

**MINUTES**

**REGULAR MEETING - CITY COUNCIL**

**September 25, 2017 – 4:30 p.m. - Council Chambers, 4<sup>th</sup> Floor, City Hall**

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

**Others** Kevin Breen, City Manager  
Lynnann Winsor, Deputy City Manager of Public Works  
Jason Sinyard, Deputy City Manager of Planning, Engineering and  
Regulatory Services  
Tanya Haywood, Deputy City Manager of Community Services  
Cheryl Mullett, City Solicitor  
Ken O’Brien, Chief Municipal Planner  
Elaine Henley, City Clerk  
Stacey Corbett, Legislative Assistant

**CALL TO ORDER/ADOPTION OF AGENDA**

**SJMC2017-09-25/415R**

**Moved – Councillor Breen; Seconded – Councillor Collins**

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

**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES**

**SJMC2017-09-25/416R**

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

**That the minutes of September 18, 2017 be adopted as presented.**

**CARRIED UNANIMOUSLY**

**BUSINESS ARISING**

**NOTICES PUBLISHED**

- A Discretionary Use application has been submitted by Charter Group Inc. requesting permission to convert 118 m<sup>2</sup> of the “converted building” located at 284 LeMarchant Road into two, one bedroom residential units. On-site parking is provided.

**SJMC2017-09-25/417R**

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

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

**CARRIED UNANIMOUSLY**

- A Discretionary Use Application has been submitted requesting permission to occupy a portion of 118 University Avenue as a Home Occupation for a Clinic. The private clinic will occupy a floor area of approximately 40.5 m<sup>2</sup> (main level). Medical professionals will visit the property approximately 3 times a week between the hours of 9 a.m. – 5 p.m. by appointment only for approximately 3 hours. The applicant is the sole employee and will facilitate all visits. On Site parking is available.

**SJMC2017-09-25/417R**

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

**That Council reject the application due to resident objection.**

**CARRIED UNANIMOUSLY**

- A Discretionary Use Application has been submitted by Radicle Roots to occupy a portion of 8 Hunt Place as a Home Occupation. The business will occupy a floor area of 32 m<sup>2</sup> and operate an after-school program for up to 10 children grades K-4. The program consists of nature-based learning and will take place mostly outside through walking, exploring, & playing in surrounding woods and public access areas. It will operate up to five (5) afternoons a week with hours of operation from 3 – 5:45 p.m. Drop-off transportation will be provided by Radicle Roots and pick-up time will be from 5:15 – 5:45 p.m. The business will employ two employees and on-site parking is provided.

**SJMC2017-09-25/417R**

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

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

**CARRIED UNANIMOUSLY**

- A Discretionary Use Application has been submitted by Butter Bakery requesting permission to occupy a portion of 5 Osbourne Street as a home occupation for a bakery. The proposed business will offer a variety of baked goods including custom cakes and French inspired pastries. It will occupy a floor area of approximately 15 m<sup>2</sup> and will operate Tuesday to Sunday 8 a.m. – 6 p.m. on a preorder basis. The business will offer a delivery service only with the applicant being the sole employee.

**SJMC2017-09-25/417R**

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

**That Council approve the above listed application.**

**CARRIED UNANIMOUSLY**

**PUBLIC HEARINGS – 90 Duckworth Street**

The City of St. John's had received an application from Parlibright Holdings to rezone 90 Duckworth Street (former East End Fire Station) to the Commercial Central Mixed-Use (CCM) Zone. The purpose of the rezoning is to redevelop the property into a brew pub and coffee shop with restaurant which includes an outdoor patio.

**SJMC2017-09-25/418R**

**Moved – Councillor Hann; Seconded – Councillor Lane**

**Council agreed to adopt-in-principle the resolutions for St. John's Municipal Plan Amendment Number 141, 2017, and St. John's Development Regulations Amendment Number 650, 2017, to rezone 90 Duckworth Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed-Use (CCM) Zone. This is to allow the redevelopment of the former East End Fire Station as a brewpub and coffee shop.**

**If the amendments are adopted-in-principle by Council, they will be sent to the Department of Municipal Affairs and Environment with a request for provincial release. Once the release is received, the amendments will be referred back to a future regular meeting of Council for consideration of formal adoption and the appointment of a commissioner to conduct a public hearing, as required by the Urban and Rural Planning Act.**

**CARRIED UNANIMOUSLY**

## COMMITTEE REPORTS

### Development Committee Report – September 19, 2017

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[Link to Report](#)

Council considered the above noted report.

#### **SJMC2017-09-25/419R**

**Moved – Councillor Puddister; Seconded – Councillor Hickman**

**That the following items of the report be adopted as presented:**

**Item # 2: DEV1700116 - Proposed Fourth Storey for Assisted and Independent Living Facility – 220 Waterford Bridge Road – Applicant: LAT49 Architecture Inc.**

**Recommendation: It is the recommendation of the Development Committee that Council approve the fourth storey as all items address in the Terms of Reference set by Council have been addressed in the Land Use Assessment Report (LUAR)**

**Item #3: DEV1700185 – Request for Approval-in-Principle for Commercial Garage – 309 – 313 Kenmount Road – Applicant: York Development Inc.**

**Recommendation: It is the recommendation of the Development Committee that Council grant approval-in-principle subject to the following conditions:**

- **Compliance with the requirements of the Planning, Engineering & Regulatory Services Division.**
- **The required Building Permits must be obtained from the City prior to the commencement of any development.**
- **Payment of all applicable fees and assessments be made prior to final approval.**

**Item # 4: DEV1700110 – Request for Discretionary Church Occupancy – 81 Elizabeth Avenue – Applicant: The Redeemed Christian Church of God, Mount Zion**

**Recommendation: It is the recommendation of the Development Committee that Council approve the proposed Discretionary Use, Church, at 81 Elizabeth Avenue, as well as the parking relief.**

**Item #5: CRW1700020 – Crown Land Grant for Municipal Recreational Facility – 154 Blackmarsh Road – Applicant: City of St. Johns**

**Recommendation: It is the recommendation of the Development Committee that Council approve the Crown Land Grant referral.**

**CARRIED UNANIMOUSLY**

**SJMC2017-09-25/420R**

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

**That the following item of the report be referred to the Planning and Development Standing Committee**

**Item # 1: DEV1700091 – Proposed Dwelling and Crown Land Grant Referral – 180, 182 and 184 Signal Hill Road**

**Recommendation: It is the recommendation of the Development Committee that Council approve the Crown Land Referral and the proposed dwelling for 180, 182 and 184 Signal Hill Road.**

**Special Events Advisory Committee Report – September 19, 2017**

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[Link to Report](#)

Council considered the above noted report.

**SJMC2017-09-25/421R**

**Moved – Councillor Lane; Seconded – Councillor Breen**

**That the above noted report be adopted as presented including the recommendation on the following items:**

**Item # 1: Fire Prevention Week Parade - October 7, 2017**

**Recommendation: That the requested to hold the parade on the above noted roads, within St. Johns, on October 7, 2017 be approved.**

**Item # 2: Cape to Cabot – October 15, 2017**

**Recommendation: That the requested road and lane closures/restrictions for October 15, 2017 be approved.**

**Item # 3: CLB Anniversary Parade – October 15, 2017**

**Recommendation: That the requested lane reductions/ road closure for October 15, 2017 be approved.**

**CARRIED UNANIMOUSLY**

#### **DEVELOPMENT PERMITS LIST**

[Link to List](#)

Council considered, for information, the above noted for the period September 14, 2017 to September 20, 2017.

#### **BUILDING PERMITS LIST**

[Link to List](#)

Council considered, the above noted for September 25, 2017.

#### **SJMC2017-09-25/422R**

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

**That the building permits list dated September 25, 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 September 20, 2017.

#### **SJMC2017-09-25/423R**

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

**That the requisitions, payrolls and accounts for the week ending September 20, 2017 in the amount of \$8,132,010.21 be approved as presented.**

**CARRIED UNANIMOUSLY**

**TENDERS/RFPS**

**Tender 2017066 Portugal Cove Road Water Transmission Main Replacement Project – Phase 2**

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Council considered the above noted tender.

**SJMC2017-09-25/424R**

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

**That Council award this tender to the lowest bidder meeting specifications Pyramid Construction Limited \$7,250,796.58, as per the Public Tendering Act. Taxes are included with the submitted bid.**

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

**Decision Note dated September 20, 2017 re: Demolition of Building – 185 Waterford Bridge Road**

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Council considered the above noted.

**SJMC2017-09-25/425R**

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

**That Council grant the Demolition Order of 185 Waterford Bridge Road as the building is in a state of disrepair and it creating a potential safety concern.**

**MOTION CARRIED  
WITH COUNCILLORS O’LEARY, LANE AND HICKMAN DISSENTING**

**Councillor S. O’Leary**

- **Asked that the Planning & Development Committee look at the possibility of developing a policy for heritage buildings as there could be valuable materials inside that could be reused.**

**Decision Note dated September 13, 2017 re: Request for proposals - design of modern roundabout for Allandale road at Prince Philip drive**

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Council considered the above noted.

**SJMC2017-09-25/426R**

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

**That Council award Harbourside Transportation Consultants engineering consulting services in the amount of \$39,675.00 (including HST) and the additional cost of \$13,800 (including HST) which would see a preliminary design and cost estimate prepared for a roundabout that includes multi-use underpasses.**

**MOTION CARRIED  
WITH COUNCILLORS COLLINS DISSENTING**

**ADJOURNMENT**

There being no further business, the meeting adjourned at 5:34 p.m.

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**MAYOR**

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**CITY CLERK**