

November 12th, 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 Ellsworth; Councillors Hann; Hickman, Lane, Puddister, Breen, Galgay, Tilley, Davis and Collins.

Deputy City Manager, Corporate Services & City Clerk, Deputy City Manager, Financial Management, Deputy City Manager, Planning, Development & Engineering, Deputy City Manager Community Services, Deputy City Manager, Public Works, Chief Municipal Planner, City Solicitor and Manager, Corporate Secretariat, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2013-11-12/496R

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

Adoption of Minutes

SJMC2013-11-12/497R

It was decided on motion of Councillor Lane; seconded by Councillor Breen: That the minutes of November 4th, 2013 be adopted as presented.

Public Hearing Report

1 Clift's/Baird's Cove

Proposed Site Redevelopment: 3 Storey Extension to Parking Garage

Applicant: Philip Pratt Architect, for SONCO Group Inc.

Deputy Mayor Ellsworth presented a report of a public meeting held on October 29, 2013 to discuss the proposed amendments and site redevelopment for 3 storey extension to the Parking Garage, 1 Clift's/Baird's Cove. Mixed verbal and written representations were

received prior to the meeting of October 29, 2013. A small number of people attended and were generally supportive of the proposed amendments and development project.

In this regard, Council considered a memorandum dated November 6, 2013 from the Chief Municipal Planner.

SJMC2013-11-12/498R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Galgay: That staff be directed to proceed with the amendment process for Civic Number 1 Clift's/Baird's Cove (the A.P. Parking Garage site) to allow the development of 3 additional stories atop the existing 8 storey parking facility building.

Members of Council indicated their support of the project which they agree will improve the overall image of the parking garage and add to the character of the downtown.

The motion being put was unanimously carried.

Committee Reports

Development Committee Report dated November 5th, 2013

Council considered the following Development Committee Report dated November 5th, 2013:

The following matters were considered by the Development Committee at its meeting held on November 5, 2013. Staff reports are attached for Council's information.

- 1. Dept. of Natural Resources of NL Mines Branch, Mineral Lands Division
Pennecon Limited
Proposed Test Pitting Program
Trans Canada Highway Ward 5
Watershed (W) Zone**

The Development Committee recommends Council reject the application for exploration work located inside the boundaries of the Thomas Pond Watershed.

- 2. Proposed Harbour Arterial Mineral Working Area Expansion
Applicant: Government of NL Department of Natural Resources,
Mineral Lands Division
Trans-Canada Highway (TCH) Ward 5**

Forestry (F) Zone

Discretionary Uses may only be considered for approval where they are set out as Discretionary Uses in Section 10, subject to the requirements of these Regulations. The Development Committee is of the opinion that where the subject development application does not meet the criteria set forth in Section 7.11.1(1) of the St. John's Development Regulations that Council reject the subject application.

3. **Crown Land Grant Referral**
Proposed Facility for Coffee Roasting, Tea Production, Warehouse & Distribution
Applicant: Jumping Bean Coffee Inc.
Incinerator Road
Industrial General (IG) Zone Ward 5

The Development Committee recommends that Council grant approval for the above noted Crown Land grant, subject to the following conditions:

- 1) The applicant will be responsible for delineating the 100 year floodplain of watercourses onsite. No development will be allowed to occur within 15 m of the 100 year floodplain;
- 2) Compliance with the requirements of the Department of Planning, Development and Engineering, including conformance with the City's Commercial Development Policy;
- 3) Servicing of the proposed lot must be performed in accordance with the requirements of the St. John's Rural Sanitation By-Law and the Newfoundland and Labrador Government Services Private Sewage Disposal and Water Supply Standards.
- 4) The required Building Permits must be obtained from the City prior to the commencement of any development;
- 5) Must be in compliance with the St. John's Regional Fire Department requirements for fire protection;
- 6) Should the applicant be successful in obtaining the Crown Land Lease, a formal development application must be submitted to the City for review, advertising and approvals prior to the commencement of any development on the site.

(original signed)

Dave Blackmore
Acting Chair – Development Committee

SJMC2013-11-12/499R

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

The motion being put was unanimously carried.

Nomenclature Committee Report dated November 4th, 2013

Council considered the following Nomenclature Committee Report dated November 4th, 2013:

Date: November 4th, 2013
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendations

**Brookside Condominiums (55Town Home Bungalows) &
Riverglen Condominiums (48 Unit Condo Buildings)
Ruby Line @ Southlands Boulevard
Reardon Construction & Development Limited**

Council approval is requested for the following Street names:

1. Triton Place
2. Riverglen Close

SJMC2013-11-12/500R

It was moved by Councillor Galgay; seconded by Deputy Mayor Ellsworth: That the Committee's recommendations be approved:

The motion being put was unanimously carried.

Urban Forest Advisory Committee Report dated November 6th, 2013

Council considered the following Urban Forest Advisory Committee Report dated November 6, 2013:

MEMORANDUM

November 6, 2013

To: His Worship the Mayor and Members of Council

Re: Urban Forest Advisory Committee (formerly the Tree Committee)

At the Regular Meeting of Council of April 24, 2012, Council accepted the recommendation of the former Tree Committee and approved the recommendation that Council amend the *1991 City of St. John's Tree Regulation* as required and adopt the updated Terms of Reference for the rechristened Urban Forest Advisory Committee, and that the clock for term of membership on the committee start after the 2013 Municipal General Election.

Committee composition and term of membership on the Urban Forest Advisory Committee (UFAC) are set out in Section 3 of the UFAC Terms of Reference (attached), as adopted at the Regular Meeting of Council of April 24, 2012. The members are drawn from specifically-identified organizations, the general public (City residents), members of Council and City staff (*ex officio*). The term for organization, citizen and Council representatives is a period of four years, from January 1 of the first year to December 31 of the fourth year, with the Council representatives' term coinciding with that of the Council.

Following the 2013 Municipal General Election, Councilors Lane and Hickman have been appointed to serve as Council representatives on this advisory committee for the next four years. It is now in order for consideration to be given to the organization and citizen representatives on this committee.

In accordance with the Terms of Reference, the organizations represented on the Urban Forest Advisory Committee will be contacted and asked to confirm in writing their respective representatives. Additionally, a public notice shall be issued soliciting the nomination of individuals from the general public whom could make a positive contribution to the operation of the Urban Forest Advisory Committee. From the written submissions received by the Committee's Recording Secretary, there shall be compiled a list of qualified and recommended candidates for appointment by Council to the Committee. It is anticipated that this candidates list should be presented to Council in time to allow for a decision to be made before the end of this calendar year.

This was briefly discussed at the October 24, 2013 meeting of the Urban Forest Advisory Committee and is provided for the information of Council.



Jim Floyd, NLALA
Committee Chair

Paul Boundridge, MCIP
Planning Coordinator

SJMC2013-11-12/501R

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

The motion being put was unanimously carried.

RESOLUTION

Council considered a memorandum dated November 7, 2013 from the Deputy City Manager Financial Management regarding a request for approval to borrow.

SJMC2013-11-12/502R

It was moved by Councillor Breen; seconded by Councillor Tilley: That the following Resolution be adopted:

RESOLUTION

WHEREAS the City of St. John's Municipal Council is empowered under the provisions of the City of St. John's (Loan) Act, 1978, as amended, to borrow money on the credit of the City by the issue and sale of bonds of the City subject to the approval of the Minister of Municipal Affairs;

AND WHEREAS the Council deems it advisable to issue and sell bonds in an amount of Sixty Million Dollars (\$60,000,000) under the said Act for the purpose of repayment of loans of the City used as interim financing for the 2012-2013 Multi-Year Capital Works Program, projects constructed under the 2012-2013 Building Canada Fund, City costs on the Bay Bulls Big Pond and Petty Harbour Long Pond Water Treatment facilities, land acquisition and other City costs related to the new Metrobus depot and the new West End Fire Station and to seek the approval of the Minister of Municipal Affairs to issue and sell bonds in the said amount for the said purpose;

BE IT THEREFORE RESOLVED that the required approval of the Minister of Municipal Affairs, be sought to issue and sell bonds in the amount of Sixty Million Dollars (\$60,000,000) the proceeds of such sale to be applied towards the repayment of those loans of the City.

Weekly Permits List

Council considered the following Development Permits List for the period November 1 to 7, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF November 1, 2013 TO November 7, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Residential Building Lot	298 Back Line Road	5	Approved	2013-11-01
RES		Proposed Demo/Rebuild	513 Empire Avenue	3	Approved	13-11-05
RES		Home Office	34 Mount Scio Road	4	Approved	13-11-05
COM		Construction of a 3 Storey Building	369 Duckworth Street	2	Approved	13-11-05
AG	Lester Farms Inc.	Paving of existing parking lot	90 Pearltown Road	5	Approved	13-11-06
RES	Reardon Construction and Development Ltd.	Brookside Preserve Condominiums-Site Development	Ruby Line	5	Approved	13-11-01

* 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 – November 74, 2013

SJMC2013-11-12//503R

It was decided on motion of Councillor Puddister; seconded by Councillor Davis: That the recommendation of the Director of Planning and Development with respect to the following building permits, be approved:

**Building Permits List
Council’s November 7, 2013 Regular Meeting**

Permits Issued: 2013/11/01 To 2013/11/06

Class: Commercial

3-7 Cashin Ave., Big Al's Auto	Co	Commercial Garage		
206 Duckworth St	Co	Retail Store		
15 Goldstone St	Co	Retail Store		
6 Wood St	Co	Boarding House(4 Or Less)		
119-127 Water St	Nc	Hotel		
454 Water St	Rn	Mixed Use		
141 Kelsey Dr	Sn	Office		
340 Newfoundland Dr	Ms	School		
87 Old Pennywell Rd	Ms	Convenience Store		
61 Pippy Place	Ms	Retail Store		
530 Topsail Rd	Ms	Retail Store		
50 White Rose Dr	Ms	Retail Store		
350 Torbay Rd-Pet Zone	Cr	Retail Store		
100 Elizabeth Ave, Unit 106	Cr	Service Shop		
8-10 Rowan St -Diamond Design	Rn	Retail Store		
			This Week \$	228,991.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

290 Empire Ave	Rn	Admin Bldg/Gov/Non-Profit		
19 Ferryland St E	Rn	Church		
Kenmount Rd (450)	Sw	Public Utility		
			This Week \$	456,790.00

Class: Residential

3 Ariel Pl , Lot 199	Nc	Single Detached Dwelling		
42b Bell's Turn	Nc	Single Detached & Sub.Apt		
81 Ladysmith Dr	Nc	Patio Deck		
41 Oberon St	Nc	Fence		
12 Pitcher's Path	Nc	Accessory Building		
9 Sequoia Dr, Lot 322	Nc	Single Detached Dwelling		
13 Sequoia Dr, Lot 320	Nc	Single Detached Dwelling		
4 Stanford Pl., Lot 17	Nc	Single Detached Dwelling		
3 Stanford Pl., Lot 16	Nc	Single Detached Dwelling		
166 Waterford Bridge Rd	Nc	Fence		
166 Waterford Bridge Rd	Nc	Patio Deck		
78-80 Heffernan's Line	Co	Single Detached Dwelling		

10 Powell Pl	Ex	Single Detached Dwelling
112 Bond St	Rn	Semi-Detached Dwelling
11 Dunford St	Rn	Single Detached Dwelling
133 Firdale Dr	Rn	Single Detached Dwelling
124 Military Rd	Rn	Semi-Detached Dwelling
88 Perlin St	Rn	Single Detached & Sub.Apt
88 Perlin St	Rn	Single Detached & Sub.Apt
108 Pleasant St	Rn	Semi-Detached Dwelling
23 Smithville Cres	Rn	Single Detached Dwelling
127 Lemarchant Rd	Sw	Single Detached Dwelling

This Week \$ 1,503,900.00

Class: Demolition

513 Empire Ave	Dm	Single Detached Dwelling
540 Thorburn Rd	Dm	Single Detached Dwelling

This Week \$ 30,000.00

This Week's Total: \$ 2,219,681.00

Repair Permits Issued: 2013/11/01 To 2013/11/06 \$ 80,850.00

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			
November 12, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$199,800,900.00	\$91,400,100.00	-54
Industrial	\$5,000,000.00	\$2,131,000.00	-57
Government/Institutional	\$16,200,900.00	\$79,800,000.00	393
Residential	\$161,700,400.00	\$148,700,800.00	-8
Repairs	\$4,800,500.00	\$4,400,600.00	-8
Housing Units (1 & 2 Family Dwellings)	534	411	
TOTAL	\$387,502,700.00	\$326,432,500.00	-16

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

Payrolls and Accounts

SJMC2013-11-12//504R

It was decided on motion of Councillor Puddister; seconded by Councillor Davis: That the following Payrolls and Accounts for the week November 6th, 2013 be approved:

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

Payroll

Public Works	\$ 364,101.16
Bi-Weekly Administration	\$ 789,875.01
Bi-Weekly Management	\$ 698,378.15
Bi-Weekly Fire Department	\$ 561,544.15
Accounts Payable	\$ 3,498,851.57
Total:	\$ 5,912,750.04

Tenders

- a. Tenders – New Pennywell Road Water Pump Station

SJMC2013-11-12//505R

It was decided on motion of Councillor Puddister; seconded by Councillor Davis: That the recommendation of the Deputy City Manager, Public Works be approved and the tender awarded as follows:

- a. CMH Construction Limited @ \$1,098,078.00

Other Business

Quarterly Travel Report

Council considered as information the Quarterly Travel Report for the third quarter of 2013.

Appointment of External Auditors

Council considered a memorandum dated November 12, 2013 from the Deputy Mayor regarding the above noted.

SJMC2013-11-12//505R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Tilley: That Grant, Thornton be appointed the external auditors for the City of St. John's for a five year term commencing with the December 31, 2013 year end, as per the recommendation of the Audit and Accountability Committee.

(His Worship the Mayor abstained on this issue declaring a conflict of interest)

The motion being put was carried.

Councillor Davis

Councillor Davis asked that staff work with Canadian Blood Services in an effort to install suitable signage, possibly on the Parkway, in the hope of bringing awareness to the need for blood donors.

Councillor Tilley

Councilor Tilley noted that he received calls from residents of Ward 3 particularly Westview Village with respect to the new Neighbourhood Watch Program signage. He advised residents that the signage should be available within the next two weeks and will be installed as quickly as possible.

Councillor Galgay

Councillor Galgay tabled for referral to the Public Works Committee, a submission by the neighbourhood surrounding the Feaver's Lane Park outlining capital improvements that should be undertaken to the betterment of the park and neighbourhood and that maintenance activities be re-evaluated for the best cost to value consideration.

Councillor Galgay noted that he along with Councillor Lane met with St. John's Clean and Beautiful during which they discussed a project which is used in other Canadian municipalities called "Curbside Give Away Pilot Project". The aim is to reduce the amount of garbage ending up in the landfill by diverting items to be reused. Councillor Galgay noted that he intends to bring forward that initiative for consideration.

Councillor Galgay asked that His Worship the Mayor, on behalf of Council, write a letter of congratulations to the CLB on the celebration of their 121st anniversary.

Councillor Breen

Councillor Breen noted that over the past year he has been received complaints and concerns from residents on Ruthledge Crescent due to issues associated with the wooded area behind the houses. He noted that that staff have trimmed a lot of the brush, however, he intends to bring forward the matter to the next Public Works Committee Committee to see what further action can be taken to alleviate the problem experienced by residents.

Councillor Breen asked the status of the Redevelopment of the Wedgewood Park Recreation Centre.

The Deputy City Manager, Planning, Development & Engineering advised that a call for tenders will be placed within the next two weeks and it is anticipated that the work will be awarded before Christmas.

Councillor Puddister

Councillor Puddister provided an update on the MUN/Westerland Road Pedestrian crossings issue which was raised at the Police and Traffic committee meeting held on November 6, 2013 as presented by the Director of Roads and Traffic. The issue was

discussed at a number of recent meetings, between MUN, MUNSU, the city and Dillon Consulting. The following options were provided:

1. Crosswalk signs – additional warning signs can be immediately installed to better alert motorists to the presence of pedestrians on Westerland Road. Direction has been given to Traffic staff to proceed with this at the earliest opportunity and Work Order has been issued on a priority basis.
2. Street lighting – The quickest improvement that can likely be made at Pedagogue’s Close would be to improve the output of the area lighting at the light standard on the Southeast corner of Westerland/Pedagogue’s intersection. This suggestion has been to MUN who are the owners of the light. Other lighting options will continue to be considered.
3. Curb Extension – some survey and other preliminary work will be required before these can proceed. This also applies to the potential use of Jersey barriers should that prove feasible.
4. Pedestrian Lights – as part of the work to be undertaken by the contractor involved in the curb extensions, installation of underground conduit and pole bases at Pedagogue’s close will proceed.
The requirements for signals at Lambe’s Lane is not yet finalized, but Traffic staff are considering a trial of a new signal type that has proven quite effective in other jurisdictions.
5. Accident reports - these have not yet been received from the RNC, but were requested to expedite this and have agreed.

Adjournment

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

MAYOR

CITY CLERK