

**October 14, 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.

Mayor Dennis O'Keefe presided.

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

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

**Call to Order and Adoption of the Agenda**

**SJMC2014-10-14/448R**

**It was decided on motion of Councillor Collins; seconded by Deputy Mayor Ellsworth: That the Agenda be adopted as presented.**

**Adoption of Minutes**

**SJMC2014-10-14/449R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Davis: That the minutes of October 6, 2014 be adopted as presented.**

**Special Events Advisory Committee Report – October 2, 2014**

Council considered the above noted report:

**SJMC2014-10-14/450R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the following event be approved in principle subject to route confirmation by the Traffic Division:**

**Event: 5th Annual St. John's Zombie Walk  
Location: Fort William Building Parking Lot to Water Street  
Date & Time: October 18, 2014 from 2:00 p.m. – 3:30 p.m.**

**Development Committee Report of October 7, 2014**

Council considered the above noted report:

**SJMC2014-10-14/451R**

**It was decided on motion of Councillor Hann; seconded by Councillor Hickman: That the report be approved as presented.**

The following matters were considered by the Development Committee at its meeting held on October 7, 2014. A staff report is attached for Council's information.

- 1. Department of Planning & Development File No. DEV1400062  
Proposed Construction of Accessory Building  
Discretionary Use Application  
Civic Number 312 Paddy's Pond Road  
Rural (R) Zone - Ward 5**
- 

It is the recommendation of the Development Committee that Council approve the application for the 12ft x 16ft Accessory Building.

- 2. Planning, Development & Engineering File No. DEV1400200  
Proposed National Brand Coffee Shop with Drive-Thru, Service Station  
with Convenience Store and Nation Brand Food Restaurant  
Atlantic Planning & Management Ltd.  
2-8 Great Southern Drive - Ward 5  
Commercial Neighbourhood (CN) Zone**
- 

The Development Committee recommends approval-in-principle of the development subject to the following conditions:

- The project meeting all the conditions as determined by the Department of Planning, Development and Engineering.

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David Blackmore

Deputy City Manager – Planning Development and Engineering

Chair – Development Committee

**Taxi Committee Report of September 8, 2014**

Council considered the above noted report:

**SJMC2014-10-14/452R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Davis: That the report be approved as presented.**

In Attendance: Mr. Dave Blackmore, Chairperson – Deputy City Manager – Planning, Development & Engineering  
Deputy Mayor Ron Ellsworth  
Councillor Tom Hann  
Mr. Seamus O’Keefe – General Public Representative  
Mr. Keith Lane – Taxi Operator/License Holder Representative  
Mr. Gerald Smith – General Public Representative  
Mr. Cecil Whitten – Para-Transit Representative  
Ms. Cheryl Mullett – Legal Counsel  
Ms. Deborah Cook – Manager – Tourism & Culture  
Ms. Susan Ralph – Accessible Transit Coordinator  
Ms. Maureen Harvey, Senior Legislative Assistant

**Taxi Safety**

In recognition of the need to ensure a safe work environment for taxi drivers, the Committee entertained discussion with representatives of the Occupational Health & Safety Division of Service NL to explore options that could potentially improve safety for taxi drivers. In keeping with Occupational Health & Safety Legislation, the OHS Division in partnership with the City of St. John’s have agreed to develop a work place risk assessment for use by the taxi industry which will be used to create a safe work environment. In addition the Division and the City of St. John's will be host a half day workshop to bring the industry together to educate people involved in the taxi industry about the legislation and develop a list of actions that can be used to minimize the risk to drivers.

**Recommendation**

**Moved by Gerry Smith; seconded by Councillor Tom Hann that the Committee move forward as suggested, to create a program that addresses violence prevention for people involved in the taxi industry.**

**Accessible Taxis**

The Taxi Committee discussed lack of take up of the available licenses and the need for service in this area. Given the current licenses have been available for an extended period of time without being filled the committee felt that it was obvious that the cost of providing the service was not cost effective for industry. In an attempt to encourage the provision of accessible taxis in the City of St. John’s the committee discussed a number of options and or incentives which could be entertained and ultimately agreed that industry be offered an opportunity to submit proposals for the licenses. Any acceptance of a proposal would have to be based on a sound business plan which would ensure a long term sustainable program.

**Recommendation**

**The Committee seeks the approval of Council to issue a Request for Proposal for the provision and service of accessible taxis in the City of St. John’s.**

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Dave Blackmore  
Deputy City Manager – Planning, Development & Engineering  
Chair – Taxi Committee

**Development Permits List**

Council considered as information the following Development Permits List for the period October 2 – 8<sup>th</sup>, 2014.

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING  
FOR THE PERIOD OF October, 2014 TO October 8, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Subdivide for Additional Building Lot	406-410 Old Pennywell Road	4	Approved	14-10-06
RES		Home Office for Automotive Business	4 Fahey Street	5	Approved	14-10-06
COM	Newfoundland Power	Relocation of Pole Transmission Line for Glencrest Development	15 Duffett's Road	5	Approved	14-10-07
RES		Demolition & Replace with Three (3) Storey Dwelling	37 Maxwell Place	2	Approved	14-10-07
RES		Subdivide for One (1) Additional Lot	7 Midstream Place	5	Approved	14-10-07
RES	Splash n Dash	Home Office for Triathlon Business	808 Southside Road	5	Approved	14-10-08

<p>* Code Classification:  RES- Residential  COM- Commercial  AG - Agriculture  OT - Other</p>	<p>INST - Institutional  IND - Industrial</p>
<p>** 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.</p>	

Gerard Doran  
Development Supervisor  
Department of Planning

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**Building Permits List**

Council considered the Building Permits list for the period October 2 to October 8<sup>th</sup>, 2014.

**SJMC2014-10-14/453R**

**It was decided on motion of Councillor Breen; seconded by Councillor Tilley: That the recommendations of the Director of Planning and Development with respect to the following Building Permits list for the period October 2<sup>nd</sup> to October 8<sup>th</sup>, 2014 be approved:**

### Building Permits List Council's October 14, 2014 Regular Meeting

Permits Issued: 2014/10/02 To 2014/10/08

**Class: Commercial**

48 Kenmount Rd-Bogarts	Sn	Retail Store
48 Kenmount Rd/Nf Chocolate Co	Sn	Retail Store
330 Duckworth St	Sn	Parking Lot
25 Hebron Way	Sn	Retail Store
430 Topsail Rd	Sn	Service Shop
350 Torbay Rd	Sn	Eating Establishment
216 Water St,Shish Lounge Inc	Sn	Tavern
88 Thorburn Rd	Rn	Commercial Garage
290 Lemarchant Rd	Rn	Mixed Use
430 Topsail Rd, Coles	Rn	Retail Store
3-11 Rowan St, 2nd Floor	Cr	Office
350 Torbay Rd-Trailer Tim's	Nc	Accessory Building
411 Stavanger Dr	Rn	Communications Use
40 Hebron Way	Nc	Accessory Building
350 Torbay Rd-Tim Horton's	Rn	Eating Establishment
430 Topsail Rd Smiths Home Har	Rn	Retail Store
235 Water St	Rn	Mixed Use

This Week \$ 26,048,739.00

**Class: Industrial**

This Week \$ .00

**Class: Government/Institutional**

This Week \$ .00

**Class: Residential**

2 Ballylee Crescent, Lot 387	Nc	Single Detached Dwelling
Blackhead Rd, Lot 406	Nc	Single Detached Dwelling
14 Burton St	Nc	Fence
38 Cowan Ave	Nc	Fence
68 Ferryland St W	Nc	Accessory Building
98 Frecker Dr	Nc	Accessory Building
35 Greenspond Dr	Nc	Fence
177 Groves Rd	Nc	Fence
11 Hazelwood Cres	Nc	Fence
43 Horlick Ave	Nc	Accessory Building
115 Ladysmith Dr	Nc	Accessory Building
17 Laughlin Cres	Nc	Fence
111 Macbeth Dr, Lot 2	Nc	Single Detached Dwelling
57 Old Petty Harbour Rd	Nc	Fence
16 Parsonage Dr	Nc	Fence
14 St. Shotts Pl	Nc	Accessory Building
7 Woodwynd St	Nc	Accessory Building
5 Fox Ave	Cr	Single Detached Dwelling
21 Alder Pl	Rn	Single Detached & Sub.Apt
53 Brazil St	Rn	Townhousing
143 Cheeseman Dr	Rn	Single Detached Dwelling
107 Doyle St	Rn	Townhousing
5 Galashiels Pl	Rn	Single Detached Dwelling

115 Ladysmith Dr	Rn	Subsidiary Apartment	
26 Oxen Pond Rd	Rn	Single Detached Dwelling	
17 Tigress St	Rn	Single Detached & Sub.Apt	
51 Torbay Rd	Rn	Single Detached Dwelling	
59 Duckworth St	Sw	Single Detached Dwelling	
177 Lemarchant Rd	Sw	Semi-Detached Dwelling	
57 Old Petty Harbour Rd	Sw	Single Detached Dwelling	
3 Stoneyhouse St	Sw	Single Detached Dwelling	
14 Whiteford Pl	Sw	Single Detached Dwelling	
			This Week \$ 935,516.00

**Class: Demolition**

29 Ladysmith Dr	Dm	Single Detached Dwelling	
75 Shaw St,Apt.#325	Dm	Apartment Building	
128 Water St	Dm	Mixed Use	
			This Week \$ 230,000.00
			This Week's Total: \$ 27,214,255.00

Repair Permits Issued: 2014/10/02 To 2014/10/08 \$ 101,736.00

Legend

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

YEAR TO DATE COMPARISONS			
October 14, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$78,672,000.00	\$153,565,000.00	95
Industrial	\$131,000.00	\$125,300.00	-4
Government/Institutional	\$78,136,000.00	\$77,760,000.00	0
Residential	\$136,252,000.00	\$120,553,000.00	-12
Repairs	\$3,994,000.00	\$4,433,000.00	11
Housing Units (1 & 2 Family Dwellings)	383	272	
<b>TOTAL</b>	<b>\$297,185,000.00</b>	<b>\$356,436,300.00</b>	<b>20</b>

Respectfully Submitted,

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

**Requisitions, Payrolls and Accounts**

Council considered the requisitions, payrolls and accounts for the week ending October 8, 2014.

**SJMC2014-10-14/454R**

**It was decided on motion of Councillor Breen; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week ending October 8, 2014 be approved.**

**Weekly Payment Vouchers  
For The  
Week Ending October 8, 2014**

**Payroll**

<b>Public Works</b>	<b>\$ 399,280.37</b>
<b>Bi-Weekly Administration</b>	<b>\$ 808,856.66</b>
<b>Bi-Weekly Management</b>	<b>\$ 722,239.66</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 661,720.89</b>
<b>Accounts Payable</b>	<b>\$8,249,283.97</b>
<b>Total:</b>	<b>\$10,841,381.55</b>

**Tenders**

Council considered the following tender:

- a. Tender for Paradise Fire Station

**SJMC2014-10-14/455R**

**It was decided on motion of Councillor Breen; seconded by Councillor Tilley: That the tender for the Paradise Fire Station be awarded to the lowest bidder, Baraco Atlantic Corp. in the amount of Four Million Nine Hundred Twenty Six Thousand Ninety-Nine Dollars and Forty Cents (\$4,926,099.40) (HST included).**

### **Ratification of E-poll – 37 Maxwell Place**

An e-poll was conducted on October 7, 2014 seeking approval for discretionary use consideration with respect to the proposed development at 37 Maxwell Place to permit a third floor.

#### **SJMC2014-10-14/456R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Puddister: That the E-poll be ratified as presented.**

### **October Economic Update**

Council considered as information the above noted, a copy of which is available on the City's website for public viewing. Councillor Tilley highlighted some of the major points outlined in the document, particularly referencing the Conference Board of Canada's publication: City Magnets III which rates the City of St. John's as grade A and ranked sixth most attractive city in Canada for newcomers.

### **Councillor Wally Collins**

- Councillor Collins requested that the City review its current policy relative to developers paving sidewalks in subdivisions with a view to ensuring the process is equitable for both the City and the developers. He particularly referenced two areas: Kenai and Sequoia Drive in Southlands which will likely be without sidewalks into this coming winter. The matter was referred to the City Manager for investigation.

### **Councillor Bernard Davis**

- Councillor Davis requested that the Deputy City Manager of Planning, Development & Engineering provide an update on the status of work being done on Portugal Cove Road. Currently, the City is dealing with the contractor on an ongoing basis and the road will not be brought up to standards by the winter but it will be passable by crews for snow clearing purposes.



**Councillor Jonathan Galgay**

- Councillor Galgay launched the 2014 Leaf Program for which informational pamphlets were circulated.
- Councillor Galgay requested that the City reconsider the location of the annual New Year's Eve fireworks display from Quidi Vidi Lake back to the Downtown area. The matter was referred to the Deputy City Manager of Community Services for review and report back to Council. She also suggested consulting with Parks Canada about the potential use of Signal Hill for this event.

**Councillor Breen**

- Councillors Breen and Puddister provided updates on the deliberations emanating from the Municipalities NL Convention held this past weekend in Corner Brook. The City of St. John's was represented by Councillors Hickman, Puddister and Galgay. Particular reference was made to the paper presented on a new fiscal arrangement and the importance was stressed of improving the fiscal arrangements between the Province and its municipalities. Councillor Galgay, as an MNL Board member, will provide a further update at a future meeting.

**Adjournment**

There being no further business the meeting adjourned at 5:49 p.m.

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**MAYOR**

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**CITY CLERK**