

MINUTES
REGULAR MEETING - CITY COUNCIL
November 2, 2015 - 4:30 p.m. - Council Chambers

Present	Mayor D. O'Keefe Deputy Mayor R. Ellsworth Councillor T. Hann Councillor S. Hickman Councillor A. Puddister Councillor D. Breen Councillor J. Galgay Councillor B. Tilley Councillor W. Collins	Regrets	Councillor B. Davis Councillor D. Lane
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Others City Manager
Deputy City Manager of Community Services
Deputy City Manager of Public Works
Deputy City Manager of Corporate Services
Acting Deputy City Manager of Financial Management
Acting Deputy City Manager of Planning, Development & Engineering
City Solicitor
Chief Municipal Planner
Senior Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2015-11-02/492R

Moved – Councillor Galgay; Seconded – Councillor Collins

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2015-11-02/493R

Moved – Councillor Puddister; Seconded – Councillor Breen

That the minutes of October 26, 2015 be adopted as presented.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

Council considered the following notices published:

- A Change of Non-Conforming Use Application has been submitted requesting permission to occupy a portion of the basement at 36 Harbour View Avenue as a subsidiary apartment.
- A Discretionary Use (Non-confirming Use) application has been submitted by Quantity Surveying Services Ltd. to develop a residential dwelling at Civic No. 208 Hussey Drive. The proposed modular home will have a floor area of 60 square metres.

SJMC2015-11-02/494R

Moved – Councillor Breen; Seconded – Councillor Hickman

That the applications be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS

120 Lemarchant Road – Public Meeting October 14, 2015
Application to Rezone to Apartment High Density (A3) Zone to Develop a 64-
Unit Apartment Building
St. John's Municipal Plan Amendment Number 135, 2015, and
St. John's Development Regulations Amendment Number 624, 2015
PDE File No: REZ1300004/EAR1500034
Applicant: RJC Services for PAR Holdings Ltd.

SJMC2015-11-02/495R

Moved – Councillor Puddister; Seconded – Councillor Tilley

That Council adopt-in-principle the proposed amendments. Staff will then forward them to the Department of Municipal and Intergovernmental Affairs with a request for release.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report of October 27, 2015

[Link to Report](#)

Council considered the above noted report.

SJMC2015-11-02/496R

Moved – Councillor Puddister; Seconded – Councillor Galgay

That the report be approved as presented.

CARRIED UNANIMOUSLY

Planning & Development Standing Committee of October 20, 2015

[Link to Report](#)

Council considered the above noted report:

SJMC2015-11-02/497R

Moved – Councillor Puddister; Seconded – Councillor Tilley

That the report be approved as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information the Development Permits List for the period October 22, 2015 to October 28, 2015.

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for the period of October 22 – 28, 2015.

SJMC2015-11-02/498R

Moved – Councillor Puddister; Seconded - Councillor Davis

That the building permits list for the period October 21 – 28, 2015 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending October 21, 2015.

SJMC2015-11-02/499R

Moved – Councillor Collins; Seconded – Councillor Galgay

That the Payrolls and Accounts for the week ending October 28, 2015 be approved.

CARRIED UNANIMOUSLY

TENDERS/RFP's

Council considered the following tenders:

- RFP City of St. John's Fleet Review
- Tender 2015144 Litter Collection (RHB)

SJMC2015-11-02/500R

Moved – Councillor Collins; Seconded – Councillor Galgay

That the tenders be awarded respectively as follows as per the Public Tendering Act:

- **Fleet Review**
 - **KPMG: \$146,520.00 (excluding HST)**
- **Litter Collection (RHB)**
 - **Alyssa's Property Services Pro Inc.: \$195,300.00 per year**
 - **(HST extra to the price quoted.)**

CARRIED UNANIMOUSLY

OTHER BUSINESS

8 Wishingwell Place – Sale of City Land and Easement

Council considered a memo dated October 29, 2015 from the City Solicitor regarding the above noted.

SJMC2015-11-02/501R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Puddister

That Council authorize the Mayor and City Clerk to execute the Deed of Conveyance and accept the recommendation of the City Solicitor to finalize the transfer of the land to the owner of 8 Wishingwell Place for the agreed upon price of \$375.00 plus administration fees and HST, subject to the easement needed by water waste water.

CARRIED UNANIMOUSLY

Information Note – Ensure adherence to legislation in placement and removal of election signage

Council considered the above noted for information purposes and agreed that there should be adherence to placement and removal of election signs and that the three political leaders be written to advise candidates of the same given the upcoming Provincial elections.

Public Approval of Terms of Reference for Advisory Committees, Expert Panels and Working Groups

[Link to List](#)

Council considered the above noted decision note dated October 29, 2015 from the Supervisor of Legislative Services

SJMC2015-11-02/502R

Moved – Councillor Collins; Seconded – Councillor Galgay

That the Terms of Reference for Advisory Committees, Expert Panels and Working Groups be approved as presented.

CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business, the meeting adjourned at 4:30 p.m.

MAYOR

CITY CLERK

REPORTS/RECOMMENDATION

Development Committee

October 27, 2015 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

1. 85 Blackhead Crescent – Crown land grant for extension of private property

It is recommended by the Development Committee that Council reject the application as the property is located within the Rural Zone where residential development is only permitted if the dwelling is accessory to a Forestry or Agricultural Use as per Section 10.38.1. A well and septic system would be required if a dwelling was permitted. In this case as noted above a dwelling is not permitted.

Jason Sinyard
Acting Chair

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REPORT

PLANNING & DEVELOPMENT COMMITTEE MEETING

October 20, 2015 – 12:00 p.m. – Conference Room A, 4th Floor, City Hall

Present: Councillor Art Puddister, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Sandy Hickman
Councillor Jonathan Galgay
Councillor Bruce Tilley
Councillor Danny Breen
Neil Martin, City Manager
David Blackmore, Deputy City Manager of Planning, Development & Engineering
Jason Sinyard, Director of Planning & Development
David Crowe, Operations Supervisor
Ken O'Brien, Chief Municipal Planner
Dave Wadden, Manager - Development Engineering (left at 12:30 p.m.)
Arthur MacDonald, Planner III Urban Design & Heritage
Kathy Driscoll, Senior Legislative Assistant

1. **H3 Development – Servicing of property on Kenmoung Road**

A delegation consisting of Robin King, Habourside Engineering and Burt Hickman of Hickman Motors spoke to the above noted.

Moved – Councillor Galgay; Seconded – Councillor Tilley

The Committee agreed to refer this item back to staff for review.

2. **Bell Mobility – Revisions to the Siting Protocol for Wireless Facilities**

A delegation consisting of Paul Greene and Mike Kirkland of Bell Mobility spoke to the above noted.

Moved – Councillor Tilley; Seconded - Councillor Galgay

That this item be referred back to staff for a recommendation.

3. **267 Mundy Pond Road**

A delegation consisting of Debbie Hanlon and Roy Squires spoke to the above noted. Ms. Hanlon advised that she had previously made application with the City and through the process Council did not support rezoning of the application. She further advised that she was willing to make any necessary changes/revisions to the plans to accommodate City requirements.

ST. JOHN'S

Moved – Councillor Tilley; Seconded – Councillor Breen

That staff contact Ms. Hanlon and advise her to make a new application for consideration and review.

CARRIED UNANIMOUSLY

4. **80 Doyle’s Road rezoning to R2 Condo Zone for 24 units**

The Committee considered the above noted decision note dated October 13, 2015 from the City’s Planner II.

Moved – Councillor Breen; Seconded – Councillor Galgay

The Committee recommends the applicant be required to prepare a land-use assessment report (LUAR) under terms of reference approved by Council. Once the report is prepared and accepted, the application should be referred to a public meeting chaired by a member of Council.

CARRIED UNANIMOUSLY

5. **Text Amendment to the R2 Condo Zone regarding townhouses**

The Committee considered the above noted decision note dated October 13, 2015 from the City’s Planner III.

Moved – Councillor Hickman; Seconded - Deputy Mayor Ellsworth

The Planning and Development Committee agreed to a text amendment to the Residential Medium Density – Condominium (R2 – Condo) Zone, replacing Townhousing with Townhouse Cluster, and to direct staff to advertise the amendment for public review and comment. Upon completion of this process, the amendment would then be referred to a future Regular Meeting of Council for consideration of adoption.

CARRIED UNANIMOUSLY

Councillor Art Puddister
Chairperson

DEVELOPMENT PERMITS LIST
 DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
 FOR THE PERIOD OF October 22, 2015 TO October 28, 2015

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
AG		Building Lot	186B Brookfield Road	5	Approved	15-10-22
COM	Pinnacle Engineering	Galway Clearing, Grubbing and USM Removal – Contract 8	625 Southlands Boulevard	5	Approved	15-10-22

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<p>* Code Classification: RES - Residential INST - Institutional COM - Commercial IND - Industrial AG - Agriculture OT - Other</p>
<p>** 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.</p>

Gerard Doran
 Development Supervisor
 Development Division –
 PDE Department

Building Permits List

Council's November 02, 2015 Regular Meeting

Permits Issued: 2015/10/21 To 2015/10/28

Class: Commercial

88 Thorburn Rd	Co	Taxi Business
57 Blackmarsh Rd	Ms	Place Of Assembly
203 Blackmarsh Rd	Ms	Retail Store
23 Cashin Ave	Ms	Clinic
44 Crosbie Rd	Ms	Convenience Store
84-86 Elizabeth Ave	Ms	Service Shop
84-86 Elizabeth Ave	Ms	Retail Store
37 Elizabeth Ave	Sn	Retail Store
83 Elizabeth Ave	Ms	Retail Store
391-395 Empire Ave	Ms	Club
324 Frecker Dr	Ms	Convenience Store
25 Hebron Way	Ms	Retail Store
189 Higgins Line	Ms	Office
61 James Lane	Ms	Warehouse
50 Kelsey Dr	Ms	Retail Store
58 Kenmount Rd	Ms	Office
120 Kenmount Rd	Ms	Car Sales Lot
120 Kenmount Rd	Ms	Car Sales Lot
222 Kenmount Rd	Ms	Retail Store
193 Kenmount Rd	Ms	Restaurant
409 Kenmount Rd	Ms	Car Sales Lot
461 Kenmount Rd	Ms	Car Sales Lot
475 Kenmount Rd	Ms	Car Sales Lot
479 Kenmount Rd	Ms	Car Sales Lot
515 Kenmount Rd	Ms	Retail Store
75 Kiwanis St	Ms	Club
90 Logy Bay Rd	Ms	Club
225 Logy Bay Rd	Ms	Retail Store
215 Major's Path	Ms	Retail Store
139 Mayor Ave	Ms	Place Of Assembly
10 Messenger Dr	Ms	Retail Store
34 New Cove Rd	Ms	Clinic
119 New Cove Rd	Ms	Clinic
340 Newfoundland Dr	Ms	School
446 Newfoundland Dr	Ms	Restaurant
60 O'leary Ave	Ms	Retail Store
62 Pippy Pl	Ms	Office
9-11 Pippy Pl	Sn	Commercial Garage
59-61 Pippy Pl	Ms	Retail Store
40 Airport Heights Dr	Ms	Retail Store
279 Portugal Cove Rd	Ms	Clinic
283 Portugal Cove Rd	Ms	Retail Store
25 Rhodora St	Ms	Condominium
35 Ridge Rd	Ms	Club
46-50 Robin Hood Bay Rd	Ms	Industrial Use
465 East White Hills Rd	Ms	Retail Store
10 Stavanger Dr	Ms	Retail Store
16 Stavanger Dr	Ms	Restaurant
410 Stavanger Dr	Ms	Retail Store
410 Stavanger Dr	Ms	Retail Store
3 Stavanger Dr	Ms	Restaurant
415 Stavanger Dr	Ms	Restaurant
86 Thorburn Road	Ms	Convenience Store
86 Thorburn Rd	Ms	Convenience Store

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88 Thorburn Rd	Ms	Retail Store
446 Topsail Rd	Ms	Service Station
644 Topsail Rd	Ms	Retail Store
681 Topsail Rd	Ms	Place Of Amusement
10 Elizabeth Ave	Ms	Office
120 Torbay Rd	Ms	Office
192-194 Torbay Rd	Ms	Eating Establishment
320 Torbay Rd	Ms	Club
426 Torbay Rd	Ms	Retail Store
430 Torbay Rd	Ms	Tavern
710 Torbay Rd	Ms	Retail Store
351 Water St	Sn	Retail Store
10 Lemarchant Rd	Rn	Mixed Use
87 Old Pennywell Rd	Cr	Take-Out Food Service
12-20 Highland Dr	Rn	Mixed Use
431-435 Main Rd	Rn	Custom Workshop
10 Elizabeth Ave	Rn	Retail Store
8 Merrymeeting Rd	Rn	Retail Store
45 Ropewalk Lane	Rn	Retail Store
496 Topsail Rd	Rn	Retail Store
16-72 Hamlyn Rd, Unit 0150	Cr	Retail Store
632 Topsail Rd	Rn	Service Station
334 Water St	Cr	Office
330 Portugal Cove Pl	Rn	Office
114 Cabot St	Rn	Mixed Use
79 Blackmarsh Rd	Rn	Light Industrial Use
60 Elizabeth Ave	Rn	Retail Store
1 Church Hill	Rn	Office
38 Ropewalk Lane Burger King	Nc	Eating Establishment
130 Kelsey Dr	Nc	Office
Freshwater Rd	Rn	Retail Store
16 Hamlyn Rd	Nc	Retail Store

This Week \$ 2,918,789.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

101 Macdonald Dr	Ms	Place Of Amusement
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This Week \$.00

Class: Residential

5 Arnold Loop	Nc	Patio Deck
1 Capulet St	Nc	Fence
11 Caravelle Pl, Lot 24	Nc	Single Detached & Sub.Apt
58 Carrick Dr	Nc	Patio Deck
16 Carty Pl	Nc	Accessory Building
5 Cherrybark Cres, Lot 249	Nc	Single Detached & Sub.Apt
31 Cherrybark Cres	Nc	Accessory Building
8 Douglas St	Nc	Fence
171 Forest Rd	Nc	Accessory Building
41 Francis St	Nc	Accessory Building
5 Greenspond Dr	Nc	Patio Deck
9 Hazelwood Cres	Nc	Patio Deck
16 Hickman Pl	Nc	Fence
5 Kenai Cres	Nc	Fence
28 Liverpool Ave	Nc	Patio Deck

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14 Marshall Pl	Nc	Accessory Building
16 Orlando Pl. Lot #254	Nc	Single Detached Dwelling
348 Ruby Line	Nc	Accessory Building
553 Southside Rd, Unit A	Nc	Semi-Detached Dwelling
553 Southside Rd, Unit B	Nc	Semi-Detached Dwelling
13 Sugar Pine Cres	Nc	Accessory Building
37 Sugar Pine Cres, Lot 272	Nc	Single Detached Dwelling
16 Symonds Pl	Nc	Patio Deck
561 Thorburn Rd	Nc	Accessory Building
51 William St	Nc	Patio Deck
88 Glenlonan St	Cr	Home Occupation
3 Balmoral Pl	Ex	Single Detached Dwelling
17 Dublin Rd	Ex	Single Detached Dwelling
98 Firdale Dr	Ex	Accessory Building
15 Gillingham Pl	Ex	Single Detached Dwelling
9 Solway Cres	Ex	Single Detached & Sub.Apt
384 Back Line	Rn	Single Detached Dwelling
20 Charlton St	Rn	Townhousing
74 Cherokee Dr	Rn	Single Detached Dwelling
153 Doyle's Rd	Rn	Single Detached Dwelling
14 Duke St	Rn	Single Detached Dwelling
14 Dunford St	Rn	Single Detached Dwelling
6 Gower St	Rn	Townhousing
102 Grenfell Ave	Rn	Subsidiary Apartment
159 Hamilton Ave	Rn	Single Detached Dwelling
11 Laurier St	Rn	Single Detached Dwelling
263 Lemarchant Rd	Rn	Semi-Detached Dwelling
21 Leslie St	Rn	Single Detached Dwelling
336 Pennywell Rd	Rn	Single Detached Dwelling
60 Prince Of Wales St	Rn	Single Detached Dwelling
69 Quidi Vidi Rd	Rn	Single Detached Dwelling
25 Scouts Pl	Rn	Swimming Pool
1 Tansley St	Rn	Single Detached Dwelling
22 Wood St	Rn	Townhousing
43 Paddy Dobbin Dr	Sw	Single Detached Dwelling
40 Prospero Pl	Sw	Townhousing
25 Hebron Way	Ms	Restaurant
20 Ropewalk Lane	Ms	Retail Store

This Week \$ 1,810,077.00

Class: Demolition

205-211 Duckwood St	Dm	Other
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This Week \$ 10,000.00

This Week' S Total: \$ 4,738,866.00

Repair Permits Issued: 2015/10/21 To 2015/10/28 \$ 318,990.00

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Legend

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

38 Hall's Road - your application for an extension to existing driveway is rejected as contrary to Section 10.3.3(1)(g) of the St. John's Development Regulations.

91 Greenspond Drive - your application for an extension to your existing driveway is rejected as contrary to Section 10.4.3(5)(g) of the 1994 St. John's Development Regulations.

Year To Date Comparisons			
November 2, 2015			
TYPE	2014	2015	% VARIANCE (+/-)
Commercial	\$158,669,000.00	\$122,358,000.00	-23
Industrial	\$125,000.00	\$0.00	-100
Government/Institutional	\$77,800,000.00	\$14,950,000.00	-81
Residential	\$127,291,000.00	\$72,524,000.00	-43
Repairs	4,822,000.00	3,907,000.00	-19
Housing Units (1 & 2 Family Dwellings)	288	190	
TOTAL	\$368,767,300.00	\$213,739,000.00	-42

Respectfully Submitted

Jason Sinyard, P. Eng., MBA
 Director of Planning & Development

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending October 28, 2015**

Payroll

Public Works	\$ 407,849.25
Bi-Weekly Casual	\$ 22,388.62
Accounts Payable	\$ 3,396,118.11

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Total: \$ 3,826,355.98

ST. JOHN'S

DEPARTMENT OF FINANCE

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

DECISION NOTE

Title: Public Approval of Terms of Reference for Advisory Committees, Expert Panels and Working Groups

Date Prepared: October 29, 2015

Report To: Mayor and Council

Ward: Not ward specific

Decision Required: To seek Council's public ratification for the Terms of Reference for advisory committees, experts panels and working groups.

Discussion – Background and Current Status:

During the October 13TH special meeting of Council, the attached Terms of Reference for the following advisory committees, experts panels and working groups were adopted in principle.

- Advisory Committees:
 - Downtown Advisory Committee
 - Seniors Advisory Committee
 - Environmental Advisory Committee
 - Municipal Advisory Committee on Youth (MACY)
 - Accessibility and Inclusion Advisory Committee
 - Arts and Culture Advisory Committee
- Working Groups:
 - Affordable Housing Working Group (AHWG)
 - Paratransit Working Group
- Experts Panels:
 - Built Heritage Experts Panel
 - Animal Care and Control Experts Panel

Members of the existing advisory committees have been informed of this approval and sent copies of the corresponding terms of reference. The new structure clearly outlines the purpose of these committees, working groups and expert panels which identify distinct deliverables and considerations and makes particular reference to reporting structure, roles of staff, public members and Council members.

The enhanced governance around the new committees will create a better connection to the City's Strategic Plan and other City Plans and create a reporting relationship with the relevant City Departments and Standing Committees to which they report.

A recruitment process for all new committees, working groups and experts panels will take place over the next few months in advance of their effective commencement in January 2016. The existing committees will formally conclude by the end of November/early December and one last meeting may be scheduled for each prior to that time. Current committee members are welcome to reapply under the new committee structure as per the terms of reference guidelines for each. More information on the recruitment process will be made available in the near future.

Key Considerations/Implications:

- 1. Budget/Financial Implications N/A**
- 2. Partners or Other Stakeholders N/A**
- 3. Alignment with Strategic Directions/Adopted Plans**

Aligned with all six strategic directions:

- Effective Organization
- Neighbourhoods Build our City
- Fiscally Responsible
- Responsive & Progressive
- A Culture of Cooperation
- A City for all Seasons

- 4. Legal or Policy Implications**

Committees, experts panels, working groups inform policy direction and are governed/guided by the the City's existing regulatory system.

- 5. Engagement and Communications Considerations**

Committees are an integral component of the City's engagement process and provide an opportunity for issues to be dealt with in a more focused environment.

6. Human Resource Implications

Staff leads are required to attend each committee, expert panel and working group as outlined in each terms of reference previously approved by Council (October 13, 2015). Staff liaisons will be required to attend meetings only at the discretion of the staff lead when they are required.

7. Procurement Implications N/A

8. Information Technology Implications

The IT Division is working with the Office of the City Clerk to develop a public committee portal.

9. Other Implications

Recommendation:

Council is requested to approve the attached terms of reference for the advisory committees, experts panels and working groups.

Prepared by/Signature: Karen Chafe, Supervisor of Legislative Services

Approved by/Date/Signature: Elaine Henley, City Clerk

Attachments:

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