

**AGENDA
REGULAR MEETING**

**JUNE 4th, 2012
4:30 p.m.**

ST. JOHN'S

**AGENDA
REGULAR MEETING
JUNE 4th, 2012
4:30 p.m.**

1. Call to Order

2. Approval of the Agenda

3. Adoption of the Minutes

- a. Minutes of May 28th, 2012

4. Business Arising from the Minutes

A. Included in the Agenda

- a. Notice of Motion given by Councillor Hanlon re: Proposed Amendment to the Plumbing By-Law
- b. Memo dated May 31, 2012 from Director of Planning re: Application to Rezone Property to the Residential Medium Density (R2) Zone: Civic Number 28 Whiteway Street (Ward 4)
- In Support:
 - Letter from Applicant – E. Gordon Rodgers in response to objections received to his application
 - One letter of support from Adrian Rogers of 8 Diefenbaker Street
 - In Opposition:
 - One petition of opposition (signed by 21 residents)
 - 12 letters of opposition

B. Other Matters

C. Notices Published

5. Public Hearings

- a. Public Meeting of May 15, 2012 re: application by Henry Bell Developments Ltd. to redevelop Civic Number 345-353 Duckworth St.
- b. Public Meeting of May 29, 2012 re: Application from Gibraltar Development Ltd. to rezone Property at Civic # 25 Rhodora Street (former Scotia Recycling site)

6. Committee Reports

- a. Police & Traffic Report of May 17, 2012
- b. Planning & Housing Standing Committee Report of May 25, 2012
- c. Development Committee Report dated May 29th, 2012

7. Resolutions

8. Development Permits List

9. Building Permits List

10. Requisitions, Payrolls and Accounts

11. Tenders

12. Notices of Motion, Written Questions and Petitions

13. Other Business

1. Memo dated May 29, 2012 from City Solicitor re: 19 Blatch Avenue – Quit Claim Deed
2. Memo dated May 31, 2012 from City Solicitor re: Silverton Street Development – 64136 NL Inc.
3. Memo dated May 31, 2012 from City Solicitor re: Convention Centre Expansion – 16 Waldegrave Street

4. Correspondence from the Mayor's Office

5. Items Added by Motion

14. Adjournment

May 28th, 2012

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:30 p.m. today.

His Worship the Mayor presided.

There were present also: Deputy Mayor Duff, Councillors O'Leary, Hickman, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Councillors Colbert and Hann.

The Deputy City Manager/Director of Corporate Services & City Clerk; Deputy City Manager/Director of Public Works & Parks; Director of Planning; Director of Engineering; Director of Recreation; City Solicitor and Recording Secretary were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2012-05-28/305R

It was decided on motion of Councillor Collins; seconded by Councillor Hanlon: That the Agenda be adopted as presented with the following additional item:

- a. Revised Memo from Deputy City Manager/Director of Public Works & Parks Re: 2012 Infrastructure Improvements – Contract # 2: Concrete Curb, Gutter and Sidewalk**

Adoption of Minutes

SJMC2012-05-28/306R

It was decided on motion of Councillor Tilley; seconded by Councillor O'Leary: That the minutes of May 22nd, 2012 be adopted as presented.

Business Arising

Left-over Tires (from Clean-ups)

Under business arising, Councillor Hanlon referenced the above-noted issue at the last meeting and questioned how left-over tires from clean-ups should be dealt with. She suggested referring the matter to the Public Works & Environment Standing Committee; however, it was suggested that the Deputy City Manager/Director of Public Works & Parks be directed to contact the Multi Materials Stewardship Board to coordinate a strategy for pick-up of discarded tires.

St. John's Regional Fire Department Camp Ignite

Under business arising, Councillor Breen responded to the enquiry at the last meeting from Councillor O'Leary about the above noted matter. There will be a one-week training experience for females from July 9 – 13, 2012 which will provide first-hand experience with firefighting. Applications for the program will be accepted until June 9, 2012.

Councillor O'Leary requested that this information be forwarded to Council to disseminate to various groups as they see fit.

**Application to Rezone Property to Permit Residential Apartment Building
Quidi Vidi Village Road (Ward 2)**

Applicant: Powderhouse Hill Investments Ltd.

The application was withdrawn by the applicant on the basis that they wish to consult with Councillor Galgay and the area residents associations about a development that is more in keeping with the present Residential Medium zoning. Councillor Galgay advised that it was his intention to recommend rejection of the application had it not been withdrawn.

Deputy Mayor Duff noted that some property in the area was originally acquired by the City with the intention of protecting the land from future development; and given that there have been three applications to redevelop the subject land, specifically that referenced in the above-noted application, she requested that Council give consideration to rezoning that

property as open space to ensure its future protection. In this regard, she requested that the matter be referred to the Planning & Housing Standing Committee for review.

Development Committee Report dated May 22, 2012

Council considered the following Development Committee Report dated May 22, 2012:

RECOMMENDATION OF APPROVAL

1. Development Agreement

Kilbride Subdivision – Stage 1

Proposed Twenty Nine (29) Residential Building Lots off Connolly’s Lane

Applicant: Equity Capital Corporation (Ward 5)

The Committee recommends that Council grant approval to the Development Agreement.

Robert F. Smart
City Manager
Chair – Development Committee

SJMC2012-05-28/307R

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins:
That the Committee’s recommendation be approved.**

Special Events Advisory Committee – May 23, 2012

Council considered the following Special Events Advisory Committee report from May 23, 2012:

- 1) **Event:** Athletics North East Running Club Duathlon
- Location:** Goulds
- Date:** June 3rd, 2012
- Time:** 8:00 am to 10:00 am

Back Line Road - Ruby Line to Doolings Line
Cochrane Pond Road
Ruby Line - Main Road to Robert E. Howlett

Residents have already been advised of the proposed road closures, no objections were raised. Access will be maintained for emergency vehicles at all times.

Recommendation:

It is the recommendation of the Committee that Council approve the above noted events, subject to the conditions set out by the Special Events Advisory Committee.

Robin King, P. Eng.
Chairperson – Special Events Advisory Committee

SJMC2012-05-28/308R

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins:
That the Committee’s recommendation be approved.**

Development Permits List

Council considered as information the following Development Permits List:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF May 18, 2012 TO May 24, 2012

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Replacement of Dwelling	189 Mundy Pond Road	3	Approved	12-05-24
RES		Replacement of Dwelling	16 Allandale Road	4	Approved	12-05-24
RES	Skymark Contracting	Replacement of Dwelling	35 Fleming Street	2	Approved	12-05-24
RES	Skymark Contracting	Replacement of Dwelling	37 Fleming Street	2	Approved	12-05-24
RES		Accessory Building	754 Thorburn Road Broad Cove River Watershed Zone	4	Rejected-Exceeds maximum floor area	12-05-24

<p>* Code Classification: RES- Residential COM- Commercial AG - Agriculture OT - Other</p>	<p>INST - Institutional IND - Industrial</p>
<p>** 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.</p>	

Gerard Doran
Development Officer
Department of Planning

Building Permits List

SJMC2012-05-28/309R

It was decided on motion of Councillor O’Leary; seconded by Councillor Hanlon: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:

2012/05/23

Permits List

CLASS: COMMERCIAL

260 PADDY'S POND RD-ISLANDER	EX	COMMERCIAL GARAGE
302 LEMARCHANT RD	RN	PATIO DECK
THE VILLAGE-430 TOPSAIL RD A&W	SN	EATING ESTABLISHMENT
260 PADDY'S POND RD	NC	ACCESSORY BUILDING
304 WATER ST	CR	RETAIL STORE
162 WATER ST	RN	MIXED USE
71 O'LEARY AVE	RN	WAREHOUSE
100 NEW GOWER ST-4TH FLOOR	RN	OFFICE
370 TORBAY RD	RN	OFFICE
56 LESLIE ST	EX	INDUSTRIAL USE
110 WATER ST	EX	MIXED USE

THIS WEEK \$ 351,236.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

90 DENSMORE'S LANE	NC	ACCESSORY BUILDING
70 ROPEWALK LANE DAFFODIL PL	SW	HOTEL

THIS WEEK \$ 300,500.00

CLASS: RESIDENTIAL

40 SPRUCE GROVE AVE - LOT 141	NC	SINGLE DETACHED & SUB.APT
42 SPRUCE GROVE AVE, LOT 142	NC	SINGLE DETACHED DWELLING
3 SPRUCE GROVE AVE	NC	FENCE
76 BLUE PUTTEE DR, LOT 97	NC	SINGLE DETACHED DWELLING
99 BLUE PUTTEE DR, LOT 94	NC	SINGLE DETACHED DWELLING
25 BUTTERWORTH PL	NC	FENCE
56 CAPE PINE ST	NC	ACCESSORY BUILDING
165 CHEESEMAN DR, LOT 104	NC	SINGLE DETACHED DWELLING
1 COUNTRY GROVE PL - LOT 45	NC	SINGLE DETACHED DWELLING
17 COUNTRY GROVE PL, LOT 37	NC	SINGLE DETACHED & SUB.APT
68 CYPRESS ST, LOT 172	NC	SINGLE DETACHED DWELLING
7 CYPRESS ST, LOT 149	NC	SINGLE DETACHED DWELLING
15 CYPRESS ST, LOT 145	NC	SINGLE DETACHED DWELLING
36 DAUNTLESS ST	NC	ACCESSORY BUILDING
45 EASTBOURNE CRES	NC	FENCE
147 EASTBOURNE CRES	NC	FENCE
10 ENNIS AVE	NC	PATIO DECK
12 FAULKNER ST	NC	ACCESSORY BUILDING
32 FRANCIS ST	NC	PATIO DECK

11 GALASHIELS PL, LOT 120	NC	SINGLE DETACHED & SUB.APT
15 GARY DR	NC	ACCESSORY BUILDING
18 GLEN ABBEY ST, LOT 236	NC	SINGLE DETACHED DWELLING
69 GLENLONAN ST	NC	PATIO DECK
3 GOWER ST	NC	PATIO DECK
31 GULLAGE ST, LOT 91	NC	SINGLE DETACHED DWELLING
94 HAMLYN RD	NC	FENCE
81 HARRINGTON DR	NC	FENCE
12 HARTERY CRES	NC	ACCESSORY BUILDING
3 HONEYGOLD PL	NC	ACCESSORY BUILDING
19 JACARANDA PL	NC	PATIO DECK
47 JASPER ST	NC	FENCE
7 JENNMAR CRES	NC	FENCE
46 LADY ANDERSON ST, LOT 464	NC	SINGLE DETACHED & SUB.APT
48 LADY ANDERSON ST, LOT 465	NC	SINGLE DETACHED & SUB.APT
35 LADY ANDERSON ST - LOT 650	NC	SINGLE DETACHED DWELLING
37 LADY ANDERSON ST - LOT 649	NC	SINGLE DETACHED DWELLING
167 LADYSMITH DR, LOT 342	NC	SINGLE DETACHED & SUB.APT
15 LLOYD CRES	NC	PATIO DECK
24 LONG BEACH ST	NC	PATIO DECK
13 LUCYROSE LANE	NC	FENCE
535 MAIN RD	NC	ACCESSORY BUILDING
140 MUNDY POND RD	NC	PATIO DECK
25-27 MURPHY'S LANE	NC	ACCESSORY BUILDING
69 REGENT ST	NC	ACCESSORY BUILDING
24 ROSALIND ST, LOT 394	NC	ACCESSORY BUILDING
79 ROTARY DR, LOT 107	NC	SINGLE DETACHED DWELLING
81 ROTARY DR, LOT 106	NC	SINGLE DETACHED DWELLING
27 SUMAC ST	NC	ACCESSORY BUILDING
65 TEAKWOOD DR	NC	ACCESSORY BUILDING
28 WABUSH PL	NC	ACCESSORY BUILDING
6 WADLAND CRES	NC	ACCESSORY BUILDING
140 CANADA DR	EX	SINGLE DETACHED DWELLING
124-128 FOREST POND RD	EX	SINGLE DETACHED DWELLING
7 HALLIDAY PL	EX	SINGLE DETACHED DWELLING
20 CHARLTON ST	RN	TOWNHOUSING
133 CHEESEMAN DR, LOT 47	RN	SINGLE DETACHED DWELLING
17 CONWAY CRES	RN	SINGLE DETACHED DWELLING
40 FOREST RD	RN	TOWNHOUSING
39 LADYSMITH DR	RN	SUBSIDIARY APARTMENT
8 MCCRAE ST	RN	SINGLE DETACHED DWELLING
245 TOPSAIL RD	RN	SINGLE DETACHED DWELLING

THIS WEEK \$ 4,438,375.00

CLASS: DEMOLITION

141 BAY BULLS RD	DM	SINGLE DETACHED DWELLING
		THIS WEEK \$ 9,000.00

THIS WEEK 'S TOTAL: \$ 5,099,111.00

REPAIR PERMITS ISSUED: 2012/05/17 TO 2012/05/23 \$ 223,050.00

LEGEND

CO	CHANGE OF OCCUPANCY	SN	SIGN
CR	CHNG OF OCC/RENOVTNS	MS	MOBILE SIGN
EX	EXTENSION	CC	CHIMNEY CONSTRUCTION
NC	NEW CONSTRUCTION	CD	CHIMNEY DEMOLITION
OC	OCCUPANT CHANGE	DV	DEVELOPMENT FILE
RN	RENOVATIONS	WS	WOODSTOVE
SW	SITE WORK	DM	DEMOLITION
TI	TENANT IMPROVEMENTS		

Payrolls and Accounts

SJMC2012-05-28/310R

It was decided on motion of Councillor O’Leary; seconded by Councillor Hanlon: That the following Payrolls and Accounts for the week ending May 24, 2012 be approved:

**Weekly Payment Vouchers
For The
Week Ending May 24, 2012**

Payroll

Public Works	\$ 389,718.55
Bi-Weekly Administration	\$ 690,920.36
Bi-Weekly Management	\$ 642,374.32
Bi-Weekly Fire Department	\$ 570,982.00
Accounts Payable	\$ 2,463,239.53

Total: \$ 4,757,234.76

Tenders

SJMC2012-05-28/311R

It was decided on motion of Councillor O’Leary; seconded by Councillor Hanlon: That the recommendations of the Deputy City Manager/Director of Public Works & Parks be approved and the tenders awarded as follows:

- ❖ 2012 Infrastructure Improvements – Contract # 2: Concrete Curb, Gutter and Sidewalk:
 - Awarded to Infinity Construction Ltd. in the amount of Eight Hundred Seventy-Seven Thousand, One Hundred Thirty-One Dollars and Forty-Three Cents (\$877,131.43)
- ❖ 2012 Infrastructure Improvements – Contract # 3: Concrete Repairs
 - Awarded to Infinity Construction Ltd. in the amount of Two Hundred Sixty-Four Thousand, Seven Hundred Seventy-Seven Dollars and Eight Cents. (\$264,777.08)
- ❖ 2012 Sewer Improvements: Request to Add Additional Work to Contract
 - That Council approve the additional work to the existing contract with Pyramid Construction in the amount of \$550,000 and further that this work be funded from savings already approved in the Environmental Services projects which came in under budget.

Notice of Motion

Councillor Hanlon gave the following Notice of Motion:

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move a motion to amend the St. John's Plumbing By-Law so as to clarify the provision related to the license fee for a Plumbing Contractor and bring such provision into conformity with other licensing fee provisions in the By-Law.

37 Bannerman Street

Council considered a memo dated May 18, 2012 from the City Solicitor regarding the above noted matter.

SJMC2012-05-28/312R

It was decided on motion of Councillor Hickman; seconded by Councillor O'Leary: That the 4 foot easement be sold to the property owner of 37 Bannerman Street for \$500.00 plus usual administration fees and applicable HST.

City Staff Neighbourhood Cleanup

Council considered a memo dated May 24, 2012 from the Deputy City Manager/Director of Public Works & Parks regarding the above noted matter.

SJMC2012-05-28/313

It was decided on motion of Councillor Collins seconded by Councillor O’Leary: That approval be given for staff’s participation in the litter clean-up initiative proposed by Jason Sinyard and to be held on June 6th, 2012 (or next suitable day if weather is inclement on June 6th).

Councillor Hanlon

- Residents of Airport Heights are concerned about the temporary loss of the playground and parking space at Roncolli Elementary due to contract work. As a result, it is proposed that children be dropped off and picked up at Airport Heights Drive. The City’s Transportation Engineer has contacted the Eastern School District to advise of safer alternatives.
- Councillor Hanlon relayed a request from a constituent that the City’s “My Waste” Application should be updated to include street cleaning and snow clearing notifications. It is her understanding that the City should be able to super-impose these notifications on the existing application. The matter was referred to the IT Department and Jason Sinyard, Manager – Waste Management, for review.
- Referenced an article entitled “Why Keeping Eyes on Litter Promotes Better Behaviour”, and suggested that a similar method be used on the City’s signage. The matter was referred to the Public Works & Environment Standing Committee and St. John’s Clean & Beautiful for review.
- Constituents have contacted Councillor Hanlon to complain about the noise of helicopters on Branscombe Street, and she questioned what if anything the City can do to offset the problem. It was suggested that Councillor Hanlon contact Transport Canada and the Airport Authority to relay the complaints received.
- Advised that there will be a public meeting on June 13, 2012 regarding flooding issues at Rennie’s Mill Road.

Councillor Collins

- The road race will be held on June 3, 2012 from 8:00 am – 10:00 pm starting at Ruby Line.

Councillor Tilley

- Nominations have now closed for the Senior of the Year Award and the successful nomination will be announced next Monday in the Council Chamber. The Seniors Day event will be held on June 7th at City Hall.
- Received a number of complaints from constituents about Kitti Gaul River being polluted by contractors working on the Team Gushue Highway. The City has contacted the contractors and the matter has now been resolved.

Councillor Breen

- Councillor Breen will be conducting a public meeting this coming Wednesday night to meet with residents of Ann Jeannette Trailer Court to discuss the issue of secondary access to the Court.
- Requested that a letter be written to True North Sports & Entertainment Ltd. expressing the City's appreciation and congratulations on a successful year with the Ice Caps Hockey Team.
- Congratulated the organizers of the Recreation Newfoundland Conference for their work in coordinating the event.

Councillor O'Leary

- The City as part of its Municipal Plan Review has invited speaker Ken Greenberg, Director of Urban Design and Architecture for the City of Toronto, to speak on June 4th at 7:00 p.m. in the Foran/Greene Room.

- Briefly updated Council on the success of the meetings held this past weekend in Grand Falls/Winsor for the Stewardship Association of Municipalities.
- Residents of Margaret's Place have been circulated a petition or survey from the company known as 50808 NL Ltd. to determine if residents want to have sidewalks in the neighbourhood. She felt that surveys like this should be circulated prior to the start of a development and such should be done in future.
- The East Coast Trail Association will be holding its annual fundraising hike on Saturday, June 2, 2012.
- Commended the Town of Conception Bay South for their enforcement initiatives which will result in the prosecution of illegal dumpers who have been successfully identified by camera equipment.

Deputy Mayor Duff

- Extended congratulations to three St. John's residents who were recently honored with various awards and distinctions:
 - Patricia Grattan – Awarded Life Time Contribution Achievement;
 - Edith Goodridge – Awarded the Pioneer in Cultural Creativity
 - Phillip Pratt – Inducted to the Hall of Honor for Architects
- Referenced a press release from the Harper Government entitled: “Harper Government committed to building strong sustainable development economy in Atlantic Canada”. Given the withdrawal of federal funding to the Province in various areas such as the Search and Rescue operations, Parks Canada, and the CBC, to name a few, she found it hard to reconcile the ideals expressed in the release with the realities of the cut-backs imposed by the Harper Government.

Adjournment

There being no further business, the meeting adjourned at 5:40 p.m.

MAYOR

CITY CLERK

MEMORANDUM

Date: May 22, 2012
To: His Worship the Mayor and Members of Council
From: Robert J. Bursey, City Solicitor
Re: **Proposed Amendment to the Plumbing By-Law**

City By-Laws which provide for the purchase of a license or a permit used to have the license or permit fee stipulated in the By-Law. This meant that when Council wished to amend a fee, it had to amend the By-Law.

Rather than have to amend the By-Laws each time a fee changed, the various By-Laws, including the Plumbing By-Law, were amended so that the reference to applicable fees was changed from a specified amount to fees as “established by Council” from time to time. Unfortunately when the Plumbing By-Law was amended, Section 10 was overlooked. At this time, it is proposed to amend Section 10 so as to bring it into conformity with the “fee” provisions of all By-Laws.

Original Signed

Robert J. Bursey, LL.B.
City Solicitor

RJB/kab

ST. JOHN'S

LEGAL DEPARTMENT

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

BY-LAW NO.

ST. JOHN'S PLUMBING (AMENDMENT NO. 1 – 2012) BY-LAW

PASSED BY COUNCIL ON _____, 2012

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990 c.C-17, as amended and all other powers enabling it, the City of St. John's hereby enacts the following By-Law relating to the plumbing of buildings and the inspection of same.

BY-LAW

1. This By-Law may be cited as "The St. John's Plumbing (Amendment No. 1 – 2012) By-Law.
2. Section 10 of The St. John's Plumbing By-Law is repealed and the following substituted:
 - "10. The fee for a license as a Plumbing Contractor and every renewal thereof shall be established by Council and shall be paid in respect of the first license as provided in Section 9 hereof and thereafter on the renewal of a license."

IN WITNESS WHEREOF the Seal of the City of St. John's has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this _____ day of _____, 2012.

MAYOR

CITY CLERK

MEMORANDUM

Date: May 31, 2012

To: His Worship the Mayor and Members of Council

Re: **Council Directive R2012-04-30/8**
Department of Planning File Number B-17-W.7
Application to Rezone Property to the Residential Medium Density (R2) Zone
Civic Number 28 Whiteway Street (WARD 4)

An application has been submitted to the Department of Planning to rezone the property at Civic Number 28 Whiteway Street, located just west of the intersection of Whiteway Street and Rodney Street, from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone. Please see the attached air-photo. The property currently contains a single detached dwelling. The property owner has applied to rezone the property to the R2 Zone for the purpose of potentially subdividing the property into two lots, potentially removing the existing house on the site and replacing the house with two (2) semi-detached houses.

There are two existing semi-detached dwellings located at Civic Numbers 30 and 32 Whiteway Street. In reviewing the rezoning application for Civic Number 28 Whiteway Street, the Department of Planning recommended that it warranted consideration and suggested the application be advertised for public review and comment. The Department of Planning also recommended that if the property at Civic Number 28 Whiteway Street were to be considered for rezoning, that the properties at Civic Number 30 and 32 Whiteway Street also be considered for rezoning from R1 to R2 in order to remove the non-conforming status of these two existing properties. The R1 Zone does not permit semi-detached houses. An amendment to the St. John's Municipal Plan is not required in order to rezone the subject properties from the R1 Zone to the R2 Zone.

At a meeting of the Planning and Housing Committee held on April 25, 2012, the Committee agreed to make a recommendation to Council that the proposed rezoning of the properties at Civic Number 28, 30 and 32 Whiteway Street be advertised for public review and comment. This recommendation was accepted at the Regular Meeting of Council held on April 30, 2012.

The advertising process has now been completed and the matter of the proposed rezoning of these three properties will be referred to the agenda for the Regular Meeting of Council to be held on June 4, 2012. The proposed rezoning was posted on the City website and in The Telegram newspaper. In addition, notices regarding the proposed rezoning were mailed to property owners/occupants of properties located within a radius of 150 metres from the three subject properties. Our records indicate 100 notices were mailed.

ST. JOHN'S

DEPARTMENT OF PLANNING

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

Recommendation

The City Clerk's Department has advised that a number of written public submissions from area property owners/residents of objection to the proposed rezoning have been received in response to the City's public notification process.

It is noted that residential dwellings, mostly single detached houses, surround the subject properties at Civic Number 28, 30 and 32 Whiteway Street. The written public submissions appear to reflect a concern that if these properties are rezoned from R1 to R2, that there will be a potential for a gradual change to allow other properties in the area to be rezoned to allow multiple family housing types and to change the character of this neighbourhood away from a primarily single-detached home setting to one with additional multiple dwelling housing types. As information, the R2 Zone allows the following housing types as Permitted Uses: Bed and Breakfast operations, Boarding or Lodging Houses (accommodating between 5 and 16 persons), Duplex Dwellings, Semi-Detached Dwellings, Single-Detached Houses and Townhouses.

Given that this area of Whiteway Street is presently characterized with a land use pattern consisting of primarily of single-detached houses and that the properties at Civic Number 30 and 32 Whiteway Street have existed as nonconforming uses for a number of years and can continue to exist as nonconforming uses under the present R1 Zone designation, and given the significant concerns expressed by area property owners/residents to the proposed rezoning, **it is recommended that the Council deny the application to rezone the property at Civic Number 28 Whiteway Street from the R1 Zone to the R2 Zone. It is further recommended that Council not undertake a process to rezone the existing semi-detached houses at Civic Number 30 and 32 Whiteway Street from the R1 Zone to the R2 Zone.**

Original Signed

Cliff Johnston, MCIP
Director of Planning

CJ/ck

Attachment



RODNEY ST

WHITEWAY ST

SUBJECT PROPERTIES



E. GORDON RODGERS

Professional Community & Regional Planner (M.Sc. & MCIP);
Professional Business Management Consultant (B.Sc. & PMIMC);
Professional permanently Licensed Teacher (B.Ed.) & Corporate Trainer

May 30, 2012

Mayor Dennis O'Keefe and Council
City of St. John's, NL
Via Email:

Dear Mayor O'Keefe & Council

Re: Rezoning Application to R2, 28 Whiteway Street, St. John's

In response to the few petitions submitted I would like to explain our request for rezoning and why petitioners may have misinterpreted the application.

Before I formally commence, I would like to say that as a family, we have equal or more concern than existing residents as to what happens to Whiteway Street as 28 Whiteway Street has been in our family since the early 1950s, when our Grandparents purchased the property and where our parents and all siblings have visited or lived while attending MUN. We respect and admire our family and we love the area, which is why we have developed our concept, to add value to the property and surrounding properties.

As the oldest sibling born in St. John's and as a professional community and regional planner who at one time was a Senior Planner (early seventies) and a Director of Planning (1974) for the City of St. John's, I also have a professional planning interest in putting forth the best possible proposal, which I believe we have done. I might add that I have always had the planning interest of St. John's at heart when my colleagues and I in the early 70s completed and implemented the City 20 Year Plan that included the Harbour Arterial, Crosstown Arterial and Outer Ring Roads; that included the Mundy Pond Urban Renewal project; that included the Residential Neighborhood Rehabilitation Program for all older homes around the downtown core; that included preserving and protecting open space around Quidi Vidi Village; recommended against the building of a new CJOH TV Station on Signal Hill next to Deadman's Pond; recommended City Beautification Guidelines and to preserve all open spaces around ponds, streams, hills and created an open space criteria in the subdivision bylaw so there would be adequate open space in new neighborhoods like Cowan Heights and Canada Drive, MacDonald Drive and Virginia Waters and to link these open spaces throughout the City which over the years enabled the construction of the now famous Grand Concourse that connects these open space linkages. These represent just a tiny sample of some of the good planning for St. John's that I personally remember and I am sure Mayor Dennis O'Keefe, Deputy Mayor Shannie Duff and some of the Councillors that I have known, also well remember.

Rezoning Proposal, 28 Whiteway Street:

When I first looked at the need to build a new structure at 28 Whiteway Street, my first thought was to look at the streetscape. Please see the attached Photo pdf of the two adjacent properties. The property known as 30 and 32 Whiteway immediately west of 28

E. GORDON RODGERS

[REDACTED] (M.Sc. & MCIP);
Professional Busin [REDACTED] t (B.Sc. & PMIMC);
Professional permanently Licensed Teacher (B.Ed.) & Corporate Trainer

Whiteway is a two unit side by side duplex that is two stories in height and currently resides in an R1 zone, which makes it an illegal non-conforming use. As this structure already exists the only way to make this legal is to rezone it to an R2 zone, which does not increase any density in the area. Several of the petitioners I believe are confused with the rezoning as they believe densities will vastly increase, which is not the case. This is a normal City Planning Office desire to zone properties properly but also legally and hence the CPO desire to rezone this property to R2.

When I looked at the immediate property East of 28 Whiteway Street, again I found a 2 story structure and I was reminded of 2-3 decades ago, when the in-law suite extension was added in the back yard of what is known as #1 Rodney Street. Even though the home is known as #1 Rodney, over the years the side yard fence has been removed and the front is now made to look as if the home faces Whiteway Street.

If you look carefully at each of these two immediate neighbors, one can conclude that a new structure needs to be two story and needs to be like a 2 unit to blend in. Very few people would want to build their lifetime retirement single family home between two such two story existing structures that look like 2 unit properties.

After detail and extensive discussions with CPO officials, it was agreed that if we could conceive an attractive 2 unit two story structure at 28 Whiteway Street - then units at 28, 30 and 32 Whiteway could all become a legal residential R2 zone, which would be the best way to legalize and stop further R2 rezoning or encroachment requests due to non-conforming illegal land uses. Also to create this new legal R2 zone, only a 1 unit density increase from R1 to R2 would occur at 28 Whiteway Street.

Proposed Rezoning Concept:

We worked hard on identifying the best concept for the lot. Please see the Elevation Plan and Site Plan attached as sketched by Beaton Sheppard, FRAIC, Chairman, Sheppard Case Architects, a well-known firm. We do not propose a traditional side by side duplex as exists for the adjacent non-conforming use at 30 - 32 Whiteway Street. Our concept is completely different and of a far superior higher quality design.

Our Concept visualizes two separate upscale villa homes that viewed from Whiteway Street would actually look like One Single Large Modern Victorian Villa Home that provides significant curb appeal, character, culture, attractive design and a magnificent looking residential building that will enhance and add value to all adjacent neighbors and the neighborhood in general. Homeowners who live on Rodney Street, it would actually look like One Single Large Modern Victorian Villa Home with a large rear yard as shown on the elevation and site plans. Hopefully, this will encourage future residential restoration to be of a similar high quality design for this very attractive neighborhood.

I would expect any approval to state that the concept is approved based on the elevation and site plans submitted as to design and siting sketch layout, to avoid alternate concepts.

E. GORDON RODGERS

Professional Community & Regional Planner (M.Sc. & MCIP);
Professional Business Management Consultant (B.Sc. & PMIMC);
Professional permanently Licensed Teacher (B.Ed.) & Corporate Trainer

Petition Analysis:

#1 Rodney Street, the Halliday Farms subdivision, #30 and #32 Whiteway Street, all immediately adjacent to 28 Whiteway Street did NOT petition. See Lot Plan pdf attached.

The only immediate adjacent neighbors that wrote a letter or petitioned that might even remotely be affected were #27 Whiteway across the street from 28 Whiteway and #3 and #5 Rodney Street. See the attached pdf that shows the location of these 3 lots as they relate to 28 Whiteway Street. 28 Whiteway Street only has a legal requirement to provide a minimal side yard along the rear lot line of #3 and #5 Rodney Street - this legal obligation does not change whether it is R1 or R2 zoning. In addition, the existing Whiteway structure has been in place since circa 1953 and is roughly 5 feet from the rear lot lines of #1 and #3 Rodney Street and any R2 rezoning will NOT negatively affect this existing situation. Our Concept actually proposes to widen the side yard of the second unit to be roughly 20 feet not 5 feet as exists from parts of #3 Rodney rear lot line. See the attached Site Plan.

Regarding #5 Rodney Street, this lot is not affected at all by either the existing or any rezoning as they back onto the rear yard of 28 Whiteway Street, which will be retained in the proposal. In addition the extensive tree and shrub coverage along the rear lot lines of Rodney Street and the side yard of 28 Whiteway will also be retained.

All other homes on Rodney Street are not anywhere near 28 Whiteway Street and are not affected by any rezoning. In addition, regarding the general petition from Rodney Street, their single family street enclave status that exists between Elizabeth Avenue, a major arterial and Whiteway Street, a major collector absolutely does NOT change and is not impacted at all by 1 extra unit on Whiteway Street, a different street. Rodney Street is more significantly impacted by multiple new units at Halliday Farms subdivision on their rear lot lines and that has not caused any issues so it should not be an issue at 28 Whiteway Street.

Regarding Mrs. Mary Burry, #27 Whiteway Street, health concern, and as one of the older residents who knew my grandparents, I totally understand this concern. Mrs. Burry was primarily concerned about health, not rezoning, so my planning suggestion would be that a condition be attached to the rezoning approval to notify the Building Department that when a contractor applies for a demolition permit for #28 Whiteway Street, then it would be given on condition that the work could only occur during day light hours and could only occur when the wind was blowing from compass direction Easterly and clockwise to South Westerly, so any fumes would blow away from 27 Whiteway Street, thereby alleviating Mrs. Barry's concern.

E. GORDON RODGERS

Professional Community & Regional Planner (M.Sc. & MCIP);
Professional Business Management Consultant (B.Sc. & PMIMC);
Professional permanently Licensed Teacher (B.Ed.) & Corporate Trainer

In Conclusion:

I believe this document fully explains that immediate homeowners to 28 Whiteway Street have NO concerns as they did NOT petition.

Regarding Mrs. Barry's health concern, #27 Whiteway Street, this concern can easily be addressed per my suggestion above.

Regarding the signing of a petition by #3 and #5 Rodney Street; the #3 Rodney Street position will actually improve as the new unit in the Concept will be more than 20 feet from the rear lot line not 5 feet as exists with the existing structure. #5 Rodney should have no concern as the new rezoning concept retains the rear yard at Whiteway as currently exists. #1 and #7 Rodney Street did not petition.

All other units on Rodney Street, in general, are NO where near a one unit increase at 28 Whiteway Street and are not affected in any way by any rezoning of 28 Whiteway Street. In actual fact the Halliday farms subdivision is closer to these homes and has more impact.

I trust and hope this analysis adequately explains to the Mayor and Council why this rezoning request should be approved as there are really no petition concerns, it solves a CPO legal zoning issue and it will add value to immediately adjacent properties and the neighborhood in general and will encourage future residential rehabilitation.

Yours truly,

E. Gordon Rodgers, MCIP, PMIMC, M.Sc., B.Sc., B.Ed.

Professional Community & Regional Planner (MCIP)
Professional Business Management Consultant (PMIMC)
Professional permanently licensed Teacher and Corporate Trainer



32 WHITEWAY # 30 (LEFT OF
28 WHITEWAY)

ILLEGAL NON-CONFORMING
2 UNIT IN R1 ZONE.

CPO DESIRES R2 TO
MAKE LEGAL & CONFORMING

PROPERTIES EITHER
SIDE OF 28 WHITEWAY ST.

28 WHITEWAY
SANDWICHED BETWEEN
THESE 2 UNIT
TWO STORY HOMES

(RIGHT OF 28 WHITEWAY)



#1 RODNEY ST.
IN LAW SUITE + 2 STORY HOME
NOW FACES WHITEWAY STREET.

ELIZABETH AVE ARTERIAL

RODNEY STREET SINGLE FAMILY ENCLAVE
RODNEY ST

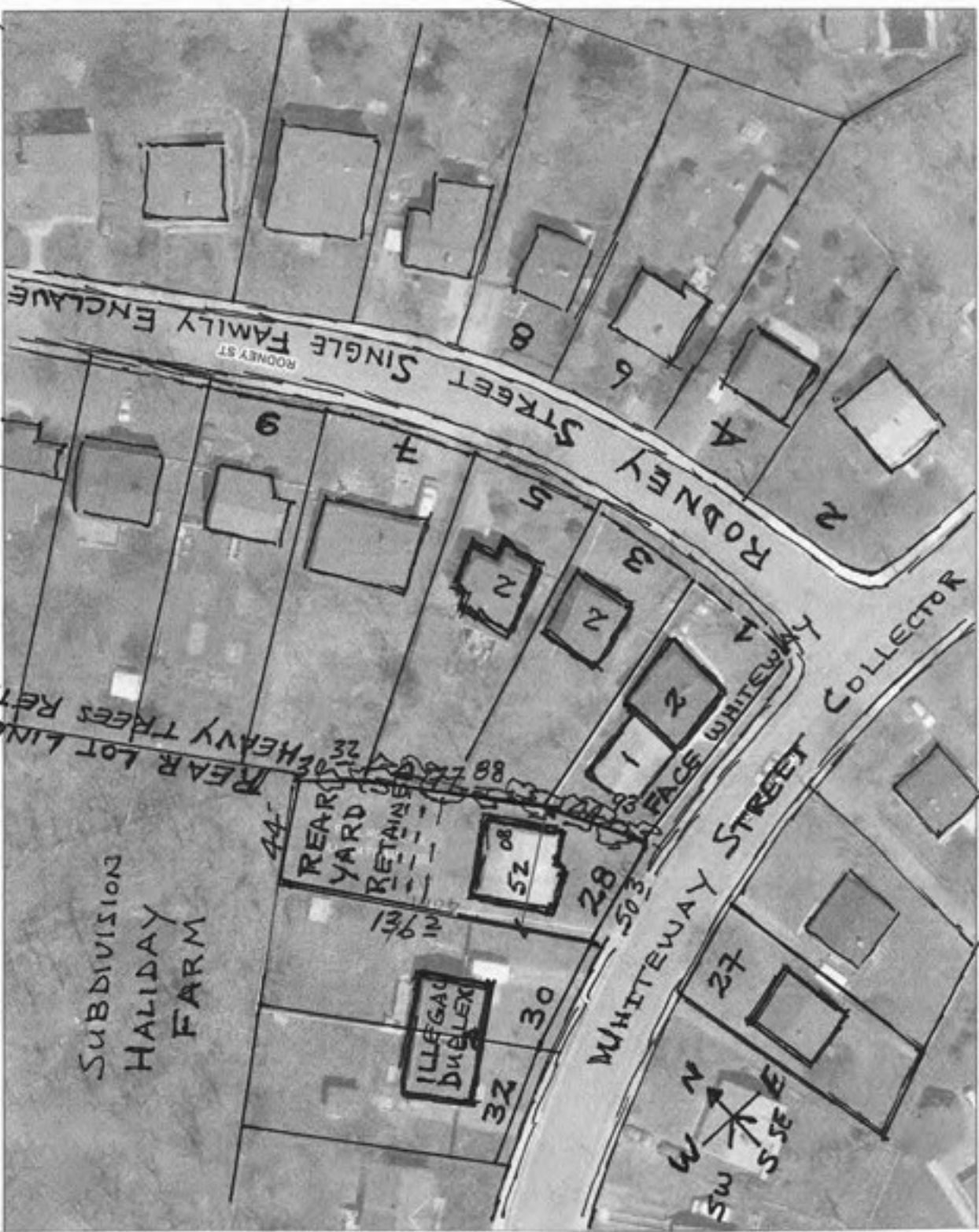
REAR LOT LINE
HEAVY TREES RETAINED

SUBDIVISION
HALIDAY
FARM

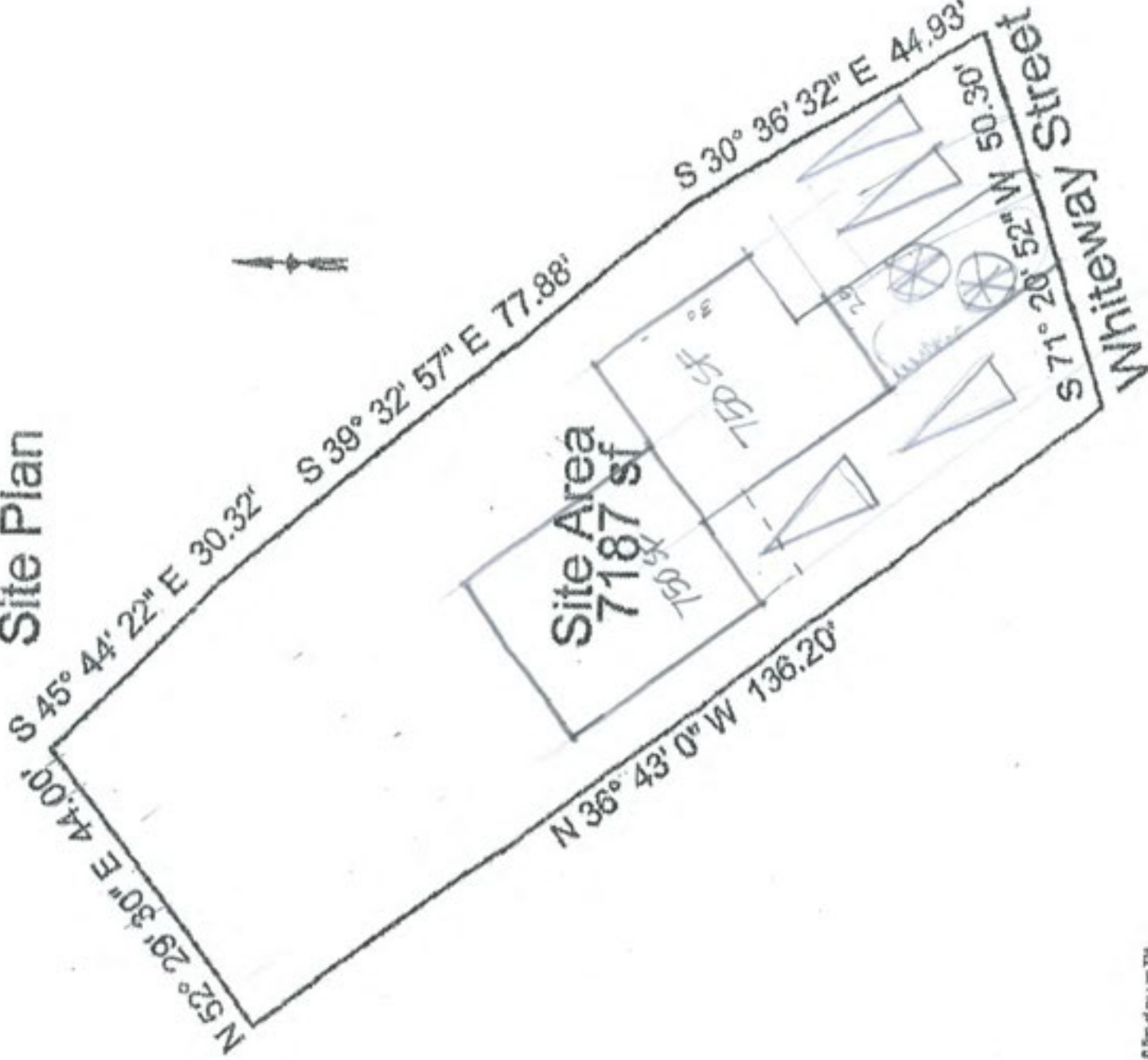
REAR YARD
RETAINS

ILLEGAL
DUPLEX

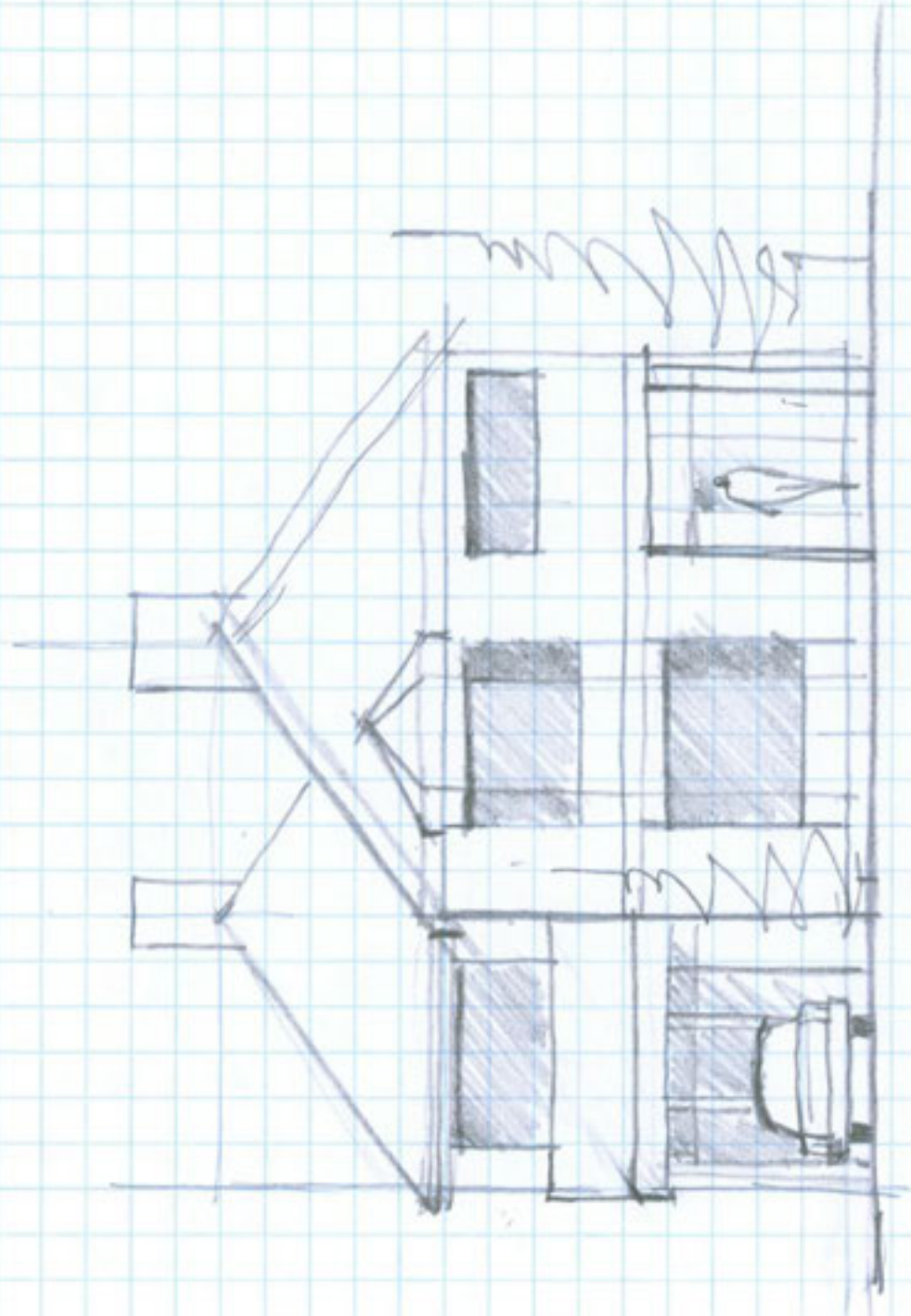
WHITTEWAY STREET
FACE WHITTEWAY
COLLECTOR



Site Plan



SCALE: 1" = 20'-0"



STREET ELEVATION.

10/10/2020
10/10/2020

30 May, 2012

■ Diefenbaker Street

St. John's, NL A1A 2M3

City Council

City of St. John's

St. John's, NL

Dear Council Members,

I am writing to SUPPORT the application for rezoning of 28 Whiteway Street, St. John's from an R1 use to an R2 use. I have obtained a copy of objections filed with the city regarding this application and it is clear to me that the neighbours, all of whom live on Rodney Street and whose backyards overlook the backyard of 28 Whiteway Street, do not understand the proposal.

History of the Property

This house has been in my family for almost 60 years and my grandparents, parents, and siblings have all lived in it. A very large duplex completely out-of-character with the neighbourhood was built at 30 – 32 Whiteway Street prior to residential zoning being adopted by St. John's. Likewise the residents of 3 Rodney Street who are immediately to the east built an additional wing on to their two story home. As a result, the current 700 square foot house at 28 Whiteway is dwarfed by the adjacent homes.

Twenty years ago the property was purchased by my brother and over the years fell into considerable disrepair causing great distress for our family, and I am sure to our neighbours. Two years ago my brother died intestate and since that time we have worked to close his estate and address the need for the renewal of the 28 Whiteway Street property.

Consultation with Architects and Planners regarding 28 Whiteway

Although we seek re-zoning of the property which requires only a filing fee and application, because we are committed to the neighbourhood, to quality development, and to increasing the property values of our neighbours and of 28 Whiteway Street, we have done considerably more than is required for a rezoning application. We have consulted with Mr. Beaton Sheppard, one of the province's leading architects, regarding the appearance of the property, its size, and its location on the lot. My brother Gordon Rodgers who is a member of the Canadian Institute of Planners has also consulted with the city planning department to ensure a quality proposal. It is my understanding the Planning Department supports the application because it brings adjacent properties into compliance with the R2 standard. We have also created renderings of what a house on the lot might look like if approved by the Building

Department. It is my understanding that these renderings were not included in the mailing to neighbours, and we believe this omission has led to considerable misunderstanding of our proposal by the neighbours. In retrospect perhaps we should have contacted them first to reassure them, but it is difficult to anticipate what objections a proposal can face.

Objections expressed by neighbours and assurances

Neighbours identified three concerns:

1. *The Halliday Farm development has contributed to pollution and disruption of the neighbourhood.* While this may be true, this development faces Elizabeth Avenue and includes the development of over 10 large estate homes. 28 Whiteway Street is a different neighbourhood and fronts on a different street. Given the dilapidated condition of the existing house at 28 Whiteway, redevelopment is necessary, will increase value to the neighbourhood, and because it is one lot can occur quickly.
2. *The proposed zoning will have a “negative effect on quality of life”, on the “Social and environmental balance” of the neighbourhood, and will increase density.* The proposal we have submitted includes two units of approximately 750 square feet each at 28 Whiteway. It is not known who will eventually occupy these homes but because each of the two proposed homes is so small it is reasonable to assume that a couple of people will live in each home, a total of 4 – 5 people for the lot at 28 Whiteway. I am confident that many of the neighbours opposing the proposal who live on Rodney Street have 4 -5 people living in their home.
3. *“There is no necessity to build new residential buildings at 28 -32 Whiteway” and the proposal will increase the density from houses with 3 families to houses with 6 families.* This is a misunderstanding of the rezoning. The homes at 30 – 32 Whiteway are already out of compliance. I do not know who owns these homes but to my knowledge there is no proposal to build or renovate there. The rezoning for these units simply seeks to bring the existing structure into compliance. The only new proposal is to place a two family home at 28 Whiteway. In summary the proposal will have the effect of transforming the current units at 28, 30, and 32 Whiteway from 3 single family homes, to a two family home at 28 Whiteway and single family units at 30 and 32 Whiteway, but with the units at 30 and 32 Whiteway being under one roof.

A proposal that adds value to the neighbourhood and creates social and environmental balance

Although 28 Whiteway Street is adjacent to a duplex home, we propose a far superior and higher quality design. Our concept visualizes two upscale Modern Victorian Villa Home structures that when viewed from the front, the Whiteway Street Scape, would actually look like One Single Large Modern Victorian Villa Home as shown on the elevation and site plans. This will provide significant curb appeal, character, culture, attractive design and a magnificent looking residential building that will enhance and add value to all adjacent neighbors and the neighborhood in general. Hopefully, it will also encourage future residential restoration to be of a similar high quality design for this very attractive neighborhood. Most importantly, the proposal still leaves a large backyard so that the views of neighbours on Rodney Street will remain largely unobstructed.

We are grateful for the careful consideration given to this proposal by the council and trust we have addressed the concerns of neighbours and the council.

Sincerely,

Adrian Rodgers

Adrian Rodgers

May 22

May 12, 2012

City Clerk's Department

City of St. John's

PO Box 908

St. John's, NL

A1C 5M2

Re: "B.10.A.33" Rezoning Amendment to be considered at the regular meeting of council on Tuesday, May 22, 2012

We the undersigned citizens and property owners of Rodney Street are strongly opposed to the proposed rezoning of property in our neighbourhood from Residential Low Density (R1) to Residential Medium Density (R2). We were informed of an application for such a change by the owners of 28-32 Whiteway Street. We believe that such a change would in fact and in precedent have a negative effect on our quality of life. We also are of the opinion that the advocate(s) of the proposed zoning change have quality and profitable housing construction opportunities available to them within the current R1 zoning designation.

Yours sincerely,

Name	Address	Name	Address
<u>John Peters</u>	[Redacted]	<u>Matthew Bendosa</u>	[Redacted]
<u>Anna Peters</u>	[Redacted]	<u>L. Hye-Kruden</u>	[Redacted]
<u>Carroll Peters</u>	[Redacted]	<u>Pat & Fran</u>	[Redacted] f St
<u>Andrew Vaughn</u>	[Redacted]	<u>Jay</u>	[Redacted]
<u>Lisa Bendosa</u>	[Redacted]	<u>Wilhelmina Qualit</u>	[Redacted]
<u>PAUL BENDOSA</u>	[Redacted]	<u>Kate Walsh</u>	[Redacted]

Name

Address

Name

Address

Patricia Williams
 Doug London
 Ann Marie Green
 Wayne Johnson
 Andrea Lear
 Marilyn Lear
 Jilly



cc: Mayor Dennis O'Keefe

Members of Council

I am writing to respond to the letter received last week regarding rezoning of 28 -30-32 Whiteway St. (Please see attached to this e-mail.)

I am writing on behalf of my mother, Teresa Barry, who lives directly across from 28 Whiteway Street at [REDACTED] Whiteway Street. My mother is 90 years old and suffers from severe COPD and congestive heart failure and is highly sensitive to chemicals and dust in the air. I am also concerned about the noise level. Please note that there are currently ten houses being built behind 30-32 Whiteway Street that used to be one property, Halliday's farm, so this is yet another enterprise that will involve demolition and increased noise levels and harmful toxins in the air. Another health concern is the potential problem of rodents appearing during and after the demolition.

In closing I would like to say that my mother has lived here for over 50 years and up until her faltering health was a very active citizen. I sincerely hope you will reconsider this zoning application because of her health condition.

Yours truly,

Mary Barry
[REDACTED] [REDACTED] [REDACTED]

On behalf of Teresa Barry

May 11

On Friday May 11, 2012, most of the residents of our area received notification from the City regarding the proposed Re-Zoning of # 28 Whiteway Street. We are collectively opposed to the rezoning given the precedent this action may create in our neighborhood. The City should be aware that the notification, which is attached for reference, was incomplete in that the location plan was not included on the reverse side of the notice. That being the case, the residents of the area would like to respectfully request that the application not be scheduled for review during the 22 May 2012 Council meeting, rather that it be put to a later date for consideration. The accidental exclusion of the location plan impacts the transparent sharing of information on the proposed rezoning; therefore, we would request more time before this is considered by Council.

Additionally, a petition opposing the rezoning has been developed and its circulation is actively ongoing in the area, with numerous residents signing to oppose the rezoning. Many residents of Rodney Street and surrounding area do not support this rezoning and will be submitting that petition, with all signatures, to the City Planning office by the noted date of Thursday May 17th, this week.

Sheilagh, thanx in advance for your assistance.

Sincerely,

Patricia Williams & Doug Randell

Cc. Office of the City Clerk - St. John's



Opposed to Zining Change Whiteway Street B.10.A.33

gail.sullivan

to:

cityclerk

2012/05/12 02:11 PM

Hide Details

From: [REDACTED]

To: <cityclerk@stjohns.ca>

Dear City Clerk:

We are strongly opposed to the proposal to rezone property in our neighbourhood from Residential Low Density (R1) to Residential Medium Density (R2). We were informed by the City yesterday of an application for such a change by the owners of 28-32 Whiteway Street. We believe that such a change would have a negative effect on our quality of life. We also are of the opinion that the advocate(s) of the proposed zoning change have quality and profitable housing construction opportunities available to them within the current R1 zoning designation. We urge Council to not consider this application, or reject it if it comes to council, as it is scheduled to do on 22 May. The citizens of Rodney Street this week will also be submitting a signed petition to you, to this effect.

Gail Sullivan and David Peters

[REDACTED] Rodney Street



Proposed rezoning
Paul Bendzsa to: cityclerk

2012/05/17 07:25 PM

Dear Sir/Madam;

I am writing this email in support of a letter delivered to your office, May 14, 2012. In it, the residents of Rodney Street, St. John's, have voiced their concern and objection to a proposed rezoning of our neighbourhood from a Low Density (R1) to a residential Medium density (R2). The reasons and signatures are appended to that letter.

In addition, I would like to point out that there is a social and environmental balance that exists currently in this area of living space, one that will be disrupted and unnecessarily compromised if a change of status is allowed to proceed, and it would seem incumbent on the proposers of such a change to make a compelling public case for such a change.

Yours truly,
Paul Bendzsa

[REDACTED]
St. John's
Professor,
Memorial University

This electronic communication is governed by the terms and conditions at
http://www.mun.ca/cc/policies/electronic_communications_disclaimer_2012.php

May 22



Opposed to rezoning

Peters, David

to:

cityclerk@stjohns.ca

2012/05/14 09:44 AM

Hide Details

From: "Peters, David" <[REDACTED]>

To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>

In a letter received 11 May, I was informed of a proposed rezoning in my neighborhood from R1 to R2. A developer is proposing to build new residential buildings at 28-32 Whiteway. This would set a bad precedent in our neighborhood. We do not want the higher density, it's not what we bought into, and we do not want to see it approved. As well, there was no plan attached to the correspondence from the city, despite the fact that it said a plan would be attached. This is a bad idea and we oppose it strongly.

David Peters, B. Comm., BA, MA

■ Rodney Street

~~copy~~
May ?

May 15, 2012

To: City Clerk, St. John's City Hall

From: Joan Ritcey [REDACTED] Street, St. John's, A1B 3B4

Subject: Proposed Developments at 28-32 Whiteway Street

Good Day, I would like to register my strong objections to the developments proposed for 28-32 Whiteway Street.

These changes will double the density of the land; from houses with three families to units with six families. Quite a change and a terrible precedent.

I am a longtime resident of 10 Rodney Street, having grown up there. I tore down the old house and built a new one on the site in 2000. I spent a lot on it and I pay the appropriate taxes for it. I wish to stay on this beautiful street in peaceful surroundings for a long time.

More people on smaller lots would be a devastating change to the area. Instead, why not allow the Churchill Park ideal to grow and extend westwards? Developers could be encouraged to build an enlarged version of Sir Brian Dunfield's garden suburb and get prime real estate prices for it. Why downgrade such a stunning neighbourhood?

Thank you.

From: [Andrew Vardy](mailto:Andrew.Vardy@cityofstjohns.ca)
To: cityclerk@stjohns.ca
Cc: [Jill Perry](mailto:Jill.Perry@cityofstjohns.ca)
Subject: Proposed rezoning amendment on Whiteway street
Date: 2012/05/24 09:09 AM

Hello,

My wife and I live at [redacted]dney Street very close to numbers 28, 30, and 32 on Whiteway Street which are proposed to be re-zoned from R1 to R2. We are very much opposed to this re-zoning as it represents a significant change in the housing density in this area.

We have invested significant funds in renovating our property since purchasing it in 2008 and believe that this investment has helped to improve and sustain the neighbourhood. We believe that the proposed re-zoning would reduce our property's value and increase the level of congestion and parking difficulties on an already busy street. Although the proposed rezoning does not officially affect the current zoning of surrounding properties as R1, we believe that this practise of "spot zoning" does effectively re-zone the entire neighbourhood. If the city wishes to support a well-maintained and prosperous residential area close to the major employers (Government, University, College and Hospital) then it is important to maintain and protect low-density zoning in this area.

Best regards,
Andrew Vardy and Jill Perry
[redacted]dney Street

This electronic communication is governed by the terms and conditions at http://www.mun.ca/cc/policies/electronic_communications_disclaimer_2012.php

From: [Brendan O'Connell](mailto:Brendan.O'Connell)
To: cityclerk@stjohns.ca
Subject: Rezoning Consideration - 28, 30 and 32 Whiteway Street
Date: 2012/05/24 08:59 PM

We own #21 Whiteway Street. We are responding to the notification that Council has received an application to rezone #28 Whiteway Street to R2 from R1, and that Council is also considering rezoning #30 and #32 to R2.

We are **opposed** to the proposed rezoning for the following reasons:

1. The existing R1 zoning permits a single family home, which is consistent for properties in the surrounding neighbourhood

2. A change to an R2 zoning permits the following, as permitted uses, meaning that if in the future an owner applies for approval for any of these uses, Council **cannot reject the application** if the application meets the normal City requirements of the time of application:

- Boarding or Lodging House accommodating between and 5 and 16 persons
- Duplex Dwelling
- Semi-detached dwelling
- Townhousing

The list of discretionary uses for an R2 zoning include:

- Adult Day Care facility
- Day Care Centre
- Multiple dwelling not exceeding **6 (!)** dwelling units
- Residential Retail store

3. Anything other than a single family dwelling is totally unsuitable for the neighbourhood as it currently exists, but **all permitted uses listed above have to be granted by Council if the zoning is changed to R2**. In fact there is no way to stop a property owner from changing his/her mind as soon as the property applied for is rezoned to R2, and applying to construct three townhouses, or a 16 person boarding house, instead of the two semi-detached dwellings we understand is currently being contemplated

4. We purchased our property based on the R1 zoning that exists now and feel that Council has duty to protect our neighbourhood from densification

5. We are concerned that allowing a change of zoning for these properties will encourage developers to press for other properties in the area to be also rezoned. We have difficulty in understanding how Council would be able to allow this change of zoning but say no to a request from a neighbouring property to be rezoned to R2 also, and so on

6. Regarding civic nos. 30 and 32, a **semi-detached dwelling** spanning both properties currently exists. The existence of the structures on those properties is not threatened by leaving the zoning at R1. The current non-conforming use was permitted by Council and will stay permitted as an R1 zoning as a permitted non-conforming use. If however Council decides to rezone those lots to R2,

way more than making the current use "a conforming use" would in fact be accomplished. With an R2 zoning each of the two lots could down the road put anything on the permitted use list on those properties. For example, **Council would have to permit a development of a Lodging House accommodating up to 16 persons on each property, if that was applied for.** With the proximity of the neighbourhood to MUN it could be viable even now for a developer to redevelop the two properties and rent to 32 students. Why open up that possibility when the existing **semi-detached dwelling** is permitted to exist within the current zoning? There is no reason to change the zoning for these properties, but there may be severe unintended consequences for the neighbourhood.

Truly

Valerie and Brendan O'Connell

From: [Peters, David](#)
To: cityclerk@stjohns.ca
Subject: FW: Please Vote Against Rezoning Whiteway Street on June 4
Date: 2012/05/30 02:05 PM
Importance: High

Dear City Clerk:

Letters such as the one below have been sent by the neighbors of the east end of Whiteway Street to all members of Council in opposition to the proposed rezoning on Whiteway Street.

Best regards,

David Peters
[REDACTED] Rodney Street

On behalf of the Neighbors of Whiteway Street

From: Peters, David
Sent: Wednesday, May 30, 2012 1:53 PM
To: dokeefe@stjohns.ca
Subject: Please Vote Against Rezoning Whiteway Street on June 4
Importance: High

Dear Mayor O'Keefe:

On May 14 of this year a copy of a letter to the City Clerk was delivered to your office. The letter was from a group of neighbors who are opposed to the proposal (to be considered by Council on June 4) to rezone civic addresses 28, 30 and 32 Whiteway Street from R1 to R2. In addition to the signatures on the letter, we have spoken to many others since we sent it to you, and we have not spoken to anyone who is in favour of this proposal. It is our view that the onus is on the land owner/developer to make the case that the rezoning is in the interest of the neighbourhood and the city, and in our view he has not done this. In fact the Planning Department suggested to the applicant that he would be wise to approach the neighbours proactively about his plan. To our knowledge he has not acted on this suggestion.

Our Ward Councillor (Councillor Hanlon) has reviewed the rezoning proposal for Whiteway Street, and she is opposed to it. I hope we can count on you to support her and us in rejecting this rezoning application. The applicant at 28 Whiteway has the right within the existing R1 zoning to build a single family home with an apartment on the existing lot. This R1 build would provide the same density as he is seeking with the rezoning application. In this sense the rezoning is unnecessary and establishes a precedent that we do not want to see for 30 and 32 Whiteway, and possibly beyond.

If you are planning to vote in support of the rezoning application or are undecided, please reply. We would be happy to meet with you to describe our concerns in more detail.

Best regards,

David Peters
[REDACTED] Rodney Street

On behalf of the Neighbors of Whiteway Street

■ Whiteway Street

St. John's, NL

A1B 1K2

City Council of St. John's, NL

City Hall

St. John's, NL

Re: Rezoning property located at 28 Whiteway Street

Rezoning property located at 30 & 32 Whiteway Street

Dear Council members:

We are adamantly opposed to this rezoning and are certain that if it goes ahead, it will negatively impact our neighbourhood and our property in particular. This rezoning would allow two multiple dwelling properties to be located on a property that only has a one lot frontage on Whiteway Street. I doubt that this would even be considered on any of the other totally residential streets in this area. The fact that two other properties are being considered for rezoning suggests to us that there are perhaps other plans being considered for these properties as well. We strongly advise that you reject this rezoning amendment and keep Whiteway Street a Residential Low Density (R1) Zone. It just does not make sense that just because a property has a deep backyard, you should allow multiple dwellings to be built on it. It has a one lot frontage; therefore it should remain a single dwelling property.

Respectfully yours,

Linda and Derm Penney

From: [John Cross](#)
To: cityclerk@stjohns.ca
Subject: Rezoning of 28, 30 and 32 Whiteway
Date: 2012/05/30 08:45 PM

Dear Sir: I am the owner of number [REDACTED] Whiteway St which I have owned for 20 years. The current neighbourhood contains an interesting mix of Families, Retired people and students. This mix has worked well ever since I have lived here.

I am strongly opposed to the rezoning of property 28 Whiteway St. from its current designation of R1 to R2. If this was rezoned to R2 it would be possible in the future to develop such items as a lodging house to accommodate up to 16 people. With the proximity to the University of this area and the desirability for students, this is a distinct possibility. Such a unit would certainly have negative effects on the neighbourhood.

A similar argument can be made against the rezoning of number 30 and 32. I would assume that some exemption was issued before the units were built and if so then there is no need to change. Again, the neighbourhood has a good mix of different people and types and I am against anything that could disturb that mix.

Thank you for your attention to this note.

Sincerely

John Cross

From: [Janine Evans](mailto:Janine.Evans)
To: dhanlon@stjohns.ca
Cc: dkenefe@stjohns.ca; sduff@stjohns.ca; dgreen@stjohns.ca; fgalvan@stjohns.ca; btiley@stjohns.ca; wollins@stjohns.ca; acolbert@stjohns.ca; thann@stjohns.ca; shickman@stjohns.ca; soleary@stjohns.ca; cityclerk@stjohns.ca
Subject: Re-zoning Application; 28 Whiteway Street
Date: 2012/05/31 11:55 AM

Dear Councillor Hanlon,

We are the owners of lot [redacted] Halliday Place and add our names to those opposed to the application to rezone the property on Whiteway Street from R1 to R2.

As has been noted by other opponents, there is less R1 housing in this area than in many other parts of the city. The presence of the University as well as several businesses does not render it a neighbourhood which should be characterized by high density housing for the sole benefit of what will in all likelihood become non-resident property owners. While this application is only in relation to one property, the precedent it would set could ultimately redefine the neighbourhood.

As property owners, we purchased our property on Halliday place within the past year and are in the process of building a single family home, as are the other owners of lots on Halliday Place. We purchased our lot because it is in a good location and it is surrounded by R1 housing, in an area which has historically been R1. The opposite side of Elizabeth Ave, owned by Memorial, naturally has extremely high density housing. This is, of course, completely justifiable and historically consistent. It is my understanding that in past years there have been applications to rezone the Halliday Place property to allow higher density housing and that these proposals were consistently rejected. Now that Halliday Place is being successfully developed as R1 housing for which purchasers have paid a premium, surely it would be patently unfair and inconsistent to make a complete U-turn and rezone a bordering property.

St. John's is a growing and vibrant city. Clearly, careful planning is essential. Other large cities which have experienced high rates of growth indicate that allowing inner city or center city neighbourhoods to become dominated by high density housing owned, primarily by non residents, leads to diminished values and, more significantly, a loss of the beauty and character of one of the busiest and most vibrant areas of our city. A healthy mix (particularly the retention of R1 property) helps ensure that the area does not become an example of high density and low green space urban wasteland, and that the historical balance of the neighbourhood is retained.

We urge you to object to this rezoning application and to request other Councillors to respect the historical character of the neighbourhood.

Sincerely,
Janine Evans and David Lacey

MEMORANDUM

Date: May 31, 2012

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File Number B-17-D.2**
Application to Redevelop and Extend the Former Avalon Telephone Building
Civic Number 345-353 Duckworth Street (WARD 2)
Applicant: Henry Bell Developments Ltd.

A public meeting, chaired by Councillor Galgay, was held at St. John's City Hall on May 15, 2012. The purpose of the public meeting was to provide an opportunity for public review and comment on the application submitted by Henry Bell Developments Ltd. to redevelop and extend the former Avalon Telephone Building located at Civic Number 345-353 Duckworth Street. The building is proposed to be redeveloped for approximately eighty (80) residential apartments units in condominium ownership above a commercial level on Duckworth Street. Parking for the residential units will be provided in the new parking garage that is to be constructed by Henry Bell Developments Ltd. on the north side of Duckworth Street. The minutes of the May 15, 2012 public meeting are attached to this memorandum and will be included in the agenda for the Regular Meeting of Council to be held on June 4, 2012.

Henry Bell Developments Ltd. prepared a land use assessment report regarding its project to redevelop and extend the former Avalon Telephone under terms of reference which were approved by Council. The assessment report was made available for public review prior to the May 15, 2012 public meeting and is posted on the City website. Copies of the assessment report were previously provided to Council and the report is available from the Department of Planning. A view plane analysis for the project was prepared by City staff and was previously shown to the Planning and Housing Committee. The view plane analysis was presented at the May 15, 2012 public meeting and is available from the Department of Planning.

Summary/Recommendation

The property is presently zoned as Commercial Central Mixed Use (CCM) under the St. John's Development Regulations. This zone allows commercial/retail uses and a series of other uses as Permitted Uses and Discretionary Uses. The CCM Zone allows residential dwelling units on the second and higher storeys of a building as a Permitted Use and the zone also allows residential dwelling units on the ground floor (1st storey) of a building as a Discretionary Use.

The former Avalon Telephone Building presently exceeds the maximum allowed building height of 15 metres and the allowed maximum Floor Area Ratio of 3.0 under the requirement of the CCM Zone. The project would exceed the residential density standard under the CCM Zone of a maximum of one (1) residential dwelling unit allowed per 50 square metres per dwelling unit.

The proposed redevelopment/extension of the building for commercial and residential uses with off-site parking in the proposed new parking garage to be constructed on the north side of Duckworth Street has significant merit for the revitalization of this section of Duckworth Street. It is recommended that

ST. JOHN'S

DEPARTMENT OF PLANNING

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

Council approve a text amendment to the Development Regulations to allow the proposed redevelopment/extension of the building.

It is recommended that Council now approve/adopt the attached resolution for St. John's Development Regulations Amendment Number 544, 2012. If approved by Council, the amendment would have the effect of making a site-specific amendment to the former Avalon Telephone Building by retaining the property in its current CCM Zone designation, and authorizing Council, at its discretion under proposed new site-specific provisions in the CCM Zone, to allow a building on the property to have a building with a building height greater than 15 metres as measured from Duckworth Street; to allow a building at this location with a Floor Area Ratio greater than 3.0, and with a residential density greater than one (1) dwelling unit per 50 square metres of lot area.

If the amendment is approved is approved/adopted by Council, it will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment. A Municipal Plan amendment is not required to accommodate the proposed Development Regulations Amendment Number 544, 2012.

When additional detailed plans are submitted by the proponent for this development project which enables the exact building height, floor area ratio and residential density to be calculated by City staff, the application can be referred to Council for consideration of Approval-in-Principle under the provisions of the proposed new site-specific allowances under the CCM Zone for the former Avalon Telephone Building.

Original Signed

Cliff Johnston, MCIP
Director of Planning

CJ/ck

Attachments

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 544, 2012**

WHEREAS the City of St. John's wishes to allow the redevelopment and extension of the former Avalon Telephone Building located at Civic Numbers 345-353 Duckworth Street under the current Commercial Central Mixed Use (CCM) Zone designation of the property.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Add the following new subsection to Section 10.23.3 ("Zone Requirements for the Commercial Central Mixed Use (CCM) Zone").

"(h) Notwithstanding Subsections (a), (b) and (c), Council may permit at its discretion, at the property situated at Civic Numbers 345-353 Duckworth Street commonly referred to as the former Avalon Telephone Building, a Building with a Building Height greater than 15 metres as measured from Duckworth Street, with a Floor Area Ratio greater than 3.0, and a Residential Density greater than one (1) dwelling unit per 50m² of Lot Area."

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this _____ day of _____, 2012.

Mayor

**Director of Corporate Services/
City Clerk**

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

A public meeting was held on Tuesday, May 15, 2012 in the Foran/Greene Room, 4th floor, City Hall.

In Attendance: Councillor Frank Galgay, Chairperson
 Cliff Johnston, Director of Planning
 Joe Sampson, Manager of Development
 Mark Hefferton, Planner
 Karen Chafe, Recording Secretary

Representing the Proponent Henry Bell Development were Dick Cook, Bill Clarke, Danny Madden, Jack Sweetapple, Rob Campbell and Doug Hawes.

There were three (3) people in attendance from the general public including two residents of Henry Street.

The purpose of the meeting was to:

Provide an opportunity for public review and comment on an application submitted by Henry Bell Developments Ltd. to redevelop and extend the former Avalon Telephone Building located at Civic Number 345-353 Duckworth Street. The Building is proposed to be redeveloped for approximately eighty (80) residential condominium units above a commercial level on Duckworth Street. Parking for the residential condominium units will be provided in the new parking garage that will be constructed by Henry Bell Developments Ltd. on the north side of Duckworth Street opposite the former Avalon Telephone Building.

There were no written submissions of objection or support.

The meeting was called to order by Councillor Galgay who explained the process to ensue. Mark Hefferton, Planner, conducted a presentation outlining the City's planning review process and the proponent conducted a presentation on the required Land Use Assessment Report. Copies of this information are on file with the City Clerk's Department and available for viewing on the City's website.

The floor was opened for discussion:

Donna Moore-O'Leary – ■ Henry St.

- Ms. Moore-O'Leary referenced the view plain analysis conducted by staff and questioned if all the proposed developments under consideration and approval in this area could have been incorporated for a more accurate picture. She felt it was somewhat biased to exclude projects which have been approved, resulting in an analysis which does not reflect the whole perspective.
- This project as a whole will impact the residents of Henry St. the most as they live the closest to it. It will have a claustrophobic effect and will detract from the heritage nature of the area.

Darren Newton - Henry Street

Mr. Newton applauded the proponent's intent to repurpose the dilapidated building; however, he felt conflicted because of the entire development's negative impact on his property:

- His concerns are extraneous to this particular development, noting that he will probably not be able to see this building from his property once the condo developments on the north side of Duckworth St. are constructed.
- His frustration emanates from his inability to get clear answers from City Hall and the developer about what to expect during each stage of construction. Though he acknowledged the assistance of Ryan Clarke in providing him with a parking permit for another area, Mr. Newton felt that the lack of communication to residents left a lot to be desired.
- The residents of Henry St. who are most impacted by the major construction underway deserve more respect and attention, particularly in light of the fact that their street and on-street parking has been taken away without any notification.
- Delays in the project have also caused uncertainty among residents. From a social perspective, someone should have had the courtesy to knock on the doors of the approximate 25 residents who live on Henry St. to advise them of the disruptions and delays.
- When contacting the City, they tell him to contact the developer, and he felt that the City should not be abrogating its obligation to notify residents who have to tolerate noise from heavy equipment; the blowing around of dust and debris from construction; the loss of parking; the uncertainty of whether or not he should continue to beautify and paint his house this year or if the effort would be useless in light of dust and debris from construction. He questioned who should be contacted at City Hall for this kind of information?
- Of the entire street, he and Ms. Moore-O'Leary are the only two residents who are owner occupied as the other properties are rentals and as such these other properties are becoming run down.

Mr. Cook in response to the concerns about delay noted that it would be a matter of weeks and not months before the project gets underway again.

With respect to parking Mr. Newton requested clarification on the actual number of parking spaces available, particularly how many will be available to the general public. The following was noted:

- The total number of parking spaces provided will be 409.
- A total of 183 condominiums will each be provided with one parking space from the 409 available, leaving a total of 226 for general public parking. The allocation of these public spaces will be administered by the City and the spaces will be situated on the first three floors of the parking garage and will be separate from the condominium owners' parking area.
- In response to the question of whether or not condo owners will get first dibs on additional parking spaces, it was noted that this will not be the case and condo owners will have to apply the same as any other member of the general public.

- Mr. Newton questioned if he as a resident and property owner of Henry St. will have an opportunity to have a parking space in the garage. It was suggested that interested parties should contact the City's Transportation Engineer, Mr. Robin King about the process for applying to have parking space. Mr. Cook stated that the parking garage is scheduled to be finished in about 18 months.
- Mr. Newton referenced the glut of condominium developments occurring across the country which will eventually saturate the market and he felt that the whole issue should be re-examined, particularly how such will impact this City.

Hearing no other questions or comments, Councillor Galgay called the meeting to a close at 7:43 p.m.

Councillor Frank Galgay
Chairperson

MEMORANDUM

Date: May 31, 2012

To: His Worship the Mayor and Members of Council

Re: **Department of Planning B-17-R.1**
Application to Rezone Property to Allow a Residential Development
Civic Number 25 Rhodora Street (WARD 4)
Applicant: Gibraltar Development Ltd.

A public meeting, chaired by Councillor Hanlon, was held at Roncalli Elementary School on May 29, 2012. The purpose of the public meeting was to provide an opportunity for public review and comment on the revised application submitted by Gibraltar Development Ltd. to rezone property at Civic Number 25 Rhodora Street (the former Scotia Recycling property) from the Commercial Industrial (CI) Zone and the Residential Low Density (R1) Zone to the Apartment Medium Density (A2) Zone. The purpose of the proposed rezoning is to allow the redevelopment of the site for the construction of a four (4) storey 28-unit residential apartment building and a three (3) storey 34-unit residential apartment building under condominium ownership. Please see the air-photo attached to this memorandum which shows the location of the subject property. The minutes of the May 29, 2012 public meeting are attached to this memorandum and will be referred to the agenda for the Regular Meeting of Council to be held on June 4, 2012.

The applicant has provided display-sized versions of the site plan and building elevations for this proposed residential development which are available for viewing at the Department of Planning. In order to accommodate rezoning of the property to the A2 Zone, it would be necessary to undertake a map amendment to the St. John's Municipal Plan to redesignate the property from the Commercial General District to the Residential High Density District.

Recommendation

Upon reviewing the minutes of the May 29, 2012 public meeting, Council should determine if it wishes to move ahead with the process to rezone the property at Civic Number 25 Rhodora Street in order to accommodate the residential condominium apartment building project proposed to be developed by Gibraltar Development Ltd. The Department of Planning supports the proposed rezoning and recommends that Council move ahead with the rezoning process.

As part of the proposed rezoning process, the Department of Planning recommends that the two adjoining residential properties at Civic Numbers 15 and 17 Airport Heights Drive upon which single-detached houses are located, and which are presently zoned as Commercial Industrial (CI), be rezoned to the R1 Zone as leaving CI zoned land between residential zones is not recommended due to the potential of future conflicting land uses. There is also a small parcel at the rear of an existing residential building lot at Hall's Road which we recommend be rezoned from CI to R1. The remainder of this residential property is already zoned as R1.

ST. JOHN'S

DEPARTMENT OF PLANNING

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

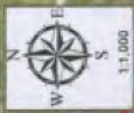
If Council decides to move ahead with the rezoning process, then the Department of Planning will then proceed to prepare the necessary map amendments to the St. John's Municipal Plan and the St. John's Development Regulations to accommodate the proposed rezonings noted above. The amendments will then be referred to the Department of Municipal Affairs with the request for the issuance of a Provincial release. Once the Provincial release is issued, the amendments will then be referred back to a future Regular Meeting of Council for consideration of formal adoption and the appointment of an independent commissioner to conduct a public hearing on the amendments.

Qtki kpcnUki pgf

Cliff Johnston, MCIP
Director of Planning

CJ/ck

Attachments

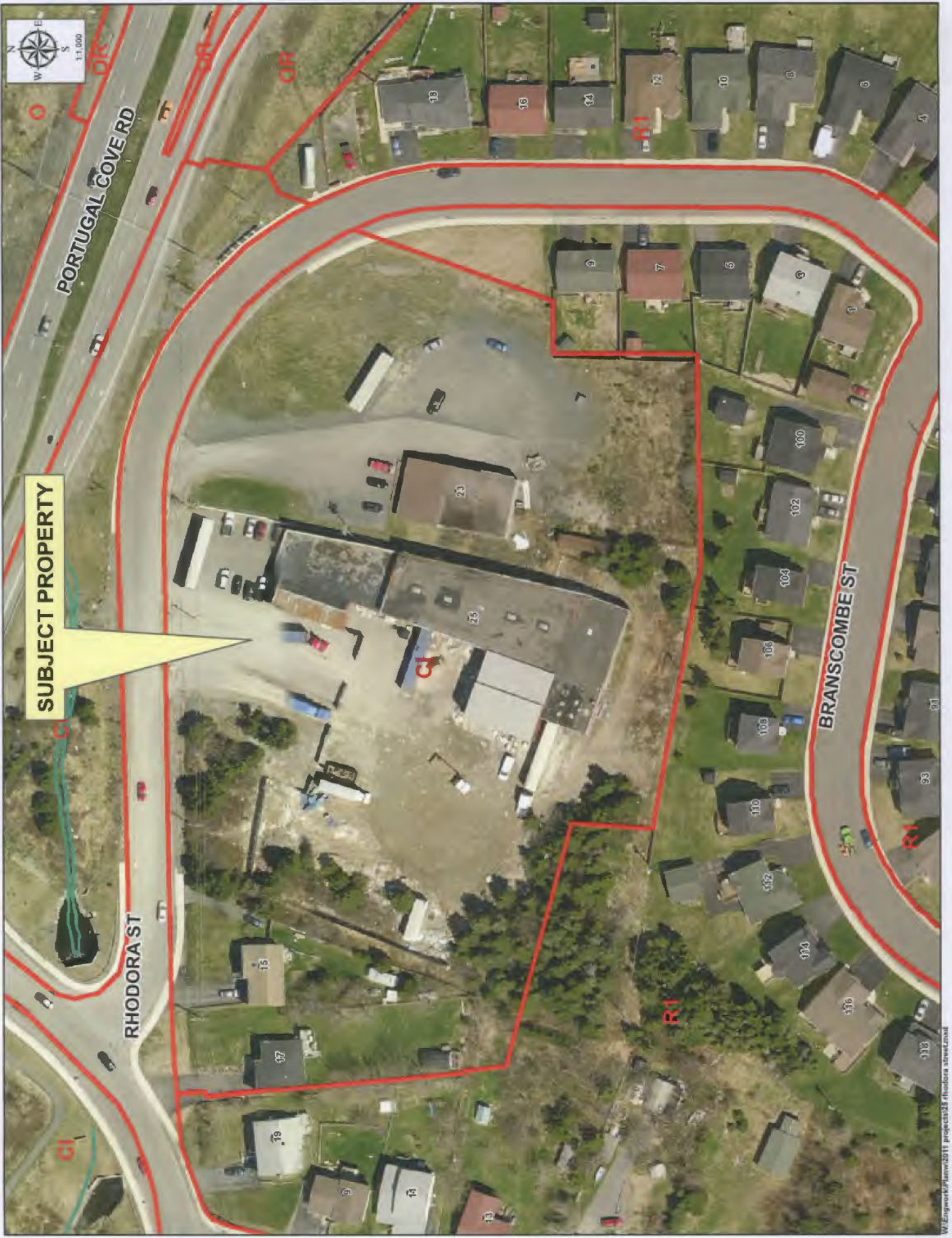


PORTUGAL COVE RD

SUBJECT PROPERTY

RHODORA ST

BRANSCOMBE ST



A public meeting was held on Tuesday, May 29, 2012 at 7:00 p.m. at Roncalli Elementary gymnasium, 130 Airport Heights Drive.

In Attendance: Councillor Debbie Hanlon, Chairperson
Cliff Johnston, Director of Planning
Lindsay Lyghtle- Brushett, Planner
Maureen Harvey, Recording Secretary

There were approximately 25 people in attendance from the surrounding community as well as the proponents: Chris Sampson, Sheppard Case Architects; Craig Foley and Dave Kelly of Gibraltar Development.

The purpose of the meeting was to provide an opportunity for public review and comment on the following:

Application submitted by Gibraltar Development Ltd. to rezone property at # 25 Rhodora Street (the former Scotia Recycling site) to allow the redevelopment of the site for the construction of a four (4) storey 28-unit residential condominium building and three storey 34-unit residential condominium building. The application site is located in Ward 4.

The following written submission was received subsequent to the meeting and is attached to this report:

- E-mail dated January 11, 2012 from Ray and Wanda Watson, 11 Hall's Road outlining some points of concern.

Lindsay Lyghtle-Brushett provided an overview of the application with particular reference to the St. John's Municipal Plan and the St. John's Development Regulations.

The City's Planning Department feels that the proposal outlined is consistent with the St. John's Municipal Plan and would enhance the neighbourhood by removing a building which is in poor condition. The application would be subject to approval of a final site plan by the Department of Engineering, approval of a landscaping plan by the Department of Public Works and Parks, and approval from Navigation Canada.

The application requires a rezoning as well as an amendment to the Municipal Plan. If approved by Council, this would require a public hearing chaired by an independent commissioner appointed by Council.

The following points were outlined which were further detailed in the staff memo dated April 24, 2012, on file with the City Clerk's Department:

- The subject property is within the Commercial General (CG) Land Use District under the St. John's Municipal Plan and has an approximate total area of 10,369 square metres. The proposed site has frontage on Rhodora Street and would be accessed by a new cul-de-sac. The property has been used for commercial industrial purposes for decades and was home to Scotia Recycling NL Limited.

- Land immediately abutting the subject property to the south and west are occupied by single detached houses which have frontage on Branscombe Street and Hall's Road; these are in the Residential Low Density (R1) Zone. Land to the north is vacant while land to the east is occupied by Provincial Refrigeration. Both properties are zoned Commercial Industrial.
- Adjacent to the proposed site are two single detached houses (Civic 15 and 17 Airport Heights) which are within the Commercial Industrial (CI) Zone. Staff has spoken with the property owners, who are not in favour of having their properties rezoned to Residential Low Density (R1) at this time. Staff recommends that these two properties should be included in the rezoning process; leaving CI zoned land between two residential zones is not recommended due to the possibility of future conflicting land uses.
- The Department of Engineering will require the development to have appropriate municipal water and sewer services and storm sewer.

Mr. Chris Sampson with Gibraltar Development also provided a brief overview of the proposal. Maps and renderings were on display during the meeting.

The floor was opened for discussion:

Paul Dufort – Rhodora Street.

Mr. Dufort asserted that this type of development is not consistent with development in the area and suggested that it should be restricted to the construction of single family dwellings. He noted that his position which was put forth at a previous public hearing on January 10th has not changed.

Ray Watson – Hall's Road

Mr. Watson noted that this development will be directly behind his home and will cause him a loss of privacy as the balconies of the proposed building will be directly above his property. His view of the Narrows will also be obstructed. He also made mention of the noise that will be generated from the balconies of these condominiums once occupied. In light of a recent number of break and entries in the area, Mr. Watson also expressed concern about security in the area. He indicated that because of this development he will likely not be able to sell his property.

Joseph Enguehard – Airport Heights

Mr. Enguehard indicated that he lives close to the development but on the opposite side from Mr. Watson. He asserted that any development would be better than what presently exists (Scotia Recycling). Mr. Enguehard stated that he is continuously cleaning rubble emanating from the Recycling facility and is very concerned about rodents in and around the area. He noted that he has grandchildren that frequent his home and as a result is concerned that safety may be compromised on the basis of increased traffic.

Upon question of the traffic impact, Ms. Lyghtle-Brushett indicated that the City's Transportation Engineer has reviewed the proposal and determined that traffic patterns for the 62 units proposed does not warrant a traffic-impact study. She indicated, however that some traffic modifications are already under consideration i.e. modification to the intersection into Airport Heights, timing of traffic lights and extension of the median.

Mr. Enguehard supports the development but suggests that, once under construction, pesticide management be engaged to deal with the anticipated presence of rodents.

Jim Sweetapple – Lancaster Street

Mr. Sweetapple agreed that it is in everyone's best interest that this area be rezoned residential. He also understands the rationale behind the development of multiple dwelling units. While recognizing the point of view for people that are immediate vicinity who will be impacted, Mr. Sweetapple asserted that this development appears to be a most reasonable and cost effective option.

Christopher Olinek – [REDACTED] Street

Mr. Olinek questioned how the proposed development could be considered a four storey unit, when, in fact it is really five storeys. It was explained that the number of storeys is measured in conjunction with the average grade around the site. The Director of Planning read the definition of storey from the City's Development Regulations.

Unidentified Individual – Branscombe's Street

A gentleman, whose name was not clearly heard, questioned whether there will be any landscaping carried out across the street from the proposed development as this area, if left unattended, will detract from the aesthetics of the proposed site and the general neighborhood. The Director of Planning noted that if the development is approved by Council, the developer will be required to submit detailed site plans which will include a comprehensive landscaping plan. This will not address the issue of unsightliness across the street from the proposed development, however, Chairperson Debbie Hanlon agreed to speak with the individual as there are currently other measures that can be carried out by the City to address this issue.

Adjournment

There being no further business, the meeting adjourned at 8:00 p.m.

Councillor Debbie Hanlon
Chairperson

**REPORT/RECOMMENDATIONS
POLICE AND TRAFFIC COMMITTEE
May 17, 2012**

In Attendance: Councillor Gerry Colbert, Chairperson
 Deputy Mayor Shannie Duff
 Councillor Bruce Tilley
 Councillor Tom Hann
 Councillor Frank Galgay
 Councillor Danny Breen
 Robert Smart, City Manager
 Robert Seymour, Downtown St. John's
 Chris Whalen, St. John's Transportation Commission
 Bob LeDrew, Nfld. Carriers Association
 Sargeant Murphy, Royal Newfoundland Constabulary
 Robin King, Transportation Engineer
 Dawn Comer, Supervisor of Traffic and Parking
 Bill MacDonald, Supervisor of Traffic and Signals
 Kevin Breen, Manager of Streets and Parks
 Blair Bradbury, Project Engineer
 Derm Layman, Foreperson, Streets Division
 Karen Chafe, Recording Secretary

Report:

1. Churchill Square Parking Issue

Staff advised that the Churchill Square parking survey is ready to be distributed. They anticipate having some results to report from the survey for the next Police & Traffic Committee meeting.

2. Hazelwood Crescent – Complaints from Area Residents Regarding Speeding

The Committee considered staff's responses to a number of requests (as presented by a resident delegation at the last meeting) for an investigation into several traffic issues. The Committee concurred with the staff responses as indicated below and will await further updates on those issues still under review:

Residents' Issue	Staff's Response
Request for reduced speed limits on Hazelwood Crescent in school zone	Currently under review by Traffic Division.
Request for increased signage on Hazelwood Crescent	<ul style="list-style-type: none"> • School zone signage inspected and found to be visible and adequate. • Warning signs will be installed to notify motorists on Hazelwood Crescent.

	<ul style="list-style-type: none"> New speed limit signs will be installed if it is determined that the speed limit should be reduced.
Traffic Calming Measures	Hazelwood Crescent was assessed for traffic calming, and it was determined that the street does not meet the screening criteria identified in the City's traffic calming policy.
Adjust traffic signal timings	Traffic Division is reviewing the signal timings and will be making some minor adjustments to improve the flow of traffic from the school parking lot.
New traffic signal on Topsail Road @ Road DeLuxe	A traffic study and warrant analysis was conducted at the intersection which determined that a traffic signal is not warranted.
Installation of a cul-de-sac on Hazelwood Crescent	Staff advises that a reconfiguration of the street would create more difficulties for area residents than it would resolve. It would also impact on emergency vehicle response time.
Snow Clearing – Priority Assignment	This has been addressed by Streets Division.

3. **Stavanger Drive @ Carrick Drive – Traffic Signal Request from Councillor Breen**

Staff having conducted a six hour traffic count and reviewing the collision record at the intersection of Stavanger and Carrick, (as per the Transportation Association of Canada's signal warrant system) has determined that a traffic signal is not warranted at the location.

The Committee recommends that the status quo be maintained at the intersection of Stavanger Drive @ Carrick Drive.

4. **Prince Philip Drive @ the CONA Access**

The Committee considered the request from Councillor Hanlon to review the collision record for the intersection of Prince Philip Drive and College of the North Atlantic Access. Over a three year period from 2009 to 2011 a total of eleven (11) collisions took place: 7 right angle, 1 rear end and 3 turning movement.

Staff advised that these numbers are not significant from a traffic analysis perspective. It was suggested that as the issue is being driven by the student council of CONA, it would be prudent for the City to contact the administration of CONA to suggest that they (CONA) hire a traffic consultant to review the issue to determine whether or not the accesses on their property should be reconfigured and possibly signalized. The Committee expressed concern about the impact that any reconfiguration may have on adjoining neighbourhoods such as Gooseberry Lane.

The Committee recommends that staff meet with representatives of CONA (including the administration and student council) to convey their suggestions for reviewing the issue as noted above.

5. Westerland Road Crosswalks

The Traffic Division conducted a traffic study at the crosswalk on Westerland Road at Pedagogue's Close. The results of the study indicate that an upgraded pedestrian crossing device is warranted.

The Committee recommends that the crosswalk on Westerland Road at Pedagogue's close be upgraded to a pedestrian activated RA-5 crossing control, and that this project be added to the capital works list for pedestrian crossings that warrant upgraded traffic control. It was also recommended that the University be contacted to determine if they would be amenable to cost-sharing this work.

6. Miscellaneous Issues:

- a. Harbour Drive Lighting: Staff advised that all decorative lighting is now working, though there are a few regular street lights that NL Power maintains for the Port Authority. A request has been sent by both the City and the Port Authority to NL Power for corrective action and they are still awaiting a response. Councillor Tilley specified that the lights in question are the 2-3 west of the Keg. He requested that staff write another letter to NL Power.
- b. East White Hills Lighting: Information was sent to NL Power to review lighting levels and determine costs associated with increasing lighting along the roadway. Still awaiting response.
- c. Portugal Cove Road Signage for TCH: All signage is visible and correct. Lighting is adequate. Councillor Colbert contended, however, that the intersection of the two ramps for traffic accessing the Trans-Canada eastbound is not visible. Though there is a pole situated at the merge with wiring installed, there is no light fixture. Mr. Bradbury advised that NL Power is aware of this area and it is listed for replacement. Councillor Colbert noted that some other municipalities enable their residents to tag defective poles by tying ribbons around the poles. It may be an option that the City should consider.

7. Signal Timings – Portugal Cove Road @ Airport Heights Drive

Staff advised that the above-noted intersection is almost at capacity and a new timing plan has been installed which is anticipated to alleviate some of the congestion pressure currently experienced. A more comprehensive report will be brought forth to the committee to determine whether or not the left turn lanes will need to be reconstructed and whether or not the turning lanes will need to be expanded to accommodate backed-up traffic.

8. Forest Road @ Factory Lane

The Committee considered a request for an all-way stop at the intersection of Forest Road @ Factory Lane. The Traffic Division conducted a six hour traffic count and reviewed the collision

record at this intersection. Based on the warrant system used by the Transportation Association of Canada, an all-way stop is not warranted.

The Committee recommends that the status quo be maintained at the intersection of Forest Road @ Factory Lane.

9. Request for Traffic Calming and Speed Limit Signage on Teakwood Drive

The Committee considered the above noted request from residents of Teakwood Drive, specifically that speed limit signage or speed bumps be installed as well as signage to direct construction traffic to another street. A traffic study on Teakwood Drive in April 2012 showed 2163 vehicles travelled the road in a 24 hour period with an 85th percentile speed of 58 km/hr. The street was screened for traffic calming and it does not meet the thresholds required by the City's Traffic Calming Policy to qualify. The street is classified as a collector street and because of that, the City cannot install traffic calming that may direct traffic to local streets, nor can they direct construction traffic to use the local streets.

Staff recommended that a crosswalk should be installed at the entrance to the playground to highlight the entrance and the pedestrian crossing. As requested, 50 km/hr signs will also be installed.

That the staff recommendations for the installation of a crosswalk and 50 km/hr speed limit signs on Teakwood Drive be approved.

10. Rotary Drive and Jensen Camp Road Speeding

The Committee considered a number of complaints submitted to the Traffic Division from residents regarding increased volumes and speeds of traffic on Rotary Drive. Compliance issues have also been identified at the stop controlled intersections of Rotary Drive @ Lions Road, Rotary Drive @ New Pennywell Road and Lions Road @ New Pennywell Road. A traffic study was conducted on Rotary Drive the results of which indicated that an average of 2521 vehicles travelled the road in a 24 hour period, with 85th percentile speeds of 60.53 km/hr. The street was screened for traffic calming and it qualifies under the terms of the City's Traffic Calming Policy.

The Committee recommends that Rotary Drive be added to the list of streets approved for traffic calming. The Royal Newfoundland Constabulary also advised that they will add this street to its list for increased patrol monitoring.

11. Battery Road Speeding

The Committee considered a request from an area resident for traffic calming on Battery Road. An updated traffic study will be required to determine if Battery Road meets the criteria for traffic calming. The speed limit should also be reviewed. Currently the speed limit is posted at 15 km/hr which may not be appropriate, and this could be contributing to the lack of compliance.

The request is deferred pending further study.

12. Macbeth Drive Speeding

The Committee considered correspondence from John Hinchey requesting investigation into problems with speeding on Macbeth Drive.

The Committee recommends deferral pending traffic study.

13. Hamilton Avenue Parking

The Committee considered a request for the removal of the 15 minute parking restriction on Hamilton Avenue at the rear of 78 Hamilton Avenue.

The Committee recommends that the 15 minute parking zone on Hamilton Avenue be removed.

14. Request to Remove Loading Zone on Water Street by Breakwater Books

The Committee considered the above-noted request from Dave Snow of Wildland Tours to remove the loading zone which is no longer required.

The Committee recommends that the loading zone on Water Street adjacent to the former Breakwater Books be replaced with parking meters, pending approval by Downtown St. John's.

Note: Committee member Mr. Seymour representing Downtown St. John's advised that his organization concurs with the Committee's recommendation.

15. Request to remove No Parking Signs on Rennies Mill Road

The Committee considered a request to remove the "No Parking 9 am to 5 pm Monday to Friday" parking restriction from Rennies Mill Road.

The Committee recommends that:

- a. a notification be sent to area residents that the parking restriction will be removed; and**
- b. That if no objections are received that the restriction be removed.**

16. Request from Mr. Wayne Ralph to Switch Parking on Buchanan Street to Opposite Side

The Committee considered the above-noted request. Staff has determined that the relocation will increase the number of spaces available for area residents and address any driveway issues that may currently exist.

The Committee recommends that the permit parking on Buchanan Street be switched from the east side to the west side. The Traffic Division will work with the Church to address their concerns about the relocation's possible interference with funeral services.

17. Parking on Waterford Bridge Road (adjacent to the Bowring Park Lot)

The Traffic Division advised the Committee that vehicles are parking too close to the entrance to the Bowring Park Duck Pond Parking Lot and obstructing vehicles exiting the parking lot. There is a bus stop located just east of the entrance to the parking lot, and it is suggested that this be relocated closer to the entrance to the parking lot. Such action would resolve the issue since parking is not permitted on bus stops.

The Committee recommends that the bus stop on Waterford Bridge Road east of the Bowring Park Lot be moved approximately 50 m west.

18. Parking at Tower Corporate Campus

The Committee considered a request from Martek Morgan Finch Incorporated on behalf of the Tower Corporate Campus to install 30 parking meters on their parking lot located on Waterford Bridge Road for the purpose of short term parking for visitors to their facility. The Campus would install the meter post and the City would provide all meter hardware and be responsible for maintenance and collection.

The Committee recommends that the request be deferred pending the City's contacting the property owner, Frank Cahill, to discuss the aforementioned parking issues on Waterford Bridge Road to ensure that the installation of the meters would not force more vehicles to park on the street.

19. Request to Name Laneway between Winter Avenue and Winter Place

The Committee considered a request from area residents to name the laneway between Winter Avenue and Winter Place "The Gap". Staff indicates that the installation of a street name sign on this lane may encourage vehicular traffic which would not likely be supported by residents. The Streets Department has expressed a concern that naming the laneway may suggest that the lane will be serviced, which is also not the intention.

The Committee recommends that the request be referred to the City's Nomenclature Committee.

20. Churchill Square Improvements

The Transportation Engineer advised that there is a total of \$138,000 in the Churchill Square Improvements fund to date. He has received a request from the Construction Division to replace the brick pavers, the cost of which is approximately \$45,000. Members of the Committee questioned the practicality of using brick pavers and suggested that perhaps a stamped concrete or asphalt method would be more serviceable and which could be painted different colors.

The Committee recommends that staff investigate the alternatives noted above to determine the cost and maintenance efficiencies of such versus brick pavers and that their findings be referred to a future meeting of the Development Committee.

21. **Residential Permits for Contractors**

The Transportation Engineer advised that he received a request from Councillor Collins about the possibility of providing residential permits to contractors, presumably in the Downtown area. Staff felt that if such is permitted, it may get out of control and they therefore, recommended against it.

The Committee recommends the status quo and that residential permits not be allocated to contractors.

22. **Implementation of High Occupancy Vehicle Parking Program – City Hall Parking Garage**

The Committee considered background information from the Traffic Division regarding the above noted matter. The Downtown Parking Study recommended that the City initiate transportation demand management policies that would maximize use of downtown parking spaces and decrease the number of vehicle trips into the downtown, including the designation of high occupancy vehicle (car pool) parking areas. One such area that was identified was the City Hall parking garage. The Committee felt that City Hall should lead by example and look at the possibility of imposing additional parking policies for City Staff.

The Committee recommends that:

- a) **Staff proceed with the implementation of High Occupancy Vehicle Parking on the fifth level of the garage;**
- b) **Staff further investigate other possible parking initiatives for City Hall staff parking and bring a report back to the Committee.**

23. **Short and Long-Term Parking Plan & Alternatives for Downtown**

Deputy Mayor Shannie Duff asserted that the City needs to be proactive in its approach to addressing future parking demands in the Downtown as it relates to ongoing new development. The City should better promote public transportation options as well as the bicycle friendly initiatives that have taken place over the past year. The Transportation Engineer advised that he has surveyed all the major developers in the downtown area to ascertain their plans for parking during various stages of development. Most have responded fairly positively. Councillor Tilley questioned how the additional traffic density would impact the present traffic density and suggested that Downtown St. John's be kept apprised of any new information. The Transportation Engineer agreed to contact Scott Cluney of Downtown St. John's to advise him of the survey findings.

Discussion ensued on the options to engage Metrobus in arranging group pass rates for downtown workers which may assist developers in solving some of their parking issues during the construction process. The suggestion of a "park and ride" facility was also mentioned and whether or not the City has sufficient space to accommodate such. Councillor Hann indicated that space is quite limited as demonstrated by Metrobus' search for land as an alternate to the

Village site. Councillor Hann also asserted that approximately 45 % of downtown commuters come from outside the City of St. John's, and efforts should be made to bring these other municipalities to the table to consider this issue which, he felt was regional in nature. He suggested that perhaps this is an initiative better navigated under the auspices of the Provincial Government.

Adjournment

There being no further business, the meeting adjourned at 11:45 a.m.

Councillor Gerry Colbert
Chairperson

REPORT/RECOMMENDATIONS

Planning & Housing Standing Committee

May 25, 2012

In Attendance:

- Councillor Tom Hann, Chairperson
- Deputy Mayor Shannie Duff
- Councillor Bruce Tilley
- Councillor Sheilagh O’Leary
- Councillor Danny Breen
- Councillor Frank Galgay
- Councillor Sandy Hickman
- Mr. Bob Smart, City Manager
- Mr. Paul Mackey, Director of Public Works
- Mr. Cliff Johnston, Director of Planning
- Mr. Walt Mills, Director of Engineering
- Mr. Bob Bursey, City Solicitor
- Mr. Dave Blackmore, Director of Building and Property Management
- Mr. Ken O’Brien, Manager of Planning & Information
- Mr. Joe Sampson, Manager of Development
- Mr. Robin King, Transportation Engineer
- Ms. Lynnann Winsor, Manager of Development, Engineering Services
- Mr. Kevin Breen, Manager of Streets and Parks
- Mr. Brian Head, Operations Assistant, Streets
- Ms. Maureen Harvey, Recording Secretary

1. Proposed amendment to the St. John’s Development Regulations, referenced as Development Regulations Amendment Number 539, 2012, which sets out the proposed standards for Drive-Thru Facilities.

Subsequent to the Regular Meeting of Council held April 24, 2012, wherein the proposed amendment to the Development Regulations was considered and referred back to staff for clarification, the Committee considered revisions as put forth in the attached memorandum dated May 24, 2012 from the Director of Planning.

The Committee recommends that Council now proceed to adopt St. John’s Development Regulations Amendment Number 539, 2012 (revised as attached) which sets the standards for Drive-Thru Facilities.

If the amendment is adopted by Council, it will then be sent to the Department of Municipal Affairs with a request for provincial registration of the amendment.

2. Application for rezoning at 267 Mundy Pond Road (Ward 3)

The Committee considered an application to rezone Civic Number 267 Mundy Pond Road to develop four (4) town houses. The application was previously rejected by Council in September 2011. The applicant has reapplied, with written support from nearby residents and it also contains a change to the driveway plan to address concerns with respect to snow clearing. A staff report dated May 24, 2012 is attached.

As the applicant has received written support from many of the neighboring residents, and as the modified driveway plan addresses the previous concerns of the Department of Public Works and Parks regarding snow clearing, the Committee recommends the application be advertised for public review and comment. Upon completion of the advertising process the application will be referred to a future regular meeting of Council for consideration of approval.

3. Proposed Amendments to the St. John's Municipal Plan and the St. John's Development Regulations to implement the Urban Forest Master Plan.

The Committee considered proposed changes to the City's Municipal Plan and Development Regulations as it pertains to tree planting and landscaping requirements. A Staff report is attached.

The main purpose of the amendment is to ensure replacement of trees that have been cut down to make way for residential development. While there are regulations and practices pertaining to commercial developments, residential developers or prospective home owners are not compelled by regulation to plant trees on their properties where trees once stood. It is the intent that this amendment will strike the right balance between environmental stewardship and the rights of property owners to landscape their properties as they see fit.

The Committee recommends that the proposed amendments be advertised for public review and comment and that City staff arrange to meet with the Newfoundland Homebuilders' Association and other applicable agencies in order to present and discuss the proposed amendments, and to solicit feedback on the amendments.

4. Application for an Infill Housing Development at 111 Hayward Avenue (Ward 2) Skymark Homes

The Committee considered the attached memorandum dated May 24, 2012 from the Director of Planning regarding this application.

The Committee recommends that Council now proceed to make a decision regarding this discretionary use application. The Committee notes that the

Department of Planning has previously made a recommendation to Council that this application be approved.

The Committee directed staff to investigate whether improvements can be made for the existing parking area in the vicinity of Century Park off Hayward Avenue. This may involve the engagement of a consultant to review. City staff will investigate this matter and report back to the Committee.

Councillor Tom Hann
Chairperson

MEMORANDUM

Date: May 24, 2012

To: Chairperson and Members,
Planning and Housing Committee

Re: **Council Directive R2012-04-30/1**
Proposed Standards for Drive-Thru Facilities

Attached for the review of the Planning and Housing Committee is a revised resolution for a proposed amendment to the St. John's Development Regulations, referenced as Development Regulations Amendment Number 539, 2012, which sets out proposed standards for Drive-Thru Facilities. This revised resolution has been drafted by the City Solicitor in conjunction with the Departments of Engineering and Planning, and the City Manager. Also attached for information, is a copy of Council Directive R2012-04-30/1.

The amendment to the Development Regulations, if adopted and approved by Council, would have the following effects:

1. The amendment introduces definitions for "Drive-Thru Facility" and "Stacking Lane" into Section 2 of the Development Regulations which is the section which sets out definitions for terms used referenced in the Regulations.
2. The amendment requires that applications for a Drive-Thru Facility which proposes to locate within 150 metres of a Residential Zone, an Apartment Zone, a property used exclusively for residential purposes (including a residential property with an approved Home Occupation or a Home Office), a School, a Day Care Centre or a Church would be classified as a Discretionary Use. Applications for Discretionary Uses must be advertised for public review and comment before being referred to a Regular Meeting of Council for decision. At the present time, applications for Drive-Thru Facilities associated with an Eating Establishment that are proposed to locate within a 150 metres of a Residential Zone, an Apartment Zone, a Church or a School are classified as Discretionary Uses.
3. The amendment provides that the Separation Distance as it relates to Drive-Thru Facilities is the minimum distance between the boundary of any Residential Zone, or Apartment Zone, or any property used exclusively for residential purposes in any other Zone and the closest edge of the nearer of a Drive-Thru Stacking Lane or an on-site traffic lane designed to bypass the Stacking Lane.
4. The amendment provides that the Separation Distance from the boundary of a Residential Zone and/or an Apartment Zone shall be no less than 15 metres. The amendment also provides that the Separation Distance from the boundary of properties used exclusively for residential purposes in any other Zone shall be no less than 3 metres.

ST. JOHN'S

DEPARTMENT OF PLANNING

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

5. The amendment provides that in addition to the Separation Distance noted in Item Number 4 above, that a noise attenuation barrier/acoustic barrier/noise wall, designed and sited by a qualified acoustical consultant, all subject to the approval of the Director of Engineering or their designate, shall be installed at the expense of the proponent where a Drive-Thru Facility is proposed to abut a Residential Zone, an Apartment Zone, or any property used exclusively for residential purposes in any other Zone.
6. The amendment provides that every application for a Drive-Thru Facility, irrespective of the zoning of the application property, shall be referred to the Director of Engineering or their designate who shall establish the minimum number of stacking spaces required in the Stacking Lane for the Drive-Thru Facility. The objective of the City staff review of the number of required stacking spaces will be to reasonably minimize potential on-site congestion issues that could possibly result in traffic problems on City streets, including site access/egress problems and traffic back-up/overflow problems.

Recommendation

The proposed Drive-Thru Facility standards are referred to the Planning and Housing Committee for the review of the Committee with a subsequent report/recommendation from the Committee to Council.

Cliff Johnston, MCIP
Director of Planning

CJ/sf

Attachments

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 539, 2012**

WHEREAS the City of St. John's wishes to introduce standards for Drive-Thru Facilities into the text of the St. John's Development Regulations.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendments to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act:

1. Introduce the following new definitions to Section 2 ("Definitions") of the Development Regulations.

- (a) **"Drive-Thru Facility means a facility or operation that is designed to allow or require occupants to remain in their motor vehicles while goods and/or services are either being provided to them or self-service is being undertaken or initiated by them."**
- (b) **"Stacking Lane means an on-site queuing lane at a Drive-Thru Facility for motorized vehicles which may be identified by barriers, curbs, markers or signs."**

2. Repeal subsection 7.22(5) ("Lounges and Eating Establishments") and replace it with the following new subsection:

- "(5) An application for an outdoor eating area associated with an Eating Establishment shall be a Discretionary Use where the Eating Establishment is located within 150 metres of a Residential Zone, an Apartment Zone, a Church, or a School."**

3. Add the follow new section to Section 7 ("Special Developments") of the Development Regulations.

"Section 7.31 Standards for Drive-Thru Facilities

- (a) **Notwithstanding anything contained in Section 10 or elsewhere in these Regulations, an application for a Drive-Thru Facility shall be a Discretionary Use where the Drive-Thru Facility is proposed to be located within 150 metres of:**
 - (i) **a Residential Zone;**
 - (ii) **an Apartment Zone; and/or**
 - (iii) **a property used exclusively for residential purposes (which for the purposes of s.7.31 shall include a property upon which an approved Home Occupation or Home Office is secondary to the otherwise exclusive residential purpose), a School, a Day Care Centre, or a Church, in any other Zone.**

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this ____ day of _____, **2012**.

Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP

MEMORANDUM

Date: May 24, 2012

To: Chairperson and Members
Planning and Housing Committee

From: Ken O'Brien, MCIP, Manager of Planning and Information
Cliff Johnston, MCIP, Director of Planning

Re: **Department of Planning File Number B-17-M.20**
Proposed Rezoning from R1 to R2 Zone
267 Mundy Pond Road (Ward 3)

The applicant has applied to rezone Civic Number 267 Mundy Pond Road to develop four (4) town houses. This application was previously rejected by Council in September 2011. The applicant has reapplied, with written support from nearby residents. He has also changed the driveway plan to address the concerns of our Public Works staff for snowclearing.

The rezoning application is recommended for further review.

BACKGROUND INFORMATION

	St. John's Municipal Plan	St. John's Development Regulations
Existing	Residential Low Density District	Residential Low Density (R1) Zone
Proposed	Same	Residential Medium Density (R2) Zone

Civic number 267 Mundy Pond Road has a single detached house, which is proposed to be demolished. The applicant's intent is to rezone the property to allow its redevelopment for a 4-unit townhouse project. The property is approximately 832 square metres in area and has frontage along Mundy Pond Road.

There are single detached houses along this stretch of Mundy Pond Road; all are zoned R1. There are no overlay districts affecting the subject property. Municipal water and sewer services are available.

PLANNING CONSIDERATIONS

The Residential Low Density District of the Municipal Plan applies to neighbourhoods with mostly single detached houses. Planning Area 4 (Mundy Pond) of the Municipal Plan (Part IV, Section 4.2.2) states that:

Multi-family housing shall be concentrated along Blackmarsh Road ...

ST. JOHN'S

This restriction was introduced in the 1980s due to neighbourhood concerns about the amount of multi-unit social housing being built in the Mundy Pond area.

The applicant has canvassed the neighbourhood and received support for this proposed townhouse development, partly on the basis that it will be privately owned. Since the late 1980s, St. John's has seen more new townhouse developments that are privately owned and of high quality.

In the previous application from 2011, the City's Streets Division expressed concern that it might hinder snowclearing due to high quantities of snow at this elevation, along with the creation of narrow townhouse lots and driveways. In the present application, the Streets Division has agreed that it can accept the proposed new townhouse units subject to the following conditions:

- Each unit should be restricted to a single driveway, and
- The driveways should be constructed so that each driveway is bordering one other. That way, there will be snow storage space left on the lawns between the driveways.

RECOMMENDATION

Given the current information received from the City's Department of Public Works and Parks for the revised application, it is recommended that the rezoning application for 267 Mundy Pond Road warrants further review.

The rezoning would not require a Municipal Plan amendment. Since the applicant has received written support from many of the neighbouring residents (41 signatures), it would be sufficient to publicly advertise the application for public review and comment before Council makes a decision.

If Council decides to proceed with rezoning, then staff recommend that the question of restricting higher density residential development in Planning Area 4 to lands along Blackmarsh Road be revisited during the current Municipal Plan review.

This is provided for the Committee's consideration.

Ken O'Brien, MCIP
Manager of Planning and Information

Cliff Johnston, MCIP
Director of Planning

/sf

Attachment

MEMORANDUM

Date: May 17, 2012

To: Planning and Housing Committee

From: Kevin Breen, Manager of Streets and Parks

Re: Recommended Changes to the City's Municipal Plan and Development Regulations
(Tree Planting and Landscaping Requirements)

Background

At the last Committee Meeting on April 30th, direction was given to re-work the above noted amendments to reflect the intent of the recommendations of the Urban Forest Master Plan Report which was completed in 2004. The Report was adopted by Council in 2006 and the amendments were referred to the Planning Committee for review at that time via Council Directive R2006-12-11/34. A review of the proposed amendments was undertaken by the Planning and Housing Committee but no recommendations for adoption were made. The amendments are now back again for adoption by the Committee and then Council.

Purpose

The main purpose of the amendments is to ensure replacement of trees that have been cut down to make way for residential development. While there are regulations and practices pertaining to commercial developments, residential developers or prospective home owners are not compelled by regulation to plant trees on their properties where trees once stood. We believe the amendments strike the right balance between environmental stewardship and the rights of property owners to landscape their properties as they see fit. The introduction of these amendments will provide the following benefits:

- ▶ Protection of natural features and tree conservation
- ▶ Stabilization of steep embankments
- ▶ Soil retention
- ▶ Screening of unsightly areas
- ▶ Shading to increase soil moisture retention
- ▶ Reduction in the need for weed and insect control pesticides
- ▶ Provision of visual and acoustical buffers between ordinarily non-compatible land uses

ST. JOHN'S

DEPARTMENT OF PUBLIC WORKS & PARKS
CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

- ▶ Minimization of the visual impact of parking and service facilities from adjacent properties and streets
- ▶ Reduction of the rate of storm water runoff into the municipal storm water sewer System
- ▶ Enhancement of the appearance of building setbacks and yard areas

Substance of Amendment

Pages 3 to 7 of the attachment identify the specific recommended amendment, with the core of it being to change Section 8.5 of the Development Regulations (Landscaping and Screening) by adding a new Subsection 8.5.4 (Tree Planting/ Landscaping Requirements). This change would introduce a standard for the retention of existing trees and landscaping and the planting of new trees when new development is proposed to occur, and set out a recommended list of trees which would be encouraged to be planted on those portions of a lot abutting a public road (street trees).

For residential developments, the regulations will be applied to new construction in RA, R1, and R2 zones on a go forward basis.

Recommendation

The Committee approve the amendments as presented.

Kevin Breen,
Manager of Streets and Parks

MEMORANDUM

Date: May 24, 2012

To: Chairperson and Members,
Planning & Housing Committee

Re: **Council Directive: R-2012-05-07/34**
Planning File Number: B.17-H.6
Discretionary Use Application for One (1) Infill Dwelling Unit
Civic No. 111 Hayward Avenue (Ward 2)
Applicant: Skymark Homes

Background

At the Regular Meeting of Council held on May 7, 2012, Councillor Galgay tabled a letter from Ms. Elizabeth Oliver, Co-Chair of the Georgetown Neighbourhood Association Committee on Planning, requesting deferral of the above noted application pending the Municipal Plan Review. A copy of this correspondence is attached along with copies of other public submissions received regarding the application for Civic Number 111 Hayward Avenue. Councillor Galgay asked that the request be referred to the Planning and Housing Committee for discussion.

In July of 2009 Dynamic Development Services Ltd., on behalf of Skymark Contracting Ltd., made application to the City to subdivide existing property along Fleming Street and Hayward Avenue to accommodate four (4) townhouse units and one (1) single detached dwelling. Off-street parking will be provided on-site. The subject property is zoned Residential Downtown (RD) and single detached dwelling and town-housing units are listed as Permitted Uses in the RD Zone as per the St. John's Development Regulations. The five (5) lot subdivision was approved by staff and appeared on the Development Permits List in the agenda of the Regular Meeting of Council held on January 4, 2011, for the information of Council.

The mature public trees were identified for protection by the City's Parks Division, building permits were obtained and the dwelling units are now nearing completion of their construction.

On March 3, 2012, Skymark Homes made a Discretionary Use Application to the City for one (1) infill dwelling unit to be located in the basement of Civic No. 111 Hayward Avenue. The application was advertised for public review and comment in accordance with the requirements of the St. John's Development Regulations. Please see the attached site plan.

At the Regular Meeting of Council held on May 7, 2012, Council made a decision to defer decision on the application in order to provide the City staff with an opportunity to review the public submissions received in response to the City's advertisement of the application. These submissions expressed traffic flow/parking concerns.

ST. JOHN'S

DEPARTMENT OF PLANNING

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

The City's Transportation Engineer has concluded his review of the application and has advised that from a traffic perspective, he has no objection to the additional dwelling unit at Civic No. 111 Hayward Avenue provided an additional driveway is provided for the unit which is the case.

On May 17, 2012, the City's Arborist advised that there will be no additional encroachment to the root zones of the public trees and has no concerns with the proposed driveway location.

The Department of Planning has previously advised Council that it supports the application for the additional residential infill unit at Civic Number 111 Hayward Avenue and recommends that it be approved.

Summary

This application is referred to the Planning and Housing Committee for review and recommendation to Council in respect of the request from the Co-chair of the Georgetown Neighbourhood Association Committee on Planning, requesting deferral of the decision on the application for Civic Number 111 Hayward Avenue pending the Municipal Plan Review.

Cliff Johnston, MCIP
Director of Planning

CJ/sf

Attachments

REPORT/RECOMMENDATIONS
Development Committee
May 29th, 2012

The following matter was considered by the Development Committee at its meeting held on May 29th, 2012. A Staff report is attached for Council's information.

RECOMMENDATION OF APPROVAL

- 1. Proposed Building Line Setback Reduction**
Civic No. 69 Mews Place (Ward 4)
Applicant: John Hearn Architect Limited

The Committee recommends that Council grant approval for an 11 m Building Line for this property.

(original signed)

Robert F. Smart
City Manager
Chair – Development Committee

Attach.

MEMORANDUM

Date: May 31, 2012

To: His Worship the Mayor & Members of Council

Re: **Department of Planning File No. 12-00153/B-17-M.24**
Proposed Building Line Setback Reduction
Applicant: John Hearn Architect Limited
Civic No. 69 Mews Place (Ward 4)

An application has been submitted by John Hearn Architect Limited to develop the property at Civic No. 69 Mews Place in order to develop a commercial building.

The property is situated in the (CI) zone and meets all (CI) zone requirements. The applicant is requesting that the front building line be established at 11 meters. The minimum Building Line for the (CI) zone is 20 meters. The applicant would like to keep the proposed Building in line with the rest of the properties along Mews Place, instead of following the curve of the bulb, as demonstrated on the attached diagram.

Section 8.3.1. of the Development Regulations provides that Council may establish Building Lines on any existing or proposed Street or Service Street and may require any new Building to be located on those Building Lines whether or not such Building Lines conform to the standards set out in Section 10.

Recommendation

It is the recommendation of the Development Committee to approve an 11 m Building Line for this property.

(Original Signed)

Robert Smart
City Manager/Chair Development Committee

Attachment

ST. JOHN'S

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF May 25, 2012 TO May 31, 2012

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
IND	East White Hills Property Inc.	Site Laydown Area	215 East White Hills Road	1	Approved	12-05-29
RES		Two (2) Lot Subdivision	112 New Cove Road	4	Approved	12-05-25

* 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 Officer
Department of Planning

Original Signed _____

Permits List

CLASS: COMMERCIAL

430 MAIN RD - PLAYER'S EDGE	CO	SERVICE SHOP
216 WATER ST	CO	BAKERY
395 EAST WHITE HILLS RD	NC	LIGHT INDUSTRIAL USE
FACTORY LANE	SN	OFFICE
484-490 MAIN RD	MS	RETAIL STORE
140 STAVANGER DR	SN	RETAIL STORE
3 STAVANGER DR	MS	RESTAURANT
165 WATER ST	SN	RESTAURANT
15 BAY BULLS RD - CONNORS	CR	SERVICE SHOP
15 LEMARCHANT RD	RN	MIXED USE
225 LOGY BAY RD	NC	COMMUNICATIONS USE
CLANCEY DRIVE	NC	COMMUNICATIONS USE
350 TORBAY RD TIM HORTONS	RN	EATING ESTABLISHMENT
790 KENMOUNT RD - SELF STORAGE	NC	WAREHOUSE
158 EAST WHITE HILLS RD	NC	COMMUNICATIONS USE
465 EAST WHITE HILLS ROAD	NC	WAREHOUSE
119-127 WATER ST	NC	HOTEL

THIS WEEK \$ 10,534,982.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

10 NEW GOWER ST	RN	ADMIN BLDG/GOV/NON-PROFIT
-----------------	----	---------------------------

THIS WEEK \$ 500,000.00

CLASS: RESIDENTIAL

10 ADVENTURE AVE, LOT 77	NC	SINGLE DETACHED DWELLING
5 ANTELOPE ST	NC	ACCESSORY BUILDING
109 BLUE PUTTEE DR	NC	FENCE
7 BURKE PL	NC	FENCE
76 CANADA DR	NC	PATIO DECK
8 CAPPAHAYDEN ST	NC	FENCE
121 CASTLE BRIDGE DR, LOT 228	NC	SINGLE DETACHED DWELLING
7 CATHERINE ST	NC	FENCE
64 CHEROKEE DR	NC	ACCESSORY BUILDING
CHURCHILL AVE, LOT 24	NC	CONDOMINIUM
CHURCHILL AVE, LOT 22	NC	CONDOMINIUM
CHURCHILL AVE, LOT 23	NC	CONDOMINIUM
10 CIRCULAR RD	NC	FENCE
10 CIRCULAR RD	NC	PATIO DECK
28 CONNORS AVE	NC	ACCESSORY BUILDING
81 CORNWALL AVE	NC	ACCESSORY BUILDING
60 CYPRESS ST, LOT 168	NC	SINGLE DETACHED & SUB.APT
136 DONOVAN'S RD	NC	FENCE
19 DURHAM PL	NC	FENCE
299 EMPIRE AVE	NC	PATIO DECK
635 EMPIRE AVE	NC	FENCE
59 FRANCIS ST	NC	ACCESSORY BUILDING
265 FRESHWATER RD	NC	FENCE
265 FRESHWATER RD	NC	ACCESSORY BUILDING
26 GEORGINA ST	NC	FENCE
94 GIL EANNES DR	NC	ACCESSORY BUILDING
48 GILBERT ST	NC	PATIO DECK
24 GLENLONAN ST, LOT 20	NC	SINGLE DETACHED & SUB.APT
29 GLENLONAN ST, LOT 103	NC	SINGLE DETACHED & SUB.APT
31 GLENLONAN ST, LOT 102	NC	SINGLE DETACHED & SUB.APT
35 GLENLONAN ST, LOT 100	NC	SINGLE DETACHED & SUB.APT
205 GREEN ACRE DR	NC	FENCE
77 GRENFELL AVE	NC	FENCE
61 JENNMAR CRES	NC	FENCE
47 LADY ANDERSON ST, LOT 644	NC	SINGLE DETACHED & SUB.APT
63 LADY ANDERSON ST - LOT 636	NC	SINGLE DETACHED DWELLING
170 LADYSMITH DR, LOT 482	NC	SINGLE DETACHED & SUB.APT
27 LADYSMITH DR	NC	FENCE
9 LANNON ST	NC	FENCE
9 LANNON ST	NC	ACCESSORY BUILDING
9 LANNON ST	NC	PATIO DECK
9 LIMERICK PL	NC	ACCESSORY BUILDING
12 LIONS RD	NC	ACCESSORY BUILDING
12 LIONS RD	NC	FENCE
7 LIVINGSTONE ST	NC	FENCE
11 LUCYROSE LANE	NC	FENCE

12 MOUNTAINVIEW DR	NC	ACCESSORY BUILDING
22 NASCOPIE CRES	NC	FENCE
11 NAUTILUS ST, LOT 120	NC	SINGLE DETACHED & SUB.APT
8 NERISSA PL	NC	SWIMMING POOL
8 NERISSA PL	NC	FENCE
552 NEWFOUNDLAND DR	NC	ACCESSORY BUILDING
552 NEWFOUNDLAND DR	NC	PATIO DECK
291 NEWFOUNDLAND DR	NC	ACCESSORY BUILDING
413 NEWFOUNDLAND DR	NC	FENCE
84 OLD BAY BULLS RD	NC	SINGLE DETACHED DWELLING
94 OLD BAY BULLS RD	NC	ACCESSORY BUILDING
35 OLD BAY BULLS RD	NC	FENCE
94 PITCHER'S PATH	NC	SINGLE DETACHED DWELLING
11 PLUTO ST, LOT 67	NC	SINGLE DETACHED DWELLING
7 REID ST	NC	ACCESSORY BUILDING
12 ROSALIND ST	NC	FENCE
42 ROSALIND ST	NC	ACCESSORY BUILDING
18 ST. SHOTTS PL	NC	FENCE
51 SALISBURY ST	NC	PATIO DECK
8 SPRUCEDALE DR	NC	ACCESSORY BUILDING
25 SUMAC ST	NC	FENCE
25 SUMAC ST	NC	ACCESSORY BUILDING
50 TEAKWOOD DR	NC	FENCE
50 TEAKWOOD DR	NC	ACCESSORY BUILDING
566 TOPSAIL RD	NC	CONDOMINIUM
31 ALEXIS PL	CO	HOME OCCUPATION
512 BACK LINE	CO	HOME OFFICE
298 NEWFOUNDLAND DR	CO	DAY CARE CENTRE
55 JENNMAR CRES	CR	SUBSIDIARY APARTMENT
24 LAURIER ST	CR	SUBSIDIARY APARTMENT
39 BELLEVUE CRES	EX	SINGLE DETACHED DWELLING
48 BRAD GUSHUE CRES	EX	ACCESSORY BUILDING
112 BRANSCOMBE ST	EX	ACCESSORY BUILDING
42 OUTER BATTERY RD	RN	SINGLE DETACHED DWELLING
139 CASEY ST	RN	SEMI-DETACHED DWELLING
5 CURTIS PL	RN	FENCE
2 PADDINGTON PL	RN	SINGLE DETACHED DWELLING
15 PILOT'S HILL	RN	TOWNHOUSING
138 QUEEN'S RD	RN	TOWNHOUSING
6 ST. TERESA'S CRT	RN	TOWNHOUSING
8 ST. TERESA'S CRT	RN	TOWNHOUSING
63 TEAKWOOD DR, LOT 69	RN	SINGLE DETACHED DWELLING
2 VANGUARD CRT	RN	OFFICE
9 BISHOP'S LINE	SW	SINGLE DETACHED DWELLING
10 CIRCULAR RD	SW	SINGLE DETACHED DWELLING
15 PRINCE OF WALES ST	SW	SINGLE DETACHED DWELLING
201-203 PETTY HARBOUR RD	WS	SEMI-DETACHED DWELLING

THIS WEEK \$ 4,220,304.00

CLASS: DEMOLITION

THIS WEEK \$.00

THIS WEEK'S TOTAL: \$ 15,255,286.00

REPAIR PERMITS ISSUED: 2012/05/24 TO 2012/05/30 \$ 61,150.00

LEGEND

CO	CHANGE OF OCCUPANCY	SN	SIGN
CR	CHNG OF OCC/RENOVTNS	MS	MOBILE SIGN
EX	EXTENSION	CC	CHIMNEY CONSTRUCTION
NC	NEW CONSTRUCTION	CD	CHIMNEY DEMOLITION
OC	OCCUPANT CHANGE	DV	DEVELOPMENT FILE
RN	RENOVATIONS	WS	WOODSTOVE
SW	SITE WORK	DM	DEMOLITION
TI	TENANT IMPROVEMENTS		

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending May 31, 2012**

Payroll

Public Works	\$ 407,945.63
Bi-Weekly Casual	\$ 16,168.27
Accounts Payable	\$2,928,384.38
Total:	\$ 3,352,498.28

ST. JOHN'S

DEPARTMENT OF FINANCE

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

NAME	CHEQUE #	DESCRIPTION	AMOUNT
TAB	00037431	OFFICE SUPPLIES	\$279.78
LA BREA INTL INC.	00037432	PROMOTIONAL MATERIALS	\$61.92
HARVEY'S OIL LIMITED	00037433	PETROLEUM PRODUCTS	\$773.91
MCAP LEASING	00037434	LEASING OF OFFICE EQUIPMENT	\$752.63
NEWFOUNDLAND POWER	00037435	ELECTRICAL SERVICES	\$10,007.53
NEWFOUNDLAND & LABRADOR BOOKFINDER	00037436	PURCHASE OF BOOK	\$131.25
KELLOWAY CONSTRUCTION LIMITED	00037437	CLEANING SERVICES	\$2,508.60
NEWFOUNDLAND LIQUOR CORP.	00037438	REFRESHMENTS	\$1,738.12
RECEIVER GENERAL FOR CANADA	00037439	PAYROLL DEDUCTIONS	\$559,621.36
RECEIVER GENERAL FOR CANADA	00037440	PAYROLL DEDUCTIONS	\$204,720.20
PUBLIC SERVICE CREDIT UNION	00037441	PAYROLL DEDUCTIONS	\$8,510.22
NEWFOUNDLAND EXCHEQUER	00037442	REGISTRATION OF LAND	\$102.40
CITY OF ST. JOHN'S & PIUS AND ALICE BROWN	00037443	LAND ACQUISITION	\$1,067.00
LAWRENCE, ELIZABETH	00037444	TRAVEL REIMBURSEMENT	\$285.10
HARRIS, BRYANT	00037445	BIGGEST WINNER TOKEN GIFTS	\$235.00
MOUNT PEARL PAINTING LTD	00037446	PROGRESS PAYMENT	\$181,060.50
PARTS FOR TRUCKS INC.	00037447	REPAIR PARTS	\$1,763.48
ADT SECURITY SERVICES CANADA	00037448	MONITORING AND/OR MAINTENANCE CHARGES	\$439.01
PIK-FAST EXPRESS INC.	00037449	BOTTLED WATER	\$27.12
DICKS & COMPANY LIMITED	00037450	OFFICE SUPPLIES	\$96.04
JOHNSON INVESTMENTS INC.	00037451	PROFESSIONAL SERVICES	\$900.00
ORKIN CANADA	00037452	PEST CONTROL	\$112.44
CLOUSTON, DONNA	00037453	PROFESSIONAL SERVICES	\$321.16
TODD LOVELESS	00037454	REFUND - WATER DIG	\$500.00
AIR LIQUIDE CANADA INC.	00037455	CHEMICALS AND WELDING PRODUCTS	\$5,311.64
KHANI, LAWRINA	00037456	HONORARIUM	\$250.00
O'KEEFE, DENNIS	00037457	TRAVEL ADVANCE	\$2,560.50
THE SHERIFF'S OFFICE	00037458	WAGE GARNISHMENTS	\$550.00
CIBC	00037459	PAYROLL DEDUCTIONS	\$856.08
BRENTAG CANADA INC	00037460	CHLORINE	\$8,613.99
MERCURY CUSTOM INTERIORS LTD	00037461	HARDWARE SUPPLIES	\$83.06
COSTCO WHOLESALE	00037462	SUPPLIES - AFTER SCHOOL PROGRAMS	\$307.67
KELLOWAY CONSTRUCTION LIMITED	00037463	CLEANING SERVICES	\$819.25
RDM INDUSTRIAL LTD.	00037464	INDUSTRIAL SUPPLIES	\$481.18
ROBERT BAIRD EQUIPMENT LTD.	00037465	RENTAL OF EQUIPMENT	\$4,895.94
DISCOUNT CAR & TRUCK RENTALS	00037466	VEHICLE RENTAL	\$3,274.74
HERCULES SLR INC.	00037467	REPAIR PARTS	\$96.58
BELBIN'S GROCERY	00037468	CATERING SERVICES	\$170.34
SMS EQUIPMENT	00037469	REPAIR PARTS	\$365.01

00037470	00037471	00037472	00037473	00037474	00037475	00037476	00037477	00037478	00037479	00037480	00037481	00037482	00037483	00037484	00037485	00037486	00037487	00037488	00037489	00037490	00037491	00037492	00037493	00037494	00037495	00037496	00037497	00037498	00037499	00037500	00037501	00037502	00037503	00037504	00037505	00037506	00037507	00037508	00037509
THE HUB TROPHIES & MEDICAL SUPPLIES	MAP ART PUBLISHING CORP	ROCKWATER PROFESSIONAL PRODUCT	BLAZER CONCRETE SAWING & DRILL	GRAPHIC ARTS & SIGN SHOP LIMITED	PINETREE MANUFACTURING CO. LTD.	BREN-KIR INDUSTRIAL SUPPLIES	SOBEY'S #604	GRAND AND TOY	BDI CANADA INC	ATLANTIC TRAILER & EQUIPMENT	CABOT BUSINESS FORMS/CABOT PROMOTIONS	CHESTER DAWE CANADA - O'LEARY AVE	CAMPBELL'S SHIP SUPPLIES	AIR LIQUIDE CANADA INC.	CARSWELL DIV. OF THOMSON CANADA LTD	CANADA CLEAN GLASS	WAL-MART 3196-ABERDEEN AVE.	AVALON HYDRAULICS LTD.	SOBEY'S INC	NORTRAX CANADA INC.,	MAC TOOLS	ALLAN MURPHY'S MOBILE WELDING SERVICES	WAL-MART 3093-MERCHANT DRIVE	EXECUTIVE BUS LTD	PETER'S AUTO WORKS INC.	CONSTRUCTION SIGNS LTD.	THE IDEA FACTORY	MARY BROWN'S MILA FOODS INC.	SCOTT WINSOR ENTERPRISES INC.,	J-3 CONSULTING & EXCAVATION LIMITED	JAMES G CRAWFORD LTD.	NEWFOUND CABS	THOMAS GLASS INCORPORATED	CLARENCE BUTLER & SONS LTD.	KENDALL ENGINEERING LIMITED	DICKS & COMPANY LIMITED	REEFER REPAIR SERVICES LTD.	NORTH ATLANTIC MARINE SUPPLIES & SERVICES	ATLANTIC HOSE & FITTINGS
\$81.52	\$200.25	\$4,341.23	\$3,559.50	\$1,287.19	\$141.25	\$564.28	\$144.79	\$668.27	\$294.93	\$43.20	\$1,101.75	\$95.13	\$484.09	\$20,793.41	\$217.80	\$452.00	\$295.84	\$1,051.54	\$140.03	\$31,677.63	\$317.26	\$1,084.80	\$167.45	\$113.00	\$2,354.75	\$2,133.45	\$194.93	\$66.07	\$378.55	\$2,357.18	\$33.40	\$4,221.74	\$186.45	\$124.30	\$13,441.53	\$3,011.33	\$54.24	\$222.84	\$783.45

00037470	00037471	00037472	00037473	00037474	00037475	00037476	00037477	00037478	00037479	00037480	00037481	00037482	00037483	00037484	00037485	00037486	00037487	00037488	00037489	00037490	00037491	00037492	00037493	00037494	00037495	00037496	00037497	00037498	00037499	00037500	00037501	00037502	00037503	00037504	00037505	00037506	00037507	00037508	00037509
NAME PLATES	MAPS	CHEMICALS	ASPHALT & CONCRETE SAWING	SIGNAGE	HORTICULTURAL SUPPLIES	INDUSTRIAL SUPPLIES	GROCERY ITEMS	OFFICE SUPPLIES	SANITARY SUPPLIES	REPAIR PARTS	BUSINESS FORMS	BUILDING SUPPLIES	PROTECTIVE CLOTHING	CHEMICALS AND WELDING PRODUCTS	PUBLICATIONS	CLEANING OF WINDOWS	MISCELLANEOUS SUPPLIES	REPAIR PARTS	MISCELLANEOUS SUPPLIES	REPAIR PARTS	TOOLS	REPAIRS TO EQUIPMENT	MISCELLANEOUS SUPPLIES	TRANSPORTATION SERVICES	TOWING OF VEHICLES	SIGNAGE	DISBURSEMENT FES	LUNCHEON	REMOVAL OF GARBAGE & DEBRIS	CONTRACT BILLING	PLUMBING SUPPLIES	TRANSPORTATION SERVICES	GLASS INSTALLATION	PEGS	PROFESSIONAL SERVICES	OFFICE SUPPLIES	REPAIR PARTS	NYLON TWINE	INDUSTRIAL SUPPLIES
\$81.52	\$200.25	\$4,341.23	\$3,559.50	\$1,287.19	\$141.25	\$564.28	\$144.79	\$668.27	\$294.93	\$43.20	\$1,101.75	\$95.13	\$484.09	\$20,793.41	\$217.80	\$452.00	\$295.84	\$1,051.54	\$140.03	\$31,677.63	\$317.26	\$1,084.80	\$167.45	\$113.00	\$2,354.75	\$2,133.45	\$194.93	\$66.07	\$378.55	\$2,357.18	\$33.40	\$4,221.74	\$186.45	\$124.30	\$13,441.53	\$3,011.33	\$54.24	\$222.84	\$783.45

00037510	THYSSENKRUPP ELEVATOR	ELEVATOR MAINTENANCE	\$1,689.35
00037511	RUSSEL METALS INC.	METALS	\$463.30
00037512	CANADIAN TIRE CORP.-ELIZABETH AVE.	MISCELLANEOUS SUPPLIES	\$20.32
00037513	CANADIAN TIRE CORP.-MERCHANT DR.	MISCELLANEOUS SUPPLIES	\$350.15
00037514	ELECTRIC MOTOR & PUMP DIV.	REFUND - BUSINESS OCCUPANCY TAX	\$476.79
00037515	ELECTRONIC CENTER LIMITED	ELECTRONIC SUPPLIES	\$280.92
00037516	NATIONAL ENERGY EQUIPMENT INC.	REPAIR PARTS	\$11,215.70
00037517	THE TELEGRAM	ADVERTISING	\$5,710.33
00037518	EXECUTIVE COFFEE SERVICES LTD.	COFFEE SUPPLIES	\$77.93
00037519	HOME DEPOT OF CANADA INC.	BUILDING SUPPLIES	\$654.44
00037520	FASTSIGNS	SIGNAGE	\$693.82
00037521	BASIL FEARN 93 LTD.	REPAIR PARTS	\$1,713.55
00037522	O'KEEFE'S FLOWERS	FLORAL ARRANGEMENTS	\$187.58
00037523	FRESHWATER AUTO CENTRE LTD.	AUTO PARTS/MAINTENANCE	\$188.99
00037524	PRINCESS AUTO	MISCELLANEOUS ITEMS	\$1,750.96
00037525	MILLENNIUM EXPRESS	COURIER SERVICES	\$956.83
00037526	VESSEL SERVICES	RAISING/LOWERING OF FLAGS	\$56.50
00037527	STELLAR INDUSTRIAL SALES LTD.	INDUSTRIAL SUPPLIES	\$351.52
00037528	ULTRAMAR HOME ENERGY	REPAIRS TO FURNACE	\$223.81
00037529	PROVINCIAL FENCE PRODUCTS	FENCING MATERIALS	\$1,403.52
00037530	WOLSELEY CANADA WATERWORKS	INDUSTRIAL SUPPLIES	\$1,519.91
00037531	H & R MECHANICAL SUPPLIES LTD.	MECHANICAL SUPPLIES	\$203.40
00037532	HARVEY'S OIL LIMITED	PETROLEUM PRODUCTS	\$663.36
00037533	SCOPE MEDIA INC.	ADVERTISING	\$680.26
00037534	HARRIS & ROOME SUPPLY LIMITED	ELECTRICAL SUPPLIES	\$241.82
00037535	HARVEY & COMPANY LIMITED	REPAIR PARTS	\$103.20
00037536	GUY BADCOCK	BAILIFF FEES	\$25.00
00037537	8 LIMB MUAY THAI/KICKBOXING	REAL PROGRAM	\$1,251.68
00037538	GUILLEVIN INTERNATIONAL CO.	ELECTRICAL SUPPLIES	\$375.35
00037539	PRACTICAR CAR & TRUCK RENTALS	VEHICLE RENTAL	\$6,576.60
00037540	STELLA BURRY COMMUNITY SER.	CATERING SERVICES	\$1,132.00
00037541	LIFESAVING SOCIETY	PUBLICATIONS	\$150.57
00037542	HISCOCK RENTALS & SALES INC.	HARDWARE SUPPLIES	\$147.13
00037543	HOLDEN'S TRANSPORT LTD.	RENTAL OF EQUIPMENT	\$1,175.20
00037544	FLEET READY LTD.	REPAIR PARTS	\$1,234.91
00037545	NL NEWS NOW INC.	PROFESSIONAL SERVICES	\$511.03
00037546	ON GRADE (NL) INC.,	SURVEY EQUIPMENT	\$17,830.27
00037547	HYFLODRAULIC LIMITED	REPAIR PARTS	\$1,068.85
00037548	CERTIFIED LABS	PETROLEUM PRODUCTS	\$1,743.82
00037549	IMPRINT SPECIALTY PROMOTIONS LTD	PROMOTIONAL ITEMS	\$175.15

ISLAND HOSE & FITTINGS LTD	00037550	INDUSTRIAL SUPPLIES	\$6.59
HOME APPLIANCE REPAIR LTD.	00037551	REPAIRS TO APPLIANCES	\$1,086.07
PRESTON PIPPS INC.,	00037552	REPAIR PARTS	\$340.70
COLETTE NAP ARCHITECT INC.,	00037553	PROFESSIONAL SERVICES	\$25,990.00
KENT BUILDING SUPPLIES	00037554	BUILDING SUPPLIES	\$89.08
KERR CONTROLS LTD.	00037555	INDUSTRIAL SUPPLIES	\$698.11
DATARITE.COM	00037556	STATIONERY & OFFICE SUPPLIES	\$324.31
MARK'S WORK WEARHOUSE	00037557	PROTECTIVE CLOTHING	\$271.18
MARTIN'S FIRE SAFETY LTD.	00037558	SAFETY SUPPLIES	\$447.13
MCLOUGHLAN SUPPLIES LTD.	00037559	ELECTRICAL SUPPLIES	\$466.10
MIKAN INC.	00037560	LABORATORY SUPPLIES	\$2,009.65
KONICA MINOLTA BUSINESS SOLUTIONS CANADA LTD	00037561	PHOTOCOPIES	\$208.55
WAJAX INDUSTRIAL COMPONENTS	00037562	REPAIR PARTS	\$374.09
NU-WAY EQUIPMENT RENTALS	00037563	RENTAL OF EQUIPMENT	\$5,714.41
NEWFOUNDLAND DISTRIBUTORS LTD.	00037564	INDUSTRIAL SUPPLIES	\$683.99
NEWFOUNDLAND DESIGN ASSOCIATES	00037565	PROFESSIONAL SERVICES	\$12,639.99
NFLD KUBOTA LTD.	00037566	REPAIR PARTS	\$1,121.77
BELL MOBILITY	00037567	CELLULAR PHONE USAGE	\$2,718.76
TOROMONT CAT	00037568	ANNUAL PERFORMANCE BONUS	\$9,040.97
NORTH ATLANTIC PETROLEUM	00037569	PETROLEUM PRODUCTS	\$69,198.50
PBA INDUSTRIAL SUPPLIES LTD.	00037570	INDUSTRIAL SUPPLIES	\$480.92
PETRO PLUS INC.	00037571	REPAIR PARTS	\$1,885.42
PITNEY BOWES OF CANADA LIMITED	00037572	TONER	\$293.74
POWERLITE ELECTRIC LTD.	00037573	ELECTRICAL PARTS	\$284.76
K & D PRATT LTD.	00037574	REPAIR PARTS AND CHEMICALS	\$306.21
PURULATOR COURIER	00037575	COURIER SERVICES	\$23.45
RIDEOUT TOOL & MACHINE INC.	00037576	TOOLS	\$2,877.85
NAPA ST. JOHN'S 371	00037577	AUTO PARTS	\$195.41
S & S SUPPLY LTD. CROSSTOWN RENTALS	00037578	REPAIR PARTS	\$2,778.47
ST. JOHN'S PORT CORP.	00037579	RENTAL OF QUARRY SITE	\$5,118.00
BIG ERICS INC	00037580	SANITARY SUPPLIES	\$1,365.87
SAUNDERS EQUIPMENT LIMITED	00037581	REPAIR PARTS	\$6,967.88
SANSOM EQUIPMENT LTD.	00037582	REPAIR PARTS	\$228.89
SKYLINE DISPLAYS	00037583	PICKUP/INSTALL/DISMANTLE DISPLAY	\$190.97
SEARS CANADA INC.	00037584	PROTECTIVE CLOTHING	\$45.19
SMITH STOCKLEY LTD.	00037585	PLUMBING SUPPLIES	\$290.69
SPECIALTY APPAREL LIMITED	00037586	PROTECTIVE CLOTHING	\$59.53
STEEFAB INDUSTRIES LTD.	00037587	STEEL	\$327.92
SUPERIOR OFFICE INTERIORS LTD.	00037588	OFFICE SUPPLIES	\$1,072.37
DELOITTE & TOUCHE	00037589	PROFESSIONAL SERVICES	\$12,272.37

00037590	K & D PRATT INSTRUMENTATION	REPAIR PARTS	\$2,010.95
00037591	URBAN CONTRACTING JJ WALSH LTD	PROPERTY REPAIRS	\$226.00
00037592	WATERWORKS SUPPLIES DIV OF EMCO LTD	REPAIR PARTS	\$639.71
00037593	WAL-MART 3092-KELSEY DRIVE	MISCELLANEOUS SUPPLIES	\$330.50
00037594	XEROX CANADA L TEE	PHOTOCOPIES	\$2,123.09
00037595	RECEIVER GENERAL	PROFESSIONAL SERVICES	\$71.19
00037596	SOBEYS - MERRYMEETING RD	CATERING SERVICES	\$114.70
00037597	SPARTAN FITNESS	PREVENTATIVE MAINTENANCE	\$339.00
00037598	ST. JOHN'S ROWING CLUB	2012 RECREATION GRANT	\$6,600.00
00037599	DR. D. S. SQUIRE	PROFESSIONAL SERVICES	\$20.00
00037600	PRINCE OF WALES SKATING CLUB	2012 RECREATION GRANT	\$16,420.24
00037601	ST. JOHN'S MINOR HOCKEY	2012 RECREATION GRANT	\$13,397.50
00037602	ST. JOHN'S MINOR BASEBALL ASSOCIATION	2012 RECREATION GRANT	\$17,690.00
00037603	BELL MOBILITY INC. RADIO DIVISION	MONTHLY MAINTENANCE CHARGES	\$3,543.02
00037604	PET ZONE	PET SUPPLIES	\$45.19
00037605	KMK PROPERTIES INC.	REFUND - MUNICIPAL TAX	\$1,175.89
00037606	DR. PAULA WALSH	PROFESSIONAL SERVICES	\$20.00
00037607	SYLVESTER MURPHY	REFUND - ROTARY PARK CHALET RENTAL	\$125.00
00037608	GUS HADDAD	REFUND - BIRTHDAY PARTY	\$135.00
00037609	REGINA COLE	REFUND - WILDERNESS SURVIVAL COURSE	\$30.00
00037610	JENNIFER WALL	REFUND - CAMP EXPLORE & CAMP DISCOVERY	\$150.00
00037611	JENNIFER GORMAN	REFUND - ACTIVITY CENTER	\$25.00
00037612	47TH ST. JOHN'S GIRL GUIDES	REFUND - ROTARY PARK CHALET RENTAL	\$195.00
00037613	FRANK PALMER	REFUND - CAMP DISCOVERY	\$100.00
00037614	AMY COPELAND	REFUND - CAMP DISCOVERY	\$100.00
00037615	NICOLE O'LEARY	REFUND - SWIMMING LESSONS	\$80.00
00037616	PERCY, DONNA	REFUND - MUNICIPAL TAX	\$145.68
00037617	SULLIVAN, LEONARD & KATHLEEN	REFUND - MUNICIPAL TAX	\$288.26
00037618	MARTIN, LEONARD	REFUND - BUSINESS OCCUPANCY TAX	\$155.03
00037619	CHRISTINE MORRIS	MILEAGE	\$53.91
00037620	MCGRATH, SCOTT	MILEAGE	\$82.49
00037621	IMELDA McDONALD	HONORARIUM - DOG SERVICES	\$100.00
00037622	NORTH ATLANTIC MARINE SUPPLIES & SERVICES	INDUSTRIAL SUPPLIES	\$141.88
00037623	NORTH ATLANTIC MARINE SUPPLIES & SERVICES	INDUSTRIAL SUPPLIES	\$80.96
00037624	LEWIS, MEGAN	REFUND - REC PROGRAM	\$130.00
00037625	MARSHALL, LOUISE	REFUND - REC PROGRAM	\$67.00
00037626	BREEN, KEVIN	TRAVEL REIMBURSEMENT	\$1,370.19
00037627	BENNETT, RICK	TRAVEL ADVANCE	\$544.08
00037628	NEWFOUNDLAND POWER	ELECTRICAL SERVICES	\$58,315.32
00037629	CITY OF ST. JOHN'S	REPLENISH PETTY CASH	\$100.00

GOODLIFE FITNESS	00037630	FITNESS MEMBERSHIP	\$1,662.44
RBC GLOBAL SERVICES	00037631	PENSION - MAY 2012	\$712,140.43
UNITED WAY OF NEWFOUNDLAND & LABRADOR	00037632	EMPLOYEE DEDUCTIONS	\$81.22
HEALTH CARE FOUNDATION	00037633	EMPLOYEE DEDUCTIONS	\$16.00
PARTS FOR TRUCKS INC.	00037634	REPAIR PARTS	\$1,297.46
THE WORKS	00037635	EMPLOYEE DEDUCTIONS	\$524.44
ST. JOHN'S FIREFIGHTERS' ASSOC	00037636	IAFF DUES	\$15,643.75
NAPE	00037637	PAYROLL DEDUCTIONS	\$703.08
CUPE LOCAL 569	00037638	PAYROLL DEDUCTIONS	\$22,532.14
RECEIVER GENERAL FOR CANADA	00037639	PAYROLL DEDUCTIONS	\$3,760.80
MALISCHEWSKI, CHARLOTTE-ANNE	00037640	2012 GRANT	\$750.00
GENTARA REAL ESTATE LP	00037641	LEASE OF OFFICE SPACE	\$27,129.44
HARVEY'S TRAVEL AGENCY LTD.	00037642	AIRFARE COSTS	\$1,674.43
CHES CROSBIE BARRISTERS	00037643	PROFESSIONAL SERVICES	\$67.80
CANCELLED	00037644	CANCELLED	\$0.00
MULLETT, PAUL	00037645	REIMBURSEMENT - PURCHASE OF MEALS	\$90.27
TELELINK-THE CALL CENTRE INC.	00037646	MESSAGE MANAGER	\$15.45
TELELINK-THE CALL CENTRE INC.	00037647	MESSAGE MANAGER	\$27.69
ACTION TRUCK CAP & ACCESSORIES	00037648	REPAIR PARTS	\$1,532.69
PARDY'S WASTE MANAGEMENT	00037649	WASTE DISPOSAL	\$3,677.02
ASHFORD SALES LTD.	00037650	REPAIR PARTS	\$125.71
B & B SALES LTD.	00037651	SANITARY SUPPLIES	\$903.77
COSTCO WHOLESALE	00037652	DIGITAL CAMERA	\$293.79
CAREW SERVICES LTD.	00037653	REPAIR PARTS	\$16,147.70
RDM INDUSTRIAL LTD.	00037654	INDUSTRIAL SUPPLIES	\$225.38
BATTLEFIELD EQUIP. RENTAL CORP	00037655	REPAIR PARTS	\$663.49
BELL CANADA	00037656	EQUIPMENT/SOFTWARE CHARGES	\$3,966.30
LANDSCAPE Nfld. & LABRADOR	00037657	HST REMITTANCE	\$65.00
BEST DISPENSERS LTD.	00037658	SANITARY SUPPLIES	\$1,220.40
ROCKWATER PROFESSIONAL PRODUCT	00037659	CHEMICALS	\$1,517.64
NEWFOUNDLAND OCEAN INDUSTRIES ASSOCIATION	00037660	2012 NOIA CONFERENCE	\$1,128.87
GRAPHIC ARTS & SIGN SHOP LIMITED	00037661	SIGNAGE	\$838.43
BREN-KIR INDUSTRIAL SUPPLIES	00037662	INDUSTRIAL SUPPLIES	\$1,013.19
GRAND AND TOY	00037663	OFFICE SUPPLIES	\$2,515.07
STAPLES THE BUSINESS DEPOT - STAVANGER DR	00037664	TONER	\$965.99
BUTLER'S SAND & STONE CO. LTD.	00037665	SAND/STONE	\$3,080.40
CBS RENTALS LTD.	00037666	RENTAL OF SOD CUTTER	\$678.00
AEARO CANADA LIMITED	00037667	PRESCRIPTION SAFETY GLASSES	\$306.00
AIR LIQUIDE CANADA INC.	00037668	CHEMICALS AND WELDING PRODUCTS	\$1,311.27
CHES'S SNACKS LTD.	00037669	MEAL ALLOWANCES	\$128.56

WAL-MART 3196-ABERDEEN AVE.	00037670	MISCELLANEOUS SUPPLIES	\$165.60
ROGERS CABLE	00037671	INTERNET SERVICES	\$110.05
PF COLLINS CUSTOMS BROKER LTD	00037672	DUTY AND TAXES	\$38.96
COLONIAL GARAGE & DIST. LTD.	00037673	AUTO PARTS	\$35.12
PETER'S AUTO WORKS INC.	00037674	TOWING OF VEHICLES	\$282.50
CRANE SUPPLY LTD.	00037675	PLUMBING SUPPLIES	\$296.06
JAMES G CRAWFORD LTD.	00037676	PLUMBING SUPPLIES	\$236.78
SHU-PAK EQUIPMENT INC.	00037677	REPAIR PARTS	\$539.18
FASTENAL CANADA	00037678	REPAIR PARTS	\$36.39
HANLON'S TAEKWONDO	00037679	REAL PROGRAM	\$1,262.00
AUTO TRIM DESIGN	00037680	SUPPLY & INSTALL REFLECTIVE DECALS	\$1,007.96
CREDIT RECOVERY 2003 LIMITED	00037681	CREDIT COLLECTIONS	\$1,416.41
DICKS & COMPANY LIMITED	00037682	OFFICE SUPPLIES	\$591.72
WAJAX POWER SYSTEMS	00037683	REPAIR PARTS	\$208.91
CADILLAC SERVICES LTD.	00037684	RELEASE-MAINTENANCE SECURITY DEPOSIT	\$2,000.00
DOMINION RECYCLING LTD.	00037685	PIPE	\$115.26
RUSSEL METALS INC.	00037686	METALS	\$2,577.87
CANADIAN TIRE CORP.-ELIZABETH AVE.	00037687	MISCELLANEOUS SUPPLIES	\$468.10
CANADIAN TIRE CORP.-MERCHANT DR.	00037688	MISCELLANEOUS SUPPLIES	\$42.92
CANADIAN TIRE CORP.-KELSEY DR.	00037689	MISCELLANEOUS SUPPLIES	\$872.27
EAST COAST CONVERTERS LTD.	00037690	SANITARY SUPPLIES	\$3,152.14
EAST COAST MARINE & INDUSTRIAL	00037691	MARINE & INDUSTRIAL SUPPLIES	\$915.19
EAST CHEM INC.	00037692	CHEMICALS	\$7,972.60
ELECTRIC MOTOR & PUMP DIV.	00037693	REPAIR PARTS	\$395.48
ELECTRONIC CENTER LIMITED	00037694	ELECTRONIC SUPPLIES	\$20.28
NL ENVIRONMENTAL INDUSTRY ASSN	00037695	REGISTRATION FEES	\$67.80
THE TELEGRAM	00037696	ADVERTISING	\$235.04
EXECUTIVE COFFEE SERVICES LTD.	00037697	COFFEE SUPPLIES	\$334.05
ROYAL CANADIAN LEGION	00037698	FACILITY RENTAL	\$169.50
DOMINION STORE 935	00037699	MISCELLANEOUS SUPPLIES	\$98.02
ERL ENTERPRISES	00037700	AUTO PARTS/REPAIRS	\$26,244.55
GAZE SEED COMPANY 1987 LTD.	00037701	GARDENING SUPPLIES	\$154.53
PRINCESS AUTO	00037702	MISCELLANEOUS ITEMS	\$287.57
ANNA TEMPLETON CENTRE	00037703	REFRESHMENTS	\$150.00
ATLANTIC OILFIELD & INDUSTRIAL SUPPLY	00037704	INDUSTRIAL SUPPLIES	\$439.21
SIMPLEX GRINNELL	00037705	REPAIRS TO EQUIPMENT	\$503.98
PROVINCIAL FENCE PRODUCTS	00037706	FENCING MATERIALS	\$390.99
THE WORKS	00037707	REAL PROGRAM	\$144.00
KEITH W. BUSSEY EXCAVATING LTD	00037708	RENTAL OF EQUIPMENT	\$1,923.26
HARVEY'S TRAVEL AGENCY LTD.	00037709	AIRFARE COSTS	\$8,402.19

COFFEE & COMPANY	00037710	REFRESHMENTS	\$126.27
MURRAY'S LANDSCAPE SERVICES LTD.	00037711	RELEASE-MAINTENANCE SECURITY DEPOSIT	\$1,500.00
CANADIAN STANDARDS ASSOCIATION	00037712	PUBLICATIONS	\$117.52
SPARTAN INDUSTRIAL MARINE	00037713	BRAIDED TWINE	\$271.20
GARFIELDS CARBIDE SHARPENING SERVICES	00037714	SAW SHARPENING	\$75.00
PRINTER TECH SOLUTIONS INC.,	00037715	TONER	\$213.57
SUMMIT VETERINARY PHARMACY INC.,	00037716	VETERINARY SUPPLIES	\$15.79
CHRISTOPHER'S CAFE & CATERING	00037717	CATERING SERVICES	\$45.19
KIRKLAND BALSOM & ASSOC.	00037718	PROFESSIONAL SERVICES	\$14,916.00
DATARITE.COM	00037719	STATIONERY & OFFICE SUPPLIES	\$614.72
WAJAX INDUSTRIAL COMPONENTS	00037720	REPAIR PARTS	\$71.55
NEWFOUNDLAND DISTRIBUTORS LTD.	00037721	INDUSTRIAL SUPPLIES	\$92.32
PBA INDUSTRIAL SUPPLIES LTD.	00037722	INDUSTRIAL SUPPLIES	\$2,550.10
PPG CANADA INC.	00037723	PAINTS	\$334.32
GCR TIRE CENTRE	00037724	TIRES	\$7,544.11
PETRO PLUS INC.	00037725	REPAIRS TO EQUIPMENT	\$101.70
RIDEOUT TOOL & MACHINE INC.	00037726	TOOLS	\$390.68
NAPA ST. JOHN'S 371	00037727	AUTO PARTS	\$1,285.34
ROYAL FREIGHTLINER LTD	00037728	REPAIR PARTS	\$237.09
LIFESAVING SOCIETY NFLD & LAB.	00037729	FIRST AID MANUALS	\$136.50
S & S SUPPLY LTD. CROSSTOWN RENTALS	00037730	REPAIR PARTS	\$104.06
ST. JOHN AMBULANCE ASSOCIATION	00037731	FIRST AID SUPPLIES	\$1,813.56
BIG ERICS INC	00037732	SANITARY SUPPLIES	\$2,735.70
SMITH STOCKLEY LTD.	00037733	PLUMBING SUPPLIES	\$133.15
SPEEDY AUTOMOTIVE LTD.	00037734	AUTOMOTIVE SUPPLIES	\$502.13
STATE CHEMICAL LTD.	00037735	CHEMICALS	\$3,183.21
SUPERIOR OFFICE INTERIORS LTD.	00037736	OFFICE SUPPLIES	\$1,195.54
K & D PRATT INSTRUMENTATION	00037737	REPAIR PARTS	\$389.85
WATERWORKS SUPPLIES DIV OF EMCO LTD	00037738	REPAIR PARTS	\$100.25
ST. TERESA'S PARISH HALL	00037739	FACILITY RENTAL	\$150.00
ST. JOHN'S TOYOTA JUNIOR CAPS	00037740	CONTRIBUTION TO CHAMPIONSHIP	\$500.00
AVALON MINOR HOCKEY ASSOCIATION	00037741	2012 RECREATION GRANT	\$10,015.40
GOULDS MINOR HOCKEY	00037742	2012 RECREATION GRANT	\$7,674.88
FERGUS O'BYRNE	00037743	HONORARIUM	\$75.00
PLAZA BOWL	00037744	REAL PROGRAM	\$737.33
CANADIAN CAPITAL CITIES ORGANIZATION	00037745	MEMBERSHIP RENEWAL	\$500.00
ANTHONY CHAFE	00037746	HONORARIUM	\$75.00
DIANE DUNN	00037747	REFUND - BIRTHDAY PARTY	\$135.00
SHARON LAMB	00037748	REFUND - ACTIVITY CENTER	\$25.00
CYNTHIA CARR	00037749	REFUND - BIRTHDAY PARTY	\$120.00

GAIL HART
DENISE CLARKE
MARTIN, WHALEN, HENNEBURY & STAMP
HOMEWORX
CAPITAL FLEET REPAIR & SUZANNE JERRETT
MASTER BOWLERS ASSOCIATION OF NL
NL 5 PIN BOWLERS' ASSOCIATION
PICCO & WHITE
GRATTAN, PATRICIA
MARSH, ROSS
SQUIRES, CARLA
WHITEWAY, GEORGE
JONES, CHRISTINA
CAREW, RANDY
HUTCHINGS, ROSS
MCGRATH, CINDY
DOYLE, ROBERT
COURAGE, SCOTT
CONSTRUCTION SIGNS LTD.
CHELSEA FOOD SERVICES
ROBERT B. ANSTEY
ALLIED CONSTRUCTORS INC.
ANCHORAGE CONTRACTING SERVICES

00037750 REFUND - REC PROGRAM \$56.00
00037751 REFUND - REC PROGRAM \$56.00
00037752 REFUND - COMPLIANCE LETTER \$150.00
00037753 RELEASE-MAINTENANCE SECURITY DEPOSIT \$1,500.00
00037754 VEHICLE REPAIRS \$867.19
00037755 CONTRIBUTION TO CHAMPIONSHIP \$750.00
00037756 CONTRIBUTION TO TOURNAMENT \$1,000.00
00037757 REFUND - COMPLIANCE LETTER \$150.00
00037758 INSTRUCTION FEES \$300.00
00037759 VEHICLE BUSINESS INSURANCE \$187.00
00037760 VEHICLE BUSINESS INSURANCE \$266.00
00037761 VEHICLE BUSINESS INSURANCE \$270.00
00037762 REIMBURSEMENT FOR SUPPLIES \$79.67
00037763 REIMBURSEMENT - INTERNET CHARGES \$73.07
00037764 DRIVER'S LICENSE PHYSICAL \$60.00
00037765 RECOVERY MASKS \$276.21
00037766 PASSPORT & PHOTO \$133.94
00037767 VEHICLE BUSINESS INSURANCE \$280.00
00037768 SIGNAGE \$8,123.79
00037769 MEALS - WORK CREW \$337.58
00037770 COMPENSATION-CONVENTION CTR EXPANSION \$55,000.00
00037771 PROGRESS PAYMENT \$372,790.57
00037772 PROGRESS PAYMENT \$63,560.82

TOTAL: \$2,928,384.38

MEMORANDUM

Date: May 29, 2012
To: His Worship the Mayor & Members of Council
From: Robert Bursey, City Solicitor
Re: **19 Blatch Avenue – Quit Claim Deed**

The property at 19 Blatch Avenue historically had a right-of-way going across it, however, the owner of that right-of-way is presently unknown.

The lawyer for the owner of 19 Blatch Avenue has requested the City to execute a Quit Claim Deed for the property in case the City had an interest in the right-of-way.

As it is a certainty that the City did not own this right-of-way, I recommend that approval be given to have the Quit Claim Deed executed.

I request that this matter be brought before Council at the next Regular Meeting.

Original Signed

Robert J. Bursey, LL.B.
City Solicitor

GG/kab

ST. JOHN'S

LEGAL DEPARTMENT

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

MEMORANDUM

Date: May 31, 2012
To: Mayor and Members of Council
From: Robert J. Bursey, City Solicitor
Re: Silverton Street Development – 64136 NL Inc.

The above noted company is developing land off Silverton Street, Kilbride as per the attached plan.

In order to do this it will be necessary to remove the existing cul-de-sac bulb.

I recommend that approval be given for the developer to remove the bulb subject to the following conditions:

1. The developer pay the City for the cul-de-sac land at a rate of \$2.00 per square foot (approximately \$8,000.00).
2. The cul-de-sac lands be conveyed to the abutting property owners so that their lots front on the new street line at a nominal rate;
3. The developer reinstate the cul-de-sac lands by extending the abutting properties' driveways and landscaping; and
4. The developer is to provide letters of agreement from the affected abutting property owners.

I recommend that this matter be brought before Council at the next Regular Meeting of Council.

Original Signed

Robert J. Bursey, LL.B.
City Solicitor

ST. JOHN'S

LEGAL DEPARTMENT

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

MEMORANDUM

Date: May 31, 2012

To: Mayor and Members of Council

From: Robert J. Bursey, City Solicitor

Re: Convention Centre Expansion – 16 Waldegrave Street

The City requires the land at 16 Waldegrave Street for expansion of the Convention Centre.

As we have no contact information for the registered property owners, we are unable to negotiate the purchase.

I recommend that the land be expropriated. Enclosed is the Notice of Expropriation for execution.

I request that this matter be brought before Council at the next Regular Meeting.

Original Signed

Robert J. Bursey, LL.B.
City Solicitor

Attachment

ST. JOHN'S

LEGAL DEPARTMENT

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

TO: FRANCIS DUNNE AND WILLIAM DENINE

AND: TO WHOM IT MAY CONCERN

In this matter of Sections 96 and 101 of the **City of St. John's Act** as amended and Sections 5 to 55 of the **Expropriation Act**.

NOTICE

Notice is hereby given that the lands described in Schedule "A" hereto annexed and on the plan attached are expropriated by the City of St. John's.

The said land is required for the purpose of development and is expropriated for such purpose pursuant to the powers vested in the Council under Sections 96 and 101 of the *City of St. John's Act*.

The said land is expropriated on behalf of the City of St. John's and will vest in the City of St. John's.

Dated the ____ day of _____ 2012.

MAYOR

CITY CLERK

RESOLUTION

RESOLVED that under and by virtue of the powers vested in it under Sections 96 and 101 of the *City of St. John's Act* as amended and all other powers it enabling the St. John's Municipal Council in session convened on this ____ day of _____, 2012.

HEREBY RESOLVES that the land described in Schedule "A" to this resolution and on the plan annexed thereto is expropriated by the Council for the purpose of development.

