

MINUTES

REGULAR MEETING - CITY COUNCIL

November 6, 2017 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

Present Mayor D. Breen
Deputy Mayor S. O’Leary
Councillor M. Burton
Councillor D. Lane
Councillor D. Hanlon
Councillor D. Stapleton
Councillor H. Jamieson
Councillor J. Korab
Councillor I. Froude
Councillor W. Collins
Councillor S. Hickman

Others Kevin Breen, City Manager
Jason Sinyard, Deputy City Manager of Planning, Engineering and Regulatory Services
Tanya Haywood, Deputy City Manager of Community Services
Derek Coffey, Deputy City Manager of Finance and Administration
Ken O’Brien, Municipal Planner
Cheryl Mullett, City Solicitor
Karen Chafe, Supervisor – Office of the City Clerk
Stacey Fallon, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2017-11-06/478R

Moved – Councillor Jamieson; Seconded – Councillor Stapleton

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2017-11-06/479R

Moved – Councillor Froude; Seconded – Councillor Hickman

That the minutes of October 30, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

Council considered the three notices published below.

- A Discretionary Use application has been submitted by W.J. Caul Funeral Home Limited to develop the properties 1-7 Gear Street as a Parking Lot in conjunction with their existing parking lot at 84 LeMarchant Road. The parking area will be approximately 635 m² and will provide parking for up to 17 vehicles.

SJMC2017-11-06/480R

Moved – Councillor Jamieson; Seconded – Councillor Lane

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

CARRIED UNANIMOUSLY

- A Discretionary Use application has been submitted by Connie Parsons School of Dance Ltd. to develop a portion of the existing lot at 1 Kent Place as a Parking Lot. The addition to the parking area will be approximately 78 m² and will be used in conjunction with the existing lot at 77 Portugal Cove Road.

SJMC2017-11-06/481R

Moved – Councillor Froude; Seconded – Deputy Mayor O’Leary

That Council defer this application to allow the applicant an opportunity to provide additional information.

CARRIED UNANIMOUSLY

- A Discretionary Use (Restoration of Non-Conforming Use) application has been submitted by Avalon Trimworks Ltd. to rebuild a dwelling destroyed by fire at 149B Petty Harbour Road. The proposed dwelling will have a floor area of 123m² and will be one-storey.

SJMC2017-11-06/482R

Moved – Councillor Jamieson; Seconded – Councillor Lane

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report – October 31, 2017

[Link to Report](#)

Council considered the above noted report:

SJMC2017-11-06/483R

Moved – Councillor Burton; Seconded – Councillor Jamieson

That the above noted report be adopted as presented in relation to the following recommendations:

Item #1: 95 Shoal Bay Road – Accessory Building

Recommendation: That the Crown Land Amendment be approved subject to the maximum allowable size of Accessory Building to be constructed on the property to be 10' x 10'.

Item #2: 154 Waterford Bridge Road – Building Line Setback

Recommendation: That Council approve the 9 metre Building Line setback.

Item #3: 275 Elizabeth Avenue - Variance and Building Line Setback

Recommendation: That council approve the 5.4% Frontage variance as well as the 7.1 metre Building Line setback.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information, the above noted for the period October 26, 2017 to November 1, 2017.

BUILDING PERMITS LIST

[Link to List](#)

Council considered, for approval, the above noted for the period dated October 26 to November 1, 2017.

SJMC2017-11-06/484R

Moved – Councillor Hanlon; Seconded – Councillor Hickman

That the building permits list dated October 26, 2017 – November 1, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

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

SJMC2017-11-06/485R

Moved – Councillor Hickman; Seconded – Deputy Mayor O’Leary

That the requisitions, payrolls and accounts for the week ending November 1, 2017 in the amount of \$5,155,000.17 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPS
Council Approval - Tender 2017193 Traffic Equipment Supplies

Council considered the above noted Tender.

SJMC2017-11-06/486R

Moved – Councillor Froude; Seconded – Councillor Korab

That Council award this tender to the lowest bidders, meeting the specifications for Traffic Equipment Supplies, as per the Public Tendering Act. In the amounts listed below plus taxes.

Fortran Traffic Systems	\$ 25,753.87
Electromega Ltd.	\$ 17,519.00
Econolite Canada Inc.	\$ 4,785.00
Mallard Forestry Equipment	\$ 4,176.00

CARRIED UNANIMOUSLY

Council Approval - Tender 2017200 Asphalt Cold Mix

Council considered the above noted Tender.

SJMC2017-11-06/487R

Moved – Councillor Froude; Seconded – Councillor Korab

That Council award this tender to the lowest bidder, Protek Industries, meeting the specifications for Asphalt Cold Mix, 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. The amounts listed are prior to taxes.

		Protek Industries Ltd.		
		Submission 1		
Item #	Item Description	Usag	Unit Price	Total
1117	ASPHALT COLD MIX-# UMP HIGH PERFORMANCE - BAGS	1390	\$ 11.0000	\$ 15,290.00
N/A	ASPHALT COLD MIX-# UMP HIGH PERFORMANCE - TOTES	30	\$ 515.0000	\$ 15,450.00
N/A	ASPHALT COLD MIX-# UMP HIGH PERFORMANCE - BULK	30	\$ 387.0000	\$ 11,610.00

CARRIED UNANIMOUSLY

Council Approval - Tender 2017203 Snow Clearing & Ice Control

Council considered the above noted Tender.

SJMC2017-11-06/488R

Moved – Councillor Froude; Seconded – Councillor Korab

That Council award this Tender to the lowest bidders meeting all specifications, as per the Public Tendering Act. This contract is for a two year period, with the option to extend for an additional one year period. The amounts listed are prior to taxes.

Snow Clearing & Ice Control	
TENDER #2017203 – October 26, 2017 - 12:45 PM	
Cutting Edge Inc.	\$41, 600.00
Alyssa's Property Services Pro Inc.	\$44, 000.00

CARRIED UNANIMOUSLY

Council Approval for Tender 2017206 - Rotary Sunshine Park - Floating Dock and Wharf Improvements

Council considered the above noted Tender.

SJMC2017-11-06/489R

Moved – Councillor Froude; Seconded – Councillor Korab

That Council award this tender to the lowest bidder meeting specifications Redwood Construction Ltd \$143,567.15 taxes included, as per the Public Tendering Act.

CARRIED UNANIMOUSLY

NOTICES OF MOTION, RESOLUTIONS, QUESTIONS AND PETITIONS

Notice of Motion - Deputy Mayor O’Leary – Banning Single Use Plastic Bags

Deputy Mayor O’Leary gave the following Notice of Motion:

NOTICE OF MOTION

This is to give Notice that I will at the next Regular Meeting of the St. John’s Municipal Council, bring forward a motion to approve the following resolution:

Whereas: waste diversion is an increasingly important component of municipal waste management;

Whereas: almost 50% of all windborne litter escaping from landfills is plastic, much of it single use plastic bags that end up tangled in trees or floating in our inland and coastal waters;

Whereas: single-use plastic bags remain a persistent waste stream in our communities and an especially serious hazard for marine life notwithstanding store bag recycling programs, biodegradable bag experiments, and widespread incentives to adopt reusable bags;

Whereas: due to prohibitive costs there is no economically feasible recycling solution available for single-use plastic shopping bags in the province of Newfoundland and Labrador;

Whereas: municipalities are active participants in the Government of Newfoundland and Labrador's Turn Back the Tide Campaign to combat climate change, but the 100 million single use plastic shopping bags used each year in the province require approximately 1.6 million litres of oil to produce, adding considerably to our carbon footprint;

Whereas, the City of St. John's spends thousands of dollars implementing litter screens at the landfill to capture plastic bags that if eliminated at the source would be economically prudent and,

Whereas: a province-wide ban on single-use plastic shopping bags would afford business people the most reliable, consistently-implemented and cost-saving basis for adapting their operations in Newfoundland and Labrador;

Therefore be it resolved that The City of St. John's reaffirm its support of the Municipalities Newfoundland and Labrador resolution passed once again by its membership on November 4th, 2017 requesting the Province of Newfoundland and Labrador prohibit all retail stores from providing customers with single-use plastic carryout (shopping) bags and that the City of St. John's write a letter to the Province supporting said resolution and Copy the MNL Board of Directors leadership on its letter to the Province

DATED at St. John's, NL this 6th day of November, 2017

Deputy Mayor
Sheilagh O'Leary

OTHER BUSINESS

Council Referrals and Staff Requests

- Councillor Jamieson requested the deferral of the decision made by the past Council on the new rental structure be sent back to the Committee of the Whole for more discussion on the time frame for roll out and to get information on best practices.

SJMC2017-11-06/490R

Moved Councillor Jamieson; Seconded Councillor Burton

That Council defer the decision on the rental increases back to the Committee of the Whole for further discussion on implementation

CARRIED UNANIMOUSLY

- Councillor Hickman tabled an article in relation to the City of Vancouver program to preserve heritage businesses and requested that it be referred to the Built Heritage Experts Panel to ascertain if such a program would be suitable for the City of St. John's.
- Deputy Mayor O'Leary requested that the Committee of the Whole at its next meeting on November 15, 2017 consider the development of a heritage policy subcommittee under the Built Heritage Experts Panel.

ADJOURNMENT

There being no further business, the meeting adjourned 5:17 p.m.

MAYOR

CITY CLERK

REPORTS/RECOMMENDATION

Development Committee

October 31, 2017 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

- 1. Crown land Amendment for extensions of Private Property for an Accessory Building
CRW1700022
95 Shoal Bay Road**

It is recommended that the Crown Land Amendment be approved subject to the maximum allowable size of Accessory Building to be constructed on the property to be 10' x 10'.

- 2. Request for Building Line Setback
154 Waterford Bridge Road- DEVI 700215**

It is recommended that Council approve the 9 metre Building Line setback.

- 3. SUB I700033
Request for 5.4% Frontage Variance and 7.1m Building Line Setback
Subdivide of 275 Elizabeth Avenue**

It is recommended that council approve the 5.4% Frontage variance as well as the 7.1 metre Building Line setback.

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

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES
FOR THE PERIOD OF Oct 26, 2017 TO Nov 1, 2017**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Subdivide for 2 Semi-Detached Dwellings	87 Circular Road	2	Approved	17-10-31

* 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
Planning, Engineering and
Regulatory Services**

Building Permits List

Council's November 6, 2017 Regular Meeting

Permits Issued: 2017/10/26 to 2017/11/01

Class: Commercial

687 Water St	Co	Clinic
687 Water St	Co	Retail Store
28 Cochrane St	Rn	Mixed Use
Avalon Mall, Charm Diamond	Sn	Retail Store
Avalon Mall, Subway	Sn	Restaurant
130 Kelsey Dr	Sn	Office
320 Torbay Rd, Rock Vapour	Sn	Retail Store
365-367 Water St, Boston Pizza	Sn	Restaurant
30-70 White Rose Dr, Sally	Sn	Service Shop
174 Water St	Rn	Mixed Use

This Week \$ 20,200.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

12 Appledore Pl	Nc	Accessory Building
365-367 Back Line	Nc	Accessory Building
269 Brookfield Rd	Nc	Fence
212 Castle Bridge Dr, Lot 344	Nc	Single Detached Dwelling
211 Cheeseman Dr	Nc	Accessory Building
30 Clifden Woods, Lot Cw 07	Nc	Townhousing
32 Clifden Woods, Lot Cw 07	Nc	Townhousing
34 Clifden Woods, Lot Cw 07	Nc	Townhousing
68 Highland Dr	Nc	Fence
83 Highland Dr	Nc	Accessory Building
157 Higgins Line	Nc	Accessory Building
14 Mullock St	Nc	Fence
160 Mundy Pond Rd	Nc	Patio Deck
131 New Cove Rd	Nc	Accessory Building
163 Doyle's Rd	Co	Home Office
28 Albany St	Cr	Subsidiary Apartment
9 Jaycee Pl	Cr	Subsidiary Apartment
17 Winnipeg St	Cr	Single Detached & Sub.Apt
7 Circular Rd	Ex	Single Detached Dwelling
33 Victoria St	Ex	Single Detached Dwelling
20 Birchwynd St	Rn	Single Detached Dwelling
105 Buckmaster's Cir	Rn	Townhousing
189 Canada Dr	Rn	Single Detached & Sub.Apt
171 Cheeseman Dr	Rn	Single Detached & Sub.Apt
72 Fahey St	Rn	Townhousing
43 Franklyn Ave	Rn	Semi-Detached Dwelling
25 Howe Pl	Rn	Single Detached Dwelling
22 Iceland Pl	Rn	Single Detached Dwelling

17 Monkstown Rd	Rn	Semi-Detached Dwelling
29 Parade St	Rn	Single Detached Dwelling
135 Patrick St	Rn	Townhousing
35 Reid St	Rn	Townhousing
26 Sheffield Pl	Rn	Single Detached Dwelling
69 Shortall St	Rn	Single Detached Dwelling
69 Shortall St	Rn	Single Detached Dwelling
61 Springdale St	Rn	Single Detached Dwelling

This Week \$ 1,523,487.00

Class: Demolition

257 Blackmarsh Rd	Dm	Single Detached Dwelling
203a Logy Bay Rd	Dm	Day Care Centre

This Week \$ 25,000.00

This Week's Total: \$ 1,568,687.00

Repair Permits Issued: 2017/10/26 To 2017/11/01 \$ 30,250.00

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 6, 2017			
TYPE	2016	2017	% VARIANCE (+/-)
Commercial	\$110,627,392.00	\$136,929,021.00	24
Industrial	\$0.00	\$5,100,000.00	100
Government/Institutional	\$6,042,584.00	\$1,337,200.00	-78
Residential	\$63,623,131.00	\$77,809,019.00	22
Repairs	\$4,002,598.00	\$3,065,698.00	-23
Housing Units (1 & 2 Family Dwelling)	199	174	
TOTAL	\$184,295,705.00	\$224,240,938.00	22

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manager
Planning, Engineering & Regulatory Services

MEMORANDUM

Weekly Payment Vouchers For The Week Ending November 1, 2017

Payroll

Public Works	\$ 412,834.13
Bi-Weekly Administration	\$ 888,981.05
Bi-Weekly Management	\$ 888,958.66
Bi-Weekly Fire Department	\$ 801,393.40
Accounts Payable	\$ 2,162,832.93

Total: \$ 5,155,000.17

ST. JOHN'S

DEPARTMENT OF FINANCE

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