

MINUTES

REGULAR MEETING - CITY COUNCIL

June 5, 2017 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

Present Deputy Mayor R. Ellsworth
Councillor T. Hann
Councillor D. Breen
Councillor B. Tilley
Councillor W. Collins
Councillor A. Puddister
Councillor S. Hickman

Regrets Mayor D. O’Keefe
Councillor S. O’Leary
Councillor D. Lane
Councillor J. Galgay

Others Kevin Breen, City Manager
Leslie O’Brien, Acting Deputy City Manager of Public Works
Tanya Haywood, Deputy City Manager of Community Services
Derek Coffey, Deputy City Manager of Financial Administration
Cheryl Mullett, City Solicitor
Ken O’Brien, Chief Municipal Planner
Elaine Henley, City Clerk
Stacey Corbett, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2017-06-05/252R

Moved – Councillor Collins; Seconded – Councillor Tilley

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2017-06-05/253R

Moved – Councillor Puddister; Seconded – Councillor Breen

That the minutes of May 29, 2017 be approved as presented.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

A Discretionary Use application requesting permission for a Dog Training Facility by Newfoundland Athletic Dog Associates at 163 Doyle's Road.

Council considered the above noted notices published:

SJMC2017-06-05/254R

Moved – Councillor Puddister; Seconded – Councillor Collins

That Council approve the application as presented subject to all applicable City requirements.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report – May 30, 2017

[Link to Report](#)

Council considered the above noted report.

SJMC2017-06-05/255R

Moved – Councillor Puddister; Seconded – Councillor Hann

That the above noted report and its recommendations be adopted as presented. This includes:

- **that the application for an extension to an Accessory Building at 138-142 Bennett's Road be rejected as it exceeds the maximum size of an accessory building within a protected watershed, as determined by Council.**

CARRIED UNANIMOUSLY

Special Events Committee Report – June 1, 2017

Council considered the above noted report.

SJMC2017-06-05/256R

Moved – Councillor Breen; Seconded – Councillor Hickman

That the above noted report and its recommendations be adopted as presented. This includes:

- **Closure of the cul-de-sac section of Lerner Street for a Bike Rodeo on June 11, 2017. Event is Co-hosted by the RNC and MHA Cathy Bennett.**

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered, for information, the above-noted for the period May 18, 2017 to May 24, 2017.

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits for the period of May 25, 2017 to May 31, 2017.

SJMC2017-06-05/257R

Moved – Councillor Breen; Seconded – Councillor Tilley

That the building permits list for the period May 25, 2017 to May 31, 2017 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending May 31, 2017.

SJMC2017-06-05/258R

Moved – Councillor Breen; Seconded – Councillor Tilley

That the requisitions, payrolls and accounts for the week ending May 31, 2017 in the amount of \$1,464,060.28 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPS

Tender 2017071 – Streets Rehab Program Contract #2

Council considered the above noted tender.

SJMC2017-06-05/258R

Moved – Councillor Breen; Seconded – Councillor Tilley

That Council award Tender 2017071 to the lowest bidder meeting specifications, Modern Paving Limited \$2,883,951.72, as per the Public Tendering Act.

Lis of streets requested from councilor Collins – public works committee

Taxes (HST) are included in price quoted.

CARRIED UNANIMOUSLY

Tender 20170702 – Metrobus Accessible Routes Sidewalk Contract

Council considered the above noted tender.

SJMC2017-06-05/260R

Moved – Councillor Breen; Seconded – Councillor Tilley

That Council award Tender 20170702 to the lowest bidder meeting specifications, Modern Paving Limited \$680,495.25, as per the Public Tendering Act

Taxes (HST) are included in price quoted.

CARRIED UNANIMOUSLY

Tender 2017088 – St. John’s Community Market

Council considered the above noted tender.

SJMC2017-06-05/261R

Moved – Councillor Breen; Seconded – Councillor Tilley

That Council award tender 2017088 to the lowest bidder meeting all specifications, Redwood Construction Limited \$2,407,012.10, as per the Public Tendering Act.

Taxes (HST) are included in the price quoted.

CARRIED UNANIMOUSLY

Tender 2017093 – CIPP Watemain Lining Project

Council considered the above noted tender.

SJMC2017-06-05/262R

Moved – Councillor Breen; Seconded – Councillor Tilley

That Council award tender 2017093 to the lowest bidder meeting specifications, Dexter Construction Company Limited, \$8,150,050.00, as per the Public Tendering Act.

Taxes (HST) are included in the price quoted.

CARRIED UNANIMOUSLY

OTHER BUSINESS

Decision Note dated May 10, 2017 re: Amendments to the Election Finance By-Law

SJMC2017-06-05/263R

Moved – Councillor Breen; Seconded – Councillor Hann

Council referred this to the Finance Committee while it continues to be evaluated to ensure they are in line with our by-laws and the Elections Act.

CARRIED UNANIMOUSLY

Councillor Puddister

- Requested an update from City Solicitor on 265 Brookfield Road property complaints. The property owner is operating a residential property as a commercial enterprise. The owner has been charged with violation of bylaws. Requested that the City Manager write a letter and ask that the owner stop operating as a commercial property

Councillor Hann

- Requested that the City Manager look at accusations made by a developer on Ropewalk Lane so that they may look at the problem and see if there is anything that they can do to help with the issue.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:08 p.m.

MAYOR

CITY CLERK

REPORTS/RECOMMENDATION

Development Committee

May 30, 2017 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

**1. 138 – 142 Bennett’s Road - Proposed Extension to Accessory Building
in the Watershed Town of Portugal Cove – St. Philip’s – INT1700070**

It is recommended that the application for an extension to an Accessory Building be rejected as it exceeds the maximum size of an accessory building within a protected watershed, as determined by Council.

Jason Sinyard
Deputy City Manager – Planning, Engineering & Regulatory Services
Chairperson

Addendum to Council Minutes of June 5, 2017

DECISION/DIRECTION NOTE

Title: Proposed Extension to Accessory Building in the Watershed
Town of Portugal Cove – St. Philip’s
INT1700070
138-142 Bennett’s Road

Date Prepared: May 30, 2017 (Date of Next meeting: June 5, 2017)

Report To: His Worship the Mayor and Members of Council

Councillor and Role: Councillor Art Puddister, Chair, Planning and Development Committee

Ward: Not Applicable

Decision/Direction Required:

To reject the application for a proposed extension to an Accessory Building in the Watershed.

Discussion – Background and Current Status:

The proposed Accessory Building extension is at 138-142 Bennett’s Road, which is located within the Broad Cove Protected Watershed. The maximum floor area which can be considered for an accessory Building in the Watershed is 30m², as determined by Council. The existing accessory building on the property has a floor area of 39.5m², and the applicant has proposed an extension of 20m². As the existing accessory building already exceeds the maximum allowable, the extension cannot be considered.

Key Considerations/Implications:

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders: Not Applicable.
3. Alignment with Strategic Directions/Adopted Plans:
Regional Drinking Water Study
4. Legal or Policy Implications:
Section 104 of the City of St. John’s Act
5. Engagement and Communications Considerations: Not Applicable.
6. Human Resource Implications: Not Applicable.
7. Procurement Implications: Not Applicable.
8. Information Technology Implications: Not Applicable.

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9. Other Implications: Not Applicable.

Recommendation:

It is recommended that the application for an extension to an Accessory Building be rejected as it exceeds the maximum size of an accessory building within a protected watershed, as determined by Council.

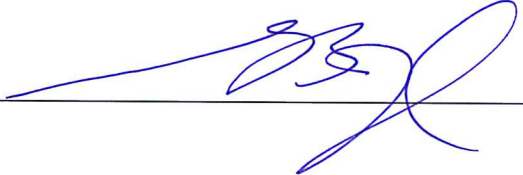
Prepared by/Signature:

Andrea Roberts – Development Officer

Signature: 

Approved by/Date/Signature:

Jason Sinyard, Deputy City Manager – Planning, Engineering & Regulatory Services

Signature: 

AAR/dlm

Attachments: Not Applicable.

Addendum to Council Minutes of June 5, 2017

DECISION/DIRECTION NOTE

Title: Special Events Advisory Committee Report

Date Prepared: June 1, 2017

Report To: Mayor & Council

Councillor and Role: All

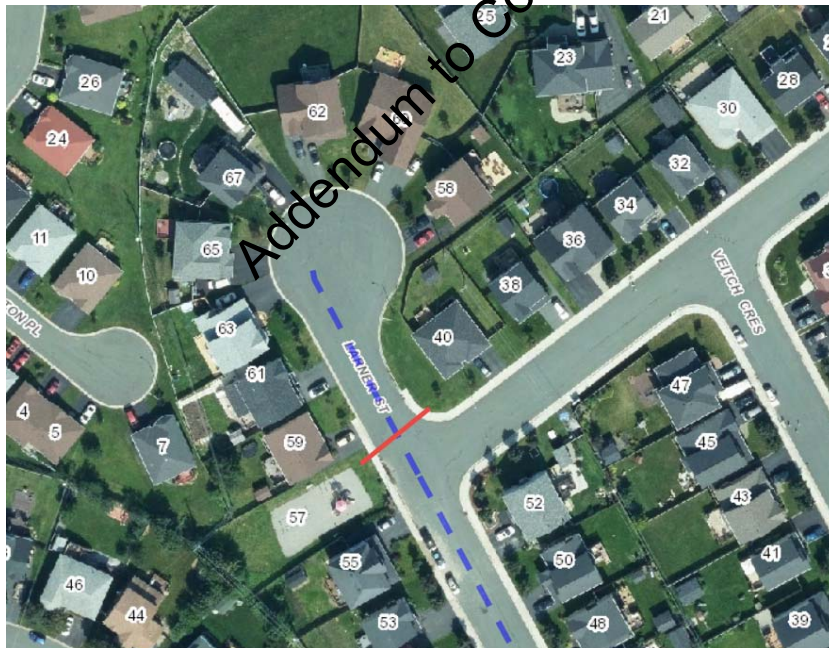
Ward: N/A

Decision/Direction Required: Approval of road closure for bike rodeo.

Discussion – Background and Current Status:

The Special Events Advisory Committee has received application for the following event, requiring road closure approval.

Event	Bike Rodeo
Date	June 11, 2017 11:30am – 2:00pm
Detail	Closure of the cul-de-sac section of Lanier Street for a Bike Rodeo. Event is Co-hosted by the RNC and MHA Cathy Bennett.



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Key Considerations/Implications:

1. **Budget/Financial Implications** N/A
2. **Partners or Other Stakeholders** N/A
3. **Alignment with Strategic Directions/Adopted Plans** N/A
4. **Legal or Policy Implications** N/A
5. **Engagement and Communications Considerations** N/A
6. **Human Resource Implications** N/A
7. **Procurement Implications** N/A
8. **Information Technology Implications** N/A
9. **Other Implications** N/A

Recommendation: Council approve the above noted street closure. These events are subject to the conditions set out by the Special Events Advisory Committee.

Prepared by/Signature:

Beverley Skinner – Manager of Program & Service Delivery

Signature B Skinner

Approved by/Date/Signature:

Tanya Haywood – Deputy City Manager Community Services

Signature T Haywood

Appendum to Council Minutes of June 5, 2017

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES
FOR THE PERIOD OF May 25, 2017 TO May 31, 2017

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Demolition & Rebuild of Dwelling	51 Spencer Street	2	Approved	17-05-25
COM	Dewcor	Galway CP07C – Regional Stormwater Pond – Revised Submission	15 Duffett's Road	5	Approved	17-05-25

* Code Classification:
RES - Residential INST - Institutional
COM - Commercial IND - Industrial
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 Supervisor
Planning, Engineering and
Regulatory Services

Addendum to Council Minutes of June 5, 2017

Building Permits List Council's June 5, 2017 Regular Meeting

Permits Issued: 2017/05/25 To 2017/05/31

Class: Commercial

50 Aberdeen Ave	Ms	Retail Store
62a Allandale Rd	Sn	Convenience Store
83 Elizabeth Ave	Ms	Retail Store
9 Hallett Cres	Ms	Retail Store
76 Kenmount Rd	Sn	Retail Store
274 Kenmount Rd	Ms	Retail Store
274 Kenmount Rd	Ms	Retail Store
25 Kenmount Rd Art & Frame	Sn	Retail Store
193 Kenmount Rd	Ms	Restaurant
203 Kenmount Rd	Ms	Retail Store
1 Marconi Pl	Ms	Retail Store
6 Mullaly St	Ms	Warehouse
57 Old Pennywell Rd	Ms	Retail Store
4 Portugal Cove Rd	Ms	Recreational Use
10 St. Clare Ave	Ms	Recreational Use
390 Topsail Rd	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
681 Topsail Rd	Ms	Retail Store
320 Torbay Rd	Ms	Eating Establishment
320 Torbay Rd	Ms	Retail Store
350 Torbay Rd	Ms	Office
141 Torbay Rd	Ms	Service Shop
611 Torbay Rd	Ms	Retail Store
30-70 White Rose Dr	Ms	Club
30-70 White Rose Dr	Ms	Take-Out Food Service
146-152 Water St	Cr	Restaurant
57 Bonaventure Ave	Rn	Apartment Building
219 Major's Path, Turbo Tech	Co	Commercial Garage
2 Freshwater Rd	Rn	Retail Store
123-125 Quidi Vidi Rd	Cr	Restaurant
80 Kenmount Rd	Cr	Office
215 Water St, Suite 100	Rn	Office
24 Stavanger Dr	Rn	Communications Use
150 New Gower St	Nc	Hotel

This Week \$ 20,828,734.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Addendum to Council Minutes of June 5, 2017

Class: Residential

3 Adventure Ave	Nc	Accessory Building
59 Almond Cres	Nc	Fence
27 Beauford Pl	Nc	Accessory Building
53 Brad Gushue Cres	Nc	Patio Deck
1 Burin St	Nc	Fence
177 Castle Bridge Dr., Lot 349	Nc	Single Detached Dwelling
18 Claddagh Road - Lot Cr9	Nc	Single Detached Dwelling
16 Cook St	Nc	Accessory Building
77 Cornwall Cres	Nc	Fence
6 Cumberland Cres	Nc	Patio Deck
66 Doyle St	Nc	Fence
48 Dunkerry Cres, Lot 266	Nc	Single Detached Dwelling
40 Duntara Cres	Nc	Accessory Building
2 Fairwood St	Nc	Fence
10 Gallipoli St, Lot 255	Nc	Single Detached Dwelling
59 Galway Blvd - Lot Gb18	Nc	Single Detached Dwelling
25 Golf Ave	Nc	Patio Deck
71 Guzzwell Dr	Nc	Fence
10 Hopedale Cres	Nc	Accessory Building
39 Hyde Park Dr	Nc	Patio Deck
39 Hyde Park Dr	Nc	Fence
21 Long Beach St	Nc	Accessory Building
80 Maurice Putt Cres, Lot 262	Nc	Single Detached Dwelling
15 Mogridge St	Nc	Accessory Building
12 Mullock St	Nc	Accessory Building
12 Mullock St	Nc	Fence
51 Orlando Pl	Nc	Fence
95 Parkhill St	Nc	Fence
20 Power's Rd	Nc	Accessory Building
168 St. Clare Ave	Nc	Fence
27 Sugar Pine Cres	Nc	Fence
561 Thorburn Rd	Nc	Accessory Building
25 Winter Ave	Nc	Single Detached Dwelling
297 Airport Heights Dr	Co	Single Detached Dwelling
15 Hunt's Lane	Ex	Patio Deck
20 Pitcher's Path	Ex	Patio Deck
90 Bond St	Rn	Single Detached & Sub.Apt
9 Cherokee Dr	Rn	Single Detached Dwelling
162 Diamond Marsh Dr	Rn	Single Detached Dwelling
46 Durdle Dr	Rn	Single Detached Dwelling
416 Empire Ave	Rn	Single Detached Dwelling
4 Holbrook Pl	Rn	Single Detached Dwelling
93 Lemarchand St	Rn	Single Detached Dwelling
57 Long's St	Rn	Semi-Detached Dwelling
71 Macdonald Dr	Rn	Single Detached Dwelling
27 Madigan Pl	Rn	Single Detached Dwelling
47 Margaret's Pl	Rn	Condominium
2 Maxwell Pl	Rn	Townhousing
4 Maxwell Pl	Rn	Townhousing
6 Maxwell Pl	Rn	Townhousing
8 Maxwell Pl	Rn	Townhousing
43 Newman St	Rn	Single Detached Dwelling
59 Queen's Rd	Rn	Patio Deck
49 Ricketts Rd	Rn	Townhousing
51 Ricketts Rd	Rn	Townhousing
53 Ricketts Rd	Rn	Townhousing
55 Ricketts Rd	Rn	Townhousing
57 Ricketts Rd	Rn	Townhousing

Addendum to Council Minutes of June 5, 2017

59 Ricketts Road	Rn	Townhousing
61 Ricketts Rd	Rn	Townhousing
63 Ricketts Rd	Rn	Townhousing
65 Ricketts Rd	Rn	Townhousing
67 Ricketts Rd	Rn	Townhousing
69 Ricketts Rd	Rn	Townhousing
71 Ricketts Rd	Rn	Townhousing
73 Ricketts Rd	Rn	Townhousing
75 Ricketts Rd	Rn	Townhousing
77 Ricketts Rd	Rn	Townhousing
79 Ricketts Rd	Rn	Townhousing
81 Ricketts Rd	Rn	Townhousing
83 Ricketts Rd	Rn	Townhousing
85 Ricketts Rd	Rn	Townhousing
87 Ricketts Rd	Rn	Townhousing
89 Ricketts Rd	Rn	Townhousing
91 Ricketts Rd	Rn	Townhousing
93 Ricketts Rd	Rn	Townhousing
95 Ricketts Rd	Rn	Townhousing
14 Robinsons Pl	Rn	Townhousing
74 St. Clare Ave	Rn	Semi-Detached Dwelling
287 Southern Shore Hwy	Rn	Single Detached Dwelling
177 University Ave	Rn	Single Detached Dwelling
76 Whiteway St	Rn	Single Detached Dwelling
4 Chesley Dr	Sw	Single Detached & Sub.Apt
9 Seaborn St	Sw	Semi-Detached Dwelling

This Week \$ 4,102,224.00

Class: Demolition

This Week \$.00

This Week 'S Total: \$ 24,930,958.00

Report Permits Issued: 2017/05/25 To 2017/05/31 \$ 199,410.00

Legend

Co	Change Of Occupancy	Sw	Site Work
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Sn	Sign
Nc	New Construction	Cc	Chimney Construction
Oc	Occupant Change	Dm	Demolition
Rn	Renovations		

Addendum to Council Minutes of June 5, 2017

Year To Date Comparisons			
June 5, 2017			
Type	2016	2017	% Variance (+/-)
Commercial	\$58,302,615.00	\$54,164,003.00	-7
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$5,942,084.00	\$436,000.00	-93
Residential	\$21,544,676.00	\$27,092,846.00	26
Repairs	\$1,501,806.00	\$1,222,506.00	-19
Housing Units (1 & 2 Family Dwelling)	59	61	
Total	\$87,291,181.00	\$82,915,355.00	-5

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manager
Planning, Engineering & Regulatory Services

Addendum to Council Minutes of June 5, 2017

MEMORANDUM

Weekly Payment Vouchers For The Week Ending May 31, 2017

Payroll

Public Works	\$ 450,581.52
Bi-Weekly Administration	\$ 767,154.44
Bi-Weekly Management	\$ 857,527.77
Bi-Weekly Fire Department	\$ 702,864.59
Accounts Payable	\$ 1,464,060.28

Addendum to Council Minutes of June 5, 2017

Total: \$ 4,242,188.60

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DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA