

**MINUTES
REGULAR MEETING - CITY COUNCIL
September 26, 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 S. Hickman Councillor D. Lane	Absent	Councillor J. Galgay
Others	Kevin Breen, City Manager Lynnann Winsor, Deputy City Manager of Public Works Derek Coffey, Deputy City Manager of Financial Management Jason Sinyard, Deputy City Manager of Planning, Development & Engineering Tanya Haywood, Deputy City Manager of Community Services Linda Bishop, Acting City Solicitor Ken O’Brien, Chief Municipal Planner Elaine Henley, City Clerk Jacquie Clarke-Dean, Legislative Assistant		

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-09-26/400R

Moved – Councillor Collins; Seconded – Councillor O’Leary

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-09-26/401R

Moved – Councillor Tilley; Seconded – Councillor Hann

That the minutes of September 19, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

NOTICES PUBLISHED

PUBLIC HEARINGS

COMMITTEE REPORTS

Development Committee Report – September 20, 2016

Council considered the above noted report.

SJMC2016-09-26/402R

Moved – Councillor Puddister; Seconded – Councillor Lane

That the report be adopted as presented.

CARRIED UNANIMOUSLY

Planning & Development Committee Report – September 20, 2016

Council considered the above noted report.

SJMC2016-09-26/403R

Moved – Councillor Puddiser; Seconded – Councillor Tilley

That the report be adopted, with the following modifications.

a. 650 Fowler's Road rezoning for an industrial park (Ward 5) (12:30 pm)

To process the rezoning of 650 Fowler's Road to the Industrial General (IG) Zone and approve the draft Terms of Reference. Upon submission of a satisfactory Land Use Assessment Report, the application would be advertised. At a later stage, a public hearing chaired by an independent Commissioner would be required, as this application requires an amendment to both the St. John's Urban Region Regional Plan and the St. John 's Municipal Plan. The cost of road upgrades and servicing is to be borne by the developer.

b. 79 Old Petty Harbour Road rezoning for 5 townhouses (Ward 5)

To process the application to rezone 79 Old Petty Harbour Road from Residential Low Density (R1) Zone to Residential Medium Density (R2) Zone. Further, staff recommended referral to a public meeting chaired by a member of Council. After this, the rezoning would be referred to a regular meeting of Council for consideration of adoption.

c. 21 Holloway Street – REZ1600011

To process the application to rezone 21 Holloway Street from Residential Downtown (RD) Zone to the Apartment Downtown (AD) Zone. Further, that the application be publicly advertised and referred to a public meeting chaired by a member of Council.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information the above noted for the period September 15, 2016 to September 21, 2016

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for September 26, 2016.

SJMC2016-09-26/404R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the building permits list dated September 26, 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 September 21, 2016.

SJMC2016-09-26/405R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the requisitions, payrolls and accounts for the week ending September 21, 2016 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPs

Council considered the following Tender:

- **Council Approval for Contract Award Without Tender Invitation – Evoqua Water Technologies – Replacement of 540 Membrane Modules – Windsor Lake Water Treatment Plant**

SJMC2016-09-26/406R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the Contract noted above be awarded to Evoqua Water Technologies for the replacement of 540 Membrane Modules at the Windsor Lake Water Treatment Plant as recommended. Taxes are not included in the quoted price.

CARRIED UNANIMOUSLY

NOTICE OF MOTION/PETITIONS AND RESOLUTIONS

RESOLUTION Plastic Shopping Bag Ban – Councillor Sheilagh O’Leary

Pursuant to the notice of motion given on September 19, 2016 The following motion was put forward:

SJMC2016-09-26/407R

Moved – Councillor O’Leary; Seconded – Councillor Breen

That the City of St. John’s write a letter to the Province supporting the Resolution passed by MNL in 2015 as well as the Board of Directors leadership on its letter to the Province dated September 12th, 2016.

CARRIED UNANIMOUSLY

Decision/Direction Note dated September 12, 2016 re: Amendment to Freedom of Information By-Law

Council considered the above-noted Decision Note.

SJMC2016-09-26/408R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the Freedom of Information By-Law be amended as tabled.

CARRIED UNANIMOUSLY

Notice of Motion – Remove Restrictions in Bicycle Lanes – Councillor Art Puddister

Councillor Puddister advised that at the next Regular meeting of Council, he will introduce the following motion:

TAKE NOTICE that at the next Regular Meeting of Council, I will move a motion to remove parking restrictions in bicycle lanes as at November 1, 2016.

OTHER BUSINESS

Decision/Direction Note dated September 22, 2016 re: Reply to Climate Change Consultations

Council considered the above-noted Decision Note.

SJMC2016-09-26/409R

Moved – Councillor O’Leary; Seconded – Councillor Breen

That Council concur with the submission prepared by staff in relation to the Province’s proposed Climate Change Strategy.

CARRIED UNANIMOUSLY

Decision/Direction Note dated September 14, 2016 re: Expropriation of Scouts Place

Council considered the above noted Decision Note.

SJMC2016-09-26/410R

Moved – Councillor Puddister; Seconded – Councillor Collins

That the City’s land at Scout’s Place be expropriated in order to perfect title.

CARRIED UNANIMOUSLY

Decision/Direction Note dated September 14, 2016 re: Kelsey Drive Extension – PVR Chamber

Council considered the above-noted Decision Note.

SJMC2016-09-26/411R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the City expropriate two (2) parcels of land on Kelsey Drive Extension as recommended.

CARRIED UNANIMOUSLY

Ward Boundaries (2016) By-Law

Council considered the above noted.

SJMC2016-09-26/412R

Moved – Councillor Hann; Seconded – Deputy Mayor Ellsworth

That, in order to ensure a more equitable distribution of constituents, the Ward Boundaries (2016) By-Law be approved, as presented.

CARRIED UNANIMOUSLY

Decision/Direction Note dated September 15, 2016 re: Canada 150 – New Year’s Eve Celebrations 2016

Council considered the above-noted Decision Note.

SJMC2016-09-26/413R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That Council accept the proposal by SOK Associates (staged show at New Gower Street, fronting City Hall featuring local entertainment and a pyrotechnical show at midnight) as outlined in Option 2 with the City also holding a New Year’s Eve family skate on the Loop on December 31st as well as a family friendly fireworks display on January 1st at 8 pm at Quidi Vidi Lake.

CARRIED UNANIMOUSLY

Councillor Collins

- Suggested staff to have an celebration to commemorate the revitalization of Chafe's Lane Park

Councillor Puddister

- Asked staff to arrange public notification regarding ward boundary changes
- Requested Council's consideration of a contribution for the MNL Convention being held in St.John's on October 7-10, 2016

SJMC2016-09-26/414R

**Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann
That Council contribute \$7,500 to Municipalities Newfoundland &
Labrador for the 2016 MNL Convention being hosted in St. John's
on October 8th weekend.**

CARRIED UNANIMOUSLY

Deputy Mayor Ron Ellsworth

- Asked the Legal Department to remove reference to lift station in Decision/Direction Note dated September 14, 2016 re: Kelsey Drive Extention – PVR Chamber

ADJOURNMENT

There being no further business, the meeting adjourned at 5:46 p.m.

MAYOR

CITY CLERK

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 15, 2016 TO September 21, 2016

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office for Mobile Fitness Business	16 Fogwill Place	1	Approved	16-09-15
RES		French Drain in Rear Yard	8 Burdell Place	3	Approved	16-09-16
RES		Proposed Third Dwelling Unit in Townhouse	2 Gilbert Street	2	Rejected - Contrary to Section 7.10, Council also not processing Infill	16-09-16
	Rogers Communications	Site Development for approved Telecommunications Tower	42 Sugarloaf Place	1	Approved	16-09-20
RES		Family Home Child Care Service for Six (6) Children	12 Berry Street	3	Approved	16-09-22

* Code Classification:
RES - Residential
COM - Commercial
AG - Agriculture
OT - Other
INST - Institutional
IND - Industrial

** 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 September 26, 2016 Regular Meeting

Permits Issued: 2016/09/15 To 2016/09/21

Class: Commercial

202 Water St/2nd Fl. Kmd Spa	Co	Clinic
57 Blackmarsh Rd	Ms	Place Of Assembly
44 Crosbie Rd	Ms	Retail Store
84-86 Elizabeth Ave	Ms	Service Shop
84-86 Elizabeth Ave	Ms	Retail Store
391-395 Empire Ave	Ms	Service Shop
324 Frecker Dr	Ms	Convenience Store
12 Gleneyre St	Ms	Clinic
16-72 Hamlyn Road	Sn	Retail Store
14 Hebron Way	Ms	Restaurant
14 Hebron Way	Ms	Restaurant
5 Hebron Way, Ultramar	Ms	Retail Store
25 Hebron Way	Ms	Restaurant
189 Higgins Line	Ms	Office
61 James Lane	Ms	Warehouse
50 Kelsey Dr	Ms	Retail Store
58 Kenmount Rd	Ms	Office
274 Kenmount Rd	Ms	Retail Store
85-95 Kenmount Rd	Ms	Car Sales Lot
193 Kenmount Rd	Ms	Retail Store
409 Kenmount Rd	Ms	Car Sales Lot
515 Kenmount Rd	Ms	Car Sales Lot
65 Kiwanis St	Ms	Retail Store
90 Logy Bay Rd	Ms	Club
101 Macdonald Dr	Ms	Place Of Amusement
355 Main Rd. Shamrock City	Ms	Tavern
355 Main Rd. Shamrock City	Ms	Service Shop
355-367 Main Rd	Ms	Retail Store
10 Messenger Dr	Ms	Retail Store
6 Mullaly St	Ms	Warehouse
119 New Cove Rd	Ms	Clinic
60 O'leary Ave	Ms	Retail Store
20 Peet St	Ms	Car Sales Lot
279 Portugal Cove Rd	Ms	Clinic
283 Portugal Cove Rd	Ms	Retail Store
35 Ridge Rd	Ms	Club
46-50 Robin Hood Bay Rd	Ms	Industrial Use
46-50 Robin Hood Bay Rd	Ms	Industrial Use
20 Ropewalk Lane	Ms	Retail Store
38-42 Ropewalk Lane	Ms	Day Care Centre
10 Stavanger Dr	Ms	Retail Store
16 Stavanger Dr	Ms	Restaurant
410 Stavanger Dr	Ms	Retail Store
13 Stavanger Dr	Ms	Restaurant
415 Stavanger Dr	Ms	Restaurant
Horburn Rd	Ms	Convenience Store
446 Topsail Rd	Ms	Service Station
462 Topsail Rd	Ms	Convenience Store
681 Topsail Rd	Ms	Place Of Amusement
10 Elizabeth Ave	Ms	Office
120 Torbay Rd	Ms	Office
192-194 Torbay Rd	Ms	Eating Establishment
320 Torbay Rd	Ms	Club
370 Torbay Rd	Ms	Office
426 Torbay Rd	Ms	Retail Store

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430 Torbay Rd	Ms	Tavern
710 Torbay Rd	Ms	Retail Store
710 Torbay Rd	Ms	Retail Store
141 Torbay Rd	Ms	Office
655 Topsail Rd, Suite 723	Cr	Office
124 Military Rd	Rn	Mixed Use
116 Duckworth St	Rn	Mixed Use
33 Pippy Pl	Rn	Office
12 Merrymeeting Road	Rn	Service Shop
Avalon Mall, Unit 0515	Rn	Bank
16-72 Hamlyn Rd, Unit 0163	Cr	Eating Establishment
25 Kenmount Rd	Rn	Office
55 White Rose Dr, Suite 101	Rn	Office
685 Topsail Rd	Rn	Commercial Garage
18 Hebron Way, Levels 3 & 4	Rn	Office

This Week \$ 3,856,000.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

261 Anspach St	Nc	Fence
362 Back Line	Nc	Accessory Building
44 Branscombe St	Nc	Patio Deck
1 Cape Fox St, Lot 312	Nc	Single Detached Dwelling
27 Ennis Ave	Nc	Accessory Building
19 Goodview St	Nc	Single Detached Dwelling
4 King's Bridge Crt	Nc	Fence
5 Leonard J. Cowley St, Lot 323	Nc	Single Detached & Sub.Apt
7 Leonard J. Cowley St, Lot 324	Nc	Single Detached & Sub.Apt
11 Leonard J. Cowley St, Lot 326	Nc	Single Detached & Sub.Apt
13 Leonard J. Cowley St, Lot 327	Nc	Single Detached & Sub.Apt
22 Lloyd Cres	Nc	Fence
22 Lloyd Cres	Nc	Accessory Building
9 Mcfarlane Street	Nc	Patio Deck
11 Margaret St	Nc	Patio Deck
39 Meighen St	Nc	Patio Deck
253 Mundy Pond Rd	Nc	Patio Deck
383 Old Pennywell Rd	Nc	Accessory Building
50 Old Petty Harbour Rd	Nc	Fence
39 Parsonage Dr, Lot 21	Nc	Single Detached Dwelling
7 Road De Luxe	Nc	Accessory Building
3 Stonebridge Pl	Nc	Accessory Building
16 Tullamore St	Nc	Accessory Building
16 Tullamore St	Nc	Fence
15 Willenhall Pl, Lot 51	Nc	Single Detached & Sub.Apt
72 Heffernan's Line	Co	Office
152 Merrymeeting Rd	Co	Office
61 Main Rd	Cr	Office
65 Shoal Bay Rd	Cr	Single Detached & Sub.Apt
406-410 Old Pennywell Road	Ex	Single Detached Dwelling
18 Albany Street	Rn	Single Detached Dwelling
2 Elton Pl	Rn	Single Detached Dwelling
51 Ennis Ave	Rn	Single Detached Dwelling
21 Garrison Hill	Rn	Semi-Detached Dwelling

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14 Hamlet St	Rn	Single Detached Dwelling
3 Henry Larsen St	Rn	Single Detached & Sub.Apt
35 Parliament St	Rn	Single Detached Dwelling
163 Topsail Road	Rn	Single Detached Dwelling
3 Vaughan Pl	Rn	Single Detached Dwelling
116 Moss Heather Dr	Sw	Single Detached Dwelling
\0 Skanes Ave	Sw	Single Detached Dwelling

This Week \$ 1,872,379.00

Class: Demolition

27 Edinburgh St	Dm	Single Detached Dwelling
191 Waterford Bridge Rd	Dm	Single Detached & Sub.Apt

This Week \$ 50,000.00

This Week's Total: \$ 5,778,379.00

Repair Permits Issued: 2016/09/08 To 2016/09/14 \$ 153,153.00

Legend

Co	Change Of Occupancy	Sw	Site Work
Cr	Chng Of Use/ 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			
September 22, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$113,253,000.00	\$103,377,000.00	-9
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$14,950,000.00	\$6,000,000.00	-60
Residential	\$63,636,000.00	\$55,183,000.00	-13
Repairs	\$3,235,000.00	\$3,577,000.00	11
Housing Units (1 & 2 Family Dwelling)	165	176	7
TOTAL	\$195,074,000.00	\$168,137,000.00	-14

Respectfully Submitted,

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

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MEMORANDUM

Weekly Payment Vouchers For The Week Ending September 21, 2016

Payroll

Public Works	\$ 455,428.01
Bi-Weekly Administration	\$ 837,437.79
Bi-Weekly Management	\$ 866,911.05
Bi-Weekly Fire Department	\$ 711,071.20
Accounts Payable	\$2,870,108.73

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Total: \$ 5,740,956.78

ST. JOHN'S

DEPARTMENT OF FINANCE

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