

April 23rd, 2013

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:30 p.m. today.

His Worship the Mayor presided.

There were present also: Deputy Mayor Duff; Councillors O'Leary, Hann, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Councillors Hickman and Colbert.

City Manager, Deputy City Manager, Corporate Services & City Clerk, Deputy City Manager, Public Works, Deputy City Manager, Planning, Development & Engineering, Director of Engineering, Acting Director of Planning, Acting City Solicitor and Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2013-04-23/174R

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

Adoption of Minutes

SJMC2013-04-23/175R

It was decided on motion of Councillor Breen; seconded by Councillor Galgay: That the minutes of April 15th, 2013 meeting be adopted as presented.

Business Arising

**Proposed Expansion to Existing Quarry
East White Hills Road (Ward 1)
Applicant: Capital Ready-Mix Ltd.**

Under business arising, Council considered a memorandum dated April 18, 2013 from the Acting Director of Planning concerning the above noted.

SJMC2013-04-23/176R

It was moved by Councillor Hann; seconded by Councillor Hanlon: That the following Resolutions for St. John's Municipal Plan Amendment Number 113, 2013 and St. John's Development Regulations Amendment Number 567, 2013 which will be referred to the Department of Municipal Affairs for review and consideration of a Regional Plan amendment; be adopted, and further that the following St. John's Development Regulations Amendment Number 568, 2013 be adopted, which will be referred to the Department of Municipal Affairs for Provincial registration.

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 113, 2013**

WHEREAS the City of St. John's wishes to allow the development of property in the area of East White Hills Road in order to permit the expansion of existing quarry operations.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act.

Redesignate land in the area of East White Hills Road from the Rural Land Use District to the Industrial Land Use District as shown on Map III-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this

23rd day of April, 2013.

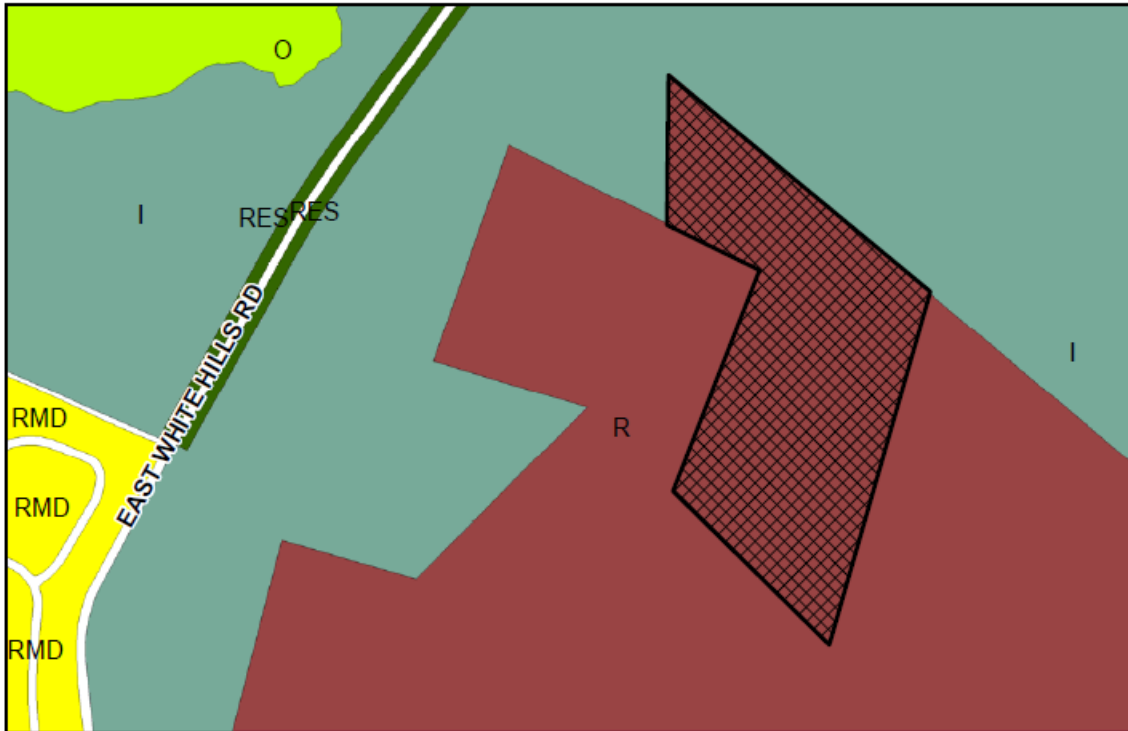
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 113, 2013
[Map III-1A]**

2011 03 28 SCALE: 1:7500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



AREA PROPOSED TO BE REDESIGNATED FROM
RURAL (R) LAND USE DISTRICT TO
INDUSTRIAL (I) LAND USE DISTRICT

EAST WHITE HILLS ROAD

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 567, 2013**

WHEREAS the City of St. John's wishes to allow the development of property in the area of East White Hills Road in order to permit the expansion of existing quarry operations.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Rezone land in the area of East White Hills Road from the Rural (R) Zone and the Commercial Industrial (CI) Zone to the Industrial General (IG) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 23rd day of April, 2013.

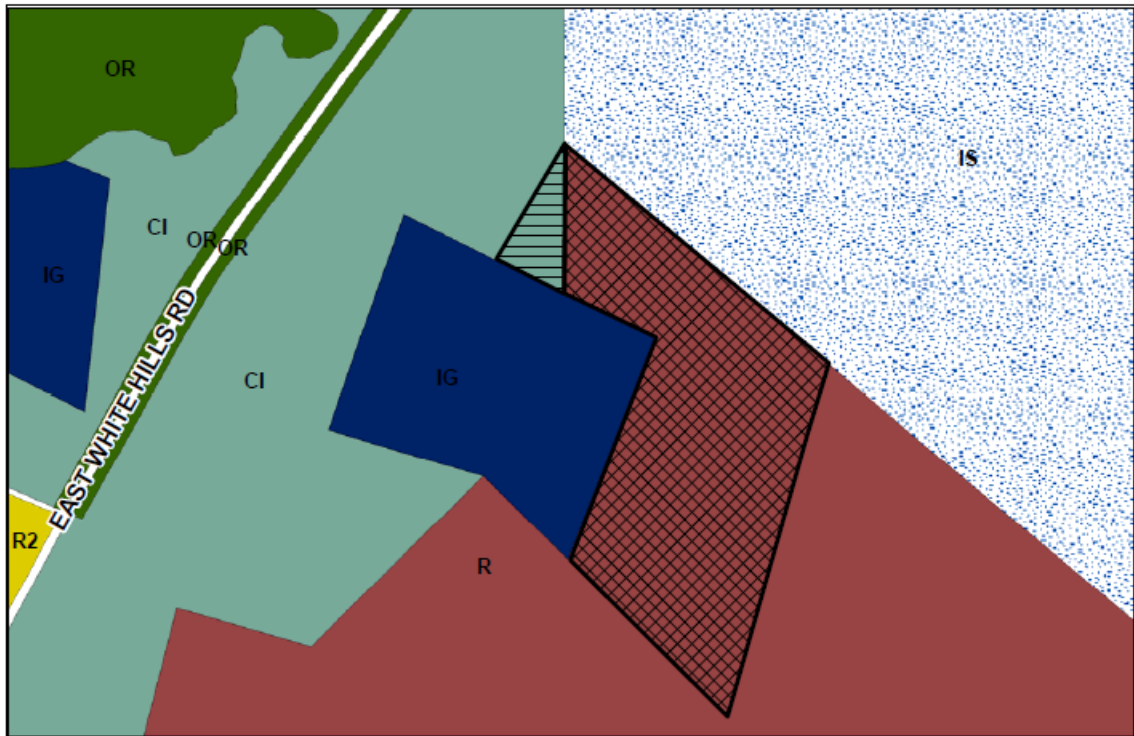
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 567, 2013
[Map Z-1A]**

2013 03 28 SCALE: 1:7500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REZONED FROM
RURAL (R) LAND USE ZONE TO
INDUSTRIAL GENERAL (IG) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
COMMERCIAL INDUSTRIAL (CI) LAND USE ZONE
TO INDUSTRIAL GENERAL (IG) LAND USE ZONE

EAST WHITE HILLS ROAD

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 568, 2013**

WHEREAS the City of St. John's wishes to allow the development of property in the area of East White Hills Road in order to permit the expansion of existing quarry operations.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Rezone land in the area of East White Hills Road from the Commercial Industrial (CI) Zone to the Industrial General (IG) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 23rd day of April, 2013.

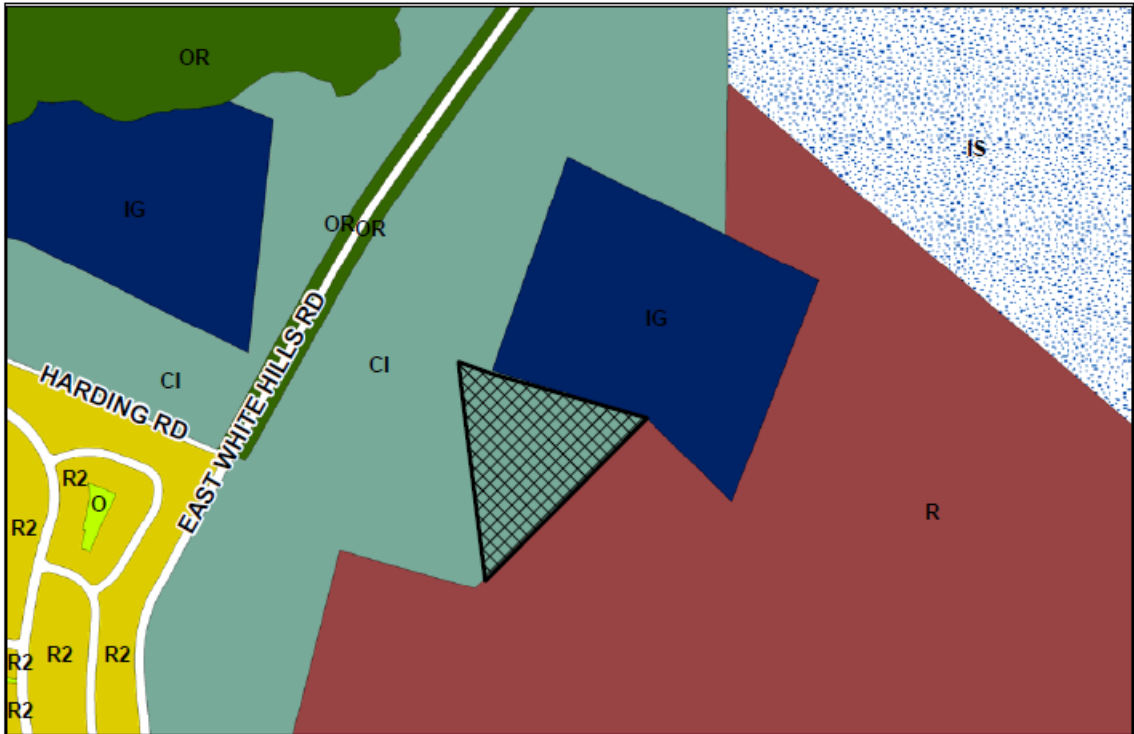
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 568, 2013
[Map Z-1A]**

2013 03 28 SCALE: 1:7500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REZONED FROM
COMMERCIAL INDUSTRIAL (CI) LAND USE ZONE
TO INDUSTRIAL GENERAL (IG) LAND USE ZONE

EAST WHITE HILLS ROAD

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

This application was deferred at last week's Regular Meeting of Council due to concerns raised by Deputy Mayor Duff with respect to transfer of land at Lundrigans Marsh to the City and the submission of a mitigation plan for Parcel A of the subject land, East White Hills. Deputy Mayor Duff was satisfied, as outlined in an email from Mr. Hedley Blundon, that the two parcels of land in the Lundrigans Marsh area totaling 3.12 ha had been transferred to the City in mid February. With regards to remediation of the quarry, the provincial government requires all quarry operators to file a five year quarry plan, which must include remediation of past quarry operations. Capital Ready-Mix have committed to the City that these plans will be presented to Council for their perusal and approval. Mr. Blundon also noted that Capital Ready-Mix remediation of their Foxtrap pits had been adopted by the province as the standard for pit remediation in the province. They have also contact MUN engineering department to develop two models showing the quarry at the end of life using vertical down extraction and horizontal outward extraction.

Deputy Mayor Duff expressed concern that the Province does not have any requirements for progressive remediation. Councillor Hann noted that the Province is starting to get into progressive remediation through the Department of Environment and suggested that the Deputy Mayor's concerns be brought to the attention of the proponent who might be able to allay the concerns raised by her.

Following discussion, the motion being put was unanimously carried.

Downtown Parking Study
St. John's Municipal Plan Amendment Number 87, 2013 &
St. John's Development Regulations Amendment Number 494, 2013

Under business arising, Council considered a memorandum dated April 18, 2013 from the Acting Director of Planning regarding the above noted.

SJMC2013-04-23/177R

It was moved by Councillor Hann; seconded by Councillor Galgay: That the following Resolutions for St. John's Municipal Plan Amendment Number 87, 2013 and St. John's Development Regulations Amendment Number 494, 2013 be adopted; and further, that Mr. Glenn Barnes, a member of the City's commissioner list, be appointed as the commissioner to conduct a public hearing on the amendments, the proposed date for the public hearing being May 15, 2013.

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 87, 2013**

WHEREAS the City of St. John's wishes to implement the recommendations of the St. John's Downtown Parking Study that has been adopted by the City.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act:

1. Repeal subsections (3) and (4) in Part III, Section 3.3.4 – "Building Height and Area" in the Commercial Downtown Land Use District.
2. Repeal Part IV, Section 2.2.10 ("Parking – Downtown Parking Exempt Area").
3. Repeal Map IV – 2 "Parking Exempt Areas".

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 23rd day of April, 2013.

Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

**RESOLUTION
ST. JOHN'S DEVELOPMENT
REGULATIONS AMENDMENT
NUMBER 494, 2013**

WHEREAS the City of St. John's wishes to implement the recommendations of the St. John's Downtown Parking Study that has been adopted by the City.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act:

1. Repeal Map D in Section 3 – "Parking Exempt Areas".
2. Add a new map in Section 3 to be entitled "Map D – Area Subject to the Downtown Parking Standard".
3. Repeal Section 7.13 ("Parking Lot") and replace with the following new Section 7.13 to read as follows:

"7.13 PARKING LOT/INTERIM PARKING LOT

7.13.1 Parking Lots are subject to the following requirements:

- (a) the parking area shall be on a Lot having an area of not more than 0.5 ha;
- (b) the owner of the Parking Lot shall submit to Council an acceptable development plan including the following:
 - (i) number and location of parking spaces;
 - (ii) ingress and egress of Parking Lot;
 - (iii) area to be landscaped and screened and type of landscaping to be used;
 - (iv) profiles of same site plan showing grade elevations of parking area to the satisfaction of Council;
- (c) an agreement between the owner of the land and the City, including an approved development plan, shall be registered in the Registry of Deeds of Newfoundland restricting the use of such land to parking.

7.13.2 In the area subject to the Downtown Parking Standard, as described on Map D, Section 3, Council may permit Interim Parking Lots to which the following shall apply:

- (a) Council may, in relation to an application for an Interim Parking Lot, relax or waive, to such extent as may be recommended by the Director of Engineering following review of the application, the minimum standards or requirements that apply to permanent Parking Lots and Parking Areas under these Regulations.
- (b) The initial period of time for which an Interim Parking Lot may be permitted shall not exceed three (3) years. Upon application, Council, on the recommendation of the Director of Engineering, may permit an extension of the initial period for a further period of not more than two (2) years.
- (c) Immediately on expiration of the period, including any permitted extension, during which an Interim Parking Lot is permitted, an Interim Parking Lot shall lose its designation as such and shall cease to be used for the parking of motor vehicles.

4. Repeal Section 9.1.2(1) "Parking Relief" and replace it with the following new section:

"9.1.2(1) Parking Relief

Except in the area which is subject to the Downtown Parking Standard, as described on Map D, Section 3, Council may relieve an applicant of all or part of the parking required under Section 9.1.1, provided that the applicant is able to show that because of the particular characteristics of the Development that the actual parking requirements within the foreseeable future are expected to be lower than those required by the City standard."

5. Repeal Section 9.1.2(2) "Parking Exempt Area" and replace with a new section to read as follows:

"9.1.2(2) Downtown Parking Standard – Non-Residential/Residential

(I) Non-Residential Parking Standard

- (i) For new Developments involving commercial, retail, office, institutional and all other forms of non-residential Development, excepting Hotels, in the area subject to the Downtown Parking Standard as described on Map D, Section 3, the on-site, off-street parking requirement shall be as follows:

- (a) For Lots with a Lot Area greater than 350 square metres and less than 2500 square metres, one (1) on-site, off-street parking space for every 100 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot;

- (b) For Lots with a Lot Area from 2500 square metres to 4000 square metres, inclusive, one (1) on-site, off-street parking space for every 75 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot;
 - (c) For Lots with a Lot Area greater than 4000 square metres, one (1) on-site, off-Street parking space for every 60 square metres of Net Floor Area of any new building or construction pertaining to non-residential Development on the Lot.
- (ii) For new Hotels constructed or developed on Lots in the area subject to the Downtown Parking Standard as described on Map D, Section 3, the on-site, off-street parking requirement shall be one (1) parking space for every four (4) guest sleeping rooms, in addition to one (1) parking space for every seven (7) square metres of banquet/seminar/conference/meeting space.
 - (iii) (a) Notwithstanding ss. 9.1.2(2) (I)(i) and (ii), where an existing non-residential Development was constructed further to an Approval issued prior to the coming into force of the Downtown Parking Standard which Approval permitted a lesser parking requirement than stipulated by ss. 9.1.2(2)(I)(i) and (ii), then the parking requirement for the said non-residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, remain as established pursuant to the said Approval.
 - (b) Notwithstanding ss. 9.1.2(I)(i) and (ii), where yet to be constructed non-residential Development is the subject of a valid, unexpired Approval-in-Principle issued prior to the coming into force of the Downtown Parking Standard which Approval-in-Principle contemplates a lesser parking requirement than that stipulated by ss. 9.1.2(2)(I)(i) and (ii), then the parking requirement for the said proposed non-residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, be as established pursuant to such final Approval as may be forthcoming in relation to the said Approval-in-Principle. Where final Approval is not sought or is not forthcoming prior to the lapse or expiry of the Approval-in-Principle, then the applicable Downtown Parking Standard as set forth in s. 9.1.2(2) shall apply to any Development or re Development of the property.

(II) Residential Parking Standard

- (i) For new residential Developments in the area subject to the Downtown Parking Standard, as described in Map D, Section 3, excepting only

residential Development on Water Street and Duckworth Street, on-site, off-street parking shall be required at the rate of one (1) on-site, off-street parking space per Dwelling Unit.

- (ii) (a) Notwithstanding ss. 9.1.2(II)(i), where an existing residential Development was constructed further to an Approval issued prior to the coming into force of the Downtown Parking Standard which Approval permitted a lesser parking requirement for the said residential Development, then the parking requirement for the said residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, remain as established pursuant to the said Approval.
- (b) Notwithstanding ss. 9.1.2(II)(i), where yet to be constructed residential Development is the subject of a valid, unexpired Approval-in-Principle issued prior to the coming into force of the Downtown Parking Standard which Approval-in-Principle contemplates a lesser parking requirement than that stipulated by ss. 9.1.2(II)(i), then the parking requirement for the said proposed residential Development shall, except as s. 9.1.2(2) may otherwise, from time to time, apply, be as established pursuant to such final Approval as may be forthcoming in relating to the said Approval-in-Principle. Where final Approval is not sought or is not forthcoming prior to the lapse or expiry of the Approval-in-Principle, then the applicable Downtown Parking Standard as set forth in s. 9.1.2(2) shall apply to any Development or re-Development of the property.
- (iii) No parking spaces are required for new residential Developments or renovations on Lots on Water Street or Duckworth Street containing up to five (5) Dwelling Units. One (1) on-site, off-street parking space shall be required for each Dwelling Unit exceeding five (5).

(III) Other

- (i) Where any building or construction pertaining to non-residential and/or residential Development in the area subject to the Downtown Parking Standard to which the Non-Residential Parking Standard or the Residential Parking Standard as set forth in s 9.2.1.2(2) does not apply is demolished or removed from the Lot on which it is situated, then any new Development that replaces the same shall, in its entirety, be subject to the applicable Downtown Parking Standard as determined pursuant to s. 9.1.2(2)(I)(i) or (ii) or s.9.1.2(2)(II)(i) or (iii) as the case may be.
- (ii) Excepting only s. 9.1.2(2)(II)(iii), neither the Residential nor the Non-Residential Downtown Parking Standard shall apply to building or construction pertaining to

Development on Lots on Water Street and Duckworth Street that are less than 350 square metres in Lot Area.

- (iii) Where existing Development to which the Downtown Parking Standard does not apply by virtue of the operation of s. 9.1.2(2)(I)(iii) or s. 9.1.2(2)(II)(ii) is renovated so as to increase or expand the Net Floor Area, or the number of rooms, or the number of Dwelling Units, as the case may be, then the following shall apply:
 - (a) in the case of non-residential Development, excepting Hotels, the applicable Non-Residential Parking Standard as determined pursuant to s. 9.1.2(2)(I)(i) shall apply to the increased Net Floor Area;
 - (b) in the case of Hotels, the applicable Non-Residential Parking Standard as determined pursuant to s. 9.1.2(2)(I)(ii) shall apply to additional guest sleeping rooms and increased banquet/ seminar/ conference/meeting space;
 - (c) in the case of residential Development that is within the area subject to the Downtown Parking Standard but is not located on Water Street or Duckworth Street, the Residential Parking Standard as determined pursuant to s. 9.1.2(2)(II)(i) shall apply to each new Dwelling Unit created where the total number of Dwelling Units, whether existing or created, exceeds two (2);
 - (d) in the case of residential Development that is within the area subject to the Downtown Parking Standard and is located on Water Street or Duckworth Street, the Residential Parking Standard as determined pursuant to s. 9.1.2(2)(II)(i) shall apply to each new Dwelling Unit created where the total number of Dwelling Units, either existing or created, exceeds five (5).
- (IV) Discretion
- (i) Notwithstanding anything else contained in s. 9.1.2(2) or s. 9.2.1(3), Council may:
 - (a) where it determines that provision of the required on-site, off-street parking is not appropriate for a particular development, site, or property for reasons relating to safety, vehicular traffic, pedestrian traffic, access, servicing, other site infrastructure and/or development related issues, or archaeological/heritage issues; or
 - (b) where requested by the Applicant, permit the following:
 - (1) provision of a cash-in-lieu payment in satisfaction of part or all of the on-site, off-street parking space requirement pursuant to the

Applicable Downtown Parking Standard in an amount as established, from time to time, by resolution of Council;

- (2) provision of permanent or long-term off-site, off-street parking in satisfaction of part or all of the on-site, off-street parking space requirement pursuant to the applicable Downtown Parking Standard at a location and on terms acceptable to Council; or
 - (3) provision of any combination, as may be acceptable to Council, of a cash-in-lieu payment, acceptable off-site, off-street parking, and/or on-site, off-street parking in satisfaction of the on-site, off-street parking requirement pursuant to the applicable Downtown Parking Standard.
- (ii) Monies from cash-in-lieu payments to the City pursuant to s.2.1.2(2)(IV)(i) shall be:
- (a) used to fund the creation of new or additional public parking spaces; and/or
 - (b) applied against costs incurred by the City in maintaining and/or retaining existing public parking spaces; and/or
 - (c) used to fund initiatives that will, in the opinion of Council, reduce demand for public parking spaces;

in the area which is subject to the Downtown Parking Standard.

- (iii) The amount of cash-in-lieu payment as established by Council from time to time shall be based on the estimated cost, as determined by the Director of Engineering, of constructing indoor parking in the area which is subject to the Downtown Parking Standard.

(V) Damage/Destruction of Development

- (i) Where any building or construction pertaining to non-residential, Hotel, or residential Development that is not subject to the applicable Downtown Parking Standard by operation of s. 9.1.2(2)(I)(iii) or s. 9.1.2(2)(II)(ii) is destroyed or damaged or deteriorated so as to render the same uninhabitable or unfit for use, and where within three (3) years of the date of said destruction, damage or deterioration:
 - (1) the building or construction pertaining to the Development is removed; and
 - (2) a permit is issued by Council approving a new or replacement Development to be constructed at the site of the original Development;

then the applicable Downtown Parking Standard as required by ss. 9.1.2(2)(I)(i), or (ii), or ss. 9.1.2(2)(II)(i) or (iii) shall apply only to any increase in the Net Floor Area, or the number of rooms and/or the increase in banquet/seminar/conference/meeting space, or the number of Dwelling Units, as the case may be, beyond that which existed in the building or construction pertaining to the original Development. The parking standard applicable to the remainder of the Development shall be equivalent to the on-site, off-street parking that was available prior to the building or construction on the Lot becoming uninhabitable or unfit for use.

- (ii) If the building or construction pertaining to the original Development is not removed and/or a permit approving a new or replacement Development is not issued within the said three (3) year period, then the applicable Downtown Parking Standard as provided for in s. 9.1.2(2) (I)(i) or (ii) or s. 9.1.2(2)(II)(i) shall apply to the whole of any Development either existing or new, on the Lot.
- (iii) Subsection 9.1.2(2)(V)(i) is not applicable where the Lot, for purposes of Development or re-Development, is assembled with other lands to form a larger Lot. In such circumstances, the applicable Downtown Parking Standard as required by ss. 9.1.2(2)(I)(i) or (ii), or ss. 9.1.2(2)(II)(i) or (iii) shall apply to the whole Development or re-Development.

(VI) Unapproved Parking Reduction

- (i) If, at any time, the on-site and/or acceptable off-site, off-street parking for a particular Development is reduced below the level as stipulated, provided for, or otherwise approved pursuant to s.9.1.2(2), then any said reduction shall be immediately and fully redressed by the owner and/or the occupant of the Development and/or the Lot on which the Development exists.

6. Repeal Section 9.1.2(3) – “Downtown Residential Parking”.

7. Repeal Section 9.2.1(3) and replace it with the following new Section:

“9.2.1(3) A Parking Area shall be situated on the Lot on which the Use or Development it is accessory to is located except as otherwise provided in s. 9.2.1(4) or s. 9.1.2(2)(IV).”

8. Repeal Section 9.2.1(4) and replace it with the following new Section:

“(4) The Director of Planning or designate may except a Development, except an Infill Housing Development or a Development which is subject to the Downtown Parking Standard, from the requirements of Subsection 9.2.1(3) provided:

(a) the Lot accommodating the Parking Area shall be located not more than 200 metres from the Lot on which the Use requiring the off-street parking is located; and

(b) the Lot accommodating the Parking Area shall be used only for off-street parking for the Use to which it is accessory as long as the Use remains in operation or requires the Parking Area.”

9. Add a new section to Section 9, to read as follows:

“9.4 Access/egress points from a Public Street to a Parking Area or a private driveway are subject to the approval of the Director of Engineering or designate.”

BE IT FURTHER RESOLVED that the City of St. John’s requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 23rd day of April, 2013.

Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

It was suggested during discussion, that the City become more aggressive towards public transit. Councillor Hann agreed that a regional transit system would play a significant role in addressing the parking and transportation problems, however, would require considerable funding and need all players at the table.

It was noted that following final approval of the Resolutions the City will engage in an appropriate Communication strategy.

The motion being put was unanimously carried.

**St. John’s Urban Region Regional Plan Amendment 1, 2012
 St. John’s Municipal Plan Amendment Number 95, 2013 &
 St. John’s Development Regulations Amendment Number 512, 2013
Maddox Cove Road**

Under business arising, Council considered a memorandum dated April 18, 2013 from the Acting Director of Planning regarding the above noted.

SJMC2013-04-23/178R

**It was moved by Councillor Collins; seconded by Councillor Tilley:
 That the following Resolutions for St. John’s Municipal Plan Amendment Number 95, 2013 and St. John’s Development Regulations Amendment Number 512, 2013 be adopted; and further that Ms. Marie Ryan, a member of the City’s commissioner list, be appointed as the commissioner to conduct a public hearing on the Municipal Plan and Development Regulations amendments, the proposed date for the hearing being May 21, 2013.**

**RESOLUTION
 ST. JOHN’S MUNICIPAL PLAN
 AMENDMENT NUMBER 95, 2013**

WHEREAS the City of St. John’s wishes to redesignate land on the west end of Maddox Cove Road, adjacent to the municipal boundary of the City with the Town of Petty Harbour-Maddox Cove, to allow residential development with private on-site water and septic sewer services.

BE IT THEREFORE RESOLVED that the City of St. John’s hereby adopts the following map amendment to the St. John’s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act:

Redesignate land at the west end of Maddox Cove Road, adjacent to the municipal boundary of the City with the Town of Petty Harbour-Maddox Cove, from the Restricted Land Use District to the Rural Land Use District as shown on Map III-IA attached.

BE IT FURTHER RESOLVED that the City of St. John’s requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this

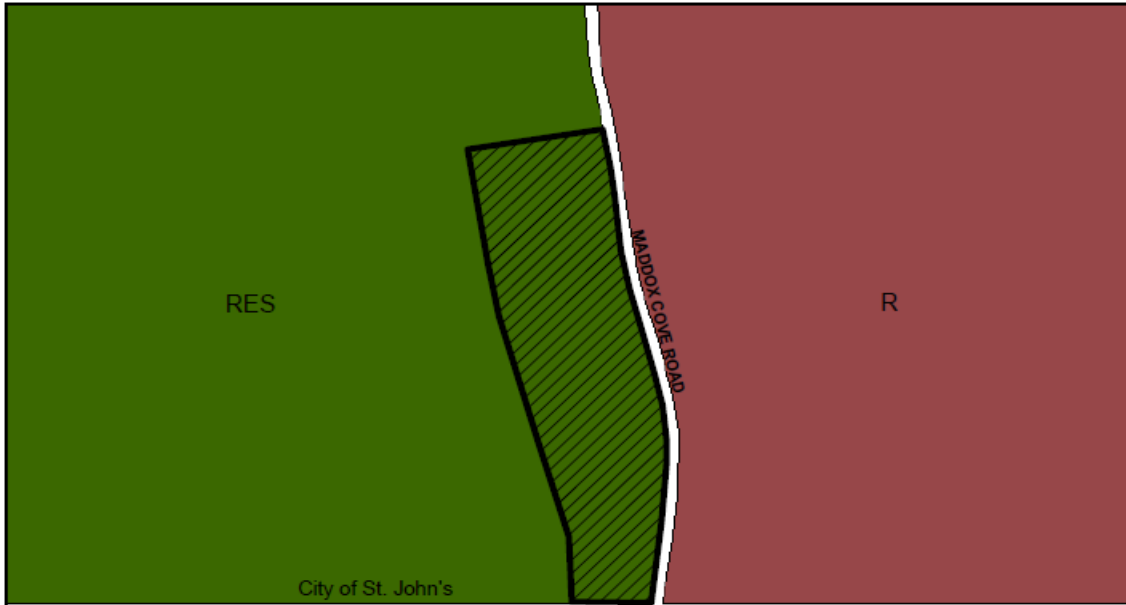
23rd day of April, 2013.

Mayor

City Clerk

Provincial Registration

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____ MCIP</p>
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Town of Petty Harbour - Maddox Cove

**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 95, 2013
[Map III-1A]**

2011 09 21 SCALE: 1:3000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REDESIGNATED FROM
RESTRICTED (RES) LAND USE DISTRICT TO
RURAL (R) LAND USE DISTRICT

MADDOX COVE ROAD PROPERTIES

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 512, 2013**

WHEREAS the City of St. John's wishes to rezone land on the west end of Maddox Cove Road, adjacent to the municipal boundary of the City with the Town of Petty Harbour-Maddox Cove to allow residential development with private on-site water and septic sewer services.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act.

Rezone land at the west end of Maddox Cove Road, adjacent to the municipal boundary of the City with the Town of Petty Harbour-Maddox Cove, from the Open Space Reserve (OR) Zone to the Rural Residential Infill (RRI) Zone as shown on Map Z-IA attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 23rd day of April, 2013.

Mayor

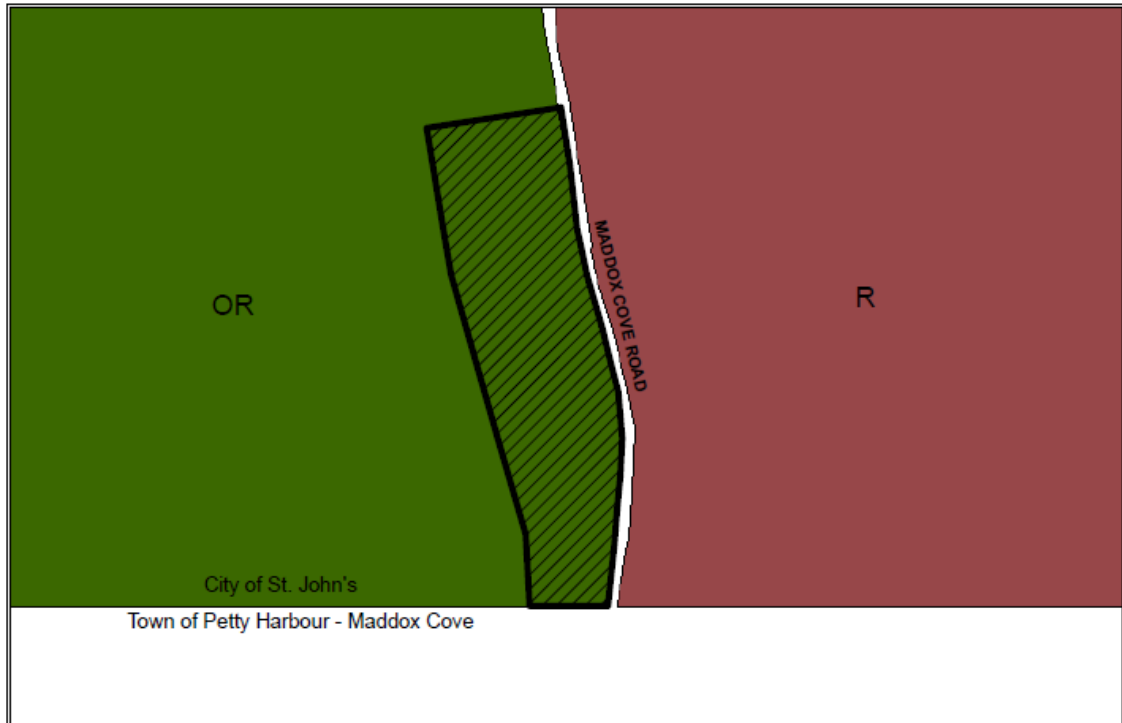
City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

The motion being put was unanimously carried.



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 512, 2013
[Map Z-1A]**

2011 09 21 SCALE: 1:3000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REZONED FROM
OPEN SPACE RESERVE (OR) LAND USE ZONE TO
RURAL RESIDENTIAL INFILL (RRI) LAND USE ZONE

MADDOX COVE ROAD PROPERTIES

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

Notice of Motion –St. John’s Electrical By-Law

SJMC2013-04-23/179R

Pursuant to Notice of Motion, it was moved by Councillor Hanlon; seconded by Councillor Tilley: That the Following By-law be adopted.

BY-LAW NO.

ST. JOHN’S ELECTRICAL (AMENDMENT NO. 1 – 2013) BY-LAW

PASSED BY COUNCIL ON APRIL 23, 2013

Pursuant to the powers vested in it under the City of St. John’s Act, RSNL 1990 c.C-17, as amended and all other powers enabling it, the City of St. John’s enacts the following By-Law.

BY-LAW

1. This By-Law may be cited as the St. John’s Electrical (Amendment No. 1 – 2013) By-Law.
2. Section 13 of the St. John’s Electrical By-Law is repealed and the following substituted:

“13. The 2012 Canadian Electrical Code of the Canadian Standards Association and all amendments thereto adopted by the said Association are hereby declared to be and shall be taken as part and parcel of this By-Law as if same were repeated herein, in full, and all provisions of the said code shall apply to all electrical work and installations.”

IN WITNESS WHEREOF the Seal of the City of St. John’s has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this 23rd day of April,2013.

MAYOR

CITY CLERK

The motion being put was unanimously carried.

Principles of the CCA from Transport Canada

Under business arising, Councillor O’Leary referred to the above noted matter and the document on same which was provided to all members of Council for review. She asked that Council discuss how it can engage in the principles set out by Transport Canada. The matter was referred to a future special meeting of Council.

Development Permits

Council considered as information the following Weekly Development Permits for the period April 5 to 18, 2013 to April

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF April 5, 2013 TO April 18, 2013**

Code	Applicant	Application	Location	Ward	Development Officer’s Decision	Date
COM		Home Office – General Contractor	117 Craigmillar Avenue	2	Approved	13-04-11
COM	EXP Architects Inc.	Site Redevelopment Of Service Station	225 Logy Bay Road	1	Approved	13-04-15
COM		Home Office – Kitchen Installer/Contractor	47 Boyle Street	3	Approved	13-04-16

<p>* Code Classification:</p> <p>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>
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**Gerard Doran
Development Officer
Department of Planning**

Building Permits List

SJMC2013-04-23/180R

It was moved by Councillor Collins; seconded by Councillor Tilley: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:

**Building Permits List
Council's April 23, 2013 Regular Meeting**

Permits Issued: 2013/04/11 To 2013/04/17

Class: Commercial

390 Duckworth St	Rn	Eating Establishment
330 Lemarchant Rd	Ms	Convenience Store
430-432 Main Rd	Ms	Convenience Store
449 Newfoundland Dr	Ms	Convenience Store
260 Portugal Cove Rd	Ms	Convenience Store
260 Portugal Cove Rd	Ms	Retail Store
50 White Rose Dr -Golftown	Sn	Retail Store
295-301 Water St	Rn	Service Shop
288 Duckworth St	Sw	Restaurant
131 Lemarchant Rd	Rn	Patio Deck
288 Duckworth St	Rn	Restaurant
187 Water St	Rn	Restaurant
302 Lemarchant Rd	Rn	Office
50 White Rose Dr,Unit B	Rn	Retail Store
48 Kenmount Rd - Intersport	Cr	Retail Store
125 Harbour Dr	Nc	Restaurant

This Week \$ 3,240,796.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

340 East White Hills Rd	Sw	Admin Bldg/Gov/Non-Profit
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This Week \$ 300,000.00

Class: Residential

4 Aldergrove Pl, Lot 253	Nc	Single Detached Dwelling
Blackmarsh Rd, Lot 28	Nc	Accessory Building
34 Bristol St	Nc	Accessory Building
51 Calver Ave	Nc	Fence
19 Cypress St	Nc	Accessory Building
40 Edison Pl	Nc	Accessory Building
8 Gibbons Pl, Lot 19	Nc	Single Detached & Sub.Apt
10 Gibbons Pl, Lot 18	Nc	Single Detached & Sub.Apt
10 Glenview Terr	Nc	Fence

10 Halliday Pl, Lot 5	Nc	Single Detached Dwelling
41 Kenai Cres, Lot 231	Nc	Single Detached Dwelling
53 Kenai Cres, Lot 225	Nc	Single Detached Dwelling
63 Ladysmith Dr	Nc	Fence
12 Pitcher's Path	Nc	Fence
6 Rawlins Pl	Nc	Accessory Building
28 Rose Abbey St Lot 163	Nc	Single Detached Dwelling
20 Royal Oak Dr	Nc	Accessory Building
20 Sgt. Craig Gillam Ave	Nc	Fence
37 Sgt. Craig Gillam Ave	Nc	Patio Deck
636 Southside Rd	Nc	Accessory Building
29a Point Leamington St	Co	Home Office
21 Glasgow Pl	Cr	Subsidiary Apartment
80 Hamilton Ave	Cr	Subsidiary Apartment
8 Empire Ave	Ex	Single Detached Dwelling
13 Glenridge Cres	Ex	Single Detached Dwelling
34 London Rd	Ex	Subsidiary Apartment
12 Meadowbrook Park Rd	Ex	Single Detached Dwelling
34 Meadowbrook Park Rd	Ex	Single Detached Dwelling
19 Roche St	Ex	Single Detached Dwelling
2 Abraham St	Rn	Single Detached Dwelling
16 Bannerman St	Rn	Townhousing
5 Belfast St	Rn	Single Detached Dwelling
295 Empire Ave	Rn	Subsidiary Apartment
47 Fleming St	Rn	Single Detached Dwelling
36 Gear St	Rn	Semi-Detached Dwelling
291 Hamilton Ave	Rn	Single Detached Dwelling
5 Ironwood Pl	Rn	Single Detached Dwelling
30 Meadowbrook Park Rd	Rn	Mobile Home
34 Meadowbrook Park Rd	Rn	Single Detached Dwelling
22 Morris Ave	Rn	Single Detached Dwelling
94 Prowse Ave	Rn	Single Detached Dwelling
82 Viking Rd	Rn	Single Detached & Sub.Apt

This Week \$ 2,462,565.00

Class: Demolition

37 Bannerman St	Dm	Single Detached Dwelling
26 Rostellan Pl	Dm	Single Detached Dwelling

This Week \$ 20,000.00

This Week's Total: \$

6,023,361.00

Repair Permits Issued: 2013/04/11 To 2013/04/17 \$ 37,300.00

Legend

Co	Change Of Occupancy	Sn	Sign
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Cc	Chimney Construction
Nc	New Construction	Cd	Chimney Demolition
Oc	Occupant Change	Dv	Development File
Rn	Renovations	Ws	Woodstove
Sw	Site Work	Dm	Demolition
Ti	Tenant Improvements		

Year To Date Comparisons			
April 23, 2013			
Type	2012	2013	% Variance (+/-)
Commercial	\$105,000,900.00	\$37,800,700.00	-64
Industrial	\$1,300,100.00	\$28,000.00	-98
Government/Institutional	\$11,100,200.00	\$7,100,100.00	-36
Residential	\$39,500,900.00	\$29,000,000.00	-27
Repairs	\$900,600.00	\$700,600.00	-22
Housing Units (1 & 2 Family Dwellings)	126	86	
Total	\$157,802,700.00	\$74,629,400.00	-53

Respectfully Submitted,

David Blackmore, R.P.A.
Deputy City Manager - Planning, Development & Engineering

Payrolls and Accounts

SJMC2013-04-23/181R

It was moved by Councillor Collins; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week ending April 19th, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending April 18, 2013**

Payroll

Public Works	\$ 344,558.83
Bi-Weekly Casual	\$ 19,838.22
Accounts Payable	\$2,004,660.40
Total:	\$2,369,057.45

The motion being put was unanimously carried.

City of St. John's Emergency Management Plan

Council considered a memorandum dated April 15, 2013 from the Deputy City Manager, Corporate Services & City Clerk regarding the above noted.

SJMC2013-04-23/182R

It was moved by Councillor Breen; seconded by Deputy Mayor Duff: That the City of St. John's Emergency Management Plan be formally adopted, and the Mayor authorized to sign off on the plan.

The motion being put was unanimously carried.

Councillor O'Leary

Councilor O'Leary updated Council on her attendance at the Stewardship Association of Municipalities (SAM) Annual General Meeting, Bay Roberts, April 19 to 20, 2013.

Councillor Hanlon

Councillor Hanlon provided an update on her attendance at the NLOWE 2013 annual conference in Gander, April 17 and 18, 2013.

His Worship the Mayor

His Worship the Mayor tabled an email from Jonathan Galgay expressing appreciation to the City for paying tribute to his late father, Gus Galgay in recognizing Galgay's Range, along with other Ranges in the City.

Adjournment

There being no further business the meeting adjourned at 5:50 p.m.

MAYOR

CITY CLERK