

September 8, 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, Lane, Puddister, Breen, Hickman, Galgay, Davis, Tilley and Collins.

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

Call to Order and Adoption of the Agenda

SJMC2014-09-08/390R

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

Adoption of Minutes

SJMC2014-09-08/391R

It was decided on motion of Councillor Tilley; seconded by Councillor Lane: That the minutes of September 2, 2014 be adopted as presented.

Notices Published

Council considered the following notices published:

- **188 LeMarchant Road – Institutional (INST) Zone**

A Discretionary Use application has been submitted to the City of St. John's by Bell Mobility Inc. seeking approval of site design in relation to a telecommunications rooftop site at **188 LeMarchant Road** on St. Clare's Hospital.

In accordance with the City of St. John's Sitting Protocol for Wireless Facilities, the City of St. John's hereby notifies residents in the vicinity of 188 LeMarchant Road of the intention of Bell Mobility Inc. to install an antenna system consisting of:

Antennas 1.37 meters in height to be installed on the existing penthouse mechanical room, and finished to match the façade of the building.

(No submissions received)

- **69 Elizabeth Avenue – Commercial Neighbourhood (CN) Zone**

A Discretionary Use application has been submitted to the City of St. John's by Bell Mobility Inc. seeking approval of site design in relation to a telecommunications rooftop site located at **69 Elizabeth Avenue** on the Miranda Management building which is occupied by Newfoundland & Labrador Legal Aid Commission.

In accordance with the City of St. John's Siting Protocol for Wireless Facilities, the City of St. John's hereby notifies residents in the vicinity of 69 Elizabeth Avenue of the intention of Bell Mobility Inc. to install an antenna system consisting of:

Antennas will be mounted to the West side of the building and on gravity mount to the East due to structural requirements and will be 1.37 meters in height.

(No submissions received)

SJMC2014-09-08/392R

It was moved by Councillor Hann; seconded by Councillor Galgay: That Council approve the above noted applications subject to all applicable City requirements.

The motion being put was unanimously carried.

- **8 Nightingale Road – Residential Low Density (R1) Zone**

A Discretionary Use Application has been submitted for a proposed home occupation located at **8 Nightingale Road** for a business which creates and sells sewn and crafted products.

The proposed business will occupy a floor area of approximately 10 m² and will operate on a demand basis. Products are sold via the internet and local markets, and there are no clients on site. The applicant is the sole employee.

(No submissions received)

SJMC2014-09-08/393R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That Council approve the above noted applications subject to all applicable City requirements.

The motion being put was unanimously carried.

Committee Reports

Community Services and Housing Standing Committee Report – August 26, 2014

Council considered the following report:

In Attendance: Councillor Bernard Davis, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Bruce Tilley
Councillor Jonathan Galgay
Councillor Danny Breen
Councillor Tom Hann
Neil Martin, City Manager
Jill Brewer, Deputy City Manager of Community Services
Dave Blackmore, Deputy City Manager of Planning, Engineering & Development
Tanya Haywood, Director – Recreation Division
Janine Halliday, Manager of Citizen Services
Maureen Harvey, Senior Legislative Assistant

1. Memorandum dated August 21, 2014 from Deputy City Manager, Community Services re: After-School Programs.

The Committee considered a letter from Ms. Krista Fowlow who expressed concerns with the recent policy changes to Wedgewood Park’s after school program. Ms. Fowlow notes that changes in the program have seen other families who have been “grandfathered in” under the old program.

Two aspects of the new policy that she would like to see reconsidered are:

- a. Allowing families of the new program to roll over registration from one year to the next.
- b. Siblings of existing registered family members should be given priority registration.

The memorandum from the Deputy City Manager provided the background for policy changes.

It stated as follows:

In 2013, Council approved recommendations by the Recreation Division to operate all after-school programs using the HIGH FIVE ® Framework exclusively and cease day-care licencing of the Wedgewood and Airport Heights programs. HIGH FIVE ® is the nationally recognized industry standard for quality assurance of recreation and sports programs for children and best supports the delivery of programming that meets our mandate as per the 2008-2018 Recreation & Parks Master Plan.

Council's commitment to the development of new Recreation infrastructure allows the City of St. John's to provide recreational programming for its residents with young children in need of after-school programming. It is anticipated that with the construction of new facilities such as the Paul Reynolds Community Centre at Wedgewood Park and the Southlands Community Centre, and through the development of innovative partnerships within the community, the supply of after-school programming opportunities will increase and more effectively meet the high demand for these types of services.

Policy has also been changed to ensure that all citizens have equitable access to the after-school programming currently offered by the City. Specifically, that registration for the Wedgewood Park and Airport Heights Programs is open to all citizens on an annual basis as occurs in our other neighbourhood centres such as Kilbride, Shea Heights and Southlands.

Under the previous registration policy, families using the Airport Heights and Wedgewood Park After-school Programs were allowed to maintain their child's spot in the programs from grades one through six thereby limiting participation to the same 30-40 children for a potential six year period. This is more typical of a private daycare and not of municipal recreation departments. Registration is now accepted on a first come first served basis each school year as is the practice for all of our programs and services.

There have been concerns raised by a small number of citizens regarding our new policy which does indeed vary from the previous child-care service offered. We are focussing on a recreational activity based program, for all school aged children. We anticipate being in a better position to meet the needs of the primary/elementary age group. We do recognize the needs of parents of young children for a commitment, which is why we commit to the full school year for registration. However, in order to give as many children and families an opportunity to participate in our programming, the commitment needs to be available to all on at least a yearly basis.

If parents are looking for a consistent and secure commitment for the entire primary/elementary school ages, private day cares provide this service.

Discussion took place with acknowledgement of the concerns put forth by Ms. Fowlow. However, as it is the City's intention to move away from daycare based operations to recreational based programs, the following recommendation is put forward.

Recommendation:

The Committee recommends status quo for registration procedures for the City's after-school programs.

2. Memorandum dated August 21, 2014 from the Director – Recreation Division re: Southlands Community Centre – Rental Rates

The Committee considered the above-noted memorandum which outlined the rental fees and options for events that are being hosted at the new Southlands Community Centre. It was noted that these rates were derived having conducted a full review of rates in adjacent jurisdictions.

Southlands Community Centre Rental Rates (per hour, including tax)							
Rate	MPR (Half)	MPR (Full)	Kitchen	Meeting Room	Lobby	Birthday/Shower 2 Hour Time Slot Includes: Full MPR, Kitchen, Lobby and Party Host	Birthday/Shower 2 Hour Time Slot Included: Half MPR, Kitchen, Lobby and Party Host
Full	\$30	\$45	\$20	\$20	\$20	\$150	\$120
Non-Profit	\$15	\$23	\$10	\$10	\$10	n/a	n/a

Requests for long-term repeat rentals are under consideration and will be accommodated once in house program offerings are evaluated to ensure the needs of the community are met.

Recommendation

**Moved by Deputy Mayor Ellsworth; seconded by Councillor Galgay:
That approval be given to the rental rates for the Southlands Community Centre as shown above.**

A discussion on a comprehensive review of recreation facilities and program rates will be undertaken in 2015.

**Councillor Bernard Davis
Chairperson**

SJMC2014-09-08/394R

It was decided on motion of Councillor Davis; seconded by Councillor Collins: That Council approve the above noted report as presented.

The motion being put was unanimously carried.

Police & Traffic Committee Report – September 3, 2014

Council considered the following report.

In Attendance: Councillor Art Puddister, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Bruce Tilley
Councillor Danny Breen
Councillor Bernard Davis
Councillor Tom Hann
Don Brennan, Director of Roads and Traffic
Dawn Corner, Manager of Traffic
Bill MacDonald, Supervisor Traffic Signals
Blair Bradbury, Development Engineer - Traffic
Chris Pitcher, Supervisor, Parking Services
Inspector Joe Boland, RNC
Chris Whelan, Metrobus
Derek Chafe, St. John's Regional Fire Department
Jeanette Holman-Price, Citizen Representative
Maureen Harvey, Senior Legislative Assistant

1. Request for Relocation of No Parking Anytime Sign and Extension of No Parking Area on Pine Bud Avenue Adjacent to Civic #38

The Committee was advised that the resident of #38 Pine Bud Avenue advises that the parking restriction that ends just west of their property has resulted in a vehicle parking continuously in front of their home and obstructing visibility when they attempt to exit their driveway.

Recommendation

The Committee recommends that the No Parking Anytime restriction on the north side of Pine Bud Avenue east of Rowan Street be extended approximately 10m east.

2. Speeding Traffic – Gonzaga High School

Councillor Davis brought forward the matter of excessive traffic and speeding in and around Gonzaga High School.

Recommendation

The Committee recommends the RNC be requested to step up patrol in the above noted area.

Councillor Art Puddister
Chairperson
Police & Traffic Committee

SJMC2014-09-08/395R

It was decided on motion of Councillor Puddister seconded by Councillor Lane: That Council approve the above noted report as presented.

The motion being put was unanimously carried.

Special Events Advisory Committee Report

Council considered the memorandum dated September 4, 2014 from the Director of Recreation regarding the Special Events Advisory Committee's recommendation to proceed with the following events:

The following recommendations of the Committee are forwarded to Council for approval in principle subject to any conditions that may be required by the Special Events Advisory Committee:

- 1) **Event:** Republic of Doyle Filming
 Location: 206 Water Street (Grapevine)
 Date: September 15, 2014
 Time: 6:00 a.m. - 11:30 a.m.

To facilitate filming, permission is requested to implement stop-and-go traffic on the section of Water Street between Clift's -Baird's Cove and Ayre's Cove/McBrides Hill during the hours of 6:00 a.m. and 9:00 a.m., and then close this section of Water Street between the hours of 9:00 a.m. and 11:30 a.m. During this time there will be a simulated explosion at the Grapevine and appropriate permits have been obtained. The St. John's Regional Fire Department will be on site as well as the Royal Newfoundland Constabulary for traffic control and safety support.

All residences and businesses within the filming area will be informed and pedestrian, customer and delivery vehicle access will be accommodated.

- 2) **Event:** Battle of Britain Parade and Fly-Past
 Location: CLB Armoury
 Date: September 21, 2014
 Time: 10:30 a.m. - 1:15 p.m.

Parade will depart CLB Armoury to Anglican Cathedral for Church Service at 11:00 a.m. 12:15 p.m. Parade will reform on Gower Street and depart Anglican Cathedral for War Memorial Wreath Laying Ceremony at 12:30 p.m. Military Fly-Past is scheduled for 1:00 p.m. and Parade will dismiss at 1:15 p.m.

Special Events Advisory Committee Recommendations:

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

Tanya Haywood
Director, Recreation Division
Department of Community Services

SJMC2014-09-08/396R

It was decided on motion of Councillor Hickman; seconded by Councillor Galgay: That Council approve the above noted report as presented.

The motion being put was unanimously carried.

Building Permits List

SJMC2014-09-08/397R

It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That the recommendations of the Director of Planning and Development with respect to the following Building Permits list for the period August 28 – September 3, 2014 be approved:

**Building Permits List
Council's September 8, 2014 Regular Meeting**

Permits Issued: 2014/08/28 To 2014/09/03

Class: Commercial

2a Bates Hill Top Notch Barber	Co	Service Shop
146-152 Water St 1st Floor	Co	Retail Store
106 Airport Rd	Sn	Hotel
183 Duckworth St-Model Citizen	Sn	Restaurant
205 Logy Bay Rd	Ms	Commercial School
16-72 Hamlyn Rd	Co	Retail Store
355 Main Rd	Cr	Light Industrial Use
326 Freshwater Rd	Nc	Fence
324 Freshwater Rd,Fw Suzuki	Ex	Car Sales Lot
136-140 Water St	Rn	Office

This Week \$ 1,540,000.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

176 Canada Dr	Nc	Accessory Building
7 Cape Pine Street	Nc	Single Detached Dwelling
27 Cappahayden St ,Lot 3	Nc	Single Detached Dwelling
53 Flower Hill	Nc	Patio Deck
18 Gibbon Pl	Nc	Fence
101 Great Eastern Ave	Nc	Accessory Building
13 Guernsey Pl, Lot 27 Unit 3	Nc	Condominium
410 Hamilton Ave	Nc	Accessory Building
188 Ladysmith Dr	Nc	Accessory Building
207 Ladysmith Dr	Nc	Accessory Building
11 Legacy Pl, Lot 36	Nc	Single Detached & Sub.Apt
8 Lunenburg St	Nc	Accessory Building
8 Lunenburg St	Nc	Fence
611 Main Rd	Nc	Patio Deck
611 Main Rd	Nc	Patio Deck
112 New Cove Rd	Nc	Single Detached & Sub.Apt
11 Oakmount St	Nc	Accessory Building
6 Orlando Pl-Lot 259	Nc	Single Detached & Sub.Apt
38 Orlando Pl-Lot 243	Nc	Single Detached & Sub.Apt
117-121 Petty Harbour Rd	Nc	Accessory Building
39 Reid St	Nc	Swimming Pool
108 St. Clare Ave	Nc	Patio Deck
37 Stanford Pl, Lot 49	Nc	Single Detached Dwelling
13 Stephano St, Lot 226	Nc	Single Detached & Sub.Apt

22 Tigress St	Nc	Accessory Building
47 Toronto St	Nc	Patio Deck
60 Viscount St	Nc	Fence
100 Carter's Hill	Co	Single Detached Dwelling
36 Hatcher St	Cr	Subsidiary Apartment
104 Highland Dr	Cr	Subsidiary Apartment
207 Ladysmith Dr	Cr	Single Detached & Sub.Apt
6 Oberon St	Ex	Patio Deck
4 Ronayne Pl	Ex	Single Detached Dwelling
1 Lower Battery Rd	Rn	Single Detached Dwelling
72 Carpasian Rd	Rn	Single Detached Dwelling
4 Dickinson Pl	Rn	Single Detached Dwelling
14a Freshwater Rd	Rn	Apartment Building
14a Freshwater Rd Unit 14c	Rn	Apartment Building
89 Lester St	Rn	Single Detached Dwelling
40 Pennywell Rd	Rn	Single Detached Dwelling
51 Rotary Dr	Rn	Single Detached Dwelling
16 Smith Ave	Rn	Single Detached Dwelling
46 Sorrel Dr	Rn	Single Detached Dwelling
20 Ridge Rd	Sw	Single Detached Dwelling
65 Stavanger Dr - Cibc	Ms	Bank

This Week \$ 1,978,400.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 3,518,400.00

Repair Permits Issued: 2014/08/28 To 2014/09/03 \$ 137,300.00

156 Great Eastern Avenue - application to expand existing driveway is rejected as per Section 10.10.3(g) of the 1994 Development Regulations.

133 Gower Street - application to install three new windows is rejected as per Section 5.9.4 Heritage Area Standards (Table) of the St. John's Development Regulations.

Legend

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

YEAR TO DATE COMPARISONS			
September 08, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$70,233,000.00	\$102,644,000.00	46
Industrial	\$131,000.00	\$125,000.00	-5
Government/Institutional	\$71,831,000.00	\$77,742,000.00	8
Residential	\$113,851,000.00	\$108,474,000.00	-5
Repairs	\$3,520,000.00	\$3,642,000.00	3
Housing Units (1 & 2 Family Dwellings)	320	236	
TOTAL	\$259,566,000.00	\$292,627,000.00	13

Respectfully Submitted

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

The motion being put was unanimously carried.

Requisitions, Payrolls and Accounts

**Weekly Payment Vouchers
For The
Week Ending September 3, 2014**

Payroll

Public Works	\$ 422,106.82
Bi-Weekly Casual	\$ 116,284.57
Accounts Payable	\$ 4,801,825.73
Total:	\$ 5,340,217.12

SJMC2014-09-08/398R

**It was decided on motion of Councillor Tilley; seconded by Councillor Hann:
That the following Payrolls and Accounts for the week ending September 3,
2014 be approved.**

The motion being put was unanimously carried.

Tenders

Tender: 2014069 – Two Loaders

Council considered the memorandum dated August 28, 2014 from the Department of Corporate Services regarding the above noted.

SJMC2014-09-08/399R

**It was decided on motion of Councillor Tilley; seconded by Councillor Hann:
That the tender 2014069 for two loaders be awarded to Harvey and Company at
a total cost of \$320,080.00 (HST extra) the lowest bidder, who fully meets
specification as per the Public Tendering Act.**

The motion being put was unanimously carried.

Tender: 2014070– One New Skid Steer Loader

Council considered the memorandum dated August 28, 2014 from the Department of Corporate Services regarding the above noted.

SJMC2014-09-08/400R

It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That the tender 20140720 for one new skid steer loader be awarded to Atlantic Trailer and Equipment at a cost of \$60,000 (HST extra), the lowest bidder who full meets specification, as per the Public Tendering Act.

The motion being put was unanimously carried.

Tender: 2014071– One New Tandem Sander

Council considered the memorandum dated August 28, 2014 from the Department of Corporate Services regarding the above noted.

SJMC2014-09-08/401R

It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That the tender 20140720 for one new tandem sander be awarded to Western Star Trucks Ltd. at a cost of \$201,087.00 (HST extra) the lowest bidder who full meets specification, as per the Public Tendering Act.

The motion being put was unanimously carried.

Tender: 201407– Supply and Install Playground Equipment

Council considered the memorandum dated September 4, 2014 from the Department of Corporate Services regarding the above noted.

SJMC2014-09-08/402R

It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That the tender 2014077 for the supply and installation of playground be awarded to Coastline Specialties Limited, at a cost of \$116,876.00 (HST extra) the lowest bidder who full meets specification, as per the Public Tendering Act.

The motion being put was unanimously carried.

Tender: 2014 Battery Sanitary Sewer Outfall Replacement

Council considered the memorandum dated September 4, 2014 from the Director of Engineering regarding the above noted.

SJMC2014-09-08/403R

It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That the tender for the 2014 Battery Sanitary Sewer Outfall Replacement Project, be awarded to RJG Construction Limited, in the amount of \$1,169,064.10 (including HST) the lowest bidder who full meets specification, as per the Public Tendering Act.

The motion being put was unanimously carried.

Travel Request – Councillor Puddister

Council considered a memorandum dated September 3, 2014 from the City Clerk requesting Council's approval for Councillor Puddister to attend the 2014 MNL Annual Convention and Trade Show being held in Corner Brook from October 8-11, 2014.

SJMC2014-09-08/404R

It was decided on motion of Councillor Breen; seconded by Councillor Hickman: That approval be given to a travel request by Councillor Puddister to attend the 2014 MNL Annual Convention and Trade Show, in Corner Brook from October 8 – 11, 2014.

The motion being put was unanimously carried.

Economic Update – September 2014

Councillor Tilley presented the Economic Update for September 2014, a copy of which is available from the Office of the City Clerk.

Councillor Tilley and Mayor O'Keefe reported that St. John's will be hosting the world's ocean community at the Oceans 2013 conference and exhibition taking place in St. John's from September 14-19, 2014. With the theme "Where Challenge Becomes Opportunity", this year's conference will bring together 1,200 global leaders in science, engineering, enterprise, industry and government – making it one of the most comprehensive ocean sciences and engineering gatherings in North America.

The City of St. John's has partnered with the Government of Newfoundland & Labrador, the Government of Canada, and the Marine Institute to Bring OCEANS '14 to the city. It represents a tremendous opportunity to showcase St. John's as a City of Ocean Excellence and bring greater awareness to the province's research and development in emerging technologies, extraordinary marine infrastructure, and leading-edge companies.

The Marine Technology Society and the Oceanic Engineering Society of the Institute of Electrical and Electronic Engineers are jointly sponsoring the conference.

Councillor Puddister

Councillor Puddister requested that staff obtain statistics and feedback from Westjet Airlines with respect to their recent re-introduction of flights between St. John's and Dublin, Ireland.

Councillor Hann

Councillor Hann reported that the final opportunity for residents to have input into the new Municipal Plan will be through information sessions scheduled as follows:

1. September 16, 2014 City Hall
2. September 20, 2014 McDonald Drive Junior High
3. September 23, 2014 Shriners Club, Topsail Road.

He noted that once the Municipal Plan is adopted, staff will begin to draft the new St. John's Development Regulations to coincide with the Plan.

Mayor Dennis O'Keefe

Mayor O'Keefe informed the public that given the amount of litter and debris on the Outer Ring Road, resulting from uncovered loads en route to Robin Hood Bay, Council has decided to step up enforcement. He noted that the program will start with a public awareness campaign, which will include social media and paper materials. This will be followed in mid-October, with a request for the RNC to increase patrols in the area and issue tickets if people are transporting garbage with loads uncovered.

Adjournment

There being no further business the meeting adjourned at 5:30 p.m.

MAYOR

CITY CLERK