

October 15th, 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

SJMC2013-10-15/448R

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

- a. MNL Convention Reception**

Adoption of Minutes

SJMC2013-10-15/449R

It was decided on motion of Councillor Tilley; seconded by Councillor Breen: That the minutes of October 7th, 2013 be adopted as presented.

Business Arising

Proposed Redevelopment of Property at 430-436 Water Street

Under business arising, Council considered a memorandum dated September 27, 2013 from the Chief Municipal Planner regarding the above noted. It is noted that no written submissions concerning the proposed amendments were received by the stated deadline and in accordance with the Urban and Rural Planning Act, 2000, the Commissioner Hearing was cancelled.

SJMC2013-10-15/450R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That the following Resolutions for St. John's Municipal Plan Amendment Number 114, 2013 and St. John's Development Regulations Amendment Number 575, 2013 be formally approved, which will then be sent in accordance with the provisions of the Urban and Rural Planning Act to the Department of Municipal Affairs with a request for Provincial registration of the amendments.

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 114, 2013**

WHEREAS the City of St. John's wishes to accommodate further development of property situated at Civic Number 430 Water Street [Parcel ID #46659] for the purpose of enlarging the existing office building by constructing a 6 storey rear extension.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Municipal Plan under the provisions of the Urban and Rural Planning Act, 2000:

1. Amend Part III, Section 3.3.4 ("Commercial Downtown District") of the St. John's Municipal Plan as follows:

(1) At end of subsection with the heading "Building Height and Area" add:

"Notwithstanding the above, the City of St. John's may permit development of a building with a height not exceeding 6 storeys on property situate at Civic Number 430 Water Street [Parcel ID # 46659]."

(2) Repeal the subsection with the heading “Building Height in Heritage Area” substituting the following:

“Building Height in Heritage Areas

The additional height bonus as provided in the preceding Section is restricted to a maximum of ten storeys, where the building is located in a Heritage Area (see Part III, Section 7). In addition, any building in excess of four storeys in such areas shall be set back no less than eight metres from the street line; however, this shall not apply to property situated at Civic Number 430 Water Street [Parcel ID # 46659].”

2. Amend Map III-2 (“Downtown Building Control”) of the St. John’s Municipal Plan by adding the property at at Civic Number 430 Water Street [Parcel ID # 46659] as an “Area allowing a building height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15 m/4 storeys above grade.”

BE IT FURTHER RESOLVED that the City of St. John’s requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this **15th** day of **October, 2013**.

Mayor

City Clerk

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 575, 2013**

WHEREAS the City of St. John's wishes to accommodate further development of property situate at Civic Number 430 Water Street [Parcel ID #46659].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Development Regulations under the provisions of the Urban and Rural Planning Act, 2000:

1. Amend Section 10.23.3 [Commercial Central Mixed (CCM) Zone – Zone Requirements] by adding the following:

“(j) Notwithstanding Subsection (b), Council may permit at the property located at Civic Number 430 Water Street [Parcel ID # 46659], a Building with a Building Height not greater than 6 storeys/21.6 metres.”

2. Amend Section 11.5 [Overlay Districts –Light Planes] by repealing the phrase

“- Springdale Street (from John Street to Water Street)”

and substituting the following:

“- Springdale Street (from John Street to Water Street), except for property situate at Civic Number 430 Water Street [Parcel ID # 46659].”

3. Amend Map F (“Downtown Building Control”) of the St. John's Municipal Plan by adding the property at at Civic Number 430 Water Street [Parcel ID # 46659] as an “Area allowing a Building Height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15 m/4 storeys above grade.”

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 15th day of **October, 2013.**

Mayor

City Clerk

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

The motion being put was unanimously carried.

Proposed Redevelopment of Property at 24 and 28 Road Deluxe

Under business arising, Council considered a memorandum dated October 7, 2013 from the Chief Municipal Planner regarding the above noted, along with Commissioner Stan Clinton’s report of a hearing held on the proposed St. John’s Municipal Plan Amendment Number 116, 2013 and proposed St. John’s Development Regulations Amendment Number 577, 2013 was also considered by Council.

SJMC2013-10-15/451R

It was moved by Councillor Tilley; seconded by Councillor Lane: That the following Resolutions for St. John’s Municipal Plan Amendment Number 116, 2013 and proposed St. John’s Development Regulations Amendment Number 577, 2013 be formally approved, which will then be sent in accordance with the provisions of the Urban and Rural Planning Act to the Department of Municipal Affairs with a request for Provincial registration of the amendments.

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 116, 2013**

WHEREAS the City of St. John's wishes to accommodate the expansion to St. Luke's Homes located at Civic Number 24 (includes Civic 20 and 26 Road DeLuxe and Civic 243 Topsail Road) and 28 Road DeLuxe.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act.

Redesignate land at Civic Number 24 and 28 Road DeLuxe from the Residential Low Density Land Use District to the Institutional Land Use District as shown on Map III-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 15th day of October, 2013.

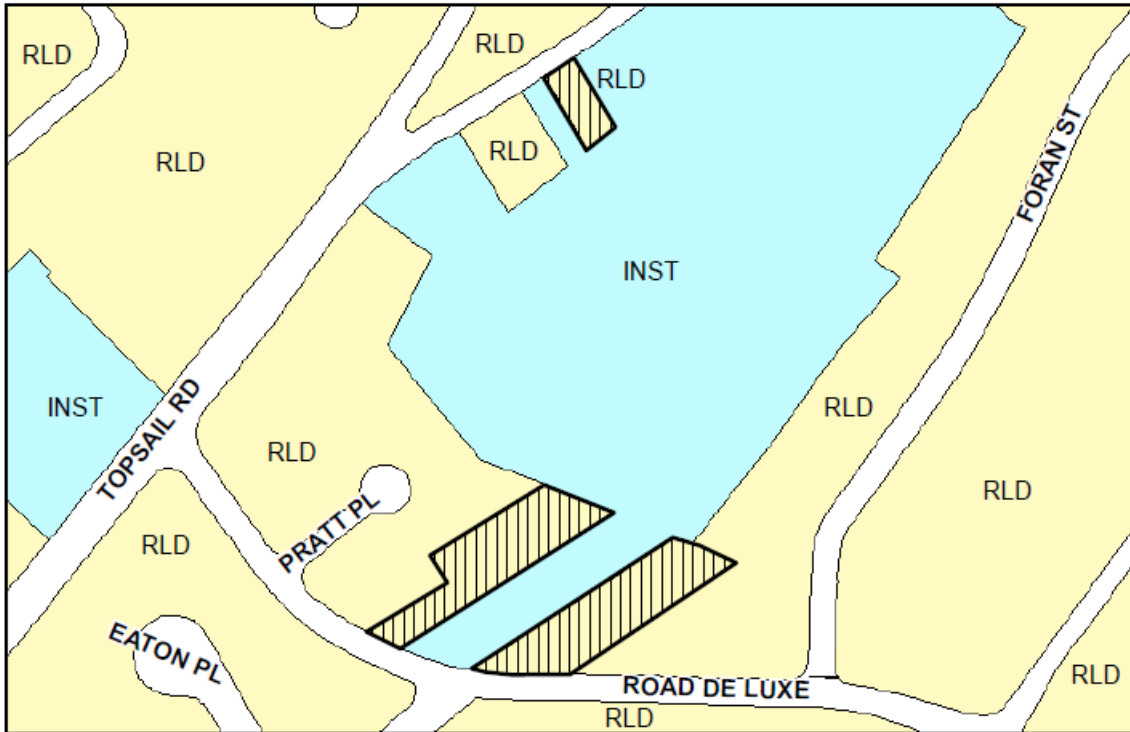
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 116, 2013
[Map III-1A]**

2013 07 12 SCALE: 1:2500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT
TO INSTITUTIONAL (INST) LAND USE DISTRICT

St. Luke's Home
Road De Luxe

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 577, 2013**

WHEREAS the City of St. John's wishes to accommodate the expansion to St. Luke's Homes located at Civic Number 24 (includes Civic 20 and 26 Road DeLuxe and Civic 243 Topsail Road) and 28 Road DeLuxe.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Rezone land at Civic Number 24 and 28 Road DeLuxe from the Residential Low Density (R1) Zone to the Institutional (INST) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 15th day of October, **2013**.

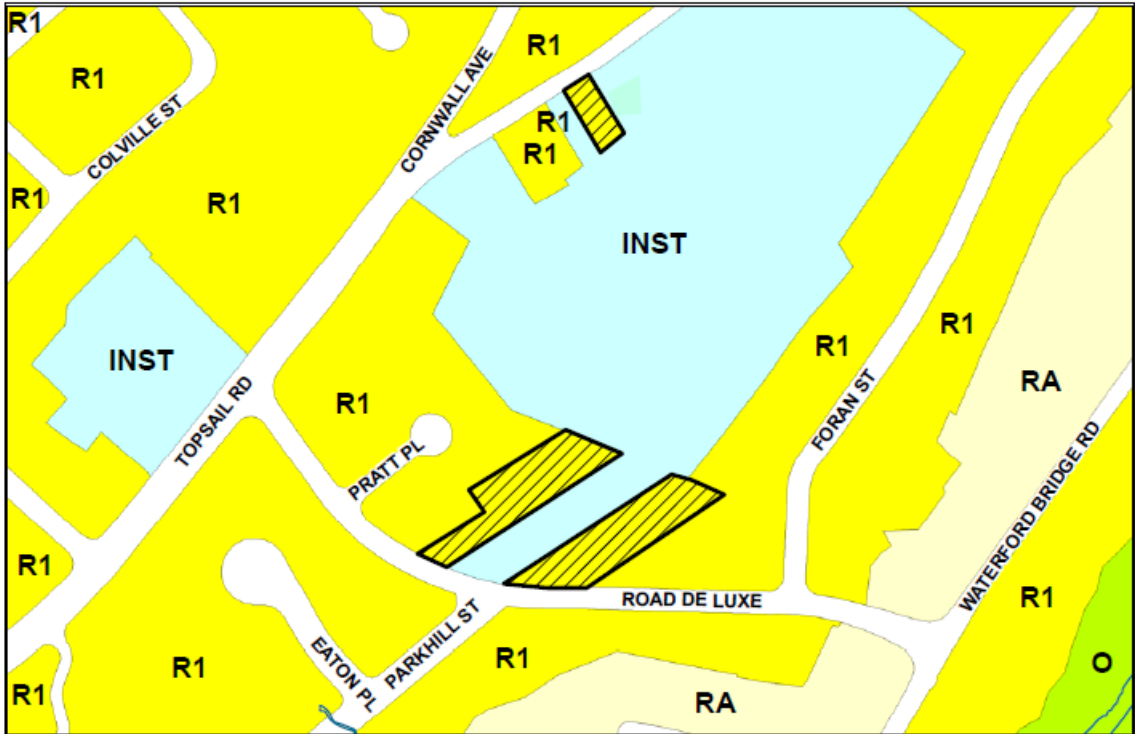
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 577, 2013
[Map Z-1A]**

2013 05 02 SCALE: 1:10000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL LOW DENSITY (R1) TO
INSTITUTIONAL (INST) LAND USE ZONE

St. Luke's Homes
Road De Luxe

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

Proposed Rezoning from CDA Kenmount Zone to Industrial General (IG) and Commercial Highway (CH) Zone, Kenmount Road

Under business arising, Council considered a memorandum dated October 7, 2013 from the Chief Municipal Planner regarding the above noted.

SJMC2013-10-15/452R

It was moved by Councillor Davis; seconded by Deputy Mayor Ellsworth: That staff be directed to proceed with the rezoning process with respect to the rezoning of property along Kenmount Road from the Comprehensive Development Area – Kenmount Road (CDA Kenmount) Zone to the Industrial General (IG) and Commercial Highway (CH) Zone; and further, that the following Resolution for St. John's Development Regulations Amendment Number 587, 2013, be adopted, which will be referred to the Department of Municipal Affairs with a request for provincial registration:

**RESOLUTION
ST. JOHN'S DEVELOPMENT
REGULATIONS AMENDMENT
NUMBER 587, 2013**

WHEREAS the City of St. John's wishes to accommodate industrial development on Kenmount Road, north side,

BE IT THEREFORE RESOLVED that the City of St. John 's hereby adopts the following map amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Rezone land at Kenmount Road, north side, from the Comprehensive Development Area-Kenmount (CDA Kenmount) Zone to the Industrial General (IG) and Commercial Highway (CH) Zones, as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this

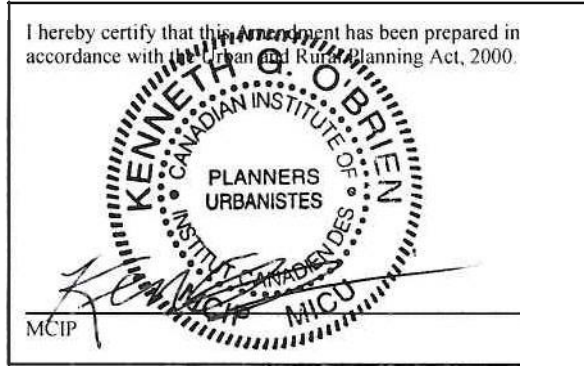
Resolution has been signed by the Mayor and the City Clerk on behalf of

Council this 15th day of October, 2013.

Mayor

City Clerk

Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 587, 2013
[Map Z-1A]**

2013 10 08 SCALE: 1:9000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

I hereby certify that this amendment has been prepared in accordance with the Urban and Rural Planning Act.

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

H3 Developments Inc. - Kenmount Road

AREA PROPOSED TO BE REZONED FROM COMPREHENSIVE DEVELOPMENT AREA-KENMOUNT (CDA-KENMOUNT) LAND USE ZONE TO INDUSTRIAL GENERAL (IG) LAND USE ZONE

AREA PROPOSED TO BE REZONED FROM COMPREHENSIVE DEVELOPMENT AREA-KENMOUNT (CDA-KENMOUNT) LAND USE ZONE TO COMMERCIAL HIGHWAY (CH) LAND USE ZONE

The motion being put was unanimously carried.

Notices Published

1. **Discretionary Use Application** has been submitted by 10804 NL Ltd. requesting permission to create a four space parking area on a vacant lot at **39 Cabot Avenue** for a proposed sixteen (16) person Bed & Breakfast at Civic Number 36 Cabot Avenue.

**Memorandum dated October 9, 2013 from the Chief Municipal Planner
Twenty One (21) Submissions
Three (3) Petitions**

SJMC2013-10-15/453R

**It was moved by Councillor Collins; seconded by Councillor Puddister:
That the Discretionary Use Application submitted by 10804 NL Ltd. requesting
permission to create a four space parking area on a vacant lot at 39 Cabot Avenue
for a proposed sixteen (16) person Bed & Breakfast at Civic Number 36 Cabot
Avenue, be deferred pending further review by staff with the developer.**

**The motion to defer being put was carried with Deputy Mayor Ellsworth,
Councillors Davis and Galgay dissenting.**

2. **A Change of Non-Conforming Use Application** has been submitted requesting permission to convert the commercial portion of the building located at **Civic No. 466-468 Main Road** to accommodate a Restaurant. The approximate floor area of the restaurant portion would be 259 m² which includes the garage portion. Seven (7) tables are proposed. The dwelling unit portion of the building will not be changed. Proposed hours of operation are Monday to Saturday, 11 am to 10 pm. Fifteen (15) on-site parking spaces are provided for the business.
(Ward 5)

One (1) Submission

SJMC2013-10-15/454R

**It was moved by Councillor Collins; seconded by Councillor Hann:
That A Change of Non-Conforming Use Application submitted requesting
permission to convert the commercial portion of the building located at Civic
No. 466-468 Main Road to accommodate a Restaurant, be approved.**

In response to a question by Councillor Collins relative to parking, it was confirmed by staff that on-site parking spaces are available to meet the necessary parking requirements.

The motion being put was unanimously carried.

3. **A Change of Non-Conforming Use Application** has been submitted requesting permission to convert 750 ft² of commercial space (Hobo's Pizza) located at Civic No. **227 Empire Avenue** to accommodate a convenience store. On-site parking spaces are provided for the proposed business.

One (1) Submission

SJMC2013-10-15/455R

It was moved by Councillor Davis; seconded by Councillor Tilley: That the Change of Non-Conforming Use Application requesting permission to convert 750 ft² of commercial space (Hobo's Pizza) located at Civic No. 227 Empire Avenue to accommodate a convenience store be approved subject to all applicable City requirements.

The motion being put was unanimously carried.

Public Hearings

Councillor Galgay presented a report of a public meeting held on July 2, 2013 to provide an opportunity for public review and comment on an application submitted by Deer Park Contracting to rezone land at Civic Number 176 Forest Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone for the purpose of developing residential townhouses. Along with the report, written submissions were provided for Council's consideration.

SJMC2013-10-15/456R

It was moved by Councillor Galgay; seconded by Deputy Mayor Ellsworth: That the rezoning application submitted by Deer Park Contracting to rezone land at Civic Number 176 Forest Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone for the purpose of developing residential townhouses, be rejected and the current zoning retained.

The motion being put was unanimously carried.

Committee Reports

Special Events Advisory Committee Report

Council considered the following Special Events Advisory Committee Report:

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: Cape to Cabot Road Race
Location: Cape Spear to Signal Hill via City Streets
Date: October 20, 2013
Time: 8:00 a.m. – 11:00 a.m.

Blackhead Road – closed to residential traffic only
Southside Road – Leslie Street to 245 Southside Road
Water Street eastbound curb and from Leslie Street to Harbour Drive
Harbour Drive eastbound
Water Street eastbound from Prescott Street/Jobs Cove to Hill O’Chips
Water Street – both directions – Hill O’Chips to Temperance Street
Duckworth Street – Plymouth Road to Temperance Street
Signal Hill Road

- 2) Event: Annual George Street Mardi Gras
Location: George Street – Prince Edward Plaza
Date: October 26, 2013

The above noted event requires the closure of George Street at Adelaide to Water Street.

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.

Tanya Haywood Director of Recreation
Chairperson –Special Events Advisory Committee
Department of Community Services

SJMC2013-10-15/457R

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

The motion being put was unanimously carried.

Mayor’s Advisory Committee Report on Seniors dated September 19, 201

Council considered the following Mayor’s Advisory Committee Report on Seniors dated September 19, 2013:

1. **In Attendance:** Allan Miller, Chairperson
Councillor Tom Hann
Judy Tobin, Senior Housing Officer, Urban Living
Derek Duggan, Community Services Coordinator
Bill MacDonald, Supervisor, Traffic Signals
Betty Lou Kennedy, Retired Teachers Association of NL
Kim Pratt-Baker, Canadian Hard of Hearing Association
Harold Press, Anglican Homes Inc.

Lorraine Best, Seniors Resource Centre
Nancy Knight, Citizen Representative
Boyd Smith, Citizen Representative
Devonne Ryan, Nexter Representative
Sandy Abbott, Recording Secretary

The following three new Agency representatives were introduced and welcomed:

- Betty Lou Kennedy, Retired Teachers Association of NL
- Kim Pratt-Baker, Canadian Hard of Hearing Association
- Harold Press, Anglican Homes Inc.

2. New Members

An electronic vote was held among Committee members.

Moved by Allan Miller; seconded by Nancy Knight: That we invite Elizabeth Angel to be the new Member-At-Large on this Committee. Motion Carried.

The Committee recommends Council approve the following At-Large appointment:

- Ms. Elizabeth (Libby) Angel

3. Special Busing Service for Seniors

A 3-year Provincial Government grant of \$300,000 was provided by the Provincial Government for a special busing service for seniors. Metrobus staff are looking at where best to provide the service as it will largely depend on the density of the service users. As some of the seniors' buildings are inaccessible by large buses, they are calling a tender to purchase a smaller bus for this purpose.

4. Housing

The Committee is meeting with representatives of N.D. Dobbin to provide input into the construction of their seniors' apartment building.

5. Pedestrian Traffic Signals

Moved by Lorraine Best; seconded by Betty Lou Kennedy: That we embark on an education program regarding crosswalks and pedestrian signals using various media. Motion Carried.

6. Grant Application

MACS in cooperation with MACAH received a grant of \$10,000 to do a housing survey on seniors. A Committee has been struck which is developing a Terms of Reference for the project.

- The list of research questions should be finalized and the RFP issued before the end of this month.
- The contract to commence research should be awarded towards the end of October 2013.
- The draft report and completed research should be ready for presentation to Council in March 2014.

7. Seniors' Forum

The Mayor's Advisory Committee on Seniors has established a Subcommittee to look into the possibility of holding a Seniors' Forum this year.

Allan Miller
Chairperson

SJMC2013-10-15/458R

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

The motion being put was unanimously carried.

Building Permits List – September 30, 2013

SJMC2013-10-15/459R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the recommendation of the Deputy City Manager, Planning, Development & Engineering with respect to the following building permits, be approved:

Building Permits List Council's October 15, 2013 Regular Meeting

Permits Issued: 2013/10/03 To 2013/10/09

Class: Commercial

515 Kenmount Rd	Co	Car Sales Lot
57 Old Pennywell Rd	Co	Clinic
40 Aberdeen Ave	Ms	Retail Store
40 Aberdeen Ave	Ms	Retail Store
50 Aberdeen Ave	Ms	Retail Store
1 Anderson Ave	Ms	Clinic
37 Anderson Ave	Ms	Eating Establishment
260 Blackmarsh Rd	Ms	Retail Store
10 Elizabeth Ave	Ms	Retail Store
92 Elizabeth Ave	Ms	Service Shop
92 Elizabeth Ave	Ms	Office
336 Freshwater Rd	Ms	Communications Use
336 Freshwater Rd	Ms	Office
12 Gleneyre St	Ms	Service Shop
179 Hamlyn Rd	Ms	Club
12-20 Highland Dr	Sn	Retail Store
12-20 Highland Dr	Ms	Clinic
189 Higgins Line	Ms	Office
75 Kelsey Dr	Ms	Eating Establishment
54 Kenmount Rd	Sn	Eating Establishment
33 Kenmount Rd	Ms	Office
35 Kenmount Rd	Ms	Eating Establishment
85-95 Kenmount Rd	Ms	Car Sales Lot
193 Kenmount Rd	Ms	Retail Store
275 Kenmount Rd	Ms	Eating Establishment
345-349 Main Rd	Ms	Eating Establishment
431-435 Main Rd	Ms	Take-Out Food Service
445 Newfoundland Dr	Ms	Restaurant
445 Newfoundland Dr	Ms	Restaurant
57 Old Pennywell Rd	Ms	Office
22 O'leary Ave	Ms	Restaurant
22 O'leary Ave	Ms	Restaurant
78 O'leary Ave	Ms	Retail Store
37 O'leary Ave	Ms	Retail Store
37 O'leary Ave	Ms	Office
36 Pearson St	Ms	Office
16 Stavanger Dr	Ms	Retail Store
386 Stavanger Dr	Ms	Commercial School
386 Stavanger Dr	Ms	Retail Store
386 Stavanger Dr	Ms	Service Shop
3 Stavanger Dr	Ms	Retail Store
15 Stavanger Dr	Ms	Retail Store
25 Stavanger Dr	Ms	Retail Store
15-27 Stavanger Dr	Ms	Retail Store
92 Thorburn Rd	Ms	Eating Establishment
390 Topsail Rd	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
644 Topsail Rd	Ms	Club
644 Topsail Rd	Ms	Commercial School
668 Topsail Rd	Sn	Service Shop
686 Topsail Rd	Ms	Restaurant

248 Torbay Rd	Ms	Eating Establishment
286 Torbay Rd	Ms	Restaurant
286 Torbay Rd	Ms	Retail Store
320 Torbay Rd	Ms	Tavern
320 Torbay Rd	Ms	Restaurant
320 Torbay Rd	Ms	Eating Establishment
340 Torbay Rd	Sn	Service Shop
436 Torbay Rd	Ms	Nursery School
464 Torbay Rd	Ms	Retail Store
660 Torbay Rd	Ms	Service Station
141 Torbay Rd	Ms	Restaurant
141 Torbay Rd	Ms	Service Shop
Torbay Road-Torbay Rd Mall	Ms	Retail Store
611 Torbay Rd	Ms	Retail Store
668 Topsail Rd	Cr	Service Shop
2 Stead Pl	Rn	Day Care Centre
807 Water St	Cr	Retail Store
6 Robin Hood Bay Rd	Rn	Retail Store
109 Blackmarsh Rd	Co	School
465 East White Hills Rd	Rn	Warehouse
255 Major's Path	Rn	Office
50 White Rose Dr -Carter's	Rn	Retail Store
57 Rowan St	Rn	Mixed Use
271 Duckworth St	Rn	Mixed Use

This Week \$ 1,068,040.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

100 Mundy Pond Rd	Nc	Accessory Building
Pleasantville Bldg 531	Rn	Admin Bldg/Gov/Non-Profit
10 Barter's Hill-Parking Garag	Rn	Admin Bldg/Gov/Non-Profit

This Week \$ 868,245.00

Class: Residential

14 Allan Sq	Nc	Patio Deck
350 Anspach St	Nc	Single Detached Dwelling
226 Back Line	Nc	Accessory Building
460 Back Line	Nc	Accessory Building
367 Bay Bulls Rd, Lushman	Nc	Single Detached Dwelling
2 Spruce Grove Ave	Nc	Accessory Building
1265 Blackhead Rd	Nc	Single Detached Dwelling
107 Blue Puttee Dr	Nc	Fence
89 Cape Pine St	Nc	Accessory Building
2 Crestview Pl, Lot 11	Nc	Single Detached Dwelling
4 Crestview Pl, Lot 10	Nc	Single Detached Dwelling
6 Crestview Pl-Lot 9	Nc	Single Detached Dwelling
4 Dauntless St	Nc	Fence
4 Douglas St, Lot 248	Nc	Single Detached Dwelling
144 Green Acre Dr	Nc	Accessory Building
14 Kenai Cres	Nc	Patio Deck
50 Kenai Cres, Lot 200	Nc	Single Detached Dwelling
84 Kenai Cres	Nc	Accessory Building
37 Kenai Cres, Lot 233	Nc	Single Detached Dwelling
55 Kenai Cres	Nc	Swimming Pool
211 Ladysmith Dr, Lot 601	Nc	Single Detached & Sub.Apt
9 Laggan Pl	Nc	Accessory Building

34 McCrae St	Nc	Accessory Building
5 Marsland Pl	Nc	Fence
38 Mount Cashel Rd	Nc	Patio Deck
30 Musgrave St	Nc	Accessory Building
67 Neptune Rd	Nc	Accessory Building
43 Oberon St, Lot 175	Nc	Single Detached & Sub.Apt
55 Parsonage Dr, Lot 2.19	Nc	Single Detached Dwelling
67 Parsonage Dr, Lot 3:11	Nc	Single Detached Dwelling
158 Pearltown Rd	Nc	Fence
212-214 Petty Harbour Rd	Nc	Accessory Building
39 Pitcher's Path	Nc	Fence
32 Raleigh St	Nc	Patio Deck
44 Rennie's Mill Rd	Nc	Accessory Building
3 Rhaye Place, Lot 1	Nc	Single Detached Dwelling
5 Rhaye Place, Lot 2	Nc	Single Detached Dwelling
27 Rhodora St - Base Building	Nc	Condominium
20 Ridgemount St	Nc	Accessory Building
6 Stanford Pl, Lot 19	Nc	Single Detached Dwelling
5 Stanford Pl, Lot 18	Nc	Single Detached Dwelling
15 Stanford Pl, Lot 28	Nc	Single Detached Dwelling
6 Stephano St, Lot 233	Nc	Single Detached & Sub.Apt
8 Stephano St, Lot 234	Nc	Single Detached & Sub.Apt
11 Thistle Pl	Nc	Swimming Pool
84 Winslow St	Nc	Fence
3 Berry St Eastern Stained	Co	Single Detached Dwelling
17 Otter Dr	Ex	Single Detached Dwelling
17 Appledore Pl	Rn	Single Detached Dwelling
54 Francis St	Rn	Single Detached Dwelling
9 Laggan Pl	Rn	Single Detached Dwelling
48 O'reilly St	Rn	Single Detached Dwelling
61 Parsonage Dr	Rn	Single Detached Dwelling
14 Prince Of Wales St	Rn	Townhousing
14 Stanford Pl	Rn	Single Detached Dwelling
3 Trebble Pl	Rn	Single Detached Dwelling
26 Tigress St	Rn	Single Detached & Sub.Apt
20-22 Kenna's Hill-Northridge	Rn	Condominium
13 Woodwynd St	Rn	Single Detached Dwelling
55 Baird Pl	Sw	Single Detached Dwelling
22 Borden St	Sw	Single Detached & Sub.Apt
14 Cassino Pl	Sw	Single Detached Dwelling
17 Exeter Ave	Sw	Single Detached Dwelling
15 Kenai Cres	Sw	Single Detached Dwelling
59 Parsonage Dr	Sw	Single Detached Dwelling
10 Pynn Pl	Sw	Single Detached Dwelling
12 Gleneyre St	Ms	Retail Store
497 Kenmount Rd	Ms	Car Sales Lot

This Week \$ 8,176,996.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 10,113,281.00

Repair Permits Issued: 2013/10/03 To 2013/10/09 \$ 17,650.00

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			
October 15, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$178,600,100.00	\$78,700,700.00	-56
Industrial	\$5,000,000.00	\$131,000.00	-97
Government/Institutional	\$15,700,300.00	\$78,100,300.00	397
Residential	\$150,700,500.00	\$137,300,200.00	-9
Repairs	\$4,300,500.00	\$4,000,000.00	-7
Housing Units (1 & 2 Family Dwellings)	496	387	
TOTAL	\$354,301,400.00	\$298,232,200.00	-16

Respectfully Submitted,

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

Payrolls and Accounts

SJMC2013-10-15/460R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week October 10, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending Oct 10, 2013**

Payroll

Public Works	\$ 368,477.81
Bi-Weekly Administration	\$ 833,428.52
Bi-Weekly Management	\$ 774,896.65
Bi-Weekly Fire Department	\$ 571,469.51
Accounts Payable	\$ 2,575,672.82
Total:	\$ 5,123,945.31

Kenmount Terrace Neighbourhood Park

Council considered a memorandum dated October 10, 2013 from the City Manager regarding the City's involvement in the development of the Kenmount Park residential and commercial neighbourhood.

SJMC2013-10-15/461R

It was moved by Councillor Davis; seconded by Councillor Hann : That approval be granted for the execution of the Purchase and Sale Agreement for acquisition of parks land for the Kenmount Terrace Neighbourhood Park.

Members of Council commended the proposed development noting that the City has decided to embark on a major consultation process which is anticipated to commence within the next few months and will be linked to the results of the Open Space Master Plan.

The motion being put was unanimously carried.

Parks and Open Spaces Master Plan – Request for Proposal

Council considered a memorandum dated October 10, 2013 from the City Manager regarding the above noted.

SJMC2013-10-15/462R

It was moved by Councillor Lane; seconded by Deputy Mayor Ellsworth: That the Parks and Open Space Master Plan preparation be awarded to Trace Planning and Design/MQO Research at a cost of \$98,163.00 plus HST.

The motion being put was carried, with His Worship the Mayor abstaining declaring a conflict of interest.

**Development Fee and Subdivision Application Fee
St. John’s Development Regulations Amendment No. 556, 2013**

Council considered a memorandum dated October 7, 2013 from the Chief Municipal Planner, along with a letter dated May 13, 2013 from the Canadian Home Builders’ Association.

SJMC2013-10-15/463R

It was moved by Councillor Breen; seconded by Councillor Collins: That the following Resolution for St. John’s Development Regulations Amendment No. 556, 2013 which will restructure the Development Fee and the Subdivision Application Fee, be adopted, which will be referred to the Department of Municipal Affairs for registration:

**RESOLUTION
ST. JOHN’S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 556, 2013**

WHEREAS the City of St. John’s wishes to modify the current provision of the St. John’s Development Regulations dealing with the Subdivision Application Fee and the Development Fee.

BE IT THEREFORE RESOLVED that the City of St. John’s hereby adopts the following text amendment to the St. John’s Development Regulations in accordance with the provisions of the Urban and Rural Planning Act, 2000:

Repeal section 6.4.2 (“Subdivision Application Fee”) and repeal Section 6.4.3 (“Development Fee”) and replace with the following new sections:

“6.4.2 Subdivision Application Fee

For any Subdivision, a Subdivision Application Fee shall be paid prior to the issue of any permits, and the amount of this Fee shall be established by Council from time to time. This Fee shall apply to every Lot created by the Subdivision, excluding the Homestead Lot. This Fee shall be in addition to any other fee or requirement.”

“6.4.3 Development Fee

- (1) A Residential Development Fee shall be paid for each new Dwelling Unit to be constructed on a Lot. The Fee shall be paid prior to the issuance of any permit for the new Dwelling Unit. The amount of the Fee shall be established by Council from time to time and shall be in addition to any other fee or requirement.
- (2) A Non-Residential Development Fee shall be paid for each new structure, or expansion of an existing structure, for anon-residential use to be constructed on a Lot. The Fee shall be paid prior to the issuance of any permit for the new structure or expansion. The amount of the Fee shall be established by Council from time to timer and shall be in addition to any other fee or requirement.
- (3) A Mixed Use Development Fee shall be paid for each new structure, expansion of an existing structure or each new Dwelling Unit in a mixed use to be constructed on a Lot. The Fee shall be paid prior to the issuance of any permit for the new structure, expansion or Dwelling Unit. The amount of the Fee shall be established by Council from time to time and shall be in addition to any other fee or requirement.”

BE IF FURTHER RESOLVED that the City of St. John’s requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this resolution has been signed by the Mayor and the City Clerk on behalf of Council this 15th day of October , 2013.

Mayor

City Clerk

and further, that the following fee schedule with new fees to be effective November 1, 2013 be adopted:

Subdivision Application Fee: Increase from \$100 to \$200 per lot.

Development Fee:

- **For residential development, increase from \$1,000 per lot to \$2,000 per residential unit.**
- **For non-residential development, introduce a fee of \$20 per square metre (gross floor area)**
- **For mixed-use development, introduce \$2,000 per residential unit plus \$20 per square metre (gross floor area) for all non-residential areas of a building.**

Deputy Mayor Ellsworth noted his concerns relative to the impact the fees will have on multi-unit developments, affordable housing etc. and urged Council and staff to work with the community and developers in an effort to mitigate the impact of fee increases in such instances.

The motion being put was unanimously carried.

Briefing Note – Town of Paradise becoming a full Member of the Regional Fire Services Committee

Council considered a briefing note to Council on the events leading to the signing of the MOU between the RFSC and the Town of Paradise as it relates to Paradise becoming a full member of the RFSC and to seek approval of City Council to proceed with the initiative.

SJMC2013-10-15/464R

It was moved by Councillor Breen; seconded by Councillor Lane:

That Council approve the design and construction of a 3 bay/2 deep Fire Station in Paradise, the purchase of the necessary equipment for that Station and the staffing of four (4) full-time Firefighters on a 24-hour basis, as per the recommendation of the Regional Fire Services Committee.

The motion being put was unanimously carried.

Chairing Public Meetings

Council considered a memorandum dated October 11th, 2013 from the Deputy City Manager Corporate Services & City Clerk regarding the above noted.

SJMC2013-10-15/465R

It was moved by Councillor Galgay; seconded by Councillor Hann : That the following rotation for chairing Public Meetings for 2013 (October, November & December) 2014 (January to December) be approved:

2013

October	Deputy Mayor Ellsworth
November	Councillor Puddister
December	Councillor Lane

2014

January	Councillor Davis
February	Councillor Galgay
March	Councillor Breen
April	Councillor Hann
May	Councillor Collins
June	Councillor Hickman
July	Councillor Tilley
August	Councillor Lane
September	Deputy Mayor Ellsworth
October	Councillor Hann
November	Councillor Puddister
December	Councillor Hickman

The motion being put was unanimously carried

Attendance by Councillor Galgay at 2013 MNL Annual Convention & Trade Show

Council considered a memorandum dated October 10th, 2013 from the Deputy City Manager Corporate Services & City Clerk regarding the above noted.

SJMC2013-10-15/466R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Lane: That Councillor Galgay's attendance at the 2013 MNL Annual Convention & Trade Show be approved.

The motion being put was unanimously carried.

Economic Update, October 2013

Councilor Tilley presented the highlights of the October 2013 Economic Update.

Petitions

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

Proposed Rezoning and Municipal Plan Amendment Objection

“We, the undersigned, object to the City of St. John’s proposed rezoning of property within the City of St. John’s and a discretionary height consideration within the City of Mt. Pearl to allow a six (6) story residential condominium building with 96 units on the eastern portion of the development within the City of St. John’s and allow a six (6) story commercial and residential condominium building on the western portion of the development within the City of Mt. Pearl on the grounds that if the development went ahead it would result in a significant increase in the levels of traffic, litter and shadowing in the primarily residential neighbourhood.”

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

“We, the undersigned residents of the City of St. John’s (the “Petitioners”), in the Province of Newfoundland and Labrador (the City), draw the attention of the City Mayor, Councillors and Staff to an application to the City, submitted by 10804 NL Ltd. regarding permission to create a four space parking area on a vacant lot at 39 Cabot Avenue for a proposed sixteen person bed and breakfast at civic number 36 Cabot Avenue.

WHEREAS 39 Cabot Avenue appears to be located on Battery Road;

AND WHEREAS Cabot Avenue and Battery Road are protected by the Battery Development Guidelines Study;

AND WHEREAS this area infrastructure is insufficient to support current pedestrian and vehicle traffic in a safe manner.

Therefore, the undersigned Petitioners, respectfully request the City not proceed with the approval of this application.”

MNL Convention

SJMC2013-10-15/467R

It was moved by Councillor Breen; seconded by Councillor Galgay: That the City sponsor a luncheon for delegates attending the 2013 MNL Convention at a cost of \$15,000.00

(Councillor Hickman left the meeting).

Councillor Tilley

Councillor Tilley referenced the new school proposed for the West End of the City, the number of other schools in the vicinity of the new school, and concerns raised by the residents in relation to traffic safety. He asked that staff arrange to meet with Provincial Government officials to discuss the overall traffic plan for the area.

Councillor Breen

Councillor Breen provided an update on the traffic calming process noting that speed cushions were installed last week on Carrick Drive which will be removed by the end of November and a more permanent solution looked in the spring. Councillor Breen noted that feedback from the residents has been very positive and pointed out traffic calming will be installed next on Southside Road in accordance with the ranking system involved.

Adjournment

There being no further business the meeting adjourned at 5:50 p.m.

MAYOR

CITY CLERK