

# **AGENDA**

## **Committee of the Whole**

**Wednesday, June 12, 2019**

**9 am**

**Council Chambers**

**4<sup>th</sup> Floor, City Hall**

**ST. JOHN'S**

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# ST. JOHN'S

## Committee of the Whole Agenda

June 12, 2019  
9:00 a.m.  
4th Floor City Hall

Pages

1. **Call to Order**
2. **Approval of the Agenda**
3. **Adoption of the Minutes**
  - 3.1 Committee of the Whole Minutes - May 29, 2019 1
4. **Presentations/Delegations**
  - 4.1 Mr. Josh Smee - St. John's Farmer's Market
  - 4.2 NL Power - Lot Servicing
5. **Finance & Administration - Councillor Dave Lane**
6. **Public Works & Sustainability - Councillor Ian Froude**
7. **Community Services & Events - Councillor Jamie Korab**
8. **Housing - Councillor Hope Jamieson**
9. **Economic Development, Tourism & Culture - Sheilagh O'Leary**
10. **Governance & Strategic Priorities - Mayor Danny Breen**
  - 10.1 Decision Note dated June 3, 2019 re: Privacy Management Policy 6
11. **Planning & Development - Councillor Maggie Burton**
  - 11.1 Built Heritage Experts Panel Report - May 15, 2019 40
    1. Decision Note dated May 22, 2019 re: 2019 Heritage Grant Applications 43

11.2 Information Note dated June 6, 2019 re: Mobile Vending Business in the City.

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12. **Transportation - Councillor Debbie Hanlon**

13. **Other Business**

14. **Adjournment**

# ST. JOHN'S

## Committee of the Whole

### Council Chambers

#### Minutes

**May 29, 2019**  
**9:00 a.m.**  
**4th Floor, City Hall**

Present: Deputy Mayor Sheilagh O'Leary  
 Councillor Maggie Burton  
 Councillor Dave Lane  
 Councillor Sandy Hickman  
 Councillor Deanne Stapleton  
 Councillor Jamie Korab  
 Councillor Ian Froude  
 Councillor Wally Collins

Staff: Lynnann Winsor, Deputy City Manager of Public Works  
 Cheryl Mullett, City Solicitor  
 Ken O'Brien, Chief Municipal Planner  
 Maureen Harvey, Legislative Assistant

Others Present for Relevant Agenda Items  
 Brian Head, Manager of Parks & Open Space  
 David Crowe, Manager of Roads  
 Garrett Donaher, Manager, Transportation Engineering  
 Anna Bauditz, Transportation System Engineer  
 Marianne Alacoque, Transportation System Engineer  
 Ann Marie Cashin, Planner III  
 Trina Caines, Policy Analyst

#### 1. Call to Order

Documentation supporting these minutes can be found here

2. **Approval of the Agenda**

The agenda was adopted as presented.

3. **Adoption of the Minutes**

3.1 **Committee of the Whole Minutes - May 15, 2019**

**Recommendation**

**Moved By** Councillor Collins

**Seconded By** Councillor Stapleton

That the Committee of the Whole minutes dated May 15, 2019 be adopted noting that Councillors Froude, Burton and Lane dissented on the vote regarding the Decision Note dated May 15, 2019 re: Mt. Scio at Allandale Road - Left Turn Bays.

**CARRIED UNANIMOUSLY**

4. **Presentations/Delegations**

4.1 **Robert DiGiorgio and Bruce Walck of ARLE Properties and Powers Brown Architecture re: 331 Water Street**

**Decision Note dated May 22, 2019 Re: 331 Water Street (at Bishop's Cove) Office and Retail Building, DEV 1900058**

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The Committee was informed that this matter was addressed at the Built Heritage Experts Panel meeting on May 15, 2019. The Panels recommendations are incorporated into the attached decision note which was confirmed by the Panel in an e-vote conducted on May 27, 2019.

The delegation presented renderings and explained its proposal in detail. In addition to the recommendation which is presented below the Committee suggested consideration of the following:

- The design should include bike racks (potentially along Harbour Drive) and in parking garage for both tenants and the public
- Public art should be displayed along the brick wall facing the Murray Premises (5 Beck's Cove) and on wall facing Harbour Drive.

Documentation supporting these minutes can be found here

- the provision of an arcade along Bishop's Cove by extending the overhang.
- Incorporation of some greenery where possible.

The Committee also recommended that the revised drawings be forwarded to Council for review prior to the COTW recommendation coming to Council on June 10, 2019.

### **Recommendation**

**Moved By** Councillor Burton

**Seconded By** Councillor Lane

That the revised design for an office and retail development at 331 Water Street, as seen by the BHEP on May 15, 2019, be approved with the following conditions:

- add a cornice/articulation along the roofline on the masonry walls
- add windowsills to the second storey windows on Water Street (similar to the surrounding buildings)
- Ensure first storey windows on Water Street align with adjacent buildings
- The amount of brick shown on the drawings will remain brick in the final design
- Consider angling the end of the "fin" along the rooftop facing Harbour Drive to evoke the mansard roof of the Murray Premises.

**CARRIED UNANIMOUSLY**

#### **4.2 Emily Phillips of Trace Consulting re: St. John's Bike Master Plan**

##### **Decision Note dated May 29, 2019 re: Bike St. John's Master Plan - Final Report**

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Ms. Phillips was welcomed to the meeting and proceeded to deliver a presentation that summarized the contents of the draft Bike St. John's Master Plan. A copy of the presentation is available from the Office of the City Clerk.

Documentation supporting these minutes can be found here

The Committee commended the consultant and staff involved in presenting such a forward-thinking report. A question/answer period took place followed by the following motion:

**Recommendation**

**Moved By** Councillor Lane

**Seconded By** Councillor Froude

That Council adopt the Bike St. John's Master Plan and direct staff to undertake primary actions and ongoing actions. All infrastructure projects identified as a primary action referred to capital budget for consideration. Other actions are to be undertaken as direction is received and resources are allocated

**CARRIED UNANIMOUSLY**

**5. Governance & Strategic Priorities - Mayor Danny Breen**

**5.1 Decision Note dated May 21, 2019 re: Repeal of Policies**

The Decision Note seeks approval for the removal of two policies that are no longer relevant.

- Policy 09-09-02 Proof of Tour Operator Liability Insurance
- Policy 07-01-01 Cancellation of Parking Tickets

**Recommendation**

**Moved By** Councillor Hickman

**Seconded By** Councillor Collins

That Council approve the repeal of Policy 09-09-02 Proof of Tour Operator Liability Insurance and Policy 07-01-01 Cancellation of Parking Tickets.

**CARRIED UNANIMOUSLY**

Documentation supporting these minutes can be found here

6. **Other Business**

7. **Adjournment**

There being no further business the meeting adjourned at 10:30 am.

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Deputy Mayor Sheilagh O'Leary

Chairperson

Documentation supporting these minutes can be found here

# DECISION/DIRECTION NOTE

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**Title:** Privacy Management Policy

**Date Prepared:** June 3, 2019

**Report To:** Committee of the Whole

**Councillor and Role:** Mayor Danny Breen, Governance and Strategic Priorities

**Ward:** Not Applicable

**Decision/Direction Required:** Approval of the Draft Privacy Management Policy

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

The City of St. John's committed to the Office of the Information and Privacy Commissioner (OIPC), in correspondence dated March 8, 2018 (see attached), to develop a Privacy Management Policy.

This policy and its procedures will establish controls for personal information; protect the personal information in the custody and/or under the control of the City; and protect the privacy of individuals. Once approved, it will provide the framework for a variety of privacy-related activities throughout the organization.

These activities include training all Councillors and employees who have access to personal information, protection of personal information and records, development of a City Personal Information Inventory, development of Preliminary Privacy Impact Assessments and Privacy Impact Assessments, and responding to privacy complaints and privacy breaches.

In addition to the draft policy, accompanying procedures are attached for your information only.

## **Key Considerations/Implications:**

1. Budget/Financial Implications  
There will be additional training required for all Councillors and all employees who have access to personal information, which may potentially result in overtime costs (for unionized employees).
2. Partners or Other Stakeholders  
The Office of the City Clerk has worked with OIPC during the development of the policy and procedures. The City also works with the Access to Information and Protection of Privacy Office and the OIPC in addressing privacy complaints and responding to privacy breaches.

3. Alignment with Strategic Directions/Adopted Plans  
This policy aligns with the “An Effective City” strategic direction of the City’s Strategic Plan 2019-2029.
4. Legal or Policy Implications  
As a public body, the City is governed by the Access to Information and Protection of Privacy Act, 2015 (ATIPPA). The Privacy Management Policy and procedures are designed to provide employees with the necessary framework to ensure compliance with the ATIPPA legislation. The Office of the City Solicitor has reviewed and approved the attached policy.
5. Privacy Implications  
The implementation of the policy and procedures will enhance the City’s protection of personal information and ensure the privacy of individuals.
6. Engagement and Communications Considerations  
The Office of the City Clerk engaged the OIPC and consulted with various internal stakeholders during the development of the policy.
7. Human Resource Implications  
The policy and related procedures will require all employees with access to personal information to participate in training and provide guidance to ensure work activities comply with ATIPPA.
8. Procurement Implications  
For any new or substantially modified project that accesses, collects, uses, discloses, or disposes of personal information, a Preliminary Privacy Impact Assessment will have to be completed and a Privacy Impact Assessment may have to be completed. This will apply to any procurement of goods or services involving personal information (e.g., cloud computing solutions).
9. Information Technology Implications  
Much of the personal information stored by the City is stored electronically and the Corporate Information Services Division will be a key stakeholder in ensuring personal information is appropriately protected.
10. Other Implications  
Not applicable

**Recommendation:** It is recommended that Council approve the draft Privacy Management Policy.

**Prepared by:** Trina Caines, Policy Analyst

**Approved by:** Senior Executive Committee;  
Elaine Henley, City Clerk, CPC Co-Chair;  
Roshni Antony, Manager - HR Advisory Services, CPC Co-Chair

**Attachments:** Letter to OIPC Commissioner, March 8, 2018  
Draft Privacy Management Policy  
Personal Information and Record Protection Procedures (for information only)  
Privacy Complaint Procedures (for information only)  
Privacy Assessment Procedures (for information only)  
Personal Information Bank and Inventory Procedures (for information only)

March 8, 2018

BY E-MAIL

Donovan F. Molloy, Q.C.  
Commissioner  
Office of the Information and Privacy Commissioner  
PO Box 13004  
Station A  
St. John's, NL A1B 3V8

Dear Mr. Molloy:

**Re: Report P-2018-001 in relation to Privacy Breach of December 3, 2017**

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Thank you for your letter dated February 22, 2018 in relation to the above noted matter. We have reviewed the report and agree with the recommendations contained therein.

The Department of Planning, Engineering & Regulatory Services has been cooperative with the ATIPP Coordinator in the provision of the required information that was submitted to your Office for your review. The City acknowledges that in relation to this incident there was some hostility expressed by a very small group of individuals towards a member of the Legal Department. The City, through its departmental managers and the Dept. of Human Resources will immediately address this matter with the employees involved.

However, it is important to note, that this incident is not reflective of the ongoing relationship between the Legal Department and the Department of Planning, Engineering & Regulatory Services. Both Departments work collaboratively and respectfully on a daily basis in relation to numerous planning and regulatory issues. The City continues to foster its values based on the following five tenets which are posted on the City's internal website for all employees to consider and reflect upon:

- **Continue to Do Things Better:** We will continue to find ways of doing things better with the aim to be the best we can be in the provision of programs and services. Improvements can be made when there is an understanding of how things are currently working. There is a commitment to learning, and continuous quality service delivery.
- **Be Innovative:** We will be agile, introduce and adopt new ideas, operating methods and new ways of delivering services. We will find ways of maximizing resources by engaging with citizens and employees, taking informed and managed risks and harnessing technology. In being innovative, change must be positive, decrease time and effort, increase efficiency and/or increase simplicity.
- **Create a Positive Environment:** By establishing policies, practices and protocols that support a healthy, safe and secure workplace we will develop a service-focused climate where employees and the public feel supported and secure.
- **Be Respectful:** A respectful environment nurtures a culture grounded in the principles of respect and service and advances policies and initiatives in support of that culture.
- **Take Ownership:** Taking ownership means taking responsibility and following through on responsibilities. We are motivated and take pride in our work and the work of the organization.

We are already in the process of implementing most of the recommendations outlined in your Report. With your assistance, the City of St. John's will provide privacy training to all employees who work with sensitive and private information and will continue to renew training on a yearly basis. The ATIPP Coordinator will work with the Office of the City Clerk and Policy Analyst to develop comprehensive policy around privacy matters. Privacy forms and other such forms will be developed and made available on the City's intranet for easy access. The Traffic Division is already in the process of renewing its Information Sharing Agreement with the Dept. of Motor Vehicle Registration, and we expect this to be finalized in the near future.

**ST. JOHN'S**

In conclusion, we wish to convey our appreciation for your guidance and assistance toward the implementation of privacy training. We will continue to work with you as well as our own staff to establish and foster a positive privacy culture throughout all City Departments.

Sincerely,

Elaine Henley  
City Clerk

**ST. JOHN'S**

## DRAFT – For Discussion Only

### City of St. John’s Corporate and Operational Policy Manual

<b>Policy Title:</b> Privacy Management Policy	<b>Policy #:</b> 01-04-02 (to be assigned)
<b>Last Revision Date:</b> N/A	<b>Policy Section:</b> Organization > Records and Information Management
<b>Policy Sponsor:</b> City Clerk	

#### 1. Policy Statement

As a public body, the City is governed by the Access to Information and Protection of Privacy Act, 2015 (ATIPPA). All Personal Information may only be collected, used, and/or disclosed in accordance with the provisions of ATIPPA.

The purpose of this policy is (i) to establish controls for Personal Information, (ii) to protect the Personal Information in the custody and/or under the control of the City, and (iii) to protect the privacy of individuals, including the right of individuals to determine for themselves when, how, and to what extent information about them is communicated to others.

#### 2. Definitions

**“Access to Information and Protection of Privacy Office”** (“ATIPP Office”) means the Access to Information and Protection of Privacy Office, Department of Justice and Public Safety, Government of Newfoundland and Labrador.

**“Department Head”** means any Employee reporting directly to the City Manager and/or Council.

**“Employee”** means any person employed by the City of St. John’s as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.

**“Information Sharing Agreement”** means a written agreement between parties that outlines the terms and conditions under which Personal Information is shared.

**“Office of the Information and Privacy Commissioner”** (OIPC) means the Office of the Information and Privacy Commissioner of Newfoundland and Labrador.

**“Personal Information”** shall have the same meaning as defined by Section 2(u) of ATIPPA, that is, “Recorded information about an identifiable individual, including:

- i. the individual's name, address or telephone number,
- ii. the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- iii. the individual's age, sex, sexual orientation, marital status or family status,
- iv. an identifying number, symbol or other particular assigned to the individual,
- v. the individual's fingerprints, blood type or inheritable characteristics,
- vi. information about the individual's health care status or history, including a physical or mental disability,
- vii. information about the individual's educational, financial, criminal or employment status or history,
- viii. the opinions of a person about the individual, and
- ix. the individual's personal views or opinions, except where they are about someone else.”

**“Personal Information Bank”** means Personal Information that is organized or retrievable by the name of an individual or by an identifying number, symbol, or other particular assigned to an individual.

**“Personal Information Inventory”** means an inventory of all of the City's Personal Information Banks.

**“Preliminary Privacy Impact Assessment”** (PPIA) means a preliminary assessment to identify the privacy implications of a City project, and to determine whether a Privacy Impact Assessment should be completed for a project.

**“Privacy Breach”** means unauthorized access, collection, use, disclosure, or disposal of Personal Information.

**“Privacy Impact Assessment”** (PIA) means an assessment to determine if a current or proposed project meets or will meet the requirements of ATIPPA.

**“Record”** shall have the same meaning as defined by Section 2(y) of the ATIPPA, that is, “a record of information in any form, including a dataset, information that is machine readable, written, photographed, recorded, or stored in any manner, but does not include a computer program or a mechanism that produced records on any storage medium.”

### **3. Policy Requirements**

#### **3.1 Education and Training**

All Members of Council and all Employees who have access to Personal Information shall complete training about ATIPPA, this policy, and applicable procedures as directed by the Access to Information and Protection of Privacy Coordinator (“ATIPP Coordinator”).

#### **3.2 Transparent Communication**

##### **3.2.1 Consent for Collection, Use, and Disclosure of Information**

The City shall not collect, use, or disclose Personal Information except in accordance with ATIPPA and the **Personal Information and Record Protection Procedures**, including obtaining appropriate consent from individuals as required by ATIPPA (unless legislation permits otherwise).

##### **3.2.2 Changes to Personal Information**

Should Employees receive requests to change or correct Personal Information, and they are lawfully able to make such changes, no further action is required. Otherwise, Employees shall direct the individual requesting the change to the ATIPP Coordinator.

Should Members of Council receive requests to change information, they shall direct the individual requesting the change to the ATIPP Coordinator.

The ATIPP Coordinator shall work with the individual and the appropriate department to address the issue.

### **3.3 Personal Information Protection, Retention, and Disposal**

Department Heads shall ensure appropriate safeguards are in place for personal information protection in accordance with the **Personal Information and Record Protection Procedures**. Records containing Personal Information shall be retained and disposed of in accordance with all applicable legislation and the Records and Information Management Policy (01-04-01).

### **3.4 Privacy-Related Complaints**

Any Members of Council or Employees receiving complaints regarding an individual's personal information use, collection, or disclosure shall immediately direct the individual to the ATIPP Coordinator. The ATIPP Coordinator shall respond to any such complaint in accordance with the **Privacy Complaint Procedures**.

### **3.5 Privacy Breaches**

A Member of Council or Employee who becomes aware of a Privacy Breach or potential Privacy Breach shall immediately report it to the ATIPP Coordinator.

Where a Privacy Breach occurs, the ATIPP Coordinator shall coordinate the City's response in accordance with the **Privacy Breach Protocol** established by the ATIPP Office, where applicable.

### **3.6 Privacy Assessment**

No new or substantially modified project involving the collection, use, or disclosure of Personal Information shall commence until a PPIA has been

completed and approved in accordance with the **Privacy Assessment Procedures**.

Where required by the ATIPP Coordinator, a PIA shall be completed prior to the commencement of the project in accordance with the **Privacy Assessment Procedures**.

### **3.7 Personal Information Inventory**

The ATIPP Coordinator shall develop and maintain a Personal Information Inventory (PII) in accordance with the **Personal Information Bank and Inventory Procedures**.

### **3.8 Information Sharing**

Personal Information shall only be shared where necessary, where required by legislation, and/or where consent has been obtained to share the information.

If Employees or departments plan to share Records containing Personal Information with any third parties (including sharing via cloud-based technology), they shall consult with the ATIPP Coordinator **prior to sharing**.

No Personal Information in the custody and/or under the control of the City shall be disclosed to a third party unless an Information Sharing Agreement has been approved by the ATIPP Coordinator and the Office of the City Solicitor, and entered into between the City and that third party.

## **4. Application**

This policy applies to (i) all Members of Council; (ii) all Employees; and (iii) all Personal Information in the custody and/or under the control of the City of St. John's.

## **5. Responsibilities**

**5.1 City Clerk** (as the designated “head of the public body”) is responsible for:

- a) Administration and implementation of this Policy and associated Procedures; and
- b) Approval of PIAs.

**5.2 The ATIPP Coordinator is responsible for:**

- a) Implementing the policy requirements;
- b) Developing and managing procedures, guidelines, and templates;
- c) Providing support (including training) to Department Heads and Employees;
- d) Monitoring and reviewing policy compliance;
- e) Investigating Privacy Breaches; and
- f) Consulting with the ATIPP Office and the OIPC when appropriate.

**5.3 All Members of Council** are responsible for:

- a) Complying with this policy and associated procedures; and
- b) Completing all training related to this policy and associated procedures as directed by the ATIPP Coordinator.

**5.4 All Employees** are responsible for:

- a) Complying with this policy and associated procedures;
- b) Ensuring that when determining whether to change, collect, use, or disclose personal information that they consult with their supervisor or the ATIPP Coordinator as required; and
- c) Completing all training related to this policy and associated procedures as directed by the ATIPP Coordinator.

**5.5 All managers who supervise staff** are responsible for, in addition to the duties in Section 5.4:

- a) Ensuring that Employees under their supervision complete all training related to this policy and associated procedures, as directed by the ATIPP Coordinator; and
- b) Ensuring that Employees under their supervision comply with this policy and associated procedures.

**5.6 Department Heads** are responsible for, in addition to the duties in sections 5.4 and 5.5:

- a) Ensuring that this policy and associated procedures are communicated to all Employees in their respective departments; and
- b) Ensuring their departments comply with this policy and associated procedures.

## **6. References**

- [Access to Information and Protection of Privacy Act, 2015](#) (ATIPPA)
- [Protection of Privacy Policy and Procedures Manual](#), (includes Privacy Breach Protocol), ATIPP Office
- 01-04-02-01 Personal Information and Record Protection Procedures
- 01-04-02-02 Privacy Complaint Procedures
- 01-04-02-03 Privacy Assessment Procedures
- 01-04-02-04 Personal Information Bank and Inventory Procedures
- [01-04-01 Records and Information Management Policy](#)

## **7. Approval**

Policy Sponsor: City Clerk

Policy Writer: Policy Analyst

Date of Approval from:

Corporate Policy Committee: September 20, 2018

Senior Executive Committee: May 24, 2019  
Committee of the Whole:  
Date of Approval from Council:

## **8. Monitoring and Contravention**

The Office of the City Clerk shall monitor the application of this policy.

Any contravention of this policy and/or associated procedures shall be reported to the Department of Human Resources, the Office of the City Solicitor, the City Manager, and/or the OIPC for further investigation and appropriate action, which may include, but is not limited to legal action and discipline, including dismissal.

## **9. Review Date**

Every 3 years

## DRAFT – For Discussion Only

### City of St. John’s Corporate and Operational Policy Manual

<b>Procedure Title:</b> Personal Information and Record Protection Procedures	
<b>Authorizing Policy:</b> Privacy Management Policy	
<b>Procedure #:</b> 01-04-02-01 (to be assigned)	
<b>Last Revision Date:</b> N/A	<b>Procedure Sponsor:</b> City Clerk

#### 1. Procedure Statement

This procedure outlines the City’s specific requirements for collecting, using, disclosing, and protecting Personal Information. These requirements ensure the City has appropriate safeguards that will support transparent and informed consent and protect Personal Information against loss or theft, as well as unauthorized access, disclosure, copying, use, modification, or disposal.

#### 2. Definitions

“**Department Head**” means any Employee reporting directly to the City Manager and/or Council.

“**Office of the Information and Privacy Commissioner**” (OIPC) means the Office of the Information and Privacy Commissioner of Newfoundland and Labrador.

“**Personal Information**” shall have the same meaning as defined by Section 2(u) of ATIPPA, that is, “Recorded information about an identifiable individual, including:

- i. the individual's name, address or telephone number,
- ii. the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- iii. the individual's age, sex, sexual orientation, marital status or family status,

- iv. an identifying number, symbol or other particular assigned to the individual,
- v. the individual's fingerprints, blood type or inheritable characteristics,
- vi. information about the individual's health care status or history, including a physical or mental disability,
- vii. information about the individual's educational, financial, criminal or employment status or history,
- viii. the opinions of a person about the individual, and
- ix. the individual's personal views or opinions, except where they are about someone else.”

“**Record**” shall have the same meaning as defined by Section 2(y) of the ATIPPA, that is, “a record of information in any form, including a dataset, information that is machine readable, written, photographed, recorded, or stored in any manner, but does not include a computer program or a mechanism that produced records on any storage medium.”

### **3. Procedure Requirements**

#### **3.1 Collection of Personal Information**

The City shall only collect Personal Information that is required to administer its programs and services, or to comply with municipal, provincial, or federal legislation. Such collection shall be limited to the minimum amount of information necessary to accomplish the purpose for which it is collected.

When collecting Personal Information, Employees shall collect Personal Information directly from the individual to whom the information relates, with limited exceptions as authorized by ATIPPA and:

- a) Prior to collection and use, or at the time of collection, provide notice or obtain the necessary consent as prescribed by the ATIPPA. Consent shall be in writing, where possible;
  - b) Inform individual(s) of the legal authority under which the information is being collected. This information shall be included on all City forms where Personal Information is being collected;
  - c) State the purpose(s) for which the Personal Information is to be used;
- and

- d) Provide the title, business address, and business telephone number of an Employee who can answer questions about the Personal Information collection.

To support the commitment to transparent and informed consent, revisions to existing forms and all new forms shall be forwarded to the ATIPP Coordinator prior to being implemented.

### **3.2 Protection of Personal Information**

Department Heads shall oversee the development and implementation of a Records Safeguard Plan to support appropriate safeguards for departmental Records (including electronic Records) containing Personal Information, including any Records managed by third parties.

The ATIPP Coordinator shall provide Department Heads with a Records Safeguard Plan template. Department Heads shall provide the ATIPP Coordinator with their department's completed plan, which shall include:

- a) A description of the administrative, technical, access control, and physical safeguards in place for departmental Records containing personal information.
- b) A description of any deficiencies in existing safeguards and plans to mitigate them.

Additional information is available in the **Records Safeguard Plan Guidelines**. If requested, the ATIPP Coordinator shall work with the departmental staff to support the development of the plan. The ATIPP Coordinator may follow up with the Department Head if other deficiencies beyond those identified are apparent upon review of the plan.

A revised and updated Records Safeguard Plan shall be completed as directed by the ATIPP Coordinator.

#### **3.2.1 Protection of Privacy Standards**

To ensure appropriate protection of privacy, the following minimum standards shall apply. There may be other requirements identified during the development of the Records Safeguard Plan that are necessary to appropriately protect departmental/divisional information.

- a) Accessing Personal Information shall be restricted to only those Employees requiring access to carry out their duties.
- b) Personal Information shall not be disclosed to members of the public, Members of Council, or other Employees (outside of its intended use) without the consent of the individual to whom the information relates, or in accordance with legislation.
- c) Personal Information shall not be discussed in public areas where it may be overheard by others who are not authorized to have such information.
- d) Individuals shall lock computer screens when not in use and shall ensure physical Records containing Personal Information are secure when not in use.
- e) Records containing Personal Information shall not be removed from City worksites, unless required to complete duties and responsibilities of the position.
- f) If documents are opened or reviewed in public places, the Personal Information contained in the Records shall be protected unless otherwise authorized.
- g) System, software, and/or email passwords allowing access to Personal Information shall not be shared or disclosed to others.
- h) Cabinets or storage locations containing Personal Information or confidential information shall be secured at the end of each day or when not in use.
- i) External storage devices, such as USB sticks or external drives, shall be appropriately protected by being locked in a drawer or cabinet and/or being password encrypted.
- j) Keys to secure storage areas shall not be left in open places.
- k) Documents containing Personal Information or confidential information shall be retrieved from printers or fax machines in a timely manner.
- l) Destruction of Personal Information shall be done by placing such documents in secure shredding bins or erasing digital storage devices. Records or digital storage devices shall not be placed in the garbage or in regular recycling bins.
- m) When a meeting is completed, all Personal Information or confidential materials shall be removed from the room, erased from boards and flipcharts, and all users shall sign out of computers.
- n) Records containing Personal Information stored on shared computer networks shall be restricted to secure directories providing access only to authorized individuals.

## 4. Application

This procedure applies to (i) all Members of Council; (ii) all Employees; and (iii) all Records containing Personal Information in the custody and/or under the control of the City of St. John's.

## 5. Responsibilities

### 5.1 ATIPP Coordinator is responsible for:

- a) Providing Department Heads with a Records Safeguard Plan template and providing support, as requested, for plan completion; and
- b) Monitoring departmental plan commitments for any mitigation measures.

### 5.2 All Members of Council and all Employees are responsible for:

- a) Safeguarding the privacy and security of information in the workplace and when working remotely.

### 5.3 Department Heads are responsible for, in addition to the duties noted in Section 5.2:

- a) Ensuring there are appropriate security arrangements for Personal Information in their department's custody;
- b) Providing the ATIPP Coordinator with their department's completed Records Safeguard Plan; and
- c) Ensuring commitments for any mitigation measures are implemented.

## 6. References

- [Access to Information and Protection of Privacy Act, 2015](#)
- 01-04-02 Privacy Management Policy
- Records Safeguard Plan Guidelines

## **7. Approval**

- Procedure Sponsor: ATIPP Coordinator
- Procedure Writer: ATIPP Coordinator / Policy Analyst
- Date of Approval from:
  - Corporate Policy Committee: November 13, 2018
  - Senior Executive Committee: May 24, 2019

## **8. Monitoring and Contravention**

The ATIPP Coordinator shall monitor the application of this procedure.

Any contravention of the procedure shall be brought to the attention of the Department of Human Resources, the Office of the City Solicitor, the City Manager, and/or the OIPC for further investigation and appropriate action, which may include, but is not limited to legal action and discipline, including dismissal.

## **9. Review Date**

Every 3 years

## DRAFT – For Discussion Only

### City of St. John’s Corporate and Operational Policy Manual

<b>Procedure Title:</b> Privacy Complaint Procedures	
<b>Authorizing Policy:</b> Privacy Management Policy	
<b>Procedure #:</b> 01-04-02-02 (to be assigned)	
<b>Last Revision Date:</b> N/A	<b>Procedure Sponsor:</b> City Clerk

#### 1. Procedure Statement

Any individual who believes that there has been unauthorized access, collection, use, disclosure, or disposal of their Personal Information in the custody or under the control of the City may file a privacy complaint. This procedure outlines the privacy complaint process.

Note: This relates to individuals making a complaint about their own Personal Information. Any Member of Council or Employee who becomes aware of a Privacy Breach (unauthorized access, collection, use, disclosure, or disposal of Personal Information) or potential Privacy Breach, shall consult Section 3.5 (Privacy Breaches) of the Privacy Management Policy for appropriate direction.

#### 2. Definitions

**“Employee”** means any person employed by the City of St. John’s as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.

**“Department Head”** means any Employee reporting directly to the City Manager and/or Council.

**“Office of the Information and Privacy Commissioner”** (OIPC) means the Office of the Information and Privacy Commissioner of Newfoundland and Labrador.

**“Personal Information”** shall have the same meaning as defined by Section 2(u) of ATIPPA, that is, “Recorded information about an identifiable individual, including:

- i. the individual's name, address or telephone number,
- ii. the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- iii. the individual's age, sex, sexual orientation, marital status or family status,
- iv. an identifying number, symbol or other particular assigned to the individual,
- v. the individual's fingerprints, blood type or inheritable characteristics,
- vi. information about the individual's health care status or history, including a physical or mental disability,
- vii. information about the individual's educational, financial, criminal or employment status or history,
- viii. the opinions of a person about the individual, and
- ix. the individual's personal views or opinions, except where they are about someone else.”

**“Privacy Breach”** means unauthorized access, collection, use, disclosure, or disposal of Personal Information.

### **3. Procedure Requirements**

All privacy complaints shall be directed to the Access to Information and Protection of Privacy Coordinator (“ATIPP Coordinator”). The person making the complaint (“the complainant”) may contact the ATIPP Coordinator directly in person, by phone, or email, or by submitting a written complaint using the Privacy Complaint Form, available on the City’s website or via the Citizen Service Centre.

Following receipt of a privacy complaint, the ATIPP Coordinator shall:

- a) Send an acknowledgment letter to the complainant.
- b) Communicate with the complainant to obtain clarification/additional information, as required.
- c) Conduct a review of the complaint and investigate the complaint, where necessary. The complainant's name will be held in confidence

and disclosed only if necessary to investigate and/or resolve the complaint.

- d) Respond to the complainant detailing a resolution within 30 business days of receipt of the privacy complaint.
- e) Advise the complainant that if they are unsatisfied with the resolution, they may file a complaint with the OIPC.
- f) Follow up with the department(s) involved to ensure any corrective or remedial measures are in place, as required.

#### **4. Application**

This procedure applies to (i) all individuals who have Personal Information collected, used, retained, disclosed, and/or disposed of by the City and are making a privacy complaint, (ii) all Members of Council, and (iii) all Employees.

#### **5. Responsibilities**

##### **5.1 ATIPP Coordinator is responsible for:**

- a) Managing the Privacy complaint process;
- b) Working with department(s) involved to ensure corrective or remedial measures are in place, where necessary; and
- c) Advising complainants of their right to file a complaint with the OIPC.

##### **5.2 Members of Council and Employees are responsible for:**

- a) Providing any necessary information to the ATIPP Coordinator to aid any privacy complaint investigation.

##### **5.3 Department Heads are responsible for:**

- a) Ensuring corrective or remedial measures to address privacy complaints are in place, where necessary.

## 6. References

- [Access to Information and Protection of Privacy Act, 2015](#)
- Privacy Management Policy

## 7. Approval

- Procedure Sponsor: ATIPP Coordinator
- Procedure Writer: ATIPP Coordinator / Policy Analyst
- Date of Approval from:
  - Corporate Policy Committee: November 13, 2018
  - Senior Executive Committee: May 24, 2019

## 8. Monitoring and Contravention

The ATIPP Coordinator shall monitor the application of this procedure.

Any contravention of these procedures shall be brought to the attention of the Department of Human Resources, the Office of the City Solicitor, the City Manager, and/or the OIPC for further investigation and appropriate action, which may include, but is not limited to legal action and discipline, including dismissal.

## 9. Review Date

Every 3 years

## DRAFT – For Discussion Only

### City of St. John’s Corporate and Operational Policy Manual

<b>Procedure Title:</b> Privacy Assessment Procedures (PPIA and PIA)	
<b>Authorizing Policy:</b> Privacy Management Policy	
<b>Procedure #:</b> 01-04-02-03 (to be assigned)	
<b>Last Revision Date:</b> N/A	<b>Procedure Sponsor:</b> City Clerk

#### 1. Procedure Statement

This document provides information to assist Employees in developing a Preliminary Privacy Impact Assessment (PPIA), and if required, a Privacy Impact Assessment (PIA).

#### 2. Definitions

“**Department Head**” means any Employee reporting directly to the City Manager and/or Council.

“**Employee**” means any person employed by the City of St. John’s as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.

“**Office of the Information and Privacy Commissioner**” (OIPC) means the Office of the Information and Privacy Commissioner of Newfoundland and Labrador.

“**Personal Information**” shall have the same meaning as defined by Section 2(u) of ATIPPA, that is, “Recorded information about an identifiable individual, including:

- i. the individual's name, address or telephone number,
- ii. the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,

- iii. the individual's age, sex, sexual orientation, marital status or family status,
- iv. an identifying number, symbol or other particular assigned to the individual,
- v. the individual's fingerprints, blood type or inheritable characteristics,
- vi. information about the individual's health care status or history, including a physical or mental disability,
- vii. information about the individual's educational, financial, criminal or employment status or history,
- viii. the opinions of a person about the individual, and
- ix. the individual's personal views or opinions, except where they are about someone else.”

**“Preliminary Privacy Impact Assessment”** means a preliminary assessment to identify the privacy implications of a City project, and to determine whether a Privacy Impact Assessment should be completed for a project.

**“Privacy Impact Assessment”** means an assessment to determine if a current or proposed project meets or will meet the requirements of ATIPPA.

**“Program Manager”** means anyone responsible for leading the development and/or implementation of any new or substantially modified City project that accesses, collects, uses, discloses, or disposes of Personal Information.

### **3. Procedure Requirements**

#### **3.1 Preliminary Privacy Impact Assessments**

All PPIAs shall use the City PPIA Template, available via the City intranet.

For any new or substantially modified project that accesses, collects, uses, discloses, or disposes of Personal Information, the responsible Program Manager shall complete a PPIA and forward it to the Access to Information and Protection of Privacy Coordinator (“ATIPP Coordinator”) **prior to advancing** any direction/decision notes for approval. If no direction/ decision

note is required, the PPIA shall be completed and forwarded to the ATIPP Coordinator prior to implementation of the program or project.

Further information on completing a PPIA is detailed in the **Privacy Assessment Guidelines**. If requested, the ATIPP Coordinator shall work with the Program Manager to assist in completing the PPIA.

The ATIPP Coordinator shall complete a risk analysis and shall provide the Program Manager with a report. The report shall advise whether the project is approved, conditionally approved with recommendations, requires more analysis, and/or requires a PIA.

The information from this report and/or subsequent PIA report shall be noted in the "Privacy Considerations" section of the direction/decision note, if one is required.

The ATIPP Coordinator shall follow up with the Program Manager on the implementation of any recommendations within the timeframe specified in the report.

If the ATIPP Coordinator advises that a PIA is required, a PIA shall be completed, in collaboration with the ATIPP Coordinator, **prior to the start** of the proposed program or project.

The completion of a PIA shall comply with the procedures in Section 3.2.

### **3.2 Privacy Impact Assessments**

All PIAs shall use the City's PIA Template, available via the City intranet.

When the ATIPP Coordinator advises that a PIA is required, the Program Manager and the ATIPP Coordinator shall establish a timeline for the development of the PIA. Further information on completing a PIA is detailed in the **Privacy Assessment Guidelines**.

The PIA development team shall include, but is not limited to the following members:

- a) Program Manager

- b) ATIPP Coordinator
- c) IT representative for projects with IT elements (e.g., website, database, etc.)
- d) Solicitor

The Program Manager for the project shall lead the completion of the PIA with support and input from the other team members. The ATIPP Coordinator shall review the document and complete the risk analysis and recommendations sections of the PIA.

Once the PIA is completed, it shall be submitted to the City Clerk for final approval. Following approval, the ATIPP Coordinator shall monitor the project at prescribed times to ensure any recommendations in the PIA have been implemented.

#### **4. Application**

This procedure applies to any new or substantially modified project involving Personal Information that is under the custody and/or under the control of the City, including (i) those developed by external contractors and/or consultants and (ii) offsite electronic systems (e.g., cloud solutions).

#### **5. Responsibilities**

##### **5.1 ATIPP Coordinator is responsible for:**

- a) Reviewing PPIAs and providing feedback in a timely manner;
- b) Assisting in the development of PPIAs when requested;
- c) Working with Program Managers and the PIA team to complete any required PIAs;
- d) Providing analysis and recommendations of PIAs for the City Clerk's review;
- e) Monitoring projects with PPIAs and PIAs to ensure any recommendations have been appropriately implemented; and
- f) Advising the City Clerk if there are issues with the implementation of PPIA and/or PIA recommendations.

## 5.2 Program Manager is responsible for:

- a) Completing PPIAs when required and forwarding them to the ATIPP Coordinator prior to advancing any related direction/decision notes for approval, or otherwise, prior to implementation of the project;
- b) Working with the ATIPP Coordinator and the PIA team to complete any required PIAs prior to implementation of the project; and
- c) Implementing any recommendations resulting from PPIAs and/or PIAs.

## 5.3 Department Heads are responsible for:

- a) Ensuring that Program Managers in their department (including any external consultants/contractors) complete required PPIAs and PIAs and include the appropriate information in direction/decision notes; and
- b) Ensuring that PPIA and PIA recommendations are incorporated into the applicable project.

## 5.4 City Clerk is responsible for:

- a) Reviewing and approving/rejecting completed PIAs.

## 6. References

- [Access to Information and Protection of Privacy Act, 2015](#)
- Privacy Management Policy
- Privacy Assessment Guidelines

## 7. Approval

- Procedure Sponsor: ATIPP Coordinator
- Procedure Writer: ATIPP Coordinator / Policy Analyst
- Date of Approval from:
  - Corporate Policy Committee: November 13, 2018
  - Senior Executive Committee: May 24, 2019

## **8. Monitoring and Contravention**

The ATIPP Coordinator shall monitor the application of this procedure.

Any contravention of the procedure may be brought to the attention of the Department of Human Resources, the Office of the City Solicitor, the City Manager, and/or the OIPC for further investigation and potential follow up disciplinary or legal action, including dismissal.

## **9. Review Date**

Every 3 years

DRAFT

## DRAFT – For Discussion Only

### City of St. John’s Corporate and Operational Policy Manual

<b>Procedure Title:</b> Personal Information Bank and Inventory Procedures	
<b>Authorizing Policy:</b> Privacy Management Policy	
<b>Procedure #:</b> 01-04-02-04 (to be assigned)	
<b>Last Revision Date:</b> N/A	<b>Procedure Sponsor:</b> City Clerk

#### 1. Procedure Statement

This document provides information to assist Employees in identifying and reporting Personal Information Banks (PIBs) and for the Access to Information and Protection of Privacy Coordinator (“ATIPP Coordinator”) to develop and maintain the City’s Personal Information Inventory.

#### 2. Definitions

“**Central Department Contact**” means an Employee identified by the Department Head to be the liaison between the department’s divisions and the ATIPP Coordinator.

“**Department Head**” means any Employee reporting directly to the City Manager and/or Council.

“**Employee**” means any person employed by the City of St. John’s as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.

“**Office of the Information and Privacy Commissioner**” (OIPC) means the Office of the Information and Privacy Commissioner of Newfoundland and Labrador.

**“Personal Information”** shall have the same meaning as defined by Section 2(u) of ATIPPA, that is, “Recorded information about an identifiable individual, including:

- i. the individual's name, address or telephone number,
- ii. the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- iii. the individual's age, sex, sexual orientation, marital status or family status,
- iv. an identifying number, symbol or other particular assigned to the individual,
- v. the individual's fingerprints, blood type or inheritable characteristics,
- vi. information about the individual's health care status or history, including a physical or mental disability,
- vii. information about the individual's educational, financial, criminal or employment status or history,
- viii. the opinions of a person about the individual, and
- ix. the individual's personal views or opinions, except where they are about someone else.”

**“Personal Information Bank”** means Personal Information that is organized or retrievable by the name of an individual or by an identifying number, symbol, or other particular assigned to an individual.

**“Personal Information Inventory”** means an inventory of all of the City's Personal Information Banks.

### **3. Procedure Requirements**

#### **3.1 Preliminary Listing**

Within each department, each division shall identify the collections of Personal Information it has in its custody. Once these are identified, each division shall develop a preliminary list with the name of each potential PIB to be reviewed to confirm whether each collection meets the three criteria for a PIB:

- a) It contains “Personal Information.”
- b) It takes the form of a “collection.”

- c) It is “organized or retrievable by the name or an identifying number, symbol or other particular assigned to an individual.”

This list shall be provided to a Central Department Contact as designated by the Department Head. The ATIPP Coordinator shall work with the Central Department Contact to review the preliminary list.

Additional guidance on PIB development is available in the **Personal Information Bank and Inventory Guide** document.

### 3.2 Detailed Personal Information Bank Information

The Central Department Contact shall advise divisions which items on their preliminary lists meet PIB criteria. For each PIB, divisions shall provide:

- a) **Name of the PIB:** Description of the PIB that reflects the information contained.
- b) **Location:** A list of all the locations (department and/or division) where the information is maintained. This may also include other offices that have copies of the PIB in their custody.
- c) **Legal authority:** A list of the specific legal authority for the collection of the Personal Information. This may be a statute or a regulation. If more than one legal authority exists, all shall be listed.
- d) **Contents:** A description of the contents of the PIB and the types of Personal Information contained within.
- e) **How the information is used:** A description of the purpose for which the Personal Information was collected or compiled and how it is used or disclosed. All current uses of the information by the City or other authorized individuals/organizations shall also be listed. This includes authorized consistent uses, other permitted disclosures, and authorized information exchanges.
- f) **Who is authorized to use the information:** A list of the types of PIB users.
- g) **Retention and disposal:** Information on the applicable retention and disposal schedules for the records in the PIB.

The PIB information shall be provided in the format specified and within the timeframe specified by the ATIPP Coordinator.

### **3.3 Personal Information Inventory**

Following receipt of all departmental PIB listings, the ATIPP Coordinator shall develop a single Personal Information Inventory (PII) for publication on the City's website.

The Inventory shall be reviewed and updated as directed by the ATIPP Coordinator.

## **4. Application**

This procedure applies to all City departments and divisions with collections of Personal Information.

## **5. Responsibilities**

### **5.1 ATIPP Coordinator is responsible for:**

- a) Managing the PII and PIB process; and
- b) Providing direction and support to departments and individual divisions (as required) to facilitate the development of departmental PIB listings.

### **5.2 Department Heads are responsible for:**

- a) Designating a Central Department Contact for the PIB process; and
- b) Ensuring departmental information is provided to the ATIPP Coordinator within the required timelines.

### **5.3 Central Department Contacts are responsible for:**

- a) Working with Division Managers to develop preliminary lists of potential PIBs and then developing full detailed PIB listings for each division; and
- b) Ensuring departmental information is provided to the ATIPP Coordinator within the required timelines.

#### **5.4 Division Managers are responsible for:**

- a) Working with the Central Department Contact to develop the division's preliminary list of potential PIBs and the full detailed division PIB listing; and
- b) Ensuring divisional information is provided to the Central Department Contact within the required timelines.

#### **6. References**

- [Access to Information and Protection of Privacy Act, 2015](#)
- Privacy Management Policy
- Personal Information Bank and Inventory Guide

#### **7. Approval**

- Procedure Sponsor: ATIPP Coordinator
- Procedure Writer: ATIPP Coordinator / Policy Analyst
- Date of Approval from:
  - Corporate Policy Committee: November 13, 2018
  - Senior Executive Committee: May 24, 2019

#### **8. Monitoring and Contravention**

The ATIPP Coordinator shall monitor the application of this procedure.

Any contravention of the procedure may be brought to the attention of the Department of Human Resources, the Office of the City Solicitor, the City Manager, and/or the OIPC for further investigation and potential follow up disciplinary or legal action, up to and including dismissal.

#### **9. Review Date**

Every 3 years

**Built Heritage Experts Panel**  
**Report for Committee of the Whole**

**Date:** May 15, 2019  
**Time:** 12:00 pm  
**Location:** 4th Floor, City Hall

Members Present Glenn Barnes, Chairperson  
Bruce Blackwood, Contractor  
Garnet Kindervater, Contractor  
Rachel Fitkowski, Landscape Architect  
Mark Whalen, Architecture  
Robert Sweeny, Historian  
Ken O'Brien, Chief Municipal Planner  
Ann Marie Cashin, Heritage and Urban Planner  
Rob Schamper, Technical Advisor  
Maureen Harvey, Legislative Assistant  
Shanna Fitzgerald, Legislative Assistant

Regrets: Dawn Boutilier, Planner

**Heritage Financial Grants**

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It was agreed that the Panel would review and consider a decision note regarding the Heritage Financial Grants by way of an e-poll. If approved by the Panel, the matter will be referred to Committee of the Whole.

Majority of Panel Members have subsequently agreed with the recommendation in the Decision Note and the following recommendation is put forward:

**Recommendation**

**To approve the fifteen (15) grant applications as summarized in the attached table subject to compliance with the requirements of the Heritage Financial Incentives Grant Program and City's heritage requirements.**

**To set a portion of the total Heritage Grants Program budget toward Heritage Maintenance Grants. If the total budget remains \$50,000 then \$10,000 for the Heritage Maintenance Grants is recommended, starting in 2020.**

Address	Type of Grant	Description	Quote (HST Inc)	25% of quote to a maximum \$1,000 (Maintenance Grant) or \$5,000 (Conservation Grant)
<b>51 Bannerman Street</b> Heritage Area 3	Heritage Conservation Grant	New clapboard, windows, doors and trim. Replacing vinyl siding with clapboard.	\$6,000.00	\$1,500.00
<b>99 Cabot Street</b> Heritage Area 3	Heritage Conservation Grant	Replaced clapboard, windows and bay windows.	\$74,248.60	\$5,000.00
<b>14 Chapel Street</b> Heritage Area 2	Heritage Conservation Grant	New clapboard, 3 windows, door and trim. Replacing vinyl siding with clapboard.	\$13,249.15	\$3,312.29
<b>7 Charleton Street</b> Heritage Area 3	Heritage Conservation Grant	New clapboard, windows and door. Replacing vinyl siding with clapboard and non-heritage style windows with single-hung.	\$15,000.00	\$3,750.00
<b>58 Circular Road</b> Designated Heritage Building Heritage Area 1	Heritage Conservation Grant	Replaced dormer and roofing shingles.	\$10,915.80	\$2,728.95
<b>65 Colonial Street</b> Heritage Area 3	Heritage Conservation Grant	New clapboard, windows and doors. Replacing non-heritage style windows with single-hung.	\$12,265.90	\$3,066.48
<b>358 Duckworth Street</b> Heritage Area 2	Heritage Conservation Grant	Installed new clapboard, windows and trim.	\$20,700.00	\$5,000.00
<b>46 Hayward Avenue</b> Heritage Area 3	Heritage Conservation Grant	Replaced metal siding with new clapboard, windows and trim.	\$13,788.50	\$3,447.13
<b>20 Mayor Avenue</b> Heritage Area 3	Heritage Conservation Grant	Replaced clapboard, windows and trim.	\$14,827.77	\$3,706.94
<b>85 Military Road</b> Designated Heritage Building Heritage Area 2	Heritage Conservation Grant	Installed new clapboard, restored corbels, lintels and other decorative details, repaired mansard roof.	\$55,159.75	\$5,000.00

<b>36 Monkstown Road</b> Designated Heritage Building Heritage Area 2	Heritage Maintenance Grant	Repairs to 3 dormers and chimneys.	\$8,929.75	\$1,000.00
<b>43 Monkstown Road</b> Designated Heritage Building Heritage Area 2	Heritage Conservation Grant	Refurbishing wood windows and installing wood storm windows. New clapboard and gutters	\$8,229.91	\$2,057.48
<b>21 Queen's Road</b> Heritage Area 2	Heritage Conservation Grant	Replacing clapboard and trims.	\$60,000.00	\$5,000.00
<b>22 Walsh's Square</b> Heritage Area 3	Heritage Conservation Grant	Replacing non-heritage style windows with single-hung and trims. Replacing roof shingles.	\$17,666.30	\$4,416.58
<b>196 Water Street</b> Designated Heritage Building Heritage Area 1	Heritage Maintenance Grant	Cleaning brick and replacing windows.	\$18,000.00	\$1,000.00
<b>TOTAL</b>				<b>\$49,985.85</b>

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Glenn Barnes  
Chairperson

# DECISION/DIRECTION NOTE

Through an E-vote, the majority of BHEP members are in agreement with the recommendation contained in this Decision Note - June 5, 2019

**Title:** 2019 Heritage Grant Applications  
**Date Prepared:** May 22, 2019  
**Report To:** Chair and Members, Built Heritage Experts Panel  
**Councillor & Role:** Councillor Maggie Burton, Planning and Development Lead  
**Ward:** All

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**Decision/Direction Required:** To seek approval of the grant applications as summarized in the attached tables, subject to compliance with the requirements of the Heritage Financial Incentives Program.

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

Council approved the City's Heritage Financial Incentives Program on July 25, 2016 and offers two types of grants:

1. Heritage Maintenance Grant; and
2. Heritage Conservation Grant.

The City has received thirty-eight (38) applications for the 2019 Grant program, which is a large increase compared to other years the program was offered. In past years, the number of applications received ranged from seven (7) to fourteen (14). The increase in 2019 is due in part to increased promotion, as well as the program becoming more well-known as we enter its fourth year.

Due to the number of applications received, this year the requests for funding exceed the City's budget for this program. The applications have been prioritized based on the High, Medium and Low Priority descriptions listed below:

- High Priority – consist of designated Heritage Buildings, first-time applications, and projects that include the preservation, restoration and weatherproofing of historic elements rather than cosmetic improvements.
- Medium Priority – consist of restoration/conservation projects that bring the building closer into compliance with the City's Heritage provisions.
- Low Priority – consist of maintenance and construction work that does not significantly bring the building closer into compliance with the City's Heritage provisions.

All applications have been assessed and prioritized and the fifteen (15) applications listed in the attached table are recommended for approval, for an estimated total of \$49,985.85 plus permit waiver in grants.

# ST. JOHN'S

As the priorities place a greater preference on conservation over maintenance, this year the only Heritage Maintenance Grants recommended for approval are for designated Heritage Buildings. As the maintenance and upkeep of buildings in Heritage Areas generally have additional costs, it is recommended that Council consider setting a portion of the total program budget aside for Heritage Maintenance Grants. Starting next year, for example, if the budget is \$50,000 for the entire program, then \$40,000 could go toward Heritage Conservation Grants and the remaining \$10,000 could go toward Heritage Maintenance Grants. This year, if all applicants were to receive a grant, the Heritage Maintenance Grants would have totalled approximately \$15,800 and the Heritage Conservation Grants would have totalled approximately \$67,000, for a total of \$82,800.

**Key Considerations/Implications:**

1. Budget/Financial Implications:

The City budgeted \$50,000 in the 2019 Budget. Fifteen (15) grant applications are recommended for approval for a total of \$49, 985.85 plus waiver of the permit fees.

Council should note that applicants are given two (2) years to complete the work listed in the grant application. Currently, there is approximately \$27,000 in outstanding grants to be claimed that were issued in the 2017 and 2018 Grant Programs. Work from the 2017 Grant program will need to be completed and proof submitted to the City on or before the grant expiry date of July 11, 2019.

2. Partners or Other Stakeholders:

The City will partner with property owners through the Heritage Financial Incentive Program.

3. Alignment with Strategic Directions/Adopted Plans:

*A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.

4. Legal or Policy Implications: Not applicable.

5. Engagement and Communications Considerations: Not applicable.

6. Human Resource Implications: Not applicable.

7. Procurement Implications: Not applicable.

8. Information Technology Implications: Not applicable.

9. Other Implications: Not applicable.

**Recommendation:**

1. To approve the fifteen (15) grant applications as summarized in the attached table subject to compliance with the requirements of the Heritage Financial Incentives Grant Program and the City's heritage requirements.
2. To set a portion of the total Heritage Financial Grants Program budget toward Heritage Maintenance Grants. If the total budget remains \$50,000 then \$10,000 for the Heritage Maintenance Grants is recommended, starting next year.

**Prepared by/Signature:**

Ann-Marie Cashin, MCIP – Planner III, Urban Design and Heritage

Signature: \_\_\_\_\_

**Approved by/Date/Signature:**

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: \_\_\_\_\_

AMC/dlm

**Attachments:**

Location of Applications  
Grant Application Summary Table  
Heritage Financial Incentives Program Terms

**51 Bannerman Street**  
Heritage Area 3



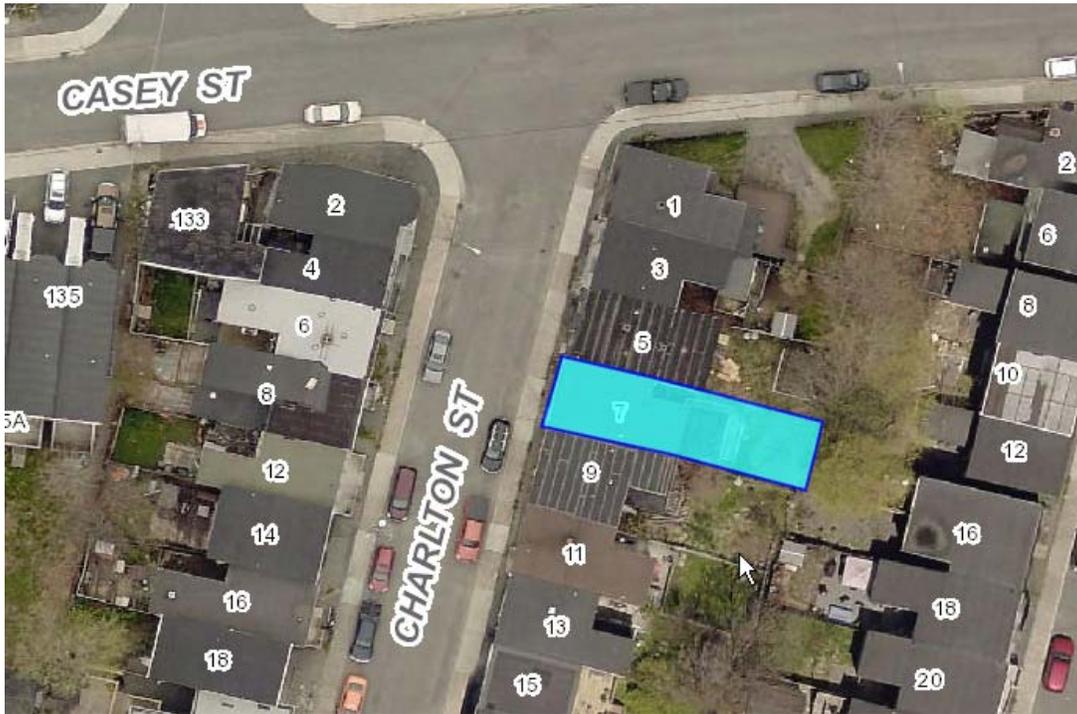
**99 Cabot Street**  
Heritage Area 3



**14 Chapel Street**  
Heritage Area 2



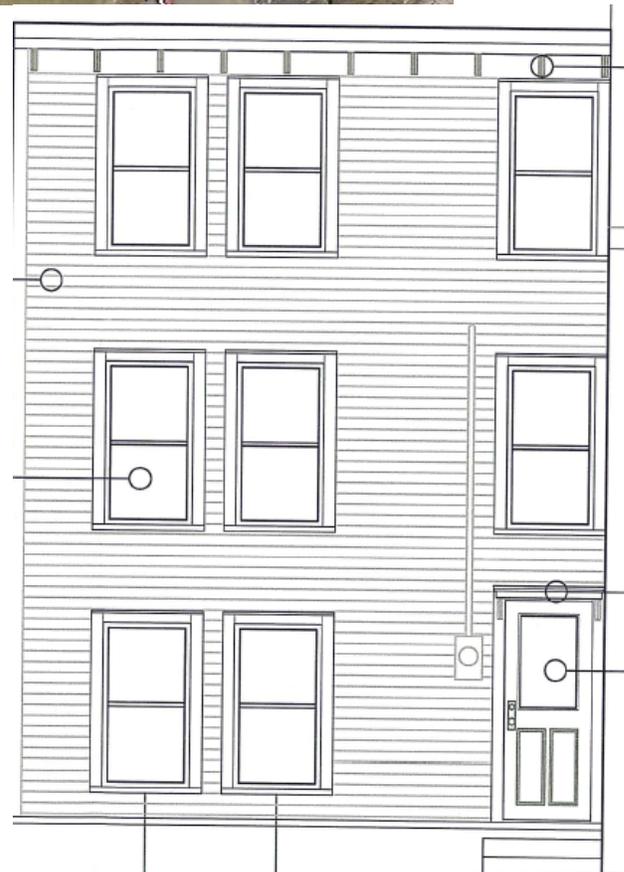
**7 Charleton Street**  
Heritage Area 3



**58 Circular Road**  
Designated Heritage Building  
Heritage Area 1



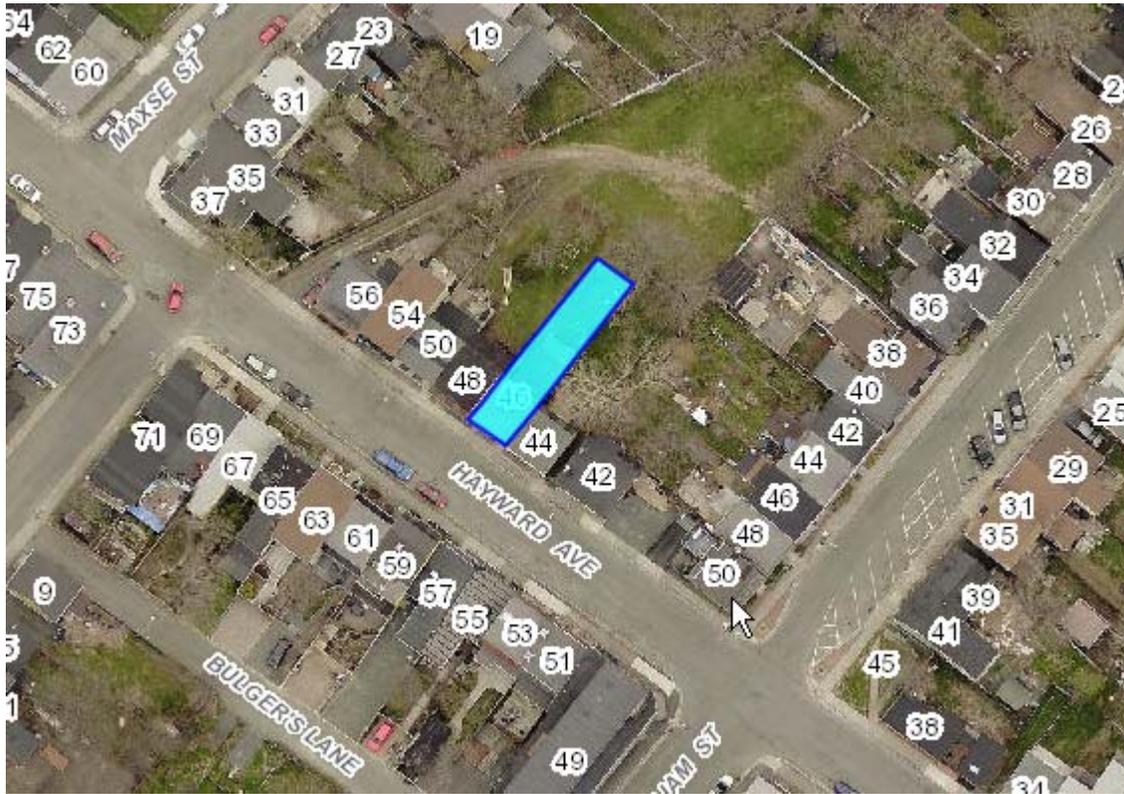
**65 Colonial Street**  
Heritage Area 3



**358 Duckworth Street**  
Heritage Area 2



**46 Hayward Avenue**  
Heritage Area 3



**20 Mayor Avenue**  
Heritage Area 3



**85 Military Road**  
Designated Heritage Building  
Heritage Area 2



**36 Monkstown Road**  
Designated Heritage Building  
Heritage Area 2



**43 Monkstown Road**  
Designated Heritage Building  
Heritage Area 2



**21 Queen's Road**  
Heritage Area 2

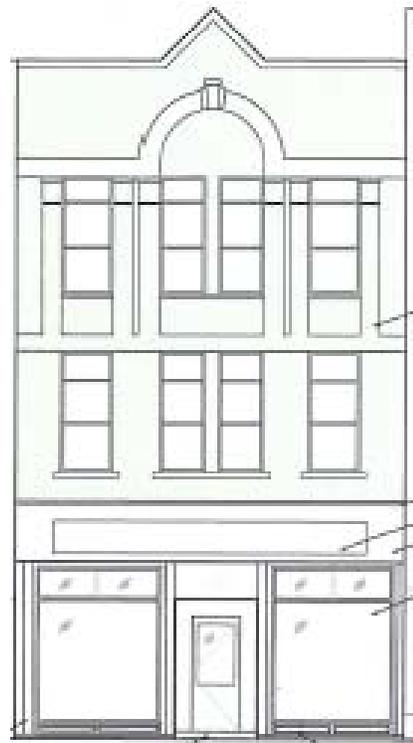


**22 Walsh's Square**  
Heritage Area 3



**195 Water Street**  
Designated Heritage Building

Heritage Area 1



**2019 Heritage Financial Incentives Program – Applications Recommended for Approval**

<b>Address</b>	<b>Type of Grant</b>	<b>Description</b>	<b>Quote (HST inc)</b>	<b>25% of quote to a maximum \$1,000 (Maintenance Grant) or \$5,000 (Conservation Grant)</b>	<b>Additional Costs due to Heritage Requirements</b>	<b>Priority</b>	<b>Recommendation</b>
<b>51 Bannerman Street</b> Heritage Area 3	Heritage Conservation Grant	New clapboard, windows, doors and trim. Replacing vinyl siding with clapboard.	\$6,000.00	\$1,500.00	~\$3,000	Medium	\$1,500.00 plus permit waiver
<b>99 Cabot Street</b> Heritage Area 3	Heritage Conservation Grant	Replaced clapboard, windows and bay windows.	\$74,248.60	\$5,000.00	~\$10,000	Medium	\$5,000.00 plus permit waiver
<b>14 Chapel Street</b> Heritage Area 2	Heritage Conservation Grant	New clapboard, 3 windows, door and trim. Replacing vinyl siding with clapboard.	\$13,249.15	\$3,312.29	~\$5,000	Medium	\$3,312.29 plus permit waiver
<b>7 Charleton Street</b> Heritage Area 3	Heritage Conservation Grant	New clapboard, windows and door. Replacing vinyl siding with clapboard and non-heritage style windows with single-hung.	\$15,000.00	\$3,750.00	~\$5,000	Medium	\$3,750.00 plus permit waiver
<b>58 Circular Road</b> Designated Heritage Building Heritage Area 1	Heritage Conservation Grant	Replaced dormer and roofing shingles.	\$10,915.80	\$2,728.95	~\$5,000	High	\$2,728.95 plus permit waiver
<b>65 Colonial Street</b> Heritage Area 3	Heritage Conservation Grant	New clapboard, windows and doors. Replacing non-heritage style windows with single-hung.	\$12,265.90	\$3,066.48	~\$5,000	Medium	\$3,066.48 plus permit waiver
<b>358 Duckworth Street</b> Heritage Area 2	Heritage Conservation Grant	Installed new clapboard, windows and trim.	\$20,700.00	\$5,000.00	~\$10,000	Medium	\$5,000.00 plus permit waiver
<b>46 Hayward Avenue</b> Heritage Area 3	Heritage Conservation Grant	Replaced metal siding with new clapboard, windows and trim.	\$13,788.50	\$3,447.13	~\$5,000	Medium	\$3,447.13 plus permit waiver
<b>20 Mayor Avenue</b> Heritage Area 3	Heritage Conservation Grant	Replaced clapboard, windows and trim.	\$14,827.77	\$3,706.94	~\$5,000	Medium	\$3,706.94 plus permit waiver
<b>85 Military Road</b> Designated Heritage Building Heritage Area 2	Heritage Conservation Grant	Installed new clapboard, restored corbels, lintels and other decorative details, repaired mansard roof.	\$55,159.75	\$5,000.00	~\$20,000	High	\$5,000.00 plus permit waiver

**2019 Heritage Financial Incentives Program – Applications Recommended for Approval**

<b>36 Monkstown Road</b> Designated Heritage Building Heritage Area 2	Heritage Maintenance Grant	Repairs to 3 dormers and chimneys.	\$8,929.75	\$1,000.00	~\$5,000	High	\$1,000.00 plus permit waiver
<b>43 Monkstown Road</b> Designated Heritage Building Heritage Area 2	Heritage Conservation Grant	Refurbishing wood windows and installing wood storm windows. New clapboard and gutters	\$8,229.91	\$2,057.48	~\$4,000	High	\$2,057.48 plus permit waiver
<b>21 Queen’s Road</b> Heritage Area 2	Heritage Conservation Grant	Replacing clapboard and trims.	\$60,000.00	\$5,000.00	~\$25,000	Medium	\$5,000.00 plus permit waiver
<b>22 Walsh’s Square</b> Heritage Area 3	Heritage Conservation Grant	Replacing non-heritage style windows with single-hung and trims. Replacing roof shingles.	\$17,666.30	\$4,416.58	~\$8,000	Medium	\$4,416.58 plus permit waiver
<b>196 Water Street</b> Designated Heritage Building Heritage Area 1	Heritage Maintenance Grant	Cleaning brick and replacing windows.	\$18,000.00	\$1,000.00	~\$5,000	High	\$1,000.00 plus permit waiver
<b>TOTAL</b>				<b>\$49,985.85</b>			



## Heritage Financial Incentives Program

### Heritage Financial Incentives Program

This Program is enacted pursuant to Section 355 of the [City of St. John's Act](http://www.assembly.nl.ca/legislation/sr/statutes/c17.htm#355) (<http://www.assembly.nl.ca/legislation/sr/statutes/c17.htm#355> )

Revised January 2017



#### 1. Program:

The Heritage Financial Incentives Program is intended to defray some of the development cost difference associated with maintaining and conserving municipally designated Heritage Buildings and those buildings located in the City's designated [Heritage Areas](#), hereinafter referred to as "Heritage Properties". The applicant must substantiate the cost difference and the grant shall not exceed the amount of the cost difference.

#### 2. Financial Incentives:

2.1 **Heritage Maintenance Grant:** This grant is for the maintenance and repair to façade elements abutting a public street. A grant of up to 25 per cent of the material and labour costs will be available to a maximum of \$1,000 per building, per calendar year.

2.2 **Heritage Conservation Grant:** This grant is for the preservation, restoration and/or replacement of façade elements abutting a public street. A grant of up to 25 per cent of the material and labour costs will be available to a maximum of \$5,000 per building, per calendar year.

2.3 **Permit Waiver:** Once a grant application is approved, Council may waive associated permit fees.

#### 3. General Conditions:

3.1 All work funded by a grant shall comply with all applicable Federal, Provincial and Municipal legislation.

3.2 Any work undertaken prior to grant approval shall be identified and may be considered for funding at Council's discretion provided the City receives the grant application within the time frame as specified in Section 7.1 and within two (2) years of the date the Building Permit was issued.

3.3 For clarity, the use of vinyl siding is permissible in Heritage areas 2 & 3, however, vinyl siding shall not be eligible for funding.

#### 4. Eligible Work Projects for the Heritage Maintenance Grant:

4.1 Measures undertaken for the maintenance and repair to façade elements abutting a public street, including but not limited to:

- Work to conserve the exterior such as: cornices, parapets, dormers, towers, windows, doors, canopies, and decorative features such as panels, mouldings, trims, carvings and similar architectural details. Subject to demonstrated need, cladding stabilization may also be eligible. This includes the repair and restoration of terracotta and the repointing of stone and brick masonry.
- Work to reconstruct missing exterior elements. This work must be based on drawings, photographs, surviving physical remnants, or other acceptable evidence of the original design.
- Repainting or re-coating of the exterior elements.
- Replacement or repair of roofing shingles, rain gutters, downspouts, flashing, exterior caulking and chimneys to prevent further deterioration due to weather infiltration.

#### 5. Eligible Work Projects for the Heritage Conservation Grant:

5.1 Measures undertaken for the preservation, restoration and/or replacement of façade elements abutting a public street, including but not limited to:

- **Preservation** of existing exterior architectural elements. This may include the preservation of deteriorated windows and doors, cladding, roofing, foundation, cornices, mouldings, architectural trim and other significant features.
- **Restoration** of exterior architectural elements which have been lost but for which the appearance can be clearly determined from physical evidence or documentary sources such as historic drawings or photographs.
- **Replacement** of existing exterior architectural elements that still exist but which are beyond preservation or repair. This includes replacement of deteriorated doors and windows, cladding, roofing, cornices, mouldings, architectural trim, and other significant features.

## 6. Not Eligible for Assistance:

6.1 The following works shall not be eligible:

- New construction;
- Demolition;
- The removal, storage and/or reuse of façade of demolished Heritage Buildings;
- Signage;
- Fences, outbuildings, and landscaping;
- Building relocation;
- Vinyl siding;
- Legal fees and borrowing costs; and
- Owner's labour.

## 7. Application for a Heritage Grant:

7.1 An [application \(http://www.stjohns.ca/forms/heritage-financial-incentives-program-pde-3008\)](http://www.stjohns.ca/forms/heritage-financial-incentives-program-pde-3008) for a Heritage Grant shall be made in writing to the City between March 1<sup>st</sup> and May 1<sup>st</sup>.

7.2 An application shall be signed by the property owner or a person operating under the owner's written consent. A copy of the written consent shall accompany the application.

7.3 Applications shall include:

- a completed application form;
- current, coloured photographs of the façade abutting a public street, with close-ups of the areas of work, for which the grant is applied. Photographs may be submitted digitally by e-mail or USB drive;
- two cost estimate quotes for the proposed work; and,
- supporting documentation substantiating the amount of increased costs attributed to the designation as a municipal Heritage Building or due to its location in one of the City's Heritage Areas.

7.4 Late or incomplete applications will not be considered.

## 8. Priority of Grant Applications:

8.1 Priority will be given to:

- designated municipal Heritage Buildings;
- first-time applications;
- the preservation, restoration and weatherproofing historic elements rather than cosmetic improvements; and
- applications supported by a Conservation Plan or a Heritage Report prepared by a design professional (architect, engineer or qualified restoration professional).

## 9. Review Process:

9.1 Applications will be evaluated based on eligibility of work and the work's positive impact to the public streetscape.

9.2 The Heritage Planner, or his or her designate, shall review and make recommendations to the Built Heritage Experts Panel.

9.3 The Built Heritage Experts Panel shall make recommendations to Council.

9.4 Council may, in its sole discretion approve, approve with conditions, or refuse a grant application.

9.5 Applicants shall be notified in writing of Council's decision.

#### **10. Applicant's Responsibilities on Approval of a Grant**

10.1 Upon approval of a grant application the applicant shall:

- submit all costs and work plans to the City;
- obtain a building permit, if one is required, from the City;
- notify the City when there is any deviations to the costs and/or work plans;
- provide any other information as may be requested by Council; and,
- complete the project as set out in the grant application.

#### **11. Funding:**

11.1 Funding for the Heritage Financial Incentive Program may be established by Council on an annual bases during budget deliberations.

11.2 Each property shall be limited to one (1) grant per calendar year, and two (2) grants in any four (4) consecutive calendar years.

#### **12. Conditions for Grant Payment**

12.1 Applicants are required to complete all work and submit proof of payment of all paid invoices pertaining to the work within 24 months from the date of Council's approval of the grant.

12.2 Applicants shall submit coloured photographs of the completed work for which the grant is applied. Photographs may be submitted digitally by e-mail or USB drive.

12.3 All work and documentation must be deemed satisfactory upon inspection by the City prior to the disbursement of the grant. If upon final inspection it has been determined that the work has not been completed as per approved plans; and/or, has not been completed in compliance with all applicable legislation, the grant will be cancelled.

12.4 The grant may be cancelled should the work associated with it remain incomplete 24 months after approval of the grant.

12.5 In addition, once a grant is approved, the City may waive any associate permit fees on the application.

# INFORMATION NOTE

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**Title:** Mobile Vending Business in the City  
**Date Prepared:** June 6, 2019  
**Report To:** His Worship the Mayor and Members of Council  
**Councillor and Role:** N/A  
**Ward:** All

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**Issue:**

To review the City's experience with mobile vending businesses and the *Mobile Vending By-Law*, and to analyze proposed methods of encouraging mobile vending businesses in the City.

**Discussion – Background and Current Status:**

The City of St. John's, through its Regulatory Services Division, administers and enforces the *Mobile Vending By-Law*. The *Mobile Vending By-Law* is designed to allow food, non-alcoholic beverages and articles to be sold from a variety of means to the public, e.g., by a food truck, pushcart or table sales.

The following is a description of the types of mobile vendor licenses issued for 2018.

Food Truck:

- Annual License – 5
- Temporary License - 11

Push Cart:

- Annual License – 8
- Temporary License – 0

Table Sales:

- Annual License – 0
- Temporary License – 5

Open-Air Market (Churchill square):

- Annual License – 4
- Temporary License - 0

*Leased Spaces*

There is a total of seven mobile vending parking spaces available for lease within the City (see Appendix A and B). Six are located in the downtown core and one in Churchill Square. All



mobile vending spaces are currently leased with the exception of one, which is located on New Gower Street. Of the seven spaces, there are four that are long-term lessees with the others seeing more frequent turnover in vendor owners.

The cost of a leased space is \$3,000 plus HST per year for locations in the downtown and \$1,500 plus HST per year for the Churchill Square space. The amount charged reflects the average amount that would normally be received through public meter usage. The lease cost is in addition to the annual license fee for the applicable vendor.

#### *Where Can Vendors Operate?*

Food Trucks – Outside of the mobile vending leased parking spaces, licensed food trucks are permitted to operate in any parking stall in the downtown or any other street except in residential, institutional or open space zones, or within 100 meters of Mile One, the War Memorial or a grade school, unless specifically permitted by Council. If parked at a metered space, the meter must be paid, and all requirements of the St. John's Paid Parking Regulations complied with.

Push Cart – Licensed push Carts are permitted to operate in any parking stall in the downtown or on any street or sidewalk, except in residential, institutional or open space zones, or within 100 meters of Mile One, the War Memorial or a grade school, unless specifically permitted by Council. If parked in a metered space, the meter must be paid, and all requirements of the St. John's Paid Parking Regulations complied with.

Table Sales – The sale of articles such as jewelry, art, food, etc., is permitted except in residential, institutional or open space zones, or within 100 meters of Mile One, the War Memorial or a grade school, unless specifically permitted by Council. If the vendor of such articles wishes to set up a display table on the sidewalk, there must be ample room left for pedestrians to safely pass (approximately 2 meters). Sales in residential areas are not permitted.

Open-Air Market (Churchill Square) – The Open-Air Market was specifically set up to provide small scale local farmers and harvesters with the opportunity to sell their goods in a designated area in Churchill Square. This space is located at the back portion of the Churchill Square parking lot abutting Elizabeth Avenue.

In addition to the foregoing, there are five oversized vending spaces located on Banting Place, off Topsail Road (see appendix C), that are also available. Although these spaces are primarily used for the sale of Christmas Trees, they can be utilized for other forms of vending.

#### *Insurance Requirements:*

Current insurance requirements for all mobile vending units is \$2,000,000 Commercial General Liability.

*License Fees:*

The schedule of fees for mobile vending units are attached below.

Table Sales	\$250/year
Push Carts	\$500/year
Motorized Vehicles	\$500/year
Bicycles	\$100/year
Temporary Vending License (1-30 days)	\$250 which includes a \$200 refundable deposit

Compared to other jurisdictions of similar size (Halifax and Moncton) fees are comparable with the exception of Food Service Trucks which are much higher in those jurisdictions.

**Analysis in Response to Mobile Vending-Related Questions Posed by Councilor Burton**

1. *Provide material resources to mobile vending unit owners/operators*

The City could provide direct assistance to mobile vending unit (“MVU”) businesses in the form of material resources, e.g., tables and chairs. This is not recommended by staff as it would take significant resources to administer this program.

2. *Increase the number of MVU parking spaces*

The City can increase the number of MVU parking spaces in the City. The City could also set up MVU spaces in the intensification zones in Envision. It is not clear whether there is market demand for such additional MVU spaces.

3. *Develop communications about where MVUs might be permitted*

Toronto’s map of Potential Mobile Food Vending Zones (see <https://www.toronto.ca/services-payments/permits-licenses-bylaws/map-potential-mobile-food-vending-zones/>) sets out areas that are at least 30 meters from an operating restaurant where an MVU might be permitted. St. John’s could develop a map similar to Toronto’s map and include a section on how to apply for a vending license.

4. *Prohibit MVUs within 30 meters of an open and operating restaurant*

Currently, a licensed MVU business can operate anywhere in the City, except in residential, institutional or open space zones, or within 100 meters of Mile One, the War Memorial, or a grade school, unless specifically permitted by Council. Toronto prohibits MVUs from operating within 30 meters of an open and operating restaurant but allows MVUs to operate within 30 meters of a food court or the entrance to a building containing a food court. If the by-law were amended to include a similar 30-meter rule, some of the 7 mobile vending parking spaces may

have to be exempt from this requirement due to their current location being within 30 meters of a restaurant.

5. *Allow non-motorized MVUs, including food carts, to operate in public parks and open public spaces (e.g., community parks in subdivisions, green strips downtown in pedestrian areas, near the LSPU Hall, etc.)*

Some jurisdictions issue licenses for non-motorized food carts to operate in public parks (e.g., see <https://vancouver.ca/doing-business/park-food-trucks-and-carts-permits.aspx>). Currently, our by-law prohibits placing an MVU in a public park or a public open space without being specifically permitted to do so by Council. Thus, the current by-law provides Council the flexibility to permit or prohibit mobile vending in such areas. It might be useful for the City to develop an application form for those seeking to operate in a public park or public open space.

6. *Allow sidewalk retail*

Permitted under current by-law.

7. *Waive the licensing fee for local produce vendors/local harvesters*

The current by-law allows Council to set different fees for different types of MVUs. Waiving the licensing fee for local produce vendors is not recommended. As these are more seasonal vendors, they can apply for a temporary vending license.

8. *Waive the licensing fee for all MVU operators*

Council could, at its discretion, set that fee at \$0.00 but this is not recommended by staff.

9. *Create an MVU map, website, and FAQ for farmers and vendors*

See #3 above.

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

1. Budget/Financial Implications:

Changes to fees charged for MVU licenses, and/or for MVU paid parking, will affect City revenues.

2. Partners or Other Stakeholders:

Amending the *Mobile Vending By-Law* will require consultation with the Manager of Transportation Engineering and the Legal Department.

3. Alignment with Strategic Directions/Adopted Plans:

- Strategic Direction: A Sustainable City, Goal S3: Facilitate and create conditions that drive the economy by being business and industry friendly City:
  - a. By promoting small business and a diversity of cuisine options in the City; and,
  - b. By responding to the needs of first-time entrepreneurs and small business owners.

4. Legal or Policy Implications:

Any by-law amendments will require Legal review; policies for approving or rejecting MVU license applications may need to be modified.

5. Privacy Implications: N/A

6. Engagement and Communications Considerations:

Updating the City's webpage may be necessary if the *Mobile Vending By-Law* is amended. Communications may be engaged if any new maps, webpages or FAQs are desired.

7. Human Resource Implications: N/A

8. Procurement Implications:

Updating the City's webpage may be necessary if the *Mobile Vending By-Law* is amended. Communications may be engaged if any new maps, webpages or FAQs are desired.

9. Information Technology Implications: N/A

10. Other Implications: N/A

**Conclusion/Next Steps:**

If Council decides to proceed with any of the below suggestions, the appropriate departments should be tasked with engaging in next steps:

- Developing an application for requesting vending in Public Parks
- Updating website language
- Reviewing fee structure for temporary mobile vending licenses
- Developing criteria around bicycle vending
- Allowing vending in residential zones with restrictions
- Restricting food vending near open restaurants, etc.

**Prepared by/Date:**

Randy Carew, Manager, Regulatory Services, **date**  
Jamie Freeman, Legal Counsel, May 29, 2019

**Reviewed by/Date:**

**Approved by/Date:**

Jason Sinyard, Deputy City Manager, Planning, Engineering and Regulatory Services,  
**date**  
Cheryl Mullet, City Solicitor, Office of the City Solicitor, June 3, 2019

**Attachments:**

## Appendix A Current Mobile Vending Lease Spaces Downtown



## Appendix B Current Mobile Vending Lease Spaces Churchill Square



### Appendix C Available Mobile Vending Locations Topsail Road

