

November 19th, 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: Councillors O'Leary, Hickman, Hann, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Deputy Mayor Duff and Colbert.

City Manager; 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 Building & Property Management, City Solicitor, Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2012-11-19/575R

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

Adoption of Minutes

SJMC2012-11-19/576R

It was decided on motion of Councillor Hanlon; seconded by Councillor Tilley: That the minutes of November 13th, 2012 meeting be adopted as presented.

Business Arising

Councillor Galgay tabled the following report of the Parks and Recreation Standing Committee dated November 6, 2012, which was deferred by Council at its Regular Meeting held on November 13, 2012 in order to allow Tract Consulting the opportunity to provide Council with a presentation on the proposed Bannerman Park Redevelopment Plan (Skating Trail and Proposed Pavilion).

Attendees: Councillor Frank Galgay, Chairperson
Councillor Danny Breen
Councillor Wally Collins
Councillor Sheilagh O’Leary
Councillor Sandy Hickman
Bob Smart, City Manager
Paul Mackey, Deputy City Manager & Director of Public Works & Parks
Jill Brewer, Director of Recreation
Dave Blackmore, Director of Building & Property Management
Heather Hickman, Manager of Community Development
Carla Lawrence, Manager of Sport & Communications
Tanya Haywood, Manager of Facilities Division
Natalie Godden, Manager of Family & Leisure Services
Brian Head, Operations Assistant – Parks Division
Karen Chafe, Recording Secretary

Report:

1. **Bannerman Park Redevelopment Plan (Skating Trail and Proposed Pavilion)**

The Committee met with representatives of Tract Consulting: Mr. Neil Dawe and Mr. Chris Woodford and representatives from the Bannerman Park Foundation: Ms. Jennifer Guy, Chairperson and Ms. Michelle Eagles, Executive Director. The purpose of the meeting was to get Council’s direction on whether or not the present bandstand should be removed and/or replaced with a new pavilion structure which will be bigger in size, more centrally aligned with the trail leading to Military Road and more accessible to people with disabilities. The new pavilion’s improved acoustics and lighting will also be able to accommodate musical and theatrical performances and other public events and uses. The location will also be more compatible to the proposed ice trail which will surround the pavilion. The following options were outlined:

- Option # 1: Demolish existing bandstand and replace with new pavilion
- Option # 2: Retain and repair existing bandstand
- Option # 3: Adaptive re-use/redesign of existing bandstand
- Option # 4: Retain existing bandstand (as an ornamental piece) and construct new pavilion

The pros and cons of each option are detailed in the attached submission.

The Committee on motion of Councillor Hickman; seconded by Councillor O’Leary recommends the following:

- **Council’s approval of Option # 1 to demolish and replace the existing bandstand with a larger, more accessible pavilion conducive to various uses which at present cannot be accommodated by the existing structure;**

- that the roof design of the new structure be reflective of the simple roof design of the existing bandstand;
- that Council approve the concept design for the skating trail proposed to surround the new pavilion. Artist renderings are attached.

Councillor Frank Galgay
Chairperson

SJMC2012-11-19/577R

It was moved by Councillor Collins; seconded by Councillor O’Leary: That the report be accepted as presented.

SJMC2012-11-19/578R

It was then moved by Councillor Galgay; seconded by Councillor Hann: That the motion be amended to retain the existing band stand to be included with the skating ring and new pavilion that is being proposed for Bannerman Park.

The amendment was approved with Councillors O’Leary, Collins and Hickman dissenting.

The main motion as amended being put was carried with Councillors O’Leary and Collins dissenting.

Notices Published

1. A Discretionary Use Application has been submitted to construct an extension to the rear of Civic No. 19 Malta Street as an Infill Housing Unit, adding one additional dwelling unit to the property. As part of this application, one additional parking space will be added to the lot. (Ward 2)

Four (4) Submissions

SJMC2012-11-19/579R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That a decision on this application be deferred in order to provide City staff with an opportunity to review the public submissions which have been received.

The motion being put was unanimously carried.

Committee Reports

Development Committee Report dated November 13, 2012

Council considered the following Development Committee Report dated November 13, 2012:

**Proposed Demolition and Replacement of Dwelling
Civic No. 10 Hipditch Hill (Ward 2)
Residential Battery Zone (RB) Zone**

That Council approve the proposed development in accordance with Section 7.29 of the St. John's Development Regulations.

Robert F. Smart
City Manager
Chair – Development Committee

SJMC2012-11-19/580R

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

The motion being put was unanimously carried.

Nomenclature Committee Report dated November 14th, 2012

Council considered the following Nomenclature Committee Report dated November 14th, 2012:

Date: November 14, 2012
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendation

Council approval is recommended for the following:

A. Proposed New Street located off East White Hills Road

Eastland Drive

Phyllis Bartlett
Manager, Corporate Secretariat

SJMC2012-11-19/581R

It was moved by Councillor Breen: seconded by Councillor Hickman: 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 of November 9, 2012 to November 15, 2012:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF November 9, 2012 TO November 15, 2012**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Jagger Construction Inc	Demolition and Construction of Dwelling	1254 Blackhead Road	5	Approved	12-11-13
RES		Subdivide for Residential Building Lot	1199 Blackhead Road	5	Approved	12-11-13
COM	T.D.L. Group Ltd (Tim Hortons)	Drive Thru and Site Upgrades	78 Harvey Road	2	Approved	12-11-09
AG		Building Lot	Pearltown Road	5	Rejected by Land Development Advisory Authority	12-11-15
COM	Pinnacle Engineering Ltd	Parking Lot Modifications	710 Torbay Road RONA	1	Approved	12-11-15

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

SJMC2012-11-19/582R

It was moved by Councillor Hanlon; seconded by Councillor Collins: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:

Permits Issued: 2012/11/08 To 2012/11/14

CLASS: COMMERCIAL

BLACKHEAD ROAD	SN	PUBLIC USE
27 ELIZABETH AVE	SN	RETAIL STORE
541 KENMOUNT RD	MS	OFFICE
180 PORTUGAL COVE RD	MS	RETAIL STORE
SHOAL BAY RD (EAST COAST TRAIL	SN	PUBLIC USE
500 TOPSAIL RD-TIM HORTON'S	SN	RESTAURANT
530 TOPSAIL RD-BEAGLE PAWS	MS	RETAIL STORE
202 WATER ST	NC	FENCE
355B MAIN RD	CR	CLINIC
430 TOPSAIL RD	RN	RETAIL STORE
125 HARBOUR DR	SW	MIXED USE
283 DUCKWORTH ST	RN	RESTAURANT
348 DUCKWORTH ST	NC	PATIO DECK
410 EAST WHITE HILLS RD	RN	OFFICE
255 MAJOR'S PATH, UNIT 6	RN	CLINIC
430 TOPSAIL RD-ARDENE'S	RN	RETAIL STORE
350 TORBAY RD	RN	EATING ESTABLISHMENT
3 QUEEN ST	CR	RETAIL STORE
63 KELSEY DR SWISS CHALET	NC	RESTAURANT

THIS WEEK \$ 2,255,972.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

15 LARKHALL ST	MS	SCHOOL
450 MAIN RD	MS	CHURCH
110 MUNDY POND RD-ST. THERESA	MS	CHURCH
100 EAST WHITE HILLS RD	RN	ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 55,000.00

CLASS: RESIDENTIAL

9 AYRSHIRE PL	NC	ACCESSORY BUILDING
51 SPRUCE GROVE AVE	NC	ACCESSORY BUILDING
80 BLUE PUTTEE DR	NC	FENCE
16 COURTNEY ST	NC	FENCE
34 DAUNTLESS ST	NC	FENCE
21 FIRDALE DR	NC	SINGLE DETACHED DWELLING
57 HALL'S RD	NC	ACCESSORY BUILDING
12 KENAI CRES - LOT 182	NC	SINGLE DETACHED DWELLING
14 KENAI CRES - LOT 183	NC	SINGLE DETACHED DWELLING
36 MCCRAE ST, LOT 147	NC	SINGLE DETACHED DWELLING
25 SITKA ST, LOT 282	NC	SINGLE DETACHED DWELLING
97 MOSS HEATHER DR	CO	DAY CARE CENTRE
11 GLENLONAN ST	CR	SINGLE DETACHED DWELLING
13 MARTIN CRES	CR	SUBSIDIARY APARTMENT
85 CAPE PINE ST	RN	SUBSIDIARY APARTMENT
133 CASTLE BRIDGE DR	RN	SUBSIDIARY APARTMENT
8 FITZPATRICK AVE	RN	SEMI-DETACHED DWELLING
30 KING'S RD	RN	TOWNHOUSING
12 MARSLAND PL., LOT 55	RN	SINGLE DETACHED & SUB.APT
43 PRINCE OF WALES ST	RN	SINGLE DETACHED DWELLING
55 QUIDI VIDDI RD	RN	SINGLE DETACHED DWELLING
213 MOUNT SCIO RD	SW	SINGLE DETACHED DWELLING
235 TOPSAIL RD	SW	SINGLE DETACHED & SUB.APT
656 TOPSAIL RD	MS	TAVERN

THIS WEEK \$ 1,289,100.00

CLASS: DEMOLITION

THIS WEEK \$.00

THIS WEEK'S TOTAL: \$ 3,600,072.00

REPAIR PERMITS ISSUED: 2012/11/08 TO 2012/11/14 \$

109,600.00

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			
November 19, 2012			
TYPE	2011	2012	% VARIANCE (+/-)
Commercial	\$90,300,500.00	\$204,500,800.00	126
Industrial	\$2,700,300.00	\$5,000,100.00	85
Government/Institutional	\$35,500,300.00	\$16,200,900.00	-54
Residential	\$211,100,900.00	\$165,300,600.00	-22
Repairs	\$4,900,500.00	\$4,900,600.00	0
Housing Units (1 & 2 Family Dwellings)	646	548	
TOTAL	\$344,502,500.00	\$395,903,000.00	15

The motion being put was unanimously carried.

Payrolls and Accounts

SJMC2012-11-19/583R

It was moved by Councillor Hanlon; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending November 15, 2012 be approved:

**Weekly Payment Vouchers
For The
Week Ending November 15, 2012**

Payroll

Public Works	\$ 366,425.43
Bi-Weekly Casual\$	\$ 23,868.52
Accounts Payable	\$ 3,469,790.70
Total:	\$ 3,860,084.65

The motion being put was unanimously carried.

Tenders

- a. Tender – West End Fire Station
- b. Tender – Pleasantville Affordable Housing
- c. RFP – Rennies River Catchment Stormwater Management Study
- d. Tender – Recreation Bussing

SJMC2012-11-19/584R

It was moved by Councillor Hanlon; seconded by Councillor Collins: That the recommendations of the Acting Director of Building and Property Management, the Director of Building and Property Management, the Director of Engineering and the Director of Finance & City Treasurer be approved and the tenders awarded as follows:

- a. Anchorage Contracting @ \$5,087,155.16, HST included
- b. Baraco-Atlantic Ltd. @ \$1,497,331.39, HST included
- c. CBCL Limited @ \$124,164.40 (including HST)
- d. Executive Taxi Ltd. @ \$242,651.00, taxes not included

The motion being put was unanimously carried.

Notice of Motion

Councillor O’Leary gave the following Notice of Motion:

TAKE NOTICE that I will at the next regular meeting of the St. John’s Municipal Council move to formalize Council representation between the City of St. John’s and the St. John’s Port Authority as it does not presently exist and which would address the need for a meaningful exchange on important issues which affect both the City of St. John’s and the St. John’s Port Authority.

Roosevelt Avenue

Council considered a memorandum from the City Solicitor dated November 14, 2012 regarding the above noted.

SJMC2012-11-19/585R

It was moved by Councillor Tilley; seconded by Councillor Breen: That land at Roosevelt Avenue, Pleasantville, which the Federal Government has offered to sell to the City, be purchased for \$22,000.00

The motion being put was unanimously carried.

E-Poll Ratification

Approval of a lunch for members of ANLA, November 23, 2012.

SJMC2012-11-19/586R

It was moved by Councillor Hanlon; seconded by Councillor Collins: That e-poll of Council approving a light lunch for guests at the Association of NL Archives (ANLA) Symposium to be held on November 23, 2012, be ratified.

The motion being put was unanimously carried.

Councillor Hickman

Councilor Hickman expressed concern relative to the growth of the Kenmount Terrace area and lack of accessible park space for residents of that area. He suggested that it might be more appropriate to have a park located closer to the residences rather than the Metrobus station. The matter was referred to the Planning Committee for consideration.

Councillor O'Leary

Councillor O'Leary advised that Churchill Square business owners see a need to have Churchill Square revitalized. They are also interested in establishing a business association similar to that of downtown businesses. She indicated that she encouraged them individually to make a submission for consideration within the Municipal Plan Process outlining their views and concerns.

Adjournment

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

MAYOR

CITY CLERK