

**MINUTES
REGULAR MEETING - CITY COUNCIL
March 21, 2017 – 4:30 p.m. - Council Chambers**

Present Mayor D. O’Keefe
Councillor T. Hann
Councillor A. Puddister
Councillor J. Galgay (via teleconference)
Councillor D. Breen
Councillor B. Tilley
Councillor S. Hickman
Councillor S. O’Leary
Councillor W. Collins
Councillor D. Lane

Regrets Deputy Mayor R. Ellsworth

Others Kevin Breen, City Manager
Lynnann Winsor, Deputy City Manager of Public Works
Tanya Haywood, Deputy City Manager of Community Services
Jason Sinyard, Deputy City Manager of Planning, Development and
Regulatory Services
Derek Coffey, Deputy City Manager of Financial Management
Linda Bishop, Acting City Solicitor
Elaine Henley, City Clerk
Kathy Driscoll, Legislative Assistant

CALL TO ORDER / ADOPTION OF AGENDA

SJMC2017-03-21/120R

Moved – Councillor Collins; Seconded – Councillor O’Leary

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2017-03-21/121R

Moved – Councillor Collins; Seconded – Councillor O’Leary

That the minutes of March 13, 2017 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING

**St. John's Municipal Plan Amendment Number 134, 2017 and St. John's Development Regulations Amendment Number 617, 2017
Proposed Rezoning to the Commercial Neighbourhood (CN) Zone
PDE# MPA1400004
198 & 204 Freshwater Road
Applicant: Dillon Consulting Ltd., on behalf of Shoppers Realty Inc.**

SJMC2017-03-21/122R

Moved – Councillor Lane; Seconded – Councillor Puddister

That Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 134, 2017, and St. John's Development Regulations Amendment Number 617, 2017, as adopted. These amendments would re-designate and rezone land at 198 & 204 Freshwater Road from the Residential High Density (R3) Zone to the Commercial Neighbourhood (CN) Zone for the redevelopment of Shoppers Drug Mart. Further, the amendments will be referred to the Department of Municipal Affairs and Environment, with a request for Provincial Registration in accordance with the provisions of the *Urban and Rural Planning Act*.

As part of the approval process, Council approved parking relief for 24 spaces for the proposed expansion and sale of two parcels of City owned land (Liverpool Avenue between Freshwater Road and Winchester Street, and a small parcel of land between Empire Avenue and the current Shoppers Drug Mart property), with the condition on the sale of Liverpool Avenue, Shoppers Drug Mart must provide uninterrupted access to Winchester Street for the landowner at 196 Freshwater Road by way of an easement.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

- a) A Change of Non-Conforming Use application has been submitted requesting permission to occupy **180 Hamilton Avenue** for the packaging of savory. The proposed use would occupy an area of 182 m² and will replace the previous use (Professional Apparel). The business will have one (1) employee and will operate for approximate 4-12 hours per week, between 9 a.m.–5 p.m., Monday-Friday.

SJMC2017-03-21/123R

Moved – Councillor Puddister; Seconded – Councillor Breen

That Council reject the above noted application.

**CARRIED
WITH COUNCILLOR LANE DISSENTING**

COMMITTEE REPORTS

Audit and Accountability Committee Report – March 7, 2017

Council considered the above listed report.

SJMC2017-03-21/124R

Moved – Councillor Tilley; Seconded – Councillor Puddister

That the above noted report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

Finance and Administration Committee Report – March 14, 2017

Council considered the above listed report.

SJMC2017-03-21/125R

Moved – Councillor Hann; Seconded – Councillor Hickman

That the above noted report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

Development Committee Report – March 14, 2017

Council considered the above listed report.

SJMC2017-03-21/126R

Moved – Councillor Puddister; Seconded – Councillor Lane

That items 1 and 2 be voted on separately and that item 1 be approved for the Accessory Building at 162 Signal Hill Road.

CARRIED UNANIMOUSLY

SJMC2017-03-21/127R

Moved – Councillor Puddister; Seconded – Councillor Hann

That Council grant a one (1) year extension to the Approval-in-Principle of the development at 32 Temperance Street.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST [Link to List](#)

Council considered, for information, the above noted for the period February 23, 2017 to March 1, 2017.

BUILDING PERMITS LIST [Link to List](#)

Council considered the Building Permits for the period of February 23 – March 1, 2017.

SJMC2017-03-21/128R

Moved – Councillor Collins; Seconded – Councillor Tilley

That the above noted building permits list be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS [Link to Memo](#)

Council considered the requisitions, payrolls, and accounts for the week ending March 1, 2017.

SJMC2017-03-21/129R

Moved – Councillor Collins; Seconded – Councillor Tilley

That the requisitions, payrolls and accounts for the week ending March 1, 2017 in the amount of \$2,765,169.40 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS / RFPS

Tender 2017035 – Council Approval for Supply of 15W40

Council considered the above noted tender.

SJMC2017-03-21/130R

Moved – Councillor Collins; Seconded – Councillor Tilley

That this tender be awarded to the lowest bidder meeting specifications Shoreline Lubricants and Industrial Supply in the amount of \$2.43 per liter, as per Public Tendering Act.

Taxes (HST) extra to price quoted.

CARRIED UNANIMOUSLY

Contract Award without Tender Invitation - Xylem

Council considered the above noted contract.

SJMC2017-03-21/131R

Moved – Councillor Collins; Seconded – Councillor Tilley

That this Contract be awarded to Xylem who is the sole supplier of parts and labour to repair the submersible inlet pump. The contract is in the amount of \$54,562.55, as per the Public Tendering Act Exception Report.

Taxes are not included in the quoted price.

CARRIED UNANIMOUSLY

OTHER BUSINESS

Assessment Rates for 2017

Council considered the above noted decision note.

SJMC2017-03-21/132R

Moved – Councillor Lane; Seconded – Councillor Puddister

That Council approve the Assessment Rates for 2017.

CARRIED UNANIMOUSLY

Snow Clearing Budget Update

Council considered the above noted for information purposes.

Winter Shift Continuation

Council considered the above noted decision note.

SJMC2017-03-21/133R

Moved – Breen; Seconded – Councillor Tilley

That Council ratify the E-Poll to extend the winter shift for one week and reassess at that time if a further extension is required.

CARRIED UNANIMOUSLY

Temporary Enclosure of Sidewalk Patio at O'Reilly's Irish Pub

Council considered the above noted decision note.

SJMC2017-03-21/134R

Moved – Councillor Lane; Seconded – Councillor Hickman

That Council ratify the E-Poll for the temporary enclosure of sidewalk patio at O'Reilly's Irish Pub.

CARRIED UNANIMOUSLY

Councillor O’Leary

- Asked that the following items be put forward to the next Public Works Standing Committee:
 - Follow-up on Airport Heights Park sign that is in a state of disrepair
 - Consideration of a dog park in Airport Heights at the end of McNiven Place
- Requested a letter of support be written to the Province in relation to engage tourism as it pertains to the play “Come from Away” currently playing in New York.

Councillor Puddister

- Asked the Deputy City Manager – Public Works to provide a wind-speed rating report on automated garbage containers, given the recent destructive wind storm.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:44 p.m.

MAYOR

CITY CLERK