

**MINUTES
REGULAR MEETING - CITY COUNCIL
May 30, 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 J. Galgay
Councillor S. Hickman

Regrets Councillor D. Lane

Others 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
Supervisor of Legislative & Office Services

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-05-24/237R

Moved – Councillor Tilley; Seconded – Councillor O’Leary

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

- **Decision Note dated May 29, 2016 re: Northeast Avalon Joint Town Council – Meeting and Dinner**
- **Decision Note dated May 25, 2016 re: City Hall Parking Garage**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-05-24/238R

Moved – Councillor ; Seconded – Councillor

That the minutes of May 24, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING

Notice of Motion – Heritage Designation of 154 New Cove Road

SJMC2016-05-24/239R

Moved – Councillor Puddister; Seconded – Councillor Hickman

That Council adopt the Heritage Designation (154 New Cove Road, Parcel ID #3954) By-Law so as to have the building situate on property at 154 New Cove Road (Parcel ID#3954) designated as a Heritage Building.

**CARRIED WITH
MAYOR O'KEEFE, DEPUTY MAYOR ELLSWORTH
AND COUNCILLOR TILLEY DISSENTING**

Notice of Motion – 55 Rennie's Mill Road

SJMC2016-05-24/240R

Moved – Councillor Galgay; Seconded – Councillor Hickman

That the notice of motion period be waived so as to deal with this motion at tonight's meeting.

CARRIED UNANIMOUSLY

SJMC2016-05-24/241

Moved – Councillor Galgay; Seconded – Councillor O'Leary

That Council adopt the Heritage Designation (55 Rennie's Mill Road, Parcel ID # 33835) By-Law so as to have the building situate on property at 55 Rennie's Mill Road (Parcel ID #33835) designated as a Heritage Building.

CARRIED UNANIMOUSLY

Proposed Text Amendment for Personal Care Home in the Rural (R) Zone; St. John's Municipal Plan Amendment No. 137, 2016, and St. John's Development Regulations Amendment No. 628, 2016; PDE File # MPA1500009; Applicant: Teen Challenge Canada; Fowler's Road, Ward 5

SJMC2016-05-24/242R

Moved – Councillor Puddister; Seconded – Councillor Hann

That Council adopt the resolutions for St. John's Municipal Plan Amendment Number 137, 2016 and St. John's Development Regulations Amendment Number 628, 2016, to add Personal Care Home as a Discretionary Use in the Rural (R) Zone. This amendment would accommodate the group home proposed by Teen Challenge Canada for residential addictions rehabilitation and treatment for up to 25 women and up to eight (8) staff at 729 Fowler's Road. The cost of road upgrades is to be borne by the developer. Further, that Council appoint Mr. Cliff Johnston, MCIP, a member of the City's commissioner list, to conduct a public hearing on the proposed amendments. The proposed date for the public hearing is Tuesday, June 28, 2016, at 7 pm at St. John's City Hall.

CARRIED UNANIMOUSLY

Proposed Application to Rezone Property to the Apartment Medium Density (A2) Zone and Text Amendment Regarding Parking Area Requirements; PDE# MPA1500014; Applicant: Pro-Tech Construction Ltd. - 147-149 Thorburn Road

SJMC2016-05-24/243R

Moved – Councillor Puddister; Seconded – Councillor O'Leary

That Council adopt the attached resolutions for St. John's Municipal Plan Amendment Number 138, 2016 and St. John's Development Regulations Amendment Number 630, 2016. Further, that Council appoint Ms. Marie Ryan, a member of the City's commissioner list, to conduct a public hearing on the proposed amendments. The proposed date for the public hearing is Wednesday, June 22, 2016 at 7 pm at St. John's City Hall.

CARRIED UNANIMOUSLY

St. John's Development Regulations Amendment Number 640, 2016 Proposed Text Amendment to Accessory Buildings

SJMC2016-05-24/244R

Moved – Councillor Puddister; Seconded – Councillor Hann

That Council adopt St. John's Development Regulations Amendment Number 640, 2016 which will have the effect of amending Accessory

Building Requirements. Further, that it be referred to the Department of Municipal Affairs with a request for Provincial Registration in accordance with the provisions of the Urban and Rural Planning Act.

CARRIED UNANIMOUSLY

Application to rezone the property from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone to allow for four (4) semi-detached homes; PDE # REZ1500020; 267 Mundy Pond Road

SJMC2016-05-24/245R

Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth

That Council proceed with the proposed amendment to the St. John's Development Regulations Amendment Number 641, 2016. Further that it be referred to the Department of Municipal Affairs with the request for Provincial registration of the amendment.

**CARRIED WITH COUNCILLORS
TILLEY, O'LEARY AND HICKMAN DISSENTING**

**Proposed Text Amendment – Heavy Equipment Storage in the CI Zone
PDE # REZ1500010; 59 Robin Hood Bay Road**

SJMC2016-05-24/246R

Moved – Councillor Puddister; Seconded – Councillor Hann

That Council adopt the St. John's Development Regulations Amendment Number 636, 2016. Further that it be referred to the Department of Municipal Affairs with the request for Provincial registration.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

59 Robin Hood Bay Road

SJMC2016-05-24/247R

Moved – Councillor Breen; Seconded – Councillor Tilley

That Council approve the above noted application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Planning & Development Standing Committee Report May 19, 2016

Council considered the above listed Planning & Development Standing Committee Report date May 19, 2016

SJMC2016-05-24/248R

Moved – Councillor Puddister; Seconded – Councillor Hickman

That the Planning & Development Standing Committee report be approved as presented.

CARRIED UNANIMOUSLY

Development Committee Report of May 24, 2016

Council considered the above listed Development Committee Report date May 24, 2016

SJMC2016-05-24/249R

Moved – Councillor Puddister; Seconded – Councillor Collins

That the Development Committee report be approved as presented and that the Crown land grant referral for extension of private property at 880 Main Road (CRW1600003) be approved.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

Council considered as information the above noted for the period May 19 to May 24, 2016.

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for May 24, 2016.

SJMC2016-05-24/250R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That the building permits list for May 30, 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 25, 2016.

SJMC2016-05-24/251R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That the Payrolls and Accounts for the week ending May 25, 2016 be approved.

CARRIED UNANIMOUSLY

TENDERS

Council considered the following tenders:

- Tender 2016067 – Infrastructure # 1 Manholes, Catch Basins and Drainage Improvements
- Tender 2016068 Infrastructure # 2 Concrete Curb, Gutter and Sidewalk
- Tender 2016069 Infrastructure # 3 Concrete Sidewalk Repairs (Water and Wastewater Distribution Services)

SJMC2016-05-24/252R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That Council approve the recommendations to award the tenders to the lowest bidders meeting specifications as per the Public Tendering Act as follows:

- Tender 2016067 awarded to Infinity Construction Ltd. at \$965,048.25;

- Tender 2016068 awarded to Infinity Construction Ltd. at \$1,324,568.80;
- Tender 2016069 awarded to Infinity Construction Ltd. \$260,301.05.

CARRIED UNANIMOUSLY

OTHER BUSINESS

Extension of two members of the St. John's Transportation Commission

SJMC2016-05-24/253R

Moved – Councillor Collins; Seconded – Councillor Tilley

That Council approve the extension of Vice-Chair Fred Drover and Commissioner Mark Duggan until December 21, 2016.

CARRIED UNANIMOUSLY

St. John's Pride – Flag Raising and Proclamations

SJMC2016-05-24/254R

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

That Council approve the proclamation and flag raising in support of Pride Week in St. John's from July 11 to 17.

CARRIED UNANIMOUSLY

Northeast Avalon Joint Town Council - Meeting and Dinner

SJMC2016-05-24/255R

Moved – Councillor Puddister; Seconded – Councillor Breen

That Council approve the provision of meeting space and hosting of a buffet dinner for the members of the Northeast Avalon Joint Council subsequent to the meeting on June 8, 2016.

CARRIED UNANIMOUSLY

Parking Garage Upgrade Project

SJMC2016-05-24/256R

Moved – Councillor Breen; Seconded – Councillor Hickman

That Council direct that the design, tendering and professional service for project completion be awarded to DBA Consulting Engineers and that the award of the works to DBA be conditional on the City receiving a financial proposal that is deemed reasonable by the Engineering Division as being appropriate for the works.

**CARRIED WITH COUNCILLORS
PUDDISTER, HANN AND O’LEARY DISSENTING**

Other Business:

- **Councillor O’Leary requested that the Public Works Standing Committee consider the issue of garbage containers and the City’s servicing of them, noting that depending on the type of container, different City staff provide maintenance. She has received a complaint about the timeliness of these bins being emptied.**

ADJOURNMENT

There being no further business, the meeting adjourned at 5:53 p.m.

MAYOR

CITY CLERK

Building Permits List Council's May 30, 2016 Regular Meeting

Permits Issued: 2016/05/19 To 2016/05/25

Class: Commercial

685-687 Water Street	Co	Retail Store
40 Aberdeen Ave	Ms	Office
40 Aberdeen Ave	Ms	Service Shop
40 Aberdeen Ave	Ms	Clinic
46 Aberdeen Ave	Ms	Restaurant
15 Bay Bulls Rd	Ms	Retail Store
77 Blackmarsh Rd	Ms	Retail Store
203 Blackmarsh Rd	Ms	Office
245 Blackmarsh Rd	Ms	Convenience Store
271 Blackmarsh Rd	Ms	Take-Out Food Service
271 Blackmarsh Rd	Ms	Service Shop
711 Blackmarsh Rd	Ms	Service Shop
Carpasian Rd	Ms	Place Of Assembly
94 Elizabeth Ave	Ms	Retail Store
2 Fogwill Pl	Ms	Restaurant
360 Topsail Rd	Ms	Retail Store
336 Freshwater Rd	Ms	Service Shop
336 Freshwater Rd	Ms	Office
342 Freshwater Rd	Ms	Clinic
15 Goldstone St	Ms	Club
2-8 Great Southern Dr	Ms	Office
169 Hamlyn Rd	Ms	Service Shop
135 Harbour Dr	Sn	Restaurant
135 Harbour Dr	Sn	Restaurant
10 Hebron Way	Ms	Restaurant
12 Hebron Way	Ms	Restaurant
12-20 Highland Dr	Ms	Convenience Store
102 Kenmount Dr	Ms	Hotel
102 Kenmount Dr	Ms	Office
274 Kenmount Rd	Ms	Retail Store
177 Kenmount Rd	Ms	Car Sales Lot
193 Kenmount Rd	Ms	Restaurant
195 Kenmount Rd	Ms	Service Shop
468 Logy Bay Rd	Ms	Commercial Garage
100 Macdonald Dr	Ms	School
358 Main Rd	Ms	Service Station
484 Main Rd	Ms	Club
53-59 Main Rd	Ms	Retail Store
355b Main Rd	Ms	Service Shop
6 Mullaly St	Ms	Warehouse
120 Mundy Pond Rd	Ms	Place Of Assembly
36 Pearson St	Ms	Retail Store
34 Pippy Pl	Ms	Office
4 Portugal Cove Rd	Ms	Recreational Use
260 Portugal Cove Rd	Ms	Retail Store
40 Airport Heights Dr	Ms	Retail Store
150 Clinch Cres	Ms	Lodging House
30 Ropewalk Lane	Ms	Office
38-42 Ropewalk Lane	Ms	Service Shop
38-42 Ropewalk Lane	Ms	Retail Store
38-40 Ropewalk Lane	Ms	Retail Store
117 Ropewalk Lane	Ms	Retail Store
86 Thorburn Rd	Ms	Retail Store
86 Thorburn Rd	Ms	Service Station
390 Topsail Rd	Ms	Retail Store

644 Topsail Rd	Ms	Service Shop
644 Topsail Rd	Ms	Day Care Centre
660 Topsail Rd	Ms	Tavern
656 Topsail Rd	Ms	Tavern
393 Topsail Rd	Ms	Day Care Centre
681 Topsail Rd	Ms	Retail Store
26 Torbay Rd	Ms	Tavern
26 Torbay Rd	Ms	Tavern
26 Torbay Rd	Ms	Tavern
10 Elizabeth Ave	Ms	Office
248 Torbay Rd	Ms	Eating Establishment
320 Torbay Rd	Ms	Retail Store
350 Torbay Rd	Ms	Eating Establishment
350 Torbay Rd	Ms	Service Shop
464 Torbay Rd	Ms	Retail Store
50 White Rose Dr	Ms	Retail Store
145 Lemarchant Rd	Nc	Fence
46 Eric St	Rn	Apartment Building
350 East White Hills Rd	Nc	Salvage Yards
673 Topsail Rd	Rn	Service Shop
1 Kiwanis St, D2.A, Quesada	Rn	Eating Establishment
60 Elizabeth Ave, First Choice	Cr	Service Shop
181 Mundy Pond Rd	Rn	Mixed Use
119-127 Water St	Nc	Hotel

This Week \$ 20,657,140.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

56 Airport Rd	Nc	Fence
7 Ann Harvey Pl	Nc	Fence
28 Athlone Pl	Nc	Accessory Building
414 Back Line	Nc	Accessory Building
5 Biscay Pl	Nc	Fence
4 Bulrush Ave, Lot 63	Nc	Single Detached Dwelling
19 Burry Port St	Nc	Accessory Building
104 Codroy Pl	Nc	Fence
58 Cypress St	Nc	Accessory Building
58 Cypress St	Nc	Fence
17 Darling St	Nc	Fence
11 Devine Pl	Nc	Fence
6 Dunkerry Cres	Nc	Fence
8 Dunkerry Cres	Nc	Fence
33 Great Eastern Ave	Nc	Fence
11 Hall's Rd	Nc	Fence
2 Hamlet St	Nc	Fence
38 Kelland Cres	Nc	Accessory Building
11 Learning Rd	Nc	Accessory Building
10 Marigold Pl	Nc	Accessory Building
17 Marigold Pl	Nc	Accessory Building
54 Navajo Pl	Nc	Fence
21 Navajo Pl	Nc	Accessory Building
371 Newfoundland Dr	Nc	Fence
9 Newhook Pl	Nc	Accessory Building

Appendix to Minutes of May 30, 2016

10 Ophelia Pl	Nc	Patio Deck
9 Ozark Pl, Lot 413	Nc	Single Detached Dwelling
39 Parsonage Dr	Nc	Accessory Building
4 Parkridge Dr	Nc	Fence
111 Penney Cres	Nc	Accessory Building
112 Prowse Ave	Nc	Accessory Building
112 Prowse Ave	Nc	Fence
21 Solway Cres., Lot 340	Nc	Single Detached & Sub.Apt
22 Teakwood Dr	Nc	Fence
26 Topsail Rd	Nc	Fence
13 Sitka St	Nc	Fence
24 Willenhall Pl	Nc	Accessory Building
95 Newtown Rd	Co	Subsidiary Apartment
54 Carrick Dr	Ex	Single Detached Dwelling
18 Bay Bulls Rd	Rn	Single Detached Dwelling
18 Bay Bulls Rd	Rn	Single Detached Dwelling
9 Bradbury Pl	Rn	Mixed Use
5 Curtis Pl	Rn	Single Detached Dwelling
69 Freshwater Rd	Rn	Single Detached Dwelling
1 Linden Crt Condo(Bld110/111)	Rn	Condominium
69 Mayor Ave	Rn	Single Detached Dwelling
371 Newfoundland Dr	Rn	Single Detached Dwelling
177-179 New Pennywell Rd	Rn	Duplex Dwelling
181-183 New Pennywell Rd	Rn	Duplex Dwelling
46 Newtown Rd	Rn	Single Detached Dwelling
49 Parsonage Drive	Rn	Single Detached Dwelling
14-16 Westmount Place	Rn	Single Detached Dwelling
74 Guzzwell Dr	Sw	Single Detached & Sub.Apt
8 Mclea Pl	Sw	Single Detached Dwelling
35 Myrick Pl	Sw	Accessory Building

This Week \$ 1,973,644.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 22,630,784.00

Repair Permits Issued: 2016/05/19 To 2016/05/25 \$ 141,773.00

Appendix to Minutes of May 20, 2016

Legend

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

YEAR TO DATE COMPARISONS			
	May 30, 2016		
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$75,260,000.00	\$56,037,000.00	-26
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$7,998,000.00	\$5,942,000.00	-26
Residential	\$26,352,000.00	\$19,474,000.00	-26
Repairs	\$1,484,000.00	\$1,426,000.00	-4
Housing Units(1 & 2 Family Dwelling	62	52	
TOTAL	\$111,094,000.00	\$82,879,000.00	-25

Respectfully Submitted,

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

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending May 25, 2016**

Payroll

Public Works	\$ 446,609.48
Bi-Weekly Casual	\$ 23,196.14
Accounts Payable	\$ 2,777,625.12

Total: \$ 3,247,430.74

ST. JOHN'S

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA