

April 7, 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.

His Worship the Mayor presided.

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

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

Call to Order and Adoption of the Agenda

SJMC2014-04-07/159R

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

Adoption of Minutes

SJMC2014-04-07/160R

**It was decided on motion of Councillor Lane; seconded by Councillor Tilley:
That the minutes of March 31st, 2014 be adopted as presented.**

Business Arising

**St. John's Municipal Plan Amendment Number 127, 2014 and Development Regulations Amendment Number 600, 2014
150 Stavanger Drive (Ward 1)**

SJMC2014-04-07/161R

It was moved by Councillor Hann; seconded by Councillor Tilley: That the above noted matter be deferred and referred to a public hearing to be chaired by a member of Council.

Members of Council referenced various concerns expressed by residents who suggested that the matter be deferred so they could have the opportunity to be heard. Members of Council concurred.

The motion being put, was unanimously carried.

Memorandum from Councillor Puddiser re: Snow Clearing

Council considered a memorandum dated April 3, 2014 from Councillor Puddister regarding the above-noted.

SJMC2014-04-07/162R

It was moved by Councillor Puddister; seconded by Councillor Lane: That the following proposal be referred to the next meeting of the Public Works Standing Committee for further review:

That in future, Council be involved in the decision regarding the lay-off of seasonal workers each spring and that Council give consideration to extending the lay-off of the seasonal workers to coincide with the conclusion of the on-street parking ban; usually April 1st each year.

Councillor Galgay supported the motion; however, he expressed concern that discussion on this matter may be premature given the upcoming operational review that will be taking place with regard to snow clearing. Councillor Puddister suggested that the matter when discussed at the Public Works meeting could be directed to be incorporated within the operational review. Councillor Galgay agreed with this suggestion.

The motion being put, was unanimously carried.

Committee Reports

Community Services & Housing Standing Committee – March 25, 2014

Council considered the following Community Services & Housing Standing Committee Report dated March 25, 2014

Attendees: Councillor Bernard Davis, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Jonathan Galgay
Councillor Bruce Tilley
Councillor Sandy Hickman
Councillor Tom Hann
Councillor Wally Collins
Bob Smart, City Manager
Jill Brewer, Deputy City Manager of Community Services
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Director of Recreation
Brian Head, Manager of Parks & Open Spaces
Deborah Cook, Manager of Tourism & Culture
Derek Coffey, Manager of Budget & Treasury
Karen Chafe, Recording Secretary

1. **Homelessness Partnering Strategy**

The Committee considered a memo dated March 20, 2014 from the Deputy City Manager of Community Services regarding the above noted matter. The St. John's Community Advisory Committee on Homelessness will convene a Community Planning Forum on May 26-27, 2014 at City Hall to engage stakeholders and complete the 2014-2019 St. John's Community Plan to Reduce Homelessness. This plan will enable the incorporation of a Housing First Strategy to reduce homelessness within our City utilizing \$3.5 million in Federal Homelessness Partner Strategy (HPS) funding. St. John's is the only designated HPS community in Newfoundland and Labrador to receive these funds.

The Committee on motion of Councillor Galgay; seconded by Councillor Tilley: recommends that the City provide a grant of \$5,750 to offset the shortfall for the Community Planning Forum. This planning forum is vital to the future of the City's Homelessness Partnering Strategy for the next five-year period, resulting in an investment in the City of St. John's of \$3.5 million. There is additional funding available in the Community Grants budget for 2014 to cover this cost.

2. **Bannerman Park Pool/Pool House Re-Opening**

The Committee was advised that as a result of construction delays, the Bannerman Park Pool and Pool House will not be completed until September, 2014, and therefore, will not be a re-opening for the summer season this year. Staff advised that accommodations will be made to facilitate the anticipated increase in users at the Bowring Park pool, i.e. the addition of lessons. It should be noted that the City's outdoor pools when open are free of charge.

3. **St. Paul's School Funding Request**

The Committee considered a memo dated March 20, 2014 from the Director of Recreation regarding a request from St. Paul's School for financial support for the development of a community Multi-Purpose Track and Field Facility. The project cost is estimated to be \$1 million with \$350,000 already secured through in-kind and cash. Mr. Derek Staubitzer representing St. Paul's School advised that all engineering drawings have been completed and it is their hope to commence construction in 2014. The request for the City is to contribute 1/3 of the project to a maximum of \$350,000. The City was also advised by Mr. Staubitzer that the Minister of Municipal Affairs has agreed to match the City's contribution. The City, however, has concerns about the matching contribution from the Province being taken from the Province's capital budget allocation, resulting in a loss of funds for other capital projects.

The Recreation and Parks Master Plan does support partnership opportunities with the English School District. It should be noted that while the City of St. John's does not currently have an outdoor Athletics Track and Field Complex within its inventory of sport facilities, this proposed facility does not meet standard regulations for track and field to play host to sanctioned events including Canada Games. If the City of St. John's were to be awarded the hosting of the 2021 Canada Games, an investment in a regulation size Athletics Complex would rank higher on the priority list.

The Committee on motion of Councillor Galgay; seconded by Councillor Collins: recommends that Council defer consideration of this request pending further information with respect to land ownership and whether or not the Province's allocation of funds will result in the loss of funds to other capital projects.

**Councillor Bernard Davis
Chairperson**

SJMC2014-04-07/163R

It was moved by Councillor Davis; seconded by Councillor Puddister: That the Community Services & Housing Standing Committee recommendations as contained in the report of March 25, 2014 be accepted as presented.

Councillor Galgay referenced an issue not included in the report but which was discussed at the Community Services & Housing Standing Committee regarding the Neighbourhood Watch Program. This Program used to have flyers delivered to various neighbourhoods but the service was discontinued. He suggested that funding be sought to develop new brochures for public circulation. He had asked staff to investigate options for referral back to the next Committee meeting.

The motion being put was unanimously carried.

Heritage Advisory Committee Report of March 28, 2014

Council considered the Heritage Advisory Committee Report dated March 28, 2014:

In Attendance: Councillor Dave Lane, Co-Chairperson
 Councillor Sandy Hickman, Co-Chairperson
 George Chalker, Heritage Foundation
 Taryn Sheppard, Nexter Representative
 Peter Jackson, NL Historic Trust
 Melanie Del Rizzo, Business Representative
 Gerard Hayes, Citizen Representative
 Peter Mercer, Heritage Officer
 Helen Miller, City Archivist
 Margaret Donovan, Tourism Industry Coordinator
 Karen Chafe, Recording Secretary

1. **Revised Terms of Reference**

The Committee reviewed the draft revised Terms of Reference for the Heritage Advisory Committee.

The Committee recommends Council's approval of the draft Terms of Reference as attached.

2. **126 Duckworth St. – Proposed Mural**

The Committee considered an application from O'Brien's Boat Tours to install a mural at 126 Duckworth St.

The Committee recommends that the Heritage Officer consult further with the applicant to determine further detail about the size and artistic merit of what is proposed.

3. **301 Water St. – Sign Application**

The Committee considered an application for a fascia sign to be installed on a heritage designated building.

The Committee recommends approval of the sign given that it conforms with the Heritage Sign By-Law.

4. 418 Water St. – Sign Application

The Committee considered an application for a sign to be installed on 418 Water St. Elevations are attached.

The Committee recommends approval of the sign as presented.

**Councillor Dave Lane
Co-Chair**

**Councillor Sandy Hickman
Co-Chair**

SJMC2014-04-07/164R

It was decided on motion of Councillor Hickman; seconded by Councillor Lane: That the Heritage Advisory Committee Report of March 28, 2014 be accepted as presented.

Development Permits List

Council considered as information the following Development Permits List for the period of March 27, 2014 to April 2, 2014:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF March 27, 2014 TO April 2, 2014**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Crown Land Grant for Proposed Extension to Private property	32 Petty Harbour Road	5	Rejected	14-03-27
RES	Fougere Menchenton Architecture	Subdivide for One (1) Additional Residential Dwelling	11 Cassino Place	1	Approved	14-03-27
RES		Building Lot	75 Doyle's Road	5	Approved	14-03-27
COM	Dynamis Homeopathic Inc.	Site Development	93-95 Torbay Road	1	Approved	14-03-27
AG		Crown Land Lease	Pearltown Road	5	Approved	14-03-27
RES		Proposed Building Lot	44 Ryan's River	5	Rejected –	14-03-27

			Road		Located in Flood Plain Buffer	
RES		Proposed Building Lot	36-38 Ryan's River Road	5	Rejected - Located in Flood Plain Buffer	14-03-27
RES		Proposed Building Lot	94 Old Bay Bulls Road	5	Approved	14-04-02

* 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.

Gerard Doran
 Development Officer
 Department of Planning

Building Permits List

SJMC2014-04-07/165R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the recommendation of the Director of Planning and Development with respect to the following Building Permits list be approved:

**Building Permits List
 Council's April 7, 2014 Regular Meeting**

Permits Issued: 2014/03/27 To 2014/04/02

Class: Commercial

355 Main Rd (Np16)	Co	Retail Store
48 Kenmount Rd. Winners/Homese	Sn	Retail Store
55 Kelsey Dr	Sn	Office
131 Kelsey Dr, Technip	Sn	Office
17 Major's Path	Sn	Office
2 Stavanger Dr (Kfc)	Sn	Restaurant
85 Lemarchant Rd	Rn	Office
135 Torbay Rd	Rn	Church
The Village-430 Topsail Rd	Rn	Service Shop

36-38 Pippy Pl	Rn	Office
187 Brookfield Rd	Nc	Accessory Building
12 Hebron Way	Nc	Other
5 Springdale St	Rn	Office
48 Kenmount Rd/Scotiabank	Rn	Bank

This Week \$ 2,421,836.00

Class: Government/Institutional

This Week \$.00

Class: Residential

24 Cherrybark Cres - Lot 218	Nc	Single Detached Dwelling
88 Dooling's Line	Nc	Accessory Building
10 Duke St, Lot 212	Nc	Single Detached & Sub.Apt
49 Feild St	Nc	Fence
83 Firdale Dr	Nc	Accessory Building
49 Orlando Pl Lot 205	Nc	Single Detached Dwelling
51 Orlando Pl, Lot 204	Nc	Single Detached Dwelling
58 Penetanguishene Rd	Nc	Single Detached Dwelling
136 Cashin Ave Exten	Rn	Townhousing
138 Cashin Ave Exten	Rn	Townhousing
140 Cashin Ave Exten	Rn	Townhousing
142 Cashin Ave Exten	Rn	Townhousing
144 Cashin Ave Exten	Rn	Townhousing
146 Cashin Ave Exten	Rn	Townhousing
148 Cashin Ave Exten	Rn	Townhousing
150 Cashin Ave Exten	Rn	Townhousing
152 Cashin Ave Exten	Rn	Townhousing
154 Cashin Ave	Rn	Townhousing
156 Cashin Ave	Rn	Townhousing
56 Cherokee Dr	Rn	Single Detached Dwelling
150 Gower St	Rn	Single Detached Dwelling
41 Barachois St	Rn	Single Detached & Sub.Apt
2 Linden Pl	Rn	Single Detached Dwelling
10 Mcloughlan St	Rn	Single Detached Dwelling
53 Otter Dr	Rn	Single Detached Dwelling
178 Pleasant St	Rn	Semi-Detached Dwelling
103 Great Eastern Ave	Sw	Single Detached Dwelling

This Week \$ 1,984,013.00

Class: Demolition

48 Spencer St	Dm	Semi-Detached Dwelling
12 Springdale St	Dm	Admin Bldg/Gov/Non-Profit

This Week \$ 249,000.00

This Week's Total: \$ 4,654,849.00

Repair Permits Issued: 2014/03/27 To 2014/04/02 \$ 2,500.00

163 Bay Bulls Road Application for accessory building was rejected as contrary to Section 8.3.6(3) (b) 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			
April 7, 2014			
TYPE	2013	2014	% VARIANCE (+/-)
Commercial	\$33,829,000.00	\$19,501,000.00	-42
Industrial	\$28,000.00	\$0.00	0
Government/Institutional	\$6,821,000.00	\$42,455,000.00	52
Residential	\$22,000,000.00	\$26,200,000.00	19
Repairs	\$598,000.00	\$386,000.00	-35
Housing Units (1 & 2 Family Dwellings)	64	40	
TOTAL	\$63,276,000.00	\$88,542,000.00	40

Respectfully Submitted,

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

Requisitions, Payrolls and Accounts

SJMC2014-04-07/166R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week ending April 2, 2014 be approved:

**Weekly Payment Vouchers
For The
Week Ending April 2, 2014**

Payroll

Public Works	\$ 414,687.02
Bi-Weekly Casual	\$ 20,233.03
Accounts Payable	\$3,893,680.24

Total: \$4,328,600.29

Tenders

SJMC2014-04-07/167R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the recommendations of the Senior Buyer and the Director of Engineering be approved and the tenders be awarded as follows:

- Tender 2014024 One (1) New Small Excavator be awarded to Harvey and Company at \$110,635.00. Taxes are extra to quoted price as per the Public Tendering Act.
- Modernization and Improvements – Fahey’s Row & 1985 Infill Projects be awarded to Coastal Building Products & Services Ltd. for the amount of \$559,915.00, which includes HST.
- Consulting Engineer for Pearltown Road Bridge Replacement be awarded to Nova Consultants Inc. in accordance with Item 3.4 of the policy for the “Hiring of External Consultants”
- Engineering Consulting Services for Sanitary Sewer Outfall Diversions at Battery Outfalls and Quidi Vidi Outfall be awarded to Kendall Engineering Ltd. in the amount of \$371,623.10 (HST included).

Other Business

2014 Streets Rehabilitation Program

Council considered a memorandum dated April 3, 2014 from the Director of Engineering regarding the above noted.

SJMC2014-04-07/168R

It was decided on motion of Councillor Collins; seconded by Councillor Davis: That Council authorize the call for public tender for the 2014 Streets Rehabilitation Program.

Snow Clearing Report

Council considered as information a memorandum dated April 3, 2014 from the Deputy City Manager of Financial Management regarding the Snow Clearing Report for the period January 1 to April 4, 2014. The report shows a negative variance of \$759,603.

Economic Update – April 2014

Council considered as information the Economic Update for April 2014. A copy of this is available on the City's website.

Bidgood's Park

Council tabled a memorandum dated April 7, 2014 from the Acting City Manager regarding the above noted. At today's special meeting of Council, Council was informed that the Province (under the Government Innovation Fund) has committed \$100,000 and the Lions Club has agreed to fund \$48,000 both for the completion of work at Bidgood's Park. Council has agreed to a matching contribution which has now come forward to the regular meeting of Council.

SJMC2014-04-07/169R

It was decided on motion of Councillor Collins; seconded by Councillor Galgay: That approval be given to contribute an amount of \$148,000 under its 50/50 cost sharing policy to finish work that has already commenced in Bidgood's Park.

The Engage! St. John’s

Council tabled a memorandum dated April 7, 2014 regarding the above noted. At today’s special meeting of Council, Council agreed to the following appointments to The Engage! St. John’s.

SJMC2014-04-07/170R

It was decided on motion of Councillor Lane; seconded by Councillor Hickman: That Council approve the appointment of the following people to The Engage! St. John’s Task Force:

Recommended Citizens	Recommended Organizations
Melissa Mulrooney – Ward 1	Happy City
Peter Wilton – Ward 1	Coalition of Persons with Disabilities
Jerry Dick – Ward 2	Board of Trade
Lionel West - Ward 2	Community Sector Council
Sharon Ho – Ward 2	Georgetown Neighbourhood Association
Dwight Hutchens – Ward 3	Downtown St. John’s
Nancy Hollett – Ward 3	Atlantic Provinces Association of Landscape Architects
Candace Ennis-Williams – Ward 4	Dance NL
Krista Vincent – Ward 4	Harris Centre – MUN
Gina Evoy – Ward 5	Canadian Federation of Students
Andrea Kathleen Furlong – Ward 5	Refugee Immigrant Advisory Council
	Reardon Properties (representing developers)
	St. John’s Native Friendship Centre
	Canadian Homebuilders Association – NL
Total Individuals: 11	Total Organizations: 14
Grand Total: 25	

Adjournment

There being no further business the meeting adjourned at 5:40 pm

MAYOR

CITY CLERK