

April 27, 2015

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall at 4:30 p.m. today.

Mayor Dennis O'Keefe presided.

There were present also Deputy Mayor Ellsworth, Councillors Hann, Lane, Puddister, Breen, Galgay, Davis, Tilley, and Collins.

Regrets – Councillor Hickman.

The Acting City Manager; Acting Deputy City Manager of Public Works; Acting Deputy City Manager of Planning, Development and Engineering; Acting Deputy City Manager of Financial Management; City Solicitor; Chief Municipal Planner; City Clerk, and Senior Legislative Assistant were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2015-04-27/178R

Moved by Councillor Collins; seconded by Councillor Breen: That the agenda be adopted as presented.

The motion being put was unanimously carried.

Adoption of Minutes

SJMC2015-04-27/179R

Moved by Councillor Tilley seconded by Councillor Puddister: That the minutes of April 21, 2015 be adopted as presented.

The motion being put was unanimously carried.

**Department of Planning File# REZ1400025
St. John's Municipal Plan Amendment Number 129, 2015, and
St. John's Development Regulations Amendment Number 602, 2015
Proposed Text Amendment and Rezoning to the Residential Medium Density (R2) Zone
for 11 Single Detached Dwellings
591-609 Southside Road, Ward 5
Applicant: RJC Services**

Council considered a memorandum dated April 22, 2015 from the Chief Municipal Planner regarding the above noted matter.

SJMC2015-04-27/180R

Moved by Councillor Collins; seconded by Councillor Hann: That Council approve the resolutions for St. John's Municipal Plan Amendment Number 129, 2015 and St. John's Development Regulations Amendment Number 602, 2015, as adopted by Council be referred by City staff to the Department of Municipal and Intergovernmental Affairs with a request for Provincial registration.

The motion being put was unanimously carried.

Memo dated April 23, 2015 from the Acting City Manager re: Replacement of Mile One Air Handling Units

Council considered the above-noted memo.

SJMC2015-04-27/181R

Moved by Councillor Breen; seconded by Councillor Galgay: That Council approve the upgrading of air handling units at Mile One to four dehumidification units with financing maintaining the current subsidy, borrowing \$2.95 Million, and reallocating \$2.95 Million in gas tax moneys.

The motion being put was unanimously carried.

Memo dated April 23, 2015 to the Acting City Manager from the Manager of GIS re: Aerial Photography RFP

Council considered the above-noted memo.

SJMC2015-04-27/182R

Moved by Councillor Puddister; seconded by Councillor Lane: That Council award the contract to supply new Aerial Photography and orthoimagery to Leading Edge Geomatics at a cost of \$66,897.48 plus HST. The task to be completed is Study Area 2 – the entire City of St. John’s with an additional bounding area.

The motion being put was unanimously carried.

Notice of Motion – Repeal of the St. John’s Bicycle Helmet By-law

Pursuant to Councillor Davis’ Notice of Motion given during the April 21, 2015 Regular Meeting of Council “...to repeal the St. John’s Bicycle Helmet By-Law” the following motion was brought forward.

SJMC2015-04-27/183R

Moved by Councillor Davis; seconded by Councillor Tilley: That Council repeal the St. John’s Bicycle Helmet By-Law

The motion being put was unanimously carried.

It was noted that the repeal of this by-law is required as the Province has recently introduced province-wide legislation governing bicycle helmets and as such, the City’s by-law is now redundant.

Request from Terra Nova Art Foundation for Sponsorship or Purchase of Artwork in support of “The Venice Biennale”.

The above-noted matter was deferred at the last regular meeting of Council pending further review by staff.

Staff has undertaken a review and additional information was provided to Council for review.

SJMC2015-04-27/184R

Moved by Councillor Breen; seconded by Councillor Lane; That due to the prestige of the internationally renowned “Venice Biennale” and the rare opportunity that is being created to profile contemporary art from our local arts community, and subject to funds being identified in the Community Services Departmental Budget, approval be given to lend support to TNAF through their “Buy Art to Support” Art initiative and that the City purchase up to six pieces of limited edition prints each being sold for \$1,000.

The motion being put was unanimously carried.

Notices Published

Council considered the following Notices Published:

- **572 & 574 Topsail Road**
Residential Low Density
(R1) Zone

A Discretionary Use Application has been submitted requesting municipal approval to develop a 19m x 33m parking lot at the rear of **572 & 574 Topsail Road**. The parking lot will provide twenty-four (24) additional auxiliary parking spaces for the adjacent condominium development located at 566 Topsail Road. The parking lot will be accessed through the existing entrance to the condominium. One submission was received.

SJMC2015-04-13/185R

Moved by Councillor Tilley; seconded by Councillor Davis: That the above-noted application be approved subject to all applicable City requirements.

The motion being put was unanimously carried.

Public Works Standing Committee Report – April 16, 2015

Council considered the above noted report:

In Attendance: Councillor Jonathan Galgay, Chairperson
 Councillor Bruce Tilley
 Councillor Sandy Hickman
 Councillor Bernard Davis
 Kevin Breen, Acting City Manager
 Paul Mackey, Deputy City Manager of Public Works
 Brendan O’Connell, Director of Engineering
 Steve Colford, Manager of Waste & Recycling
 Phil Hiscock, Manager of Roads
 David Crowe, Operations Supervisor, Parks and Open Spaces
 Karen Chafe, Supervisor of Legislative Services

Mr. Dan MacEachern was also present from The Telegram.

Report:

1. **Robin Hood Bay Materials Recovery Facility (MRF) Contract Extension**
The Committee considered a memorandum dated March 12, 2015 from the Manager – Waste and Recycling regarding the above noted matter. The Committee on motion of Councillor Hickman; seconded by Councillor Galgay recommends the following as per Staff’s memo:

That the current contract with Scotia Recycling for operation of the MRF be extended for a five (5) year period in accordance with the provision of the original contract.

2. Garbage Collection Areas (CD#R2015-02-16/8)

The Committee considered a memorandum dated March 13, 2015 from the Deputy City Manager of Public Works regarding the route layout and numbering system for the garbage and recycling collection areas. Originally, the matter was raised by Councillor Collins who had received a complaint from a constituent about confusion with ward boundaries vs. the garbage collection calendar. The Committee recommends the following as per staff's recommendation:

It is not feasible to realign the collection areas to follow the ward boundaries; therefore, the current collection routes are recommended to be retained. It is further recommended that consideration be given to re-naming the garbage and recycling collection areas when the next major route revisions are implemented to avoid any potential confusion with ward boundaries.

3. Relocation of Downtown Parking Meters and Sign Posts Cost Estimate

The Committee considered a memorandum dated April 22, 2015 from the Director of Roads and Traffic regarding the relocation of parking meters to the back of the sidewalk in the Downtown area, particularly on Duckworth St. which will not be impacted by the streets reconstruction that will be taking place over the next 2-3 year period. Moving these meters and posts to the back of the sidewalk would greatly facilitate snow clearing and snow removal operations, as well as facilitate access to these meters for users at times of significant snow accumulation at the curb line.

The Committee recommends that Council consider a request for \$21,500 to fund the relocation of a total of 94 meter and sign posts to the back of the sidewalk on Duckworth St.

4. Community Gardens

The Committee considered a memorandum dated March 5, 2015 from the Operations Supervisor, Parks and Open Spaces regarding the above noted. The Committee recommends Council's approval of the following:

That consideration be given for the use of the following open spaces as community gardens:

- **Eric Street: the open space is adjacent to civic number 22. The total area is approximately 1300 m²; of this roughly 400 m² is suitable for a garden.**

- **Bond Street:** the open space is located at the corner of Bond Street and Colonial Street, surrounded by off street parking. A height restriction is required on Bond Street as it is on the corner. There are two small pieces and the total area is approximately 45m²

Councillor Jonathan Galgay
Chairperson

SJMC2015-04-27/185R

Moved by Councillor Galgay; seconded by Councillor Tilley: That the Public Works Standing Committee report of April 16, 2015 be adopted as presented.

The motion being put was unanimously carried.

Development Committee Report – April 21, 2015

Council considered the above noted report:

1. **Department of Planning & Development File No. DEV1500028
Proposed Installation of Cul de Sac to Accommodate Residential Building Lot
Location: Corner of Howlett's Line & Dinn's Avenue
Rural Residential (RR) Zone - Ward 5**

It is the recommendation that this application be granted Approval in Principle, subject to the following conditions:

1. Installation of the cul de Sac which conforms to City Standards.
2. Compliance with the requirements of the Planning, Development and Engineering Divisions.
3. The required Building Permits must be obtained from the City, prior to the commencement of any development.

Dave Blackmore
Deputy City Manager – Planning, Development and Engineering
Chairperson

SJMC2015-04-27/186R

It was decided on motion of Councillor Hann; seconded by Councillor Lane: That the Development Committee Report of April 21, 2015 be adopted as presented.

The motion being put was unanimously carried.

Development Permits List

Council considered as information the Development Permits List for the period April 16 – 22, 2015.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF April 16 TO April 22**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Superior Propane	Proposed Area for two additional propane tanks	287 Kenmount Road	4	Approved	15-04-17
AG		Crown land Lease for Agriculture Use	Pastureland Road	5	Rejected-located in the Thomas Pond Protected Watershed Area	15-04-27

*	Code Classification: RES- Residential COM- Commercial AG - Agriculture OT - Other	INST IND	- Institutional - 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 Supervisor
Department of Planning**

Building Permits List

Council considered the Building Permits list for the period of April 16 – April 22, 2015.

**Building Permits List
Council's April 27, 2015 Regular Meeting**

Permits Issued: 2015/04/16 To 2015/04/22

Permits List

Class: Commercial

253 Duckworth St	Co	Office
366 Blackhead Rd	Ex	Salvage Yards
Reservoir Rd	Sw	Light Industrial Use
29 Howley Ave Exten	Sn	Office
430 Topsail Rd	Nc	Accessory Building
166 Merrymeeting Rd	Nc	Patio Deck
333 Duckworth St	Rn	Office
80 Boulevard, Unit 710	Rn	Apartment Building
120 Torbay Rd	Rn	Office
136 Crosbie Rdlevel 4	Cr	Office
48 Kenmount Rd- Sephora	Cr	Retail Store
14 International Pl, Suite 1	Cr	Clinic
125 Harbour Dr "Keg"	Rn	Restaurant
5 Hebron Way	Nc	Mixed Use

This Week \$ 3,114,339.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

29 Ballylee Cres, Lot 372	Nc	Single Detached Dwelling
8 Biscay Pl	Nc	Accessory Building
26 Cook St	Nc	Patio Deck
79 Della Dr	Nc	Accessory Building
127 Forest Rd	Nc	Accessory Building
147 Green Acre Dr	Nc	Fence
12 Guernsey Pl, Lot 24	Nc	Condominium
12 Guernsey Pl, Lot 24 Unit 1	Nc	Condominium
12 Guernsey Pl, Lot 24 Unit 2	Nc	Condominium
12 Guernsey Pl, Lot 24 Unit 4	Nc	Condominium
12 Guernsey Pl, Lot 24 Unit 3	Nc	Condominium
9-11 New Cove Rd	Nc	Fence
7 Stanford Pl, Lot 20	Nc	Single Detached Dwelling
23 Stanford Pl, Lot #36	Nc	Single Detached Dwelling
242 Stavanger Dr - Lot 66	Nc	Single Detached Dwelling
5 Tansley St, Lot 55	Nc	Single Detached Dwelling
102 Teakwood Dr	Nc	Accessory Building
102 Teakwood Dr	Nc	Fence
12 Hunt's Lane	Cr	Subsidiary Apartment
127 Forest Rd	Ex	Accessory Building
16 Beacon Hill Cres	Rn	Single Detached Dwelling
99 Bonaventure Ave	Rn	Single Detached Dwelling
80 Boulevard, Unit 513	Rn	Apartment Building
141 Casey St	Rn	Semi-Detached Dwelling
102 Circular Rd	Rn	Townhousing
196 Empire Ave	Rn	Townhousing

198 Empire Ave	Rn	Townhousing
200 Empire Ave	Rn	Townhousing
202 Empire Ave	Rn	Townhousing
204 Empire Ave	Rn	Townhousing
206 Empire Ave	Rn	Townhousing
208 Empire Ave	Rn	Townhousing
210 Empire Ave	Rn	Townhousing
69 Freshwater Rd	Rn	Single Detached Dwelling
51 Hoyles Ave	Rn	Townhousing
53 Hoyles Ave	Rn	Townhousing
55 Hoyles Ave	Rn	Townhousing
57 Hoyles Ave	Rn	Townhousing
9 Kitchener Ave	Rn	Apartment Building
49 Mark Nichols Pl	Rn	Single Detached Dwelling
53 Mayor Ave	Rn	Single Detached Dwelling
83 Mayor Ave	Rn	Single Detached Dwelling
128 Newtown Rd	Rn	Single Detached Dwelling
146 Patrick St	Rn	Semi-Detached Dwelling
10 Sinnott Pl	Rn	Single Detached Dwelling
141 Torbay Rd, East Coast Mor.	Rn	Retail Store
21 Whiteway St	Rn	Subsidiary Apartment

This Week \$ 2,352,650.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 5,466,989.00

Repair Permits Issued: 2015/04/16 To 2015/04/22 \$ 107,675.00

11 Thistle Place - Application for two level, detached garage has been rejected at contrary to Section 8.3.6(3)(i)(b) of the St. John's Development Regulations.

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 27, 2015			
TYPE	2014	2015	% VARIANCE (+/-)
Commercial	\$21,555,600.00	\$58,975,000.00	174
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$42,454,000.00	\$7,542,000.00	-8
Residential	\$30,837,000.00	\$13,965,000.00	-55
Repairs	\$518,700.00	\$1,036,000.00	100
Housing Units (1 & 2 Family Dwellings)	59	25	
TOTAL	\$95,365,300.00	\$81,518,000.00	-15

Respectfully Submitted,

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

SJMC2015-04-27/187R

Moved by Councillor Davis; seconded by Councillor Tilley: That the building permits list for the period April 16 – April 22, 2015 be approved as presented.

The motion being put was unanimously carried

Requisitions, Payrolls and Accounts

Council considered the requisitions, payrolls and accounts for the week ending April 22, 2015.

**Weekly Payment Vouchers
For The
Week Ending April 22, 2015**

Payroll

Public Works	\$ 376,456.46
Bi-Weekly Administration	\$ 777,562.55
Bi-Weekly Management	\$ 801,472.98
Bi-Weekly Fire Department	\$ 672,599.75
Accounts Payable	\$1,701,712.09
Total:	\$ 4,329,803.83

SJMC2015-04-27/188R

Moved by Councillor Davis; seconded by Councillor Tilley: That the Payrolls and Accounts for the week ending April 22, 2015 be approved.

The motion being put was unanimously carried.

Tenders

Council considered the following tender:

- Tender 2015046 Streets Rehab #1

SJMC2015-04-27/176R

Moved by Councillor Davis; seconded by Councillor Tilley: That the tender for Streets Rehab #1 be awarded to Pyramid Construction Limited in the amount of \$8,581,135.82 as per the Public Tendering Act. HST is included in the price.

The motion being put was unanimously carried.

Notice of Motion

Councillor Hann gave notice that at a future meeting of Council, he intends to introduce a by-law to be known as the St. John's Trailer By-law.

Request from Councillor Puddister dated April 23, 2015 re: NEAJTC Annual Barbecue

Council was asked to consider hosting the annual barbecue for the Northeast Avalon Joint Town Council as it has done in the past number of years. It was noted that the Minister of the Department of Municipal Affairs and all members of Council will be invited to attend.

SJMC2015-04-27/189R

Moved by Councillor Puddister; seconded by Councillor Lane: That approval be given for the City to host the annual year end barbecue for the Northeast Avalon Joint Town Council.

The motion being put was unanimously carried.

Memorandum dated April 27, 2015 from Mayor Dennis O'Keefe re: Travel

Council considered the above-noted request which requested approval for the Mayor to attend World Energy Partnership meetings and Offshore Technology Conference (OTC) promotional meetings in Houston, Texas from May 2 – May 7, 2015.

SJMC2015-04-27/190R

Moved by Councillor Tilley; seconded by Councillor Davis: That approval be given for the Mayor to travel to Houston, Texas from May 2-7, 2015.

The motion being put was unanimously carried.

Councillor Collins

Referencing the upcoming contract that would see a section of Southside Road paved, Councillor Collins requested the Engineering Department review the areas where there is excessive run-off from the hill, to see if remedial action can be taken prior to the laying of new asphalt.

Councillor Tilley

Councillor Tilley reported that Seniors Day will take place June 7th. The theme is “Living for Tomorrow” and the keynote speaker is sure to be entertaining. A number of activities have been planned for the enjoyment of seniors.

Councillor Hann

Councillor Hann reminded Council that Wednesday, May 6th is Municipal Awareness Day. There will be an expo taking place at the Village Mall where Councillors and staff will be present to provide information to the general public.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth was pleased to inform Council of today’s launch of the introduction of two accessible taxi cabs by Jiffy and Newfound Cabs. He noted this has been an ongoing initiative of the City for some time and commended the Province for its commitment to the project. He hopes that the benefits will eventually result in a province-wide service and noted the City will move forward with an RFP in the coming months to release the remaining seven accessible taxi licenses.

The Deputy Mayor also clarified that recent announcements about the capture of cats is an annual ongoing program and not targeted to address any specific problem.

Adjournment

There being no further business the meeting adjourned at 5:52 p.m.

MAYOR

CITY CLERK