

April 29th, 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 Hann, Colbert, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Councillors Hickman and O'Leary.

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

Call to Order and Adoption of the Agenda

SJMC2013-04-29/183R

**It was decided on motion of Councillor Collins; seconded by Councillor Tilley:
That the Agenda be adopted as presented with the following additional item:**

- a. Travel Request by His Worship the Mayor

Adoption of Minutes

SJMC2013-04-29/184R

**It was decided on motion Councillor Collins; seconded by Councillor Tilley:
That the minutes of April 23rd, 2013 be adopted as presented.**

Notices Published

1. **A Discretionary Use Application** has been submitted by The Society of St. Vincent De Paul to construct a six (6) unit Multiple Dwelling at **Civic No. 71 Guy Street**. Each unit will provide single person occupancy with on-site parking provided for the six units. The Society of St. Vincent De Paul is developing these units to provide affordable housing for their clients in an effort to assist them with independent living. All units are being constructed to universal design accessibility requirements. **(Ward 4)**

SJMC2013-04-29/185R

It was moved by Councillor Hanlon; seconded by Councillor Galgay: That the application be approved subject to all applicable City requirements.

The motion being put was unanimously carried.

2. **A Discretionary Use Application** has been submitted by Newfoundland and Labrador Housing to demolish the existing dwelling located at **Civic No. 1 Prospero Place** to construct a Multiple Dwelling. The dwelling will contain four units; each unit will contain one bedroom with on-site parking provided for the four units. All units are to incorporate features of universal design where feasible and practical. **(Ward 4)**

Two (2) Submissions

SJMC2013-04-29/186R

It was moved by Councillor Hanlon; seconded by Councillor Hann: That the application be approved subject to all applicable City requirements.

The motion being put was unanimously carried.

Other Matters

Councillor Hann updated Council on progress being made to date with respect to the establishment of a community market. Councillor Hann advised that a number of meetings have been held with representatives of the St. John's Farmers' Market Co-op and discussions with funding partners are ongoing. He noted that Terms of Reference have been prepared and proposals have been submitted to partners . He noted that a section of the Metrobus garage is being looked as a possible location. A model for the market has to be developed and an assessment on the suitability of the parking garage conducted. Councillor Hann assured that progress is being made and a further update will be provided.

Development Committee Report

Council considered the following Development Committee Report dated April 23, 2013:

1. Proposed Demolition and Rebuild of Dwelling

**Civic Nol. 28 Healey's Pond Crescent
Town of Portugal Cove-St. Philips
Broad Cove River Watershed (W) Zone**

Recommendation:

Council approve the demolition and application to erect the new dwelling proposed pursuant to Section 104 (4) (d) of the City of St. John's Act, subject to the proponent satisfying Service NL conditions for septic disposal field and that the new dwelling not have an oil fire heating system.

2. Proposed Dwelling

**Applicant: Stantec Architect
Civic No. 2A Outer Battery Road
Residential Battery (RB) Zone (Ward 2)**

Recommendation:

Based on the fact that the proposed new dwelling will not have any interference with the private views from other properties in the area, it is recommended that Council grant Approval-in-Principle to the application subject to the following conditions:

- 1) Approval of the building elevations by the City's Heritage Officer; and
- 2) Compliance with all requirements of the City's Department of Engineering and Department of Building and Management.



SJMC2013-04-29/187R

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

The motion being put was unanimously carried.

Special Events Advisory Committee Report dated April 25, 2013

Council considered the following Special Events Advisory Committee Report dated April 25, 2013: Council considered the following Special Events Advisory Committee Report:

Date: April 25, 2013
To: His Worship the Mayor and Members of Council
From: Robin King, P. Eng.
Chairperson, Special Events Advisory Committee
Re: Special Events Advisory Recommendation

The following recommendations of the Committee are forwarded to Council for approval in principle subject to any conditions that may be required by the Special Events Advisory Committee:

- 1) **Event:** Harbourfront 10 km Road Race
Location: Harbourfront
Date: May 19, 2013
Time: 8:00 a.m. to 9:30 a.m.

The following road closures are required for this event.

Harbour Drive – both directions
Water Street – eastbound – Waldegrave Street to Prescott Street
Waterford Bridge Road – westbound – Water Street to Waterford Lane
Southside Road – eastbound – Waterford Lane to Blackhead Road

- 2) **Event:** NL Folk Festival
Location: Bowring Park
Date: August 9-11, 2013
Time: 6:00 p.m. to 12:00 a.m.

The Organizer is looking to have the Noise By-Law extended until 12:00 a.m. August 9-11, 2013.

SJMC2013-04-29/188R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following development permits for the period of April 19 to 25, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF April 19, 2013 TO April 25, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Pinnacle Engineering Ltd.	Commercial Building	25 Hebron Way	1	Approved	13-04-25
COM		Home Office – Admin for Home Interior Business	8 Brighton Place	1	Approved	13-04-24
COM		Home Office - Surveying	31 Great Eastern Avenue	4	Approved	13-04-24

<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

SJMC2013-04-29/189R

It was moved by Councillor Tilley; seconded by Councillor Colbert: That the recommendation of the Deputy City Manager, Planning, Development & Engineering be approved with respect to the following building permits:

**Building Permits List
Council's April 29, 2013 Regular Meeting**

Permits Issued: 2013/04/18 To 2013/04/24

Class: Commercial

116 Duckworth St-Outcast Gamin	Co	Retail Store
150 Kenmount Rd	Co	Club
5 Lewisporte Pl	Co	Service Shop
681 Topsail Rd -Island Frozen	Co	Retail Store
50 Kelsey Dr	Nc	Fence
31 Airport Rd	Sn	Service Shop
217 Lemarchant Rd	Sn	Office
11 Major's Path	Sn	Service Station
35 Campbell Ave	Rn	Pharmacy
93 Torbay Rd-Dance Studio	Sw	Commercial School
22-24 Blackmarsh Rd	Ex	Parking Lot
93 Torbay Rd-Dance Studio	Cr	Commercial School
145 Kelsey Dr, Lot # 3	Nc	Office

This Week \$ 2,732,800.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

38 Outer Battery Rd	Nc	Accessory Building
11 Capulet St Lot 212	Nc	Single Detached Dwelling
33 Cappahayden St, Lot 23	Nc	Single Detached Dwelling
18 Chafe Ave	Nc	Fence
57 Chafe Ave	Nc	Accessory Building
172 Cheeseman Dr, Lot 175	Nc	Accessory Building
43 Country Grove Pl	Nc	Accessory Building
43 Country Grove Pl	Nc	Fence
11 Della Dr	Nc	Accessory Building
17 Durham Pl	Nc	Fence
80 Eastbourne Cres	Nc	Patio Deck
9 Eastmeadows Pl	Nc	Single Detached Dwelling
140 Forest Rd	Nc	Accessory Building
4 Gibbons Pl, Lot 21	Nc	Single Detached & Sub.Apt
36 Glenlonan St	Nc	Accessory Building
7 Keats Pl	Nc	Fence
18 Kenai Cres, Lot 185	Nc	Single Detached Dwelling
62 Kenai Cres	Nc	Accessory Building
33 Kenai Cres	Nc	Accessory Building
114 Ladysmith Dr, Lot 219	Nc	Single Detached & Sub.Apt
8 Eastmeadows Place	Nc	Single Detached Dwelling
97 Pennywell Rd	Nc	Patio Deck
40 Queen's Rd	Nc	Fence
1 Rankin St	Nc	Single Detached & Sub.Apt
83 Rotary Dr	Nc	Accessory Building

108 St. Clare Ave	Nc	Fence
61 Sunset St	Nc	Accessory Building
17 Tigress St, Lot 628	Nc	Single Detached & Sub.Apt
19 Tigress St, Lot 627	Nc	Single Detached & Sub.Apt
21 Tigress St, Lot 626	Nc	Single Detached & Sub.Apt
25 Tigress St, Lot 624	Nc	Single Detached Dwelling
26 Sitka St, Lot 279	Nc	Single Detached & Sub.Apt
126 Waterford Bridge Rd	Nc	Accessory Building
99 Winslow St	Nc	Patio Deck
47 Boyle St	Co	Single Detached Dwelling
18 Glenlonan St	Co	Single Detached & Sub.Apt
66 Penney Cres	Ex	Single Detached Dwelling
1- 7 Algerine Place	Rn	Townhousing
1-10 Eagle Court	Rn	Townhousing
14 Kenai Cres, Lot 183	Rn	Single Detached Dwelling
15 Oberon St	Rn	Single Detached Dwelling
45 Pearson St	Rn	Single Detached Dwelling
30 Sequoia Dr	Rn	Single Detached Dwelling
90 Oxen Pond Rd	Sw	Single Detached & Sub.Apt

This Week \$ 2,620,736.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 5,353,536.00

Repair Permits Issued: 2013/04/18 To 2013/04/24 \$ 119,050.00

130 Freshwater Road Garage Extension Rejected Due To Section 10.5.3(6)Of The City Of St. John's Development Regulations.

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			
April 29, 2013			
Type	2012	2013	% Variance (+/-)
Commercial	\$115,600,600.00	\$40,500,500.00	-65
Industrial	\$3,600,100.00	\$28,000.00	-99
Government/Institutional	\$11,100,200.00	\$7,100,100.00	-36
Residential	\$44,400,100.00	\$31,600,700.00	-29
Repairs	\$1,000,000.00	\$800,700.00	-20
Housing Units (1 & 2 Family Dwellings)	142	99	
Total	\$175,701,000.00	\$80,030,000.00	-54

Respectfully Submitted,

David Blackmore, R.P.A.
Deputy City Manager - Planning, Development & Engineering

The motion being put was unanimously carried.

Payrolls and Accounts

SJMC2013-04-29/190R

It was moved by Councillor Tilley; seconded by Councillor Colbert: That the following Payrolls and Accounts for the week ending April 25, 2013:

**Weekly Payment Vouchers
For The
Week Ending April 25, 2013**

Payroll

Public Works	\$ 331,412.42
Bi-Weekly Administration	\$ 697,616.15
Bi-Weekly Management	\$ 688,142.48
Bi-Weekly Fire Department	\$ 575,330.18

Accounts Payable	\$ 2,379,824.74
Total:	\$ 4,672,325.97

The motion being put was unanimously carried.

Tenders

- a. Tender – Ten (10) Mid-sized Loaders (Snow Clearing)
- b. Tender – Sixteen (16) Large-Sized Loaders (Snow Clearing)

SJMC2013-04-29/191R

It was moved by Councillor Tilley; seconded by Councillor Colbert: That the recommendation of the Deputy City Manager, Corporate Services & City Clerk be approved and the tenders awarded as follows:

- a. **Nortrax @ \$5,613.08 (ea); \$2,357,493.60 (Extended 10 units 42 months) (taxes included)**
- b. **Toromont Cat Bid #1 @ \$6,145.58 (per month ea); \$4,129,829.76 (Extended 16 units 42 months) (taxes included)**

Written Questions

Under business arising, Deputy Mayor Duff tabled the following list of questions requesting clarification on a number of points related to the application by Capital Ready Mix to open up two new pieces of Crown Land in the East White Hills area currently zoned as Rural for quarrying operations, which is referred to Planning and Development staff for response:

What are the next decision gates or steps in the approval process for both Parcel C and Parcel A?

Has a date been established for a commissioner’s hearing prior to final approval for the land designated as Parcel A?

Has final approval been given by Council for the sale of Crown lands to Capital Ready Mix?

Will the Quarry site be visible from the East bound approach lane of the Outer Ring Road towards East White Hills Road?

How can the public access information on the Quarry proposals, e.g. visual images of the location and extent of the proposed operation and the visual impact of the operation from the Outer Ring Road and East White Hills Road prior and post remediation?

Will the applicant be required to present a detailed remediation plan including plans for progressive remediation and timelines for the completion of the remediation process prior to final approval?

How will any conditions of approval be enforced?

Travel by His Worship the Mayor

Council considered a memorandum dated April 29, 2013 from His Worship concerning the above noted.

SJMC2013-04-29/192R

It was moved by Councillor Tilley; seconded by Councillor Galgay: That the following travel by His Worship the Mayor be approved

- a. May 5 to 9, 2013 - Offshore Technology Conference and World Energy Cities Partnership meetings in Houston, Texas**
- b. May 28 to June 5, 2013 – FCM and Big City Mayor’s Caucus meetings, Vancouver, B.C.**

Councillor Hanlon

Road Map 2021

Councillor Hanlon presented the Year 1 Highlights of Roadmap 2021, a copy of which is on file with the City Clerk’s office.

Adjournment

There being no further business, the meeting adjourned at 5:35 p.m.

MAYOR

CITY CLERK