

**MINUTES
REGULAR MEETING - CITY COUNCIL
August 22, 2016 – 4:30 p.m. - Council Chambers**

Present Mayor D. O’Keefe
Deputy Mayor R. Ellsworth
Councillor A. Puddister
Councillor D. Breen
Councillor B. Tilley
Councillor S. O’Leary
Councillor W. Collins
Councillor T. Hann
Councillor S. Hickman
Councillor J. Galgay
Councillor D. Lane

Others Kevin Breen, City Manager
Lynnann Winsor, Deputy City Manager of Public Works
Derek Coffey, Deputy City Manager of Financial Management
Jason Sinyard, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Deputy City Manager of Community Services
Linda Bishop, Acting City Solicitor
Ken O’Brien, Chief Municipal Planner
Elaine Henley, City Clerk
Maureen Harvey, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-08-22/357R

Moved – Councillor Collins; Seconded – Councillor Puddister

That the agenda be adopted as presented with the following additions:

- **Tender 2016112 Remote Facilities Upgrades – Shea Heights Pumping Station & Reservoir**
- **Special Events Advisory Committee Report – Softball NL Men’s and Masters Men’s Canadian Championships**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-08-22/358R

Moved – Councillor Tilley; Seconded – Councillor O’Leary

That the minutes of August 8, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

- a. St. John’s Development Regulations Amendment Number 642, 2016
Proposed Rezoning for Townhousing
Planning File REZ1500012
80 Doyle’s Road, Goulds
Applicant: Dynamic Engineering

SJMC2016-08-22/359R

Moved – Councillor Puddister; Seconded – Councillor Collins

That Council adopt the amended St. John’s Development Regulations Amendment Number 642, 2016. Council approves the 9.9% variance on Lot Area for 78 Doyle’s and the extended Building Line setback of 25.56 metres at 80 Doyle’s Road. This amendment is to be referred to the Department of Municipal Affairs with a request for Provincial Registration in accordance with the *Urban and Rural Planning Act*.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

Council considered the following noticed published:

- a. A Discretionary Use application has been submitted by Capital Aggregates Limited requesting permission to extend an existing quarry an additional 17.7 hectare of land at **260 East White Hills Road** for the purpose of production and removal of aggregate material for construction purposes.
- b. A Discretionary Use application has been submitted by 55732 Newfoundland and Labrador Inc. requesting permission to construct a building at **663 Torbay Road** (Lot P of Sea Rose Drive) for Light Industrial Use. The proposed building will be used for material warehousing and fabrication/assembly of composite aluminum panels and steel trims. The

proposed building will have a floor area of approximately 12,000 square feet.

- c. A Discretionary Use application has been submitted by Frontline Action requesting permission to extend the current approval for Place of Amusement located at **10 Pearl Place**. The proposed extension will be 230 m² and will be used for laser maze, foam tip archery indoor range, bathrooms, and ancillary use of retail and office space. Off street parking is provided.

SJMC2016-08-22/360R

Moved – Councillor Puddister; Seconded – Councillor Tilley

That the applications be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS

- a. PDE file REZ1500008
Proposed Rezoning to Residential Medium Density - Condominium (R2 Condominium) Zone
315 Torbay Road and other lands
EXP Architects Inc. for REB Holdings Inc.

SJMC2016-08-22/361R

Moved – Councillor Lane; Seconded – Councillor Hann

That Council adopt the attached St. John's Development Regulations Amendment Number 629, 2016 to rezone the subject property at 315 Torbay Road and neighbouring vacant properties from the Residential Low Density (R1) and Residential Medium Density (R2) Zones to the Residential Medium Density – Condominium (R2 Condominium) Zone. This would permit a residential townhouse development of 49 dwelling units, accessed from Torbay Road. There would be a single detached house built between 20 and 24 Stirling Crescent, but that land does not require rezoning.

It is also agreed that Council set the building line for the proposed development at 11 metres from the center line of Torbay Road. The Amendment is to be referred to the Minister of Municipal Affairs with a request for provincial registration, in accordance with the Urban & Rural Planning Act.

Carried with Councillor Breen dissenting.

COMMITTEE REPORTS

Development Committee Report – August 16, 2016

SJMC2016-08-22/362R

Moved – Councillor Puddister; Seconded – Councillor Tilley
That the report and its recommendations be adopted as presented.

CARRIED UNANIMOUSLY

Planning & Development Standing Committee Report – August 16, 2016

SJMC2016-08-22/363R

Moved – Councillor Puddister ; Seconded – Deputy Mayor Ellsworth
That the report and its recommendations contained therein be
adopted as presented.

CARRIED UNANIMOUSLY

Special Events Advisory Committee Report – August 22, 2016

SJMC2016-08-22/364R

Moved – Councillor Breen ; Seconded – Councillor Lane
That the report and its recommendations contained therein be
adopted as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

Council considered as information the above noted for the period August 4, 2016
to August 17, 2016

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for August 22, 2016.

SJMC2016-08-22/365R

**Moved – Councillor Galgay; Seconded – Councillor Hickman
That the building permits list dated August 22, 2016 be approved as presented.**

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the weeks ending August 10, 2016 and August 17, 2016.

SJMC2016-08-22/366R

**Moved – Councillor Breen; Seconded – Councillor Puddister
That the Payrolls and Accounts for the weeks ending August 10, 2016 and August 17, 2016 be approved as presented.**

CARRIED UNANIMOUSLY

TENDERS/RFPs

Council considered the following tenders:

- Tender 2016109 – Victoria Park Phase 1 – Option B
- East White Hills Road Street Rehabilitation
- Tender 2016052 – Traffic Signals & Decorative Lights Maintenance
- Tender 2016112 Remote Facilities Upgrades, Shea Heights Pumping Station & Reservoir

SJMC2016-08-22/367R

**Moved – Councillor Breen; Seconded – Councillor Puddister
That the tenders noted above be awarded respectively to the companies noted below:**

- Tender 2016109 – Victoria Park Phase 1 – CAN-AM Platforms & Construction Ltd - (Base Price with Contingent) Amount \$1,195,675.02 (hst included)
- East White Hills Road Street Rehabilitation - approved under existing Streets Rehab Contract 2, which will allow its

construction in this construction season. As per Section 5.2 in the Public Tendering Act, Council approval is required for changes in excess of 5% of the value of this \$2.1m contract, and this change is approximately 27% of the value of the original contract.

- Tender 2016052 – Traffic Signals & Decorative Lights Maintenance – Black & McDonald Limited - \$479,911.00 (hst included)
- Tender 2016112 Remote Facilities Upgrades, Shea Heights Pumping Station & Reservoir - \$174,084.82 (hst included)

CARRIED UNANIMOUSLY

NOTICE OF MOTION/PETITIONS

Councillor O’Leary presented a petition on behalf of the residents of Winter Avenue requesting traffic calming measures on the street. Residents have noticed a marked increase in the volume of traffic using the street as a “cut through” alternative.

OTHER BUSINESS

E-poll – Live Streaming for Tragically Hip at Convention Centre

SJMC2016-08-22/368R

Moved – Councillor Puddister; Seconded – Councillor O’Leary

That the e-poll be ratified, rejecting a request to fund the Tragically Hip Live Streaming at the Convention Centre.

CARRIED UNANIMOUSLY

E-poll – Live Streaming for Tragically Hip at Prince Edward Plaza, George St.

SJMC2016-08-22/369R

Moved – Councillor; Seconded – Councillor

That the e-poll be ratified, giving approval to fund \$5,000 from the Community Services Budget, waiving stage fees and approval of an

extension to the noise by-law enabling the above noted event to take place.

CARRIED UNANIMOUSLY

Councillor O’Leary:

- Requested that the policy for billing residents for infrastructure improvements be referred to the Planning & Development Committee for review.

Councillor Puddister:

- Requested that the City Solicitor review the possibility of drafting a by-law regarding the use of street meridians with a few to improving safety for people soliciting.
- Requested the City Manager look into an appropriate fencing design that would improve the safety of people using the meridians.

ADJOURNMENT

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

MAYOR

CITY CLERK