

January 9th, 2012

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 Public Works & Parks; Director of Planning; Director of Engineering; City Solicitor, Acting City Clerk and Recording Secretary were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2012-01-09-/24R

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

Adoption of Minutes

SJMC2012-01-09/25R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Hann: That the minutes of the January 3rd, 2012 meeting be adopted as presented.

Notices Published

- 1. A Discretionary Use Application** has been submitted by Bell Mobility requesting permission to install a **30 metre Monopole Tower on property at the rear of Civic Number 266 Torbay Road**. The proposed tower will stand 30 metres in height and will mount antennas for wireless communication. **(Ward 1)**

One (1) Submission of support

One (1) Submission of concern

(Memorandum dated January 5, 2012 from the Director of Planning)

SJMC2012-01-09/26R

It was moved by Councillor Breen, seconded by Councillor Hann: That the application be rejected.

In this regard Council considered a memorandum dated January 5, 2012.

Members of Council were not prepared to approve the proposed application for a monopole tower due to concerns of safety, health, its close proximity to the Grand Concourse walking trail and Coaker's Meadow Plaza. Concern was also expressed relative to the potential for the tower to fall accidentally. There was also a feeling that such towers should not be installed in commercial/residential areas.

It was pointed out by the Director of Planning that throughout Canada, approval for communication towers falls under the jurisdiction of the Federal Government and are regulated by Industry Canada. He also noted that it is the intention of the Department of Planning to attend a workshop/conference held by the Canadian Radio Communications Information Notification Service on January 23, 2012 to get a clearer understanding of public consultation and processes due to increased demand for communications towers in St. John's and other Canadian municipalities.

Following discussion, the motion to reject being put was unanimously carried.

- 2. A Discretionary Use Application** has been submitted by Pro-Tech Construction requesting permission to establish a **Chiropractic Clinic at Civic Number 255 Major's Path**. Coastal Chiropractic Inc. will occupy 88 m² of floor area in the subject building and employ a staff of three (3). Parking will be provided on-site. **(Ward 1)**

SJMC2012-01-09/27R

**It was moved by Councillor Colbert; seconded by Councillor Hickman:
That the application be approved.**

The motion being put was unanimously carried.

- 3. A Discretionary Use Application** has been submitted by Castle Rock Construction requesting permission to **subdivide vacant property at Civic Number 34 Freshwater Road** adjacent to Tony's Tailor Shop and construct three (3) residential townhouses. There will be one (1) parking space per dwelling on each lot provided. **(Ward 2)**

One (1) Submission of concern

SJMC2012-01-09/28R

**It was moved by Councillor Galgay; seconded by Councillor Tilley:
That the application be approved.**

The motion being put was unanimously carried.

Committee Reports

Nomenclature Committee Report dated December 15th, 2011

Council considered the following Nomenclature Committee Report dated January 15th, 2012:

Council approval is recommended for the following Street Names:

1. Westgate Subdivision Phase 3 - (Fairview Investments Ltd.)

This subdivision is located off Kenmount Road. The theme for street names is based on Newfoundland ship names.

The suggested street name is:

TITANIA PLACE

The Nomenclature committee and the St. John's Regional Fire Dept. has accepted this street name.

The *Titania* was built in 1880 and was part of the Bowring fleet of ships. It was lost at sea in 1882 after departing New York for

2. Kenmount Terrace Subdivision Stage 9A – (Complete Paving Ltd.)

This subdivision is located off Kenmount Road. The theme for street names is based on ship names.

The suggested street name is:

TIGRESS STREET

The Nomenclature committee and the St. John's Regional Fire Dept. has accepted this street name.

The *Tigress* was a sealing vessel.

3. **Southlands Boulevard Area (new road)**

This road is located off the north end of Southlands Boulevard near the Ruth Ave. interchange. It services two proposed cemeteries and St John's water reservoirs.

The suggested street name is:

RESERVOIR ROAD

The Nomenclature committee and the St. John's Regional Fire Dept. has accepted this street name.

4. **Virginia Water Village Phase 2 – (King William Development Limited)**

This subdivision is located off Logy Bay Road. The street names are suggested by the Crosbies and in most cases are family names.

The suggested name is:

STONELEY PLACE

The Nomenclature committee and the St. John's Regional Fire Dept. has accepted this street name.

5. **STREET RENAMING**

Waterline Road is located off Major's Path near Portugal Cove Road. The City has been approached by the property owners on Waterline Road (Monarch Development, TriNav Properties and Calvert Realty Ltd) to rename this street.

The suggested name is:

INTERNATIONAL PLACE

The Nomenclature committee and the St. John's Regional Fire Dept. has accepted this street name.

Phyllis Bartlett
Acting City Clerk

SJMC2012-01-09/29R

It was moved by Councillor Colbert; seconded by Councillor O’Leary: 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 List for the period of December 30, 2011 to January 5th, 2012:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF December 30, 2011 TO January 5, 2012**

Code	Applicant	Application	Location	Ward	Development Officer’s Decision	Date
RES	Nino Construction Limited	Subdivide for 1 Additional Building Lot	79 Quidi Vidi Village Road	2	Approved	11-12-30
OT	General Protestant Cemetery	Cemetery Site Plan	Southlands Boulevard	5	Approved	11-12-30
COM	Rick Pomeroy	Home Office – Plumbing Contractor	37 Suvla Street	2	Approved	11-12-30
COM	Chris McDonald	Home Office – Oil/Gas Repair	63 Howlett’s Line	5	Approved	12-01-05

<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

SJMC2012-01-09/30R

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

2012/01/04

Permits List

CLASS: COMMERCIAL

DENNIS MAHER	290 LEMARCHANT RD	CO OFFICE
AVALON RECYCLING SERVICES LTD	61 JAMES LANE	MS LIGHT INDUSTRIAL USE
ABC SIDING & WINDOWS INC.	1 MARCONI PL	MS RETAIL STORE
PETER'S PIZZA	22 O'LEARY AVE	MS RESTAURANT
CIRCLE K	2 STAVANGER DR	MS CONVENIENCE STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR	MS RETAIL STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR	MS RETAIL STORE
PIPERS DEPARTMENT STORES	681 TOPSAIL RD	MS RETAIL STORE
PIPERS DEPARTMENT STORE	272-276 TORBAY RD	MS RETAIL STORE
NORTH ATLANTIC REFINING	280 TORBAY RD	MS SERVICE STATION
COLOR YOUR WORLD	464 TORBAY RD	MS RETAIL STORE
SUN SPA	145 TORBAY RD	MS SERVICE SHOP
JOSADA HAIR STUDIO	TORBAY ROAD-TORBAY RD MALL	MS SERVICE SHOP
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
LEAH MEEHAN	35 OTTER DR	EX DAY CARE CENTRE
MICHELS BAKERY AND CATERING	16-72 HAMLYN RD	CR BAKERY
CANADIAN MEDICAL PRODUCTS INC.	38 GEAR ST	RN OFFICE
ROGERS COMMUNICATIONS	58 KENMOUNT RD	RN OFFICE
KEITHS PLUMBING LTD.	193-195 MAIN RD	NC ACCESSORY BUILDING
MCDONALD'S RESTAURANTS OF	54 KENMOUNT RD	SW RESTAURANT
RABBITTOWN COMMUNITY CENTRE	26 GRAVES ST	RN PLACE OF ASSEMBLY
		THIS WEEK \$ 834,900.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

SEAN J. VINNICOMBE AND	399 BLACKHEAD RD	NC SINGLE DETACHED DWELLING
NEILL ROBERT BUSWELL &	43 CHAFE AVE	NC ACCESSORY BUILDING
JEFF CAREW	131 CHEESEMAN DR	NC ACCESSORY BUILDING
PAUL MADDEN	47 DUCKWORTH ST-UNIT 108	NC SWIMMING POOL
DAVID & KIMBERLY FICKEN	62 EASTBOURNE CRES	NC ACCESSORY BUILDING
JOHN BRENNAN	243-245 PETTY HARBOUR RD	NC ACCESSORY BUILDING
CALCO HOMES	24 DAUNTLESS ST	CR SUBSIDIARY APARTMENT
CALCO HOMES	25 DAUNTLESS ST	CR SUBSIDIARY APARTMENT
ALEX CHIPPETT	28 EDISON PL	CR SUBSIDIARY APARTMENT
ELIZABETH J. COLE	125 CABOT ST	RN TOWNHOUSING

DR. ATEF A. H. MANSOUR & GEHAN 9 EASTMEADOWS AVE
CHRIS CAVANAUGH 35 PARSONAGE DR

RN SINGLE DETACHED DWELLING
RN SINGLE DETACHED DWELLING

THIS WEEK \$ 992,561.00

CLASS: DEMOLITION

THIS WEEK \$.00

THIS WEEK'S TOTAL: \$ 1,827,461.00

REPAIR PERMITS ISSUED: 2011/12/28 TO 2012/01/04 \$ 20,700.00

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	

Payrolls and Accounts

SJMC2012-01-09/31R

It was decided on motion of Councillor Hann; seconded by Deputy Mayor Duff: That the following Payrolls and Accounts for the week ending December 29, 2011 and January 5, 2012 be approved:

**Weekly Payment Vouchers
For The
Week Ending December 29, 2011**

Payroll

Public Works	\$ 440,886.36
Bi-Weekly Casual	\$ 13,322.03

Accounts Payable \$ 808,718.63

Total: \$1,262,927.02

**Weekly Payment Vouchers
For The
Week Ending January 5, 2012**

Payroll

Public Works	\$ 514,043.88
Bi-Weekly Administration	\$ 673,030.51
Bi-Weekly Management	\$ 651,713.23
Bi-Weekly Fire Department	\$ 584,101.26

Accounts Payable **\$3,535,987.28**

Total: **\$5,958,876.16**

Assessment Rates – 2012

Council considered a memorandum dated January 5, 2012 from the Director of Engineering regarding the above noted.

SJMC2012-01-09/32R

It was moved by Councillor Tilley; seconded by Councillor Breen: That the following assessment rates for 2012 be approved:

<u>Rates for 2011</u>	<u>Assessment Rates for 2012</u>	<u>Assessment</u>
Watermain	\$ 171.00/m	\$ 181.25/m
Sanitary Sewer	\$ 156.00/m	\$ 165.30/m
Storm Sewer	\$ 101.00/m	\$ 107.30/m
Water Service	\$1,117.00 EA	\$1,180.30 EA
Sanitary Service	\$1,151.00 EA	\$1,218.00 EA
Storm Service	\$1,151.00 EA	\$1,218.00 EA
Commercial Water Service	\$4,226.00 EA	\$4,473.25 EA
Commercial Sanitary Service	\$2,041.00 EA	\$2,160.50 EA
Commercial Storm Service	\$1,870.00 EA	\$1,975.25 EA
Street Improvement	\$ 92.00/m	\$ 97.15/m
New Street	\$ 388.00/m	\$ 410.35/m
Sidewalk	\$ 22.00/m	\$ 23.20/m
Rural Street Upgrading	\$ 78.00/m	\$ 82.65/m

The motion being put was unanimously carried.

Travel Request – Councillor Hickman

SJMC2012-01-09/33R

It was moved by Councillor Hanlon; seconded by Councillor Galgay: That travel by Councillor Hickman to Ottawa to attend the Canadian Capital Cities Organization - Board Meeting, February 3-4, 2012, be approved.

The motion being put was unanimously carried.

Upcoming Public Meetings – Rezoning Applications

Council considered as information a memorandum dated January 5, 2012 from the Director of Planning regarding the above noted.

Deputy Mayor Duff

Deputy Mayor Duff expressed concern over the closure of Easy Save grocery store in Churchill Square and asked that the Mayor write Loblaws expressing concern. In addition, Deputy Mayor Duff suggested that Council meet with Loblaw's on the matter.

Councillor O'Leary

Councillor O'Leary also expressed concern over the planned closure of Easy Save.

Councillor O'Leary extended congratulations on behalf of Council to the City's Poet Laurette, Mr. Tom Dawe, on winning the 2011 Heritage and History Book Award for "Where Genesis Begins".

Councillor O'Leary commended staff for the efficient manner in which they handled the recent water main replacement issue in the area of Mayor Avenue/Merrymeeting Road. She noted that she has received a number of complaints about infrastructure replacement and intends to take the matter up with the Department of Public Works and Parks.

Councillor O'Leary also advised that she was informed by Mr. Glen Hynes, Federal Department of Public Works that the cleanup of the White Hills dumpsite is near

completion, with the exception of a couple of small tanks which will be removed in the spring. She commended the Department of Public Works for due diligence in this regard.

Councillor O'Leary noted that she was informed on New Year's Day that the Fire Department was called to Margaret's Place. She asked the City Manager the status of the emergency laneway. The City Manager explained that as part of the completion of the condominium development on the street the laneway will be established as an emergency laneway which was a condition imposed on the developer by Council in allowing an extra storey on the building.

Councillor Tilley

Councillor Tilley asked that the Mayor write the Coach of the Ice Caps, Mr. Keith McCambridge, congratulating him and players Zach Redmond and Paul Postma, who were selected for the AHL All Star Team.

Councillor Hanlon

Councillor Hanlon reminded residents of a public meeting to be held on Tuesday, January 10, 2012 at 7:00 p.m. at Roncalli Elementary School to provide an opportunity for public review and comment on an application submitted by Gibraltar Development to rezone property at 25 Rhodora Street (former Scotia Recycling property) from the Commercial Industrial (CI) and Residential Low Density (R1) Zones to the Apartment Medium Density (A2), Residential Medium Density (R2) and Commercial Neighbourhood (CN) Zones. The purpose of the proposed rezoning is to allow the construction of a 4-storey residential condominium building with 28 units, a 2-storey office building with loft space, a single detached house, two semi-detached residential dwellings and three townhouses.

Councillor Hanlon referenced the planned closure of Easy Save at Churchill Square and encouraged residents who are concerned to write or email Loblaws to voice their concerns.

Councillor Collins

Councillor Collins updated residents on the status of the situation that recently led to a boil water order in the Shea Heights area.

Adjournment

There being no further business, the meeting adjourned at 5:15 p.m.

MAYOR

CITY CLERK