

October 27, 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.

Acting Mayor Bruce Tilley presided.

There were present also Councillors Hann, Puddister, Hickman, Breen, Lane, Galgay, Davis, 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; Deputy City Manager of Public Works; City Solicitor; Chief Municipal Planner; and Senior Legislative Assistant were also in attendance.

Regrets: Mayor Dennis O'Keefe and Deputy Mayor Ron Ellsworth.

Call to Order and Adoption of the Agenda

SJMC2014-10-27/472R

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

Adoption of Minutes

SJMC2014-10-27/473R

It was decided on motion of Councillor Davis; seconded by Councillor Hickman: That the minutes of October 20, 2014 be adopted as presented.

Proposed Relocation of Fire Works Celebration to Downtown St. John's

Under business arising, Council considered as information the following background for which there was no debate at this time. A Notice of Motion will be tabled at a future meeting.

- E-mail from City Manager dated October 17, 2014;
- Briefing Note from the St. John's Regional Fire Department;
- Excerpt from January 19, 2009 report of the Tourism Standing Committee;
- E-mail dated October 22, 2014 from Senior Legal Counsel

KPMG Interim Report on Review of Winter Maintenance Services

Councillor Galgay presented the above noted report, a copy of which is on file with the Office of the City Clerk. He highlighted the “Quick Hits” actionable items that can be implemented this year.

SJMC2014-10-27/474R

It was moved by Councillor Galgay; seconded by Councillor Puddister: That the KPMG Interim Report on the Review of Winter Maintenance Services be approved with the implementation of the following Quick Hits:

- **KPMG Quick Hit #1
Improve Snow Removal and Sidewalk Clearing Standards**
 - **Hired Trucks \$800,000**
 - **City staff snow removal crews \$250,000**
- **KPMG Quick Hit #3 - Sidewalk Crew Pilot \$225,000**
- **KPMG Quick Hit #4 – Improve Communications Between Roads, Fleet, and Supply Nil**
- **KPMG Quick Hit #5 – Longer Winter Season \$200,000**
- **KPMG Quick Hit #6 – Training \$120,000**
- **KPMG Quick Hit #7 – External Communications NIL**
- **KPMG Quick Hit #8 – Other Recommendations for This Winter \$60,000**
- **Total Estimated Costs for Quick Hits \$1,655,000**

Along with the mover and seconder, Councillors Davis, Hickman, Lane and Tilley spoke in favour of the report and commended City staff and KPMG for providing a comprehensive report. They felt that the report addressed the main concerns expressed by residents as to how snow clearing operations can be improved. Reference was also made to the engagement process which greatly influenced the content of this report. Councillor Collins was the only dissenter speaking against the report, noting that it does not reflect any improvements for Ward 5 and that most of the money will be spent in the downtown area.

The motion being put, was carried with Councillor Collins dissenting.

Public Hearings

Council considered the report from the public meeting held October 15, 2014 regarding the Application from Northern Property REIT to rezone property at 146-148 Ladysmith Drive to the Apartment Medium Density (A2) Zone.

SJMC2014-10-27/475R

It was moved by Councillor Hann; seconded by Councillor Lane: That Council approve the amendment process for the land situated at 146-148 Ladysmith Drive. Further, Council directed the Department of Planning, Development and Engineering to proceed with rezoning and prepare any necessary amendments to the Municipal Plan and Development Regulations and forward these to the Department of Municipal Affairs with a request for provincial release. The next step would then be to refer the amendments to a future Regular Meeting of Council for consideration of adoption and the appointment of an independent commissioner to conduct a public hearing.

Members of Council speaking in favour of the motion also acknowledged the legitimate concerns expressed by the citizens about the lack of amenities in Kenmount Terrace as well as the safety concerns with respect to traffic congestion, speeding, crime, etc., as well as the lack of public spaces for recreational activities. These issues are the responsibility of the City and not the developer and measures are underway to eventually address each issue. As the area becomes more developed and there will be more roadways in and out of the area, traffic congestion will ease. The City is also in the process of hiring additional transportation staff who will monitor the traffic and safety issues. The proposed development is also in line with the need for increased density as proposed in the Municipal Plan which will address the need for apartments and other forms of affordable housing.

Councillor Davis spoke against the motion reiterating the concerns of residents which he felt were quite legitimate.

The motion being put was carried with Councillor Davis dissenting.

(Councillor Davis left the meeting at 5:40 p.m.)

Committee Reports

Development Committee Report of October 21, 2014

Council considered the above noted report:

SJMC2014-10-27/476R

It was decided on motion of Councillor Hann; seconded by Councillor Puddister: That the Development Committee Report of October 21, 2014 be adopted as presented.

1. **Department of Planning, Development & Engineering
File No. CRW1400030
Proposed Crown Land Lease
Proposed Agricultural Use
Department of Environment & Conservation File 1037377
Crown Land Grant Referral for 10.22 Hectares
1700 Blackhead Road – Ward 5
Rural (R) Zone**

It is the recommendation of the Development Committee that Council approve the above noted Crown Land Lease. The development of the site is subject to a development application being submitted. Final approval is subject to the developer satisfying all requirements of the City of St. John's.

2. **Planning & Development File No. CRW1400021 & DEV1400275
Proposed Amendment to Crown Land 'Permission to Occupy' to
Add Obstacle Course Under Zip-line
Department of Environment & Conservation File 1034467
Crown Land Referral for 1.3 Hectares
Petty Harbour Road (Ward 5) – Open Space Reserve (OR) Zone**

The Development Committee recommends approval of the subject Crown Land application subject to the condition that no development is to occur in the Flood Plain or Buffer. Should the applicant be successful in obtaining the Crown Land Permit, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.

3. **Planning and Development File No. CRW1400029
Proposed Crown Land Grant to Extend Private Property
Department of Environment and Conservation File 1037390
Crown Land Referral for 43.18m²
22 Wood Street (Ward 2) – Residential Downtown (RD) Zone**
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It is the recommendation of the Development Committee to approve the subject Crown Land application. Should the applicant be successful in obtaining the Crown Land Permit, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.

**4. 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**

The Development Committee recommends approval of the above noted application for the 12ft x 16ft Accessory Building.

(Original Signed)

David Blackmore
Deputy City Manager – Planning Development and Engineering
Chair – Development Committee

DB/kd

Attachment

Development Permits List

Council considered as information the following Development Permits List for the period October 17 – 22nd, 2014.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF October 17, 2014 TO October 22, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Government of Newfoundland & Labrador	3 Site Trailers	Waterford Hospital 306 Waterford Bridge Road	3	Approved	14-10-17
COM	Stantect Consulting Ltd.	Site upgrade	Toromont Cat 82 Kenmount Road	4	Approved	14-10-22

Gerard Doran
Development Supervisor
Department of Planning

*	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.		

Building Permits List

Council considered the Building Permits list for the period October 16 to October 22nd, 2014.

SJMC2014-10-27/477R

It was decided on motion of Councillor Breen; seconded by Councillor Collins: That the recommendations of the Director of Planning and Development with respect to the following Building Permits list for the period October 16th to October 22nd, 2014 be approved:

**Building Permits List
Council's, October 28, 2014 Regular Meeting**

Permits Issued: 2014/10/16 To 2014/10/22

Permits List

Class: Commercial

2 Mount Cashel Rd	Co	Clinic
34 Blackmarsh Rd-J.J. Services	Rn	Service Station
12 Bay Bulls Rd	Ms	Eating Establishment
245-247 Duckworth St	Sn	Retail Store
18 Hebron Way	Sn	Retail Store
135 Mayor Ave	Ms	Club
18 Mount Cashel Rd	Sn	Mixed Use
20 Peet St	Ms	Car Sales Lot
15 Ropewalk Lane	Sn	Industrial Use
151 Water St , Believe Fit	Rn	Retail Store
615 Empire Ave	Nc	Fence
239 Craigmillar Ave	Sw	Apartments Or Mixed Use
306 Waterford Bridge Rd	Nc	Accessory Building
89 Aberdeen Ave	Rn	Retail Store
290 Lemarchant Rd	Rn	Mixed Use
38-42 Ropewalk Lane, Care	Cr	Retail Store
430 Topsail Rd	Rn	Shopping Centre

This Week \$ 404,900.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

175-177 Duckworth St Rn Admin Bldg/Gov/Non-Profit

This Week \$ 100,000.00

Class: Residential

4 Burton St	Nc	Accessory Building
55 Cottonwood Cres	Nc	Accessory Building
21 Cypress St	Nc	Accessory Building
36 Druken Cres	Nc	Accessory Building
118 Ennis Ave	Nc	Accessory Building
48 Fort Amherst Rd	Nc	Fence
32 Galaxy Cres, Lot 11	Nc	Single Detached Dwelling
120 Ladysmith Dr , Lot 222	Nc	Single Detached & Sub.Apt
216 Ladysmith Dr	Nc	Accessory Building
8 Mount Pleasant Ave	Nc	Accessory Building
19 Oberon St	Nc	Fence
406-410 Old Pennywell Rd	Nc	Single Detached Dwelling
58 Orlando Pl, Lot 194	Nc	Single Detached Dwelling
10 Parsonage Dr	Nc	Fence
4 Rendell Pl	Nc	Fence
70 Teakwood Dr	Nc	Accessory Building
27 Triton Pl, Lot G3	Nc	Condominium
29 Triton Pl, Lot G2	Nc	Condominium
31 Triton Pl, Lot G1	Nc	Condominium
15 Sitka St, Lot 287	Nc	Single Detached Dwelling
7-11 Westmount Pl, Lot 5	Nc	Single Detached Dwelling
21 Whiteway St	Nc	Accessory Building
109 New Cove Rd	Co	Office
808 Southside Rd	Co	Office
10 Linscott St	Ex	Single Detached Dwelling
4 Whitehorse Pl	Ex	Single Detached Dwelling
39 Bonavista St	Rn	Single Detached Dwelling
31 Cairo St	Rn	Semi-Detached Dwelling
14 Hayward Ave	Rn	Townhousing
34 Henry St	Rn	Semi-Detached Dwelling
16 Kilkenny St	Rn	Accessory Building
36 Malka Dr	Rn	Single Detached Dwelling
67 Mayor Ave	Rn	Single Detached Dwelling
3 Murray St	Rn	Single Detached Dwelling
56 Parsonage Dr	Rn	Single Detached Dwelling
78 Quidi Vidi Village Rd	Rn	Single Detached Dwelling
60 Sorrel Dr	Rn	Single Detached Dwelling
337 Southside Rd	Rn	Single Detached Dwelling
337 Southside Rd	Rn	Single Detached Dwelling
30 Ferryland St E	Sw	Single Detached Dwelling
28 Kenai Cres	Sw	Single Detached Dwelling
33 Kershaw Pl	Sw	Single Detached Dwelling
96 Waterford Bridge Rd	Sw	Single Detached Dwelling

This Week \$ 3,186,200.00

Class: Demolition

6 Mckay St

Dm Semi-Detached Dwelling

This Week \$ 10,000.00

This Week's Total: \$ 3,701,100.00

Repair Permits Issued: 2014/10/16 To 2014/10/22 \$ 156,409.00

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	Demolition

YEAR TO DATE COMPARISONS			
October 28, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$88,055,000.00	\$154,703,000.00	76
Industrial	\$131,000.00	\$125,300.00	-4
Government/Institutional	\$79,341,000.00	\$77,860,000.00	-2
Residential	\$144,639,000.00	\$125,571,000.00	-13
Repairs	\$4,205,000.00	\$4,793,000.00	14
Housing Units (1 & 2 Family Dwellings)	397	283	
TOTAL	\$316,371,000.00	\$363,052,300.00	15

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 22, 2014.

SJMC2014-10-27/478R

It was decided on motion of Councillor Breen; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending October 22nd, 2014 be approved.

**Weekly Payment Vouchers
For The
Week Ending October 22, 2014**

Payroll

Public Works	\$ 417,917.98
Bi-Weekly Administration	\$ 799,457.60
Bi-Weekly Management	\$ 746,650.31
Bi-Weekly Fire Department	\$ 667,026.10
Accounts Payable	\$5,841,131.25
Total:	\$ 8,472,183.24

Tenders

Council considered the following tender:

Tender 2014083 Electrical Auto Parts

SJMC2014-10-27/479R

It was decided on motion of Councillor Breen; seconded by Councillor Collins: That Council award this tender to the lowest bidders, as per attached table, meeting the specifications for various electrical auto parts, as per the Public Tendering Act. This contract is for a one year period with the option to extend for two additional one year periods.

Electrical Auto Parts	
TENDER #2014083 – October 9, 2014 - 2:00 PM	
Parts For Trucks, Inc.	\$11,168.99
Colonial Auto Parts Limited	\$6,252.36
O M B Parts & Industrial Ltd.	\$751.51

Other Business

Trinity Pub – Beck’s Cove/George Street

Council considered a memorandum dated October 17, 2014 from the City Solicitor regarding the above noted.

SJMC2014-10-27/480R

It was decided on motion of Councillor Galgay; seconded by Councillor Lane: That the relatively small area of City land adjacent to the entrance of the Trinity Pub be leased to the owner at a rate of \$2.50 per square foot per year to create an outdoor patio area. Essentially this would be a continuation of past practice in that the land has been leased for the same purpose by the previous property owner. Any new lease would be subject to a 60 day termination clause.

Reservoir Road – Protestant Cemetery

Council considered a memorandum dated October 22, 2014 from the City Solicitor regarding the above noted.

SJMC2014-10-27/481R

It was decided on motion of Councillor Puddister; seconded by Councillor Collins: That the requested easement by Newfoundland Power over the water tower lands on Reservoir Road be approved so that Newfoundland Power may provide power to the new building constructed for the General Protestant Cemetery. The proposed easement has been approved by the Department of Public Works.

(Councillor Davis re-entered the meeting at approximately 5:45 p.m.)

Councillor Hann:

Councillor Hann referenced discussion at a recent Taxi Advisory Committee meeting wherein members met with representatives from Occupational Health and Safety Division of Service NL who wished to start a dialogue on the need for enhanced safety for public transit operators. In this regard, the Federal Government is in its third reading of Bill S-221: an act to amend the criminal code (assaults against public transit operators).

SJMC2014-10-27/482R

It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That a letter be sent by the Mayor to the Senate and Federal Members of Parliament urging them to support Bill S-221: “An Act to Amend the Criminal Code (assaults against public transit operators).

Councillor Art Puddister:

Councillor Puddister requested that the Deputy City Manager of Public Works consult with and obtain Council's approval in advance of issuing lay-off notices to seasonal workers so that Council is involved in the decision making process prior to any action being taken. Councillor Galgay agreed with this direction and further suggested that the matter be referred to the next meeting of the Public Works Standing Committee.

Adjournment

There being no further business the meeting adjourned at 5:51 p.m.

MAYOR

CITY CLERK