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 Ellsworth; Councillors Hann, Hickman, Lane, Puddister, Galgay, Tilley, Davis and Collins.

Deputy City Manager, Corporate Services & City Clerk; Deputy City Manager, Public Works, Deputy City Manager, Planning, Development & Engineering, Deputy City Manager, Community Services; Director of Engineering, Chief Municipal Planner, City Solicitor, and Senior Legislative Assistant, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2014-03-31/143R

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

Adoption of Minutes

SJMC2014-03-31/144R

It was decided on motion of Councillor Puddister; seconded by Councillor Davis: That the minutes of March 24th, 2014 be adopted as presented.

Business Arising

Memorandum from the Chief Municipal Planner – St. John's Municipal Plan Amendment Number 120, 2014 and Development Regulations Amendment Number 590, 2014 – 288 Back Line (Ward 5)

SJMC2014-03-31/145R

It was moved by Councillor Hann; seconded by Councillor Collins: That Council give formal approval to St. John's Municipal Plan Amendment Number 120, 2014 and St. John's Development Regulations Amendment

- 2 - 2014-03-31

Number 590, 2014. Further that under the provisions of the Urban and Rural Planning Act, these amendments be sent to the Department of Municipal Affairs with a request for Provincial registration.

RESOLUTION ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 120, 2014

WHEREAS the City of St. John's wishes to allow a residential development at Civic Number 288 Back Line [Parcel ID #21041].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act.

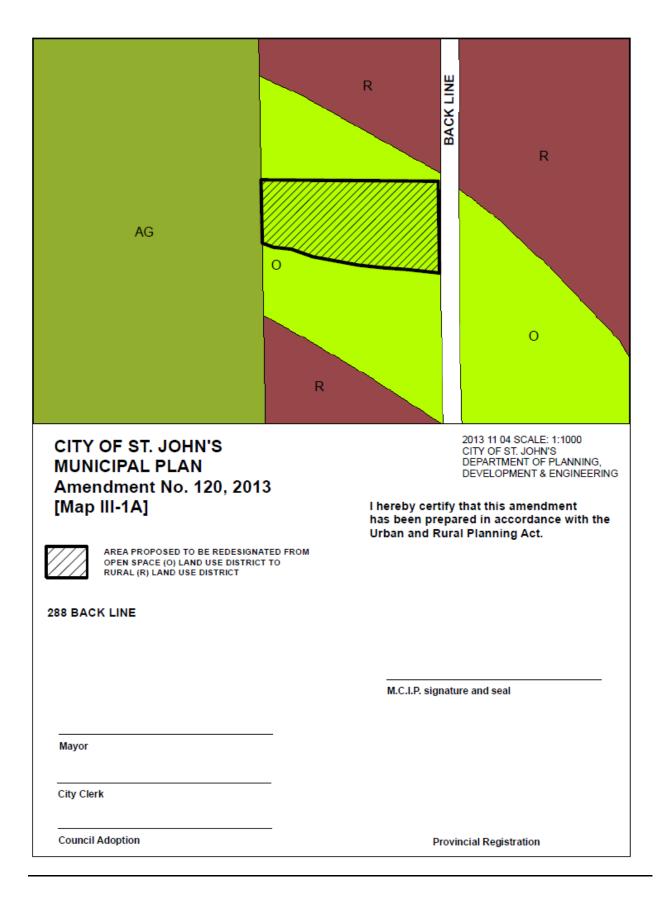
Redesignate the land at 288 Back Line from the Open Space (O) Land Use District to the Rural (R) Land Use District as shown on Map III-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 31st day of March, 2014.

Mayor	MCIP I hereby certify that this Amendment has been prepared i accordance with the Urban and Rural Planning Act, 2000
City Clerk	
Council Adoption	Provincial Registration

- 3 - 2014-03-31



- 4 - 2014-03-31

RESOLUTION ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 590, 2014

WHEREAS the City of St. John's wishes to allow a residential development at Civic Number 288 Back Line [Parcel ID #21041].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act.

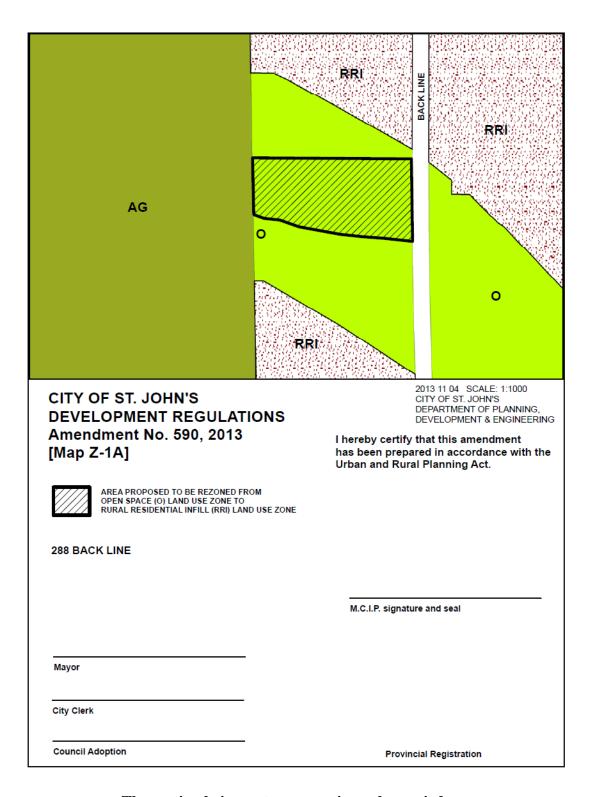
Rezone land at Civic Number 288 Back Line from the Open Space (O) Zone to the Rural Residential Infill (RRI) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 31st day of March, 2013.

at has been prepared in the Planning Act, 2000
1

- 5 - 2014-03-31



The motion being put was unanimously carried.

- 6 - 2014-03-31

Memorandum from the Chief Municipal Planner – Proposed Expansion to Existing Quarry – East White Hills Road (Ward 1) – Capital Ready Mix Limited.

At the regular meeting of Council on March 10, 2014 Council referred the application back to staff to provide advice on the meteorological impact of the proposed quarry expansion.

Based on the findings contained in an Odour Response Action Plan, it is felt by staff that the removal of a portion of this hill for the quarry expansion will not have a negative impact on odours in the area.

SJMC2014-03-31/146R

It was moved by Councillor Tilley; seconded by Councillor Puddister: That an application for the proposed expansion to an existing quarry – East White Hills Road (Ward 1) by Capital Ready Mix Limited, be approved as recommended.

Discussion took place on whether the City was in receipt of a report from a meteorologist as originally recommended. As no such written report had been received the following motion was put forward:

SJMC2014-03-31/147R

It was moved by Councillor Davis; seconded by Deputy Mayor Ellsworth: That an application for the proposed expansion to an existing quarry – East White Hills Road (Ward 1) by Capital Ready Mix Limited, be deferred pending receipt of a meteorologist's report.

The motion being put was carried.

Notices Published

- a. A Discretionary Use Application has been submitted by Lester Farms Inc. to construct a greenhouse for Aquaponics and Hydroponics operations on land adjacent to 90 Pearltown Road. The proposed greenhouse has a floor area of 1,021 square metres. 'Aquaponics' is a food production system that combines Aquaculture with Hydroponics Operations. 'Hydroponic Operations' means the cultivation of plants without soil. It is proposed that artificial light will be used. (Ward 5)
- b. A Discretionary Use Application has been submitted requesting permission to occupy 310-316 Petty Harbour Road as a Home Occupation for a Fitness Studio.

- 7 - 2014-03-31

The proposed business will offer fitness classes for a maximum of eight (8) students per class. It will occupy a floor area of approximately 40 m² and will operate Monday to Saturday, between 5:30 p.m. and 9 p.m., three (3) days per week. Each class is one (1) hour long, with a fifteen (15) minute break in between, with a maximum of two (2) classes per day. On-site parking is available and the applicant is the sole employee. (Ward 5)

SJMC2014-03-31/148R

It was moved by Councillor Collins; seconded by Councillor Puddister: That the above noted discretionary use applications be approved as recommended.

The motion being put was unanimously carried.

Public Hearings

Public Hearing Report dated February 19, 2014 Proposed 3-Storey Extension to the Scotia Centre Eastport Properties Ltd. 235 Water Street (Ward 2)

Councillor Galgay presented a report of a public meeting held on February 19, 2014 the purpose of which was to discuss the proposed expansion to Scotia Centre – Eastport Properties Ltd.

SJMC2014-03-31/149R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That the application for a three (3) storey expansion to Scotia Centre be given approval-in-principle subject to the following conditions as recommended:

- 1. The project meets all the conditions as determined by the Department of Planning, Development and Engineering.
- 2. The developer provide to the City's Parks Services Division an acceptable landscape design and artwork for the remaining Water Street podium and the Harbour Drive podium.

The motion being put was unanimously carried.

Committee Reports

Development Committee Report dated March 18, 2014

Council considered the following Development Committee Report dated March 25, 2014:

- 8 - 2014-03-31

1. Approval in Principle Proposed Gas Bar with Convenience Store, Food Service with Drive-Thru 5 Hebron Way (Ward 1) – Commercial Regional

Recommendation

Council grant an Approval-in-Principle for the development, subject to the following conditions:

- 1. Payment of all applicable fees and assessments. The Development fee is calculated at \$20.00 per square meter of gross floor area.
- 2. Advertising of the Drive-Thru lane as this is a Discretionary Use in this zone. This will be advertised once the revised site plan has been submitted and reviewed by staff.
- 3. A Site plan is to be submitted for review and subsequent approvals. The proposed development must be designed in accordance with the City's Construction Specifications Book, the Subdivision Design Manual and the Commercial Development Policy.
- 4. Compliance with the requirements of the Planning and Development Division;
- 5. This Development must meet the minimum parking requirements for the CR Zone for this type of occupancy;
- 6. The required Building Permits must be obtained from the City, prior to the commencement of any development.

SJMC2014-03-31/150R

It was moved by Councillor Hann; seconded by Councillor Lane: That the Development Committee's recommendation be accepted as presented.

The motion being put was unanimously carried.

Public Works Committee Report dated March 20, 2014

Council considered the following Public Works Standing Committee Report dated March 20, 2014

In Attendance: Councillor Jonathan Galgay, Chairperson

Deputy Mayor Ron Ellsworth Councillor Sandy Hickman Councillor Bruce Tilley - 9 - 2014-03-31

Councillor Bernard Davis
Councillor Wally Collins
Councillor Art Puddister
Paul Mackey, Deputy City Manager of Public Works
Brendan O'Connell, Director of Engineering
Don Brennan, Director of Roads & Traffic
Steve Colford, Manager of Waste & Recycling
Brian Head, Manager of Parks & Open Spaces
Union Representatives: Terry Bennett & Bob Harris
Karen Chafe, Recording Secretary

Also present from the media were Lacey O'Connell and Heather Gillis

1. St. John's Clean & Beautiful Curbside Giveaway Program

The Committee considered a memo dated March 13, 2014 from the Manager of Waste & Recycling regarding his response to St. John's Clean & Beautiful's proposal to implement a curbside giveaway program. The main purpose of the program is waste diversion from the landfill by promoting the reuse of still useable items. They have also asked the City to fund the printing and mailing of the marketing material and ensure adequate staffing to enforce by-law 1140 and handle possible issues as they arise. The Committee was concerned about the potential for items to be left behind on sidewalks if not collected, causing a proliferation of debris from potentially hundreds of households. Enforcement would have to be put in place to ensure that residents take back inside those items that were not collected at the end of the day. The Committee, with Councillor Hickman abstaining, recommends the following:

That the City not pursue the proposal from St. John's Clean & Beautiful to implement a curbside giveaway program.

2. Snow Clearing Operational Review Expressions of Interest (EOI)

The Committee considered a memo dated March 19, 2014 from the Deputy City Manager of Public Works requesting the Committee's consideration of a draft EOI document for a comprehensive operational review of snow clearing and fleet. The Committee on motion of Councillor Hickman; seconded by Councillor Davis, with Councillors Collins and Tilley dissenting, recommends Council's approval of the following:

That Council approve the issuance of the attached EOI document for a comprehensive review of snow clearing operations and that the study be funded from the snow clearing budget. A further recommendation for award of the study will be brought to Council for approval following receipt and evaluation of proposals.

3. Review of Curbside Leaf Collection Pilot Program

- 10 - 2014-03-31

The Committee considered a memo dated March 12, 2014 from the Manager of Waste and Recycling regarding the above noted matter. The Committee on motion of Deputy Mayor Ellsworth; seconded by Councillor Davis recommends the following as outlined in greater detail in the attached memo:

That the City continue to provide the leaf mulching information to the general public and as well to continue the curbside leaf collection program as in the previous year. The Committee further recommends that the ten garbage bag limit remain as is and not be reduced as proposed. The Waste & Recycling Division will create a separate issue paper for that item in the future.

4. Communities in Bloom Participation Request

The Committee considered a memo dated March 3, 2014 from the Deputy City Manager of Public Works regarding a discussion paper prepared by Brian Head on the City's possible participation in the Communities in Bloom Challenge. The Committee on motion of Deputy Mayor Ellsworth; seconded by Councillor Davis recommends the following:

That the City consider participation in the 2015 competition and further that up to 2 City representatives attend the 2014 National Symposium & Ceremonies in PEI in September to gain a better understanding of the process and the scope of staff and financial contribution required.

5. Shea Heights Dog Park Proposal

The Committee considered a memo dated March 12, 2014 from the Deputy City Manager of Public Works regarding a proposed off-leash dog park in Shea Heights. Councillor Collins tabled a petition of support in this regard signed by 56 residents. The Committee on motion of Councillor Collins; seconded by Deputy Mayor Ellsworth recommends Council's approval of the following:

That Council proceed with the construction of an off-leash Dog Park in Shea Heights as per the attached report. Funding for the estimated \$14,000 cost is available from savings realized from existing capital works project allocations.

6. AMEC Weather Forecasting Services Contract

The Committee considered a memo dated March 18, 2014 from the Deputy City Manager of Public Works regarding the proposed extension to the City's current weather forecasting contract with AMEC. The Committee on motion of Councillor Tilley; seconded by Councillor Davis recommends Council's approval of the following:

- 11 - 2014-03-31

That Council approve the proposed 4 year extension to the existing weather forecasting contract with AMEC including the amendments proposed in the attached report at a cost of \$9,950.00 per month.

Jonathan Galgay Chairperson

SJMC2014-03-31/151R

It was moved by Councillor Galgay; seconded by Councillor Davis: That the Public Works Committee's recommendations as contained in the report of March 20, 2014 be accepted as presented.

The motion being put was unanimously carried.

Para Transit Advisory Committee Report dated February 26, 2014

Council considered the Para Transit Advisory Committee Report dated February 26, 2014.

Attendees: Cecil Whitten, Chairperson

Deputy Mayor Ron Ellsworth

Councillor Tom Hann, City of St. John's

Cecil Goulding, Canadian Council of the Blind

Bill Westcott, Epilepsy NL

Scott Batten, ILRC Sheena King, CNIB Penney Abbott, ILRC Annette Bridgeman

Morley Payne, Eastern Health

Jason Collins, City of Mount Pearl

Bob Bishop, Deputy City Manager of Financial Management

Gord Butler, Dept. of Advanced Education and Skills

Susan Ralph, Para Transit Coordinator (via teleconference)

Karen Chafe, Recording Secretary

1. Fare Parity Policy – Monthly Bus Passes

The Committee had previously met with representatives of Metrobus to discuss their fare parity policy and particularly their use of smart cards which can be reloaded at specific sales outlets or on-line. They charge a one-time \$5.00 fee on new m-Card activations. A hand held device used by the bus driver for charging fares is also required. The mCards as they are known, increase the capability to track rides and enable the quick downloading of data on a daily basis.

The Committee recommends Council's approval to implement the fare parity policy in line with that of Metrobus which will include the - 12 - 2014-03-31

purchase of required equipment to integrate a smart card system for Go-Bus, similar to that used by Metrobus. The approximate cost to undertake this work is \$135,000 with a 10% variance on the American dollar.

2. <u>Accessible Transit Coordinator – Proposed Relocation</u>

Consideration is being given to the proposed relocation of the Accessible Transit Coordinator to the new office at the St. John's Transportation Commission (Metrobus). Prior to a decision being made, a logistical review will have to be undertaken to consider the extent of administrative and accessibility supports that would be available at the new location to determine if it is the best fit for the Accessible Transit Coordinator and the clientele serviced.

The Committee recommends that the Deputy Mayor, being both a representative of the St. John's Transportation Commission and the Para Transit Advisory Committee, undertake a logistical review for the proposed relocation of the Accessible Transit Coordinator to the offices of the St. John's Transportation Commission. The purpose is to determine the viability of such a move and to provide a written report back to the Committee with proposed recommendations.

Cecil Whitten Chairperson

SJMC2014-03-31/152R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Lane: That the Para Transit Advisory Committee's recommendations as contained in the report of February 26, 2014 be accepted as presented.

The motion being put was unanimously carried.

Resolutions

- 13 - 2014-03-31

Development Permits List

SJMC2014-03-31/153R

It was moved by Councillor Collins; seconded by Deputy Mayor Ellsworth: That the recommendation of the Director of Planning and Development with respect to the following Development Permits list be approved:

The motion being put was unanimously carried.

DEVELOPMENT PERMITS LIST DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING FOR THE PERIOD OF March 20, 2014 TO March 26, 2014

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	MAE Design Ltd	Two (2) Building Lots	10 Oakmount Street	4	Approved	14-03-24
RES		Rebuild of Dwelling	690 Main Road	5	Approved	14-03-26
RES	71159 NFLD. and Lab. Inc.	Seven (7) Townhouse Dwellings	140 Freshwater Road	2	Approved	14-03-26
COMM	55732 Nfld. and Lab. Inc.	Starbucks Restaurant	12 Hebron Way	1	Approved	14-03-26

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

INST - Institutional IND - Industrial

Gerard Doran Development Officer Department of Planning

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.

- 14 - 2014-03-31

SJMC2014-03-31/154R

It was moved by Councillor Collins; seconded by Deputy Mayor Ellsworth: That the recommendation of the Director of Planning and Development with respect to the following Building Permits list be approved:

Building Permits List Council's March 31, 2014 Regular Meeting

Permits Issued: 2014/03/20 To 2014/03/26

Class: Commercial

15 Goldstone St, Unit 2	Со	Retail Store
79b Aberdeen Ave., Reitmans	Sn	Retail Store
349 Kenmount Rd-Crown Cabinets	Sn	Retail Store
355 Main Rd Jungle Jim	Sn	Eating Establishment
430 Topsail Rd	Sn	Retail Store
248 Torbay Rd, Mcdonalds	Sn	Restaurant
142 Patrick St	Rn	Mixed Use
320 Water St Club V	Rn	Tavern
430 Topsail Rd-Bell Aliant	Rn	Retail Store
161 Blackhead Rd	Nc	Accessory Building
162 Duckworth St-2nd Floor	Rn	Retail Store
430 Topsail Rd Easy Financial	Rn	Retail Store
430 Topsail Rd, Wicker Emp	Rn	Retail Store
430 Topsail Rd	Rn	Retail Store
145 Kelsey Dr, Bldg. 1, 2nd Fl	Rn	Office
410 East White Hills Rd	Ex	Office
79 Mews Pl, First Floor	Rn	Office
365-367 Water St Boston Pizza	Rn	Restaurant

This Week \$ 1,544,250.00

Class: Government/Institutional

This Week \$.00

Class: Residential

251 Back Line	Nc	Single Detached Dwelling
5 Capulet St, Lot 215	Nc	Single Detached Dwelling
20 Gary Dr	Nc	Accessory Building
128 Groves Rd	Nc	Accessory Building
26 Halley Dr	Nc	Patio Deck
16 Jacaranda Pl	Nc	Swimming Pool
118 Ladysmith Dr, Lot 221	Nc	Single Detached Dwelling
783-789 Main Rd	Nc	Single Detached Dwelling
1 Mooney Cres	Nc	Accessory Building
35 Oberon St	Nc	Accessory Building
19 Durdle Dr	Co	Single Detached & Sub.Apt
19 501010 51	00	orngro boodonod a odbinpo

- 15 - 2014-03-31

55 St. Clare Ave Co Single Detached Dwelling 695 Empire Ave Cr Subsidiary Apartment 26 Halley Dr Cr Subsidiary Apartment 19 Mcloughlan St Ex Single Detached Dwelling Rn Townhousing Rn Townhousing 55 Guy St 57 Guy St Rn Townhousing 59 Guy St 61 Guy St Rn Townhousing Rn Single Detached Dwelling 5 Laughlin Cres 449 Main Rd Rn Single Detached Dwelling 132 Prowse Ave Rn Single Detached & Sub.Apt 1-4 Regatta Terrace Rn Townhousing 16 Summer St Rn Accessory Building

This Week \$ 1,901,671.00

Class: Demolition

This Week \$ 14,400.00

This Week's Total: \$ 3,460,321.00

Repair Permits Issued: 2014/03/20 To 2014/03/26 \$ 20,500.00

Legend

Со	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		

- 16 - 2014-03-31

YEAR TO DATE COMPARISONS				
March 31, 2014				
TYPE	2013	2014	% VARIANCE (+/-)	
Commercial	\$33,576,000.00	\$17,000,000.00	-49	
Industrial	\$25,000.00	\$0.00	-100	
Government/Institutional	\$6,771,000.00	\$42,455,000.00	53	
Residential	\$20,826,000.00	\$24,100,000.00	16	
Repairs	\$521,000.00	\$384,000.00	-26	
Housing Units (1 & 2 Family Dwellings)	59	35		
TOTAL	\$61,719,000.00	\$83,939,000.00	36	

Respectfully Submitted,

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

The motion being put was unanimously carried.

Requisitions, Payrolls and Accounts

SJMC2014-03-31/155R

It was moved by Councillor Collins; seconded by Deputy Mayor Ellsworth: That the following Payrolls and Accounts for the week ending March 19, 2014 be approved:

The motion being put was unanimously carried.

- 17 -2014-03-31

Weekly Payment Vouchers For The Week Ending March 19, 2014

Payroll

Public Works		\$ 539,059.04
Bi-Weekly Administration		\$ 739,891.96
Bi-Weekly Management		\$ 725,386.06
Bi-Weekly Fire Department		\$ 624,466.19
Accounts Payable		\$4,110,151.16
	Totale	\$6 738 05 <i>A A</i> 1
	Total:	\$6,738,954.41

Tenders

SJMC2014-03-31/156R

It was decided on motion of Councillor Collins; seconded by Councillor Puddister: That the recommendations of the Deputy City Manager, Corporate Services & City Clerk be approved and the tender awarded as follows:

That Tender 2014022 (Rental of Heavy Equipment – Robin Hood Bay) be awarded to the three (3) vendors fully meeting specifications, as per the Public Tendering Act. (The lowest bidder of items required will be approached first to supply

The motion being put was unanimously carried.

SJMC2014-03-31/157R

It was moved by Councillor Collins; seconded by Deputy Mayor Ellsworth:

Notices of Motion, Written Questions and Petitions

Other Business

a. Memorandum dated March 26, 2014 from the City Solicitor

- 18 - 2014-03-31

Re: City Land Adjacent to 134 Rennie's Mill Road

Council considered a memorandum from the City Solicitor dated March 26, 2014 which describes a request from the owner of 134 Rennie's Mill Road to purchase a small triangular parcel of City land adjacent to his property in order to legitimize his existing driveway and to increase its size to accommodate a second vehicle. The City's Parks Division has no objections to the sale of this land.

SJMC2014-03-31/158R

It was moved by Councillor Puddister; seconded by Councillor Hickman; That City land adjacent to 134 Rennie's Mill Road be approved for sale at \$10 per square foot.

The motion being put was unanimously carried.

b. Snow Clearing Report

Council considered a memorandum dated March 28, 2014 from the Acting Deputy City Manager, Financial Management which outlined the costs of snow clearing for the period January 1 – March 28, 2014

The report shows a negative variance of \$892,359.

Councillor Collins

Councillor Collins requested that the Public Works Department investigate a dangerous section of road between Rise & Shine Nursery and the Robert E. Howlett Memorial Highway. Evidently weather conditions have caused the road to shift making it difficult for snowplowing operations and dangerous for vehicular traffic.

Councillor Collins also requested a report on the cost of sidewalk snowclearing for the City.

Councillor Davis

As part of Volunteer Appreciation Week, Councillor Davis requested that letters of appreciation and recognition be issued to all volunteers of Council committees and

- 19 - 2014-03-31

subcommittees. He also asked that a letter of commendation be sent to Dr. Andrew Furey and his team for the work involved in "Team Broken Earth".

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth requested the Police & Traffic Committee consider a request from the residents of Kent Place to replace the "no parking" restriction with a "no stopping" restriction.

Adjournment

There being no further business the meeting adjourned at 6:00 pm

MAYOR	
CITY CLERK	