

**AGENDA
REGULAR MEETING**

**May 20, 2014
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

May 16, 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, May 20, 2014 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 3:00 p.m.

By Order

A handwritten signature in black ink, appearing to read "Neil Martin". The signature is written in a cursive style with a large initial "N".

Neil A. Martin
City Clerk

ST. JOHN'S

DEPARTMENT OF CORPORATE SERVICES

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

AGENDA
REGULAR MEETING
May 20, 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 - May 12, 2014**
- 4. Business Arising from the Minutes**
 - a. Included in the Agenda**
 - a. Council Directive R2014-02-17/1
St. John's Municipal Plan Amendment Number 124,2013 and Development Regulations Amendment Number 589, 2013
Proposed Amendments for Commercial and Residential Development (The Light House Project)
Civic 83 & 90 Duckworth Street
 - b. St. John's Municipal Plan Amendment Number 128, 2014
Amendment to the Commercial General Land Use District
 - b. Other Matters**
- 5. Notices Published:**
 - a. 467 Thorburn Road**

A Discretionary Use Application has been submitted requesting permission to occupy a portion of 467 Thorburn Road as a Residential Retail Store for the sale of fireplaces, woodstoves, propane stoves, etc.

The proposed business will occupy a floor area of approximately 50 m² and will operate Monday-Friday 8:30 am – 4:30 pm and seasonally on Saturday 12:00 noon – 4:00 pm. Six (6) on-site parking spaces are provided for the business. The applicant is the sole employee.

Two submissions and a petition have been received
 - b. 2864 Trans-Canada Highway**

A Discretionary Use Application has been submitted by Newfoundland Soiltec Inc. to operate a Soil Remediation Facility at 2864 Trans-Canada Highway in the area known as the Harbour Arterial Quarry Area (HAQA).

The proposed operation would entail the rectifying of spent drilling mud from offshore oil production operations. The site is located in the Mineral Working Zone under the St. John's Development Regulations.

Two submissions have been received
- 6. Public Hearings**

7. Committee Reports

- a. Finance & Administration Committee Report – May 13, 2014

8. Resolutions

9. Development Permits List – for the period May 8, 2014 - May 14, 2014

10. Building Permits List – for the period May 8, 2014 – May 14, 2014

11. Requisitions, Payrolls and Accounts - for the week ending May 14, 2014

12. Tenders

- a. Tender: 2014023 – Campbell Avenue Roof Replacement

13. Notices of Motion, Written Questions and Petitions

14. Other Business

- a. 330 Duckworth Street – Parking Garage Allocation Lottery

15. Adjournment

May 12, 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.

His Worship Mayor Dennis O'Keefe presided.

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

Regrets: Councillor Galgay

The Acting City Manager; the Deputy City Manager of Public Works; the Acting Deputy City Manager of Corporate Services; the Director of Engineering; the Chief Municipal Planner; the City Solicitor and the Senior Legislative Assistant, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2014-05-12/209R

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

- Revision to item # 13 on Police & Traffic Committee Report re: Airport Heights Drive and Councillor Davis' review of traffic and parking issues at Roncalli School;
- Memo to Council re: St. John's Local Board of Appeal Expressions of Interest

Adoption of Minutes

SJMC2014-05-12/210R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That the minutes of May 5, 2014 be adopted as presented with the following amendment:

- **Councillors Lane and Galgay were excluded from the attendance list; however, they were present during the meeting.**

Environmental Advisory Committee Report

Council considered the following Environmental Advisory Committee report dated May 1, 2014:

Attendees: Councillor Dave Lane, Chairperson
Deputy Mayor Ron Ellsworth
Jonas Roberts, Citizen Representative
Marvin Barnes, Citizen Representative
Rick Kelly, Food Security Network
Arvo McMillan, Citizen Representative
Rick Comerford, Citizen Representative
Bill Stoyles, Northeast Avalon ACAP
Brian Head, Manager of Parks & Open Spaces
Paul Boundridge, Planning Coordinator
Karen Chafe, Recording Secretary

Report:

1. **Environmental Advisory Committee Nominations**

The Committee received a total of eighteen nominations for membership to the Environmental Advisory Committee. Having reviewed all applications, the Committee recommends the following two appointments:

- Sharon Cave
- Corinna Favaro

Councillor Dave Lane
Chairperson

SJMC2014-05-12/211R

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

The motion being put was unanimously carried.

Police & Traffic Committee Report

Council considered the following Police & Traffic Committee report dated April 25, 2014:

In Attendance: Councillor Art Puddister Chairperson
Deputy Mayor Ron Ellsworth
Councillor Bruce Tilley
Councillor Wally Collins
Councillor Sandy Hickman
Don Brennan, Director of Roads and Traffic
Phil Hiscock, Manager of Roads
Dawn Corner, Manager of Traffic
Bill MacDonald, Supervisor Traffic Signals
Chris Pitcher, Supervisor, Parking Services
Paul Peddigrew, Foreperson - Traffic
Inspector Joe Boland, RNC
Constable Paul Murphy, RNC
Chris Whelan, Metrobus
Seamus O'Keefe – Downtown St. John's
Maureen Harvey, Senior Legislative Assistant

1. **Traffic Calming Update**

At the last meeting of the Committee, it was agreed that an effort would be made to do traffic calming on several streets where costs are not excessive.

It was noted that there are currently 22 streets on the list most of which have been there for quite some time. The Manager of Traffic recommends that the remaining traffic calming budget be utilized to purchase basic driver feedback signs and install them on some streets.

Recommendation: That the Manager of Traffic proceed with the purchase of driver feedback signs from the traffic calming budget. Locations for placement of these signs will be discussed at the next meeting of the Police & Traffic Committee scheduled for May 22, 2014.

2. **Portugal Cove Road @ Newfoundland Drive – Request for additional right turn lane.**

The Committee reviewed the design and cost estimate, with respect to the installation of a right turn exit lane, as presented by the Engineering Department. While a right turn lane will improve the level of service on approaches at the intersection, it will not correct the problem that is occurring at the Tim Horton's access since the resulting improvement in traffic flow will likely make it more difficult for vehicles to make the left turn across the two eastbound lanes into the

development. The only way to correct this problem is to close the access to exiting and entering left turn movements i.e. right in, right out and force southbound and westbound traffic to use the access on Portugal Cove Road.

Recommendation:

The Committee recommends referral to the Engineering & Development Departments to recommend solutions to the site access issue at Tim Horton's.

3. **Musgrave Street – Complaint from area residents about non-residential parking**

At the last meeting of the Committee, it was agreed that Councillor Breen and Deputy Mayor Ellsworth would contact the property owner to discuss the parking issues created by an overflow of parking. Complaints, however, are still coming and the Committee was provided with provided with three options that could rectify the situation.

- a. Implement a “no parking anytime” or “no parking 9:00 am to 5:00 pm” Monday to Friday on both sides of the street
- b. Implement a “no parking anytime” or “no parking 9:00 am to 5:00 pm Monday to Friday restriction on one side of the street.
- c. Implement a maximum 2 hour parking 9:00 am to 5:00 pm restriction on both sides of the street.

Deputy Mayor Ellsworth advised that he has spoken to the property owner and all efforts are being made to provide employees with additional parking, thereby reducing the need for on street parking.

Recommendation:

The Committee recommends staff seek feedback from the residents of Musgrave Street regarding the possibility of implementing a 2 hour parking restriction on both sides of the street from 9:00 am to 5:00 pm

4. **Fox Avenue – Request from Councillor Davis to investigate student parking issues**

The Committee reviewed an email from Councillor Davis on behalf of constituents who have complained about non-residential vehicles parking on Fox Avenue, who are allegedly, students of the Marine Institute, College of North Atlantic, the Y or the Francophone School.

It was reported that under normal conditions, the street is wide enough to accommodate parking on both sides and as such, there would be no requirement for a parking restrictions.

Recommendation:

The Committee recommends that staff initiate a survey to area residents seeking input on an acceptable solution to address the parking issues on Fox Avenue.

5. **Gambier Street – Request from Councillor Davis to investigate parking concerns**

The Committee considered correspondence sent to Councillor Davis requesting that Gambier Street be changed from parking on both sides of the street to parking on only one side of the street.

Gambier Street is 8.5 m wide which means vehicles parked on one or both sides of the street reduces the street wide and impedes the flow of traffic, especially in the winter time. However, it is not unlike other streets in the area, and should a snow restriction be required on Gambier Street, a similar restriction would have to be considered for other streets.

Recommendation

The Committee recommends that staff initiate a survey to area residents seeking input on an acceptable solution to address the parking issues on Gambier Street.

6. **Kent Place – Request from Deputy Mayor Ellsworth to review parking restrictions**

The Committee considered correspondence from a resident of Kents Place asserting a problem with respect to parking and requesting a change in the parking restrictions. Kent Place is 7.5 m wide and as such, on-street parking will obstruct the flow of traffic. There is a “No Parking Anytime” restriction in place.

Recommendation

The Committee recommends denial of the request for a change in the parking restriction on Kent Place and Parking Enforcement be asked to step up enforcement of the existing “No Parking Anytime” restriction.

7. **Hamilton Avenue – Request for No Parking Anytime.**

Councillor Galgay is requesting the installation of a “No Parking Anytime” restriction on Hamilton Avenue from Job Street to Power Street. The Traffic Services Division has reviewed parking on this street, and does not believe that it is impeding traffic.

Recommendation

The Committee recommends that the request for a parking restriction on Hamilton Avenue from Job Street to Power Street be denied.

8. **Riverview Avenue – Request from Councillor Davis to investigate parking concerns.**

The Committee reviewed the request noting that parking on this street is only an issue during special events.

Recommendation

The Committee recommends that parking concerns on Riverview Avenue be incorporated into special event planning through the Special Events Advisory Committee

9. **Macbeth Drive – Request from Councillor Davis to investigate resident concerns about Speeding**

The Committee reviewed correspondence from Councillor Davis which was submitted on behalf of a constituent regarding traffic on MacBeth Drive.

It was reported that MacBeth Drive has already been assessed for traffic calming and it did not qualify because traffic volumes were too low. Regarding the parking situation, on –street parking is often utilized as a traffic calming tool to address speed issues. If parking was to be eliminated or reduced on the street, it would likely result in increased speeds.

The issue of blocked driveways or vehicles encroaching on the street and obstructing snow clearing should be addressed through enforcement.

Recommendation

The Committee recommends status quo with respect to residents’ concerns about traffic and parking on Macbeth Drive.

10. **Columbus Drive @ Pennywell Road – Request from Councillor Davis for extension of Left Turn Signal**

Consideration was given to correspondence that Councillor Davis submitted by a constituent with respect to the traffic light at the intersection of Columbus Drive, Empire Ave & Old PenneyWell Road.

The Traffic Division has completed a level of service analysis at the intersection which indicates that because the intersection is currently operating at capacity during the morning and evening rush hours, an increase in the time allocated to the eastbound left turn lane from Pennywell Rd onto Columbus Drive northbound will have a negative impact on the level of service of other movements. In fact, the analysis indicates that in order to properly balance the intersection time should actually be taken away from the left turn in order to improve the congested conditions being experienced on other movements.

It was also noted that a recent defect in the signal button may have contributed to the problem, but this has since been rectified.

Recommendation

The Committee recommends that the signal timings at the intersection at Columbus @ Pennywell Road be optimized to ensure a balanced level of service for all approaches. The Committee noted however, that this

intersection will likely be modified as part of the Team Gushue Highway extension.

11. **Old Topsail Road – Request from Councillor Tilley on behalf of resident to replace roundabout with all way stop.**

Discussion took place around correspondence to Councillor Tilley requesting a three way stop sign to replace the existing roundabout on Old Topsail Road as it felt to be more of a danger than a deterrent to speeders.

The Committee was informed that roundabouts are becoming a more common form of traffic control throughout the country, because they are more effective at regulating the right of way where warranted, and they are more environmentally friendly. The Old Topsail Road roundabout was installed where traffic volumes are too low to warrant this type of right of way control and as such, motorists are not complying with the device. There may be some residents who are not complying with the restriction because they do not know how they work, and until more devices are installed this will not likely change. Removal of the roundabout will delay that process.

Discussion took place on the costs incurred for traffic calming on Topsail Road and the consensus was reached that this device is not effective and is a hazard to motorists and pedestrians.

Recommendation

On a motion by Councillor Tilley; seconded by Councillor Hickman it is recommended that the roundabout installed on Topsail Road be removed and replaced with a speed cushion.

12. **Newtown Road – Request from Councillors Davis and Galgay for a School Bus Stop warning sign.**

The Committee entertained a request for a school bus stop ahead of the warning sign on Newtown Road.

It was noted that school bus stop ahead signs are typically only used in rural areas where the presence of a bus stop may not be expected, or where there is a sight distance issue, neither of which is the case with Newtown Road. There are

school bus stops all over the City of St. John's, and as such their presence is to be expected. The location in question on Newtown Road at Calver Avenue was investigated and observed and no compliance issues were observed.

Recommendation

That the request for a school bus stop ahead sign on Newtown Road be denied and that the RNC be advised of the compliance concern so they can address as they deem required.

13. **Airport Heights Drive – Request from Councillor Davis to review Traffic and Parking issues at Roncalli School**

The Committee was informed that residents of Airport Heights have raised concerns about traffic in the Roncalli School area with backup traffic on Airport Heights Drive trying to gain access to the parking lot. It was also noted that school renovations will be ongoing for the next year.

Discussion took place noting that the problem at Roncalli School is similar to those of all schools in the City. It was also suggested that employees working on the school renovations is also adding to the problem.

Recommendation

The Committee recommends that the Manager of Traffic Services review the parking restrictions on Airport Heights to determine if there is a location that can be used as a drop off area for the school and further to contact the School Board to determine if there are other factors contributing to the congestion problem.

14. **Harding Road – Parking issues at Academy Canada**

The Committee considered an email sent to Councillor Breen on from a resident on Harding Road with respect to the following:

- a. Lack of consideration by contractors who clear snow from Academy Canada on to a crosswalk on Harding Road.
- b. Illegal parking

Recommendation

In relation to the concerns from a Harding Road resident, the Committee recommends that issue of snowclearing be forwarded to the Roads Department for follow up and that the complaint of illegal parking be referred to the Parking Services Division for follow up.

15. **Bannerman Road – Request from Councillor Davis for warning signage for Skating Loop.**

The Committee entertained correspondence sent by Councillor Davis on behalf of a resident who frequents Bannerman Park and raises a concern with the amount of parking along both sides of Bannerman Road.

The Manager of Traffic Services also noted that Bannerman Road has no lights and one side of the street has no sidewalk. With the recent development of the “Loop” at Bannerman Park, ongoing construction at the Colonial Building, and ongoing redevelopment at Bannerman Park, traffic and parking in this area are becoming more problematic.

The Committee recognized the need for additional parking and to that end the following recommendation was put forward:

Recommendation

That the City initiate discussions with the Provincial Government with a view to securing a piece of land on Government House property, the purpose of which would be to create additional parking for users of Bannerman Park.

16. **Mt. Scio Road – Request from Councillor Davis to investigate resident concerns about skidoo activities**

The Committee reviewed a complaint of snowmobiles riding in Pippy Park by the MUN Botanical Gardens.

Representatives from the RNC advised that while efforts are often made by the RNC to control snowmobiling, they are limited in their ability to enforce because most RNC vehicles are not equipped to travel of snow laden terrain. It was noted the RNC is undertaking intelligence initiatives to curtail such issues.

Recommendation

The Committee recommends the RNC be requested to address, where possible, snowmobiling in and around Pippy Park.

17. **Birminghamham Street – Speeding**

Councillor Tilley informed the Committee of complaints with respect to speeding on Birmingham Street noting this is particularly dangerous given the location of the nearby ball park.

Recommendation

The Committee agreed that the RNC be requested to step up enforcement efforts to address speeding issues on Birmingham Street and the street be placed on the list for the temporary installation of feedback signs.

18. **Discussion on Feedback Signs**

Discussion on the need for feedback signs to deter motorists from speeding was discussed with the Committee recognizing there is a high demand. RNC representatives advised that it has four large feedback signs, two that were donated by the Insurance Bureau of Canada and two that were purchased. The RNC agreed to work with the City in identifying appropriate locations for these

signs. While some concern was expressed with insurance advertising that may be printed may be on the signs, it was clarified that there is nothing on the signs advertising a specific insurance business.

Recommendation

In the interest of public safety, the Committee recommends acceptance of an offer by the RNC to work with the City in determining the temporary placement of four feedback signs owned by the RNC. These signs would complement those owned and managed by the City.

19. Request for additional signage at School Zones

Councillor Tilley requested additional signage at school zones in Ward 3, similar to that which is being used in the area of Mary, Queen of the World School on Topsail Road.

The Committee was advised that school signage varies from community to community. The City uses signage that is recommended by the Transportation Association of Canada (TAC) Manual of Uniform Traffic Control Devices (MUTCD). Other municipalities go beyond the minimum standards.

Recommendation

On a motion put forth by Councillor Collins; seconded by Councillor Tilley, the Committee recommends enhancement to the current street signage program for school zones within the City.

20. Rotary Drive – Speeding/Left Hand Turn off Blackmarsh Road

Councillor Tilley brought forward the issue of speeding on Rotary Drive, particularly in the area on Blackmarsh Road between Jensen Camp Road and Rotary Drive. The Committee acknowledged that with today's busy lifestyle, speeding is a major issue throughout the entire region. Recognizing the area in question will be impacted by the Team Gushue Highway Extension, it was agreed that the RNC be requested to enhance enforcement efforts.

Recommendation

The Committee recommends referral of speeding issues in the area of Jensen Camp Road, Rotary Drive and Blackmarsh Road area to the RNC with a request for improved enforcement.

21. Status Update on Arrow at Mundy Pond @ Crosstown Arterial

Councillor Tilley requested an update on this intersection. It was noted that configuration of this intersection will change upon completion of the east/west arterial project.

Recommendation

The Committee recommends status quo as it relates to the configuration of the traffic signal devices at Mundy Pond @ Crosstown Arterial.

22. Review of Bicycle Lanes

Councillor Tilley reported that he is receiving numerous complaints from constituents of his ward about bike lanes and suggests the program is not effective, unsafe for motorists and pedestrians and takes away from available street parking.

Discussion took place with varying opinions on the utilization and effectiveness of this initiative.

Recommendation

The Committee recommends the cycling program be referred to a special meeting of Council with a suggestion that the Cycling Committee be revitalized for the purpose of analyzing the current bicycling program to determine whether it is effective and needed on a go-forward basis. Because the City received funding for this initiative, it was also recognized there is a responsibility to review any contractual obligations the City may have. Councillor Puddister agreed to chair this Committee.

Councillor Art Puddister
Chairperson
Police & Traffic Committee

SJMC2014-05-12/212R

It was moved by Councillor Puddister; seconded by Councillor Hann: That the Committee's recommendations be approved with the exception of item #'s 6 and 11 which will be dealt with by separate motions.

The motion being put was unanimously carried.

SJMC2014-05-12/213R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Davis: That with respect to item # 6 of the report, staff conduct a survey of the residents of Kent Place to ascertain their preferences for imposing a "No Stopping Anytime" restriction in place of the existing "No Parking Anytime" restriction.

The motion being put was carried with Councillor Puddister dissenting.

SJMC2014-05-12/214R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That with regard to item # 11 of the Committee report, that the Committee recommendation to remove the roundabout on Topsail Road be revised to install a three way stop in place of the roundabout and instead of the Committee’s recommended speed cushions.

SJMC2014-05-12/215R

It was moved by Councillor Breen; seconded by Councillor Collins: That the matter be deferred and referred back to the Traffic Division for further investigation on the impacts of imposing a three way stop at the intersection where the existing roundabout is being considered for removal. The report, once ready can then be referred to the next Police & Traffic Committee for consideration.

The motion being put was carried with Councillor Lane dissenting.

Development Permits List

Council considered as information the following Development Permits List for the period of May 1, 2014 to May 7, 2014:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF May 1, 2014 TO May 7, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Proposed Family Home Child Care for up to Six (6) Children	7 Holbrook Place	3	Approved	14-05-01
OT	Pennecon Limited	Proposed Test Pits for Geological Analysis	1205 Foxtrap Access Road	5	Approved	14-05-01
OT	Pennecon Limited	Proposed Test Pits for Geological Analysis	564 Foxtrap Access Road	5	Approved	14-05-01
RES		Home Office	83 Parkhill Street	3	Approved	14-05-05
AG	Lester Farm Market Inc.	Crown Land Lease for Agricultural Use	29 Walsh's Lane	5	Approved	14-05-06
AG	Lester Farm Market Inc.	Crown Land Lease for Agricultural Use	172A Brookfield Road	5	Approved	14-05-06
AG		Crown Land Lease for Agricultural Use	60 Power's Pond	5	Approved	14-05-06

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

SJMC2014-05-12/216R

It was decided on motion of Councillor Hann; seconded by Councillor Davis: That the recommendations of the Director of Planning and Development with respect to the following Building Permits list for the period May 1 – May 7, 2014 be approved:

**Building Permits List
 Council's May 12, 2014 Regular Meeting**

Permits Issued: 2014/05/01 To 2014/05/07

Class: Commercial

12 Gleneyre St. Avalon Laser	Ms	Retail Store
15 Goldstone St, Family Mem.	Sn	Retail Store
274 Kenmount Rd	Ms	Retail Store
204-206 Main Rd, A.I.M.E.	Ms	Clinic
135 Mayor Ave., Remax Centre	Ms	Club
34 New Cove Rd	Ms	Place Of Amusement
36 Pearson St	Ms	Office
10 St. Clare Ave	Ms	Recreational Use
14 Stavanger Dr., Mcdonald's	Ms	Restaurant
320 Torbay Rd, Xpressions	Ms	Service Shop
340 Torbay Rd	Ms	Service Station
141 Torbay Rd	Ms	Office
Torbay Road-Torbay Rd Mall	Ms	Office
607 Torbay Rd	Ms	Office
351 Water St	Sn	Other
70 Clinch Cres	Nc	Fence
56-58 Lemarchant Rd	Rn	Mixed Use
260 Blackmarsh Rd	Nc	Fence
215 Water /Suite 300/Goodlife	Rn	Club
456 Logy Bay Rd	Nc	Warehouse
394 Kenmount Rd	Rn	Retail Store
46b Aberdeen Ave	Cr	Office
673 Topsail Rd, Dance Studio	Rn	Commercial School
372 Paddy's Pond Rd	Nc	Transportation Depot
140 Water St, Walsh & Peters	Rn	Office
5-7 Mews Pl	Cr	Office
20 Hebron Way	Sw	Place Of Amusement

This Week \$ 2,586,900.00

Class: Industrial

267 Incinerator Rd Sw Industrial Use

This Week \$ 125,300.00

Class: Government/Institutional

This Week \$.00

Class: Residential

517-519 Back Line	Nc	Patio Deck
3 Balmoral Pl	Nc	Accessory Building
26 Battery Rd	Nc	Fence
111 Blue Puttee Dr	Nc	Fence
50 Branscombe St	Nc	Accessory Building
15 Burdell Pl	Nc	Accessory Building
28 Cessna St	Nc	Accessory Building
3 Daimler St, Lot 1	Nc	Single Detached Dwelling
5 Daimler St Lot 2	Nc	Single Detached Dwelling
7 Daimler St Lot 3	Nc	Single Detached Dwelling
30 Drake Cres	Nc	Accessory Building
12 Duke St, Lot 213	Nc	Single Detached Dwelling
74 Edison Pl	Nc	Accessory Building
8 Fallowtree Pl	Nc	Accessory Building
46 Firdale Dr	Nc	Accessory Building
10 Galashiels Pl	Nc	Accessory Building
39 Glenlonan St	Nc	Fence
106 Howlett's Line	Nc	Accessory Building
34 Kenai Cres, Lot 193	Nc	Single Detached & Sub.Apt
38 Kenai Cres, Lot 195	Nc	Single Detached Dwelling
2 Kitchener Ave	Nc	Accessory Building
9 Larner St	Nc	Accessory Building
10 Lismore Pl Lot #311	Nc	Single Detached Dwelling
12 Lismore Pl	Nc	Single Detached Dwelling
21 Marconi Pl	Nc	Accessory Building
72 Old Bay Bulls Rd	Nc	Accessory Building
17 Airport Heights Dr	Nc	Fence
40 Rose Abbey St	Nc	Fence
40 Rose Abbey St	Nc	Accessory Building
18 Sequoia Dr	Nc	Fence
23 Stephano St, Lot 221	Nc	Single Detached & Sub.Apt
1 Sumac St - Lot 81	Nc	Single Detached & Sub.Apt
49 Teakwood Dr	Nc	Accessory Building
459 Thorburn Rd	Nc	Accessory Building
18 Tigress St	Nc	Fence
7 Titania Pl	Nc	Accessory Building
132 Bonaventure Ave	Co	Subsidiary Apartment
137 Ennis Ave	Co	Apartment Building
43 Keane Pl	Co	Office
30 Ferryland St E	Cr	Subsidiary Apartment
89 Ladysmith Dr	Cr	Subsidiary Apartment
37 Oberon St	Cr	Subsidiary Apartment
8 Ophelia Pl	Cr	Subsidiary Apartment
29 Richmond St	Cr	Subsidiary Apartment
30 Ferryland St E	Ex	Single Detached Dwelling
30 Blackwood Pl	Rn	Townhousing
9 Durham Pl	Rn	Single Detached Dwelling

9 Eastmeadows Pl	Rn	Single Detached Dwelling
9-23 Graves Street	Rn	Townhousing
13 Hartery Cres	Rn	Single Detached Dwelling
22 King's Rd	Rn	Townhousing
43 Meighen St	Rn	Single Detached Dwelling
45 New Cove Rd	Rn	Single Detached Dwelling
50 Parsonage Dr	Rn	Single Detached Dwelling
99 Springdale St	Rn	Semi-Detached Dwelling
31a Sudbury St	Rn	Heritage Uses
45 Torbay Rd	Rn	Single Detached Dwelling
9 William St	Rn	Semi-Detached Dwelling
315 Blackmarsh Rd	Sw	Single Detached Dwelling

This Week \$ 3,220,420.00

Class: Demolition

144 Freshwater(Mary Browns) Dm Eating Establishment

This Week \$ 30,000.00

This Week's Total: \$ 5,962,620.00

Repair Permits Issued: 2014/05/01 To 2014/05/07 \$ 75,300.00

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			
May 12, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$42,452,000.00	\$38,380,000.00	-10
Industrial	\$28,000.00	\$0.00	0
Government/Institutional	\$7,211,000.00	\$42,505,000.00	49
Residential	\$47,001,000.00	\$36,542,000.00	-22
Repairs	\$1,046,000.00	\$937,000.00	-10
Housing Units (1 & 2 Family Dwellings)	123	79	
TOTAL	\$97,738,000.00	\$118,364,000.00	21

Respectfully Submitted,

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

Requisitions, Payrolls and Accounts

SJMC2014-05-12/217R

It was decided on motion of Councillor Hann; seconded by Councillor Davis: That the following Payrolls and Accounts for the week ending May 7, 2014 be approved:

**Weekly Payment Vouchers
For The
Week Ending May 7, 2014**

Payroll

Public Works	\$ 465,049.01
Bi-Weekly Administration	\$ 741,161.06
Bi-Weekly Management	\$ 706,241.35
Bi-Weekly Fire Department	\$ 627,827.96
Accounts Payable	\$2,684,968.85
Total:	\$5,225,248.23

Tenders

- a. Tender: 2014025 Towing Vehicles**
- b. Tender: 2014031 Fire Apparatus Rescue Truck**
- c. RFP re: Comprehensive Land Use Development Plan East Kilbride Area**
- d. Consulting Services to Review the City's Supply Chain Management Processes**

SJMC2014-05-12/218R

It was decided on motion of Councillor Hann; seconded by Councillor Davis: That the above noted tenders and RFP's be awarded as follows:

- a. Peter's Auto Works: \$42,148.00
- b. Emergency Repairs Ltd.: \$152,390.67
- c. CBCL Limited: \$175,305.00 (plus HST)
- d. Deloitte: \$50,493. (plus HST)

Kilbride Waterline Improvements

Council considered a memorandum from the City Solicitor dated May 7, 2014 regarding the above noted matter.

SJMC2014-05-12/219R

It was decided on motion of Councillor Collins; seconded by Councillor Puddister: That the three easements in the vicinity of Griffins Lane and Lannon Street be expropriated for the purpose of water lines installation and that the Notices of Expropriation be executed as outlined in the submitted documentation to the City Clerk's Department.

Elim Pentecostal Tabernacle

Council considered a memorandum from the Deputy City Manager of Planning, Development & Engineering dated May 7, 2014 regarding the above noted.

SJMC2014-05-12/220R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Hann: That Council provide an exemption from the City's Noise By-law to facilitate outdoor services at the Elim Pentecostal Tabernacle, 565 Kenmount Road for the following dates:

- July 27, 2014: 6:00 pm – 8:00 pm
- August 24, 2014: 6:00 pm – 8:00 pm
- August 31, 2014: 6:00 pm – 8:00 pm

Youth Ventures Newfoundland

Council considered a memorandum from the Deputy City Manager of Planning, Development & Engineering dated May 7, 2014 regarding the above noted matter.

SJMC2014-05-12/221R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Puddister: That Council waive any potential permit and/or license fees to assist young entrepreneurs in starting their business ventures this summer.

Summer Meeting Schedule

Council considered a memo from the Acting City Manager dated May 7, 2014 regarding the proposed Summer Meeting Schedule for Regular and/or Special Meetings:

SJMC2014-05-12/222R

It was decided on motion of Councillor Tilley; seconded by Councillor Collins: That the following meeting schedule be imposed during the summer months for Regular and/or Special Meetings of Council:

- Tuesday, July 15, 2014
- Monday, July 28, 2014
- Monday, August 11, 2014
- Monday, August 25, 2014

E-mail to Mayor from Surita Parashar

Council considered as information an e-mail from Surita Parashar who recently visited St. John's to attend the Annual Canadian Conference for HIV Research. She expressed her appreciation of the City's hospitality.

St. John's Local Board of Appeal – Nomination Selection

Council tabled a memo from the Acting City Manager dated May 12, 2014 regarding the above noted.

SJMC2014-05-12/223R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the following people be appointed to sit on the St. John's Local Board of Appeal:

- **Cliff Johnston**
- **Joseph Greene**
- **Damian Ryan**

Councillor Davis

- Councillor Davis advised that National Police Week is taking place from May 11 – 17, 2014 and he requested that the Mayor write a letter of appreciation to the RNC Police Chief in this regard.

Councillor Puddister

- Councillor Puddister enquired about the status of filling the vacancies for the positions of Traffic Engineer and Supervisor of Parking & Traffic, noting that the Traffic Division is currently understaffed. He requested an update on this matter.
- Councillor Puddister also suggested that members of Council requesting neighbourhood traffic surveys should direct such to staff rather than through the Police & Traffic Committee, as staff is authorized to conduct surveys without Council approval. This also eliminates the delay that happens when referring to committee.
- Councillor Puddister questioned if there is a time limit for responding to pothole complaints to which it was noted there is no such policy. It was generally agreed that a seven day limit is reasonable, though City staff often address complaints in lesser time.

Adjournment

There being no further business the meeting adjourned at 5:46 pm.

MAYOR

CITY CLERK

MEMORANDUM

Date: May 12, 2014

To: His Worship the Mayor and Members of Council

Re: **Council Directive R2014-02-17/1**
St. John's Municipal Plan Amendment Number 124, 2013 and Development Regulations Amendment Number 589, 2013
Proposed Amendments for Commercial and Residential Development (The Light House Project)
Civic 83 & 90 Duckworth Street, Ward 2

At the Regular Meeting of Council held on February 17, 2014, Council adopted the resolutions for St. John's Municipal Plan Amendment Number 124, 2013 and St. John's Development Regulation Amendment Number 589, 2013. The amendments are in reference to an application submitted to the City to re-designate and rezone land at Civic Numbers 83 and 90 Duckworth Street to the Commercial – Duckworth East Land Use District and Zone. The purpose of these amendments is to allow for a joint development - a boutique hotel with ground-floor commercial space, and a residential building atop two levels of parking (one of which would be partly underground).

Council appointed Ms. Marie Ryan as the commissioner to conduct a public hearing to consider the proposed amendments to the St. John's Municipal Plan and Development Regulations. The public hearing was held at St. John's City Hall on March 11, 2014.

Commissioner Ryan has now submitted her report on the amendments. The Commissioner recommends approval of St. John's Municipal Plan Amendment Number 124, 2013, but rejection of St. John's Development Amendment Number 589, 2013 as presented, and recommends redrafting the amendment. A copy of the Commissioner's report is attached for Council's consideration.

The commissioner's report recommends approval of the adopted Municipal Plan amendment but a redrafting of the adopted Development Regulations amendment to reflect input received at the hearing. The proposed changes to the zone requirements of the Commercial – Duckworth East Zone include:

- Maximum allowable Building Height of 18 metres (~five storeys) instead of 23 metres (~six storeys) as measured at the highest point along Duckworth Street at Civic No. 83 Duckworth Street.

ST. JOHN'S

- Maximum allowable Building Height of 18 metres (~five storeys) measured at the established grade along Duckworth Street at Civic No. 90 Duckworth Street (the former East End Fire Station). This did not change from the adopted amendment.
- Minimum Side and Rear Yard requirements for 90 Duckworth Street, the original amendment did not propose any side or rear yard setback for the new zone.
- Associated required changes in the maximum floor-area ratio (FAR) for both 83 and 90 Duckworth Street to reflect the height.

In addition to the proposed changes to Development Regulations amendment, the Commissioner also recommended that the history of the East End Fire Station site be commemorated in some fashion in the new development at 90 Duckworth Street (detailed in section 6.7 of her report).

Recommendation

Upon review and consideration of the commissioner's report, Council should determine if it wishes to proceed with the proposed amendments to re-designate and rezone land at Civic Numbers 83 and 90 Duckworth Street to the Commercial – Duckworth East Land Use District and Zone as adopted, or if they wish to accept the commissioner's recommendation to redraft St. John's Development Regulations Amendment Number 589, 2013.

It is recommended that Council direct the Planning Division to prepare the necessary amendments to the St. John's Municipal Plan and Development Regulations. Once the amendments are prepared, they would be referred to a future Regular Meeting of Council for consideration of approval.



Ken O'Brien, MCIP
Chief Municipal Planner

LLB/dlm

Attachments

COMMISSIONER'S REPORT ON THE

**ST. JOHN'S MUNICIPAL PLAN
AMENDMENT No.124, 2013**

and

**ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT No. 589, 2013**

Prepared by:

Marie E. Ryan
Commissioner

April 22, 2014

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1.0 INTRODUCTION

At the Regular Meeting of the St. John’s Municipal Council (“Council”) held on February 17, 2014, I was appointed as the Commissioner to conduct a public hearing and prepare a report with recommendations with respect to proposed amendments to both the St. John’s Municipal Plan (*Amendment Number 124, 2013*) and the St. John’s Development Regulations (*Amendment Number 589, 2013*). The intent of these amendments is as follows:

St. John’s Municipal Plan (*Amendment Number 124, 2013*)

1. Introduce a new Land Use District to Part III of the Municipal Plan to read as follows:

"3.3.6 Commercial-Duckworth East Land Use District

Uses that May Be Permitted:

In this district, which applies only to Civic Numbers 83 and 90 Duckworth Street, the City may permit any or all of the following uses:

- 1. Retail;
- 2. Service Shops;
- 3. Office;
- 4. Parking;
- 5. Transient Accommodations; and
- 6. Residential.

Building Height and Area

Building height and floor area ratio shall be as provided for in the St. John's Development Regulations.

2. Redesignate land at Civic Number 83 and 90 Duckworth Street from the Commercial - Downtown (CD) Land Use District and the Residential Downtown (RD) Land Use District to the Commercial-Duckworth East (CDE) Land Use District.”

St. John’s Development Regulations (*Amendment Number 589, 2013*)

1. Add a new Zone to Section 10 of the Regulations.

"Section 10.50 Commercial - Duckworth East (CDE) Zone

Purpose of this Zone: This zone sets forth the Uses and Zone Requirements in relation to the development of Civic Numbers 83 and 90 Duckworth Street.

10.50.1 Discretionary Uses

Commercial:

- a. Hotel;
- b. Office;
- c. Parking Area;
- d. Restaurant;
- e. Retail Store; and
- f. Service Shop

Residential:

- a. Dwelling Units located in the second and/or higher Storeys of a Building

10.50.2 Zone Requirements

The following requirements shall apply to all uses:

a. Floor Area Ratio (maximum)	4.6 - at property known as Civic No. 83 Duckworth Street 2.5 - at property known as Civic No 90 Duckworth Street
b. Building Height (maximum)	23 metres - measured at the established grade along Duckworth Street at property known as Civic No. 83 Duckworth Street 18 metres - measured at the established grade along Duckworth Street at property known as Civic No. 90 Duckworth Street
c. Residential Density (maximum)	One (1) Dwelling Unit per 50 square metres of Lot Area
d. Off-street Parking	Notwithstanding anything else in the St. John's Development Regulations the minimum off-street parking requirement for the Civic No. 90 Duckworth Street site shall be established by the application of the Downtown Parking Standard as provided for in section 9.1.2 (2) of the said Regulations, to all uses and development at both the Civic No. 90 and Civic No. 83 Duckworth Street sites. The foregoing shall serve to satisfy any requirement for off-street parking to be provided at the Civic No 83. Duckworth Street site.

2. Rezone land at Civic Number 83 and 90 Duckworth street from the Commercial Central Mixed Use (CCM) Zone and the Residential Downtown (RD) Zone to the Commercial – Duckworth East (CDE) Zone.”

This redesignation and rezoning of Civic Numbers 83 and 90 Duckworth Street (Parcel ID#s 16907 and 33781 respectively) is in response to an application submitted by Republic Properties Inc. (Republic Properties) to allow for a joint development on these two parcels of land. This would include a boutique hotel with ground-floor commercial space at 83 Duckworth Street and a residential building atop two levels of parking (one of which would be partly underground) at 90 Duckworth Street.

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

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

This public hearing was scheduled for 7 p.m. on Tuesday March 11, 2014, at St. John’s City Hall. Prior to this date and as required by legislation the hearing was advertised in the Saturday, February 22, 2014 and Wednesday, March 5, 2014 editions of *The Telegram* and additionally the amendments were publicized on the City of St. John’s website (www.stjohns.ca). Notices also were mailed out, as required, to all property owners within a minimum radius of 150 metres of the subject properties. This notice provided a site plan and advised of the date, time, location and purpose of the upcoming public hearing.

The public hearing was convened on Tuesday March 11, 2014 at 7 p.m. in the Foran/Greene Room of St. John’s City Hall. There were approximately 85-90 interested persons in attendance, including city residents with questions about the proposed rezoning and representatives from Republic Properties. Assistance at the meeting was provided to Your Commissioner by the following City staff: Mr. Ken O’Brien, Chief Planner, with the Department of Planning,

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

Development and Engineering, and Mr. Gareth Griffiths, Manager – Real Estate Services, with the Office of the City Solicitor.

Prior to this hearing, 15 written submissions were received. These submissions are referenced in this Report under the section “Written Submissions Received in Advance of the Hearing” (see section 3.0) and the full text of each submission is found in Appendix “A”.

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

1.1 The issue

The issue for Your Commissioner and the topic for the hearing was whether or not the following two amendments (provided in detail in section 1.0) should be approved. In general the intent of the amendments is:

St. John’s Municipal Plan (*Amendment Number 124, 2013*) – to redesignate land at Civic Number 83 and 90 Duckworth Street from the Commercial - Downtown (CD) Land Use District and the Residential Downtown (RD) Land Use District respectively to the Commercial - Duckworth East (CDE) Land Use District (a new Land Use District to be added to Part III [3.3.6] of the Municipal Plan).

St. John’s Development Regulations (*Amendment Number 589, 2013*)- to rezone land at Civic Number 83 and 90 Duckworth Street from the Commercial Central Mixed Use (CCM) Zone and the Residential Downtown (RD)/CCM Zones respectively to the Commercial - Duckworth East (CDE) Zone (a new Zone and related requirements to be added to Section 10 [10.50] of the Regulations).

2.0 BACKGROUND

2.1 The application

The process leading to the hearing on the proposed amendments was triggered by an October 2011 application from Republic Properties to redevelop two properties on opposite sides of Duckworth Street – 90 Duckworth Street on the north side; 83 Duckworth Street on the south side. This would be a joint development: a residential/ hotel development with commercial space and a parking garage.

At the time of the application, and to-date, there is a one-storey structure at 83 Duckworth Street with frontage on Hill O’Chips. It had been used as a bar and adult-entertainment business (the former “Crazy Horse). The parcel of land on which it stands borders other commercial buildings along Duckworth Street and is surrounded on two sides by the Quality Inn Hotel. This land was privately owned.

The former East End Fire Station – a two-storey concrete building built in 1962 - is located on the other parcel of land at 90 Duckworth Street (directly across from #83). At the time of the application this building was being used for office and workshop space. Currently, it is unoccupied. This parcel of land is City-owned and is on the northwest corner of Duckworth Street and Ordnance Street. The building is set back from the street by a large parking area that was originally used by fire trucks. It has frontage along Ordnance Street and borders the Red Ochre Gallery on the west side of Duckworth Street and houses on Ordnance and Wood Street on the northeast and northwest sides respectively.

At the time of the application, the proposal for 83 Duckworth Street was to demolish the existing building and replace it with a five-storey building consisting of ground floor commercial with a hotel on the upper floors. The proposal for 90 Duckworth Street was to demolish the former Fire Station and replace it with a five-storey building that has three storeys of residential and two storeys of parking.

2.2 The review processes

The following provides a detailed overview of the relevant correspondence and activity related to the processing of this application from Republic Properties.

January 16, 2012 – Correspondence from the Director of Planning and the Manager of Planning and Information to the City of St. John’s Planning and Housing Committee

This correspondence to the Planning and Housing Committee outlined Republic Properties’ proposed development for 83 and 90 Duckworth Street and detailed the required zoning changes and planning considerations relative to this proposed development.

83 Duckworth Street

The subject property at 83 Duckworth Street, which has an approximate site area of 1962 square metres, is in Heritage Area 3. Access to this site would be from entrances along Duckworth Street.

Under the St. John’s Municipal Plan, the property is within the Commercial Downtown (CD) Land Use District. Under the St. John’s Development Regulations, the current zoning is the

Commercial Central Mixed Use (CCM) Zone which allows for the development proposed (commercial and residential uses) but would not accommodate the desired height [which at that time was for five storeys or approximately 18 metres] as it sets a limit of 15 metres (generally four storeys).

90 Duckworth Street

The subject property at 90 Duckworth Street, which has an approximate site area of 2153 square metres, is located in Heritage Area 1. Under the St. John's Municipal Plan, the property is within the Residential Downtown (RD) Land Use District. Under the St. John's Development Regulations, the current zoning is primarily the Residential Downtown (RD) Zone. This does not allow for the proposed development and so rezoning would be required.

Planning Considerations

1. Municipal Plan policies encourage mixed-use, higher-density development in appropriate locations.
2. The zoning of CCM for 83 Duckworth Street could accommodate the proposed uses, but there would have to be a text amendment considered regarding building height.
3. The subject property at 90 Duckworth Street would have to be rezoned from the RD Zone. The Apartment Downtown (AD) Zone could accommodate a development with a height up to four storeys with a possible text amendment for height.
4. Parking is provided at 90 Duckworth Street for the tenants of both buildings.
5. A Land Use Assessment Report (LUAR) is required to evaluate the potential impacts of the redevelopment, including building heights, floor-area ratio (FAR), privacy for nearby residents, shadowing, traffic, pedestrian movements between buildings, public views and other matters.
6. The preliminary building designs and renderings were referred to the City's Heritage Advisory Committee on January 10, 2012, for review.

Technical/Engineering Considerations

The subject property is in the downtown area where municipal water and sewer services are normally available. It was noted that the Engineering Department's comments on services, site access and parking were pending.

In conclusion, this correspondence stated that rezoning and site-specific amendments to accommodate the proposed mixed-use residential and commercial development at 83 and 90 Duckworth Street would be in-line with the St. John's Municipal Plan and warranted further review. It was stated that the proposal would enhance the area by removing the two buildings

which have little architectural merit and creating an entrance feature to the downtown through quality design.

At the time of this correspondence it was not yet certain if an amendment was needed to the St. John's Municipal Plan. It was noted that this would be determined through the required LUAR required under the Terms of Reference set by Council. Once the LUAR had been submitted and found to be acceptable staff recommended that a public meeting be held on the application.

April 17, 2013 The Land Use Assessment Report (LUAR) – prepared by Republic Properties Inc. for the City of St. John's (Note: this was revised for December 31, 2012)

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

The City also stipulated the Terms of Reference for this LUAR. In particular, Republic Properties was to identify significant impacts on land uses adjoining the subject properties and, where appropriate, also identify measure to mitigate these impacts.

The LUAR presents a summary of the proposed development:

The properties at 83 and 90 Duckworth Street are both underutilized (from a real estate perspective) and unattractive (from an architectural and urbanistic perspective). Neither property makes a positive contribution to the character of the street, the vibrancy of the downtown or the city's image. This project, called the “Light House Project” addresses an important way of providing parking for infill development when site or access conditions do not accommodate parking effectively while developing buildings in a way that benefits the urban environment.

The building at 90 Duckworth Street has had a longstanding use as a city service building, which is not the best use for a site with such potential. The building is nondescript having neither architectural appeal nor any meaningful relationship to the buildings around it or to the historical or downtown context. The current use could be accommodated elsewhere to allow this more appropriate downtown development.

The site at 83 Duckworth Street is a small, wedge-shaped site on a steep hill which presents both opportunities and challenges. The opportunity is to use the hill and the wedge shape to

create a very prominent and distinctive landmark building which can become a source of pride for the city.

The building design provides adequate and convenient parking for both buildings at 90 Duckworth Street, and more importantly, creates an appropriate streetscape which enhances and extends the downtown pedestrian-oriented character of Duckworth Street.

Both buildings front onto Duckworth Street - a commercial artery lined with retail and service businesses. Although there are a large percentage of residential units in the area, Duckworth Street has undergone a renaissance of sorts with newly developed medium- and high-density buildings either already built or under construction. The proposed "Light House Project" is flanked on the south side by four- and five-storey mixed-use buildings and the tallest building in the area is a multi-storey building situated slightly east of the site on Duckworth Street.

The following provides a summary of the information provided in response to the City's Terms of Reference for the proposed development:

A. Building Usage and Design

The total gross floor building area for 83 Duckworth Street is 2310 square metres. The primary use of 83 Duckworth Street is five upper storeys of Boutique Hotel with retail space on the ground floor. [Note: At some point following the initial presentation of this application to Council - January 16, 2012 - Republic Properties had identified to the City staff that it would be proceeding on the basis of 83 Duckworth Street being six storeys and not the original five storeys for which it had applied.]

The total gross floor building area for 90 Duckworth Street is 2096 square metres. The primary use of 90 Duckworth Street will be three upper storeys of condominium residential space and two lower floors of parking. Thirty-seven parking spaces in total will be provided for both buildings.

In addition to the rezoning and text amendments required to accommodate the proposed development of the subject properties, Republic Properties is requesting an increase of the maximum allowable FAR of 83 Duckworth Street from 3.0 to 4.71.² They note that the substantial grade difference across the site, the fact that it is a prominent corner lot, and the general difficulty of developing this oddly shaped site ought to be grounds for some relaxation of the FAR restriction.

Pedestrian access for both developments is off Duckworth Street.

² Please note that this is an error in the report. The requested FAR was 4.55 not 4.71.

B. Elevation/Building Height and Materials and Locations

83 Duckworth Street will be a six-storey building – as measured from grade on Duckworth Street.

90 Duckworth Street will be a five-storey building – as measured from grade on Duckworth Street.

Building materials will include stone (buff tones), brick (red range) and aluminum (dark brown).

Shadowing

The LUAR reported on shadowing impacts for buildings in the immediate context at dates and times of day selected by the City. Based on their modeling, Republic Properties reported that there would be minimal shadowing of residential properties from late morning to end of day from both proposed buildings. There will be some shadowing of the residential properties immediately to the west in the morning. The greenspace will receive some shadowing later in the day in December, March and September. It also was stated that for the purpose of mitigating impact on the residential properties to the north, the upper levels of the 90 Duckworth Street building have been set back approximately three metres and the building has been set back from the property line on the west face to reduce the impact on the rear yards of the adjacent residential properties.

Images presented in the LUAR of the proposed development imposed on the subject properties show that there will be impacts on viewscales when looking south on Ordnance Street and southeast from Wood Street.

D. Exterior Lighting and Noise

Both buildings are located on Duckworth Street which is primarily a commercial strip. Given the building is located on a commercial strip, it is expected that background noise and light from the harbour, traffic and other commercial buildings will be in excess of that produced by the 83 and 90 Duckworth Street development.

Specifically, the proposed exterior lighting and placement of same will fit with the building architecture and is not expected to impact the surrounding properties. The residential and commercial-type occupancy of the proposed property development will not create any noise concerns. There will be no mechanical equipment emitting noise to the surroundings and HVAC rooftop units will not be located in close proximity to adjoining residential properties on Ordnance Street and Wood Street.

E. Landscaping and Screening

Electrical transformers will be installed in an electrical room on the storage/mechanical levels for each respective building. Refuse and recycling storage will be on the storage/mechanical level of 83 Duckworth Street with access from the west door. Refuse and recycling will be located on the lowest parking level for 90 Duckworth Street with access from Duckworth Street.

Landscape elements will include built-in planters to enhance the building.

F. Snow clearing/Storage

Snow clearing will be similar to that of other commercial enterprises downtown: plowing a short driveway to the underground parking entrance (90 Duckworth Street) and more generally shoveling out the front entrance area of the two buildings, as a conventional snow clearing activity.

G. Off-street Parking

The project has 37 parking spaces provided in the proposed 90 Duckworth Street building on two levels: 27 parking stalls are required for the combined proposed development of 83 and 90 Duckworth Street; 10 stalls will be surplus. It is noted that vehicular access to the lower level of parking will be from Duckworth Street with one entry and one exit lane, and access to the upper parking level will be from Ordnance Street with one entry and one exit lane. There will be 10 secure bicycle stalls provided in 90 Duckworth Street and 15 bicycle stalls provided in 83 Duckworth Street.

H. Servicing

Calculations of estimated flows of water, sanitary sewer and storm sewer were estimated and provided in the LUAR. It was identified that these flows do not appear to be problematic to the integration of this proposed development to the city's infrastructure.

I. Traffic

The proposed new development at 83 and 90 Duckworth Street will generate, at the upper limit, 21 trips in the AM peak and 31 trips in the PM peak. It was stated that this is not considered a significant impact on traffic and will likely not be noticeable, especially in consideration of daily and seasonal variations in traffic. Additionally it is not expected to have a noticeable impact on the level of performance of the adjacent road network.

j. The Construction Phase

It is anticipated that construction duration will be approximately 20 months. Republic Properties noted that they are in discussions with neighbouring properties to provide rented space for up to 20 vehicles (the maximum projected to be required). After foundations are instituted, it was stated that the laydown area will be contained within the site as each concrete floor plate will be placed and protected for further laydown. As well, it was noted that a well-organized delivery program will be implemented as progress of the design unfolds.

May 22, 2013 – Public Meeting to discuss the proposed development at 83 and 90 Duckworth Street

This public meeting was held to provide an opportunity for public review and comment on Republic Properties' proposed development at 83 and 90 Duckworth Street, including the LUAR. Approximately 35 members of the general public were in attendance for the meeting. As well 39 written submissions were received - 24 submissions of concern/objection and 15 submissions of support. The discussion at the hearing and the written submissions were similar in nature and intent to that discussed in sections 3.0 and 4.0 herein.

October 16, 2013 – Correspondence from the Chief Municipal Planner to the Mayor and Members of Council

This correspondence overviewed information previously presented to Council on the proposed development for 83 and 90 Duckworth Street and noted that a public meeting had been held on May 22, 2013 to provide the opportunity for public review and comment on the development. It also provided further detail to Council on the proposed development. Issues of note brought to the attention of Council included the following:

The Heritage Advisory Committee had reviewed the proposed development design, and if the proposal were to be considered by Council, final development approval of the plans would still be required.

In relation to the issue of the size of the proposed buildings and whether they fit their surroundings, it was noted that buildings west of the proposed development on Duckworth Street are generally two to three storeys high; east of Duckworth Street there are five- and eight-storey buildings nearby.

83 Duckworth Street

The initial proposal for 83 Duckworth Street was to develop a five-storey building but this had been altered to include an additional storey thus making it six storeys. [No further information on the timing or rationale for this change was provided in this correspondence.]

Current zoning for 83 Duckworth Street - Commercial Central Mixed Use (CCM) - permits a maximum building height of 15 metres; and an FAR of 3.0. The new building height would be 21 metres [as measured at the highest point along Duckworth Street] and require an FAR of 4.55.

As per the new Downtown Parking Standards, one parking space is required for every 100 square metres of net floor areas and for new hotels, one space for every four guest sleeping rooms. Therefore four spaces are required for the retail/commercial space (based on 355 square metres of net floor area) and seven spaces for the hotel. In total, 11 spaces would be required for 83 Duckworth Street.

96 Duckworth Street

The Red Ochre Gallery at 96 Duckworth Street has a fire exit which opens onto the City-owned property at 90 Duckworth Street. It was stated that the new development might block this exit and that this issue could be addressed at the development stage to ensure there is no negative impact on the existing business.

For the proposed use of 90 Duckworth Street (parking and residential) the portion of the property (the majority) zoned Residential Downtown (RD) would need to be rezoned to Apartment Downtown (AD). The area zoned CCM (bordering the adjacent art gallery) could retain its current zoning because residential dwelling units on the second or higher floors are a permitted use in that Zone.

The proposed building height of 90 Duckworth Street is four stories from the established grade along Ordnance Street. The height as measured from established grade on Duckworth Street would be five stories.

The new Downtown Parking Standard requires one parking space per dwelling unit and therefore 17 parking spaces are required for 90 Duckworth Street. On-site parking for both sites will be provided in 90 Duckworth Street which has 37 spaces – this exceeds the minimum required.

Planning Approach

It was stated that to consider the development at 83 and 90 Duckworth Street:

- A new zone would have to be created for 83 Duckworth Street, as the current zoning does not accommodate the increased FAR and height proposed.
- 90 Duckworth Street would have to be rezoned to Apartment Downtown (AD) as the proposed development could not be accommodated within the Residential Downtown (RD) Zone.
- For the entire development (both properties), amendments to the St. John's Development Regulations would be required.

The correspondence concluded by stating that Council should determine if it wished to proceed with the proposed zone amendments for 83 and 90 Duckworth Street and any related amendments to the St. John's Development Regulations.

A Council Directive from this meeting directed staff to proceed to draft the appropriate amendments to the St. John's Development Regulations. It was noted that an amendment to the St. John's Municipal Plan would not be required to allow the potential amendments to the Development Regulations, but this would be determined definitively once the amendments were drafted.

December 20, 2013 – Correspondence from the Director of Planning and Development to the Chair and Members of the Planning and Housing Committee

This correspondence overviewed the proposed development at 83 and 90 Duckworth Street. It referenced that staff had been directed to proceed with the amendment process for this development. It also stated that after a further review of the St. John's Municipal Plan and consultation with the City's Legal Department, it was determined that amendments should be made to both the St. John's Municipal Plan and Development Regulations to better manage the development of both buildings, their use and shared parking.

It further was stated that since the public meeting had been held and the design of the project was not changing that the proposed amendments related to creation of a new Commercial - Duckworth East (CDE) Land Use District and Commercial - Duckworth East (CDE) Zone be advertised for public review and comment.

Submissions in response to the proposed amendments – January 2014

Subsequent to this meeting, the amendments were advertised on two occasions in The Telegram and posted on the City's website and public input was sought. A few submissions were received: two in support and two opposed.

January 29, 2014 – Correspondence from the Chief Municipal Planner to the Mayor and Council

This correspondence detailed the history of the review process for the proposed development of 83 and 90 Duckworth Street. It recommended that if Council wished to proceed with the proposed amendments to redesignate and rezone the subject properties that they adopt-in-principle the relevant resolutions, i.e. St. John's Municipal Plan Amendment Number 124, 2013 and St. John's Development Regulations Amendment Number 589, 2013. Further, it was stated that if the amendments were adopted, they would be sent to the Department of Municipal Affairs with a request for the issuance of a Provincial release in accordance with the requirements of the Urban and Rural Planning Act.

February 7, 2013 – Correspondence from the Chief Municipal Planner to the Manager of Land Use Planning, Department of Municipal Affairs

This correspondence details a request from Council to the Department of Municipal Affairs to review the amendments under consideration (i.e., Numbers 124 and 589) against provincial interests and policies, with a request for the issuance of a Provincial release.

February 10, 2014 – Correspondence from the Manager of Land Use Planning to the Chief Municipal Planner

This correspondence from the Manager of Land Use Planning advised that in keeping with the requirements of Section 15 of the *Urban and Rural Planning Act, 2000*, the municipal amendments related to the proposed rezoning of the subject properties had been reviewed for conformity with provincial interest and law. These amendments were not found to conflict with any stated provincial policies and so a Provincial release was issued.

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

February 11, 2014 – Correspondence from the Chief Municipal Planner to the Mayor and Council

This correspondence explained to Council that the St. John's Municipal Plan Amendment Number 124, 2013 and St. John's Development Regulations Amendment Number 589, 2013 had been given Provincial release by the Department of Municipal Affairs. It was recommended that Council adopt the resolutions to the St. John's Municipal Plan and St. John's Development

Regulations in relation to the subject properties at 83 and 90 Duckworth Street to allow the proposed commercial and residential redevelopment. It also stated that if the resolutions were adopted, that Council appoint Your Commissioner to conduct the related public hearing proposed for Tuesday, March 11, at 7 p.m. at City Hall.

3.0 Written submissions received in advance of the hearing

Fifteen written submissions were received in advance of the hearing. In some cases, the same person/group submitted twice. One additional submission was received post-hearing and this has not been included in the report. The following is a list of those who provided written submissions and a summary of their comments. As previously referenced, the full text of each submission is found in Appendix “A”.

3.1 Brenda McClellan – commercial property owner, 96 Duckworth Street

B. McClellan is the owner of Red Ochre Gallery - which is adjacent to 90 Duckworth Street. Ms. McClellan made two submissions. She strongly objects to the development for several reasons including, but not limited, to:

- Rezoning of these two properties to create a specific district and zone is “spot zoning” and as such is an ad-hoc approach to comprehensive planning.
- The height and placement of these buildings will not enhance the character of this heritage neighbourhood, including Ms. McClellan’s premises, as they are not in keeping with the overall heritage character in the neighbourhood.
- The proposed development will promote an urban design which is not consistent with the current scale of development particularly surrounding 90 Duckworth Street. The buildings will create a towering corridor for those entering the downtown from this area of Duckworth Street which will block out light and sun to the existing properties and also dwarf them.

Ms. McClellan stated that the proposed development will particularly impact her premises as it will reduce the visual appeal and significance of her commercial property. She further noted that the building at 90 Duckworth Street will limit her right of occupancy because it will not allow her to open her emergency door, given there will be insufficient side yard space left for this opening.

Overall, Ms. McClellan expressed the opinion that the proposed development does not meet the St. John's Municipal Plan guidelines given that the impacts on existing commercial and

residential areas will be deleterious. She did note that she is not opposed to rezoning of the properties to accommodate new development but it should reflect the style and scope of the heritage area.

3.2 Susan Sherk

Ms. Sherk also provided two submissions. She felt that spot zoning would negatively impact the heritage integrity of the city. It will create an ordinary city as opposed to one that has successfully integrated its historic architecture with development.

She stated that if these two developments are allowed to proceed, then the height should be lowered, there should be breathing space between the street and the buildings, and the architecture should blend in or complement the architecture of the areas.

3.3 Alexandra Gilbert - *downtown resident*

Ms. Gilbert was opposed to the development citing the negative impacts on the heritage character of the area - depreciating its value and lowering its appeal. She also stated that allowing the building height as proposed would block out sunlight and create a tunnel effect.

Ms. Gilbert said that the downtown area should be as open as possible, with low building heights and accessible green spaces. She felt that the negative impacts of “in-fill” development have been well-established, i.e. this process creates congested spaces that lower the quality of life for residents.

3.4 Lila MacAllistar - *downtown property owner*

Ms. MacAllistar expressed concerns about the proposed rezoning noting that it will change the feeling of the area. She felt there was a double standard in relation to adherence to heritage guidelines with fewer restrictions on developers. Further, she stated that the development demonstrates that the City does not care about private views.

3.5 Bernice Morgan - *downtown resident*

Ms. Morgan spoke to the historical nature of the area proposed for rezoning stating that currently it retains its old town appeal and allows for a pleasant sense of community. She feels that this area is one of few in the city that remains as such and is a reflection of what makes the city unique.

Ms. Morgan cited numerous examples of how the proposed development will have a detrimental short- and long-term impact on her neighbourhood – the east end of St. John’s. In the short term, there would be an extended construction period which would bring excess noise, blasting, and increased traffic due to the presence of heavy equipment. In the long-term, the proposed development would result in the reduction of foot traffic, out-migration of the current residents, and ultimately the demise of a very viable and unique downtown neighbourhood.

3.6 Linda Hensman - *Stavanger Drive area*

Ms. Hensman is opposed to the proposed redevelopment of the properties. She cited the detrimental impact on the adjacent heritage homes. In addition, she stated that if the City continues to allow the encroachment of modern buildings in heritage areas that there would be nothing left of the city's heritage character.

Ms. Hensman said that she could support the rezoning application if the buildings were in character with the area. She stated that multi-storey modern buildings are totally unacceptable.

3.7 Residents of Signal Hill and Battery Area Residents Association

These residents made two submissions, although the only change on the second submission was a full listing of those supporting the submission. They were opposed to the proposed redevelopment for several reasons including that spot zoning is in direct opposition to the City’s ongoing commitment to full public dialogue protecting the integrity of heritage areas and public viewscales.

As well, they said that the size and scope of the buildings will contribute to, for example, loss of major public vistas and sightlines, significant wind tunneling, reduced sunlight, traffic concerns and decreased pedestrian-friendly spaces.

The residents said they are not against proportional development for these properties. They felt a more appropriate development would include a four-storey building, with a first floor commercial/retail level, with street-level set-backs and diagonal corners for mini-parks which would help maintain public vistas. They felt such a development would contribute to, for example, maintenance of important public vistas and the overall aesthetic sensibility vital to the uniqueness of St. John's.

3.8 T.A Loeffler – *downtown resident*

Ms. Loeffler spoke to what she felt is a double standard in relation to adherence to existing City regulations with developers being treated with more leniency in relation to following the rules. She is opposed to the scale and height of the proposed redevelopment citing the creation of a dark “concrete jungle” and noting in particular that the hotel proposed for 83 Duckworth Street would eliminate the view she has enjoyed for years.

Ms. Loeffler questioned the need for additional hotel rooms in the area and stated this would contribute to an area already negatively impacted by high tourist traffic. She felt the Fire Station should be re-purposed for a use amenable to the downtown and for the public good.

3.9 Carol and Grenfell Adams – *downtown residents*

The Adams strongly oppose the development. While they agreed the current structures on the subject properties are eyesores and need to be replaced, they feel that the City is circumventing its own regulations on height restrictions by seeking the proposed rezoning. Further, they stated that this process will eliminate some private views.

3.10 Carlson Emberley – Emberley Holdings Limited and Zachary’s Restaurant

Mr. Emberley is a business owner and operator at 71 Duckworth Street and has no objection to the proposed redevelopment. He feels that it is time to change the east end of Duckworth Street and that the proposed development will bring increased tourism traffic and shoppers to the area.

3.11 Kieran Hanley – *downtown resident*

Mr. Hanley strongly supports the proposed development. He believes the design looks suitable for the area given it is surrounded by modern buildings, and that it will facilitate more foot traffic in the area and thus positively impact local businesses on the east end of Duckworth Street. He also said that as an in-fill project it will increase density in the downtown core, which is crucial for providing better public services at decreased costs.

3.12 Hubert Alacoque – *downtown resident*

Mr. Alacoque sees the development as an opportunity to rid the downtown of two dilapidated properties and replace them with new buildings which will stimulate the downtown’s economic

development and add value to the neighbourhood, as property values near the development would increase.

4.0 THE HEARING

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

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

4.1 Overview of the Application

Mr. Ken O'Brien, Chief Planner with the Department of Planning, Development and Engineering, presented the proposed amendments to the St. John's Municipal Plan and St. John's Development Regulations, describing the thrust of these amendments as facilitating the redevelopment of the two subject properties at 83 Duckworth Street – an abandoned building, and 90 Duckworth Street – the former Fire Station. He explained that it was proposed that both buildings would be demolished and replaced with new buildings: a six-storey building with first floor commercial operations and five stories of hotel space – 83 Duckworth Street; and a five-storey building with two levels of parking (one of which is partially underground) at 90 Duckworth Street.

Mr. O'Brien explained that the buildings are "linked" by the requirement to provide parking for both of the buildings. This arises from Council's recent adoption of the Downtown Parking Standard and related recommendations which require parking for all new developments. The parking for both buildings is provided in the proposed building at 90 Duckworth Street.

It was stated that Council has adopted amendments to both the St. John's Municipal Plan and St. John's Development Regulations to facilitate the proposed redevelopment of the subject properties. As well, Mr. O'Brien said that there has been significant citizen interest and feedback on the proposal, including at a public meeting held earlier in the review process.

Mr. O'Brien stated that under the Urban and Rural Planning Act, a hearing has to be held on the proposed amendments to allow for public input. He explained that the role of the Commissioner is to consider all aspect of the proposed development and provide a report with recommendations back to Council.

4.2 The submissions

Your Commissioner explained that numerous submissions had been received from city residents and business owners in relation to the proposed development – some in support and some in opposition. It was stated that there were too many submissions to overview at the hearing but that the full text of each submission would be included in the report.

4.3 Presentations

Mr. Jeff Reardon – Republic Properties

Mr. Reardon provided a PowerPoint presentation on the proposed development, which spoke to information contained in their LUAR for the subject properties. He described the proposed uses of the buildings and the properties on which these would be situated. Republic Properties have named this integrated project the "Light House" in part because of the round end of the design of the building at 83 Duckworth Street where the site comes to a point.

He reiterated that both buildings front onto Duckworth Street - a commercial artery lined with retail and service businesses. Although there are a large percentage of residential units in the area, he stated that Duckworth Street has undergone a renaissance of sorts with newly developed medium- and high-density buildings either already built or under construction.

Mr. Reardon explained that the proposed "Light House Project" is flanked on the south side by four- and five-storey mixed-use buildings and the tallest building in the area is a multi-storey hotel complex (the Sheraton) which is situated slightly east of the site on Duckworth Street. The taller of the two buildings in the proposed development will still be three storeys lower than the Sheraton hotel which is also more elevated. Mr. Reardon highlighted that a turn-of-the-century building once located on a portion of the 90 Duckworth Street site occupied less of the site and was higher than the proposed building.

He detailed that the level of architecture and finish on the buildings will create a strong and pleasant impression of the relevant street corners on Hill O' Chips, Duckworth Street and Ordnance Street. Similar architectural features will be employed on both buildings including: buff stone appearance, brick, metal grills on Juliette Balconies, and lanterns on the buildings for friendly lighting of the building edges and sidewalks.

Mr. Reardon stated that the current properties are not contributing to the character of the street or vibrancy of the downtown, and that from a real estate perspective, the properties are both underutilized and as they currently exist, they do not provide an attractive and positive impression for those entering downtown. He also stated that the development creates an east-end gateway into the city at Duckworth and Ordnance Streets and that it addresses parking, improves the pedestrian environment thus encouraging foot traffic, and improves the vibrancy and feeling of safety.

Brenda McClellan – owner of Red Ochre Gallery, 96 Duckworth Street

Ms. McClellan spoke at length and reiterated points made in her two submissions (see section 3.1 and Appendix “A”). She also noted:

- The new development will have a negative impact on tourism given that hundreds of visitors walk this section of the downtown taking pictures for the view; the City should be improving the heritage character not chipping away at it.
- The low-rise architecture in the area encourages good development.
- The proposed building at 90 Duckworth Street will tower four stories over her building.

Ms. McClellan reiterated that she is not against development – if the proposed buildings are completely compatible with the existing neighbourhoods, kept at an allowable height as per the St. John’s Municipal Plan, and if more imagination is brought to bear on the development. She noted that there should be inclusion of more heritage and pedestrian-friendly features – e.g., recessed frontage and inclusion of benches and flowers.

Will Hiscock - Ordnance Street

Mr. Hiscock did not dispute that new development would be an improvement over the current structures, but also did not feel this was a sufficient reason to proceed with the proposed development. He described the proposal as ad-hoc. He also highlighted the noise which will emanate during the construction phase and wondered if compensation would be provided to those adjacent to the development for any inconvenience experienced.

Bernice Morgan – Duckworth Street

Ms. Morgan reiterated the points presented in her submission (see section 3.2 and Appendix “A”).

Ryan Sears – downtown resident

Mr. Sears stated that he had lived on Gower Street for many years until a building was erected that blocked his view of the harbour. He pointed to the amount of development that has been

ongoing in the Duckworth Street area noting the revitalization of existing small-scale low buildings.

Mr. Sears stated that buildings in this area should be no higher than four stories to protect view planes. He said the City of St. John's has previously asserted that high-rise buildings would be west of the former Woolworth's building on Water Street and not in the east end of the city.

He raised concerns about the proposed parking garage which will exit onto Ordnance Street noting the cars would be exiting onto one of the busiest intersections in the city. Further Mr. Sears questioned the safety of people crossing the street from 83 to 90 Duckworth Street to access parking.

Mona Rossiter – Signal Hill Battery

Ms. Rossiter felt that the move towards big development in the city is not unlike what other cities have experienced. She said the proposed development will destroy the streetscape. In addition, she noted that what she finds particularly offensive about the process and proposal is that the City of St. John's is allowing the developer to set the tone for the city. The vision of the "gateway" to downtown is not her vision and she felt that it also is not the vision of many other citizens.

Ms. Rossiter stated that the City should not be driven by an ad-hoc reactive approach to development. There is a need for a strategic vision and not simply reacting to what a developer wants.

Peter Jackson – an architect and member of several heritage groups

Mr. Jackson stated that he is a recent immigrant to the province. He felt that this proposal is a positive development, replacing buildings that are not attractive and adding ground-level retail that gives people additional reasons to travel this part of Duckworth Street.

Shane O'Dea – former Vice-Chair of the City of St. John's Heritage Advisory Committee

Mr. O'Dea stated that the proposed development markedly changes the character of Duckworth Street. He described the street as a lively thoroughfare of small-scale shops owned by local merchants and backed on by a very well-developed residential area. This existing pattern is the basis of the character which provides the marketing material for the tourism campaigns for the city and the province.

He referenced that the developer had suggested the proposed development rids the area of unsightly buildings. He said that the proposed development will be just as unsightly and will have a harmful effect on the neighbourhood because of its height and massing. This will overwhelm the neighbourhood and potentially result in a loss of local merchants.

Mr. O’Dea said the City should adhere to the plan they have in place and this does not include spot zoning. Further, he stated that such a large redevelopment should not even be contemplated until the City has its new municipal plan in place.

The second point he raised was in relation to the parking for both buildings being located in 90 Duckworth Street. He noted that the question has to be raised: What happens if this building is sold to another agency? The garage could be redeveloped and then it would likely be that residents’/hotel guests’ parking would encroach into the surrounding areas.

Hubert Alacoque – Gower Street

Mr. Alacoque supports the proposed development. He spoke to the issues which he had outlined in his written submission (see section 3.12 and Appendix “A”) and also addressed the following issues:

He referenced other major cities in Europe where the average heights of buildings are six and seven storeys and the importance of this type of development for conserving land. He spoke to the extent of development in the last twenty years in St. John’s contributing to urban sprawl.

He said removing the existing buildings on the subject sites is a positive action as these buildings are in disrepair. Mr. Alacoque said he owns two very old heritage homes which he maintains but noted that many do not. He said that the best way to maintain an old city is to invest and participate in it.

Mr. Alacoque also suggested that the City should consider roundabouts as a cheap and effective approach to relieving traffic congestion, stating these have been very successful in many places.

Mary Power – Sudbury Street

Ms. Power said she was not against development but was opposed to the location of such a big building. She stated that she is a walker and that the buildings will cast a shadow over everything in the area. This will make the area less amenable for walkers.

Bill Kelly – Walsh’s Square

Mr. Kelly expressed concern that the hearing was nothing more than a rubber-stamp for the developer. As a resident of downtown St. John’s he believes that many people invest in their properties. He said he is open to suggestions for development but not what was presented by Republic Properties.

Mr. McCallum - Forest Road

Mr. McCallum spoke to concerns with the extent of the parking to be provided by the development. He felt it was counter-intuitive to a development such as this to provide parking at the levels proposed and questioned how all of these cars would disperse given the traffic situation which currently exists at the adjacent intersection. He also said the developer should have presented a streetscape which would clearly demonstrate to the viewer the relative height of the buildings and the degree of skyline/view to be lost as a result of the development.

Carolyn Emerson – Bonventure Avenue

Ms. Emerson said she wanted to echo points which had already been raised. She referenced the negative effects of the two towering buildings including the shadows these will cast on pedestrians. Further she touched on the extra traffic flowing out onto Ordnance Street combined with the increase in the number of pedestrians trying to cross the street and felt that this would result in a future request for a pedway to alleviate congestion and safety concerns.

J. Moyse – Area resident

Mr. Moyse lives in the area of the proposed development and said that he was one of the people who should be considered as this development is contemplated. He said it was counterproductive for the City to put the buildings in this location citing concerns with wind and snow being piled onto the street. He also felt that with the heavy traffic and huge tankers accessing the industrial areas of the harbor from this part of Duckworth Street, the addition of buildings and more people created safety concerns.

Mr. Moyse reiterated how the development would change the character of the area and impact people's enjoyment of the area and their views. He said that there is a need for a well-defined City plan which speaks to appropriate placement of such developments.

Susan Cummings – Ordnance Street

Ms. Cummings has lived on Ordnance Street for 35 years. She stated that the proposed development will not impact enjoyment of her home until she steps away from her property and exits onto the street.

Ms. Cummings raised a concern about traffic flow. She noted that they have residential parking on the east side of Ordnance Street and they always have to carefully ease into the incessant flow of traffic. She suggested there would be "quite a snarl" when drivers are trying to turn west off of Ordnance while there are numerous cars exiting the proposed parking garage onto Ordnance.

She also said that the redevelopment of the old Newfoundland Hotel was appropriate because it was built on a lot that could accommodate it. It does not impinge or tower over Ordnance Street.

Ms. Cummings also said that people walking by the development would be visually accosted by a fortress which will obstruct the sun and the local green spaces.

Margo Connors – city resident

Ms. Connors concurred with many of the previous speakers who opposed the development. She noted that the city is fragile and that this development puts a number of viewscapes in jeopardy.

Ms. Connors objected to the height of the buildings, the location, spot zoning and the precedent this will set stating that if the City says “yes” to this development, how can it say “no” to others?

John Bear – Morrison Place

Mr. Bear wondered how many of the written submissions for the hearing were in favor of/opposed to the development.

He also cited a concern with the heights of the proposed buildings. He referenced travelling to other old cities which have restrictions on building height, noting that higher buildings are built around the perimeter in newer areas.

Paul Rowe – city resident

Mr. Rowe raised the concern that moving between 83 and 90 Duckworth Street would be an inconvenience for travelers, as well as a safety hazard.

Jeff Reardon

Mr. Reardon noted to those in attendance that there is a crosswalk in the area which will facilitate movement between the two buildings. Also he stated they will not be putting in a pedway.

5.0 CONSIDERATIONS

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

5.1 Consistency with the Municipal Plan

5.1.1 The City of St. John's Vision

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

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.

5.1.2 Urban Form

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

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

Encouraging development of a compact city is particularly challenging for the City of St. John's because of its geography and history. [...]The Downtown and adjoining areas developed prior to 1945 present their own challenges. Relatively narrow streets, dense development, and a street system that, due to topography and history, follows an irregular form restrict traffic in many directions and allow for little public or private open space. City policies on parking and 'limited circulation' in the Downtown have sought to balance development of the Downtown with its traditional character.

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

A number of the General Policies detailed in III-1.2 reinforce the City's focus on facilitating compact urban form, including enabling infill:

1.2.1 Development in Serviced Areas

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

1.2.2 Development Density

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

[...]

1.2.4 Mixed Use

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

5.1.3 Residential Land Uses

The St. John's Municipal Plan's objective in relation to residential land uses is found in Section III-2.1

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.

A number of general policies expand on this objective:

2.2.1 Maintain and Improve Neighbourhood Character and Quality

The City views the neighbourhood as the basis for comprehensive planning of the residential environment. The historic pattern of development has given the City a varied housing stock in well-defined neighbourhoods. It is accepted that these differences contribute to the character of St. John's. Through public initiatives and appropriate development, the City shall encourage and guide the development of such areas so as to conserve and improve their individual quality.

2.2.2 Provide Good Residential Neighbourhoods at Reduced Public Cost

[...]

Promote Infill

The City shall promote more intensive use of existing services through infill, rehabilitation, and redevelopment projects.

5.1.4 Commercial Land Uses

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

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

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

3.1 OBJECTIVE

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

3.2 GENERAL POLICIES

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

3.2.1 Adequate Service Levels

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

3.2.2 Development Impacts

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

5.1.5 Heritage Area (Overlay District)

Section III-7 of the St. John's Municipal Plan speaks to the critical nature and value of the city's Heritage Areas. It references the importance of preserving and building on the city's historical legacy and that this action is one of the key tenets of the Vision that guides the Municipal Plan. Further, it states that as the city develops, heritage buildings should retain their original features, although their use can and must evolve over time. Heritage areas also need to accommodate appropriate new buildings and redevelopment. Section 7.2 – General Policies and 7.3 - Land Use District Policies specifically speak to new development and the importance of ensuring complementarity with existing older buildings.

7.2. GENERAL POLICIES

[...]

7.2.2 Historic Character and Compatibility

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

7.3 LAND USE DISTRICT POLICIES

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

5.2 The St. John's Development Regulations

5.2.1 Initial proposed zoning

83 Duckworth Street

Under the St. John's Development Regulations, the subject property at 83 Duckworth Street is located in the Commercial Central Mixed Use (CCM) Zone. As detailed in Section 10.23 of the Regulations, this Zone allows for the proposed development (hotel and ground floor commercial

uses - e.g., retail). However, it does not allow the desired height as it sets a limit of 15 metres (generally four storeys). Additionally, it would not accommodate the requested FAR as the Regulations specify a maximum FAR of 3.0 in this Zone, while the developer has requested an FAR of 4.55.

10.23.3 Zone Requirements

The following requirements shall apply to all uses except Service Stations:

(a) Floor Area Ratio (maximum) 3.0

In a situation where owing to substantial grade differences on a lot with frontage on more than one public street, a multi-storey building would have a storey higher than 6.0 metres, Council may increase the maximum Floor Area Ratio to 4.0, provided the maximum Building Height does not exceed 15 metres.

(b) Building Height (maximum) 15 metres

Of note, however is that despite the maximum Building Height as detailed in Section 10.23.3 (b), amendments have been made in this Zone to allow buildings higher than 15 metres and with an increased FAR (over the 3.0 maximum) in specific areas of the downtown.

Should Council wish to maintain the zoning as is for 83 Duckworth Street, similar amendments would have to be made to the St. John's Development Regulations to accommodate the height and FAR.

90 Duckworth Street

Under the St. John's Development Regulations, the subject property at 90 Duckworth Street is located primarily in the Residential Downtown (RD) Zone, with a small portion in the Commercial Central Mixed Use (CCM) Zone. For the proposed use of 90 Duckworth Street (parking and residential) it was initially put forward that the portion of the property (the majority) zoned Residential Downtown (RD) would need to be rezoned to Apartment Downtown (AD). As detailed in section 10.15.1, the Apartment Downtown (AD) Zone permits up to a maximum of 24 residential dwelling units in a building. As well, the parking component could be accommodated under Section 10.15.2 Discretionary Uses - (i) Uses Complementary to an Apartment Building.

5.2.2 Requirements for Side and Rear Yards in Downtown Zones

It is important to note that in the Residential Downtown (RD) Zone, as well as in the Residential High Density (3) and Medium Density Zones (which are applicable to areas in/adjacent to the

Downtown), the Residential Battery (RB) and Residential Quidi Vidi (RQ) Zones there are requirements for side and rear yardage.

Residential Downtown (RD) Zone

Side Yard – two Side Yards of 1.2 Metres (minimum) for Bed and Breakfast Dwellings, Boarding or Lodging Houses, Duplex Dwellings, Semi-Detached Dwellings and Single Detached Dwellings; a 1.2 metre Side Yard for End Unit Townhouses

Rear Yard – 6 metres for all of the above mentioned dwelling types

Residential High Density (R3) Zone

Side Yard – Similar requirements as laid out for dwelling types in the Residential Downtown (RD) Zone.

Rear Yard – 6 metres for all of the above mentioned dwelling types

Residential Medium (R2) Density Zone and Residential Quidi Vidi (RQ) Zones

Same requirements for Side Yards and Rear Yards as for the RD and R3 Zones.

Residential Battery (RB) Zone

Same 1.2 metre requirements for Side Yards; 4.5 metres for Rear Yards.

The Commercial Central Mixed Use (CCM) Zone, as with many of the commercial zones which are applicable to the Downtown, does not speak to Side and Rear Yard requirements. Council also determines the requirements for both Side and Rear Yards in the Apartment Downtown (AD) Zone.

5.2.3 The proposed option for redesignation and rezoning the subject properties

After consideration of the options for rezoning the subject properties under existing designations and zoning, and following a lengthy review and hearing process, further re-examination of the St. John's Municipal Plan and consultation with the City's Legal Department, it was recommended to Council (see December 20, 2013 correspondence in section 2.2) that a **new** Land Use District and Zone be created to accommodate the proposed development.

It is proposed that a new Land Use District - Commercial-Duckworth East (CDE) Land Use District - be added to Part III of the Municipal Plan (Section 3.3.6). The land at Civic Number 83 and 90 Duckworth Street would then be redesignated from the Commercial - Downtown (CD) Land Use District (#83) and the Residential Downtown (RD) Land Use District (#90) respectively

to the Commercial-Duckworth East (CDE) Land Use District. Of note, this District would only apply to these two properties. Permitted uses for this District would include Residential, Transient Accommodations, Retail, Parking Area, Office, and Service Shops - all of which are planned for the proposed development.

To set forth the Uses and Zone Requirements related to the development of 83 and 90 Duckworth Street, a new Zone would be added to Section 10 of the St. John's Development Regulations - Section 10.50 Commercial - Duckworth East (CDE) Zone. It would include a number of Discretionary Uses including Hotel, Retail Store and Dwelling Units located in the second and/or higher Storeys of a Building.

The following requirements shall apply to all uses in the CDE Zone:

a. Floor Area Ratio (maximum)	4.6 - at property known as Civic No. 83 Duckworth Street 2.5 - at property known as Civic No 90 Duckworth Street
b. Building Height (maximum)	23 metres - measured at the established grade along Duckworth Street at property known as Civic No. 83 Duckworth Street 18 metres - measured at the established grade along Duckworth Street at property known as Civic No. 90 Duckworth Street
c. Residential Density (maximum)	One (1) Dwelling Unit per 50 square metres of Lot Area
d. Off-street Parking	Notwithstanding anything else in the St. John’s Development Regulations the minimum off-street parking requirement for the Civic No. 90 Duckworth Street site shall be established by the application of the Downtown Parking Standard as provided for in section 9.1.2 (2) of the said Regulations, to all uses and development at both the Civic No. 90 and Civic No. 83 Duckworth Street sites. The foregoing shall serve to satisfy any requirement for off-street parking to be provided at the Civic No 83. Duckworth Street site.

5.2.4 Parking

The site of the proposed development falls under the purview of the City’s Downtown Parking Standards. As per Amendment Number 494 to the St. John’s Development Regulations, Section 9.1.2(2) “Downtown Parking Standard – Non-Residential/Residential” stipulates the current parking requirements for development on the subject properties. As stated in Section 9.1.2(2) – I (i[a]-ii) and II (i):

(I) Non-Residential Parking Standard

- (i) For new Developments involving commercial, retail, office, institutional and all other forms of non-residential Development, excepting Hotels, in the area subject to the Downtown Parking Standard [...], the on-site, off-street parking requirement shall be as follows:
- (a) For Lots with a Lot Area greater than 350 square metres and less than 2500 square metres, one (1) on-site, off-street parking space for every 100 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot;
- (ii) For new Hotels constructed or developed on Lots in the area subject to the Downtown Parking Standard [...], the on-site, off-street parking requirement shall be one (1) parking space for every four (4) guest sleeping rooms [...].

(II) Residential Parking Standard

- (i) For new residential Developments in the area subject to the Downtown Parking Standard, [...] excepting only residential Development on Water Street and Duckworth Street, on-site, off-street parking shall be required at the rate of one (1) on-site, off-street parking space per Dwelling Unit.

5.2.5 Heritage Areas Standards

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

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

The resulting study by PHB Group Inc. in consultation with Tract Consulting Inc. - St. John's Heritage Areas, Heritage Buildings and Public Views³ - detailed specific standards for three Heritage Areas: 1, 2 and 3. These Heritage Areas were designed to respond to the different characteristics within each Area and have specific design criteria attached to each. Heritage Areas 1 and 3 have relevance to the subject properties under discussion, as 90 Duckworth Street falls into Heritage Area 3 and 83 Duckworth Street falls into Heritage Area 1.

As described in the PHB Group report for Heritage Area 1 (pg.19):⁴

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

And for Heritage Area 3 (pg. 19):

These areas represent the average condition of the downtown. They expand slightly from the evaluation to include some main thoroughfares and to consolidate around natural boundaries. The objectives are similar to the other heritage designations but there is more flexibility in terms of use of materials and building additions. One of the objectives of the slightly more relaxed requirements is to encourage more in character renovation of buildings that have previously been inappropriately altered. New construction must be in scale and reflect surrounding styles.

As well, and with relevance to the subject properties, is that the report considered areas that are obvious candidates for redevelopment because of vacancy or strategic location even if they do not have heritage value at present. This redevelopment would have a significant impact on surrounding heritage areas.

Section 5.9.4 of the St. John's Development Regulations details stipulations/standards for the redevelopment of properties located in Heritage Areas 1, 2, and 3 – primarily in the downtown core and adjacent areas and based on the findings of the 2003 Pratt report. This Section specifically speaks to new buildings and major renovations to out-of-character buildings. It is

³ This report is available from the City's website under "Publications" - www.stjohns.ca/publications.

⁴ This information on the Heritage Areas is taken from the March 2003 report from the PHB Group Inc. (in consultation with Tract Consulting, Inc.) - St. John's Heritage Areas, Heritage Buildings and Public Views. Available from www.stjohns.ca/publications.

stated that this construction must comply with standards outlined for the Heritage Areas in which it is developed or detail a comprehensive design package approved by Council.

6.0 CONCLUSION

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

6.1 Consistency with the St. John's Municipal Plan

Overall vision and approach

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

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

In addition, specific Municipal Plan policies (see section 5.1.2) speak to the importance of encouraging increased density in all areas where appropriate and the mixture of land uses in all areas.

Residential Land Uses

Again the Municipal Plan policies in relation to residential land uses speak to encouraging appropriate infill while supporting neighbourhood character and quality of life in residential neighbourhoods.

Commercial Land Uses

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

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

6.2 The proposed new District/Zone

The City has a long history of discouraging the practice of what has long been known as "spot zoning" i.e., rezoning to accommodate single dwellings or developments when they are unable to be accommodated in other ways under the existing regulatory framework. The creation of new zones to accommodate the proposed development would on the surface appear to be "spot zoning". However, in the opinion of Your Commissioner, this is a practical approach to development of these subject properties.

It is important to inextricably tie together the development of the two subject properties, in particular as the parking for both will be located in one of the two buildings. At some future point, should the owner/s of the buildings decide to transfer ownership of one or both buildings to another party, under the new Zone the City is in a position to maintain the requirement that parking at 90 Duckworth Street also continues to support parking needs for 83 Duckworth Street.

More generally, establishing a new District and Zone for the two subject properties ensures tighter regulatory controls on the current and potential future proposed uses, and complementarity between the two subject properties and adjacent neighbourhoods/areas. A new District and Zone increases the City's control over and above what would be afforded them under a Development Agreement - which would be tied to the particular developer who brought the development to fruition and not to future property owners, thus raising the possibility of changes in use, design (e.g., addition of a pedway), and/or the parking arrangement.

Instituting a new Commercial-Duckworth East (CDE) District and Zone (with clear, specific and detailed zone requirements) to encompass the two subject properties is a reasonable and prudent action.

6.3 Maximum Building Height

It is important to note that the City has clearly identified specific areas on the west end of Water and Duckworth Streets as being amenable to and available for higher buildings – over and above the traditional four-storey maximum allowed for most areas east on these downtown streets. Your Commissioner believes that the area on the east end of Duckworth Street, specifically east of Wood Street and East of Hill O'Chips also is similarly amenable for *somewhat* higher buildings.

If one drives west on Duckworth Street from the subject properties, one can see a residential/commercial area with significant visual appeal – primarily lower (two-three storey) buildings with similar roof lines, of many and diverse colors, with a heritage and historic feel that creates a sense of a defined neighbourhood. In contrast, if one drives east on Duckworth Street

towards the subject properties, one's eye is drawn to the existing higher buildings – the hotel and condominium building.

Your Commissioner respectfully suggests that Council consider this delineation between the two distinct areas and ensure ongoing efforts to maintain the older, historic neighbourhood on Duckworth Street, west of and including Wood Street and west of Hill O'Chips. There is a natural boundary between the older and newer/higher buildings and houses.

The current zoning for 83 Duckworth Street allows for building heights of 15 metres (about four-storeys); the initial proposed rezoning for 90 Duckworth Street – Apartment Downtown (AD) – would allow for four storeys. Based on the foregoing discussion regarding the higher buildings found in the eastern vicinity of the subject properties, Your Commissioner believes that four storeys is appropriate for this area. Indeed, Your Commissioner feels that there would be minimal impact in the surrounding area should Council decide to increase the maximum allowable height in the new District and Zone to five storeys measured at the established grade along Duckworth Street, which was requested by the developer in their initial application. However, Your Commissioner does not concur that there should be an allowance for six storeys in this new District and Zone. This is completely out of scale in relation to the surrounding area. Creation of a gateway can become a towering tunnel if care is not taken to ensure reasonable scale.

6.4 Side and Rear Yards

There are requirements for Side and Rear Yard depths in many of the residential zones applicable to the downtown. It is recognized that the downtown has many areas where this depth varies depending on the specific placement of houses on lots and whether or not these are attached or detached. It is equally understood that because of the placement of commercial properties in the downtown (in close proximity/attached) – primarily on Water Street and Duckworth Street – the requirement for/availability of Side and Rear Yards often is unique to the individual commercial property and its location on a particular lot.

Your Commissioner believes that the issue of Side and Rear Yards is critical for the proposed development at 90 Duckworth Street because of the proximity of the long-term existing housing on Ordnance and Wood Streets. The proposed development will be five storeys and thus much higher than the houses it will abut.

It was stated in the LUAR that the proposed building at 90 Duckworth Street "has been set back from the property line on the west face to reduce the impact on the rear yards of the adjacent residential properties". In contrast, at the public meeting held during the review process it was identified, for example, that the foundation of the proposed building for 90 Duckworth Street would be a **minimum** of six inches from the property line of 8 Wood Street. As stated by the

current resident of 8 Wood Street in a May 27, 2013 submission to Council, *“I urge you to take a second to think about how little space six inches actually is, especially given they [the developers] have requested to build 15 metres high...it will be like living at the base of a cliff.”*

In addition to the encroachment on the properties of existing liviers abutting the proposed development, Your Commissioner poses the question as to how the required construction and future renovations/repairs will take place for sides/faces of the building at 90 Duckworth Street should any of these be no more than six inches from an adjacent property line?

It is recommended that Council include in the proposed new Commercial-Duckworth East (CDE) Zone minimum requirements for Side and/or Rear Yards designed to maintain a reasonable distance from residential properties which abut the proposed building at 90 Duckworth Street. This will ensure that the abutting residences are not “hemmed in” by the new building, and that there is not an ongoing discussion/debate with the owners of 90 Duckworth Street as to their right to enter residential properties adjoining the site to address construction/maintenance requirements for the proposed building.

As previously stated, the Red Ochre Gallery has an emergency exit/structure which opens up to the east of this property and onto City land at 90 Duckworth Street. This situation has existed and been “allowed” for some years. Your Commissioner notes that by establishing a minimum Side Yard requirement for the building at 90 Duckworth Street, the Gallery would be able to continue to use this exit, albeit recognizing this would require consent of the owners/developers of the property at 90 Duckworth Street.

6.5 View planes

The St. John’s Heritage Area, Heritage Buildings and Public Views Study details the Primary and Street End Views to be protected by existing zoning, particularly because of their location within the city’s heritage zone. The proposed developments do not interfere with these public view planes/scapes. It is important to state that while it is unfortunate when private views are impacted, this is a reality in a compact and dense downtown area where infill is to be encouraged. Further, it is important to note that even if a four-storey building (permitted height under the current zoning) were to be erected at 83 Duckworth Street, some private views would be impacted.

6.6 Parking/traffic

While it is recognized that the corner of Ordnance and Duckworth Street is a busy intersection, it is not anticipated that the parking garage area of 90 Duckworth will appreciably add to this activity.

Parking

83 Duckworth Street

Currently, there is no on-street parking recognized by the City along the Hill O' Chips property-line section of 83 Duckworth Street. There will be no vehicle access to the proposed property along Duckworth Street and so it is anticipated the existing six metered parking stalls (including one disabled space) would be unaffected by the proposed development.

90 Duckworth Street

There is no on-street parking currently along the frontage of this property on Duckworth Street. Accessing the lower parking level of the proposed development for this property off Duckworth Street will not impact parking in the area.

Access to the second parking level at 90 Duckworth Street will be from the West side of Ordnance Street. This side of Ordnance Street is a designated snow route annually from December 1 to March 31. The rest of each year this section of Ordnance allows for free general parking. The parking spaces which likely will be affected by the development at 90 Duckworth Street would be these two or three non-metered/non-permit parking spaces which fall under the snow route parking ban four months of each year.

6.7 Heritage

Despite the location of both of the subject properties in Heritage Areas, it has been well-established and is evident that the existing buildings on both properties have no significant physical/visual heritage appeal and/or characteristics. Therefore, there is no argument to be made that these buildings should be maintained due to their heritage nature.

Representatives of Republic Properties met with the City's Heritage Advisory Committee to present the proposed design of and gather feedback and suggestions regarding their proposed development for the subject properties. Minutes from the St. John's Heritage Advisory Committee from January 10, 2012, speak to the Committee's approval of the preliminary design for 83 and 90 Duckworth Street:

The Committee [...] recommended approval of the preliminary design as presented, subject to the other planning review considerations taking place, (i.e., finalization of land purchase, submission of the land use assessment report and completion of a public consultation process). The Committee appreciated the care taken by the developer in the

creation of the design concept which complements the historic character of the heritage area and which will be an impressive gateway to the eastern end of the downtown.

In its LUAR, Republic Properties states that based on this input (and input from City Council and the City's Development Committee), the design of the development was revised.

As previously referenced, Republic Properties presents in its LUAR that the joint development of 83 and 90 Duckworth Street will ensure the design of buildings will create an appropriate streetscape which enhances and extends the downtown pedestrian-oriented character of Duckworth Street. The project is to create an east-end quality design gateway into the city at Duckworth and Ordnance Streets.

It is important to restate that the subject properties are in defined Heritage Areas which include properties of significant heritage character and value. It will be critical that the City ensure the final design, materials, lighting and other architectural features of the proposed buildings are in keeping with that of properties in the area to ensure complementarity with the existing character of the surrounding areas.

The East End Fire Station

Documentation from the Heritage Foundation of Newfoundland and Labrador, "Building Preservation Brief: Central Fire Station and other St. John's Fire Halls"⁵, highlights that the original East End First Station was constructed c1893-1895. The original building was a wooden 3 ½ storey structure, with a two storey stable/hayloft in the rear. It housed a mixed police and fire department. Photographs from the late 1940s show the wooden building still in existence. On the 1962 St. John's Insurance Atlas, the wooden fire hall is noted to have been replaced by a modern reinforced two-storey concrete station.

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

⁵ Dale Jarvis. Heritage Foundation of Newfoundland and Labrador, "Building Preservation Brief: Central Fire Station and other St. John's Fire Halls. April 2001. Pgs. 7-9. Available from <http://www.heritagefoundation.ca/media/731/report-st-johns-firehall.pdf>.

7.0 RECOMMENDATIONS

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

Acceptance of the St. John's Municipal Plan Amendment Number 124, 2013:

Introduce a new Land Use District to Part III of the Municipal Plan to read as follows:

"3.3.6 Commercial-Duckworth East Land Use District

Uses that May Be Permitted:

In this district, which applies only to Civic Numbers 83 and 90 Duckworth Street, the City may permit any or all of the following uses:

- 7. Retail;*
- 8. Service Shops;*
- 9. Office;*
- 10. Parking;*
- 11. Transient Accommodations; and*
- 12. Residential.*

Building Height and Area

Building height and floor area ratio shall be as provided for in the St. John's Development Regulations.

2. Redesignate land at Civic Number 83 and 90 Duckworth Street from the Commercial - Downtown (CD) Land Use District and the Residential Downtown (RD) Land Use District to the Commercial-Duckworth East (CDE) Land Use District."

Rejection of the St. John's Development Regulations Amendment Number 589, 2013 **as presented**:

St. John's Development Regulations (Amendment Number 589, 2013)

1. Add a new Zone to Section 10 of the Regulations.

"Section 10.50 Commercial - Duckworth East (CDE) Zone

Purpose of this Zone: This zone sets forth the Uses and Zone Requirements in relation to the development of Civic Numbers 83 and 90 Duckworth Street.

10.50.1 Discretionary Uses

Commercial:

- g. Hotel;*
- h. Office;*
- i. Parking Area;*
- j. Restaurant;*
- k. Retail Store; and*
- l. Service Shop*

Residential:

- b. Dwelling Units located in the second and/or higher Storeys of a Building*

10.50.2 Zone Requirements

The following requirements shall apply to all uses:

<i>e. Floor Area Ratio (maximum)</i>	<i>4.6 - at property known as Civic No. 83 Duckworth Street</i> <i>2.5 - at property known as Civic No 90 Duckworth Street</i>
<i>f. Building Height (maximum)</i>	<i>23 metres - measured at the established grade along Duckworth Street at property known as Civic No. 83 Duckworth Street</i> <i>18 metres - measured at the established grade along Duckworth Street at property known as Civic No. 90 Duckworth Street</i>
<i>g. Residential Density (maximum)</i>	<i>One (1) Dwelling Unit per 50 square metres of Lot Area</i>
<i>h. Off-street Parking</i>	<i>Notwithstanding anything else in the St. John's Development Regulations the minimum off-street parking requirement for the Civic No. 90 Duckworth Street site shall be established by the application of the Downtown Parking Standard as provided for in section 9.1.2 (2) of the said Regulations, to all uses and development at both the Civic No. 90 and Civic No. 83 Duckworth Street sites. The foregoing shall serve to satisfy any requirement for off-street parking to be provided at the Civic No 83. Duckworth Street site.</i>

2. Rezone land at Civic Number 83 and 90 Duckworth street from the Commercial Central Mixed Use (CCM) Zone and the Residential Downtown (RD) Zone to the Commercial – Duckworth East (CDE) Zone.”

Your Commissioner **recommends redrafting Amendment Number 589, 2013**, specifically 10.50.2 Zone requirements, to reflect the following:

- Maximum allowable Building Height of 18 metres (~five storeys) measured at the established grade along Duckworth Street at property known as Civic No. 90 Duckworth Street
- Maximum allowable Building Height of 18 metres (~five storeys) as measured at the highest point along Duckworth Street at property known as Civic No. 83 Duckworth Street
- Minimum Side and Rear Yard requirements for 90 Duckworth Street
- Associated required changes in the maximum FAR for both 83 and 90 Duckworth Street

In addition, and as detailed in section 6.7, Your Commissioner recommends that the history of the East End Fire Station site be commemorated in some fashion in the new development at 90 Duckworth Street.

RESPECTFULLY SUBMITTED THIS 22TH DAY OF APRIL 2014.

A handwritten signature in blue ink that reads "Marie E. Ryan". The signature is written in a cursive, flowing style.

Marie. E Ryan,
Commissioner

APPENDIX “A” - Written Submissions

#3.1

96 Duckworth St.
St. John's, NL
Canada, A1C 1E7
March 3rd 2014

City Clerk
City of St. John's
PO Box 908
St. John's, NL, A1C 5M2

I should like to make a submission to the public hearing scheduled for Tuesday, March 11, 2014, 7 p.m. in the Foran/Greene Room, 4th Floor, City Hall regarding the re-designation of the land at #s 83 & 90 Duckworth Street from Commercial – Downtown (CD) and Residential Downtown (RD) Land Use Districts to the new Commercial – Duckworth East (CDE) Land Use District, and concurring rezoning of land at 83 & 90 Duckworth Street from the Commercial Central Mixed Use (CCM) and Residential Downtown (RD) Zones to the new Commercial – Duckworth East (CDE) Zone. I understand that the amendments are in reference to an application submitted by Republic Properties, for the redevelopment of Civic 83 and 90 Duckworth Street to include a six storey hotel at #83 and a five storey building at #90 Duckworth St.

I strongly object to the change in land use districts and rezoning. Both properties, which are the subject of the amendment, form a part of two large land use districts within the designated Heritage District. The proposal by Council to re-designate and rezone the land to newly created and specific districts and zones that only affect the two properties is spot zoning which is an ad hoc approach to comprehensive planning which creates uncertainty in the planning, development and investment of a community.

The proposed buildings that are to be accommodated under the new district and zone will be considerably higher than currently allowed in this area and both will be built to the edge of the sidewalk. This will create a towering corridor as you enter this side of the downtown. It will negatively affect the surrounding area in regard to light, wind, views and heritage character. According to the City's website, the Planning and Development Division is responsible for the protection of the City's built heritage through the promotion of heritage values, encouragement of planned urban design through consultation with owners and developers and enforcement of heritage by-laws and policies. I do not believe that this proposal is consistent with the statement "encouragement of planned urban design through consultation with owners and developers". The City has undertaken a consultation on this proposal but having a vested interest in the selling of the City property at 90 Duckworth Street, I contend that it has not been true

consultation in that the Council's mind was already made to sell this property to a developer for this type of development proposal prior to the commencement of the consultation process.

As the owner of the commercial art gallery immediately adjacent to the proposed development at 90 Duckworth St., I was required to comply with the strict zoning and heritage regulations when I undertook a slight renovation to my building. I continued to maintain its significant heritage features as required by the City. I do support the current development and heritage regulations in place as this creates value to both the community and to my business. I do not object to the rezoning of the two properties to accommodate new development but the new district and zoning should be created to be sympathetic and consistent with the scale and style of development in the area, especially the heritage district. This proposed district and zoning will promote an urban design which is not consistent with the current scale of development particularly surrounding 90 Duckworth Street. The proposed redesignation and rezoning of the abutting property will affect my investment in my property at 96 Duckworth Street as the proposed building's bulk and height will tower and shadow over my property and will reduce the visual appeal and significance of my commercial property. Overall, I feel there will be a severe negative impact on my premises in all of these categories.

Mr. Commissioner, I implore you to recommend that Council reconsider the type of district and zoning that Council wishes to put in place to a district and zoning which is more complementary, consistent and supportive of the development scale and heritage nature of the surrounding area. I request that you not recommend to Council the approval of the St. John's Municipal Plan Amendment Number 124, 2013 and St. John's Development Regulations Amendment Number 589, 2013, which, in its current form, will allow this development. High rise buildings will destroy the heritage character of this area, so loved by visitors and our own citizens. As a concerned citizen I feel the city should keep to their own Regulations and Guidelines and to insist on a development which will be more in character with the existing neighbourhood and will enhance this historical part of our city.

Yours sincerely,

Brenda McClellan
Owner, Red Ochre Gallery

96 Duckworth St.
St. John's, NL
Canada, A1C 1E7
March 5th 2014

City Clerk
City of St. John's
PO Box 908
St. John's, NL, A1C 5M2

Supplementary letter.

Please add to my previous letter of March 3rd re the same hearing.

I should like to register some further concerns to be included in the public hearing on Tuesday March 11th 2014 regarding the consideration of the registration of zoning changes for #83 & #90 Duckworth St.

Having researched the Municipal Plan I would like to mention several points.

2-2 ... The Act requires that Council consult the public before proceeding to amend the plan. When considering an amendment or amendments, Council shall evaluate the proposed amendment against the goals, objectives, and purposes of the Municipal Plan before deciding to accept or reject a new policy.

3.2...“The following policies are devoted to defining and encouraging commercial development in suitable locations to serve residents and visitors with appropriate measures to mitigate their impacts on residential areas.”

I feel that the proposed buildings for these sites do not fit within these guidelines.

Their height alone will block out light and sun to the existing neighbourhood buildings. They will dwarf the homes and small commercial establishments nearby and will not enhance the character of this heritage neighbourhood.

They will create a tunnel effect which will cause a wind corridor.

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

These are Plan goals, objectives and purposes.

The buildings as proposed will particularly affect my premises negatively as the building at #90 will be erected next to me and will limit my right of occupancy. It will not enable me to open my emergency side door. There would have to be a side yard space left vacant so that I can open this door.

I would like to mention here that I have requested on several occasions to purchase this small piece of land, adjacent on the east side of my building, from the city but was refused. I have a letter from the previous mayor recommending the sale of this land to me, but it was turned down.

7.3...“building renovations and new development is in character with or complimentary to older buildings.”

The construction of the two new buildings as proposed is certainly contradictory to this heritage guideline as they are not in character with existing heritage premises in the whole neighbourhood and in particular to my building at #96 Duckworth St., which is adjacent to #90.

I would like to point out that my request for recent renovations to my building to increase the roof height by one foot was declined as out of keeping with the heritage character, which had to be enforced in this area.

I feel that these are valid planning reasons to not permit the registration of new zoning amendments which will allow the construction of these buildings.

Yours sincerely,

Brenda McClellan

#3.2

March 4th

Dear Sir:

I am sorry that the city wishes to amend current city zoning to allow the development of two high rise buildings on Duckworth St. east. We have a special city that has so far respected the heritage of much of the eastern downtown core and allowed new architectural developments on the western side. If we start allowing spot development, we will lose the heritage integrity of the city.

I am not against development, but surely our Council must have learned from other cities how to integrate heritage with development. If these buildings proceed, at least the Council can restrict the height and ensure that the design is in keeping with the area. Right now these designs represent the worst of modern architecture. We can do better.

Yours Truly.

Susan Sherk

March 4

Dear Sir:

I am writing you regarding changes to the current city zoning to allow the development of two high rise buildings on Duckworth St. east. If we allow spot zoning to accommodate individual development requests, we lose the integrity of our city, which, in turn will create an ordinary city as opposed to one that has successfully integrated its historic architecture with development.

Further, if you allow these two developments to proceed in their current form, you will have created a legacy of bad architecture. If you insist on permitting these two buildings to proceed, at least lower the height, allow "breathing space" between the street and the buildings and insist that the architecture blend in or compliment the architecture of the area.

We can do better. Don't let mediocrity be this Council's legacy.

Respectfully yours,

Susan Sherk

#3.3

March 5
City Clerk,

This email is in reference to the proposed development at the east end of Duckworth St. I am very concerned that the proposed buildings would have a negative impact on that part of downtown. The two proposed buildings would affect the heritage character of that area, depreciating the heritage value of it, and making it less appealing to both residents and visitors. The buildings - the height of which would be well over what is currently permitted - would block out sunlight and create a tunnel effect. The downtown area should be as open as possible, with low building heights and accessible green spaces that are not hemmed in by tall buildings. This development would disrupt the character of the downtown area.

I urge you not to approve this development. The City of St. John's has a responsibility to protect heritage areas. It has been well-established that the "in-fill" method of urban development creates congested spaces that lower the quality of life for residents. Please maintain the heritage character of Duckworth St. by not approving this development.

Thank you for your time and consideration.

Sincerely,
Alexandra Gilbert

██████████ Barnes Rd.
St. John's NL
A1C 3X7
██████████

#3.4

March 10

Hello,

I would like to express my concern about the rezoning that is planned at the bottom of Wood Street on Duckworth Street. This will completely change the feeling of the area.

Why is it that heritage regulations are shoved down the throats of existing property owners, but changed at the drop of a hat for developers. We own a property at 17 and 19 Gower Street, at the corner of Wood Street, and have the same approximate surface area as the proposed development at 83 Duckworth Street. Do we now make application to increase the height of our buildings to go to 7 stories so we can maintain a view of the harbour. It shouldn't be a big problem to get it approved if that building can be approved down the road from ours. Private views are obviously not a right for anyone, so it couldn't be argued that we'd be blocking anyone else's view. Also, we have enough property to build two more houses behind our properties but have refrained from doing so because it would interfere with the private views of us and our neighbours. Obviously that won't matter anymore if this development goes ahead.

Does the City still own #90 Duckworth Street, our old fire hall, or have they sold it to Republic Properties subject to approval of this development application? If this is the case, the City is in Conflict of Interest and will benefit by approving the development, to the detriment of its Citizens. This is not a fair situation and would not be applicable to anyone else other than the City; this shows a strong bias toward development and public meetings may just be another formality without substance as we've seen before from the City.

By the way, could the City show a little bit of effort when doing the information mail-outs instead of discussing the development on Duckworth Street, and referring to a drawing on the back of the page, and then putting Quidi Vidi Village development on there in error. It smacks of carelessness and may be another indication the City doesn't value the input of the Citizens affected.

Lila MacAllister
Property Owner
[REDACTED] Gower Street

Presentation for the March 11, 2014, City of St. John's Public Hearing.

Re: St. John's Plan Amendments 124 2013 and 589 2013

By: Bernice Morgan

Preamble: It is worth noting that these rezoning amendments have already been adopted by council at its February 17, 2014 meeting. The two amendments concern the rezoning of land at numbers 83 and 90 Duckworth Street, transferring these lots from the existing 'commercial central mixed and downtown residential' (with a three-story limit) to become 'commercial'. This rezoning is being made in order to facilitate the construction of a six story building on 90 Duckworth Street and a four-story building opposite at number 83. Both buildings extend to the sidewalk line and both will have one additional story below ground from which parked cars can exit into Duckworth Street.

I remember a time in St. John's when every neighborhood had a row of small businesses where nearby residences could buy almost anything they needed. These friendly meeting places for people and goods have vanished, displaced by supermarkets and big box store complexes. In our town only one such area remains – on Duckworth Street between Ordnance and Prescott you can still stroll from shop to shop, buy your week's groceries, buy locally made chocolate, bird houses, seal skin mitts, you can browse for antiques, have your jewelry repaired, find the books you want, have your shoes heeled, have your dress hemmed, buy great art, fashionable dresses, smart hats, local music, choose from half a dozen coffee shops and restaurants. On a sunny day you'll not find a happier bunch anywhere than the smiling pedestrians on the sidewalks of Duckworth Street. Some are tourists from the suburbs, some travellers from much further afield, but many are my neighbors, people who live in the hundreds of small, wooden houses above Duckworth and Gower, on Cochrane Street, Wood Street, York Street and all the joining streets that make this urban community such a pleasant place to walk in, to live in.

Within my life countless studies have been done on St. John's neighborhoods. Council has held public meetings, brought city planners from afar, paid for expensive consultant reports, struck committees and sub committees –used millions of staff hours rezoning parts of the city. Yet, miraculously, through all this, one small pedestrian-friendly neighborhood has not only survived, it has thrived –has become, like the Battery, a symbol of what makes St. John's East unique and one of the most photographed places in the province.

How will these two proposed concrete monoliths, towering over the east end of Duckworth Street, affect my neighborhood? In the short term, two or three years of construction, the expansion of sewer and water lines, the underground blasting, the overhead cranes, the daily movement of heavy equipment and supplies, the closing

2 →

of streets, will ruin many of the small businesses I've mentioned. It will make life in nearby homes hell. In the long term, as hundreds of cities across North America have demonstrated, the incursion of tall, light-blocking buildings, the wind-tunnel effect, the increase traffic (in this case spewing cars from underground lots out across blind corners) will have many repercussions. Included will be the disappearance of pedestrians from the sidewalks, the closing of small local businesses and the deterioration of the surrounding residential streets. A living, breathing neighborhood life will be lost as people move from houses that are now some of the most desirable in the city.

Anyone who has studied North American cities knows the pattern, the migration of families as people move away, followed by the depreciation of urban house values, which in turn, justifies more rezoning. Thus will our city council have destroyed the last viable and unique downtown neighborhood in St. John's.

A handwritten signature in blue ink, appearing to read "Dennis Hooper". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

#3.6

I am writing to express my concern regarding the proposal to rezone land at 83 and 90 Duckworth Street from Commercial Mixed Use to Residential Downtown in order to permit the construction of a six story building and four story building

While I am not a resident of the immediate area, I reside in St. John 's and am appalled at the possibility that two large structures will border heritage homes and destroy further the character of the area. Already in that area there are too many buildings which do not blend in with old St. John's.

People visit St. John's because we have a unique and interesting character, not because they want to see modern buildings. If we permit the such modern buildings to encroach and eventually take over our heritage areas we will have nothing left to commend this city.

I recall a visit to La Scie where I noted the paucity of heritage homes/buildings. When speaking with a resident, she said "we weren't smart like the residents of Trinity and surrounding communities who retained their heritage structures. We tore them down as we thought modern was better." Would I visit La Scie again - NO! Would I visit Trinity again - most definitely I will and I have! I fear the day we will be saying the same in St. John's that the residents of La Scie now say.

I could support the rezoning application only on the basis that the buildings to be constructed in the area would be in character with the area (that is residences which would blend in with the heritage homes in the area - that would be a distinct improvement for the area). But multistory modern buildings are totally unacceptable. It's the proverbial "slippery slope" if this gets approved.

Thank you for considering my comments.

Linda Hensman
■ Brooklyn Avenue
St. John's, NL
A1A 5G3



#3.7

March 9, 2014

Re: Proposed Lighthouse Project by Republic Properties, Duckworth Street

Dear Council,

We wish to express our extreme concern with and opposition to the proposed redevelopment of Civic 83 and 90 Duckworth Street as proposed by Republic Properties described as:

the Light House Project comprising a six-storey building consisting of ground floor commercial and five floors of boutique hotel for 83 Duckworth Street; a four-storey building for 90 Duckworth Street comprising two levels of parking (1 underground) and three floors of residential units.

It is our contention that the amended changes to this area – from Commercial Central Mixed Use (CCM) and Residential Downtown (RD) Zones to a new Commercial – Duckworth East (CDE) Zone– have been enacted to permit such developments despite strong opposition by business and residents in the area. Furthermore, the City's request for spot zoning to permit this particular project is in direct opposition to the City's ongoing commitment to full public dialogue, protecting the integrity of heritage areas and public viewscales.

These two properties are currently zoned for a maximum building height of 15 metres not the 21 metres requested by the proponent. The development of this site with its increased overall footprint (unfortunately not provided in the notice to nearby residents) and of 21 metres in height would result not in a “gateway to the City” (as proposed by Republic) but a tunnel with numerous deleterious effects including:

- loss of major public vistas and sightlines
- reduced visibility
- significant wind tunnelling (venturi effect)
- reduced sunlight
- reduced micro-climate temperatures, increased sidewalk icing, and
- overall decreased pedestrian-friendly environment
- increased traffic flow problems

We are not against proportional development for these properties. Rather, a four-storey building, with a first floor commercial/retail level, with street-level set-backs and diagonal corners for mini-parks could provide an enhanced setting, reduce micro-climate problems, help maintain important public vistas and the overall aesthetic sensibility vital to the uniqueness of St. John's.

In contrast, the continued spot zoning and disregard for heritage areas simply undermines the value—economic and aesthetic—of this City.

We urge Council to vote no to spot zoning for these properties, and no to the Lighthouse Project as currently proposed.

Sincerely,

Alison Dyer, [REDACTED] Walsh's Square

Ray Cox, [REDACTED] Quidi Vidi Road

Janet Russell, [REDACTED] Top Battery Road

Merrill Francis, [REDACTED] Battery Road

Residents of Signal Hill and Battery Area Residents Association

Revised March 10: March 9, 2014

City of St. John's City Council
c/o Office of the City Clerk
cityclerk@stjohns.ca

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In contrast, the continued spot zoning and disregard for heritage areas simply undermines the value—economic and aesthetic—of this City.

We urge Council to vote no to spot zoning for these properties, and no to the Lighthouse Project as currently proposed.

Sincerely,

Alison Dyer, ■ Walsh's Square
Ray Cox, ■■ Quidi Vidi Road
Janet Russell, ■ Top Battery Road
Merrill Francis, ■ Top Battery Road
William Allderdice, ■■ Battery Road
Penny Allderdice, ■■ Battery Road
Johanna Rocco, ■■ Walsh's Square
Angela Drake ■■ Outer Battery Road
Residents of Signal Hill and Battery Area Residents Association

#3.8

To Whom it May Concern,

I have lived at 7 Wood Street for 18 years and I am infinitely familiar with the joys and challenges of downtown St. John's living. As you can see from my longevity downtown, thus far the joys are outweighing the challenges. I read with very much dismay of the plans for both 83 and 90 Duckworth. I am not in support of changing the St. John's Municipal Plan nor the Development Regulations.

In summary, I do not support the change in the St. John's Municipal Plan and/or zoning for either 83 or 90 Duckworth. These regulations are in place for a reason and shouldn't be changed at the whim of a developer. If these developments were in line with the current plan/regulations, I would be disappointed with them going ahead but I wouldn't have to swallow the bitter pill that only residents/small businesses have to follow the rules while others get them changed. Case in point...Red Ochre Gallery is not allowed to raise their roof by one foot meanwhile Republic Properties gets to build a five story monster in their backyard...where is the fairness? The nuns can't have windows that make sense, yet Republic Properties gets to build a six story building where the zone only allows for four. If you approve these changes, you are approving this double standard and opening the flood gates to development without a plan.

83 Duckworth

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

90 Duckworth

Fire halls are special places. In the best of neighbourhood plans, this former fire hall would be repurposed to a community arts or recreation centre or library or other use in the public good.

Given the rapid expansion, as of yet unfilled, condo developments in the east end of downtown, I don't think it is time for yet another-especially one on a site that was former used for the good of the entire community. I do not support the change in zoning from Downtown Residential to Apartment Residential for this property. As someone who has been exiting Wood Street onto Duckworth for 18 years, add a parking garage entrance on Duckworth for this property will make an already complex intersection even more complex for drivers and pedestrians alike.

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

In summary, I do not support either amendment 124, 2013 to the St. John's Municipal Plan nor Amendment 589, 2013 to the St. John's Development regulations. These regulations are in place for a reason and shouldn't be changed at the whim of a developer. If these developments were in line with the current plan/regulations, I would be disappointed with them going ahead but I wouldn't have to swallow the bitter pill that only residents/small businesses have to follow the rules while others get them changed. Case in point...Red Ochre Gallery is not allowed to raise their roof by one foot meanwhile Republic Properties gets to build a five story monster in their backyard...where is the fairness? The nuns can't have windows that make sense, yet Republic Properties gets to build a six story building where the zone only allows for four. If these amendments are granted, you are approving this double standard and opening the flood gates to development without a plan.

Best regards,

TA Loeffler
Owner,
█ Wood Street

TA Loeffler Ph.D., Professor
3M National Teaching Fellow
Fellow of the Royal Canadian Geographical Society
School of Human Kinetics and Recreation

Memorial University of Newfoundland
St. John's, NL A1C 5S7

TA's Website: www.taloeffler.com



#3.9

We are sending this e-mail to strongly protest against this proposed development. We do agree that the structures that currently occupy these sites are eyesores and should be replaced. However, the proposal is for buildings that do not follow the principles of height restriction previously adopted by the city. As has happened repeatedly in the past, City Council is finding a way to ignore these principles through re-zoning, with wanton disregard for the rights of other downtown residents who would have their views destroyed by this reckless form of governance. Does City Council care sufficiently about its citizens, and about the prevention of our beautiful historic city becoming indistinguishable from other cities in Canada?

Was the sale of city property at 90 Duckworth performed according to accepted methods and appropriate land property evaluation? The public deserves to be better informed on these issues. We are hoping that City Hall will do the right thing and reject this proposal in its current form. We are unable to be at the meeting on March 11th and are requesting that this e-mail be read to those attending.

Thank you

Carol and Grenfell Adams
Cavendish Condominiums
█ Duckworth Street

#3.10

March 6

Relative to the above mention project, being a business owner and operator at 71 Duckworth Street, St John's, NL, I have no objection against this project. It is time to change the Eastend of Duckworth Street and let it conform with the Downtown area of St John's. This area and further East comes under the Downtown business tax authority.

When we started March 14, 1994 we had some parking, it was all taken away because of Citizen complaints but we have still survived and hope to continue for many more years.

Large part of our business is sight seers and tourist, I don't understand why Red Ochre would complain because it will bring many more tourist and shoppers to the Eastend.

People complained about the Stadium being converted into a Super Market, what a credit to City Council, just imagine what the old stadium would look like today.

I am a tax payer of this City, with two business operating in this area, would like to have this project proceed.

I am presently on vacation, but did attend the previous hearing and would be present if it was possible.

Carlson Emberley

Emberley Holdings Limited and Zachary's Restaurant

#3.11

I would like to voice my strong support of the development, as proposed by Republic Properties, for 89 & 90 Duckworth Street.

I am as a resident in the immediate area and believe this is a worthy project for 3 reasons.

First, this project will serve as an excellent entry into the downtown commercial area. It will extend the shopping experience for visitors an extra block. Aesthetics are always a personal opinion, but the renders show a design that looks very suitable for the area. Surrounded by modern buildings, there is not much heritage here at risk... certainly not an abandoned lot on one side and a strip club on the other.

Second, the added hotel rooms and residential units in the area will mean more people on the streets, which will create better business conditions for all businesses on the east side of Duckworth Street.

Third, as an in-fill project, this proposal will increase density in the downtown core which is crucial for providing better public services at decreased costs.

I support the amendment to re-designate this land.

Signed,

Kieran Hanley

#3.12

Dear Sir, Madam,

I reside at [REDACTED] Gower Street (I own the property as well) and I work nearby downtown. I strongly support this development as it is an opportunity to get rid of two dilapidated properties and replace them with architecturally attractive buildings. These two new buildings will stimulate downtown's economic development and add value to the neighborhood. Surrounding property values are going to increase relatively more because of this proposed development.

I would like to point out nonetheless that many people in the neighborhood seem to think that the proposed building architecture is out of character with the surrounding buildings. But I think that what most people completely overlook is the presence of the high voltage 3-phase aerial power lines that run up Kings Bridge Road and down Gower Street and Duckworth Street. These are the real eye sores in St. John's Historic Downtown - not a new high quality building development. And if they preferred a low end strip joint instead at the location, well, we have serious trouble on our hands.

These big power lines must be installed underground. Anywhere else in Canada, the USA, Europe, etc such power lines would be already underground. It is long overdue that the City imposes to NL Power the installation of power lines underground or negotiate with the Provincial Government and NL Power, and other organizations as necessary a plan and program to put these power lines underground where they should be. Telephone, Cable, and internet services should clearly go underground as well. The visual pollution imposed by these utilities is unnecessary. Furthermore, it would be unfair for developers to have to carry the financial burden of modernizing the power distribution systems by gradually putting them underground.

Sincerely,

Hubert Alacoque, P. Eng. MBA

[REDACTED] Gower Street, St. John's, NL

MEMORANDUM

Date: May 15, 2014

To: His Worship the Mayor and Members of Council

Re: **St. John's Municipal Plan Amendment Number 128, 2014
Amendment to the Commercial General Land Use District**

The Commercial General (CG) Land Use District is a wide ranging commercial district that exists in many different areas of St. John's. The District encompasses 8 different zones, which permit the many different land uses. Given the general and wide ranging nature of the Commercial General (CG) Land Use District, it is unnecessary that prescriptive height and lot coverage standards be referenced in the Municipal Plan to apply throughout all zones within the District. It is more appropriate that height and lot coverage standards be addressed within the Zone Requirements, as contained within the Development Regulations, for all zones within the Commercial General (CG) Land Use District. Therefore a text amendment to the St. John's Municipal Plan is required.

Recommendation

It is recommended that the proposed amendment to the St. John's Municipal Plan be advertised for public review and comment. Upon completion of the advertising process, the proposed amendment will be referred to a future Regular Meeting of Council for consideration of adoption-in-principle and then sent to the Department of Municipal Affairs for review.



Ken O'Brien, MCIP
Chief Municipal Planner

LLB/dlm

Attachments

G:\Planning and Development\Planning\2014\Mayor and Council\Mayor - Commercial General Land Use District Amendment May 15 2014.docx

ST. JOHN'S

DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 128, 2014**

WHEREAS the City of St. John's wishes amend the St. John's Municipal Plan as follows:

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

1. **"Repeal Part III – "Land Use Districts" in the City Wide Objectives and Policies and replace it with the following new section:**

Land Use Districts

The major purpose of the Land Use Districts is to identify and describe the recommended dominant land use and to provide parameters for development. In addition, Land Use Districts may prescribe, where it is deemed to be appropriate, the quantitative Height and Floor Area Ratio for land uses within Districts. Height is the maximum height permitted for a building in terms of the number of storeys or a metric dimension. Floor Area Ratio is the maximum ratio allowed between the floor area of a building on a lot and the area of that lot. These controls restrict the maximum bulk of buildings allowed in zones under a particular District.

2. **Repeal Part III Section 3.3.2 – "Building Height and Area" in the Commercial General (CG) Land Use District and replace it with the following new section:**

Building Height and Area

Building Height and Floor Area Ratio shall be as provided for in the St. John's Development Regulations."

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

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

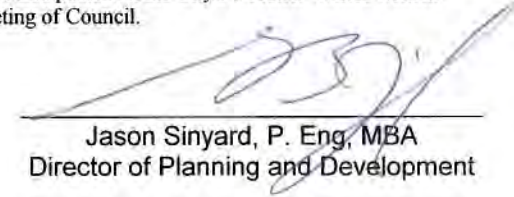
Provincial Registration

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 Tuesday, May 20, 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	467 Thorburn Road Rural Residential (RR) Zone	4	<p>A Discretionary Use Application has been submitted requesting permission to occupy a portion of 467 Thorburn Road as a Residential Retail Store for the sale of fireplaces, woodstoves, propane stoves, etc.</p> <p>The proposed business will occupy a floor area of approximately 50 m² and will operate Monday-Friday 8:30 a.m. – 4:30 p.m. and seasonally on Saturday 12:00 noon- 4:00 p.m. Six (6) on-site parking spaces are provided for the business. The applicant is the sole employee.</p>	50	1	6	<p>2 submissions received</p> <p>1 petition received</p>	<p>The Planning and Development Division recommends deferral of the application subject to a public meeting</p>
2	2864 Trans-Canada Highway Mineral Workings (MW) Zone	5	<p>A Discretionary Use Application has been submitted by Newfoundland Soiltec Inc. to operate a Soil Remediation Facility at 2864 Trans-Canada Highway in the area known as the Harbour Arterial Quarry Area (HAQA).</p> <p>The proposed operation would entail the rectifying of spent drilling mud from offshore oil production operations. The site is located in the Mineral Working Zone under the St. John's Development Regulations.</p>				<p>1 submission received</p>	<p>The Planning and Development Division recommends deferral of the application to allow staff time to discuss the application with the Provincial Government.</p>

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


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



Fw: Objection Letter from Robert & Esther Oliver
City Clerk and Council to: Donna L Mullett, Ken O'Brien
Sent by: Karen Chafe

2014/05/14 09:16 AM

From: City Clerk and Council/CSJ
To: Donna L Mullett/CSJ@CSJ, Ken O'Brien/CSJ@CSJ
Sent by: Karen Chafe/CSJ

----- Forwarded by Karen Chafe/CSJ on 2014/05/14 09:16 AM -----

From: "ROBERT OLIVER" [REDACTED]
To: "City Clerk" <cityclerk@stjohns.ca>
Date: 2014/05/13 10:55 AM
Subject: Objection Letter from Robert & Esther Oliver

Please find attached an objection letter from Robert and Esther Oliver re the application for a residential retail store to be located at 467 Thorburn Road.

Could you please advise if you have received this letter as there is a noon deadline for today?

Thanks



Esther OliverPI5Send1.Jpg

May 9, 2014

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

To: The Office of the City Clerk

Re – Discretionary Use Application for 467 Thorburn Road

We would like to file an objection to the Discretionary Use Application for the proposed Residential Retail Store to be located at 467 Thorburn Road.

Our personal residence is located next to this property at 473 Thorburn Road and we are very concerned that this proposed business will have a major impact on our property value and the value of other homes in the surrounding area. The proposed on-site parking will be located directly parallel to our back yard and will be visible from our property. This will certainly take away from the current country like setting we now enjoy.

We object to the rezoning of any Residential properties in our area for commercial or business use. There are several new homes under construction on properties adjacent to our home on Thorburn Road and we suggest that the City continue to only allow residential construction for the area. We have a significant investment in our home and the new homes under construction are high end residential properties that do not want to be devalued by the City allowing any new commercial property in our area.

We also want to emphasize that Thorburn Road is already an extremely busy road and by allowing any new Retail business in the area will only increase traffic and in our opinion will be dangerous for children and other pedestrians. Any new business brings ongoing customer traffic and daily Trucking/courier delivery activity, etc.

We are also concerned that if you allow this business to proceed, and it is successful, the owner may try to expand and further develop his property for commercial use. We have attached a signed petition from other property owners that share our views and respectfully request that the City decline this application.

Yours truly,

Esther Oliver
Robert Oliver
Esther & Robert Oliver



Fw: Petition objecting to application for 467 Thorburn Road
City Clerk and Council to: Ken O'Brien, Donna L Mullett
Sent by: Karen Chafe

2014/05/14 09:16 AM

From: City Clerk and Council/CSJ
To: Ken O'Brien/CSJ@CSJ, Donna L Mullett/CSJ@CSJ
Sent by: Karen Chafe/CSJ

----- Forwarded by Karen Chafe/CSJ on 2014/05/14 09:16 AM -----

From: "ROBERT OLIVER" [REDACTED]
To: "City Clerk" <cityclerk@stjohns.ca>
Date: 2014/05/13 10:59 AM
Subject: Petition objecting to application for 467 Thorburn Road

Please find attached a Petition objecting to the proposed Residential Retail Store for 467 Thorburn Road.

Could you please advise if you have received this Objection List as there is a noon today deadline?

Thanks



Esther OliverPI5Send1.Jpg

To: The Office of the City Clerk
 City of St. John's NL
 May 9, 2014

Petition Objecting to the proposed Residential Retail Store @ 467 Thorburn Road

Address	Name	Telephone #
479 Thorburn Road	Don Parrell	
9 Thorburn Rd	Jean Parrell	
Thorburn Rd	Dave Martin	
Thorburn Rd	Bill Feams	
Thorburn Dr	Amel Leone	
THORBURN RD.	Fern Pope	
THORBURN RD	Raphae Pope	
Thorburn Rd	Harold Myers	
Lyonsville Rd	Paul	
Lyonsville Rd	Sherry Parrell	
Lyonsville Rd	Jack W. Wink	
Thorburn Rd.	Paul	
THORBURN RD	Sherry Parrell	
Thorburn Rd	Charles Parrell	
Thorburn Rd	Fred Miller	
Thorburn Rd.	Mary Brown	
Thorburn Rd	Norman Brown	
Thorburn Rd	Dave Woodhouse	
Thorburn Rd	Joan Parrell	
Thorburn Rd	Paul Parrell	
Thorburn Rd.	Edith Gladney	
Thorburn Rd	Alice Miller	
Thorburn Rd	Honourable Tucker	
THORBURN RD	BERYL WORTHMAN	
THORBURN RD	BASIL WORTHMAN	
Thorburn Rd	Laurie Worthman	
Kelly Parrell	433 Thorburn Rd.	
Kelly Parrell	433 1/2 Thorburn Rd	
Kelly Parrell	443 Thorburn Rd.	
Thorburn Rd	Joan Parrell	
Thorburn Rd	Tom Parrell	
Thorburn Rd	Ken Parrell	
Thorburn Rd	Bruce Sitter	
Thorburn Rd	Barbara Sitter	
Thorburn Rd.	John Parrell	



Fw: Ref: Discretionary Use Application - 467 Thorburn Road

City Clerk and Council to: Ken O'Brien, Donna L Mullett, Karen Chafe

2014/05/14 09:19 AM

Sent by: Karen Chafe

From: City Clerk and Council/CSJ
To: Ken O'Brien/CSJ@CSJ, Donna L Mullett/CSJ@CSJ, Karen Chafe/CSJ@CSJ
Sent by: Karen Chafe/CSJ

----- Forwarded by Karen Chafe/CSJ on 2014/05/14 09:18 AM -----

From: Jason Pearcey <[REDACTED]>
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>
Cc: "dokeefe@stjohns.ca" <dokeefe@stjohns.ca>, "rellsworth@stjohns.ca" <rellsworth@stjohns.ca>, "dbreen@stjohns.ca" <dbreen@stjohns.ca>, "jgalgay@stjohns.ca" <jgalgay@stjohns.ca>, "btalley@stjohns.ca" <btalley@stjohns.ca>, "bdavis@stjohns.ca" <bdavis@stjohns.ca>, "wcollins@stjohns.ca" <wcollins@stjohns.ca>, "thann@stjohns.ca" <thann@stjohns.ca>, "shickman@stjohns.ca" <shickman@stjohns.ca>, "dlane@stjohns.ca" <dlane@stjohns.ca>, "apuddister@stjohns.ca" <apuddister@stjohns.ca>
Date: 2014/05/13 11:23 AM
Subject: Ref: Discretionary Use Application - 467 Thorburn Road

Attn: City Clerk

Please see attached submission regarding the application for "Discretionary Use" for 467 Thorburn Road.

Regards,

Jason Pearcey
Operations Manager



141 Glencoe Drive
Donovan's Industrial Park
Mt. Pearl (St. John's), NL, Canada
A1N 4S7

Tel: (709) 726-6774
Fax: (709) 726-6701
E-m: jason.pearcey@madsen.ca

Visit our web site at www.madsen.ca



Letter to City of St John's re Discretionary Use Application 467 Thorburn Road.pdf

May 12, 2014

Jason Pearcey
[REDACTED] Thorburn Road
St. John's, NL
A1B 4R1

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

To whom it may concern,

I am writing in response to a notice received from the City on May 6th concerning a "Discretionary Use Application for 467 Thorburn Road". My property/home is located on the property directly adjacent to the proposed "residential retail store" and as such I am concerned that allowing a "residential retail store" could have a significant negative impact on my property. Below I have outlined concerns for your consideration.

1. The properties located in this area of Thorburn road are generally all large executive style lots. The nature of these lots provides privacy in a tranquil setting. Many of the home owners in the area have considerable investment in these properties and allowing any type of commercial activity would have a negative impact on the area.
2. In the past 3-4 years there has already been some changes to property lines of the subject property. An application was made to the city [and granted] to "re-establish the building line" in order to accommodate a new lot. Now there is a further request from the same property to operate a "residential retail store" on the property. It also appears that the subject property was not subdivided according to the original plan as per the notification provided by the city. **The cumulative effect of these changes should be considered in addition to this specific application.**
3. While a small portion of the land located at 467 Thorburn road is located within the "RR" zone which has provision for discretionary use of a "residential retail store"; the current dwelling and the majority of the land area is located in the "R" zone which does not have a provision for discretionary use as a "residential retail store". Per the definition of the "residential retail store" it must be "located within the dwelling" and this particular dwelling is not located in the RR zone and therefore does not meet the development criteria. (See attached zone map)

Thank-you for your consideration of the above concerns, I would appreciate any opportunity to discuss this matter in more detail. Should you require any further information, please contact me by e-mail [REDACTED] or by telephone [REDACTED]

Regards,

A handwritten signature in black ink, appearing to read "Jason Pearcey". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jason Pearcey

Encl.

cc. Dave Wadden, CET, Manager of Development
Gerard Doran, CET, Development Officer
Mr. Dennis O'Keefe, Mayor
Mr. Ron Ellsworth, Deputy Mayor

Councillors: Mr. Danny Breen
Mr. Jonathon Galgay
Mr. Bruce Tilley
Mr. Bernard Davis
Mr. Wally Collins
Mr. Tom Hann
Mr. Sandy Hickman
Mr. Dave Lane
Mr. Art Puddister



Note: The Dwelling at 467 Thorburn is clearly located in the "R" Zone



Fw: Newfoundland Soiltec Inc. Discretionary Use application @ HAMWA

City Clerk and Council to: Ken O'Brien, Donna L Mullett, Karen Chafe

2014/05/14 09:20 AM

Sent by: Karen Chafe

From: City Clerk and Council/CSJ
To: Ken O'Brien/CSJ@CSJ, Donna L Mullett/CSJ@CSJ, Karen Chafe/CSJ@CSJ
Sent by: Karen Chafe/CSJ

----- Forwarded by Karen Chafe/CSJ on 2014/05/14 09:19 AM -----

From: "Nunn, Ges [REDACTED]"
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>
Cc: [REDACTED] gov.nl.ca>

Date: 2014/05/13 11:57 AM
Subject: Newfoundland Soiltec Inc. Discretionary Use application @ HAMWA

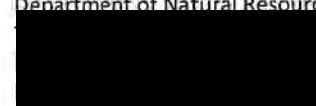
To whom it may concern

please note the attached comments relating to the Discetionary Use Application by Newfoundland Soiltec Inc. for a soil remediation facility in the Harbour Arterial Mineral Workings Area and register our disagreement with this proposal. Thank you.

Yours sincerely,

Ges Nunn.

Geologist,
Quarry Materials Section,
Mineral Lands Division,
Department of Natural Resources.



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please delete it immediately and notify the sender." St.John'sCity,NewfoundlandSoiltecInc@HAQS.doc

Re: Discretionary Use Application for a Soil Remediation Facility (also submitted as Crown Lands application # 145694).

COMMENTS : STRONGLY OPPOSED

1). **This application is located on the adjacent Quarry Lease # 116784 (file # 711:3672) held by Standard Paving Ltd. and is not on Newfoundland Soiltec Inc.'s ground (Quarry Lease 115736, file # 711:3931).**

2). **The Harbour Arterial Quarry Site (HAQS) area is zoned mineral working and is set aside for quarrying purposes. Soil remediation is not compatible with the extraction of quarry materials for which these quarry leases were issued.**

3). **Permanent structures are not normally allowed on quarry leases because they also interfere with the ability to excavate quarry material.**

Additionally:

the HAQS is currently under review and all land use applications are being declined whilst these discussions continue. This will remain the case pending decisions on how to move resource extraction forward throughout the site as a whole.

Report

Finance and Administration Committee

May 13, 2014

IN ATTENDANCE:

Councillor Danny Breen, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Bruce Tilley
Councillor Tom Hann
Councillor Bernard Davis
Mr. Neil Martin, Acting City Manager
Mr. Kevin Breen, Acting Deputy City Manager, Corporate Services
Mr. Robert Bishop, Deputy City Manager, Financial Management
Ms. Jill Brewer, Deputy City Manager, Community Services
Mr. Sean Janes, City Internal Auditor
Ms. Maureen Harvey, Senior Legislative Assistant

1. Memorandum dated May 9, 2014 from the Deputy City Manager, Financial Management re: Interim financial statements to March 31, 2014

The Committee discussed the above-noted memorandum and interim financial statements. It was noted that these statements are based on raw numbers and are subject to significant variances resulting from timing differences and the absence of expenditure accruals at the end of March.

The primary message is that revenues are very close to budget for YTD, however expenditures are less so.

Recommendation

The Committee recommends acceptance of the interim financial statements for the period ending March 31, 2014 a copy of which is available from the Office of the City Clerk.

2. Proposed Notice of Retirement Policy.

The Committee was presented with a draft “Notice of Retirement” Policy as follows:

Policy: Notice of Retirement

Purpose

To provide guidance to employees on City requirements for notice of retirement.

Policy Statement

1. In an effort to improve the administration of retirement benefits and the staffing of vacancies created by retirements, the City of St. John's requires employees to provide their Supervisor and the Division of Human Resources (Benefits and Pensions Office) at least 60 days advance written notice of his/her intent to retire. Providing less than a 60 day notice to retire to both these parties may delay the commencement of retiree benefits.
2. Employees considering retirement should discuss their plans initially with their Supervisor. It is the responsibility of the Supervisor to initiate replacement plans or alternate arrangements for the impending vacancy. Supervisors should have regular conversations with their employees about their expectations, development needs and future plans. The Division of Human Resources (Benefits and Pensions Office) will on request meet with the employee and their spouse if desired, to provide all relevant information on the City's pension and benefit plans at retirement.
3. Requests to rescind retirement may be made in accordance with the resignation provisions of the relevant collective agreements. In the case of non-union employees, requests to rescind retirement will be considered by the employee's Deputy City Manager who will consider all circumstances on a case-by-case basis. Employees rescinding their retirement are not guaranteed to remain in their current work assignment and may be assigned a new work assignment based on the City's needs.
4. Requests to rescind retirement, which are received after the effective date of retirement, will not be granted.

Recommendation:

On a motion by Councillor Hann; seconded by Deputy Mayor Ellsworth: The Committee recommends approval of the Retirement Policy as noted.

3. Requests for Financial Support for Meetings/Conventions/Sporting Events:

The City has received requests from the following groups and/or organizations under the Policy 04-09-02:

1. Fourth Atlantic Conjugate Margins Conference:

The City has received a request for sponsorship to assist with costs associated with the Fourth Atlantic Margins Conference which is being held in St. John's from August 20th – 22nd. While the above-noted policy does not deal with sponsorships per se, it does qualify for funding as the conference is inter-

provincial. It is anticipated that approximately 300 delegates will be in attendance.

2. Canadian Association of Career Educators and Employers (CACEE) Conference:

The City has received a request for financial support the above noted event taking place in May 2014. Approximately 250+ delegates are anticipated.

Recommendation:

On a motion by councillor Hann; seconded by Councillor Davis: That in keeping with Policy 04-09-02 the following grants be awarded:

**Fourth Atlantic Conjugate Margins Conference \$750
Canadian Association of Career Educators and Employers.....\$750**

4. **Request from Alzheimer Society of Newfoundland & Labrador for donation of \$650 to purchase shirts for participants at the 25th Annual Walk for Memories Fundraising event.**

The Committee considered the above-noted request and recommended rejection as it does not qualify under City Policy.

Recommendation

That the request from the Alzheimer Society for a donation be denied as it does not qualify under city Policy.

5. **Request from Shea Heights Community Center Board requesting reimbursement of expenses in the amount of \$1,017 related to the repair cost of the War Memorial.**

A request has been received from the Shea Heights Community Centre Board requesting consideration of 50% of the expense that was incurred to have repairs undertaken to the War Memorial. Repairs were undertaken in November 2013 by the Board so as the monument would be in good repair for the November 11, 2013 event.

Recommendation

Moved by Deputy Mayor Ellsworth; seconded by Councillor Hann: that Shea Heights Community Centre Board be reimbursed an amount of \$509, representing 50% of the cost of repair to the War Memorial.

6. **Request from St. Pat's Dancers for a financial contribution to their Ireland Tour.**

The Committee considered the above noted request.

Recommendation

The Committee recommends that the request from St. Pat's Dancers for a financial contribution to their Ireland Tour be denied as it does not qualify under city Policy.

7. **Request from National Emergency Nurses Affiliation for sponsorship of the Provincial Conference being held in St. John's June 8th – 10th, 2014.**

The Committee reviewed a request for financial assistance for a provincial emergency nursing conference.

Recommendation

The Committee recommends that the above noted request be denied as City policy provides for support for national and international conferences only.

Councillor Danny Breen
Chairperson

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF May 8, 2014 TO May 14, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
OT	City Of St. John's	Bannerman Park - Pool House & Splash Pad	100 Military Road	2	Approved	14-05-08
RES		Proposed Subdivide of Homestead Lot	836 Main Road	5	Approved	14-05-13
COM	Ron Fougere Assoc	Confined Space Training Facility	16 Rowan Place	4	Approved	14-05-13
AG	Polar Farms Limited	Accessory Building for Farm Operation	15 Northern Pond Road (TCH)	5	Approved	14-05-14

* 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 May 20, 2014 Regular Meeting

Permits Issued: 2014/05/08 To 2014/05/14

Class: Commercial

98 Fort Amherst Rd	Co	Lodging House
152 Water St Lululemon	Co	Retail Store
40 Aberdeen Ave	Ms	Service Shop
40 Aberdeen Ave	Ms	Office
40 Aberdeen Ave	Ms	Service Shop
40 Aberdeen Ave	Ms	Clinic
46 Aberdeen Ave	Ms	Restaurant
149 Airport Rd	Ms	Car Sales Lot
48 Kenmount Rd, Urban Planet	Sn	Retail Store
12 Bay Bulls Rd Tim Hortons	Sn	Eating Establishment
77 Blackmarsh Rd	Ms	Retail Store
245 Blackmarsh Rd	Ms	Convenience Store
Carpasian Rd	Ms	Place Of Assembly
94 Elizabeth Ave	Ms	Retail Store
385 Empire Ave	Ms	Office
2 Fogwill Pl	Ms	Restaurant
336 Freshwater Rd	Ms	Service Shop
336 Freshwater Rd	Ms	Office
15 Goldstone St	Ms	Service Shop
169 Hamlyn Rd	Ms	Service Shop
16 Highland Dr	Ms	Convenience Store
102 Kenmount Dr	Ms	Office
102 Kenmount Dr	Ms	Hotel
150 Kenmount Rd	Ms	Car Sales Lot
161 Kenmount Rd	Ms	Retail Store
193 Kenmount Rd	Ms	Place Of Amusement
195 Kenmount Rd	Ms	Service Shop
541 Kenmount Rd	Ms	Retail Store
1 Kiwanis St	Sn	Service Shop
330 Lemarchant Rd	Ms	Convenience Store
147 Lemarchant Rd	Ms	Service Shop
430-432 Main Rd	Ms	Convenience Store
484 Main Rd	Ms	Club
484-490 Main Rd	Ms	Restaurant
53-59 Main Rd	Ms	Retail Store
299 Main Rd	Ms	Service Shop
395 Main Rd	Ms	Office
239 Major's Path	Ms	Office
449 Newfoundland Dr	Ms	Convenience Store
36 Pearson St	Ms	Retail Store
154 Pennywell Rd	Ms	Service Station
34 Pippy Pl	Ms	Office
260 Portugal Cove Rd	Ms	Retail Store
279 Portugal Cove Rd	Ms	Retail Store
150 Clinch Cres	Ms	Lodging House
86 Thorburn Rd	Ms	Office
86 Thorburn Rd	Ms	Service Station
644 Topsail Rd	Ms	Service Shop
644 Topsail Rd	Ms	Service Shop
644 Topsail Rd	Ms	Day Care Centre
656 Topsail Rd	Ms	Tavern
393 Topsail Rd	Ms	Day Care Centre
681 Topsail Rd	Ms	Retail Store

26-34 Torbay Rd	Ms	Tavern
26-34 Torbay Rd	Ms	Tavern
280 Torbay Rd	Ms	Eating Establishment
278 Torbay Rd	Ms	Service Shop
710 Torbay Rd	Ms	Retail Store
315 Water St, Onellchophouse	Sn	Restaurant
351 Water St	Sn	Other
7 Wicklow St @ Prince Phillip	Sn	Clinic
114 Duckworth St	Rn	Mixed Use
48 Kenmount Rd-Rice Bowl	Rn	Restaurant
12 Bay Bulls Rd Tim Hortons	Nc	Accessory Building
35 Campbell Ave. Lawton's	Rn	Pharmacy
365-367 Water St	Rn	Office
14 Hebron Way/Milestone's Rest	Nc	Restaurant
5 Springdale St, Levels 1	Rn	Office
25 White Rose Dr , The Energy	Rn	Clinic
16 Rowan Pl	Ex	Office
5-7 Pippy Pl	Rn	Office
5 Springdale St., Level 12	Rn	Office

This Week \$ 3,251,066.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

435 Back Line	Sw	Vacant Land
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This Week \$.00

Class: Residential

294 Anspach St	Nc	Accessory Building
3 Antelope St	Nc	Fence
11 Capulet St	Nc	Accessory Building
22 Caravelle Pl Lot 15	Nc	Single Detached & Sub.Apt
16 Cassino Place	Nc	Single Detached Dwelling
47 Chafe Ave	Nc	Accessory Building
1 Cherrybark Cres, Lot 251	Nc	Single Detached & Sub.Apt
8 Cleary Dr	Nc	Accessory Building
35 Cornwall Ave	Nc	Patio Deck
30 Country Grove Pl	Nc	Fence
45 Country Grove Pl	Nc	Accessory Building
8 Crestview Pl, Lot 8	Nc	Single Detached Dwelling
7 Crestview Pl, Lot 4	Nc	Single Detached Dwelling
50 Cypress St	Nc	Accessory Building
64 Cypress St	Nc	Fence
2a Cumberland Cres	Nc	Fence
128 Donovan's Rd	Nc	Accessory Building
573 Empire Ave	Nc	Accessory Building
95 Firdale Dr	Nc	Accessory Building
156 Great Eastern Ave	Nc	Accessory Building
28 Grieve St	Nc	Accessory Building
17 1/2 Halifax St	Nc	Fence
51 Jennmar Cres	Nc	Accessory Building
23 Kenai Cres	Nc	Fence
23 Kenai Cres	Nc	Fence
32 Mark Nichols Pl	Nc	Patio Deck
11 Meeker Pl	Nc	Fence
2 Mootrey Pl	Nc	Fence
74 Newfoundland Dr	Nc	Accessory Building

94 Old Bay Bulls Rd	Nc	Single Detached Dwelling
66 Pearce Ave	Nc	Fence
24 Sprucedale Dr	Nc	Accessory Building
21 Stephano St	Nc	Single Detached Dwelling
46 Teakwood Dr, Lot 117	Nc	Single Detached & Sub.Apt
18 Tigress St	Nc	Accessory Building
3 Toby Mcdonald St	Nc	Accessory Building
98 Watson Cres	Nc	Fence
100 Fort Amherst Rd	Co	Boarding House(4 Or Less)
6 Howlett Ave	Co	Office
30 Woodwynd St	Co	Office
27 Mountbatten Drive	Cr	Subsidiary Apartment
23 Gower St	Ex	Townhousing
16 Point Verde Pl	Ex	Single Detached & Sub.Apt
8 Augusta Crt	Rn	Single Detached Dwelling
30 Beothuck St	Rn	Semi-Detached Dwelling
7 Compton Pl	Rn	Single Detached Dwelling
10 Conroy Pl	Rn	Single Detached & Sub.Apt
22 Cornwall Cres	Rn	Single Detached Dwelling
1 Doheny Pl	Rn	Single Detached Dwelling
21 Everard Ave	Rn	Single Detached Dwelling
20 Holloway St	Rn	Townhousing
64 Kenai Cres	Rn	Single Detached Dwelling
60 Lemarchant Rd	Rn	Semi-Detached Dwelling
62 Lemarchant Rd	Rn	Semi-Detached Dwelling
73 Long's Hill	Rn	Townhousing
130 Merrymeeting Rd	Rn	Single Detached Dwelling
25 Monkstown Rd	Rn	Townhousing
16 Mullock St	Rn	Townhousing
127 Penney Cres	Rn	Single Detached Dwelling
157 Queen's Rd	Rn	Single Detached & Sub.Apt

This Week \$ 2,654,427.00

Class: Demolition

48 Kenmount, Former Glow In One	Dm	Retail Store
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This Week \$ 38,870.00

This Week's Total: \$ 5,944,363.00

Repair Permits Issued: 2014/05/08 To 2014/05/14 \$ 199,256.00

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			
May 20, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$43,146,000.00	\$41,669,000.00	-3
Industrial	\$28,000.00	\$125,000.00	346
Government/Institutional	\$721,500.00	\$42,505,000.00	579
Residential	\$49,827,000.00	\$39,196,000.00	-21
Repairs	\$1,189,000.00	\$1,138,000.00	-4
Housing Units (1 & 2 Family Dwellings)	131	87	
TOTAL	\$94,911,500.00	\$124,633,000.00	31

Respectfully Submitted,

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

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending May 14, 2014**

Payroll

Public Works	\$ 442,473.15
Bi-Weekly Casual	\$ 18,796.93
Accounts Payable	\$2,707,207.16

Total: \$ 3,168,477.24

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
WATER ENVIRONMENT FEDERATION	0000000781	MEMBERSHIP RENEWAL	\$150.13
ALTIMA TECHNOLOGIES, INC.	0000000782	SUBSCRIPTION RENEWAL	\$662.34
TAPCO, INC.	0000000783	REPAIR PARTS	\$12,164.98
CITY OF ST. JOHN'S	00067819	REPLENISH PETTY CASH	\$272.55
BREWER, JILL	00067820	TRAVEL REIMBURSEMENT	\$88.00
POWER TINA	00067821	REIMBURSEMENT FOR REFRESHMENTS	\$23.27
MICHAEL FURLONG	00067822	REFUND SECURITY DEPOSIT	\$2,000.00
ROGERS BUSINESS SOLUTIONS	00067823	DATA & USAGE CHARGES	\$17,390.70
NORTH ATLANTIC ISLAND PASS	00067824	DIESEL & GAS PURCHASE	\$344.29
MCGRATH, JENNIFER	00067825	REIMBURSEMENT FOR REFRESHMENTS	\$99.60
KELLOWAY CONSTRUCTION LIMITED	00067826	CLEANING SERVICES	\$1,478.11
RON FOUGERE ASSOCIATES LTD	00067827	ARCHITECTURAL SERVICES	\$2,746.84
KELLOWAY CONSTRUCTION LIMITED	00067828	CLEANING SERVICES	\$47.39
RON FOUGERE ASSOCIATES LTD	00067829	ARCHITECTURAL SERVICES	\$266.69
NEWFOUNDLAND EXCHEQUER ACCOUNT	00067830	REFUND OVERPAYMENT OF FUNDING	\$121,414.56
IRVING OIL MARKETING GP	00067831	GASOLINE & DIESEL PURCHASES	\$7,250.23
NL CONTINUING LEGAL EDUCATION	00067832	SEMINAR FEE	\$80.00
FERNANDEZ, RAFAEL	00067833	TRAVEL REIMBURSEMENT	\$1,092.78
CUSTOM GLASS & ACRYLICS	00067834	GLASS INSTALLATION/REPAIRS	\$168.37
VOKEY'S JANITORIAL SERVICE	00067835	JANITORIAL SERVICES	\$264.01
THE TELEGRAM	00067836	ADVERTISING	\$187.94
NEWFOUND DISPOSAL SYSTEMS LTD.	00067837	DISPOSAL SERVICES	\$174.57
ANDERSON ELECTRIC	00067838	PROFESSIONAL SERVICES	\$1,695.00
EVEREST	00067839	PROMOTIONAL ITEMS	\$268.50
NEWFOUNDLAND POWER	00067840	ELECTRICAL SERVICES	\$369,133.81
RECEIVER GENERAL FOR CANADA	00067841	PAYROLL DEDUCTIONS	\$628,162.29
RECEIVER GENERAL FOR CANADA	00067842	PAYROLL DEDUCTIONS	\$223,274.48
O'DEA EARLE IN TRUST	00067843	LEGAL CLAIM	\$36,000.00
ALLAN SMICKERSGILL AND CABOT COLLISION	00067844	LEGAL CLAIM	\$4,996.89
S & L ENTERPRISE	00067845	RENTAL OF EQUIPMENT	\$1,356.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	00067846	WORKSHOP REGISTRATION FEE	\$50.00
OFFICE OF WATER PROGRAMS	0000000784	BOOK	\$55.20
DLI.TOOLS	0000000785	SOFTWARE RENEWAL	\$310.60
ZEEPAARD ENGINEERING SDN BHD	0000000786	SOFTWARE RENEWAL	\$11,590.95
REGAL REALTY LIMITED	00067847	COURT OF APPEAL REFUND	\$200.00
PAUL & DENISE BRENNAN	00067848	COURT OF APPEAL REFUND	\$60.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
DWAYNE & KATHERINE KELLY	00067849	COURT OF APPEAL REFUND	\$60.00
STEPHEN MCCARTHY	00067850	COURT OF APPEAL REFUND	\$60.00
NEARY, JANICE	00067851	COURT OF APPEAL REFUND	\$60.00
GERARD MURPHY	00067852	COURT OF APPEAL REFUND	\$60.00
DAVID LEWIS ET AL	00067853	COURT OF APPEAL REFUND	\$60.00
AGNES BRENNAN	00067854	COURT OF APPEAL REFUND	\$60.00
RAY BROWNE	00067855	COURT OF APPEAL REFUND	\$60.00
LAURENCE MOORES & PATRICIA KELSEY	00067856	COURT OF APPEAL REFUND	\$60.00
ATLANTICA MECHANICAL SERVICES	00067857	PROFESSIONAL SERVICES	\$1,863.94
BELL MOBILITY	00067858	CELLULAR PHONE USAGE	\$184.27
PARTS FOR TRUCKS INC.	00067859	REPAIR PARTS	\$6,477.56
CITY OF ST. JOHN'S	00067860	REPLENISH PETTY CASH	\$62.92
ARNS, BONNIE	00067861	REIMBURSEMENT TUITION BOOK	\$177.35
BOUNDRIDGE, PAUL	00067862	REFUND REGISTRATION FEE FOR WEBINAR	\$32.77
JOSEPH QUIGLEY	00067863	SMOKING CESSATION PROGRAM	\$188.60
KRYSTAL KELSEY	00067864	REIMBURSEMENT TUITION	\$497.62
ACTION TRUCK CAP & ACCESSORIES	00067865	REPAIR PARTS	\$138.96
AIMS LTD.	00067866	REPAIRS TO OVERHEAD DOORS	\$54.01
ATLANTIC PURIFICATION SYSTEM LTD	00067867	WATER PURIFICATION SUPPLIES	\$4,345.51
ATLANTIC ROOFING CO. 1996 LTD.	00067868	PROFESSIONAL SERVICES	\$1,124.35
AUTOMOTIVE SUPPLIES 1985 LTD.	00067869	AUTO SUPPLIES	\$124.04
AVALON FORD SALES LTD.	00067870	AUTO PARTS	\$162.38
B & B SALES LTD.	00067871	SANITARY SUPPLIES	\$152.55
BABB LOCK & SAFE CO. LTD	00067872	PROFESSIONAL SERVICES	\$395.50
COSTCO WHOLESALE	00067873	MISCELLANEOUS SUPPLIES	\$232.64
BRINK'S CANADA LIMITED	00067874	DELIVERY SERVICES	\$1,058.07
ROBERT BAIRD EQUIPMENT LTD.	00067875	RENTAL OF EQUIPMENT	\$451.29
NEWFOUNDLAND EXCHEQUER ACCOUNT	00067876	REGISTRATION OF EASEMENT	\$33.90
HERCULES SLR INC.	00067877	REPAIR PARTS	\$983.02
BOB'S FENDER SHOP	00067878	FENDER REPAIRS	\$1,620.42
DOMINION STORES 924	00067879	MISCELLANEOUS SUPPLIES	\$118.14
VERMEER CANADA INC.	00067880	RENTAL OF EQUIPMENT	\$416.48
TONY'S TAILOR SHOP	00067881	PROFESSIONAL SERVICES	\$12.43
INTEGRATED OCCUPATIONAL HEALTH SERVICE	00067882	JOBSITE ANALYSIS	\$840.00
CUSTOM SYSTEMS ELECTRONICS LTD	00067883	PROFESSIONAL SERVICES	\$8,783.54
BEST DISPENSERS LTD.	00067884	SANITARY SUPPLIES	\$1,443.06

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ROCKWATER PROFESSIONAL PRODUCT	00067885	CHEMICALS	\$2,210.60
BLAZER CONCRETE SAWING & DRILL	00067886	PROFESSIONAL SERVICES	\$6,169.80
GRAPHIC ARTS & SIGN SHOP LIMITED	00067887	SIGNAGE	\$363.95
RBC INVESTOR SERVICES TRUST	00067888	CUSTODY FEES	\$706.25
NOLAN INSTRUMENTATION SERV LTD	00067889	CIRCUIT MODULES	\$282.50
BRENKIR INDUSTRIAL SUPPLIES	00067890	PROTECTIVE CLOTHING	\$215.72
JLG TRANSPORTATION LTD.	00067891	TAXI SERVICES	\$333.75
OFFICEMAX GRAND & TOY	00067892	OFFICE SUPPLIES	\$594.81
SGS LASER INC	00067893	SERVICING OF EQUIPMENT/TONER	\$80.23
SPECTRUM INVESTIGATION & SECURITY 1998 L	00067894	SECURITY SERVICES	\$5,117.18
WESTERN HYDRAULIC 2000 LTD	00067895	REPAIR PARTS	\$3,316.55
OUTFITTERS	00067896	PROTECTIVE CLOTHING	\$169.44
STAPLES THE BUSINESS DEPOT - STAVANGER I	00067897	STATIONERY & OFFICE SUPPLIES	\$468.70
IDENTICAM SYSTEMS CANADA	00067898	SOFTWARE SUPPORT AGREEMENT	\$452.00
CHESTER DAWE CANADA - O'LEARY AVE	00067899	BUILDING SUPPLIES	\$243.99
CANADIAN CORPS COMMISSIONAIRES	00067900	SECURITY SERVICES	\$7,615.00
AIR LIQUIDE CANADA INC.	00067901	CHEMICALS AND WELDING PRODUCTS	\$2,521.65
DAVE CARROLL	00067902	BAILIFF SERVICES	\$33.50
CARSWELL DIV. OF THOMSON CANADA LTD	00067903	PUBLICATIONS	\$1,197.96
WAL-MART 3196-ABERDEEN AVE.	00067904	MISCELLANEOUS SUPPLIES	\$75.47
ROGERS CABLE	00067905	INTERNET SERVICES	\$299.06
SOBEY'S INC	00067906	PET SUPPLIES	\$277.18
NORTRAX CANADA INC.,	00067907	REPAIR PARTS	\$599.46
MAC TOOLS	00067908	TOOLS	\$928.15
WM L CHAFE & SON LTD.	00067909	CLOTHING ALLOWANCE	\$3,559.50
CBCL LIMITED	00067910	PROFESSIONAL SERVICES	\$11,273.95
CLEARWATER POOLS LTD.	00067911	POOL SUPPLIES	\$4,586.28
BRAEMAR PEST CONTROL SERVICES	00067912	PEST CONTROL	\$58,100.08
CANADIAN RED CROSS	00067913	CPR RECERTIFICATION	\$582.07
DULUX PAINTS	00067914	PAINT SUPPLIES	\$172.71
PF COLLINS CUSTOMS BROKER LTD	00067915	DUTY AND TAXES	\$26.08
COLONIAL GARAGE & DIST. LTD.	00067916	AUTO PARTS	\$7,863.88
PETER'S AUTO WORKS INC.	00067917	TOWING OF VEHICLES	\$141.25
BMC SOFTWARE	00067918	SOFTWARE RENEWAL	\$13,589.74
CONSTRUCTION SIGNS LTD.	00067919	SIGNAGE	\$2,348.72
CONTROLS & EQUIPMENT LTD.	00067920	REPAIR PARTS	\$288.15

NAME	CHEQUE #	DESCRIPTION	AMOUNT
MASK SECURITY INC.	00067921	TRAFFIC CONTROL	\$1,156.78
CRANE SUPPLY LTD.	00067922	PLUMBING SUPPLIES	\$313.35
JAMES G CRAWFORD LTD.	00067923	PLUMBING SUPPLIES	\$1,634.23
CROSBIE INDUSTRIAL SERVICE LTD	00067924	RENTAL OF EQUIPMENT	\$14,952.95
HARTY'S INDUSTRIES	00067925	STEEL FLAT BAR	\$691.79
CUMMINS EASTERN CANADA LP	00067926	REPAIR PARTS	\$273.67
CREDIT RECOVERY 2003 LIMITED	00067927	CREDIT COLLECTIONS	\$10,722.45
CRAWFORD & COMPANY CANADA INC	00067928	ADJUSTING FEES	\$484.00
CABOT READY MIX LIMITED	00067929	DISPOSAL OF USED CONCRETE	\$763.52
DICKS & COMPANY LIMITED	00067930	OFFICE SUPPLIES	\$891.12
WAJAX POWER SYSTEMS	00067931	REPAIR PARTS	\$10,993.70
MIC MAC FIRE & SAFETY SOURCE	00067932	SAFETY SUPPLIES	\$46,921.61
DOMINION RECYCLING LTD.	00067933	PIPE	\$761.62
GOODLIFE FITNESS	00067934	FITNESS MEMBERSHIP	\$301.34
RUSSEL METALS INC.	00067935	METALS	\$723.20
CANADIAN TIRE CORP.-ELIZABETH AVE.	00067936	MISCELLANEOUS SUPPLIES	\$74.55
CANADIAN TIRE CORP.-KELSEY DR.	00067937	MISCELLANEOUS SUPPLIES	\$174.27
EAST CHEM INC.	00067938	CHEMICALS	\$242.95
ELECTRIC MOTOR & PUMP DIV.	00067939	REPAIR PARTS	\$395.50
STOKES INTERNATIONAL	00067940	FIREFIGHTER CAPS	\$1,133.39
THE TELEGRAM	00067941	ADVERTISING	\$3,776.33
DOMINION STORE 935	00067942	MISCELLANEOUS SUPPLIES	\$398.33
CONTROL PRO DISTRIBUTOR INC.	00067943	REPAIR PARTS	\$497.29
FRESHWATER AUTO CENTRE LTD.	00067944	AUTO PARTS/MAINTENANCE	\$818.21
ABSTRACT & AUXILIARY SERVICES	00067945	TITLE SEARCH	\$118.00
FUN "N" FAST 1986 LTD.	00067946	REPAIR PARTS	\$386.88
CANADIAN CAPITAL CITIES ORGANIZATION	00067947	MEMBERSHIP RENEWAL	\$500.00
MARY KENNEDY	00067948	INSTRUCTOR FEE	\$390.01
C.B.J. ENTERPRISES INC. (STOGGERS PIZZA)	00067949	MEAL ALLOWANCES	\$10.53
CITY WIDE TAXI	00067950	TRANSPORTATION SERVICES	\$39.50
QUALITY CLASSROOMS	00067951	SUPPLIES - RECREATION PROGRAMS	\$728.39
SCHOOL SPECIALTY CANADA	00067952	SUPPLIES - RECREATION PROGRAMS	\$767.04
STELLAR INDUSTRIAL SALES LTD.	00067953	INDUSTRIAL SUPPLIES	\$1,767.89
NEWALTA CORPORATION	00067954	PROFESSIONAL SERVICES	\$7,137.07
SIMPLEX GRINNELL	00067955	PROFESSIONAL SERVICES	\$1,314.16
OMNITECH INC.	00067956	FREIGHT CHARGES	\$126.56

NAME	CHEQUE #	DESCRIPTION	AMOUNT
EASTERN PROPANE	00067957	PROPANE	\$877.17
SERVICE PLUS INC.	00067958	RENTAL OF EQUIPMENT	\$433.92
HARRIS & ROOME SUPPLY LIMITED	00067959	ELECTRICAL SUPPLIES	\$521.06
HARVEY & COMPANY LIMITED	00067960	REPAIR PARTS	\$842.86
A HARVEY & CO. LTD.	00067961	ROAD SALT	\$58,524.89
HARVEY'S OIL LTD.	00067962	PETROLEUM PRODUCTS	\$113,923.89
HVAC SPECIALITIES INC.	00067963	CHEMICALS	\$400.02
HATCH MOTT MACDONALD	00067964	PROFESSIONAL SERVICES	\$13,394.74
CANADIAN LINEN & UNIFORM	00067965	MAT RENTALS	\$251.07
SHOPPERS DRUG MART-TOPSAIL ROAD	00067966	FIRST AID SUPPLIES	\$333.14
BRENNTAG CANADA INC	00067967	CHLORINE	\$19,179.49
PRACTICAR CAR & TRUCK RENTALS	00067968	VEHICLE RENTAL	\$720.94
GRAYMONT (NB) INC.,	00067969	HYDRATED LIME	\$20,310.11
HICKMAN MOTORS LIMITED	00067970	AUTO PARTS	\$4,113.47
HISCOCK RENTALS & SALES INC.	00067971	HARDWARE SUPPLIES	\$395.44
UCP PAINTS INC.,	00067972	PAINT	\$14,863.11
CORNER BROOK PORT CORPORATION	00067973	CRUISE SYMPOSIUM REGISTRATION	\$5,000.00
INFINITY CONSTRUCTION	00067974	RENTAL OF EQUIPMENT	\$2,209.15
PENNECON ENERGY TECHNICAL SERVICE	00067975	PROFESSIONAL SERVICES	\$7,404.89
TOWN OF PARADISE	00067976	FITNESS CENTRE MEMBERSHIP FEE FOR FIRE DEPT.	\$210.01
METICULOUS SERVICES INC.,	00067977	PROFESSIONAL SERVICES	\$4,068.00
SOUTH PAW TRANSPORT	00067978	RENTAL OF EQUIPMENT	\$2,277.52
IMPRINT SPECIALTY PROMOTIONS LTD	00067979	PROMOTIONAL ITEMS	\$903.89
ONX ENTERPRISE SOLUTIONS LIMITED	00067980	SOFTWARE RENEWAL	\$10,244.43
PRINTER TECH SOLUTIONS INC.,	00067981	REPAIRS TO EQUIPMENT	\$67.80
VIVID COMMUNICATIONS INC.	00067982	SOFTWARE RENEWAL	\$474.60
JENKINS & PUDDICOMBE SHEET METAL LTD.	00067983	PROFESSIONAL SERVICES	\$679.58
CDMV	00067984	VETERINARY SUPPLIES	\$104.68
IDEXX LABORATORIES	00067985	VETERINARY SUPPLIES	\$2,844.03
MPS	00067986	BOOKLETS	\$367.25
BOSCH REXROTH CANADA CORP.	00067987	COMPUTER SUPPLIES	\$171.53
KAVANAGH & ASSOCIATES	00067988	PROFESSIONAL SERVICES	\$16,166.64
WORK AUTHORITY	00067989	PROTECTIVE CLOTHING	\$186.44
KENT BUILDING SUPPLIES-STAVANGER DR	00067990	BUILDING MATERIALS	\$478.43
GARDA CANADA SECURITY CORP	00067991	SECURITY SERVICES	\$20,483.19
ATLANTICA MECHANICAL SERVICES	00067992	PROFESSIONAL SERVICES	\$1,234.53

NAME	CHEQUE #	DESCRIPTION	AMOUNT
OPEN TEXT CORPORATION	00067993	SOFTWARE RENEWAL	\$994.40
CENTINEL SERVICES	00067994	REPAIR PARTS	\$242.20
MEDICAL MART ATLANTIC	00067995	MEDICAL SUPPLIES	\$1,039.60
KERR CONTROLS LTD.	00067996	INDUSTRIAL SUPPLIES	\$370.19
VOHL INC.,	00067997	REPAIR PARTS	\$3,105.35
PROVALL PARTS LTD.	00067998	AUTO PARTS	\$1,067.46
PETROFORMA INC.,	00067999	PROFESSIONAL SERVICES	\$479.62
MARTIN'S FIRE SAFETY LTD.	00068000	SAFETY SUPPLIES	\$614.15
JJ MACKAY CANADA LTD.	00068001	PARKING METER KEYS	\$21,477.40
MCLOUGHLAN SUPPLIES LTD.	00068002	ELECTRICAL SUPPLIES	\$2,776.14
MIKAN INC.	00068003	LABORATORY SUPPLIES	\$1,072.70
MICRO-TECH COMPUTER CENTER INC	00068004	COMPUTER EQUIPMENT	\$33.88
WAJAX INDUSTRIAL COMPONENTS	00068005	REPAIR PARTS	\$860.27
NATIONAL CHEMSEARCH INC.	00068006	CHEMICALS	\$5,095.11
NU-WAY EQUIPMENT RENTALS	00068007	RENTAL OF EQUIPMENT	\$5,998.61
NEWFOUND DISPOSAL SYSTEMS LTD.	00068008	DISPOSAL SERVICES	\$20,549.26
NEWFOUNDLAND DISTRIBUTORS LTD.	00068009	INDUSTRIAL SUPPLIES	\$122.49
NEWFOUNDLAND DESIGN ASSOCIATES	00068010	PROFESSIONAL SERVICES	\$220,616.51
TRC HYDRAULICS INC.	00068011	REPAIR PARTS	\$710.14
NORTH ATLANTIC PETROLEUM	00068012	PETROLEUM PRODUCTS	\$23,023.14
PENNECON ENERGY HYDRAULIC SYSTEMS	00068013	PROFESSIONAL SERVICES	\$2,540.48
PBA INDUSTRIAL SUPPLIES LTD.	00068014	INDUSTRIAL SUPPLIES	\$1,717.81
ORKIN CANADA	00068015	PEST CONTROL	\$254.26
GCR TIRE CENTRE	00068016	TIRES	\$3,970.28
PERIDOT SALES LTD.	00068017	REPAIR PARTS	\$370.41
PETER PAN SALES LTD.	00068018	SANITARY SUPPLIES	\$3,076.12
THE HUB	00068019	BUSINESS CARDS	\$1,692.74
PITNEY BOWES OF CANADA LIMITED	00068020	RED POSTAL INK	\$293.74
K & D PRATT LTD.	00068021	FIRE EXTINGUISHER	\$93.23
PROFESSIONAL UNIFORMS & MATS INC.	00068022	PROTECTIVE CLOTHING	\$179.65
RIDEOUT TOOL & MACHINE INC.	00068023	TOOLS	\$1,206.27
NAPA ST. JOHN'S 371	00068024	AUTO PARTS	\$534.49
ROYAL FREIGHTLINER LTD	00068025	REPAIR PARTS	\$1,373.60
S & S SUPPLY LTD. CROSSTOWN RENTALS	00068026	REPAIR PARTS	\$8,918.82
ST. JOHN'S PORT AUTHORITY	00068027	RENTAL OF QUARRY SITE	\$5,205.35
BIG ERICS INC	00068028	SANITARY SUPPLIES	\$2,169.83

NAME	CHEQUE #	DESCRIPTION	AMOUNT
SAUNDERS EQUIPMENT LIMITED	00068029	REPAIR PARTS	\$3,089.25
SCALE SHOP 1985 LTD.	00068030	SCALES	\$196.62
SMITH STOCKLEY LTD.	00068031	PLUMBING SUPPLIES	\$283.53
STATE CHEMICAL LTD.	00068032	CHEMICALS	\$1,371.82
STEELFAB INDUSTRIES LTD.	00068033	STEEL	\$122.73
SUPERIOR OFFICE INTERIORS LTD.	00068034	OFFICE SUPPLIES	\$254.25
SUPERIOR PROPANE INC.	00068035	PROPANE	\$867.62
AETTNL	00068036	MEMBERSHIP RENEWAL	\$186.45
TRACTION DIV OF UAP	00068037	REPAIR PARTS	\$9,626.76
UNITED SAIL WORKS LTD.	00068038	VINYL COVER	\$3,672.50
URBAN CONTRACTING JJ WALSH LTD	00068039	PROPERTY REPAIRS	\$339.00
WEIRS CONSTRUCTION LTD.	00068040	ROAD GRAVEL	\$2,239.63
WESCO DISTRIBUTION CANADA INC.	00068041	REPAIR PARTS	\$279.29
WAL-MART 3092-KELSEY DRIVE	00068042	MISCELLANEOUS SUPPLIES	\$437.66
DR. KARL MISIK	00068043	MEDICAL EXAMINATION	\$20.00
FRENCH, DAVID	00068044	INSTRUCTOR FEE	\$598.62
TITFORD, JUNE	00068045	INSTRUCTOR FEE	\$50.28
FARDY, BRENDA	00068046	INSTRUCTOR FEE	\$217.68
WALSH, BASIL	00068047	INSTRUCTOR FEE	\$217.68
NEWFOUNDLAND & LABRADOR BASKETBALL ASSOCIATION	00068048	TRAVEL ASSISTANCE GRANT	\$400.00
MAX ARTS ATHLETICS WELLNESS	00068049	REAL PROGRAM	\$2,190.68
SMITH, BOYD	00068050	INSTRUCTOR FEE	\$316.40
WAYNE PURCHASE	00068051	APPEAL BOARD REMUNERATION	\$200.00
BELL MOBILITY INC. RADIO DIVISION	00068052	MAINTENANCE CHARGES & REPAIRS	\$4,046.57
HUNGRY HEART CAFE	00068053	FRUIT PLATTER	\$86.39
TRAVELERS INSURANCE COMPANY OF CANADA	00068054	LEGAL CLAIM	\$53,137.23
TRAVERSE, BRENDAN	00068055	INSTRUCTOR FEE	\$435.12
AARON COLLIS	00068056	INSTRUCTOR FEE	\$326.52
DR. SHEILAGH MCGRATH	00068057	MEDICAL EXAMINATION	\$20.00
CANADIAN URBAN TRANSIT ASSOCIATION	00068058	CONFERENCE FEE	\$808.50
SOBEYS ROPEWALK LANE	00068059	MISCELLANEOUS SUPPLIES	\$45.15
AMITY FOODS INC.	00068060	REFRESHMENTS	\$274.13
STELLA'S CIRCLE	00068061	LUNCH & LEARN SESSION	\$371.46
ATLANTIC PRESENTERS ASSOCIATION	00068062	WORKSHOP REGISTRATION FEE	\$50.00
STAN BUTLER	00068063	ENTERTAINER FOR SENIOR DAY	\$400.00
ENTERPRISE RENT-A-CAR CANADA LTD.	00068064	LEGAL CLAIM	\$1,041.32

NAME	CHEQUE #	DESCRIPTION	AMOUNT
RAY BROWN	00068065	REFUND WATER ON/OFF PERMIT	\$50.00
THOMAS POWER	00068066	RECREATION PROGRAM REFUND	\$40.00
DARLENE MATTHEWS	00068067	RECREATION PROGRAM REFUND	\$22.00
CHRISTOPHER RYAN	00068068	INSTRUCTOR FEE	\$399.08
SHIRLEY LUSH	00068069	RECREATION PROGRAM REFUND	\$31.00
BODYWORKS AND BRIAN MCCARTHY	00068070	LEGAL CLAIM	\$2,526.15
PAUL DAVIS SYSTEMS OF EASTERN NEWFOUN	00068071	LEGAL CLAIM	\$150.00
SERVICEMASTER RESTORE	00068072	LEGAL CLAIM	\$8,766.96
THE OVERCAST	00068073	ADVERTISING	\$316.40
MELVIN WAY	00068074	REFUND WATER ON/OFF PERMIT	\$50.00
FIREFIT OF CANADA LTD	00068075	REPAIR PARTS	\$333.35
SHEILA WILLIAMS	00068076	KEYNOTE SPEAKER SENIORS DAY	\$500.00
SWILERS BASKETBALL CLUB	00068077	TRAVEL ASSISTANCE GRANT	\$400.00
CRITCH, ROBERT	00068078	REIMBURSEMENT OFFICE SUPPLIES	\$14.68
MICHAEL KEAN	00068079	CLOTHING ALLOWANCE	\$118.61
MACKENZIE, NEIL	00068080	MILEAGE	\$56.84
RICK PRICE	00068081	VEHICLE BUSINESS INSURANCE	\$373.00
HARRIS, BRYANT	00068082	MILEAGE	\$96.68
EDMUNDS, CHRISTINE	00068083	MILEAGE	\$53.08
RYAN, LEANN	00068084	MILEAGE	\$105.54
MURPHY, ROBYN	00068085	VEHICLE BUSINESS INSURANCE	\$213.00
MAHER, TRAVIS	00068086	MILEAGE	\$89.93
MCGRATH, CINDY	00068087	REIMBURSEMENT SUPPLIES FOR AWARDS EVENT	\$338.67
FOWLER, TINA	00068088	MILEAGE	\$27.33
ROCHE, WAYNE	00068089	VEHICLE BUSINESS INSURANCE	\$41.00
WILLIAMS, NICOLE	00068090	MILEAGE	\$18.52
RING, MATTHEW	00068091	REIMBURSEMENT-CLOTHING	\$158.17
MCGRATH, JENNIFER	00068092	VEHICLE BUSINESS INSURANCE	\$381.95
JORDAN, CRYSTAL	00068093	MILEAGE	\$39.46
CHRISTA NORMAN	00068094	MILEAGE	\$38.85
TOBIN, JUDY	00068095	MILEAGE	\$42.93
DAY, DAVID	00068096	REIMBURSEMENT FOR DRI MEMBERSHIP FEE	\$125.00
NICOLE MORGAN	00068097	CLOTHING ALLOWANCE	\$180.00
BAMBRICK, VANESSA	00068098	CLOTHING ALLOWANCE	\$180.00
KRISTA BABIJ	00068099	MILEAGE	\$13.38
KRISTA GLADNEY	00068100	MILEAGE	\$25.20

NAME	CHEQUE #	DESCRIPTION	AMOUNT
WILLOW ANDERSON	00068101	MILEAGE	\$6.19
ABU RASHED	00068102	VEHICLE BUSINESS INSURANCE	\$129.25
SIMONE LILLY	00068103	VEHICLE BUSINESS INSURANCE	\$293.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	00068104	OPERATOR CERTIFICATION EXAM (26 PEOPLE)	\$1,300.00
NEWFOUNDLAND POWER	00068105	ELECTRICAL SERVICES	\$37,426.38
ST. JOHN'S TRANSPORTATION COMMISSION	00068106	CHARTER SERVICES	\$3,500.00
EDGE DIVING CLUB	00068107	TRAVEL ASSISTANCE GRANT	\$400.00
LORI FOOTE	00068108	REIMBURSEMENT OFFICE SUPPLIES	\$334.01
REDWOOD CONSTRUCTION LIMITED	00068109	PROGRESS PAYMENTS	\$137,579.43
BARACO-ATLANTIC CORPORATION	00068110	PROGRESS PAYMENTS	\$26,029.81
Total:			<u>\$2,707,207.16</u>

MEMORANDUM

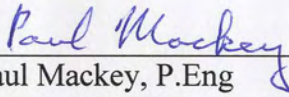
Date: May 13, 2014
To: Mayor Dennis O'Keefe
and Members of Council
From: Paul Mackey, P.Eng
Deputy City Manager, Public Works
Re: Tender #2014023 – Campbell Avenue Roof Replacement

The above referenced project was recently tendered with the following bids received:

Newfound Roofing Ltd.	\$ 39,000.00
Coastal Building Products & Services Ltd.	\$ 43,787.50

This project consists of the removal and replacement of all roofing material and related flashing and accessories at 174 Campbell Avenue. The existing shingles are to be replaced with fiberglass shingles. When complete, this project will extend the life of this roof by 20+ years.

It is recommended that this tender be awarded to Newfound Roofing Ltd. for the amount of \$39,000.00, which includes HST.



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

ST. JOHN'S

DEPARTMENT OF PUBLIC WORKS

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

