

January 19, 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 Ron Ellsworth; Councillors Hann, Davis, Puddister, Hickman, Breen, Lane, Galgay, Tilley, and Collins.

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

Call to Order and Adoption of the Agenda

SJMC2015-01-19/030R

It was decided on motion of Councillor Collins; seconded by Councillor Puddister: That the agenda be adopted as presented.

The motion being put was unanimously carried.

Adoption of Minutes

SJMC2015-01-19/031R

It was decided on motion of Councillor Lane; seconded by Councillor Hickman: That the minutes of January 12, 2015 be adopted as presented.

The motion being put was unanimously carried.

Business Arising from the Minutes

**PDE File: REZ1400015 (deferred from January 5, 2015 meeting)
Proposed Rezoning from the commercial Neighbourhood (CN) Zone, Open Space (O) zone and the Rural (R) Zone to a Residential Zone
310 Main Road, Goulds, Ward 5**

Discussion took place with the following motion to defer put forward:

SJMC2015-01-19/032R

Moved by Councillor Collins; seconded by Councillor Puddister: That the above-noted application be deferred.

Voting in favor of the motion were Councillors Collins, Puddister and Mayor O’Keefe.

**Voting against the motion were Deputy Mayor Ellsworth, Councillors Hann, Hickman, Lane, Breen, Davis, Galgay, and Tilley.
The motion was defeated.**

SJMC2015-01-19/033R

It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That Council reject an application to rezone land at 310 Main Road, Goulds from the Commercial Neighbourhood (CN) Zone, Open Space (O) Zone and the Rural (R) Zone to a Residential Medium Density (R2) Zone and/or Apartment Low Density (A1) Zone.

The motion being put was carried with Councillor Collins dissenting.

Snowclearing Report 2014

For informational purposes and as requested at the last regular meeting, Council was provided with preliminary snow clearing budget results for the year ended December 31, 2014. Recognizing a budget of more than \$16m for 2014, the overall result is a deficit of \$130,000 or less than 1%.

Committee Reports

Development Committee Report – January 13, 2015

Council considered the following report.

- 1. Department of Planning, Development & Engineering SUB1400004
Proposed Townhouse Development Three (3) Lots
Aiden Craig
53 Fleming Street - Ward 2
Residential Medium Density (R2) Zone**
-

It is recommended by the Development Committee that Council approve the 9% variance on lot area to allow for development of the townhouses.

2. **Planning, Development & Engineering File No. DEV1400042
Proposed Addition of Clinic and Parking Relief
Civic No. 181 Mundy Pond Road - Ward 3
Residential Low Density (R1) Zone**

It is the recommendation of the Development Committee that twenty-one (21) parking spaces will be sufficient for this proposed business. Parking relief may be approved by council.

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

SJMC2015-01-19/032R

**It was decided on motion of Councillor Hann; seconded by Councillor Davis:
That the recommendations of the Development Committee as identified in the
January 13, 2015 report be adopted as recommended.**

The motion being put was unanimously carried.

Heritage Advisory Committee Report – January 9, 2015

In Attendance: Councillor Sandy Hickman, Co-Chairperson
Councillor Dave Lane, Co-Chairperson
Deputy Mayor Ron Ellsworth
George Chalker, Heritage Foundation of NL
Peter Jackson, NL Historic Trust
Wayne Purchase, Downtown St. John's
Shannie Duff, Citizen Representative
Maria Lear, Citizen Representative
Garnet Kindervater, Canadian Homebuilders NL
Lydia Lewycky, Planners' Institute
Jason Sinyard, Director of Planning & Development
Ken O'Brien, Chief Municipal Planner
Sylvester Crocker, Manager of Technical Services
Peter Mercer, Heritage Officer
Margaret Donovan, Tourism Industry Coordinator
Helen Miller, City Archivist
Kathy Driscoll, Legislative Assistant
Karen Chafe, Supervisor of Legislative Services

1. **55 Duckworth Street – Exterior Renovations**

The Committee met with Mark Whelan, Troy Healey and Elaine Campbell of Fougere Menchenton to discuss their application for exterior renovations to 55 Duckworth Street. A copy of the architectural renderings is attached to this report.

The Committee recommends approval of the plans as submitted.

2. **318 Water Street – Rooftop Deck for the Cove at O’Reilly’s**

During the Heritage Advisory Committee meeting of June 22, 2011, the attached design was approved for the rooftop deck. A photo of the property as it presently exists was also presented as attached and shows that the deck’s wall, facing the laneway side of the building, actually protrudes beyond the building which is contrary to the approved design.

The Committee recommends that the applicant be required to conform to the original approval of June 22, 2011.

**Councillor Sandy Hickman
Co-Chair**

SJMC2015-01-19/033R

It was decided on motion of Councillor Galgay; seconded by Councillor Puddister: That Council adopt the recommendation contained in the Heritage Advisory Committee Report dated January 9, 2015 with respect to 55 Duckworth Street and that the recommendation regarding 318 Water Street be deferred for further consideration.

The motion being put was unanimously carried.

Building Permits List

Council considered the Building Permits list for the period January 8, 2015 to January 15, 2015.

**Building Permits List
Council’s January 19, 2015 Regular Meeting**

Permits Issued: 2015/01/08 To 2015/01/14

Class: Commercial

3-7 Cashin Ave	Co	Retail Store
290 Lemarchant Rd	Co	Office
20 Cathedral St	Sn	Service Shop
30 Eastland Dr	Sn	Office
25 Hebron Way	Ms	Retail Store
279 Portugal Cove Rd	Ms	Restaurant

40 Ropewalk Lane	Kfc	Sn	Eating Establishment	
40 Ropewalk Lane	Kfc	Sn	Eating Establishment	
20 Cathedral St		Cr	Service Shop	
59 Duckworth St		Rn	Office	
720-764 Kenmount Rd		Sw	Vacant Land	
				This Week \$ 37,425.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

29 Petite Forte Dr		Ex	Single Detached Dwelling	
79 Cape Pine St		Rn	Single Detached Dwelling	
5 Capulet St		Rn	Single Detached Dwelling	
14 Cherrington St		Rn	Single Detached & Sub.Apt	
14 Colonial St		Rn	Townhousing	
61 Grenfell Ave		Rn	Single Detached Dwelling	
93 Lester St		Rn	Single Detached Dwelling	
33 Willenhall Pl		Rn	Single Detached & Sub.Apt	
75 Della Dr		Sn	Home Office	
				This Week \$ 117,950.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 155,375.00

Repair Permits Issued: 2015/01/08 To 2015/01/14 \$ 11,000.00

Legend

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

YEAR TO DATE COMPARISONS			
January 19, 2015			
TYPE	2014	2015	% VARIANCE (+/-)
Commercial	\$3,433,000.00	\$2,221,000.00	-35
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$0.00	\$0.00	0
Residential	\$419,500.00	\$382,482.00	-9
Repairs	\$70,000.00	\$23,000.00	-67
Housing Units (1 & 2 Family Dwellings)	2	0	
TOTAL	\$3,922,500.00	\$2,626,482.00	-33

Respectfully Submitted,

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

SJMC2015-01-19/034R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That the recommendations of the Director of Planning and Development with respect to the Building Permits List for the period January 8, 2015 to January 14, 2015 be approved.

The motion being put was unanimously carried.

Requisitions, Payrolls and Accounts

Council considered the requisitions, payrolls and accounts for the week ending January 14, 2015.

**Weekly Payment Vouchers
For The
Week Ending January 14, 2015**

Payroll

Public Works	\$ 554,706.98
Bi-Weekly Administration	\$ 818,067.73
Bi-Weekly Management	\$ 834,332.41
Bi-Weekly Fire Department	\$ 714,547.86
Accounts Payable	\$2,824,088.67
Total:	\$ 5,745,743.65

SJMC2015-01-19/035R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That the Payrolls and Accounts for the week ending January 14, 2015 be approved.

The motion being put was unanimously carried.

Tenders

Council considered the following tender:

- Council Approval - Tender 2014126 – Purchase of Fencing Bowring Park Pool.

Fencing – Bowring Park Pool	
TENDER #2014118 HST Extra	
Provincial Fence Products	\$58,161.10
Rona	\$79,295.35
Apex	\$63,890.50

SJMC2015-01-19/036R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That Council award the above-noted tender to Provincial Fence Products, the lowest qualified bidder that meets specification, as per the Public Tendering Act.

The motion being put was unanimously carried.

Memorandum dated January 7, 2015 from the City Solicitor re: 135 Campbell Avenue

Council considered the above noted which stated the City owns a strip of land adjacent to 135 Campbell Avenue, which has been leased to the owner of that property for several years. The owner of 135 Campbell Avenue is now interested in purchasing it, subject to a sewer line easement in favor of the City. The Manager of Real Estate Services has established a value of land at \$4 per square foot (approximately \$5,176.00).

SJMC2015-01-19/037R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That approval be given for the sale of land adjacent to 135 Campbell Avenue as recommended.

The motion being put was unanimously carried.

Memorandum dated January 9, 2015 from the City Solicitor re: Major's Path Street Widening

Council considered the above noted which outlined the City requires land from property at 77 Major's Path from Tripple JK and L Holdings Ltd. As negotiations have not been successful for the purchase of this land it is recommended it be expropriated.

SJMC2015-01-19/037R

It was decided on motion of Councillor Puddister; seconded by Councillor Breen: That approval be given to proceed with expropriation of land at 77 Major's Path as recommended.

The motion being put was unanimously carried.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth referenced a demonstration that had taken place by lobbyists in support of the clean-up of oil from the sunken ship, the Manolis L.

SJMC2015-01-19/037R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Davis: That a letter of support be sent to lobbyists, reaffirming the City's support for Governments to move forward with clean-up of fuel leaks from the sunken ship, the Manolis L.

The motion being put was unanimously carried.

Councillor Puddister

- Requested that the Mayor contact the St. John's Port Authority with respect to the restricted access to the harbor apron. He reported that upon return of the HMCS Toronto, this past weekend, it was noticed that some greeters were inside the harbor fence while other greeters were outside.

Councillor Galgay

- Requested a report on the protocol for snow clearing fire hydrants at the next meeting of the Public Works Committee.

Councillor Breen

- Recognizing there is a public information session on January 22, 2015 regarding the Long Pond Weir Project, requested that the consultant be asked to consider having the proposed design include a provision that would see improvements to the width of the sidewalk as it is very narrow and dangerous.

Adjournment

There being no further business the meeting adjourned at 5:27 p.m.

MAYOR

CITY CLERK