

**MINUTES  
REGULAR MEETING - CITY COUNCIL  
November 23, 2015 - 4:30 p.m. - Council Chambers**

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**Present** Deputy Mayor R. Ellsworth  
Councillor T. Hann  
Councillor S. Hickman  
Councillor D. Lane  
Councillor A. Puddister  
Councillor D. Breen  
Councillor J. Galgay  
Councillor B. Tilley

**Regrets** Councillor W. Collins  
Councillor B. Davis

**Others** City Manager  
Deputy City Manager of Community Services  
Deputy City Manager of Planning, Development & Engineering  
Acting Deputy City Manager of Public Works  
Acting Chief Municipal Planner  
Acting City Clerk  
Legislative Assistant (Kenessa Cutler)

**CALL TO ORDER/ADOPTION OF AGENDA**

**SJMC2015-11-23/528R**

**Moved – Councillor Breen; Seconded – Councillor Puddister**

**That the agenda be adopted as presented.**

**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES**

**SJMC2015-11-23/529R**

**Moved – Councillor Tilley; Seconded – Councillor Hickman**

**That the minutes of November 16, 2015 be adopted as presented.**

**CARRIED UNANIMOUSLY**

## **PUBLIC HEARINGS**

**Application to Rezone to Apartment Low Density (A1) to Accommodate an Affordable Housing Apartment Complex St. John's Development Regulations Amendment Number 626, 2015  
PDE File #: REZ1300008 - 560-564 Main Road**

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Council considered the above noted.

**SJMC2015-11-23/530R**

**Moved – Councillor Puddister; Seconded – Councillor Galgay**

**That Council proceed with the amendment process and formally adopt the St. John's Development Regulations Amendment Number 626, 2015. This amendment must now be sent in accordance with the provisions of the *Urban and Rural Planning Act* to the Department of Municipal and Intergovernmental Affairs with a request for Provincial Registration.**

**CARRIED UNANIMOUSLY**

## **COMMITTEE REPORTS**

**Development Committee Report of November 17, 2015**

[Link to Report](#)

Council considered the above noted report.

**SJMC2015-11-23/531R**

**Moved – Councillor Puddister; Seconded – Councillor Tilley**

**That the report be adopted as presented.**

**CARRIED UNANIMOUSLY**

**Planning & Development Standing Committee Report of November 17, 2015**

[Link to Report](#)

Council considered the above noted report.

**SJMC2015-11-23/532R**

**Moved – Councillor Puddister; Seconded – Councillor Breen**

That the report be adopted as presented with exception of item # 2 which will be dealt with separately at the request of Mayor O'Keefe.

**CARRIED UNANIMOUSLY**

**SJMC2015-11-23/533R**

**Moved – Councillor Puddister; Seconded – Councillor Breen**

That recommendation # 2 of the report be approved as presented and that staff hire an Environmental consulting firm to prepare a report on the Synod Wetland area with the costs for such to be paid by the developer.

**CARRIED  
WITH MAYOR O'KEEFE DISSENTING**

**DEVELOPMENT PERMITS LIST**

[Link to List](#)

Council considered as information the Development Permits List for the period November 12 – 17, 2015.

**BUILDING PERMITS LIST**

[Link to List](#)

Council considered the Building Permits list for the period of November 12 – 17, 2015.

**SJMC2015-11-23/534R**

**Moved – Councillor Galgay; Seconded - Councillor Hann**

That the building permits list for the period November 12 – 17, 2015 be approved as presented.

**CARRIED UNANIMOUSLY**

**REQUISITIONS, PAYROLLS AND ACCOUNTS**

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending November 18, 2015.

**SJMC2015-11-23/535R**

**Moved – Councillor Galgay; Seconded – Councillor Hann**

**That the Payrolls and Accounts for the week ending November 18, 2015 be approved.**

**CARRIED UNANIMOUSLY**

**TENDERS/RFSS**

Council considered the following:

- Tender 2015153 Abatement, Demolition & Site Remediation 117 Southern Shore Highway

**SJMC2015-11-23/536R**

**Moved – Councillor Galgay; Seconded – Councillor Hann**

**That the tender be awarded to the overall lowest bidder meeting specifications Bursey Excavating & Development Inc. for \$64,916.58 as per the Public Tendering Act.**

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

**135 MacDonald Drive Parking Lot**

Council considered a memo dated November 10, 2015 from the City Solicitor regarding the above noted.

**SJMC2015-11-23/537R**

**Moved – Councillor Ellsworth; Seconded – Councillor Hickman**

**That the application to pave and lease the gravel area at 135 MacDonald Drive be denied.**

**CARRIED UNANIMOUSLY**

**Kilkenny Street Easement – Expropriation**

Council considered a memo dated November 12, 2015 from the City Solicitor regarding the above noted.

**SJMC2015-11-23/538R**

**Moved – Councillor Tilley; Seconded – Councillor Puddister**

**That the parcel Quit Claimed to the City be expropriated as per the Notice of Expropriation included in today’s Council agenda.**

**CARRIED UNANIMOUSLY**

**Quarterly Travel Report – Third Quarter 2015**

Council considered as information the above noted.

**17 Heffernan’s Line**

Council considered a memo dated November 17, 2015 from the City Solicitor regarding the above noted.

**SJMC2015-11-23/539R**

**Moved – Deputy Mayor Ellsworth; Seconded – Councillor Puddister**

**That Council approve the acquisition/compensation of \$800 plus reasonable legal fees to finalize the transaction for the sale of a small portion of the front of property at 17 Heffernan’s Line for the Goulds Infrastructure Improvement placed in 2002. This includes compensation for alleged damage to trees on said property.**

**CARRIED UNANIMOUSLY**

**Finance Committee Report – November 18, 2015**

[Link to Report](#)

Council tabled the above noted report.

**SJMC2015-11-23/540R**

**Moved – Councillor Galgay; Seconded – Councillor Hann**

**That item #'s 1 and 3 of the Finance and Administration Standing Committee report be approved as presented.**

**CARRIED UNANIMOUSLY**

**SJMC2015-11-23/541R**

**Moved – Councillor Galgay; Seconded – Councillor Puddister**

**That item # 2 of the Finance and Administration Standing Committee report be approved as presented and that financial support for Volleyfest 2015 be denied due to ineligibility under the City's existing policy.**

**CARRIED  
WITH DEPUTY MAYOR ELLSWORTH AND  
COUNCILLORS HICKMAN AND TILLEY DISSENTING**

**Deputy Mayor Ellsworth**

- Requested that the Deputy City Manager of Public Works review the City's facilities to determine which washrooms can be transitioned to gender inclusive wash rooms.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 5:53 p.m.

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**MAYOR**

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**CITY CLERK**

**REPORTS/RECOMMENDATION**

**Development Committee**

**November 17, 2015 – 10:00 a.m. – Conference Room A, 4<sup>th</sup> Floor, City Hall**

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**1. 29 Patrick Street - Request for Frontage Variance**

It is recommended that Council approve the 10% variance of frontage to allow for 9 metres.

**2. 7 Wicklow Street - Proposed Emergency Generator - Canadian Blood Services**

It is recommended that Council exercise its powers under Section 2.4(1)(2) of the St. John’s Development Regulations and approve the location of the generator in the flood buffer of Leary’s Brook.

David Blackmore  
Chair

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**REPORT/RECOMMENDATIONS  
PLANNING & DEVELOPMENT COMMITTEE MEETING  
November 17, 2015 – 12:00 p.m. – Conference Room A, 4<sup>th</sup> Floor, City Hall**

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**Present:** Councillor A. Puddister  
Councillor S. Hickman  
Councillor J. Galgay  
Councillor B. Tilley  
Councillor T. Hann  
Councillor D. Breen  
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering  
Jason Sinyard, Director of Planning & Development  
Ken O'Brien, Chief Municipal Planner  
Dave Wadden, Manager - Development Engineering  
Lindsey Lyghtle Brushett, Planner III  
Gerard Doran, Supervisor – Development  
Brian Head, Operations Supervisor  
Senior Legislative Assistant (Kathy Driscoll)

**1. Proposed Redevelopment of 11 Barrow's Road (former Flakehouse)**

A delegation consisting of Cliff Johnston of Treet Consulting and Ian Higinell of Fougere Menchenton spoke to the above noted.

**Moved – Councillor Hann; Seconded – Councillor Tilley**

**The Council adopt the Terms of Reference for the Land Use Report as required under the Quidi Vidi Overlay Report and advertise the application in accordance with the St. John's Development Regulations.**

**2. Environmental Advisory Committee Report of October 16, 2015 dealing with the Synod Wetland, Penney Crescent and Jackson Place**

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Bill Clarke spoke to the above noted proposed development.

**Moved – Councillor Hann; Seconded - Councillor Breen**

**That Planning, Development and Engineering staff hire an Environmental consulting firm to prepare a report on the Synod Wetland area. The Developer will be notified of the service costs, incur the associated fees and provide the City with an advanced payment prior to work being carried out. Once prepared, the report will then be forwarded to a future meeting of Planning and Development for discussion.**

**CARRIED UNANIMOUSLY**



**3. Application to rezone land on Tigress Street at Lady Anderson Street  
“Live/Work Arrangements**

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Bill Clarke spoke to the above noted proposed development.

**Moved – Councillor Hickman; Seconded – Councillor Breen**

The Committee agreed that as the proposal runs counter to the Municipal Plan’s policy to support complete neighbourhoods, that the City not amend the Development Regulations by creating a zone that would allow development of conventional residential lots and require the resident of each home to use the ground floor of the home solely to operate a business.

**CARRIED UNANIMOUSLY**

**4. Revisions to the City’s Storm Water Retention Policy – Environmental Advisory Committee Report of November 10, 2015**

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The Committee considered the above noted decision note dated October 13, 2015 from the City’s Planner II.

**Moved – Councillor Breen; Seconded – Councillor Hann**

The Committee agreed to adopt the City’s Storm Water Retention Policy with the following changes/recommendations noted below:

- It is recommended that the policy be worded so that there are no excavations or disruptions of the natural habitat within the wetlands or floodplains in order to promote storm water retention to avoid potential habitat destruction.
- A general concern of the Committee is that this is a developer driven policy; members are concerned that environmental factors are being overshadowed by potential financial opportunity. Specific mention to environmental and habitat preservation should be included in the policy.
- Green water infrastructure can reduce pressure on sewer systems, save on pipe expenditures, reduce energy consumption, last longer, be more cost effective, and beautify neighbourhoods. As there is currently a study being done in conjunction with Mt. Pearl, Paradise, and St. John’s in relation to green water infrastructure it was suggested to defer this item to evaluate and make a recommendation once the study is completed.

**CARRIED UNANIMOUSLY**

**5. Proposed Site Redevelopment – 5 Storey Community Services Building at 12-20 Springdale Street**

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The Committee considered the above noted decision note dated October 13, 2015 from the City's Manager of Development Engineering.

**Moved – Councillor Hickman; Seconded - Councillor Hann**

The Planning and Development Committee agreed that the applicant's proposal has merit but cannot meet the setbacks and yard requirements of the INST Zone in a tight downtown site. A district and a zone is required that can accommodate more intense forms of development.

To accommodate the proposed development, amendments to the Municipal Plan and the Development Regulations are recommended as follows:

- **Development Regulations Amendments**
  - A text amendment to Section 10 to introduce a new Institutional Downtown (INSTD) Zone and an associated schedule of uses and development standards.
  - A rezoning to the new zone.
  - A text amendment to Section 11.5 (Overlay Districts – Light Planes) which accompanies Map F and identifies streets which require a light angle at an elevation of 15 metres. We would remove this section of Springdale Street, so that the building can be built at the property line.
  - An amendment to Section 3, Map F (Downtown Building Control) which identifies development bonus areas.
- **Municipal Plan Amendments**
  - Redesignate the subject property from the Commercial Downtown District to the Institutional District.
  - A text amendment to allow zoning in the Institutional District in the Downtown to have a Building Height greater than 3 storeys and an FAR greater than 3.0.
  - A text amendment to Part III, Section 3.3.4 (Commercial Downtown District- Building Height and Area) to exempt the subject site from having to set back at least 8 metres from the street line once the building rises above four (4) storeys.
  - An amendment to Map III-2 (Downtown Building Control) which identifies bonus areas and light angle controls at 15 metres above grade.

And further, that Council approve the attached draft Terms of Reference for a Land Use Assessment Report (LUAR) to be undertaken by the applicant,

and that the application and LUAR be referred to a public meeting chaired by a member of Council.

CARRIED UNANIMOUSLY

**6. Decision Note dated November 12, 2015 re: Predevelopment Rodent Control**

The Committee considered the above noted Decision Note.

**Moved – Councillor Breen; - Seconded – Councillor Hann**

**That Developers be required to implement a predevelopment rodent control plan acceptable to the City of St. John's for a three week period prior to development for all subdivisions and any commercial/industrial/institutional development unless deemed unnecessary by the Division of Planning & Development.**

CARRIED WITH COUNCILLOR HICKINMAN DISSENTING

Councillor Art Puddister  
Chairperson

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**DEVELOPMENT PERMITS LIST**  
**DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING**  
**FOR THE PERIOD OF November 12, 2015 TO November 18, 2015**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Frankmax Holdings	Conversion for 4 room hotel	128 Water Street	2	Approved	15-11-12
COM	Paul Chafe Architecture	Physiotherapy Clinic & Retail Space	35 White Rose Drive	1	Approved	15-11-12
COM		Proposed Addition to Existing Building for Storage	159 Pennywell Road	2	Approved	15-11-17
RES		Home Office for Small Business "The HELP Truck"	63 Glenview Terrace	3	Approved	15-11-17
COM	Dillon Consulting Ltd.	Additional Drive-thru Lane	30 Ropewalk Lane	3	Approved	15-11-18

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\* Code Classification:  
 RES - Residential      INST - Institutional  
 COM - Commercial      IND - Industrial  
 AG - Agriculture  
 OT - Other

\*\* 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 Appeals.

Gerard Doran  
 Development Supervisor  
 Development Division –  
 PDE Department

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# Building Permits List

## Council's November 23, 2015 Regular Meeting

Permits Issued: 2015/11/12 To 2015/11/18

**Class: Commercial**

Avalon Mall, Saje	Sn	Retail Store
335-337 Duckworth St	Sn	Service Shop
12-20 Highland Dr	Sn	Service Shop
New Cove Rd	Rn	Club
71-77 Elizabeth Ave	Rn	Service Station
632 Topsail Rd	Rn	Service Station
8 Merrymeeting Rd	Rn	Retail Store
260 Blackmarsh Rd	Rn	Bank
2-8 Great Southern Dr	Rn	Retail Store
50 Duffy Pl	Rn	Office
35 White Rose Dr	Nc	Clinic

This Week \$ 2,865,719.00

**Class: Industrial**

This Week \$ .00

**Class: Government/Institutional**

This Week \$ .00

**Class: Residential**

7 Barton's Rd	Nc	Accessory Building
28 Cornwall Ave	Nc	Patio Deck
30 Cornwall Hts	Nc	Patio Deck
22 Dundas St	Nc	Accessory Building
19 Meadowbush Park Rd	Nc	Accessory Building
258 Mundy Pond Rd	Nc	Accessory Building
30 Nautilus St	Nc	Accessory Building
14 Orlando Pl, Lot 255	Nc	Single Detached & Sub.Apt
49 Sugar Pine Cres, Lot 278	Nc	Single Detached Dwelling
26 Tigress St	Nc	Fence
42 Alexander St	Ex	Semi-Detached Dwelling
52 Carpasian Rd	Ex	Single Detached Dwelling
18 Brooklyn Ave	Rn	Single Detached Dwelling
58 Circular Rd	Rn	Semi-Detached Dwelling
3 Ledum Pl	Rn	Single Detached Dwelling
245 Portugal Cove Rd	Rn	Single Detached Dwelling
53 Quebec St	Rn	Single Detached Dwelling
6 St. Andrew's Pl	Rn	Single Detached Dwelling
4 Salmonier Pl	Rn	Single Detached & Sub.Apt
34 Shea St	Rn	Single Detached Dwelling
8 Sugar Pine Cres	Rn	Single Detached & Sub.Apt

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18 Triton Pl, B4  
 48 William St  
 9 Argus Pl  
 25 Beaver Brook Dr

Rn Condominium  
 Rn Single Detached Dwelling  
 Sw Single Detached Dwelling  
 Sw Single Detached Dwelling

This Week \$ 810,950.00

**Class: Demolition**

Pleasantville, Bldg. 401 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg. 402 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg. 403 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg. 405 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg. 406 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg 407 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg. 501 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville, Bldg 509 Dm Admin Bldg/Gov/Non-Profit  
 Pleasantville Bldg 404 Dm Admin Bldg/Gov/Non-Profit

This Week \$ 997,485.00

This Week's Total: \$ 4,674,154.00

Repair Permits Issued: 2015/11/12 To 2015/11/18 \$ 41,400.00

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

68 Lime Street - Your application for a subsidiary apartment is rejected as contrary to Section 2 of the Development Regulations.

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Year To Date Comparisons			
November 23, 2015			
TYPE	2014	2015	% VARIANCE (+/-)
Commercial	\$165,171,000.00	\$126,706,000.00	-23
Industrial	\$125,300.00	\$0.00	-100
Government/Institutional	\$77,940,000.00	\$15,947,000.00	-80
Residential	\$131,465,000.00	\$77,365,000.00	-41
Repairs	4,997,000.00	4,004,000.00	-20
Housing Units (1 & 2 Family Dwellings)	299	207	
<b>TOTAL</b>	<b>\$379,698,300.00</b>	<b>\$224,022,000.00</b>	<b>-41</b>

Respectfully Submitted,

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

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# MEMORANDUM

## **Weekly Payment Vouchers For The Week Ending November 18, 2015**

### **Payroll**

<b>Public Works</b>	<b>\$ 420,939.81</b>
<b>Bi-Weekly Administration</b>	<b>\$ 902,137.91</b>
<b>Bi-Weekly Management</b>	<b>\$ 851,584.46</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 644,906.33</b>
<b>Accounts Payable</b>	<b>\$1,971,846.84</b>

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**Total: \$ 4,791,415.35**

# **ST. JOHN'S**

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA



**REPORT/RECOMMENDATIONS  
FINANCE AND ADMINISTRATION COMMITTEE - CITY COUNCIL**

**November 18, 2015 – 1:00 p.m. – Conference Room A**

- 
- Present**      **Article I.**  
Councillor J. Galgay, Chair  
Councillor B. Tilley  
Councillor A. Puddister
- Others**      Neil Martin, City Manager  
Dave Blackmore, Deputy City Manager - Planning, Development and Engineering  
Jill Brewer, Deputy City Manager – Community Services  
Derek Coffey, Acting Deputy City Manager - Financial Management  
Sean Janes, City Internal Auditor  
Kathy Driscoll, Senior Legislative Assistant

**REPORT/RECOMMENDATIONS**

- 1. Decision Note dated November 6, 2015 from the Manager of Events and Services re: Sponsorship of Atlantic Major Midget Hockey Championship**
- 

The Committee considered the above noted decision note.

**Moved – Councillor Puddister ; Seconded – Councillor Tilley**

**The Committee agreed that Council deny sponsorship of this event as it is against policy.**

**Article II.  
Article III. CARRIED UNANIMOUSLY**

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- 2. Memo dated November 16, 2015 from the City Clerk re: Requests for Financial Support for Meetings and Conventions (Policy: 04-09-02) re: Volleyfest 2015**
- 

The Committee considered the above noted memo.

**Moved – Councillor Tilley; Seconded – Councillor Puddister**

**The Committee agreed to deny financial support to Volleyfest 2015 as the group does not meet all the eligibility criteria.**

**CARRIED UNANIMOUSLY**

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**ST. JOHN'S**

**3. Decision note dated November 18, 2015 from the City Clerk re: Christmas Reception – Volunteers on Existing Advisory Committees**

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The Committee considered the above noted decision note. It was suggested to be mindful of the day of the event to allow for participation of the volunteers.

**Moved – Councillor Tilley; Seconded – Councillor Puddister**

**The Committee agreed that the City host a reception for the volunteers of the current Advisory committees. The date will be in or about early December and will be from 4:30 to 6 p.m.**

**CARRIED UNANIMOUSLY**

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Councillor Jonathan Galgay, Chair  
Finance & Administration Committee

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