

September 17th, 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, Hann, Colbert, Galgay, Tilley and Collins.

Regrets: Councilors Hanlon and Breen.

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, City Solicitor, and Manager, Corporate Secretariat, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2012-09-17/462R

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

Adoption of Minutes

SJMC2012-09-17/463R

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

Application for Demolition, 100 Water Street

Council considered a memorandum dated September 12, 2012 from the Director of Building and Property Management along with the report of the Heritage Advisory Committee dated August 22, 2012 regarding the above noted.

SJMC2012-09-17/464R

It was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That Council proceed with the Heritage Designation and reject the application for demolition of 100 Water Street, as per Section 355 of the City of St. John's Act, based on the report of the Heritage Committee; the fact that the building is structurally sound and requires only minor maintenance; and the compatibility for other lawful uses of the existing structure.

The motion being put was unanimously carried.

Naval Vessels and Protocol

Councillor O'Leary outlined the details of the protocol recommended and approved by Council, in 2003 for welcoming naval ships to the City of St. John's.

Notices Published

1. An application has been submitted by Pro-Tech Construction requesting permission to establish a **Dental Clinic at Civic No. 255 Major's Path**. The Dental Clinic will occupy 245 m² of floor area in the subject building. Adequate parking will be provided. **(Ward 1)**

Three (3) Submissions of support

SJMC2012-09-17/465R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That the application be approved.

The motion being put was unanimously carried.

2. An application has been submitted requesting permission to occupy **Civic No. 129 Penney Crescent as a Home Occupation for a Hair Salon**. The proposed business will occupy a floor area of approximately 19 m² in the garage area and will operate Monday-Friday 9:30am to 4:30pm. One (1) client will visit at a time by appointment only. Two (2) on-site parking spaces are provided. The applicant is the sole employee. **(Ward 1)**

SJMC2012-09-17/466R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That the application be approved.

The motion being put was unanimously carried.

Development Committee Report dated September 11, 2012

Council considered the following Development Committee Report dated September 11, 2012:

RECOMMENDATIONS OF APPROVAL

**Proposed Subdivision for Eight (8) Mini Home Building Lots
17 A Hussey Drive (Ward 1)**

Applicant: Homeworx Modular Home Systems Inc.

The Committee recommends that Council grant an Approval-in-Principle to the application for the proposed subdivision for eight (8) Mini Home Building Lots subject to meeting all requirements of the City's Departments of Engineering and Public Works & Parks.

Robert F. Smart
City Manager
Chair – Development Committee

SJMC2012-09-17/467R

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

The motion being put was unanimously carried

Arts Advisory Committee Report dated September 14, 2012

Council considered the following Arts Advisory Committee Report dated September 14, 2012:

Attendees: Deputy Mayor Shannie Duff, Chairperson
Councillor Sheilagh O'Leary
Councillor Sandy Hickman
Peter Rompkey, RCA Theatre
Reg Winsor, NLAC
Michelle Haire, Heritage Canada
Michelle Bush, Performing Arts Representative
Deborah Inkpen, Business Representative
Sheila Perry, Visual Representative
Sara Tilley, Nexter Representative
Danielle Devereaux, Writer's Alliance
Elizabeth Lawrence, Director of Economic Development, Tourism & Culture

Kay Anonsen, Arts & Cultural Development Coordinator
Paul Boundridge, Planning Coordinator
Karen Chafe, Recording Secretary

Report:

1. Multi-Tenant Arts Center Steering Committee (Replacement)

The Committee was advised that its representative on the Multi-Tenant Arts Center Steering Committee, Mr. George Murray, has resigned and the vacancy needs to be filled.

The Committee recommends that Paul Pope be appointed as the Arts Advisory Committee representative on the Multi-Tenant Arts Center Steering Committee

2. Arts Symposium

The Committee discussed the possibility of holding a third arts symposium.

The Committee recommends that a steering committee be established to coordinate a third arts symposium to be held in mid-April, 2013 and that funding for a coordinator/facilitator be set aside to work with the steering committee. The symposium provides an important opportunity for public consultation on the direction of the City's involvement with the arts, particularly with respect to its implementation of the Municipal Arts Plan. The symposium also provides the opportunity to look at future directions in terms of new partnerships and initiatives that enhance arts in the City.

Deputy Mayor Shannie Duff
Chairperson

SJMC2012-09-17/468R

It was moved by Deputy Mayor Duff; seconded by Councillor O'Leary: That the Committee's recommendations 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 September 7 to 13, 2012.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF September 7, 2012 TO September 13, 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
RES	62554 NL Inc.	Relotting of Properties	20 and 22 Mount Cashel Road	4	Approved	12-09-13

* 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

SJMC2012-09-17/469R

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

2012/09/12

Permits List

CLASS: COMMERCIAL

- | | | |
|--------------------------------|----|-------------------------|
| 16-72 HAMLIN RD-HALLOWEEN ALLY | CO | RETAIL STORE |
| 323 KENMOUNT RD CHRISTMAS WARE | CO | RETAIL STORE |
| 388 PADDY'S POND RD, LOT 26 | NC | TRANSPORTATION TERMINAL |
| 79B ABERDEEN AVE | SN | RETAIL STORE |
| 56A KENMOUNT RD | SN | RESTAURANT |
| 60 O'LEARY AVE | SN | RETAIL OF BLDG SUPPLIES |
| 20 PEET ST | SN | COMMERCIAL GARAGE |
| 470 TOPSAIL RD-WALMART | SN | RETAIL STORE |
| 199 WATER ST-URCHIN ART | SN | MIXED USE |
| 75 KIWANIS STREET - TRAILER | NC | ACCESSORY BUILDING |
| 30 KENMOUNT RD | RN | RETAIL STORE |

600 TOPSAIL RD	CR	SERVICE SHOP
426 TORBAY RD	CR	RETAIL STORE
100 ELIZABETH AVE	RN	CONDOMINIUM

THIS WEEK \$ 380,984.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

18 BARTON'S RD	NC	SINGLE DETACHED DWELLING
141 BAY BULLS RD	NC	CONDOMINIUM
48 SPRUCE GROVE AVE, LOT 146	NC	SINGLE DETACHED DWELLING
51 BLACKLER AVE	NC	ACCESSORY BUILDING
52 BLUE PUTTEE DR, LOT 127	NC	SINGLE DETACHED DWELLING
105 BLUE PUTTEE DR, LOT 92	NC	SINGLE DETACHED DWELLING
65 CAPE PINE ST	NC	ACCESSORY BUILDING
72 LIVINGSTONE ST - UNIT A	NC	SEMI-DETACHED DWELLING
72 LIVINGSTONE ST - UNIT B	NC	SEMI-DETACHED DWELLING
72 LIVINGSTONE ST - UNIT C	NC	SEMI-DETACHED DWELLING
72 LIVINGSTONE ST - UNIT D	NC	SEMI-DETACHED DWELLING
28 CASHIN AVE	NC	ACCESSORY BUILDING
18 CASTLE BRIDGE DR	NC	ACCESSORY BUILDING
71 CHEYNE DR	NC	FENCE
8 COTTONWOOD CRES	NC	FENCE
10 COUNTRY GROVE PL	NC	ACCESSORY BUILDING
28 COUNTRY GROVE PL LOT 59	NC	SINGLE DETACHED DWELLING
11 EARHART ST	NC	ACCESSORY BUILDING
14 GALASHIELS PL - LOT 123	NC	SINGLE DETACHED DWELLING
15 GALASHIELS PL - LOT 124	NC	SINGLE DETACHED DWELLING
59 GOLF AVE	NC	ACCESSORY BUILDING
114 GREAT EASTERN AVE	NC	ACCESSORY BUILDING
2 GREGORY ST	NC	ACCESSORY BUILDING
119 GROVES RD	NC	SINGLE DETACHED DWELLING
85 GUZZWELL DR	NC	ACCESSORY BUILDING
188 HAMILTON AVE	NC	PATIO DECK
11 HATCHER ST	NC	ACCESSORY BUILDING
30 HYDE PARK DR	NC	SWIMMING POOL
30 ICELAND PL	NC	ACCESSORY BUILDING
40 LADYSMITH DR	NC	ACCESSORY BUILDING
20 MCCRAE ST	NC	SINGLE DETACHED DWELLING
22 MCCRAE ST, LOT 140	NC	SINGLE DETACHED DWELLING
324 NEWFOUNDLAND DR	NC	FENCE
5 OSBOURNE ST	NC	FENCE
12 PRIMROSE PL	NC	ACCESSORY BUILDING
47 ROSE ABBEY ST	NC	ACCESSORY BUILDING
47 RUMBOLDT PL	NC	PATIO DECK
594 SOUTHSIDE RD	NC	PATIO DECK
21 THOMPSON PL	NC	PATIO DECK
27 VALLEYVIEW RD	NC	ACCESSORY BUILDING
147 WATERFORD BRIDGE RD	NC	PATIO DECK
8 WISHINGWELL RD	NC	FENCE
51 WEXFORD ST	CR	SINGLE DETACHED & SUB.APT
60 POPLAR AVE	EX	SINGLE DETACHED DWELLING

23 DAUNTLESS ST	RN	SINGLE DETACHED DWELLING
19 FEILD ST	RN	TOWNHOUSING
70 FOX AVE	RN	SINGLE DETACHED DWELLING
2 GREGORY ST	RN	SINGLE DETACHED DWELLING
8 IRONWOOD PL	RN	SINGLE DETACHED DWELLING
16 MAXSE ST	RN	SINGLE DETACHED DWELLING
84 PORTUGAL COVE RD	RN	SINGLE DETACHED DWELLING
7 ROSTELLAN ST	RN	SINGLE DETACHED DWELLING
20 STIRLING CRES	RN	SINGLE DETACHED DWELLING
63 WHITEWAY ST	RN	SINGLE DETACHED DWELLING
157 FRESHWATER RD	SW	SINGLE DETACHED DWELLING
5 OBERON ST	SW	SINGLE DETACHED DWELLING
54 RIDGEMOUNT ST	SW	SINGLE DETACHED DWELLING

THIS WEEK \$ 6,384,440.00

CLASS: DEMOLITION

72 LIVINGSTONE ST	DM	SEMI-DETACHED DWELLING
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THIS WEEK \$ 5,000.00

THIS WEEK'S TOTAL: \$ 6,770,424.00

REPAIR PERMITS ISSUED: 2012/09/06 TO 2012/09/12 \$ 93,500.00

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

SJMC2012-09-17/470R

It was moved by Councillor Galgay; seconded by Councillor Hann: That the following Payrolls and Accounts for the weeks ending September 13, 2012 be approved:

**Weekly Payment Vouchers
For The
Week Ending September 13, 2012**

Payroll

Public Works	\$ 402,499.90
Bi-Weekly Administration	\$ 752,153.94
Bi-Weekly Management	\$ 670,308.13
Bi-Weekly Fire Department	\$ 596,884.12

Accounts Payable **\$ 3,682,676.24**

Total: **\$ 6,104,522.33**

The motion being put was unanimously carried.

Tenders

- a. Tender – Road Salt
- b. Tender – Water and Sewer Supplies
- c. Tender – Engineering Consulting Services
Water Transmission Main Replacement Program
Package 1 – Portugal Cove Road – Phase 1 (Higgins Line – New Cove Road)
- d. Tender – Engineering Consulting Services
Water Transmission Main Replacement Program
Package 2 – Allandale Road/Mayor Ave – Phase 1 (Calver Street to
Freshwater Road)

SJMC2012-09-17/471R

It was moved by Councillor Galgay; seconded by Councillor Hann: That the recommendations for the Director of Finance & City Treasurer and the Director of Engineering be approved and the tenders awarded as follows:

- a. **Harvey and Company – Salt picked up - \$94.00 per metric tonne
Salt delivered - \$97.30 per metric tonne
(estimated cost \$2,724,400.00)
(taxes not included)**
- b. **Distribution Brunet for sections 1,4, 5 and 8
Emco Corporation (Waterworks) for sections 2, 3, 6, 7, 9, 10, 11 and 12
(taxes not included) - (as per Memo dated Sept. 14, 2012 from the
Director of Finance)**
- c. **Kendall Engineering Ltd.**
- d. **Kavanagh Associates**

The motion being put was unanimously carried.

48 Roberts Lane/23 Markland Place

Council considered a memorandum from the City Solicitor dated September 13, 2012 regarding the above noted.

SJMC2012-09-17/472R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That a parcel of City land located at Roberts Lane/23 Markland Place, be sold at a rate of \$2.00 per square foot, approximately \$5,078.00 plus usual administration fees and HST.

The motion being put was unanimously carried.

Outer Battery – Riche Estate

Council considered a memorandum dated September 13, 2012 from the City Solicitor regarding the above noted.

SJMC2012-09-17/473R

It was moved by Councillor Galgay; seconded by Deputy Mayor Duff: That Riche Estate be compensated in the amount of \$16,000.00 plus legal fees for land expropriated by the City at the Outer Battery for a parking area.

The motion being put was unanimously carried.

Councillor Tilley

Councillor Tilley tabled a position paper on speeding and traffic concerns throughout the City and recommendations put forwarded by him which he asked be referred to the Police and Traffic Committee for discussion.

Councillor Galgay asked that concerns of heavy truck traffic in the downtown area also be referred to the Police and Traffic Committee for discussion.

Councillor O’Leary

Councillor O’Leary noted a complaint from a resident of Airport Heights that residents are putting out garbage on Sunday for Monday’s collection. The matter has been referred to the Manager of Waste Management who will provide notification to residents advising against this practice.

Media Release – Mayor Supports Report Card Findings

His Worship the Mayor tabled a media release concerning findings of the recently released “Canadian Infrastructure Report Card 2012” by the Federation of Canadian Municipalities. His Worship the Mayor and Council fully support the findings. While the City of St. John’s was not included in the survey, His Worship the Mayor provided his own Report Card on the City’s Infrastructure.

Adjournment

There being no further business, the meeting adjourned at 5:20 p.m.

MAYOR

CITY CLERK