

**MINUTES
REGULAR MEETING - CITY COUNCIL
November 28, 2016 – 4:30 p.m. - Council Chambers**

- Present** Mayor D. O’Keefe
Deputy Mayor R. Ellsworth
Councillor D. Breen
Councillor B. Tilley
Councillor W. Collins
Councillor S. Hickman
Councillor J. Galgay
Councillor D. Lane
Councillor S. O’Leary
- Others** Kevin Breen, City Manager
Lynnann Winsor, Deputy City Manager of Public Works
Jason Sinyard, Deputy City Manager of Planning, Development & Engineering
Ken O’Brien, Chief Municipal Planner
Tanya Haywood, Deputy City Manager of Community 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

SJMC2016-11-28/462R

Moved – Councillor Collins; Seconded – Councillor Hickman

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-11-28/463R

Moved – Councillor Lane; Seconded – Councillor O’Leary

That the minutes of November 21, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

Notice of Motion – Built Heritage Experts Panel

The above noted Motion given by Councillor O’Leary.

SJM2016-11-28/464R

**Moved – Councillor O’Leary; Seconded – Councillor Lane
To adopt the Notice of Motion as presented.**

MOTION LOST

Following this motion, Deputy Mayor Ellsworth made the following motion:

SJM2016-11-28/465R

To move deferral of this Notice of Motion to add a representative of Council to the membership of the Built Heritage Experts Panel until feedback and other recommendations from an upcoming forum on December 6, 2016 about the Committee review process can be prepared which will help inform recommendations to Council.

**CARRIED WITH COUNCILLORS
O’LEARY, TILLEY, LANE AND GALGAY DISSENTING**

NOTICES PUBLISHED

**1. 100 New Gower Street
Commercial Central Office (CCO) Zone**

Discretionary Use Application has been submitted to the City of St. John's by Rogers Communications Inc. seeking approval of site design in relation to a rooftop telecommunications site at the Cabot Place on **100 New Gower Street**.

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 100 New Gower Street of Rogers’ intention to install an antenna system consisting of:

- Six (6) initial Huawei dual band antennas, and two (2) future antennas, divided into three (3) sectors on the rooftop. Two of the sectors will be installed on the penthouse roof top at 2.435m above the penthouse roofline and one (1) on the main roof top at 2.435m above the main roofline. The existing building is currently 44.70 metres for the main roof and 49.30 metres for the penthouse.

- A 2.3m x 2.9m prefabricated equipment shelter, which will be installed on the main roof supported by a metal structure anchored to the roof structure.

SJMC2016-11-28/466R

Moved – Councillor Galgay; Seconded – Councillor Lane

That Council approve the Application, subject to all applicable City requirements.

CARRIED UNANIMOUSLY

**2. 156 Duckworth Street
Commercial Central Mixed (CCM) Zone**

A Discretionary Use application has been submitted by Fetch Quest Ltd. requesting municipal approval for a Place of Amusement located at **156 Duckworth Street**. The proposed business is a live action gaming facility where groups participate in escape room scenarios. The floor area of the proposed business is 304m². The proposed operating hours are: Sunday 2 p.m.-10 p.m., Monday Closed, Tuesday -Thursday 4 p.m.-11 p.m., Friday 4 p.m. - 12 a.m., and Saturday 12 p.m.-12 a.m. Six (6) room scenarios are run each hour, with maximum capacity of six (6) people for five (5) rooms and two (2) people for one (1) room, for a total of 32 participants on site at any time.

SJMC2016-11-28/467R

Moved – Councillor Galgay; Seconded – Councillor Lane

That Council approve the Application, subject to all applicable City requirements.

CARRIED UNANIMOUSLY

**3. 10 Beaumon Hamel Way
Comprehensive Development Area – Southlands
(CDA – Southlands) 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 an existing telecommunications tower site located at **10 Beaumont Hamel Way**. 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 10 Beaumont Hamel Way of Eastlinks' intention to install an antenna system consisting of:

- Six (6) Karthrein antenna mounted on a steel pinwheel at a height of 35 meter on the existing Bell tower.
- 2 meter by 2.4 meter equipment cabinet that will be placed at the base of the tower

SJMC2016-11-28/468R

Moved – Councillor Galgay; Seconded – Councillor Lane

That Council approve the Application, subject to all applicable City requirements.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report – November 22, 2016

Council considered the above noted report.

SJMC2016-11-28/469R

Moved – Councillor Tilley; Seconded – Deputy Mayor Ellsworth

That the Development Committee report be adopted as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered, for information, the above noted for the period November 17, 2016 to November 23, 2016.

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list dated November 28, 2016.

SJMC2016-11-28/470R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That the building permits list dated November 28, 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 23, 2016.

SJMC2016-11-28/471R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Tilley

That the requisitions, payrolls and accounts for the week ending November 23, 2016 be approved as presented totaling \$2,814,207.82.

CARRIED UNANIMOUSLY

TENDERS/RFPS

Council Approval – Tender Traffic Signs 2016012

Council considered the above noted.

SJMC2016-11-28/472R

Moved – Councillor Tilley; Seconded – Councillor Collins

That the tender be awarded to the lowest bidder meeting all specifications, Imprint Specialty Promotions Limited in the amount of \$27,892.08 as per the Public Tendering Act. This contract is for a one year period with the option to extend for two additional one year periods. Taxes (HST) extra to price quoted.

CARRIED UNANIMOUSLY

NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

Councillor Hickman advised that at the next meeting of Council, he will bring forward the following motion:

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to enact an amendment to the following by-laws:

- St. John's Residential Parking Area By-Law
- St. John's Parking Meter Regulations
- St. John's Snow Clearing By-Law
- St. John's Ticketing Amendment By-Law

So as to provide for increases in some permit fees, increases in fines and to reflect changes in our meter design and acceptable methods of feeding a meter.

DATED at St. John's, NL this 28th day of November, 2016

Sandy Hickman
Councillor at Large

Further to the Notice of Motion, the Acting City Solicitor advised that the "St. John's Street Cleaning By-Law" is to be included with the amendments as well.

OTHER BUSINESS

Councillor Breen

- Given the current prominent business closures in the downtown area, Councillor Breen asked that a meeting be arranged with the owners of Templeton's, Ballistic, Healy's Deli and Biped to discuss their experiences and the challenges they faced.

There being no further business, the meeting adjourned at 5:36 p.m.

MAYOR

CITY CLERK

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF November 17, 2016 TO November 23, 2016**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Pleasantville Development Limited	Four (4) Residential Building Lots	103-109 Charter Avenue	1	Approved	16-11-17
COM		Home Office – Consulting	164 Canada Drive	3	Approved	16-11-17
RES		Home Office-Management Consultant	61 Mark Nichols place	5	Approved	16-11-24

* 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**

Building Permits List

Council's November 28, 2016 Regular Meeting

Permits Issued: 2016/11/17 To 2016/11/23

Class: Commercial

430 Topsail Rd	Co	Take-Out Food Service
208 Water St	Co	Tavern
25 Stavanger Dr	Ms	Retail Store
40 Aberdeen Ave	Ms	Service Shop
40 Aberdeen Ave	Ms	Office
40 Aberdeen Ave	Ms	Service Shop
40 Aberdeen Ave	Ms	Clinic
40 Aberdeen Ave	Ms	Retail Store
46 Aberdeen Ave	Ms	Restaurant
56b Aberdeen Ave	Ms	Retail Store
37 Anderson Ave	Ms	Eating Establishment
12 Bay Bulls Rd	Ms	Eating Establishment
414 Blackmarsh Rd	Ms	Industrial Use
57 Blackmarsh Rd	Ms	Place Of Assembly
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
Carpasian Rd	Ms	Place Of Assembly
44 Crosbie Rd	Ms	Retail Store
10 Elizabeth Ave	Ms	Retail Store
84-86 Elizabeth Ave	Ms	Retail Store
92 Elizabeth Ave	Ms	Club
92 Elizabeth Ave	Ms	Club
92 Elizabeth Ave	Ms	Office
391-395 Empire Ave	Ms	Service Shop
324 Frecker Dr	Ms	Convenience Store
336 Freshwater Rd	Ms	Service Shop
336 Freshwater Rd	Ms	Retail Store
336 Freshwater Rd	Ms	Office
336 Freshwater Rd	Ms	Office
342 Freshwater Rd	Ms	Clinic
12 Gleneyre St	Ms	Clinic
15 Goldstone St	Ms	Club
2-8 Great Southern Dr	Ms	Office
16-72 Hamlyn Rd, Sewing World	Sn	Retail Store
169 Hamlyn Rd	Ms	Service Shop
179 Hamlyn Rd	Ms	Club
10 Hebron Way	Ms	Restaurant
12 Hebron Way	Ms	Restaurant
14 Hebron Way	Ms	Restaurant
14 Hebron Way	Ms	Restaurant
5 Hebron Way, Ultramar	Ms	Retail Store
25 Hebron Way	Ms	Restaurant
12-20 Highland Dr	Ms	Clinic
12-20 Highland Dr	Ms	Convenience Store
189 Higgins Line	Ms	Office
61 James Lane	Ms	Warehouse
35 Kelsey Dr	Ms	Restaurant
45 Kelsey Dr	Ms	Retail Store
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
102 Kenmount Dr	Ms	Hotel
102 Kenmount Dr	Ms	Office
274 Kenmount Rd	Ms	Retail Store
300 Kenmount Rd	Ms	Retail Store
33 Kenmount Rd	Ms	Office
35 Kenmount Rd	Ms	Eating Establishment
85-95 Kenmount Rd	Ms	Car Sales Lot
161 Kenmount Rd	Ms	Retail Store
193 Kenmount Rd	Ms	Restaurant
193 Kenmount Rd	Ms	Retail Store
195 Kenmount Rd	Ms	Service Shop
275 Kenmount Rd	Ms	Eating Establishment
409 Kenmount Rd	Ms	Car Sales Lot
497 Kenmount Rd	Ms	Car Sales Lot
515 Kenmount Rd	Ms	Car Sales Lot
541 Kenmount Rd	Ms	Retail Store
65 Kiwanis St	Ms	Retail Store
65 Kiwanis St	Ms	Retail Store
210 Lemarchant Rd	Ms	Tavern
147 Lemarchant Rd	Ms	Service Shop
101 Macdonald Dr	Ms	Place Of Amusement
204-206 Main Rd	Ms	Clinic
484 Main Rd	Ms	Club
53-59 Main Rd	Ms	Retail Store
345-349 Main Rd	Ms	Eating Establishment
355b Main Rd	Ms	Service Shop
355 Main Rd. Shamrock City	Ms	Tavern
355 Main Rd. Shamrock City	Ms	Service Shop
355-367 Main Rd	Ms	Retail Store
431-435 Main Rd	Ms	Take-Out Food Service
10 Messenger Dr	Ms	Retail Store
6 Mullaly St	Ms	Warehouse
120 Mundy Pond Rd	Ms	Place Of Assembly
119 New Cove Rd	Ms	Clinic
446 Newfoundland Dr	Ms	Restaurant
446 Newfoundland Dr	Ms	Restaurant
87 Old Pennywell Rd	Ms	Retail Store
22 O'leary Ave	Ms	Take-Out Food Service
78 O'leary Ave	Ms	Retail Store
31 Peet St	Ms	School
36 Pearson St	Ms	Retail Store
20 Peet St	Ms	Car Sales Lot
154 Pennywell Rd	Ms	Service Station
34 Pippy Pl	Ms	Office
62 Pippy Pl	Ms	Office
43 Pippy Pl	Ms	Retail Store
180 Portugal Cove Rd	Ms	Eating Establishment
260 Portugal Cove Rd	Ms	Retail Store
40 Airport Heights Dr	Ms	Retail Store
279 Portugal Cove Rd	Ms	Clinic
279 Portugal Cove Rd	Ms	Take-Out Food Service
283 Portugal Cove Rd	Ms	Retail Store
150 Clinch Cres	Ms	Lodging House
35 Ridge Rd	Ms	Club
46-50 Robin Hood Bay Rd	Ms	Industrial Use
38-40 Ropewalk Lane	Ms	Retail Store

38 Ropewalk Lane	Ms	Eating Establishment
38 Ropewalk Lane	Ms	Eating Establishment
6 Stavanger Dr	Ms	Retail Store
14 Stavanger Dr	Ms	Restaurant
16 Stavanger Dr	Ms	Retail Store
16 Stavanger Dr	Ms	Restaurant
386 Stavanger Dr	Ms	Commercial School
386 Stavanger Dr	Ms	Retail Store
410 Stavanger Dr	Ms	Retail Store
3 Stavanger Dr	Ms	Retail Store
3 Stavanger Dr	Ms	Retail Store
13 Stavanger Dr	Ms	Restaurant
15 Stavanger Dr	Ms	Retail Store
95a Stavanger Dr	Ms	Retail Store
415 Stavanger Dr	Ms	Restaurant
86 Thorburn Rd	Ms	Retail Store
86 Thorburn Rd	Ms	Service Station
86 Thorburn Road	Ms	Convenience Store
285 Thorburn Rd	Ms	Office
462 Topsail Rd	Ms	Convenience Store
506 Topsail Rd	Ms	Eating Establishment
644 Topsail Rd	Ms	Service Shop
644 Topsail Rd	Ms	Club
644 Topsail Rd	Ms	Day Care Centre
668 Topsail Rd	Ms	Service Shop
660 Topsail Rd	Ms	Tavern
656 Topsail Rd	Ms	Tavern
686 Topsail Rd	Ms	Restaurant
393 Topsail Rd	Ms	Day Care Centre
655 Topsail Rd	Ms	Retail Store
681 Topsail Rd	Ms	Retail Store
681 Topsail Rd	Ms	Place Of Amusement
26 Torbay Rd	Ms	Tavern
26 Torbay Rd	Ms	Tavern
26 Torbay Rd	Ms	Tavern
46 Torbay Rd	Ms	Retail Store
10 Elizabeth Ave	Ms	Office
10 Elizabeth Ave	Ms	Office
192-194 Torbay Rd	Ms	Eating Establishment
248 Torbay Rd	Ms	Eating Establishment
286 Torbay Rd	Ms	Service Shop
286 Torbay Rd	Ms	Retail Store
286 Torbay Rd	Ms	Restaurant
286 Torbay Rd	Ms	Retail Store
320 Torbay Rd	Ms	Club
320 Torbay Rd	Ms	Retail Store
320 Torbay Rd	Sn	Retail Store
320 Torbay Rd	Ms	Retail Store
320 Torbay Rd	Ms	Eating Establishment
320 Torbay Rd	Ms	Eating Establishment
350 Torbay Rd	Ms	Service Shop
370 Torbay Rd	Ms	Office
426 Torbay Rd	Ms	Retail Store
426 Torbay Rd	Ms	Retail Store
430 Torbay Rd	Ms	Tavern
436 Torbay Rd	Ms	Retail Store
464 Torbay Rd	Ms	Retail Store
710 Torbay Rd	Ms	Retail Store
710 Torbay Rd	Ms	Retail Store
141 Torbay Rd	Ms	Retail Store
141 Torbay Rd	Ms	Office

141 Torbay Rd	Ms	Office
141 Torbay Rd	Ms	Retail Store
145 Torbay Road-Torbay Rd.Mall	Ms	Other
Torbay Road-Torbay Rd Mall	Ms	Eating Establishment
Torbay Road-Torbay Rd Mall	Ms	Eating Establishment
411 Torbay Rd Sign #2	Ms	Restaurant
411 Torbay Rd Sign #1	Ms	Restaurant
134 Water St, 2nd Floor	Sn	Service Shop
235 Water St	Sn	Mixed Use
50 White Rose Dr	Ms	Retail Store
50 White Rose Dr	Ms	Restaurant
187 Water St	Rn	Eating Establishment
187 Water St	Rn	Eating Establishment
35 Major's Path/Metro Pharmacy	Rn	Pharmacy
95 University Ave	Rn	Communications Use
644 Topsail Rd., Royal Bank	Rn	Bank
10 Stavanger Dr	Rn	Warehouse
36 Pearson St	Cr	Eating Establishment
5 Springdale St	Rn	Office
650 Topsail Rd	Rn	Retail Store

This Week \$ 736,436.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

213 Cheeseman Drive-Lot 193	Nc	Single Detached Dwelling
29 Cleary Drive	Nc	Fence
9 Creston Pl	Nc	Fence
157 Doyle's Rd	Nc	Accessory Building
31 Great Southern Dr, Lot 11	Nc	Single Detached Dwelling
51 Great Southern Dr, Lot 21	Nc	Single Detached Dwelling
44 Henry Larsen St, Lot 58	Nc	Duplex Dwelling
46 Henry Larsen St, Lot 57	Nc	Duplex Dwelling
48 Henry Larsen St, Lot 56	Nc	Duplex Dwelling
50 Henry Larsen St, Lot 55	Nc	Duplex Dwelling
52 Henry Larsen St., Lot 54	Nc	Duplex Dwelling
54 Henry Larsen St., Lot 53	Nc	Duplex Dwelling
70 Macdonald Dr	Nc	Accessory Building
72 Maurice Putt Cres	Nc	Single Detached Dwelling
30 Mount Pleasant Ave	Nc	Accessory Building
77 Nautilus St	Nc	Single Detached Dwelling
14 Redberry St, Lot 294	Nc	Single Detached Dwelling
115 Rennie's Mill Rd	Nc	Patio Deck
40 Ryan's River Rd	Nc	Single Detached Dwelling
34 Cabot Avenue	Nc	Fence
21 Sugar Pine Cres, Lot 264	Nc	Single Detached Dwelling
3 Halifax St	Cr	Single Detached & Sub.Apt
50 Hoyles Ave	Cr	Subsidiary Apartment
7 Parsons Pl	Ex	Single Detached Dwelling

96 Blackler Ave	Rn	Single Detached Dwelling
111 Blue Puttee Dr	Rn	Single Detached Dwelling
15 Bond St	Rn	Mixed Use
25 Faulkner St	Rn	Single Detached Dwelling
A104/22 Flavin St	Rn	Condominium
50 Forest Rd	Rn	Single Detached Dwelling
47 Gold Medal Dr	Rn	Single Detached Dwelling
15 Great Southern Dr	Rn	Semi-Detached Dwelling
26 Leslie St	Rn	Single Detached Dwelling
72 Maurice Putt Cres, Lot 258	Rn	Single Detached Dwelling
112 Military Rd	Rn	Mixed Use
77 Nautilus St	Rn	Single Detached Dwelling
11 Simms Street	Rn	Single Detached Dwelling
3 Tonbridge Pl	Rn	Single Detached Dwelling
3 Torbay Rd	Rn	Single Detached & Sub.Apt
225 Mundy Pond Rd	Sw	Single Detached Dwelling

This Week \$ 3,072,070.00

Class: Demolition

11 Barrows Road	Dm	Restaurant
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This Week \$ 20,000.00

This Week 's Total: \$ 3,828,506.00

Repair Permits Issued: 2016/11/17 To 2016/11/23 \$ 182,260.00

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		

1214 Blackhead Road - Your Application For Accessory Building Is Rejected As Contrary To Section 8.3.6(2) (I) Of The St. John's Development Regulations.

Year To Date Comparisons			
November 28, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$127,280,243.00	\$118,753,458.00	-7
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$15,947,287.00	\$6,052,584.00	-62
Residential	\$78,076,569.00	\$70,899,155.00	-9
Repairs	\$4,037,731.00	\$4,275,850.00	6
Housing Units (1 & 2 Family Dwelling)	210	220	
TOTAL	\$225,341,830.00	\$199,981,047.00	-11

Respectfully Submitted,

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

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending November 23, 2016**

Payroll

Public Works	\$ 406,161.60
Bi-Weekly Casual	\$ 23,886.61
Accounts Payable	\$2,384,159.61

Total: \$ 2,814,207.82

ST. JOHN'S

DEPARTMENT OF FINANCE

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