

**MINUTES
REGULAR MEETING - CITY COUNCIL
April 18, 2016 - 4:30 p.m. - Council Chambers**

Present Mayor Dennis O'Keefe
Deputy Mayor R. Ellsworth
Councillor T. Hann
Councillor D. Lane
Councillor A. Puddister
Councillor D. Breen
Councillor J. Galgay
Councillor B. Tilley
Councillor S. O'Leary
Councillor W. Collins

Regrets: Councillor S. Hickman

Others Acting City Manager
Deputy City Manager of Community Services
Deputy City Manager of Planning, Development & Engineering
Deputy City Manager of Public Works
Deputy City Manager of Finance & Administration
Chief Municipal Planner
City Solicitor
City Clerk
Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-04-11/163R

**Moved – Councillor Collins; Seconded – Councillor Puddister
That the agenda be adopted as presented.**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-04-11/164R

Moved – Councillor Breen; Seconded – Councillor O'Leary

That the minutes of April 11, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING

**Decision Note dated April 13, 2016 from Chief Municipal Planner re:
Proposed Rezoning from Residential Medium Density (R2) Zone to the
Apartment Low Density (A1) Zone: 50-62 Bay Bulls Road**

SJMC2016-04-11/165R

Moved – Councillor Puddister; Seconded – Councillor Collins

**That the above noted be deferred until the next meeting of Council as
per the ward Councillor’s request.**

CARRIED UNANIMOUSLY

**Information note dated April 18, 2016 from Deputy City Manager Finance re:
Municipal Impact – Provincial Budget 2016**

Council considered the above noted as information.

NOTICES PUBLISHED

Council considered the following notices published:

- A Discretionary Use Application has been submitted requesting permission to occupy space at 36 Pearson Street as an Eating Establishment/Hookah Lounge. The business occupies a floor area of approximately 185m² and will operate Monday-Thursday 5-11 p.m., Friday 5 p.m.-1 a.m. and Saturday & Sunday 2 p.m.-1 a.m. On-site parking is provided.

Councillor Hann suggested the City should have a policy banning hookah lounges and referred the matter to staff to investigate.

Acting City Manager stated that the Provincial Government is currently reviewing hookah smoke as part of its review of the Smoke Free Environment Act.

Councillor Breen suggested a letter be written to the Provincial Government showing the City’s support of banning hookah lounges.

SJMC2016-04-11/166R

Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth

That the application be rejected as per staff’s recommendation.

CARRIED UNANIMOUSLY

- A Discretionary Use Application has been submitted requesting permission to use 4325 Trans-Canada Highway (Pasture Land Road) for agriculture-livestock use. The proposed 6.6 hectares of Crown Land will be used as a pasture for the grazing of livestock.

SJMC2016-04-11/167R

Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Finance and Administration Standing Committee Report of April 7, 2016

[Link to Report](#)

Council considered the above noted report.

SJMC2016-04-11/168R

Moved – Councillor Galgay; Seconded – Councillor Lane

That the report be approved as presented

CARRIED UNANIMOUSLY

Development Committee Report April 12, 2016

[Link to Report](#)

Council considered the above noted report.

SJMC2016-04-11/169R

Moved – Councillor Puddister; Seconded – Councillor Hann

That the report be approved as presented

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

Council considered as information the above noted for the period March 7 to April 13, 2016.

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for April 18, 2016.

SJMC2016-04-11/170R

Moved – Councillor Collins; Seconded – Councillor Tilley

That the building permits list for April 18, 2016 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending April 13, 2016.

SJMC2016-04-11/171R

Moved – Councillor Collins; Seconded – Councillor Tilley

That the Payrolls and Accounts for the weeks ending April 13, 2016 be approved.

CARRIED UNANIMOUSLY

TENDERS

SJMC2016-04-11/172R

Moved – Councillor Collins; Seconded – Councillor Tilley

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

- Tender 2016001 – Chemical Analysis Water and Waste Water
Maxxam Analytics Inc. \$31,102.00

- Tender 2016023 – Miscellaneous Asphalt Repairs (Roads)
S & L Enterprises \$549,577.76
- Tender 2016040 – Plumbing Repairs (NPH)
Summit Plumbing and Heating Limited \$100,375.00
- Tender 2016042 – International Truck Parts
Reefer Repair Services (2015) Limited \$668.09

CARRIED UNANIMOUSLY

NOTICES OF MOTION, WRITTEN QUESTIONS AND PETITIONS

Petitions dated July 2010 re: Phase 1 of the Cycling Master Plan

Councillor Puddister presented the above noted as information.

OTHER BUSINESS

Information note dated April 15, 2016 from Deputy City Manager Public Works re: 2015 Snow Clearing Report

Council considered the above noted as information.

OTHER BUSINESS

Councillor Hann

Asked for clarification on hookah lounges – he stated the City Manager will review with the Province and the City will write a letter to the Province in support of banning hookah lounges. Acting City Manager Kevin Breen stated yes this is correct, but it is too early to tell if the Provincial Government will ban the substance.

Councillor Puddister

Councillor Puddister inquired about new applications for hookah lounges. The Deputy City Manager of Planning and Development stated the Development Division will defer any new applications pending further investigation by staff and pending the results of the Provincial review.

Councillor Galgay

Councillor Galgay pointed out that there is an existing hookah lounge on Water Street that was permitted despite concerns (including his own) as it qualified as a permitted use.

Councillor O’Leary

Councillor O’Leary stated that the first coyote information session was very successful and more information is available on the City’s website.

She inquired as to when the Municipal Plan should be completed. As it is pending legal review, the City Solicitor replied it should be completed by June of this year.

Councillor O’Leary also voiced concerns for lower income families dealing with the ramifications of the Provincial Budget, stating that the City must keep this in mind going forward.

Mayor O’Keefe

Mayor O’Keefe stated he has written Minister Joyce to ascertain the status of the Northeast Avalon Regional Plan and is awaiting his reply.

Mayor O’Keefe also reminded residents that as of April 1st residents are required to cover their garbage.

ADJOURNMENT

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

MAYOR

CITY CLERK

REPORT

FINANCE AND ADMINISTRATION STANDING COMMITTEE - CITY COUNCIL

April 7, 2016 – 12:00 p.m. – Conference Room A

Present Councillor J. Galgay, Chair
Councillor T. Hann
Councillor S. Hickman
Councillor D. Lane (arrived at 12:15 pm)
Councillor A. Puddister (arrived at 12:26 pm)

Others Jason Sinyard Deputy City Manager - Planning, Development and Engineering
Tanya Haywood, Deputy City Manager – Community Services
Derek Coffey, Deputy City Manager - Financial Management
Lynnann Winsor, Deputy City Manager – Public Works
Sean Janes, City Internal Auditor
Kathy Driscoll, Legislative Assistant

REPORT

1. DN – Funding Requests

The Committee considered the above noted Decision Note.

Moved – Councillor Hickman; Seconded – Councillor Hann

The Committee approved funding in the amount of \$750 for both the Canadian Evaluation Society (CES) and the Financial Management Institute of Canada.

CARRIED UNANIMOUSLY

2. DN – Senior Citizen Tax Reduction

The Committee considered the above noted Decision Note. It was noted that an affidavit would be signed annually and each request dealt with on a case by case basis.

Moved – Councillor Lane; Seconded – Councillor Hann

The Committee approved the change to the Senior Citizen Tax Reduction requirement of being the assessed owner of the property when the property has been transferred to a family member and the former owner is still residing in the property provided all other eligibility criteria is met.

CARRIED UNANIMOUSLY

ST. JOHN'S

3. Welcome Reception – VP (Victoria Park) Foundation Board of Directors

The Committee discussed the above noted.

Moved – Councillor Hann; Seconded – councilor Hickman

The Committee agreed to approve a welcome reception for the Victoria Park Foundation Board of Directors with a date to be determined later.

CARRIED UNANIMOUSLY

Councillor Jonathan Galgay, Chair
Finance & Administration Committee

REPORTS/RECOMMENDATION

Development Committee

April 12, 2016 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

1. 83 Savannah Park Drive – SUB1600012 – Request for Frontage Variance

The Development Committee recommends that Council approve the 10% variance of frontage to allow for 13.716 metres.

2. 1 Maxwell Place – DEV1600007 – Request for Lot Area Variance

The Development Committee recommends that Council approve the 6.18% variance for Lot Area to allow for 422.2m².

3. 16 Bulrush Avenue (off Ruby Line) – INT1600038 – Request for Side Yard Variance

The Development Committee recommends that Council approve the 2% variance for Side Yard on Flanking Road to allow for the development.

**Jason Sinyard
Deputy City Manager – Planning, Development & Engineering
Chairperson**

Building Permits List

Council's April 18, 2016 Regular Meeting

Permits Issued: 2016/04/07 To 2016/04/13

Class: Commercial

102 Kenmount Dr	Ms	Office
120 Kenmount Rd	Ms	Car Sales Lot
120 Kenmount Rd	Ms	Car Sales Lot
193 Kenmount Rd	Ms	Restaurant
57 Old Pennywell Rd	Ms	Retail Store
38-42 Ropewalk Lane	Ms	Retail Store
13 Stavanger Dr	Ms	Restaurant
390 Topsail Rd	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
660 Torbay Rd	Ms	Service Station
Torbay Road-Torbay Rd Mall	Ms	Eating Establishment
Torbay Road-Torbay Rd Mall	Ms	Eating Establishment
611 Torbay Rd	Ms	Retail Store
80 Boulevard, Suite 414	Rn	Apartment Building
82 Kenmount Rd	Sw	Commercial Garage
145 Kelsey Dr	Rn	Office
14 International Pl, Unit 103	Cr	Office
27 New Gower St	Nc	Tavern
18 Hebron Way, Level 2	Rn	Office

This Week \$ 1,614,142.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

10 Bulrush Avenue - Lot 66	Nc	Single Detached Dwelling
170 Diamond Marsh Dr, Lot 14	Nc	Single Detached Dwelling
11 Dorset St	Nc	Accessory Building
29 Edinburgh St	Nc	Single Detached Dwelling
98 Firdale Dr	Nc	Fence
9 Galashiels Pl	Nc	Accessory Building
10 Guernsey Pl	Nc	Condominium
3 Henry Larsen St	Nc	Single Detached & Sub.Apt
5 Henry Larsen St, Lot 308	Nc	Single Detached Dwelling
1 Howlett Ave, Unit A	Nc	Townhousing
1 Howlett Ave, Unit B	Nc	Townhousing
1 Howlett Ave, Unit C	Nc	Townhousing
20 Munich Pl, Lot 08	Nc	Single Detached Dwelling
10 Orlando Pl, Lot 257	Nc	Single Detached Dwelling
36 Orlando Pl, Lot 244	Nc	Single Detached & Sub.Apt
35 Orlando Pl, Lot 264	Nc	Single Detached & Sub.Apt
4 Ozark Pl, Lot 419	Nc	Single Detached Dwelling
35 Penney Cres	Nc	Accessory Building
5 Rhaye Pl	Nc	Accessory Building

8 Solway Cres	Nc	Single Detached & Sub.Apt
2 Plover St	Cr	Subsidiary Apartment
9 Braemere St	Rn	Single Detached Dwelling
115 Forest Rd. Unit 103	Rn	Condominium
7-9 Gilbert St	Rn	Single Detached & Sub.Apt
74 Julieann Pl	Rn	Single Detached Dwelling
69 Springdale St	Rn	Townhousing
29 Suez St	Rn	Single Detached Dwelling
2 Waterford Ave	Rn	Single Detached & Sub.Apt
11 Ozark Pl	Sw	Vacant Land

This Week \$ 2,466,875.00

Class: Demolition

Pleasantville, Bldg 408	Dm	Admin Bldg/Gov/Non-Profit
Pleasantville, Bldg 409	Dm	Admin Bldg/Gov/Non-Profit
Pleasantville, Bldg 410	Dm	Admin Bldg/Gov/Non-Profit

This Week \$ 366,000.00

This Week's Total: \$ 4,447,017.00

Repair Permits Issued: 2016/04/07 To 2016/04/13 \$ 147,622.00

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

YEAR TO DATE COMPARISONS			
April 18, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$54,839,000.00	\$31,000,000.00	-43
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$7,542,000.00	\$2,486,000.00	-67
Residential	\$11,306,000.00	\$11,382,000.00	1
Repairs	\$898,340.00	\$668,000.00	-26
Housing Units(1 & 2 Family Dwelling	20	29	
TOTAL	\$74,585,340.00	\$45,536,000.00	-39

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manger
Planning & Development & Engineering

MEMORANDUM

Weekly Payment Vouchers For The Week Ending April 13, 2016

Payroll

Public Works \$ 403,202.29

Bi-Weekly Casual \$ 25,822.76

Accounts Payable \$ 4,142,914.50

Total: \$ 4,571,939.55

ST. JOHN'S

DEPARTMENT OF FINANCE

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