affordable Housing recommends that the Mayor and Council follow up on a series of correspondence that the St. John's City Council has had with the Province regarding rental property standards and collaborative efforts to ensure that all residents of our city can live in safe and healthy housing that they can afford.

The City of St. John's is a key player in that effort. With a team of experienced inspection professionals, a well-developed set of bylaws, and the power to enforce them, the City is well equipped to address complaints about property standards. However, community agencies have expressed growing concern that many tenants - especially those with low incomes and those with complex needs - are reluctant to report deficiencies, fearing they may lose their housing if they do so. The choice between inadequate housing and no housing is not one that people should be forced to make. Living in inadequate housing conditions has real health consequences and international research has demonstrated that investments in improving housing standards create 2:1 dividends in saved health care and other costs¹.

We know that the City of St. John's is committed to doing everything within its power to ensure that all citizens live in safe and healthy housing conditions. A collaborative approach that engages all levels of government, as well as tenants, landlords and housing support services is the key to success.

We ask the Mayor and Council to consider writing a letter to the appropriate Ministers the following specific policy requests of the Provincial government as part of this collaborative approach, and request a meeting with the appropriate Minister to discuss these concerns:

1. Encourage **greater collaboration on inspections and property standards enforcement** for private rental housing in St. John's, while working with landlords, tenants and public-/community-based tenant-serving agencies to ensure rental housing meets minimum standards. The Provincial government's 2014 budget speech made specific reference to the fact that "*Newfoundland and Labrador Housing Corporation conducts detailed inspections to ensure the property is suitable and acceptable*". This approach is an excellent step toward the goal of healthy and safe housing for *all tenants*, including vulnerable populations who face housing instability.

To this end, Council can recommend revisiting a 1999 intergovernmental memorandum between the City, the regional health authority, and the former Department of Human Resources, Labour & Employment which facilitated collaboration among these organizations and community-based agencies serving tenants, to gather information regarding sub-standard rental properties for the City's central registry. The City can also propose updating this memorandum in partnership with the Province, and implementation of the memorandum as part of daily operations.

2. Call on the Province to **improve tenant protection mechanisms in the Residential Tenancies Act (RTA)** so that tenants cannot be evicted for complaints, or bear costs associated with landlords addressing deficiencies identified in inspections. The fear of

¹ Housing and Health Report of UK Parliamentary Office of Science and Technology
http://www.parliament.uk/documents/post/postpn_371-housing_health_h.pdf

eviction/rent increases is a potential barrier to addressing rental property standards deficiencies. Furthermore, tenants should also be able to seek and receive rent freezes in cases where property standards bylaws are not met (i.e. no rent increases permitted until standards are met). And in cases where property deficiencies are particularly egregious, long-standing & not rectified, retroactive rent roll-backs should also be provided for through the legislation.

3. Encourage the province to **clarify the terms of the RTA to ensure protection for all people living in boarding and bed sitting situations**. The lack of clarity in the current legislation leaves people in these situations vulnerable to arbitrary evictions, reluctant to report property standards violations and in some cases at risk of homelessness. The abrupt closure of a boarding house in Goose Bay this April is a recent example of how this gap in the legislation leaves people in such housing situations vulnerable to homelessness. In order to achieve this clarity, the current review and revision of the RTA must be completed promptly and include revisions that address the above concerns.
4. Encourage the province to undertake a **collaborative research project on best practices from other jurisdictions**, including the idea of setting up a rental housing licensing system.

REPORT / RECOMMENDATIONS TO COUNCIL

Development Committee

Tuesday, June 3, 2014

The following matters were considered by the Development Committee at its meeting held on June 3, 2014. A staff report is attached for Council's information.

**Re: Department of Planning and Development File DEV1400097
Change of Non-conforming Use Application
Proposed Café / Restaurant
73 Hayward Avenue - Ward 2
Residential Downtown (RD) Zone**

Recommendation:

The Committee recommends that the application be processed as a Change of Non-conforming use in accordance with Section 7.14 (a) of the St. John's Development Regulations and be advertised in accordance with Section 5.5 of these Regulations, after which Council may wish to schedule a public meeting on the application.

Dave Blackmore
Chair, Development Committee
Department of Planning, Development and Engineering

GJD/sba

ST. JOHN'S



In the past residents in this area have complained about parking problems caused by the Georgetown Bakery, particularly on Maxse Street. A new cafe or restaurant in this area may exacerbate this issue further. In the winter time McDougall Street has a "No Parking - Snow Route" restriction on one side that will reduce on-street parking availability from December 1st to March 31st. "

Notwithstanding the review by the City's Roads and Traffic Division, the applicant has met with the Georgetown Neighbourhood Association and found the members having very positive support for the application. There may be some flexibility in accommodating the parking needs of the proposed café by allocating or utilizing four of the required parking spaces in the no permit required parking areas between 85 and 109 Hayward Avenue where some 32 parking spaces exist. The Development Committee agrees the application has merit being that this type of business does add convenience and character to these older residential neighbourhoods.

Recommendation:

The Committee recommends that the application be processed as a Change of Non-conforming use in accordance with Section 7.14 (a) of the St. John's Development Regulations and be advertised in accordance with Section 5.5 of these Regulations, after which Council may wish to schedule a public meeting on the application.

Dave Blackmore
Chair, Development Committee
Department of Planning, Development and Engineering

GJD/sba

MINUTES OF MEETING

Regional Wastewater Committee
Wednesday, May 7, 2014 at noon
Boardroom, Riverhead Wastewater Management Facility

In Attendance:

City of St. John's: Deputy Mayor Ron Ellsworth
Councillor Bernard Davis
Mr. Paul Mackey, Deputy City Manager, Public Works
Ms. Lynnann Winsor, Director – Water and Wastewater
Mr. Terry Knee, Acting Manager - Regional Wastewater System
Ms. Maureen Harvey , Senior Legislative Assistant

City of Mount Pearl: Councillor Lucy Stoyles
Councillor Dave Aker
Ms. Tina O'Dea, Manager of Engineering Services

Town of Paradise: Ms. Vanessa Barry, Manager of Engineering Services

1. ADOPTION OF THE AGENDA

The Agenda was adopted as presented

2. ADOPTION OF THE MINUTES

The Minutes of the meeting held on December 4, 2013 were adopted as presented. Moved by Councillor Aker; seconded by Councillor Davis. Motion Carried.

3. BUSINESS ARISING

a. Heat Recovery Unit

The Committee reviewed a memorandum dated May 1, 2014 from the Acting Manager – Riverhead Wastewater Treatment Facility which indicated that the HRV unit at the Southside Pumphouse has failed. To be in compliance with Occupational Health and Safety, life safety requires the replacement of the HRV unit. The unit is designed to provide 6 air changes per hour under normal operation and 12 air changes per hour when gas is detected. The estimated cost to replace this unit inclusive of engineering is \$314,160.00 plus HST.

The delivery time for a replacement unit is 16 to 20 weeks. In an effort to expedite the replacement project consultants recommended the City purchase the unit and go to tender for the removal of the old unit and installation of the new unit.

On a motion by Councillor Stoyles; seconded by Councillor Davis approval was given to proceed with the above-noted approach to purchase and replace the HRV unit at the Southside Pumphouse.

b. Digester Status

The Committee reviewed a memorandum dated May 1, 2014 from the Acting Manager – Riverhead Wastewater Treatment Facility which gave an update with respect to the digesters at the Riverhead Wastewater Treatment Facility.

It was noted that contract work by Group Lefebvre on digester 2 to replace the lining has been completed in April. The next step is to perform an inspection of the lining in digester 1. In order to inspect digester 1 sludge must be transferred from digester 1 to digester 2. The estimated completion is the end of June 2014.

Discussion took place with respect to the potential for odour emission during the transfer of sludge. It was reported that because the sludge is no longer sour at the time of transfer, the odour should not be any greater than that during a centrifuge. The Committee agreed that unless complaints are received about an issue of odour, there is no need to put out a public advisory of potential odour.

c. Wastewater Systems Effluent Regulations Update

The Committee discussed a memorandum dated May 1, 2014 from the Acting Manager of the Riverhead Wastewater Treatment Facility which was an update on the Federal Wastewater Systems Effluent Regulations (WSER) and effluent sampling and reporting in the 1st Quarter of 2014.

It noted that, as has been previously discussed, the total risk ranking for the Riverhead facility depends on factors including volume of effluent, quality of effluent, and location of discharge. There are points allocated to each factor and the point total determines the level of risk for the facility. Facilities with 70 or more total points are high risk and require secondary treatment by January 1, 2020. Facilities with 50 to 69 points are medium risk and require such treatment by January 1, 2030. Lower risk facilities require treatment by January 1, 2040.

The Riverhead Facility recently completed the 1st Quarter Report to Environment Canada and the results are as follows:

Parameter	2013 Total Average Risk Factor Points	2014 First Quarter (Q1) Risk Factor Points
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Flow > 50,000 m ³ /day	35	35
Point of Discharge: Marine Port	10	10
Effluent Quality: (CBOD ₅ +TSS)/5	29.2	34
TOTAL	74.2	79

The Riverhead Facility is categorized as a high risk facility at this time. Sampling and reporting will continue throughout 2014 as baseline risk assessment data is being compiled. Updates will be provided at each Committee meeting.

While staff had hoped for a risk factor point below 70, that target is unlikely. The Committee suggested a survey across Canada to see how we measure up, however, it was reported that most coastal communities would not have the desired numbers. It was noted that the Provincial Department of Environment has not yet signed off on this regulation, as it recognizes that most communities in the Province are non-compliant.

The Committee concurred with the staff recommendation that the stats be submitted to Environment Canada and further, that discussions be held with Halifax Regional Municipality in the fall to compare statistics.

d. SCADA Update

A memorandum dated May 1, 2014 from the Acting Manager of the Riverhead Wastewater Treatment Facility which informed the Committee that the SCADA system currently used at Riverhead, iFix version 4.7 has not been functioning properly. Problems with the communication between servers have occurred causing a very high number of alarm calls to staff, resulting in additional overtime costs.

The existing SCADA operating system computers currently run on Windows XP which is no longer supported by Microsoft.

Updating the software will eliminate the issues of nuisance alarms and ensure the system has the proper support from Microsoft. Estimated cost \$75,000.00

Recommendation

On a motion by Councillor Davis; seconded by Councillor Aker it was agreed to proceed with the purchase of upgrades to the SCADA system at an estimated cost of \$75,000.

e. Sewer Use By-Law

In a memorandum dated May 1, 2014 from the Acting Manager – Riverhead Wastewater Treatment Facility, the Committee was provided information with respect to the development of a Sewer Use By-Law.

It was noted that a meeting between City Management Staff and Senior Legal Council was held April 10, 2014 to discuss the best approach forward with implementation of the Sewer Use By-Law.

It was decided to take a graduated approach with development of two initial by-laws with the intent of expanding these by-laws or implementation of additional by-laws at a later date. The first initial by-law would address reporting and the second would address sampling requirements.

Requirements from the overall Sewer Use By-Law that would be applicable for these stages are under review. Reporting form templates and a draft of the statutes are to be developed and will be submitted to the Legal Department for review.

The Committee recognized that the implementation of this by-law will likely involve a long transition period. It was also acknowledged that once the City of St. John's finalizes this by-law, (estimated to be completed in the fall of 2014) other member municipalities should follow suit to ensure legislation, enforcement and compliance is consistent throughout the region.

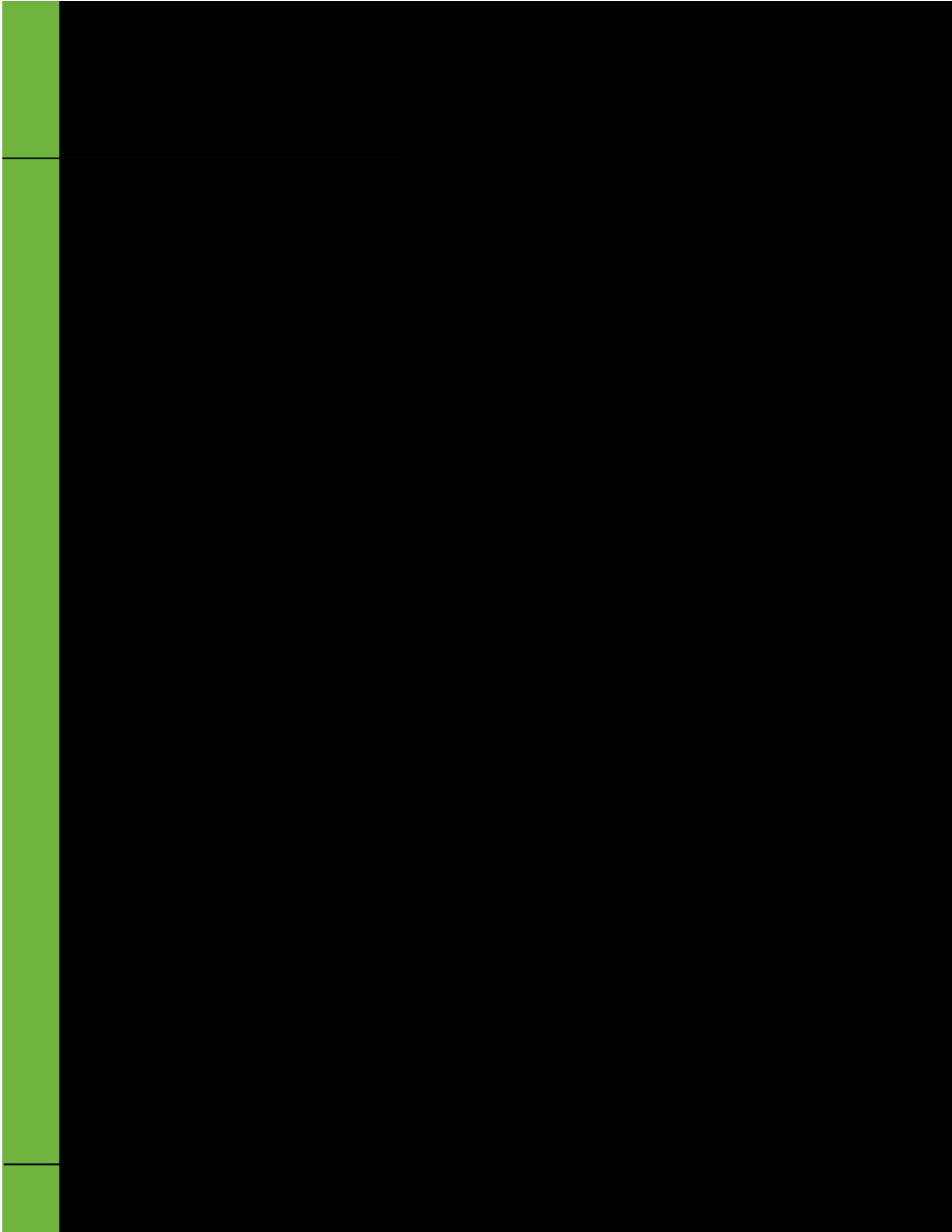
4. ADJOURNMENT

There being no further business, the meeting adjourned at 12:40 pm.

5. DATE OF NEXT MEETING

No date was set.

Ron Ellsworth
Deputy Mayor – City of St. John's
Chairperson



**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF May 29, 2014 TO June 4, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office-Home Inspections	60 Perlin Street	5	Approved	14-05-29
RES		Home Office-Elevator Contractor	17A Bell's Turn	4	Approved	14-06-03
RES		Home Office- Drafting Services	231 Pennywell Road	2	Approved	14-06-04
RES		Home Office- Electrical Contractor	83 Criagmillar Avenue	2	Approved	14-06-04
COM	WD Partners	Drive Thru Menu Board	25 Aberdeen Avenue	1	Approved	14-06-04

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

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

**Gerard Doran
Development Officer
Department of Planning**

Building Permits List

Council's June 9, 2014 Regular Meeting

Permits Issued: 2014/05/29 To 2014/06/04

Class: Commercial

14 George St, Greensleves	Rn	Tavern
70 Clinch Cres., Autism	Nc	Patio Deck
570 Water St	Rn	Retail Store
484 Water St	Rn	Mixed Use
70 Clinch Cres. Autism	Nc	Patio Deck
368 Paddy's Pond Rd	Nc	Transportation Depot
70 Clinch Cres	Rn	Office
Southlands Cemetary	Nc	Accessory Building
215 Water St	Rn	Office

This Week \$ 426,000.00

Class: Industrial

564 Foxtrap Access Rd	Sw	Light Industrial Use
1205 Foxtrap Access Rd	Sw	Light Industrial Use

This Week \$.00

Class: Government/Institutional

90 Freshwater Rd	Rn	Personal Care Home
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This Week \$ 5,000.00

Class: Residential

38 Outer Battery Rd	Nc	Accessory Building
140 Blackmarsh Rd	Nc	Accessory Building
69 Brookfield Rd	Nc	Fence
7 Capulet St, Lot 214	Nc	Single Detached Dwelling
22 Cappahayden St	Nc	Accessory Building
1 Biscay Pl - Lot 24	Nc	Single Detached & Sub.Apt
21 Chalker Pl	Nc	Fence
41 Charlton St	Nc	Townhousing
55 Cherrington St	Nc	Fence
25 Cook St	Nc	Fence
22 Cormack St	Nc	Fence
22 Cornwall Hts	Nc	Fence
47 Cottonwood Cres	Nc	Swimming Pool
42 Cypress St, Lot 159	Nc	Single Detached Dwelling
34 Dunkerry Cres	Nc	Accessory Building
104 Forest Rd	Nc	Fence
41 Glenlonan St	Nc	Accessory Building
41 Glenlonan St	Nc	Fence
103 Great Eastern Ave	Nc	Fence
9 Guernsey Pl., Lot 29 Base B	Nc	Condominium
78 Guzzwell Dr	Nc	Fence
42 Hayward Ave	Nc	Patio Deck
70 Hennessey's Line	Nc	Single Detached Dwelling
70 Hennessey's Line	Nc	Accessory Building

54 Hyde Park Dr	Nc	Fence
1 Ironwood Pl	Nc	Accessory Building
15 Julieann Pl	Nc	Fence
53 Kenai Cres	Nc	Fence
130 Ladysmith Dr, Lot 195	Nc	Single Detached Dwelling
97 Ladysmith Dr	Nc	Accessory Building
125 Ladysmith Dr	Nc	Accessory Building
223 Ladysmith Dr., Lot 595	Nc	Single Detached & Sub.Apt
4 Legacy Pl Lot 27	Nc	Single Detached Dwelling
5 Lismore Pl	Nc	Accessory Building
4 Mcneil St	Nc	Patio Deck
9 Melrose Pl	Nc	Patio Deck
9 Neville Pl	Nc	Accessory Building
112 Old Pennywell Rd	Nc	Fence
114 Old Petty Harbour Rd	Nc	Accessory Building
73 Parkhill St	Nc	Fence
178 Pennywell Rd	Nc	Patio Deck
382 Airport Heights Dr	Nc	Single Detached & Sub.Apt
18 Rhodora St	Nc	Accessory Building
4 St. Laurent St	Nc	Fence
66 Stamp's Lane	Nc	Accessory Building
37-45 Thistle Pl	Nc	Accessory Building
15 Westmount Pl, Lot 1	Nc	Single Detached Dwelling
24 Willenhall Pl Lot #32	Nc	Single Detached Dwelling
29 Wishingwell Rd	Nc	Accessory Building
20 Connors Ave	Co	Office
47 Long Beach St	Cr	Single Detached Dwelling
111 Blue Puttee Dr	Ex	Patio Deck
207 Brookfield Rd	Ex	Single Detached Dwelling
37 Francis St, Upper Deck	Ex	Patio Deck
37 Francis St, Lower Deck	Ex	Patio Deck
202 Pennywell Rd	Ex	Single Detached Dwelling
14 Beothuck St	Rn	Semi-Detached Dwelling
16 Beothuck St	Rn	Semi-Detached Dwelling
18 Beothuck St	Rn	Semi-Detached Dwelling
20 Beothuck St	Rn	Semi-Detached Dwelling
25 Beothuck St	Rn	Single Detached Dwelling
27 Beothuck St	Rn	Single Detached Dwelling
37 Birchwynd St	Rn	Single Detached Dwelling
36 Cornwall Cres	Rn	Single Detached Dwelling
84 Hussey Dr	Rn	Mobile Home
19 Jamie Korab St	Rn	Single Detached Dwelling
15 Roosevelt Ave	Rn	Townhousing
12 Maxse St	Rn	Single Detached Dwelling
124 Military Rd	Rn	Semi-Detached Dwelling
33 New Pennywell Rd	Rn	Townhousing
35 New Pennywell Rd	Rn	Townhousing
37 New Pennywell Rd	Rn	Townhousing
39 New Pennywell Rd	Rn	Townhousing
66 Allandale Rd	Sw	Single Detached Dwelling
24 Coronation St	Sw	Townhousing

This Week \$ 3,146,465.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 3,577,465.00

Repair Permits Issued: 2014/05/29 To 2014/06/04 \$

89,500.00

Legend

Co	Change Of Occupancy	Sn	Sign
Cr	Chng Of Occ/Renovtns	Sw	Site Work
Nc	New Construction	Ex	Extension
Rn	Renovations	Dm	Demolition
Ms	Mobile Sign		

YEAR TO DATE COMPARISONS			
June 09, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$46,352,000.00	\$44,202,000.00	-5
Industrial	\$128,000.00	\$125,000.00	-2
Government/Institutional	\$11,106,000.00	\$42,510,000.00	28
Residential	\$60,642,000.00	\$47,498,000.00	-22
Repairs	\$144,700.00	\$1,495,000.00	933
Housing Units (1 & 2 Family Dwellings)	173	116	
TOTAL	\$118,372,700.00	\$135,830,000.00	15

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending June 4, 2014

Payroll

Public Works \$ 475,720.85

Bi-Weekly Administration \$ 829,686.44

Bi-Weekly Management \$ 763,771.01

Bi-Weekly Fire Department \$ 638,795.43

Accounts Payable \$8,735,593.39

Total: \$11,443,567.12

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
HARTY'S INDUSTRIES	00068660	STEEL FLAT BAR	\$897.37
HARTY'S INDUSTRIES	00068661	STEEL FLAT BAR	\$119.63
ROGERS CABLE	00068662	INTERNET SERVICES	\$326.95
IRIS KIRBY HOUSE INC.	00068663	"UP AND OUT" PROJECT	\$100,000.00
CAROLINE BRUCE-ROBERTSON	00068664	PERFORMANCE FEE	\$150.00
WALSH, BERNADETTE	00068665	TRAVEL ADVANCE	\$698.00
MIKE JOYCE	00068666	TRAVEL REIMBURSEMENT	\$52.99
CYNTHIA CULLIMORE	00068667	TRAVEL REIMBURSEMENT	\$10.44
THEA MORASH	00068668	TRAVEL ADVANCE	\$2,302.13
NEWFOUNDLAND POWER	00068669	ELECTRICAL SERVICES	\$35,403.44
BELL ALIANT	00068670	TELEPHONE SERVICES	\$39,383.66
GOODLIFE FITNESS	00068671	FITNESS MEMBERSHIP	\$1,652.98
SSQ INSURANCE COMPANY INC.	00068672	PAYROLL DEDUCTIONS	\$4,177.55
RBC GLOBAL SERVICES/RBC INVESTOR SERVIC	00068673	REMITTANCE PENSION	\$1,028,211.36
HEALTH CARE FOUNDATION	00068674	PAYROLL DEDUCTIONS	\$12.00
PRICE WATERHOUSE COOPERS INC	00068675	PAYROLL DEDUCTIONS	\$150.00
DESJARDINS FINANCIAL SECURITY	00068676	PAYROLL DEDUCTIONS	\$512,870.21
NEWFOUNDLAND & LABRADOR HOUSING CORP	00068677	REFUND OVERPAYMENTS	\$39,561.71
THE WORKS	00068678	MEMBERSHIP FEES	\$661.06
RECEIVER GENERAL FOR CANADA	00068679	PAYROLL DEDUCTIONS	\$138,835.28
RECEIVER GENERAL FOR CANADA	00068680	PAYROLL DEDUCTIONS	\$3,508.26
CANCELLED	00068681	CANCELLED	\$0.00
NAPE	00068682	PAYROLL DEDUCTIONS	\$802.09
CUPE LOCAL 569	00068683	PAYROLL DEDUCTIONS	\$29,241.50
RECEIVER GENERAL FOR CANADA	00068684	PAYROLL DEDUCTIONS	\$2,025.88
THE SHERIFF'S OFFICE	00068685	WAGE GARNISHMENTS	\$206.22
SOULFUL SOUNDS MUSIC STUDIO	00068686	REAL PROGRAM	\$1,512.00
ROYAL BANK	00068687	PAYROLL DEDUCTIONS	\$482.30
NOEL R. ANDREWS & ASSOCIATES	00068688	PAYROLL DEDUCTIONS	\$300.00
RITA HOLDEN	00068689	LEGAL CLAIM	\$568.38
O'KEEFE, DENNIS	00068690	TRAVEL REIMBURSEMENT	\$4,091.72
WALSH, BERNADETTE	00068691	REIMBURSEMENT FOR LUNCHEON	\$126.25
MICHELE HISCOCK	00068692	REIMBURSEMENT TO VENDOR	\$660.00
JAMES MOORE	00068693	TRAVEL REIMBURSEMENT	\$73.02
DAVIS, CHRISTOPHER	00068694	TRAVEL REIMBURSEMENT	\$238.51
NEWFOUNDLAND POWER	00068695	ELECTRICAL SERVICES	\$28,613.63

NAME	CHEQUE #	DESCRIPTION	AMOUNT
BELL ALIANT	00068696	TELEPHONE SERVICES	\$155.31
ANGIE PUTT	00068697	RECREATION PROGRAM REFUND	\$40.00
FIRST CANADIAN GROUP LTD.	00068698	PROGRESS PAYMENT	\$1,105,083.00
PARTS FOR TRUCKS INC.	00068699	REPAIR PARTS	\$3,949.74
CITY OF ST. JOHN'S	00068700	REPLENISH PETTY CASH	\$147.65
PUBLIC SERVICE CREDIT UNION	00068701	PAYROLL DEDUCTIONS	\$5,653.54
WALSH, BERNADETTE	00068702	TRAVEL REIMBURSEMENT	\$3,080.06
LAWRENCE, ELIZABETH	00068703	TRAVEL REIMBURSEMENT	\$2,013.57
THYSSENKRUPP ELEVATOR	00068704	ELEVATOR MAINTENANCE	\$375.43
THE TELEGRAM	00068705	ADVERTISING	\$187.36
ENCON GROUP INC.	00068706	HEALTH PREMIUMS	\$253.55
BREAKWATER BOOKS LTD.	00068707	BOOKS	\$94.22
LA BREA INT'L INC.	00068708	PROMOTIONAL MATERIALS	\$117.86
JOHNSON INVESTMENTS INC.	00068709	PROFESSIONAL SERVICES	\$106.76
NEWFOUNDLAND POWER	00068710	ELECTRICAL SERVICES	\$3,171.78
BELL MOBILITY	00068711	CELLULAR PHONE USAGE	\$945.48
BELL ALIANT	00068712	TELEPHONE SERVICES	\$10,210.35
RYDIN DECAL	000000793	SIGNAGE	\$400.38
ROUTESMART TECHNOLOGIES, INC.	000000794	SOFTWARE RENEWAL	\$7,244.75
CATHERINE SCOTT	00068713	RECREATION PROGRAM REFUND	\$3,145.00
COURTNEY YOUNG	00068714	RECREATION PROGRAM REFUND	\$3,145.00
GUS YETMAN	00068715	RECREATION PROGRAM REFUND	\$3,145.00
TIM POWER	00068716	RECREATION PROGRAM REFUND	\$3,145.00
JACKIE JANES	00068717	RECREATION PROGRAM REFUND	\$3,145.00
BREWER, JILL	00068718	TRAVEL ADVANCE	\$1,666.36
MAUREEN WHITTY	00068719	REIMBURSEMENT SMOKING CESSATION PROGRAM	\$61.81
PUDDISTER, ARTHUR	00068720	TRAVEL REIMBURSEMENT	\$612.49
NADINE MARTIN	00068721	REIMBURSEMENT SMOKING CESSATION PROGRAM	\$61.06
DODD, DARREN	00068722	REIMBURSEMENT IPHONE CASE	\$67.79
POMERLEAU INC.,	00068723	CONTRACT PAYMENT	\$4,579,497.60
ACKLANDS-GRAINGER	00068724	INDUSTRIAL SUPPLIES	\$45.20
APEX CONSTRUCTION SPECIALTIES INC.	00068725	REPAIR PARTS	\$82.50
ATLANTIC OFFSHORE MEDICAL SERV	00068726	MEDICAL SERVICES	\$5,391.99
CABOT AUTO GLASS & UPHOLSTERY	00068727	REPAIR PARTS	\$367.25
ATLANTIC PURIFICATION SYSTEM LTD	00068728	WATER PURIFICATION SUPPLIES	\$599.05
AVALON FORD SALES LTD.	00068729	AUTO PARTS	\$237.98
MIGHTY WHITES LAUNDROMAT	00068730	LAUNDRY SERVICES	\$37.30

NAME	CHEQUE #	DESCRIPTION	AMOUNT
COSTCO WHOLESALE	00068731	MISCELLANEOUS SUPPLIES	\$376.24
KELLOWAY CONSTRUCTION LIMITED	00068732	REFUND SECURITY DEPOSIT	\$15,939.17
RDM INDUSTRIAL LTD.	00068733	INDUSTRIAL SUPPLIES	\$171.07
NEWFOUNDLAND EXCHEQUER ACCOUNT	00068734	REGISTRATION OF DEED	\$110.00
HERCULES SLR INC.	00068735	REPAIR PARTS	\$56.41
STAPLES THE BUSINESS DEPOT - OLD PLACEN	00068736	STATIONERY & OFFICE SUPPLIES	\$372.00
BELL ALIANT	00068737	TELEPHONE SERVICES	\$343.52
PRINT THREE	00068738	PHOTOCOPYING SERVICES	\$10.85
BELBIN'S GROCERY	00068739	CATERING SERVICES	\$57.59
SMS EQUIPMENT	00068740	REPAIR PARTS	\$2,327.92
CABOT PEST CONTROL	00068741	PEST CONTROL	\$357.65
INTEGRATED OCCUPATIONAL HEALTH SERVICE	00068742	JOBSITE ANALYSIS	\$367.50
CANADIAN BROADCASTING CORP.	00068743	RENTAL OF TOWER SPACE	\$1,221.88
CUSTOM SYSTEMS ELECTRONICS LTD	00068744	PROFESSIONAL SERVICES	\$3,095.30
BEST DISPENSERS LTD.	00068745	SANITARY SUPPLIES	\$737.49
TIM HORTONS STORE 387	00068746	FOOD AND REFRESHMENTS	\$49.80
BARNES/BOWMAN DISTRIBUTION	00068747	REPAIR PARTS	\$4,319.96
BRENKIR INDUSTRIAL SUPPLIES	00068748	REPAIR PARTS	\$397.17
SPECTRUM INVESTIGATION & SECURITY 1998 L	00068749	SECURITY SERVICES	\$5,282.25
ATLANTIC TRAILER & EQUIPMENT	00068750	REPAIR PARTS	\$3,281.87
TRIWARE TECHNOLOGIES INC.	00068751	COMPUTER EQUIPMENT	\$801.17
CHESTER DAWE CANADA - O'LEARY AVE	00068752	BUILDING SUPPLIES	\$545.77
SKYHIGH AMUSEMENTS ENT. SERVICES	00068753	RENTAL FOR YOUTH WEEK	\$508.50
AEARO CANADA LIMITED	00068754	PRESCRIPTION SAFETY GLASSES	\$172.20
CAMPBELL RENT ALLS LTD.	00068755	HARDWARE SUPPLIES	\$542.40
AIR LIQUIDE CANADA INC.	00068756	CHEMICALS AND WELDING PRODUCTS	\$38,721.78
CARSWELL DIV. OF THOMSON CANADA LTD	00068757	PUBLICATIONS	\$368.17
D PETERS BRONZE & BRASS	00068758	NAME PLATES	\$508.50
NORTRAX CANADA INC.,	00068759	REPAIR PARTS	\$1,566.26
NEWFOUNDLAND GLASS & SERVICE	00068760	GLASS INSTALLATION	\$83.06
COASTAL MOUNT PEARL	00068761	REPAIR PARTS	\$231.58
CBCL LIMITED	00068762	PROFESSIONAL SERVICES	\$6,909.95
PF COLLINS CUSTOMS BROKER LTD	00068763	BROKER SERVICES	\$36.94
COLONIAL GARAGE & DIST. LTD.	00068764	AUTO PARTS	\$2,240.64
CONCRETE PRODUCTS 2001 LTD.	00068765	CONCRETE	\$222.47
CONSTRUCTION SIGNS LTD.	00068766	SIGNAGE	\$9,966.88
SCOTT WINSOR ENTERPRISES INC.,	00068767	REMOVAL OF GARBAGE & DEBRIS	\$7,424.10
MASK SECURITY INC.	00068768	SECURITY SERVICES	\$3,107.94

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CRANE SUPPLY LTD.	00068769	PLUMBING SUPPLIES	\$383.78
SHU-PAK EQUIPMENT INC.	00068770	REPAIR PARTS	\$368.09
CROSBIE INDUSTRIAL SERVICE LTD	00068771	CONTRACT PAYMENT	\$53,790.03
NEWFOUND CABS	00068772	TRANSPORTATION SERVICES	\$2,600.78
LONG & MCQUADE	00068773	REAL PROGRAM	\$544.00
HANLON'S TAEKWONDO	00068774	REAL PROGRAM	\$618.00
KENDALL ENGINEERING LIMITED	00068775	PROFESSIONAL SERVICES	\$9,928.44
DICKS & COMPANY LIMITED	00068776	OFFICE SUPPLIES	\$2,679.85
NEWFOUNDLAND CAMERA	00068777	REPAIR PARTS	\$56.39
WAJAX POWER SYSTEMS	00068778	REPAIR PARTS	\$4,227.57
CADILLAC SERVICES LTD.	00068779	REFUND SECURITY DEPOSIT	\$2,000.00
REEFER REPAIR SERVICES LTD.	00068780	REPAIR PARTS	\$762.75
DOMINION RECYCLING LTD.	00068781	PIPE	\$1,209.60
MUNICIPALITIES NEWFOUNDLAND AND LABRAD	00068782	REGISTRATION FEES	\$250.00
CANADIAN TIRE CORP.-ELIZABETH AVE.	00068783	MISCELLANEOUS SUPPLIES	\$760.06
CANADIAN TIRE CORP.-MERCHANT DR.	00068784	MISCELLANEOUS SUPPLIES	\$184.80
CANADIAN TIRE CORP.-KELSEY DR.	00068785	MISCELLANEOUS SUPPLIES	\$965.54
EAST CHEM INC.	00068786	CHEMICALS	\$2,825.19
EASTERN MEDICAL SUPPLIES	00068787	MEDICAL SUPPLIES	\$745.46
EASTERN TURF PRODUCTS	00068788	REPAIR PARTS	\$359.91
ELECTRIC MOTOR & PUMP DIV.	00068789	REPAIR PARTS	\$290.41
EM PLASTIC & ELECTRIC PROD LTD	00068790	REPAIR PARTS	\$141.25
ENVIROMED ANALYTICAL INC.	00068791	REPAIR PARTS	\$531.10
THE TELEGRAM	00068792	ADVERTISING	\$14,937.08
HOME DEPOT OF CANADA INC.	00068793	BUILDING SUPPLIES	\$372.62
DOMINION STORE 935	00068794	MISCELLANEOUS SUPPLIES	\$52.69
BASIL FEARN 93 LTD.	00068795	REPAIR PARTS	\$783.09
NL EMPLOYERS' COUNCIL	00068796	REGISTRATION FEES	\$1,412.50
ST. PAT'S BOWLING ALLEYS	00068797	REAL PROGRAM	\$69.00
PRINCESS AUTO	00068798	MISCELLANEOUS ITEMS	\$628.17
MILLENNIUM EXPRESS	00068799	COURIER SERVICES	\$135.60
CITY WIDE TAXI	00068800	TRANSPORTATION SERVICES	\$7.00
COASTLINE SPECIALTIES	00068801	REPAIR PARTS	\$197.75
QUALITY CLASSROOMS	00068802	SUPPLIES - RECREATION PROGRAMS	\$68.31
STELLAR INDUSTRIAL SALES LTD.	00068803	INDUSTRIAL SUPPLIES	\$2,708.61
ANNA TEMPLETON CENTRE	00068804	REAL PROGRAM	\$247.50
ATLANTIC OILFIELD & INDUSTRIAL SUPPLY	00068805	INDUSTRIAL SUPPLIES	\$501.09
OMNITECH INC.	00068806	REPAIR PARTS	\$2,443.06

NAME	CHEQUE #	DESCRIPTION	AMOUNT
WOLSELEY CANADA WATERWORKS	00068807	REPAIR PARTS	\$989.47
STARGARDEN GROUP	00068808	PROFESSIONAL SERVICES	\$6,045.50
EASTERN PROPANE	00068809	PROPANE	\$484.75
HARRIS & ROOME SUPPLY LIMITED	00068810	ELECTRICAL SUPPLIES	\$769.72
HARVEY'S OIL LTD.	00068811	PETROLEUM PRODUCTS	\$62,030.58
HARVEY'S TRAVEL AGENCY LTD.	00068812	AIRFARE COSTS	\$945.52
NEWFOUND ROOFING LTD	00068813	PROFESSIONAL SERVICES	\$9,379.00
GUILLEVIN INTERNATIONAL CO.	00068814	ELECTRICAL SUPPLIES	\$1,672.26
HATCH MOTT MACDONALD	00068815	PROFESSIONAL SERVICES	\$9,986.38
CANADIAN LINEN & UNIFORM	00068816	MAT RENTALS	\$376.62
PRACTICAR CAR & TRUCK RENTALS	00068817	VEHICLE RENTAL	\$727.00
GRAYMONT (NB) INC.,	00068818	HYDRATED LIME	\$19,817.32
HICKMAN MOTORS LIMITED	00068819	AUTO PARTS	\$477.47
HISCOCK RENTALS & SALES INC.	00068820	HARDWARE SUPPLIES	\$642.59
HOLDEN'S TRANSPORT LTD.	00068821	RENTAL OF EQUIPMENT	\$2,497.30
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	00068822	REPAIR PARTS	\$341.72
ST. JOHN'S LIONS CLUB (LION'S CHALET)	00068823	FACILITY RENTAL	\$100.00
SOUTH PAW TRANSPORT	00068824	REFUND SECURITY DEPOSIT	\$1,500.00
SPARTAN INDUSTRIAL MARINE	00068825	SAFETY SUPPLIES	\$195.77
IMPRINT SPECIALTY PROMOTIONS LTD	00068826	PROMOTIONAL ITEMS	\$290.84
ONX ENTERPRISE SOLUTIONS LIMITED	00068827	REPAIR PARTS	\$303.59
ISLAND HOSE & FITTINGS LTD	00068828	INDUSTRIAL SUPPLIES	\$216.24
VIGILANT TECHNICAL SALES	00068829	REPAIR PARTS	\$188.63
SUMMIT VETERINARY PHARMACY INC.,	00068830	PROFESSIONAL SERVICES	\$343.64
IDEXX LABORATORIES	00068831	VETERINARY SUPPLIES	\$624.97
DBI-GARBAGE COLLECTION REMOVAL LTD.	00068832	GARBAGE COLLECTION	\$966.15
KANSTOR INC.	00068833	REPAIR PARTS	\$124.85
KEAN'S PUMP SHOP LTD.	00068834	REPAIR PARTS	\$187.23
STANTEC ARCHITECTURE LTD.	00068835	PROFESSIONAL SERVICES	\$1,970.21
SAFETY-FIRST	00068836	PROFESSIONAL SERVICES	\$711.90
KENT BUILDING SUPPLIES-STAVANGER DR	00068837	BUILDING MATERIALS	\$1,632.67
FINE FOOD FACTORY	00068838	FOOD AND REFRESHMENTS	\$105.09
ATLANTICA MECHANICAL SERVICES	00068839	PROFESSIONAL SERVICES	\$1,863.94
CENTINEL SERVICES	00068840	PROFESSIONAL SERVICES	\$263.29
MEDICAL MART ATLANTIC	00068841	PROFESSIONAL SERVICES	\$74.75
KERR CONTROLS LTD.	00068842	INDUSTRIAL SUPPLIES	\$44.26
DR. PAUL JOHNSTON	00068843	MEDICAL	\$20.00
ROCKET BAKERY & FRESH FOODS	00068844	FOOD AND REFRESHMENTS	\$505.91

NAME	CHEQUE #	DESCRIPTION	AMOUNT
COFFEE NEWS	00068845	ADVERTISING	\$237.30
DR. PATRICIA DOOLEY	00068846	MEDICAL	\$40.00
DR. LORI SHANDERA	00068847	MEDICAL	\$20.00
DATARITE.COM	00068848	STATIONERY & OFFICE SUPPLIES	\$332.22
MANNA EUROPEAN BAKERY AND DELI LTD	00068849	REFRESHMENTS	\$108.44
MARK'S WORK WEARHOUSE	00068850	PROTECTIVE CLOTHING	\$709.86
MCLOUGHLAN SUPPLIES LTD.	00068851	ELECTRICAL SUPPLIES	\$1,935.71
MIKAN INC.	00068852	LABORATORY SUPPLIES	\$133.34
WAJAX INDUSTRIAL COMPONENTS	00068853	REPAIR PARTS	\$751.72
NEWFOUNDLAND DISTRIBUTORS LTD.	00068854	INDUSTRIAL SUPPLIES	\$955.75
TOROMONT CAT	00068855	AUTO PARTS	\$2,553.33
NORTH ATLANTIC PETROLEUM	00068856	PETROLEUM PRODUCTS	\$43,536.35
PERIDOT SALES LTD.	00068857	REPAIR PARTS	\$564.62
THE HUB	00068858	FOOD AND REFRESHMENTS	\$3,258.92
POWERLITE ELECTRIC LTD.	00068859	ELECTRICAL PARTS	\$130.97
K & D PRATT LTD.	00068860	REPAIR PARTS AND CHEMICALS	\$627.49
PROFESSIONAL UNIFORMS & MATS INC.	00068861	PROTECTIVE CLOTHING	\$197.75
NEWFOUNDLAND EXCHEQUER ACCOUNT	00068862	SUBSCRIPTION	\$131.25
RIDEOUT TOOL & MACHINE INC.	00068863	TOOLS	\$253.65
NAPA ST. JOHN'S 371	00068864	AUTO PARTS	\$301.38
THE ROYAL GARAGE LTD.	00068865	AUTO PARTS	\$345.78
ROYAL FREIGHTLINER LTD	00068866	REPAIR PARTS	\$3,011.33
LIFESAVING SOCIETY NFLD & LAB.	00068867	AQUATIC RECERTIFICATION	\$808.52
S & S SUPPLY LTD. CROSSTOWN RENTALS	00068868	REPAIR PARTS	\$5,372.44
ST. JOHN'S PORT AUTHORITY	00068869	PROFESSIONAL SERVICES	\$113.00
ST. JOHN'S VETERINARY HOSPITAL	00068870	PROFESSIONAL SERVICES	\$708.12
ST. JOHN'S TRANSPORTATION COMMISSION	00068871	CHARTER SERVICES	\$4,142.50
BIG ERICS INC	00068872	SANITARY SUPPLIES	\$1,991.93
SAUNDERS EQUIPMENT LIMITED	00068873	REPAIR PARTS	\$5,739.95
CHANDLER	00068874	REPAIR PARTS	\$305.10
STATE CHEMICAL LTD.	00068875	CHEMICALS	\$724.29
STEELFAB INDUSTRIES LTD.	00068876	STEEL	\$942.19
SUPERIOR PROPANE INC.	00068877	PROPANE	\$346.42
TUCKER ELECTRONICS LTD.	00068878	ELECTRONICS	\$2,619.25
TULKS GLASS & KEY SHOP LTD.	00068879	PROFESSIONAL SERVICES	\$417.87
URBAN CONTRACTING JJ WALSH LTD	00068880	PROPERTY REPAIRS	\$6,412.75
WATERWORKS SUPPLIES DIV OF EMCO LTD	00068881	REPAIR PARTS	\$4,044.29
WEIRS CONSTRUCTION LTD.	00068882	ROAD GRAVEL	\$773.79

NAME	CHEQUE #	DESCRIPTION	AMOUNT
WAL-MART 3092-KELSEY DRIVE	00068883	MISCELLANEOUS SUPPLIES	\$1,010.84
DR. D.G.HART	00068884	MEDICAL	\$20.00
ST. TERESA'S PARISH HALL	00068885	RENTAL OF EQUIPMENT	\$300.00
HOLIDAY LANES YOUTH BOWLING	00068886	REAL PROGRAM	\$1,989.00
PRO TECH CONSTRUCTION LIMITED	00068887	REFUND PERMIT	\$2,000.00
VISUAL ARTS OF NL	00068888	GRANT	\$300.00
ST. MICHAEL'S PRINTSHOP	00068889	GRANT	\$300.00
ASSOCIATION OF NEW CANADIANS	00068890	REGISTRATION FEES	\$40.00
MAX ARTS ATHLETICS WELLNESS	00068891	REAL PROGRAM	\$2,190.68
THE LITTLE GYM OF ST. JOHN'S	00068892	REAL PROGRAM	\$152.55
FUSION DANCE STUDIO	00068893	REAL PROGRAM	\$1,336.50
GEORGE TRAINOR	00068894	APPEAL BOARD REMUNERATION	\$300.00
MICHAEL FOLEY'S ACADEMY OF MARTIAL ARTS	00068895	REAL PROGRAM	\$1,898.40
HUNGRY HEART CAFE	00068896	FOOD AND REFRESHMENTS	\$567.18
TRIPLE D. HOLDINGS LTD.	00068897	REFUND DEVELOPMENT FEE	\$7,700.00
KARWOOD CONTRACTING	00068898	REFUND OVERPAYMENTS	\$1,012.74
ROGERS, DR. L.	00068899	MEDICAL	\$20.00
HILLMAN, DR. A.	00068900	MEDICAL	\$20.00
NEIGHBOURHOOD DANCE WORKS	00068901	GRANT	\$300.00
PRIOR, ALLISON	00068902	PROFESSIONAL SERVICES	\$326.34
DR. SHEILAGH MCGRATH	00068903	MEDICAL	\$20.00
JENNIFER CLARKE	00068904	REFUND SUMMER CAMP	\$85.00
THE PEOPLE CENTRE	00068905	PROFESSIONAL SERVICES	\$340.00
DR. GEORGE A. FOX	00068906	MEDICAL	\$20.00
SOBEYS ROPEWALK LANE	00068907	FOOD AND REFRESHMENTS	\$68.23
DEVINE, MARILYN	00068908	PARK CARD MALFUNCTION	\$35.40
THE DANCE ACADEMY INC.	00068909	REAL PROGRAM	\$768.50
MCINNES COOPER	00068910	PROFESSIONAL SERVICES	\$2,453.80
JODY FITZGERALD	00068911	REFUND SWIMMING LESSONS	\$112.00
EASTERN EDGE ART GALLERY INC.	00068912	GRANT	\$300.00
DR. MARY WELLS	00068913	MEDICAL	\$20.00
REARDON PROPERTIES INC.	00068914	PROFESSIONAL SERVICES	\$107.35
PIZZA DELIGHT	00068915	REFRESHMENTS	\$62.32
SAMUKELE CHITSIKE	00068916	REFUND SOCCER	\$130.00
ELIZABETH CLOUTER-GERGEN	00068917	REFUND SOCCER	\$130.00
JAMES HYNES	00068918	REFUND SOCCER	\$130.00
CATHERINE COLLINS	00068919	PROPERTY REPAIRS	\$87.01
KATHY REARDIGAN	00068920	PARK CARD MALFUNCTION	\$59.83

NAME	CHEQUE #	DESCRIPTION	AMOUNT
DH GROUP INC.	00068921	PROFESSIONAL SERVICES	\$26,000.00
SQUAREUP BASKETBALL CLUB	00068922	GRANT	\$400.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	00068923	POLICE REPORT	\$11.30
ROSE MARIE PITTMAN	00068924	REFUND LINE DANCING	\$36.00
MARK HATFIELD	00068925	OVERPAYMENT	\$65.00
ALEXANDER MCQUAID	00068926	REFUND GYM RENTAL	\$42.30
MARGARET MCDONALD	00068927	REFUND TAX	\$191.72
DUANE HENDERSON/JILL HARVEY	00068928	REFUND TAX	\$2,687.50
DR. SUE GHAZALA / THAMIR ALKANANI	00068929	REFUND TAX	\$540.33
DIANA COLBERT	00068930	REFUND SUMMER CAMP	\$405.00
SUNG HEE KEE	00068931	REFUND SUMMER CAMP	\$260.00
PAUL BURKE & JACINTA BRUCE	00068932	REFUND TAX	\$491.30
DAMIAN RYAN	00068933	APPEAL BOARD REMUNERATION	\$75.00
BRAD MEANEY	00068934	PROPERTY REPAIRS	\$98.88
LARRY MOORE / SANDRA DUGGAN	00068935	REFUND SECURITY DEPOSIT	\$1,500.00
THE GREEN SIGN COMPANY	00068936	PROFESSIONAL SERVICES	\$53.36
LAWRENCE STEAD	00068937	REFUND SECURITY DEPOSIT	\$500.00
DAVID OSMOND	00068938	REFUND SECURITY DEPOSIT	\$500.00
JACQUELINE INGRAM	00068939	REFUND SECURITY DEPOSIT	\$202.50
ROY PIKE	00068940	REFUND WATER SERVICE REPAIR	\$50.00
LISA SULLIVAN	00068941	REFUND SUMMER CAMP	\$85.00
ALLISON HAWCO	00068942	REFUND ACTIVITY CENTRE	\$30.00
SUSAN GOVER	00068943	REFUND SUMMER CAMP	\$220.00
HILDA STONE	00068944	REFUND PAINTING COURSE	\$20.00
GERARD POWER	00068945	REFUND SUMMER CAMP	\$107.00
NICOLE STOKES	00068946	REFUND BIRTHDAY PARTY	\$118.50
BERNADETTE DUFFETT	00068947	REFUND SUMMER CAMP	\$85.00
WINSOR, MICHELLE	00068948	MILEAGE	\$16.31
WINSOR, LYNNANN	00068949	REGISTRATION FEES	\$20.00
LETTO, LORI	00068950	MILEAGE	\$43.86
SULLIVAN, DAPHNE	00068951	MILEAGE	\$235.85
O'BRIEN, LESLIE	00068952	VEHICLE BUSINESS INSURANCE	\$12.00
JANES, SEAN	00068953	VEHICLE BUSINESS INSURANCE	\$20.00
SHERRY MERCER	00068954	REAL PROGRAM STAMP	\$37.74
STACEY ROBERTS	00068955	MILEAGE	\$9.71
JONATHAN MURPHY	00068956	VEHICLE BUSINESS INSURANCE	\$381.95
NEWFOUNDLAND POWER	00068957	ELECTRICAL SERVICES	\$24,266.56
KEEP COOL REFRIGERATION & AIR CONDITIONI	00068958	CONTRACT PAYMENT	\$6,610.50

NAME	CHEQUE #	DESCRIPTION	AMOUNT
COOK, DEBORAH	00068959	TRAVEL ADVANCE	\$566.24
KRISTA FOWLOW	00068960	REFUND FALL AFTER SCHOOL PROGRAM	\$3,145.00
DANNY LANNON	00068961	METER MALFUNCTION	\$54.00
RON YETMAN	00068962	PROPERTY REPAIRS	\$2,638.55
AON REED STENHOUSE INC	00068963	PROFESSIONAL SERVICES	\$1,525.00
PUBLIC SERVICE CREDIT UNION	00068964	PAYROLL DEDUCTIONS	\$8,112.83
GORDON BARNES	00068965	PROFESSIONAL SERVICES	\$2,400.00
RECEIVER GENERAL FOR CANADA	00068966	NON-RESIDENT WITHHOLDING TAX	\$2,318.19
MAGNA CONTRACTING & MANAGEMENT	00068967	CONTRACT PAYMENT	\$447,441.33
TOTAL			\$8,735,593.39



Memorandum

Corporate Services

Date: June 9, 2014
To: His Worship the Mayor and Members of Council
From: Kevin Breen, Deputy City Manager, Corporate Services
Regarding: Contract for Independent Claims Adjusting Services

We recently conducted a public Request for Proposals for Independent Claims Adjusting Services. Two companies responded to the RFP and the incumbent, Crawford Adjusters Canada proposed a blended rate of \$110 per hour and is the successful bidder.

Crawford has worked with the City account since 2003 and was deemed to be the best candidate. We respectfully seek Council approval so a contract may be formulated and executed.

The proposed contract is to begin July 1, 2014 and is for 3 years at a blended rate of \$110 per hour. This is similar to the current rate of the expiring contract.

(Original Signed)

Kevin Breen
Deputy City Manager, Corporate Services

p.c. Betty Clarke, Risk Manager
Linda Bishop, Senior Legal Counsel
Scott Hounsell, Senior Claims Officer

MEMORANDUM

Date: June 3, 2014
To: His Worship the Mayor and Members of Council
From: Robert J. Bursey, City Solicitor
Re: **10 Lamanche Place**

The owner of 10 Lamanche Place has had his rear fence encroaching on City land for many years and would now like to purchase the encroached upon land. The Parks Department is in agreement with the sale of this land.

I recommend that the land be sold at a rate of \$3.00 per square foot (fair market value as per the Manager of Real Estate Services) plus the usual admin fee and HST.

I request this matter be brought before Council at its next Regular Meeting.

Robert J. Bursey
City Solicitor

RB/mp

ST. JOHN'S

LEGAL DEPARTMENT

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

June 3, 2014

Mrs. Shannie Duff
25 Bonaventure Avenue, Unit 312
St. John's, NL A1C 6N8

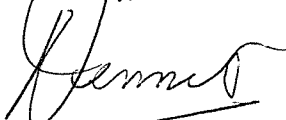
Dear Shannie:

It is an honour and privilege to write you on this special occasion to extend my most sincere congratulations and best wishes on behalf of Council and all the citizens of St. John's on receiving your honorary doctor of laws degree at Memorial for your remarkable record of public service and leadership.

As well, we are so pleased that you also received the FCM Ann MacLean Award for Outstanding Service by a Woman in Municipal Politics. It is a testament to your exemplary community service, as well as an inspiration to those women who you've mentored and encouraged to run for elected office.

Congratulations on both your honorary degree and your award!

Sincerely,



Dennis O'Keefe,
Mayor

There is no one more deserving. You have given a lifetime of service to the residents of St. John's & Newfoundland!



ST. JOHN'S

MEMORANDUM

Date: **June 4, 2014**

To: **His Worship the Mayor
and Members of Council**

From: **Robert G. Bishop, C.A.
Deputy City Manager, Financial Management**

Re: **Quarterly Travel Report
First Quarter 2014**

Attached in accordance with the City's Freedom of Information By-Law is the Quarterly Travel Report for the first quarter of 2014.

**Robert G. Bishop, C.A.
Deputy City Manager,
Financial Management**

RGB/fc
Attach.

ST. JOHN'S

DEPARTMENT OF FINANCE

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

Quarterly Travel Report 2014

1st Quarter

City Council

Sandy Hickman	1111-52111	
• Ottawa, Ontario		
• Board Meeting – Canadian Capital Cities Organization		
• January 29 – February 1, 2014		Total: \$1,650.86
Daniel Breen	1111-52111	
• Gander, NL		
• Urban Municipalities Meetings		
• January 10 -11, 2014		Total: \$ 372.85
Dennis O’Keefe	1112-52111	
• Ottawa, Ontario		
• Big City Mayor’s Meetings		
• February 25 – 27, 2017		Total: \$1,453.76
Daniel Breen	1111-52111	
• Deer Lake, NL		
• Urban Municipalities Committee Meeting		
• February 27 – 28, 2014		Total: \$ 1,147.99
Dennis O’Keefe	1112-52111	
• Fort Lauderdale / Miami, FL		
• Seatrade Cruise Symposium / Marketing & Promotion Meetings		
• March 5 - 14, 2014		Total: \$5,819.29

City Manager

Robert Smart	1215-52111	
• Ottawa, Ontario		
• Big City Mayor’s Meetings		
• February 25 – 27, 2014		Total: \$1,553.76

Legal

Robert Bursey	1220-52111	
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- Toronto, ON
 - Annual Provincial / Municipal Government Liability Conference
 - February 26 -28, 2014
- Total: \$ 2,399.72

Cheryl Mullett 1220-52111

- Toronto, ON
 - 5th Annual advance Creating & Enforcing Municipal By-Laws Course
 - March 24 - 27, 2014
- Total: \$ 4,035.53

Linda Bishop 1220-52111

- Calgary, ALB
 - 5th ACAC Conference – Assessment & Taxation
 - March 26 - 29, 2014
- Total: \$ 2,122.05

Public Works

Don Brennan 3011-52111

- Evanston, Illinois
 - Product & Manufacturing Review for Crafc0 & Labrie (Waste Recycle)
 - February 23 - March 8, 2014
- Total: \$ 5,484.21

Richard Parks 3011-52111

- Phoenix, Arizona
 - Product & Manufacturing Review for Crafc0 & Labrie (Waste Recycle)
 - March 1 – 5, 2014
- Total: \$ 337.50
- (Saunders Equipment cover airfare cost & hotel)

Andrew Niblock 4122-52111

- Las Vegas, NV
 - AWWA Membrane Conference
 - March 9 – 15, 2014
- Total: \$ 3,281.82

Lynnann Winsor 4225-52111

- Las Vegas, NV
 - AWWA Membrane Conference
 - March 9 – 15, 2014
- Total: \$ 3,640.36

Ron Yetman 3011-52111

- Gander, NL
- 2014 Clean & Safe Drinking Water Workshop

<ul style="list-style-type: none"> • March 24 - 27, 2014 		Total: \$ 667.49
Chris Connolly	3011-52111	
<ul style="list-style-type: none"> • Gander, NL • 2014 Clean & Safe Drinking Water Workshop • March 24 - 27, 2014 		Total: \$ 600.46
Duncan Hart	3011-52111	
<ul style="list-style-type: none"> • Gander, NL • 2014 Clean & Safe Drinking Water Workshop • March 24 - 27, 2014 		Total: \$ 600.46
Daniel Martin	3011-52111	
<ul style="list-style-type: none"> • Gander, NL • 2014 Clean & Safe Drinking Water Workshop • March 25 - 27, 2014 		Total: \$ 418.14

Community Services

Bruce Pearce	PMG-2013-623	
<ul style="list-style-type: none"> • Toronto, Ontario • Mobilizing Local Capacity to End Youth Homelessness • February 5 – 9, 2014 		Total: \$ 238.50
(3 rd party (Eva's Initiatives) reimbursement \$1,243.85)		
Jill Brewer	6211-52111	
<ul style="list-style-type: none"> • Toronto, Ontario • Boys & Girls Club of Canada Board Meetings • February 27 – 28, 2014 		Total: \$ 147.00
(Airfare & Hotel paid by 3 rd party)		
Todd Lehr	6211-52111	
<ul style="list-style-type: none"> • Gander, NL • Hospitality Newfoundland and Labrador Conference • February 26 – March 1, 2014 		Total: \$ 1,045.21
Jill Brewer	6211-52111	
<ul style="list-style-type: none"> • Ft. Lauderdale / Miami, Florida • Seatrade 2014 & Meetings with Cruise Executives • March 5 – 14, 2014 		Total: \$ 7,324.96

(3rd party reimbursement \$417.83)

Janine Halliday 1274-52111

- Toronto, Ontario
 - PSSDC / ICCS Meetings & Conference
 - March 3 – 7, 2014
- (3rd party reimbursement \$1,000)

Total: \$ 3,018.53

Corporate Services/City Clerk

Rafael Fernandez 1318-52334

- Palm Springs, CA
- ESRI 2014 Developer Summit
- March 7 – 13, 2014

Total: \$ 5,204.28

David Day 2531-52111

- Lewisporte, NL
- Observe Federal Table Top Exercise
- March 11 – 12, 2014

Total: \$ 222.62

Finance

Robert Bishop 1221-52111

- Calgary, AB
- GFOA Standing Committee Meetings on Canadian Issues
- January 30 – February 2, 2014

Total: \$ 1,816.80

MEMORANDUM

Date: June 5, 2014
To: His Worship the Mayor and Members of Council
From: City Clerk

Re: Dave Lane – EDAC National Conference

Dave Lane is seeking approval from Council to attend the Economic Developers Association of Canadians (EDAC) National Conference being held in Calgary, Alberta from September 26 to 30, 2014. Immediately following the conference, he would like to fly to Edmonton to meet with the Economic Development staff with the City of Edmonton.

There is an early registration cost of \$741.00 plus taxes for those who register before July 18, 2014. There are further discounts offered by West Jet.

Once approval is granted, I will assist Councillor Lane with all travel plans.



Elaine Henley
City Clerk

ST. JOHN'S

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