

March 10th, 2014

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

Deputy Mayor Ellsworth presided.

There were present also: Councillors Hann, Hickman, Lane, Puddister, Breen, Galgay, Tilley, Davis and Collins.

His Worship the Mayor.

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

Call to Order and Adoption of the Agenda

SJMC2014-03-10/107R

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

Adoption of Minutes

SJMC2014-03-10/108R

**It was decided on motion of Councillor Breen; seconded by Councillor Galgay:
That the minutes of March 3rd, 2014 be adopted as presented.**

Business Arising

**St. John's Urban Regional Plan Amendment Number 10, 2013
St. John's Municipal Plan Amendment Number 113, 2013 and
St. John's Development Regulations Amendment Number 567, 2013
Re: Proposed Expansion to Existing Quarry Site
East White Hills Road (Ward 1)
Applicant: Capital Ready-Mix Ltd.**

Under business arising, Council considered a memorandum dated March 3, 2014 from the Chief Municipal Planner regarding the above noted, along with a copy of the Commissioner's report held on February 6, 2014 to consider the proposed amendments.

SJMC2014-03-10/109R

It was moved by Councillor Breen, seconded by Councillor Lane: That the matter be deferred and referred back to staff to provide advice on the meteorological impact of the proposed expansion.

The motion being put was unanimously carried.

Notices Published

1. **An extension to a Non-Conforming Use Application** has been submitted by Southwest Properties requesting permission to construct an extension to Signal Hill Gate, the extended stay rental suites located at **22 St. Joseph's Lane**. The proposed extension to the building will be two storeys and would add sixteen units. On-site parking will accommodate forty-seven vehicles, seventeen of these will be located in the basement level of the proposed development. **(Ward 2)**

Seven submissions

SJMC2014-03-10/110R

It was moved by Councillor Galgay; seconded by Councillor Hann: That the application be deferred to allow staff an opportunity to review the submissions received.

The motion being put was unanimously carried.

2. **A Discretionary Use Application** has been submitted to operate a Car Sales Lot at **255 Bay Bulls Road**. The proposed business will occupy 5.2 m² within the subject building and the applicant will be the sole employee. On-site parking will be provided for the business. Hours of operation will be Monday to Saturday, from 9 a.m. to 5 p.m. **(Ward 5)**

SJMC2014-03-10/111R

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

The motion being put was unanimously carried.

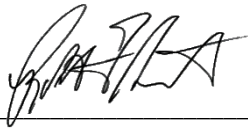
Committee Reports

Development Committee Report dated March 4th, 2014

Council considered the following Development Committee Report dated March 4th, 2014:

- 1. Department of Planning, Development and Engineering File DEV1300092
Discretionary Use Application
Proposed Residential Development for Two (2) Dwellings
Bond Management and Consulting Inc.
Commercial Central Mixed (CCM) Zone
53 Bond Street (Ward 2)**

It is the opinion of the Development Committee that Council should reject this application as the site cannot accommodate the proposed development.



Robert F. Smart, City Manager
Chair – Development Committee

SJMC2014-03-03/112R

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

The motion being put was unanimously carried.

Community Services & Housing Standing Committee Report dated March 3rd, 2014

Council considered the Community Services & Housing Standing Committee Report dated March 3rd, 2014

Attendees: Councillor Bernard Davis, Chairperson
Councillor Jonathan Galgay
Councillor Bruce Tilley
Councillor Sandy Hickman
Councillor Danny Breen
Bob Smart, City Manager
Jill Brewer, Deputy City Manager of Community Services
Tanya Haywood, Director of Recreation

Brian Head, Manager of Parks & Open Spaces
Carla Squires, Manager of Facilities Division
Deborah Cook, Manager of Tourism & Culture
Karen Chafe, Recording Secretary

1. **Arts Jury Report**

The Committee considered a report from the Arts Jury which was held on February 21, 2014.

The Committee on motion of Councillor Galgay; seconded by Councillor Hickman recommends that Council approve the awarding of grants as outlined in the attached report in the amount of \$203,700.

The Committee further recommends that the proposed funding increase to the *Grants to Artists and Arts Organizations* budget by \$25,000 over the next three-year period be referred for budget review.

2. **Youth Soccer Program**

The Committee considered a memorandum dated March 4, 2014 from the Director of Recreation regarding the above-noted. An internal review committee comprised of members of the Department of Community Services and Public Works reviewed four proposals received in response to the Request for Proposals for the operation of the City of St. John's Youth Soccer Program.

The Committee on motion of Councillor Breen; seconded by Councillor Galgay recommends Council's approval of the staff recommendation to award the St. John's House League Youth Soccer Program to the St. John's Soccer Club with a one-time operating grant of \$35,000.00. Further, in an effort to provide a seamless transition, the Committee recommends that the City conduct the program registration process for this year only.

**Councillor Bernard Davis
Chairperson**

SJMC2014-03-10/113R

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

Councillor Collins asked that all members of Council be provided with a copy of the proposals received in response to the Request for Proposals for the operation of the City of St. John's Youth Soccer Program.

The motion being put was carried with Councillor Collins dissenting.

Heritage Advisory Committee Report dated March 7, 2014

Council considered the following Heritage Advisory Committee Report dated March 7, 2014:

In Attendance: Councillor Dave Lane, Co-Chairperson
 Councillor Sandy Hickman, Co-Chairperson
 Deputy Mayor Ron Ellsworth
 Councillor Tom Hann
 George Chalker, Heritage Foundation
 Wayne Purchase, Downtown St. John's
 Taryn Sheppard, Nexter Representative
 Jeremy Bryant, NL Association of Architects
 Jason Sinyard, Director of Planning, Development & Engineering
 Ken O'Brien, Chief Municipal Planner
 Peter Mercer, Heritage Officer
 Helen Miller, City Archivist
 Margaret Donovan, Tourism Industry Coordinator
 Karen Chafe, Recording Secretary

Proposed Demolition of 12 – 20 Springdale St.

The Committee considered the attached Heritage Designation worksheets as well as the draft statements of significance for the properties situated at 12 – 20 Springdale St. The Heritage Officer and City Archivist also conducted a site visit of the structures and presented photos of the buildings' interior and exterior which illustrate the structural soundness of the buildings. On the basis of the aforementioned, the Committee recommends the following:

That the Salvation Army buildings situated at 12 – 20 Springdale St. be granted heritage designation.

The Committee requests that Council also consider the following possibilities in its review of the demolition applications:

- **The buildings are strongly eligible to access significant grants funding from the Heritage Foundation of NL should they choose to apply for such. Each building could be eligible for as much as \$150,000.**
- **Provision of city-owned land on Hutchings St. which is at the rear of 12-20 Springdale St. could be optioned or sold to the Salvation Army to expand its existing properties.**
- **Should Council decide to proceed with the demolition of one or both properties, it is with Council's understanding that there is no clear plan for the land's future use.**

- **The Committee strongly recommends that should demolition be approved, that consideration be given to the preservation of the exterior facades which could be creatively incorporated within a new and modern design, thereby reflecting the rich cultural history of the Salvation Army which would be preserved for many generations to come. Examples of such conversions are attached.**
- **The Committee as a volunteer group of professionals with expertise in the areas of architectural design and heritage preservation has pledged its commitment to consult with the Salvation Army free of charge in an effort to reach a reasonable compromise that protects the built heritage of these buildings while facilitating the expanded services of the Salvation Army at this location.**

**Councillor Dave Lane
Co-Chair**

**Councillor Sandy Hickman
Co-Chair**

SJMC2014-03-10/114R

It was moved by Councillor Lane; seconded by Councillor Hickman: That the Committee's recommendation that the Salvation Army buildings situated at 12-20 Springdale Street be granted heritage designation, be approved.

As pointed out by Co-Chairs, Councillors Lane and Hickman, the Heritage Officers and City Archivist conducted a site visit of the Springdale Street structures and presented photos which illustrate the structural soundness of the buildings. They noted that the buildings have distinct heritage qualities and pointed out that demolition was filed February 4 prompting an expedited process. It was further noted that the Salvation Army can avail of a federal program grant to assist with the demolition cost.

With the exception of Councillors Lane and Hickman, all other members of Council objected to the Committee's recommendation.

Councillor Hann gave a history of the Salvation Army's plans for the buildings and pointed out that staff have been aware for some time of the Salvation Army's need for a new structure because of increasing demand for their services in the downtown area and that it was not their intention to restore the buildings.

Other members of Council opposing the motion felt confident that the Salvation Army will keep their word to make best efforts to incorporate some of the buildings' materials into the design of the new building. It was noted by members of Council that maybe some of the hydrostone can be used on the façade of the new building, the establishment of a library or storyboards that would reflect the history of the Salvation Army. It was also pointed out that the Salvation Army is planning a design charrette which will give people an opportunity to have input in the design of the building.

Following discussion, the motion to approve Committee's recommendation that the Salvation Army buildings situated at 12-20 Springdale Street be granted heritage designation, being put, there voted for it the mover and seconder. The motion was lost.

Development Permits List

Council considered as information the following weekly development permits list for the period February 27, 2014 to March 5, 2014:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF February 27, 2014 TO March 5, 2014**

| Code | Applicant | Application | Location | Ward | Development Officer's Decision | Date |
|------|-----------|-----------------------------------|-----------------------|------|--------------------------------|------------|
| RES | | Home Office | 23 Sprucedale Drive | 5 | Approved | 2014-02-28 |
| RES | | Proposed Residential Building Lot | 94 Old Bay Bulls Road | 5 | Approved | 2014-03-05 |
| | | | | | | |
| | | | | | | |
| | | | | | | |

* Code Classification:
 RES- Residential
 COM- Commercial
 AG - Agriculture
 OT - Other

INST - Institutional
 IND - Industrial

** 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**

Building Permits List – March 10, 2014

SJMC2014-03-10/115R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That the recommendation of the Director of Planning and Development with respect to the following building permits, be approved:

**Building Permits List
Council's March 10, 2014 Regular Meeting**

Permits Issued: 2014/02/27 To 2014/03/05

Class: Commercial

| | | |
|------------------------------|----|-----------------------|
| 97 Torbay Rd | Co | Office |
| 456 Logy Bay Rd | Nc | Warehouse |
| 137 Blackmarsh Rd | Ms | Retail Store |
| 203 Blackmarsh Rd | Ms | Retail Store |
| 271 Blackmarsh Rd | Ms | Retail Store |
| 271 Blackmarsh Rd | Ms | Retail Store |
| 711 Blackmarsh Rd | Ms | Service Shop |
| 10 Elizabeth Ave | Ms | Retail Store |
| 25-39 Hallett Cres-Dynamex | Sn | Office |
| 177 Kenmount Rd | Ms | Car Sales Lot |
| 468 Logy Bay Rd | Ms | Commercial Garage |
| 358 Main Rd | Ms | Service Station |
| 22 O'leary Ave | Ms | Restaurant |
| 36 Pearson St | Ms | Office |
| 38 Ropewalk Lane | Ms | Service Shop |
| 500 Topsail Rd, Tim Horton's | Sn | Eating Establishment |
| 340 Torbay Rd | Ms | Service Station |
| 350 Torbay Rd | Ms | Take-Out Food Service |
| 141 Torbay Rd | Ms | Office |
| Torbay Road-Torbay Rd Mall | Ms | Office |
| 585 Torbay Rd | Ms | Take-Out Food Service |
| 25-39 Hallett Cres | Rn | Office |
| 11-17 New Gower St Club One | Rn | Tavern |
| 16 Rowan Pl | Rn | Retail Store |
| 48 Kenmount Rd | Rn | Place Of Amusement |
| 368 Hamilton Ave | Rn | Office |
| 23-25 Rowan St | Co | Retail Store |
| 48 Kenmount Rd, Suzy Shier | Rn | Retail Store |
| 10 Fort William Pl | Rn | Office |
| 115 Duckworth St | Ex | Restaurant |
| 95d Aberdeen Ave -Reitmans | Rn | Retail Store |

This Week \$ 649,435.00

Class: Government/Institutional

This Week \$.00

Class: Residential

| | | |
|------------------|----|--------------------------|
| 65 Faulkner St | Nc | Patio Deck |
| 14 Katie Pl | Nc | Accessory Building |
| 7 Tralee St | Cr | Subsidiary Apartment |
| 10 Conway Cres | Ex | Single Detached Dwelling |
| 50 Battery Rd | Rn | Single Detached Dwelling |
| 173 Cheeseman Dr | Rn | Single Detached Dwelling |
| 72 Cheyne Dr | Rn | Single Detached Dwelling |
| 14 Cornwall Cres | Rn | Single Detached Dwelling |
| 14 Holloway St | Rn | Mixed Use |

This Week \$ 225,000.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 874,435.00

Repair Permits Issued: 2014/02/27 To 2014/03/05 \$ 25,000.00

Legend

| | | | |
|----|----------------------|----|------------|
| Co | Change Of Occupancy | Sn | Sign |
| Cr | Chng Of Occ/Renovtns | Sw | Site Work |
| Nc | New Construction | Ex | Extension |
| Rn | Renovations | Dm | Demolition |
| Ms | Mobile Sign | | |

| YEAR TO DATE COMPARISONS | | | |
|--|------------------------|------------------------|------------------|
| March 10, 2014 | | | |
| TYPE | 2013 | 2014 | % VARIANCE (+/-) |
| Commercial | \$31,400,000.00 | \$11,300,700.00 | -64 |
| Industrial | \$25,000.00 | \$0.00 | 0 |
| Government/Institutional | \$5,300,000.00 | \$42,400,400.00 | 70 |
| Residential | \$15,700,400.00 | \$19,600,700.00 | 25 |
| Repairs | \$372,600.00 | \$329,500.00 | -12 |
| Housing Units (1 & 2 Family Dwellings) | 46 | 19 | |
| TOTAL | \$52,798,000.00 | \$73,631,300.00 | 39 |

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Director of Planning & Development

Payrolls and Accounts

SJMC2014-03-10/115R

**It was decided on motion of Councillor Galgay; seconded by Councillor Tilley:
That the following Payrolls and Accounts for the week ending March 5, 2014 be approved:**

**Weekly Payment Vouchers
For The
Week Ending March 5, 2014**

Payroll

| | |
|-------------------------|-----------------------|
| Public Works | \$ 584,992.58 |
| Bi-Weekly Casual | \$ 21,675.30 |
| Accounts Payable | \$4,587,688.72 |

Total: \$ 5,194,356.60

Tenders

48 Spencer Street Demolition

SJMC2014-03-10/116R

It was decided on motion of Councillor Galgay; seconded by Councillor Tilley: That the recommendation of the Deputy City Manager, Corporate Services & City Clerk be approved and the RFP awarded as follows:

- a. Mercers Paving Incorporated @ \$43,362.83, Taxes Extra**

Snow Clearing Report

Council considered as information the snow clearing report for the period January 1 to March 7, 2014, showing a negative variance of \$796,320.00.

Councillor Hickman

Councillor Hickman advised residents that in order to facilitate the construction of the Convention Centre Expansion, a large crane needs to operate on the two east bound lanes of New Gower Street, and accordingly the street will be closed to traffic between Sunday March 16th and Friday March 21st inclusive. The street closure will be along the Convention Centre street frontage, between and Waldegrave Street and Queen Street. Queen Street itself will remain open to traffic.

Councillor Hickman noted that nominations are open for the position of Poet Laureate of the City of St. John's and close on Monday, March 24.

Councillor Lane

Councillor Lane reminded citizens that The City of St. John's is currently seeking representatives from citizens-at-large and organizational stakeholders to sit on a new task force to support the development of a public engagement framework. The Engage! St. John's Task Force will begin its work in early April and finish its final report with recommendations in early summer 2014. The deadline to apply is March 21, 2014 at 4 p.m.

Councillor Puddister

Councillor Puddister updated Council on his attendance at a meeting held March 4, 2014, Chaired by Councillor Galgay, regarding parking issues, Quidi Vidi Village. Though recognizing that parking is a challenge in the Village area, Councillor Puddister noted that Mallard Cottage has access to 14 parking spaces, 1 wheelchair accessible space located in front of the restaurant, lease arrangements across the street for 3 additional parking spaces, as well as a lease arrangement with a property owner on the waterfront front for 10 spaces.

Councillor Puddister also noted that, while snow clearing crews carried out snow clearing and removal in the Village area over the weekend, asked that the area be listed for regular snow removal.

Councillor Puddister noted that the normal flow for snow disposal operations on the Harbour Waterfront is not working, due to traffic congestion exasperated by restaurant construction and the fact that three piers are fenced off. He advised residents that Council will request to meet with the City's representative on the St. John's Port Authority to convey some of the issues relative to this matter.

Councillor Galgay

As a follow-up to the meeting chaired by him in Quidi Vidi Village, regarding Mallard Cottage parking, Councillor Galgay brought forward the following requests for information in an attempt to facilitate a process to alleviate some of the issues related to parking and traffic for the overall area:

- a. A complete listing and mapping of all City owned land within Quidi Vidi Village and the entrance to the Village itself (measurements of property and what it would be used for)
- b. That Public Works crews enhance snow clearing operations in the Village to take in some of the areas identified for public usage

- c. That Parking Services carry out a complete assessment of parking in the Village and work with the Traffic Division to examine the City's signage - identify key points of interest where visitors and residents can park
- d. That the Traffic Division report back to Council on the status of the impending implementation of traffic calming for the area.

The City Manager advised that the appropriate process would be to collect the information for referral to the Police and Traffic Committee and subsequent referral to Council. Councillor Galgay asked for a report specific to the Village.

Councillor Tilley

Councillor Tilley advised that Seniors Day will be held on June 5 and more detail will be provided at a later date.

Councillor Tilley advised residents of Ward 3 that they will have an opportunity to discuss the Open Space Master Plan at meetings to be held on March 31 to April 3.

Acting Mayor Ellsworth

Acting Mayor Ellsworth again encouraged people to speak up about substandard housing to allow staff an opportunity to investigate and follow-up on the situation.

Adjournment

There being no further business the meeting adjourned at 6:05 p.m.

MAYOR

CITY CLERK