

MINUTES
REGULAR MEETING - CITY COUNCIL
September 12, 2016 – 4:30 p.m. - Council Chambers

Present Mayor D. O’Keefe
Deputy Mayor R. Ellsworth
Councillor A. Puddister
Councillor D. Breen
Councillor B. Tilley
Councillor S. O’Leary
Councillor W. Collins
Councillor T. Hann
Councillor S. Hickman
Councillor J. Galgay
Councillor D. Lane

Others Kevin Breen, City Manager
Lynnann Winsor, Deputy City Manager of Public Works
Derek Coffey, Deputy City Manager of Financial Management
Jason Sinyard, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Deputy City Manager of Community Services
Linda Bishop, Acting City Solicitor
Ken O’Brien, Chief Municipal Planner
Maureen Harvey, Acting City Clerk
Stacey Fallon, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-09-12/380R

Moved – Councillor Galgay; Seconded – Councillor Tilley

That the agenda be adopted as presented with the following addition:

- **Council Approval for Contract Award Without Tender Invitation – ESRI Canada Limited.**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-09-12/381R

Moved – Councillor Puddister; Seconded – Councillor Hickman

That the minutes of September 6, 2016 be approved as presented with:

- **The removal of Councillor Hickman from the Attendance.**

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

NOTICES PUBLISHED

Council considered the following noticed published:

- a. A Discretionary Use application has been submitted requesting municipal approval to occupy **131 Moss Heather Drive** as a Home Occupation for a Music Studio. The studio will have a total floor area of 13.7m². The proposed business will provide private vocal lessons. Hours of operation will be Monday 3:30-9:30 p.m., Tuesday 3:30-9:30 p.m., Wednesday 4:30-9:30 p.m., and Thursday 5:30-8:30 p.m. There is only one (1) client per private lesson, and lessons are either 30 or 60 minutes in duration. The applicant is the sole employee. There are two (2) parkingspaces available on site.
- b. A Discretionary Use Application has been submitted requesting permission to occupy a portion of **37 Warren Place** for a home occupation for Custom Designs. The proposed business will occupy an area of 36m² and will be used to create custom accessories to sell outside the dwelling at salons, conventions, etc., and costumes for film/television industry. No customers will be seen on site, parking will not be required. Hours of operation will be Monday to Friday from 8 a.m. – 5 p.m. The business will employ two (2) people, both of which reside at the home.

SJMC2016-09-12/382R

Moved – Councillor Puddister; Seconded – Councillor Lane

That the Discretionary Use Application for 131 Moss Heather Drive be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

SJMC2016-09-12/383R

Moved – Councillor Puddister; Seconded – Councillor Lane

That the Discretionary Use Application for 37 Warren Place be approved subject to all applicable City requirements.

**CARRIED WITH COUNCILLOR
PUDDISTER DISSENTING**

PUBLIC HEARINGS

COMMITTEE REPORTS

Finance and Administration Standing Committee Report – September 7, 2016

Council considered the above noted report.

SJMC2016-09-12/384R

Moved – Councillor Galgay; Seconded – Councillor Puddister

That the report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

Development Committee Report – September 6, 2016

Council considered the above noted report.

SJMC2016-09-12/385R

Moved – Councillor Puddister; Seconded – Councillor Hickman

That the report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

Special Events Advisory Committee Report – September 7, 2016

Council considered the above noted report.

SJMC2016-09-12/386R

Moved – Councillor Breen; Seconded – Councillor O’Leary

That the report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information the above noted for the period September 1, 2016 to September 7, 2016

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for September 12, 2016.

SJMC2016-09-12/387R

Moved – Councillor Puddister; Seconded – Councillor Tilley

That the building permits list dated September 12, 2016 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the weeks ending August 24, 2016 and August 31, 2016.

SJMC2016-09-12/388R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That the requisitions, payrolls and accounts for the week ending September 8, 2016 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPs

Council considered the following Contract:

- **Council Approval for Contract Award Without Tender Invitation – ESRI Canada Limited.**

SJMC2016-09-12/389R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That the Contract noted above be awarded to ESRI Canada Limited who is the sole supplier of ESRI Small Local Government Enterprise License Agreement which includes software, maintenance, technical support, updates and training. This is the 2nd year payment of \$87,500.00 plus Taxes, for a 3 year agreement, as per the Public Tendering Act Exception Report.

CARRIED UNANIMOUSLY

NOTICE OF MOTION/PETITIONS

Notice of Motion - Ward Boundary Review – Councillor Tom Hann

Councillor Hann advised that at the next Regular meeting of Council, he will move the following Motion:

That Council accept the report detailing ward boundary changes as provided. Further, notice is given that at the next regular meeting Council will vote for these changes to be made to the Ward Boundaries By-Law effective for the 2017 Municipal Election.

OTHER BUSINESS

Decision Note Dated September 6, 2016 Approved by the Acting City Solicitor Re: 11 Dumbarton Place

Council considered the above noted.

SJMC2016-09-12/390R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Breen

That Council approve the sale of City property for the amount of \$5,500.00 plus administrative fees and HST.

CARRIED UNANIMOUSLY

Decision Note Dated September 6, 2016 Approved by the Acting City Solicitor Re: 92 Bay Bulls Road – Expropriation

Council considered the above noted.

SJMC2016-09-12/391R

**Moved – Councillor Collins; Seconded – Councillor Puddister
That Council approve the compensation amount of \$6,000.00 plus
reasonable legal fees and disbursements.**

CARRIED UNANIMOUSLY

Councillor O’Leary

- Requested that vacant property east of 94 Empire Avenue be added to the next Planning and Development Standing Committee Agenda and what the future plans for that property which was expropriated are.

Councillor Galgay

- Requested the Mayor send a letter on behalf of Council to the sisters of St. Patrick Convent on Patrick Street for their service for over 160 years.

Councillor Puddister

- Requested that Staff do an inspection of all City Property and have graffiti removed. Secondly, inspect for graffiti and send notices to other building owners to have them cleaned up including the Provincial Government.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:40 p.m.

MAYOR

ACTING CITY CLERK

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 1, 2016 TO September 7, 2016

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office for Electrical Contractor	72 Heffernan's Line	5	Approved	16-09-01
RES		Building Lot for Single Detached Dwelling	123 Howlett's Line	5	Approved	16-09-06

Addendum to Council Minutes of September 12, 2016

* 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 Appeal.

Gerard Doran
 Development Supervisor
 Development Division -
 PDE Department

Building Permits List

Council's September 12, 2016 Regular Meeting

Permits Issued: 2016/09/01 To 2016/09/07

Class: Commercial

282 Torbay Rd	Co	Place Of Assembly
168 Water St	Rn	Mixed Use
Trans Canada Hwy	Nc	Accessory Building
308 Water Street- Freak Lunch	Rn	Retail Store

This Week \$ 104,000.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

97 Cheeseman Dr	Nc	Patio Deck
9 Cookstown Rd	Nc	Fence
51 Faulkner St	Nc	Patio Deck
151 Green Acre Drive	Nc	Accessory Building
63 Jasper St	Nc	Patio Deck
11 Lilac Cres, Lot 116	Nc	Single Detached Dwelling
13 Lilac Cres, Lot 117	Nc	Semi-Detached Dwelling
37 Mckay St	Nc	Patio Deck
39 Nautilus St	Nc	Patio Deck
30 Pepperwood Dr., Lot 11	Nc	Single Detached Dwelling
10 Pitcher's Path	Nc	Accessory Building
27 Pitcher's Path, Lot 17	Nc	Single Detached Dwelling
1 Ross Rd	Nc	Accessory Building
42 Rotary Dr	Nc	Fence
37 Rumboldt	Nc	Accessory Building
23 Shea St	Nc	Accessory Building
15 Solway Cres, Lot 343	Nc	Single Detached & Sub.Apt
20 Stanford Pl	Nc	Single Detached Dwelling
8 Stephano St	Nc	Accessory Building
26 Tunis Crt	Nc	Patio Deck
26 Waterford Heights North	Nc	Single Detached Dwelling
10 Westmount Pl	Nc	Accessory Building
5 Henry Larsen St	Cr	Subsidiary Apartment
45 New Cove Rd	Cr	Subsidiary Apartment
35 Green Acre Dr	Ex	Single Detached & Sub.Apt
31 Griffin's Lane	Ex	Accessory Building
27 Belfast St	Rn	Single Detached & Sub.Apt
89 Brad Gushue Cres	Rn	Single Detached Dwelling
9 Bradbury Pl	Rn	Mixed Use

Addendum to Council Minutes of September 12, 2016

142 Castle Bridge Dr	Rn	Single Detached Dwelling
7 Honeygold Pl	Rn	Single Detached Dwelling
37 Mckay St	Rn	Single Detached & Sub.Apt
32 Poplar Ave	Rn	Patio Deck
590 Water St	Rn	Single Detached Dwelling
6 York St	Rn	Single Detached Dwelling
5 Brigus Place	Sw	Single Detached Dwelling
10 Lismore Pl	Sw	Single Detached Dwelling
455 Newfoundland Dr	Sw	Single Detached Dwelling

This Week \$ 2,316,450.00

Class: Demolition

305 Waterford Bridge Rd	Dm	Recreational Use
47 Gleneyre St	Dm	Recreational Use

This Week \$ 115,000.00

This Week's Total: \$ 2,535,450.00

Repair Permits Issued: 2016/09/01 to 2016/09/07 \$ 80,000.00

Legend

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

810 Southside road - your application for an accessory building has been rejected as per section 8.3.6 of the 1994 St. John's development regulations.

11 Rankin street - your application for an extension has been rejected as per section 10.5.3(6) (e) of the 1994 St. John's development regulations.

93 airport road - your application for a billboard sign has been rejected as per section 23(3) of the St. John's by-law (billboards are prohibited on roadways and highways where the posted speed limit is 70kph or greater).

Addendum to Council Minutes of September 12, 2016

Year To Date Comparisons			
September 12, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$108,833,000.00	\$99,455,000.00	-9
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$10,522,000.00	\$6,000,000.00	-43
Residential	\$61,062,000.00	\$51,928,000.00	-15
Repairs	\$2,942,000.00	\$3,340,000.00	14
Housing Units (1 & 2 Family Dwelling)	156	163	
TOTAL	\$183,359,000.00	\$160,723,000.00	-12

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manger
Planning & Development & Engineering

Addendum to Council Minutes of September 12, 2016

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending September 8, 2016**

Payroll

Public Works	\$ 484,694.38
Fire Department	\$ 722,561.02
Management	\$1,026,545.81
NAPE/1289	\$ 885,632.40
Accounts Payable	\$ 3,021,243.56

Addendum to Council Minutes of September 12, 2016

Total: \$ 6,140,677.17

ST. JOHN'S

DEPARTMENT OF FINANCE

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