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, Colbert, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Deputy Mayor Duff.

City Manager; Deputy City Manager/Director of Corporate Services & City Clerk, Deputy City Manager/Director of Public Works & Parks, Acting Director of Planning, Director of Engineering, Acting City Solicitor, Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2012-11-05/548R

It was decided on motion of Councillor Hanlon; seconded by Councillor Collins: That the Agenda be adopted as presented with the following additional item:

a. Memorandum dated November 5, 2012 from His Worship the Mayor Re: Travel Request

Adoption of Minutes

SJMC2012-11-05-29/549R

It was decided on motion of Councillor Tilley; seconded by Councillor Galgay: That the minutes of October 29th, 2012 meeting be adopted as presented.

Public Hearings

#1

Public Hearing Report dated October 10, 2012

Re: Application to Rezone Property to the Residential Low Density (R1) ZoneProposed Residential SubdivisionProperty Located North of Coventry Way (Ward 3)Applicant: Nosegard Holdings Ltd.

Councillor Colbert presented the report of a public meeting held on October 10, 2012 to provide an opportunity for public review and comment on the application submitted by Nosegard Holdings Ltd. to rezone vacant land located to the north of Coventry Way, from the Rural Residential (RR) Zone and the Open Space (O) Zone to the Residential Low Density (R1) Zone.

SJMC2012-11-05/550R

It was moved by Councillor Colbert; seconded by Councillor Hann: That staff be directed to proceed with the rezoning process and prepare the necessary Municipal Plan and rezoning amendments which will be referred to the Department of Municipal Affairs for review against any applicable Provincial interests and policies.

Councillor Colbert noted that a number of questions and concerns were expressed at the public meeting, and responded to by the Engineering and Planning staff in a memorandum dated November 1, 2012 from the Director of Planning which forms part of the minutes and on file with the City Clerk's office. Written submissions were also received and presented at the meeting.

Councillor Colbert and other members of Council supporting the motion were satisfied that all the questions and concerns raised by the residents were adequately addressed.

Councillor Tilley indicated his objection to the motion due to a number of concerns brought forward by the area residents which include increased traffic during construction phase, decreased water pressure, noise, storm sewer issues, protection of wetlands etc.

Councillor Hickman also objected to the proposed development mainly due to its overall design.

Following discussion, the motion being put was carried with Councillors Tilley and Hickman dissenting.

#2 Public Hearing Report dated October 4, 2012 Re: Draft Design Concept for the Replacement of the existing Wedgewood Park Community Center

Councillor Breen presented the report of a public meeting held on October 4, 2012 to present the draft design concept for the replacement of the existing Wedgewood Park Community Centre and to give residents the opportunity for public input. The meeting was attended by approximately 120 people, and number of written submissions were presented.

Councillor Breen provided a brief overview of the new facility proposed for Wedgewood Park and advised that he intends to have further consultation with the neighbourhood surrounding the proposed development in an attempt to obtain their views and address their concerns. Councillor Breen also noted that the matter will also be forwarded to the Planning Committee .

SJMC2012-11-05/551R

Following discussion, it was moved by Councillor Breen; seconded by Councillor Hann: That the report be adopted as presented.

The motion being put was unanimously carried.

Committee Reports

Development Committee Report dated October 31, 2012

Council considered the following Development Committee Report dated October 31, 2012:

RECOMMENDATION

Crown Land Grant Referral Proposed Land for Residential Subdivision Trans-Canada Highway Interchange Near Cochrane Pond (Ward 5) That the Crown Land Grant application be rejected on the basis that it is premature at this time to release this parcel of Crown Land given a large scale pending future development in the overall area. It is recommended that if/when it is determined that it would be appropriate to release this parcel of Crown Land that the applicant, 10718 NL Inc., should have the first option to acquire the land.

Robert F. Smart City Manager Chair – Development Committee

Attach.

SJMC2012-11-05/552R

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

The motion being put was unanimously carried.

Mayor's Advisory Committee on the Status of Persons with Disabilities dated October 29, 2012_____

Council considered the following Mayor's Advisory Committee on the Status of Persons with Disabilities report dated October 29, 2012:

Kelly White, Co-Chairperson **Attendees:** Pauline Crann, Co-Chairperson Andrea Boundridge, NL Association for the Deaf Sandra Yetman, ILRC Gail St. Croix, People First Robert Young, Canadian Hard of Hearing Association Max Jacobs, CHANNAL Jason Rose, CNIB Roger Head, At-Large Representative Nick Mercer, Next Up Representative Chris Dedde, Autism Society of NL Tara Nanayakkara, Canadian Council of the Blind Councillor Sheilagh O'Leary Councillor Tom Hann Susan Ralph, Accessible Transit Coordinator Trisha Rose, Program Coordinator (Inclusive Services) Scott Winsor, Construction Engineer Gord Tucker, Manager of Property Management Karen Chafe, Recording Secretary

Report:

1. <u>Audible Pedestrian Signals (Increased Funding)</u>

The Construction Engineer advised the Committee that the Audible Pedestrian Signal (APS) at the intersection of Portugal Cove Road and the Prince Phillip Parkway is now operational. This intersection will enable increased and safe mobility for people with disabilities. The Committee commended Council for its investment but agreed that there is a need for a long-term plan to facilitate APS devices all over the City, particularly in high profile areas where they are most needed.

The Committee therefore recommends that the installation of APS signals be phased in on an annual basis at major intersections and other areas where there is a need. In this regard, the Committee recommends that Council allocate an annual budget of \$50,000 to cover the cost of two APS systems per year, the locations for which will be decided in consultation with the MAC's APS Sub Committee.

2. <u>Mile One Stadium (New Videoboard and Score Clock)</u>

The Committee referenced the recent installation of a new video board and score clock at Mile One Stadium which is a vast improvement over the previous system, particularly in terms of its accessibility to persons who are deaf or hearing impaired. Announcements now appear in writing on the video board as well as in audible format.

The Committee commends St. John's Sports and Entertainment and Mile One Stadium for their replacement of the old score board with the new, more accessible video board. The Committee recommends that Council write a letter of appreciation on behalf of the Committee to the St. John's Sports and Entertainment Board.

3. <u>Release of Short Film "Afterthoughts" from the Coalition of Persons with</u> <u>Disabilities</u>

The attached media release is for Council's information and is with regard to a short film about the challenges of accessibility in the City of St. John's. The film was created by the Coalition of Persons with Disabilities and is available for public viewing at the following links:

| Part 1: | www.youtube.com/watch?v=kZ99XZ_q4a4 & |
|---------|---------------------------------------|
| Part 2: | http://youtu.be/P9R_i2iaenQ |

Kelly White Pauline Crann Co-Chairpersons

SJMC2012-11-05/553R

It was moved by Councillor O'Leary; seconded by Councillor Hann: That the Committee's recommendations be approved.

The motion being put was unanimously carried.

Police and Traffic Committee Report dated October 31, 2012

Council considered the following Police and Traffic Committee Report dated October 31: 2012:

| In Attendance: | Councillor Gerry Colbert, Chairperson | | | |
|----------------|--|--|--|--|
| | Deputy Mayor Shannie Duff | | | |
| | Councillor Danny Breen | | | |
| | Councillor Tom Hann | | | |
| | Councillor Sheilagh O'Leary | | | |
| | Councillor Frank Galgay | | | |
| | Mr. Scott Cluney, Downtown St. John's Representative | | | |
| | Mr. Chris Whelan, St. John's Transportation Commission | | | |
| | Mr. Bob Smart, City Manager | | | |
| | Mr. Walt Mills, Director of Engineering | | | |
| | Mr. Robin King, Transportation Engineer | | | |
| | Ms. Dawn Corner, Supervisor of Traffic and Parking | | | |
| | Mr. Blair Bradbury, Project Engineer | | | |
| | Mr. Bill MacDonald, Supervisor of Traffic and Signals | | | |
| | Mr. Chris Pitcher, Supervisor – Parking Services | | | |
| | Mr. Kevin Breen, Manager of Streets and Parks | | | |
| | Mr. Derm Layman, Head Foreperson, Traffic | | | |
| | Ms. Maureen Harvey, Recording Secretary | | | |

1. Parking Meters 2012 - \$1 and \$2 coins

The Committee considered a memorandum from the Transportation Engineer dated October 29, 2012 dealing with proposed replacement of all POM parking meter mechanisms in the City of St. John's.

The memorandum contained the background of the issue which arose in April 2012 when the Royal Canadian Mint unveiled a new generation of one dollar and two dollar coins which are not compatible with the existing meters.

The Committee reviewed three options for replacement of parking meters and the following is recommended:

It was moved by Councillor O'Leary; seconded by Councillor Breen that the City replace all its current stock of POM parking meters with the new mechanisms that accept all the standard Canadian coinage and that have the ability to accept payment by credit cards, smart cards and park cards in all areas of the City except Churchill Square. Meters in Churchill Square will be replaced with a pay by space kiosk operation.

It is further recommended that the rates for on-street metered parking be increased by \$.25 per hour to offset the increase in operating costs.

Funding to replace the parking meter mechanisms will be taken proportionately from the Downtown Parking Reserve fund and the Churchill Square Improvement fund.

2. Parking on Buchanan Street

The Committee considered a request to extending residential permit parking on Buchanan toward George Street.

It is recommended that residential parking be extended on Buchanan Street toward George Street.

Chairperson Councillor Gerry Colbert

SJMC2012-11-05/554R

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

The motion being put was unanimously carried.

Special Events Advisory Committee Report dated October 31, 2012

Council considered the following Special Events Advisory Committee Report dated October 31, 2012:

| 1) | Event: | DDC – Downtown Christmas Parade |
|----|---------------|---|
| | Date: | November 25, 2012 (Alternative date December 2) |
| | Time: | 12:0 pm – 2:30 pm |

This event has been moved from 1:00 pm to 12:00 pm due to the Ice Caps/AHL game time conflict. The Ice Cap game has been moved from 4:00 pm to 6:00 pm. This will alleviate traffic congestion and will free up the shuttle buses for the game.

The event requires the following Road Closures and No Parking - Tow Aways

Road Closures:

Factory Lane Plymouth Road Empire Avenue – Kings Bridge Road to Quidi Vidi Road Kings Bridge Road – Empire Avenue to Cavendish Square Cavendish Square Ordinance Street Duckworth Street – Temperance Street to Prescott Street Water Street – Prescott Street to Patrick Street New Gower Street

No Parking – Tow Aways:

Factory Lane Plymouth Road Empire Avenue – Rennies Mill Road to Quidi Vidi Road Circular Road – Bannerman road to Kings Bridge Road Kings Bridge Road Cavendish Square Duckworth Street – Temperance Street to Prescott Street Water Street – Prescott Street to Patrick Street

| 2) | Event: | Shea Heights Christmas Parade |
|----|---------------|-------------------------------|
| | Location: | Shea Heights |
| | Date: | December 2, 2012 |
| | Time: | 2:00 pm – 4:00 pm |

If DDC Parade goes ahead on this date the event will be cancelled.

| 3) | Event: | Festival of Music & Lights |
|----|---------------|--|
| | Location: | Bowring Park |
| | Date: | December 1, 2012 (Alternative date December 8) |
| | Time: | 5:00 pm – 6:00 pm |

SJMC2012-11-05/555R

It was moved by Councillor Tilley; seconded by Councillor Colbert: 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 October 26, 2012 to November 1, 2012:

| FOR THE PERIOD OF October 26, 2012 TO November 1, 2012 | | | | | | |
|--|--------------|--|-----------------------------------|------|--|----------|
| Code | Applicant | Application | Location | Ward | Development Officer's Decision | Date |
| RES | | Subdivide for Semi- Detached Dwelling | 172 Mundy Pond Rd | 3 | Approved | 12-10-26 |
| СОМ | Genivar Inc. | Proposed Subdivide of Property | 71-77 Elizabeth Avenue | 4 | Rejected – Contrary to Section 10.17.3(1) | 12-10-29 |
| RES | | Subdivide for Building Lot | Adjacent to No. 46 Bell's Turn | 4 | Approved | 12-10-30 |
| RES | | Building Lot | 436 Maddox Cove Road | 5 | Approved | 12-10-30 |
| СОМ | | Home Office – Plumbing Contractor | 24 Gorman Avenue | 5 | Approved | 12-10-30 |
| СОМ | Genivar Inc. | Proposed Subdivide for Future Commercial Lot | 32 Frecker Drive | 3 | Approved | 12-10-30 |
| COM | J and S Tile | Home Office | 63 Canada Drive | 3 | Approved | 12-11-01 |

DEVELOPMENT PERMITS LIST DEPARTMENT OF PLANNING FOR THE PERIOD OF October 26, 2012 TO November 1, 2012

| * | Code Classification: RES- Residential COM- Commercial AG - Agriculture OT - Other | INST IND | - Institutional - Industrial |
|----|---|-----------------------------|---|
| ** | This list is issued for information purpose: writing of the Development Officer's decisi to the St. John's Local Board of Appeal. | s only. App on and of ti | licants have been advised in heir right to appeal any decision |

Gerard Doran Development Officer Department of Planning

Building Permits List

SJMC2012-11-05/556R

It was moved by Councillor Hann; 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:

2012/10/31

Permits List

-

CLASS: COMMERCIAL

| 223 DUCKWORTH ST | CO | RESTAURANT |
|--------------------------------|----|---------------------------|
| 82 O'LEARY AVE | CO | WAREHOUSE |
| 655 TOPSAIL RD, CLOTHES MINDED | CO | RETAIL STORE |
| 137 BLACKMARSH RD | MS | CONVENIENCE STORE |
| 203 BLACKMARSH RD | MS | RETAIL STORE |
| 271 BLACKMARSH RD | MS | SERVICE SHOP |
| 271 BLACKMARSH RD | MS | OFFICE |
| 711 BLACKMARSH RD | MS | RETAIL STORE |
| 41 CHURCHILL SQ | SN | EATING ESTABLISHMENT |
| 50 KELSEY DR | MS | RETAIL STORE |
| 55 KELSEY DR | MS | OFFICE |
| 177 KENMOUNT RD | MS | CAR SALES LOT |
| 193 KENMOUNT RD | MS | RETAIL STORE |
| 468 LOGY BAY RD | MS | COMMERCIAL GARAGE |
| 358 MAIN RD | MS | SERVICE STATION |
| 341 MAIN RD - TIM HORTONS | SN | EATING ESTABLISHMENT |
| 38 ROPEWALK LANE | MS | SERVICE SHOP |
| 117 ROPEWALK LANE | MS | RETAIL STORE |
| 140 STAVANGER DR | MS | RETAIL STORE |
| 390 TOPSAIL RD | SN | RETAIL STORE |
| 585 TORBAY RD | MS | EATING ESTABLISHMENT |
| AVALON MALL-MOBILE SNAP | RN | RETAIL STORE |
| 79 MEWS PL | NC | ACCESSORY BUILDING |
| 345 DUCKWORTH ST | NC | FENCE |
| 41 CHURCHILL SQ-BUBBLE TEA ROO | CR | EATING ESTABLISHMENT |
| 22 AUSTIN ST | NC | FENCE |
| 15 ROWAN ST, PASTA PLUS | RN | RESTAURANT |
| 77 BLACKMARSH RD, UNIT B | RN | WAREHOUSE |
| 77 BLACKMARSH RD , UNIT A | RN | WAREHOUSE |
| 341 MAIN RD-TIM HORTON'S | SW | EATING ESTABLISHMENT |
| 430 TOPSAIL RD EASY FINANCIAL | CR | OFFICE |
| 112 MILITARY RD | RN | BOARDING HOUSE(4 OR LESS) |
| 15 INTERNATIONAL PL | RN | OFFICE |
| 10 FACTORY LANE | RN | OFFICE |
| | | |

2012-11-05

THIS WEEK \$ 1,649,292.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$

.00

CLASS: RESIDENTIAL 44 SPRUCE GROVE AVENCFENCE31 BLUE PUTTEE DR, LOT 159NCSINGLE DETACHED DWELLING269 BROOKFIELD ROADNCACCESSORY BUILDING13 CEDARHURST PLNCACCESSORY BUILDING25 COUNTRY GROVE PLNCSINGLE DETACHED DWELLING1 DOUGLAS ST - LOT 266NCSINGLE DETACHED & SUB.APT7 DOUGLAS ST - LOT 263NCSINGLE DETACHED & SUB.APT9 DOUGLAS ST - LOT 262NCSINGLE DETACHED & SUB.APT7 DRUGGET PLNCACCESSORY BUILDINGNCFENCE 44 SPRUCE GROVE AVE 7DRUGGET PLNCFENCE4EDINBURGH STNCACCESSORY BUILDING29GEAR STNCACCESSORY BUILDING55GLENLONAN ST., LOT 90NCSINGLE DETACHED & SUB.APT135GREAT EASTERN AVENCACCESSORY BUILDING29HOLBROOK AVENCFENCE67HUNTINGDALE DRNCACCESSORY BUILDING2KENAI CRES - LOT 177NCSINGLE DETACHED & SUB.APT436MADDOX COVE RD - LOT 9NCSINGLE DETACHED DWELLING30OBERON ST, LOT 180NCSINGLE DETACHED DWELLING104PEARLTOWN RDNCACCESSORY BUILDING5PLUTO STNCACCESSORY BUILDING14TITANIA PL, LOT 164NCSINGLE DETACHED DWELLING29SITKA ST - LOT 292NCSINGLE DETACHED DWELLING29WINTHROP PLNCFENCE5CARPASIAN RD, PONY PILATESCOHOME OCCUPATION29WINTHROP PLNCFENCE34SPRUCE GROVE AVECRSINGLE DETACHED & SUB.APT24FORT AMHERST RDEXSINGLE DETACHED DWELLING64MONKSTOWN RDEXSINGLE DETACHED DWELLING20OLD BAY BULDE RDEXSINGLE DETACHED DWELLING20OLD BAY BULDE RDEXSINGLE DETACHED DWELLING25COCK STRNSINGLE DETACHED DWELLING26GRAVES STRNTOWNHOUSING26GRAVES STRNTOWNHOUSING< 7 DRUGGET PL 4 EDINBURGH ST

 236 EMPIRE AVE

 25 GRAVES ST
 RN TOWNHOUSING

 260 HAMILTON AVE
 RN ACCESSORY BUILDING

 29 HENRY ST
 RN TOWNHOUSING

 25 MULLOCK ST
 RN APARTMENT BUILDING

 93 ST. CLARE AVE
 RN APARTMENT BUILDING

 39 SMITHVILLE CRES
 RN SINGLE DETACHED DWELLING

 50 TIFFANY CRT, 2ND FLOOR
 RN APARTMENT BUILDING

 81 WATERFORD BRIDGE RD
 RN SINGLE DETACHED DWELLING

 9 WEYMOUTH ST
 RN SINGLE DETACHED & SUB.API

14-16 YOUNG ST

NC FENCE NC FENCE NC ACCESSORY BUILDING RN SINGLE DETACHED & SUB.APT

RN TOWNHOUSING

11 PARKVIEW CRES SW SINGLE DETACHED DWELLING THIS WEEK \$ 3,762,727.00 CLASS: DEMOLITION 172 MUNDY POND RD DM SINGLE DETACHED DWELLING 700 THORBURN RD DM ACCESSORY BUILDING THIS WEEK \$ 1,000.00 THIS WEEK \$ 5,413,019.00 REPAIR PERMITS ISSUED: 2012/10/25 TO 2012/10/31 \$ 80,100.00 LEGEND CO CHANGE OF OCCUPANCY SN SIGN CR CHNG OF OCC/RENOVINS MS MOBILE SIGN

| CR | CHNG OF OCC/RENOVTNS | MS | MOBILE SIGN |
|----|----------------------|----|----------------------|
| ΕX | 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 |
| ΤI | TENANT IMPROVEMENTS | | |

The motion being put was unanimously carried.

Payrolls and Accounts

SJMC2012-11-05/557R

It was moved by Councillor Hann; seconded by Councillor Hickman: That the following Payrolls and Accounts for the week ending November 1, 2012 be approved:

Weekly Payment Vouchers For The Week Ending November 1, 2012

Payroll

| Public Works | \$ | 362,827.89 |
|------------------|-----|-------------|
| Bi-Weekly Casual | \$ | 25,536.41 |
| Accounts Payable | \$6 | ,379,748.32 |

Total:

\$ 6,768,112.62

The motion being put was unanimously carried.

Tenders

a. Tender – Tender – Robin Hood Bay Waste Management Facility 2012 Landfill Cover Material Production Contract

SJMC2012-11-05/558R

It was moved by Councillor Hann; seconded by Councillor Hickman: That the recommendation of the Deputy City Manager/Director of Public Works and Parks be approved and the tender awarded as follows:

a. Professional Grading & Contracting Ltd. @ \$868,970.00

The motion being put was unanimously carried.

Ratification of E-Poll

<u>SJMC2012-11-05/559R</u>

It was moved by Councillor Hickman; seconded by Councillor Breen: That the following E-Poll be ratified:

Attendance by Councillors O'Leary and Hanlon at NLOWE Gala Awards Dinner Nov. 1, 2012

The motion being put was unanimously carried.

November 2012 Economic Update

Councillor Tilley presented the highlights of the November 2012 Economic Update.

Request from St. John's Central Congregation of Jehovah's Witnesses requesting a fee waiver associated with re-shingling Roof Kingdom Hall

SJMC2012-11-05/560R

It was moved by Councillor Hann; seconded by Councillor Hanlon: That A request from St. John's Central Congregation of Jehovah's Witnesses requesting a fee waiver associated with re-shingling Roof Kingdom Hall, be approved.

The motion being put was unanimously carried.

Letter from Downtown St. John 's requesting that the City contribute \$4200.00 plus HST, towards the cost of the "Santa Shuttle"

SJMC2012-11-05/561R

It was moved by Councillor Tilley; seconded by Councillor Galgay: That a request that the City contribute \$4200.00 plus HST, towards the cost of the "Santa Shuttle", be approved.

The motion being put was unanimously carried.

Travel by His Worship the Mayor

Council considered a memorandum dated November 5, 2012 from His Worship the Mayor concerning the above noted.

SJMC2012-11-05/562R

It was moved by Councillor Galgay; seconded by Councillor Breen: That travel by His Worship the Mayor November 14 to 16, 2012 to Ottawa, Ontario to attend the Big City Mayor's Caucus meetings, as well as meeting with Mr. Ray Bassett, the Irish Ambassador to Canada, be approved.

The motion being put was unanimously carried.

Councillor Galgay

Councillor Galgay tabled a letter from a resident of Hipditch Hill objecting to the proposed installation of "No Parking" signs on Hipditch Hill, which was referred to the Transportation Engineer, and subsequent referral to the Police and Traffic Committee.

Councillor O'Leary

Councillor O'Leary advised that she was contacted by a residents upset she did not received notification of the sidewalk work being carried on Portugal Cove Road. The Deputy City Manager/Director of Public Works and Parks advised that it is the contractor's responsibility to approach the residents and in this case there was lack of communication. The Director advised that he has therefore asked the Streets Department staff to discuss the matter with the contractor.

Councillor O'Leary referred to a bulletin put out by the Province regarding a proposal being reviewed by the Newfoundland and Labrador's Environment and Conservation Department involving the establishment of a waste water treatment facility to be set up at the eastern end of St. John's harbor. Councillor O'Leary indicated her objection to the this type of operation in such a dense urban area. The Director of Engineering advised that the City has not to date received an application in this regard.

<u>Adjournment</u>

There being no further business, the meeting adjourned at 5:50 p.m.

MAYOR

CITY CLERK