

May 4, 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.

Acting Mayor Ron Ellsworth presided.

There were present also Councillors Hann, Hickman, Lane, Breen, Davis, Tilley, and Collins.

Regrets – Mayor O'Keefe, Councillors Galgay, and Puddister

The Acting City Manager; Deputy City Manager of Public Works; Deputy City Manager of Planning, Development and Engineering; Deputy City Manager of Community Services; City Solicitor; Chief Municipal Planner; City Clerk, and Supervisor of Legislative Services were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2015-05-04/192R

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

Adoption of Minutes

SJMC2015-05-04/193R

**It was decided on motion of Councillor Tilley; seconded by Councillor Breen:
That the minutes of April 27, 2015 be adopted as presented.**

Illegal Use of Trailers

Council tabled a memo dated April 29, 2015 from the City Solicitor regarding the above noted.

SJMC2015-05-04/194R

It was moved by Councillor Hann; seconded by Councillor Tilley: That Council enact the proposed By-Law dealing with the illegal use of trailers. The additional power to tow offending trailers provides an effective and efficient means to address the problem of non-compliant trailer use. It also mitigates against potential attendant negative environmental problems. The benefits of this appear to outweigh the possibility of damage claims resulting from removal/demolition of offending trailers.

Councillor Collins stressed the importance of citizens needing to take responsibility for cleaning up garbage and not discarding of it an illegal manner given the significant expense to clean it up. He noted that problem areas such as Northern Pond in particular will be patrolled. Deputy Mayor Ellsworth also referenced the need to protect the City's watersheds and water sources from littered forests.

The motion being put was unanimously carried.

Provincial Budget 2015

Council considered a memo dated May 1, 2015 from the Acting City Manager regarding the above noted.

SJMC2015-05-04/195R

It was moved by Councillor Breen; seconded by Councillor Lane: That the following be approved as per the Acting City Manager's recommendation:

- **HST Rebate: That the savings realized commencing in 2016 as a result of the HST rebate be allocated to the City's capital out of revenue account. As Council is aware, we have a 10 year capital plan which will be brought before Council in the next month. These monies will be put to good use on projects arising out of that plan.**
- **Gas Tax Rebate: The funds realized in 2015 and beyond supplement the existing gas tax program which qualifies for a wide range of capital projects.**

Councillor Tilley and Deputy Mayor Ellsworth spoke in favour of the motion congratulating Councillor Breen, Chair of the Finance & Administration Standing Committee for the efforts made in this regard.

The motion being put was carried.

Special Events Advisory Committee Report of April 24, 2015

Council considered the above noted report:

Re: Special Events Advisory Committee

The following recommendation of the Committee is forwarded to Council for approval in principle subject to route confirmation by the Traffic Division.

- 1) **Event:** Harbour Front 10K Road Race
Road Closures: Harbour Drive - both directions
Water Street - eastbound - Waldegrave Street to Prescott Street
Waterford Bridge Road - westbound - Water Street to
Waterford Lane
Southside Road - eastbound - Waterford Lane to Blackhead
Road
Date: May 10, 2015
Time: 6:30 a.m. to 9:30 a.m.

Special Events Advisory Recommendation:

It is the recommendation of the Committee that Council approve the above noted event, subject to the conditions set out by the Special Events Advisory Committee.

Tanya Haywood
Director, Recreation Division
Department of Community Services

SJMC2015-05-04/196R

**It was decided on motion of Councillor Davis; seconded by Councillor Hickman:
That the recommendations of the Special Events Advisory Committee dated
April 24, 2015 be approved as presented.**

Development Committee Report – April 28, 2015

Council considered the above noted report:

**REPORT/RECOMMENDATIONS TO COUNCIL
Development Committee Report
April 28, 2015**

1. **Department of Planning & Development & Engineering File No. 11-00044
Proposed Crown Land Lease
Proposed Agricultural Use
Department of Environment & Conservation File 1011010
Crown Land Grant Referral for 36.4 Hectares**

**Back Line – Ward 5
Agriculture (AG) Zone**

It is the recommendation of the Development Committee that this application be granted approval for the above noted Crown Land lease. The development of the site is subject to a development application being made and providing an updated survey of the property. Final approval is subject to the developer satisfying all requirements of the City of St. John's.

2. **Department of Planning & Development & Engineering File No. INT1500014
Proposed Demolition of Existing Dwelling to Re-Build New Dwelling
124 Old Broad Cove Road
Town of Portugal Cove – St. Philips
Broad Cove River Watershed (W) Zone**
-

It is recommended by the Development Committee that Council approve the demolition and rebuild of the dwelling pursuant with Section 104.(4)(c) of the City of St. John's Act, which states: "a building to replace an existing building destroyed by fire or an existing building dilapidated 50% or more may be permitted by Council".

**Jason Sinyard
Acting Deputy City Manager – Planning, Development and Engineering
Acting Chair – Development Committee**

SJMC2015-05-04/197R

It was moved by Councillor Hann; seconded by Councillor Collins: That the recommendations of the Development Committee Report dated April 28, 2015 be approved as presented.

Councillor Collins implored those with ATV's not to destroy farm land.

The motion being put was carried.

Development Permits List

Council considered as information the Development Permits List for the period April 23 - 29, 2015.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF April 23 TO April 29**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Pinnacle Engineering Limited	Booster Pump Station for Glencrest Development	Reservoir Road	5	Approved	15-04-23
COM	Chimo Construction	Paint Shop	45 Pepperell Road	1	Approved	15-04-23
COM	Conestoga-Rovers & Associates Limited	Soil Borings	750-760 Kenmount Road	4	Approved	15-04-27
COM	Pinnacle Engineering Limited	Watermain Replacement	95 University Avenue	4	Approved	15-04-27

* 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 Supervisor
 Department of Planning

Building Permits List

Council considered the Building Permits list for the period of April 23 – April 29, 2015.

**Building Permits List
 Council's May 4, 2015, 2015 Regular Meeting**

Permits Issued: 2015/04/23 to 2015/04/29

2015/04/29

Permits List

Class: Commercial

- | | | |
|---------------------|----|-------------------|
| 57 Blackmarsh Rd | Ms | Place Of Assembly |
| 23 Cashin Ave | Ms | Clinic |
| 44 Crosbie Rd | Ms | Convenience Store |
| 84-86 Elizabeth Ave | Ms | Service Shop |
| 84-86 Elizabeth Ave | Ms | Retail Store |

432 Empire Ave	Sn	Retail Store
391-395 Empire Ave	Ms	Club
32 Frecker Dr	Ms	Service Station
324 Frecker Dr	Ms	Convenience Store
125 Harbour Dr The Keg	Sn	Restaurant
25 Hebron Way	Ms	Retail Store
189 Higgins Line	Ms	Office
2 Holdsworth St	Sn	Restaurant
61 James Lane	Ms	Warehouse
58 Kenmount Rd	Ms	Office
120 Kenmount Rd	Ms	Car Sales Lot
85-95 Kenmount Rd	Ms	Car Sales Lot
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
515 Kenmount Rd	Ms	Retail Store
90 Logy Bay Rd	Ms	Club
215 Major's Path	Ms	Retail Store
10 Messenger Dr	Ms	Retail Store
6 Mullaly St	Ms	Warehouse
34 New Cove Rd	Ms	Clinic
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
52 Pippy Pl	Ms	Retail Store
59-61 Pippy Pl	Ms	Retail Store
279 Portugal Cove Rd	Ms	Clinic
25 Rhodora St	Ms	Condominium
46-50 Robin Hood Bay Rd	Ms	Industrial Use
20 Ropewalk Lane	Ms	Service Shop
10 Stavanger Dr	Ms	Retail Store
410 Stavanger Dr	Ms	Retail Store
55 Stavanger Dr	Ms	Retail Store
415 Stavanger Dr	Ms	Restaurant
86 Thorburn Rd	Ms	Retail Store
86 Thorburn Road	Ms	Convenience Store
86 Thorburn Rd	Ms	Convenience Store
88 Thorburn Rd	Ms	Retail Store
446 Topsail Rd	Ms	Service Station
632 Topsail Rd	Ms	Service Station
632 Topsail Rd	Ms	Service Station
681 Topsail Rd	Ms	Place Of Amusement
10 Elizabeth Ave	Ms	Office
192-194 Torbay Rd	Ms	Eating Establishment
192-194 Torbay Rd	Ms	Eating Establishment
320 Torbay Rd	Ms	Club
426 Torbay Rd	Ms	Retail Store
430 Torbay Rd	Ms	Tavern
141 Torbay Rd	Ms	Office
585 Torbay Rd	Ms	Retail Store
206 Water St	Rn	Tavern
100 Military Rd	Cr	Recreational Use
270 Mount Scio Rd	Sw	Public Utility
15 George St	Rn	Tavern
50 Kelsey Dr	Rn	Retail Store
446 Topsail Rd	Rn	Service Station
48 Kenmount Rd	Rn	Retail Store
6 East White Hills Rd	Nc	Accessory Building
330 Portugal Cove Rd, Nape	Rn	Office

Class: Industrial

This Week \$.00

Class: Government/Institutional

100 Military Rd Rn Recreational Use

This Week \$ 70,000.00

Class: Residential

4 Aldergrove Pl	Nc	Accessory Building
8 Ballylee Cres, Lot 390	Nc	Single Detached Dwelling
228 Brookfield Rd	Nc	Accessory Building
14 Castle Bridge Dr	Nc	Fence
174 Castle Bridge Dr. Lot #325	Nc	Single Detached Dwelling
180 Castle Bridge Dr. Lot 328	Nc	Single Detached Dwelling
14 Cherrybark Cres, Lot 214	Nc	Single Detached Dwelling
70-72 Doyle's Rd	Nc	Accessory Building
171 Doyle's Rd	Nc	Accessory Building
4 Gregory St	Nc	Patio Deck
55 Holbrook Ave	Nc	Fence
54 Hoyles Ave	Nc	Fence
87 Mcniven Pl	Nc	Accessory Building
70 Melville Pl	Nc	Accessory Building
116 Moss Heather Dr	Nc	Accessory Building
4 Nerissa Pl	Nc	Fence
10 Ophelia Pl	Nc	Fence
21 Orlando Pl	Nc	Fence
21 Orlando Pl	Nc	Accessory Building
46 Parsonage Dr	Nc	Accessory Building
46 Parsonage Dr	Nc	Fence
2 Stanford Pl, Lot 15	Nc	Single Detached Dwelling
34 Stanford Pl. Lot #46	Nc	Single Detached Dwelling
27 Stanford Pl, Lot 40	Nc	Single Detached Dwelling
41 Stanford Pl, Lot 53	Nc	Single Detached Dwelling
218 Stavanger Dr., Lot #10	Nc	Single Detached Dwelling
236 Stavanger Dr	Nc	Fence
238 Stavanger Dr, Lot 64	Nc	Single Detached Dwelling
1 Tansley St	Nc	Single Detached Dwelling
54 Bonaventure Ave	Co	Home Office
146 Great Eastern Ave	Cr	Subsidiary Apartment
4 Halliday Pl	Cr	Subsidiary Apartment
42 Alexander St	Ex	Semi-Detached Dwelling
1 Roche St	Ex	Single Detached Dwelling
18 Bay Bulls Rd	Rn	Single Detached Dwelling
196 Bay Bulls Rd	Rn	Single Detached Dwelling
49 Canada Dr	Rn	Single Detached Dwelling
6 Parkhill St	Rn	Single Detached Dwelling
4 Perlin St	Rn	Single Detached Dwelling
31 Rose Abbey St	Rn	Single Detached Dwelling
16 Rostellan Pl	Rn	Single Detached Dwelling
25 Scouts Pl	Rn	Single Detached Dwelling
366 Empire Ave	Sw	Single Detached Dwelling

This Week \$ 3,797,404.00

Class: Demolition

Bldg 517, 16 St. John's Place	Dm	Admin Bldg/Gov/Non-Profit
Bldg 530, 92 Charter Ave	Dm	Admin Bldg/Gov/Non-Profit
Bldg 806, 46 Churchill Ave	Dm	Admin Bldg/Gov/Non-Profit

This Week \$ 2,160,254.00

This Week's Total: \$ 6,870,483.00

Repair Permits Issued: 2015/04/23 To 2015/04/29 \$ 125,150.00

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

51 Calver Avenue - Application to construct a landing and stairs onto the front deck of the dwelling has been rejected as contrary to Section 10.5.3(6) of the City of St. John's Development Regulations. YEAR TO DATE COMPARISONS			
May 4, 2015			
TYPE	2014	2015	% VARIANCE (+/-)
Commercial	\$35,734,000.00	\$61,978,000.00	73
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$42,454,000.00	\$7,612,000.00	-82
Residential	\$32,602,000.00	\$17,762,000.00	-46
Repairs	\$846,240.00	\$1,161,000.00	37
Housing Units (1 & 2 Family Dwellings)	66	36	
TOTAL	\$111,636,240.00	\$88,513,000.00	-21

Respectfully Submitted,

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

SJMC2015-05-04/198R

It was decided on motion of Councillor Davis; seconded by Councillor Breen: That the building permits list for the period April 16 – April 22, 2015 be approved as presented.

Requisitions, Payrolls and Accounts

Council considered the requisitions, payrolls and accounts for the week ending April 29, 2015.

**Weekly Payment Vouchers
For The
Week Ending April 29, 2015**

Payroll

Public Works	\$ 388,531.82
Bi-Weekly Casual	\$ 23,283.31
Accounts Payable	\$ 5,041,659.91
Total:	\$ 5,453,475.04

SJMC2015-05-04/199R

**It was decided on motion of Councillor Davis; seconded by Councillor Breen:
That the Payrolls and Accounts for the week ending April 22, 2015 be approved.**

Tenders

Council considered the following tenders and Request for Proposal:

- Tender 2015045: Winsor Lake Filter Cell #6
- Tender 2015051: Landscaping Services (RHB)
- RFP for Water Street Infrastructure Improvements (Waldegrave Street to Job’s Cove)

SJMC2015-05-04/200R

**It was decided on motion of Councillor Davis; seconded by Councillor Breen:
That the above noted tenders and RFP be adopted as follows:**

- **Tender 2015045: Winsor Lake Filter Cell #6 awarded to Filtrum Inc. for \$244,871.00.**
- **Tender 2015051: Landscaping Services (RHB) awarded to Alyssa's Property Services \$24,297.00**
- **RFP for Water Street Infrastructure Improvements (Waldegrave Street to Job's Cove) awarded to CBCL Limited in the amount of \$1,683,700.00 (HST included).**

12 Goodridge Street

Council considered a memo dated April 30, 2015 from the Director of Planning & Development regarding the above noted.

SJMC2015-05-04/201R

It was decided on motion of Councillor Tilley; seconded by Councillor Davis: That a demolition permit be issued under Section 375 of the City of St. John's Act given the condition of the property.

Southlands Family Fun Days Funding

Council considered a memo dated April 30, 2015 from the City Clerk regarding the above noted and outlining the need for public ratification of Council's previously approved motion to provide assistance.

SJMC2015-05-04/202R

It was decided on motion of Councillor Collins; seconded by Councillor Hann: That the Recreation Division provide assistance with planning, provision of staff, equipment, games and activities as well as a one-time grant of \$1200. This amount would be phased out for next year's event.

Councillor Collins

- Reminded the general public that there will be a public meeting at the Shea Heights Community Center tomorrow night at 7:00 p.m. with regard to the affordable housing project taking place in the community.

Councillor Bernard Davis:

- Councillor Davis relayed complaints from residents in his ward with regard to the posting of advertisements on phone polls which are unsightly; and he questioned how this could be limited. The Deputy City Manager of Planning, Development &

Engineering advised that residents can contact 311 to register complaints and the City would then investigate.

Acting Mayor Ellsworth

- Referenced a letter received by members of Council from the St. John's Port Authority identifying the economic impact of the Port to the City as researched by Goss Gilroy. The Port generates \$423 million per annum. The Port Authority was congratulated for its efforts.

Adjournment

There being no further business the meeting adjourned at 5:41 p.m.

MAYOR

CITY CLERK