

November 4th, 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.

The City Manager, 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, Director of Engineering, Chief Municipal Planner, City Solicitor and Manager, Corporate Secretariat, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2013-11-04/486R

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

Adoption of Minutes

SJMC2013-11-04/487R

It was decided on motion of Councillor Tilley; seconded by Councillor Puddister: That the minutes of October 28th, 2013 be adopted as presented.

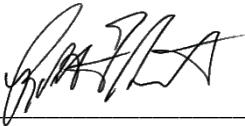
Committee Reports

Development Committee Report dated October 29, 2013

Council considered the following Development Committee Report dated October 29, 2013:

**1. Department of Planning, Development File No. DEV13-00021
Department of Environment and Conservation File No.1016050
Crown Land Grant Referral for 0.072 Hectares of Land
Blackhead Road (adjacent to Civic No.1314) Ward 5
Rural Residential (RR) Zone**

The Committee recommends that Council approve the subject Crown Land Grant referral. Should the applicant be successful in obtaining the Crown Land Grant, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.



Robert F. Smart, City Manager
Chair – Development Committee

SJMC2013-11-04/488R

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

The motion being put was unanimously carried.

Finance & Administration Standing Committee Report dated October 25, 2013

Council considered the following Finance and Administration Standing Committee Report dated October 25, 2013:

IN ATTENDANCE:

Councillor Danny Breen, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Bruce Tilley
Councillor Jonathan Galgay
Councillor Art Puddister
Mr. Robert Smart, City Manager
Mr. Neil Martin, Deputy City Manager
Mr. Robert Bishop, Deputy City Manager, Financial Management
Mr. Paul Mackey, Deputy City Manager, Public Works
Mr. Dave Blackmore, Deputy City Manager, Planning, Development and Engineering
Derek Coffey, Manager, Budget and Treasury
Mr. Sean Janes, City Internal Auditor
Ms. Sandy Abbott, Recording Secretary

1. 100th Anniversary of Beaumont Hamel – Opera on the Avalon

The Committee considered a request for funding of \$75,000.00 per year for a period of four years from Opera on the Avalon who will be creating and performing an opera to commemorate the 100th Anniversary of Beaumont Hamel.

The Committee recommends referral of this request to Budget.

2. Requests for Financial Support and Sponsorships

The Committee considered a memorandum from the Deputy City Manager, Corporate Service/City Clerk outlining requests from the following groups/organizations under the City’s policy for Conference Sponsorship:

- a) Newfoundland and Labrador Volleyball Association: Request for the City to provide funding to host the VolleyFest 2013 - November 1-2, 2013.
- b) Marine Institute of Memorial University of NL: Request for the City to provide funding to host the International Maritime Lecturers Association Conference – October 9-12, 2013.
- c) St. John’s Minor “A” Baseball Association: Request for the City to provide funding to host the Atlantic Bantam Championships – September 12-16, 2013.

Supporting documentation for the requests was reviewed and the following recommendations are brought forward:

The Committee recommends the following contributions in accordance with Policy No. 04-09-02:

- (a) Newfoundland and Labrador Volleyball Association\$1,000.00
- (b) Marine Institute of Memorial University of NL..... \$500.00
- (c) St. John’s Minor “A” Baseball Association..... \$500.00

3. St. John’s Regional Youth Parliament:

The Committee received a request to sponsor the 74th session of the St. John’s Regional Youth Parliament.

The Committee recommends approval of financial assistance to the St. John’s Regional Youth Parliament in the amount of \$500.00.

4. Golden Broom Awards:

The Committee received a request to sponsor a small reception after the Golden Brooms Awards Ceremony. The awards are being presented in Council Chambers, City Hall at 4:30 pm on Monday, November 18, 2013.

The Committee recommends approval for the City to sponsor a reception for the winners of the Golden Broom Awards and their guests.

5. Destination St. John's:

The Committee received a request for \$25,000.00 in support/sponsorship for a "Taste of Newfoundland and Labrador Night" in support of the AHL All-Star Classic.

The Committee recommends approval of financial assistance towards the "Taste of Newfoundland and Labrador Night" in the amount of \$25,000.00, to be funded in the City's 2014 budget.

Councillor Danny Breen, Chairperson

SJMC2013-11-04/489R

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

The motion being put was unanimously carried.

Mayor's Advisory Committee on Affordable Housing dated October 23, 2013

Council considered the following Mayor's Advisory Committee on Affordable Housing dated October 23, 2013:

Attendees: Bruce Pearce, St. John's Community Advisory Committee on Homelessness, Acting Chairperson
Deputy Mayor Ron Ellsworth
Councillor Danny Breen
Allan Miller, Mayor's Advisory Committee on Seniors
Madonna Walsh, NL Housing Corporation
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Jill Brewer, Deputy City Manager of Community Services
Judy Tobin, Senior Housing Officer
Scott Morton-Ninomiya, Affordable Housing Coordinator
Karen Chafe, Recording Secretary

1. **Residential Tenancies Act**

Affordable housing has been identified by the Mayor as one of Council's top priorities over the next four years. Rental housing is of particular importance because it provides affordable options to the working families, including new Canadians, that drive our economy. It is also an important option for the growing population of seniors who seek to downsize and age-in-place, as well as the many thousands of postsecondary students who call our city home.

The City is home to over 60% of our province's population of tenants. Rent has been rising significantly faster than inflation for several years in St. John's and vacancy rates have been among the lowest in Canada. Existing rental stock is aging and its overall quality is declining. An improved and strengthened Residential Tenancies Act can help to protect the quality and affordability of rental housing in the City of St. John's.

The Mayor's Advisory Committee on Affordable Housing recommends that the Mayor and Council send a letter to the Honourable Dan Crummel, Minister of Service NL, requesting that the new Minister publicly announce the actions that his Department will take in response to recent consultations on the Residential Tenancies Act (RTA).

2. **Proposed Inter-Governmental Annual Meeting on Housing Affordability**

The Committee recommends that the City initiate an intergovernmental meeting with various levels of government to discuss housing issues, particularly with regard to affordability, attainability and how to offset homelessness. If Council agrees, efforts should be made to initiate the first meeting early in the New Year.

Bruce Pearce
Acting Chairperson

SJMC2013-11-04/490R

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

During discussion on the report, Councillor Hann suggested that the City should be planning in the future a major symposium on housing and involve all levels of government and all stakeholders to take a look at how some of the housing problems can be solved. He further suggested consideration of a public transit symposium.

Following discussion, the motion being put was unanimously carried.

Weekly Permits List

Council considered the following Development Permits List for the period October 25, 2013 to October 31, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF October 25, 2013 TO October 31, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
AG		Placement of Fill Material	Robert E Howlett Highway	5	Approved	2013-10-25
RES	Fairview Investments Limited	Residential Building Lot	42B Bell's Turn	4	Approved	2013-10-28
COM		Home Office - Electrical Contractor	80 Heffernan's Line	5	Approved	2013-10-28
AG		Back Filling of Land for Agricultural Use	85-123 Back Line Road	5	Approved	2013-10-29
AG	M&P Dairy Farm	Back Filling of Land for Agricultural Use	125-161 Back Line Road	5	Approved	2013-10-30
AG		Back Filling of Land for Agricultural Use	Rear of 436 Back Line Road	5	Approved	2013-10-30
COM	Chimo Construction	Site work and building retrofit	5-7 Pippy Place	4	Approved	2013-10-31

* 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 4, 2013

SJMC2013-11-04//491R

It was decided on motion of Councillor Hickman: seconded by Councillor Puddister: 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 4, 2013 Regular Meeting**

Permits Issued: 2013/10/24 To 2013/10/31

Class: Commercial

141 Kelsey Dr	Sn	Office
79 Kenmount Rd	Sn	Office
440 Main Rd	Ms	Retail Store
345-349 Main Rd	Sn	Service Station
20 Peet St	Ms	Car Sales Lot
17-19 Pippy Pl-Munchin Music	Sn	Office
390 Topsail Rd	Ms	Retail Store
668 Topsail Rd	Ms	Retail Store
50 White Rose Dr	Sn	Retail Store
8-10 Rowan St, Suite 306	Rn	Mixed Use
128 Water St	Rn	Mixed Use
16 Stavanger Dr	Rn	Mixed Use
386 Stavanger Dr	Sw	Mixed Use
35 Kelsey Dr	Rn	Restaurant
415 Stavanger Dr	Rn	Restaurant
25 Aberdeen Ave, Tim Horton's	Rn	Restaurant
125 Kelsey Dr, Bldg 5	Rn	Office
40 Eastland Dr, Lot 5	Nc	Mixed Use

This Week \$ 2,997,673.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

127 Bay Bulls Rd	Nc	Fence
127 Bay Bulls Rd	Nc	Accessory Building
430 Blackmarsh Rd, Lot 45, #1	Nc	Condominium
430 Blackmarsh Rd, Lot 45, #2	Nc	Condominium
430 Blackmarsh Rd, Lot 45, #3	Nc	Condominium
430 Blackmarsh Rd, Lot 45, #4	Nc	Condominium
1 Capulet St, Lot 217	Nc	Single Detached & Sub.Apt

133 Castle Bridge Dr	Nc	Accessory Building
30 Dunkerry Cres, Lot 275	Nc	Single Detached Dwelling
6 Fallowtree Pl	Nc	Accessory Building
222 Ladysmith Dr., Lot 508	Nc	Single Detached & Sub.Apt
107 Ladysmith Dr, Lot 185	Nc	Single Detached & Sub.Apt
25 Mackenzie St	Nc	Patio Deck
25 Marsland Pl	Nc	Patio Deck
189 Mundy Pond Rd	Nc	Accessory Building
13 Oberon St	Nc	Fence
37 Oxen Pond Rd	Nc	Patio Deck
17 Plank Rd	Nc	Fence
6 St. Shotts Pl	Nc	Accessory Building
7 Sequoia Dr	Nc	Fence
234 Stavanger Dr, Lot 62	Nc	Single Detached Dwelling
10 Stephano St, Lot 235	Nc	Single Detached & Sub.Apt
541 Topsail Rd	Nc	Patio Deck
62 Torbay Rd	Nc	Fence
13 Vaughan Pl	Nc	Single Detached Dwelling
35 Walsh's Lane	Nc	Accessory Building
7 Lotus St	Cr	Subsidiary Apartment
7 Barrington's Rd	Ex	Accessory Building
509 Empire Ave	Ex	Accessory Building
557 Empire Ave	Ex	Single Detached Dwelling
16 Bay Bulls Rd	Rn	Single Detached Dwelling
143 Blue Puttee Dr	Rn	Single Detached Dwelling
13 Guy St	Rn	Single Detached Dwelling
7 Halifax St	Rn	Single Detached Dwelling
18 Hoyles Ave	Rn	Single Detached Dwelling
174 Ladysmith Dr	Rn	Single Detached Dwelling
33 Victoria St	Rn	Single Detached Dwelling
13a Winter Ave	Rn	Semi-Detached Dwelling

This Week \$ 2,384,527.00

Class: Demolition

627 Torbay Rd	Dm	Single Detached Dwelling
180 Southside Rd	Dm	Harbour Use

This Week \$ 2,005,000.00

This Week's Total: \$ 7,387,200.00

Repair Permits Issued: 2013/10/24 To 2013/10/31 \$ 71,800.00

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 4, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$198,500,100.00	\$88,100,800.00	-56
Industrial	\$5,000,000.00	\$131,000.00	-97
Government/Institutional	\$16,100,900.00	\$79,300,300.00	393
Residential	\$158,900,700.00	\$145,700,200.00	-8
Repairs	\$4,700,900.00	\$4,300,200.00	-9
Housing Units (1 & 2 Family Dwellings)	523	403	
TOTAL	\$383,202,600.00	\$317,532,500.00	-17

Respectfully Submitted,

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

Payrolls and Accounts

SJMC2013-11-04//492R

It was decided on motion of Councillor Hickman; seconded by Councillor Puddister: That the following Payrolls and Accounts for the week October 30th, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending October 30, 2013**

Payroll

Public Works	\$ 380,709.94
Bi-Weekly Casual	\$ 22,793.76
Accounts Payable	\$4,136,621.08

Total: \$4,540,124.78

Tenders

- a. Tender – 2013 Asphalt Sidewalk Replacement Program
- b. Tender – Bannerman Park – Pool House Replacement
Rotary Splash Park and Parking Lot Reconfiguration
- c. Tender- City of St. John’s Municipal Depot “A” Block Renovation (Phase One)

SJMC2013-11-04//493R

It was decided on motion of Councillor Hickman; seconded by Councillor Puddister: That the recommendations of the Director of Engineering; the Deputy City Manager Planning, Development and Engineering and the Deputy City Manager Public Works be approved and the tenders awarded as follows:

- a. **Infinity Construction @ \$247,142.30**
- b. **Redwood Construction Ltd. @ \$3,332,086.73, plus HST**
- c. **Magna Contracting and Management Inc. @ \$4,952,700.00 which includes HST**

Discussion ensued on the tenders during which the Deputy City Manager Planning, Development & Engineering provided information on the work pertaining to demolition and replacement of the Bannerman Park Pool House and Rotary Splash Pool. As well, the Deputy City Manager of Public Works provided information on the work required to complete the City of St. John’s Municipal Depot renovations.

Also, Councillor Puddister suggested that the City look at obtaining a rebate on the Provincial portion of the HST charges. The matter will be taken under advisement by the Deputy City Manager Financial Management.

Other Business

Southlands Community Center

Council considered a memorandum dated October 28, 2013 from the City Solicitor regarding the above noted.

SJMC2013-11-04//494R

It was decided on motion of Councillor Collins; seconded by Councillor Hickman: That an easement required by Newfoundland Power over City land at Teakwood Drive in order to service the Southlands Community Center, be granted, and the necessary Agreement executed.

The motion being put was unanimously carried.

Harbour Walk Restaurant Development – Harbour Drive

Council considered a memorandum dated October 28, 2013 from the City Solicitor regarding the above noted.

SJMC2013-11-04//495R

It was decided on motion of Councillor Puddister; seconded by Councillor Breen: That a small parcel of City land (35.5 m²) on Harbour Drive, be leased to the City at an annual rent of \$2,167.00 (plus HST).

The motion being put was unanimously carried.

Letter of thanks from the Consul General of Israel to His Worship the Mayor and the City of St. John's for a warm reception at the unveiling of the Israeli Aerial Photography Exhibit at City Hall on October 16, 2013 and asked that the City accept the Exhibit as a gift

Council acknowledged the above noted letter and graciously accepted the Israeli photography exhibit gift.

Councillor Collins

Councillor Collins advised residents of Griffin's Lane and Densmore Lane who are experiencing low water pressure, that water pressure will improve once connected to Petty Harbour Long Pond within the next month.

Councillor Davis

Councillor Davis advised residents of the Churchill Square, Bonaventure Avenue, Pine Bud Avenue area, that construction work is expected to be completed by mid November.

Councillor Davis mentioned the St. Pat's Ball Park upgrading and commented staff on the work.

Councillor Davis encouraged residents to take part in the November 11th Memorial Day Ceremony to be held at the National War Memorial on Duckworth Street.

Councillor Tilley

Councillor Tilley advised that the City of St. John's on November 5th, 2013 will hold a Public Meeting to discuss the proposed rezoning of land at **640-646 Empire Avenue** from the Residential Low Density (R1) Zone and the Apartment Low Density (A1) Zone and Open Space (O) Zone to the Apartment Medium Density (A2) Zone. This is pursuant to an application by N.D. Dobbin Properties Limited to develop three apartment buildings for seniors, each three-storeys in height and containing 15 dwelling units.

Councillor Tilley presented the highlights of the November 2013 Economic Update.

Councillor Galgay

Councillor Galgay advised that he intends to meet with residents of Old Topsail Road area, on Wednesday, November 6th, 2013 to engage them in discussions on their concerns relative to the traffic calming initiative. He noted that he will follow up with staff on the outcome of the meeting and discuss possible ways to mitigate the residents' concerns.

Councillor Galgay reminded residents of the City's new approach to managing residential leaves and encouraged them to visit the City's website for information on this initiative.

Councillor Puddister

Councillor Puddister advised that the City of St. John's on November 5th, 2013 will hold a Public Meeting to discuss the proposed rezoning of land at 640-646 Empire Avenue.

Councillor Hickman

Councillor Hickman updated Council on his attendance as Council's representative at the annual general meeting of the St. John's International Airport Authority.

His Worship the Mayor

His Worship the Mayor advised residents that the City of St. John's is seeking submissions from residents and community organizations interested in participating on the Mayor's Advisory Committee on Crime Prevention (MACCP). There are four seats available to community organizations whose mandate includes crime prevention and/or safety and two seats open to city residents, at least one of whom must be between the ages of 18 and 35. Interested persons and/or groups are asked to submit an application by Nov. 29, 2013. Committee membership also includes two representatives of Council and representatives from the Royal Newfoundland Constabulary, St. John's Citizens Crime Prevention Committee, Eastern Health and the Eastern School District.

Adjournment

There being no further business the meeting adjourned at 5:30 p.m.

MAYOR

CITY CLERK