

**MINUTES  
REGULAR MEETING - CITY COUNCIL  
May 16, 2016 - 4:30 p.m. - Council Chambers**

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

**Others** Acting City Manager  
Deputy City Manager of Community Services  
Deputy City Manager of Planning, Development & Engineering  
Deputy City Manager of Financial Management  
Deputy City Manager of Public Works  
Chief Municipal Planner  
City Solicitor  
City Clerk  
Legislative Assistant

**CALL TO ORDER/ADOPTION OF AGENDA**

**SJMC2016-05-16/215R**

**Moved – Councillor Breen; Seconded – Councillor O’Leary**

**That the agenda be adopted as presented.**

**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES**

**SJMC2016-05-16/216R**

**Moved – Councillor Puddister; Seconded – Councillor Lane**

**That the minutes of May 9, 2016 be approved as presented.**

**CARRIED UNANIMOUSLY**

**BUSINESS ARISING**

**Notice of Motion presented by Councillor Galgay to rescind his motion for an immediate wage freeze for all management, non-union employees, and members of Council**

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**SJMC2016-05-16/217R**

**Moved – Councillor Galgay; Seconded – Councillor Breen**

**That Council approve the amendment to Councillor Galgay's April 4, 2016 Notice of Motion (to impose a wage freeze for all management, non-union employees, and members of Council for a period of two years), as follows:**

*The City will review management, non-union and Council remuneration policies with the goal of increasing the City's flexibility to modify pay and benefits when appropriate.*

*The City will seek to strengthen its practices with respect to employment contracts, as recommended by outside legal counsel, while adhering to proper legal notice periods.*

*Council will maintain the status quo with regards to scheduled wage increases for all management employees, non-union employees and members of Council for 2016 and 2017, based on outside legal advice.*

**CARRIED UNANIMOUSLY**

**Notice of Motion – Mail-In Ballot Process**

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Council considered the above noted.

**SJMC2016-05-16/218R**

**Moved – Councillor O'Leary; Seconded – Deputy Mayor Ellsworth**

**That Council direct Staff to conduct a thorough review of mail-in voting regulations, procedures and forms through a review of operations.**

**CARRIED UNANIMOUSLY**

**Application to Rezone Land to Rural Residential Infill (RRI)  
PDE # REZ1500018 (also 13-00078, B.17-M.18 (2009) and 08-00048)  
1000 Main Road**

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Council considered the above noted.

**SJMC2016-05-16/219R**

**Moved – Councillor Puddister; Seconded – Councillor Tilley**

**That Council approve the recommendation to proceed with the rezoning amendment and adopted the attached resolution - St. John's Development Regulations Amendment Number 637, 2016. It will be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment.**

**CARRIED UNANIMOUSLY**

**Proposed Take-out – 4 Ricketts Road – DEV1600056**

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Council considered the above noted.

**SJMC2016-05-16/220R**

**Moved – Councillor Galgay; Seconded – Councillor Puddister**

**That Council approve an application for a take-out service for 4 Ricketts Road as the proponent addressed the concerns of area residents.**

**CARRIED UNANIMOUSLY**

**COMMITTEE REPORTS**

**Development Committee Report May 10, 2016**

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[Link to Report](#)

Council considered the above listed Development Committee Report dated May 10, 2016.

**SJMC2016-05-16/221R**

**Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth**

**That the report be approved as presented.**

**CARRIED UNANIMOUSLY**

## DEVELOPMENT PERMITS LIST

Council considered as information the above noted for the period May 5 to May 11, 2016.

## BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for May 16, 2016.

### **SJMC2016-05-16/222R**

**Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth**

**That the building permits list for May 16, 2016 be approved as presented.**

**CARRIED UNANIMOUSLY**

## REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending May 11, 2016.

### **SJMC2016-05-16/223R**

**Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth**

**That the Payrolls and Accounts for the week ending May 11, 2016 be approved.**

**CARRIED UNANIMOUSLY**

## TENDERS

Council considered the following tenders:

- Tender 2016029 – Leather Work Boots
- Tender 2016041 – Traffic Paint
- Tender 2016049 – Work Coveralls
- Tender 2016061 – Supply/Install/Repair/Straighten Guide Rail

- Tender 2016066 – Bombardier, Campplast and Prinoth Parts
- Tender 2016070 – John Deere Parts

**SJMC2016-05-16/224R**

**Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth**

**That Council approve the recommendations to award these tenders to the lowest bidders meeting specifications as per the Public Tendering Act.**

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

**Decision Note dated May 11, 2016 from the Transportation Engineer re: Quidi Vidi Loop Multi Use Pilot**

Council considered the above noted decision note. No change to City policy or by-laws are proposed as part of this project.

**SJMC2016-05-16/225R**

**Moved – Councillor Lane; Seconded – Councilor Hickman**

**That Council reject the recommendation to launch a pilot project which converts the Quidi Vidi Lake loop trail to a multi-use trail as they felt it was strictly a walking trail.**

**CARRIED UNANIMOUSLY**

**Lower End of Market Rental Increase**

Council considered the above noted decision note.

**SJMC2016-05-16/226R**

**Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley**

**That Council approve the recommended rental increases starting September 1, 2016.**

**CARRIED  
WITH COUNCILLOR GALGAY DISSENTING**

**Councillor Puddister**

- Councillor Puddister requested the City's Internal Auditors perform a review of the early retirement packages.

**SJMC2016-05-16/227R**

**Moved – Councillor Puddister; Seconded – Councillor Hann**

**That the City Internal Auditors review all the early retirement packages, sick leave and annual balances, as well as any Council Directives approved by Council to ensure all City policies and procedures were followed as approved by Council.**

**CARRIED UNANIMOUSLY**

**ADJOURNMENT**

There being no further business, the meeting adjourned at 6:11 p.m.

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**MAYOR**

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**CITY CLERK**

**REPORTS/RECOMMENDATION**

**DEVELOPMENT COMMITTEE**

**May 10, 2016 – 10:00 a.m. – Conference Room A, 4<sup>th</sup> Floor, City Hall**

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**1. 1027 Thorburn Road – INT1600043 Proposed Extension in the Watershed**

The Development Committee recommends that Council approve the above listed second storey extension to the existing dwelling at 1027 Thorburn Road.

**Jason Sinyard**  
**Deputy City Manager – Planning, Development & Engineering**  
**Chairperson**

*Appendix to minutes of May 16, 2016*

# DECISION/DIRECTION NOTE

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**Title:** Proposed Extension to Dwelling in the Broad Cove Watershed – 1027 Thorburn Road – INT1600043

**Date Prepared:** May 11, 2016 (Date of Next Meeting: May 16, 2016)

**Report To:** His Worship the Mayor and Members of Council

**Councillor & Role:** Councillor Art Puddister - Chair, Planning and Development Committee

**Ward:** Town of Portugal Cove–St. Philip’s – Broad Cove River Watershed

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**Decision/Direction Required:**

To seek approval by Council to construct a 50% extension to a dwelling in the Watershed.

**Discussion – Background and Current Status:**

An application was submitted requesting a 50% extension to the dwelling located at 1027 Thorburn Road, by the Town of Portugal Cove–St. Philip’s. The property is located within the Broad Cove Watershed. Council may permit an extension of up to 50% as per Section 104 of the City of St. John’s Act.

The floor area of the existing dwelling is 60m<sup>2</sup> and the applicant has requested an extension of 30m<sup>2</sup> on the second floor, which is within the 50% allowable expansion. The undevelopable portion will be attic space.

**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders:  
Town of Portugal Cove–St. Philip’s
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications:  
Section 104 – City of St. John’s Act
5. Engagement and Communications Considerations: N/A

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**ST. JOHN'S**



6. Human Resource Implications N/A
7. Procurement Implications: N/A
8. Information Technology Implications: N/A
9. Other Implications: N/A

**Recommendations:**

It is recommended by the Development Committee that Council approve the request for the building extension subject to the submission, review and approval of the building plans by Development staff.

**Prepared by/Signature:**

Andrea Roberts, Development Officer

Signature: \_\_\_\_\_

**Approved by/Date/Signature:**

Jason Sinyard, Deputy City Manager, Planning, Development and Engineering

Signature: \_\_\_\_\_

AAR/dm

**Attachments:** Elevation and Floor Plan

Appendix to minutes of May 16, 2016

# Building Permits List

## Council's May 16, 2016 Regular Meeting

Permits Issued: 2016/05/05 To 2016/05/11

**Class: Commercial**

40 Aberdeen Ave	Ms	Retail Store
37 Anderson Ave	Ms	Eating Establishment
12 Bay Bulls Rd	Ms	Eating Establishment
414 Blackmarsh Rd	Ms	Industrial Use
1-3 Duckworth St./Battery Cafe	Sn	Eating Establishment
92 Elizabeth Ave	Ms	Club
92 Elizabeth Ave	Ms	Club
92 Elizabeth Ave	Ms	Office
336 Freshwater Rd	Ms	Retail Store
336 Freshwater Rd	Ms	Office
179 Hamlyn Rd	Ms	Club
12-20 Highland Dr	Ms	Clinic
35 Kelsey Dr	Ms	Restaurant
55b Kelsey Dr	Ms	Retail Store
55 Kelsey Dr	Ms	Office
55 Kelsey Dr	Ms	Take-Out Food Service
65 Kelsey Dr	Sn	Retail Store
75 Kelsey Dr	Ms	Restaurant
54 Kenmount Rd	Ms	Eating Establishment
33 Kenmount Rd	Ms	Office
35 Kenmount Rd	Ms	Eating Establishment
85-95 Kenmount Rd	Ms	Car Sales Lot
85-95 Kenmount Rd	Ms	Car Sales Lot
275 Kenmount Rd	Ms	Eating Establishment
497 Kenmount Rd	Ms	Car Sales Lot
345-349 Main Rd	Ms	Eating Establishment
355b Main Rd	Ms	Clinic
446 Newfoundland Dr	Ms	Eating Establishment
78 O'leary Ave	Ms	Retail Store
180 Portugal Cove Rd	Ms	Eating Establishment
279 Portugal Cove Rd	Ms	Take-Out Food Service
20 Ropewalk Lane Subway	Sn	Eating Establishment
38-42 Ropewalk Lane, Suite 111	Sn	Office
14 Stavanger Dr	Ms	Restaurant
16 Stavanger Dr	Ms	Retail Store
386 Stavanger Dr	Ms	Commercial School
386 Stavanger Dr	Ms	Retail Store
15 Stavanger Dr	Ms	Retail Store
25-27 Stavanger Dr	Ms	Retail Store
95a Stavanger Dr	Ms	Retail Store
92 Thorburn Rd	Ms	Eating Establishment
506 Topsail Rd	Ms	Eating Establishment
644 Topsail Rd	Ms	Club
686 Topsail Rd	Ms	Restaurant
286 Torbay Rd	Ms	Retail Store
286 Torbay Rd	Ms	Restaurant
286 Torbay Rd	Ms	Retail Store
320 Torbay Rd	Ms	Retail Store
320 Torbay Rd	Ms	Eating Establishment
436 Torbay Rd	Ms	Retail Store
141 Torbay Rd	Ms	Office
260 Waterford Bridge Rd	Ms	Church
30 Kenmount Rd., Suite 0104	Cr	Retail Store

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17 Logy Bay Rd	Cr	Service Shop
130 Kelsey Dr	Nc	Accessory Building
430 Topsail Rd	Rn	Retail Store
22 O'leary Ave, Pipers Store	Cr	Retail Store
Avalon Mall, Groupe Dynamite	Cr	Retail Store
50 White Rose Dr	Nc	Retail Store

This Week \$ 1,148,800.00

**Class: Industrial**

This Week \$ .00

**Class: Government/Institutional**

This Week \$ .00

**Class: Residential**

13 Adventure Ave, Lot 334	Nc	Single Detached & Sub.Apt
7 Orlando Place	Nc	Single Detached & Sub.Apt
14 Bellevue Cres	Nc	Accessory Building
193 Cheeseman Dr	Nc	Single Detached & Sub.Apt
41 Cottonwood Cres	Nc	Patio Deck
8 Dammerills Lane	Nc	Patio Deck
9 Eastmeadows Ave	Nc	Accessory Building
43 Ennis Ave	Nc	Fence
4 Fogwill Pl	Nc	Patio Deck
21 Goodridge St	Nc	Patio Deck
16 Guzzwell Dr	Nc	Accessory Building
26a Hamel St	Nc	Patio Deck
13 Hawthorn Pl	Nc	Patio Deck
7 Henry Larsen St, Lot 309	Nc	Single Detached Dwelling
5 Hutton Rd	Nc	Fence
52 Macbeth Dr	Nc	Accessory Building
228 Mundy Pond Rd	Nc	Accessory Building
519 Newfoundland Dr	Nc	Fence
20 Notre Dame Dr	Nc	Accessory Building
29 Orlando Pl, Lot 267	Nc	Single Detached Dwelling
115 Paddy Dobbin Dr	Nc	Fence
7 Ross Rd	Nc	Accessory Building
81 Rotary Dr	Nc	Fence
7 Sequoia Dr	Nc	Fence
4 Sherwood Dr	Nc	Fence
6 Silverton St	Nc	Fence
4 Solway Cres., Lot 350	Nc	Single Detached & Sub.Apt
6 Stoneyhouse St	Nc	Accessory Building
60 Thomas St	Nc	Accessory Building
17 Titania Pl	Nc	Fence
602 Topsail Rd	Nc	Accessory Building
397 Topsail Rd	Nc	Fence
3 Sitka St	Nc	Accessory Building
3 Valleyview Rd	Nc	Fence
51 Viscount St	Nc	Fence

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4 Waterford Ave	Nc	Accessory Building
22 Waterford Bridge Rd	Nc	Fence
22 Willenhall Pl, Lot 33	Nc	Single Detached Dwelling
7 Willenhall Pl	Nc	Accessory Building
113 Maunder's Lane	Co	Home Office
8-10 Spencer St	Co	Home Occupation
112 Newtown Rd	Ex	Single Detached Dwelling
42 Battery Rd	Rn	Single Detached Dwelling
41 Cottonwood Cres	Rn	Single Detached Dwelling
7 Downing St	Rn	Single Detached Dwelling
11 First Ave	Rn	Single Detached Dwelling
13 Hawthorn Pl	Rn	Single Detached Dwelling
25 McCrae St	Rn	Single Detached Dwelling
51 Melville Pl	Rn	Patio Deck
12 O'neil Ave	Rn	Single Detached Dwelling
21 Queen's Rd	Rn	Townhousing
63 Roche St	Rn	Single Detached Dwelling
234 Stavanger Dr	Rn	Single Detached Dwelling
3 Stephano St	Rn	Single Detached Dwelling
190 Waterford Bridge Rd	Rn	Single Detached Dwelling
4 Westview Ave, Unit 2	Rn	Condominium
55 Otter Dr	Sw	Single Detached Dwelling

This Week \$ 1,703,137.00

**Class: Demolition**

235 Main Rd	Dm	Single Detached Dwelling
64 Quidi Vidi Village Rd	Dm	Single Detached Dwelling
		This Week \$ 15,000.00

This Week's Total: \$ 2,866,937.00

Report Permits Issued: 2016/05/05 To 2016/05/11 \$ 179,254.00

Appendix to minutes of May 16, 2016

Legend

Co	Change Of Occupancy	Rn	Renovations
Cr	Chng Of Occ/Renovtns	Sw	Site Work
Ex	Extension	Ms	Mobile Sign
Nc	New Construction	Sn	Sign
Oc	Occupant Change	Dm	Demolition

YEAR TO DATE COMPARISONS			
May 16, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$67,682,000.00	\$33,550,000.00	-50
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$7,998,000.00	\$5,941,000.00	-26
Residential	\$21,979,000.00	\$16,589,000.00	-24
Repairs	\$1,297,000.00	\$1,116,000.00	-14
Housing Units(1 & 2 Family Dwelling	47	46	
<b>TOTAL</b>	<b>\$98,956,000.00</b>	<b>\$57,205,000.00</b>	<b>-42</b>

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA  
 Deputy City Manger  
 Planning & Development & Engineering

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**DEVELOPMENT PERMITS LIST**  
**DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING**  
**FOR THE PERIOD OF May 5, 2016 TO May 11, 2016**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Proposed Building Lot	708 Main Road	5	Rejected, contrary to Section 10.40.3.(1)(b)&(d)	16-05-05
RES		Subdivide for 1 Additional Building Lot	345 Ruby Line	5	Approved	16-05-10
RES	Habitat for Humanity	Single-detached Dwelling	30 McNeil Street	2	Approved	16-05-06
RES		Home Office for Contracting Company	35 Parade Street	2	Approved	16-05-10
IND	Newco Metal & Auto Recycling Limited	Upgrade existing site to supplement the existing recycling operations	46-50 Robin Hood Bay Road	1	Approved	16-05-10
RES		Demo/ Rebuild for Single Family Dwelling	453 Thorburn Road	3	Approved	16-05-11

\* Code Classification:  
RES - Residential      INST - Institutional  
COM - Commercial      IND - Industrial  
AG - Agriculture  
OT - Other

\*\* 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 Appeals.

Gerard Doran  
Development Supervisor  
Development Division -  
PDE Department

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