

**AGENDA
REGULAR MEETING**

**October 17, 2016
4:30 p.m.**

ST. JOHN'S

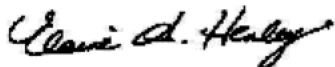
MEMORANDUM

October 14, 2016

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, October 17, 2016 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



Elaine Henley
City Clerk

ST. JOHN'S

CITY MANAGER

AGENDA
REGULAR MEETING - CITY COUNCIL
October 17, 2016 – 4:30 p.m. – Council Chambers, 4th Floor, City Hall

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. ADOPTION OF THE MINUTES

- Minutes of October 11, 2016

4. BUSINESS ARISING FROM THE MINUTES

Included in the Agenda:

- a. Vote on Notice of Motion made by Councillor Galgay at the October 11th, Council Meeting

Other Matters

- a. Application for Window Replacements
112 Military Road, Designated Heritage Building
- b. 150 Stavanger Drive
St. John's Municipal Plan Amendment No. 140, 2016, and St. John's Development Regulations Amendment No. 638, 2016
Proposed Rezoning from the Commercial Regional (CR) Zone to the proposed new Residential Compact Lot (RCL) Zone
PDE# MPA1500006

5. NOTICES PUBLISHED

6. PUBLIC HEARINGS

- a. St. John's Municipal Plan Amendment No. 139, 2016, and St. John's Development Regulations Amendment No. 639, 2016
Application to rezone to the Commercial Office (CO) Zone
PDE File #MPA1600005
42 Sugarloaf Road

7. COMMITTEE REPORTS

- a. Finance & Administration Standing Committee Report – October 5, 2016
- b. Development Committee Report – October 11, 2016

8. RESOLUTIONS

9. DEVELOPMENT PERMITS LIST

- October 6, 2016 – October 12, 2016

10. BUILDING PERMITS LIST

- October 6, 2016 – October 12, 2016

11. REQUISITIONS, PAYROLLS AND ACCOUNTS LIST

- Week Ending – October 11, 2016

12. TENDERS/RFPS

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

2. OTHER BUSINESS

- a. Insurance Renewal Terms 2016-2017

15. ADJOURNMENT

**MINUTES
REGULAR MEETING - CITY COUNCIL
October 11, 2016 – 4:30 p.m. - Council Chambers**

Present Mayor D. O’Keefe
Deputy Mayor R. Ellsworth
Councillor A. Puddister
Councillor D. Breen
Councillor B. Tilley
Councillor S. O’Leary
Councillor W. Collins
Councillor T. Hann
Councillor S. Hickman
Councillor J. Galgay
Councillor D. Lane

Others Kevin Breen, City Manager
Andrew Niblock, Acting Deputy City Manager of Public Works
Jason Sinyard, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Deputy City Manager of Community Services
Derek Coffey, Deputy City Manager of Financial Management
Ken O’Brien, Chief Municipal Planner
Elaine Henley, City Clerk
Kathy Driscoll, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-10-11/429R

Moved – Councillor Collins; Seconded – Councillor O’Leary

That the agenda be adopted as presented with two additions:

- **RFP – Fort Amherst Sanitary Sewer Outfall Diversion Project – Engineering Consulting Services**
- **Travel – Big City Mayor’s Caucus meetings – Ottawa, ON from October 17-20, 2016**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-10-11/430R

Moved – Councillor Tilley; Seconded – Councillor Puddister

That the minutes of October 3, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

Notice of Motion - Councillor Bruce Tilley - Remove Parking Restrictions in Bicycle Lanes from December 1st – April 30th to coincide with Snow Clearing Ban

Discussion ensued and Councillor Tilley advised that although he presented the above noted Notice of Motion at last week's Council meeting, it had since been brought to his attention that Councillor Puddister had issued a similar motion last year which had been adopted to remove parking restrictions in bicycle lanes from November 1st to March 31st and therefore, this motion is no longer required.

RESOLUTION Plastic Shopping Bag Ban – Councillor Sheilagh O'Leary

Councillor O'Leary spoke to her previous Notice of Motion and advised she had just attended the Municipalities Newfoundland and Labrador (MNL) convention and was offered a lot of support from residents and small business owners who were also members of the Canadian Federation of Independent Business (CFIB).

She noted she had met with Ministers Joyce and Trimper on October 4, 2016 to discuss the matter and further advised if anyone wanted to voice their opinions on banning plastic bag usage they could certainly make contact with Minister Trimper to express their views.

PUBLIC HEARINGS

COMMITTEE REPORTS

Police and Traffic Standing Committee Report - September 30, 2016

Council considered the above noted report.

SJMC2016-10-11/431R

Moved – Councillor Hickman; Seconded – Councillor Hann

That the report and its recommendation contained therein be adopted.

CARRIED UNANIMOUSLY

Development Committee Report – October 4, 2016

Council considered the above noted report.

SJMC2016-10-11/432R

Moved – Councillor Puddister; Seconded – Councillor Breen

That the report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information the above noted for the period September 29, 2016 to October 5, 2016

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for October 11, 2016.

SJMC2016-10-11/433R

Moved – Councillor Hann-; Seconded – Deputy Mayor Ellsworth

That the building permits list dated October 3, 2016 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending October 5, 2016.

SJMC2016-10-11/434R**Moved – Councillor Hann; Seconded – Deputy Mayor Ellsworth****That the requisitions, payrolls and accounts for the week ending October 5, 2016 be approved as presented.****CARRIED UNANIMOUSLY****TENDERS/RFPs****Council Approval for Tenders**

Council considered the following tenders:

- Tender 2016118 – Antifreeze, Windshield Wash and Diesel Exhaust Fluid
- Tender 2016125 – Security Services
- Tender 2016131 – Standing Offer Supply and Install Chain Link Fencing
- Tender 2016134 – HP 3Par Expansion
- Tender 2016136 – HP DL 380 Gen9 Servers
- Request For Proposal – Fort Amherst Sanitary Sewer Outfall Diversion Project – Engineering Consulting Services

SJMC2016-10-11/435R**Moved – Councillor Hann; Seconded – Deputy Mayor Ellsworth****That the tenders and RFP noted above be awarded respectively to the companies noted below:**

Antifreeze, Windshield Wash and Diesel Exhaust Fluid	
TENDER #2016118 – Aug 23, 2016 - 1:30 PM	
Parts for Trucks Inc.	\$21,832.04
Shoreline Lube Distribution Inc.	\$4,861.60
Colonial Garage & Distributors Limited	\$3,850.00
S & S Supply Ltd.	\$2,469.60
North Atlantic	\$111.54
Speedy Automotive Limited	\$15.12

Taxes (HST) extra to price quoted.

- Tender 2016125 – Commissionaires NL – \$497,320.54

- Tender 2016131 –Standing Offer Supply and Install Chain Link Fencing – Provincial Fence Products Ltd. \$68,540.00 (HST included.)
- Tender 2016134 – HP 3Par Expansion – Powerland Computers - \$57,847.74 (HST included.)
- Tender 2016136 - HP DL 380 Gen9 Servers – Powerland Computers - \$58,738.09 (HST included.)
- Request for Proposal – Fort Amherst Sanitary Sewer Outfall Diversion Project– Newfoundland Design Associates Ltd. - \$431,290.25 (HST included).

CARRIED UNANIMOUSLY

NOTICE OF MOTION

Councillor Galgay advised that at the next Regular meeting of Council, he will bring forward the following motion:

TAKE NOTICE at the next Regular Meeting of Council, I will move a motion to implement permit parking only for William Street and the neighbourhood of Georgetown.

OTHER BUSINESS

Economic Update – October 2016

Council considered the above-noted for information purposes.

Travel – Big City Mayor’s Caucus meetings – Ottawa, ON from October 17-20, 2016

SJMC2016-10-11/436R

Moved – Councillor O’Leary; Seconded Councillor Tilley

To approve the costs associated with Mayor Dennis O’Keefe attending the Big City mayor meetins in Ottwawa froom October 17-20, 2016.

CARRIED UNANIMOUSLY

Councillor Tilley

- Requested that consideration be given to spraying road work areas in red to alert drivers of construction work.

Councillor Galgay

- Requested Georgetown Parking study report be brought forward to next week's Council meeting for information purposes so that residents can be provided updates.
- Spoke to the internal trade negotiations between the Province and the Federal government as it would have huge implications for both Molson's and Labatt's breweries which are located in Ward 2. He has reached out to both Unions and they are also in favour of the City's support. Further, requested this item be brought forward to a private meeting to openly discuss these concerns which will be brought forward to a future meeting between Minister Foote and the Mayor in terms of the future of these properties and the employment of many St. John's residents.
- Requested staff provide a status update on the former Fortis properties on the east end of Water Street to be inclusive of any applications received, any discussions between staff and any stakeholders in terms of what is happening with those buildings

ADJOURNMENT

There being no further business, the meeting adjourned at 5:25 p.m.

MAYOR

CITY CLERK

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 29, 2016 TO October 5, 2016

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		20' x 28' Accessory Building	75 Petty Harbour Road	5	Approved	16-10-03
RES		48'x50' Accessory Building	274 Ruby Line	5	Rejected-LDAA rejected	16-10-03
COM		Home Office – Admin Only for Safety Apparel	4 Cherrybark Crescent	5	Approved	16-10-05

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

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

Gerard Doran
Development Supervisor
Development Division –
PDE Department

Building Permits List Council's, 2016 Regular Meeting

Permits Issued: 2016/09/29 To 2016/10/05

Class: Commercial

11-13 Freshwater Rd	Co	Restaurant	
409 Kenmount Rd	Co	Commercial Garage	
10 Pearl Pl	Co	Place Of Amusement	
Avalon Mall, Telus	Sn	Retail Store	
16-72 Hamlyn Rd, Unit 150	Sn	Retail Store	
80 Kenmount Rd., Units 2 & 3	Sn	Office	
28 Logy Bay Rd	Sn	Office	
Glencrest Roundabout	Sn	Other	
21 Queen's Rd	Cr	Retail Store	
25 Hebron Way	Rn	Warehouse	
80 Kenmount Rd, Unit 2b	Cr	Retail Store	
286 Duckworth St	Rn	Restaurant	
		This Week \$	459,533.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

8 Cashin Ave	Nc	Accessory Building	
215 Cheeseman Dr, Lot 192	Nc	Single Detached Dwelling	
6 Cherrybark Cres	Nc	Fence	
23 Dumbarton Pl	Nc	Accessory Building	
10 Gary Dr	Nc	Fence	
10 Gary Dr	Nc	Accessory Building	
33 Great Southern Dr, Lot 12	Nc	Single Detached Dwelling	
14 Gregory St	Nc	Fence	
35 Keith Dr	Nc	Accessory Building	
35 Keith Dr	Nc	Accessory Building	
10 Kerry St	Nc	Patio Deck	
15 Learning Rd	Nc	Accessory Building	
304 Lemarchant Rd	Nc	Patio Deck	
14 McLoughlan Street	Nc	Fence	
14 McLoughlan Street	Nc	Accessory Building	
798 Main Rd	Nc	Accessory Building	
19 Nautilus St	Nc	Fence	
356 Old Pennywell Road	Nc	Single Detached Dwelling	
8 Ozark Pl	Nc	Accessory Building	
74 Parsonage Dr	Nc	Patio Deck	
77 Queen's Rd	Nc	Patio Deck	
13 Solway Cres, Lot 344	Nc	Single Detached & Sub.Apt	
574 Southside Rd	Nc	Accessory Building	
810 Southside Rd	Nc	Swimming Pool	
13 Tralee St	Nc	Fence	
554 Newfoundland Dr	Co	Home Occupation	

7 Dover Pl	Ex	Single Detached Dwelling
4 Doyle St	Ex	Single Detached Dwelling
69 Gisborne Pl	Ex	Patio Deck
19 Bannerman St	Rn	Single Detached Dwelling
59 Chafe Ave	Rn	Single Detached Dwelling
112 Circular Rd	Rn	Single Detached Dwelling
9 Coronation St	Rn	Single Detached Dwelling
35 Gower St	Rn	Semi-Detached Dwelling
17&21 Mcdougall St	Rn	Boarding House(4 Or Less)
12 Mullock St	Rn	Semi-Detached Dwelling
23 Shea Street	Rn	Single Detached & Sub.Apt
337 Southside Rd	Rn	Single Detached Dwelling
798 Main Rd	Sw	Single Detached Dwelling
65 Portugal Cove Rd	Sw	Accessory Building
810 Southside Rd	Sw	Semi-Detached Dwelling

This Week \$ 1,482,362.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 1,941,895.00

Repair Permits Issued: 2016/09/29 To 2016/10/05 \$ 63,300.00

Legend

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

Year To Date Comparisons			
October 11, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$117,000,000.00	\$104,356,000.00	-11
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$15,000,000.00	\$6,000,000.00	-60
Residential	\$67,348,000.00	\$59,000,000.00	-12
Repairs	\$3,394,000.00	\$3,706,000.00	9
Housing Units (1 & 2 Family Dwelling)	175	188	
TOTAL	\$202,742,000.00	\$173,062,000.00	-15

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manger
Planning & Development & Engineering

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending October 5, 2016**

Payroll

Public Works	\$ 430,513.91
Bi-Weekly Administration	\$ 879,588.66
Bi-Weekly Management	\$ 865,538.15
Bi-Weekly Fire Department	\$ 697,543.85
Accounts Payable	\$5,189,034.03

Total: \$ 8,062,218.60

ST. JOHN'S

DEPARTMENT OF FINANCE

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

NOTICE OF MOTION

TAKE NOTICE at the next Regular Meeting of Council, I will move a motion to implement permit parking only for William Street and the neighbourhood of Georgetown.

DATED at St. John's, NL this 11th day of October , 2016.

COUNCILLOR JONATHAN GALGAY

January 20, 2016

NOTICE TO RESIDENTS on William Street

The City of St. John's is investigating a request to **install Residential Permit Parking Area 8 on William Street from Monkstown Road to Hayward Avenue**

The installation of Residential Permit Parking would mean that a permit would be required at all times on this section of William Street. If approved, residents would be entitled to one Residential permit for each vehicle registered to the household for which they do not have off-street parking, and one visitor permit.

Prior to making a decision we would like resident feedback on this request, as follows:

Yes No I am in favor of the installation of Residential Permit Parking on the William Street between Monkstown Road and Hayward Avenue

Comments:

Name: _____

Address: _____

Telephone: _____

Email : _____

Please provide your comments **by January 29, 2016**. Only responses that include resident contact information will be considered. A 60% resident response rate is required to proceed.

Please send your response or inquiries to:

Mail or Traffic Division, City Hall P.O. Box 908, St. John's, NL A1C 5M2

Drop Off: City Hall – Access 311

Email: sfagan@stjohns.ca

Fax: (709) 576-8305

Telephone: (709) 576-8978

DECISION/DIRECTION NOTE

Title: Application for Window Replacements
112 Military Road, Designated Heritage Building

Date Prepared: September 26, 2016

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Art Puddister, Chair, Planning and Development Committee

Ward: 2

Decision/Direction Required: To seek approval for the replacement of windows on 112 Military Road as submitted.

Discussion – Background and Current Status:

The City has received an application to replace windows on 112 Military Road. The property is located in Heritage Area 1 and zoned Residential Medium Density (R2). The building is designated by Council as a Heritage Building. The designation is limited to the footprint of the building. A copy of the building's Statement of Significance is attached for your review.

According to Part 5.9.3 of the Development Regulations, a Heritage Building shall not be repaired or altered without the express written permission of Council. The "windows" Heritage Area 1 Standards, states, "Period configuration of structure and period style of structure to be maintained for any façade facing a public street. Where more than 50% of windows on a façade are being replaced within a period of 24 consecutive months all windows on such façade shall be restored/returned to period configuration for the structure and to period style for the structure".

The applicant intends to replace 6 windows as shown in the attached photo. The single hung windows will be vinyl with a central meeting bar and be similar to the existing windows. As the window profiles will not significantly change, the replacement of the 6 windows as submitted are recommended for approval.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: N/A

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5. Engagement and Communications Considerations: N/A
6. Human Resource Implications: N/A
7. Procurement Implications: N/A
8. Information Technology Implications: N/A
9. Other Implications: N/A

Recommendation:

That the application to replace 6 windows at 112 Military Road be approved as submitted.

Prepared by/Signature:

Arthur MacDonald, MCIP – Planner III, Urban Design and Heritage

Signature: _____

Approved by/Date/Signature:

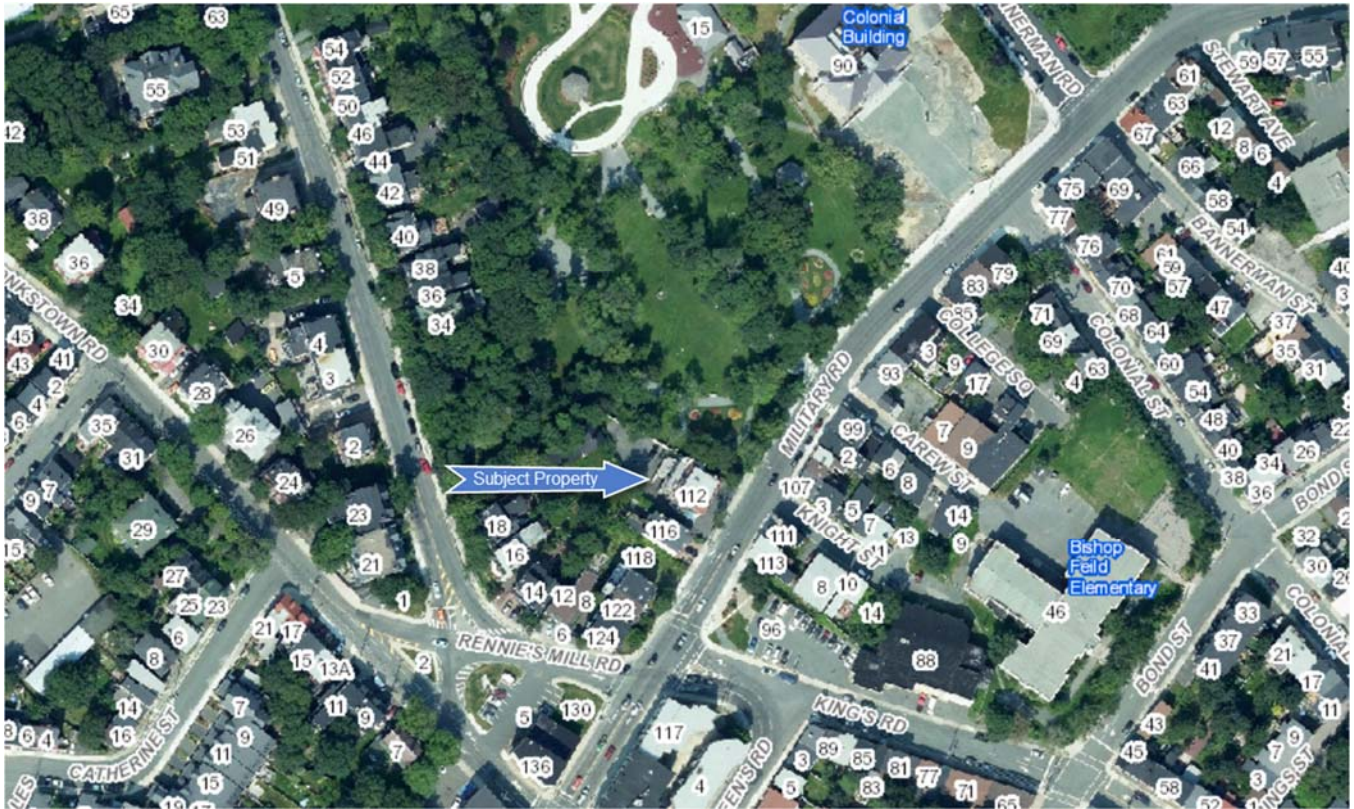
Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

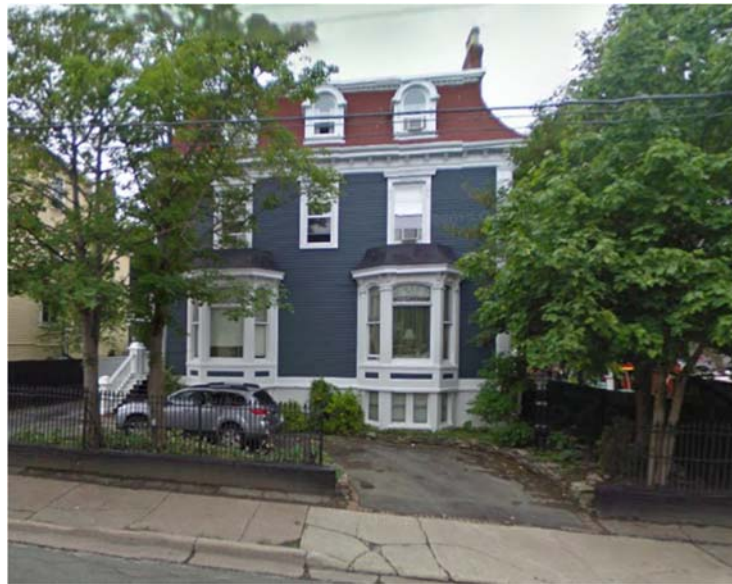
AMD/dlm

Attachments:

Location Map and Street View Photo
Statement of Significance
Applicant's Photos



Location Map



112 Military Road

Statement of Significance



112 Military Road

Description of Historic Place

112 Military Road is a Second Empire three-storey wooden dwelling located at the edge of a large city park and near Government House. The designation is confined to the footprint of the building.

Heritage Value

112 Military Road has been designated for its aesthetic and historic values.

This building was one of the several built by the firm J. and J. T. Southcott, purveyor of the Second Empire design in Newfoundland. The Southcott's were so associated with this style of architecture it is known locally as the Southcott style. 112 Military Road is an exceptional example of the Second Empire style. It is instantly identifiable by its polygonal bay windows surrounding mansard roof, hooded dormers windows; typical features of Southcott design. This was the first Southcott property to receive a Southcott award from the Newfoundland Historic Trust in 1984.

112 Military Road is historically valuable because of its associations with A. E. Hickman. The house was once occupied by Hickman, merchant and Prime Minister of Newfoundland. Mr. Hickman established A.E. Hickman Co. Ltd in 1917 and it became one of the largest export firms in the country of Newfoundland. He had a long and distinguished business career before he entered politics in 1917. He became Prime Minister in 1924 after the collapse of William R. Warren's coalition government. He served in this position for one month, the shortest term in the history of Newfoundland, before being defeated in a general election.

112 Military Road is also historically significant because it survived the Great Fire of 1892, as it was on the periphery of the fire zone.

Source: City of St. John's Archives property file - 112 Military Road.

Character Defining Elements

All those elements that embody the Second Empire style, including:

- polygonal bay windows;
- mansard roof;
- hooded dormer windows;
- narrow wood clapboard;
- size, shape and fenestration of windows;
- original left gable entrance with enclosed porch with brackets;
- keystone decoration;
- corner pilasters;
- dentils on eaves;
- decorative fascia board; and
- all decorative window trims.

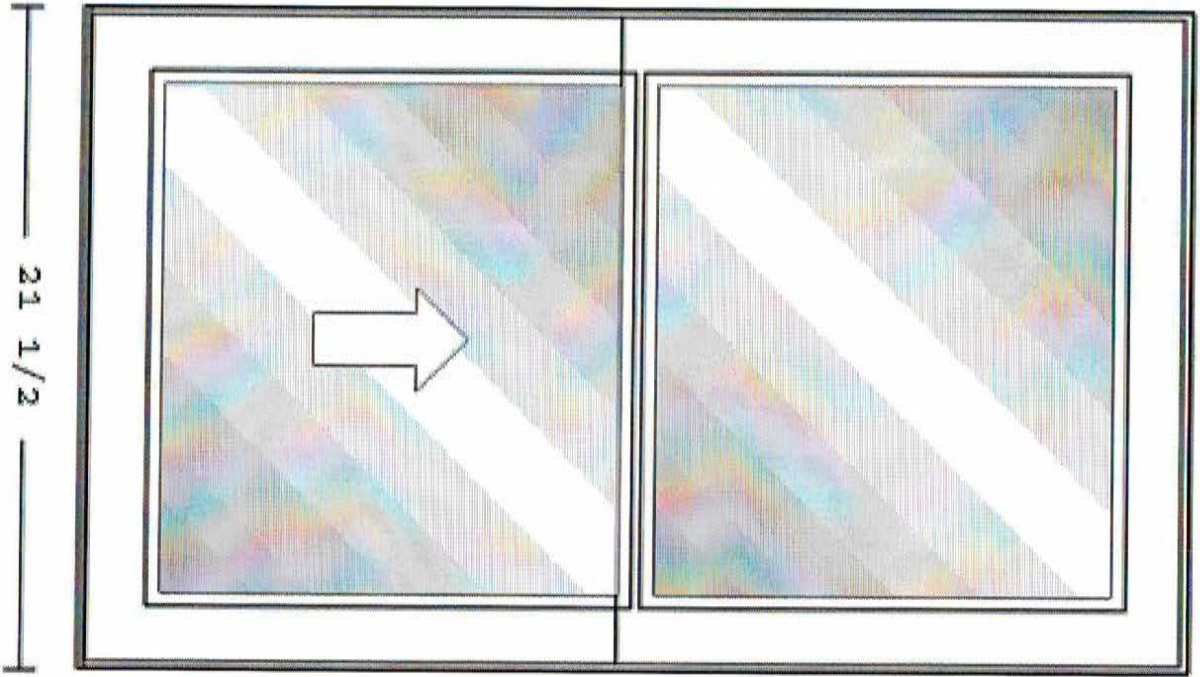
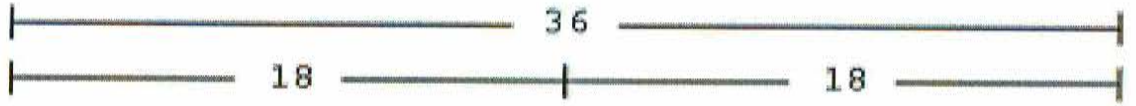
Notes of Interest

The house has a rounded right gable end. Bow windows have decorative glass in the middle windows. There are also dentils, corner pilasters and decorative fascia boards.

Location and History

Community	St. John's
Municipality	City of St. John's
Civic Address	112 Military Road
Construction (circa)	1880 - 1889
Architect	J. J. Southcott J.T. Southcott
Style	Second Empire
Building Plan	Rectangular Long Façade
Website Link	http://www.newfoundlandbedandbreakfast.nl.ca





Zone=2
U=1.8
SHGC=0.55
ER=32



DECISION/DIRECTION NOTE

Title: 150 Stavanger Drive
St. John's Municipal Plan Amendment No. 140, 2016, and St. John's Development Regulations Amendment No. 638, 2016
Proposed Rezoning from the Commercial Regional (CR) Zone to the proposed new Residential Compact Lot (RCL) Zone
PDE# MPA1500006

Date Prepared: October 12, 2016

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Art Puddister, Chair, Planning and Development Committee

Ward: 1

Decision/Direction Required:

That Council consider the commissioner's report and proceed with the next steps in the amendment process for St. John's Municipal Plan Amendment Number 140, 2016, and St. John's Development Regulations Amendment Number 638, 2016.

Discussion – Background and Current Status:

11368 NL Limited has applied to rezone 150 Stavanger Drive from the Commercial Regional (CR) Zone to the proposed new Residential Compact Lot (RCL) Zone to allow the development of 20 single detached houses on small lots along a new public street (a cul-de-sac) off Stavanger Drive. The applicant is proposing the public street with a narrower right-of-way width. The proposed new lot standard meets the snow storage requirements of the moderate snow area. Each house is proposed to be three (3) storeys high with an in-house garage. The rezoning would require a Municipal Plan amendment. The existing nearby buffer at the end of Stanford Place would remain.

A land-use assessment report (LUAR) was required and was advertised for public review. A public meeting chaired by Councillor Breen was held on June 1, 2016. Following this, Council voted to adopt the amendments and appointed Commissioner Marie Ryan to hold a public hearing, which proceeded on August 23, 2016; her report to Council is attached.

The commissioner recommends that the amendments be rejected by Council. Her conclusion is included here:

Your Commissioner recognizes and commends the City's and Council's continuing commitment to facilitating a range of housing. However, she does not believe that an ongoing approach to creation of new zones, with reduced and diminished zone requirements to ensure that proposed developments will fit, is an effective or sustainable approach to development. In particular, in this instance, with the proposed development only able to "fit" on the subject property through the City giving over a part of the public right-of-way to meet the minimum lot standards. The issue of spot zoning is always a concern and in particular when a new zone is being created with diminished zone requirements to accommodate a proposed development. Your Commissioner respectfully suggests that this contravenes good planning principles.

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The zone requirements for the proposed new Residential Compact Lot (RCL) Zone are more in keeping with the requirements for zones in denser areas of the City, most notably Quidi Vidi, the Battery and Downtown. While the proposed rezoning would respond to the need for more housing, as can be seen herein, it is not an efficient use of the land and is not in line with the Municipal Plan in terms of facilitating increased densities where appropriate and/or feasible from a general planning point of view.

The proposed development will promote a design which is not consistent with the current scope of development generally found in residential areas outside of the denser areas in the City and one which is fraught with difficulties.

Finally, while Your Commissioner recognizes that the neighbours in the area did not come out in opposition to the proposed rezoning, it is important to note that the role she holds dictates that the merits of the rezoning be assessed in the context of the Municipal Plan and good planning principles, not the number opposed to or in support of the specific rezoning. Also, it is important to note that the neighbours are weighing the opportunity for a residential development as opposed to a more commercial development, which has been opposed for this site in the past. In general, they are not reviewing the proposed rezoning in the context of effective planning, but rather in the context of the existing housing in the neighbourhood.

Council has to weigh the commissioner's recommendation against the policies of the Municipal Plan and the standards of the Development Regulations. The new zone and its lot standards have taken into account the City's requirements for snow storage and are able to accommodate the anticipated snow load. It is common to waive the requirements for sidewalks on cul-de-sacs of this size. Given the small site, the developer does require this land to meet minimum lot requirements. Whether the land at the front of each lot is in public or private ownership, it will be used to pile snow during snowclearing operations.

The broader question is whether this new residential standard should be approved here, or whether the land should remain commercially zoned. Some residents have expressed concern with the present application, and a very large number of them opposed the earlier application to rezone for a residential apartment building. It is possible that nearby residents on Stanford Place would not be pleased to see a commercial development on the subject property, but that is the zoning in place.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders:
Nearby property owners and residents.
3. Alignment with Strategic Directions/Adopted Plans:
This aligns with the City's Strategic Plan 2015-18: Neighbourhoods Build Our City – Increase access to range/type of housing.

4. Legal or Policy Implications:
This rezoning involves the creation of a new residential zone.
5. Engagement and Communications Considerations:
A public hearing was held and the commissioner's report has been received, as required by the Urban and Rural Planning Act.
6. Human Resource Implications: N/A
7. Procurement Implications: N/A
8. Information Technology Implications: N/A
9. Other Implications: N/A

Recommendation:

Consideration has been given to the points raised by the commissioner. However, with the need for a mix of housing types and the fact that the width of pavement and the snow storage requirements are met, it is recommended that Council approve the resolutions for St. John's Municipal Plan Amendment Number 140, 2016, and St. John's Development Regulations Amendment Number 638, 2016, to rezone 150 Stavanger Drive from the Commercial Regional (CR) Zone to the new Residential Compact Lot (RCL) Zone. This would allow the development of 20 single detached houses on small lots along a new public street (a cul-de-sac). If the amendments are approved by Council, they will be sent to the Minister of Municipal Affairs with a request for registration. Once they are registered, the amendments come into legal effect on the date they are published in the *Newfoundland and Labrador Gazette*, as required by the Urban and Rural Planning Act.

Prepared by/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

Approved by/Date/Signature:

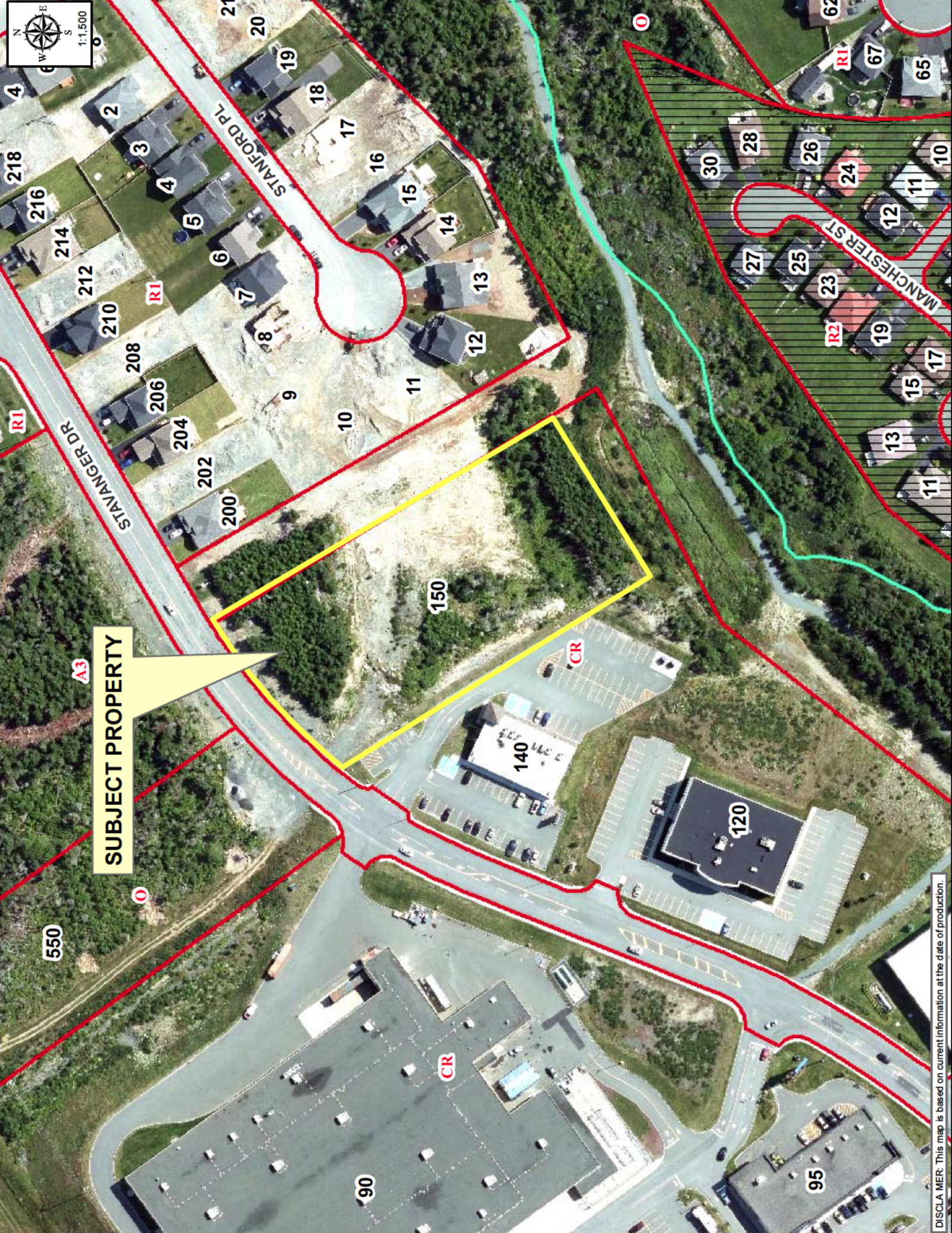
Jason Sinyard, P.Eng., MBA - Deputy City Manager, Planning, Development and Engineering

Signature: _____

KO'B/dlm

Attachments:

- Amendments
- Location map
- Commissioner's report



SUBJECT PROPERTY

DISCLA MER. This map is based on current information at the date of production.
W:\Eng\work\Plan\wapplicat\ons 2016\150 st\an ger drive.mxd

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 140, 2016**

WHEREAS the City of St. John's wishes to accommodate single detached dwellings on small lots at 150 Stavanger Drive.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan under the provisions of the Urban and Rural Planning Act, 2000:

Redesignate the property at 150 Stavanger Drive (parcel ID #350639) from the Commercial General Land-Use District to the Residential Medium Density Land-Use District as shown on Map III-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the 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 , 2016.

Mayor

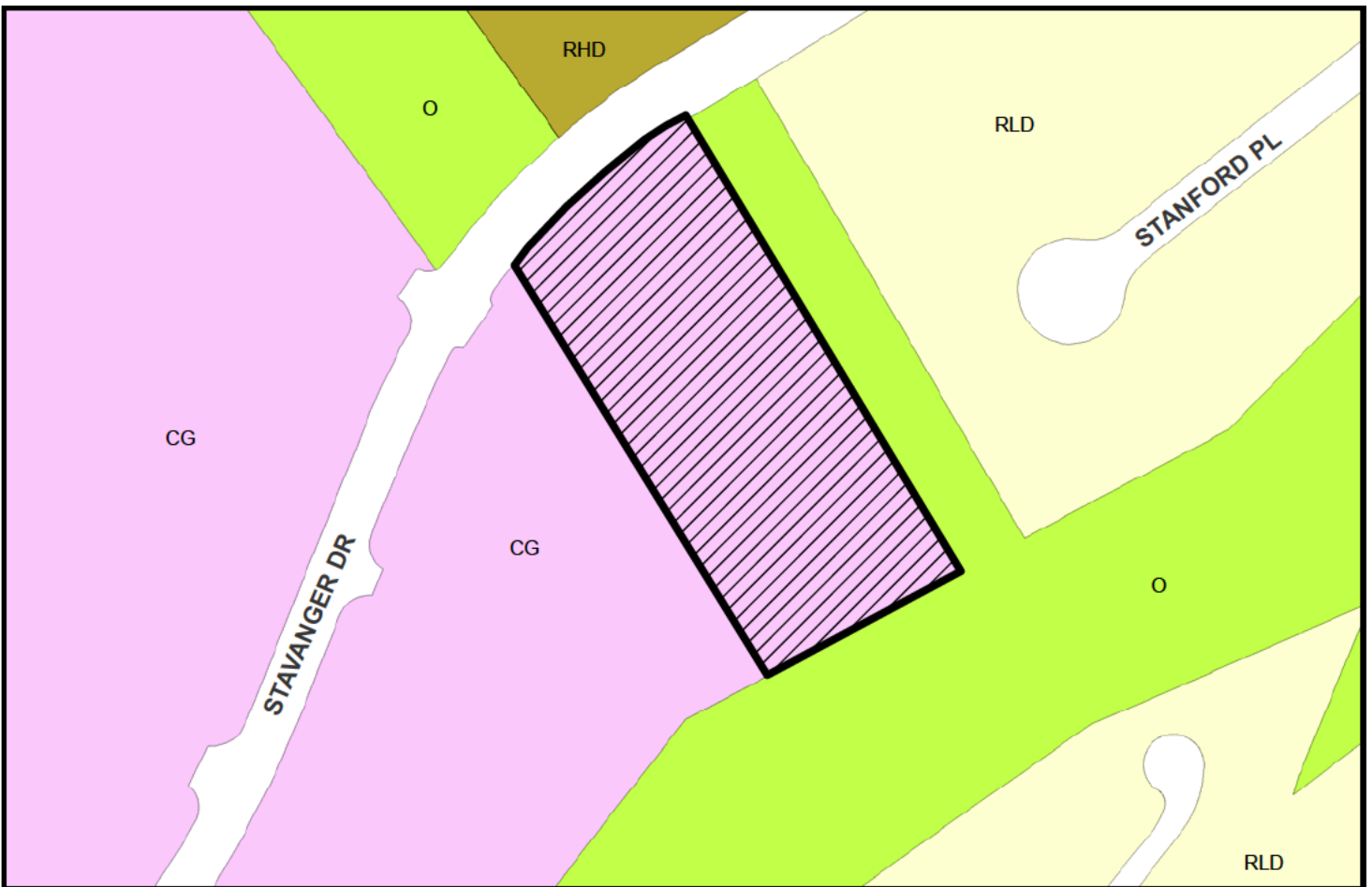
MCIP

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

City Clerk

Council Adoption

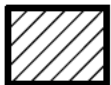
Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 140, 2016
[Map III-1A]**

2016 05 25 SCALE: 1:2000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REDESIGNATED FROM
COMMERCIAL GENERAL (CG) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT

**150 STAVANGER DRIVE
Parcel ID# 350639**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 638, 2016**

WHEREAS the City of St. John's wishes to create a new residential land-use zone for single detached houses on small lots and apply the zone to the property at 150 Stavanger Drive.

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

Rezone 150 Stavanger Drive (parcel ID #350639) from the Commercial Regional (CR) Zone to the Residential Compact Lot (RCL) Zone as shown on Map Z-1A attached.

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

Add the following zone table to Section 10 of the St. John's Development Regulations:

10.10(B) RESIDENTIAL COMPACT LOT (RCL) ZONE

10.10(B).1 Permitted Uses

- (a) Single Detached Dwelling (subject to Section 8.7 "Snow Storage")
- (b) Home Office
- (c) Accessory Building

10.10(B).2 Zone Requirements

- (a) Lot Area (minimum): 250 m²
- (b) Lot Frontage (minimum) 10 m
- (c) Building Line (minimum) 7 m
- (d) Side Yard (minimum) 1.2 m
- (e) Side Yard on Flanking Road (minimum) 6 m
- (f) Rear Yard (minimum) 6 m
- (g) Landscaping (minimum) - No building except a driveway is permitted within the first 6.6 m of depth as measured from the Front Lot Line
- (h) Parking (minimum) - Driveway shall have a width not exceeding 3.6 m

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 , 2016.

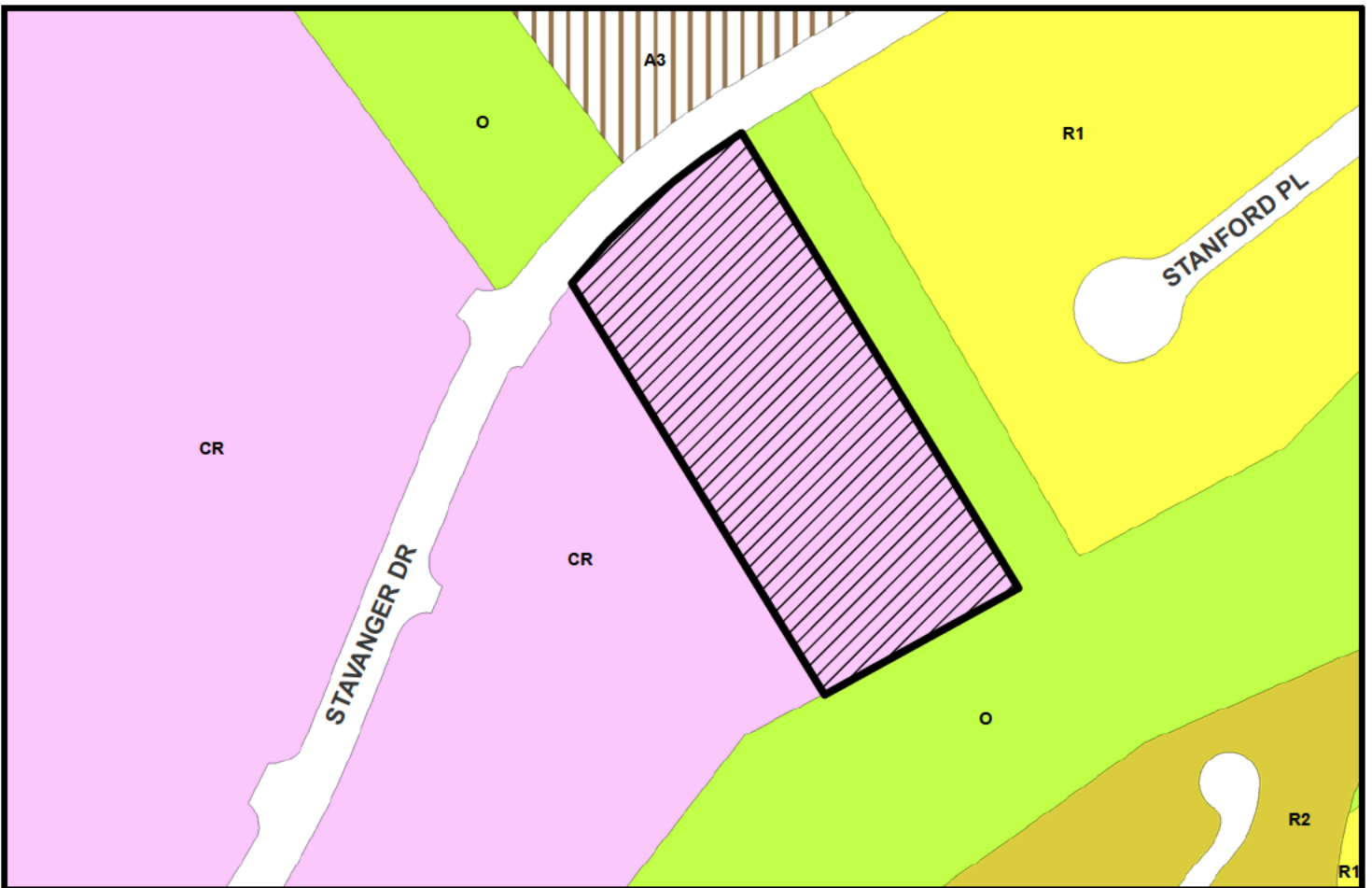
Mayor

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

City Clerk

Council Adoption

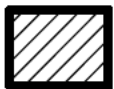
Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 638, 2016
[Map Z-1A]**

2016 05 25 SCALE: 1:2000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REZONED FROM
COMMERCIAL REGIONAL (CR) LAND USE ZONE TO
RESIDENTIAL COMPACT LOT (RCL) LAND USE ZONE

**150 STAVANGER DRIVE
Parcel ID# 350639**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

COMMISSIONER'S REPORT ON THE

**ST. JOHN'S MUNICIPAL PLAN
AMENDMENT No.140, 2016**

and

**ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT No. 638, 2016**

Prepared by:

Marie E. Ryan
Commissioner

September 12, 2016

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1.0 INTRODUCTION

At the Regular Meeting of the St. John's Municipal Council ("Council") held on July 12, 2016, 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 140, 2016*) and the St. John's Development Regulations (*Amendment Number 638, 2016*). The intent of these amendments is as follows:

- St. John's Municipal Plan (*Amendment Number 140, 2016*)

Redesignate the property at 150 Stavanger Drive (parcel ID #350639) from the Commercial General Land-Use District to the Residential Medium Density Land-Use District.

- St. John's Development Regulations (*Amendment Number 638, 2016*)

Map amendment

Rezone 150 Stavanger Drive (parcel ID #350639) from the Commercial Regional (CR) Zone to the Residential Compact Lot (RCL) Zone.

Text amendment

Add the following zone table to Section 10 of the St. John's Development Regulations:

10.10(B) RESIDENTIAL COMPACT LOT (RCL) ZONE

10.10(B).1 Permitted Uses

- (a) Single Detached Dwelling (subject to Section 8.7 "Snow Storage")
- (b) Home Office
- (c) Accessory Building

10.10(B).2 Zone Requirements

- (a) Lot Area (minimum) 250 m²
- (b) Lot Frontage (minimum) 10 m
- (c) Building Line (minimum) 7 m
- (d) Side Yard (minimum) 1.2 m
- (e) Side Yard on Flanking Road (minimum) 6 m
- (f) Rear Yard (minimum) 6 m
- (g) Landscaping (minimum) - No building except a driveway is permitted within the first 6.6 m of depth as measured from the Front Lot Line
- (h) Parking (minimum) - Driveway shall have a width not exceeding 3.6 m

These proposed amendments are in response to an application submitted by 11368 NL Limited to rezone the subject property at 150 Stavanger Drive (parcel ID #350639) from the Commercial Regional (CR) Zone to a newly developed Residential Compact Lot (RCL) Zone, for the development of 20 single detached houses on small lots, along a new public street (cul-de-sac) with a reduced width.

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.

The Public Hearing

The public hearing was scheduled for 7 p.m. on Tuesday August 23, 2016 at St. John's City Hall. Prior to this date, and as required by legislation, the hearing was advertised in the Saturday, May 14, 2016 and Saturday May 21, 2016 editions of The Telegram. In addition, the amendments were publicized on the City of St. John's website (www.stjohns.ca), and interested parties could view the information concerning the application at the Department of Planning, Development and Engineering at City Hall. Notices also were mailed out, as required, to all property owners within a minimum radius of 150 m of the subject properties. This notice advised of the date, time, location and purpose of the upcoming public hearing.

The public hearing was convened on Tuesday August 23, 2016 at 7 p.m. in the Foran/Greene Room at St. John's City Hall. There were four interested persons in attendance, including three city residents with questions about the proposed rezoning and Mr. Bill Clarke, the proponent for 11368 NL Limited. Assistance at the meeting was provided to Your Commissioner by Mr. Ken O'Brien, Chief Planner, with the Department of Planning, Development and Engineering.

Prior to this hearing, one written submission was received. This submission is referenced in this Report under the section "Written Submissions Received in Advance of the Hearing" (see section 3.1), and the submission is found in Appendix "B".

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

¹ 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.

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 140, 2016*) – Redesignate the property at 150 Stavanger Drive (parcel ID #350639) from the Commercial General Land-Use District to the Residential Medium Density Land-Use District.

St. John's Development Regulations (*Amendment Number 638, 2016*) – to rezone 150 Stavanger Drive (parcel ID #350639) from the Commercial Regional (CR) Zone to the Residential Compact Lot (RCL) Zone (this new zone and a table with related requirements to be added to Section 10 of the Regulations.)

2.0 BACKGROUND

2.1 The application

The public hearing on the proposed amendments was triggered by an application considered by the Planning and Development Committee of Council in April 2016 to rezone the single parcel of land at 150 Stavanger Drive to provide for 20 single detached houses on small lots along a new public street (cul-de-sac) with reduced width. The houses are proposed to be three storeys high, each with an in-house garage. The proponent for this application is 11368 NL Limited.

The subject property has an area of 8101 m² (2 acres) and frontage along Stavanger Drive of 65 m (213 feet) and is located between 140 Stavanger Drive and 200 Stavanger Drive. It is level, partially treed at present, and not affected by the presence of a waterway or a wetland.

The subject property abuts a developed commercial property on its western boundary that is also zoned Commercial Regional (CR). Further west of the subject property are several big-box commercial buildings, including a Walmart store, that are part of the Clovelly Commercial Centre and are also in the CR Zone. South (to the rear) of the subject property is City-owned Open Space (O) land. Adjoining the property to the east is a 20 m wide strip of privately-owned land (the “buffer”) that is undeveloped and zoned Open Space (O); on the opposite side of this land is a residential subdivision in the Residential Low Density (R1) Zone. The 20 m open space buffer adjoins houses at the end of Stanford Place in this R1 Zone.

On the opposite side of Stavanger Drive is a large block of land that is zoned Apartment High Density (A3). This is part of the land which the Cabot Development Corporation Limited had rezoned from the CR Zone and O Zone to the A3 Zone several years ago.

The application under consideration by Your Commission was revised from a previous application submitted in September 2015, as described below in Section 2.2.

Of note, there had been a previous application by another party to rezone the subject property at 150 Stavanger Drive to the Apartment Medium Density (A2) Zone to accommodate development of a 4-storey, 71-unit apartment building. However, this was rejected by Council at its Regular Meeting of June 24, 2014, following a public meeting and objections from area residents.

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 11368 NL Limited.

September 10, 2015 – Correspondence from the Chief Municipal Planner to the City of St. John’s Planning and Development Committee

At the September 15, 2015 meeting of the Planning and Development Committee, consideration was given to an application from Powderhouse Hill Investments/Treble Construction Ltd (Proponent – Mr. Bill Clarke) to rezone the parcel of land under discussion - 150 Stavanger Drive - from the Commercial Regional (CR) Zone to the Residential Medium Density Condominium (R2-Condominium) Zone for the purpose of developing 33 townhouse dwelling units. A basic lot plan had been submitted at that time.

This correspondence provided the background on the subject property at 150 Stavanger Drive, as described previously in Section 2.1

Planning Considerations detailed in this September 10, 2015 correspondence included:

- The requested rezoning would require a Land Use Assessment Report (LUAR) and an amendment to the St. John’s Municipal Plan. Further, it was stated that subject to completion of the review by the City’s Engineering Division and relevant concerns being addressed, the application could be considered for referral to the rezoning process.
- An overall objective of the Municipal Plan is to encourage compact urban form by accommodating development with higher densities. A residential objective is to maintain neighbourhood character and quality of life in residential neighbourhoods.

The Clovelly Residential Area nearby has only single detached houses. The development proposed [at the time] was for rowhouse dwellings on a single lot and private driveway. It was stated that this development would make efficient use of land, respond to the need for more housing, and allow the City more efficient use of municipal infrastructure. The compatibility of the proposed development with the surrounding neighbourhood was to be determined through the LUAR and public review of the application.

- The subject property is the last parcel of land on the south side of Stavanger Drive designated for commercial development. Half of the proposed townhouse units are positioned along the western property line directly adjacent to a developed commercial lot. Buffering would be required between the commercial and residential uses.
- Each of the units would have frontage on a centrally placed private driveway off Stavanger Drive. Maintenance of this driveway would include removal of snow and collection of domestic garbage by a private contractor; this would necessitate designated areas for temporary snow storage.

Engineering/Technical Considerations

After a review of the preliminary concept plan submitted at the time of this application, the Engineering Division made initial comments in relation to available servicing, run-off/storm water detention and the need to determine whether or not the proposed development warranted a Traffic Impact Study. It was highlighted that detailed commentary and decisions in relation to engineering and technical consideration would be addressed at the time an application for development approval was submitted to the City.

Conclusion/Recommendation

In conclusion, this correspondence stated that the rezoning and development proposal would be consistent with the St. John's Municipal Plan, given that one of its objectives is to encourage compact urban form by accommodating development with higher densities where appropriate, and making better use of municipal infrastructure. It was recommended to the Committee that after Council's approval of the draft Terms of Reference and subsequent receipt of a satisfactory LUAR, the application be advertised and referred to a Regular Meeting of Council for initial consideration.

Post-September 2015 meeting of the City of St. John's Planning and Development Committee

Subsequent to the 2015 meeting of the Planning and Development Committee meeting, and in the ensuing months, the proponent for the development of 150 Stavanger Drive was advised by City staff that the application as it was presented could not be approved. There were concerns with snow clearing.

As a component of the planning development process, the proponent, in consultation with the requisite City staff, considered other options for the subject property, including to develop a public road instead of a private driveway, but there was insufficient land in the context of the proposed scope of the development, in terms of the number of proposed units.

In January 2016, the proponent submitted a revised application for 150 Stavanger Drive and a LUAR based on these revisions. In summary, the revised application was seeking to develop 20 single detached houses on small lots along a new public street (cul-de-sac) on the subject property. A new Zone – the Residential Compact Lot (RCL) Zone - would be required to accommodate the proposed development.

January 2016 - The Land Use Assessment Report (LUAR) prepared for Powderhouse Hill Investments Ltd. and Treble Construction Ltd. and submitted to the City of St. John's

The City required Powderhouse Hill Investments Ltd. / Treble Construction Ltd to complete an LUAR for the proposed development for 150 Stavanger Drive. It was completed as per the revised application, previously referenced, and submitted to the City in January 2016.

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". An LUAR identifies the potential impacts of a proposed development and provides for any necessary mitigative measures. This assists in determining whether a proposed rezoning has merit and warrants consideration by Council.

The City stipulated the Terms of Reference for the LUAR in relation to the proposed rezoning for 150 Stavanger Drive (see Appendix "A"). In particular, Powderhouse Hill Investments / Treble Construction Ltd were to identify significant impacts on land uses adjoining the subject property and, where appropriate, also identify measure to mitigate these impacts. The LUAR was to comment on, for example, building use, materials, height and location; exterior equipment and lighting; landscaping and buffering; snow clearing and snow storage; off-street parking; traffic; municipal services; and construction time frame. As well, there was a requirement to consult the requisite bodies related to and comment on public transit and Canada Post.

The LUAR presents a summary of the proposed development:

The subject property consists of a single parcel of land approximately 8,101m² in area. The area to be developed is currently vacant, undeveloped property and located in the Commercial Regional (CR) Zone with frontage on Stavanger Drive. To the south and rear of the subject property is City-owned, undeveloped property currently zoned Open Space (O). The property to the east of the subject property is privately-owned land, which is also undeveloped and zoned Open Space (O). Directly west of the subject property is a developed commercial property that is zoned Commercial Regional (CR).

Rezoning has been requested to accommodate the development of 20 single family three-storey homes (building use), each of which will include an in-house garage and single driveway. The proposed development will be accessed via a public road off Stavanger Drive. A complete set of preliminary drawings was included with the LUAR.

The following provides a summary of information provided in the LUAR and in response to the City's Terms of Reference.

Building use (described above)

Building height and location

Each proposed building has a maximum of three storeys above grade with a common 'peaked' roof, which is not anticipated to create any adverse effects regarding loss of sunlight or potential shadowing.

Landscaping and buffering

The total landscaped area is approximately 60% of the entire lot area, which exceeds the landscaped area requirement. A pressure-treated, wooden privacy fence is proposed to be installed at the west boundary to buffer the proposed dwelling units from activities on the existing developed commercial property, which abuts the subject property.

The adjoining City-owned undeveloped property at the south (to the rear) and privately owned undeveloped property at the east are both currently zoned Open Space (O). Considering that both these properties are undeveloped and their current zoning, it is not anticipated that the proposed development would create any adverse effects to these adjoining properties.

Traffic

Anticipated traffic generation rates for the development are so minimal the issue is of no concern for this Development.

Snow clearing and snow storage

Note: No commentary was provided regarding snow clearing and snow storage.

Off-street Parking

Note: No commentary was provided regarding off-street parking.

Servicing

Preliminary site servicing considerations indicated that the development would be serviced through connection to the City's existing public water main and public sanitary sewer main on Stavanger Drive. A storm water detention system would be employed to control post-development storm water runoff.

The Construction Phase

At the time of the submission of the LUAR, it was anticipated that construction would begin in the summer of 2016 and finish in 2017. It was stated that the laydown area would be minimal as materials

were expected to be brought on site daily and, for security reasons, not be stored on-site overnight. Workers' parking areas during construction were to be designated to the proposed access road area.

April 12, 2016 – Correspondence from the Chief Municipal Planner to the City of St. John's Planning and Development Committee

This correspondence to the Planning and Development Committee stated that a decision and/or direction was required in relation to the consideration of the application to rezone 150 Stavanger Drive from the Commercial Regional (CR) Zone to a proposed new zone, similar to the Residential Narrow Lot (RNL) Zone that was created in 2015 and applied on Ladysmith Drive. It was stated that the purpose of the rezoning was to develop 20 single detached houses on small lots along a new public street (cul-de-sac).

It was noted that the application was previously considered by the Committee in September 2015 and referred to an LUAR under terms of reference approved by Council at that time.

Addressing snowfall in the 150 Stavanger Drive area

One of the concerns identified by City staff in relation to the proposed rezoning was the high snowfall experienced in the 150 Stavanger Drive area. It was reported that the rezoning application for 150 Stavanger Drive had been delayed while staff considered an approach that could accommodate new development in the area, while ensuring that it would provide enough land for storing snow in the front yards. This action was required to avoid increasing the number of streets from which trucking snow would become a requirement each winter.

It was explained that in March, 2016, the Committee had considered an approach that identifies an area of high snowfall and an area of moderate snowfall, and ensures that new development (after rezoning) would provide sufficient snow storage on properties, according to formulas based on the snow storage for a standard Residential Low Density (R1) Zoned lot and taking into account elevation and typical snow loads. The subject property at 150 Stavanger Drive is in the area identified for moderate snowfall by the City's Public Works staff.

It was further detailed that the Planning and Development staff had reviewed the proposed lot layout to confirm that it would meet the snow storage requirement of the moderate snowfall area. The RNL Zone was used as a point of comparison; it was used on Ladysmith Drive to allow narrow residential lots with a setback of 8 m and the restriction of a single-width driveway no more than 3.6 m wide. A double driveway would not provide enough space for snow storage in the front yards.

City staff had considered modifying the RNL Zone for the application for 150 Stavanger Drive, but it was pointed out that the RNL Zone meets the standard of the high snow area; the approach for 150 Stavanger Drive was to create a similar yet smaller zone for the moderate snow area.

Proposed new zone

It was highlighted that the proposed new zone (unnamed as of this meeting) would be smaller than those allowed in most of the City's residential zones in relation to minimum lot area, lot frontage, building line and rear yard. Of note, this new zone would have a smaller lot area requirement than that of the Residential Narrow Lot (RNL) Zone that was created in 2015 and applied on Ladysmith Drive.

Planning Considerations

It was stated that the site is "tight" and so the applicant is proposing a public street (cul-de-sac) with a reduced width of the public right-of-way, to 12.5 m wide instead of the standard 15 m. As well, the applicant asked that the requirement for sidewalks be waived. Waiving sidewalks on both sides of the proposed new road is in line with the City's Subdivision Design Manual.

As detailed in the memo, this is a short street with no through traffic, and there is no walking trail or other pedestrian attraction at the end of the street that would draw pedestrians into it, other than residents of the houses and their visitors. If the City were to waive the sidewalk requirement, the applicant would need to use the land as part of the lots to make up the minimum lot standards.

In summary, this development would include single detached houses on a cul-de-sac street with small lots and thus small houses. The houses are proposed to be three (3) storeys tall, each with an in-house garage on ground level. It is referenced that the houses will be smaller than the norm, and smaller than those on the adjacent Stanford Place, but will be single detached houses on a new public street.

It was identified that this proposal is in line with the city's Strategic Plan 2015-18 to increase access to a range/type of housing

In conclusion, this correspondence stated that the Committee consider the rezoning of 150 Stavanger Drive from the Commercial Regional (CR) Zone to a new residential zone. As this is a new zone, staff would be directed to write the requisite zone table, ensuring that it meets the lot standards and snow storage requirements of the moderate snow area.

Given the past concerns over the previous rezoning application for the apartment building, it was recommended that the proposal be referred to a public meeting and stated that at a later stage, a commissioner's public hearing would be required, as this rezoning would need a Municipal Plan amendment.

Wednesday June 1, 2016 – Public Meeting to discuss the proposed development at 150 Stavanger Drive

This public meeting was held to provide an opportunity for public review and comment on 11368 NL Ltd's proposed development at 150 Stavanger Drive, including the LUAR undertaken in relation to the subject property. Five members of the general public were in attendance for the meeting. As well, one written submission and one email were received. A number of questions and concerns were raised by those in attendance. Those relevant to this report and under the auspices of the City's regulatory regime

(and responses where provided from City staff and the proponent in attendance at the meeting) include the following:

- The development was criticized as “glorified townhomes”. *Mr. Clarke stated that each unit is 3000 square feet with two full bathrooms and ranging in price from \$399,000 - \$440,000. Subsidiary apartments will not be permitted. Staff advised that the current commercial zoning allows commercial development that would attract more traffic circulation than residential and could conceivably extend in height beyond three storeys with Council’s discretion.*
- Intensification of density was raised as a major concern with some residents stating that the land would more appropriately accommodate half the units proposed. The height of the units was also criticized as being too high for the area.
- Where would residents and their visitors park in such a high density development? It was noted that this will cause problems for the City’s garbage collection and snow clearing operations with on-street parking having to become the norm.
- It was questioned why ten larger houses could not be constructed instead of the 22 smaller houses proposed, with it being argued that these would be just as marketable as what is proposed.
- Concern about residential and pedestrian traffic in close proximity to the high traffic thoroughfare of Stavanger Drive in the middle of an intense commercial zone. The limited site distance caused by a curve on Stavanger Drive was also cited as a major concern particularly for access and egress into the proposed cul-de-sac.
- Should the land get rezoned and this development does not come to fruition, what is the possibility of another developer coming in to build a different configuration or intensify the density? *Staff advised that a different application would have to be reviewed by the City and include a similar public consultation process.*

June 13, 2016 – Correspondence from Lindsay Lyghtle-Brushett, MCIP, Planner III to the Mayor and Members of Council

This correspondence overviewed information previously presented to Council on the proposed development for 150 Stavanger Drive, with key issues of note being:

- 20 single detached houses would be developed on small lots on a new public street with a reduced width under a new Residential Compact Lot (RCL) Zone.
- The proposed new lot standard meets the snow storage requirements of the moderate snow area.
- The existing buffer at the end of Stanford Place would remain.
- An LUAR was required for the proposal and was advertised for public review; and
- A public meeting on the proposed rezoning and development had been held on June 1, 2016.

The correspondence concluded by recommending that Council adopt-in-principle the resolutions for St. John's Municipal Plan Amendment Number 140, 2016, and St. John's Development Regulations Amendment Number 638, 2016, to rezone 150 Stavanger Drive from the Commercial Regional (CR) Zone to the Residential Compact Lot (RCL) Zone for the development of 20 single detached houses on small lots along a new public street (cul-de-sac).

The process following adoption-in-principle was outlined: amendments would be sent to the Department of Municipal Affairs with a request for provincial release. Once the release was received, the amendments would be referred back to a future regular meeting of Council for consideration of formal adoption and the appointment of a commissioner to conduct a public hearing, as required by the Urban and Rural Planning Act.

At the Regular Meeting of Council, on June 20, 2016, Council agreed to proceed with the proposed amendments and requested that the Department of Municipal Affairs issue a Provincial release.

June 28, 2016 – Correspondence from Corrie Davis, Manager - Land Use Planning, Department of Municipal Affairs, Government of Newfoundland and Labrador to Ken O'Brien, Chief Municipal Planner, City of St. John's

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 property] had been reviewed to determine any provincial government or agency interests. As no government or agency interests were identified, the documents were released from provincial review on behalf of the Department.

It was noted that as a result of this determination, Council could consider adopting the proposed amendments and moving forward with scheduling a public hearing. Further, it was stated that the adopted documents 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.]

July 5, 2016 – Correspondence from Lindsay Lyghtle-Brushett, MCIP, Planner III to the Mayor and Members of Council

This correspondence explained to Council that the St. John's Municipal Plan Amendment Number 140, 2016 and St. John's Development Regulations Amendment Number 638, 2016, in relation to the rezoning of 150 Stavanger Drive, had been given Provincial release. It was recommended that Council proceed with the next steps in the amendment process, i.e., to adopt the relevant resolutions [attached to the correspondence] and appoint Your Commissioner to conduct the related public hearing proposed for Tuesday, August 23, 2016, at 7 p.m. at City Hall.

3.0 WRITTEN SUBMISSIONS RECEIVED IN ADVANCE OF THE HEARING

One written submission was received in advance of the hearing. The following is a summary of the comments provided in this submission. As previously referenced, the full text of the submission is found in Appendix “B”.

3.1 Ted Reynolds, 22 Stanford Place

Mr. Ted Reynolds of 22 Stanford Place provided a submission in advance of the public hearing. In it he stated that he had attended the June 1, 2016 public meeting. Mr. Reynolds highlighted several issues and concerns, including the following:

The LUAR does not provide sufficient information on which to make an informed decision about the proposal.

The design of the proposed development is in drastic contrast to existing homes; he wondered why not develop a plan that uses the same design parameters of the existing homes. The concern was in relation to devaluing existing properties.

It is difficult to judge the impact of the design on the neighbourhood when there is no information from the developer on the elevation change between the proposed development and #10 and #11 on Stanford Place.

Mr. Reynolds disagreed with the finding in the LUAR that there were no traffic concerns. He felt that there are several issues which could create accident concerns for individuals entering/exiting the proposed development. These include concerns emanating from the semi-blind approach as well as steep decline in gradient that begins at the western edge of 140 Stavanger and would impact traffic entering and exiting the proposed development. He suggested that the road should be relocated to the extreme West side of the [subject] property to reduce the possibility of an accident.

In terms of the right-of-way, he expressed concerns about the reduction in the standard allowance for the right-of-way and the waiving of sidewalks for the proposed development.

In summary, Mr. Reynolds requested that the Planning and Development Committee maintain the current Commercial Regional (CR) Zoning on this property. Further, he suggested that the land should be donated by the landowners for parkland.

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 for or objections/concerns regarding the rezoning under consideration. Further, Your Commissioner reminded those in attendance at the hearing that the intent of the proceedings was to discuss the rezoning and not to comment on the merits or lack thereof of the specifics of the proposed development for the subject property.

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

4.1 Overview of the Application

Mr. Ken O'Brien, Chief Planner with the Department of Planning, Development and Engineering, explained that the public hearing was triggered by the proposed rezoning for 150 Stavanger Drive and that the hearing provides an opportunity for public feedback on this rezoning. He 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 proposed development that would include 20 houses on a tight site, with fairly small lots and a reduced right-of-way for the public road; there would be standard pavement width, however, and the street would look the same as any other street of standard width.

In addition, he noted that the developer for the site has asked to retain a portion of the land that would normally remain in City ownership to secure the required minimum lot area for each lot.

Mr. O'Brien explained that the current zoning for the subject property is Commercial Regional (CR), which is the predominant zoning for Stavanger Drive. He also referenced the residential and commercial development proximal to the subject property and the 20m wide buffer zoned Open Space (O), which brings people from Stavanger Drive to the walking trail in the area.

As well, Mr. O'Brien referenced the earlier rezoning to accommodate an apartment development, which had been turned down by Council.

4.2 The submissions

Your Commissioner explained that one submission had been received from a city resident expressing several concerns about the proposed rezoning and development. These concerns were summarized by Your Commissioner to those in attendance (see section 3.1).

4.3 Presentations

Mr. Bill Clarke, the proponent with 11368 NL Limited

Mr. Clarke spoke briefly to the proposed rezoning and development stating that the development is a straight-forward one. He concurred with the information provided by Mr. O'Brien. He also noted that there would be a privacy fence installed between the commercial property on 140 Stavanger Drive and the residential properties backing on this commercial property from the proposed new street.

Mr. Clarke also referenced the previous application to the City for the subject property, which he highlighted had engendered much more opposition than had been identified for the current rezoning and development under consideration. He highlighted that any number of commercial uses could go on this site.

Mr. Ted Reynolds, 22 Stanford Place

Mr. Reynolds stated that while he had no issues with the development, he had several concerns which he expressed over the course of the hearing as follows:

- *The width of the road – If there are parked cars on either side of the road, it will be virtually impassable for fire trucks. He also highlighted that there similarly will be difficulties accessing the road for snow clearing.*

Mr. O'Brien responded and explained that the proposed development, as presented, has been reviewed by the City's development team and has met all of the engineering, snow clearing and building requirements, including the road width. He stressed, however, that the City has not issued any approvals in relation to any aspect of the proposed development and will not do so unless Council recommends approval of the rezoning.

- *Safety concerns – School children living on the proposed street will have to stand on the corner of a busy roadway to access a school bus, as it would not be able to go down the proposed street.*
- *Rental vs. home ownership – Would there be any chance that if the houses cannot be sold, they would become rental properties?*
- *Would information from his submission be on the website? Will there be information about any changes to the development on the website?*

Mr. O'Brien stated that the Commissioner's report is confidential to Council. When it is ready to be brought to Council, there would be a short staff report go forward to Council with recommendations.

Mr. Eric Bugge, 19 Stanford Place

Mr. Bugge also raised several questions over the course of the hearing, although he stated that he is not opposed to the development.

- *Once the development begins, will all equipment and access be from Stavanger? Under no circumstances should heavy equipment be coming or going on Stanford Place.*

Mr. Clarke responded noting that the plan is that heavy equipment would be only on the subject property. Mr. O'Brien also said that there would be no access from Stanford Place to the

proposed street, and so the development of the road would not result in heavy equipment on Stanford Place.

- *Is the rezoning contingent on the plan as presented? If, for example, the proposed street/right-of-way does not meet the City's regulations, would the proponent have to submit a modified plan? Would space be taken from the buffer zone? What opportunities do residents have for another public meeting regarding any proposed changes to this original plan?*

Your Commissioner explained that she would submit a report for Council's consideration, following which Council would make a decision regarding the merits of the rezoning. Should Council approve the rezoning, then more detailed plans are submitted by the proponent. Should there be any changes requested, these will be assessed and addressed by City staff.

Mr. O'Brien explained that the City staff have indicated there will be no change in the existing buffer zone.

- *Will there be trees/fences behind the houses proposed for the east side of the property, backing on the buffer which abuts Stanford Place?*

Mr. Clarke stated that there will be decisions in that regard made when the formal application is submitted.

- *The buffer must be maintained – People who have invested in the area want to maintain their privacy and quality of life. Mr. Bugge expressed the sentiment that he hopes Mr. Clarke puts up quality homes.*
- *What happens if there are changes to the actual design of the houses, should Council agree to the development? There are no apartments proposed based on the current design. Residents of Clovelly are not allowed to have basement apartments.*

Mr. O'Brien explained that under the proposed new zone, no subsidiary apartments would be allowed.

- *What is the City's regulation in relation to parking on grass? Should one of the houses be rented to students with several cars, given the small street and lot size, they likely would be parking on the grass.*

Mr. O'Brien responded to state that the City regulations do not allow vehicles to be parked on the grass.

Carl LeDrew Stanford Place

Mr. LeDrew also said he was not opposed to the residential development; he does not want commercial enterprise on the site.

He referenced the importance of maintaining the buffer zone, and also to ensure that this area is cleaned up.

He is concerned about the grading on the subject property as it approaches his property line.

Mr. Bill Clarke, proponent

Mr. Clarke once again discussed the existing buffer zone stating he has not had formal discussions with the City relating to this area, but did not think there was a plan in place.

Mr. O'Brien responded to reiterate that the existing buffer is to be maintained.

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 Urban Form

As stated in Section III-1 "Urban Form" of the St. John's 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, furthermore, reflects the traditional character of much of St. John's, exemplified by such areas as the Downtown, Georgetown, and Churchill Park."

It is further noted in Section III-1.1 "Objective" that, in relation to development, the objective 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".

Other pertinent sections include the following:

III-1.2.2 Development Density

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

III-1.2.3 Residential Development

The City shall:

1. increase densities in residential areas where feasible and desirable from a general planning and servicing point of view; [...].

5.1.2 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. [...] 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.

5.1.3 Designation of the subject property

The subject property, 150 Stavanger Drive, is located within the Commercial General (CG) Land-Use District of the Municipal Plan. This district, as detailed in section III-3 of the Municipal Plan, allows for "commercial services for all purposes located in commercial and selected industrial areas. They could include retailing, personal services, offices, transient accommodation, automotive services, and selected commercial/industrial services, which may include wholesale and warehousing operations, and shall include Regional Shopping Centres with more than 10,000 m² of floor space." This district is relevant to the surrounding commercial enterprises of the Clovelly Commercial Centre.

It is being proposed that the subject property be redesignated to the Residential Medium Density (RMD) Land-Use District which as detailed in section III-2.3, "applies to those areas that could accommodate a variety of housing types, ranging from semi-detached and duplex dwellings to townhouses and walk-up apartments". More specifically, as detailed in section III-2.3.2, this District encompasses a number of permitted zones providing for the following residential uses:

1. single detached dwellings,
2. semi-detached dwellings,
3. duplexes,
4. townhouses, and
5. walk-up apartments.

Redesignation of the subject property to the Residential Medium Density (RMD) Land-Use District allows for the proposed development. This designation can accommodate single detached dwellings and is reflective of the density of the development in relation to the number of units which are anticipated to be built on the subject property.

5.2 The St. John's Development Regulations

5.2.1 Initial proposed zoning

The Commercial Regional (CR) Zone, the predominant commercial zone in the area (given the numerous commercial enterprises found there) permits, as detailed in sections 10.21.1 and 10.21.2 of the St. John's Development Regulations, primarily commercial-related uses, but also recreational uses and public uses. The only permitted residential use would be an accessory dwelling unit. Discretionary uses in this CR Zone include non-residential ones such as place of assembly and place of amusement.

This zone does not allow for residential units and as such rezoning for residential uses would be required.

As noted in section 2.2 under the September 10, 2015 Correspondence from the Chief Municipal Planner to the City of St. John's Planning and Development Committee, consideration was given to rezoning the subject property at 150 Stavanger Drive from the Commercial Regional (CR) Zone to the Residential Medium Density Condominium (R2-Condominium) Zone for the purpose of developing 33 townhouse dwelling units on a private road.

Also as previously referenced in section 2.2, this initial proposal for redevelopment of the land for residential use could not be approved given there were concerns with snow clearing. Nor could an adjustment to see the proposed development occur on a public road be accommodated because there was insufficient land in the context of the proposed number of buildings.

5.2.3 The proposed option for rezoning the subject property

After submission of the revised application for 150 Stavanger Drive in January 2016, the City's planning development process included consideration of options for rezoning the subject property under existing designations and zoning, and identifying an approach that could accommodate such a new development while ensuring that the development provides for snow storage in the front yards. This consideration was to ensure that any new development would not increase the number of streets where trucking snow becomes a requirement each winter.

It was determined that the proposed new development of 20 single detached houses on small lots along a new public street (cul-de-sac) on the subject property at 150 Stavanger Drive could be accommodated under an existing Municipal Plan designation - Residential Medium Density (RMD) Land-Use District (see section 5.1.3), but would require creation of a **new** zone – the Residential Compact Lot (RCL) Zone. Of note, this zone is smaller than most of the City's residential zones in relation to minimum lot size, lot frontage, and building line. As a point of comparison, this zone would be smaller than the Residential Narrow Lot (RNL) Zone that was created in 2015 and applied on Ladysmith Drive.

To set forth the Uses and Zone Requirements related to the development of 150 Stavanger Drive, a new zone would be added to Section 10 of the St. John's Development Regulations - Section 10.10(B) – Residential Compact Lot (RCL) Zone. It would include three permitted uses as follows:

10.10(B).1 Permitted Uses

- (a) Single Detached Dwelling (subject to Section 8.7 “Snow Storage”) [*This section states, “Where a Lot or Development is approved in an area identified on Map N, ‘Snow Volume Map’, a detailed snow storage plan must be approved prior to construction and issuance of any permits.”*]
- (b) Home Office
- (c) Accessory Building

The requirements presented in Table 1 would apply to all uses in the Residential Compact Lot (RCL) Zone.

TABLE 1: RESIDENTIAL COMPACT LOT (RCL) ZONE – ZONE REQUIREMENTS

Zone requirements	
a. Lot Area (minimum)	250 m ²
b. Lot Frontage (minimum)	10 m
c. Building Line (minimum)	7 m
d. Side Yard (minimum)	1.2 m
e. Side Yard on Flanking Road (minimum)	6 m
f. Rear Yard (minimum)	6 m
g. Landscaping (minimum)	No building except a driveway is permitted within the first 6.6 m of depth as measured from the Front Lot Line
h. Parking (minimum)	Driveway shall have a width not exceeding 3.6 m

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

As previously stated, the primary objectives of the St. John’s Municipal Plan’s land-use policies are to facilitate efficient patterns of and orderly development, particularly in new and undeveloped areas. The City’s role in this regard includes encouraging increased density in residential areas where this is appropriate, feasible and desirable from a general planning and servicing point of view.

More specifically for residential land uses, and as previously referenced, the Plan's stated objectives include a focus on maintaining and improving neighbourhood character and quality of life in residential neighbourhoods through several activities, including good subdivision design.

While the redesignation of this land (and associated rezoning) would appear to be in line with the Municipal Plan's objectives in relation to encouraging increased density in residential areas, it does not appear to align with the Plan's objectives of an efficient pattern of development or demonstrate good subdivision design. Reasons for this conclusion are provided in the following sections.

6.2 The proposed new Residential Compact Lot (RCL) Zone

The City has a 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 a new zone, the Residential Compact Lot (RCL) Zone, to accommodate the proposed development can be considered "spot zoning". In particular, as within this new proposed zone, there are certain allowances being given to the land use which are not granted or extended to other land uses within other Residential Zones.

6.2.1 Lot area

The new Residential Compact Lot (RCL) Zone proposed for the subject property at 150 Stavanger Drive will result in a very dense development. As described by City Staff, the proposed development for the subject property will result in a "tight" site with small lots.

The RCL Zone's minimum lot area is smaller than the recent Residential Narrow Lot (RNL) Zone created for Ladysmith Drive, which in turn allowed for a smaller lot area than the previous long-standing R1 to R3 Zones, and the more recent Residential Kenmount Zone (see Table 2).

Further, as can be seen in Table 2, the proposed new zone's lot area is somewhat bigger than the Residential Downtown Zone which allows for 200 m². A review of the St. John's Development Regulations shows that other Zones with smaller lot areas for single detached dwellings include Residential Battery (lot area of 150 m²) and Residential Quidi Vidi (lot area of 200 m²). These three Zones are designed to accommodate dense development to enable effective use of the available land and infill, as appropriate, recognizing that the geography, topography and existing pattern of housing in these areas lend themselves to such an approach.

TABLE 2: ZONING REQUIREMENTS

Requirements as per the St. John's Development Regulations	Residential Downtown (RD)	Residential Compact Lot (RCL) [Proposed new Zone for 150 Stavanger Drive]	development - Residential Narrow Lot (RNL) [Zone created in 2015 for Ladysmith Drive development]	Residential High Density (R3) Zone	Residential Medium Density (R2) Zone	Residential Low Density (R1) Zone	Residential Kenmount (RK) Zone
Minimum lot area	200 m ²	250 m ²	300 m ²	300 m ²	350 m ²	450 m ²	450 m ²
Minimum lot frontage	8m	10 m	10 m	10 m	12m	15m	15m
Minimum building line	0 m	7 m	8 m	4.5 m	6m	(for new streets) 6m	6m
Minimum side yard	Two of 1.2m	Two of 1.2m	Two of 1.2m	Two of 1.2m	Two of 1.2m	Two of 1.2m	Two of 1.2m
Minimum rear yard	6 m	6 m	6 m	6 m	6m	6m	6m
Landscaping (minimum)		No building except a driveway is permitted within the first 6.6 m of depth as measured from the Front Lot Line	No building except a driveway is permitted within the first 6.6 m of depth as measured from the Front Lot Line	-	At least 50% of the Front Yard shall be landscaped. (This requirement can be waived.)	At least 50% of the Front Yard shall be landscaped. (This requirement can be waived.)	At least 50% of the Front Yard shall be landscaped. (This requirement can be waived.)
Parking (minimum)		Driveway shall have a width not exceeding 3.6 m	Driveway shall have a width not exceeding 3.6 m	-		-	

6.2.2 Minimum Lot Standards

The City's Subdivision Design Manual sets out a requirement for a 15 m right-of-way as the basic design for most City roads.

Minimum lot area and frontage

It was explained to Your Commissioner that the City can waive the requirement for sidewalks in some cases, including for a cul-de-sac of a certain maximum length, and with no pedestrian draw into the road (such as a public park or walking trail) other than the residents who live there. However, and

usually, the City retains ownership of the **full** 15 m right-of-way. The pavement is typically 11.5 m wide, plus 0.5 m on each side for the curb, for a total street width of 12.5 m. The City normally retains ownership then of the remaining 2.5 m (i.e., 1.25 m on each side of the road) where the sidewalks generally are installed.

In the case of 150 Stavanger Drive, an exception has been made to normal practice. The road will be paved to the 11.5 m width requirement (with a standard cul-de-sac bulb at the end), plus 0.5 m on each side for the curb, making a total right-of-way of 12.5 m. This will be owned by the City. For the proposed development, the City has agreed to waive the requirement for sidewalks (a normal practice as detailed previously). However, a deviation from normal practice is that, instead of the City taking ownership of the remaining 2.5 m (which is 1.25 m on each side), they have agreed to allow the developer to retain ownership of that portion of the right-of-way, and incorporate it into the proposed lots so as to meet the minimum lot standards as per the new Residential Compact Lot (RCL) Zone.

In other words, even with the reduced lot requirements for the proposed new Residential Compact Lot (RCL) Zone, there is insufficient land to meet the minimum lot area, and frontage of 10 m, as per the proposed new zone, unless the City makes an exception to its normal practice.

Building Line

As per the St. John's Development Regulations, the *Building Line* is a line established by the City that runs parallel to a street line (edge of a street reservation as is set by the City), and is set at the closest point to a street that a building may be placed. For the proposed development and to meet the zoning under the proposed new Residential Compact Lot (RCL) Zone, the minimum building line calculation of 7 m includes the 1.25 m reserved public right-of-way which the City will give over to the developer to satisfy the requirements of this new zone.

6.2.3 Snow clearing and snow storage

In contemplating this proposed rezoning, one of the concerns identified by staff was the high snowfall experienced in the 150 Stavanger Drive area. As previously detailed in section 2.2 (April 12, 2016 correspondence), it was reported that the rezoning application for 150 Stavanger Drive was delayed while staff considered an approach that could accommodate new development while ensuring that it would provide enough land for storing snow in the front yards. This action was required to avoid increasing the number of streets from which trucking snow would become a requirement each winter.

It was explained that in March, 2016, the Committee had considered an approach that identifies an area of high snowfall and an area of moderate snowfall and ensures that new development (after rezoning) provides enough snow storage on properties, according to formulas based on the snow storage for a standard Residential Low Density (R1) Zoned lot and taking into account elevation and typical snow loads. The current subject property is in the area identified for moderate snowfall by the City's Public Works staff.

It was further stated that the Planning and Development staff had reviewed the proposed lot layout of 150 Stavanger Drive to confirm that it would meet the snow storage requirement of the moderate

snowfall area. The Residential Narrow Lot (RNL) Zone was used as a point of comparison; it was used on Ladysmith Drive to allow narrow residential lots with a setback of 8 m and the restriction of a single-width driveway no more than 3.6 m wide. A double driveway would not provide enough space for snow storage in the front yards.

While Your Commissioner is not questioning the calculations of the City staff, again it is important to understand that on Ladysmith Drive the setback of 8 m would be supplemented by the 1.25 m of sidewalk for snow clearing and storage. The same would not be true of the proposed Residential Compact Lot (RCL) Zone where, in order to accommodate the proposed development, the 1.25 m has been incorporated into the 7 m setback. So, for comparison, there is 9.25 m from the front of a house on Ladysmith Drive (as per the Residential Narrow Lot Zone) to the curb, while there is 7 m from the front of a house to the curb in the proposed new Residential Compact Lot Zone for 150 Stavanger Drive.

Your Commissioner questions how efficient snow clearing and snow storage will be on such reduced lots and notes that snow will be plowed immediately onto homeowner's property with no public right-of-way space for storage. This could result in requests to the City for snow removal during the winter and in the spring thaw requests for remediation of property, as the snow is placed immediately on the residential properties, without the reserved area traditionally available for at least some snow clearing and storage.

Again and of note, the staff developed formulas based on the snow storage for a standard Residential Low Density (R1) Zoned lot, which is significantly different from the proposed new Residential Compact Lot (RCL) Zone.

6.2.4 Parking

The proposed new Residential Compact Lot (RCL) Zone contemplates a single driveway. While there are provisions for up to two cars in the proposed development, one has to consider multiple scenarios, not the least of which is some of these units housing three or more residents/renters, visitors, and social gatherings. Parking will quickly spill over onto a tight site, creating issues for residents and the City alike.

More importantly, the new Residential Compact Lot (RCL) Zone contemplates a home office as a permitted use. One must consider the range of such home office uses and the number of times applications for such uses require at least one parking space.

7.0 Conclusion/Recommendations

Your Commissioner recognizes and commends the City's and Council's continuing commitment to facilitating a range of housing. However, she does not believe that an ongoing approach to creation of new zones, with reduced and diminished zone requirements to ensure that proposed developments will fit, is an effective or sustainable approach to development. In particular, in this instance, with the

proposed development only able to “fit” on the subject property through the City giving over a part of the public right-of-way to meet the minimum lot standards.

The issue of spot zoning is always a concern and in particular when a new zone is being created with diminished zone requirements to accommodate a proposed development. Your Commissioner respectfully suggests that this contravenes good planning principles.

The zone requirements for the proposed new Residential Compact Lot (RCL) Zone are more in keeping with the requirements for zones in denser areas of the City, most notably Quidi Vidi, the Battery and Downtown. While the proposed rezoning would respond to the need for more housing, as can be seen herein, it is not an efficient use of the land and is not in line with the Municipal Plan in terms of facilitating increased densities where appropriate and/or feasible from a general planning point of view.

The proposed development will promote a design which is not consistent with the current scope of development generally found in residential areas outside of the denser areas in the City and one which is fraught with difficulties.

Finally, while Your Commissioner recognizes that the neighbours in the area did not come out in opposition to the proposed rezoning, it is important to note that the role she holds dictates that the merits of the rezoning be assessed in the context of the Municipal Plan and good planning principles, not the number opposed to or in support of the specific rezoning. Also, it is important to note that the neighbours are weighing the opportunity for a residential development as opposed to a more commercial development, which has been opposed for this site in the past. In general, they are not reviewing the proposed rezoning in the context of effective planning, but rather in the context of the existing housing in the neighbourhood.

7.0 RECOMMENDATIONS

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

Rejection of the St. John’s Municipal Plan (*Amendment Number 140, 2016*)

Redesignate the property at 150 Stavanger Drive (parcel ID #350639) from the Commercial General Land-Use District to the Residential Medium Density Land-Use District.

Rejection of the St. John’s Development Regulations (*Amendment Number 638, 2016*)

Map amendment

Rezone 150 Stavanger Drive (parcel ID #350639) from the Commercial Regional (CR) Zone to the Residential Compact Lot (RCL) Zone.

Text amendment

Add the following zone table to Section 10 of the St. John's Development Regulations:

10.10(B) RESIDENTIAL COMPACT LOT (RCL) ZONE

10.10(B).1 Permitted Uses

- (a) Single Detached Dwelling (subject to Section 8.7 "Snow Storage")
- (b) Home Office
- (c) Accessory Building

10.10(B).2 Zone Requirements

- (a) Lot Area (minimum) 250 m²
- (b) Lot Frontage (minimum) 10 m
- (c) Building Line (minimum) 7 m
- (d) Side Yard (minimum) 1.2 m
- (e) Side Yard on Flanking Road (minimum) 6 m
- (f) Rear Yard (minimum) 6 m
- (g) Landscaping (minimum) - No building except a driveway is permitted within the first 6.6 m of depth as measured from the Front Lot Line
- (h) Parking (minimum) - Driveway shall have a width not exceeding 3.6 m

RESPECTFULLY SUBMITTED THIS 20TH DAY OF SEPTEMBER 2016.



Marie. E Ryan,
Commissioner

APPENDIX “A” – Terms of Reference – LUAR

**TERMS OF REFERENCE
FOR LAND USE ASSESSMENT REPORT (LUAR)
APPLICATION TO REZONE PROPERTY AT 150 STAVANGER DRIVE TO THE
R2-CONDOMINIUM ZONE
PROPONENT: POWDERHOUSE HILL INVESTMENTS
& TREBLE CONSTRUCTION LTD.**

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

A. Building Use

- Identify the size of each proposed building by floor area (Gross Floor Area), and by Floor Area Ratio (FAR).
- Identify the proposed number of dwelling units within each building.

B. Building Materials

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

C. Building Height & Location

- Identify graphically the exact location and height of the proposed buildings relative to:
 - Property boundaries/lot lines.
 - Possible loss of sunlight/ potential shadowing/ other potential impacts on adjacent properties.
- Provide information on the proposed construction of patios/balconies.

D. Exterior Equipment and Lighting

- Identify the location and type of exterior lighting to be utilized. Identify possible impacts on adjoining residential properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior HVAC equipment to be used to service the proposed buildings. Identify possible impacts on adjoining residential properties and measures to be instituted to minimize these impacts.

E. Landscaping & Buffering

- Identify details of site landscaping and measures to be undertaken to buffer the proposed dwelling units from activities on the existing commercial property which abuts the subject property.

- Identify the location and proposed methods of screening electrical transformers and refuse containers to be used at the site.

F. Snowclearing/Snow Storage

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

G. Offstreet Parking

- Identify the number and location of off street parking spaces to be provided and means by which parking area storm water runoff is to be managed.

H. Traffic

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

I. Municipal Water and Sewer Services and Onsite Stormwater Detention

- Provide information as required by the City's Department of Engineering on the proposed installation of municipal water and sewer services to the site, including stormwater detention.

J. Public Transit

- Consult with St. John's Metrobus (St. John's Transportation Commission) regarding public transit infrastructure requirements (e.g. a bus lay-by and shelter) and their provision as part of this proposed development.

K. Canada Post

- Consult with Canada Post Corporation regarding public infrastructure requirements (e.g. location of a group mailbox and shelter onsite) and their provision as part of this proposed development.

L. Construction Timeframe

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

APPENDIX "B" - Submission

I would like to submit this written statement re the proposed development at 150 Stavanger Dr. for the independent Commissioner's consideration. The proposed residential development document from Treble Construction Limited generally addresses 4 critical issues but does not provide enough detailed information so that an informed decision can be made. I am leery of organizations that do not take advantage of an opportunity to tell the Planning and Development Committee and other interested parties about their company, its track record in developing similar tracts of land with this type of design, the experience of its executive team and its financial stability etc. This development application was initiated by 11368 NL Ltd but the proponent is Treble Construction Limited. Another company, Powder Hill Investments, is also mentioned in the proposal. As a newcomer to St. John's I was not familiar with these firms and I could not determine which firm was actually guaranteeing the development would be completed as promised. I was very surprised at the results of my search into the history of these firms.

Treble Construction Limited as well as 11368 NL Ltd are not members of the Canadian Home Builders Association Newfoundland Labrador. Who will actually build these homes and provide the new home warranty if the applicant and the proponent are not accredited. Matters like these should be clearly detailed for appraisal. Due process should be followed not circumvented. Treble Construction Limited was incorporated just a few years ago and there is no record of any completed projects. Powder House Hill Investments is another story. This company has a public record that is not distinguished and I have no confidence that this proposed development would be completed to the neighbourhood's satisfaction. Given the current economic situation, selling these homes might take a long time. Recently because condo sales have slowed the proponent turned the development on

Duckworth St. into rental opportunities. What guarantee does the neighbourhood have that such an action would not happen with this development if sales are slow. There is no mention of a performance bond to guarantee a successful outcome for all parties involved. A 4th company is also mentioned – Shaughnessy Homes of Nova Scotia. The building plans for the 20 homes was their original design in 2010 for a stand-alone community in Bedford, Nova Scotia. It was never designed to be parachuted into an existing neighbourhood as is the case here. To submit this design as the ultimate solution for this tract of land clearly illustrates the one-sided, opportunistic nature of this proposal.

Building Use – On Manchester St. just across the creek approximately 10 single family homes have been built on a similar site. Even the street design is quite similar. This style and lot size, while not to the specifications of homes on Stanford Place, would be a better option than 20 homes that would not blend in with the existing neighbourhood. Over 24 homes have been erected to date on Stanford Place, whose conservative retail value is over \$14 million dollars and in excess of \$100,000 dollars was recently paid in property taxes by homeowners for the current year. Stanford Place is a valuable source of revenue for the City. Why not develop a plan that uses the same design parameters of the existing homes in the neighbourhood as suggested to the developer at the June 1 public meeting. To proceed with the design of 3 story, narrow homes as outlined in this proposal that would be in such drastic contrast with existing homes, maximum 2 story throughout Clovelly, might seriously affect their retail value and is a risk that should not be taken.

Building Height & Location – Very hard to judge the impact of this design on the neighbourhood when no data has been submitted from the developer re

the elevation change between the proposed development and #10 and #11 on Stanford Place. Until this data is provided the proposal should be deferred.

The photo of lot #10 and #11 Stanford Place in relation to 150 Stavanger is self-explanatory. The land is substantially higher. Significant excavation will be required for this tract of land to merge with existing development on Stanford Place.

Landscaping and Buffering – How the West side of the property will be treated is detailed but there is no data on what is being planned for the East side or the South side. Until this data is provided the proposal should be deferred.

Traffic – It is stated that “anticipated traffic generation rates for the Development are so minimal the issue is of no concern for this Development “. If this statement is reflective of the judgment used by the applicant throughout this proposal, this proposal should be quashed. A visit to the site would make it abundantly clear that East bound drivers must contend with a semi-blind approach as well as a steep decline in gradient that begins at the western edge of 140 Stavanger and flattens out at the intersection of Stavanger and Tansley which is the entrance to Stanford Place. The proposed turn in for this development is approximately 75 feet from its West boundary. Just before you reach the West boundary, on your left is the entrance for truck deliveries to Walmart and on your right is the entrance for the plaza at 140 Stavanger which contains several retail outlets. A driver travelling at 50 km/hr or 45 feet/sec would have approximately 1.5 seconds to assess all the variables and stop their vehicle under dry conditions if there was an obstruction. A driver travelling at 60 km/hr or 55 feet/sec, a likely scenario, would have approximately 1.1 seconds to stop their vehicle under dry conditions. For westbound drivers, making a left turn into the proposed roadway location probably would not be

allowed by the Traffic Department because of the high risks pertaining to this location. The developer is planning for at least 2 vehicles per residence according to the plan. A minimum of 80 opportunities for a serious accident would occur each day. The road should be relocated to the extreme West side of the property to reduce the possibility of an accident.

Children – Where would the children that live on this street be picked up and dropped off by the school bus. A school bus cannot turn around easily in the semi-circle for technical reasons. And winter driving conditions only compounds the situation. It would be unsafe to have them wait beside Stavanger Dr. and the school bus would be forced to reverse onto Stavanger if they were to be picked up in the proposed development. Quality of life issues like this must be addressed when considering this proposal.

In Mr. O'Brien's 3 page decision/direction note, it is stated that the public right-of-way has been reduced from a standard allowance of 15 meters to 12.5 meters. Mr. O'Brien advised in a recent meeting that it has been further reduced to 11 or 11.5 meters. The roadway on Stanford Place is 15 meters wide and this width is needed to safely accommodate the volume of large pick up trucks and SUV's that the owners use. 11 meters is not enough. On street parking for visitors will be nearly impossible. Getting into and out of your driveway will also be problematic. The proposal also requests a 50 square meter reduction in each lot. In combination these requested allowances represent a 19% decrease from the current rules that apply for this tract of land. This a massive overreach and should not be allowed.

Further it is stated the applicant will ask for a waiver for sidewalks as there is no walking trail or other pedestrian attraction at the end of the street. The Clovelly Trail is used year round by residents and is adjacent to the Southern

boundary of this tract of land. This street would provide easy access to stores like Walmart etc., I am sure it would be a well used shortcut.

Mr. O'Brien's note also stated that a 50 meter buffer zone would exist between the subject property and Stanford Place. This is not correct. It is 20 meters. And no pertinent details on this important component of the proposal have been revealed to date. This issue should be addressed now. Depending on the elevation of the subject property in relation to Stanford Place, this may prove to be woefully inadequate.

I would respectfully ask the Commissioner to maintain the current Commercial Regional Zoning on this property. This proposal, as presented, does not merit approval.

Donating the land to the City for use as a Park might be a viable alternative to development for the landowner. Several hundred homes are ringed by Stavanger and Aberdeen. To my knowledge, there isn't a recreation area for families to use without getting in your car. This would be a destination that the neighbourhood could reach safely and easily by walking or biking.

DECISION/DIRECTION NOTE

Title: St. John's Municipal Plan Amendment No. 139, 2016, and
St. John's Development Regulations Amendment No. 639, 2016
Application to rezone to the Commercial Office (CO) Zone
PDE File# MPA1600005
42 Sugarloaf Place

Date Prepared: October 5, 2016

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Art Puddister, Chair, Planning and Development Committee

Ward: 1

Decision/Direction Required:

Following cancellation of the Public Hearing, Council may proceed with the next steps in the amendment process for St. John's Municipal Plan Amendment Number 139, 2016, and St. John's Development Regulations Amendment Number 639, 2016.

Discussion – Background and Current Status:

The applicant has applied to develop two, 4-storey office buildings at 42 Sugarloaf Place. The subject parcel of land is 7.65 acres (30,950 square metres) and is currently vacant with partial tree cover. Access to the proposed development is from Sugarloaf Place, which is currently not built to an acceptable municipal standard and will require upgrading.

This proposed development is in keeping with other recently completed office and commercial developments located in the vicinity of East White Hills Road. The subject property is designated and zoned Rural under the St. John's Municipal Plan and Development Regulations. In order to consider an office building at this location, the property would need to be rezoned to the Commercial Office (CO) Zone. A Municipal Plan amendment would also be required to the Commercial General Land Use District.

A public meeting was held on April 21, 2016, at City Hall and at the Regular Meeting of Council on May 24, 2016, Council agreed to proceed with the proposed amendments. Following provincial release and Council adoption of the amendments on September 6, 2016, a public hearing was scheduled. The public hearing scheduled for October 4, 2016 was cancelled in accordance with the Urban and Rural Planning Act, as no public submissions were received. Council may now proceed with the next steps in the amendment process.

Key Considerations/Implications:

1. Budget/Financial Implications:

The relevant sections of Sugarloaf Road and Sugarloaf Place would have to be upgraded to an acceptable City standard. The developer has agreed to extend and upgrade the roadway and connection to East White Hills Road to an acceptable City standard. Ultimately this will require that the City provide an increased obligation to deliver services on additional roads.

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2. Partners or Other Stakeholders:
Neighbouring residents and property owners. This property also borders properties in the Town of Logy Bay-Middle Cove-Outer Cove.
3. Alignment with Strategic Directions/Adopted Plans:
In line with encouraging increased density where appropriate, as per the Municipal Plan.
4. Legal or Policy Implications: N/A
5. Engagement and Communications Considerations: N/A
6. Human Resource Implications: N/A
7. Procurement Implications: N/A
8. Information Technology Implications: N/A
9. Other Implications: N/A

Recommendation:

It is recommended that Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 139, 2016, and St. John's Development Regulations Amendment Number 639, 2016, as adopted. These amendments would redesignate and rezone land at 42 Sugarloaf Place to the Commercial Office (CO) Zone for the development of two 4-storey office buildings. If approved, the amendments will be referred to the Department of Municipal Affairs with a request for Provincial Registration in accordance with the provisions of the *Urban and Rural Planning Act*.

Prepared by:

Lindsay Lyghtle Brushett, MCIP – Planner III

Signature: _____

Approved by:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

LLB/dlm

Attachments:

1. Location map
2. Resolutions

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 139, 2016**

WHEREAS the City of St. John's wishes to allow two (2) four-storey office buildings at 42 Sugarloaf Place [**Parcel ID #37663**].

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

Redesignate the land at 42 Sugarloaf Place [Parcel ID #37663] from the Rural (R) Land Use District to the Commercial General (CG) Land Use District as shown on Map III-1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this _____ day of _____, **2016**.

Mayor

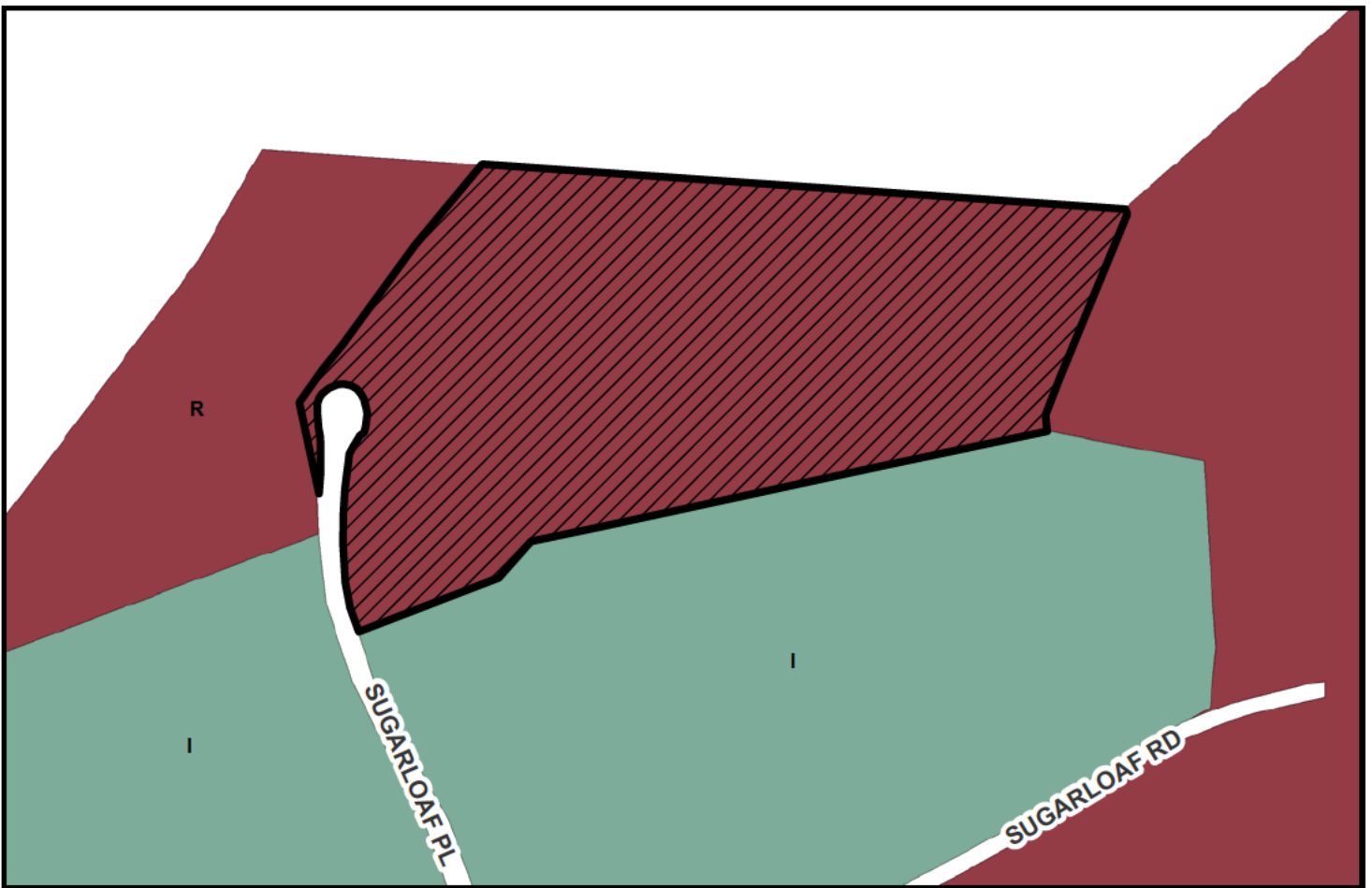
MCIP

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

City Clerk

Council Adoption

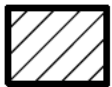
Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 139, 2016
[Map III-1A]**

2016 05 13 SCALE: 1:2500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REDESIGNATED FROM
RURAL (R) LAND USE DISTRICT TO
COMMERCIAL GENERAL (CG) LAND USE DISTRICT

**42 SUGARLOAD PLACE
Parcel ID#: 37663**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 639, 2016**

WHEREAS the City of St. John's wishes allow two (2) four-storey office buildings at 42 Sugarloaf Place [Parcel ID #37663].

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

Rezone the property at 42 Sugarloaf Place [Parcel ID #37663] from the Rural (R) Zone to the Commercial Office (CO) Zone as shown on Map Z-1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this ____ day of _____, 2016.

Mayor

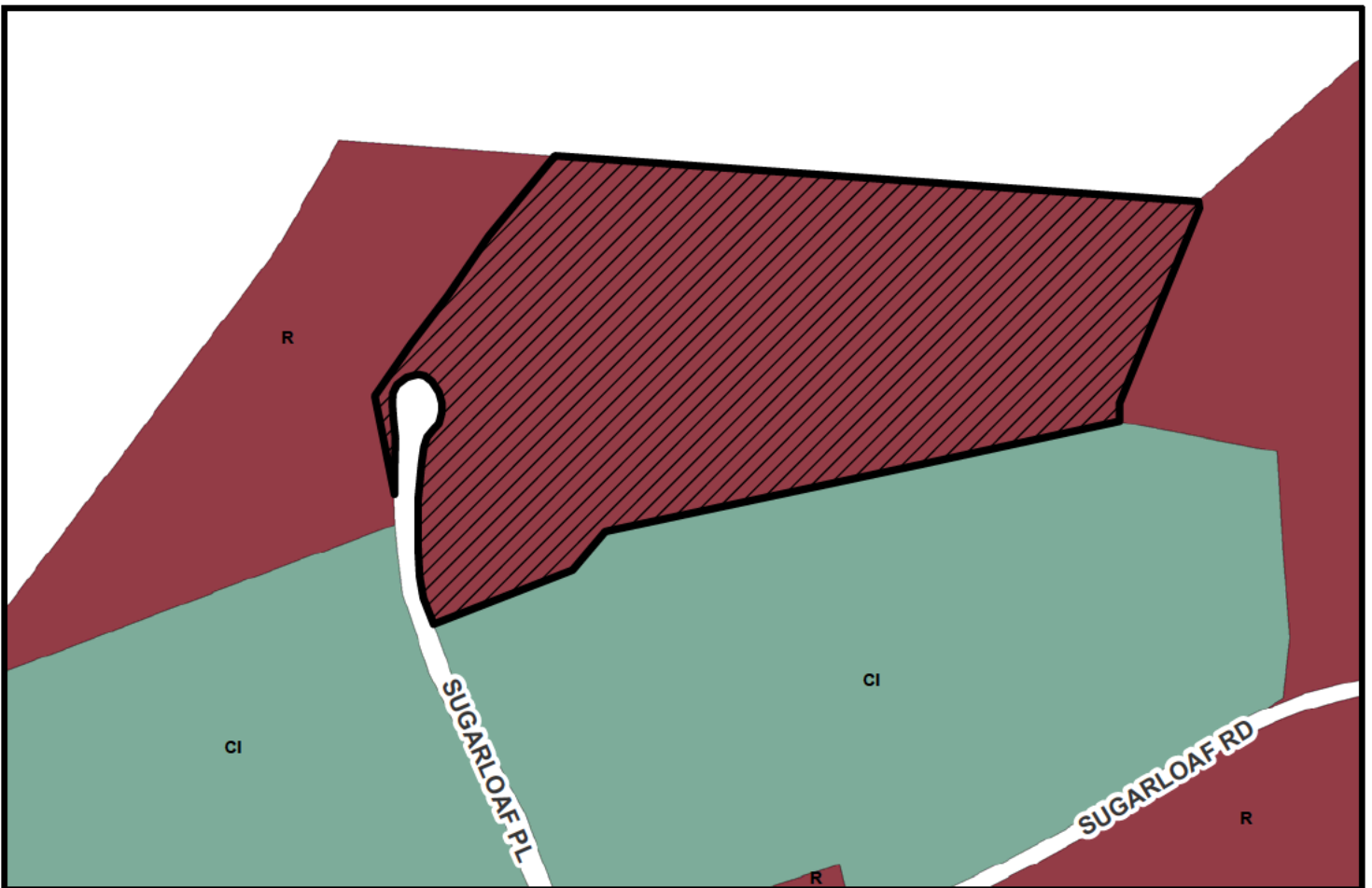
MCIP

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

City Clerk

Council Adoption

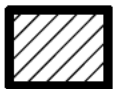
Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 639, 2016
[Map Z-1A]**

2016 05 13 SCALE: 1:2500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REZONED FROM
RURAL (R) LAND USE ZONE TO
COMMERCIAL OFFICE (CO) LAND USE ZONE

**42 SUGARLOAF PLACE
Parcel ID#: 37663**

M.C.I.P. signature and seal

Mayor

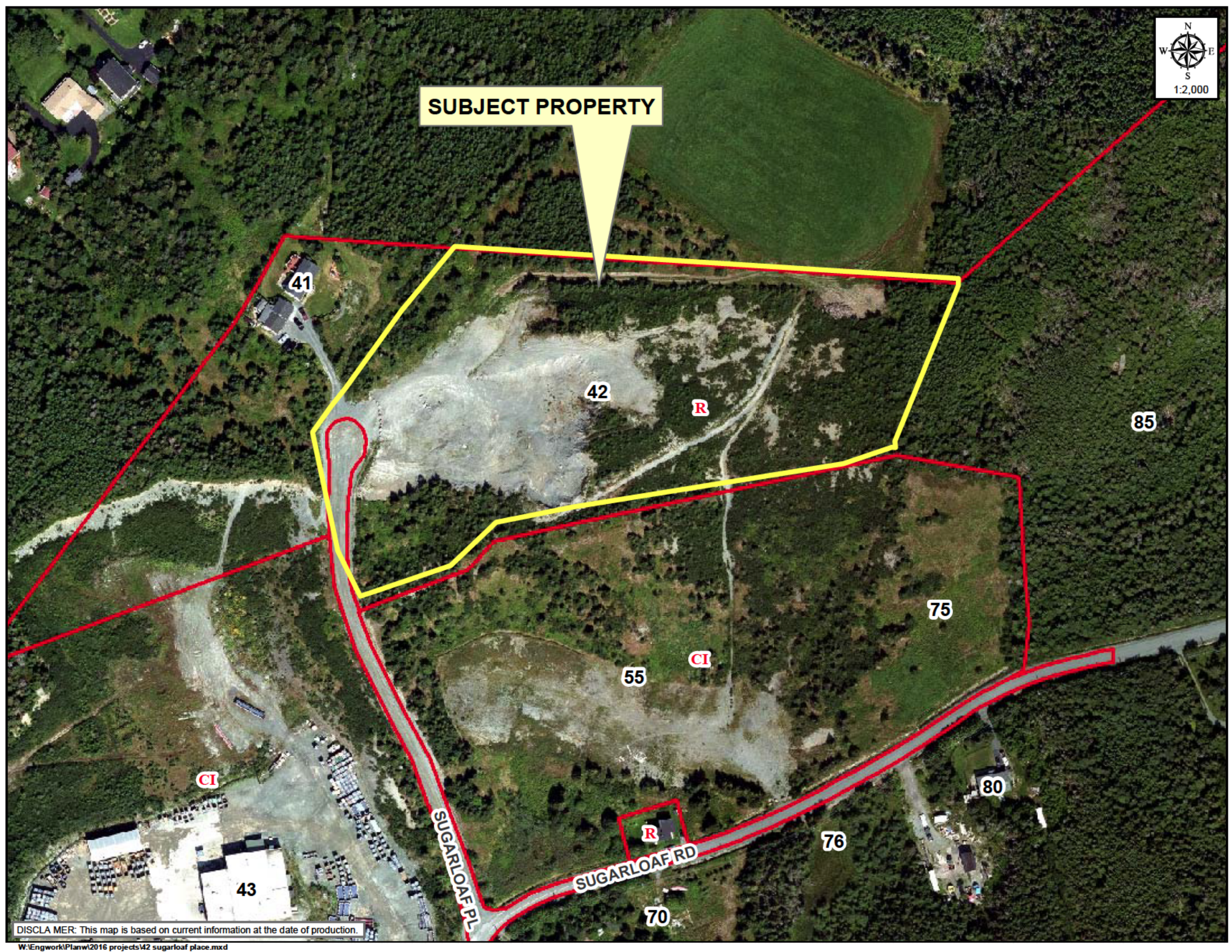
City Clerk

Council Adoption

Provincial Registration



SUBJECT PROPERTY



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

W:\Engwork\Planw\2016 projects\42 sugarloaf place.mxd

Public Meeting
Thursday, March 23, 2016
7:00 p.m.
Foran/Greene Room, 4th Floor, City Hall

Present: Councillor Wally Collins, Chairperson
Mark Hefferton, Planner II, Planning, Development and Engineering Dept.
Kathy Driscoll, Legislative Assistant

Also present was a representative from Architecture49, consultant for the applicant:

Ms. Paula Pittman

There were 8 people in attendance at the meeting.

PURPOSE OF MEETING

The purpose of the meeting was to discuss the following application:

The City has received an application to rezone land at 42 Sugarloaf Place from the Rural (R) Zone to the Commercial Office (CO) Zone to allow for two (2) four-storey office buildings. A Municipal Plan amendment will be required.

CALL TO ORDER AND BACKGROUND PRESENTATIONS

Councillor Collins called the meeting to order, introduced the head table and defined the process for this meeting. The City's Planner II, Mr. Mark Hefferton, outlined the planning review process as referenced in the memo dated March 10, 2016 from him to the Planning & Development Standing Committee. In addition, the following documents were also included in the public meeting agenda:

- Location Map
- Concept Plan

He further expressed his role with the Planning Department was to explain policy and regulatory background of the parcel of land at 42 Sugarloaf Place. He explained that the application involved rezoning and an amendment to the Municipal Plan would be required.

Mr. Hefferton advised that an application was originally received for two 4-storey office buildings and the applicant was advised from a servicing perspective it was not feasible. Staff requested the applicant revisit the site plan and provide road upgrades. A revised

site plan was prepared and the application was brought forward in January 2016 to the Planning and Development Standing Committee for consideration. The Committee determined the application had merit and that it would be brought forward to a public meeting for review and comment. Mr. Hefferton advised this explained the Planning process and he would now have Ms. Paula Pittman of Architecture49 provide her presentation on behalf of the applicant.

Ms. Pittman advised the two 4-storey buildings would be under 12,000 square feet on the ground floor. She reference rendered drawings below the contour and noted the underground parking component and surface parking to both buildings. There would be a retention pond to collect water run-off and upgrades to widen the road and add sidewalks. Ms. Pittman advised the application could only proceed with rezoning. The question was raised as to whether both buildings would be constructed at the same time. Ms. Pittman advised that only one building would be constructed as the market would determine if the second building would be constructed. She further advised that the applicant's objective was to leave as much green space as possible and stay below the 120 m contour. The buildings would overlook the recycling area. Ms. Pittman advised the public access on Marine Drive would be maintained.

With this, the end of presentations, the Chair opened discussion from the floor.

DISCUSSION FROM THE FLOOR

- Residents asked if water and sewer would be available for existing residents. Mr. Hefferton advised that there were a number of upgrades with services included but not detail and design. He advised the services would be provided to City standards and the water pressure would be maintained.
- Residents questioned the possibility of losing their well and septic once construction began. The Chair advised that the City would ensure a clause would be put in place to protect any residents that had their services affected. The Chair referenced a previous project in the Goulds in which the applicant had to provide artesian wells to residents that had their services disrupted. He advised that this provision could be put in place to protect the residents as well. He further advised that it would be also beneficial once the services were put in place as they would be that much closer to receiving City water and sewer services.
- Residents raised a question about accessibility to their homes once construction began. Ms. Pitcher advised that this could also be a condition of developing and only one side of the street at a time as residents have to be able to access their

properties. Residents also spoke to water shedding pre and post flows. Ms. Pittman advised that these flows would have to be maintained and the retention pond would address these issues.

- Residents inquired as to whether there would be any blasting. Ms. Pitcher advised there may be blasting for fill. Councillor Breen advised residents to have inspections done on their homes prior to and after blasting to ensure no damage occurred. He further advised to have an Engineer take pictures of the foundation prior to development as well.
- Residents asked when this application would go to Council. They were advised that it would probably be 3 weeks to a month. They were further advised there would be no construction this summer.
- Residents asked about a copy of the meeting minutes and Councillor Breen advised he could provide them with a copy once they had been prepared. They were also told that they would be included in the Regular Agenda once all documentation was prepared to go to Council.
- The Chair advised that he felt this was a good project that may provide the possibility for future water and sewer services for existing residents which could potentially raise their home values.
- Residents asked if their homes would be rezoned. They were advised they would remain in the Rural Zone.

CONCLUDING REMARKS

Councillor Collins thanked everyone for coming and advised that the matter will be referred to Council for review over the next few weeks.

ADJOURNMENT

The meeting adjourned at 7:34 p.m.

Councillor Wally Collins
Chairperson

REPORT
FINANCE AND ADMINISTRATION COMMITTEE - CITY COUNCIL
October 5, 2016 – 12:00 p.m. – Conference Room A

Present Councillor J. Galgay, Chair
Deputy Mayor R. Ellsworth
Councillor B. Tilley
Councillor D. Breen
Councillor S. O’Leary
Councillor D. Lane (via teleconference)

Others Kevin Breen, City Manager
Derek Coffey, Deputy City Manager – Financial Management
Tanya Haywood, Deputy City Manager – Community Services
Lynnann Winsor, Deputy City Manager – Public Works
Jason Sinyard, Deputy City Manager – Planning, Development & Engineering
Elaine Henley, City Clerk
Sean Janes, City Internal Auditor
Susan Bonnel, Manager of Communications
Victoria Etchegary, Manager of Strategy & Engagement
Kris Connors, Supervisor – Budget & Treasury
Tammy Sheppard, HR Advisor
Maureen Harvey, Acting Supervisor – Legislative & Office Services

**Decision Note dated September 20, 2016 from the Director of Human Resources
re: The Cooperators Donation to Charity**

The Committee considered the above noted decision note and recommends as follows:

Recommendation

Moved – Councillor Breen: Seconded – Councillor Hickman

That approval be given to instruct the Cooperators to forward it’s donation of \$1,000 to the REAL Program

CARRIED UNANIMOUSLY

Decision Note dated October 1, 2016 from City Clerk re: Requests for Financial Support for Meetings and Conventions

Consideration was given to the above noted decision note.

Moved – Councillor Hickman: Seconded – Councillor O’Leary

That approval provide financial support to the following organizations in accordance with the terms of Policy 04-09-02:

Canadian Federation of University Women	\$500
Canadian Federation of Engineering Students	\$500
Arctic Technology Conference	\$750

CARRIED UNANIMOUSLY

Councillor Jonathan Galgay, Chair
Finance & Administration Committee

REPORTS/RECOMMENDATION

Development Committee

October 11, 2016 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

1. Proposed Development in Buffer – Clovelly Subdivision Stage 3C– 1200174

It is recommended that Council approve the request to construct accessory buildings, patios, and fences in the flood buffer in accordance with Section 11.2.4(2) of the St. John's Development Regulations.

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

DECISION/DIRECTION NOTE

Title: Proposed Development in Buffer – Clovelly Subdivision Stage 3C-1200174

Date Prepared: October 12, 2016 (Date of Next Meeting: October 17, 2016)

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Art Puddister, Chair Planning and Development Committee

Ward: 1

Decision/Direction Required:

To seek approval for the construction of fences, patios and accessory buildings in a floodplain buffer.

Discussion – Background and Current Status:

The subdivision is the final stage of the Clovelly Development and is situated in the Residential Low Density (R1) Zone. It is an approved ninety-four (94) lot subdivision, thirteen (13) of the lots have varied amounts of the rear yards located in the floodplain buffer.

As part of its marketing information and approach the developer is requesting that the subject buffer can allow development in accordance with Section 11.2.4(2) of St. John’s Development Regulations. Section 11.2.4(2) of these Regulations does permit Council the discretion to permit specific types of development in a floodplain, which include fences, patios and accessory buildings.

Key Considerations/Implications:

1. **Budget/Financial Implications:** N/A
2. **Partners or Other Stakeholders:** N/A
3. **Alignment with Strategic Directions/Adopted Plans:** N/A
4. **Legal or Policy Implications:** Section 11.2.4(2) of the St. John’s Development Regulations
5. **Engagement and Communications Considerations:** N/A
6. **Human Resource Implications:** N/A
7. **Procurement Implications:** N/A
8. **Information Technology Implications:** N/A
9. **Other Implications:** N/A



ST. JOHN'S

Recommendations:

It is recommended that Council approve the request to construct accessory buildings, patios and fences in the flood buffer in accordance with Section 11.2.4(2) of the St. John's Development Regulations.

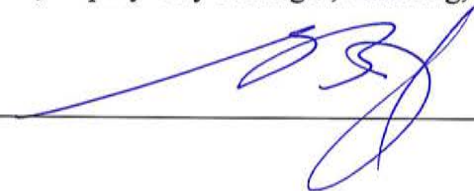
Prepared by/Signature:

Gerard Doran – Supervisor of Development

Signature:  _____

Approved by/Signature:

Jason Sinyard, Deputy City Manager, Planning, Development and Engineering

Signature:  _____

GJD/jw

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF October 6, 2016 TO October 12, 2016

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Bird Construction	Four (4) Storey, 175 room Hotel	65 Jetstream Avenue	1	Approved	16-10-06
RES		Home Office for Graphic Art Services	125 Green Acre Drive	5	Approved	16-10-12
RES		Building Lot	36 Cabot Avenue	2	Approved	16-10-12

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

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

Gerard Doran
Development Supervisor
Development Division -
PDE Department

Building Permits List

Council's October 17, 2016 Regular Meeting

Permits Issued: 2016/10/06 To 2016/10/12

Class: Commercial

11-13 Freshwater Rd	Co	Restaurant	
409 Kenmount Rd	Co	Commercial Garage	
10 Pearl Pl	Co	Place Of Amusement	
Avalon Mall, Telus	Sn	Retail Store	
16-72 Hamlyn Rd, Unit 150	Sn	Retail Store	
80 Kenmount Rd., Units 2 & 3	Sn	Office	
28 Logy Bay Rd	Sn	Office	
Glencrest Roundabout	Sn	Other	
21 Queen's Rd	Cr	Retail Store	
25 Hebron Way	Rn	Warehouse	
80 Kenmount Rd, Unit 2b	Cr	Retail Store	
286 Duckworth St	Rn	Restaurant	
		This Week \$	459,533.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

8 Cashin Ave	Nc	Accessory Building	
215 Cheeseman Dr, Lot 192	Nc	Single Detached Dwelling	
6 Cherrybark Cres	Nc	Fence	
23 Dumbarton Pl	Nc	Accessory Building	
10 Gary Dr	Nc	Fence	
10 Gary Dr	Nc	Accessory Building	
33 Great Southern Dr, Lot 12	Nc	Single Detached Dwelling	
14 Gregory St	Nc	Fence	
35 Keith Dr	Nc	Accessory Building	
35 Keith Dr	Nc	Accessory Building	
10 Kerry St	Nc	Patio Deck	
15 Learning Rd	Nc	Accessory Building	
304 Lemarchant Rd	Nc	Patio Deck	
14 McLoughlan Street	Nc	Fence	
14 McLoughlan Street	Nc	Accessory Building	
798 Main Rd	Nc	Accessory Building	
19 Nautilus St	Nc	Fence	
356 Old Pennywell Road	Nc	Single Detached Dwelling	
8 Ozark Pl	Nc	Accessory Building	
74 Parsonage Dr	Nc	Patio Deck	
77 Queen's Rd	Nc	Patio Deck	
13 Solway Cres, Lot 344	Nc	Single Detached & Sub.Apt	
574 Southside Rd	Nc	Accessory Building	
810 Southside Rd	Nc	Swimming Pool	
13 Tralee St	Nc	Fence	
554 Newfoundland Dr	Co	Home Occupation	

7 Dover Pl	Ex	Single Detached Dwelling
4 Doyle St	Ex	Single Detached Dwelling
69 Gisborne Pl	Ex	Patio Deck
19 Bannerman St	Rn	Single Detached Dwelling
59 Chafe Ave	Rn	Single Detached Dwelling
112 Circular Rd	Rn	Single Detached Dwelling
9 Coronation St	Rn	Single Detached Dwelling
35 Gower St	Rn	Semi-Detached Dwelling
17&21 Mcdougall St	Rn	Boarding House(4 Or Less)
12 Mullock St	Rn	Semi-Detached Dwelling
23 Shea Street	Rn	Single Detached & Sub.Apt
337 Southside Rd	Rn	Single Detached Dwelling
798 Main Rd	Sw	Single Detached Dwelling
65 Portugal Cove Rd	Sw	Accessory Building
810 Southside Rd	Sw	Semi-Detached Dwelling

This Week \$ 1,482,362.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 1,941,895.00

Repair Permits Issued: 2016/09/29 To 2016/10/05 \$ 63,300.00

Legend

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

YEAR TO DATE COMPARISONS			
October 13, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$117,375,000.00	\$104,647,000.00	-11
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$15,000,000.00	\$6,000,000.00	-60
Residential	\$68,153,000.00	\$60,622,000.00	-11
Repairs	\$3,479,000.00	\$3,799,000.00	9
Housing Units (1 & 2 Family Dwelling)	177	192	
TOTAL	\$204,007,177.00	\$175,068,000.00	-14

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manger
Planning & Development & Engineering

MEMORANDUM

Weekly Payment Vouchers For The Week Ending October 12, 2016

Payroll

Public Works	\$ 397,486.92
Bi-Weekly Casual	\$ 23,262.07
Accounts Payable	\$1,381,580.60

Total: \$ 1,802,329.59

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
ROGERS COMMUNICATIONS CANADA INC.	102478	DATA & USAGE CHARGES	43.11
GORDON BARNES	102479	PROFESSIONAL SERVICES	2,400.00
INFINITY CONSTRUCTION	102480	PROGRESS PAYMENT	202,720.59
NEWFOUNDLAND DISTRIBUTORS LTD.	102481	INDUSTRIAL SUPPLIES	133.34
RIDEOUT TOOL & MACHINE INC.	102482	TOOLS	90.34
PUBLIC SERVICE CREDIT UNION	102483	PAYROLL DEDUCTIONS	6,010.28
JAMES THISTLE	102484	REFUND OVERPAYMENT OF TAXES	65.00
BELL MOBILITY INC.	102485	CELLULAR PHONE USAGE	24,282.96
GENTARA REAL ESTATE LP	102486	COURT OF APPEAL REFUND	200.00
FANTASTIC REALTY	102487	COURT OF APPEAL REFUND	200.00
KIRKLAND BALSOM & ASSOC.	102488	COURT OF APPEAL REFUND	200.00
PUGLISEVICH CREWS & SERVICES LTD.	102489	COURT OF APPEAL REFUND	200.00
PROPERTYWORKS	102490	COURT OF APPEAL REFUND	800.00
RENCO PROPERTIES LTD.	102491	COURT OF APPEAL REFUND	200.00
BAINÉ JOHNSTON PROPERTIES LIMITED	102492	COURT OF APPEAL REFUND	200.00
FROG POND HOLDING LTD.	102493	COURT OF APPEAL REFUND	200.00
ALTUS GROUP	102494	COURT OF APPEAL REFUND	2,000.00
KENMOUNT INVESTMENTS LTD.	102495	COURT OF APPEAL REFUND	200.00
TURNER DRAKE & PARTNERS LIMITED	102496	COURT OF APPEAL REFUND	400.00
CABOT HOLDINGS LIMITED	102497	COURT OF APPEAL REFUND	200.00
COBALT PROPERTIES LIMITED	102498	COURT OF APPEAL REFUND	200.00
DANIEL MARTIN	102499	COURT OF APPEAL REFUND	60.00
10718 NFLD. INC.	102500	COURT OF APPEAL REFUND	200.00
SNC LAVALIN O & M SOLUTIONS INC.	102501	COURT OF APPEAL REFUND	200.00
GAMBERG, VALERIE	102502	COURT OF APPEAL REFUND	60.00
TREVOR EARLE	102503	REFUND FOR SEPTIC/CULVERT DEPOSIT	1,068.05
TREVOR EARLE	102504	REFUND FOR SEPTIC/CULVERT DEPOSIT	931.95
NEWFOUNDLAND EXCHEQUER ACCOUNT	102505	OVERPAYMENT OF RENT	598.00
CITY OF ST. JOHN'S	102506	REPLENISH PETTY CASH	278.88
BURSEY EXCAVATING & DEVELOPMENT LTD.	102507	PROGRESS PAYMENT	180,142.83
GERARD MURPHY	102508	PERFORMANCE FEE	225.00
CHRISTA YETMAN	102509	REFUND SECURITY DEPOSIT	300.00
HAMLIN, DALLIS	102510	TRAVEL ADVANCE	1,097.53
THEA MORASH	102511	TRAVEL ADVANCE	2,656.43
NEWFOUNDLAND POWER	102512	ELECTRICAL SERVICES	33,779.51
MCLOUGHLAN SUPPLIES LTD.	102513	ELECTRICAL SUPPLIES	23,648.95
ORNAMENTAL CONCRETE LTD.	102514	CONCRETE/CEMENT	470.53
CITY OF ST. JOHN'S	102515	REPLENISH PETTY CASH	188.07
THE PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR	102516	FILING OF STATEMENT OF CLAIM	100.00
JAMES NIXON	102517	REFUND SECURITY DEPOSIT	7,500.00
CLARKE, ELIZABETH	102518	TRAVEL ADVANCE	2,473.86
DJANA MORECOMBE	102519	EDUCATION INCENTIVES	450.00
MICHAEL & LISA MACKEY	102520	EDUCATION INCENTIVES	900.00
EILEEN REDDIGAN	102521	EDUCATION INCENTIVES	600.00
SANDRA CURNEW	102522	EDUCATION INCENTIVES	600.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
STEVENSON, MICHELLE	102523	EDUCATION INCENTIVES	500.00
HASSAN YASIN HIJAZI	102524	EDUCATION INCENTIVES	400.00
RIDEOUT, MARY ANN	102525	EDUCATION INCENTIVES	500.00
NOEL, KAREN	102526	EDUCATION INCENTIVES	500.00
LAHEY, SHERRY	102527	EDUCATION INCENTIVES	600.00
CELINE PENNELL	102528	EDUCATION INCENTIVES	300.00
MALIE PEREZ	102529	EDUCATION INCENTIVES	300.00
APRIL KNEE	102530	EDUCATION INCENTIVES	600.00
CHILAKA, CHARLES	102531	EDUCATION INCENTIVES	400.00
VOISEY, NANCY	102532	EDUCATION INCENTIVES	300.00
LANGIN, SUSAN	102533	EDUCATION INCENTIVES	400.00
RAYMOND, KRISTA	102534	EDUCATION INCENTIVES	500.00
MARSH, LYNN	102535	EDUCATION INCENTIVES	500.00
IRVING OIL MARKETING GP	102536	GASOLINE & DIESEL PURCHASES	3,601.89
PADDLE CANADA	102537	TRAINING PROGRAM	56.50
ST. KEVIN'S HIGH SCHOOL	102538	RENTAL OF GYM	100.00
KENNEDY, CRAIG	102539	TUITION	574.76
ACKLANDS-GRAINGER	102540	INDUSTRIAL SUPPLIES	291.36
AIMS LTD.	102541	REPAIRS TO OVERHEAD DOORS	65.55
AVALON RECYCLING SERVICES LTD.	102542	RECYCLING COLLECTION	161.00
ATLANTIC PURIFICATION SYSTEM LTD	102543	WATER PURIFICATION SUPPLIES	313.85
BABB LOCK & SAFE CO. LTD	102544	PROFESSIONAL SERVICES	282.90
VISION PACKAGING SUPPLIES	102545	GLOVES, SHELVES, SIDE PANELS	178.25
KELLOWAY CONSTRUCTION LIMITED	102546	CLEANING SERVICES	37,540.19
RDM INDUSTRIAL LTD.	102547	INDUSTRIAL SUPPLIES	41.12
ROBERT BAIRD EQUIPMENT LTD.	102548	RENTAL OF EQUIPMENT	1,586.72
NEWFOUNDLAND EXCHEQUER ACCOUNT	102549	REGISTRATION OF EASEMENT	2,248.00
TOWN OF CONCEPTION BAY SOUTH	102550	GARBAGE COLLECTION	200.00
SMS EQUIPMENT	102551	REPAIR PARTS	1,989.37
HAROLD SNOW & SONS	102552	HARDWARE SUPPLIES	456.93
JENKINS POWER SHEET METALS INC	102553	PROFESSIONAL SERVICES	34.50
TONY'S TAILOR SHOP	102554	PROFESSIONAL SERVICES	92.00
TWIN CITIES IMAGING	102555	PROMOTIONAL MATERIALS	1,262.33
DULUX PAINTS	102556	PAINT SUPPLIES	1,341.02
ROCKWATER PROFESSIONAL PRODUCT	102557	CHEMICALS	16,350.38
BLACK & McDONALD LIMITED	102558	PROFESSIONAL SERVICES	21,658.27
THE PRINT & SIGN SHOP	102559	SIGNAGE	129.38
ROYAL CANADIAN LEGION NEWFOUNDLAND & LAB. COMMAND	102560	WREATH	72.00
OVERHEAD DOORS NFD LTD	102561	PROFESSIONAL SERVICES	17,222.57
BRENKIR INDUSTRIAL SUPPLIES	102562	PROTECTIVE CLOTHING	35,084.41
UNITED RENTAL OF CANADA INC.	102563	RENTAL OF EQUIPMENT	2,443.75
BROWNE'S AUTO SUPPLIES LTD.	102564	AUTOMOTIVE REPAIR PARTS	281.96
THE BRIGADE COUNCIL OF THE CLB	102565	LUNCHEON	320.00
SPECTRUM INVESTIGATION & SECURITY 1998 LTD.	102566	SECURITY SERVICES	10,838.52
WESTERN HYDRAULIC 2000 LTD	102567	REPAIR PARTS	1,691.35

NAME	CHEQUE #	DESCRIPTION	AMOUNT
BDI CANADA INC	102568	REPAIR PARTS	4,569.35
CBS RENTALS LTD.	102569	RENTAL OF EQUIPMENT	293.80
AIR LIQUIDE CANADA INC.	102570	CHEMICALS AND WELDING PRODUCTS	1,650.22
HISCOCK'S SPRING SERVICE	102571	HARDWARE SUPPLIES	2,356.88
CARSWELL DIV. OF THOMSON CANADA LTD	102572	PUBLICATIONS	414.70
NORTH ATLANTIC SYSTEMS	102573	REPAIR PARTS	274.25
BLUE WATER MARINE & EQUIPMENT	102574	REPAIR PARTS	97.69
NORTRAX CANADA INC.,	102575	REPAIR PARTS	3,075.70
MAC TOOLS	102576	TOOLS	555.40
NORTH ATLANTIC SUPPLIES INC.	102577	REPAIR PARTS	913.45
KENT	102578	BUILDING SUPPLIES	732.33
CBCL LIMITED	102579	PROFESSIONAL SERVICES	10,010.75
CLEARWATER POOLS LTD.	102580	POOL SUPPLIES	1,958.45
RENTOKIL PEST CONTROL	102581	PEST CONTROL	20,236.60
PF COLLINS CUSTOMS BROKER LTD	102582	DUTY AND TAXES	188.05
COLONIAL GARAGE & DIST. LTD.	102583	AUTO PARTS	2,559.70
PETER'S AUTO WORKS INC.	102584	TOWING OF VEHICLES	203.54
CONSTRUCTION SIGNS LTD.	102585	SIGNAGE	6,660.16
SCOTT WINSOR ENTERPRISES INC.,	102586	REMOVAL OF GARBAGE & DEBRIS	12,734.90
SCARLET EAST COAST SECURITY LTD	102587	SECURITY SERVICES	19,544.98
CRANE SUPPLY LTD.	102588	PLUMBING SUPPLIES	3,635.72
JAMES G CRAWFORD LTD.	102589	PLUMBING SUPPLIES	757.54
HACH	102590	PROFESSIONAL SERVICES	8,935.50
CROCKER'S COLLISION SERVICES	102591	PROFESSIONAL SERVICES	3,402.05
ENVIROSYSTEMS INC.	102592	PROFESSIONAL SERVICES	1,989.06
CRAWFORD & COMPANY CANADA INC	102593	ADJUSTING FEES	2,871.00
DICKS & COMPANY LIMITED	102594	OFFICE SUPPLIES	25.28
NEWFOUNDLAND CAMERA	102595	CAMERAS (7)	965.92
MIC MAC FIRE & SAFETY SOURCE	102596	REPAIR PARTS	10.29
EAST COAST HYDRAULICS	102597	REPAIR PARTS	114.08
HITECH COMMUNICATIONS LIMITED	102598	REPAIRS TO EQUIPMENT	13,284.80
REEFER REPAIR SERVICES (2015) LIMITED	102599	REPAIR PARTS	13,598.51
DOMINION RECYCLING LTD.	102600	PIPE	276.00
THYSSENKRUPP ELEVATOR	102601	ELEVATOR MAINTENANCE	1,587.00
RESEARCH AND PRODUCTIVITY COUNCIL	102602	PROFESSIONAL SERVICES	490.25
PAT'S PLANTS & GARDENS	102603	9 LINDEN TREES	2,909.41
CANADIAN TIRE CORP.-HEBRON WAY	102604	MISCELLANEOUS SUPPLIES	298.95
CANADIAN TIRE CORP.-MERCHANT DR.	102605	MISCELLANEOUS SUPPLIES	555.43
CANADIAN TIRE CORP.-KELSEY DR.	102606	MISCELLANEOUS SUPPLIES	669.31
EAST COAST MARINE & INDUSTRIAL	102607	MARINE & INDUSTRIAL SUPPLIES	402.39
EASTERN MEDICAL SUPPLIES	102608	MEDICAL SUPPLIES	640.55
ELECTRONIC CENTER LIMITED	102609	ELECTRONIC SUPPLIES	134.78
EMM HARDCHROME & HYDRAULIC LTD	102610	REPAIR PARTS	2,258.83
NATIONAL ENERGY EQUIPMENT INC.	102611	REPAIR PARTS	106.18
THE TELEGRAM	102612	ADVERTISING	2,208.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
FACTORY FOOTWEAR LONG POND	102613	PROTECTIVE CLOTHING	229.98
FASTSIGNS	102614	SIGNAGE	747.50
BASIL FEARN 93 LTD.	102615	REPAIR PARTS	77.86
EMERGENCY REPAIR LIMITED	102616	AUTO PARTS AND LABOUR	17,340.57
OMB PARTS & INDUSTRIAL INC.	102617	REPAIR PARTS	416.13
FRESHWATER AUTO CENTRE LTD.	102618	AUTO PARTS/MAINTENANCE	937.26
PRINCESS AUTO	102619	MISCELLANEOUS ITEMS	113.78
COASTLINE SPECIALTIES	102620	REPAIR PARTS	326.14
BURSEY CLEANERS LIMITED	102621	PROFESSIONAL SERVICES	20,103.83
PROVINCIAL FENCE PRODUCTS	102622	FENCING MATERIALS	17,268.91
PENNEY'S HOLDINGS LIMITED	102623	PROFESSIONAL SERVICES	395.50
WOLSELEY CANADA INC.	102624	REPAIR PARTS	102.81
H & R MECHANICAL SUPPLIES LTD.	102625	MECHANICAL SUPPLIES	8,495.59
THE WORKS	102626	MEMBERSHIP FEES	84.50
HARRIS & ROOME SUPPLY LIMITED	102627	ELECTRICAL SUPPLIES	147.89
HARVEY'S OIL LTD.	102628	PETROLEUM PRODUCTS	4,970.28
NEWFOUND ROOFING LTD	102629	PROFESSIONAL SERVICES	24,725.00
CANADIAN LINEN & UNIFORM	102630	MAT RENTALS	2,097.82
BRENNTAG CANADA INC	102631	CHLORINE	20,713.06
RONA	102632	BUILDING SUPPLIES	729.77
HISCOCK RENTALS & SALES INC.	102633	HARDWARE SUPPLIES	1,425.94
FLEET READY LTD.	102634	REPAIR PARTS	4,071.00
ATHENS PRINTING	102635	OFFICE SUPPLIES	4,854.48
HOLLAND NURSERIES LTD.	102636	FLORAL ARRANGEMENT	698.19
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	102637	REPAIR PARTS	1,168.25
UNIVAR CANADA	102638	CHEMICALS	7,990.11
ARMOUR VALVE LTD.	102639	REPAIR PARTS	4,012.76
PINNACLE ENGINEERING LTD.	102640	PROFESSIONAL SERVICES	21,735.00
PRINTER TECH SOLUTIONS INC.,	102641	REPAIRS TO EQUIPMENT	148.06
IDEXX LABORATORIES	102642	VETERINARY SUPPLIES	247.12
YMCA OF NORTHEAST AVALON	102643	GYM MEMBERSHIP	625.00
DBI-GARBAGE COLLECTION REMOVAL LTD.	102644	GARBAGE COLLECTION	770.50
KANSTOR INC.	102645	REPAIR PARTS	653.98
KAVANAGH & ASSOCIATES	102646	PROFESSIONAL SERVICES	713.86
IEAS LTD.	102647	PROFESSIONAL SERVICES	1,121.25
MEDICAL MART ATLANTIC	102648	SAFETY SUPPLIES	181.19
KERR CONTROLS LTD.	102649	INDUSTRIAL SUPPLIES	298.57
MITCHELL FARMS INC	102650	MULCH	287.50
THE CARPET FACTORY SUPERSTORE	102651	PROFESSIONAL SERVICES	7,977.42
LAWLOR'S TROPHIES & ENGRAVING LTD	102652	BRASS PLATES	1,554.23
LIFTOW LIMITED C/O T8092	102653	REPAIR PARTS	104.21
STAPLES ADVANTAGE	102654	OFFICE SUPPLIES	1,131.88
MARK'S WORK WEARHOUSE	102655	PROTECTIVE CLOTHING	336.47
JT MARTIN & SONS LTD.	102656	HARDWARE SUPPLIES	344.14
MARTIN'S FIRE SAFETY LTD.	102657	SAFETY SUPPLIES	151.80

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ALYSSA'S PROPERTY SERVICES PRO INC.,	102658	PROFESSIONAL SERVICES	13,909.83
MCDONALD'S HOME HARDWARE	102659	HARDWARE SUPPLIES	72.42
TTL SUPPLY LTD.	102660	REPAIR PARTS	322.00
JJ MACKAY CANADA LTD.	102661	PARKING METER KEYS	346.51
MIKAN INC.	102662	LABORATORY SUPPLIES	1,269.74
ACE APPLIANCE REPAIR	102663	PROFESSIONAL SERVICES	1,338.74
CUTTING EDGE LAWN CARE INC.,	102664	PROFESSIONAL SERVICES	4,407.56
PUMPHREY & ASSOCIATES INC.,	102665	PROFESSIONAL SERVICES	5,131.30
WHOLESALE CLUB	102666	FIRE DEPARTMENT SUPPLIES	283.99
FIT FOR WORK	102667	PROFESSIONAL SERVICES	3,738.50
PRINTERS PLUS	102668	OFFICE SUPPLIES	277.15
MDI CONTRACTING	102669	PROFESSIONAL SERVICES	1,076.40
DWAYNE LAKE	102670	PROFESSIONAL SERVICES	299.00
MODERN PAVING LTD.	102671	ASPHALT	269.88
WAJAX INDUSTRIAL COMPONENTS	102672	REPAIR PARTS	345.04
NEWFOUNDLAND DISTRIBUTORS LTD.	102673	INDUSTRIAL SUPPLIES	1,465.72
TRC HYDRAULICS INC.	102674	REPAIR PARTS	1,025.63
BELL MOBILITY PAGING	102675	PAGING SERVICES	187.55
TOROMONT CAT	102676	AUTO PARTS	64.30
NORTH ATLANTIC PETROLEUM	102677	PETROLEUM PRODUCTS	19,150.35
NOVA CONSULTANTS INC.	102678	PROFESSIONAL SERVICES	56,519.65
ORNAMENTAL CONCRETE LTD.	102679	CONCRETE/CEMENT	387.38
PENNECON ENERGY HYDRAULIC SYSTEMS	102680	REPAIR PARTS	589.99
PBA INDUSTRIAL SUPPLIES LTD.	102681	INDUSTRIAL SUPPLIES	995.87
N & G CONTRACTING LTD	102682	PROFESSIONAL SERVICES	2,461.00
CW PARSONS LIMITED	102683	PROFESSIONAL SERVICES	75,954.52
PETER PAN SALES LTD.	102684	SANITARY SUPPLIES	307.05
THE HUB	102685	BUSINESS CARDS	281.75
POWERLITE ELECTRIC LTD.	102686	ELECTRICAL PARTS	191.48
K & D PRATT LTD.	102687	REPAIR PARTS AND CHEMICALS	641.56
PROFESSIONAL UNIFORMS & MATS INC.	102688	PROTECTIVE CLOTHING	4,411.73
S & S SUPPLY LTD. CROSSTOWN RENTALS	102689	REPAIR PARTS	1,121.58
ST. JOHN'S PORT AUTHORITY	102690	RENTAL OF QUARRY SITE	5,479.08
ST. JOHN'S TRANSPORTATION COMMISSION	102691	CHARTER SERVICES	9,982.50
BIG ERICS INC	102692	SANITARY SUPPLIES	366.39
SAUNDERS EQUIPMENT LIMITED	102693	REPAIR PARTS	2,997.95
SPEEDY GLASS	102694	WINDSHIELD REPAIRS	1,318.94
STATE CHEMICAL LTD.	102695	CHEMICALS	759.00
SUPERIOR PROPANE INC.	102696	PROPANE	182.45
THRIFTY CAR RENTALS	102697	VEHICLE RENTAL	2,093.00
TOWER TECH COMMUNICATIONS & SPORTS FIELD LIGHTING	102698	NETTING REPAIRS & INSTALLATION	11,169.11
TRACTION DIV OF UAP	102699	REPAIR PARTS	4,247.12
TULKS GLASS & KEY SHOP LTD.	102700	PROFESSIONAL SERVICES	533.69
FJ WADDEN & SONS LTD.	102701	SANITARY SUPPLIES	202.86
WEIRS CONSTRUCTION LTD.	102702	GRAVEL	1,859.68

NAME	CHEQUE #	DESCRIPTION	AMOUNT
RECEIVER GENERAL	102703	NATIONAL DOSIMETRY SERVICES	89.12
ELTON, DOUG	102704	REAL PROGRAM	1,334.00
ORTHOPEDIC SOLUTIONS	102705	PROTECTIVE CLOTHING	287.50
NEWFOUNDLAND ASSOCIATION OF APPRAISAL INSTITUTE OF CANAD.	102706	SEMINAR FEES	1,600.00
HAMMOND. WALLACE	102707	PROFESSIONAL SERVICES	575.00
GOODLIFE FITNESS	102708	FITNESS MEMBERSHIP	102.79
CANADIAN PUBLIC WORKS ASSOCIATION (CPWA)	102709	MEMBERSHIP RENEWALS	3,489.44
ACE CLEANING COMPANY	102710	PROFESSIONAL SERVICES	33,828.68
MC-Pix: MELANIE COURAGE PHOTOGRAPHER	102711	PROFESSIONAL SERVICES	300.00
ROEBOTHAN MCKAY MARSHALL IN TRUST	102712	LEGAL CLAIM	138.00
COWAN HEIGHTS YOUTH BASKETBALL LEAGUE	102713	REAL PROGRAM	580.00
PAUL DUNNE CONTRACTING	102714	REFUND SECURITY DEPOSIT	2,000.00
BENSON BUFFETT IN TRUST	102715	LEGAL CLAIM	55,000.00
THE GREEN SIGN COMPANY	102716	SIGNAGE	218.50
PROVINCIAL INVESTMENTS INC.	102717	COURIER SERVICES	368.02
TURNER RESEARCH & STRATEGY INC.	102718	PROFESSIONAL SERVICES	10,946.25
GFL ENVIRONMENTAL INC.	102719	PROFESSIONAL SERVICES	628.26
MUNICIPAL SERVICE DELIVERY OFFICIALS ASSOCIATION	102720	REGISTRATION FEE	833.75
GLENN & LISA UPSHALL	102721	REFUND OVERPAYMENT OF TAXES	487.50
KELLY PIERCEY LAW OFFICE	102722	REFUND OVERPAYMENT OF TAXES	46.76
GREGORY J. POWER	102723	REFUND OVERPAYMENT OF TAXES	370.95
MEGAN HATCH	102724	REFUND OVERPAYMENT OF TAXES	1,151.55
CHARLES TAYLOR CONSULTING SERVICES (CANADA)	102725	REFUND OVERPAYMENT OF TAXES	28.56
HEATHER TUACH	102726	PERFORMANCE FEE	200.00
SHELLEY NEVILLE AND PETER HALLEY	102727	PERFORMANCE FEE	450.00
MICHEAL WALLACK	102728	REFUND SECURITY DEPOSIT	100.00
THE ESTATE OF PHYLLIS SCHWERTFEGER	102729	RECREATION PROGRAM REFUND	54.00
CANADA LANDS COMPANY CLC LIMITED	102730	REFUND OVERPAYMENT OF TAXES	22,667.55
NL CLASSIFIEDS	102731	ADVERTISING	143.75
MCDONALD, HEATHER	102732	MILEAGE	43.32
CRITCH, ROBERT	102733	VEHICLE BUSINESS INSURANCE	339.25
NOSEWORTHY, WANDA	102734	VEHICLE BUSINESS INSURANCE	288.64
WINSOR, MICHELLE	102735	VEHICLE BUSINESS INSURANCE	267.58
TUCKER, GORDON	102736	VEHICLE BUSINESS INSURANCE	279.00
O'CONNELL, BRENDAN	102737	VEHICLE BUSINESS INSURANCE	270.00
HUNT, EDMUND	102738	MILEAGE - CROSSING GUARD PROGRAM	73.38
WINSOR, LYNNANN	102739	CELL PHONE CASE	28.75
PINSENT, JEFF	102740	FITNESS COURSE	133.95
SNOW, BRUCE	102741	VEHICLE BUSINESS INSURANCE	238.00
KANE, SUSAN	102742	VEHICLE BUSINESS INSURANCE	235.00
SHEPPARD, SUSAN	102743	MILEAGE - CROSSING GUARD PROGRAM	113.85
WHITE, MARK	102744	VEHICLE BUSINESS INSURANCE	168.00
PENNEY, LISA	102745	MILEAGE - CROSSING GUARD PROGRAM	139.00
BROWNE, CHRIS	102746	CLOTHING ALLOWANCE	125.00
STRAIT, MARIE	102747	MILEAGE - CROSSING GUARD PROGRAM	78.62

NAME	CHEQUE #	DESCRIPTION	AMOUNT
MELISSA MURRAY	102748	MILEAGE	112.95
HAYWARD, SARAH	102749	FOOD/BEVERAGE FOR DEPARTMENT EVENT	172.96
CANTWELL, MICHAEL	102750	VEHICLE BUSINESS INSURANCE	166.00
HAYE, SHAWN	102751	MILEAGE	128.13
BENNETT, GLENN	102752	MILEAGE - CROSSING GUARD PROGRAM	70.76
KINSELLA, PAULA	102753	MILEAGE - CROSSING GUARD PROGRAM	139.00
THEA MORASH	102754	ARTS MANAGEMENT INTENSIVE REGISTRATION FEE	57.50
KRISTA BABIJ	102755	MILEAGE	52.53
DAVE INNES	102756	MILEAGE - CROSSING GUARD PROGRAM	55.03
LISA BENNETT	102757	VEHICLE BUSINESS INSURANCE	317.26
CARLIE WHITE	102758	MILEAGE	803.71
GERALD TILLEY	102759	MILEAGE - CROSSING GUARD PROGRAM	139.00
STEPHEN KELSEY	102760	MILEAGE - CROSSING GUARD PROGRAM	64.06
JODIE GREELEY	102761	VEHICLE BUSINESS INSURANCE	87.88
ANTHONY TAYLOR	102762	MILEAGE - CROSSING GUARD PROGRAM	30.86
SMITH STOCKLEY LTD.	102763	PLUMBING SUPPLIES	733.90
Total: \$			1,381,580.60

DECISION/DIRECTION NOTE

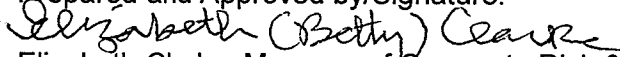
Title: Insurance Renewal Terms 2016-2017
Date Prepared: 2016/10/17
Report To: Finance and Administration Standing Committee
Councillor and Role: Councillor Jonathan Galgay, Chair
Ward: N/A
Decision/Direction Required: Seeking Council's approval of insurance renewal terms

Discussion – Background and Current Status:

I am pleased to advise that very favorable and competitive terms have been received for our 2016 insurance renewal November 1, 2016 to November 1, 2017. Upon examining all terms offered, it has been concluded that the best coverage and premium combined is with Amlin for the Commercial General Liability coverage and with Aviva for the Property and Automobile Coverage. The premium for the overall insurance program is \$1,204,732. **This is a decrease in premium and savings over last year of \$169,219.** The total of the entire insurance program includes St. John's Sports & Entertainment Ltd. and the St. John's Transportation Commission.

Recommendation: It is recommended that the City accept the terms as proposed by Amlin and Aviva. Both these Insurers are considered A+ in the insurance market. The City will continue to be managed by experienced underwriters who offer their assistance as needed to communicate with claims staff. A special thanks to our insurance broker, Aon Risk Solutions, for working with me to achieve successful insurance terms for the City again this year.

Prepared and Approved by/Signature:


Elizabeth Clarke, Manager of Corporate Risk & Recovery

ST. JOHN'S