

AGENDA

Committee of the Whole

Wednesday, March 6, 2019

9 am

Council Chambers

4th Floor, City Hall

ST. JOHN'S

AGENDA
COMMITTEE OF THE WHOLE
March 6, 2019 – 9 a.m. – Council Chambers, 4th Floor, City Hall

1. Call to Order

2. Approval of the Agenda

3. Adoption of the Minutes

- a. Committee of the Whole Minutes dated February 20, 2019

4. Delegations

5. Public Works & Sustainability – Councillor Ian Froude

Items for Discussion

- a. Decision Note dated February 14, 2019 re: Feeding of Wildlife
- b. Decision Note dated February 28, 2019 re: Repeal – Policy: 08-04-15 Thawing of Frozen Services Laterals

6. Housing – Councillor Hope Jamieson

Items for Discussion

- a. Decision Note dated February 20, 2019 re: Affordable Housing Working Group Membership
- b. Decision Note dated January 30, 2019 re: Affordable Housing Catalyst Grant Allocations 2019

7. Other Business

8. Adjournment

**MINUTES
COMMITTEE OF THE WHOLE
February 20, 2019 – 9:00 a.m. – Council Chamber, 4th Floor, City Hall**

Present Mayor Danny Breen
Deputy Mayor Sheilagh O’Leary
Councillor Maggie Burton
Councillor Sandy Hickman
Councillor Ian Froude
Councillor Deanne Stapleton
Councillor Jamie Korab
Councillor Wally Collins (entered at 9:48 am)

Regrets Councillor Hope Jamieson
Councillor Dave Lane
Councillor Debbie Hanlon

Staff Kevin Breen, City Manager
Derek Coffey, Deputy City Manager of Finance & Administration
Jason Sinyard, Deputy City Manager, Planning, Engineering and
Regulatory Services
Lynnann Winsor, Deputy City Manager – Public Works
Cheryl Mullett, City Solicitor
Ken O’Brien, Chief Municipal Planner
Elaine Henley, City Clerk
Karen Chafe, Acting Legislative Assistant

Adoption of the Agenda

Moved – Councillor Froude; Seconded – Councillor Hickman

That the agenda be adopted with the following addition:

- **Built Heritage Experts Panel Report of February 6, 2019**

CARRIED UNANIMOUSLY

Adoption of the Minutes

Moved – Councillor Stapleton; Seconded – Councillor Burton

That the Committee of the Whole minutes dated February 6, 2019 be adopted as presented.

CARRIED UNANIMOUSLY

Governance & Strategic Priorities – Mayor Danny Breen
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a. **Information Note dated February 11, 2019 re: Carsharing**

The Committee accepted the above noted as information.

Councillor Froude questioned how the process should unfold from here and how the City could facilitate a supportive role. The Legal Dept. reviewed other Canadian cities and there are many and varied models with different regulatory regimes. Any investment by the City would be unprecedented across Canada and it is up to the private sector. If individuals or corporations are interested in exploring or establishing carsharing models, the City can consider what type of supportive role it could play in such a process.

It was agreed that the Legal Dept. would consult with the Senior Executive Committee in this regard.

b. **Information Note dated February 13, 2019 re: 2018 Strategic Plan Report and Overview of Accomplishments 2-15-2018**

The committee accepted the above noted as information.

Councillor Burton referenced the winter cities strategy which is not noted as a priority within the Strategic Plan Report. She requested further elaboration. The City Manager advised that various initiatives towards a winter city have been completed, i.e. the Bannerman Park Loop, enhanced sidewalk snow clearing, etc., but these may more appropriately fall within the Healthy Cities Strategy.

Planning & Development – Councillor Maggie Burton
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a. **Decision Note dated February 13, 2019 re: Text Amendment to the revise the Definition of Institution - REZ1800019 - 21 Adams Avenue**

Moved – Councillor Burton; Seconded – Councillor Hickman

That the committee recommend Council’s approval of the following recommendation as outlined in the above cited decision note: that the application for a text amendment to the St. John’s Development Regulations to revise the definition of Institution be considered. It is also recommended that the application be advertised for public review and comment. The application would then be referred to a regular meeting of Council for consideration of adoption.

CARRIED UNANIMOUSLY

- b. **Decision Note dated February 13, 2019 re: Application to Rezone Land to the Residential Mixed (RM) Zone for an Office - REZ1800016 - 276 Pennywell Road**
-

Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary

That the Committee recommend Council’s approval of the following recommendation as outlined in the above cited decision note: that Council consider a proposed rezoning at 276 Pennywell Road from the Residential Medium Density (R2) Zone to the Residential Mixed (RM) Zone, as well as associated Development Regulations text amendments. It is also recommended that the application be advertised for public review and comment. The application would be referred to a regular meeting of Council for consideration of adoption.

CARRIED UNANIMOUSLY

- c. **Decision Note dated February 13, 2019 re: Rezoning from the Commercial Central Mixed Use (CCM) Zone to the Commercial Central Office (CCO) Zone for a hotel and concert hall - MPA1900001 - 9 Buchanan Street, 426 and 430 Water Street**
-

Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary

That the committee recommend Council’s approval of the following recommendation as contained in the above cited decision note: that Council consider the proposed rezoning at 9 Buchanan Street, 426 and 430 Water Street from the Commercial Central Mixed Use (CCM) Zone to the Commercial Central Office (CCO) Zone, as well as the associated Municipal Plan and Development Regulations text amendments. Upon submission of a satisfactory Land Use Assessment Report, it is recommended that the application be referred to a Public Meeting chaired by an independent facilitator. Following the public meeting, the application would be referred to a regular meeting of Council for consideration of adoption.

CARRIED UNANIMOUSLY

- d. Built Heritage Experts Panel Report of Feb. 6, 2019**
-

- i. **Decision Note – 9 Buchanan Street, Designated Heritage Building Review Initiated by an Application for a Demolition Permit**
-

Moved – Councillor Burton; Seconded – Councillor Korab

That Council approve the Built Heritage Experts Panel recommendation as follows: that as 9 Buchanan Street does not merit designation as a Heritage Building, it is recommended to work with the developer and encourage that the redevelopment of the site incorporate design that respects the past histories of the site and neighbourhood. Further, the Committee recommends that the site not be demolished until the new development has been confirmed.

**MOTION LOST WITH
ONLY MOVER SUPPORTING**

Moved – Councillor Burton; Seconded – Councillor Hickman

That Council approve the recommendation as outlined in the above cited decision note: that as 9 Buchanan Street does not merit designation as a Heritage Building, it is recommended to work with the developer and encourage that the redevelopment of the site incorporate design that respects the past histories of the site and neighbourhood.

CARRIED UNANIMOUSLY

ii. Decision Note - 139 Water St. – Exterior Façade Renovations

Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary

That Council approve the Built Heritage Experts Panel recommendation that the exterior façade renovations at 139 Water Street be approved as presented.

CARRIED UNANIMOUSLY

e. Decision Note dated February 13, 2019 re: Envision St. John’s Municipal Plan and Development Regulations Drafts dated February 2019 - Adoption-in-Principle

The Chief Municipal Planner conducted a power point presentation in relation to the above noted matter, followed by discussion. Public consultation has been extensive and the general public, agencies and organizations will continue to be consulted as the process goes forward. Members of Council generally expressed support of the Envision Plan and draft development regulations. Staff were commended for their work in this regard. Councillor Burton agreed to consult with Communications Division about the display of information at the Access Center in relation to the Envision Plan.

Moved – Councillor Burton; Seconded – Councillor Froude

That the committee recommend Council's approval of the following recommendation: that Council adopt-in-principle the Envision St. John's Municipal Plan and the Envision St. John's Development Regulations, dated February 2019. If adopted-in-principle by Council, these will be sent to the Municipal Affairs and Environment with a request for provincial release. Once the release is received, the documents 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.

CARRIED UNANIMOUSLY

Adjournment

There being no further business the meeting adjourned at 10:53 a.m.

Mayor Danny Breen
Chairperson

DECISION/DIRECTION NOTE

Title	Feeding of Wildlife
Date Prepared:	February 14, 2019
Report To:	His Worship the Mayor and Members of Council
Councillor and Role:	Councillor Ian Froude – Ward Councillor Deputy Mayor Sheilagh O’Leary
Ward:	4

Decision/Direction Required:

To decide whether to amend the St. John’s Residential Property Standards By-Law to include provisions concerning the feeding of wildlife, and the use of birdfeeders in the City.

Discussion – Background and Current Status:

Pursuant to the general consensus of Council reached at a Special Meeting held December 10, 2018, this Decision Note presents a draft amendment to the St. John’s Residential Property Standards By-Law (the “By-Law”). The draft amendment expands the General Property Requirements portion of the By-Law to include regulations concerning the feeding of wildlife and the use of bird feeders in the City.

By-Laws restricting the feeding of wildlife are common among Canadian municipalities, and typically aim to allow benign bird feeding practices while prohibiting practices that result in nuisances and/or produce unsanitary environments. Council is empowered by the City of St. John’s Act to regulate in the areas of nuisance and sanitation. The draft amendment attached hereto would provide the City the opportunity to address these issues.

Key Considerations/Implications:

1. Budget/Financial Implications:
 - The draft amendment would not generate revenue for the City and would require some expenditure to enforce.
2. Partners or Other Stakeholders:
 - Provincial, federal, and non-governmental wildlife organizations; residents that use birdfeeders, and neighbouring residents
3. Alignment with Strategic Directions/Adopted Plans:
 - Neighbourhoods Build our City – promote responsible bird feeding practices and prohibit unsanitary practices



- Responsive and Progressive – integrating several best practices for bird feeding as set out in a June 2018 report by the Canadian Wildlife Health Cooperative, titled, “Strategies to Prevent and Control Bird-Feeder Associated Diseases and Threats” (http://www.cwhc-rclf.ca/docs/technical_reports/CWHC%20Bird-Feeder%20Strategy_June_2018.pdf)

4. Legal or Policy Implications:

- See above

5. Engagement and Communications Considerations:

- If Council approves the draft amendment, Communications may be involved in informing residents of the change

6. Human Resource Implications: Not Applicable

7. Procurement Implications: Not Applicable

8. Information Technology Implications: Not Applicable

9. Other Implications: Not Applicable

Recommendation:

The Legal Department has drafted the attached amendment to the St. John’s Residential Property Standards By-Law as per Council’s instructions from the Special Meeting of December 10, 2019.

Prepared by/Signature:

Jamie Freeman
Legal Counsel

Approved by/Date/Signature:

Cheryl Mullett
City Solicitor

February 14, 2019

Attachments:

- (1) Notice of Motion
- (2) Draft Amendment to St. John’s Residential Property Standards By-Law

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DECISION/DIRECTION NOTE

Title: Repeal – Policy: 08-04-15 Thawing of Frozen Service Laterals

Date Prepared: February 28, 2019

Report To: Committee of the Whole – March 6, 2019

Council Lead: Ian Froude, Public Works & Sustainability

Ward: All Wards

Decision/Direction Required:

Seeking approval to repeal **Policy 08-04-15 Thawing of Frozen Service Laterals** as it is no longer relevant.

Discussion – Background and Current Status:

This policy was originally approved by Council on April 23, 2002 with subsequent amendments approved by Council on June 14, 2010. It does not reflect current practice and/or changes to the program that were identified in 2015. Further, it is primarily procedural.

The intent is to amend this policy to reflect the current practice and once complete, it will be referred to Council for approval.

Key Considerations/Implications:

1. **Budget/Financial Implications:**
 - The cost to provide such services.
2. **Partners or Other Stakeholders:**
 - Residents/Home Owners
3. **Alignment with Strategic Directions/Adopted Plans:**
 - Fiscally Responsible
4. **Legal or Policy Implications:** N/A



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

Recommendation:

That Council approve repealing **Policy 08-04-15 Thawing of Frozen Service Laterals** as it is no longer relevant.

Prepared by: Elaine Henley, City Clerk

Approved by: Kevin Breen, City Manager

Attachments: Policy: 08-04-15 Thawing of Frozen Service Laterals

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Policy: 08-04-15
Thawing of Frozen Service Laterals

Passed By Council on:04/23/2002

Purpose

Definition of service level, priorities of service and procedures for thawing of frozen service laterals.

Policy Statement

1. The City will provide a service of thawing frozen service laterals to owner occupied residences, owner-occupied residential condominiums and owner-occupied co-operative housing. Except as outlined elsewhere in this Policy for City-owned rental or non-profit housing, the City will not provide a thawing service for any other class of property.
2. The City will thaw external water service laterals only, not frozen plumbing inside the residence.
3. The City will respond to calls in order of complaints received.
4. Calls received during regular working hours shall be responded to as resources permit. Calls received after regular working hours will be responded to within sixteen hours of receipt of the call, or as soon as possible after sixteen hours of receipt of the call in the event that other emergencies tie up resources and make it impossible to deal with the thawing request.
5. If a crew is already out on overtime basis when a request to thaw a service lateral is received, the crew will respond prior to going home, unless it is likely that the work will keep the crew out past midnight.
6. There will be no charge to the resident if the property can be thawed without digging, and if it is the first occurrence of the season for the property. A charge of a fee as set by Council, payable in advance, will be made for subsequent thawing services within a single season.
7. In the event that a service has to be excavated to be thawed, the owner will be charged a fee as set by Council, payable in advance, whether or not it is the first occurrence for the property in a season. The owner will be required to be solely responsible for the reinstatement of any private property disturbed, and the owner will be required to sign a waiver releasing the City from responsibility for property damage.

In the event that a water service lateral must be excavated and the excavation necessarily has to involve or cause property damage on an adjacent property, the owner will be responsible to make an arrangement with the adjacent property owner in order that the adjacent property owner permits the City to do work on the adjacent property.

8. City-owned rental or non-profit housing units will be afforded the same thawing service as 'owner occupied residences', except that the Department of Building and Property Management will be charged for the full cost of the service. The Department of Building and Property Management are free to employ the services of an outside contractor, if they view the wait is too long for their tenants.

9. The City will use hot water or steam in its thawing operations. The use of electric pipe thawing machines or welding machines is strictly prohibited, and persons using same will be held liable for any damage caused.

Application

Responsibilities

Department of Public Works and Parks.

Definition

References/Appendix

Monitoring and Contravention

Approvals

Public Works and Parks Standing Committee report - April 16, 2002; Regular Meeting of Council - April 23, 2002. Public Works and Environment Standing Committee report – June 8, 2010. Regular Meeting of Council – June 14, 2010.

Review Period

DECISION/DIRECTION NOTE

Title: Affordable Housing Working Group Membership

Date Prepared: February 20th, 2019

Report To: Committee of the Whole

Councillor and Lead: Hope Jamieson, Housing

Ward: Not ward specific

Decision/Direction Required: Approval of Membership for the Affordable Housing Working Group (AHWG) based on the recommendations by lead staff and the Office of the City Clerk.

Discussion – Background and Current Status:

The AHWG was established with the purpose of implementing the City's 10-year Affordable Housing Strategy. Five organizations are asked to appoint a representative, namely the Canadian Home Builders Association, Newfoundland and Labrador; Canada Mortgage and Housing Corporation; Newfoundland and Labrador Housing; End Homelessness St. John's (EHSJ); and the Provincial Government.

Bruce Pearce, the representative from EHSJ, will be retiring in March 2019 and Doug Pawson will replace him as the Executive Director. Doug has been selected as the replacement EHSJ representative for the AHWG.

Aisling Gogan, the representative of the Department of Children, Seniors and Social Development has moved into a new position as Assistant Deputy Minister and is no longer in a capacity to sit on the Affordable Housing Working Group. Emily Timmins in the Poverty Reduction Division has been selected as their replacement representative for the AHWG.

Key Considerations/Implications:

1. Budget/Financial Implications
 - a. n/a
2. Partners or Other Stakeholders
 - a. The City's New Affordable Housing Strategy was built upon public and strategic stakeholder engagement, and the implementation will be guided and shaped by multi-stakeholder partnerships and processes. The above representative will be amongst our key partners moving forward in supporting our affordable housing efforts and shaping our new strategy.

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3. Alignment with Strategic Directions/Adopted Plans
 - a. A Culture of Cooperation – Create effective City – community collaborations
 - b. Responsive and Progressive – Create a culture of engagement
 - c. Effective Organization – Develop a knowledgeable and engaged committee
4. Legal or Policy Implications
 - a. n/a
5. Engagement and Communications Considerations
 - a. n/a
6. Human Resource Implications
 - a. n/a
7. Procurement Implications
 - a. n/a
8. Information Technology Implications
 - a. n/a
9. Other Implications

Recommendation:

Council accept Doug Pawson as the End Homelessness St. John's representative and Emily Timmins as the Department of Children, Seniors and Social Development representative on the Affordable Housing Working Group.

Prepared by: Simone Lilly, Affordable Housing & Development Facilitator

Approved by: Elaine Henley, City Clerk

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DECISION/DIRECTION NOTE

Title: Affordable Housing Catalyst Grant Allocations 2019

Date Prepared: January 30th, 2019

Report To: Committee of the Whole

Councillor and Lead: Hope Jamieson, Council Lead Housing

Ward: Not ward specific

Decision/Direction Required: Seeking Council approval on 2019 Housing Catalyst Grant allocations

Discussion – Background and Current Status:

The City of St. John's approved the Affordable Housing Strategy, 2019-2028, in November 2018. The strategy will address the municipality's housing needs by working in step with partners, stakeholders and residents to create and maintain safe, suitable and affordable housing throughout the city.

Leading innovation is a strategic direction of the new strategy, intended to inspire and facilitate creativity in affordable housing projects. Implementation action 3.1 *Continue to offer the Housing Catalyst Fund grants yearly for affordable housing projects* is found under this direction.

\$50,000 has been approved for the Housing Catalyst Fund for 2019. The Housing Catalyst Fund allows the City to be a catalyst for practical and collaborative projects that produce tangible housing solutions for people. The City's role through this fund is to work collaboratively with community groups and other stakeholders (Builders, Developers, etc.) to facilitate and plan housing solutions that will enhance the quality for life for individuals and families and build a healthier community.

A Housing Catalyst Grant selection committee was established to review submissions. It included the CMHC Affordable Housing Specialist, Newfoundland and the following internal staff: Manager-Program & Service Delivery, Chief Municipal Planner, Technical Advisor-Planning Engineering and Regulatory Services, Manager- Housing and the Affordable Housing and Development Facilitator.

The following matrix was used to evaluate projects:



Housing Catalyst Fund 2018: Selection Criteria

Item No.	Criteria	Weighting
1	Application is in line with the Affordable Housing Strategy and meets identified priority areas	40%
2	Project idea is solutions focused, action oriented and realistic	20%
3	Project idea will have significant impact on creating, maintaining, and/or supporting local affordable housing	20%
4	Quality of the application	10%
5	Cost Proposal (including whether project may or may not qualify for other funding currently available)	10%

The selection committee is recommending four applications be approved for funding. They are as follows and brief summaries of each can be found attached:

Organization	Project	Grant Amount
First Light	Concept and consultation work to develop affordable supportive housing	\$10 000
Future Housing Co-operative Society	Energy efficiency upgrade for affordable housing units	\$ 10 000
Yorabode	Feasibility study for the construction of affordable rental dwellings	\$ 10 000
Fresh Fruit & Architecture	Create a catalogue of building envelope assemblies to support reduced cost and increased energy efficiency in affordable housing development.	\$ 8 050

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When reviewed in their entirety there is \$11,050 remaining in the overall Housing Catalyst grant fund. It is recommended that Council retain this amount for affordable housing projects related to the new affordable housing strategy.

Key Considerations/Implications:

1. Budget/Financial Implications
 - a. \$50 000 has been approved for the 2019 Housing Catalyst Fund
2. Partners or Other Stakeholders

The above recommendations will support four partners in their affordable housing efforts.
3. Alignment with Strategic Directions/Adopted Plans
 - a. A Culture of Cooperation – Create effective City – community collaborations
 - b. Affordable Housing Strategy 2019-2028- 3.1 *Continue to offer the Housing Catalyst Fund grants yearly for affordable housing projects*
4. Legal or Policy Implications
 - a. n/a
5. Engagement and Communications Considerations
 - a. Community Services staff will work with Marketing and Communications in releasing information.
6. Human Resource Implications
 - a. n/a
7. Procurement Implications
 - a. n/a
8. Information Technology Implications
 - a. n/a
9. Other Implications

Recommendation:

Council accept recommended 2019 Housing Catalyst Grant allocations

Prepared by: Simone Lily, Affordable Housing & Development Facilitator

Approved by: Judy Tobin, Manager of Housing

Attachments:

1. Brief Summaries of Recommended Housing Catalyst Projects



Brief Summaries of Housing Catalyst Projects Recommended for Approval

1. Concept and consultation work to develop affordable supportive housing

-First Light NL

The Housing Catalyst Grant will be used to hire a staff on a contract to complete the work required to develop an affordable housing conversion proposal. First light would like to convert existing office space into affordable/supportive housing at 716 Water Street. This location currently houses administration, programming office space and their emergency shelter. The location is ideal for development into supportive/affordable housing as it is located in a building with 24/7 staff, is downtown, close to amenities, and provides an ideal opportunity to develop housing with an explicit link to Indigenous culture, which is not currently available in our community. The funding will be used for consultation sessions and development of their application for Seed funding- including securing all quotes and documents required.

2. Create a catalogue of building envelope assemblies to support reduced cost and increased energy efficiency in affordable housing development

-Fresh Fruit & Architecture

The Housing Catalyst Grant will be used to create a catalogue of building envelope assemblies that embrace intelligent material selection. The objective is to reduce both building assembly costs as well as energy consumption costs of the finished structure. The building envelope assemblies compiled will serve as a catalyst to new and innovative construction that targets the growing need for affordable housing in Newfoundland. The public will be able to access this resource that specifically targets affordable housing solutions. The building envelope is the physical separator between the conditioned and unconditioned environment of a building including the resistance to air, water, heat, light, and noise transfer.

3. Energy efficiency upgrade for their affordable housing units

-Future Housing

Future Housing Co op's monthly housing charges are approximately 70% of market value rental charges which meet the needs of lower income families, single parents and senior citizens. They are a self managed co-op which allows them to keep housing charges down and relies on members to take an active role in managing the co-op. Future Housing is planning major upgrades to their 16 units (all in St. John's) to ensure they are environmentally friendly and energy efficient. The Housing Catalyst Grant will

contribute to removing old furnaces and replacing them with electric/mini split as well as replacing or adding heat recovery systems to all units.

4. Feasibility study for the construction of affordable rental dwellings

-Yorabode

The Housing Catalyst Grant funding will be used to expand upon Yorabode's recently completed Affordable Housing Toolkit (Housing Catalyst 2017 Project). Yorabode will apply the principles developed in the toolkit to actual homes and will be completing a feasibility study for the construction of five affordable rental dwellings including costing, concept design and parameters for site/building selection. Specifically, the Housing Catalyst Grant will:

- Identify one to two existing homes or properties that are not fulfilling current housing needs either because of the building condition or size of homer which will be used as the case study.
- Complete an as built of one of these homes to form a basis for design iterations.
- Complete Concept Design drawings for one or two options for the renovation and/or addition to this existing home.