

June 17th, 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.

Acting Mayor Duff presided

There were present also: Councillors O'Leary, Hickman, Hann, Colbert, Breen, Galgay, Tilley, Hanlon and Collins

Regrets: His Worship the Mayor

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

Call to Order and Adoption of the Agenda

SJMC2013-06-17/271R

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

Adoption of Minutes

SJMC2013-06-17/272R

**It was decided on motion of Councillor O'Leary; seconded by Councillor Breen:
That the Minutes of June 10th, 2013 be adopted as presented.**

Business Arising

Drill Hall Pleasantville

Under business arising, Council considered a memorandum dated June 06, 2013 from the Director of Recreation in response to a request by Council to investigate the feasibility of utilizing the Drill Hall at Pleasantville. The Recreation Division does not have any

requirements for another indoor facility in the east end of the City. The memo also noted that the Acting Director of Planning advised that the Drill Hall is slated for demolition by Canada Lands and there is no option to maintain this facility. In response to Councillor Colbert's concern that staff claims there are no options to maintain the facility, the Acting Director of Planning clarified that he was simply referencing the concept plan of Canada Lands that the area become an open space. This was the general consensus that arose from the extensive consultation process that took place during that time. Members of Council, acknowledging that though the City itself may not have a need for the building, there should be an extensive public review as to whether or not it can be used by the community at large.

SJMC2013-06-17/273R

It was decided on motion of Councillor Colbert; seconded by Councillor Hann: that staff be directed to re-examine the future of the drill hall in Pleasantville to determine whether or not there is a community need beyond that required by the City of St. John's, and that this question be investigated in consultation with Canada Lands. Further, it was decided that representatives from Canada Lands meet with staff and Council to provide an update on the broader issue of ongoing development in Pleasantville.

Committee Reports

Development Committee Report dated June 11, 2013

Council considered the following Development Committee Report dated June 11, 2013:

1. **Proposed (120) Unit Apartment Building - Six (6) Storeys in Height**
Applicant: Genivar for Killam Properties
485 Topsail Road (Ward 3)
Apartment High Density (A3) Zone

It is recommended that Council grant Approval-in-Principle to the application subject to the following conditions:

- a) A Public Information Session be scheduled on this application to enable the area residents of Holbrook Avenue to view the development plans.
- b) Compliance with all requirements of the City's Department of Planning, Development & Engineering.
- c) Compliance with all aspects of St. John's Regional Fire Department.

2. **Proposed Movie Theatres
Hebron Way (former Field Farm) (Ward 1)
Applicant: Empire Theatres
Commercial Regional Zone**

Plans have now been submitted and review has commenced for Final Approval. The subject development plan is in compliance with Section 9 of the St. John's Development Regulations, Off-Street Parking Requirements. The proposed development will now be processed by the Department of Planning, Development and Engineering.

The attached memorandum is provided for the information of Council.

3. **Proposed Home Occupation for Craft Classes
Applicant: Kay and Kevin Smith
10 Strawberry Marsh Road
Residential Low Density (R1) Zone (Ward 4)**

The Committee recommends that Council grant approval for the home occupation.

4. **Proposed Home Occupation for Massage Therapy Clinic
Request for Approval Reaffirmation
147 Old Petty Harbour Road (Ward 5)
Residential Low Density (R1) Zone**

The Development Committee recommends that Council reaffirm its approval for the Home Occupation for a massage therapy clinic at 147 Old Petty Harbour Road, subject to the conditions presented in the original Development Agreement.

Dave Blackmore, R.P.A
Deputy City Manager, Planning, Development & Engineering/
Acting Chair- Development Committee

SJMC2013-06-17/274R

It was decided on motion of Councillor Hann; seconded by Councillor O'Leary: That the Committee's recommendations be approved.

Urban Forest Advisory Committee Report

Council considered the following Urban Forest Advisory Committee Report:

The Urban Forest Advisory Committee (UFC) recommends Council’s approval to appoint Mr. Jason Glode as a member of the Urban Forest Advisory Committee. Mr. Glode is the District Ecosystem Manager for Forest Management District 1 (Avalon) with the Department of Natural Resources. He is also currently involved in one of the UFC’s sub-committees. Subject to Council’s approval, the Committee’s Terms of Reference will be revised to reflect this addition.

Jim Floyd
Chairperson

SJMC2013-06-17/275R

**It was decided on motion of Councillor O’Leary; seconded by Councillor Breen:
That the Committee’s recommendation be approved.**

Development Permits List

Council considered as information the following Development Permits List for the period June 7 to 13, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF June 7, 2013 TO June 13, 2013**

Code	Applicant	Application	Location	Ward	Development Officer’s Decision	Date
RES		Subdivide for Building Lot	99 Doyle’s Road	5	Approved	13-06-07
RES		Subdivide for Building Lot	110 Howlett’s Line	5	Approved	13-06-07
COM		Home Office – Cement Finishing Business	518 Main Road	5	Approved	13-06-07
COM	MBM Development	Proposed Building for Department Health and Community Services	35 Major’s Path	1	Approved	10-06-10
COM		Home Office – Admin for Children’s Entertainment	39 Paddy Dobbin Drive	1	Approved	13-06-10

		Business				
RES		Proposed Crown Land for Residential Lot	Adjacent 1020 Main Road	5	Rejected as per City Act	13-06-10
RES	Vimac Limited	Site Plan-Twenty-four (24) Unit Condominium	141-143 Bay Bulls Road	5	Approved	13-06-13
RES		Proposed Building Lot	135 Petty Harbour Road	5	Rejected-Contrary to Section 10.41.3 (1) (b) Insufficient Lot Frontage	13-06-13
RES		Subdivide for Building Lot	26 Rostellan Place	4	Approved	13-06-13

* 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

SJMC2013-06-17/276R

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

**Building Permits List
Council's June 17, 2013 Regular Meeting**

Permits Issued: 2013/06/12 To 2013/06/12

Class: Commercial

137 Forest Rd	Co	Convenience Store
541 Kenmount Rd	Ms	Retail Store
203a Logy Bay Rd	Ms	Day Care Centre
117 Ropewalk Lane	Ms	Office
426 Torbay Rd	Ms	Retail Store
25 White Rose Dr	Rn	Clinic
260 Paddy's Pond Rd	Sw	Commercial Garage
120 Gabriel Rd	Ex	Recreational Use
16 Queen St	Rn	Club
Factory Lane	Cr	Office
55 Duckworth St	Rn	Office
55 Duckworth St	Nc	Fence
379 Duckworth St	Rn	Mixed Use
199 Water St Smoothie Factory	Cr	Eating Establishment

This Week \$ 223,250.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

101 New Gower St	Ex	Place Of Assembly
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This Week \$ 58,070,409.00

Class: Residential

16 Aldergrove Pl	Nc	Swimming Pool
16 Aldergrove Pl	Nc	Fence
33 Aldershot St	Nc	Accessory Building
15 Barton's Rd	Nc	Swimming Pool
96 Bay Bulls Rd	Nc	Single Detached Dwelling
141 Bay Bulls Rd	Nc	Condominium
141 Bay Bulls Rd	Nc	Accessory Building
4 Beech Pl	Nc	Accessory Building
Blackmarsh Rd, Lot 46, Unit 1	Nc	Condominium
Blackmarsh Rd, Lot 46, Unit 2	Nc	Condominium
Blackmarsh Rd, Lot 46, Unit 3	Nc	Condominium
Blackmarsh Rd, Lot 46, Unit 4	Nc	Condominium
71 Brookfield Rd	Nc	Patio Deck
9 Calgary St	Nc	Accessory Building
255 Canada Dr	Nc	Accessory Building
42 Castle Bridge Dr	Nc	Accessory Building
124 Castle Bridge Dr, Lot 210	Nc	Fence
18 Connemara Pl	Nc	Accessory Building
21 Connors Ave	Nc	Accessory Building
26 Convent Sq	Nc	Fence
1 Eastmeadows Ave	Nc	Accessory Building
5 Eastmeadows Pl	Nc	Patio Deck
3 Fahey St Exten	Nc	Patio Deck

7 Fleming's Rd	Nc	Single Detached Dwelling
57 Francis St	Nc	Accessory Building
16 Gleneyre St	Nc	Patio Deck
32 Great Eastern Ave	Nc	Accessory Building
9 Green Acre Dr	Nc	Accessory Building
11 Hawker Cres	Nc	Accessory Building
10 Iceland Pl	Nc	Fence
8 Kenai Cres, Lot 180	Nc	Single Detached Dwelling
16 Kenai Cres, Lot 184	Nc	Single Detached & Sub.Apt
20 Kenai Cres	Nc	Fence
57 Kenai Cres, Lot 223	Nc	Single Detached Dwelling
41 Lady Anderson St, Lot 647	Nc	Single Detached Dwelling
174 Ladysmith Dr, Lot 484	Nc	Single Detached Dwelling
176 Ladysmith Dr, Lot 485	Nc	Single Detached Dwelling
184 Ladysmith Dr, Lot 489	Nc	Single Detached & Sub.Apt
186 Ladysmith Dr, Lot 490	Nc	Single Detached & Sub.Apt
204 Ladysmith Dr , Lot 499	Nc	Single Detached & Sub.Apt
10 Logy Bay Rd	Nc	Accessory Building
9 Long Beach St	Nc	Accessory Building
3 Lotus St	Nc	Fence
30 Macbeth Dr	Nc	Fence
20 Maxse St	Nc	Fence
33 Myrick Pl	Nc	Accessory Building
101 New Pennywell Rd	Nc	Fence
11 Newman St	Nc	Accessory Building
11 Oberon St	Nc	Fence
31 Oberon St, Lot 181	Nc	Single Detached & Sub.Apt
90 Oxen Pond Rd	Nc	Patio Deck
60 Parsonage Dr , Lot 2.15	Nc	Single Detached Dwelling
82 Pitcher's Path	Nc	Single Detached Dwelling
9 Rosalind St	Nc	Accessory Building
28 Serpentine St	Nc	Accessory Building
12 Southcott Pl	Nc	Fence
668 Southside Rd	Nc	Accessory Building
459 Thorburn Rd	Nc	Single Detached Dwelling
13 Tigress St, Lot 630	Nc	Single Detached & Sub.Apt
27 Tigress St-Lot 623	Nc	Single Detached & Sub.Apt
285 Petty Harbour Rd	Co	Single Detached Dwelling
453 Newfoundland Dr	Cr	Subsidiary Apartment
53 Bonavista St	Ex	Single Detached Dwelling
13 Katie Pl	Ex	Single Detached Dwelling
50 Spruce Grove Ave	Rn	Subsidiary Apartment
476 Empire Ave	Rn	Single Detached & Sub.Apt
11 Glasgow Pl	Rn	Single Detached Dwelling
50 Keane Pl	Rn	Apartment Building
36 Mccrae St	Rn	Single Detached Dwelling
17 Mcfarlane St	Rn	Townhousing
63 Penetanguishene Rd	Rn	Single Detached Dwelling
60 Pine Bud Ave	Rn	Single Detached Dwelling
193 Water St	Rn	Hotel
32 Balnafad Pl	Sw	Single Detached Dwelling
16 Gleneyre St	Sw	Single Detached Dwelling
7 Keats Pl	Sw	Single Detached Dwelling

This Week \$ 4,702,615.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 62,996,274.00

Repair Permits Issued: 2013/06/06 To 2013/06/12 \$ 161,900.00

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			
	June 17, 2013		
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$130,300,800.00	\$46,600,100.00	-64
Industrial	\$3,600,100.00	\$128,000.00	-96
Government/Institutional	\$12,300,200.00	\$69,176,200.00	462
Residential	\$83,200,000.00	\$66,500,800.00	-20
Repairs	\$2,100,600.00	\$1,600,700.00	-24
Housing Units (1 & 2 Family Dwellings)	292	195	
TOTAL	\$231,501,700.00	\$184,005,800.00	-21

Respectfully Submitted,

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

Payrolls and Accounts

SJMC2013-06-17/277R

It was decided on motion of Councillor Tilley; seconded by Councillor Hickman: That the following Payrolls and Accounts for the week ending June 13th, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending June 13, 2013**

Payroll

Public Works	\$ 403,132.46
Bi-Weekly Casual	\$ 28,685.22
Accounts Payable	\$ 4,303,698.11
Total:	\$ 4,735,515.79

Tenders

- a. Tender – Provision of an Automated Ballot Tabulation System for use in the Municipal Election 2013
- b. Tender – Truck and Loader Tire Retreading Service
- c. Tender – Carnell Drive Bridge Replacement
- d. Tender – Airport Heights Ball Field Lighting

SJMC2013-06-17/278R

It was decided on motion of Councillor Tilley; seconded by Councillor Hickman: That the recommendations of the Deputy City Manager of Corporate Services & City Clerk; the Deputy City Manager of Public Works; and the Director of Engineering be approved and the tenders awarded as follows:

- a. Dominion Voting Systems @ \$51,900 plus applicable taxes**
- b. GCR Tire Centres @ \$393,390.68 (sole bidder), excluding HST**
- c. Trident Construction Limited @ \$2,032,745.70**
- d. CMH Construction Ltd. @ \$530,000.00 HST included, and further that \$350,000.00 be allocated from the unallocated 2013 capital fund to complete funding for this project.**

The motion being put was unanimously carried.

Laneway between Browne Crescent and Anspatch Street

Council considered a memorandum dated June 13, 2013 from the City Solicitor regarding the above noted.

SJMC2013-06-17/279R

It was decided on motion of Councillor Tilley; seconded by Councillor Colbert: That the laneway between Browne Crescent and Anspatch Street be sold to the owner of 315 Anspatch Street at a rate of \$2.00 per square foot (approximately \$3900.00 plus HST), with the responsibility of the purchaser to have a survey completed.

Councillor Sheilagh O'Leary

- Advised that St. John's Clean & Beautiful held their annual planning day on Saturday and as a result have renewed and appointed new board members to continue with their various projects and clean-up initiatives.
- Referenced the traffic problems on Waterford Bridge Road and the significant response she is receiving from residents in this regard. She will propose a reversion of the speed limit to 30 kph at the next Police and Traffic Committee.
- Tabled an e-mail from John Pike and Reg Carson with regard to complaints about blasting operations at DF Barnes. The Mayor is requested to write a letter to Dexter Pittman, Manager of Industrial Compliance, Pollution Prevention Division with the Department of Environment & Conservation in an effort to address the problems of blasting that are occurring and creating a disturbance in the neighbourhood.
- Questioned the status of the proposed eradication of the non-contributory pension plan. Councillor Breen advised that a report will be forthcoming to Council on this matter within the next 2-3 week period.

Councillor Sandy Hickman

- Elaborated on the two tenders approved at tonight's meeting regarding Carnell Drive Bridge replacement and the Airport Heights ball field lighting and expressed pleasure that these two projects are finally going forward.

Councillor Tom Hann

- Referenced an article in today's Telegram outlining the progress of construction for the new metrobus facility and the number of anonymous e-mails being sent to the media suggesting that there are questionable issues with the quality of construction and delays as a result. He strongly objected to these accusations, particularly as they are anonymous and have no legitimate basis in his opinion. He did acknowledge that though the building is eight months behind schedule, it is a result of the market demands on the construction industry and the reality that delays are taking place everywhere.

Councillor Frank Galgay

- Expressed concern about the state of roads in the City and the length of time it is taking to complete capital and infrastructure projects. The Deputy City Manager of Planning, Development and Engineering advised that contractors have no advantage in delaying work and every effort is being made on their part to ensure work is being done in a timely, cost efficient and quality manner.

Councillor Bruce Tilley

- Referenced the 125th birthday of the City of St. John's and outlined the various activities taking place on St. John's Day. This information is also available via the City's website.
- Referenced the Economic Outlook publication produced by the City's Economic Development Division and he cited various stats from the report, a copy of which is also available on the City's website.

- The annual NOIA conference and trade show is taking place at the St. John's Convention Center June 17 – 20, 2013.
- Referenced the traffic issues on Waterford Bridge Road, noting that he is working with City staff and residents to offset their concerns in this regard.

Councillor Debbie Hanlon

- Referenced problems with the crosswalk adjacent to the Tucker's Superette on Empire Avenue and the dangers of children walking back and forth on this crosswalk to get to the store. She had previously referred the matter to the Police and Traffic Committee; however, requests that the matter be referred back to staff for further investigation as to how the crosswalk could be made safer or perhaps relocated to a safer location.

Councillor Wally Collins

- There will be a public meeting on Tuesday, June 18, 2013 at 7:00 p.m. to discuss the proposed camp ground and private park at 1372 Blackhead Road. The meeting will be held in the Foran/Greene Room, City Hall.
- Referenced the success of the Goulds clean-up on the previous Saturday at which time a significant amount of garbage was collected. He wished to thank the volunteers who participated and noted that there is always a demand for more volunteers to keep these areas clean.

Adjournment

There being no further business, the meeting adjourned at 5:45 p.m.

MAYOR

CITY CLERK