

**May 28, 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, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Councillors Colbert and Hann.

The Deputy City Manager/Director of Corporate Services & City Clerk; Deputy City Manager/Director of Public Works & Parks; Director of Planning; Director of Engineering; Director of Recreation; City Solicitor and Recording Secretary were also in attendance.

#### **Call to Order and Adoption of the Agenda**

##### **SJMC2012-05-28/305R**

**It was decided on motion of Councillor Collins; seconded by Councillor Hanlon: That the Agenda be adopted as presented with the following additional item:**

- a. Revised Memo from Deputy City Manager/Director of Public Works & Parks Re: 2012 Infrastructure Improvements – Contract # 2: Concrete Curb, Gutter and Sidewalk**

#### **Adoption of Minutes**

##### **SJMC2012-05-28/306R**

**It was decided on motion of Councillor Tilley; seconded by Councillor O'Leary: That the minutes of May 22<sup>nd</sup>, 2012 be adopted as presented.**

#### **Business Arising**

##### **Left-over Tires (from Clean-ups)**

Under business arising, Councillor Hanlon referenced the above-noted issue at the last meeting and questioned how left-over tires from clean-ups should be dealt with. She suggested referring the matter

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to the Public Works & Environment Standing Committee; however, it was suggested that the Deputy City Manager/Director of Public Works & Parks be directed to contact the Multi Materials Stewardship Board to coordinate a strategy for pick-up of discarded tires.

### **St. John's Regional Fire Department Camp Ignite**

Under business arising, Councillor Breen responded to the enquiry at the last meeting from Councillor O'Leary about the above noted matter. There will be a one-week training experience for females from July 9 – 13, 2012 which will provide first-hand experience with firefighting. Applications for the program will be accepted until June 9, 2012.

Councillor O'Leary requested that this information be forwarded to Council to disseminate to various groups as they see fit.

### **Application to Rezone Property to Permit Residential Apartment Building Quidi Vidi Village Road (Ward 2) Applicant: Powderhouse Hill Investments Ltd.**

The application was withdrawn by the applicant on the basis that they wish to consult with Councillor Galgay and the area residents associations about a development that is more in keeping with the present Residential Medium zoning. Councillor Galgay advised that it was his intention to recommend rejection of the application had it not been withdrawn.

Deputy Mayor Duff noted that some property in the area was originally acquired by the City with the intention of protecting the land from future development; and given that there have been three applications to redevelop the subject land, specifically that referenced in the above-noted application, she requested that Council give consideration to rezoning that property as open space to ensure its future protection. In this regard, she requested that the matter be referred to the Planning & Housing Standing Committee for review.

### **Development Committee Report dated May 22, 2012**

Council considered the following Development Committee Report dated May 22, 2012:

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## **RECOMMENDATION OF APPROVAL**

### **1. Development Agreement**

**Kilbride Subdivision – Stage 1**

**Proposed Twenty Nine (29) Residential Building Lots off Connolly's Lane**

**Applicant: Equity Capital Corporation (Ward 5)**

The Committee recommends that Council grant approval to the Development Agreement.

Robert F. Smart  
City Manager  
Chair – Development Committee

### **SJMC2012-05-28/307R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins: That the Committee's recommendation be approved.**

### **Special Events Advisory Committee – May 23, 2012**

Council considered the following Special Events Advisory Committee report from May 23, 2012:

- 1) **Event:** Athletics North East Running Club Duathlon  
**Location:** Goulds  
**Date:** June 3<sup>rd</sup>, 2012  
**Time:** 8:00 am to 10:00 am

Back Line Road - Ruby Line to Doolings Line  
Cochrane Pond Road  
Ruby Line - Main Road to Robert E. Howlett

Residents have already been advised of the proposed road closures, no objections were raised. Access will be maintained for emergency vehicles at all times.

Recommendation:

It is the recommendation of the Committee that Council approve the above noted events, subject to the conditions set out by the Special Events Advisory Committee.

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Robin King, P. Eng.

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Chairperson – Special Events Advisory Committee

**SJMC2012-05-28/308R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins: That the Committee’s recommendation be approved.**

**Development Permits List**

Council considered as information the following Development Permits List:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF May 18, 2012 TO May 24, 2012**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Replacement of Dwelling	189 Mundy Pond Road	3	Approved	12-05-24
RES		Replacement of Dwelling	16 Allandale Road	4	Approved	12-05-24
RES	Skymark Contracting	Replacement of Dwelling	35 Fleming Street	2	Approved	12-05-24
RES	Skymark Contracting	Replacement of Dwelling	37 Fleming Street	2	Approved	12-05-24
RES		Accessory Building	754 Thorburn Road Broad Cove River Watershed Zone	4	Rejected- Exceeds maximum floor area	12-05-24

**Gerard Doran  
Development Officer  
Department of Planning**

\* 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.

**Building Permits List**

**SJMC2012-05-28/309R**

**It was decided on motion of Councillor O’Leary; seconded by Councillor Hanlon: That the**

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**recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:**

2012/05/23

Permits List

**CLASS: COMMERCIAL**

260 PADDY'S POND RD-ISLANDER	EX	COMMERCIAL GARAGE
302 LEMARCHANT RD	RN	PATIO DECK
THE VILLAGE-430 TOPSAIL RD A&W	SN	EATING ESTABLISHMENT
260 PADDY'S POND RD	NC	ACCESSORY BUILDING
304 WATER ST	CR	RETAIL STORE
162 WATER ST	RN	MIXED USE
71 O'LEARY AVE	RN	WAREHOUSE
100 NEW GOWER ST-4TH FLOOR	RN	OFFICE
370 TORBAY RD	RN	OFFICE
56 LESLIE ST	EX	INDUSTRIAL USE
110 WATER ST	EX	MIXED USE

THIS WEEK \$ 351,236.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

90 DENSMORE'S LANE	NC	ACCESSORY BUILDING
70 ROPEWALK LANE DAFFODIL PL	SW	HOTEL

THIS WEEK \$ 300,500.00

**CLASS: RESIDENTIAL**

40 SPRUCE GROVE AVE - LOT 141	NC	SINGLE DETACHED & SUB.APT
42 SPRUCE GROVE AVE, LOT 142	NC	SINGLE DETACHED DWELLING
3 SPRUCE GROVE AVE	NC	FENCE
76 BLUE PUTTEE DR, LOT 97	NC	SINGLE DETACHED DWELLING
99 BLUE PUTTEE DR, LOT 94	NC	SINGLE DETACHED DWELLING
25 BUTTERWORTH PL	NC	FENCE
56 CAPE PINE ST	NC	ACCESSORY BUILDING
165 CHEESEMAN DR, LOT 104	NC	SINGLE DETACHED DWELLING
1 COUNTRY GROVE PL - LOT 45	NC	SINGLE DETACHED DWELLING
17 COUNTRY GROVE PL, LOT 37	NC	SINGLE DETACHED & SUB.APT
68 CYPRESS ST, LOT 172	NC	SINGLE DETACHED DWELLING
7 CYPRESS ST, LOT 149	NC	SINGLE DETACHED DWELLING
15 CYPRESS ST, LOT 145	NC	SINGLE DETACHED DWELLING
36 DAUNTLESS ST	NC	ACCESSORY BUILDING
45 EASTBOURNE CRES	NC	FENCE
147 EASTBOURNE CRES	NC	FENCE
10 ENNIS AVE	NC	PATIO DECK
12 FAULKNER ST	NC	ACCESSORY BUILDING
32 FRANCIS ST	NC	PATIO DECK
11 GALASHIELS PL, LOT 120	NC	SINGLE DETACHED & SUB.APT
15 GARY DR	NC	ACCESSORY BUILDING

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18 GLEN ABBEY ST, LOT 236	NC	SINGLE DETACHED DWELLING
69 GLENLONAN ST	NC	PATIO DECK
3 GOWER ST	NC	PATIO DECK
31 GULLAGE ST, LOT 91	NC	SINGLE DETACHED DWELLING
94 HAMLYN RD	NC	FENCE
81 HARRINGTON DR	NC	FENCE
12 HARTERY CRES	NC	ACCESSORY BUILDING
3 HONEYGOLD PL	NC	ACCESSORY BUILDING
19 JACARANDA PL	NC	PATIO DECK
47 JASPER ST	NC	FENCE
7 JENNMAR CRES	NC	FENCE
46 LADY ANDERSON ST, LOT 464	NC	SINGLE DETACHED & SUB.APT
48 LADY ANDERSON ST, LOT 465	NC	SINGLE DETACHED & SUB.APT
35 LADY ANDERSON ST - LOT 650	NC	SINGLE DETACHED DWELLING
37 LADY ANDERSON ST - LOT 649	NC	SINGLE DETACHED DWELLING
167 LADYSMITH DR, LOT 342	NC	SINGLE DETACHED & SUB.APT
15 LLOYD CRES	NC	PATIO DECK
24 LONG BEACH ST	NC	PATIO DECK
13 LUCYROSE LANE	NC	FENCE
535 MAIN RD	NC	ACCESSORY BUILDING
140 MUNDY POND RD	NC	PATIO DECK
25-27 MURPHY'S LANE	NC	ACCESSORY BUILDING
69 REGENT ST	NC	ACCESSORY BUILDING
24 ROSALIND ST, LOT 394	NC	ACCESSORY BUILDING
79 ROTARY DR, LOT 107	NC	SINGLE DETACHED DWELLING
81 ROTARY DR, LOT 106	NC	SINGLE DETACHED DWELLING
27 SUMAC ST	NC	ACCESSORY BUILDING
65 TEAKWOOD DR	NC	ACCESSORY BUILDING
28 WABUSH PL	NC	ACCESSORY BUILDING
6 WADLAND CRES	NC	ACCESSORY BUILDING
140 CANADA DR	EX	SINGLE DETACHED DWELLING
124-128 FOREST POND RD	EX	SINGLE DETACHED DWELLING
7 HALLIDAY PL	EX	SINGLE DETACHED DWELLING
20 CHARLTON ST	RN	TOWNHOUSING
133 CHEESEMAN DR, LOT 47	RN	SINGLE DETACHED DWELLING
17 CONWAY CRES	RN	SINGLE DETACHED DWELLING
40 FOREST RD	RN	TOWNHOUSING
39 LADYSMITH DR	RN	SUBSIDIARY APARTMENT
8 MCCRAE ST	RN	SINGLE DETACHED DWELLING
245 TOPSAIL RD	RN	SINGLE DETACHED DWELLING

THIS WEEK \$ 4,438,375.00

**CLASS: DEMOLITION**

141 BAY BULLS RD	DM	SINGLE DETACHED DWELLING
		THIS WEEK \$ 9,000.00

THIS WEEK'S TOTAL: \$ 5,099,111.00

REPAIR PERMITS ISSUED: 2012/05/17 TO 2012/05/23 \$ 223,050.00



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**

**SJMC2012-05-28/310R**

**It was decided on motion of Councillor O’Leary; seconded by Councillor Hanlon: That the following Payrolls and Accounts for the week ending May 24, 2012 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending May 24, 2012**

**Payroll**

Public Works	\$ 389,718.55
Bi-Weekly Administration	\$ 690,920.36
Bi-Weekly Management	\$ 642,374.32
Bi-Weekly Fire Department	\$ 570,982.00
<b>Accounts Payable</b>	<b>\$ 2,463,239.53</b>

**Total: \$ 4,757,234.76**

**Tenders**

**SJMC2012-05-28/311R**

**It was decided on motion of Councillor O’Leary; seconded by Councillor Hanlon: That the recommendations of the Deputy City Manager/Director of Public Works & Parks be**

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**approved and the tenders awarded as follows:**

- ❖ 2012 Infrastructure Improvements – Contract # 2: Concrete Curb, Gutter and Sidewalk:
  - Awarded to Infinity Construction Ltd. in the amount of Eight Hundred Seventy-Seven Thousand, One Hundred Thirty-One Dollars and Forty-Three Cents (\$877,131.43)
- ❖ 2012 Infrastructure Improvements – Contract # 3: Concrete Repairs
  - Awarded to Infinity Construction Ltd. in the amount of Two Hundred Sixty-Four Thousand, Seven Hundred Seventy-Seven Dollars and Eight Cents. (\$264,777.08)
- ❖ 2012 Sewer Improvements: Request to Add Additional Work to Contract
  - That Council approve the additional work to the existing contract with Pyramid Construction in the amount of \$550,000 and further that this work be funded from savings already approved in the Environmental Services projects which came in under budget.

### **Notice of Motion**

Councillor Hanlon gave the following Notice of Motion:

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move a motion to amend the St. John's Plumbing By-Law so as to clarify the provision related to the license fee for a Plumbing Contractor and bring such provision into conformity with other licensing fee provisions in the By-Law.

### **37 Bannerman Street**

Council considered a memo dated May 18, 2012 from the City Solicitor regarding the above noted matter.

#### **SJMC2012-05-28/312R**

**It was decided on motion of Councillor Hickman; seconded by Councillor O'Leary: That the 4 foot easement be sold to the property owner of 37 Bannerman Street for \$500.00 plus usual administration fees and applicable HST.**

### **City Staff Neighbourhood Cleanup**

Council considered a memo dated May 24, 2012 from the Deputy City Manager/Director of Public Works & Parks regarding the above noted matter.

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**SJMC2012-05-28/313**

**It was decided on motion of Councillor Collins seconded by Councillor O’Leary: That approval be given for staff’s participation in the litter clean-up initiative proposed by Jason Sinyard and to be held on June 6<sup>th</sup>, 2012 (or next suitable day if weather is inclement on June 6<sup>th</sup>).**

**Councillor Hanlon**

- Residents of Airport Heights are concerned about the temporary loss of the playground and parking space at Roncolli Elementary due to contract work. As a result, it is proposed that children be dropped off and picked up at Airport Heights Drive. The City’s Transportation Engineer has contacted the Eastern School District to advise of safer alternatives.
- Councillor Hanlon relayed a request from a constituent that the City’s “My Waste” Application should be updated to include street cleaning and snow clearing notifications. It is her understanding that the City should be able to super-impose these notifications on the existing application. The matter was referred to the IT Department and Jason Sinyard, Manager – Waste Management, for review.
- Referenced an article entitled “Why Keeping Eyes on Litter Promotes Better Behaviour”, and suggested that a similar method be used on the City’s signage. The matter was referred to the Public Works & Environment Standing Committee and St. John’s Clean & Beautiful for review.
- Constituents have contacted Councillor Hanlon to complain about the noise of helicopters on Branscombe Street, and she questioned what if anything the City can do to offset the problem. It was suggested that Councillor Hanlon contact Transport Canada and the Airport Authority to relay the complaints received.

- Advised that there will be a public meeting on June 13, 2012 regarding flooding issues at Rennies Mill Road.

### **Councillor Collins**

- The road race will be held on June 3, 2012 from 8:00 am – 10:00 pm starting at Ruby Line.

### **Councillor Tilley**

- Nominations have now closed for the Senior of the Year Award and the successful nomination will be announced next Monday in the Council Chamber. The Seniors Day event will be held on June 7<sup>th</sup> at City Hall.
- Received a number of complaints from constituents about Kitti Gaul River being polluted by contractors working on the Team Gushue Highway. The City has contacted the contractors and the matter has now been resolved.

### **Councillor Breen**

- Councillor Breen will be conducting a public meeting this coming Wednesday night to meet with residents of Ann Jeannette Trailer Court to discuss the issue of secondary access to the Court.
- Requested that a letter be written to True North Sports & Entertainment Ltd. expressing the City's appreciation and congratulations on a successful year with the Ice Caps Hockey Team.
- Congratulated the organizers of the Recreation Newfoundland Conference for their work in coordinating the event.

## **Councillor O’Leary**

- The City as part of its Municipal Plan Review has invited speaker Ken Greenberg, Director of Urban Design and Architecture for the City of Toronto, to speak on June 4<sup>th</sup> at 7:00 p.m. in the Foran/Greene Room.
- Briefly updated Council on the success of the meetings held this past weekend in Grand Falls/Winsor for the Stewardship Association of Municipalities.
- Residents of Margaret’s Place have been circulated a petition or survey from the company known as 50808 NL Ltd. to determine if residents want to have sidewalks in the neighbourhood. She felt that surveys like this should be circulated prior to the start of a development and such should be done in future.
- The East Coast Trail Association will be holding its annual fundraising hike on Saturday, June 2, 2012.
- Commended the Town of Conception Bay South for their enforcement initiatives which will result in the prosecution of illegal dumpers who have been successfully identified by camera equipment.

## **Deputy Mayor Duff**

- Extended congratulations to three St. John’s residents who were recently honored with various awards and distinctions:
  - Patricia Grattan – Awarded Life Time Contribution Achievement;
  - Edith Goodridge – Awarded the Pioneer in Cultural Creativity
  - Phillip Pratt – Inducted to the Hall of Honor for Architects
- Referenced a press release from the Harper Government entitled: “Harper Government committed to building strong sustainable development economy in Atlantic Canada”. Given the withdrawal of federal funding to the Province in various areas such as the

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Search and Rescue operations, Parks Canada, and the CBC, to name a few, she found it hard to reconcile the ideals expressed in the release with the realities of the cut-backs imposed by the Harper Government.

### **Adjournment**

There being no further business, the meeting adjourned at 5:40 p.m.

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**MAYOR**

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**CITY CLERK**

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