

September 10th, 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.

Deputy Mayor Shannie Duff presided.

There were present also: Councillors O'Leary, Colbert, Breen, Tilley, Galgay and Collins.

Regrets: Mayor Dennis O'Keefe: Councilors Hanlon and Hann.

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

Call to Order and Adoption of the Agenda

SJMC2012-09-04/450R

It was decided on motion of Councillor Collins; seconded by Councillor O'Leary: That the Agenda be adopted as presented with the addition of a report on parking meters.

Adoption of Minutes

SJMC2012-09-04/451R

It was decided on motion of Councillor Galgay; seconded by Councillor Tilley: That the minutes of September 10th, 2012 meeting be adopted as presented.

Business Arising

A. Included in the Agenda

a. St. John's Taxi By-Law Amendment

At the regular meeting of Council on September 10, 2012 Councilor Hann gave notice that he will move a motion to amend the St. John's Taxi By-Law so as to provide for the issuance of operator licenses for accessible taxis.

SJMC2012-09-10/452R

Pursuant to Notice of motion, it was moved by Councillor Colbert; seconded by Councillor Tilley: That the following St. John's Taxi (Amendment No. 1 – 2012) by-Law be adopted:

BY-LAW NO.

ST. JOHN'S TAXI (AMENDMENT NO. 1 – 2012) BY-LAW

PASSED BY COUNCIL ON SEPTEMBER 10th , 2012

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990 c.C-17, as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to the regulation of taxis in the City of St. John's.

BY-LAW

1. This By-Law may be cited as the "St. John's Taxi (Amendment No. 1 – 2012) By-Law.
2. Section 6 of the St. John's Taxi By-Law is repealed and the following substituted:
 - "6. The total number of operator licenses issued by the City in a calendar year shall not exceed 374, 10 of which shall be restricted to accessible taxis and known at A1 through A10."
3. Section 9(2) of the St. John's Taxi By-Law is amended by deleting the word "and" at the end of subsection 9(2)(ii), adding the word "and" at the end of subsection 9(2)(iii), and adding the following as subsection (iv):
 - "9(2)(iv) operator's licenses A1 through A10, inclusive, shall be valid for the period September 1st, or the date of issue, in one year to August 31st of the following year."
4. Section 11 of the St. John's Taxi By-Law is repealed and the following substituted:
 - "11 (1) Operator licenses 1 through 364 may be assigned, transferred, or conveyed subject to approval of the inspector.
 - (2) Operator licenses A1 through A10 shall not be assigned, transferred, or conveyed."

IN WITNESS WHEREOF the Seal of the City of St. John's has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this 10ath day of September, 2012.

MAYOR

CITY CLERK

The motion being put was unanimously carried.

- b. Memorandum dated September 6, 2012 from the Director of Planning re: Proposed Text Amendment to the St. John's Development Regulations – Kennel Operations**

Council considered a memorandum dated September 6, 2012 regarding the above noted.

SJMC2012-09-10/453R

It was moved by Councillor O'Leary; seconded by Councillor Tilley: That the following Resolution for the St. John's Development Regulations Amendment Number 547, 2012 be adopted:

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 547, 2012**

WHEREAS the City of St. John's wishes to ensure that Kennels are constructed and operated in compliance with the Animal Health and Protection Act..

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

- 1. **Add a new Section to Section 7 – Special Developments to read as follows:**

“7.33 Kennels

Kennels must be in compliance with all applicable Municipal and Provincial legislation.”

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 **10th** day of **September, 2012.**

Mayor

City Clerk

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____ MCIP</p>
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The motion being put was unanimously carried.

c. Multi Year Funding

Councillor Breen introduced a memorandum dated August 28, 2012 from the City Manager requesting approval to enter into a 2012-2014 Multi-Year Capital Works Agreement with the Provincial Government.

SJMC2012-09-10/454R

It was moved by Councillor Hanlon; seconded by Councillor Hann: That the City enter into a cost sharing arrangement of 50/50 Provincial /Municipal ratio for the 2012-14 Multi-Year Capital Works Program with total project cost estimated at \$35,115,645.

Project Title	Project #	Total Project Cost
Street Rehabilitation	12160	\$14,648,148
Public Works Depot Renovation	12161	\$ 6,277,778
Craigmillier Avenue Sanitary Sewer	12162	\$ 6,696,296
Southlands Community Centre	12163	\$ 3,138,889
Sidewalk Replacement	12164	\$ 2,092,596
Non Profit Housing	12165	\$ 523,148
Retaining Wall Rehabilitation	12166	\$ 742,720
Bridge Rehabilitation	12167	\$ 732,407
Outdoor Pool Security Fencing	12168	\$ 209,259
East White Hills Guide Rail	12169	\$ 54,407
TOTAL		\$35,115,645

The motion being put was unanimously carried.

Public Hearings

- a. Public Hearing Report Dated August 28, 2012 re: Application to Rezone Property to allow a Townhousing Development at Civic Number 653 Southside Road.

Councillor Collins presented a report of the public meeting held on August 28, 2012 the purpose of which was to provide an opportunity for public review and comment on the application submitted by Republic Properties to rezone the property at Civic Number 653 Southside Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone. The purpose of the proposed rezoning is to enable the construction of a seven (7) lot residential townhouse development. In this regard, Council also considered a memorandum dated September 5, 2012 from the Director of Planning.

SJMC2012-09-10/455R

It was moved by Councillor Collins; seconded by Councillor Tilley: That staff be directed to proceed with the rezoning process for this application, and agreed that the following Resolution for St. John’s Development Regulations Amendment Number 546, 2012 be adopted, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment.

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 546, 2012**

WHEREAS the City of St. John's wishes to allow the construction of a townhousing development at Civic Number 654 Southside Road.

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

Rezone the property at Civic Number 653 Southside Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone as shown on 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.

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 10th day of **September, 2012.**

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List for the period of August 31, 2012 to September 6, 2012:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF August 31, 2012 TO September 6, 2012

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Building Lot	353 Groves Road	5	Approved	12-08-31
AG		Reconstruction of Larger Accessory Building	50 Doyle's Lane	5	Approved	12-09-05

* 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

SJMC2012-09-10/456R

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

2012/09/05

Permits List

CLASS: COMMERCIAL

59-61 PIPPY PL	CO	RETAIL STORE
10 BAY BULLS RD-IRVING	MS	SERVICE STATION
203 BLACKMARSH RD	MS	RETAIL STORE
ELIZABETH AVE	MS	BOARDING HOUSE (4 OR LESS)
391-395 EMPIRE AVE	MS	COMMUNICATIONS USE
58 KENMOUNT RD	MS	BOARDING HOUSE (4 OR LESS)
205 LOGY BAY RD	MS	BOARDING HOUSE (4 OR LESS)
204-206 MAIN RD	MS	CLINIC
484-490 MAIN RD	MS	BOARDING HOUSE (4 OR LESS)
10 STAVANGER DR	MS	BOARDING HOUSE (4 OR LESS)
386 STAVANGER DR	SN	COMMERCIAL SCHOOL
27 ELIZABETH AVE- DOLLAR STORE	CR	RETAIL STORE
3 QUEEN ST	RN	OFFICE

THIS WEEK \$ 141,500.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

8 BAVIDGE ST	NC	ACCESSORY BUILDING
63 BEAVER BROOK DR	NC	FENCE

88 BERTEAU AVE	NC	PATIO DECK
52 SPRUCE GROVE AVE LOT 148	NC	SINGLE DETACHED DWELLING
90 BLUE PUTTEE DR, LOT 104	NC	SINGLE DETACHED DWELLING
110 CAMPBELL AVE	NC	ACCESSORY BUILDING
105 CASTLE BRIDGE DR, LOT 220	NC	SINGLE DETACHED DWELLING
38 COCHRANE ST	NC	PATIO DECK
421 EMPIRE AVE	NC	FENCE
45 FLEMING ST	NC	PATIO DECK
171 FOREST RD	NC	PATIO DECK
2 GEORGINA ST	NC	PATIO DECK
4 GEORGINA ST	NC	PATIO DECK
3 GLEN ABBEY ST., LOT 178	NC	SINGLE DETACHED DWELLING
21 GLENLONAN ST	NC	FENCE
GROVES RD	NC	SINGLE DETACHED DWELLING
76 HUSSEY DR	NC	FENCE
2 KERRY ST	NC	PATIO DECK
39 LADYSMITH DR	NC	ACCESSORY BUILDING
92 LARKHALL ST	NC	PATIO DECK
17 LIVINGSTONE ST	NC	APARTMENT BUILDING
17 LLOYD CRES	NC	FENCE
496 MADDOX COVE RD	NC	ACCESSORY BUILDING
7 MEIGHEN ST	NC	ACCESSORY BUILDING
3 OBERON ST	NC	FENCE
144 OLD PENNYWELL RD	NC	SINGLE DETACHED DWELLING
1A DEANERY AVE	NC	PATIO DECK
3 DEANERY AVE	NC	PATIO DECK
3A DEANERY AVE	NC	PATIO DECK
77 QUIDI VIDI VILLAGE RD	NC	ACCESSORY BUILDING
2 RIGOLET CRES	NC	FENCE
24 RIGOLET CRES	NC	ACCESSORY BUILDING
ROTARY DR, PARCEL A2	NC	SINGLE DETACHED & SUB.APT
ROTARY DR, PARCEL A1	NC	SINGLE DETACHED & SUB.APT
23 SHAW ST	NC	FENCE
39 SHOAL BAY RD	NC	ACCESSORY BUILDING
39 SHOAL BAY RD	NC	FENCE
2 SYMONDS PL	NC	ACCESSORY BUILDING
344 TOPSAIL RD	NC	ACCESSORY BUILDING
17 BERRY ST	CR	SINGLE DETACHED & SUB.APT
106 PADDY DOBBIN DR	CR	SUBSIDIARY APARTMENT
147 OLD PETTY HARBOUR RD	EX	SINGLE DETACHED DWELLING
43 PARADE ST	EX	SINGLE DETACHED DWELLING
16 WHITEWAY ST	EX	SINGLE DETACHED DWELLING
101 BAY BULLS RD, UNIT 4	RN	CONDOMINIUM
101 BAY BULLS RD, UNIT 16	RN	CONDOMINIUM
4 BOND ST	RN	SEMI-DETACHED DWELLING
38 COCHRANE ST	RN	SINGLE DETACHED DWELLING
28 CORONATION ST	RN	TOWNHOUSING
107 CRAIGMILLAR AVE	RN	TOWNHOUSING
171 FOREST RD	RN	SINGLE DETACHED DWELLING
205 GREEN ACRE DR	RN	SINGLE DETACHED DWELLING
24 MACLAREN PL	RN	SEMI-DETACHED DWELLING
488 NEWFOUNDLAND DR	RN	SINGLE DETACHED & SUB.APT
57-59 PARADE ST	RN	SINGLE DETACHED DWELLING
78 QUIDI VIDI VILLAGE RD	RN	SINGLE DETACHED DWELLING
25 SUDBURY ST	RN	SINGLE DETACHED DWELLING
586 WATER ST	RN	TOWNHOUSING
127 CANADA DR	SW	SINGLE DETACHED DWELLING
18 MAXSE ST	SW	SEMI-DETACHED DWELLING
23 SHAW ST	SW	SINGLE DETACHED DWELLING
50 KELSEY DR	MS	OTHER

THIS WEEK \$ 2,356,504.00

CLASS: DEMOLITION

1254 BLACKHEAD RD

DM SINGLE DETACHED DWELLING

THIS WEEK \$ 5,000.00

THIS WEEK'S TOTAL: \$ 2,503,004.00

REPAIR PERMITS ISSUED: 2012/08/30 TO 2012/09/05 \$ 78,600.00

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	

The motion being put was unanimously carried.

Payrolls and Accounts

SJMC2012-09-10/457R

It was moved by Councillor Collins; seconded by Councillor Colbert: That the following Payrolls and Accounts for the weeks ending August 31 and September 6, 2012 be approved:

**Weekly Payment Vouchers
For The
Week Ending September 6, 2012**

Payroll

Public Works	\$ 388,750.22
Bi-Weekly Casual	\$ 107,413.54
Accounts Payable	\$ 3,106,258.17
Total:	\$ 3,602,421.93

The motion being put was unanimously carried.

Silver Economy Summit – Request for Funds

Council considered a memorandum dated September 6, 2012 from Councilor Bruce Tilley, Chair of Economic Development, Tourism and Culture Standing Committee requesting approval of a contribution of \$1,500 to cover the cost of morning nutrition breaks for the Newfoundland & Labrador Silver Economy Summit.

SJMC2012-09-10/458R

It was moved by Councillor Tilley; seconded by Councillor Collins: That Council approve a contribution of \$1,500 to cover the cost of morning nutrition breaks for the Newfoundland & Labrador Silver Economy Summit.

Following discussion the motion being put was unanimously carried.

Green Future Iceland Ltd. and the City of St. John's Cooperation Agreement – Refurbishing/Recycling of Electronic Equipment

Council considered a memorandum dated September 10, 2012 from the Director of Corporate Services and the City Clerk suggesting that City enter into a contract with Green Future Iceland Ltd. to provide this company with the City's broken and/or redundant electronic equipment (cellular devices) in return for a small fee. The company will supply bins to be placed at all City facilities for the public's use. Funds collected through this contact will be donated to the City's R.E.A.L Program. It was noted that all costs associated with this contact will be the responsibility of Green Future.

SJMC2012-09-10/459R

It was moved by Councillor Hickman; seconded by Councillor Breen: That the City of St. John's enter into a contract with Green Future Iceland Ltd. for the refurbishing/recycling of electronic equipment (cellular devices).

The motion being put was unanimously carried.

14 Whitehorse Place

Council considered a memorandum dated September 6, 2012 from the City Solicitor regarding removal of trees and shrubs during the replacement of the North East Land Assembly storm sewer.

SJMC2012-09-10/460R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That City reimburse the property owner of 14 Whitehorse Place an amount of one thousand eight hundred and forty five dollars (\$1,845.00) being the appraised value.

The motion being put was unanimously carried.

Ratification of E Poll

SJMC2012-09-10/461R

It was moved by Councillor Tilley; seconded by Councillor O’Leary: That the following e-poll be ratified:

Road Closures for 20 minutes per road commencing September 6, 2012 at:

- West on Queen’s Road near Veteran’s Square**
- West on New Gower**
- South on Queen’s Street**
- West on Water Street**
- North on Waldegrave**
- East on New Gower ending 4:30 at the Convention Centre.**

The motion being put was unanimously carried.

Memorandum from the Economic Development Coordinator dated September 10, 2012 referring Council to the monthly newsletter of the Department of Economic Development, Tourism and Culture.

Councillor Tilley introduced the above noted newsletter.

Parking Meters

The Director of Engineering, Walt Mills reported that the City’s parking meters do not accept the 2012 one dollar and two dollar coins. Efforts are ongoing to have the mechanisms in the meters adjusted to accept the coins, however, this project will likely take another 12-14 weeks to complete. He noted that stickers advising the public that the meter cannot accept the 2012 coins will be affixed until such time as the meters have been appropriately configured.

Councillor O’Leary

Councillor O’Leary presented a complaint from a lady who is disappointed that her son’s naval ship was not recognized or welcomed into the City. Evidently her son had been away and on duty for an extended period. Councillor O’Leary requested that Council be advised of the established protocol for welcoming naval ships in circumstances similar to this.

Councillor Collins

Councillor Collins requested that staff of the Public Works & Parks Department investigate the ponding of water on Southside Road to ensure there is no unnecessary damage in the wake of pending Hurricane Leslie.

Adjournment

There being no further business, the meeting adjourned at 5:15 p.m.

MAYOR

CITY CLERK