

May 26, 2014

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 Mayor Dennis O'Keefe presided.

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

The City Manager; the Deputy City Manager of Public Works; the Deputy City Manager – Community Services; the Deputy City Manager of Corporate Services; the Deputy City Manager of Planning, Development & Engineering; the Chief Municipal Planner; the City Solicitor, the Acting Director of Engineering; and the Senior Legislative Assistant, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2014-05-26/236R

It was decided on motion of Councillor Hann; seconded by Councillor Davis: That the Agenda be adopted with the following additions:

- **Memo re: Travel Authorization for Mayor**
- **Press Release re: Senior Management Appointments**

The motion being put was unanimously carried.

Adoption of Minutes

SJMC2014-05-26/237R

It was decided on motion of Councillor Hann; seconded by Councillor Davis: That the minutes of May 26, 2014 be adopted as presented.

Winter Maintenance Services Review Expressions of Interest

Council considered a memo dated May 22, 2014 regarding the expressions of interest received for the Winter Maintenance Services Review.

SJMC2014-05-26/238R

It was decided on motion of Councillor Galgay; seconded by Deputy Mayor Ellsworth: that Council award the contract for a Winter Maintenance Services Review to KPMG for the estimated cost of \$149,000 (HST extra). Project duration is estimated at 22 weeks from award and it will be funded from the snow clearing budget.

Report of the Economic Development, Tourism & Public Engagement Standing Committee Meeting of May 14 , 2014

Council considered the above-noted report.

In Attendance: Councillor Bruce Tilley, Co-Chairperson
 Councillor Dave Lane, Co-Chairperson
 Mayor Dennis O'Keefe
 Deputy Mayor Ron Ellsworth
 Neil Martin, Acting City Manager
 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
 Karen Chafe, Recording Secretary

1. Update from the Harris Centre re: Vision for the Battery Facility

The Committee met with Mr. Rob Greenwood of the Harris Centre as well as his colleagues to get a sense of Memorial University's Vision for the Battery Facility. The location will facilitate the following uses:

- A provincial public engagement hub: strategic program priorities of innovation (economic and social, civic engagement, public dialogue and alumni development).
- Office space for units that engage with the public regularly in a highly accessible location.
- Much needed graduate student accommodations.

The Battery Facility will have four initial tenants: the Genesis Group; Memorial University's Public Engagement; the Harris Centre; and the Gardiner Centre. There is also potential for partnership opportunities with respect to the city view and pool wings of the building which are currently unoccupied and may be re-used or rebuilt as public engagement and partnership space. Memorial University will be accepting formal submissions

from individuals and outside partners and organizations, related to the Battery Facility programming and future development opportunities. These submissions will be judged based on formal criteria that ensure potential uses are a good fit with the operations noted above. To access Memorial's online consultation site, visit www.mun.ca/battery.

2. **Business Registry Information Update**

In December 2013, the City implemented a Business Registry requiring all commercial businesses operating in the City to complete and submit a registration form. Progress to date:

- Registrations: 880 businesses or approximately 30% of the target audience.
- Final quality control checks on the data have been completed.
- An online business directory to be available on the City's website is complete. The directory lists all registered businesses and is searchable by business name, location, industry classification, and keyword. The directory also includes a MapIt feature, allowing users to easily pinpoint the location of each business.

Next steps:

- a. Public release of the online business directory.
- b. Increase the number of registered businesses: registrations have plateaued and the goal is now to increase the number of registered businesses. It is anticipated that the availability of the online business directory will provide an incentive for additional businesses to register. A series of approaches will be developed to encourage the uptake in the business registry in conjunction with the release of the online directory, to increase overall registrations and highlight the value of the business directory to the community.

3. **Demographic Analysis: The Next Decade, Status Update**

To better inform policy and develop data that can be utilized across the corporate structure, the Office of Strategy and Engagement is proposing to acquire demographic and related information for St. John's Metro with particular emphasis on the City of St. John's. The following is noteworthy:

- The Government of Newfoundland and Labrador, Department of Finance (Economic Research & Analysis Division) will develop population projections for St. John's Metro that updates the previous report provided in 2011. This report is anticipated at the end of May. This group will also produce sample thematic maps based on information from Community Accounts for St. John's neighbourhoods.
- The 2014 issue of *City Magnets: Benchmarking the Attractiveness of Canada's Cities* from the Conference Board of Canada, is about finding out what makes a city attractive to people and about how a city is performing in that important aspect. St. John's is an investor in this report that is scheduled for release at the end of May.
- The concept of a residential survey will continue to be developed along with related funding partner proposals. A residential survey will complement these other activities and provide intelligence in a number of areas. It may aid in filling demographic data gaps that exist due to changing census products and be an engagement tool with potential to provide insights into resident's perceptions and attitudes about city programs and services. It can also help shape policy directions for the city.

4. **Oceans '14**

Oceans '14 Conference and exhibition will be held in St. John's from September 14 – 19, 2014. This year's theme is "Where Challenge Becomes Opportunity" will bring together 1200 global leaders in science, engineering, enterprise, industry and government, making it one of the most comprehensive ocean science and engineering gatherings in North America. Oceans is jointly sponsored by the Marine Technology Society and the Oceanic Engineering Society of the Institute of Electrical and Electronic Engineers.

One of the goals of Roadmap 2012 is to position St. John's as a global leader in ocean technology. This includes supporting the attraction of ocean and energy related conferences to St. John's such as Oceans '14.

5. **Nexter Recognition and Leadership Awards**

The second of five strategic goals in **Roadmap 2021** is outlined as follows:

"A magnetic and desirable city for newcomers and young professionals: A qualified workforce is an essential ingredient for economic development and innovation. Securing a vibrant and healthy workforce necessitates a focused approach to both retaining and attracting professionals and skilled labour. We need to encourage diversity and nurture our young professionals."

One of the actions under this goal is to establish ***“Emerging Leader awards for St. John’s to recognize and celebrate the contributions of our young people.”***

The Office of Strategy and Engagement is currently researching approaches to Nexter (i.e. 19-35 demographic) recognition and engagement in order to assess opportunities for moving forward with a strategy that best celebrates the contributions of young people (i.e. Nexters). The strategy will look to build on the great work already being undertaken by the City with respect to supporting its young people.

In accordance with the Roadmap goal outlined above, Nexter leadership award(s) and research will:

- *engage* Nexters, capitalizing on their enthusiasm, skills, and knowledge;
- *celebrate* local leaders who mobilize others to achieve collective goals and
- *recognize* personal achievements, embracing innovative contributions to economic and social initiatives.

The next step will be to engage Nexters in award development. The time frame for completion of primary research and the roll out of an action plan is linked to the progression of the City’s Engagement Framework and demographic research that is currently ongoing. Following Nexter input, a report will be developed which summarizes all research into an action plan for recognizing and celebrating the leadership contributions of Nexters.

Councillor Bruce Tilley
Co-Chairperson

Councillor Dave Lane
Co-Chairperson

SJMC2014-05-26/239R

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

Councillor Hann referenced item number 2 of the report regarding the business registry information update which he supported. He did note, however, that transient businesses which compete with permanent businesses should obtain transient business licenses. He requested that the issue be referred back to the Dept. of Strategy & Engagement to research how transient business licensing is dealt with in other Canadian municipalities.

The motion being put was carried unanimously.

Public Works Standing Committee Report of May 15, 2014

Council considered the above noted report:

In Attendance: Deputy Mayor Ron Ellsworth, Acting Chairperson
Councillor Sandy Hickman
Councillor Bruce Tilley
Councillor Bernard Davis
Councillor Art Puddister
Councillor Tom Hann
Councillor Dave Lane
Neil Martin, Acting City Manager
Paul Mackey, Deputy City Manager of Public Works
Dave Blackmore, Deputy City Manager of Planning,
Development & Engineering
Jason Sinyard, Director of Planning
Don Brennan, Director of Roads & Traffic
Lynn Ann Winsor, Director of Water & Wastewater
Steve Colford, Manager of Waste & Recycling
Brian Head, Manager of Parks & Open Spaces Division
Dave Wadden, Manager of Development & Engineering
Karen Chafe, Recording Secretary

1. **Rennies River Storm Water Management Plan**

Mr. Greg Sheppard, P. Eng. was present on behalf of the Consultants CBCL Limited to present their findings with regard to the Rennies River Storm Water Management Plan. Also present were residents Frank Butler and David Winter. A copy of the report is on file with the Department of Planning, Development & Engineering. Following the presentation and a question and answer period, it was moved by Councillor Hickman; seconded by Councillor Davis that the following be approved:

That Council approve flood protection infrastructure improvements for the locations outlined in the table below at an approximate cost of \$4.7 million. The weir at the outlet of Long Pond must be implemented before the other recommended improvements for downstream locations. For Location 1, Option A was recommended, subject to consultation with area residents with respect to the installation of the lower berm.

The Committee further recommends erosion control improvements be implemented using a cellular confinement system. It is estimated that approximately 4000 m² of the river banks need to be rehabilitated. Based on using a cellular confinement system, the cost is estimated at \$567,000.

The cost estimates noted were put forth by the Consultant and will be subject to confirmation by City staff.

Priority	Description of Location	Cost Opinion
1	Location 3: Weir at outlet of Long Pond	\$1,979,000
2	Location 1, Option A: Kings Bridge Road to Portugal Cove Road & Upstream of Portugal Cove Road – Berms & Walls only. (RECOMMENDED OPTION)	\$1,173,000
	Location 1, Option B: Kings Bridge Road to Portugal Cove Road & Upstream of Portugal Cove Road – New Channel and bridge (Cost: \$3,891,000)	
	Location 1, Option C: Kings Bridge Road to Portugal Cove Road & Upstream of Portugal Cove Road – Raised parking lot (Cost: \$1,379,000)	
3	Location 2: Upstream of Carpasian Road Bridge	\$27,000
4	Location 4: Clinch Crescent East to Clinch Crescent West	\$342,000
5	Location 5: Wicklow Street to Thorburn Road	\$294,000
6	Location 7: O’Leary Avenue Bridge	\$847,000
7	Location 8: Downstream of Mews Place	\$38,000
	Sub –Total	\$4,700,000
	Erosion Control Improvements	\$567,000
	Final Total	\$5,267,000

2. RHB Waste Management Facility Residential Drop-off Rules

The Committee considered a memorandum dated May 9, 2014 from the Deputy City Manager of Public Works regarding the above noted. The Committee on motion of Councillor Puddister; seconded by Councillor Davis recommends the following:

That Council approve the proposed rules for operation of the RDO as per the attached report. Upon approval by Council, this information will be communicated to the general public and signage will be posted at the facility.

3. Waterford Valley Dog Park Extension

The Committee considered a memorandum dated May 9, 2014 from the Deputy City Manager of Public Works regarding the above noted matter. It was moved by Councillor Tilley; seconded by Councillor Davis: That the following be approved:

That Council proceed with the extension of the Waterford Valley Off-Leash Dog Park as per the attached report. Funding for the estimated \$9,000 cost is available from savings realized from existing Parks Division capital works project allocations.

**Deputy Mayor Ron Ellsworth
Acting Chairperson**

SJMC2014-05-26/240R

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

SJMC2014-05-26/241R

It was then moved by Councillor Breen; seconded by Councillor Hickman: That item # 2 of the report be dealt with separately.

SJMC2014-05-26/242R

**It was then moved by Councillor Galgay; seconded by Councillor Lane:
That item #'s 1 and 3 of the report be adopted as presented.**

Regarding item # 1 with respect to the Rennies River Storm Water Management Plan, Councillors Davis and Hickman presented friendly amendments to the motion as follows:

- That staff have the necessary design and engineering work completed on the weir at the outlet of Long Pond as soon as possible to allow the tender for construction work to commence by late 2014/early 2015.
- That the necessary regulatory approvals be obtained from provincial and federal agencies such as the Department of Fisheries and Oceans.

The motion to approve item # 1 as amended above and item # 3 as presented in the report was carried unanimously.

SJMC2014-05-26/243R

**It was moved by Councillor Breen; seconded by Councillor Hickman:
That the Committee's recommendation to approve the RHB Waste Management Facility Residential Drop-Off Rules be deferred pending the Committee's reconsideration of the following issues in particular:**

- **the prohibition of vehicles with business crests should be reviewed. It was argued that many people may use commercial vehicles for personal use, particularly if they are dropping off garbage on Saturdays.**
- **The number of trip restrictions to a maximum of 16 visits per calendar year should also be reviewed given that many residents go beyond this limit, particularly when assisting friends, neighbours, etc.**
- **Requirement for documentation related to valid municipal permits under \$5000: it was felt that this limitation is not sufficient, as most home renovations cost in excess of \$5000. To exclude permits going beyond that amount would have a negative impact and may result in residents using alternate and possibly illegal forms of garbage disposal.**

The motion to defer # 2 being put was carried with Councillor Galgay dissenting.

Development Permits List

Council considered as information the following Development Permits List for the period of May 15, 2014 to May 21, 2014:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF May 15, 2014 TO May 21, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
OT	Newfoundland Power Inc.	Wood Pole Transmission Line From 31 Main Road to Brookfield Road	31 Main Road	5	Approved	14-05-15
OT	Newfoundland Power Inc.	Wood Pole Transmission Line From Kenmount Road Substation to Oxen Pond Substation	435 ½ Thorburn Road	4	Approved	14-05-15
RES		Home Office	13 Cole Place	1	Approved	14-05-15
RES		Home Office	20 Connors Avenue	3	Approved	14-05-16
RES		Demo/Rebuild	6 Waterford Heights South	5	Approved	14-05-16
COM	St. John's Transportation	Bus Shelter	Front of 354 Water Street	4	Approved	14-05-16
COM		Garage Extension	324 Freshwater Road	4	Approved	14-05-20
RES		Home Office	72 Birmingham St	3	Approved	14-05-21

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

Building Permits List

SJMC2014-05-26/244R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That the recommendations of the Director of Planning and Development with respect to the following Building Permits list for the period May 15 – May 21, 2014 be approved:

**Building Permits List
Council's May 26, 2014 Regular Meeting**

Permits Issued: 2014/05/15 To 2014/05/21

Class: Commercial

31 Peet St, Childrens Wish	Cr	Office
Harbour Dr, Mobile Unit Beaver	Nc	Retail Store
48 Kenmount Rd, Suzy Shier	Sn	Retail Store
44 Elizabeth Ave	Ms	Eating Establishment
8 Hamilton Ave	Sn	Mixed Use
10 Hebron Way	Ms	Restaurant
326 Logy Bay Rd	Ms	Convenience Store
416-420 Main Rd	Ms	Eating Establishment
51 Old Pennywell Rd	Ms	Service Shop
82 Thorburn Rd	Sn	Other
426 Torbay Rd	Ms	Retail Store
585 Torbay Rd	Ms	Retail Store
452 Water St	Sn	Retail Store
50 White Rose Dr	Ms	Retail Store
10 Hebron Way	Nc	Accessory Building
55 Stavanger Dr	Nc	Fence
452 Water St - Shkank Inc	Cr	Office
48 Kenmount Rd, Storage Area	Rn	Retail Store
15 Northern Pond Road	Nc	Accessory Building
94 Elizabeth Ave, 2nd Floor	Co	Office

This Week \$ 72,314.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

35a Airport Rd	Nc	Accessory Building
104 Barnes Rd	Nc	Patio Deck
31 Spruce Grove Ave	Nc	Accessory Building
50 Brownsdale St	Nc	Accessory Building
32 Cashin Ave	Nc	Accessory Building
18 Douglas St	Nc	Single Detached Dwelling
155 Doyle's Rd	Nc	Fence
34 Eastbourne Cres	Nc	Fence
34 Eastbourne Cres	Nc	Accessory Building
2 Gander Cres	Nc	Fence
28 Georgina St	Nc	Fence
57 Gillies Rd, Lot 3	Nc	Single Detached Dwelling
57 Gillies Rd	Nc	Accessory Building
31 Great Eastern Ave	Nc	Fence
7 Hennebury Pl	Nc	Patio Deck
33 Jenmar Cres	Nc	Accessory Building
6 Kerr St	Nc	Fence
12 Kershaw Pl	Nc	Fence
14 Kershaw Pl	Nc	Fence
219 Ladysmith Dr-Lot 597	Nc	Single Detached & Sub.Apt
221 Ladysmith Dr-Lot 596	Nc	Single Detached & Sub.Apt
7 Laurier St	Nc	Accessory Building
7 Lismore Pl, Lot 306	Nc	Single Detached Dwelling
2 Mcnaughton Dr	Nc	Fence
92 Newtown Rd	Nc	Fence
13 Oberon St	Nc	Accessory Building
65 Orlando Pl, Lot 198	Nc	Single Detached Dwelling
65 Orlando Pl	Nc	Accessory Building
55 Parsonage Dr	Nc	Accessory Building
17 Rosalind St	Nc	Accessory Building
100 Shoal Bay Rd	Nc	Accessory Building
287 Southern Shore Hwy	Nc	Accessory Building
38 Stanford Pl, Lot 50	Nc	Single Detached Dwelling
600 Topsail Rd	Nc	Fence
16 Willenhall Pl, Lot 36	Nc	Single Detached & Sub.Apt
83 Parkhill St	Co	Home Office
18 Conway Cres	Cr	Single Detached Dwelling
42 Ennis Ave	Cr	Subsidiary Apartment
27 Hamel St	Cr	Single Detached & Sub.Apt
5 Bradbury Pl	Rn	Townhousing
9 Gardiner Pl	Rn	Single Detached Dwelling
9 Griffin's Lane	Rn	Single Detached & Sub.Apt
11 Long St	Rn	Single Detached Dwelling
54 Mullock St	Rn	Townhousing
15 Teakwood Dr	Rn	Single Detached Dwelling
29-31 York St	Rn	Semi-Detached Dwelling
30 Gullage St	Sw	Single Detached Dwelling
132 Prowse Ave	Sw	Single Detached & Sub.Apt
25 Rhodora St	Ms	Condominium

This Week \$ 1,945,992.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 2,018,306.00

Repair Permits Issued: 2014/05/15 To 2014/05/21 \$ 119,400.00

63 Doyle's Road your application for an accessory building is rejected as contrary to Section 8.3.6(2(i) of the 1994 Development Regulations.

Legend

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

YEAR TO DATE COMPARISONS			
May 26, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$43,766,000.00	\$41,742,000.00	-5
Industrial	\$28,000.00	\$125,000.00	0
Government/Institutional	\$7,218,000.00	\$42,505,000.00	49
Residential	\$52,865,000.00	\$41,142,000.00	-22
Repairs	\$1,213,000.00	\$1,256,000.00	4
Housing Units (1 & 2 Family Dwellings)	142	94	
TOTAL	\$105,090,000.00	\$126,770,000.00	21

Respectfully Submitted,

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

Requisitions, Payrolls and Accounts

SJMC2014-05-26/245R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That the following Payrolls and Accounts for the week ending May 21, 2014 be approved.

**Weekly Payment Vouchers
For The
Week Ending May 21, 2014**

Payroll

Public Works	\$ 442,600.08
Bi-Weekly Administration	\$ 739,231.43
Bi-Weekly Management	\$ 711,987.97
Bi-Weekly Fire Department	\$ 806,115.84
Accounts Payable	\$ 842,477.83
Total:	\$ 3,542,413.15

Tenders

- a. RFP – Charter Avenue Bridge Replacement
- b. RFP - St. John’s Regional Drinking Water Study
- c. Tender – Fire Hydrant Painting
- d. Tender - Council Approval Tender 2014031 Fire Apparatus Rescue truck

SJMC2014-05-26/246R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That the above noted tenders be awarded as follows:

- **Newfoundland Design Associates Limited: \$236,735.00 (HST incl.)**
- **CBCL Limited: \$224,203.00 (HST incl.)**
- **Kelloway Construction: \$22,852.50 per year for three years.**
- **Accessibility Services Ltd.: \$32,000.00 (HST exempt)**

West End Baptist Church

Council considered a memo dated May 15, 2014 from the City Solicitor regarding the above noted matter.

SJMC2014-05-26/247R

It was decided on motion of Councillor Tilley; seconded by Councillor Puddister: That Council sell City land-locked open space, off Topsail Road, to the West End Baptist Church in the amount of \$3 per square foot (fair market value as determined by the Manager - Real Estates Services) and to offer the remaining encroached-upon land to the abutting residential property owners with fences and sheds at the same price.

Team Up to Clean Up – Employee Volunteer Litter Clean-up 2014

Council considered as information a memo dated May 14, 2014 from the Mayor regarding the above noted which is scheduled for Tuesday, May 27 from 2:00 – 4:00 p.m.

Travel Authorization for Mayor O’Keefe

Council considered a memo dated May 26, 2014 regarding the above noted.

SJMC2014-05-26/248R

It was decided on motion of Councillor Puddister; seconded by Councillor Davis: That Council approve travel for the Mayor to attend the Big City Mayor's Caucus meetings and meetings of the Federation of Canadian Municipalities which will be held in Niagara Falls, ON from May 28 to June 3, 2014.

Senior Staff Appointments

Council considered the press release notifying the general public of the following senior staff appointments:

- Neil Martin, City Manager
- Kevin Breen, Deputy City Manager of Corporate Services
- Elaine Henley, City Clerk

At this point, the former City Clerk, Mr. Martin relinquished his seat to the new City Clerk, Ms. Henley who was formally welcomed by Council to the Chamber. The senior staff appointments will take effect on June 1st, 2014 and Messrs Martin, Breen and Ms. Henley were congratulated by his Worship the Mayor and Members of Council.

Councillor Collins

- Requested a status report on the Affordable Housing initiative in Shea Heights. The Deputy City Manager of Planning, Development & Engineering agreed to compile this information for referral to a future meeting.

Councillor Breen

- Requested an update on the parking situation at Quidi Vidi Village given the upcoming tourist season. The Deputy City Manager of Community Services agreed to provide an update for referral to the next meeting of Council.

Adjournment

There being no further business the meeting adjourned at 5:47 p.m.

MAYOR

CITY CLERK