

March 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: Councilors O'Leary; Hickman, Hann, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Deputy Mayor Duff and Councillor Colbert.

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

The deliberations of Council were interrupted by Mayoral candidate, Geoff Chaulk, who was present in the public gallery. His Worship the Mayor adjourned the meeting and ordered the Commissioner to address the situation.

Call to Order and Adoption of the Agenda

SJMC2013-03-25/131R

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

Adoption of Minutes

SJMC2013-03-25/132R

It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the minutes of March 19th, 2013 meeting be adopted as presented.

Business Arising

**Memorandum dated March 21, 2013 from the Acting Director of Planning
Re: Proposed Expansion to Existing Quarry, East White Hills Road (Ward 1)
Applicant: Capital Ready-Mix Ltd.**

Under business arising, Council considered a memorandum dated March 21, 2013 from the Acting Director of Planning regarding the above noted. Also considered were three submissions to Council on the proposed rezoning. It was noted that the area to be quarried is further removed from the residences and the Province will require a blasting plan as well as a dust analysis control plan prior to granting approval. It was also noted that a public hearing on the proposed amendments, chaired by an independent commissioner, will be required

SJMC2013-03-25/133R

It was moved by Councillor Hann; seconded by Councillor Breen: That staff be directed to proceed with the rezoning of two parcels of land along East White Hills, each parcel to be rezoned to the Industrial General Zone (IG) Zone to allow expansion of the company's quarry operations; and prepare the necessary amendments to the St. John's Municipal Plan and St. John's Development Regulations as well as approach the Department of Municipal Affairs concerning the Regional Plan amendment for Parcel A.

The motion being put was unanimously carried.

Notices Published

1. **A Discretionary Use Application** has been submitted by Toyota Plaza requesting permission to develop the rear property of **Civic No. 73 Kenmount Road** into a 300 space vehicle storage yard. (Ward 4)

SJMC2013-03-25/134R

It was moved by Councillor Tilley; seconded by Councillor Collins: 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 requesting permission to occupy Civic No. 5 Lewisporte Place as a home occupation for a hair salon. The proposed business will occupy a floor area of approximately 15.6 m² in the basement area and will operate Wednesday and Friday 9 a.m. to 5 p.m., and Thursday 10 a.m. to 8 p.m. One client will visit at a time by appointment only. A minimum of four on-site parking spaces are available for the business. The applicant is the sole employee. **(Ward 3)**

One (1) Submission

SJMC2013-03-25/135R

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

The motion being put was unanimously carried.

3. A Discretionary Use Application has been submitted for a proposed home occupation at **Civic No. 25 Brad Gushue Crescent** for a wedding planning and decorating business. The proposed business will occupy a total floor area of approximately 35.6 m² and will operate on an appointment basis only, with less than one client appointment per week. The business involves meeting with clients to discuss wedding plans and decoration of off-site venues. The office includes a decoration showroom which can be viewed by appointment only and is not open to the public. One on-site parking space is provided for the business. The applicant is the sole employee. **(Ward 5)**

SJMC2013-03-25/136R

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

The motion being put was unanimously carried.

Public Hearing Report

Council considered a Public Hearing Report dated March 7, 2013 which was held to provide an opportunity for public review and comment on the application by Reardon Construction and Development to rezone property on Ruby Line at Southlands Boulevard from the Commercial Office Hotel (COH) and Open Space (O) Zones to the Residential Medium Density (R2), Apartment Medium Density (A2), and Open Space (O) Zones.

SJMC2013-03-25/137R

It was moved by Councillor Hann; seconded by Councillor O’Leary: That staff be directed to proceed with the rezoning and prepare the necessary amendments for rezoning and for amending the St. John’s Municipal Plan; and agreed that a commissioner’s public hearing for the Municipal Plan amendment be scheduled.

The motion being put was unanimously carried.

Development Committee Report dated March 19th, 2013

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

The following matters were considered by the Development Committee at its meeting held on March 19, 2013. A staff report is attached for Council’s information.

**1. Proposed Change in Building Line Setback
Adjacent Civic No. 331 Thorburn Road (Ward 4)
Rural Residential (RR) Zone**

It is the recommendation of the Development Committee to approve a 7 meter Building Line for this property, with the requirement that the applicant must not build within 20 meters of the front property line



Robert F. Smart
City Manager
Chair – Development Committee

SJMC2013-03-25/138R

It was moved by Councillor Hann; seconded by Councillor Collins: 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 List for the period March 15 to 21, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF March 15, 2013 TO March 21, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM		Home Office – Internet Marketing	29A Point Leamington Street	3	Approved	13-03-19
AG		Proposed Laydown Area for Heavy Equipment	197 Brookfield Road	5	Rejected by – Contrary to development in AG zone	13-03-20
AG		Second Driveway	197 Brookfield Road	5	Approved	13-03-20
AG		Proposed Subdivision for 2 Building Lots	Ruby Line	5	Rejected by – Contrary to development in AG zone	13-03-21
COM		Home Office – Mural Painting Business	12A Sinnott Place	5	Approved	13-03-21

* 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

SJMC2013-03-25/139R

It was moved by Councillor Hanlon; seconded by Councillor Galgay: 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 March 25, 2013 Regular Meeting**

Permits Issued: 2013/03/14 To 2013/003/20

Class: Commercial

61 James Lane	Co	Custom Workshop
15 International Pl	Sn	Office
199 Kenmount Rd	Sn	Hotel
199 Kenmount Rd	Sn	Hotel
446 Newfoundland Dr	Ms	Service Shop
48 Kenmount Rd, Avalon Mall	Co	Eating Establishment
61 James Lane -Amj Campbell	Co	Office
15 George St	Rn	Tavern
61 James Lane	Rn	Warehouse
61 James Lane	Rn	Warehouse
220 Kenmount Rd, Penny Mazda	Rn	Car Sales Lot
79 Kenmount Rd	Cr	Office

This Week \$ 427,500.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

227 Brookfield Rd	Nc	Accessory Building
28 Hatcher St	Nc	Accessory Building
4 Kenai Cres, Lot 178	Nc	Single Detached Dwelling
88 Kenai Cres, Lot 219	Nc	Single Detached Dwelling
125 Ladysmith Dr - Lot 194	Nc	Single Detached Dwelling
45 Brad Gushue Cres	Co	Single Detached Dwelling
191 Topsail Rd	Co	Single Detached Dwelling
64 Cornwall Cres	Cr	Subsidiary Apartment
26 Maxwell Pl	Ex	Single Detached Dwelling
89-91 Casey St	Rn	Semi-Detached Dwelling
22 Circular Rd	Rn	Single Detached Dwelling
13 Coronation St	Rn	Semi-Detached Dwelling
10 Galashiels Pl	Rn	Single Detached Dwelling
163 Ladysmith Dr, Lot 340	Rn	Subsidiary Apartment
46 Newtown Rd	Rn	Semi-Detached Dwelling
64 Queen's Rd	Rn	Townhousing

10 St. Andrew's Pl
30 Ropewalk Lane

Rn Single Detached Dwelling
Sn Eating Establishment

This Week \$ 812,000.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 1,239,500.00

Repair Permits Issued: 2013/03/14 To 2013/03/20 \$ 48,200.00

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			
March 25, 2013			
Type	2012	2013	% Variance (+/-)
Commercial	\$19,700,400.00	\$33,000,600.00	68
Industrial	\$1,300,100.00	\$25,000.00	-98
Government/Institutional	\$8,600,900.00	\$6,800,100.00	-21
Residential	\$25,100,400.00	\$19,200,600.00	-24
Repairs	\$600,800.00	\$500,100.00	-17
Housing Units (1 & 2 Family Dwellings)	71	54	
Total	\$55,302,600.00	\$59,526,400.00	8

Respectfully Submitted,

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

Payrolls and Accounts

SJMC2013-03-25/140R

It was moved by Councillor Hanlon; seconded by Councillor Galgay: That the following Payrolls and Accounts for the week ending March 21st, 2013 be approved:

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

Payroll

Public Works	\$ 440,218.87
Bi-Weekly Casual	\$ 20,981.14
Accounts Payable	\$2,381,926.86

Total: \$2,843,126.87

The motion being put was unanimously carried.

Other Business

Manga Hotels – New Gower Street

Council considered a memorandum dated March 19, 2013 from the City Solicitor regarding the above noted.

SJMC2013-03-25/141R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That a request from Manga Hotels Limited to purchase a parcel of surplus lands from the City located between their site at the corner of Springdale/New Gower Streets and the sidewalk at New Gower Street, be approved, and sold at a rate of \$45.00 per square foot (approximately \$100,000) plus HST.

The motion being put was unanimously carried.

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

Council considered as information the snow clearing report for the period January 1 to March 22, 2013 showing a positive variance of \$61,100.

Notice to Motorists - Recision of On-Street Parking

Council considered Notices to Motorists advising that effective Monday, April 1, 2013 the overnight On-Street Parking ban is no longer in effect.

Councillor O'Leary

Councillor O'Leary reported on the recent closed meeting held with a number of stakeholders including city staff , Councillor Galgay and representatives of the RNC to discuss the problems experienced on Tessier Place and surrounding area. She noted that the meeting was a major first step in bringing not only the community together but all parties who will work collectively towards creating a safer neighbourhood. Councillor O'Leary advised that a larger public meeting has been scheduled for April 3, 2013.

Councillor Breen

Councillor Breen advised that he has received enquiries concerning the lack of a sidewalk on the north side of Stavanger Drive from Torbay Road down to the Dominion Stores, in front of Best Buys location. He noted that there is a plan for a sidewalk at this location, however, sidewalks cannot be installed until the planned turning lane on Stavanger Drive turning right onto Torbay Road is installed. He further noted that the funding for the sidewalk has been held as security by the developer and as soon as the turning lane is installed the sidewalk will be installed as originally planned.

Adjournment

There being no further business, the meeting adjourned at 5:30 p.m.

MAYOR

CITY CLERK