

**AGENDA
REGULAR MEETING**

**JANUARY 14th, 2013
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

January 10th, 2013

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday, January 14th, 2013 at 4:30 p.m.**

This meeting will be preceded by a Special Meeting to be held on the same day in Conference Room A at **3:00 pm**

By Order

Neil A. Martin
City Clerk

ST. JOHN'S

DEPARTMENT OF CORPORATE SERVICES

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

**AGENDA
REGULAR MEETING
JANUARY 14th, 2012
4:30 p.m.**

At appropriate places in this agenda, the names of people have been removed or edited out so as to comply with the Newfoundland and Labrador Access to Information and Protection of Privacy Act.

1. Call to Order

2. Approval of the Agenda

3. Adoption of the Minutes

a. Minutes of January 7th, 2013

4. Business Arising from the Minutes

A. Included in the Agenda

1. Memorandum dated January 10, 2013 from the Director of Planning
Re: Proposed Text Amendment to the St. John's Development Regulations
Proposed Tree Planting Fee

B. Other Matters

C. Notices Published

1. A Discretionary Use Application has been submitted requesting permission to renovate the garage portion of **Civic No. 9 Lucyrose Lane** as a home occupation that involves the preparing and delivery of home cooked meals. The proposed business will occupy a floor area of approximately 26 m² and will operate Monday to Sunday, 9 a.m. to 5 p.m. The business involves preparing and cooking meals on domestic cooking equipment, which includes a domestic range, a small domestic freezer, and two domestic refrigerators. The actual cooking time is limited to approximately one hour per day. There will be no on-site sales, web based sales only, delivery to customer's homes only. The business employs the two residents of the dwelling. **(Ward 1)**

2. A Discretionary Use Application has been submitted for a proposed home occupation at **Civic No. 11 Turnberry Street** for a photography studio. The proposed business will occupy a floor area of approximately 30.7 m² and will operate on an appointment basis only, with one client or family per session. The business involves taking photographs only; processing will not be done on-site. One on-site parking space is provided for the business. The applicant is the sole employee. **(Ward 4)**

Submission of concern

5. Public Hearings

6. Committee Reports

- a. Development Committee Report dated January 9, 2013
- b. Heritage Committee Report dated January 3, 2013

7. Resolutions

8. Development Permits List

9. Building Permits List

10. Requisitions, Payrolls and Accounts

11. Tenders

- a. Tender – Flag Persons

12. Notices of Motion, Written Questions and Petitions

13. Other Business

- a. Correspondence from the Mayor's Office
- b. Items Added by Motion

14. Adjournment

January 7, 2013

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:30 p.m. today.

His Worship the Mayor presided.

There were present also: Deputy Mayor Duff; Councillors O'Leary, Hickman, Hann, Colbert, Breen, Galgay, Tilley, Hanlon and Collins.

City Manager, Deputy City Manager/Director of Corporate Services & City Clerk, Deputy City Manager/Director of Public Works & Parks, Director of Planning; Director of Engineering, Acting City Solicitor and Manager, Corporate Secretariat were also in attendance.

Call to Order and Approval of Agenda

SJMC2013-01-07/01R

**It was decided on motion of Councillor Breen; seconded by Councillor Galgay:
That the Agenda be adopted as presented.**

Adoption of Minutes

SJMC2013-01-07/02R

**It was decided on motion of Councillor Collins; seconded by Deputy Mayor Duff:
That the minutes of December 17th, 2012 meeting be adopted as presented.**

Business Arising

**R2012-07-23/14 – Downtown Parking Study
Memorandum dated From the Director of Planning**

Council considered a memorandum dated December 14, 2012 from the Director of Planning regarding the above noted along with an updated document dated December 14, 2012 prepared by the Department of Planning which summarizes the effects of the proposed planning amendments to implement the planning-related recommendations of the Downtown Parking Study.

SJMC2013-01-07/03R

It was moved by Councillor Hann; seconded by Councillor Tilley: That the following Resolutions for St. John’s Municipal Plan Amendment Number 87, 2012 and St. John’s Development Regulations Amendment Number 494, 2012 be adopted in principle; which will be forwarded to the Department of Municipal Affairs with a request for the issuance of a Provincial Release.

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 87, 2012**

WHEREAS the City of St. John’s wishes to implement the recommendations of the St. John’s Downtown Parking Study that has been adopted by the City.

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

- 1. Repeal subsections (3) and (4) in Part III, Section 3.3.4 – “Building Height and Area” in the Commercial Downtown Land Use District.
- 2. Repeal Part IV, Section 2.2.10 (“Parking – Downtown Parking Exempt Area”).
- 3. Repeal Map IV – 2 “Parking Exempt Areas”.

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

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 7th day of January 2013.

Mayor

City Clerk

Provincial Registration

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____</p> <p>MCIP</p>
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**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 494, 2012**

WHEREAS the City of St. John's wishes to implement the recommendations of the St. John's Downtown Parking Study that has been adopted by the City.

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

1. Repeal Map D in Section 3 – "Parking Exempt Areas".
2. Add a new map in Section 3 to be entitled "Map D – Area Subject to the Downtown Parking Standard".
3. Repeal Section 7.13 ("Parking Lot") and replace with the following new Section 7.13 to read as follows:

"7.13 PARKING LOT/INTERIM PARKING LOT

7.13.1 Parking Lots are subject to the following requirements:

- (a) the parking area shall be on a Lot having an area of not more than 0.5 ha;
- (b) the owner of the Parking Lot shall submit to Council an acceptable development plan including the following:
 - (i) number and location of parking spaces;
 - (ii) ingress and egress of Parking Lot;
 - (iii) area to be landscaped and screened and type of landscaping to be used;
 - (iv) profiles of same site plan showing grade elevations of parking area to the satisfaction of Council;
- (c) an agreement between the owner of the land and the City, including an approved development plan, shall be registered in the Registry of Deeds of Newfoundland restricting the use of such land to parking.

7.13.2 In the area subject to the Downtown Parking Standard, as described on Map D, Section 3, Council may permit Interim Parking Lots to which the following shall apply:

- (a) Council may, in relation to an application for an Interim Parking Lot, relax or waive, to such extent as may be recommended by the Director of Engineering following review of the application, the minimum standards or requirements that apply to permanent Parking Lots and Parking Areas under these Regulations.
- (b) The initial period of time for which an Interim Parking Lot may be permitted shall not exceed three (3) years. Upon application, Council, on the recommendation of the Director of Engineering, may permit an extension of the initial period for a further period of not more than two (2) years.
- (c) Immediately on expiration of the period, including any permitted extension, during which an Interim Parking Lot is permitted, an Interim Parking Lot shall lose its designation as such and shall cease to be used for the parking of motor vehicles.

4. Repeal Section 9.1.2(1) "Parking Relief" and replace it with the following new section:

"9.1.2(1) Parking Relief

Except in the area which is subject to the Downtown Parking Standard, as described on Map D, Section 3, Council may relieve an applicant of all or part of the parking required under Section 9.1.1, provided that the applicant is able to show that because of the particular characteristics of the Development that the actual parking requirements within the foreseeable future are expected to be lower than those required by the City standard."

5. Repeal Section 9.1.2(2) "Parking Exempt Area" and replace with a new section to read as follows:

"9.1.2(2) Downtown Parking Standard – Non-Residential/Residential

(I) Non-Residential Parking Standard

- (i) For new Developments involving commercial, retail, office, institutional and all other forms of non-residential Development, excepting Hotels, in the area subject to the Downtown Parking Standard as described on Map D, Section 3, the on-site, off-street parking requirement shall be as follows:

- (a) For Lots with a Lot Area greater than 350 square metres and less than 2500 square metres, one (1) on-site, off-street parking space for every 100 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot;

- (b) For Lots with a Lot Area from 2500 square metres to 4000 square metres, inclusive, one (1) on-site, off-street parking space for every 75 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot;
 - (c) For Lots with a Lot Area greater than 4000 square metres, one (1) on-site, off-Street parking space for every 60 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot.
- (ii) For new Hotels constructed or developed on Lots in the area subject to the Downtown Parking Standard as described on Map D, Section 3, the on-site, off-street parking requirement shall be one (1) parking space for every four (4) guest sleeping rooms, in addition to one (1) parking space for every seven (7) square metres of banquet/seminar/conference/meeting space.
 - (iii) (a) Notwithstanding ss. 9.1.2(2) (I)(i) and (ii), where an existing non-residential Development was constructed further to an Approval issued prior to the coming into force of the Downtown Parking Standard which Approval permitted a lesser parking requirement than stipulated by ss. 9.1.2(2)(I)(i) and (ii), then the parking requirement for the said non-residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, remain as established pursuant to the said Approval.

(b) Notwithstanding ss. 9.1.2(I)(i) and (ii), where yet to be constructed non-residential Development is the subject of a valid, unexpired Approval-in-Principle issued prior to the coming into force of the Downtown Parking Standard which Approval-in-Principle contemplates a lesser parking requirement than that stipulated by ss. 9.1.2(2)(I)(i) and (ii), then the parking requirement for the said proposed non-residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, be as established pursuant to such final Approval as may be forthcoming in relation to the said Approval-in-Principle. Where final Approval is not sought or is not forthcoming prior to the lapse or expiry of the Approval-in-Principle, then the applicable Downtown Parking Standard as set forth in s. 9.1.2(2) shall apply to any Development or re Development of the property.

(II) Residential Parking Standard

- (i) For new residential Developments in the area subject to the Downtown Parking Standard, as described in Map D, Section 3, excepting only

residential Development on Water Street and Duckworth Street, on-site, off-street parking shall be required at the rate of one (1) on-site, off-street parking space per Dwelling Unit.

(ii) (a) Notwithstanding ss. 9.1.2(II)(i), where an existing residential Development was constructed further to an Approval issued prior to the coming into force of the Downtown Parking Standard which Approval permitted a lesser parking requirement for the said residential Development, then the parking requirement for the said residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, remain as established pursuant to the said Approval.

(b) Notwithstanding ss. 9.1.2(II)(i), where yet to be constructed residential Development is the subject of a valid, unexpired Approval-in-Principle issued prior to the coming into force of the Downtown Parking Standard which Approval-in-Principle contemplates a lesser parking requirement than that stipulated by ss. 9.1.2(II)(i), then the parking requirement for the said proposed residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, be as established pursuant to such final Approval as may be forthcoming in relating to the said Approval-in-Principle. Where final Approval is not sought or is not forthcoming prior to the lapse or expiry of the Approval-in-Principle, then the applicable Downtown Parking Standard as set forth in s. 9.1.2(2) shall apply to any Development or re-Development of the property.

(iii) No parking spaces are required for new residential Developments or renovations on Lots on Water Street or Duckworth Street containing up to five (5) Dwelling Units. One (1) on-site, off-street parking space shall be required for each Dwelling Unit exceeding five (5).

(III) Other

(i) Where any building or construction pertaining to non-residential and/or residential Development in the area subject to the Downtown Parking Standard to which the Non-Residential Parking Standard or the Residential Parking Standard as set forth in s 9.2.1.2(2) does not apply is demolished or removed from the Lot on which it is situated, then any new Development that replaces the same shall, in its entirety, be subject to the applicable Downtown Parking Standard as determined pursuant to s. 9.1.2(2)(I)(i) or (ii) or s.9.1.2(2)(II)(i) or (iii) as the case may be.

(ii) Excepting only s. 9.1.2(2)(II)(iii), neither the Residential nor the Non-Residential Downtown Parking Standard shall apply to building or construction pertaining to

Development on Lots on Water Street and Duckworth Street that are less than 350 square metres in Lot Area.

- (iii) Where existing Development to which the Downtown Parking Standard does not apply by virtue of the operation of s. 9.1.2(2)(I)(iii) or s. 9.1.2(2)(II)(ii) is renovated so as to increase or expand the Net Floor Area, or the number of rooms, or the number of Dwelling Units, as the case may be, then the following shall apply:
 - (a) in the case of non-residential Development, excepting Hotels, the applicable Non-Residential Parking Standard as determined pursuant to s. 9.1.2(2)(I)(i) shall apply to the increased Net Floor Area;
 - (b) in the case of Hotels, the applicable Non-Residential Parking Standard as determined pursuant to s. 9.1.2(2)(I)(ii) shall apply to additional guest sleeping rooms and increased banquet/ seminar/ conference/meeting space;
 - (c) in the case of residential Development that is within the area subject to the Downtown Parking Standard but is not located on Water Street or Duckworth Street, the Residential Parking Standard as determined pursuant to s. 9.1.2(2)(II)(i) shall apply to each new Dwelling Unit created where the total number of Dwelling Units, whether existing or created, exceeds two (2);
 - (d) in the case of residential Development that is within the area subject to the Downtown Parking Standard and is located on Water Street or Duckworth Street, the Residential Parking Standard as determined pursuant to s. 9.1.2(2)(II)(i) shall apply to each new Dwelling Unit created where the total number of Dwelling Units, either existing or created, exceeds five (5).
- (IV) Discretion
 - (i) Notwithstanding anything else contained in s. 9.1.2(2) or s. 9.2.1(3), Council may:
 - (a) where it determines that provision of the required on-site, off-street parking is not appropriate for a particular development, site, or property for reasons relating to safety, vehicular traffic, pedestrian traffic, access, servicing, other site infrastructure and/or development related issues, or archaeological/heritage issues; or
 - (b) where requested by the Applicant, permit the following:
 - (1) provision of a cash-in-lieu payment in satisfaction of part or all of the on-site, off-street parking space requirement pursuant to the

applicable Downtown Parking Standard in an amount as established, from time to time, by resolution of Council;

- (2) provision of permanent or long-term off-site, off-street parking in satisfaction of part or all of the on-site, off-street parking space requirement pursuant to the applicable Downtown Parking Standard at a location and on terms acceptable to Council; or
- (3) provision of any combination, as may be acceptable to Council, of a cash-in-lieu payment, acceptable off-site, off-street parking, and/or on-site, off-street parking in satisfaction of the on-site, off-street parking requirement pursuant to the applicable Downtown Parking Standard.

(ii) Monies from cash-in-lieu payments to the City pursuant to s. 2.1.2(2)(IV)(i) shall be:

- (a) used to fund the creation of new or additional public parking spaces; and/or
- (b) applied against costs incurred by the City in maintaining and/or retaining existing public parking spaces; and/or
- (c) used to fund initiatives that will, in the opinion of Council, reduce demand for public parking spaces;

in the area which is subject to the Downtown Parking Standard.

(iii) The amount of cash-in-lieu payment as established by Council from time to time shall be based on the estimated cost, as determined by the Director of Engineering, of constructing indoor parking in the area which is subject to the Downtown Parking Standard.

(V) Damage/Destruction of Development

- (i) Where any building or construction pertaining to non-residential, Hotel, or residential Development that is not subject to the applicable Downtown Parking Standard by operation of s. 9.1.2(2)(I)(iii) or s. 9.1.2(2)(II)(ii) is destroyed or damaged or deteriorated so as to render the same uninhabitable or unfit for use, and where within three (3) years of the date of said destruction, damage or deterioration:
 - (1) the building or construction pertaining to the Development is removed; and
 - (2) a permit is issued by Council approving a new or replacement Development to be constructed at the site of the original Development;

then the applicable Downtown Parking Standard as required by ss. 9.1.2(2)(I)(i), or (ii), or ss. 9.1.2(2)(II)(i) or (iii) shall apply only to any increase in the Net Floor Area, or the number of rooms and/or the increase in banquet/seminar/conference/meeting space, or the number of Dwelling Units, as the case may be, beyond that which existed in the building or construction pertaining to the original Development. The parking standard applicable to the remainder of the Development shall be equivalent to the on-site, off-street parking that was available prior to the building or construction on the Lot becoming uninhabitable or unfit for use.

- (ii) If the building or construction pertaining to the original Development is not removed and/or a permit approving a new or replacement Development is not issued within the said three (3) year period, then the applicable Downtown Parking Standard as provided for in s. 9.1.2(2) (I)(i) or (ii) or s. 9.1.2(2)(II)(i) shall apply to the whole of any Development either existing or new, on the Lot.
- (iii) Subsection 9.1.2(2)(V)(i) is not applicable where the Lot, for purposes of Development or re-Development, is assembled with other lands to form a larger Lot. In such circumstances, the applicable Downtown Parking Standard as required by ss. 9.1.2(2)(I)(i) or (ii), or ss. 9.1.2(2)(II)(i) or (iii) shall apply to the whole Development or re-Development.

(VI) Unapproved Parking Reduction

- (i) If, at any time, the on-site and/or acceptable off-site, off-street parking for a particular Development is reduced below the level as stipulated, provided for, or otherwise approved pursuant to s.9.1.2(2), then any said reduction shall be immediately and fully redressed by the owner and/or the occupant of the Development and/or the Lot on which the Development exists.

6. Repeal Section 9.1.2(3) – “Downtown Residential Parking”.

7. Repeal Section 9.2.1(3) and replace it with the following new Section:

“9.2.1(3) A Parking Area shall be situated on the Lot on which the Use or Development it is accessory to is located except as otherwise provided in s. 9.2.1(4) or s. 9.1.2(2)(IV).”

8. Repeal Section 9.2.1(4) and replace it with the following new Section:

- “(4) The Director of Planning or designate may except a Development, except an Infill Housing Development or a Development which is subject to the Downtown Parking Standard, from the requirements of Subsection 9.2.1(3) provided:

- (a) the Lot accommodating the Parking Area shall be located not more than 200 metres from the Lot on which the Use requiring the off-street parking is located; and
- (b) the Lot accommodating the Parking Area shall be used only for off-street parking for the Use to which it is accessory as long as the Use remains in operation or requires the Parking Area.”

9. Add a new section to Section 9, to read as follows:

“9.4 Access/egress points from a Public Street to a Parking Area or a private driveway are subject to the approval of the Director of Engineering or designate.”

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

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 7th day of January, 2013.

Mayor

City Clerk

Provincial Registration

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____ MCIP</p>
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As pointed out, once the Provincial release is issued, the amendments would then be referred back to a future Regular Meeting of Council for consideration of formal adoption and the appointment of an independent commissioner to conduct a public hearing on the proposed planning amendments on behalf of Council.

Following discussion, the motion being put was unanimously carried.

Outstanding Motion – SJMC2012-12-17/629R

Deputy Mayor Duff reintroduced the following motion put forward by her at the Regular Meeting of Council held on December 17, 2012 when the meeting was prematurely shut down.

SJMC2013-01-07/04R

It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary: That the City formally request the St. John’s Port Authority to co-host a public information session early in the New Year to discuss some of the outstanding questions and concerns raised by the public concerning the decision to erect a permanent security fence on the north side of St. John’s Harbour.

The motion being put there voted for it the mover and seconder. The Motion failed.

Councillor Galgay’s Announcement

By unanimous consent of Council, Councillor Galgay at this point was granted the time to speak to Council about his political future. In this regard, Councillor Galgay announced that he will not be seeking re-election in the upcoming municipal election in Ward 2. He extended thanks to his family, constituents, members of council, staff, campaign team and all who helped contribute to his sixteen years in municipal politics.

Development Committee Report dated December 11, 2012

Council considered the following Development Committee Report dated December 11, 2012

- 1. Department of Planning File No. 12-00359 & 12-00360/B-17-C.22/23
Crown Land Grant Referral
Discretionary Use Application / Proposed Freight Terminal & Access Road
Applicant: 8188314 Canada Inc.
Conception Bay South (CBS) Bypass Road
Rural Zone (R) Zone Ward 5**

Recommendation

Council grant Approval for the above noted Crown Land grants. The development of the site is subject to 8188314 Canada Inc. submitting a development application. Final approval is subject to the developer satisfying the requirements of the Discretionary Use Permit and other requirements by the City of St. John’s.

2. **Department of Planning File No. 12-00371/B-17-L.10**
Proposed Parking Relief for Pilates Studio
Applicant: Sarah Joy Stoker
Civic No. 120 LeMarchant Road
Residential Mixed (RM) Zone

Recommendation

It is the recommendation of the Development Committee that sixteen (16) parking spaces will be sufficient for this proposed business, based on anticipated low traffic volumes. Parking relief may be approved by Council.

SJMC2013-01-07/05R

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

The motion being put was unanimously carried.

Development Committee Report dated December 18, 2012

Council considered the following Development Committee Report dated December 18, 2012

1. **Proposed Rezoning for Six (6) Lot Residential Subdivision**
Quidi Vidi Village Road (former School House Hill Site) (Ward 2)
Applicant: Powder House Hill Investments

The Development Committee recommends that upon receipt of proposed building elevations from the applicant, staff be directed to schedule a public meeting, to be chaired by a member of Council, on the rezoning application and the proposed building elevations for this residential project.

2. **Proposed Seniors' Residential Condominium Building**
Civic No. 50 Margaret's Place (Ward 2)
Applicant: Belvedere Development Corporation

The Development Committee recommends that Council approve the attached terms of reference for the Land Use Assessment Report for the proposed four (4) storey seniors' residential condominium building.

Council is also requested to provide direction as to whether it would be sufficient to advertise the application and the Land Use Assessment Report for public review and comment once the Assessment Report has been completed by the applicant and reviewed by staff or whether Council wishes to hold a public meeting, to be chaired by a member of Council, on the application and the Assessment Report.

As information, the St. John's Development Regulations provide that Council has the authority to conduct a public meeting on this application if there were to be a number of written public submissions received if the application/Assessment Report were advertised for public review and comment.

Robert F. Smart
City Manager
Chair – Development Committee

SJMC2013-01-07/06R

It was moved by Councillor Hann; seconded by Councillor Breen: That the Committee's recommendations be approved, and that a public hearing be held on the application and the Assessment Report for the Proposed Senior's Residential Condominium Building, Civic No. 50 Margaret's Place, to be chaired by a member of Council.

The motion being put was unanimously carried.

Finance & Administration Standing Committee Report dated December 17, 2012

Council considered the following Finance & Administration Standing Committee Report dated December 17, 2012:

In Attendance:

- Councillor Danny Breen, Chairperson
- Councillor Frank Galgay
- Councillor Tom Hann
- Sheilagh O'Leary
- Councillor Wally Collins
- Mr. Bob Smart, City Manager
- Mr. Neil Martin, Deputy City Manager/City Clerk
- Mr. Paul Mackey, Director – Public Works/Parks, Deputy City Manager
- Mr. Bob Bishop, Director of Finance/City Treasurer
- Ms. Jill Brewer, Director of Recreation
- Ms. Diane Winsor, Director of Human Resources
- Ms. Elizabeth Lawrence, Director of Economic Development, Tourism and Culture
- Mr. Sean Janes, City Auditor
- Ms. Jennifer Mills, Communications Officer
- Ms. Maureen Harvey, Recording Secretary

1. Memorandum from the Director of Finance/City Treasurer dated December 12, 2012 re: Treatment of EDGE Companies

The City has been a participant in the Provincial EDGE program since 2002 and offered an exemption for Business Occupancy for ten years followed by a five year phase in, to companies designated by the Province. Given the introduction of the Tax Blending Policy it has become necessary to address the current participants.

The Committee recommends that EDGE companies be required to provide information on the property taxes they pay upon which staff can calculate and issue a reimbursement. The Committee further agrees that the continuation of the City's practice in dealing with EDGE companies be referred to the Economic Development and Tourism Standing Committee for an in-depth review and recommendation.

2. Requests for Financial Support for Meetings/Conventions/Sporting Events: Memorandum dated December 12, 2012 from the Director of Corporate Services/Deputy City Manager re: Financial Support for Meetings and Conventions

The City has received requests from the following groups/organizations under the above noted policy:

1. Recreation NL – Atlantic Boccia Regional Championships – The City has received a request for funding for this event which is taking place January 18-20, 2013 in St. John's. Approximately 110 participants are anticipated.
2. Opera on the Avalon – Summer Festival 2013 – Request for funding to host 200 out of province participants at their summer festival which will take place over a five week period.
3. Canadian University Queer Services Conference- Request for funding for the 8th Annual Canadian University Queer Services Conference being held in St. John's from May 1-5, 2013 with approximately 300 participants.
4. College and University Retiree Associations of Canada – Request for funding to host the National Meeting and Annual General Meeting of CURAC/ARUCC being held June 12-14th, 2013. 100 delegates anticipated.
5. 150 St. John's Wing of the Air Force Association - Request for a contribution toward the Annual Convention of the Atlantic Group of the Royal Canadian Air Force Association. While the request is for \$1,500 to host luncheons, at the event, the convention qualifies for funding under Policy 04-09-02.
6. Cygnus Gymnastics Club – Request for funding to host the 2013 Eastern Canadian Gymnastic Championships on May 10 & 11, 2013. A delegation of over 1000 athletes, coaches and officials are expected.

7. Kinette Club of Mount Pearl – Request for funding to host the National Conference for Kinsmen/Kinnettes/Kin that will be held in the City of St. John’s in September 2013. 300-400 delegates anticipated.

On the basis of a motion put forth by Councillor Hann; seconded by Councillor O’Leary, the following grants are recommended:

a.	Recreation NL – Atlantic Bocchia Regional Championships	\$500
b.	Opera on the Avalon	deferred
c.	Canadian University Queer Services Conference	\$750
d.	College and University Retiree Associations of Canada	\$500
e.	150 St. John’s Wing of the Air Force Association	\$500
f.	Cygnus Gymnastics Club	\$2,000
g.	Kinette Club of Mount Pearl	\$750

3. Request from Memorial University Engineering Student Society “B” for funding in support of the 7th Annual Winter Charity Ball scheduled for January 26, 2013

The Committee recommends that the request be denied as it outside the scope of the City’s mandate.

4. Request for funding for Luncheon Sponsorship from the Canadian Public Works Association – Newfoundland and Labrador Chapter – May 22 – 24, 2013

On a motion from Councillor Hann; seconded by Councillor CollinsThe Committee recommends that, in keeping with past practice, approval be given for sponsorship of a luncheon being hosted by the NL Chapter of the Canadian Public Works Association at an estimated cost of \$1,200.

5. Request from VOCM Cares for a contribution toward the VOCM Happy Tree Project.

The Committee recommends rejection of a request for a contribution toward the VOCM Happy Tree Project as it does not meet the criteria for funding.

6. Request from the Health Care Foundation for a contribution to the Jim Shields Memorial Garden for the benefit of veterans at the Caribou Veterans Pavilion at the Dr. Leonard A. Miller Centre.

The Committee recommends rejection of a request for funding to the Jim Shields Memorial Garden as it projects of this type are outside the scope of the City’s mandate.

7. Request from St. John Ambulance – NL Council for corporate support to purchase uniforms, training and equipment for the “Ready to Respond” campaign.

The Committee recommends rejection of a request for a contribution toward the St. John Ambulance – NL Council as it does not meet the criteria for funding.

8. Email from Councillor Breen re: Request for Accessible Transit Research through CUTA

On the basis of substantial support already provided by the City to accessible transit, it is recommended that the request for funding to provide \$1,000 to assist with two research projects be denied at this time.

9. Request from Sport NL for an invoice write-off in the amount of \$2,104.15 which represented labour for and paint for the Torbay Field in 2010.

The Committee recommends, on a motion by Councillor Galgay; seconded by Councillor Collins that approval be given to write off an invoice in the amount of \$2,104.15 issued to Sport NL.

10. Request from AAA Ice Breakers Hockey for funding to participate in Provincial Tournament

The Committee recommends rejection of a request to provide funding for participation in a Provincial tournament on January 4 – 6, 2013 as it does not meet the criteria for funding under the City’s policy.

SJMC2013-01-07/07R

It was moved by Councillor Breen; seconded by Councillor Hann: That the Committee’s recommendations be approved.

SJMC2013-01-07/08R

It was then moved by Councillor Colbert; seconded by Councillor Hickman: That the recommended \$2,000.00 grant to Cygnus Gymnastics Club be increased to \$2,500.00 which is within the current criteria for funding.

Regarding #3 Councillor Hanlon, though recognizing that the request from MUN Engineering Student Society is outside the scope of the City’s mandate, commented that one of the goals of the Strategic Economic Road Map is to make St. John’s a more attractive place for young people to come and start families. She noted that the City should do more to work with MUN to see

what can be done to foster that goal. Councillor Hanlon asked that the matter be referred to the Economic Development & Tourism Committee for consideration.

Following discussion, the main motion being put including increasing the grant to Cygnus Gymnastics from \$2,000.00 to \$2,500.00, was unanimously carried

Parks and Recreation Standing Committee Report dated December 4, 2012

Council considered the following Parks and Recreation Standing ministration Standing Committee Report dated December 4, 2012

Attendees: Councillor Frank Galgay, Chairperson
 Councillor Danny Breen
 Councillor Sheilagh O’Leary
 Councillor Sandy Hickman
 Councillor Tom Hann
 Paul Mackey, Deputy City Manager & Director of Public Works & Parks
 Jill Brewer, Director of Recreation
 Dave Blackmore, Director of Building & Property Management
 Kevin Breen, Manager of Streets & Parks
 Heather Hickman, Manager of Community Development
 Carla Lawrence, Manager of Sport & Communications
 Tanya Haywood, Manager of Facilities Division
 Natalie Godden, Manager of Family & Leisure Services
 Brian Head, Operations Assistant – Parks Division
 Karen Chafe, Recording Secretary

Report:

1. **St. John’s Amateur Baseball**

The Committee met with Mark Healey and Troy Croft of the St. John’s Amateur Baseball Association who elaborated on the history, services provided and current needs of the Association (SJABA). Currently the City is in a lease agreement with the Association and provides it with an annual subsidy of \$10,000.00. The Association would like to continue the current lease model; however, require an increase in the annual subsidy by \$10,000.00. Messrs. Healey and Croft outlined the facility costs and the contributing factors which led them to the request for an increase, i.e. increases in cost of salaries, supplies, utilities vs. the increased demand and use of the field. They also note that the subsidy has not been increased in many years. The increase would provide a more stable financial environment and would allow SJABA to provide more services. The City if it had to run the same services provided by the SJABA would have to do so at a much higher cost.

The Committee on motion of Councillor Hickman; seconded by Councillor O’Leary recommends that the request for an increase of \$10,000 to the SJABA be forwarded for consideration under the Department of Recreation’s Community Sport Associations fund.

2. **Presentation: Beach Volleyball**

The Committee met with Jessica Crocker and Brad Pitcher of NL Volleyball who conducted a power point presentation elaborating on the need for beach volleyball facilities to support its growing popularity in the Province from both a recreational and competitive perspective, particularly in light of the 2021 Canada Games . A copy of the power point is on file with the City Clerk's Department.

The Committee on motion of Councillor Breen; seconded by Councillor Hann: recommends that the Parks Division evaluate the potential of and prospective locations for the establishment of a beach volleyball facility in St. John's, keeping in mind the expansion potential for four courts. The Department of Recreation and the Parks Division should also identify prospective partnerships to offset the costs involved, i.e. Provincial Training Center; Memorial University; the Provincial Government; and corporate sponsors.

3. **Outdoor Basketball Court Usage/Program**

The Department of Recreation was approached by MAX, a health and wellness center about the possibility of using the City's outdoor basketball courts at no charge in exchange for offering recreational programs to children and youth as well as to further develop the sport. MAX will cover insurance costs and will contribute to the REAL program. This proposal is offered at no risk to the City.

The Committee on motion of Councillor Hann; seconded by Councillor Hickman: recommends approval of the proposal by MAX wellness center to use the City's outdoor basketball courts free of charge and at no financial or insurance risk to the City.

4. **Shea Heights Community Centre Board of Directors**

The Committee considered the attached line-up for the Shea Heights Community Centre Board of Directors and membership representation.

The Committee on motion of Councillor Hickman; seconded by Councillor Breen recommends approval as presented.

5. **Concept Plan – St. Pat's Ball Park**

Councillor Breen advised that there is a need to reconfigure St. Pat's Ball Park to accommodate the increased capacity from the displaced Wedgewood Park facility as well as upcoming national events including the 2014 Baseball Nationals and the 2021 Canada Summer Games.

The Committee on motion of Councillor Breen; seconded by Councillor Hickman: recommends that Council allocate \$25,000 to engage a consultant to develop a concept plan for St. Pat's Ball Park that will consider both the short and long-term needs of the facility in light of its increased demand.

SJMC2013-01-07/09R

It was moved by Councillor Galgay; seconded by Councillor Hickman: That the Committee's recommendations be approved.

The motion being put was unanimously carried

Planning and Housing Standing Committee Report dated December 18, 2012

Council considered the following Planning and Housing Standing Committee Report dated December 18, 2012:

In Attendance:

- Councillor Tom Hann, Chairperson
- Councillor Sandy Hickman
- Councillor Danny Breen
- Councillor Sheilagh O'Leary
- Mr. Bob Smart, City Manager
- Mr. Paul Mackey, Deputy City Manager & Director of Public Works/Parks
- Mr. Cliff Johnston, Director of Planning
- Mr. Walt Mills, Director of Engineering
- Mr. Dave Blackmore, Director of Building and Property Management
- Mr. Ken O'Brien, Manager of Development & Information
- Mr. Joe Sampson, Manager of Development
- Mr. Robin King, Transportation Engineer
- Ms. Lynnann Winsor, Manager – Development Engineering Services
- Ms. Jennifer Mills, Communications Officer
- Ms. Maureen Harvey, Recording Secretary

1. Representatives of KMK Properties Inc. to discuss proposed revised Stage 2 for Tiffany Estates Residential Development – Tiffany Lane (Ward 4)

Representatives of KMK Properties Inc. were in attendance to discuss the proposed revised Stage 2 for Tiffany Estates Residential Development.

On a motion put forth by Councillor O'Leary; seconded by Councillor Hickman the Committee recommends that the applicant be asked to prepare a Land Use Assessment Report (LUAR) for the proposed revised Stage 2 of the Tiffany Village Seniors' residential Development. It is also recommended that once the report has been received and reviewed by staff, that staff be directed to proceed with public notification of the application, the LUAR and required text amendments to the Municipal Plan and Development Regulations. This process would include a

newspaper notice, notices mailed to property owners and residents in the area and posting of the LUAR on the City's website.

The Committee recommends the proposed terms of reference for the Land Use Assessment Report as attached be approved by Council.

2. **Memorandum from Director of Planning dated December 14, 2012 re: Planning Application and Development Fees**

On a motion by Councillor Hickman; seconded by Councillor O'Leary it is recommended that effective January 1, 2013 that the following fees noted below apply to the following types of planning applications:

Fee	Current Fee Schedule	Proposed New Fee Schedule
Rezoning and Proposed Text Amendments to the St. John's Development Regulations	\$100	\$300
Proposed Amendments to the St. John's Municipal Plan	\$300	\$500
Subdivision Application Processing Fee Note: this fee will require that a text amendment be made to the St. John's Development Regulations before the fee change can take effect since the amount of the subdivision application processing fee is noted in the text of the Development Regulations.	\$100	\$200
Applications for Discretionary Uses	\$100	\$300
Applications involving Non-conforming uses, Non-conforming buildings and Non-conforming lots	\$100	\$300
Other types of applications processed by the Department of Planning which are not identified above-these general types of applications are limited in number of applications received and generally do not involve public advertisement of the application.	\$50	\$150

3. **Memorandum from Director of Planning dated December 14, 2012 re: Appointment of additional independent Commissioners**

On a motion by Councillor O'Leary; seconded by Councillor Hickman it is recommended that the City publicly advertise for expressions of interest for another four (4) persons to serve as Commissioners.

SJMC2013-01-07/10R

It was moved by Councillor Hann, seconded by Councillor Hickman: That the Committee's recommendations be approved.

The motion being put was unanimously carried.

Economic Development & Tourism Standing Committee Report dated December 14, 2012

Council considered the following Economic Development & Tourism Standing Committee report dated December 14, 2012:

Attendees: Councillor Danny Breen, Acting Chairperson
 Mayor Dennis O'Keefe
 Councillor Tom Hann
 Councillor Sandy Hickman
 Councillor Sheilagh O'Leary
 Bob Smart, City Manager
 Elizabeth Lawrence, Director of Economic Development, Tourism,
 & Culture
 Deborah Cook, Manager of Operations & Service Delivery
 Vicki Button, Marketing and Business Development Officer
 Heather Mills-Snow, Economic Development Coordinator
 Wendy Mugford, Economic Development Coordinator
 Margaret Donovan, Tourism Development Coordinator
 Bernadette Walsh, Special Projects Coordinator
 Thea Morash, Arts & Cultural Development Coordinator
 Todd Lehr, Tourism Program Analyst
 Caroline Cook, Special Projects Coordinator
 Jill Sheppard, Marketing Assistant
 Jennifer Mills, Communications Officer
 Karen Chafe, Recording Secretary

Report:

1. **Business Registration**

The Committee reviewed the background information for the proposed business registration system for which consultations were held with the St. John's Board of Trade and the Downtown Development Commission. A sample flyer as well as a business registration form were also reviewed and were included with the agenda. The Deputy City Manager/City Clerk was in attendance to discuss the matter.

The Committee on motion of Councillor O’Leary; seconded by Councillor Hickman: recommends that the Business Registration System be approved as presented pending confirmation from the St. John’s Board of Trade and Downtown St. John’s. Once confirmation is received, staff may proceed with implementation.

2. **FCM Sustainable Communities Conference and Trade Show**

The Committee considered background information from staff regarding FCM’s call for submission of interest to host the 2015 Sustainable Communities Conference and Trade Show. If Council chooses to bid on this conference, it will have to commit to financial and staff resources if the City was successful in its bid. An outline of the bid requirements was included within the Committee’s agenda. Staff suggested that the 2016 bid may be more reasonable, particularly given the anticipated completion of the convention center expansion.

The Committee on motion of Councillor Hann; seconded by Councillor Hickman: recommends that the City not submit a bid for the 2015 FCM Sustainable Communities Conference and Trade Show.

Councillor Danny Breen
Chairperson

SJMC2013-01-07/11R

It was moved by Councillor Tilley; seconded by Councillor Galgay: That the Committee’s recommendations be approved.

The motion being put was unanimously carried.

Nomenclature Committee Report

Council considered the following Nomenclature Committee Report:

Date: December 17th, 2012
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendations

Council approval is requested for the following Street names:

**Proposed Commercial Development
Field Farm Subdivision – Stage 2
(formerly 661-699 Torbay Road
55732 Newfoundland & Labrador Inc.**

1. Sea Rose Avenue

SJMC2013-01-07/12R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits for the period of December 7, 2012 to December 13, 2012 and December 14, 2012 to January 3, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF December 7, 2012 TO December 13, 2012**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Building Lot	13 Scout's Place	5	Approved	12-12-07
RES		Demo & Rebuild of Townhouse	36 Cochrane Street	2	Approved	12-12-07
RES		Building Lot	23 Marsland Place	2	Approved	12-12-07
COM		Family Home Child Care	43 Beacon Hill Crescent	5	Approved	12-12-12
COM	Gibraltar Development Inc.	Commercial Building	56 Airport Road	1	Approved	12-12-10
RES	Marc Boily Contracting Limited	Four (4) Townhouse Dwellings	Empire Ave. and Aldershot St.	2	Approved	12-12-13

<p>* Code Classification: RES - Residential COM - Commercial AG - Agriculture OT - Other</p>	<p>INST - Institutional IND - Industrial</p>
<p>** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.</p>	

Gerard Doran
Development Officer
Department of Planning

**DEVELOPMENT PERMITS LIST
 DEPARTMENT OF PLANNING
 FOR THE PERIOD OF December 14, 2012 TO January 3, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Building Lot	27 Gillies Road	4	Approved	12-12-19
COM	Red Seal Roofing	Home Office	183 Cheeseman Drive	5	Approved	12-12-19
COM	Fairview Investments	Site Improvements	279 Portugal Cove Rd.(East Gate Plaza)	4	Approved	12-12-18
COM		Home Office – Home Organizing Company	565A Topsail Road	2	Approved	12-12-21
COM	Ron Fougere Associates Ltd.	Red Cross - Extension to Building and Site work	17 Major's Path	1	Approved	13-01-02

<p>* Code Classification: RES - Residential COM - Commercial AG - Agriculture OT - Other</p>	<p>INST - Institutional IND - Industrial</p>
<p>** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.</p>	

Gerard Doran
Development Officer
Department of Planning

Building Permits List

SJMC2013-01-07/13R

**It was moved by Deputy Mayor Duff; seconded by Councillor Hickman:
 That the recommendation of the Director of Building and Property Management
 with respect to the following Building Permits List be approved:**

**Weekly Permits List
Council's December 17, 2012 Regular Meeting**

Permits Issued: 2012/12/06 To 2012/12/12

Class: Commercial

15-27 Stavanger Dr-Clovelly	Co	Retail Store
79 Mews Pl	Nc	Office
50 Aberdeen Ave	Ms	Retail Store
95c Aberdeen Ave	Sn	Retail Store
Avalon Mall No. 1 Envy	Sn	Retail Store
Avalon Mall No. 1 Lids	Sn	Retail Store
137 Blackmarsh Rd	Ms	Convenience Store
203 Blackmarsh Rd	Ms	Retail Store
271 Blackmarsh Rd	Ms	Service Shop
271 Blackmarsh Rd	Ms	Office
711 Blackmarsh Rd	Ms	Retail Store
55 Kelsey Dr	Ms	Office
85-95 Kenmount Rd	Sn	Car Sales Lot
177 Kenmount Rd	Ms	Car Sales Lot
193 Kenmount Rd	Ms	Retail Store
193 Kenmount Rd	Ms	Retail Store
547 Kenmount Rd City Honda	Sn	Car Sales Lot
565 Kenmount Rd	Sn	Parish Hall
468 Logy Bay Rd	Ms	Commercial Garage
358 Main Rd	Ms	Service Station
431-435 Main Rd	Ms	Take-Out Food Service
37 O'leary Ave	Ms	Retail Store
180 Portugal Cove Rd	Ms	Retail Store
283 Portugal Cove Rd	Sn	Eating Establishment
38 Ropewalk Lane	Ms	Service Shop
117 Ropewalk Lane	Ms	Retail Store
St. Clare Ave	Ms	Place Of Assembly
140 Stavanger Dr	Ms	Retail Store
92 Thorburn Rd	Sn	Eating Establishment
92 Thorburn Rd	Sn	Restaurant
500 Topsail Rd	Sn	Eating Establishment
340 Torbay Rd	Ms	Office
660 Torbay Rd	Ms	Service Station
585 Torbay Rd	Ms	Eating Establishment
585 Torbay Rd	Sn	Retail Store
611 Torbay Rd	Ms	Retail Store
300 East White Hills Rd	Nc	Accessory Building
90 Quidi Vidi Village Rd	Nc	Accessory Building
3 Queen St	Rn	Mixed Use
60 O'leary Ave	Rn	Warehouse
61 Torbay Rd	Rn	Eating Establishment
338 Freshwater Rd	Rn	Restaurant
2 Stavanger Dr	Rn	Service Station
8-10 Rowan St, Suite 306	Rn	Office
632 Topsail Rd	Rn	Service Station

This Week \$ 940,700.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

100 East White Hills Rd	Rn	Admin Bldg/Gov/Non-Profit
100 East White Hills Rd	Rn	Admin Bldg/Gov/Non-Profit

This Week \$ 39,128.00

Class: Residential

39 Airport Rd	Nc	Accessory Building
10 Ann-Jeannette Pl	Nc	Patio Deck
107 Blue Puttee Dr., Lot 91	Nc	Single Detached Dwelling
47 Cape Pine St	Nc	Accessory Building
20 Cappahayden St., Lot 45	Nc	Single Detached & Sub.Apt
22 Cornwall Cres	Nc	Accessory Building
173 Doyle's Rd - Lot 3	Nc	Single Detached Dwelling
173b Doyle's Road - Lot 2	Nc	Single Detached Dwelling
340 Duckworth St	Nc	Parking Lot
10 Jamie Korab St	Nc	Accessory Building
32 Kenai Cres, Lot 192	Nc	Single Detached Dwelling
15 Kenai Cres, Lot 239	Nc	Single Detached Dwelling
43 Kenai Cres., Lot 230	Nc	Single Detached Dwelling
51 Kenai Cres - Lot 226	Nc	Single Detached Dwelling
31 Mccrae St, Lot 111	Nc	Single Detached Dwelling
R26 Montague St	Nc	Fence
30 Nautilus St	Nc	Fence
75 Pearltown Rd	Nc	Accessory Building
16 Pitcher's Path	Nc	Single Detached Dwelling
307 Airport Heights Dr	Nc	Patio Deck
2 Sequoia Dr. Lot 295	Nc	Single Detached Dwelling
29 Sequoia Dr, Lot 312	Nc	Single Detached Dwelling
174 Signal Hill Rd	Nc	Accessory Building
529 Thorburn Rd	Nc	Single Detached Dwelling
11 Sitka St, Lot 289	Nc	Single Detached Dwelling
166 Waterford Bridge Rd	Nc	Fence
166 Waterford Bridge Rd	Nc	Patio Deck
14 Pickmore Pl	Cr	Single Detached & Sub.Apt
61 Lerner St	Ex	Single Detached Dwelling
30 Oxen Pond Rd	Ex	Single Detached Dwelling
128 Cheeseman Dr, Lot 25	Rn	Single Detached Dwelling
119 Craigmillar Ave	Rn	Single Detached Dwelling
26 Parsonage Dr	Rn	Single Detached Dwelling
258 Pennywell Rd	Rn	Single Detached Dwelling
36 Serpentine St	Rn	Single Detached Dwelling
486 Southside Rd	Rn	Semi-Detached Dwelling
50 Teakwood Dr	Rn	Single Detached Dwelling
54 Teakwood Dr	Rn	Single Detached Dwelling
49 Viscount St	Rn	Single Detached Dwelling
20 William St	Rn	Townhousing
16 Maple St	Sw	Single Detached Dwelling
9 Organ Pl	Sw	Single Detached Dwelling
150 Clinch Cres	Sn	Lodging House

This Week \$ 3,877,840.00

Class: Demolition

209 Blackmarsh Rd Detached Dwelling	Dm	Single
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This Week \$ 7,000.00

This Week's Total: \$ 4,864,668.00

Repair Permits Issued: 2012/12/06 To 2012/12/12 \$ 21,000.00

Legend

- Co Change Of Occupancy
- Cr Chng Of Occ/Renovtns
- Ex Extension
- Nc New Construction
- Oc Occupant Change
- Rn Renovations
- Sw Site Work
- Ti Tenant Improvements
- Sn Sign
- Ms Mobile Sign
- Cc Chimney Construction
- Cd Chimney Demolition
- Dv Development File
- Ws Woodstove
- Dm Demolition

Year-To-Date Comparisons			
December 17, 2012			
Type	2011	2012	% Variance (+/-)
Commercial	\$95,400,400.00	\$214,000,300.00	124
Industrial	\$2,800,900.00	\$5,100,100.00	82
Government/Institutional	\$35,800,800.00	\$16,300,100.00	-54
Residential	\$240,000,100.00	\$186,300,000.00	-22
Repairs	\$5,200,300.00	\$5,100,500.00	-2
Housing Units (1 & 2 Family Dwellings)	696	603	
Total	\$379,202,500.00	\$426,801,000.00	13

Weekly Permits List

Council's January 7, 2013 Regular Meeting

Permits Issued: 2012/12/13 To 2013/01/03

Class: Commercial

- 15 Aberdeen Ave
- 355a Main Rd
- 11 Major's Path
- Nc Accessory Building
- Nc Accessory Building
- Nc Accessory Building

20 Ropewalk Lane	Nc	Accessory Building
3 Stavanger Dr	Nc	Retail Store
515 Kenmount Rd	Oc	Retail Store
40 Aberdeen Ave	Ms	Club
46a Aberdeen Ave	Ms	Clinic
56a Aberdeen Ave	Ms	Retail Store
79b Aberdeen Ave - Smart Set	Ms	Retail Store
89 Aberdeen Ave-Pets Unlimited	Ms	Retail Store
45 Blackmarsh Rd	Ms	Retail Store
57 Blackmarsh Rd	Ms	Place Of Assembly
261 Brookfield Rd	Sn	Car Sales Lot
44 Crosbie Rd	Ms	Convenience Store
166 Duckworth St	Sn	Retail Store
395 East White Hills Rd	Ms	Commercial Garage
10 Elizabeth Ave	Ms	Retail Store
84-86 Elizabeth Ave	Ms	Service Shop
391-395 Empire Ave	Ms	Retail Store
391-395 Empire Ave	Ms	Retail Store
14 Forbes St	Ms	Convenience Store
324 Frecker Dr	Ms	Convenience Store
140 Freshwater Rd	Ms	Restaurant
342 Freshwater Rd	Ms	Clinic
12-20 Highland Dr	Ms	Retail Store
12-20 Highland Dr	Ms	Service Shop
15 International Pl	Sn	Office
35 Kelsey Dr - Boston Pizza	Ms	Restaurant
39 Kelsey Dr	Ms	Retail Store
61 Kelsey Dr Rbc	Sn	Bank
58 Kenmount Rd	Ms	Retail Store
58 Kenmount Rd	Ms	Office
81 Kenmount Rd	Ms	Retail Store
193 Kenmount Rd	Ms	Restaurant
409 Kenmount Rd	Ms	Commercial Garage
461 Kenmount Rd	Ms	Car Sales Lot
90 Logy Bay Rd	Ms	Club
135 Macdonald Dr	Ms	Home For Aged
204-206 Main Rd	Ms	Clinic
484 Main Rd	Ms	Club
219 Major's Path	Ms	Retail Store
1 Marconi Pl	Ms	Retail Store
446 Newfoundland Dr	Ms	Restaurant
22 O'leary Ave	Ms	Restaurant
60 O'leary Ave	Ms	Retail Store
36 Pearson St	Ms	Office
36 Pearson St	Ms	Retail Store
20 Peet St	Ms	Car Sales Lot
52 Pippy Pl	Ms	Retail Store
40 Airport Heights Dr	Ms	Convenience Store
279 Portugal Cove Rd	Ms	Clinic
279 Portugal Cove Rd	Ms	Retail Store
35 Ridge Rd	Ms	Club
46-50 Robin Hood Bay Rd	Ms	Industrial Use
38-40 Ropewalk Lane	Ms	Office
45 Ropewalk Lane	Ms	Retail Store
2 Stavanger Dr	Ms	Convenience Store
34 Stavanger Dr.	Ms	Retail Store
34 Stavanger Dr	Ms	Retail Store
386 Stavanger Dr	Ms	Retail Store
410 Stavanger Dr	Ms	Retail Store
3 Stavanger Dr	Ms	Retail Store
95a Stavanger Dr	Ms	Retail Store
397 Stavanger Dr	Ms	Retail Store
415 Stavanger Dr- Boston Pizza	Ms	Restaurant
88 Thorburn Rd	Ms	Convenience Store

Thorburn Rd	Ms	Retail Store
446 Topsail Rd	Ms	Service Station
522 Topsail Rd	Ms	Club
632 Topsail Rd	Ms	Service Station
681 Topsail Rd	Ms	Retail Store
26-34 Torbay Rd -Stanleys Pub	Ms	Tavern
10 Elizabeth Ave	Ms	Retail Store
192-194 Torbay Rd	Ms	Restaurant
320 Torbay Rd	Ms	Club
320 Torbay Rd	Ms	Retail Store
340 Torbay Rd	Ms	Service Station
430 Torbay Rd	Ms	Tavern
464 Torbay Rd	Ms	Retail Store
680 Torbay Rd., Mr. Lube	Sn	Service Station
710 Torbay Rd Rona	Ms	Retail Store
710 Torbay Rd	Ms	Retail Store
141 Torbay Rd	Ms	Communications Use
141 Torbay Rd	Ms	Retail Store
141 Torbay Rd	Ms	Service Shop
141 Torbay Rd	Ms	Service Shop
411 Torbay Rd	Ms	Eating Establishment
411 Torbay Road	Ms	Eating Establishment
230 Lemarchant Rd	Rn	Mixed Use
238 Water St	Rn	Bank
Avalon Mall No. Jump Plus	Rn	Retail Store
125 Harbour Dr	Nc	Restaurant
465 East White Hills Rd	Rn	Warehouse
Avalon Mall-Empire Theatres	Rn	Place Of Amusement
		This Week \$ 1,003,610.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

40 Mundy Pond Rd	Ms	Admin Bldg/Gov/Non-Profit
100 Mundy Pond Rd	Nc	Accessory Building
		This Week \$ 1,000.00

Class: Residential

346 Anspach St	Nc	Accessory Building
Blackmarsh Rd, Lot 28	Nc	Accessory Building
144 Castle Bridge Dr, Lot 200	Nc	Single Detached Dwelling
145 Castle Bridge Dr., Lot 191	Nc	Single Detached & Sub.Apt
22 Cessna St	Nc	Accessory Building
87 Chalker Pl	Nc	Fence
19 Dauntless St, Lot 113	Nc	Single Detached Dwelling
21 Dauntless St, Lot 114	Nc	Single Detached & Sub.Apt
10 Froude Ave	Nc	Patio Deck
4 Glenlonan St	Nc	Patio Deck
31 Glenlonan St	Nc	Accessory Building
84 Kenai Cres, Lot 217	Nc	Single Detached Dwelling
21 Kenai Cres, Lot 238	Nc	Single Detached & Sub.Apt

33 Kenai Cres, Lot 235	Nc	Single Detached Dwelling
70 Lady Anderson St, Lot 476	Nc	Single Detached Dwelling
Ladysmith Drive, Lot 165	Nc	Single Detached Dwelling
Ladysmith Drive, Lot 166	Nc	Single Detached Dwelling
2 Moss Heather Dr	Nc	Accessory Building
149 New Cove Rd	Nc	Accessory Building
60 Parkhill St	Nc	Accessory Building
60 Parkhill St	Nc	Fence
46 Parsonage Dr. Lot 2.03	Nc	Single Detached Dwelling
48 Parsonage Dr - Lot 2.04	Nc	Single Detached Dwelling
50 Parsonage Dr, Lot 2.05	Nc	Single Detached Dwelling
307 Airport Heights Dr	Nc	Fence
18 Rose Abbey St, Lot 158	Nc	Single Detached Dwelling
28 Sequoia Dr, Lot 308	Nc	Single Detached Dwelling
15 Sequoia Dr, Lot 319	Nc	Single Detached Dwelling
17 Sequoia Dr, Lot 318	Nc	Single Detached Dwelling
37 Watson Cres	Co	Day Care Centre
20 Firdale Dr	Cr	Single Detached & Sub.Apt
143 Great Eastern Ave	Cr	Subsidiary Apartment
11 Hamlet St	Cr	Subsidiary Apartment
25 Athlone Pl	Ex	Single Detached Dwelling
6 Blatch Ave	Rn	Single Detached Dwelling
16 Country Grove Pl	Rn	Single Detached & Sub.Apt
9 Eastmeadows Ave	Rn	Single Detached Dwelling
100 Gisborne Pl	Rn	Single Detached Dwelling
36 Henry St	Rn	Townhousing
36 Henry St	Rn	Townhousing
22 Julieann Pl	Rn	Subsidiary Apartment
54 O'regan Rd	Rn	Single Detached Dwelling
52 Petite Forte Dr	Rn	Single Detached & Sub.Apt

This Week \$ 4,575,385.00

Class: Demolition

59 Merrymeeting Rd	Dm	Single Detached Dwelling
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This Week \$ 40,000.00

This Week's Total: \$ 5,619,995.00

Repair Permits Issued: 2012/12/13 To 2013/01/03 \$ 39,500.00

Legend

Co	Change Of Occupancy	Sn	Sign
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Cc	Chimney Construction
Nc	New Construction	Cd	Chimney Demolition
Oc	Occupant Change	Dv	Development File
Rn	Renovations	Ws	Woodstove
Sw	Site Work	Dm	Demolition
Ti	Tenant Improvements		

Year To Date Comparisons			
January 07, 2013			
TYPE	2011	2012	% VARIANCE (+/-)
Commercial	\$99,023,900.00	\$215,000,700.00	117
Industrial	\$2,800,900.00	\$5,100,100.00	82
Government/Institutional	\$35,800,800.00	\$16,300,100.00	-54
Residential	\$243,000,700.00	\$190,900,400.00	-21
Repairs	\$5,200,000.00	\$5,100,000.00	-2
Housing Units (1 & 2 Family Dwellings)	701	620	
TOTAL	\$385,826,300.00	\$432,401,300.00	12

Respectfully submitted,

David Blackmore, R.P.A.
 Director of Building & Property Management.

Payrolls and Accounts

SJMC2013-01-07/14R

**It was moved by Deputy Mayor Duff; seconded by Councillor Hickman:
 That the following Payrolls and Accounts for the week ending December 20,
 and 27, 2012 and January 3, 2012 be approved:**

**Weekly Payment Vouchers
 For The
 Week Ending December 20, 2012**

Payroll

Public Works	\$ 458,674.01
Bi-Weekly Administration	\$ 698,682.71
Bi-Weekly Management	\$ 680,471.89
Bi-Weekly Fire Department	\$ 575,686.41

Accounts Payable \$ 5,314,945.21

Total: \$ 7,728,460.23

**Weekly Payment Vouchers
For The
Week Ending December 27, 2012**

Payroll

Public Works	\$ 463,420.70
Bi-Weekly Casual	\$ 19,895.00
Accounts Payable	\$2,425,672.53
Total:	\$ 2,908,988.23

**Weekly Payment Vouchers
For The
Week Ending January 3, 2013**

Payroll

Public Works	\$ 503,873.87
Bi-Weekly Administration	\$ 690,822.24
Bi-Weekly Management	\$ 678,365.82
Bi-Weekly Fire Department	\$ 578,318.94
Accounts Payable	\$ 1,922,834.13
Total:	\$ 4,374,215.00

The motion being put was unanimously carried.

Tenders

- a. Tender – Robin Hood Bay Spotter Services
- b. Tender – Robin Hood Bay Security Services

SJMC2013-01-07/15R

It was moved by Deputy Mayor Duff; seconded by Councillor Hickman: That the recommendations of the Director of Finance and City Treasurer be approved and the tenders awarded as follows:

- a. Guarda @ \$17.48 per hour, taxes not included**
- b. Spectrum Security @ \$17.95 per hour, taxes not included**

Petitions

Councillor O’Leary tabled a petition the prayer of which reads as follows:

“We, the undersigned, call on all members of St. John’s City Council to support the motion of Councillor O’Leary to rescind the agreement to cost-share the proposed harbour fence with the St. John’s Port Authority.

While the public has raised many questions, few have been answered. There also seems to be some confusion as to the necessity of permanently restricting access to the areas in question. Considering that the harbour fence proposal will cost taxpayers close to \$500,000, we feel it is prudent to allow for meaningful public input before committing such a large amount of money to this project.”

E-POLL – RATIFICATION

SJMC2013-01-07/16R

It was moved by Councillor Hann; seconded by Councillor Hanlon That the following E-Poll be ratified:

Ratification E-Poll, December 18, 2012		
	Yes	No
Mayor Dennis O’Keefe	X	
Deputy Mayor Shannie Duff	X	
Councillor Sheilagh O’Leary	X	
Councillor Tom Hann	X	
Councillor Sandy Hickman	X	
Councillor Gerry Colbert	X	
Councillor Danny Breen	X	
Councillor Frank Galgay	X	
Councillor Bruce Tilley		
Councillor Debbie Hanlon	X	
Councillor Wally Collins	X	

- i. Tender - King George V Lighting Standards (**Ratification**)
Awarded to Tower Tech Communications at \$22,900.00 + HST
- ii. Tender – Roll Off Services (Robin Hood Bay Waste Management Facility)
(Ratification)
Awarded to Newfound Disposal Systems Ltd. @ \$38.33 per lift, taxes not included
- iii. Public Works & Environment Standing Committee Report dated December 11, 2012 (**Ratification**)
 - Item #1 - Approval of the Storm Water Retention Policy as presented.
 - Item #2 - Approval of Trenchless Option (Re-lining) for Sewer Lateral Repairs as presented.
- iv. Regional Water Services Committee Report dated December 5, 2012
(Ratification)
 - Item #1 - Approval of the 2013 water rate of \$0.392/m³ and the 2013 operating budget as presented in the amount of \$10,475,142.

Item #2 - Approval as presented of the 2011 Financial Statements for the St. John's Regional Water Supply System.

- v. Memorandum dated December 13, 2012 from the Director of Engineering
Re: Assessment Rates – 2013 **(Ratification)**

	Assessment Rates – 2012	Assessment Rates 2013
Watermain	\$ 171.00/m	\$ 178.00/m
Sanitary Sewer	156.00/m	162.00/m
Storm Sewer	101.00/m	105.00/m
Water Service	1,117.00 ea	1,157.00 ea
Sanitary Service	1,151.00 ea	1,193.00 ea
Storm Service	1,151.00 ea	1,193.00 ea
Commercial Water Service	4,226.00 ea	4,381.00 ea
Commercial Sanitary Service	2,041.00ea	2,116.00 ea
Commercial Storm Service	1,870.00 ea	1,938.00 ea
Street Improvement	92.00/m	95.00/m
New Street	388.00/m	402.00/m
Sidewalk	22.00/m	23.00/m
Rural Street Upgrading	78.00/m	81.00/m

- vi. Payroll & Accounts for week ending December 13, 2012 **(Ratification)**

**Weekly Payment Vouchers
For The
Week Ending December 13, 2012**

Payroll

Public Works	\$ 463,030.45
Bi-Weekly Casual	\$ 23,880.14
Accounts Payable	\$2,079,724.38
Total:	\$ 2,566,634.97

- vii. Memorandum dated December 10, 2012 from the City Solicitor
530 Empire Avenue **(Ratification)**

Approval that land required by the City located at the front of 530 Empire Avenue in order to complete the sidewalk in this area, be expropriated and that Notice of Expropriation be executed by the City accordingly.

Travel Request by Councillor Hickman

SJMC2013-01-07/17R

It was moved by Councillor Collins; seconded by Councillor Colbert: That travel by Councillor Hickman to the Canadian Capital Cities Organization Board Meeting in Ottawa, January 30 to February 2, 2013, be approved.

The motion being put was unanimously carried.

Travel Request by Councillor Galgay

SJMC2013-01-07/18R

It was moved by Councillor Collins; seconded by Councillor Colbert: That travel by Councillor Galgay to the Annual Conference and Trade Show, Federation of Canadian Municipalities, to be held in Vancouver, May 31 to June 3, 2013, be approved.

The motion being put was unanimously carried.

10 Forbes Street– Expropriation of Waterline Easement

Council considered a memorandum dated December 18, 2012 from the City Solicitor regarding the above noted.

SJMC2013-01-07/19R

It was moved by Councillor Hickman; seconded by Councillor Tilley: That the owners be compensated in the amount of \$12,000.00 plus legal fees for the expropriation of an easement by the City on the parking lot of 10 Forbes Street required for the installation of a water line.

The motion being put was unanimously carried.

267 Blackmarsh Road

Council considered a memorandum dated December 19, 2012 from the City Solicitor regarding the above noted.

SJMC2013-01-07/20R

It was moved by Councillor Tilley; seconded by Councillor O’Leary: That City land located at the rear of 267 Blackmarsh Road (62374 Newfoundland and Labrador Limited) be sold at a rate of \$10.00 per square foot (approximately \$19,000.00) plus usual administration fees and HST.

The motion being put was unanimously carried.

Memorandum dated December 17, 2012 from The Deputy City Manager/Director of Corporate Services & City Clerk Re Attendance by Councillor O’Leary at the Ovation NL Forum

SJMC2013-01-07/21R

It was moved by Councillor Tilley; seconded by Councillor Collins: That registrations costs for Deputy Mayor Duff and Councillors Hanlon and O’Leary to attend the Ovation NL Forum, Delta St. John’s be approved.

The motion being put was unanimously carried.

Notice to Motorists – On-Street Parking Ban

Council reviewed a Notice to Motorists concerning the on-street parking ban.

During discussion, Councillor Hann advised of a snow clearing advisory system used in Quebec City which consists of red lights installed on the end of each street that are activated when the street is to be snow cleared. The lights are used instead of signs that are erected by the City at present. Councillor Hann asked that staff of the Department of Public Works and Parks obtain information on the system for Council's consideration.

Letter of thanks to His Worship the Mayor and Council from Georgiy Mamedov, Dean of Diplomatic Corps, on the success of the tall-ship Kruzenshtern’s recent visit to the City

Council acknowledged the above noted letter to His Worship the Mayor.

Economic Update

Councillor Tilley presented the highlights of the January 2013 Economic Update.

Councillor O’Leary

Councillor O’Leary concurred with Councillor Hanlon’s recommendation to the Economic Development, Tourism and Culture Committee and stressed the importance of fostering a creative economy and multicultural community. She noted she has been approached by two different organizations through MUN and has had several meetings on the issue, and agreed to forward any information she has obtained to the Committee for consideration.

Councillor Colbert

Councillor Colbert noted that concern was expressed to him about the potential dangers associated with the storage and sale of fireworks from tractor trailers in at inappropriate locations such as neighbourhoods. He suggested that staff take a look at the possibility of developing guidelines that will allow the sale and storage of explosive materials such as fireworks in a safe place. Councillor Breen, as Co-chair of the Regional Fire Services Committee, agreed to take the matter up with the Director of Regional Fire Services.

Councillor Hanlon

Councillor Hanlon advised that on January 30, 2013 she will be hosting a meeting with the Churchill Square Businesses and noted that she will be contacting the people in this regard.

His Worship the Mayor

His Worship the Mayor referenced comments by Councilors O’Leary and Hanlon on partnering with MUN, which he noted is a very important consideration especially reaching out to students many of whom are international students. He pointed out that when the World Energies Cities Partnership Mayors visited the

City an invitation was extended to many of the international students who came and met with many people and mayors from around the world in a very professional manner. The mayor pointed out, however, that there are a number of issues that the City and MUN need to work together on including the issue of taxation.

Adjournment

There being no further business, the meeting adjourned 6:00 p.m.

MAYOR

CITY CLERK

MEMORANDUM

Date: January 10, 2013

To: His Worship the Mayor and Members of Council

Re: **Council Directive R2012-06-04/35**
Proposed Text Amendment to the St. John's Development Regulations
Proposed Tree Planting Fee

At the Regular Meeting of Council held on June 4, 2012, Council agreed to accept the recommendation coming out of the May 25, 2012 meeting of the Planning and Housing Committee that proposed text amendments to the St. John's Development Regulations to implement a recommendation of the Urban Forest Master Plan regarding tree plantings for new residential developments, be advertised for public review and comment and that City staff arrange to meet with the Canadian Homebuilders' Association-Newfoundland and Labrador in order to present and discuss the proposed amendments.

In accordance with this Council Directive, City staff met with representatives of the Homebuilders' Association and it was agreed that the most appropriate course of action to promote tree plantings on new residential developments would be for the City to introduce a tree planting fee for any new residential building lot created as a result of the subdivision of property.

Upon completion of the discussions with the Homebuilders' Association, City staff prepared a text amendment to the St. John's Development Regulations which would have the effect of introducing a provision into the Regulations to enable the City to collect a tree planting fee as part of the City's approval of the subdivision of property. The text amendment proposes that the tree planting fee would apply to any subdivision approved after February 28, 2013.

City staff have also prepared a proposed tree planting policy which in summary, provides that the monies collected by the City from the tree planting fee would be placed in a dedicated fund and would be used by the City to implement and maintain a municipal tree planting program. Under the program, the City would offer tree plantings to residential lots and apartment building lots from a list of approved tree species established by the City's Department of Public Works and Parks. The value of the tree planting fee and the number of trees to be planted for each residential building lot would be calculated from a formula based on the frontage of the lot. Where a residential property owner declines the offer of the tree plantings, the appropriate number of trees that are declined would be planted in public space. A copy of both the proposed text amendment to the Development Regulations and the proposed tree planting policy are attached for Council's information and review.

The text amendment to the Development Regulations regarding the proposed introduction of the tree planting fee has been advertised for public review and comment. The amendment was advertised on two occasions in December, 2012 in the Telegram Newspaper and it has been posted on the City website. In addition, the amendment was referred to the Canadian Homebuilders' Association-Newfoundland and

ST. JOHN'S

DEPARTMENT OF PLANNING

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

Labrador for their review. Any written public submissions received by the City Clerk's Department on the text amendment will be referred to the agenda for the Regular Meeting of Council to be held on January 14, 2013 at which time Council is scheduled to consider the proposed adoption of the amendment.

Recommendation

It is recommended that Council adopt the attached resolution for St. John's Development Regulations Amendment Number 548, 2013 which has the effect of authorizing the City to charge the proposed tree planting fee.

If Council agrees to adopt the text amendment, it will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment.

It is further recommended that Council also adopt the proposed tree planting policy as attached, dated January 10, 2013 and that Council establish the tree planting fee at \$250 for each required tree based on the lot frontage of the residential property as set out in the policy.



Cliff Johnston, MCIP
Director of Planning

CJ/dlm
Attachments

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 548, 2013**

WHEREAS the City of St. John's wishes to establish a tree planting program in respect of the development of new residential building lots.

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

Add a new subsection to Section 6.4 "Fees for Subdivision" to read as follows:

"6.4.5 Tree Planting Fee

For any subdivision approved after February 28, 2013, a Tree Planting Fee shall be paid by the applicant prior to the issuance of any permits. This Fee shall be as established by Council from time to time for every Lot, excluding the Homestead Lot, created by the subdivision. This Fee shall cover the costs of implementing and maintaining the Tree Planting Program and be in addition to any other fee or assessment provided in Sections 6.4 and 6.5."

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this ____ day of _____, 2013.

Mayor

City Clerk

Provincial Registration

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



Proposed Policy for Tree Planting and the Tree Planting Fee

Prepared January 10, 2013

Purpose:

To establish the Tree Planting Fund and establish the protocols for tree planting on private property. For the purposes of this Policy, capitalized terms shall have the meaning ascribed to them in the St. John's Development Regulations.

Policy Statement:

1. The City shall establish the Tree Planting Fund from monies collected as the Tree Planting Fee under the St. John's Development Regulations. Monies from the Fund shall be used to acquire and plant trees on Lots, excepting the Homestead Lot, in subdivisions approved after February 28, 2013.
2. For Residential Uses and Apartment Building Lots having a Lot Frontage of 12 metres or less, the City shall offer two (2) trees to the property owner for planting in such a Use or Lot with a minimum of one (1) tree to be planted in the Front Yard of the Use or Lot. For Residential Uses and Apartment Building Lots having a Lot Frontage greater than 12 metres, the City shall offer to the property owner one (1) tree per 6.5 metres of Lot Frontage of such Use or Lot with such trees to be planted in the Front Yard of such Use or Lot.
3. Trees offered for planting by the City shall be selected from a list of approved tree species established by the Department of Public Works and Parks.
4. The property owner of a Lot or Use identified for tree planting under this Policy shall be informed of the Policy and must sign a consent for City work on private property and a waiver releasing the City, its employees and agents from liability for damage to the property before the City, its employees or agents plant any trees on the Lot or Use.
5. Where a property owner declines the offer of trees, the appropriate number of trees so declined shall be planted in public space.

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on Monday, December 10, 2012**

Ref #	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Department of Planning Notes
1	Civic No. 9 Lucy Rose Lane Residential Low Density (R1) Zone	1	A Discretionary Use Application has been submitted requesting permission to renovate the garage portion of Civic No. 9 Lucyrose Lane as a Home Occupation that involves the preparing and delivery of home cooked meals. The proposed business will occupy a floor area of approximately 26 m ² and will operate Monday-Sunday, 9:00am – 5:00pm. The business involves preparing and cooking of meals on domestic cooking equipment, which include a domestic range, a small domestic freezer, and two (2) domestic refrigerators. The cooking time is limited to approximately one (1) hour per day; the rest of the day involves preparation, making of salads, clean-up, chilling of prepared food, packaging, and deliveries. Food preparation methods include grilling, baking and sautéing; there will be no frying of foods. No on-site sales, web based sales only, delivery to customer's homes only. The business employs the 2 residents of the dwelling.	26 m ²	2		No representations received	The Department of Planning recommends approval of the application subject to all applicable City requirements.
	Civic No. 11 Turnberry Street Residential Low Density (R1) Zone	4	A Discretionary Use Application has been submitted for a proposed home occupation at Civic No. 11 Turnberry Street for a photography studio. The proposed business will occupy a floor area of approximately 30.7 m ² and will operate on an appointment basis only, with one client or family per session. The business involves taking photographs only; processing will not be done on-site. One (1) on-site parking space is provided for the business. The applicant is the sole employee.	30.7 m ²	1	1	One (1) submission received	The Department of Planning recommends approval of the application subject to all applicable City requirements.

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



Cliff Johnston, MCIP
Director of Planning

Hi,

I have two issues with having a business in this area;

1. Parking, I live on Gairlock street opposite Turnberry and both during the summer and winter parking tends to be an issue. This may be due to the high number of basement apartments in the area.
2. Opening doors to other business. Are we opening the doors to allow other small business in this residential area which in turn may reduce residential property values.

I'm not sure how you would address both these issues but I would like to see some planning before allowing these small business.

Thanks

--

REPORT/RECOMMENDATIONS
Development Committee
January 8, 2013

The following matter was considered by the Development Committee at its meetings held on January 8, 2013. A staff report is attached for Council's information.

RECOMMENDATION

- 1. Polar Farms Limited**
Crown Land Lease Referral for 6.9 Hectares of Land
Trans Canada Highway Ward 5

Council approve the subject Crown Land Lease application. Should the applicant be successful in obtaining the Crown Land Lease, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.

Robert F. Smart
City Manager
Chair – Development Committee

/mah
Attach.

MEMORANDUM

Date: January 9, 2013

To: His Worship the Mayor and Members of Council

From: Robert Smart, City Manager
Chair-Development Committee

Re: **Department of Planning File Number 12-00384/B-17-T.47**
Department of Environment and Conservation File No.1031236
Polar Farms Limited
Crown Land Lease Referral for 6.9 Hectares of Land
Trans Canada Highway Ward 5
Agriculture (AG) Zone

The Provincial Department of Environment and Conservation has referred an application to the City requesting comment for a Crown Land Lease regarding the above-referenced property. The applicant intends to consolidate the subject land with its adjacent lease of Crown Land property for expansion to the current sod farm operation.

Recommendation:

Council approve the subject Crown Land Lease application. Should the applicant be successful in obtaining the Crown Land Lease, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.



Robert Smart
Chair-Development Committee

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Report/Recommendations Heritage Advisory Committee

January 3, 2013

In Attendance: Deputy Mayor Shannie Duff, Chairperson
Debbie O'Rielly, NL Historic Trust
Tony Lockyer, Canadian Homebuilders
Melanie DelRizzo, Citizen Representative
Wayne Purchase, Downtown St. John's
Taryn Sheppard, Nexter Representative
Dave Blackmore, Director of Building & Property Management
Ken O'Brien, Manager of Planning & Information
Peter Mercer, Heritage Officer
Helen Miller, City Archivist
Hilary Grant, Cambridge Student (observer)
Karen Chafe, Recording Secretary

1. St. John's Convention Center Expansion (New Gower/Waldegrave/Water St.)

The Committee met with Paul Blackwood and Charlie Henley of Stantec Architecture as well as John Barry, Project Engineer with the City responsible for overseeing the convention center expansion. Design elevations were presented outlining the interior layout and exterior design for the project for which copies of the elevations were not circulated to the Committee and are not available for inclusion with this report. The following points are noted:

- The dimensions of the expansion will extend west from the existing convention center on New Gower St. to the corner of Waldegrave St. and running south/east onto Water St. The building's height will correspond with the existing convention center.
- The façade will consist of a metal sheen material broken up by a series of slightly protruding panels of contrasting color which will accommodate signage. A section of the exterior will also consist of floor to ceiling glass which will reflect the interior space, particularly at night when it will be illuminated. The protruding panels will advertise events occurring at the Center.
- One of the larger panels situated on the Water St. side will also be reserved for the display of a permanent photograph or artwork applied to the surface by a computer generated pixilation process which will be commissioned via an artist competition.
- A pedway is also proposed to connect the expanded convention center to the Delta Hotel across the street. Due to the span of distance, the pedway will have to be constructed in two sections: extending across Waldegrave St. and then across New Gower St.
- The parking garage entrance will be accessible via Waldegrave St. and will consist of a fairly large opening to accommodate truck traffic. Its design was a challenge due to the grading of the site.

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The Committee recommends approval of the design elevations submitted subject to the following:

- **that the Arts Advisory Committee (via its Public Art Committee) be consulted on and partake in the selection review process for the permanent photograph or artistic image to be placed on the Water St. façade, and that the short-listed design submissions be referred back to the Heritage Advisory Committee prior to final approval;**
- **that the Committee be consulted on the signage proposed to ensure that it adheres to the regulations of the Heritage Sign By-law.**

2. 61 Hamilton Avenue – Condominium Development

The Committee met with Dick Cook and owner of the property Chris Snellen, to discuss their proposed conversion of 61 Hamilton Avenue into a townhouse/condo development. The matter was previously referred to the Committee for review; however, the applicant has revised the elevations as attached. The exterior cladding which is currently concrete will be maintained. The façade facing Brine St. will consist of regular steel door openings at the ground level and the upper floors will accommodate patio doors overlooking small balconies. A rooftop garden is also proposed.

The Committee expressed some concern about the lack of specific detail outlined on the artist rendering and requested that the design be revised and referred back to the Committee keeping in mind the following:

- **further detail required for the concrete blank wall facing Hamilton Avenue - the Committee would prefer some fenestration on this wall;**
- **more detail required on the treatment of the main entrance doors and the balcony design. Given the monotone concrete exterior, the applicant might wish to consider a mix of different door colors to provide more visual interest.**

With regard to the roof-top garden, the Committee recommends deferral of this issue pending the Committee's and staff's review of rooftop deck regulations which currently prohibit rooftop decks in residential buildings located within heritage areas. The distinction between commercial and residential buildings needs to be delineated, specifically with regard to how commercial building conversions should be regulated.

3. **Proposed Extension to the Marriott Hotel (northeast corner of the Duckworth St./Cochrane St. intersection)**

The Committee met with Messrs Blackwood and Henley of Stantec Architecture who outlined the artist renderings for the proposed extension to the Marriott Hotel.

Given the City's requirements for off-street parking necessitating a parking garage which impacts the overall building height, the Committee recommends approval of the design as presented.

4. **9-11 Waldegrave St. – Sign Application**

The Heritage Officer displayed an elevation for a fascia sign at 9-11 Waldegrave St. for the new restaurant “Relish”.

The Committee recommends approval of the fascia sign as outlined given that its size is in proportion to the building façade and that it fits within the sign band of the building which is slightly larger than what would normally be permitted for such signs.

**Deputy Mayor Shannie Duff
Chairperson**



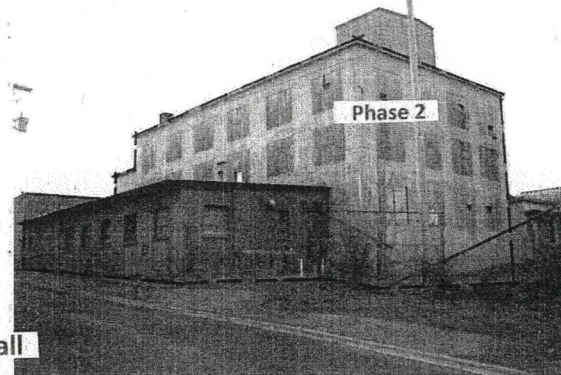
Day 28/12

Townhousing Re-Development Concept for 61 Hamilton Avenue, St. John's

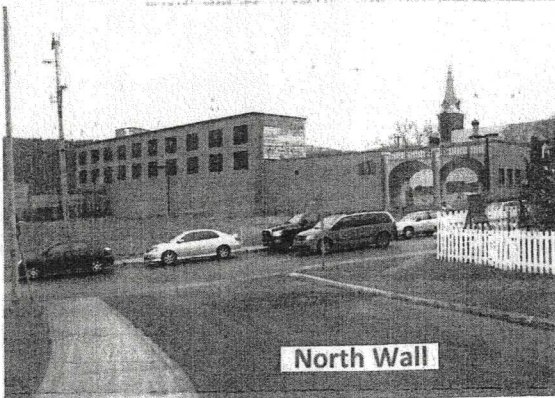
FEB 7/12 H&C MEETING



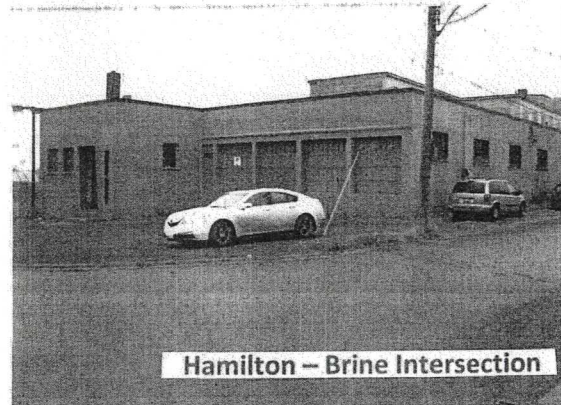
South Wall



Phase 2



North Wall



Hamilton - Brine Intersection

Existing Building

PROPOSED REDEVELOPMENT 61 HAMILTON AVENUE

DEVELOPMENT CONSULTING & DESIGN



Call: 709-685-7979
Fax: 709-753-9411
Email: rjcservices@gmail.com
79 Roman Mill Road
St. John's, NL A1C 5R1

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF January 4, 2012 TO January 10, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Proposed Building Lot	Tobin's Road	5	Rejected Lacks Frontage on a Public Street Contrary to Section 8.1.2	13-01-04
COM	AE Consultants	NL Liquor Warehouse	East White Hills Road	1	Approved	13-01-04
RES		Subdivide for Additional Building Lot	480 Main Road	5	Approved	13-01-07
COM		Home Office for Mattress Sanitization	255 Newfoundland Drive	1	Approved	13-01-07
RES		Subdivision of Homestead Lot	35 Eveyln Place	4	Approved	13-01-08

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

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

**Gerard Doran
Development Officer
Department of Planning**

Weekly Permits List

Council's January 14, 2013 Regular Meeting

Permits Issued: 2013/01/03 To 2013/01/09

Class: Commercial

183 Cheeseman Dr	Co	Office		
15 George St	Co	Tavern		
166 Duckworth St	Sn	Retail Store		
439 Kenmount Rd	Ms	Commercial Garage		
204-206 Main Rd	Ms	Clinic		
344 Pennywell Rd	Ms	Clinic		
386 Stavanger Dr	Ms	Bank		
410 Stavanger Dr	Ms	Retail Store		
3 Stavanger Dr	Ms	Retail Store		
390 Topsail Rd	Ms	Retail Store		
390 Topsail Rd	Ms	Retail Store		
680 Torbay Rd	Nc	Accessory Building		
171-173 Water St	Nc	Fence		
342 Freshwater Rd	Rn	Eating Establishment		
Avalon Mall No. 1 Aldo	Rn	Retail Store		
169 Water St	Rn	Office		
370 Torbay Rd, 2nd Floor, West	Rn	Office		
571 Thorburn Rd	Nc	Communications Use		
			This Week \$	439,400.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

4 Capulet St, Lot 205	Nc	Single Detached Dwelling
12 Capulet St, Lot 201	Nc	Single Detached Dwelling
3 Forest Ave	Nc	Accessory Building
6 Galashiels Pl	Nc	Accessory Building
27 Gillies Rd., Lot 2	Nc	Single Detached & Sub.Apt
116 Ladysmith Dr - Lot 220	Nc	Single Detached Dwelling
8 Mclea Pl	Nc	Single Detached Dwelling
13 Scouts Place	Nc	Single Detached Dwelling
30 Sequoia Dr	Nc	Accessory Building
31-33 Golf Ave	Cr	Subsidiary Apartment
11 Hamlet St	Cr	Subsidiary Apartment
17 Hamlet St	Cr	Single Detached Dwelling
41 Larkhall St	Cr	Single Detached Dwelling
51 Beaumont St	Rn	Single Detached Dwelling
20 Convent Sq	Rn	Townhousing
47 Duckworth St-Unit 108	Rn	Condominium
100 Elizabeth Ave Suite 614	Rn	Condominium
83-85 Hayward Ave	Rn	Apartment Building
12 Huntingdale Dr	Rn	Single Detached Dwelling

8 Marshall Pl
 19 Smithville Cres
 34 Wicklow St

Rn Single Detached Dwelling
 Rn Single Detached Dwelling
 Sw Single Detached Dwelling

This Week \$ 2,024,423.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 2,463,823.00

Repair Permits Issued: 2013/01/03 To 2013/01/09 \$ 11,900.00

Class: Rejected

120 University Avenue Cr

Convert Property to three(3)apartment dwelling Not permitted in the Residential Low Density(R-1)zone

Legend

Co Change Of Occupancy	Sn Sign
Cr Chng Of Occ/Renovtns	Ms Mobile Sign
Ex Extension	Cc Chimney Construction
Nc New Construction	Cd Chimney Demolition
Oc Occupant Change	Dv Development File
Rn Renovations	Ws Woodstove
Sw Site Work	Dm Demolition
Ti Tenant Improvements	

YEAR TO DATE COMPARISONS			
January 14, 2012			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$1,500,700.00	\$400,400.00	-73
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$33,800.00	\$0.00	-100
Residential	\$2,100,100.00	\$3,100,100.00	48
Repairs	\$20,000.00	\$11,900.00	-41
Housing Units (1 & 2 Family Dwellings)	5	9	
TOTAL	\$3,654,600.00	\$3,512,400.00	-4

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending January 10, 2013**

Payroll

Public Works	\$ 499,207.01
Bi-Weekly Casual	\$ 5,242.91
Accounts Payable	\$ 921,118.71

Total: \$1,425,568.63

ST. JOHN'S

DEPARTMENT OF FINANCE

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

NAME	CHEQUE #	DESCRIPTION	AMOUNT
BELL MOBILITY	00046813	CELLULAR PHONE USAGE	\$1,361.10
PARTS FOR TRUCKS INC.	00046814	REPAIR PARTS	\$1,239.75
EASTERN AUDIO LTD.	00046815	AUDIO EQUIPMENT	\$3,435.20
RECEIVER GENERAL FOR CANADA	00046816	PAYROLL DEDUCTIONS	\$639,321.34
RECEIVER GENERAL FOR CANADA	00046817	PAYROLL DEDUCTIONS	\$206,463.62
MACK BARFOOT TRIO	00046818	PERFORMANCE FEE	\$500.00
SHEPPARD, TAMMY	00046819	MEMBERSHIP RENEWAL	\$195.00
MODERN PAVING LTD.	00046820	PROGRESS PAYMENT	\$8,302.79
ROGERS BUSINESS SOLUTIONS	00046821	DATA & USAGE CHARGES	\$3,277.00
NEWFOUNDLAND POWER	00046822	ELECTRICAL SERVICES	\$31,541.56
ASSOCIATION OF NFLD LAND SURVEYORS	00046823	MEMBERSHIP DUES	\$2,260.00
ROGERS BUSINESS SOLUTIONS	00046824	DATA & USAGE CHARGES	\$13,734.02
NEWFOUND DISPOSAL SYSTEMS LTD.	00046825	REFUND - TENDER DEPOSIT	\$5,000.00
ST. JOHN'S TRANSPORTATION COMMISSION	00046826	M-CARD SALES - DECEMBER, 2012	\$2,835.00
PARTS FOR TRUCKS INC.	00046827	REPAIR PARTS	\$1,652.33

MEMORANDUM

Date: **January 9, 2013**

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

From: **Robert G. Bishop, C.A.
Director of Finance and City Treasurer**

Re: **Tender for Flag Persons**

The results of the Tender for **Flag Persons** are as follows:

Garda	\$17.24 hr
Mask	\$17.65 hr
Safety First	\$21.00 hr
Shannahans	\$27.60 hr
Spectrum	\$33.36 hr

This is for a Standing Offer Agreement to provide Flag Persons on an "as required" basis. In the case of the lowest bidder being not able to provide services the City would be able to go to the next qualified bidder. The successful bidders are listed above in order as per the Public Tendering Act. **Bids listed do not include HST.**

Robert G. Bishop, C.A.
**Director of Finance
and City Treasurer**

/fc

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