

January 26, 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; Deputy City Manager of Financial Management; Deputy City Manager of Public Works; Deputy City Manager of Planning, Development & Engineering; Deputy City Manager of Community Services; Chief Municipal Planner; Acting City Solicitor; and Acting City Clerk were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2015-01-26/038R

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

Adoption of Minutes

SJMC2015-01-26/039R

It was decided on motion of Councillor Puddister; seconded by Councillor Tilley: That the minutes of January 19, 2015 be adopted as presented.

Business Arising

146-148 Ladysmith Drive, Ward 4

Proposed Rezoning to Apartment Medium Density (A2) Zone

Proponent: 11368 NL. Ltd./Northern Property REIT

St. John's Municipal Plan Amendment Number 131, 2014 and

St. John's Development Regulations Amendment Number 606

Council considered a memorandum dated January 20, 2015 from the Chief Municipal Planner regarding the above noted, as well as the report of Commissioner Wayne Thistle with hearing date December 11, 2014 and recommendation date January 7, 2015.

SJMC2015-01-26/040R

It was moved by Councillor Hann; seconded by Councillor Galgay: That Council approve the St. John's Municipal Plan Amendment Number 131, 2014, and the St. John's Development Regulations Amendment Number 606, 2014 as previously adopted on November 17, 2014.

SJMC2015-01-26/041R

It was then moved by Councillor Davis; seconded by Councillor Lane: That the matter be deferred.

There voting for the motion to defer were the mover, seconder, Deputy Mayor Ellsworth, Councillors Puddister and Hickman; voting against were Mayor O'Keefe, Councillors Collins, Tilley, Galgay, Breen and Hann.

The motion to defer was lost.

Those speaking in favor of the main motion to approve the planning amendments as outlined above referenced the fact that the land in question is privately owned; that there are inconsistencies with the Commissioner's report; that the proposed use is less intense than what could be approved under the present zone; that there is a lack of expert validation to substantiate the claim of decreased property values; that the proponent has committed to working with the residents of Kenmount Terrace on various issues such as the mitigation of traffic concerns and the provision of playground equipment.

Those speaking against the motion disagreed with the assertions outlined by those in favour, noting that residents were advised that the land would be reserved for institutional use and this was a factor that encouraged residents to purchase here in the first place. The assertion was also made that residents were misled and this was noted in the Commissioner's report. The existing lack of amenities in the area should be addressed prior to further development taking place, particularly given the high density that already exists. There is a need for improved road connections between major arteries and a need to address the rising crime in the area.

The main motion being put, was carried with Councillors Davis and Puddister dissenting.

SJMC2015-01-26/042R

It was then moved by Councillor Davis; seconded by Councillor Lane: That Kenmount Terrace be prioritized for a traffic calming study.

Members of Council expressed concern that approval of this motion would take precedence over the priority of traffic calming measures slated for other parts of the City.

SJMC2015-01-26/043R

It was then moved by Councillor Collins; seconded by Councillor Breen: That the motion be amended to refer the matter to the next meeting of the Police & Traffic Committee for review, particularly given that the developer has agreed to assist with the cost of traffic calming measures.

The amended motion being put was unanimously carried.

Councillor Davis exited the meeting at 5:25 p.m.

Snowclearing Report

Under business arising, Council considered as information the memorandum dated January 21, 2015 from the Deputy City Manager of Financial Management regarding the above noted.

Proposed Rezoning from CDA to RQ and O Zones for 6-Lot Residential Subdivision situated at 39, 39B and 39C Quidi Vidi Village Road and City-owned land to the west, Ward 2

Applicant: Powder House Hill Investments Limited

Under business arising, Council considered a memorandum dated January 21, 2015 from the Chief Municipal Planner regarding the above noted.

SJMC2015-01-26/044R

It was decided on motion of Councillor Galgay; seconded by Councillor Lane: That Council adopt the St. John's Development Regulations Amendment No. 604, 2014. This would have the effect of rezoning the front portion of the subject property 39B and 39C Quidi Vidi Village Road, as well as the adjoining house at 39 Quidi Vidi Village Road and a parcel of City-owned land, from the CDA-6 Zone to the Residential Quidi Vidi (RQ) Zone. The rear portion of the subject property, from the underground pipeline to the northern property boundary overlooking Quidi Vidi Lake, would be rezoned from CDA-6 to the Open Space (O) Zone, along with a section of land to the west of Civic 39. No Municipal Plan amendment would be required.

Notices Published

Council considered the following application:

A Discretionary Use (Restoration of Non-Conforming Use) Application has been submitted to remove and rebuild the dwelling at 672 Main Road. The new dwelling is proposed to be 50% larger than the existing dwelling, and will have a maximum total floor area of 132m²

SJMC2015-01-26/045R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That the application re: 672 Main Road be approved subject to all applicable City requirements.

Economic Development, Tourism & Public Engagement Standing Committee Report of January 21, 2015

Council considered the above noted report:

In Attendance: Councillor Dave Lane, Co-Chairperson
Councillor Bruce Tilley, Co-Chairperson
Mayor Dennis O'Keefe
Deputy Mayor Ron Ellsworth
Councillor Sandy Hickman
Councillor Tom Hann
Jill Brewer, Deputy City Manager of Community Services
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Elizabeth Lawrence, Director of Strategy & Engagement
Victoria Etchegary, Manager of Strategic Development
Deborah Cook, Manager of Tourism & Culture Division
Karen Chafe, Supervisor of Legislative Services
Stephanie Bowring, Happy City (observer)

1. Quidi Vidi Village Plantation Wharf Usage

The Committee considered the attached memorandum dated January 16, 2015 from the Deputy City Manager of Community Services regarding the above noted matter.

The Committee on motion of Deputy Mayor Ellsworth; seconded by Mayor O'Keefe recommends that Council defer consideration of the Quidi Vidi Village Plantation Wharf usage until the Expression of Interest is developed and reviewed for future programs and services of the Quidi Vidi Village Plantation.

2. Transportation Association of Canada Conference – September 23-28, 2017

The Committee considered the attached memorandum dated January 16, 2015 from the Deputy City Manager of Community Services regarding the above noted matter.

The Committee on motion of Deputy Mayor Ellsworth; seconded by Councillor Hickman recommends that due to the economic benefits to the City of St. John's, Council approve \$2,500 for the Transportation Association of Canada Conference under the Financial Support Policy for Meetings and Conventions.

Councillor Bruce Tilley
Co-Chairperson

Councillor Dave Lane
Co-Chairperson

SJMC2015-01-26/046R

It was moved by Councillor Lane; seconded by Councillor Tilley: That the report be adopted as presented.

With regard to item # 1 of the report Councillor Puddister cautioned that as the Quidi Vidi wharf is a City-owned facility, care must be taken to ensure a fair and transparent process is in place should the City decide to proceed with a request for proposals for use of the wharf.

The motion being put was carried unanimously.

Councillor Tilley elaborated on various updates emanating from the Economic Development, Tourism & Public Engagement Committee which were not included within this report. A copy of the Committee's agenda is on file with the Office of the City Clerk.

(Councillor Davis returned to the meeting at 5:29 p.m.)

Development Permits List

Council considered as information the Development Permits List for the period January 15, 2015 to January 21, 2015.

Building Permits List

Council considered the Building Permits list for the period January 15, 2015 to January 21, 2015.

Building Permits List Council's January 26, 2015 Regular Meeting

Permits Issued: 2015/01/15 To 2015/01/21

Class: Commercial

36 Pearson St	Co	Retail Store
166 Water St	Co	Retail Store
55 Duckworth St	Rn	Office
1 Anderson Ave	Ms	Clinic
48 Kenmount Rd, Motherhood	Sn	Retail Store
12 Bay Bulls Rd	Ms	Eating Establishment
255 Bay Bulls Rd	Ms	Retail Store
260 Blackmarsh Rd Dominion	Ms	Retail Store
57 Blackmarsh Rd	Ms	Place Of Assembly
44 Crosbie Rd	Ms	Convenience Store
10 Elizabeth Ave	Ms	Retail Store
44 Elizabeth Ave	Ms	Eating Establishment
84-86 Elizabeth Ave	Ms	Service Shop
92 Elizabeth Ave	Ms	Club
92 Elizabeth Ave	Ms	Office
385 Empire Ave	Ms	Office
395 Empire Ave	Ms	Club
391-395 Empire Ave	Ms	Retail Store
32 Frecker Dr	Ms	Service Station
324 Frecker Dr	Ms	Convenience Store
78 Harvey Rd	Ms	Eating Establishment
12-20 Highland Dr	Ms	Retail Store
189 Higgins Line	Ms	Office
61 James Lane	Ms	Warehouse
55b Kelsey Dr	Ms	Communications Use
55 Kelsey Dr	Ms	Office
58 Kenmount Rd	Ms	Office
120 Kenmount Rd. Sign #1	Ms	Car Sales Lot
120 Kenmount Rd., Sign #2	Ms	Car Sales Lot
33 Kenmount Rd	Ms	Office
85-95 Kenmount Rd	Ms	Car Sales Lot
275 Kenmount Rd	Ms	Eating Establishment
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
497 Kenmount Rd	Ms	Car Sales Lot
75 Kiwanis St	Ms	Club
90 Logy Bay Rd	Ms	Club
326 Logy Bay Rd	Ms	Convenience Store
484 Main Rd	Ms	Club
10 Messenger Dr	Ms	Retail Store
6 Mullaly St	Ms	Warehouse
34 New Cove Rd	Ms	Place Of Amusement
119 New Cove Rd	Ms	Clinic
446 Newfoundland Dr	Ms	Restaurant
87 Old Pennywell Rd	Ms	Convenience Store
60 O'leary Ave	Ms	Retail Store
37 O'leary Ave	Ms	Retail Store
20 Peet St	Ms	Car Sales Lot
59-61 Pippy Pl	Ms	Retail Store
279 Portugal Cove Rd	Ms	Service Shop
279 Portugal Cove Rd	Ms	Clinic

35 Ridge Rd	Ms	Club		
46-50 Robin Hood Bay Rd	Ms	Industrial Use		
20 Ropewalk Lane	Ms	Service Shop		
45 Ropewalk Lane	Ms	Retail Store		
10 Stavanger Dr	Ms	Retail Store		
16 Stavanger Dr	Ms	Restaurant		
410 Stavanger Dr	Ms	Retail Store		
3 Stavanger Dr	Ms	Restaurant		
3 Stavanger Dr	Ms	Restaurant		
25 Stavanger Dr	Ms	Retail Store		
415 Stavanger Dr	Ms	Restaurant		
Thorburn Rd	Ms	Retail Store		
Thorburn Rd	Ms	Convenience Store		
446 Topsail Rd	Ms	Service Station		
632 Topsail Rd	Ms	Service Station		
660 Topsail Rd	Ms	Tavern		
681 Topsail Rd	Ms	Place Of Amusement		
26-34 Torbay Rd	Ms	Tavern		
26 Torbay Rd	Ms	Place Of Amusement		
10 Elizabeth Ave	Ms	Office		
192-194 Torbay Rd	Ms	Eating Establishment		
192-194 Torbay Rd	Ms	Eating Establishment		
192-194 Torbay Rd	Ms	Eating Establishment		
286 Torbay Rd	Ms	Retail Store		
320 Torbay Rd	Ms	Club		
426 Torbay Rd	Ms	Retail Store		
430 Torbay Rd	Ms	Tavern		
585 Torbay Rd	Ms	Retail Store		
			This Week \$	2,200.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

19 Caravelle Pl	Nc	Accessory Building		
89 Ladysmith Dr	Nc	Patio Deck		
13 Allan Sq	Rn	Townhousing		
11 Charlton St	Rn	Single Detached Dwelling		
26 Dauntless St	Rn	Single Detached Dwelling		
7 Hoyles Ave	Rn	Single Detached & Sub.Apt		
13 Hyde Park Dr	Rn	Single Detached Dwelling		
25 Pine Bud Pl	Rn	Single Detached Dwelling		
48 Signal Hill Rd	Rn	Townhousing		
10 Silverton St	Rn	Single Detached Dwelling		
14 William St	Rn	Infill Housing		
86 Freshwater Rd	Sw	Single Detached Dwelling		
25 Rhodora St	Ms	Condominium		
			This Week \$	508,950.00

Class: Demolition

24 Coronation St

Dm Townhousing

This Week \$ 12,000.00

This Week 'S Total: \$ 523,150.00

Repair Permits Issued: 2015/01/15 To 2015/01/21 \$.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	Demolit

YEAR TO DATE COMPARISONS			
January 26, 2015			
TYPE	2014	2015	% VARIANCE (+/-)
Commercial	\$3,818,000.00	\$2,224,000.00	-42
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$36,869,000.00	\$0.00	-100
Residential	\$1,502,000.00	\$903,432.00	-40
Repairs	\$141,700.00	\$23,000.00	-84
Housing Units (1 & 2 Family Dwellings)	10	0	
TOTAL	\$42,330,700.00	\$3,150,432.00	-265

Respectfully Submitted,

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

SJMC2015-01-26/047R

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 15, 2015 to January 21, 2015 be approved.

Requisitions, Payrolls and Accounts

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

Week Ending January 21, 2015

Payroll

Public Works	\$ 544,156.98
Bi-Weekly Casual	\$ 22,893.78
Accounts Payable	\$ 6,025,750.52

Total: \$ 6,592,801.28

SJMC2015-01-26/048R

It was moved by Councillor Collins: seconded by Councillor Tilley: That the Payrolls and Accounts for the week ending January 21, 2015 be approved.

Councillor Puddister referenced the MS Govern item - cheque #77769 in the amount of \$135,377.38 and questioned what this was for. The City Manager advised that MS Govern is the City’s management system consisting of a set of modules with one application to integrate property files for assessment, planning and building divisions. He estimated that the total contract for this system is approximately \$2 million and the amount noted represents a partial payment toward the implementation of that system.

The motion being put was carried.

Notice of Motion

Councillor Collins gave the following Notice of Motion:

Take Notice that I will, at a future meeting of Council, move a motion to rescind the prior motion of Council dated January 19, 2015 requesting the rezoning of 310 Main Road from Commercial Neighbourhood (CN), to Open Space (O) and Rural (R) zone to Residential (R) zone.

Travel Authorization for Mayor O’Keefe (Big City Mayors Caucus)

Council considered a memorandum regarding the above noted matter.

SJMC2015-01-26/049R

It was decided on motion of Councillor Tilley; seconded by Councillor Davis: That Council cover the costs for the Mayor to attend The Big City's Mayor Caucus (BCMC) Summit meetings to be held in Toronto on February 4th and 5th, 2015.

Other Business:

Councillor Galgay:

- Reserved parking spaces in front of Supreme Court on Duckworth St.: Councillor Galgay requested that the Deputy City Manager of Community Services investigate the status and type of agreement in place which was presumably implemented to accommodate parking for judges and/or other court staff to offset the lack of parking near the court house. Given the increased parking availability due to the new parking garage in the near vicinity, Councillor Galgay felt that this matter should be revisited: specifically, how many spaces are specially allocated for court house staff and what is the potential for revenue generation. The Deputy City Manager of Community Services agreed to investigate but advised that the meters in question do generate revenue.

Councillor Breen

- Proposed Upgrading of Harding Road: Councillor Breen referenced the significant amount of commercial development taking place in the East White Hills area including increased circulation to and from the Robin Hood Bay Waste Management facility, the Academy Canada site, and the Virginia Park Community Center, all of which have contributed to the increase of traffic on Harding Road. This street has no sidewalks and is not up to City standards. He requested that staff prepare a cost estimate to upgrade the street to proper city standards which would include sidewalks. The safety of pedestrians using this road is the major concern.

Councillor Puddister

- Referenced a recent meeting of the Police & Traffic Committee wherein the issue of parking on Harbour Drive was discussed, specifically asking staff to consider the reduction of the eight hour time limit to come in line with other meters throughout the downtown and to discourage long term parking while encouraging short term parking for shoppers.

Councillor Lane

- Councillor Lane questioned the status of the study for the new arts space. The Deputy City Manager of Planning, Development & Engineering advised that the matter will come forward to Council in the near future for discussion and direction.

Councillor Hann

- Councillor Hann referenced the change of contract for the City's security services which means that this will be the last night of council duty for Commissionaire Austin Mercer. Council applauded Mr. Mercer and his fellow commissionaires for their many years of trusted service and professionalism.

Mayor O’Keefe

- Mayor O’Keefe congratulated Mr. Bob Bishop, Deputy City Manager of Financial Management for being elected to Memorial University’s Board of Regents.
- All members of Council are invited to attend a ceremony taking place Tuesday morning at 10:00 a.m. to witness the signing of a letter of intent between the City of St. John’s and the Town of Happy Valley/Goose Bay at which time the Labrador flag will be raised in front of City Hall.

Adjournment

There being no further business the meeting adjourned at 5:44 p.m.

MAYOR

CITY CLERK