

**MINUTES
REGULAR MEETING - CITY COUNCIL
November 14, 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 W. Collins
Councillor T. Hann
Councillor S. Hickman
Councillor J. Galgay
Councillor D. Lane
Councillor S. O’Leary

Others Kevin Breen, City Manager
Andrew Niblock, Acting Deputy City Manager of Public Works
Jason Sinyard, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Deputy City Manager of Community Services
Derek Coffey, Deputy City Manager of Financial Management
Linda Bishop, Acting City Solicitor
Karen Chafe, Acting City Clerk
Maureen Harvey, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-11-14/480R

Moved – Councillor Collins; Seconded – Councillor O’Leary

That the agenda be adopted as presented

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-11-14/481R

Moved – Councillor Puddister; Seconded – Councillor Hickman

That the minutes of November 7, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

**St. John's Development Regulations Amendment Number 647, 2016
Application to rezone land from the Residential Low Density (R1) Zone to
the Residential Medium Density (R2) Zone -PDE File: REZ1600002
79 Old Petty Harbour Road**

Council considered the above noted which was presented but deferred at the Regular Meeting of Council on November 7, 2016. A follow up information note was considered and the following motion was brought forward

SJMC2016-11-14/482R

Moved – Councillor Puddister; Seconded – Councillor Collins

That Council reject St. John's Development Regulations Amendment Number 647, 2016, which has the effect of rezoning 79 Old Petty Harbour Road from Residential Low Density (R1) to Residential Medium Density (R2).

CARRIED UNANIMOUSLY

**Decision Note dated November 3, 2016 from the Deputy City Manager –
Planning, Development and Engineering re: O'Leary Avenue Bridge**

Councillor Breen referenced the above-noted and advised that the recent social media reports of the City paying to install a pedway for the Avalon Mall were incorrect.

He clarified reported the Rennie's River Catchment Stormwater Management Plan lists the O'Leary Avenue Bridge (upstream from Avalon Mall) as needing replacement in order to accommodate future flows.

Crombie REIT (Avalon Mall) wishes to pursue development of a parkade project on O'Leary Avenue, on their property across from the Avalon Mall. The bridge has to be replaced in order for the parkade to proceed.

Crombie REIT wants to start their parkade design now, for construction in 2017. Therefore Crombie has offered to fund 50% of the bridge reconstruction, up to a maximum of \$425,000. Crombie has offered to place their portion of funds in Trust now, to be released once the bridge construction proceeds in late spring of 2017, and on condition that the City commits to construct the bridge at that time.

In anticipation of this offer from Crombie the City had previously tentatively set aside \$525,000 in 2017 Capital out of Revenue monies for the O'Leary Avenue Bridge construction (CD# R2016-05-09/14). This was based on an estimate of \$1M for the bridge replacement.

Council considered the above noted and the following was brought forward:

SJMC2016-11-14/483R

Moved – Councillor Breen; Seconded – Councillor Hann

That subject to completion of a satisfactory legal agreement with Crombie REIT:

- **The City commits to construct the O'Leary Avenue bridge in 2017.**
- **\$1.175M be allocated from unallocated 2016 Capital out of Revenue funds.**

CARRIED UNANIMOUSLY

Notice of Motion – Fire Station

While Council was to consider a notice of motion put forward at the regular meeting of Council on November 7th, Councillor Puddister agreed to defer its introduction until the regular meeting scheduled for November 21, 2016.

NOTICES PUBLISHED

**20 Crosbie Place
Commercial Office Hotel (COH) Zone**

A Discretionary Use Application has been submitted to the City of St. John's by Eastlink seeking approval of site design in relation to a rooftop telecommunications site at the Beothuck Building on 20 Crosbie Place. In accordance with the City of St. John's Siting Protocol for Wireless Facilities, the City of St. John's hereby notifies residents in the vicinity of 20 Crosbie Place of Eastlinks' intention to install an antenna system consisting of:

- Six (6) Huawei dual band antennas divided into 3 set on the rooftop which will be pipe mounted on the outside of the existing penthouse. The antenna system will be one (1) meter in height above the existing building
- One submission received – *(it was noted that the attachment was not included in the agenda package with a request to staff ensure all future submissions are included)*

SJMC2016-11-14/484R

Moved – Councillor Puddister; Seconded – Councillor Tilley

That the discretionary use application by Eastlink seeking approval of site design in relation to a rooftop telecommunications site at the Beothuck Building on 20 Crosbie Place be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report – November 8, 2016

Council considered the above noted report.

SJMC2016-11-14/485R

Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth

That the report be adopted and the following matters actioned:

- 1. Crown Land Lease for Agriculture Sod Production at 237 Northern Pond Road – CRW1600011**
- 2. Crown Land Lease for Agriculture Sod Production at 187 Northern Pond Road – CRW1600010**
- 3. Proposed Demolition & Rebuild of Dwelling and Accessory Building in the Broad Cove Watershed – 843-845 Thorburn Road – INT1600108**
- 4. Proposed Accessory Building in the Flood Plain Buffer – 488 Back Line – SUB1600017**

A motion to defer item no. 4 was introduced

SJMC2016-11-14/486R

Moved – Councillor Collins; Seconded – Councillor Galgay

That item number 4 be deferred to allow Council to visit the site:

**MOTION LOST WITH
COUNCILLORS HANN, ELLSWORTH, O'KEEFE,
PUDDISTER, BREEN, O'LEARY DISSENTING**

**THE MAIN MOTION TO APPROVE WAS
CARRIED WITH COUNCILLORS COLLINS, TILLEY
AND HICKMAN DISSENTING.**

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered, for information, the above noted for the period November 3, 2016 to November 9, 2016

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for the period November 3, 2016 to November 8, 2016.

SJMC2016-11-14/487R

Moved – Councillor Tilley; Seconded – Councillor Lane

That the building permits list dated November 14, 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 November 8, 2016.

SJMC2016-11-14/488R

Moved – Councillor Tilley; Seconded – Councillor Lane

That the requisitions, payrolls and accounts for the week ending November 8, 2016 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFP'S

Request for Proposals – RFP 2016005 Video Management and Access Control Solution

Council considered a Decision Note dated October 31, 2016 from the Manager of Emergency Preparedness and Business Continuity and brought forward the following motion:

SJMC2016-11-14/489R

Moved – Councillor Tilley; Seconded – Councillor Lane

That the Video Management and Access Controls Solution RFP 2016005 be awarded to Johnson Controls LP in the amount of \$81,413.00 plus taxes.

CARRIED UNANIMOUSLY

OTHER BUSINESS

Economic Update – November 2016

Councillor Lane reported the highlights of the November 2016 Economic Update

Quarter Travel Report 2016 – 3rd Quarter

Presented for the information of Council and the public.

Ratification of E-Poll – Travel for Councillor Danny Breen to attend Ottawa’s Remembrance Day Ceremonies

SJMC2016-11-14/490R

Moved – Councillor Tilley; Seconded – Councillor Puddister

That Council ratify the E-poll conducted on November 9, 2016 to allow for Councillor Danny Breen to attend Ottawa’s Remembrance Day Ceremonies on November 11, 2016.

CARRIED UNANIMOUSLY

Councillor Breen

Referenced the recent Federal Government announcement applauding the decision to re-open the St. John's Maritime Rescue Sub-Centre. While it was agreed that a letter of appreciation be forwarded to the Prime Minister, Federal Fisheries Minister Dominic LeBlanc and Minister Judy Foote, it was agreed that the letter include a request to ensure that the issue of response times remains a top priority.

Councillor Tilley

- Requested a copy of the recent Premier's Report entitled "The Way Forward"

Councillor O'Leary

- Requested that the suggestion for the installation of medians in Kenmount Terrace refered to the next meeting of the Police and Traffic Committee.

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

MAYOR

CITY CLERK

DEVELOPMENT PERMITS LIST
 DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
 FOR THE PERIOD OF November 3, 2016 TO November 9, 2016

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Northern Property REIT	Landscape and Site Improvements	3-5 Wadland Crescent	1	Approved	16-11-03
COM	Siverbirch	Restaurant	199 Kenmount Road	4	Approved	16-11-03
RES		Proposed Residential Building Lot	13 Valleyview Road	5	Rejected as per Section 11.2.4	16-11-03
RES	Brookside Development Inc.	32 Unit Apartment Complex	564 Main Road	5	Approved	16-11-08

* 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 Appeal.

Gerard Doran
 Development Supervisor
 Development Division –
 PDE Department

Addendum to Council Minutes of November 14, 2016

Building Permits List

Council's November 14, 2016 Regular Meeting

Permits Issued: 2016/11/03 To 2016/11/08

Class: Commercial

6 Harbour View Ave	Nc	Fence
544 Water St	Ex	Mixed Use
528 Water St	Rn	Retail Store
282 Water St	Rn	Retail Store
39 Campbell Ave	Rn	Retail Store
215 Water St, Suite 700	Rn	Office
3 Wadland Cres	Sw	Apartment Building
10 Factory Lane	Rn	Office
199 Kenmount Rd	Nc	Restaurant
227 Kenmount Rd, Moxie's Rest.	Cr	Restaurant

This Week \$ 3,398,885.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

40 Boyle St	Nc	Fence
46 Carpasian Rd	Nc	Single Detached Dwelling
213 Cheeseman Drive-Lot 113	Nc	Single Detached Dwelling
145 Diamond Marsh Dr, Lot 116	Nc	Single Detached & Sub.Apt
274 Frecker Dr	Nc	Accessory Building
31 Georgina St, Lot 368	Nc	Single Detached & Sub.Apt
37 Hawker Cres	Nc	Patio Deck
122 Hussey Dr	Nc	Patio Deck
304 Lemarchant Rd	Nc	Fence
710a Main Rd	Nc	Accessory Building
89 Old Bay Bulls Rd	Nc	Patio Deck
65 Rennie's Mill Rd	Nc	Swimming Pool
18 Shaw St - Lot 12	Nc	Single Detached Dwelling
20 Shaw St - Lot 13	Nc	Single Detached Dwelling
7 Solway Cres, Lot 324	Nc	Single Detached & Sub.Apt
37 Warren Pl	Co	Home Occupation
7 Dunlea St	Cr	Subsidiary Apartment
15 Mcconnell Place	Cr	Subsidiary Apartment
135 Airport Rd	Ex	Accessory Building
84 Allandale Rd	Ex	Single Detached Dwelling
39 Carpasian Rd	Ex	Single Detached Dwelling
49 Cabot St	Rn	Townhousing
130 Circular Rd	Rn	Single Detached Dwelling
22 Cornwall Hts	Rn	Single Detached Dwelling
30 Corporal Jamie Murphy St	Rn	Single Detached Dwelling
4 Curtis Pl	Rn	Single Detached Dwelling
7-11 Donovan's Road	Rn	Single Detached Dwelling
16 Druggat Pl	Rn	Semi-Detached Dwelling

16a Drugget Place	Rn	Semi-Detached Dwelling
18 Drugget Pl	Rn	Semi-Detached Dwelling
18a Drugget Pl	Rn	Semi-Detached Dwelling
20 Drugget Pl	Rn	Semi-Detached Dwelling
20a Drugget Pl	Rn	Semi-Detached Dwelling
22 Drugget Pl	Rn	Semi-Detached Dwelling
22a Drugget Pl	Rn	Semi-Detached Dwelling
20 Guy St	Rn	Patio Deck
39 Myrick Pl	Rn	Single Detached Dwelling
89 Old Bay Bulls Rd	Rn	Single Detached Dwelling
132 St. Clare Ave	Rn	Single Detached Dwelling

This Week \$ 3,178,646.00

Class: Demolition

46 Hussey Dr	Dm	Mobile Home
17 Larch Pl	Dm	Single Detached Dwelling

This Week \$ 11,000.00

This Week's Total: \$ 6,588,531.00

Repair Permits Issued: 2016/11/03 To 2016/11/08 \$ 35,000.00

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			
November 14, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$123,750,000.00	\$114,000,000.00	-8
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$15,000,000.00	\$6,043,000.00	-60
Residential	\$76,116,000.00	\$66,798,000.00	-12
Repairs	\$4,000,000.00	\$4,048,000.00	1
Housing Units (1 & 2 Family Dwelling)	203	206	
TOTAL	\$218,866,000.00	\$190,889,000.00	-13

2 Gilbert Street - Application for approval of the third dwelling unit on the main floor is rejected as contrary to Section 7.10(c) of the City of St. John's Development Regulations.

Respectfully Submitted,

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

Addendum to Council Minutes of November 14, 2016

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending November 8, 2016**

Payroll

Public Works	\$ 649,789.20
Bi-Weekly Casual	\$ 22,738.93
Accounts Payable	\$4,103,995.76

Total: \$ 4,776,523.89

ST. JOHN'S

DEPARTMENT OF FINANCE

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

Addendum to Council Minutes of November 14, 2016