# AGENDA REGULAR MEETING

September 25, 2017 4:30 p.m.

September 21, 2017

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday**, **September 25**, **2017 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

Clave d. Herley

## AGENDA REGULAR MEETING - CITY COUNCIL September 25, 2017 – 4:30 p.m. – Council Chambers, 4<sup>th</sup> Floor, City Hall

#### 1. CALL TO ORDER

#### 2. APPROVAL OF THE AGENDA

#### 3. ADOPTION OF THE MINUTES

Minutes of September 18, 2017

#### 4. BUSINESS ARISING FROM THE MINUTES

#### 5. NOTICES PUBLISHED

- A Discretionary Use application has been submitted by Charter Group Inc. requesting permission to convert 118 m<sup>2</sup> of the "converted building" located at 284 LeMarchant Road into two, one bedroom residential units. On-site parking is provided
- A Discretionary Use Application has been submitted requesting permission to occupy a portion of 118 University Avenue as a Home Occupation for a Clinic. The private clinic will occupy a floor area of approximately 40.5 m2 (main level). Medical professionals will visit the property approximately 3 times a week between the hours of 9 a.m.-5 p.m, by appointment only for approximately 3 hours. The applicant is the sole employee and will facilitate all visits. On Site parking is available.
- A Discretionary Use application has been submitted by Radicle Roots to occupy a portion of 8 Hunt Place as a Home Occupation. The Business will occupy a floor area of 32 m2 and operate an after-school program for up to 10 children grades K-4. The program consists of nature-based learning and will take place mostly outside through walking, exploring & playing in surrounding woods and public-access areas. It will operate up to five (5) afternoons a week with hours of operation from 3–5:45 p.m. Drop-off transportation will be provided by Radicle Roots and pick-up time will be from 5:15-5:45 p.m. The business will employ two employees and on-site parking is provided.
- A Discretionary Use application has been submitted by Butter Bakery requesting permission to occupy a potion of 5 Osbourne Street as a Home Occupation for a Bakery. The proposed business will offer a variety of baked goods, including custom cakes and French inspired pastries. It will occupy a floor area of approximately 15 m2 and will operate Tuesday to Sunday 8 a.m. 6 p.m., on a preorder basis. The business will offer a delivery service only with the applicant being the sole employee.

#### 6. PUBLIC HEARINGS

 Decision Note dated September 20, 2017 re: Application to Rezone to the Commercial Central Mixed-Use (CCM) Zone - File no. MPA1600007 - 90 Duckworth Street (Former East End Fire Station)

#### 7. COMMITTEE REPORTS

- a. Development Committee Report -September 19, 2017
- b. Special Events Advisory Committee Report September 19, 2017

#### 8. RESOLUTIONS

#### 9. DEVELOPMENT PERMITS LIST

Development Permits List – August 31, 2017 – September 6, 2017

#### 10. BUILDING PERMITS LIST

Building Permits List – September 14, 2017 – September 20, 2017

#### 11. REQUISITIONS, PAYROLLS AND ACCOUNTS

Payroll and Accounts – Weeks ending September 20, 2017

#### 12. TENDERS/RFPS

 a. Council Approval for Tender 2017066 Portugal Cove Road Water Transmission Main Replacement Project – Phase 2

#### 13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

#### 14. OTHER BUSINESS

Decision Note dated September 20, 2017 re: Demolition of Building – 185
 Waterford Bridge Road

#### 15. ADJOURNMENT

#### **MINUTES**

#### **REGULAR MEETING - CITY COUNCIL**

September 18, 2017 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

Present Mayor D. O'Keefe

Deputy Mayor R. Ellsworth

Councillor T. Hann
Councillor D. Breen
Councillor B. Tilley
Councillor W. Collins
Councillor S. Hickman
Councillor S. O'Leary
Councillor D. Lane
Councillor J. Galgay
Councillor A. Puddister

Others Kevin Breen, City Manager

Lynnann Winsor, Deputy City Manager of Public Works

Jason Sinyard, Deputy City Manager of Planning, Engineering and

Regulatory Services

Tanya Haywood, Deputy City Manager of Community Services
Derek Coffey, Deputy City Manager of Finance and Administration

Cheryl Mullett, City Solicitor

Ken O'Brien, Chief Municipal Planner

Elaine Henley, City Clerk

Kenessa Cutler, Legislative Assistant

#### CALL TO ORDER/ADOPTION OF AGENDA

#### SJMC2017-09-18/400R

Moved - Councillor Collins; Seconded - Councillor Lane

That the agenda be adopted with the following addition:

 Letter dated September 18, 2017 from Sheena McCrate, CEO, St. John's Sports and Entertainment re: Mile One Centre Lease for National Basketball League Franchise

CARRIED UNANIMOUSLY

#### **ADOPTION OF MINUTES**

#### SJMC2017-09-18/401R

Moved - Councillor Hickman; Seconded - Councillor Tilley

That the minutes of September 11, 2017 be adopted as presented.

#### CARRIED UNANIMOUSLY

#### **BUSINESS ARISING**

St. John's Municipal Plan Amendment Number 142, 2017 and St. John's Development Regulations Amendment Number 655, 2017 Proposal to re-designate and rezone land from the Institutional (INST) Zone to the Residential Medium Density (R2) Zone File No. MPA1700002 50 Bennett Avenue (portion thereof) – Former I. J. Samson Junior High School

Council considered the above noted amendment.

#### SJMC2017-09-18/402R

Moved – Councillor Puddister; Seconded – Councillor Galgay

That Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 142, 2017, and St. John's Development Regulations Amendment Number 655, 2017, as adopted. These amendments will redesignate and re-zone a portion of land at 50 Bennett Avenue from the Institutional (INST) Zone to the Residential Medium Density (R2) for the development of 20 townhouses. The amendments will now be referred to the Department of Municipal Affairs and Environment, with a request for Provincial Registration in accordance with the provision of the *Urban and Rural Planning Act*.

**CARRIED UNANIMOUSLY** 

Decision Note dated September 13, 2017 re: Permanent Road Closure Heavy Tree Road

Council considered the above noted decision note.

#### SJMC2017-09-18/403R

Moved - Councillor Collins; Seconded - Councillor Lane

That Council approve the closure of this section of dilapidated roadway, converting the lower section to a temporary cul-de-sac and the upper section into a gravel access road until the Department of Transportation and Works completes the interchange with the proposed Team Gushue Highway.

CARRIED UNANIMOUSLY

#### NOTICES PUBLISHED

 A Discretionary Use application has been submitted to develop a portion of the existing lot at 1 Kent Place, which is located in the Residential Low Density (R1) Zone, as a Parking Lot. The parking area will be approximately 78 m2 and provide parking for 9 vehicles.

#### SJMC2017-09-18/404R

Moved - Councillor Puddister; Seconded - Councillor Hickman

That Council reject the above listed application due to resident objection.

CARRIED UNANIMOUSLY

#### **COMMITTEE REPORTS**

#### Public Works Standing Committee Report – September 7, 2017

Link to Report

Council considered the above noted report.

#### SJMC2017-09-18/405R

Moved - Councillor Breen; Seconded - Councillor O'Leary

That the above noted report be adopted as presented including the recommendation on the following items:

Item # 1: Decision Note dated August 29, 2017, re: Southlands Off-leash Dog Park

Recommendation: That the project to build an off leash Dog Park be approved subject to the immediate area residents agreement and funded from existing capital project savings currently under the financial management of the Parks and Open Spaces Division. Should the residential consultation be met with opposition, the project is to be brought back for further consideration.

Item # 2: Decision Note dated August 31, 2017, re: Application for Funding – MMSB Community Waste Diversion Fund

Recommendation: That the City put forward an application to the MMSB for the Community Waste Diversion Fund to finance this pilot project/partnership with Home Again.

CARRIED UNANIMOUSLY

#### **Development Committee Report – September 12, 2017**

Link to Report

Council considered the above noted report.

#### SJMC2017-09-18/406R

Moved - Councillor Puddister; Seconded - Councillor Collins

That the above noted report be adopted as presented including the recommendation on the following items:

Item # 1: DEV1700132 – Request for 6.3% Rear Yard Variance and 6m Building Line Setback – Forde Drive (rear of 1 Alder Place)

Recommendation: It is the recommendation of the Development Committee that Council approve the 6.3% Rear Yard variance.

Item # 2: CRW100021 – Crown Land for Right-of-Way to Access Agricultural Land – 450 Pipeline Road

Recommendation: It is the recommendation of the Development Committee that Council approve the application subject to a Conservation Plan that the land shall not be disturbed within 50 metres of the stream that flows through the property. This will ensure that the stream is protected from siltation and run-off.

**CARRIED UNANIMOUSLY** 

Finance and Administration Standing Committee Report - September 13, 2017

Link to Report

Council considered the above noted report.

#### SJMC2017-09-18/407R

Moved - Councillor Galgay; Seconded - Councillor Breen

That the above noted report be adopted as presented including the recommendation on the following items:

Item # 1: Decision Note dated July 28, 2017 re: Increase in Low Value Purchase Order Threshold

Recommendation: Council approved the increase in the Low Value Purchase Order.

Item # 2: Decision Note dated September 5, 2017 re: Final 2016 Cash Report Recommendation: Council adopted the final 2016 cash statement.

**CARRIED UNANIMOUSLY** 

#### Special Events Advisory Committee Report – September 13, 2017

Link to Report

Council considered the above noted report.

#### SJMC2017-09-18/408R

Moved - Councillor Breen; Seconded - Councillor Hickman

That the above noted report be adopted as presented including the recommendation on the following items:

Item # 1: Anglican Cathedral Outdoor Community Event - October 1, 2017

Recommendation: That the requested road closure for October 1, 2017 be approved.

Item # 2: CIBC Run for the Cure - October 1, 2017

Recommendation: That the requested road closure for October 1, 2017 be approved.

Item # 3: George St. Association - Mardi Gras Date - October 28, 2017

Recommendation: That the application to extend the Noise By-Law on October 28, 2017 be approved.

**CARRIED UNANIMOUSLY** 

#### Planning and Development Standing Committee Report – September 14, 2017

Link to Report

Council considered the above noted report.

#### SJMC2017-09-18/409R

Moved - Councillor Hann; Seconded - Councillor Lane

That the above noted report be adopted as presented including the recommendation on the following items:

ST. J@HN'S

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Item # 1: Rezoning from Residential Low Density (R1) Zone to Residential Medium Density (R2) Zone – 571 Empire Avenue

Recommendation: The Committee recommends that Council consider rezoning the application for 571 Empire Avenue, from the Residential Low Density (R1) Zone to Residential Medium Density (R2) Zone be considered, and the application be advertised for public review and comment. Upon completion of this process, the amendment would then be referred to a future Regular Meeting of Council for consideration of adoption.

CARRIED UNANIMOUSLY

#### **DEVELOPMENT PERMITS LIST**

Link to List

Council considered, for information, the above noted for the period September 7, 2017 to September 13, 2017.

#### **BUILDING PERMITS LIST**

Link to List

Council considered, the above noted for September 18, 2017.

#### SJMC2017-09-18/410R

Moved - Councillor Hann; Seconded - Councillor Puddister

That the building permits list dated September 18, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

#### REQUISITIONS, PAYROLLS AND ACCOUNTS

Link to Memo

Council considered the requisitions, payrolls and accounts for the week ending September 13, 2017.

#### SJMC2017-09-18/411R

Moved – Councillor Hann; Seconded – Councillor Puddister

That the requisitions, payrolls and accounts for the week ending September 13, 2017 in the amount of \$3,307,146.56 be approved as presented.

CARRIED UNANIMOUSLY

ST. J@HN'S

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#### **TENDERS/RFPS**

### Tender 2017164 Roof for Amphitheater (Bowring Park)

Council considered the above noted tender.

#### SJMC2017-09-18/412R

Moved - Councillor Hann; Seconded - Councillor Puddister

That Council award this tender to the lowest bidder meeting specifications RoofTech Systems Ltd Seventy four thousand six hundred thirty five dollars (74,635) as per the Public Tendering Act. Taxes are included with submitted bid.

CARRIED UNANIMOUSLY

#### Tender 2017173 St. Patrick's Affordable Housing Playground

Council considered the above noted tender.

#### SJMC2017-09-18/413R

Moved - Councillor Hann; Seconded - Councillor Puddister

That Council award this tender to the lowest bidder meeting specifications Redwood Construction limited Three million one hundred fifty seven thousand nine hundred three dollars and forty five cents (3,157,903.45) as per the Public Tendering Act. Taxes are included with submitted bid.

CARRIED UNANIMOUSLY

#### OTHER BUSINESS

Decision Note dated September 14, 2017 re: Travel for Councillor O'Leary to SAM Conference

Council considered the above noted.

#### SJMC2017-09-18/414R

Moved - Councillor Hann; Seconded - Councillor Puddister

That Council defer this matter for one week for further consideration.

CARRIED UNANIMOUSLY

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Letter dated September 18, 2017 from Sheena McCrate, CEO, St. John's Sports and Entertainment re: Mile One Centre Lease for National Basketball League Franchise

Council considered the above noted.

#### SJMC2017-09-18/415R

Moved - Councillor Hickman; Seconded - Councillor Lane

That Council approve the terms of agreement for the operation of a professional basketball team at Mile One Centre for the 2017-2018 season.

**CARRIED UNANIMOUSLY** 

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 5:12 p.m.

MAYOR					
CITY CLERK					

## **NOTICES PUBLISHED**

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on September 25, 2017.** 

Ref #	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
1	284 LeMarchant Road Residential Mixed (RM) Zone	2	A Discretionary Use (Non-confirming Use) application has been submitted by Charter Group Inc. requesting permission to convert 118 m² of the "Converted Building" located at <b>284 LeMarchant Road</b> into two, one bedroom residential units. On-site parking is provided.	118m <sup>2</sup>			No Submission received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.
2	118 University Avenue Residential Low Density (R1) Zone	4	A Discretionary Use Application has been submitted requesting permission to occupy a portion of <b>118 University Avenue</b> as a Home Occupation for a Clinic. The private clinic will occupy a floor area of approximately 40.5 m <sup>2</sup> (main level). Medical professionals will visit the property approximately 3 times a week between the hours of 9 a.m.–5 p.m, by appointment only for approximately 3 hours. The applicant is the sole employee and will facilitate all visits. On Site parking is available.	40.5 m <sup>2</sup>	1		3 Submissions received (attached)	The Planning and Development Division recommends rejection.

	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
3	8 Hunt Place Residential Low Density (R1) Zone	4	A Discretionary Use application has been submitted by Radicle Roots to occupy a portion of <b>8 Hunt Place</b> as a Home Occupation. The Business will occupy a floor area of 32 m² and operate an after-school program for up to 10 children grades K-4. The program consists of nature-based learning and will take place mostly outside through walking, exploring & playing in surrounding woods and public-access areas. It will operate up to five (5) afternoons a week with hours of operation from 3–5:45 p.m. Drop-off transportation will be provided by Radicle Roots and pick-up time will be from 5:15-5:45 p.m. The business will employ two employees and on-site parking is provided.	32m <sup>2</sup>	2		no Submissions received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.
4	5 Osbourne Street Residential Low Density (R1) Zone	4	A Discretionary Use application has been submitted by Butter Bakery requesting permission to occupy a potion of <b>5 Osbourne Street</b> as a Home Occupation for a Bakery. The proposed business will offer a variety of baked goods, including custom cakes and French inspired pastries. It will occupy a floor area of approximately 15 m² and will operate Tuesday to Sunday 8 a.m. – 6 p.m., on a preorder basis. The business will offer a delivery service only with the applicant being the sole employee.		1		9 Submissions received (attached)	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

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



Re: Application 5 Osbourne St.



City Clerk and Council to: Gwyn Barrowman

Sent by: Elaine Henley

"cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

#### Good Morning:

We thank you for your feedback and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

Any/all submissions received will be presented to Council for consideration prior to a final decision being made.

Elaine Henley City Clerk

> Gwyn Barrowman I wish to comment on the application requesting... 2017/09/10 03:11:11 PM

Gwyn Barrowman From:

Cc:

"cityclerk@stjohns.ca" <cityclerk@stjohns.ca> To:

2017/09/10 03:11 PM Date: Application 5 Osbourne St. Subject:

I wish to comment on the application requesting permission to occupy a portion of 5 Osbourne St. as a Bakery.

I have no objection to this, provided that the proposed business does not enlarge beyond the details given (such as hours of operation, and the applicant being the sole employee), and provided that conduct of this business would not result in noise impacting the neighbours.

Gwynedd Barrowman

Osbourne St.,

St. John's NL

2017/09/12 11:33 AM



Re: 5 Osbourne Street

City Clerk and Council to: Gerardhealey

Sent by: Elaine Henley

cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Cc: Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen

Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen

#### Good Morning Mr. Healey:

We thank you for your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

Any/all submissions received will be presented to Council for consideration prior to a final decision being made.

Elaine Henley City Clerk

> Gerardhealey Dear Council, I am a resident of this sets and tot... 2017/08/31 04:24:11 PM

Gerardhealey From:

cityclerk@stjohns.ca To: 2017/08/31 04:24 PM Date: 5 Osbourne Street Subject:

Dear Council , I am a resident of this sets and totally disagree with this proposed bakery on a total residential area . This is totally wrong irregardless of only one employee ,it will open up the area to more. Iwill advise people of this development Please pass to other council members Regards

Gerard Healey Darling St

Sent from my iPad

2017/09/01 11:03 AM



Re: 5 Osbourne Street

Gerardhealey

to:

City Clerk and Council 2017/09/01 11:52 AM

Cc:

Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen Harvey Hide Details

From: Gerardhealey Sort List...

To: City Clerk and Council < cityclerk@stjohns.ca>

Cc: Jason Sinyard <JSinyard@stjohns.ca>, Ken O'Brien <kobrien@stjohns.ca>, Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>, Dave Wadden <DWadden@stjohns.ca>, Gerard Doran <GDoran@stjohns.ca>, Andrea Roberts <ARoberts@stjohns.ca>, Karen Chafe

<KChafe@stjohns.ca>, Planning <planning@stjohns.ca>, Kathy Driscoll <KDriscoll@stjohns.ca>, Ashley Murray <AMurray@stjohns.ca>, Maureen Harvey <MHarvey@stjohns.ca>

Thanking you for your reply

Neighbors are not aware of this submission

Sent from my iPad

On Sep 1, 2017, at 11:03 AM, City Clerk and Council < <a href="cityclerk@stjohns.ca">cityclerk@stjohns.ca</a> wrote:

Good Morning Mr. Healey:

We thank you for your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

Any/all submissions received will be presented to Council for consideration prior to a final decision being made.

Elaine Henley City Clerk

From: Gerardhealey

To: cityclerk@stjohns.ca

Date: 2017/08/31 04:24 PM

Subject: 5 Osbourne Street

Dear Council , I am a resident of this sets and totally disagree with this proposed bakery on a total residential area . This is totally wrong irregardless of only one employee ,it will open up the area to more.

Iwill advise people of this development Please pass to other council members

Regards

Gerard Healey
Darling St

Sent from my iPad

## FAX

September 10, 2017

TO: The Office of the City Clerk St. John's

Fax #

RE: Submission of Opposition to Bakery Proposed for 5 Osbourne St. to be discussed by Council Monday, September 25, 2017

FROM: Megan Jones

This fax includes 2 pages including this cover letter

September 10, 2017

To Whom It May Concern,

This is a letter to oppose the application for a bakery at 5 Osbourne Street, St. John's. As a resident within the 150 metre radius I received the notice from the City of St. John's, and I am strongly opposed to the submission for the following reasons:

- This is a strictly residential area and I feel it is inappropriate to allow a commercial endeavor of any sort. People, such as myself, have bought and live in the neighbourhood counting on it being a residential area and continuing that way.
- Permitting a commercial enterprise in the area will depreciate the property value and that is unfair to current owners.
- Allowing one commercial enterprise opens the door for the possibility of others which affects the stability and desirability of the neighbourhood.
- A bakery creates aromas and garbage which will attract rats from the nearby fields into the housing area.
- There will be increased traffic and parking problems on Downing Street and Osbourne Street. People going in and out placing and probably picking up orders will create customer traffic and there will also be delivery vehicle traffic.
- The proposed hours of 6 days a week from 8am 6pm are extensive and will inconvenience the neighbours with additional traffic and noise.
- There are a number of young families with children in the neighbourhood and allowing a business such as this poses a risk to their safety both in terms of traffic and bringing strangers into the area.

It is for these reasons that I respectfully submit to Council my opposition to the proposed bakery in this area.

Sincerely,

Megan Jones

Megan Jones



#### 15 Osborne Street 🗎 City Clerk and Council to: Carl Major

Sent by: Elaine Henley

cityclerk, danny, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Cc: Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen

#### Good Afternoon Mr. Major:

We thank you for your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

Any/all submissions received will be presented to Council for consideration prior to a final decision being made.

Elaine Henley City Clerk

> Sir. In response to you letter of September 25, 2... Carl Major 2017/09/06 04:31:18 PM

From: Carl Major

cityclerk@stjohns.ca To: Cc: danny@dannybreen.ca 2017/09/06 04:31 PM Date: Subject: Office of the City Clerk

Sir.

In response to you letter of September 25, 2017 regarding an application for a home bakery

at 5 Osborne st. . I oppose any commercial operation on Osborne St. This is a family street

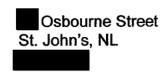
and it is not to be commercialized. I live at  $\blacksquare$  Osborne st. and do not want to see more traffic that

always come with any business . This is a residential street an must remain

Carl Major

Sent from my iPad

2017/09/07 02:58 PM



September 11, 2017

City of St. John's 10 New Gower Street P.O. Box 908 St. John's, NL A1C 5M2

ATTENTION: Office of the City Clerk

RE: Discretionary Use Application

Home Occupation for a Bakery 5 Osbourne Street, St. John's



We are writing to express our concerns with Butter Bakery's discretionary use application to occupy and operate from 5 Osbourne Street.

We live near the end of Osbourne Street which is generally a quiet and safe residential neighbourhood. The neighbourhood has a broad age demographic with a growing population of young families with kids. There are at least 11 children under the age of 16 who regularly walk, bike, and play on Osbourne Street. We have three children. Our oldest attends Jr. High school, while our two youngest attend grades 2 and 6 at Rennie's River Elementary. Our youngest children walk to and from school, while the eldest walks to the bus stop. They all have friends in the immediate and surrounding neighbourhoods and regularly walk and bike between each others houses.

In general, area residents are cautious and drive with care throughout our neighbourhood and recognize the presence of young children. Unfortunately, we notice that many visitors from outside the neighbourhood, most notably couriers, taxis and individuals whom have taken a wrong turn, drive with much less care and at higher speeds. Since Osbourne Street is a cul-de-sac, many of these visitors tend to race to the end, loop around the cul-de-sac and race out the way they came. Osbourne Street regularly has cars parked on both sides of the street and it does not have sidewalks. This forces pedestrians to walk on the street.

Our primary concern is the safety of pedestrians, in particular children who live and play in the neighbourhood. A bakery that operates 10 hours a day, 6 days a week year round will have a constant demand for supplies and will have a constant product to distribute. While the application indicates there will be only one employee, we are concerned that if not initially, then over time, supplies will brought by delivery drivers and baked goods will be picked up by courier, taxi, or customers themselves. This would result in a dramatic increase in traffic in our neighbourhood, the kind of traffic that historically is more concerning, and a significant safety concern for the children. In winter this safety concern will be magnified by the large snowbanks that line the street.

If this were a business in which the sole employee personally obtained all supplies and performed all deliveries then we would not be as concerned. However, the potential exists for a significant increase in traffic on this quiet culde-sac. For the safety of the neighbourhood children we hope you will consider all these factors when reviewing Butter Bakery's request.

I Mlani Nosewortz

Regards,

William and Melanie Noseworthy



#### Fw: 5 Osbourne Street

Jason Sinyard, Ken O'Brien, Lindsay Lyghtle

to: Brushett, Dave Wadden, Gerard Doran,
Andrea Roberts, Karen Chafe, Planning, Kathy

2017/09/12 11:51 AM

FYI

ELAINE A. HENLEY
City Clerk
Office of the City Clerk
10 New Gower Street
P.O. Box 908
St. John's NL A1C 5M2
Telephone - (709) 576-8202
Cell - (709) 691-0451

---- Forwarded by Elaine Henley/CSJ on 2017/09/12 11:51 AM ----

From: Sheilagh O'Leary/CSJ

To: Elaine Henley/CSJ@CSJ
Cc: Dennis O'Keefe/CSJ@CSJ, Sandy Hickman/CSJ@CSJ, Ron Ellsworth/CSJ@CSJ

Date: 2017/09/12 11:48 AM Subject: Re: 5 Osbourne Street

Tom and Mary,

Thank you very much for your comments.

I am forwarding them to our city clerk to be added to the feedback and discourse on this notice.

Kind Regards, Sheilagh O'Leary Ward 4 Councillor (709) 576-8217 Sent from my iPad

On Sep 12, 2017, at 10:16 AM, THOMAS SULLIVAN

wrote:

Ms. S. O'Leary, Ward 4 Councillor:

We recently noticed in the Telegram an application to Council for a zoning change to allow "Discretionary Use" of space in the property at 5 Osbourne Street (Ward 4 area) to operate a bakery. We presume that this entire area to the immediate north of Elizabeth Avenue is zoned for strictly residential use only. The insidious creep and infusion of even small scale commercial use of property would in our view be a severe alteration of the character of this neighbourhood which has been residential since its construction back in the 1950's. Such a change would set a precedent for further changes to property use throughout the entire neighbourhood.

With regard to the specific property at the centre of this application (#5 Osbourne Street), it needs to be pointed out that it is a quiet residential street without a sidewalk on either side of the street. It is a route for local children walking to the neighbourhood elementary school (Rennies River Elementary on Elizabeth Ave.) and is a bus route for school buses taking older students to junior high school. Any traffic caused by the commercial use at this property, whether for drop off and delivery of materials or for the visiting of customers, would be a serious increase in the safety

risks for children in the area. The applicant indicated that the business would be for delivery service only, but it would inevitably create increased traffic and activity in the neighbourhood.

As pleasant as the odours of baking might be for some on some occasions, the presence of even a small scale commercial bakery would also be an unwelcome intrusion to many in the neighbourhood.

This application is the thin edge of the wedge opening this property and the entire neighbourhood to increased traffic and commercial usage which we firmly believe should be rejected.

We are forwarding copies of this communication to Mr. Ellsworth (Deputy Mayor) and Mr. Hickman (Councillor-at-Large), both of whom are residents of this general neighbourhood, and to Mayor O'Keefe.

Respectfully,

Tom and Mary Sullivan

Shea St. St. John's NL



Re: Application - 5 Osbourne Street



City Clerk and Council to: Wall, Sherina

Sent by: Elaine Henley

"cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea

Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

#### Good Morning Ms. Wall:

Cc:

I have forwarded your email to the City's Department of Planning, Engineering and Regulatory Services to respond to your queries.

Elaine Henley City Clerk

> "Wall, Sherina" To whom it may concern, Regarding the followin... 2017/09/12 01:26:12 PM

From: "Wall, Sherina"

"cityclerk@stjohns.ca" <cityclerk@stjohns.ca> To:

Date: 2017/09/12 01:26 PM

Subject: Application - 5 Osbourne Street

To whom it may concern,

Regarding the following application:

## Application - 5 Osbourne Street

Start Date:

Tue, 2017/09/12 - 9:30am

A Discretionary Use application has been submitted by Butter Bakery requesting permission to occupy a potion of 5 Osbourne Street as a Home Occupation for a Bakery.

The proposed business will offer a variety of baked goods, including custom cakes and French inspired pastries. It will occupy a floor area of approximately 15 m<sup>2</sup> and will operate Tuesday to Sunday 8 a.m. – 6 p.m., on a preorder basis. The business will offer a delivery service only with the applicant being the sole employee.

Information regarding this application may be viewed at the Department of Planning, Engineering, and Regulatory Services, fourth floor, John J. Murphy Building (City Hall Annex). For further information, please phone 709-576-8220 or email planning@stjohns.ca.

Any person wishing to make a submission on this application must provide a signed written statement to the Office of the City Clerk by 9:30 a.m., Tuesday, September 12, 2017, either by mail: P.O. Box 908, St. John's, NL, A1C 5M2; fax: 709-576-8474 or email: cityclerk@stjohns.ca. Written submissions received will become a matter of public record and will be included in the agenda for the regular meeting of Council on Monday, September 25, 2017, at which time Council is scheduled to make a decision on this application.

## Please verify the following assumptions to be correct:

- This is an application for a Home Occupation and not for a Home Business.
- There will be no storefront, display, nor sales at this address.

2017/09/13 10:56 AM

- Goods are for delivery only.
- There are no employees.
- This is specific to the existing applicant. Future residents would have to apply if they wanted to conduct any type of occupation or business from this location.

Regards, Sherina Wall



CONFIDENTIALITY NOTICE: THIS EMAIL COMMUNICATION IS INTENDED AS A PRIVATE COMMUNICATION FOR THE SOLE USE OF THE PRIMARY ADDRESSEE AND THOSE INDIVIDUALS LISTED FOR COPIES IN THE ORIGINAL MESSAGE. THE INFORMATION CONTAINED IN THIS EMAIL AND ANY ATTACHMENTS IS PRIVATE AND CONFIDENTIAL. IF YOU ARE NOT AN INTENDED RECIPIENT YOU ARE HEREBY NOTIFIED THAT COPYING, FORWARDING OR OTHER DISSEMINATION OR DISTRIBUTION OF THIS COMMUNICATION BY ANY MEANS IS PROHIBITED. IF YOU ARE NOT SPECIFICALLY AUTHORIZED TO RECEIVE THIS EMAIL AND IF YOU BELIEVE THAT YOU RECEIVED IT IN ERROR PLEASE NOTIFY THE ORIGINAL SENDER IMMEDIATELY. PLEASE DELETE OR DESTROY THE ORIGINAL TRANSMISSION AND ANY SUBSEQUENT REPLIES.

### APPLICATION TO BE REFERRED TO COUNCIL MONDAY, SEPTEMBER 25, 2017.

A Discretionary Use application has been submitted by Butter Bakery requesting permission to occupy a potion of **5 Osbourne Street** as a Home Occupation for a Bakery.

The proposed business will offer a variety of baked goods, including custom cakes and French inspired pastries. It will occupy a floor area of approximately 15 m<sup>2</sup> and will operate Tuesday to Sunday 8 a.m. – 6 p.m., on a preorder basis. The business will offer a delivery service only with the applicant being the sole employee. Please see location plan on the back of this notice.

Information regarding this application may be viewed at the Department of Planning, Engineering, and Regulatory Services, fourth floor, John J. Murphy Building (City Hall Annex). For further information, please phone 709-576-8220; email planning@stjohns.ca; or visit the City's website (www.stjohns.ca) under "Public Notices".

Any person wishing to make a submission on this application must provide a signed written statement to the Office of the City Clerk by 9:30 a.m., Tuesday, September 12, 2017, either by mail: P.O. Box 908, St. John's, NL, A1C 5M2; fax: 709-576-8474 or email: cityclerk@stjohns.ca. Written submissions received will become a matter of public record and will be included in the agenda for the regular meeting of Council on Monday, September 25, 2017, at which time Council is scheduled to make a decision on this application.

In accordance with the City's policy on public notification, properties within a radius of 150 metres of the application site are notified in writing by the City of this application. Notices are sent to property owners and not tenants. If you own but do not live at the property identified to receive this notice, we ask that you forward this notice to any tenants which you may have. Property ownership information is based on the City's assessment roll.

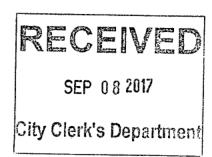


#### Anne E. Williams MD FRCPC FACC

Cardiology

September 7, 2017

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



Dear Sir/Madame:

This is only the second time in my life of 60 years that I have written the City in regards to objecting to an application made by another party. The previous contact was in regards to the serious issue of a large propane installation at a neighbour close to my home on 18 Rostellan Street.

I write this letter in regards to an application submitted to the City of those inhabited at 5 Osbourne Street to set up a Home Bakery at that site.

I grew up on Osbourne Street as a child in the late 50's. The street has always been a street of families and elderly inhabitants. I relocated to Rostellan with my parents in the 1971 where I have lived since, and am owner of that property. My property sits next to number Rostellan which backs on the 5 Osbourne Street property.

I am totally opposed to a business of any sort, even a small one such as this, being placed in a residential area for many reasons.

Over the years traffic through our area has increased due to increasing city congestion especially in the morning hours when we try to get work. Side streets from Portugal Cove Road to Elizabeth Avenue often are very busy during peak times. Many families with small children live in this area so any business set up would be detrimental.

Although your note mentions that the owner would provide only delivery service, there is no question that if the business becomes successful and the owner becomes quite busy, that they will have to either hire secondary personal or there will be local pick up. That just makes sense. This would increase further traffic through the area. Also, the fact that the business would be open Tuesday to Sunday 8 am to 6 pm suggests that there would likely be increased activity through this area even during weekend hours of operation.

There is no guarantee that this single person operation won't be successful, hence the need to hire more personal and expand into the domestic part of the dwelling. There is no guarantee for this. Also, if the sole entrepreneur was working at that site all day there would have to be deliveries to the area, which again is residential.

Over my 60 years of living in this area, the area has not been free of rodents. We have had exterminators privately in the area on several occasions especially over the last decade, to rid our properties of mice and rats that often come up from the river. There also is an increasing crow population in the area, especially on days of garbage collection. The operation, such as a bakery, would have significant garbage needs. This does raise an issue with me, as a physician, as a health hazard especially in view of the fact that we have had significant rodent issues in the past.

With garbage collection only once a week I trust that, the applicant would have some arrangements to dispose of all forms of garbage at a personal cost, but we have no idea of the frequency, especially during the weather seasons. There is no description as to how the garbage will be stored, i.e. a dumpster on site.

I have been in contact with my neighbours, as well as several elderly people on Osbourne Street in very close proximity to #5 Osbourne Street. Unfortunately these people are old. They are intimidated by this application and afraid to put any formal complaint forward for fear that the livyers at this location will in some way have a negative impact on them. I don't want to name these people directly. They have expressed this concern and so have their families.

As you are well aware, taxes have increased in our area over the years, being a highly sought after residential area in the centre of the City. With a bakery in such close proximity to our properties, there is a concern about other things such as resale values, concerns about propane capacity, and health safety at the single small dwelling site.

We did not elect to live in this private residential area of St. John's next to any sort of commercial property or bakery. If that was the case then we would have considered living closer to the downtown sector. We pay high taxes for this opportunity.

For the many reasons above I feel strongly that this application should **NOT** go forward. I will forward an email separately to my City Counsellors, who also live in close proximity to this address.

You can feel free to touch base with me if you have any further questions or concerns.

Of final note, I would like to point out that several properties have installed or attempted to install large propane tanks in series to either support Winter generator use or other things. On one particular occasion on my street a resident placed five large propane tanks in series, which was prohibited by the City Engineer. The company that installed them did this without a city permit and once it came to my attention I did deal directly with the City and these tanks were removed.

If this application is accepted then the neighbours will be keeping a close eye on the activities as well any installations that would be required to operate such a business. This is zoned residential not commercial food related business.

Sincerely yours,

Anne E. Williams, M.D., FRCP(C), FACC

AEW/mk

cc Mr Sandy Hickman, City Counsellor Mr Ron Ellsworth, City Counsellor



Re: 5 Osbourne Street

City Clerk and Council to: zhao kelvin

Sent by: Elaine Henley

"cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

#### Good Morning:

We thank you for your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

Any/all submissions received will be presented to Council for consideration prior to a final decision being made.

Elaine Henley City Clerk

> zhao kelvin Hi, My name is Ye Zhao, Canadian friends also... 2017/09/01 10:28:28 PM

From: zhao kelvin

"cityclerk@stjohns.ca" <cityclerk@stjohns.ca> To:

Date: 2017/09/01 10:28 PM Subject: 5 Osbourne Street

Cc:

#### Hi,

My name is Ye Zhao, Canadian friends also call me Kelvin for their convenience. Currently I am Downing Street with my family since 2008.

I am writing this letter just because today I received a letter from city regarding to Butter Bakery requesting permission to occupy a potion of 5 Osbourne Street as a Home Occupation for a Bakery.

The reason I purchased and moved to Downing Street at 2008, is the guiet and private neighborhood, any business activity definitely will impact and break it, people who hope running business to make money should not choose here.

I feel sorry but still won't agree their application.

**Best Regards** 

Ye(Kelvin) Zhao

2017/09/05 10:07 AM

## **DECISION/DIRECTION NOTE**

**Title:** Application to Rezone to the Commercial Central Mixed-Use (CCM)

Zone

File no. MPA1600007

90 Duckworth Street (former East End Fire Station)

Applicant: Parlibright Holdings Ltd.

**Date Prepared:** Sept. 20, 2017

**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:**

That Council adopt-in-principle the resolutions for St. John's Municipal Plan Amendment Number 141, 2017, and St. John's Development Regulations Amendment Number 650, 2017, to rezone 90 Duckworth Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone. This is to allow the redevelopment of the former East End Fire Station as a brewpub and coffee shop.

Parlibright Holdings was the successful applicant in a request for proposals issued by the City for the possible sale of the former East End Fire Station. Depending on the outcome of the rezoning application, Parlibright seeks to buy the property from the City.

#### **Discussion – Background and Current Status:**

A public meeting chaired by Councillor Hann was held on August 30, 2017, to review the rezoning application and development proposal from Parlibright Holdings for a brewpub and coffee shop at the subject property. The minutes of the meeting are attached.

A Land Use Assessment Report (LUAR) was required; when it was submitted, the report was advertised for public review. The report and development proposal were discussed at the public meeting. A number of questions and concerns were raised, so before this present memorandum was brought back to Council, staff asked the applicants to respond to the concerns raised. Their submission is attached.

The concerns raised included noise (especially night-time noise with houses so close by), odours from brewing beer, and hours of operation. There was also concern expressed that, once the City sells the property and the zoning is changed, what recourse area residents have if there are problems? The City was concerned enough about the future use of the property that we issued the request for proposals so as to evaluate future use of the property. In terms of zoning, once a land-use zone is changed, the owner of any property is legally entitled to use the property for any land use that is contained in that zone, subject to meeting all standards.



The attached submission dated September 11, 2017, sets out the supplementary information from the applicants.

Regarding noise, the applicants propose hours of operation for the brewpub and coffee shop; hours of operation are normally addressed by Council at the development stage. Deliveries will be during daytime hours. There will be no outdoor speakers. The applicants propose to build an 8-foot wooden fence along their western boundary for their neighbours along Wood Street.

Regarding odors, the applicants propose daytime brewing twice a week, and pick-up of the spent grains by a local farmer the same day as brewing takes place. They will require their staff not to smoke outside in the area behind or to the west of their building near neighbouring houses.

Traffic and off-street parking meet the City's standards.

This is a commercial redevelopment of a long-time institutional building, used for many decades as a fire station, then as a service building for the City. The City received three (3) proposals to acquire and redevelop the building, all of which proposed to reuse the existing building and none of which involved residential use. Introducing a commercial zone along this section of Duckworth Street is in line with surrounding zoning along both sides of Duckworth Street.

#### **Key Considerations/Implications:**

- 1. Budget/Financial Implications: Not applicable.
- 2. Partners or Other Stakeholders: Property owner; applicant; neighbouring residents.
- 3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
- 4. Legal or Policy Implications: Not applicable.
- 5. Engagement and Communications Considerations: Public meeting was held; a commissioner's public hearing will be required if the application proceeds.
- 6. Human Resource Implications: Not applicable.
- 7. Procurement Implications: Not applicable.
- 8. Information Technology Implications: Not applicable.
- 9. Other Implications: Not applicable.

#### **Recommendation:**

That Council adopt-in-principle the resolutions for St. John's Municipal Plan Amendment Number 141, 2017, and St. John's Development Regulations Amendment Number 650, 2017, to rezone 90 Duckworth Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone. This is to allow the redevelopment of the former East End Fire Station as a brewpub and coffee shop.

If the amendments are adopted-in-principle by Council, they will be sent to the Department of Municipal Affairs and Environment with a request for provincial release. Once the release is received, the amendments will 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.

Prepared by: Ken O'Brien, MCIP, Chief Municipal Planner
Signature:
Approved by/Date:
Jason Sinyard, P.Eng., MBA, Deputy City Manager, Planning, Engineering and Regulatory
Services
Signature:
KO'B/dlm
Attachments:
Amendments
Location map
Minutes of the Public Meeting of August 30, 2017

Supplementary report from the applicants dated September 11, 2017

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

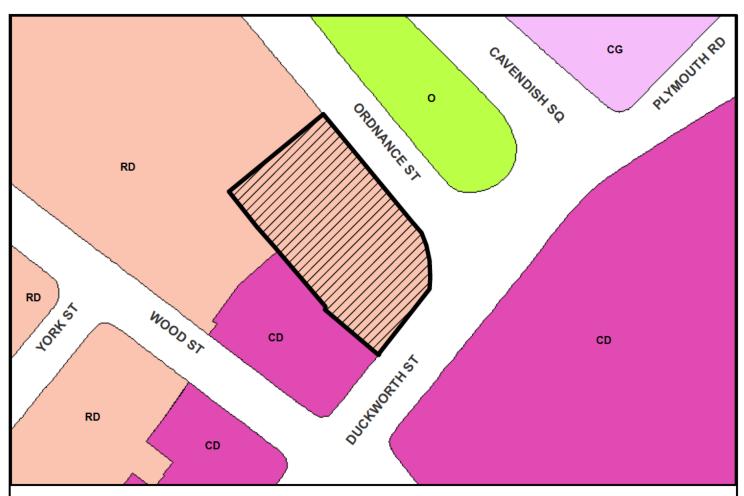
**WHEREAS** the City of St. John's wishes to allow a brewpub and coffee shop at 90 Duckworth Street.

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

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

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

	ty of St. John's has been hereunto affixed and and the City Clerk on behalf of Council this
day of	
Mayor	 MCIP
Wiayor	I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.
City Clerk	
Council Adoption	 Provincial Registration



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



AREA PROPOSED TO BE REDESIGNATED FROM RESIDENTIAL DOWNTOWN (RD) LAND USE DISTRICT TO COMMERCIAL DOWNTOWN (CD) LAND USE DISTRICT

90 DUCKWORTH STREET Parcel ID# 33781

**Council Adoption** 

2017 05 08 Scale: 1:750 City of St. John's Department of Planning, Development & Regulatory Services

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

**Provincial Registration** 

	M.C.I.P. signature and seal
Mayor	
City Clerk	

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

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

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

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

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

IN WITNESS THER	<b>EEOF</b> the Seal of the	e City of St. John's has been hereunto affixed and
this Resolution has been	en signed by the Ma	yor and the City Clerk on behalf of Council this
day of	,2017.	•
Morrow		MCID
Mayor		MCIP I hereby certify that this Amendment has been prepared accordance with the Urban and Rural Planning Act, 2000
City Clerk		
<b>Council Adoption</b>		<b>Provincial Registration</b>



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

AREA PROPOSED TO BE REZONED FROM RESIDENTIAL DOWNTOWN (RD) LAND USE ZONE TO COMMERCIAL CENTRAL MIXED (CCM) LAND USE ZONE

90 DUCKWORTH STREET Parcel ID# 33781

2017 05 08 Scale: 1:750 City of St. John's Department of Planning, Development & Regulatory Services

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

	M.C.I.P. signature and seal		
Mayor			
City Clerk			
Council Adoption	Provincial Posistration		
•	Provincial Registration		

Public Meeting Wednesday, August 30, 2017 7:00 p.m. Foran/Greene Room, 4<sup>th</sup> Floor, City Hall

### Present: City of St. John's

Councillor Tom Hann, Chairperson Ken O'Brien, Chief Municipal Planner Kenessa Cutler, Legislative Assistant

#### **Proponents**

Mr. Phil Maloney Mr. Jason Sharpe Mr. Steve Follett

Councillors Galgay, O'Leary and Lane as well as 21 citizens were also in attendance.

#### **PURPOSE OF MEETING**

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

The City of St. John's has received an application from Parlibright Holdings to rezone 90 Duckworth Street (former East End Fire Station) to the Commercial Central Mixed-Use (CCM) Zone. The purpose of the rezoning is to redevelop the property into a brew pub and coffee shop with restaurant which includes an outdoor patio.

12 written submissions were received (attached).

#### CALL TO ORDER AND BACKGROUND PRESENTATIONS

The Chair introduced the head table, gave an overview of the proceedings, and invited Chief Municipal Planner, Ken O'Brien to speak about the proposed development.

The Chief Municipal Planner advised that the City received an application regarding the above noted. He stated that 90 Duckworth Street is presently owned by the City and was subject to another proposed rezoning previously but it did not proceed. In past years, it was used as a fire hall and later as a utility building by the City. The building has always existed as a Non-Conforming Use Public Utility in the Residential Downtown (RD) Zone. In this case, a Public Utility is defined as land or buildings used by a municipality for a public purpose - namely, fire protection.

Mr. O'Brien further explained that the proponents have proposed to convert the space into a microbrewery, restaurant, and coffee shop which would require a rezoning from Residential Downtown Zone to the Commercial Central Mixed-Use (CCM) Zone, the same zone used for the adjoining art gallery, and used on both sides of Duckworth Street along this area. The proposed development would have two parking spaces which exceeds the amount required which is zero. Mr. O'Brien stated that the rezoning will require approval from Council and if approved, a second approval for the sale of the land.

Mr. Steve Follett then spoke on behalf of the proponents. He stated that he and the team are excited at the prospect of bringing a positive development to the area.

Mr. Follett then highlighted the following points:

### History and significance of the building

The original building was built as a fire hall after the 1892 fire and became the concrete building it is today in the 1960s.

#### **Project**

The proposed is a microbrewery and café with rotating craft brewery. Mr. Follett stated that their intent is to promote the local brewing industry as well as their own. By day, the space will function as a café and food will be available in the evenings. They intend on brewing twice weekly. He stated they do not intend to make any structural changes to the building, but instead want to restore the existing structure with some minimal changes such as the addition of a patio.

#### Benefits to the area

Mr. Follett cited benefits to the area including:

- A family establishment serving the local community.
- The development would restore an unoccupied building and help beautify the area.
- The business could help stimulate the area.
- It will function as a community meeting place.
- They intend to focus on local services and goods; engaging local farmers for produce, and local designers for art, furniture etc.

#### Time and schedule

Mr. Follett outlined the following timeline estimate:

- Environmental approval complete
- Rezoning approved November 1, 2017
- Permits secured December 1, 2017
- Commence construction December 1, 2017
- Complete the construction Approximately 6 months
- Open doors summer 2018

### Mitigations and concerns

- Construction Most of the renovations will be taking place inside the building and will take place during daytime hours.
- Dust They expect minimal dust outside as the majority of renovations will be on the interior.
- Traffic impact During the construction period traffic impact will be minimal with just tradespeople parking in the front of the building.
- Hours of operation Hours of operation will be that of a typical restaurant and have minimal impact on local residents.
- Noise control The operation will primarily be indoors and it is a concrete building that will be insulated for noise.
- Patio Patio hours will be restricted and people will be moved indoors when the
  patios closes for the day. All trucking and receiving will be during the daytime.
- Exterior lighting Lighting will be that of a typical restaurant.
- Garbage management The proponents are planning to have a garbage bin at the back of the building on a concrete slab. They will also have regular pest control.
- Potential odors As this is a microbrewery the odors are expected to be significantly
  less than that of the other major breweries in the city. The proponents are expecting
  a potential odor for about an hour a day twice a week. They can also install further
  devices to mitigate the problem if it becomes one.
- Parking and traffic The proponents stated that there is sufficient room in the area for parking and traffic impact will be minimal.
- Snow clearing The lot will be plowed regularly and snow will be removed as necessary.

Concluding his presentation, Mr. Follett returned the floor to Chair Hann.

### DISCUSSION FROM THE FLOOR

The Chair invited the attendees to come forward with any questions and concerns.

#### Area Resident #1

Stated that he is the owner of two condos on Ordinance Street directly behind the proposed development and there are two windows at the back. He expressed concerns that the garbage and brewery odors are going to affect the neighboring residents as both garbage storage and the brewery will be at the back of the building.

He asked what the recourse would be if there is a smell and it is worse and longer lasting than suggested. He also inquired about restaurant staff smoking at the back of the building during their breaks.

The proponents replied that the building hasn't been rezoned yet and as such they will not be able to develop the final design yet. They have employed a brewmaster and have been consulting with him on odor management and the brewing process. The proponents also stated that garbage storage is something that can be modified and moved if needed.

The proponents further explained that there will be an hour each brewing day (twice a week) during which there may be an odor. Everything will be then stored in the basement and they have an arrangement with a local farmer to come and take the brewing waste so that will be removed from the site.

#### Area Resident #2

Stated that he is a resident of Wood Street and resides in the house next to the proposed. He explained that his fence abuts onto the laneway and he is apprehensive about the proposed patio. He asked whether the patio overhang will block the sunlight from reaching his backyard.

The proponents explained that the patio overhang will be retractable and used only as needed. The only permanent additions to the front would be the patio and the fencing around it. The patio would seat about 30 people.

The area resident asked if there will be outdoor speakers and suggested that it may be naïve to assume that people will walk to the establishment instead of drive. The proponent replied that there will be no outdoor speakers, and yes, there will be customers driving and parking.

#### **Area Resident #3**

Stated that she is a resident of Wood Street and is not in favor of the application. She is specifically concerned about the precedent set by rezoning. She asked the Chief Municipal Planner if once the zoning is changed and if the proposed does not go forward, will the zoning remain changed. Chief Municipal Planner Ken O'Brien stated that once the zoning is changed the zoning is changed.

The area resident also cited concerns regarding noise, hours of operation, outdoor lighting, and parking. She then asked about the process moving forward. Mr. O'Brien explained that we are at the rezoning process now and a report from this meeting will go to Council for their decision. If Council approves the rezoning then an Independent Commissioner's Hearing be held. In terms of appeal, there is no appeal option for a rezoning.

#### Area Resident #4

Stated that he is a resident of nearby York Street and thinks this development is exactly what the neighborhood needs. He suggested the City should closely monitor parking and ticket those without permits to ensure residents aren't negatively impacted.

He also expressed that noise is part of living in the downtown and is to be expected. He further stated that this is the only area on this particular section of Duckworth Street that is not zoned commercial.

#### Area Resident #5

Cited noise as her biggest concern and stated that while she is in support of a café or restaurant, this development sounds more like a bar. She also noted that the proponents' presentation seemed vague and lacked detail (i.e. hours of operation, a noise assessment, etc.)

#### Area Resident #6

Stated that she is the owner of 12 Ordinance Street and asked with the City being the owner of the land, can they control through the agreement of sale what the future development is?

Chair Hann responded that they will have to check with the City's Legal Department about adding conditions of sale.

#### Area Resident #7

Explained that initially she was very enthusiastic about the idea, but in listening to the proponents' presentation, she is more cautious. She asked them to do more research and be able to definitively answer questions regarding hours of operation, noise, etc.

#### CONCLUDING REMARKS

Chair Hann thanked everyone for coming and advised that the matter will be referred to Council for their decision in the coming weeks.

#### ADJOURNMENT

The meeting adjourned at 8:20 pm.

Councillor Tom Hann Chairperson Re: On the firehouse consultation

Tom Hann

to:

2017/08/31 01:20 PM

Cc.

Dave Lane, Jonathan Galgay, Sheilagh O'Leary,

Bcc:

Kenessa Cutler Hide Details

From: Tom Hann/CSJ

To:

Cc: Dave Lane/CSJ@csj, Jonathan Galgay/CSJ@csj, Sheilagh O'Leary/CSJ@csj,

Bcc: Kenessa Cutler/CSJ

Thanks you for your participation at the meeting last night these comments will be included for consideration

Sent from my iPad

On Aug 31, 2017, at 12:18 PM,

wrote:

Dave, Jonathan, Sheilagh, Tom,

Please feel free to forward this message to staff as appropriate.

Last night at the consultation regarding the firehouse, it was asked if the neighborhood had any recourse should the Council vote to rezone the lot to commercial. It was suggested that covenants could be attached to the deed of sale. Personally, I think it is probably the only way for the community to ensure that only compatible businesses occupy that space.

If the community is successful in defining basic neighborhood standards (big if) and those standards are reflected in a legally binding contract, then the process could be a good model for other communities and potential business owners to engage in win-win discussions in similar situations.

In the event they don't, here are my suggestions for the firehouse lot. I don't think that overly restrictive terms in the covenant will fly. Some of these are already in the current proposal.

- <!--[if !supportLists]-->• <!--[endif]-->No operations between midnight and 8:00 am
- <!--[if !supportLists]-->• <!--[endif]-->No major changes to the footprint of the building (i.e. okay to move entrances)
- <!--[if !supportLists]-->• <!--[endif]-->No roof-top eating/drinking/entertainment area
- <!--[if !supportLists]-->• <!--[endif]-->Non-smoking establishments
- <!--[if !supportLists]-->• <!--[endif]-->Sidewalks on perimeter must be kept free of ice and snow (i.e. goodwill gesture. Not dependent on city services.)

I hope that people in the neighborhood would at least try to define "basic neighborhood standards". If that can't be accomplished, it would be good for folks to know how their neighbors think.

Please note, I do not live in the immediate neighborhood and do not presume to speak for those who do. My partner and I live elsewhere in Ward 2 and enjoy living in the downtown experience.

That's my two cents.



# Red Ochre Gallery

96 Duckworth St., St. John's, NL Canada A1C 1E7 709 726 6422 www.redochregallery@gmail.com

Planning Department City of St. John's New Gower St

Dear Committee members

I have been asked to give my opinion on a development request to house a boutique brewery and pub at the property at 90 Duckworth St (still commonly referred as the "old fire hall"). I am the immediate neighbour on the Duckworth St. side, the Red Ochre Gallery at 96 Duckworth St. and I would like to show support for this idea.

I am in favour of leaving the building as is with the addition of a seating area in front. I would look forward to the improvement of the paved area & the addition of shrubs etc to enhance this well-travelled section of Duckworth St..

I have no objections to this proposal and would urge the city to accept this plan.

Yours sincerely

Owner, Red Ochre Gallery Owner of 96 Duckworth St



#### Fw: Concerns about rezoning 90 Duckworth Street - Former East Fire Station -File no. MPA1600007

Maureen Harvey to: Kenessa Cutler

2017/08/29 02:29 PM

For the August 30th public meeting Kenessa

Maureen Harvey Supervisor - Office of the City Clerk City of St. John's P.O. Box 908 St. John's, NL A1C 5M2 Telephone 709-576-3158 Fax 709-576-8474 Email: mharvey@stjohns.ca

www.stjohns.ca

---- Forwarded by Maureen Harvey/CSJ on 2017/08/29 02:28 PM ----

From: City Clerk and Council/CSJ To: Maureen Harvey/CSJ@CSJ Date: 2017/08/29 02:26 PM

Fw: Concerns about rezoning 90 Duckworth Street - Former East Fire Station - File no. Subject:

MPA1600007

Sent by: Elaine Henley

---- Forwarded by Elaine Henley/CSJ on 2017/08/29 02:26 PM ----

From: Ken O'Brien/CSJ

To:

Tom Hann/CSJ@CSJ, Danny Breen/CSJ@CSJ, Jonathan Galgay/CSJ@CSJ, Sheilagh Cc:

O'Leary/CSJ@CSJ, cityclerk@stjohns.ca, Gerard Doran/CSJ@CSJ, Garrett Donaher/CSJ@CSJ,

Randy Carew/CSJ@CSJ, Andrew Woodland/CSJ

2017/08/29 02:26 PM Date:

Concerns about rezoning 90 Duckworth Street - Former East Fire Station - File no. MPA1600007 Subject:

Thanks for your thoughts and concerns. . It may take me a few days to gather responses. Meanwhile I am copying members of Council and relevant City staff.

Perhaps we will see you at the public meeting Wednesday.

Regards,

Ken O'Brien

.....

Ken O'Brien, MCIP Chief Municipal Planner

City of St. John's - Planning, Engineering and Regulatory Services

Fax 709-576-2340 Phone 709-576-6121 Email kobrien@stjohns.ca

John J. Murphy Building (City Hall Annex), 4th floor - Mail: PO Box 908, St. John's, NL, Canada A1C 5M2

\* MCIP - Member of the Canadian Institute of Planners

## ST. J@HN'S

This email communication (and any attached documents) is intended only for the individual or entity to which it is addressed and may contain information that is confidential, privileged or exempt from disclosure under applicable law. Any use of this information by anyone other than the intended recipient is prohibited. If you have received this email in error, sorry for the inconvenience; please notify the sender and delete all copies (electronic or otherwise) immediately.

9 August 2017

#### Dear Mr O'Brien,

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

My wife and I are now both senior citizens. I bought as a retirement home and have recently had sleep shattered by late-night motorcycle revving and city-sanctioned jack-hammering and road-works at 4:00 a.m. While in choosing to live downtown we anticipated some night-time disturbance, we weren't expecting to have a brewpub within just a few metres of our bedroom windows. My wife has a history of respiratory problems. What hours will this be open?

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

**Parking:** The revised proposal, "The Fire Hall" (23 July 2017), allows for two parking spaces. While the brewpub aims to cater mainly to foot traffic, some customers will no doubt drive. Neighbours may not agree that "ample parking exists on local streets, parking meter spaces and adjacent parking lots." The only parking lots nearby are for customers only. Finding a parking space can be difficult at the best of times. Our own off-street parking space has been blocked by parked cars on numerous occasions. When snow piles up (as it did last winter), there is often nowhere else to put the stuff. Wood Street (2-way) and York Street (1-way) can get very

congested.

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

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

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

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

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

Best wishes,

On 29 Jun 17, at 5:58 PM,

> wrote:

Thanks getting back to me. I look forward to hearing more about this proposal.

Have a great Canada 150 & a meditative Memorial Day.

On 29 Jun 17, at 3:43 PM, Ken O'Brien < kobrien@stjohns.ca> wrote:

I was copied your email below by Councillor O'Leary. The applicant, Mr. Maloney, is working through his rezoning application, including a land-use report which will be made available publicly once it's complete. It will have details on what is being proposed. Meanwhile, we always encourage applicants to get in touch with their neighbours before the formal public processes of the City take place.

Once the report is completed, it will be published on the City's website and notices will be sent to neighbouring property owners within a radius of at least 150 metres, so you will be notified. Rezoning is a public process.

Regards,

Ken O'Brien, MCIP | Chief Municipal Planner

City of St. John's - Planning, Engineering and Regulatory Services

Phone 709-576-6121 Fax 709-576-2340 Email kobrien@stjohns.ca

John J. Murphy Building (City Hall Annex), 4th floor - Mail: PO Box 908, St. John's, NL, Canada A1C 5M2

\* MCIP - Member of the Canadian Institute of Planners

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From: Sheilagh O'Leary/CSJ

To:

Cc: Jonathan Galgay/CSJ@csj, Ken O'Brien/CSJ@csj

Date: 2017/06/29 03:04 PM

Subject: Re: Rezoning of 90 Duckworth Street

Thanks for your note.

My understanding is that is a microbrewery and cafe with seasonal exterior presence, which delighted me as a replacement to the out of context and height restriction condominium that was previously proposed.

The Ward councillor is on holidays but I will cc him and staff so you can be apprised.

Enjoy your Canada day and Memorial Day as well!

Kind Regards,

Sheilagh O'Leary Ward 4 Councillor (709) 576-8217

Sent from my IPhone

On Jun 29, 2017, at 1:45 PM,

wrote:

Dear Shelagh,

A few months ago, I moved into which backs on to the old Fire Hall at the foot of Ordnance St. and Duckworth. A couple of days ago, I received an undated letter from Phil Maloney, Director, Fire Hall Brew Co., concerning his proposal to convert the Fire Hall into "a third wave cafe and brewpub, as well as an event space for a variety of uses."

I don't know what "a third wave cafe" is, but have a fair idea of what "brewpub" means. I find "an event space for a variety of uses" vague. This could mean anything at anytime. While the location might be okay for a cafe, a pub could be problematic, especially if it is open late hours. I am a professor who bought this house to enjoy during my retirement, so if "event space" translates into late-night loudspeakers, I'd like to know.

The drawing at the top of the letter suggests outdoor use, but nothing in the letter gives any indication of expected occupancy rate, parking, or hours of operation. Can you tell me any more specific details about this proposal?

Hope you have a great Canada 150 and a meditative Memorial Day.

Cheers.





### Re: Support for Rezoning of 90 Duckworth Street



2017/08/22 02:29 PM

City Clerk and Council to: Sent by: Elaine Henley

cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Cc: Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen

Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen

Good Afternoon

We thank you for your feedback and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Elaine Henley City Clerk

> 2017/08/22 12:08:52 PM Hello,

From: <cityclerk@stjohns.ca> To:

2017/08/22 12:08 PM Subject: Support for Rezoning of 90 Duckworth Street

Hello,

Date:

I am writing to express my support for the application to develop the former East End Fire Station at 90 Duckworth Street into a brewpub and coffee shop with restaurant, which includes an outdoor patio. I think this would be a terrific use of the unique space that cannot be easily used/transformed for a more traditional restaurant or retail business. It will complement the other businesses in the area very nicely and will be a great go-to for guests of the Sheraton, Marriott, Quality Hotel and the many B&Bs along Gower and surrounding streets. The bulk of downtown restaurants and pubs (especially those with patios) are further west so this would be a welcome addition to the east end of Duckworth. The property's proximity to Signal Hill, Bannerman Park and Quidi Vidi make it a great choice for locals and tourists alike who are out on the beat, looking for a place to grab a cold beer or coffee. I am very excited by the prospect of having a new brewpub/restaurant/patio within walking distance of my home. Other brewpubs such as Quidi Vidi and Yellow Belly (and Port Rexton) have a proven track record of wide and lasting appeal. I hope council votes in favour of this development, and continues to promote small business ownership in St. John's.

Many thanks for your consideration.





### Fw: 90 Duckworth Street

Planning to: Kenessa Cutler Sent by: Donna L Mullett

2017/08/30 10:34 AM

#### Kenessa

This was sent to me this morning, it wasn't on our list:)

---- Forwarded by Donna L Mullett/CSJ on 2017/08/30 10:34 AM -----

From: City Clerk and Council/CSJ

To:

Cc: cityclerk@stjohns.ca, Jason Sinyard/CSJ@CSJ, Ken O'Brien/CSJ@CSJ, Lindsay Lyghtle

Brushett/CSJ@CSJ, Dave Wadden/CSJ@CSJ, Gerard Doran/CSJ@CSJ, Andrea

Roberts/CSJ@CSJ, Karen Chafe/CSJ@CSJ, Planning/CSJ@CSJ, Kathy Driscoll/CSJ@CSJ,

Ashley Murray/CSJ@CSJ, Maureen Harvey/CSJ@CSJ

2017/08/30 09:33 AM Date: Re: 90 Duckworth Street Subject:

Sent by: Elaine Henley

Good Morning

We thank you for your feedback and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Elaine Henley City Clerk

Good Day, I wish to express my support for the... 2017/08/30 08:54:23 AM

From:

cityclerk@stjohns.ca To: Date: 2017/08/30 08:54 AM 90 Duckworth Street Subject:

Good Day,

I wish to express my support for the application to related to 90 Duckworth street. I am a long term resident of the neighbourhood and see this as a great solution for utilization of a neglected building in a high visibility It would have a great positive impact on the streetscape and a be location. a great addition to the area for both residents and visitors.

Regards,

Sent from my iPhone



# 90 Duckworth St. rezoning to accommodate a micro-brewery and café development; File MPA1600007

Ken O'Brien to: apuddister, cityclerk, jgalgay, Andrew Woodland, Govern PDE Multi

2017/08/30 10:46 AM

Media Mail, Kenessa Cutler

Thanks, for passing along your concerns. You may know about the public meeting tonight at 7:00 at City Hall.

After the Republic Properties development proposal ended, the City did offer the property for sale in a public proposal call. We received three (3) proposals. The current proposal is the one the City accepted for consideration.

Regards,

Ken

.....

Ken O'Brien, MCIP | Chief Municipal Planner

City of St. John's - Planning, Engineering and Regulatory Services

Phone 709-576-6121 Fax 709-576-2340 Email kobrien@stjohns.ca

John J. Murphy Building (City Hall Annex), 4th floor - Mail: PO Box 908, St. John's, NL, Canada A1C 5M2

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## ST. J@HN'S

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City Clerk, I live at 7 Wood Street and would like... 2017/08/30 10:28:16 AM

From: To:

cityclerk@stjohns.ca, Ken O'Brien <kobrien@stjohns.ca>, apuddister@stjohns.ca,

jgalgay@stjohns.ca

Date: 2017/08/30 10:28 AM

Subject: Rezoning from Residential Downtown (RD) to Commercial Central Mixed (CCM) to accommodate a

micro-brewery and café development; File No. MPA1600007 90 Duckworth Street;

#### City Clerk,

I live at 7 Wood Street and would like the city to deeply consider the re-zoning of 90 Duckworth to a commercial establishment. As many of us stated with previous development proposals, none of them including this one, had adequate plans to deal with parking, traffic, and noise from such establishments. Though I can see the value of adding something to the neighbourhood, this plan does not seem to have thought very deeply on how to mitigate the effects on the pub's closest neighbours (those on even side of Wood Street. In our neighbourhood, we know the moment that tourism season starts because the corner of Wood Street and Duckworth becomes a nightmare. It also becomes harder to park even though we have permit parking on our street. I don't believe that the proposed pub will draw foot traffic only...many will want to drive and there is no where except Duckworth for them to park. Having lived with the Crazy Horse Club for many years, with its loud speaker set on bust, I hardly welcome another late night establishment to the neighbourhood.

Also, as seen with previous development proposals, I hope the building goes up for tender so that other community groups/non profits also have a chance to propose options for a downtown jewel.

Thanks for your consideration,





Re: 90 Duckworth Street



2017/08/31 09:39 AM

Sent by: Elaine Henley

"cityclerk@stjohns.ca", "dlane@stjohns.ca",

"jgalgay@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay

Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea

Good Morning

We thank you for your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Any/all submission received respecting this application will be provided to Council prior to them reaching a final decision.

Elaine Henley City Clerk

Hello, My name is

and I live at...

2017/08/30 05:55:10 PM

From: To:

'cityclerk@stjohns.ca" <cityclerk@stjohns.ca>

Cc: "dlane@stjohns.ca" <dlane@stjohns.ca>, "jgalgay@stjohns.ca" <jgalgay@stjohns.ca>

2017/08/30 05:55 PM Date: 90 Duckworth Street Subject:

Hello,

My name is and I live at 8 Wood Street. Our property backs on the proposed development.

In general, I think that this type of business could be a good addition to the neighbourhood. My biggest concern would be the possible noise. We have two small sons, age 9 months and 3 years. I'd like to know if they plan to have live music at this venue and what the proposed hours of operation would be. I'm attaching a picture taken from my 3 year olds bedroom window just to help show the close proximity and why noise levels into the evening hours would be a concern for us.

Kind Regards,







ATT00001.txt



Re: 90 Duckworth St to:
City Clerk and Council
Sent by: Elaine Henley

2017/08/22 02:20 PM

cityclerk, Phil Maloney, Jason Sinyard, Ken O'Brien, Lindsay
Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea
Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

### Good Afternoon

We thank you for your feedback and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Elaine Henley City Clerk

Please find below a written submission to the pu... 2017/08/21 01:13:17 PM

From:
To: cityclerk@stjohns.ca
Cc:
Date: 2017/08/21 01:13 PM
Subject: 90 Duckworth St

Please find below a written submission to the public meeting regarding 90 Duckworth St. Could you please confirm once received?

Our property at 8 Wood St shares a property line with 90 Duckworth Street. I fully support this project. My only concern is with noise at night. I take the proponents at their word that noise will be minimized at night, but I do urge the City to clearly the define time at which the outside portion is to be closed and for loud music to be minimized. Other than that, I wish this new venture lots of luck although I'm sure it will be a success and a great addition to the downtown area and St. John's in general.

Sincerely,





Re: Rezoning of 90 Duckworth Street - Former East Fire Station - File no. MPA1600007

City Clerk and Council to:

2017/08/31 09:38 AM

Sent by: Elaine Henley

cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen

Good Morning

Cc:

We thank you for your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Any/all submission received respecting this application will be provided to Council prior to them reaching a final decision.

Elaine Henley City Clerk

30 August 2017 Dear Sir or Madam,

2017/08/30 12:23:29 PM

From:

cityclerk@stjohns.ca To: Date: 2017/08/30 12:23 PM

Subject: Rezoning of 90 Duckworth Street - Former East Fire Station - File no. MPA1600007

30 August 2017

#### Dear Sir or Madam,

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

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

**Traffic:** Ordnance Street is deceptively busy: it is a major conduit from King's Bridge Road & Military Road into the downtown area. The constant flow of cars and trucks might not be ideal for outdoor customers. The patio could prove distracting for drivers coming down

Ordnance St. faced with a complex junction with one right turn and two left turns, one circling back by the Sheraton, the other proceeding along Duckworth. Drivers turning right have to prepare to stop for the cross-walk in front of Hempware and cars turning down Hill o'Chips.

**Parking:** The revised proposal, "The Fire Hall" (23 July 2017), allows for two parking spaces. While the brewpub aims to cater mainly to foot traffic, some customers will no doubt drive. Neighbours may not agree that "ample parking exists on local streets, parking meter spaces and adjacent parking lots." The only parking lots nearby are for customers only. Finding a parking space can be difficult at the best of times. Our own off-street parking space has been blocked by parked cars on numerous occasions. When snow piles up (as it did last winter), there is often nowhere else to put the stuff. Wood Street (2-way) and York Street (1-way) can get very congested.

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

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

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

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

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

Dest wishes,		

Rect wiches



RE: Public Meeting - 90 Duckworth Street

to:

'City Clerk and Council' 2017/08/22 03:03 PM

Cc:

"'Jason Sinyard'", "'Ken O'Brien'", "'Lindsay Lyghtle Brushett'", "'Dave Wadden'", "'Gerard Doran'", "'Andrea Roberts'", "'Karen Chafe'", "'Planning'", "'Kathy Driscoll'", "'Ashley Murray'", "'Maureen Harvey'"

Hide Details

From:

To: "'City Clerk and Council'" <cityclerk@stjohns.ca>

Cc: "Jason Sinyard"

<JSinyard@stjohns.ca>, "'Ken O'Brien'" <kobrien@stjohns.ca>, "'Lindsay Lyghtle Brushett'" <LLyghtleBrushett@stjohns.ca>, "'Dave Wadden'" <DWadden@stjohns.ca>, "'Gerard Doran'" <GDoran@stjohns.ca>, "'Andrea Roberts'" <ARoberts@stjohns.ca>, "'Karen Chafe'" <KChafe@stjohns.ca>, "'Planning'" <planning@stjohns.ca>, "'Kathy Driscoll'" <KDriscoll@stjohns.ca>, "'Ashley Murray'" <AMurray@stjohns.ca>, "'Maureen Harvey'" <MHarvey@stjohns.ca>

Ms. Henley

Thanks for taking note and reviewing my feedback.

Looks like a good project, just wanting to see if there's some recourse if the reality doesn't end up matching the plan

**Thanks** 



From: Elaine Henley [mailto:Ehenley@stjohns.ca] On Behalf Of City Clerk and Council

Sent: Tuesday, August 22, 2017 2:24 PM

To:

**Cc:** cityclerk@stjohns.ca; CityCouncil <citycouncil@stjohns.ca>;

Jason Sinyard <JSinyard@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Dave Wadden <DWadden@stjohns.ca>; Gerard Doran <GDoran@stjohns.ca>; Andrea Roberts <ARoberts@stjohns.ca>; Karen Chafe <KChafe@stjohns.ca>; Planning <planning@stjohns.ca>; Kathy Driscoll <KDriscoll@stjohns.ca>; Ashley Murray <AMurray@stjohns.ca>; Maureen Harvey <MHarvey@stjohns.ca>

Subject: Re: Public Meeting - 90 Duckworth Street

Good Afternoon

We thank you for your feedback and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Elaine Henley City Clerk From:

<cityclerk@stjohns.ca>

To: Cc:

<citycouncil@stjohns.ca>

Date:

2017/08/21 01:51 PM

Subject:

Public Meeting - 90 Duckworth Street

Dear City Clerk and Councilors:

I'll be out of the province on August 30, so please accept this submission for consideration at the Public Meeting regarding 90 Duckworth Street on August 30<sup>th</sup>

I've reviewed the Background Info and the LUAR. On the whole, it appears to be a well thought out and designed project. As someone living around the corner on 20 Wood street I have some (probably pretty predictable) concerns.

1. Odors / Waste – The LUAR addresses this in Section D (p.13) to some extent:

The current plan is to brew just twice a week and during the mid day hours. This will produce very minimal aromas effecting our neighbours during production hours

That doesn't sound too bad if proves to be accurate. My concern is that it won't and we don't have any recourse at that point. Also, my understanding is that much of the odor from the beer making process can come from waste handling. What is the waste disposal plan for this operation?

Overall, is there any process in place to address the smell of fermenting beer in the neighbourhood if the "twice a week" prediction proves false and it becomes an issue with residents down the road?

2. Noise / Late night activity – Longer term residents are sensitive to this issue, having been around when the Crazy Horse was operating. I don't imagine this will be anywhere near the same situation, but noise isn't addressed in the LUAR beyond talking about A/C machinery and deliveries.

I'm not so worried about trucks backing up to the place or A/C white noise; I'm worried about patrons. What are the proposed operating hours? Are we expecting loud music on weekends? Where will the smokers go? In the worst case, if I have 8 hours of bass drum thump, followed a steady stream of loud drunks coming up Wood street every morning at 3am, what's my recourse? This is maybe more of an NLC licensing application thing, but can the city mandate hours of operation as part of this process?

3. Parking – We're pretty tight on Wood street as it is, especially in the summer with BnB visitors with Area 1 guest permits. Will this property have Area 1 permits issued for it?

Thanks for reviewing this submission. I'll be chatting with neighbours as well, but hope my concerns will be appropriately noted in my absence at the public meeting

Regards





Fw: 90 Duckworth Street

City Clerk and Council to: Kenessa Cutler

Sent by: Kathy Driscoll

2017/08/16 09:31 AM

---- Forwarded by Kathy Driscoll/CSJ on 2017/08/16 09:31 AM ----

From: To:

cityclerk@stjohns.ca

Date: Subject: 2017/08/04 06:17 PM 90 Duckworth Street

I am writing in support of the proposed rezoning of 90 Duckworth Street. This property sits at a prominent intersection that is home to a number of unused or underused buildings. This type of creative reuse will play a significant role in activating and enlivening this part of the city.

Thank you,

TO:

The Clerk of the City Council, St. John's, NL

FROM

The undersigned

RE:

Rezoning of 90 Duckworth Street - Former East Fire Station - File no. MPA1600007

We, the undersigned, are concerned about the potential impact the proposed brewpub at 90 Duckworth Street will have on the neighbourhood. Of particular concern are the effects on traffic, parking, hours of operation and noise in the vicinity.

NAME:

ADDRESS:

TEL.:

Don Nichol

6 Wood Street, St. John's, NL A1C 3K9

Mary Walsh

6 Wood Street, St. John's, NL A1C 3K9

KAREN CIMER

Kare Cine

CAROLINE KOENIG

C. Harshall

16 Wood Street St. John's

Denn ledmone 2 Ordnance street
Notationa Gray 20 redurance street

Untrolzyon

72 WOOD STREET ST. JOHNS

AIC3K9

22 WOOD STREET ST. JOHN'S

8 Wood Street St. John's AIC 3K9

AIC 3K9

# "The Fire Hall"

A Community Focused Micro Brewery and Cafe
Amendment to Land Use Assessment Report (LUAR)
Public Meeting Mitigations
Revised Sept 11, 2017



Prepared by:
Phil Maloney on behalf
of "The Fire Hall"

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# Introduction

Thank you to our neighbours for their thoughts and concerns at the public hearing on Aug. 30th, 2017. We appreciate your feedback and we hope to mitigate your concerns to the best of our ability. We strive to work with you to create a successful brewpub, cafe and restaurant, and while doing so, create a peaceful neighbourhood.

# A. Noise

One of the main areas of concern by our neighbours was the noise from patrons visiting our establishment, as well as live music or events.

Live music or events will end no later than 11pm on weeknights and 12am on weekend evenings. The main garage door and all other exterior doors will be closed by 10pm on weeknights and 11pm on weekend evenings (including Friday night).

This is a "wait to be seated" type of establishment and we have no desire to be a rowdy bar. We will embrace a restaurant type atmosphere whereby patrons aren't crowding the bar for a beverage, they wait at their seat until they are served.

Concrete is an excellent material for keeping sound contained and the East Fire Hall is constructed of concrete and rebar which is 1' thick. We also plan to insulate the building with spray foam to further minimize the transfer of sound to the exterior.

Our proposed hours of operation are as follows;

### Weeknights (Sunday to Thursday)

Cafe opens 7am - Last call is 12am, pub closes by 1am at the latest. Garage doors and any other exterior doors will be closed by 10pm.

#### Weekends (Friday and Saturday);

Cafe opens 9am - Last call at pub is 1am, closed by 2am. Garage door and all other exterior doors will be closed by 11pm.

Deliveries will only happen during daytime business hours. Brewing will only happen during daytime business hours as well.

We will not have outdoor speakers. In the event we have shows indoors, the speakers will be pointed into the building and away from the main garage door.

We will erect an 8' high wooden fence with horizontal boards along our west property line to further shield our operation and patrons from our neighbours on Wood St.

# B. Odours

Since we will only be brewing twice a week we feel that exhaust odours will be minimal. During our brew days there will only be odours exhausted from the building for an hour around midday.

If these odours are indeed an issue we intend to employ a device within our exhaust system that will condense our vapours back into water and wash them down the drain. However, this device is extremely environmentally unfriendly and a large amount of fresh water will be used, so we would like to introduce it only if the scent becomes excessive.

Our spent grain will be picked up and shipped off site to a local farm on the same day as our brewing takes place.

Garbage will be raised on a concrete pad as well as concealed in a wooden shelter to help minimize smell and pests. It will be collected multiple times per week.

Smoking will not be allowed anywhere behind or on the west side of our building, to minimize impact on our neighbours.

# C. Traffic

Our deliveries will happen on our property and we will make every effort to minimize our impact on traffic in the area. The only foreseeable impact on traffic would be the brief moment while a truck is backing into our loading area. There is adequate distance from our seating area to the street and we don't anticipate this to be a distraction for drivers.

# D. Parking

We will have two staff designated parking spaces on our property in our loading path. We are not required by Council to have parking on site and will avail of the adequate on-street parking in the area. "Parking by permit only" is enforced on Wood St. and we don't anticipate this being a problem for our neighbours.

# E. Conclusion

We hope this document provides clarity, as well as satisfaction to our neighbours and Council. We look forward to continuing the conversation with our neighbours in hopes that they are content with our plans moving forward and will potentially become patrons as well.

#### REPORTS/RECOMMENDATION

#### **Development Committee**

September 19, 2017 – 10:00 a.m. – Conference Room A, 4<sup>th</sup> Floor, City Hall

1. DEV1700091 – Proposed Dwelling and Crown Land Grant Referral – 180, 182 and 184 Signal Hill Road

It is the recommendation of the Development Committee that Council approve the Crown Land Referral and the proposed dwelling for 180, 182 and 184 Signal Hill Road.

 DEV1700116 – Proposed Fourth Storey for Assisted and Independent Living Facility – 220 Waterford Bridge Road – Applicant: LAT49 Architecture Inc.

It is the recommendation of the Development Committee that Council approve the fourth storey as all items address in the Terms of Reference set by Council have been addressed in the Land Use Assessment Report (LUAR).

3. DEV1700185 – Request for Approval-in-Principle for Commercial Garage – 309 – 313 Kenmount Road – Applicant: York Development Inc.

It is the recommendation of the Development Committee that Council grant approvalin-principle subject to the following conditions:

- Compliance with the requirements of the Planning, Engineering & Regulatory Services Division.
- The required Building Permits must be obtained from the City prior to the commencement of any development.
- Payment of all applicable fees and assessments be made prior to final approval
- DEV1700110 Request for Discretionary Church Occupancy 81
   Elizabeth Avenue Applicant: The Redeemed Christian Church of God, Mount Zion

It is the recommendation of the Development Committee that Council approve the proposed Discretionary Use, Church, at 81 Elizabeth Avenue, as well as the parking relief.

## CRW1700020 - Crown Land Grant for Municipal Reactional Facility -154 Blackmarch Road - Applicant: City of St. John's

It is the recommendation of the Development Committee that Council approve the Crown Land Grant referral.

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

# DECISION/DIRECTION NOTE

Title: Proposed Dwelling and Crown Land Grant Referral – 180, 182 and 184

Signal Hill Road – DEV1700091

**Date Prepared:** September 11, 2017 (Date of next meeting: September 18, 2016)

**Report To:** His Worship the Mayor and Members of Council

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

Ward:

**Decision/Direction Required:** Approval of Crown Land Grant Referral together with the approval of the construction of a dwelling at 180,182 & 184 Signal Hill Road.

### **Discussion – Background and Current Status:**

An application has been submitted to build a single detached dwelling on properties to be consolidated at 180,182 and 184 Signal Hill Road. There are currently three (3) single storey dwellings occupying the subject properties which are proposed to be demolished to accommodate the proposed development. The combined floor area of these three (3) dwellings is 670 square metres. The proposed dwelling will be (two) 2 storey, with a total floor area of 630 square metres.

Pursuant to Development Regulations the property is situated in the Comprehensive Development Area Signal Hill/Battery where the construction of a single detached dwelling is a permitted use. The maximum Building Height in the Comprehensive Development Area Signal Hill/Battery is one (1) storey, not exceeding 4.5 metres to the peak of the roof from the centre of the lot and not exceeding two (2) storeys from the downhill side of the lot. The proposed dwelling complies with this.

This property is also affected by the Footprint and Height Control Overlay for the Battery Development Area. All abutting properties whose views may be impacted, have been notified of the application and were provided with the Land Use Assessment Report (LUAR). Only the owner of 176 Signal Hill Road has expressed concerns about the proposed development, specifically concerns about the impact on a portion of their view and access to their property. The Crown Land application has been modified to address the access concerns of 176 Signal Hill Road and the height of proposed dwelling has been lowered.

While there is limited impact of the view of Civic 176, it is important to note that Council has the discretion to protect views within this Comprehensive Development Area. However pursuant to the Battery Development Area Footprint and Height Control Overlay the proposed dwelling complies with the specific height limitation of the Comprehensive Development Area Signal Hill/Battery.

# ST. J@HN'S

#### **Key Considerations/Implications:**

- 1. Budget/Financial Implications: N/A
- Partners or Other Stakeholders: Lands Branch-Department of Fisheries and Land Resources
- 3. Alignment with Strategic Directions/Adopted Plans:
  Comprehensive Development Area Signal Hill/Battery and The Battery Development Area
- 4. Legal or Policy Implications: Section 7.12 Non-Conforming Uses
- 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:

Council approve the Crown Land Referral and the Proposed Dwelling for 180, 182 and 184 Signal Hill Road.

#### Prepared by - Date/Signature:

Gerard Doran - Development Supervisor

Approved by - Date/Signature:

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

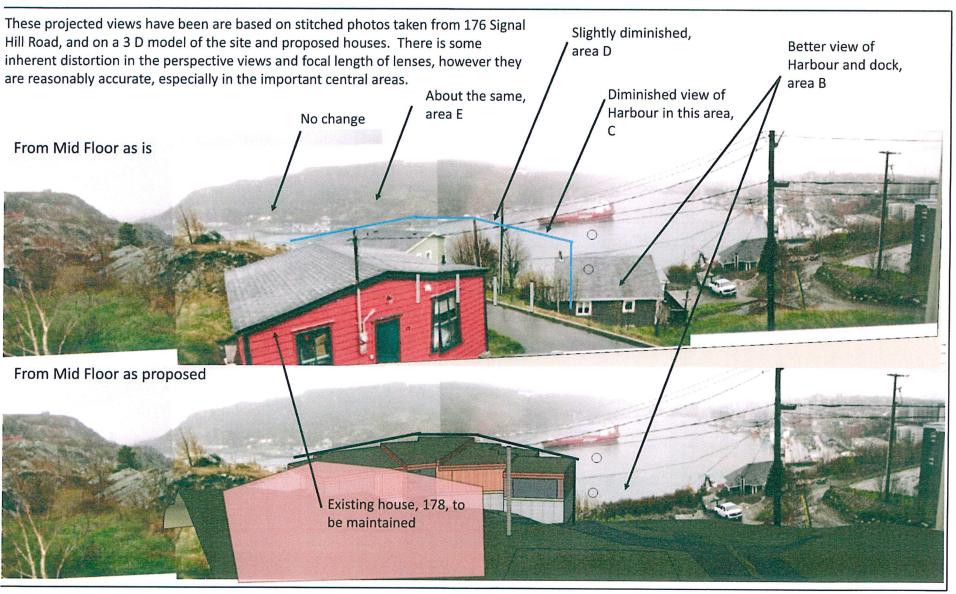
Signature:

GD/dlm

**Attachments:** 

Photos from LUAR







8/3/2017

Title: Proposed Fourth Storey for Assisted and Independent Living Facility

DEV1700116

220 Waterford Bridge Road

Applicant: LAT49 Architecture Inc.

**Date Prepared:** September 19, 2017 (Next Meeting: September 25, 2017)

Report To: His Worship the Mayor and Members of Council

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

Ward:

#### **Decision/Direction Required:**

To seek approval of proposed 4 storey building height for the Littledale Independent Living Facility.

#### Discussion - Background and Current Status:

The applicant has applied to construct a four storey building consisting of 124 units for assisted and independent living. The proposed building exceeds the maximum allowable height of three storeys in the Institutional (INST) Zone. In such an instance, Section 10.32.3 (e) of the St. John's Development Regulations may allow an increase in height subject Council's requirement of a LUAR. Council set the Terms of Reference for the noted application on June 21, 2017.

All necessary information has been provided and the Terms of Reference has been satisfied in the form of a LUAR provided by the applicant.

#### **Key Considerations/Implications:**

- 1. Budget/Financial Implications: Not applicable.
- 2. Partners or Other Stakeholders: Property owner and nearby owners and residents.
- 3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
- 4. Legal or Policy Implications:
  Conforms to the St. John's Development Regulations yard requirements. Additional height subject to Section 10.32.3 (e) of the St. John's Development Regulations.
- 5. Engagement and Communications Considerations: Not applicable.
- 6. Human Resource Implications: Not applicable.

## ST. J@HN'S

- 7. Procurement Implications: Not applicable.
- 8. Information Technology Implications: Not applicable.
- 9. Other Implications: Not applicable.

#### Recommendation:

It is recommended that Council approve the fourth storey as all items address in the Terms of Reference set by Council have been addressed in the Land Use Assessment Report (LUAR).

#### Prepared by/Signature:

Ashley Murray, Assistant Development Officer

Signature: Ochley Muray

Approved by/Date/Signature:

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

Signature:

AAM/dlm

Attachments: Not applicable.

Title:

Request for Approval-in-Principle for Commercial Garage

DEV1700185

309-313 Kenmount Road

Applicant: York Development Inc.

Date Prepared:

September 19, 2017 (Date of Next Meeting: September 25, 2017)

Report To:

His Worship the Mayor and Members of Council

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

Ward:

4

#### **Decision/Direction Required:**

To seek Approval-in-Principle from Council for the construction of a 2350 square foot Commercial Garage.

#### Discussion - Background and Current Status:

An application has been submitted requesting Approval-in-Principle to construct a new building which will be used as a Commercial Garage. The proposed will meet all the Commercial Highway (CH) Zone requirements.

#### **Key Considerations/Implications:**

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

# ST. J@HN'S

#### Recommendation:

It is recommended that this application be granted Approval-in-Principle subject to the following conditions:

- 1. Compliance with the requirements of the Planning, Engineering & Regulatory Services Division.
- 2. The required Building Permits must be obtained from the City prior to the commencement of any development.
- 3. Payment of all applicable fees and assessments be made prior to final approval.

#### Prepared by/Date/Signature:

Ashley Murray, Assistant Development Officer

Signature:

Approved by/Date/Signature:

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

Signature: \_

AAM/dlm

Attachments: Not Applicable.

Title: Request for Discretionary Church Occupancy

DEV1700110

81 Elizabeth Avenue

Applicant: The Redeemed Christian Church of God, Mount Zion

**Date Prepared:** September 19, 2017 (Date of next meeting: September 25, 2017)

**Report To:** His Worship the Mayor and Members of Council

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

Ward:

#### **Decision/Direction Required:**

To seek approval of a Discretionary Use application for a Church & parking relief at 81 Elizabeth Avenue.

#### Discussion - Background and Current Status:

Application was deferred by Council (R2017-07-11/27) to have the application referred to the Traffic Division for review on the traffic impact in the area due to the proposed.

Information provided has been reviewed by the Manger or Transportation Engineering and has been determined that the proposed use of the building with the 16 existing parking spaces identified will be acceptable.

#### **Key Considerations/Implications:**

- 1. Budget/Financial Implications: Not Applicable.
- 2. Partners or Other Stakeholders: Not Applicable.
- 3. Alignment with Strategic Directions/Adopted Plans: Not Applicable.
- 4. Legal or Policy Implications: Section 9, Section 5.5 and Section 5.8 of the St. John's Development Regulations
- 5. Engagement and Communications Considerations: Not Applicable.
- 6. Human Resource Implications: Not Applicable.
- 7. Procurement Implications: Not Applicable.
- 8. Information Technology Implications: Not Applicable.
- 9. Other Implications: Not Applicable.



#### **Recommendation:**

It is recommended that Council approve the proposed Discretionary Use, Church, at 81 Elizabeth Avenue, as well as the parking relief.

#### Prepared by/Date/Signature:

Ashley Murray - Assistant Development Officer

Signature: Ashley Men ory

Approved by/Date/Signature:

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

Signature:

AAM/dlm

Attachments: Not Applicable.

Title:

Crown Land Grant for Municipal Reactional Facility

CRW1700020

154 Blackmarsh Road

Applicant: City of St. John's

**Date Prepared:** 

September 19, 2017 (Date of next meeting: September 25, 2017)

Report To:

His Worship the Mayor and Members of Council

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

Ward:

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**Decision/Direction Required:** 

To seek approval for a Crown Land Grant for 0.62 hectares of land.

Discussion - Background and Current Status:

The Provincial Department of Municipal Affairs and Environment has referred an application requesting a grant for a 0.62 hectare parcel of land which is located in the Open Space (O) Zone for a Municipal Reactional Facility. The proposed use is permitted in the zone.

#### **Key Considerations/Implications:**

- 1. Budget/Financial Implications: Not applicable.
- 2. Partners or Other Stakeholders: Residents of the City of St. John's
- 3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
- 4. Legal or Policy Implications: Section 10.33 of the St. John's Development Regulations
- 5. Engagement and Communications Considerations: Not applicable.
- 6. Human Resource Implications: Not applicable.
- 7. Procurement Implications: Not applicable.
- 8. Information Technology Implications: Not applicable.
- 9. Other Implications: Not applicable.

# ST. J@HN'S

#### Recommendation:

It is recommended that the Crown Land Grant referral be approved.

## Prepared by - Date/Signature:

Ashley Murray- Assistant Development Officer

Signature: <u>Ashley Memay</u>

Approved by - Date/Signature:

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

Signature: \_

AAM/dlm

Attachments: Not applicable.

# REPORTS/RECOMMENDATION Special Events Advisory Committee Report September 19, 2017

1. Event: Fire Prevention Week Parade

Date: October 7, 2017

Detail: Annual Fire Prevention Week Parade

Parade begins at 10am

#### Outer Cove to St. John's

Proceed on Outer Cove Road onto Logy Bay Road

Proceed on Logy Bay Road turn left onto Kenna's Hill

Proceed on Kenna's Hill to Kings Bridge Road, turn right onto Military Road

Proceed on Military Road to Harvey Road

Harvey Road to LeMarchant Road

LeMarchant Road to Cornwall Avenue

Cornwall Avenue to Topsail Road

Route Proceeds through roads in Paradise and Mount Pearl

#### Southlands to Goulds

Proceed on Great Southern Drive, turn left on Tree Top Drive

Proceed on Tree Top Drive turn left on Southlands Boulevard

Proceed on Southlands Boulevard, turn right on Ruby Line

Proceed on Ruby Line, to Back Line

Proceed on Back Line and onto Heffernan's Line, turn left onto Main Road, Goulds

Proceed on Main Road, Goulds and turn left onto Ruby Line

Proceed on Ruby Line, turn right onto Bypass Road

Proceed on roads in Mount Pearl to Mount Pearl Fire Station & Glacier Arena

#### **Recommendation**

That the request to hold the parade on the above noted roads, within St. John's, on October 7, 2017 be approved.

#### 2. Event: Cape to Cabot

Date: October 15, 2017

Detail: Running Race from Cape Spear to Cabot Tower Approximately 500 runners + spectators and volunteers

#### Road & Lane Closures/Restrictions

#### Blackhead Road - Warford Road to Cape Spear

Closed Both Directions 7:45 AM – 10:00 AM

#### Blackhead Road - Warford Road to Linegar Avenue (lower intersection)

Northbound Lane (downhill) Closed

8:30 AM - 10:00 AM

#### Southside Road - Leslie Street to 245 Southside Rd

Single Lane Traffic

Running Lanes on both sides marked with cones

Traffic controlled by marshals at both ends, with radios

8:45 AM - 10:15 AM

#### Water Street West - Leslie Street to Harbour Drive

Curb Lane Eastbound Closed Marked with Cones

8:45 AM - 10:30 AM

#### Exit Ramp - Pitts Memorial to Water Street West

Closed

8:45 AM - 10:30 AM

#### Harbour Drive - Water Street to Prescott Street

Eastbound Lane Closed

9:00 AM - 10:45 AM

#### Water Street East – Prescott Street to Hill O'Chips

Eastbound Lane Closed

9:00 AM - 10:45 AM

#### Water Street East - Hill O'Chips to Temperance Street

Eastbound Lane Closed

9:00 AM - 11:00 AM

#### **Duckworth Street – Plymouth Road to Temperance Street**

Eastbound Lane Closed (except to local residents of Duckworth St)

9:00 AM - 11:00 AM

#### Temperance Street

Both Directions Closed 9:00 AM – 11:00 AM

#### Signal Hill Road – Battery Road to Cabot Avenue

Eastbound Lane (Uphill) Closed Westbound Lane (Downhill) Closed from St. Joseph's Ln to Battery Rd 9:00 AM – 11:00 AM

#### Access to Battery and Signal Hill Area

Local residents may access/leave Battery Rd via Quidi Vidi Rd Resident below St. Joseph's Lane on Signal Hill Rd may access Quidi Vidi Rd by descending Signal Hill Rd, all other descending traffic to exit via St. Joseph's Lane. Local resident access to area controlled at Plymouth Rd and Quidi Vidi Rd. 9:00 AM – 11:00 AM

This event is subject to the approval and conditions set out by the Special Events Advisory Committee.

#### Recommendation

That the requested road and lane closures/restrictions for October 15, 2017 be approved.

3. Event: CLB Anniversary Parade

Date: October 15, 2017

Detail: Annual Parade from CLB to Anglican Cathedral and return

Parade begins at 1:30pm.

The Parade will leave the CLB Armoury on Harvey Rd proceed down Long's Hill, turn left onto Queen's Rd, right onto Church Hill to enter the Anglican Cathedral.

Following the Church Service, the parade will reform in Veteran's Sq (Queen's Rd at Church Hill) proceed south on Church Hill and will split in two sections.

The main parade will continue south towards Duckworth St, turn left onto Duckworth St to King's Rd, turn left to proceed north on King's Rd to Rawlins Cross.

The second (smaller section) will proceed north on Church Hill to Queen's Rd, east on Queen's Rd to Rawlins Cross to rejoin the main section at the top of King's Rd. The entire unit will turn left onto Military Rd, to Harvey Rd returning to the CLB Armoury.

Organizer has secured the Royal Newfoundland Constabulary for rolling road closures.

This event is subject to the approval and conditions set out by the Special Events Advisory Committee.

#### **Recommendation**

That the requested lane reductions/road closure for October 15, 2017 be approved.

Tanya Haywood Deputy City Manager – Community Services

### **DEVELOPMENT PERMITS LIST** DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES FOR THE PERIOD OF Sept 14, 2017 TO Sept 20, 2017

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Viking Construction	Two (2) Residential Building Lots	132 & 134 Ladysmith Drive	4	Approved	17-09-15
INST	Ronald McDonald House Charities Newfoundland and Labrador	Parking Lot Ugrades	150 Clinch Crescent	4	Approved	17-09-15
RES		Subdivide for one additional building lot	800 Main Road	5	Approved	17-09-15
RES		Residential Building Lot	Rear of 1 Alder Place, fronting Forde Drive	1	Approved	17-09-19

Code Classification:
RES - Resident
COM - Commer
AG - Agricult
OT - Other - Residential INST - Institutional - Commercial IND - Industrial

- Agriculture - Other

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

**Gerard Doran Development Supervisor** Planning, Engineering and Regulatory Services

### **Building Permits List** Council's September 25, 2017 Regular Meeting

Permits Issued: 2017/09/14 To 2017/09/20

#### Class: Commercial

43 Orlando Pl	Со	Home Office	
687 Water St	Co	Commercial School	
385 Empire Ave	Ms	Office	
111 George St W	Sn	Custom Workshop	
30-70 White Rose Dr	Sn	Retail Store	
320 Torbay Rd	Cr	Retail Store	
15 Rowan Street	Cr	Retail Store	
57 Blackmarsh Rd	Sw	Club	
150 Lemarchant Rd	Cr	Office	
10 St. Clare Ave	Cr	Recreational Use	
14 International Pl, Suite 202	Cr	Club	
39 Rowan St	Sw	Retail Store	
Avalon Mall, Subway	Cr	Take-Out Food Service	
135 Mayor Ave	Rn	Club	
5 Springdale St, 5th Floor	Rn	Office	
18 Hebron Way	Rn	Office	
430 Topsail Rd., Village Mall	Sw	Shopping Centre	
		This Week \$ 725,8	398.

\$ 725,898.00

Class: Industrial

This Week \$ .00

Class: Government/Institutional

This Week \$ .00

#### Class: Residential

48 Alderberry Lane	Nc	Fence
48 Alderberry Lane	Nc	Accessory Building
70 Aldershot St	Nc	Patio Deck
21 Antelope St	Nc	Accessory Building
75 Battery Rd	Nc	Single Detached Dwelling
28 Burgeo St	Nc	Fence
10 Caravelle Pl, Lot 9	Nc	Single Detached & Sub.Apt
399 Hamilton Ave	Nc	Accessory Building
234 Ladysmith Dr, Lot 514	Nc	Single Detached & Sub.Apt
239 Ladysmith Dr, Lot 587	Nc	Single Detached & Sub.Apt
639 Main Rd	Nc	Accessory Building
92 Maurice Putt Cres, Lot 268	Nc	Single Detached Dwelling

11 Myrick Pl Nc Fence 43 Orlando Pl
69 Paddy Dobbin Dr
Nc Patio Deck
69 Paddy Dobbin Dr
Nc Accessory Building
363 Airport Heights Dr
Nc Accessory Building
Nc Accessory Building
Nc Accessory Building Nc Accessory Building
Nc Accessory Building
Nc Accessory Building
Nc Accessory Building
Nc Fence
Nc Acces 66 Shoal Bay Rd 246 Stavanger Dr 22 Sugar Pine Cres 22 Valleyview Rd Co Home Office 11 Lions Rd Co Home Office 44 Mooney Cres 273 Bay Bulls Rd Cr Subsidiary Apartment
Cr Subsidiary Apartment
Ex Single Detached Dwelling
Rn Semi-Detached Dwelling
Rn Single Detached Dwelling
Rn Single Detached Dwelling Cr Subsidiary Apartment 273 Bay Bulls Nu 102 Diamond Marsh Dr 96 Boulevard 6 Middle Battery Rd 273 Bay Bulls Rd 33 Colville St 120 Donovan's Rd Rn Single Detached Dwelling 17 Fagan Dr Rn Single Detached Dwelling 60 Lemarchant Rd Rn Semi-Detached Dwelling 60 Monkstown Rd Rn Single Detached Dwelling Rn Townhousing 14 Monroe St Rn Townhousing
Rn Single Detached Dwelling
Rn Semi-Detached Dwelling 6 Pilot's Hill 145 Prowse Ave Exten 90 Queen's Rd

This Week \$ 1,238,900.00

#### Class: Demolition

75 Battery Rd Dm Single Detached Dwelling
5 Dover Pl Dm Single Detached Dwelling
This Week \$ 30,000.00

This Week's Total: \$ 1,994,798.00

Repair Permits Issued: 2017/09/14 To 2017/09/20 \$ 153,451.00

#### 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 COMP.	ARISONS		
September 25, 2017				
TYPE	2016	2017	% VARIANCE (+/-)	
Commercial	\$103,391,456.00	\$114,161,054.00	10	
Industrial	\$0.00	\$5,000,000.00	100	
Government/Institutional	\$5,997,584.00	\$1,337,200.00	-78	
Residential	\$55,123,645.00	\$61,252,846.00	11	
Repairs	\$3,574,864.00	\$2,682,001.00	-25	
Housing Units (1 & 2 Family Dwelling)	176	149		
TOTAL	\$168,087,549.00	\$184,433,101.00	10	

Respectfully Submitted,

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

## <u>Memorandum</u>

## Weekly Payment Vouchers For The Week Ending September 20, 2017

## **Payroll**

Accounts Payable	\$ 5,007,688.67
Bi-Weekly Fire Department	\$ 899,470.11
Bi-Weekly Management	\$ 883,450.83
Bi-Weekly Administration	\$ 886,934.29
Public Works	\$ 454,466.31

Total: \$ 8,132,010.21



NAME	CHEQUE #	DESCRIPTION	AMOUNT
DON CLARKE'S HYDROSEEDING	112619	PROFESSIONAL SERVICES	621.00
CITY OF ST. JOHN'S	112620	REPLENISH PETTY CASH	290.51
WELSH, SHERRY	112621	REPLENISH PETTY CASH RAILWAY	448.68
BELL ALIANT	112622	TELEPHONE SERVICES	2,067.45
ROBERT BAIRD EQUIPMENT LTD.	112623	RENTAL OF EQUIPMENT	742.08
JENKINS & PUDDICOMBE SHEET METAL LTD.	112624	PROFESSIONAL SERVICES	86.25
DBI-GARBAGE COLLECTION REMOVAL LTD.	112625	GARBAGE COLLECTION	327.75
KEAN'S PUMP SHOP LTD.	112626	REPAIR PARTS	181.50
STANLEY FLOWERS LTD.	112627	FLOWERS	765.77
EDWARD BELL	112628	REFUND SECURITY DEPOSIT	1,144.21
ACKLANDS-GRAINGER	112629	INDUSTRIAL SUPPLIES	296.90
RBC INVESTOR & TREASURY SERVICES	112630	CUSTODY FEES	1,449.00
AIMS LTD.	112631	REPAIRS TO OVERHEAD DOORS	250.15
CABOT AUTO GLASS & UPHOLSTERY	112632	CLEANING SERVICES	586.50
MUNICIPAL CONSTRUCTION LIMITED	112633	SAND AND GRAVEL	6,653.34
JW BIRD & CO. LTD.	112634	REPAIR PARTS	141.45
NEWFOUNDLAND EXCHEQUER ACCOUNT	112635	ANNUAL OPERATING FEES	303.60
HERCULES SLR INC.	112636	REPAIR PARTS	677.75
PLAZA BOWL LIMITED	112637	PARKSIDE DAY CAMP	66.50
EASTERN FARMERS CO-OP SOCIETY	112638	DUCK FOOD	503.31
S & L ENTERPRISE	112639	RENTAL OF EQUIPMENT	141,248.91
TRANSPORTATION ASSOC OF CANADA (TAC)	112640	CONFERENCE FEE	3,124.55
FARRELL'S EXCAVATING LTD.	112641	ROAD GRAVEL	3,793.46
STAPLES THE BUSINESS DEPOT - STAVANGER DR	112642	STATIONERY & OFFICE SUPPLIES	18.31
CAMPBELL'S SHIPS SUPPLIES	112643	REPAIR PARTS	372.19
HISCOCK'S SPRING SERVICE	112644	HARDWARE SUPPLIES	1,377.08
SOBEY'S INC	112645	PET SUPPLIES	3,176.16
BLUE WATER MARINE & EQUIPMENT	112646	REPAIR PARTS	186.07
CAPITAL PRE-CAST	112647	REPAIR PARTS	146,999.99
NEWFOUNDLAND GLASS & SERVICE	112648	GLASS INSTALLATION	73.60
SUBWAY	112649	MEAL ALLOWANCE	56.19
CLEARWATER POOLS LTD.	112650	POOL SUPPLIES	6,018.59
HAZMASTERS INC.	112651	CHEMICALS	186.30
CANADIAN RED CROSS	112652	CPR RECERTIFICATION	1,831.00
PETER'S AUTO WORKS INC.	112653	TOWING OF VEHICLES	1,017.70
LONG & MCQUADE	112654	MUSICAL INSTRUMENTS SUPPLIES	1,358.73
ORTHOTIC AIDS LIMITED	112655	PROTECTIVE FOOTWEAR	575.00
HEALTHQUEST INCORPORATED	112656	ORTHOPAEDIC FOOTWEAR	350.00
WAJAX POWER SYSTEMS	112657	REPAIR PARTS	28.15
CANADIAN TIRE CORPHEBRON WAY	112658	MISCELLANEOUS SUPPLIES	524.33
CANADIAN TIRE CORPMERCHANT DR.	112659	MISCELLANEOUS SUPPLIES	707.01
CANADIAN TIRE CORPKELSEY DR.	112660	MISCELLANEOUS SUPPLIES	1,564.27
EM PLASTIC & ELECTRIC PROD LTD	112661	REPAIR PARTS	523.25
ABSTRACT & AUXILIARY SERVICES	112662	TITLE SEARCH	235.00
ENTERPRISE RENT-A-CAR	112663	RENTAL OF VEHICLES	22,252.50

NAME	CHEQUE #	DESCRIPTION	AMOUNT
PENNEY'S HOLDINGS LIMITED	112664	PROFESSIONAL SERVICES	3,184.35
DELL CANADA INC.	112665	COMPUTER SUPPLIES	3,979.00
BLUE WATER AGENCIES LTD	112666	REPAIR PARTS	1,371.26
PIZZA HUT	112667	MEAL ALLOWANCE	91.97
CENTSIBLE CAR & TRUCK RENTALS	112668	RENTAL OF VEHICLES	2,035.50
MARTIN & LEVESQUE UNIFORMS INC	112669	CLOTHING ALLOWANCES	8,239.87
BELL DISTRIBUTION INC.	112670	CELL PHONES & ACCESSORIES	1,002.50
HISCOCK RENTALS & SALES INC.	112671	HARDWARE SUPPLIES	1,118.80
GERALD PENNEY ASSOCIATES LIMITED	112672	PROFESSIONAL SERVICES	2,673.75
IRC NEWFOUNDLAND LTD.	112673	REPAIR PARTS	182.85
TRANE CANADA CO.	112674	PROFESSIONAL SERVICES	2,990.00
SAFETY FIRST-SFC LTD.	112675	PROFESSIONAL SERVICES	29,980.88
DALLAS MERCER CONSULTING INC.,	112676	TRAINING COURSE	402.50
IEAS LTD.	112677	PROFESSIONAL SERVICES	287.50
LAWLOR'S TROPHIES & ENGRAVING LTD	112678	BRASS PLATES	372.14
CARMICHAEL ENGINEERING LTD.	112679	PROFESSIONAL SERVICES	2,181.55
STAPLES ADVANTAGE	112680	OFFICE SUPPLIES	58.96
MARK'S WORK WEARHOUSE	112681	PROTECTIVE CLOTHING	747.49
DISTRIBUTION NOW	112682	PAINT SUPPLIES	188.03
VETERINARY SPECIALTY CENTRE OF NEWFOUNDLAND & LABRADOR	112683	PROFESSIONAL SERVICES	196.65
EASTPOINT PLUMBING AND HEATING INC.,	112684	PROFESSIONAL SERVICES	4,772.16
BELL MOBILITY INC.	112685	CELLULAR PHONE USAGE	509.67
CA PIPPY PARK COMMISSION	112686	GROUNDS MAINTENANCE	8,452.50
NEWFOUNDLAND EXCHEQUER ACCOUNT	112687	GAZETTE PUBLICATION	199.52
SAMEDAY WORLDWIDE	112688	COURIER SERVICES	57.82
AETTNL	112689	MEMBERSHIP RENEWALS	3,864.00
TORBAY ROAD ANIMAL HOSPITAL	112690	PROFESSIONAL SERVICES	670.58
TRACTION DIV OF UAP	112691	REPAIR PARTS	3,676.48
URBAN CONTRACTING JJ WALSH LTD	112692	PROPERTY REPAIRS	431.25
ORTHOPEDIC SOLUTIONS	112693	PROTECTIVE FOOTWEAR	125.00
DR. MEGAN ROBBINS	112694	MEDICAL EXAMINATION FEE	20.00
THE CELTIC FIDDLERS	112695	PERFORMANCE FEE	600.00
FERGUS BROWN-O'BYRNE - THE FREELS	112696	PERFORMANCE FEE	800.00
JEROME QUINLAN	112697	REFUND SECURITY DEPOSIT	100.00
STAPLES THE BUSINESS DEPOT - KELSEY DR	112698	OFFICE SUPPLIES	275.88
DR. CYRIL RICHE	112699	MEDICAL EXAMINATION FEE	20.00
SHUTE, JAMES & IRENE	112700	REFUND OVERPAYMENT OF TAXES	1,863.09
FOSTER, IAN	112701	PERFORMANCE FEE	400.00
ST. JOHN'S NATIVE FRIENDSHIP CENTRE	112702	EHSJ VAT TRAINING SESSIONS	1,602.81
NEWFOUNDLAND EXCHEQUER ACCOUNT	112703	POLICE REPORT	15.00
IAP2 CANADA	112704	MEMBERSHIP RENEWALS	157.50
SOBEYS ROPEWALK LANE	112705	MISCELLANEOUS SUPPLIES	153.11
ACOL	112706	LIEN SEARCHES	240.00
THE UNIFUND ASSURANCE COMPANY	112707	LEGAL CLAIM	5,771.72
GERRY SMITH	112708	HONORARIUM	600.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
MORNEAU SHEPELL	112709	PROFESSIONAL SERVICES	8,349.00
BIDGOODS PROPERTY MANAGEMENT LTD.	112710	REFUND OVERPAYMENT OF TAXES	600.00
CLIFF JOHNSTON	112711	PROFESSIONAL SERVICES	375.00
JULIE LEWIS	112712	PROFESSIONAL SERVICES	5,000.00
HARBOURSIDE TRANSPORTATION CONSULTANTS	112713	PROFESSIONAL SERVICES	4,202.25
NEWFOUNDLAND EXCHEQUER ACCOUNT	112714	REGISTRATION OF EASEMENT	230.00
TRANSCONTINENTAL MEDIA	112715	POSTCARDS	717.21
KINNEY, JEANETTE	112716	HONORARIUM	700.00
CAROLA KERN	112717	GERMAN TRANSLATOR	75.00
CORY BASHA & DEANNE GREEN	112718	COURT OF APPEAL REFUND	60.00
BRIAN CHERWICK	112719	PERFORMANCE FEE	800.00
RAMONA HALL	112720	REFUND OVERPAYMENT OF TAXES	1,538.35
MRS. MARY HEALEY	112721	REFUND OVERPAYMENT OF TAXES	93.00
GLENDA O'BRIEN	112722	REFUND OVERPAYMENT OF TAXES	783.21
PHILIP BENNETT	112723	REFUND OVERPAYMENT OF TAXES	103.75
SEAN HEMEON & LISA KIELEY	112724	REFUND OVERPAYMENT OF TAXES	2,156.66
JOHN & ALETHIA NOLAN	112725	REFUND OVERPAYMENT OF TAXES	4,319.60
RONALD SPURRELL	112726	REFUND OVERPAYMENT OF TAXES	1,487.25
DARRELL KIELEY & MAXINE LESHANE	112727	REFUND OVERPAYMENT OF TAXES	1,447.65
PAUL CROSBIE & ELLEN DINN	112728	REFUND OVERPAYMENT OF TAXES	4,297.74
MEGAN DAVIS	112729	RECREATION PROGRAM REFUND	72.00
WADDEN, DAVID	112730	CANADIAN DAM ASSOCIATION MEMBERSHIP	186.45
MACKENZIE, NEIL	112731	MILEAGE	21.20
SHERRIFFS, KAREN	112732	SENIORS PROGRAM SUPPLIES	841.12
SQUIRES, JESSICA	112733	TUITION	1,144.25
RYAN, LEANN	112734	VEHICLE BUSINESS INSURANCE	97.75
ANGELA BLANCHARD	112735	MILEAGE	54.85
WINDSOR, JOSEPH	112736	CLOTHING ALLOWANCES	174.93
O'BRIEN, LESLIE	112737	MILEAGE	215.03
NORMAN, HAROLD	112738	VEHICLE BUSINESS INSURANCE	340.00
NICOLE MURPHY	112739	MILEAGE	53.43
ANDREW RODGERS	112740	TUITION	900.00
MCCANN EQUIPMENT	112741	REPAIR PARTS	437.69
SHIFT PEOPLE DEVELOPMENT	112742	WORKSHOP FEE	2,185.00
GEMTEC CONSULTING ENGINEERS AND SCIENTISTS LTD.	112743	PROFESSIONAL SERVICES	5,186.85
DARLENE SHARPE	112744	CLEANING SERVICES	750.00
SMITH STOCKLEY LTD.	112745	PLUMBING SUPPLIES	264.26
ROBERT BAIRD EQUIPMENT LTD.	112746	RENTAL OF EQUIPMENT	8,407.74
BEVERLY GRANT	112747	REFUND SECURITY DEPOSIT	500.00
HOLLAND NURSERIES LTD.	112748	FLORAL ARRANGEMENT	877.41
STANLEY FLOWERS LTD.	112749	FLOWERS	8,277.83
EDWARD BELL	112750	REFUND SECURITY DEPOSIT	855.79
STANTEC CONSULTING LTD. (SCL)	EFT000000002289	PROFESSIONAL SERVICES	7,012.11
GRAND CONCOURSE AUTHORITY		MAINTENANCE CONTRACTS	3,999.88
MCLOUGHLAN SUPPLIES LTD.	EFT000000002291	ELECTRICAL SUPPLIES	2,423.88

NAME	CHEQUE #	DESCRIPTION	AMOUNT
NEWFOUND DISPOSAL SYSTEMS LTD.	EFT000000002292	DISPOSAL SERVICES	179.03
NEWFOUNDLAND POWER	EFT000000002293	ELECTRICAL SERVICES	11,661.31
FJ WADDEN & SONS LTD.	EFT000000002294	SANITARY SUPPLIES	1,199.22
BARRY MACKAY CONSULTANT	EFT000000002295	COMPUTER EQUIPMENT REPAIRS	94.88
ADT SECURITY SERVICES CANADA		MONITORING AND/OR MAINTENANCE CHARGES	133.15
AFONSO GROUP LIMITED		SEWER INSPECTIONS	7,544.00
APEX CONSTRUCTION SPECIALTIES INC.	EFT000000002298		1,793.31
ATLANTIC OFFSHORE MEDICAL SERV		MEDICAL SERVICES	5,692.07
RDM INDUSTRIAL LTD.	EFT000000002300	INDUSTRIAL SUPPLIES	149.71
TOWN OF CONCEPTION BAY SOUTH		SNOW CLEARING	250.00
CABOT PEST CONTROL	EFT000000002302		1,110.59
ROCKWATER PROFESSIONAL PRODUCT	EFT000000002303	CHEMICALS	10,493.43
PRINT & SIGN SHOP	EFT000000002304		388.13
CLASS C SOLUTIONS GROUP	EFT000000002305		315.68
BRENKIR INDUSTRIAL SUPPLIES		PROTECTIVE CLOTHING	452.47
AON REED STENHOUSE INC	EFT000000002307	INSURANCE	2,300.00
SPECTRUM INVESTIGATION & SECURITY 1998 LTD.	EFT000000002308	SECURITY SERVICES	10,951.68
WESTERN HYDRAULIC 2000 LTD	EFT000000002309	REPAIR PARTS	2,410.40
LEVITT SAFETY	EFT000000002310		3,845.00
CABOT BUSINESS FORMS AND PROMOTIONS	EFT000000002311	MONTHLY LEASE	16,834.56
TRIWARE TECHNOLOGIES INC.		COMPUTER EQUIPMENT	30,748.71
RONA - O'LEARY AVENUE		BUILDING SUPPLIES	1,311.69
CANADA POST CORPORATION		POSTAGE SERVICES	142.94
CANADIAN CORPS COMMISSIONAIRES	EFT000000002315	SECURITY SERVICES	16,412.43
AIR LIQUIDE CANADA INC.		CHEMICALS AND WELDING PRODUCTS	13,103.39
CANADA CLEAN GLASS		CLEANING OF WINDOWS	1,725.00
BEATTIE INDUSTRIAL	EFT000000002318		157.55
NORTH ATLANTIC SUPPLIES INC.	EFT000000002319		297.64
KENT	EFT000000002320	BUILDING SUPPLIES	510.04
CBCL LIMITED		PROFESSIONAL SERVICES	3,735.59
ATLANTIC HOME FURNISHINGS LTD	EFT000000002322		6,964.40
DULUX PAINTS	EFT000000002323		443.53
COLONIAL GARAGE & DIST. LTD.	EFT000000002324		2,273.02
CONSTRUCTION SIGNS LTD.	EFT000000002325		3,799.03
SCOTT WINSOR ENTERPRISES INC.,		REMOVAL OF GARBAGE & DEBRIS	23,034.27
MAXXAM ANALYTICS INC.,		WATER PURIFICATION SUPPLIES	2,286.20
CRANE SUPPLY LTD.		PLUMBING SUPPLIES	677.59
JAMES G CRAWFORD LTD.		PLUMBING SUPPLIES	1,229.62
CUMMINS EASTERN CANADA LP	EFT000000002330		4,170.82
DICKS & COMPANY LIMITED	EFT000000002331		2,021.14
MIC MAC FIRE & SAFETY SOURCE	EFT000000002332		776.25
EAST COAST HYDRAULICS	EFT000000002333		1,287.86
GENTARA REAL ESTATE LP		LEASE OF OFFICE SPACE	27,609.60
REEFER REPAIR SERVICES (2015) LIMITED	EFT000000002335		1,443.00
EASTERN MEDICAL SUPPLIES	EFT000000002336	MEDICAL SUPPLIES	213.90

NAME	CHEQUE #	DESCRIPTION	AMOUNT
STOKES INTERNATIONAL	EFT000000002337	CITATION CORDS	165.77
THE TELEGRAM	EFT000000002338	ADVERTISING	2,428.80
DOMINION STORE 935	EFT000000002339	MISCELLANEOUS SUPPLIES	1,386.46
CONTROL PRO DISTRIBUTOR INC.	EFT000000002340	REPAIR PARTS	196.78
FRESHWATER AUTO CENTRE LTD.	EFT000000002341	AUTO PARTS/MAINTENANCE	1,966.91
PRINCESS AUTO	EFT000000002342	MISCELLANEOUS ITEMS	517.55
COASTLINE SPECIALTIES	EFT000000002343	PROFESSIONAL SERVICES	6,008.75
WOLSELEY CANADA INC.	EFT000000002344		925.75
XYLEM CANADA COMPANY	EFT000000002345		233.45
HARVEY & COMPANY LIMITED	EFT000000002346		8,884.86
BRENNTAG CANADA INC	EFT000000002347		24,437.70
RONA	EFT000000002348		1,021.33
HICKMAN MOTORS LIMITED	EFT000000002349		402.43
FDM SOFTWARE	EFT000000002350		17,250.00
HOLDEN'S TRANSPORT LTD.		RENTAL OF EQUIPMENT	690.00
FLEET READY LTD.	EFT000000002352		1,812.68
HONDA ONE	EFT000000002353		92.00
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	EFT000000002354		1,167.65
IMPRINT SPECIALTY PROMOTIONS LTD	EFT000000002355		230.00
ISLAND HOSE & FITTINGS LTD		INDUSTRIAL SUPPLIES	180.85
KAVANAGH & ASSOCIATES	EFT000000002357		101,694.80
ROWSELL APPLEBY NEWTOWN ENGINEERING INC.,	EFT000000002358		8,625.00
MIKAN INC.	EFT000000002359		250.94
CUTTING EDGE LAWN CARE INC.,	EFT000000002360	PROFESSIONAL SERVICES	7,473.97
SHORELINE LUBRICANTS & INDUSTRIAL SUPPLY	EFT000000002361		155.11
PRINTERS PLUS	EFT000000002362		40.25
WAJAX INDUSTRIAL COMPONENTS	EFT000000002363		352.34
NEWFOUNDLAND DISTRIBUTORS LTD.		INDUSTRIAL SUPPLIES	606.68
NEWFOUNDLAND DESIGN ASSOCIATES	EFT000000002365		19,827.95
TRC HYDRAULICS INC.	EFT000000002366		1,443.48
NL KUBOTA LIMITED	EFT000000002367		306.48
NEWFOUNDLAND POWER	EFT000000002368		1,552.21
NORTH ATLANTIC PETROLEUM	EFT000000002369		40,315.18
PBA INDUSTRIAL SUPPLIES LTD.		INDUSTRIAL SUPPLIES	407.33
GCR TIRE CENTRE	EFT000000002371		7,337.00
PARTS FOR TRUCKS INC.	EFT000000002372		2,998.75
THE HUB	EFT000000002373		2,150.50
S & S SUPPLY LTD. CROSSTOWN RENTALS	EFT000000002374		3,706.79
ST. JOHN'S PORT AUTHORITY		WINDSTAR CRUISES DINNER	299.40
ST. JOHN'S TRANSPORTATION COMMISSION		CHARTER SERVICES	8,964.25
BIG ERICS INC		SANITARY SUPPLIES	813.28
SAUNDERS EQUIPMENT LIMITED	EFT000000002378		4,408.42
SANSOM EQUIPMENT LTD.	EFT000000002379		373.76
SMITH'S HOME CENTRE LIMITED	EFT000000002380	HARDWARE SUPPLIES	331.90
SUPERIOR OFFICE INTERIORS LTD.	EFT000000002381	OFFICE SUPPLIES	13,403.25

NAME	CHEQUE #	DESCRIPTION	AMOUNT
SUPERIOR PROPANE INC.	EFT000000002382	PROPANE	147.12
TOWER TECH COMMUNICATIONS & SPORTS FIELD LIGHTING	EFT000000002383	NETTING REPAIRS & INSTALLATION	1,840.05
TULKS GLASS & KEY SHOP LTD.	EFT000000002384	PROFESSIONAL SERVICES	620.90
FJ WADDEN & SONS LTD.	EFT000000002385	SANITARY SUPPLIES	475.18
WATERWORKS SUPPLIES DIV OF EMCO LTD	EFT000000002386	REPAIR PARTS	828.32
WEIRS CONSTRUCTION LTD.	EFT000000002387	STONE/ROAD GRAVEL	8,041.27
HAMMOND. WALLACE	EFT000000002388	PROFESSIONAL SERVICES	3,680.00
PIZZA DELIGHT	EFT000000002389	REFRESHMENTS	57.48
MCDONALD, HEATHER	EFT000000002390	MILEAGE	47.75
HARRIS, BRYANT	EFT000000002391	MILEAGE	160.44
MCGRATH, CINDY	EFT000000002392	MILEAGE	49.26
HILLIER, HEATHER	EFT000000002393	MILEAGE	101.78
BRUCE PEARCE	EFT000000002394	EMPLOYMENT RELATED EXPENSES	187.34
CARLIE WHITE	EFT000000002395	MILEAGE	528.82
ARMTEC LP	EFT000000002396	REPAIR PARTS	2,281.14
FIRST GENERAL	EFT000000002397	PROFESSIONAL SERVICES	16,974.00
MODERN PAVING LTD.	EFT000000002398	PROGRESS PAYMENTS	1,195,537.10
PYRAMID CONSTRUCTION LIMITED	EFT000000002399	PROGRESS PAYMENTS	2,359,628.63
HORSESHOE HILL CONSTRUCTION INC.	EFT000000002400	PROGRESS PAYMENTS	128,754.00
PLATINUM CONSTRUCTION CO LTD	EFT000000002401	PROGRESS PAYMENTS	225,943.30
FDM SOFTWARE	EFT000000002402	WORKSHOP FEE	1,260.00
PUBLIC SERVICE CREDIT UNION	EFT000000002403	PAYROLL DEDUCTIONS	4,051.42
			Total: \$ 5,007,688.67

## **MEMORANDUM**

Date: September 22, 2017

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

From: John Hamilton

Re: Council Approval for Tender 2017066 Portugal Cove Road Water Transmission Main

Replacement Project - Phase 2

The results of Tender 2017066 Portugal Cove Road Water Transmission Main Replacement Project - Phase 2 is as follows:

Vendor Total Value

Pyramid Construction Limited	\$7,250,796.58
Platinum Construction Company Ltd	\$7,414,909.88
Coady Construction & Excavating Limited	\$7,876,400.60
Dexter construction company Limited	\$7,923,109.58
Edward Collins Contracting	\$7,991,667.40
Bursey Excavating & Development Inc.	\$8,957,235.00
Modern Paving Limited	\$9,199,942.50

It is recommended to award this tender to the lowest bidder meeting specifications **Pyramid Construction Limited \$7,250,796.58**, as per the Public Tendering Act.

Taxes are included with submitted bid.

John Hamilton Senior Buyer



Title: Demolition of Building – 185 Waterford Bridge Road

Date Prepared: September 20, 2017

Report To: His Worship the Mayor and Members of Council

Ward: 3

#### **Decision/Direction Required:**

For consideration of council to grant a Demolition Order of 185 Waterford Bridge Road (Waterford Manor).

#### Discussion - Background and Current Status:

The building situated at 185 Waterford Bridge Road sustained severe damage due to a recent fire which renders the building uninhabitable and is causing a potential safety concern. A notice has been issued to the property owner but it has not been complied with and no response received from the owner. Inspection Services Division has boarded up dwelling on a few occasions since the fire due to unauthorized access.

#### **Key Considerations/Implications:**

1. Budget/Financial Implications:

Should the City proceed with the order and if it is not complied with, a tender document will be developed for the demolition of the property. The cost associated with this demolition will be applied to the property and a bill for the cost issued to the property owner.

- 2. Alignment with Strategic Directions/Adopted Plans: Not Applicable
- 3. Legal or Policy Implications: Not Applicable
- 4. Engagement and Communications Considerations: Not Applicable
- 5. Human Resource Implications: Not Applicable
- 6. Procurement Implications: Not Applicable
- 7. Information Technology Implications: Not Applicable



#### 8. Other Implications:

Waterford Manor (sometimes called Waterford Hall) at 185 Waterford Bridge Road was built in 1905 in the Queen Anne style, designed by architect William F. Butler, and was most recently used as a bed and breakfast home. It was designated as a heritage building by the City in 2006. It is also designated as a registered heritage structure by the Heritage Foundation of Newfoundland and Labrador.

The Heritage Foundation of Newfoundland and Labrador has been contacted regarding the below recommendation and they are in agreement due to the current condition of the building.

#### **Recommendation:**

It is recommended that Council grand the Demolition Order of 185 Waterford Bridge Road as the building is in a state of disrepair and is creating a potential safety concern.

Prepared by/Signature:

Randy Carew, CET - Manager - Regulatory Services

Signature:

Approved by/Date/Signature:

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

Signature:

RJC/mrd

Attachments: Not Applicable