

February 25th, 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

Acting 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 Adoption of the Agenda

SJMC2013-02-25/90R

It was decided on motion of Councillor Collins; seconded by Councillor Hanlon: That the Agenda be adopted as presented.

Adoption of Minutes

SJMC2013-02-25/91R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor O'Leary: That the minutes of February 18th, 2013 meeting be adopted as presented.

Bidgood Park Development

In accordance with current City policy, Council approved matching funding in the amount of \$350,000.00 towards the development of Bidgood Park.

Public Hearings

Public Hearing Report dated February 12, 2013

**Re: Manga Hotels Application to Rezone Property located at
New Gower Street/Springdale Street**

Councillor Galgay presented a report on the public meeting held on February 12, 2013 to provide an opportunity for public review and comment on the revised application submitted by Manga Hotels to rezone property located at New Gower Street/Springdale Street from the Residential Downtown (RD) Zone to the Commercial Central Office (CCO) Zone. The purpose of the proposed rezoning is to enable the construction of a hotel development on the eastern end of the property which would be twelve (12) storeys in height, with one hundred fifty (15) guest suites and associated surface parking. Written submission regarding the development were received prior to and subsequent to the hearing and included in the report to Council.

SJMC2013-02-25/92R

It was moved by Galgay; seconded by Councillor Hann: That based upon City Planning staff's review of the updated Land Use Assessment Report in which the applicant has made design changes in an effort to minimize the impacts of the proposed hotel development on existing adjacent residential land uses, that staff be directed to proceed with the applicable steps to rezone the application property to allow the proposed hotel development subject to the following conditions:

- 1. That as the applicant does not have specific plans at the present time for the development of the western portion of the application property that Council, at this time, only consider rezoning the eastern portion of the site where the hotel building is to be located. The applicant could request a rezoning of the western portion of the site at a future time when there is a specific development project proposed for construction;**
- 2. That portion of the application property where the surface parking for the proposed hotel is to be located, be left in its current Residential Downtown (RD) Zone designation. The RD Zone will allow a Parking Lot as a Discretionary Use; and**

3. That the application property be left in its current Heritage Area 3 designation and consider adopting applicable site-specific text amendments to the St. John 's Municipal Plan and the St. John's Development Regulations which would enable the property to have a maximum building height of twelve (12) storeys as a bonus site under a Commercial Central Office (CCO) Zone designation. By retaining the application property in the Heritage Area 3 with the proposed site-specific amendments to the CCO Zone regarding maximum allowed building height, this would enable the applicant to achieve the twelve (12) storey building height they have requested and would also enable the City to have some input on the exterior design of the hotel building through the review of the hotel building elevations by the City's Heritage Advisory Committee,

And further, that the Department of Planning be directed to discuss this approach with the applicant and their architectural consultants for their information. Once these discussions take place, Planning staff would then proceed to draft the applicable amendments to the St. John's Municipal Plan and the St. John's Development Regulations to allow the rezoning of the eastern portion of the application property to the Commercial Central Office (CCO). When prepared the amendments will be referred to a future Regular Meeting of Council for consideration of adoption-in principle subject to the issuance of a Provincial release from the Department of Municipal Affairs.

The motion being put was unanimously carried.

Development Committee Report February 19, 2013

Council considered the following Development Committee Report dated February 19th, 2013:

**REPORT/RECOMMENDATIONS
Development Committee
February 19, 2013**

1. **Development of Five (5) Residential Building Lots
Baymount Homes
42A-46-48 Quidi Vidi Village Road (Ward 2)
Quidi Vidi Village Road (QV)**

It is the recommendation of the Development Committee that this application be issued an Approval-in-Principle subject to the following conditions:

- a. Payment of Application and Development Fees in accordance with Section 6.4 of the St. John's Development Regulations.
- b. Compliance with the requirements of the Department of Engineering.
- c. The Approval-in-Principle be granted for a period of two (2) years from the decision of Council.



Robert F. Smart
City Manager
Chair – Development Committee

SJMC2013-02-25/93R

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

Concern was expressed during discussion with respect to the lack of City Regulations to ensure the preservation of the heritage character of the Village.

As pointed out by the Chair of the Development Committee, the subject lots meet the zone requirements for development in the Quidi Vidi Village (QV) zone for lot area and lot frontage.

It was agreed during discussion that an information session be held to allow the residents an opportunity to meet with staff and the developer to discuss the design of the proposed development and look at options that might be considered to reflect the character of the Village.

Deputy Mayor Duff noted her intention to put forward a motion for Council to consider the designation of the Village area as a heritage conservation area.

Following discussion, the motion being put was unanimously carried.

Nomenclature Committee Report

Council considered the following Nomenclature Committee Report dated February 20th, 2013:

Date: February 20th, 2013
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendations

Council approval is requested for the following Street names:

**Westgate Subdivision – Stage 4
(55 Lots) Located off Great Eastern Avenue
Fairview Investments Ltd.**

- 1. WOLF STREET**
- 2. ORLANDO PLACE**
- 3. STEPHANO STREET**
- 4. DUKE STREET**

SJMC2013-02-25/94R

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

The motion being put was unanimously carried.

Building Permits List

SJMC2013-02-25/95R

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

Building Permits List Council's February 25, 2013 Regular Meeting

Permits Issued: 2013/02/14 To 2013/02/20

Class: Commercial

10 Elizabeth Ave	Ms	Retail Store
20 Peet St	Ms	Car Sales Lot
466 Topsail Rd	Sn	Retail Store
82 Harvey Rd	Rn	Place Of Assembly
172 Freshwater Rd	Nc	Accessory Building
370 Torbay Rd, Level 2	Rn	Office
141 Torbay Rd	Cr	Clinic
81 Elizabeth Ave	Rn	Office
271 Duckworth St	Rn	Mixed Use
		This Week \$ 321,270.00

Class: Industrial

Pier 17 Water St M-I Swaco	Nc	Light Industrial Use
		This Week \$ 25,000.00

Class: Government/Institutional

This Week \$.00

Class: Residential

28 Augusta Court - Unit 1	Nc	Condominium
19 Boyle St	Nc	Patio Deck
13 Douglas St, Lot 260	Nc	Single Detached Dwelling
7 Gibbon Pl, Lot 6	Nc	Single Detached Dwelling
13 Gibbons Pl - Lot 9	Nc	Single Detached & Sub.Apt
17 Gibbons Pl - Lot 11	Nc	Single Detached & Sub.Apt
Heffernan's Line, Lot 2	Nc	Single Detached & Sub.Apt
20 Kenai Cresent, Lot 186	Nc	Single Detached Dwelling
66 Kenai Cres., Lot 208	Nc	Single Detached & Sub.Apt
25 Marsland Pl, Parcel A	Nc	Single Detached Dwelling
114 Quidi Vidi Rd	Nc	Swimming Pool
11 Turnberry St	Co	Home Office
8 Larch Pl	Ex	Single Detached Dwelling
45 Valleyview Rd	Ex	Single Detached Dwelling
24 Allandale Rd	Rn	Single Detached Dwelling
22 Balsam St	Rn	Single Detached Dwelling
25 Brad Gushue Cres	Rn	Single Detached Dwelling
68 Cabot St	Rn	Semi-Detached Dwelling
25 Cowan Ave	Rn	Single Detached Dwelling
17 Douglas St	Rn	Single Detached & Sub.Apt
17 Galashiels Pl	Rn	Subsidiary Apartment
8 Jennmar Cres	Rn	Single Detached Dwelling
45 Lady Anderson St	Rn	Single Detached Dwelling

146 Old Pennywell Rd
 51 Poplar Ave
 4 Titania Pl, Lot 159
 94 Whiteway St
 55 Whiteway St
 1 York St

Rn Single Detached Dwelling
 Rn Single Detached Dwelling
 Rn Single Detached & Sub.Apt
 Rn Single Detached Dwelling
 Rn Single Detached Dwelling
 Rn Semi-Detached Dwelling

This Week \$ 2,225,250.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 2,571,520.00

Repair Permits Issued: 2013/02/14 To 2013/02/20 \$ 100.00

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			
February 25, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$15,600,100.00	\$30,300,700.00	94
Industrial	\$0.00	\$25,000.00	0
Government/Institutional	\$7,900,300.00	\$5,300,000.00	-33
Residential	\$16,500,800.00	\$13,600,900.00	-18
Repairs	\$300,200.00	\$100,900.00	-66
Housing Units (1 & 2 Family Dwellings)	42	37	
TOTAL	\$40,301,400.00	\$49,327,500.00	22

Respectfully Submitted,

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

The motion being put was unanimously carried.

Payrolls and Accounts

SJMC2013-02-25/96R

It was moved by Deputy Mayor Duff; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week ending February 21st, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending February 21, 2013**

Payroll

Public Works	\$ 480,918.89
Bi-Weekly Casual	\$ 23,335.86
Accounts Payable	\$ 4,384,066.61
Total:	\$ 4,888,321.36

The motion being put was unanimously carried.

Tender

- a. Bride & Retaining Wall Rehabilitation Programs (2013)
- b. 2013010, Carbide Cutting Edges

SJMC2013-02-25/97R

It was moved by Deputy Mayor Duff; seconded by Councillor Tilley: That the recommendations of the Director of Engineering and the Deputy City Manager/Director of Corporate Services & City Clerk be approved and the tenders awarded as follows:

- a. Nova Consultants Inc.
- b. Western Hydraulics 2000 Ltd. @ \$83,000.00

The motion being put was unanimously carried.

Snow Clearing Report for the period January 1st to February 22nd, 2013

Council considered as information the snow clearing report for the period January 1st to February 22nd, showing a positive variance of \$41,773.00.

Deputy Mayor Duff

Deputy Mayor Duff asked that His Worship the Mayor on behalf of Council forward a letter of condolence to the family of the late Alec G. Henley.

Quidi Vidi Village Area

SJMC2013-02-25/98R

**It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary:
That staff of the Department of Planning be directed to develop a paper to consider the designation of Quidi Vidi Village as a Heritage area and prepare draft development regulations that would reflect appropriate design controls to reflect the historic character of the village.**

The motion being put was unanimously carried.

Councillor O’Leary

Councillor O’Leary asked that members of Council be provided with information on the City’s Automated Defibrillators plan.

Councillor O’Leary noted that she continues to receive complaints with respect to sidewalk snow clearing and asked that the matter be referred to the Public Works & Environment Standing Committee to look at potential improvements to the current sidewalk snow clearing program.

Retirement of Director of Planning

Members of Council congratulated the Director of Planning and wished him well in his retirement from the City.

Adjournment

There being no further business, the meeting adjourned at 5:45 p.m.

MAYOR

CITY CLERK