

June 10th, 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, Hickman, Hann, Colbert, Breen, Galgay, Tilley and Collins.

Regrets: Councillor Hanlon.

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

Call to Order and Adoption of the Agenda

SJMC2013-06-10/252R

It was decided on motion of Councillor Tilley; seconded by Councillor Collins: That the Agenda be adopted as presented with the following additional items:

1. Travel Request by His Worship the Mayor
2. Submissions Re 185 Waterford Bridge Road
3. Letter dated June 10, 2013 from Nassir Badrudin, The Waterford Manor
4. Churchill Square Business Owners Public Meeting Report
5. Tender – Bannerman Park Ice Trail
6. Pine Bud Place Sanitary Sewer Diversion Project – Additional Funding Request
7. Media Release- Metrobus to provide age-friendly community bus service

Adoption of Minutes

SJMC2013-06-10/253R

It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the Minutes of June 3rd, 2013 meeting be adopted as presented.

Business Arising

Under business arising, Deputy Mayor Duff referenced Council's decision of June 3, 2013 to defer a decision on an application for a Crown Land Grant, 31 Barrows Road. The Deputy Mayor advised that the Development Committee is now recommending that the matter be referred to the Planning & Housing Standing Committee, and put forward the following motion.

SJMC2013-06-10/254R

It was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That staff be directed to provide information for referral to the Planning & Housing Committee on what it would entail to create overlay zoning for Quidi Village Village.

The motion being put was unanimously carried.

Notice of Motion - Sign By-Law

SJMC2013-06-10/255R

Pursuant to Notice of Motion, it was moved by Councillor Tilley; seconded by Councillor Collins: That the following Sign (Amendment No. 1, 2013) By-Law be adopted:

BY-LAW NO.

SIGN (AMENDMENT NO. 1 – 2013) BY-LAW

PASSED BY COUNCIL ON JUNE 10, 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 relating to signage in the City of St. John's.

BY-LAW

1. This By-Law may be cited as the "St. John's Sign (Amendment No. 1 – 2013) By-Law."

2. Section 2 of the St. John's Sign By-Law is amended by adding the following as sections (k) and (l):

“(k) “Traffic Control Device” means any traffic sign, traffic-control signal, marking, symbol or device as defined by the *Highway Traffic Act*, RSNL c. H-3, as amended;

(l) “Election Signs” means any Sign advertising or promoting a candidate in a federal, provincial, or municipal election.”

3. Section 11(b) of the St. John's Sign By-Law is repealed and the following substituted:

“11. (b) interfere with or obstruct a Traffic Control Device; or”

4. Section 22 of the St. John's Sign By-Law is amended by adding the following as section 22.1:

“ELECTION SIGNS

22.1

- (1) No person shall erect, attach, place or display an Election Sign except as permitted by this By-Law.
- (2) Election Signs may be displayed for no more than sixty (60) days prior to election day, or such other time as dictated by Provincial or Federal Legislation and Regulations.
- (3) The candidate shall be responsible for the removal of his/her Election Sign(s) within three (3) days after election day.
- (4) Election sign(s) shall not be located on a roadway as defined in the *Highway Traffic Act*, RSNL c. H-3, as amended and/or a road or road surfaces including paved or gravel shoulders, centre medians, traffic islands or traffic circles.
- (5) Election Sign(s) shall not be located within 20 meters of a signalized intersection or within 15 meters of an unsignalized intersection.
- (6) Election Sign(s) shall not be located on any Traffic Control Device or in any place where it may interfere with the interpretation of a Traffic Control Device.

- (7) Election Signs are not permitted on the same post as, or immediately adjacent to any Traffic Control Device, including all signage.
- (8) Election Sign(s) are not permitted in any place where, in the opinion of the City’s Traffic Department, they create a sight line obstruction or interfere with the flow of vehicle or pedestrian traffic.
- (9) An Election Sign(s) which is erected or displayed in violation of this By-Law, shall be removed immediately without notice.
 - (a) The City is not responsible for any damage to Election Sign(s) that are removed pursuant to this section; and
 - (b) Any Election Sign(s) that is removed by the City will be stored for no more than thirty (30) days after removal after which it may be destroyed or otherwise disposed of by the City without notice and without compensation to the owner of the Election Sign(s).”

IN WITNESS WHEREOF the Seal of the City of St. John’s was hereunto affixed and this By-Law was signed by the Mayor and City Clerk this 10th day of June, 2013.

MAYOR

CITY CLERK

The motion being put was unanimously carried.

**Proposed Hotel Development at 227-229-245 Kenmount Road
- Applicant: Pacific Coast Architecture for Northwood Properties**

Under business arising, Council considered a memorandum dated June 6, 2013 from the Acting Director of Planning advising of an oversight in advertising dates for the public hearing on the above noted application, so a second public hearing was organized. The

amendments were again approved by Council on June 3, 2013. It is now in order that Council rescind the original motion of April 1, 2013 to approve Resolutions for St. John's Municipal Plan Amendment Number 109, 2013 and St. John's Development Regulations Amendment Number 557, 2013.

SJMC2013-06-10/256R

It was moved by Councillor Hickman; seconded by Deputy Mayor Duff: That Council's decision of April 1, 2013 to approve Resolutions for St. John's Municipal Plan Amendment Number 109, 2013 and St. John's Development Regulations Amendment Number 557, 2013, be rescinded.

The motion being put was unanimously carried.

Media Release

Under business arising, Councillor Hann presented a Media Release advising that the St. John's Transportation Commission will begin a pilot project to operate a fixed route service aimed at seniors. Health and Community Services Minister, Susan Sullivan, announced \$1.3 million today under the Age-Friendly NL Transportation project, and Metrobus was successful in its application for funding of a community bus service aimed at the aging population. Metrobus will receive \$100,000 each year over the next three years to operate the service.

Councillor Hann noted now that the funding has been approved Metrobus will move forward to the final stages of planning and consultation with seniors in the City to design a service that meets the needs of seniors, particularly areas that have a significant senior population. Councillor O'Leary noted that residents of Caribou Manor have been advocating for service and asked that they be considered.

Drill Hall Pleasantville

Under business arising, Councillor Colbert referred to his request that staff investigate whether the Drill Hall in Pleasantville, which is scheduled for demolition, can be useful for any purpose and put forward the following motion:

SJMC2013-06-10/257R

It was moved by Councillor Colbert; seconded by Councillor Breen: That staff be directed to enter into discussions with Canada Lands on the probability of using the Drill Hall building in Pleasantville vs demolition of the building.

The motion being put was unanimously carried.

Notices Published

- 1. A Discretionary Use Application** has been submitted requesting permission to occupy a portion of **Civic No. 14 Riverside Drive East** as a home occupation that involves the making and delivery of baked goods. The proposed business will occupy a floor area of approximately 12m² (kitchen area) and will operate Monday to Friday, 9 a.m. to 2 p.m. The business involves baking with domestic cooking equipment. No on-site sales, delivery only in a non-commercial vehicle approximately twice per week. One on-site parking space is provided for the business. The applicant is the sole employee. **(Ward 1)**

Two (2) Submissions

SJMC2013-06-10/258R

It was moved by Councillor Hann; seconded by Councillor Hickman: That the application approved.

The motion being put was unanimously carried.

- 2. A Discretionary Use Application** has been submitted to operate a restaurant as a Heritage Use from Waterford Manor at **Civic No. 185 Waterford Bridge Road**. The proposed restaurant will occupy a seating area of 60 m². The property currently operates as a Bed and Breakfast. The facility also hosts wedding and private functions. On-site parking can accommodate 15 vehicles. **(Ward 3)**

SJMC2013-06-10/259R

It was moved by Councillor Tilley; seconded by Councillor O'Leary: That the application be rejected.

Council considered a number of written submissions of objection and support from the area residents regarding the proposed restaurant at 185 Waterford Bridge Road. Council

also considered a letter from Mr. Nassir Badrudin, The Waterford Manor, in response to the letters of objections to the establishment of a Restaurant at Civic No. 185 Waterford Bridge Road.

Members of Council voting in favour of rejection of the application expressed concern relative to parking and traffic and the impact the proposed establishment would have on the residents' quality of life.

Following discussion, the motion to reject being put was unanimously carried.

Committee Reports

Heritage Advisory Committee Report dated May 29, 2013

Council considered the following Heritage Advisory Committee Report dated May 29, 2013:

In Attendance: Deputy Mayor Shannie Duff, Chairperson
Councillor Sheilagh O'Leary
Taryn Sheppard, Nexter Representative
Jeremy Bryant, NL Association of Architects
Tony Lockyer, Eastern NL Homebuilders Association
Dave Lane, NL Historic Trust
Melanie DelRizzo, Citizen Representative
Gerard Hayes, Citizen Representative
Sylvester Crocker, Manager of Technical Services
Peter Mercer, Heritage Officer
Lindsay Lyghtle Brushett, Planner
Mark Hefferton, Planner
Helen Miller, City Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

1. Request to Demolish Richmond Hill Cottage at 18 Topsail Road **(REQUEST WITHDRAWN BY APPLICANT)**

The Committee met with Paul Fowler and Dermot Karney of Wrightland Development

Corporation who submitted a request for approval to demolish Richmond Hill Cottage at 18 Topsail Road and to replicate the existing with a new structure that would be more energy efficient and situated further back on the site. They outlined the rationale for demolition, a copy of which is attached to this report.

- Essentially, the developers feel that the property has deteriorated to the point that it is beyond repair as a result of a pipe break on the second floor, flooding the entire house and damaging the hardwood floors. Vandals have also caused damage by stealing fuel from the storage tanks and busting all visible copper pipes from the furnace for salvage. The developer further asserts that there is nothing of architectural significance or material value that can be retained from the existing house. The developer also stated that when the leak occurred, the property was vacant and they were only checking on it on a bi-weekly basis.
- The developer has also outlined concerns about the steep grade which has been created by the excavation for the new cul-de-sac at McLea Park. Consequently, Richmond Hill Cottage now sits higher above the cul de sac street grade which increases the difficulty of incorporating new garages and front door entries. The developer also claims that there is a very real exposure to undermining the existing foundation.

The Heritage Advisory Committee notes that Council agreed to approve the subdivision of land for a residential development subject to preservation and restoration of Richmond Cottage which was designated as a heritage structure by the City of St. John's on June 9, 2003. At that time, Council also adopted By-Law 1461 under Section 355 of the City of St. John's Act which in part states the following:

Section 355

- (b) *A building, structure, land or area designated by Council shall not be demolished or built upon nor shall the exteriors of the building or structure be altered, except with the approval of Council; and*
- (c) *In exercising this power under the City Act, Council shall have regard to the following considerations:*
 - i. *The need of preserving heritage buildings, structures, land or areas that collectively represent a cross-section of all periods and styles in the City's historic and cultural evolution;*
 - ii. *The costs and benefits of the preservation; and*
 - iii. *The compatibility of preservation with other lawful uses of the buildings, structures or lands.*

The Committee further notes that Section 5.9.3 of the St. John's Development Regulations provides that no person shall remove, pull down, or demolish any heritage building except for life safety reasons or for a public work, nor shall the exterior of any heritage building be repaired or altered without the express

written permission of Council.

The Committee expressed major objection to the proposed demolition given that Richmond Hill Cottage was structurally sound when it was given heritage designation in 2003. Council's approval of the residential development surrounding the cottage was also subject to the maintenance of Richmond Hill as per the above noted By-Law 1461 and Section 355 of the City of St. John's Act. The Committee concludes, therefore, that the owner's failure to provide adequate security and maintenance to the property is an irresponsible act of demolition by neglect.

The Committee recommends that the request to demolish Richmond Cottage at 18 Topsail Road be rejected and that this cottage be fully restored and maintained.

The Committee also recommends that the regulatory process be reviewed to ensure that heritage designated properties are properly maintained by their property owners prior to Council's granting permission to develop the lands surrounding them.

The historical background for Richmond Cottage was presented during the meeting and is also attached to this report. Richmond Cottage is a 165 year old building consisting of early classical vernacular architecture, with distinctive Scottish features and unique long narrow windows. Its historic value is associated with the Honourable Kenneth McLea and Gilbert Browning. McLea was a St. John's merchant who purchased the land near the Crossroads in Riverhead in 1848. He was a candidate for St. John's west in the election of 1861, and his candidature resulted in an election riot in which three people were shot to death on Water Street. He died a year later. Subsequently his business went bankrupt and the family sold the property. Gilbert Browning was a Scottish builder-architect who came to Newfoundland following the Great Fire of 1846 in which a large portion of St. John's was burnt. Browning arrived amongst a large number of men who were engaged in the building trades in England and who came to help with rebuilding the town. He was hired by McLea to design and build Richmond Hill. Thirty years after Browning built the house, he purchased it as his family residence. He became a prominent businessman in his own right. His most successful venture was a biscuit factory near the Crossroads, which afterwards was carried on under the name of Browning-Harvey. This company is still in operation today.

2. **271-275 Duckworth Street (Former Telegram Building) Proposed Renovation**

The Committee met with Charlie Oliver, property owner and Beaton Sheppard, Architect to discuss their proposal for exterior renovation to 271-275 Duckworth St. The

elevations are attached.

The Committee, with the abstention of Taryn Sheppard, recommends approval of the elevations as outlined.

3. 53-67 Margaret's Place (St. Michael's Convent and Belvedere Orphanage) Proposed Renovations and Extension

The Committee met with Steve Saunders, Vice President of Future Group and Jeremy Bryant, Architect with Sheppard Case (and new member of the Heritage Advisory Committee) to discuss the proposed renovations and extension to the former Belvedere Orphanage. Mr. Bryant abstained from voting on this matter.

The developer proposes to develop seven condominiums in the former St. Michael's Convent, each with two storeys, and an additional 29 new condos in the former Belvedere orphanage and its proposed addition. Artist renderings and site layout were circulated and reviewed by the Committee. The exteriors of both St. Michael's Convent and the Belvedere Orphanage will be restored. The proposal for the new extension is preliminary and subject to the Committee's feedback and direction. The exterior is a simple design at present and the cladding intended is masonry. The scale of the new extension would be in keeping with the height of the existing buildings. The developer would like to create an oasis in the middle of this very plain area, and a landscape plan was circulated for the Committee's review.

With regard to concerns about emergency access to the laneway, it was noted that the new landscape plan should improve the access. The proposed development will also reduce the density by the removal of the commercial component thereby reducing traffic by at least half.

The Committee was receptive to the preliminary design and the contrast of the new building from the existing structures.

The Committee recommends approval in principle subject to ongoing consultation about material and design details with the Heritage Officer and the Heritage Advisory Committee.

SJMC2013-06-10/260R

It was moved by Councillor Tilley; seconded by Councillor O'Leary: That the Committee's recommendations be approved.

Regarding Item #1 – Request to Demolish Richmond Hill Cottage at 18 Topsail Road, Deputy Mayor Duff advised that the request was withdrawn by the applicant following the Heritage Committee meeting, and stressed the importance of the Committee’s recommendation that a regulatory process be reviewed to ensure that heritage designated properties are properly maintained by their property owners, prior to Council granting approval to develop the lands surrounding them.

Councillor Galgay asked if there is any consultation taking place with developers to recognize the significance of the historic buildings. The Deputy Mayor indicated that the Committee has discussed the matter and will bring back a specific recommendation that would require some level of public recognition of the important history of the historic buildings.

The motion being put was unanimously carried.

Environmental Advisory Committee Report dated June 10, 2013

Council considered the following Environmental Advisory Committee Report dated June 10, 2013:

Attendees: Councillor Sheilagh O’Leary
Deputy Mayor Shannie Duff
Kieran Hanley, NL Environmental Industry Association
Randal Greene, Nature Conservancy Canada
Rick Kelly, Food Security Network
Bill Stoyles, Northeast Avalon ACAP
Arvo McMillan, Individual Representative
Jonas Roberts, Individual Representative
Marvin Barnes, Individual Representative
Rick Comerford, Individual Representative
Stephanie Curran, Individual Representative
Ken O’Brien, Manager of Planning and Information
Karen Chafe, Recording Secretary

1. Revision to Terms of Reference for the Environmental Advisory Committee

The Committee requests Council's approval of the following:

The Committee recommends that Council approve the addition of the Manager of Parks and Open Spaces as a staff advisor to the Environmental Advisory Committee, and that the Committee's Terms of Reference be revised to reflect this change.

Councillor Sheilagh O'Leary

Chairperson

SJMC2013-06-10/261R

It was moved by Councillor O'Leary; seconded by Councillor Breen: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

Special Events Advisory Recommendation

Council considered the following Special Events Advisory Committee

Recommendations:

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:** Athletics NorthEast Running Club Duathalon
Location: Gould's
Date: June 16, 2013
Time: 8:00 -10:00 am

Affected Roads:

Back Line Road - Ruby Line to Doolings Line
Cochrane Pond Road
Ruby Line - Main Road to Robert E. Howlett

Recommendation:

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.

Robin King, P. Eng.
Chairperson – Special Events Advisory Committee

SJMC2013-06-10/262R

It was moved by Councillor Hickman; seconded by Councillor Collins: That the Committee’s recommendations be approved.

The motion being put was unanimously carried.

Building Permits List

SJMC2013-06-10/263R

It was moved by Councillor Hickman; seconded by Councillor Hann: That the recommendation of the Deputy City Manager, Development, Planning & Engineering with respect to the following Building Permits List be approved:

**Building Permits List
Council’s June 10, 2013 Regular Meeting**

Permits Issued: 2013/05/30 To 2013/06/05

CLASS: COMMERCIAL

15 Aberdeen Ave, U-Auto	Co	Retail Store
323 Hamilton Ave., Suite 6	Co	Office
29 Howley Ave Exten	Co	Commercial School
29 Howley Ave Exten	Co	Office
29 Howley Ave Exten	Co	Office
79-81 New Gower St	Co	Eating Establishment
17-19 Pippy Pl -Sassytuna	Co	Custom Workshop
302 Water St -Junk	Co	Retail Store
323 Hamilton Ave, Suite 6	Sn	Office
385 Water St - Oceanex Inc.	Sn	Harbour Use
421 Torbay Rd	Ms	Retail Store
302 Water St	Sn	Retail Store
50 White Rose Dr	Ms	Retail Store
371-373 Duckworth St	Rn	Patio Deck
319 Water St	Nc	Accessory Building
275 East White Hills Rd	Nc	Accessory Building
139 Torbay Rd	Sw	Restaurant
465 East White Hills Rd	Rn	Retail Store

This Week \$ 635,840.00

Class: Industrial

National Harbour Board/Pier 17 Nc Accessory Building

This Week \$ 100,000.00

Class: Government/Institutional

435 Back Line, Skilled Trades Rn School
2a Bonaventure Ave Rn School

This Week \$ 152,700.00

Class: Residential

19 Aldergrove Pl Nc Fence
19 Aldergrove Pl Nc Accessory Building
22 Bavidge St Nc Accessory Building
48 Bell's Turn Nc Single Detached & Sub.Apt
5 Bennett Ave Nc Accessory Building
5 Bennett Ave Nc Fence
41 Spruce Grove Ave Nc Accessory Building
47 Blackmarsh Rd Nc Fence
143 Blue Puttee Dr , Lot 73 Nc Single Detached Dwelling
169 Canada Dr Nc Patio Deck
6 Capulet St, Lot 204 Nc Single Detached Dwelling
23 Cypress St Nc Accessory Building
47 Cypress St Nc Accessory Building
' Cumberland Cres Nc Fence
12 Douglas St, Lot 252 Nc Single Detached & Sub.Apt
31 Downing St Nc Fence
41 Dunkerry Cres, Lot 318 Nc Single Detached Dwelling
590 Empire Ave Nc Fence
28 Gary Dr Nc Accessory Building
3 Gibbons Pl, Lot 4 Nc Single Detached & Sub.Apt
22 Gilbert St Nc Accessory Building
9 Glen Abbey St Nc Accessory Building
27 Glenlonan St Nc Accessory Building
27 Gold Medal Dr Nc Fence
31 Gold Medal Dr Nc Fence
166 Green Acre Dr Nc Accessory Building
151 Green Acre Dr Nc Fence
119 Groves Rd Nc Accessory Building
28 Gullage St Nc Single Detached Dwelling
30 Kenai Cres Nc Accessory Building
24 Laurier St Nc Accessory Building
99 Lester St Nc Accessory Building
31 Long Beach St Nc Accessory Building
14 Lucyrose Lane Nc Accessory Building
13 Lucyrose Lane Nc Accessory Building
23 Macbeth Dr Nc Accessory Building
28 Mccrae St Nc Fence
26 Main Rd Nc Accessory Building
30 Melville Pl Nc Fence
52 Monkstown Rd Nc Accessory Building
99 Montague St Nc Single Detached & Sub.Apt
7 Myrick Pl Nc Fence
Nautilus Street Nc Accessory Building
23 Navajo Pl Nc Accessory Building
22 Oberon St Nc Accessory Building

37 Oberon St, Lot 178	Nc	Single Detached Dwelling
41 Oberon St, Lot 176	Nc	Single Detached Dwelling
46 Parkhill St	Nc	Fence
60 Parkhill St	Nc	Accessory Building
60 Parkhill St	Nc	Fence
10 Parliament St	Nc	Fence
57 Parsonage Dr, Lot 2.18	Nc	Single Detached Dwelling
78 Petite Forte Dr	Nc	Fence
20 Pitcher's Path	Nc	Fence
22 Pluto St	Nc	Fence
20 Regent St	Nc	Accessory Building
17 Rosalind St, Lot 456	Nc	Single Detached Dwelling
58 Rotary Dr , Lot 82	Nc	Single Detached & Sub.Apt
125 Shoal Bay Rd	Nc	Accessory Building
806 Southside Rd	Nc	Fence
99 Springdale St	Nc	Single Detached Dwelling
334 Stavanger Dr	Nc	Patio Deck
3 Stoneley Pl, Lot 2.11	Nc	Single Detached Dwelling
24 Tigress St , Lot 620	Nc	Single Detached & Sub.Apt
144 Watson St	Nc	Fence
31 Almond Cres	Co	Subsidiary Apartment
10 Keith Dr	Co	Home Office
199-201 New Gower St, Tattoo	Co	Service Shop
171 Cheeseman Dr	Cr	Single Detached & Sub.Apt
8 Georgina St	Cr	Subsidiary Apartment
27 Oberon St	Cr	Single Detached Dwelling
39 Balnafad Pl	Ex	Single Detached Dwelling
9 James Lane	Ex	Single Detached Dwelling
10 Mahogany Pl	Ex	Single Detached Dwelling
58 Barnes Rd	Rn	Semi-Detached Dwelling
84 Battery Rd	Rn	Single Detached Dwelling
4 Forest Rd	Rn	Single Detached Dwelling
13 Forest Rd	Rn	Townhousing
64 Freshwater Rd	Rn	Semi-Detached Dwelling
455-459 Logy Bay Rd	Rn	Condominium
182 Old Petty Harbour Rd	Rn	Single Detached Dwelling
108 Pleasant St	Rn	Semi-Detached Dwelling
223 Portugal Cove Rd	Rn	Single Detached Dwelling
10 Stephen Pl	Rn	Semi-Detached Dwelling
586 Water St	Rn	Townhousing
89 Firdale Dr	Sw	Single Detached & Sub.Apt
3 Winter Pl	Sw	Single Detached Dwelling
355b Main Rd	Ms	Clinic

This Week \$ 4,012,823.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 4,901,363.00

Repair Permits Issued: 2013/05/30 To 2013/06/05 \$

73,600.00

Legend

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

YEAR TO DATE COMPARISONS			
June 10, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$129,700,400.00	\$46,400,900.00	-64
Industrial	\$3,600,100.00	\$128,000.00	-96
Government/Institutional	\$12,300,200.00	\$11,100,800.00	-10
Residential	\$77,400,000.00	\$61,700,200.00	-20
Repairs	\$2,000,500.00	\$1,400,800.00	-30
Housing Units (1 & 2 Family Dwellings)	277	178	
TOTAL	\$225,001,200.00	\$120,730,700.00	-46

Respectfully Submitted,

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

Payrolls and Accounts

SJMC2013-06-10/264R

It was moved by Councillor Colbert; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending June 6th, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending June 6, 2013**

Payroll

Public Works	\$ 409,762.89
Bi-Weekly Casual Administration	\$ 764,695.69
Bi-Weekly Management	\$ 872,885.36
Bi-Weekly Fire Department	\$ 575,622.26
Accounts Payable	\$ 5,543,566.68
Total:	\$ 8,166,532.88

The motion being put was unanimously carried.

Tenders

- a. Tender – Supply and Install Bleachers (Lions Park)
- b. Tender –Two (2) New Stakebodies
- c. Tender – Infrastructure Improvements – Craigmillar Avenue
Watermain, Storm and Sanitary Sewer Replacement

SJMC2013-06-10/265R

It was moved by Councillor Colbert; seconded by Councillor Collins: That the recommendations of the Deputy City Manager, Corporate Services and City Clerk and the Deputy City Manager, Planning, Development and Engineering be approved and the tenders awarded as follows:

- a. Centaur Products @ \$33,267.00 taxes extra
- b. Avalon Ford @ \$38,667.00, taxes extra

c. Coady Construction & Excavating Ltd. @ \$5,057,548.81

The motion being put was unanimously carried.

Tender – Bannerman Park Ice Trail

SJMC2013-06-10/266R

It was moved by Deputy Mayor Duff; seconded by Councillor Hickman: That the recommendation of the Deputy City Manager, Planning, Development & Engineering be approved and the tender awarded as follows:

a. Redwood Construction Ltd. @ \$1,853,653.10 Plus HST

The motion being put was unanimously carried.

Travel by Councillor Hickman

Council considered a memorandum from the Acting City Manager & City Clerk dated June 6th, 2013 concerning the above noted.

SJMC2013-06-10/267R

It was moved by Councillor Hann; seconded by Councillor Hickman: That travel by Councillor Hickman to the Canadian Capital Cities Organization Annual Conference, Ottawa, August 20-23, 2013 be approved.

The motion being put was unanimously carried.

Recommendation – St. John’s Market Study

Council considered a memorandum from the Director, Office of Strategy & Engagement regarding a request for proposals issued for the purpose of preparing a study respecting the function and operations of a community market and the assessment of the former Metrobus depot for same. This is a fixed cost contract and the City of St. John’s has secured partnership funding with the Atlantic Canada Opportunities Agency in the implementation of this study.

SJMC2013-06-10/268R

It was moved by Councillor Hann; seconded by Councillor Tilley: That the contract for preparation of a study respecting the function and operations of a community market and the assessment of the former Metrobus depot for same, be awarded to Goss Gilroy Inc.

The motion being put was unanimously carried.

Pine Bud Place Sanitary Sewer Diversion Project – Additional Funding Request.

Councillor Hickman tabled a memorandum dated June 10, 2013 from the Deputy City Manager, Planning, Development & Engineering regarding the above noted.

SJMC2013-06-10/269R

It was moved by Councillor Hickman; seconded by Councillor Collins: That an additional \$600,000.00 in capital funding be allocated to the Pine Bud Place Sanitary Sewer Diversion Project to include the rehabilitation of the local sanitary sewer and water main systems.

The motion being put was unanimously carried.

Churchill Square Business Owners Public Meeting, June 5, 2013

Councillor Hickman presented the following report of the Churchill Square Business Owners Public Meeting held on June 5, 2013. Councillor Hickman advised that a follow-up report will be brought forward at a later date.

1. WELCOME AND INTRODUCTIONS

In Attendance: City: Councillor Sandy Hickman, Chairperson
Councillor Tom Hann
Sylvester Crocker, Manager, Technical Services
Sandy Abbott, Recording Secretary

Attendees: Florence Rolfe, The Strawberry Tree
Renata Styles, The Goldsmith
Patrick O’Keefe, Linden Court Condominium Corp.
Rosalind Squires, Linden Court Condominium Corp.
Zachary Wiseman, Linden Court Condominium Corp.
Bernard Davis, Ward 4 Candidate

Gary Burt, Tim Hortons / St. John's Clean and Beautiful
Karen Hickman, St. John's Clean and Beautiful
Dan Goodyear, St. John's Clean and Beautiful
Keith Quinton, Quintana's Restaurant
Josh Taylor, Dave Lane Campaign
Keith Storey, Living Rooms

Councillor Hickman shared the contents of an email from Mayor Dennis O'Keefe to Councillor Debbie Hanlon expressing his support for the formation of a Business Improvement Association (BIA) in Churchill Square and the benefits of forming such an organization (see below):

To: "Debbie Hanlon" <debbiehanlon.1@gmail.com>, "Paul Bowdring"
<bowdring@nl.rogers.com>
From: Dennis O'Keefe/CSJ
Date: 06/04/2013 04:45PM
Cc: Shannie Duff/CSJ@CSJ, Sandy Hickman/CSJ@CSJ
Subject: Re: Public Meeting Announcement - June 5 2013.docx

Debbie

You are absolutely correct. What we need first is the establishment of a BIA which will then work with the City to revitalize Churchill Square! A major part of that will be the development of a plan for the Square and for dealing with vacant buildings within the context of City regulations! Working with our Planning Dept., there may be things we can do to bring about constructive rather than punitive ways of dealing with such buildings whether they are in the Square or anywhere in our City! The issue is not the vacant building but a plan to revitalize and restore the Square as the core and community center of the neighborhood! A BIA is step one!

Dennis

A copy of a portion of the Section 99 legislation regarding formation of Business Improvement Associations was distributed to the attendees (copy attached).

2. DISCUSSION – BUSINESS IMPROVEMENT ASSOCIATION:

The former BIA of business owners in the Churchill Square area dissolved several years ago due to lack of interest among members. There are issues in Churchill Square which have been discussed by Council, but the City needs input from business owners if these issues are to be brought forward. The City would partner with the BIA on an equal partnership basis.

To this end, Stephanie Coombs, a business owner in Churchill Square, had contacted business owners in the area in November 2012 but was unable to garner enough interest in starting a BIA.

There is an advantage to having a strong organization to represent business interests. This group would be similar to the Downtown BIA where the business owners work in a cohesive manner to get things done, i.e., beautifying the area with foliage, light posts, seating areas, etc. 2/3 of the businesses in the area would be required to form a BIA; this would also include businesses located in the Terrace on the Square. Once the BIA is in existence, they would require 1/3 of the businesses for a quorum. The BIA would be for ALL businesses in the Churchill Square area. It is estimated that there are about 300 businesses in Churchill Square so about 200 businesses would have to come on board in starting a BIA. Time and costs involved are going to be an issue especially for small business owners.

The City had an agreement with the former Churchill Square BIA where 5% of the business tax collected went to the BIA, and the BIA spent that money as it saw fit. We may be able to arrange something similar with a newly-formed BIA.

The City would be willing to run an election for the BIA (xxx see copy of Section 99).

The City would assist in a concerted effort in going to each business owner and asking if there is an interest in forming your own organization. However, we would need some business owners such as Stephanie Coombs to take leadership and help get this underway.

There should be enough revenue from the BIA to hire a part-time employee.

ACTION: Councillor Hann will contact Ms. Mae Butt of Martek (754-8536) to get a list of Martek businesses in the area.

ACTION: Sylvester Crocker, Manager, Technical Services, will obtain a list of businesses in the Churchill Square area from the City's Tax Assessment Rolls.

ACTION: Linda Bishop, Senior Legal Council, will draft a letter to business owners in the Churchill Square area asking if they are interested in forming a BIA.

3. IMMEDIATE CONCERNS IN THE CHURCHILL SQUARE AREA:

Sidewalks were never finished in the Terrace area.

Garbage receptacles in the area are the old concrete style with no covers, and the wind blows garbage and refuse around. All garbage and recycling receptacles need to be covered.

Vacant buildings are an issue in the area, i.e., the former Dominion Supermarket. Attendees were informed that the City Manager is presently researching best practices across Canada around this issue to determine what can be done municipally. At present, the City can only deal with the problem of vacant buildings if there is a safety issue. Buildings in the Churchill Square area are not in a heritage area so would only be governed by zoning requirements.

The issue of school children littering and loitering in the area during lunch hours was discussed.

St. John's Clean and Beautiful recently had a meeting regarding some of these complaints that have been brought forward.

ACTION: Sylvester Crocker, Manager, Technical Services, will contact St. John's Clean and Beautiful representatives to follow up on the results of their recent meeting around complaints in Churchill Square.

ACTION: Councillor Hickman will contact the Royal Newfoundland Constabulary to see if they would come by during lunch hours with their horses as this appeared to make a huge difference to the school children's behaviours when this was done in the past.

There being no further business, the meeting adjourned at 7:55 pm.

Councillor Sandy Hickman, Chairperson

Travel by His Worship the Mayor

SJMC2013-06-10/270R

It was moved by Councillor Hann; seconded by Councillor Hickman: That travel by His Worship the Mayor to Halifax, N.S., Tuesday, June 18th, 2013 to participate in a Mayor's panel at the Atlantic Real Estate Forum in Halifax, N.S., Tuesday, June 18th, be approved, transportation and hotel costs covered.

The motion being put was unanimously carried.

Councillor Tilley – Petition

Councillor Tilley presented a petition the prayer of which reads as follows:

“We, the residents of Glenview Terrace are opposed to any alterations or sale of any portion of our greenbelt area between the businesses on James Lane. This property has always been enjoyed as a play area for our children as well as a buffering area from the two commercial buildings behind. This should not be an area that could be used for these businesses to expand.

We ask to preserve what little greenbelt areas that are left in our great city and let large businesses expand only in the commercial parks designed for such use.”

Councillor Collins

Councillor Collins asked the status of his request that Canada Post be written in an attempt to hasten a solution to the ongoing problem with mail delivery to the residents of Shea Heights. The matter was referred to the City Clerk for follow-up.

Councillor Collins asked that tenders be called as soon as possible for the installation of sidewalks in Kilbride in the area of Ultramar/Gaze Seed to facilitate installation before the winter season. The matter was referred to the Deputy City Manager, Planning, Development & Engineering for consideration.

Councillor Galgay

Councillor Galgay updated Council on his attendance at the FCM Annual Conference and Trade Show - Federation of Canadian Municipalities, Vancouver - May 31 to June 3, 2013. He commended the organization as being a significant lobbying organization and the voice of Canadian municipalities. He suggested that the City of St. John’s, being the capital city of NL, consider increasing its number of FCM delegates in addition to the Mayor.

Councillor Galgay tabled for the record information on the FCM 76th Annual Conference and Trade Show.

Councillor O’Leary

Councillor O’Leary advised she has received multiple complaints concerning notices that were sent out to residents warning that homeowners could be subject to a fine for use of basketball and hockey nets on city streets. The homeowners want more emphasis placed on safety initiatives such as traffic calming initiatives. The matter was referred to the Police and Traffic Committee for discussion.

His Worship the Mayor

His Worship the Mayor reported on his attendance at the FCM Annual Conference and Trade Show - Federation of Canadian Municipalities, Vancouver and the Big City Mayor Caucus Meeting. He advised that Capital Cities Mayors have established affordable housing as their prime objective over the next few years and he has agreed to serve on a task force which has been established in this regard. The focus will be to lobby the Federal Government to stop its planned reduction of federal funds and to encourage development of an affordable housing program.

Councillor Colbert

Councillor Colbert, on behalf of Council, congratulated Councillor Hickman on his election as a member of the Newfoundland and Labrador Volleyball Hall of Fame.

Adjournment

There being no further business, the meeting adjourned at 5:50 pm

MAYOR

CITY CLERK