

**AGENDA  
REGULAR MEETING**

**MAY 28<sup>th</sup>, 2012  
4:30 p.m.**

**ST. JOHN'S**

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**AGENDA  
REGULAR MEETING  
MAY 28<sup>th</sup>, 2012  
4:30 p.m.**

- 1. Call to Order**
- 2. Approval of the Agenda**
- 3. Adoption of the Minutes**
  - a. Minutes of May 22<sup>nd</sup>, 2012
- 4. Business Arising from the Minutes**
  - A. Included in the Agenda**
  - B. Other Matters**
  - C. Notices Published**
- 5. Public Hearings**
  - a. Public Meeting of May 17, 2012 re: Application to Rezone Property to Permit a Residential Apartment Building at Quidi Vidi Village Road (Ward 2) . Applicant: Powderhouse Hill Investments Ltd.
- 6. Committee Reports**
  - a. Development Committee Report dated May 22<sup>nd</sup>, 2012
  - b. Special Events Advisory Committee Report of May 23, 2012
- 7. Resolutions**
- 8. Development Permits List**
- 9. Building Permits List**
- 10. Requisitions, Payrolls and Accounts**
- 11. Tenders**
  - a. 2012 Infrastructure Improvements – Contract # 2: Concrete Curb, Gutter and Sidewalk
  - b. 2012 Infrastructure Improvements – Contract # 3: Concrete Repairs
  - c. 2012 Sewer Improvements: Request to Add Additional Work to Contract
- 12. Notices of Motion, Written Questions and Petitions**
  - a. Proposed Amendment to Plumbing By-Law
- 13. Other Business**

1. Memo dated May 18, 2012 from City Solicitor re: 37 Bannerman Street
2. Memo dated May 24, 2012 from Deputy City Manager/Director of Public Works & Parks re: City Staff Neighbourhood Cleanup
3. **Correspondence from the Mayor's Office**
4. **Items Added by Motion**

**14. Adjournment**

May 22<sup>nd</sup>, 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 Hann, Colbert, Breen, Galgay, Tilley, Hanlon and Collins.

City Manager, Deputy City Manager/Director of Corporate Services & City Clerk; Deputy City Manager/Director of Public Works & Parks; Director of Planning; Director of Engineering; City Solicitor and Manager, Corporate Secretariat were also in attendance.

#### **Call to Order and Adoption of the Agenda**

##### **SJMC2012-05-22/293R**

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

- a. Travel by His Worship the Mayor**

#### **Adoption of Minutes**

##### **SJMC2012-05-22/294R**

**It was decided on motion of Councillor Tilley; seconded by Councillor O'Leary: That the minutes of May 14<sup>th</sup>, 2012 meeting be adopted as presented.**

#### **Business Arising**

**Application to Rezone Property to the Commercial Industrial (CI) Zone, Fowler's Road (Ward 5) Applicant : Metcalfe Holdings Ltd.**

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Under business arising, Council considered a memorandum dated May 17, 2012 from the Director of Planning regarding the above noted.



**SJMC2012-05-22/295R**

**It was moved by Councillor Collins; seconded by Councillor Hann: That staff be directed to proceed with the rezoning of the Metcalfe Holdings Ltd. property off Fowler's Road from the Rural Zone to the Commercial Industrial (CI) Zone, and prepare the necessary rezoning amendment resolution which will be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment.**

**The motion being put was unanimously carried.**

**Application to Rezone Property to the Residential Low Density (R1) Zone  
Civic Number 480 Main Road**

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Under business arising, Council considered a memorandum dated May 17, 2012 from the Director of Planning regarding the above noted.

**SJMC2012-05-22/296R**

**It was moved by Councillor Collins; seconded by Councillor Breen: That staff be directed to proceed with the rezoning of property at Civic Number 480 Main Road from the Institutional (INST) Zone to the Residential Low Density (R1) Zone and prepare the necessary rezoning and Municipal Plan amendments which will then be forwarded to the Department of Municipal Affairs with a request for the issuance of a Provincial release for the amendments.**

**The motion being put was unanimously carried.**

**Other Matters**

Councillor Galgay alluded to today's water main break on Mayor Avenue/Merrymeeting Road. He emphasized the seriousness of this ongoing problem as a result of the City's aging infrastructure and suggested that consideration be given to allocating funding out of the City's \$10 million surplus to address the problem. The matter was referred to the Public Works & Environment Standing Committee.

**Drive-Thru Standards**

Councillor Collins asked Council to vote on the amendment pertaining to standards for Drive Thru Operations due to the fact that all members of Council were in attendance.

Councillor Collins was reminded by the City Clerk that Council, at its Regular Meeting held on April 30, 2012 during discussion on the amendment which would have the effect of incorporating the standards for Drive-Thru Facilities into the text of the Development Regulations, agreed that the original Amendment be referred to the Office of the City Solicitor and the Department of Planning to rectify the issues identified by the City Solicitor and that the rectified Amendment be brought back to a future Regular Meeting for Council's consideration. The City Clerk noted that the rectified amendment to date has not been brought forward to Council.

It was noted that the amendment is scheduled to be dealt with by the Planning Committee at its upcoming meeting and subsequently presented to Council for a decision.

Councillor Colbert indicated that the rules of procedure can be suspended to deal with the amendment. The City Solicitor noted that Council can agree to suspend the rules of procedure to deal with the issue, however, the changes were significant and a revised draft is not before Council to consider. His Worship the Mayor noted that City business has to be carried out in a timely fashion and should not be restricted to doing business because full council is not in attendance. No further action was taken.

### **Notices Published**

1. An application has been submitted requesting permission to construct an extension at **Civic No. 109 Newtown Road** in order to add two (2) additional dwelling units, for a total of three (3) dwelling units. Three (3) on-site parking spaces will be provided. The subject building is located in the Residential Medium Density (R2) Zone where Multiple Dwellings are a Discretionary Use. **(Ward 2)**

Three (3) Submissions of Objection

### **SJMC2012-05-22/297R**

**It was moved by Councillor Hanlon; seconded by Councillor Hickman:  
That the application be approved.**

Councillor Hanlon advised that she met with staff on the issues raised and is satisfied that all of the residents' concerns will be satisfactorily addressed.

**The motion being put was unanimously carried with Councillors Colbert and O'Leary dissenting.**

**Public Hearing**  
**Downtown Parking Study**

Councillor Hanlon presented the report of a public meeting held on May 8, 2012 the purpose of which was to provide an opportunity for public review and comment on the summary of the proposed amendments to the St. John's Municipal Plan and the St. John's Development Regulations to implement the planning-related recommendations of the Downtown Parking Study.

It is noted that City staff are now in the process of reviewing the minutes of the public meeting and the public representations that have been received regarding the amendments to the Municipal Plan and the Development Regulations to implement the recommendations of the Downtown Parking Study.

**SJMC2012-05-22/298R**

**It was moved by Councillor Hanlon; seconded by Councillor Tilley: That the issue of the planning amendments to implement the planning-related recommendations of the Downtown Parking Study be referred to the Planning and Housing Committee for further review with a subsequent report/recommendation from the Committee referred back to a future Regular Meeting of Council.**

**The motion being put was unanimously carried.**

**Committee Report**

**Development Committee Report dated May 16, 2012**

Council considered the following Development Committee Report dated May 16, 2012:

**RECOMMENDATION OF APPROVAL**

- 1. Proposed Construction/Extension of Accessory Building  
Civic No. 28 King's Hill Road – Town of Portugal Cove – St. Philip's  
Broad Cove River Watershed, Applicant: Mr. Robert Quigley**

The Committee recommends that the application for a 30 m<sup>2</sup> accessory building be approved pursuant to Section 104(4)(a) of the City of St. John's Act..

- 2. Crown Land Lease Referral for 5.56 Hectares of Land  
Proposed Root Crop Farm**

**Foxtrap Access Road  
Agriculture (AG) and Rural ® Zones**

The Committee recommends approval of the subject Crown Land Lease application for Agriculture use. Should the applicant be successful in obtaining the Crown Land Lease, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.

**RECOMMENDATION OF REJECTION**

- 3. Proposed Installation of Diesel Tanks/Extension to Retail Store  
Civic No. 899 Thorburn Road  
Town of Portugal Cove – St. Philip’s  
Broad Cove River Watershed  
Applicant: Edward Sharpe/Sharpe’s General Store**

The Committee recommends rejection of the installation of the diesel tanks and the proposed extension to the subject building pursuant to the Section 104 of the City of St. John’s Act.

Robert F. Smart  
City Manager  
Chair – Development Committee

**SJMC2012-05-22/299R**

**It was moved by Councillor Hann; seconded by Deputy Mayor Duff: That the Committee’s recommendations be approved.**

**The motion being put was unanimously carried.**

**Development Permits List**

Council considered as information the following Development Permits List:

DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF May 10, 2012 TO May 17, 2012

Code	Applicant	Application	Location	Ward	Development Officer’s Decision	Date
COM		Home Office – Seafood Consultant	39 Radio Range Road	1	Approved	12-05-17
RES	Newfoundland Labrador Housing	Site Work/Storm Sewer Installation	McKay Street	2	Approved	12-05-17

AG		Proposed Building Lot	Old Bay Bulls Road	5	Rejected by Dept of Natural Resources-Not permitted in AG zone.	12-05-17
COM		Proposed display of mini home for sale purposes	2650 Trans Canada Highway	5	Rejected - contrary to Section 10.44 & by Prov Dept of Transportation	12-05-17

<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**

**SJMC2012-05-22/300R**

**It was moved by Councillor Colbert; seconded by Deputy Mayor Duff: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:**

2012/05/16

Permits List

**CLASS: COMMERCIAL**

- |                        |    |                   |
|------------------------|----|-------------------|
| 40 ABERDEEN AVE        | MS | RETAIL STORE      |
| 40 ABERDEEN AVE        | MS | RETAIL STORE      |
| 40 ABERDEEN AVE        | MS | CLINIC            |
| 46 ABERDEEN AVE        | MS | RESTAURANT        |
| 98 ABERDEEN AVE        | MS | SERVICE SHOP      |
| 95C ABERDEEN AVE       | MS | RETAIL STORE      |
| 1 ANDERSON AVE-BALANCE | MS | RETAIL STORE      |
| 10 BAY BULLS RD-IRVING | MS | SERVICE STATION   |
| 77 BLACKMARSH RD       | MS | RETAIL STORE      |
| 203 BLACKMARSH RD      | MS | RETAIL STORE      |
| 245 BLACKMARSH RD      | MS | CONVENIENCE STORE |
| CARPASIAN RD           | MS | CLUB              |
| 94 ELIZABETH AVE       | MS | RETAIL STORE      |
| 377 EMPIRE AVE         | MS | RETAIL STORE      |
| 2 FOGWILL PL           | MS | RESTAURANT        |
| 2 FOGWILL PL           | MS | RESTAURANT        |

336 FRESHWATER RD	MS	SERVICE SHOP
336 FRESHWATER RD	MS	OFFICE
15 GOLDSTONE ST	MS	SERVICE SHOP
16-72 HAMLYN RD UNIT 150	SN	RETAIL STORE
169 HAMLYN RD	MS	SERVICE SHOP
12-20 HIGHLAND DR	MS	RETAIL STORE
55C KELSEY DR	MS	SERVICE SHOP
55 KELSEY DR	MS	RESTAURANT
65 KELSEY DR-STAPLES	MS	RETAIL STORE
145 KELSEY DR-NPR LTD.	MS	OFFICE
102-108 KENMOUNT RD	MS	HOTEL
102-108 KENMOUNT RD	MS	OFFICE
150 KENMOUNT RD	MS	CAR SALES LOT
220 KENMOUNT RD-PENNY MAZDA	MS	CAR SALES LOT
161 KENMOUNT RD	MS	RETAIL STORE
195 KENMOUNT RD	MS	SERVICE SHOP
349 KENMOUNT RD	SN	CUSTOM WORKSHOP
409 KENMOUNT RD	MS	CAR SALES LOT
455 KENMOUNT RD	MS	COMMERCIAL GARAGE
147 LEMARCHANT RD	MS	SERVICE SHOP
225 LOGY BAY RD	MS	SERVICE STATION
204-206 MAIN RD	MS	CLINIC
204-206 MAIN RD	MS	CLINIC
484-490 MAIN RD	MS	RESTAURANT
239 MAJOR'S PATH	MS	OFFICE
10 MESSENGER DR	MS	RETAIL STORE
119 NEW COVE RD	MS	CLINIC
200-232 NEWFOUNDLAND DR	MS	RESTAURANT
87 OLD PENNYWELL RD	MS	CONVENIENCE STORE
22 O'LEARY AVE	MS	RESTAURANT
36 PEARSON ST	MS	RETAIL STORE
154 PENNYWELL RD	MS	SERVICE STATION
34 PIPPY PL	MS	OFFICE
4 PORTUGAL COVE RD	MS	RECREATIONAL USE
279 PORTUGAL COVE RD	MS	RETAIL STORE
20 ROPEWALK LANE	MS	SERVICE SHOP
38-42 ROPEWALK LANE	MS	OFFICE
45 ROPEWALK LANE	MS	RETAIL STORE
ST. CLARE AVE	MS	PLACE OF ASSEMBLY
16 STAVANGER DR	MS	CLUB
286 STAVANGER DR	MS	CONVENIENCE STORE
95A STAVANGER DR	MS	RETAIL STORE
95E STAVANGER DR	MS	SERVICE SHOP
15 TERRA NOVA RD	MS	CLUB
86 THORBURN RD	MS	OFFICE
390 TOPSAIL RD	MS	SERVICE STATION
430 TOPSAIL RD-RR ROSSY	SN	RETAIL STORE
462 TOPSAIL RD	MS	CONVENIENCE STORE
632 TOPSAIL RD-IRVING OIL	SN	SERVICE STATION
644 TOPSAIL RD	MS	DAY CARE CENTRE
393 TOPSAIL RD	MS	OTHER
681 TOPSAIL RD	MS	PLACE OF AMUSEMENT
26-34 TORBAY RD	MS	TAVERN
10 ELIZABETH AVE	MS	OFFICE
320 TORBAY RD	MS	COMMERCIAL SCHOOL
97 TORBAY RD	MS	DAY CARE CENTRE
145 TORBAY ROAD, TORBAY RD.MALL	MS	RETAIL STORE
807 WATER ST	CO	RETAIL STORE
15 LEMARCHANT RD	CR	RESTAURANT
241 BROOKFIELD RD	NC	FENCE
2 ST. JOSEPH'S LANE	RN	HOTEL
183 DUCKWORTH ST -FIXED COFFEE	CR	RESTAURANT
430 TOPSAIL RD-CITY STREETS	TI	RETAIL STORE
255 MAJOR'S PATH UNIT 1	RN	OFFICE

4 VANGUARD CRT  
207 KENMOUNT RD - CHES'S

RN OFFICE  
CR RESTAURANT

THIS WEEK \$ 340,153.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00

**CLASS: RESIDENTIAL**

42 ALMOND CRES	NC	FENCE
16 ANTELOPE ST, LOT 94	NC	SINGLE DETACHED & SUB.APT
20 ANTELOPE ST, LOT 92	NC	SINGLE DETACHED & SUB.APT
313 BACK LINE	NC	PATIO DECK
49 SPRUCE GROVE AVE	NC	FENCE
117 BROOKFIELD RD	NC	ACCESSORY BUILDING
48 CANADA DR	NC	FENCE
22 CAPE PINE ST	NC	FENCE
10 CARRICK DR	NC	ACCESSORY BUILDING
133 CASTLE BRIDGE DR, LOT 234	NC	SINGLE DETACHED DWELLING
169 CHEESEMAN DR, LOT 106	NC	SINGLE DETACHED DWELLING
44 CHEROKEE DR	NC	ACCESSORY BUILDING
71 CHEYNE DR	NC	FENCE
35 COUNTRY GROVE PL, LOT 82	NC	SINGLE DETACHED DWELLING
54 CYPRESS ST, LOT 165	NC	SINGLE DETACHED DWELLING
53 CYPRESS ST, LOT 126	NC	SINGLE DETACHED DWELLING
65 CYPRESS ST, LOT 123	NC	SINGLE DETACHED DWELLING
4 FOGO PL	NC	ACCESSORY BUILDING
9 GALASHIELS PL, LOT 118	NC	SINGLE DETACHED DWELLING
21 GALAXY CRES, LOT 4	NC	SINGLE DETACHED & SUB.APT
2 GLENLONAN ST - LOT 31	NC	SINGLE DETACHED & SUB.APT
6 GLENLONAN ST, LOT 29	NC	SINGLE DETACHED DWELLING
10 GLENLONAN ST, LOT 27	NC	SINGLE DETACHED DWELLING
20 GLENLONAN ST, LOT 22	NC	SINGLE DETACHED & SUB.APT
22 GLENLONAN ST, LOT 21	NC	SINGLE DETACHED & SUB.APT
28 GLENLONAN ST, LOT 18	NC	SINGLE DETACHED & SUB.APT
32 GLENLONAN ST, LOT 16	NC	SINGLE DETACHED DWELLING
19 GLENLONAN ST, LOT 108	NC	SINGLE DETACHED & SUB.APT
21 GLENLONAN ST, LOT 107	NC	SINGLE DETACHED & SUB.APT
10 GOWER ST	NC	FENCE
120 GROVES RD	NC	ACCESSORY BUILDING
4 HAMPSHIRE PL	NC	PATIO DECK
35 HARRINGTON DR	NC	ACCESSORY BUILDING
52 LADY ANDERSON ST, LOT 467	NC	SINGLE DETACHED & SUB.APT
54 LADY ANDERSON ST, LOT 468	NC	SINGLE DETACHED & SUB.APT
133 LADYSMITH DR	NC	ACCESSORY BUILDING
114 LOGY BAY RD, LOT 1	NC	SINGLE DETACHED DWELLING
34 MCCRAE ST, LOT 146	NC	SINGLE DETACHED DWELLING
22 MCKAY ST, UNIT 1	NC	SEMI-DETACHED DWELLING
22 MCKAY ST, UNIT 2	NC	SEMI-DETACHED DWELLING
835 MAIN RD	NC	ACCESSORY BUILDING
37 MARSLAND PL	NC	ACCESSORY BUILDING
4 NAVAJO PL	NC	ACCESSORY BUILDING
101 NEW COVE RD	NC	ACCESSORY BUILDING
14 OAKLEY PL	NC	ACCESSORY BUILDING

43 PINE BUD AVE	NC	FENCE
31 PIPER ST	NC	ACCESSORY BUILDING
12 POLINA RD	NC	ACCESSORY BUILDING
16 ROSALIND ST	NC	FENCE
51 SALISBURY ST	NC	FENCE
1 SERPENTINE ST, LOT 47	NC	SINGLE DETACHED DWELLING
3 SERPENTINE ST, LOT 46	NC	SINGLE DETACHED DWELLING
100 TEAKWOOD DR	NC	ACCESSORY BUILDING
TOBIN'S RD, LOT 2	NC	SINGLE DETACHED DWELLING
5 VINNICOMBE ST	NC	FENCE
166 WATERFORD BRIDGE RD	NC	FENCE
97 WINSLOW ST	NC	FENCE
3 DARLING ST	CO	HOME OFFICE
130 EASTBOURNE CRES	CO	HOME OCCUPATION
246 MUNDY POND RD	CR	SUBSIDIARY APARTMENT
60 FOURTH POND RD	EX	SINGLE DETACHED DWELLING
14 LADY ANDERSON ST	EX	SINGLE DETACHED & SUB.APT
22 BANNERMAN ST	RN	TOWNHOUSING
3 BOND ST	RN	PATIO DECK
125 BOND ST	RN	SINGLE DETACHED DWELLING
69 CAPE PINE ST, LOT 33	RN	SUBSIDIARY APARTMENT
91 CORNWALL AVE	RN	SINGLE DETACHED DWELLING
59 FRANKLYN AVE	RN	SEMI-DETACHED DWELLING
35 FRESHWATER RD	RN	SINGLE DETACHED DWELLING
148 HAMILTON AVE	RN	SINGLE DETACHED DWELLING
148 HAMILTON AVE	RN	SINGLE DETACHED DWELLING
66 MONKSTOWN RD	RN	SINGLE DETACHED DWELLING
78 PENNYWELL RD	RN	SEMI-DETACHED DWELLING
18 PROSPECT ST	RN	SINGLE DETACHED DWELLING
129 QUEEN'S RD	RN	TOWNHOUSING
10 SHEA ST	RN	SINGLE DETACHED DWELLING
44 SIGNAL HILL RD	RN	SEMI-DETACHED DWELLING
9 SKANES AVE	RN	SINGLE DETACHED DWELLING
166 WATERFORD BRIDGE RD	RN	SINGLE DETACHED DWELLING
111 FRECKER DR	SW	SINGLE DETACHED DWELLING
80 GUZZWELL DR	SW	SINGLE DETACHED & SUB.APT
33 ROSALIND ST	SW	SINGLE DETACHED & SUB.APT
339 BLACKMARSH ROAD	SN	CONDOMINIUM

THIS WEEK \$ 6,202,367.00

**CLASS: DEMOLITION**

8 BARROWS RD	DM	ACCESSORY BUILDING
101 SPRINGDALE ST	DM	SEMI-DETACHED DWELLING

THIS WEEK \$ 11,000.00

THIS WEEK'S TOTAL: \$ 6,553,520.00

REPAIR PERMITS ISSUED: 2012/05/10 TO 2012/05/16 \$ 141,933.00

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		

**The motion being put was unanimously carried.**

**Payrolls and Accounts**

**SJMC2012-05-22/301R**

**It was moved by Councillor Colbert; seconded by Deputy Mayor Duff: That the following Payrolls and Accounts for the week ending May 17<sup>th</sup>, 2012 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending May 17, 2012**

**Payroll**

Public Works	\$ 395,774.36
Bi-Weekly Casual	\$ 14,628.68
Accounts Payable	\$ 2,935,155.20
<b>Total:</b>	<b>\$ 3,345,558.24</b>

**The motion being put was unanimously carried.**

**Tenders**

- a. Tender – Crushed Washed Stone
- b. Tender – Supply and Installation of Bleachers – Caribou and Lions Parks
- c. Tender – Resurfacing Tennis Court (Larch Park)
- d. Tender – Ready Mix Asphalt
- e. Tender – Ready Mix Concrete
- f. Tender – Eliz. Avenue Sanitary & Storm Sewer Reconstruction Phase 1 & 2
- g. Tender – Hoyles Avenue Storm Sewer Installation

**SJMC2012-05-22/302R**

**It was moved by Councilor Colbert; seconded by Deputy Mayor Duff: That the recommendations of the Director of Finance and City Treasurer and the Director of Engineering be approved and the tenders awarded as follows:**

- a. Cabot Ready Mix @ \$26,650.00, taxes not included**
- b. Coastline Specialties @ \$121,845 supply for selected Items #1 and #4. Installation of these would be \$28,500.00 for a total of \$150,345.00, taxes not included.**
- c. Maritime Tennis Court Builders and Refinishers @ \$43,950.00, taxes not included**
- d. Farrells Excavating Ltd. @ \$99.00 per Tonne, taxes not included.**
- e. Concrete Products Ltd. @ \$24,643.50, taxes not included**
- f. Coady Construction & Excavating Ltd. @ \$4,687,514.59**
- g. RJG Construction Ltd. @ \$1,926,534.74**

**The motion being put was unanimously carried.**

**Guards Athletic Association – Ayre Athletic Grounds  
Memorandum of Understanding (MOU)**

Council considered a memorandum dated May 15, 2012 from the Director of Recreation regarding the above noted.

**SJMC2012-05-22/303R**

**It was moved by Councillor Galgay; seconded by Councillor Breen: That the MOU between the City of St. John's and the Guards Athletic Association for the Ayre Athletic Grounds, be approved.**

**The motion being put was unanimously carried.**

**Travel by His Worship the Mayor**

**SJMC2012-05-22/304R**

**It was moved by Deputy Mayor Duff; seconded by Councillor Hann: That travel by His Worship the Mayor to attend the Big City Mayor's Caucus, May 30 to June 1, 2012, in Saskatoon, SK, be approved.**

**The motion being put was unanimously carried.**

**Councillor O’Leary**

Councillor O’Leary referenced the recent editorial letter by Fred Winsor on Regional Public Transit, encouraging the City of St. John’s, the City of Mount Pearl, the towns of CBS, Paradise and Torbay, the provincial government and the citizens of the Northeast Avalon to become involved “in developing a vibrant and function regional public transit system.” Councillor O’Leary asked the status of regional cooperation in terms of leadership and initiative.

His Worship the Mayor and Councillor Hann noted that the City is showing leadership in trying to take a regional approach to dealing with transportation issues. They noted that other municipalities are not in favour of regional transit system. Councillor Hann noted attempts are now being made to meet with the Provincial Government on the matter. Councillor O’Leary commended Mr. Winsor on his comments, noting that Mr. Winsor also agrees that the Province has to become involved in this significant issue.

Councillor O’Leary asked for information with regards to a possible Female Firefighter Training Camp this summer.

**Councillor Breen**

Councillor Breen advised that a Female Firefighter Training Camp is planned and the details will be released as soon as they are finalized.

Councillor Breen advised of the public consultation scheduled for Wednesday, May 23, 2012 at the Pleasantville Legion, The Boulevard. There will be an Open House to take place from 3:00 – 6:00 p.m. and a Public Meeting will begin at 7:00 p.m. for residents living in Ward 1, however all residents of St. John's are welcome to attend.

**Councillor Hanlon**

Councillor Hanlon advised of public consultation scheduled for Thursday, May 24, 2012 at Roncalli Elementary School, 130 Airport Heights Drive. There will be an Open House to take place from 3:30 – 6:00 p.m. and a Public Meeting will begin at 7:00 p.m. for residents living in Ward 4, however all residents of St. John's are welcome to attend.

**Councillor Collins**

Councillor Collins advised of a public consultation scheduled for Tuesday, May 22, 2012 at Glendenning Golf Course, 120 Gabriel Road. There will be an Open House to take place from 3:00 – 6:00 p.m. and a Public Meeting will begin at 7:00 p.m. for residents living in the Southlands area of Ward 5, however all residents of St. John's are welcome to attend.

**Adjournment**

There being no further business, the meeting adjourned at 5:30 p.m.

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**MAYOR**

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**CITY CLERK**

# MEMORANDUM

Date: May 24, 2012

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File Number B-17-Q.1**  
**Application to Rezone Property to Permit a Residential Apartment Building**  
**Quidi Vidi Village Road (Ward 2)**  
**Applicant: Powderhouse Hill Investments Ltd.**

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A public meeting, chaired by Councillor Galgay, was held at St. John's City Hall on May 17, 2012. The purpose of the public meeting was to provide an opportunity for public review and comment on the application submitted by Powderhouse Hill Investments Ltd. to rezone vacant land located on Quidi Vidi Village Road and commonly referred to as "School House Hill", from the Comprehensive Development Area-6 (CDA-6) Zone to the Apartment Medium Density (A2). The purpose of the proposed rezoning is to allow the construction of a five (5) storey/24-unit residential apartment building in condominium ownership (four (4) floors of apartments over one (1) basement level of parking).

**The minutes of the May 17, 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 May 28, 2012.**

The applicants did prepare a land use assessment report under terms of reference approved by Council which provides detailed information on the proposed new apartment building project. The assessment report was made available for public review prior to the public meeting and was provided to all members of Council prior to the May 17, 2012 public meeting. Copies of the assessment report are available from the Department of Planning.

## **References to the Municipal Plan, Development Regulations and the Quidi Vidi Village Development Plan**

The application site is zoned as Comprehensive Development Area-6 (CDA-6). The CDA-6 Zone is a type of holding zone, pending a comprehensive plan for development of the property. The CDA-6 Zone indicates that residential uses, with a maximum allowable density of 50 dwelling units per net hectare and a private park may be allowed by Council as Discretionary Uses. An underground pipeline bisects the property, and the applicant proposes to turn over the land north of the pipeline (furthest from Quidi Vidi Village Road, overlooking Quidi Vidi Village Lake) to the City. The new apartment building is proposed to be constructed on that part of the property closest to the road.

The application property is designated as a Residential Medium Density District under the St. John's Municipal Plan.

The application site is located in Planning Area 2 under the Municipal Plan. Planning Area 2 pertains to the East End, the Battery, Quidi Vidi Village areas. The Planning Area 2 Development Plan under the

# 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

Municipal Plan promotes the “Historic Village” of Quidi Vidi Village by retaining land uses and densities typical to the area and calls for the preservation of open spaces.

The Quidi Vidi Village Development Plan (2006) which was prepared by planning consultants on behalf of the City and which has been adopted-in-principle by Council, calls for a circle of green to be maintained around the upper reaches of Quidi Vidi Village. Regarding the subject property, the QVV Development Plan recommends that the property could be developed with “roadside housing in a way that integrates the homes into the landscape” and the Development Plan recommended that the City purchase the land north of the underground pipeline which bisects the property. The City did explore a possible purchase of northern portion of the property a number of years ago but discussions with the owner of the property did not lead to a formal offer for purchase of that part of the property.

### **Recommendation**

**The Department of Planning recommends that Council not rezone the subject property to the Apartment Medium Density (A2) Zone to allow the proposed five (5) storey/24-unit apartment building project proposed to be constructed by Powderhouse Hill Investments Ltd.**

It is our opinion that the proposed five (5) storey/ 24-unit design concept for the apartment building is not in keeping with the planning policies for Quidi Vidi Village as set out in the Planning Area 2 policies contained in the Municipal Plan nor the Quidi Vidi Village Development Plan that a new residential development on the site be typical of the existing densities in the area and with a residential project that integrates a new development into the landscape.

It is further recommended that City staff meet with the applicant to determine if a residential project can be designed so as to more closely integrate with the City’s planning policies for both the specific site and the Quidi Vidi Village area as a whole.

---

Cliff Johnston, MCIP  
Director of Planning

CJ/sf

Attachments

A public meeting was held on Thursday, May 17, 2012 in the Foran/Greene Room, 4<sup>th</sup> floor, City Hall.

In Attendance:           Councillor Frank Galgay, Chairperson  
                                  Deputy Mayor Shannie Duff  
                                  Councillor Tom Hann  
                                  Cliff Johnston, Director of Planning  
                                  Robin King, Transportation Engineer  
                                  Ken O'Brien, Manager of Planning & Information  
                                  Karen Chafe, Recording Secretary

Representing the Proponent Powderhouse Hill Development Ltd. were Dick Cook and Bill Clarke, Mr. Doug Hawes and several other consultants.

There were approximately fifty (50) people in the audience, primarily from the Quidi Vidi neighbourhood. Also present were members of the media.

The purpose of the meeting was to:

**Provide an opportunity for public review and comment on the application submitted by Powderhouse Hill Development Ltd. to rezone vacant property on Quidi Vidi Village Road to allow the development of a five (5) storey/24 unit apartment building in condominium ownership (4 floors of apartments over 1 basement level of parking).**

The following written submission of support is included with this report:

- E-mail from Tom Baird and Sharon Bala dated May 20, 2012

The following written submissions of objection are included with this report:

- Letter from David Smith, ■■■ Regiment Road
- E-mail from Joan and Ed Soper, Barrows Road
- E-mail from Judy Ryerson, Quidi Vidi resident
- E-mail from Colleen Hogan, Quidi Vidi resident
- E-mail from John Barrington, Quidi Vidi resident
- Letter from Maria Halfyard, Quidi Vidi resident
- Letter from Lorraine Michael, MHA, Signal Hill-Quidi Vidi
- Letter from Amanda Will, Portugal Cove
- E-mail from Sean Murray
- E-mail from Andreas Georghiou

The meeting was called to order by Councillor Galgay who explained the process to ensue. Ken O'Brien, Manager of Planning and Information 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 meeting lasted just 15 minutes shy of two hours. Of the over twenty individuals who spoke during the meeting, all were unanimous in their objection of the proposed development based on the following reasons:

- Traffic congestion and safety hazards;
- Building will look out of place;
- Loss of a high profile natural landscape;
- Loss of open space area;
- Loss of light for adjoining residents;
- Lighting of the condominium at night will glare into neighbours' properties.
- Conflicts with the Quidi Vidi Village Development Plan of 2006;
- Gentrification will force long-term residents out to make way for newer richer and more transient residents who do not necessarily have the vested interest in the place as those who have lived there for years.
- It was suggested that there be a moratorium on all major developments pending the outcome of the Municipal Plan Review.

The following is a synopsis of the comments made by each speaker:

**Michael Mallard – [REDACTED] Quidi Vidi Village**

- As a point of clarification, Mr. Mallard noted that Quidi Vidi Village does not start at the top of the hill where the condominium development is proposed, but rather extends further up the road.
- The building looks "stupid" in this area.
- He felt that the developer's promise to give some property to the City in exchange for their approval to develop the condominium is nothing more than a bribe. He questioned why such land could not be given to the City outright with no conditions attached.

**Sharon Tucker – [REDACTED] Quidi Vidi Village Road**

- Reference was made to the traffic congestion which already exists in the Village, sometimes disabling through traffic when vehicles are parked along the sides of the road.
- Major developments in Pleasantville including the federal government complex, seniors housing and new residential development will severely impact traffic congestion. The tourist season is also a major concern.

**Judy Gibson – [REDACTED]**

- [REDACTED] beautiful, natural landscape is disturbing, particularly one that is accessed on a regular basis by thousands of tourists and residents who walk the trail each year.
- The area in question is accessible to people with disabilities who like to traverse the trails as well as for people walking their dogs. The loss of the green space diminishes the beauty of the area.



- Reference was made to the Dept. of Defense building in Pleasantville which was to have rectified the problem of storm water run-off; however, Ms. Gibson felt that this was not being done, resulting in spill-over to the Lake which will threaten the trout there.
- The City's re-establishment of the Environmental Advisory Committee comes too late to deal with these important environmental issues.
- Council has generally allowed development on a piecemeal basis without any thought of the environmental impacts of such.
- More condominium developments are not needed. What is needed is more affordable housing in the form of apartment buildings that people can actually afford.

#### **Maria Halfyard – Quidi Vidi Road**

- Ms. Halfyard owns the yellow house at 39 Quidi Vidi Village Road (formerly owned by Tom Cahill) next to the proposed development. Her personal concern is the loss of light to her home when the condominium is built.
- She also referenced the impact of lighting at night from the development which will invade her private space, particularly from 24 units.
- The Quidi Vidi Development Plan from 2006 which states that in order to maintain the visual quality and fishing characteristic of the Village, development must be limited to smaller scale single detached properties.
- Though she acknowledged that the land is private and that development is not unreasonable, this monolithic structure is out of place and out of character in the Village.
- Having reviewed the shadow study outlined in the Land Use Assessment Report, Ms. Halfyard is not at all convinced that her property will not be directly impacted.

#### **Bernadette Arsenault – Barrow's Road**

- Objected to the rezoning of the property.
- The visual impact is awful, noting that there is currently a beautiful open space around the Lake which should be maintained.
- The LUAR states that the development will blend into the landscape; however, Ms. Arsenault questioned the logic behind such a statement.
- The development proposed contradicts the Quidi Vidi Development Plan which states that such development would negatively impact the area.
- The City promotes Quidi Vidi as a quaint fishing village and as a result thousands of tourists come to visit each year.
- Traffic congestion is a major problem only exacerbated by further development.
- Reiterated the points outlined by Mr. Mallard about the donation of land to the City in exchange for approval of this site which she felt were suspicious.

#### **George Murphy, NDP Member for St. John's East**

- Mr. Murphy spoke on behalf of Lorraine Michael, NDP Member for Signal Hill-Quidi Vidi who could not be present at tonight's meeting. He read into the record her letter of objection dated May 17, 2012, a copy of which is attached to this report. He also supported Ms. Michael's sentiments in the letter.
- Mr. Murphy spent 22 years as a taxi driver and is well aware of the problems of congestion at Quidi Vidi Village, particularly the turn going into the Village.

**Sara Halfyard – Quidi Vidi Village Road**

- Expressed disapproval of the development.
- Traffic is a major problem at the turn of the road and to put another intersection there where high density development will facilitate high access and egress is not practical or safe. Ms. Halfyard has witnessed cars colliding along the turn which is very narrow.
- Mr. Cook mentioned that he consulted with villagers; however, Ms. Halfyard was not consulted by the proponent, despite the fact that her house is situated right next to the proposed development. Had he consulted residents, he would be well aware that there is major objection.
- She suggested that the City or the Province purchase the land so that it is kept a green space and protected from future development.

**Linda Hennebury – Quidi Vidi Road (Inn of Olde)**

- Ms. Hennebury has lived in the Village for fifty years.
- Any development of the open land that occurs at the top of the hill will inevitably cause water run-off downhill.
- As a taxpayer, such development will only increase her taxes, eventually forcing many people to leave the area due to gentrification caused by rich developers forcing poorer residents to move away.
- The loss of privacy to the adjoining neighbours should be a major concern.
- Egress from the condominium development during peak traffic hours will impact traffic congestion, not to mention the safety of children on school buses.

**Bob Aminson – Regiment Road**

- He moved back to Quidi Vidi seven years ago because of the beauty of the area. He wanted to come back to his roots. He recalls the area in question being used as a recreational area for children, snow sliding, etc. He felt it should remain as such.

**Jeannette Georghiu**

- Reiterated the points outlined earlier and expressed objection to the proposal.
- She referenced a recent Municipal Plan Review meeting held this week at Georgetown wherein Council asked citizens for their input about what they would like to see happening in their city over the long-term. Some people present at that meeting were cynical about the process; however, it is easy to see how such feelings can occur when developments such as the one proposed tonight are being considered. She suggested that a moratorium be imposed on all development pending the outcome of the Municipal Plan Review.
- The proposed development has nothing to do with Quidi Vidi Village and is out of character with the place.

**Leslie Rogers – Regiment Road**

- Agreed with the comments made by others about the integrity of the area and how this will be threatened by the condominium development.

- More thought should be given to the future and how these condos will look in 10-20 years' time. They will be dated and will be an even bigger eyesore down the road than they are now.
- She also felt that people would buy these condos as investment properties to rent to others, resulting in a high turn-over of tenants that have no vested interest in the upkeep of the place.

**David Feder – [REDACTED] Regiment Road**

- Questioned who would have the right-of-way when the new parking lot is put in place. It is a dangerous intersection at present, considering the narrowness of the road and the sharp turn. Additional access and egress for the development will only exacerbate the current safety hazard.

**Bill Kelly – [REDACTED] Walsh's Square**

- Quidi Vidi Village is a treasure within this City which belongs to all citizens despite the efforts of previous city councils to destroy it by allowing oversized dwellings to be constructed there.
- It is now time to stop the present council from destroying the rest of the Village. He questioned why this development is necessary and why residents have to be called out to meetings such as this to constantly fight against something that so obviously does not belong. He called the meeting a "sham"
- He expressed harsh criticism about members of the present council who he felt did not adequately represent the interests of citizens. He also referenced a previous application by the same developer for a townhouse development on Signal Hill which turned out to be on land not even owned by the developer, for whom he also expressed harsh criticism.

**Marjorie Jenkins – Quidi Vidi Resident**

- Noted that Bill Clarke, developer, was at her house today and told a completely different story to what she is hearing tonight, specifically that the structure being developed would be in a totally different spot than is planned and as such would not bother her.
- Having felt misled, she too expressed her objection to the proposal.

**Amanda Will – NDP Caucus**

- Referenced the Quidi Vidi Development Plan wherein it is stated that Quidi Vidi is an anchor for tourism. She tabled a letter which is included as part of this report.
- Though she lives in Portugal Cove, Quidi Vidi is very dear to her and she was concerned about the negative visual impact.

**Aiden Duff – Quidi Vidi**

- Felt that it was quite obvious there is no support for this project. If this is defeated, he questioned if residents could depend on the City to not give consideration to any other future similar type developments for this area. Why go through this year after year.
- The City should purchase the property for open space purposes to finally resolve the matter.

**John Barrington – Quidi Vidi Resident**

- Only those residents within a 150 meter radius of the development received notices of this meeting; however, Mr. Barrington felt that all residents of the City should have been notified because it affects all residents. The Director of Planning clarified that notices were mailed out to all residents in Quidi Vidi and was advertised twice in the Telegram as well as posted on the City's website and through the social media component via the City's Communications Officer. Residents may also subscribe to a weekly newsletter which advises of upcoming public meetings, developments, etc.
- Mr. Barrington could not understand why the land was not zoned open space and purchased by the City for whatever price and converted to a park area. If such is not done, this problem will arise again in the future and people will have to return to another meeting to express their objection.
- He referenced the buildings on Forest Road and recalls a councillor at a previous meeting having admitted that these were a mistake which will never happen again, yet here we are again possibly making the same mistake.

**Judy Ryerson – Chair of Quidi Vidi Village Foundation**

- Ms. Ryerson elaborated on the mandate of the Foundation, incorporated in 1999 which among other things strives to preserve the historic and cultural significance of Quidi Vidi Village while developing and enhancing tourism and economic development. They are a liaison between Council and residents and assist both groups in the community planning process to ensure future development fits within the distinct nature of the area.
- The Foundation objects to the proposed development and reiterated the reasons previously expressed by the other speakers.
- The proposed development conflicts with the Quidi Vidi Village Development Plan adopted by Council in 2006 which strives to preserve the area's fishing village and landscape character, as appreciated by tourists and tourist writers from all over the world.
- The proposed development will have an impact on the traffic calming policy which is slated to be carried out in the near future.

**Michelle Worthman**

- Expressed objection to the proposal, reiterating previous concerns.
- There is such potential for a cottage industry in the area and modern condo development takes away from this opportunity.
- People from all over the City come to Quidi Vidi Lake to walk the trail. The condo development which has no historic character infringes on the general environment that people come to see.

**Randy Walsh – Quidi Vidi Resident**

- Referenced a 1982 report about a proposed by-pass road to intersect this area around the Lake. He stated that the Pittman property was purchased for \$347,000 for that purpose. He questioned the status of that project and why it never came to fruition. The Transportation Engineer was not familiar with the report which was commissioned prior to his time with the City. He noted that it is not uncommon for land to be reserved for roadways. Mr. Walsh claimed that he forwarded the original plan to the City so it should be on file with the City.

- Mr. Walsh felt that the residents of Quidi Vidi were being discriminated against because they do not merit a special municipal plan review as do other areas within the City. The Director of Planning advised that it was his understanding that the Property Owners Association to which Mr. Walsh is a part, wishes to make a submission and are welcome to do so during one of the municipal plan review sessions scheduled for Ward 1 on May 23<sup>rd</sup>.
- Mr. Walsh referenced the new arts center in the Village and questioned where the name “Plantation” came from. Councillor Galgay advised that the name reflects the early 18<sup>th</sup> century history of immigrant settlers to the community and was agreed upon in consultation with the Quidi Vidi Village Foundation.
- Mr. Walsh objected to the proposal as it currently stands.

**Mr. Pittman**

- He and his fiancé purchased a property nearby the proposed development. He questioned the role of members of council and how they are supposed to represent their constituents. He asked Councillor Galgay where he stands on this matter. Councillor Galgay stated that as Chair, he must remain neutral and will not be providing his opinion at tonight’s meeting. He will, however, vote when the matter is brought forward to Council in the next few weeks.

**Adjournment**

The meeting adjourned at 8:45 p.m.

Councillor Frank Galgay  
Chairperson



**Fw: condo development support**  
 Frank Galgay to: Karen Chafe

2012/05/20 03:43 PM

-----Forwarded by Frank Galgay/CSJ on 05/20/2012 03:42PM -----

To: fgalgay@stjohns.ca  
 From: Tom Baird [REDACTED] >  
 Date: 05/19/2012 10:37AM  
 Cc: dokeefe@stjohns.ca, sduff@stjohns.ca, Sharon Bala [REDACTED] >  
 Subject: condo development support

To our councillor, mayor and deputy mayor,

My wife and I (Ward 2 residents) have been following the recent controversy concerning a condo development on Quidi Vidi lake with some dismay. We are both supporters of urban development, and we believe that our city will be a better place to live if the population density increases. Quidi Vidi Lake is walking distance from downtown and should be open to multi-unit housing development. We urge you to resist the NIMBY reaction by the residents of Quidi Vidi village and approve a project that will be good for the wider community.

yours,

Tom Baird and Sharon Bala

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- It is in direct contrast with the 1985-1991 zoning proposal existing in Quidi Vidi Village
- is not in keeping with the historical architecture of Quidi Vidi Village
- it will compromise my view of Quidi Vidi Lake
- it will compromise my view of the area beyond Quidi Vidi Lake
- it will increase traffic and noise in the neighbourhood, especially at night
- increased potential for accidents at the property entrance on to Quidi Vidi Road
- the road system around and out of Quidi Vidi Village is already stretched, especially in the summer months
- Quidi Vidi Village should remain a "village" and its qualities maintained
- Quidi Vidi is unique and should not be damaged by further large developments
- scenic view from town to Quidi Vidi Village because of its unusual setting and "old-fashioned" aspect

Regards,

David Smith



2 ✓  
Dear Sir/Madam - City Clerk,

Reference: Rezone Vacant Land on Quidi Vidi Village Road - "School House Hill"

Reference: Public Meeting - 7pm, Thursday, May 17, 2012 (Foran/Greene Room, 4th Floor, St. John's City Hall)

I am David Smith and I own the property at ■■■ Regiment Road, St. John's, NL A1A 6B5

Unfortunately, I will not be able to attend the referenced Public Meeting as I will be away from home on an out of province business trip however, my partner, Gaye-Anne Fewer will attend in my absence.

Further to receipt of notification of Rezone Vacant Land on Quidi Vidi Village Road - "School House Hill" , I wish to inform you that I oppose the application made by "Powderhouse Hill Investments Ltd." for a 5-storey, 24-unit residential apartment building in condominium ownership.

I am against the application because;

- it is in stark contrast with the individual family properties existing in Quidi Vidi Village
- is not in keeping with the historical architecture of Quidi Vidi Village
- it will compromise my view of Quidi Vidi Lake
- it will compromise my view of the area beyond Quidi Vidi Lake
- it will increase traffic and noise in the neighbourhood, especially at night
- increased potential for accidents at the property entrance on to Quidi Vidi Road
- the road system in and out of Quidi Vidi Village is already stretched, especially in the summer months
- Quidi Vidi Village should remain a "village" and its quaintness maintained
- Quidi Vidi is unique and should not be damaged by further large development
- tourists/visitors come to Quidi Vidi Village because of its natural setting and "old-fashioned" aspect

Regards,

David Smith

May 17<sup>th</sup>, 2012

Re: Potential re-zoning of "School House Hill" in historic Quidi Vidi Village

To Whom It May Concern:

I completely disagree with the potential re-zoning of "School House Hill" in historic Quidi Vidi Village from a "Comprehensive Development Area 6 (CDA-6)", to an "Apartment Medium Density (A2) Zone" so that a 24-unit apartment complex can be built on the land.

Quidi Vidi Village is one of the most historic and culturally important areas of St. John's. Let's keep it that way! Having this massive complex constructed at the very entrance to the village completely goes against everything the area stands for and would undoubtedly taint its historic and cultural underpinnings. Further to this, the construction of this complex is contrary to the adopted Quidi Vidi Plan and the Planning Area Development Scheme for Planning Area 3 of the City.

Another issue is that the traffic flow coming into and out of Quidi Vidi Village would become even more congested – and to say it is already strained and tedious to navigate would be an understatement! A complex of this size – and the increased traffic it would bring – simply cannot comfortably be supported with the current road running through the village. I would also oppose construction of the road to make it wider, as its narrow passage-ways and tight turns are part of the overall charm and history of Quidi Vidi Village!

My belief is that it would be a terrible decision to re-zone School House Hill for construction of an apartment complex. Having this high-density housing in such a culturally sensitive area makes no sense at all and can be likened to forcing a square peg through a round hole. Save Quidi Vidi Village's cultural and historic integrity by not allowing the re-zoning of School House Hill.



Fw: Condos in Quidi Vidi

Frank Galgay

to:

Cliff Johnston, Ken O'Brien, Phyllis Bartlett

2012/05/10 07:12 PM

Hide Details

From: Frank Galgay/CSJ

To: "Cliff Johnston" <cjohnston@stjohns.ca>, "Ken O'Brien" <kobrien@stjohns.ca>, "Phyllis Bartlett" <pbartlett@stjohns.ca>

FYI

Frank Galgay

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**From:** Bernard Norman [REDACTED]  
**Sent:** 2012/05/10 05:31 PM ZW2  
**To:** councillors <citycouncil@stjohns.ca>  
**Subject:** Condos in Quidi Vidi

Dear Councillors,

I am e-mailing you this letter out of concern of what may happen to our beautiful hillside if this proposal of a 5 storey 24 condo unit is accepted by the City..I have lived on Barrows Road for 40 years and see nothing only destruction over the last number of years;this area of Quidi Vidi has natural beauty and why in the name of heavens would someone want to destroy something that if anyway else in Canada or the World would be preserving and protecting. We all know that development is stemming up everyone in St. John's but certainly that spot is not where Condos should go. This area serves a lot of people not only locally but everyone that walks that trail,that sits on the banks whether it be for the oldest sport in North America,the Regatta or watching the Fireworks.There is also another issue and that is the traffic that such a deveopment would bring into the community;we have way too many cars that are flying through the village now,and these drivers are not locals.I am beginning to wonder with St . John's growing in leaps and bounds that the City must realize that if they are going to promote TOURISM one cannot have a little village with it's beautiful landscape that exists in Quidi Vidi and yet to look at hillsides smothered with CONDOS,this picture is not right.Thank you and I hope that QUIDI VIDI VILLAGE will not become QUIDI VIDI ESTATES.

Joan and Ed Soper

Fw: Condos  
 Frank Galgay  
 to:  
 Cliff Johnston, Ken O'Brien, Phyllis Bartlett  
 2012/05/09 05:42 PM  
 Hide Details  
 From: Frank Galgay/CSJ

To: "Cliff Johnston" <cjohnston@stjohns.ca>, "Ken O'Brien" <kobrien@stjohns.ca>, "Phyllis Bartlett" <pbartlett@stjohns.ca>

FYI  
 Frank Galgay

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**From:** Bernard Norman [REDACTED]  
**Sent:** 2012/05/09 05:20 PM ZW2  
**To:** <citycouncil@stjohns.ca>  
**Subject:** Condos

Dear Councillors,

After reading the notification for a Public Meeting on a proposal for a 5 storey,24 condo unit apartment building I find it very unsettling that our council would even consider this application .After living in Quidi Vidi for 58 years I thought that this place was suppose to be one of the oldest fishing villages in North America.The locals are having a difficult time watching the place that they love been overpowered by developments that should never had been allowed to happen;the ongoing traffic in the mornings and supper times for non-residents that are taking a short cut to and from work ,the Pepperel Development ,now this ,this area CANNOT take the amount of traffic that's flowing through this small community.I know that at one point and time a PLAN was developed for this area and the main theme was to promote TOURISM without overpowering the residents; by allowing this project to be developed it is certainly not promoting TOURISM, if anything it would take away from that aspect.It is not only the tourists but thousands of our own that walk that lake, that sits on that hillside either watching the Races on Regatta Day or enjoys watching the Fireworks on Canada Day or New Years Eve.We lost a beautiful site on Barrows Road by the building of 2 condos,are you going to make the same mistake again or once again will 24 condo owners have front row seats to the events that should be enjoyed by all.We are all here to enjoy the natural beauty of that hillside , not to look at condos and believe me if this is allowed to go ahead that whole hillside will be opened for further developments.

Judy Ryerson,  
 Resident



May 17



Re-zoning ..5 story ??? -- E-mail about Quidi Vidi Village Road proposed development

Ken O'Brien to: Phyllis Bartlett

2012/05/08 08:52 AM

For your records.

Ken

Ken O'Brien, MCIP Manager of Planning and Information



City Hall, 10 New Gower Street, 3<sup>rd</sup> floor -- Mail: PO Box 908, St. John's, NL, Canada A1C 5M2  
Phone 709-576-6121 Fax 709-576-8625 E-mail [kobrien@stjohns.ca](mailto:kobrien@stjohns.ca) [www.stjohns.ca](http://www.stjohns.ca)  
MCIP - Member of the Canadian Institute of Planners

--- Forwarded by Ken O'Brien/CSJ on 2012/05/08 08:51 AM ---

From: Frank Galgay/CSJ  
To: "Council Group" <council\_group@stjohns.ca>, "Cliff Johnston" <cjohnston@stjohns.ca>, "Ken O'Brien" <kobrien@stjohns.ca>, "Bob Smart" <bsmart@stjohns.ca>  
Date: 2012/05/07 11:32 PM  
Subject: Fw: re-zoning ..5 story ???

FYI  
Councillor Frank Galgay

**From:** colleen hogan [REDACTED]  
**Sent:** 2012/05/07 09:39 PM ZW2  
**To:** Frank Galgay  
**Subject:** re-zoning ..5 story ???

Dear Councillor Galgay

I opened my mail this evening to discover a proposal for re-zoning in Quidi Vidi is being entertained so a 5 story, 24 unit condos can be built. This is ludicrous!!! Park area nearby! people come here in droves to hike, walk, have some quiet etc ...and the extra traffic alone in this narrow roaded area will ensure a fatal accident very soon !!!!! I request that you act on behalf of Quidi Vidi residents and city residents and put a stop to this idea !!!!!

Sincerely  
Colleen Hogan Resident quidi vidi

Councillors

I am a life-long resident of Quidi Vidi and am vehemently opposed to the proposed condo development for this area. I realize that there is a public hearing scheduled to address residents concerns, however, I have work commitments that evening and wish the members of council to know how I feel. There are a number of reasons why I'm opposed to the development, not the least of which is the traffic. Right now the volume of traffic flowing through Quidi Vidi Village is, in my opinion, high as it stands right now. With the development that is already taking place in the Westsideville area and the traffic that that development will undoubtedly generate, we do not need any more traffic on these narrow roads. If you are not familiar with the Village, I invite you to take a drive through on any weekday morning during the morning rush hour and you'll see what I mean. Entering the Village, on the Forest Rd side, you must navigate through a very narrow bend in which it is difficult enough for two cars to pass, without the added stress of an intersection involving the driveway to a residential complex. Right now, as a father, I am constantly allowing my two children to ride their bicycles on the Village. Due to the volume and speed of traffic on this narrow street, I struggle to think how this is going to increase and impact the lives of my

May 17  
Fw: Quidi Vidi Development  
Frank Galgay  
to:  
Council Group, Cliff Johnston, Phyllis Bartlett  
2012/05/09 10:02 AM  
Hide Details  
From: Frank Galgay/CSJ

To: "Council Group" <council\_group@stjohns.ca>, "Cliff Johnston" <cjohnston@stjohns.ca>, "Phyllis Bartlett" <pbartlett@stjohns.ca>

Phyllis;  
Please put in information for the upcoming public meeting.  
Frank Galgay...Ward 2 Councillor

---

**From:** John Barrington [REDACTED]  
**Sent:** 2012/05/08 10:12 PM NDT  
**To:** Frank Galgay  
**Cc:** Sheilagh O'Leary; Sandy Hickman  
**Subject:** Quidi Vidi Development

Councillors,

I am a life-long resident of Quidi Vidi and am vehemently opposed to the proposed condo development for this area. I realize that there is a public hearing scheduled to address residents concerns, however, I have work commitments that evening and wish for members of council to know how I feel. There are a number of reasons why I'm opposed to the development, not the least of which is the traffic. Right now the volume of traffic flowing through Quidi Vidi Village is, in my opinion, high as it stands right now. With the development that is already taking place in the Pleasantville area and the traffic that that development will undoubtedly generate, we do not need any extra traffic on these narrow roads. If you are not familiar with the Village, I invite you to take a drive through on any weekday morning during the morning rush hour and you'll see what I mean. Entering the Village, on the Forest Rd side, one must navigate through a very narrow bend in which it is difficult enough for two cars to pass, without the added stress of an intersection involving the entrance to a condo complex. Right now, as a father, I am very nervous allowing my two children to ride their bikes in our driveway due to the volume and speed of said traffic on our street. I shudder to think how this is going to increase and impact the lives of my



going to increase and impact the lives of my children. A second concern of mine is the end of a view! This development is a monstrosity - period! It's big, it's ugly, and does nothing to enhance the beauty of my neighbourhood. Quidi Vidi Village does not lend itself to apartments, nor should it be zoned such. There is a reason this area doesn't have such a zoning designation and I hope that those who have the ability to make such changes will not bend to a developers greed! Its bad enough as it is that we already have multiple apartment buildings and public housing surrounding such a natural beauty as Quidi Vidi Lake, lets not add to the mistakes of the past. This is wonderful green space opportunity for the City. Anyone who has walked Quidi Vidi Lake will tell you how peaceful and calming this area of the City is. Can you imagine how this serenity will change with the addition of an apartment building? I say, not in my backyard!

>> John C. Barrington

■ Quidi Vidi Village Rd

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Ms. Maria Halfyard  
■ Quidi Vidi Village Road  
St. John's, NL.  
A1A 1E9

May 17, 2012

Councillor Frank Galgay  
Ward 2  
City of St. John's  
Newfoundland and Labrador

**Re: Proposal for the Quidi Vidi Lake Condominiums**

Mr. Galgay,

I am writing to you in response to the proposal by Powderhouse Hill Investments Ltd to develop a 24-unit condominium complex between #39 and #41 Quidi Vidi Village Road.

I would like to first state that I fully support infrastructure development in this City, both commercial and residential and I recognize the benefits that population growth has on the economic sustainability of an area. With the proper planning and community support new developments can have a very positive impact on a city.

The proposal by Powderhouse Hill Investments, however, does not garner my support. I reside in 39 Quidi Vidi Village Road and am directly impacted by the new residential plan. The proposed building will not only obstruct my view of the Quidi Vidi Village hills but also impact my privacy and heavily contribute to an increase in noise, light and traffic pollution in the area.

Quidi Vidi Village is a small picturesque community settled in the 1500's with an abundance of history. The area was a crucial military checkpoint and fortress during the battles over Newfoundland between the French and English, battles whose remnants are still visible today. Quidi Vidi Village continues to be a quaint mixture of family dwellings and small businesses nestled against the rocks and an area visited by many tourists and local Newfoundland and Labradorians on a daily basis.

The original character of Quidi Vidi Village has been kept relatively intact minus some modern homes in recent years. According to the Quidi Vidi Village Development Plan published by the City of St. John's in 2006, it is the plan of the City to maintain this feature for future generations. The report states that the City must maintain the area's key assets, which include the "fishing village character" and the "landscape character".

The proposed three building unit, 5-storeys high, clearly contradicts these objectives. It is a monolithic structure that is unlike any dwelling in the area and will greatly reduce the "character" that the City is trying to preserve.



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As a homeowner residing next to the proposed building there are a number of issues that I need to raise for my own personal concern:

1. The height of the building will reduce the amount of sunlight reaching my property in the morning;
2. The proposed parking lot will reduce the curb appeal of my property and decrease its appraised value;
3. The parking lot housing three large illuminating pole lights will be built adjacent to my property line and will significantly increase the amount of light shining toward my home at night. This is in addition to the amount of light generated from the 24 units directly facing my line of sight;
4. A 24-unit building will significantly increase the level of noise due to the increased traffic flow;
5. A unit of this size will increase traffic congestion, especially on the turn directly next to the proposed site and further into the village itself;
6. There will be several units at a height that will be directly looking down at my property. This is very unsettling as it will eliminate all privacy of my home.

A development of this size will certainly destroy the quaintness that currently resides in the Village. The hills surrounding the lake should be kept in trust for future generations. The contrast of this proposed structure will be too abrupt for the style of dwellings in the area and to the lake's walking trail system. It is too large and overpowering and does not blend in with the surroundings.

Green space constitutes more than a walking trail and a few wooden planks of board, it encompasses green hills, rocks, and grassy meadows. This green space should be carefully nurtured and protected. I am not advocating that nothing gets built on this land but I am stating that it is the wrong plan for this site. This is not just the fight of the adjacent home owners it's a fight for the thousands of people that walk the trails every week. Quidi Vidi Lake is a part of our City and these hills are part of the City and as such they should be given proper stewardship.

I trust that the City of St. John's Council will see the negative implications that this proposal will have on the character of the Village and deny the plans for this building to proceed.

Sincerely,



Maria Halfyard



HOUSE OF ASSEMBLY  
PROVINCE OF NEWFOUNDLAND AND LABRADOR

LORRAINE MICHAEL, M.H.A.  
SIGNAL HILL - QUIDI VIDI  
OFFICE OF THE LEADER  
NEW DEMOCRATIC PARTY

CONFEDERATION BUILDING  
ST. JOHN'S, NL  
CANADA  
A1B 4J6

May 17, 2012  
City Clerk's Department  
City of St. John's  
P.O. Box 908  
St. John's, NL A1C 5M2

Dear City Clerk,

I am writing to express my concern, and the concern of many of my constituents in Signal Hill – Quidi Vidi, particularly in Quidi Vidi Village, who have contacted me about a proposed condominium development by Powderhouse Hill Investments Ltd. in Quidi Vidi, on the beautiful green space near Quidi Vidi Lake on School House Hill.

The Quidi Vidi Village Development Plan, adopted by the St. John's Municipal Council, highlights the unique place that is Quidi Vidi, both naturally and culturally. This proposed development is against the Quidi Vidi development plan and would be an eyesore against the beautiful village that currently exists. The 5-storey, 24-unit residential apartment building would not only be out of place and drastically change the look and feel of the area, but it would also increase traffic to the area that is currently unable to handle regular traffic, as we seen recently by the droves of sightseers who came to see icebergs in the Gut.

The proposal to change the zoning from "Comprehensive Development Area 6 (CDA-6)" to "Apartment Medium Density (A2)" should be denied as it is against the vision of residents in area, against the Quidi Vidi Village Development plan and would change the area from the small, historic fishing village it has been since the 1600s, to an overcrowded area that is no longer distinct. The current zoning is in place to protect the area from such development that would ruin the spirit of the community.

Sincerely,

Lorraine Michael, MHA  
Signal Hill-Quidi Vidi

Cc Frank Galgay, Councillor  
Judy Ryerson, Chair, Quidi Vidi Village Foundation



May 17, 2012

City Clerk's Department  
City of St. John's  
P.O. Box 908  
St. John's, NL A1C 5M2

Dear City Clerk,

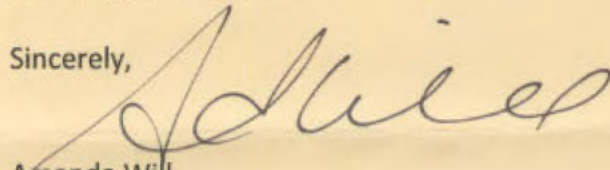
I am writing to express deep concern over the proposed zoning amendment to the area known as School House Hill from Comprehensive Development Area 6 (CDA-6) to the new zone designation as Apartment Medium Density (A2) Zone for the proposed condominium development by Powderhouse Hill Investments Ltd.

Quidi Vidi Village is a gem in the middle of St. John's. I live in Portugal Cove but make an effort to bring visitors to the area, as well as suggest to many tourists and conference attendees that they must take time to tour Quidi Vidi Village for the walking trails, the scenic beauty and historical significance.

A 5-storey, 24-unit residential apartment building would be out of place and radically change the area. As well traffic congestion has plagued the area and is a great concern of residents.


I am asking the City of St. John's to deny the proposal to change the zoning and that it adhere to the Quidi Vidi Village Development plan especially with the wonderful changes happening at the Eli Tucker premises.

Sincerely,

  
Amanda Will

Cc Frank Galgay, Councillor

*P. 111*



Fw: Quidi Vidi development proposal

Frank Galgay

to:

Council Group, rsmart, Cliff Johnston, Joe Sampson, Ken O'Brien

2012/05/18 12:22 PM

Hide Details

From: Frank Galgay/CSJ Sort List...

To: "Council Group" <council\_group@stjohns.ca>, rsmart@stjohns.ca, "Cliff Johnston" <cjohnston@stjohns.ca>, "Joe Sampson" <jsampson@stjohns.ca>, "Ken O'Brien" <kobrien@stjohns.ca>

I am forwarding Mr. Murray's correspondence for your information.

Frank Galgay...Ward 2 Councilman

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**From:** sean murray [REDACTED]  
**Sent:** 2012/05/18 12:49 PM GMT  
**To:** Frank Galgay  
**Subject:** Quidi Vidi development proposal

Hi Frank,

I couldn't attend the meeting last night, but I thought I would pass along a few comments. As you know, I keep a close watch on development issues in the city, and whenever a development proposal involving a rezoning is made available through the City's web site, I always read through it, along with the accompanying memo from planning staff.

In this particular case I don't have any strong feelings pro or con about the proposal itself. What I did notice, however, is how far off base the proposal is versus the local area plan. The memo from planning staff is quite clear on this. I find most of those memos are basically positive in terms of development, because overall the Municipal Plan encourages density and mixed uses, which I support. However, in this case, the local area plan really identifies some unique aspects of Quidi Vidi and seeks to preserve those, and the memo from planning staff highlights a number of areas where this proposal is inconsistent with that plan.

Ultimately, I think this issue is just as much or more about the integrity and value of the planning process, as it is about this particular proposal. If Council is going to go to the trouble of preparing local area plans, and engaging citizens on the basis that the exercise will have some value, I'm not sure how anyone could support this



development. Otherwise, what is the value of engaging in these exercises? I actually question why this was referred to Council and to a public meeting, because this is one of those very few cases where the memo from planning staff shows that the proposal is so divergent from the City's plan, that in theory it could have been rejected at the staff level. Obviously there will be times, and we've seen quite a few of them in recent years, where a new development is not consistent with the current plan, whether or not there is a local area planning scheme. In such cases, I think it is quite valid to be flexible when a proposal is somewhat outside of the range of what was envisioned by the Municipal Plan. In cases where there is a very strong divergence away from the plan, however, it should be a relatively clear choice.

The best case scenario for me would be a strong degree of participation by developers in the Municipal Planning process. That way, citizens and developers are talking together at the planning stage, rather than at loggerheads after a proposal has been made. Historically, many developers have opted not to participate in the planning process, because a) they don't see how it could be useful to them and b) they're used to simply trying their luck by flicking development proposals out and seeing what will stick. Until developers buy into the process, that will continue. The only way it will stop is if it is made clear that the City is going to stick fairly closely to the spirit, if not always the letter, of the Plan, until the next Municipal Plan review, at which time the discussion can be reopened.

Please feel free to pass this along to any of your colleagues.

All the best,  
Sean Murray



Fw: Quidi Vidi Village Road Condominium Development  
Phyllis Bartlett to: Karen Chafe

2012/05/22 08:54 AM

----- Forwarded by Phyllis Bartlett/CSJ on 2012/05/22 08:54 AM -----

From: Andreas Georghiou [REDACTED]  
To: cityclerk@stjohns.ca  
Date: 2012/05/21 11:49 AM  
Subject: Quidi Vidi Village Road Condominium Development  
Sent by: [REDACTED]

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Dear Sir or Madam,

I am writing to express my concerns with the proposed development at Quidi Vidi Village Road that was discussed in a public meeting on 17.05.2012. Unfortunately I am on a 4 month secondment in the UK and was unable to attend the meeting personally but I have had a chance to review the Land Use Assessment Report available on your website.

I have several concerns with this proposal and they are as follows:

1. The quality of the Land Use Assessment Report as submitted by RJC Services does not fill me with confidence. I have worked in the Construction industry for the past 7 years in London, UK prior to returning to St. John's last year and from my experience a developer who will submit such a poorly written (grammatical errors, spelling mistakes, etc.) for official review is liable to make similar cost cuttings in the realisation of the project.
2. Quidi Vidi is a local landmark that is treasured by the entire city. Currently three sides of the lake are surrounded by not-particularly beautiful buildings – Dominion to the west, Her Majesty's Penitentiary on the South and Pleasantville to the North. The Easterly view is currently unobstructed and is quite pleasing when beginning a walk around the lake, standing at the end of Rennie's Mill River to watch the rowing or the birds, etc. Additionally, the eastern end of the lake has always been an enjoyable part of the walk around the lake as it is possible, for several hundred metres, to be almost in the wilderness while still being within the city. Three 5-storey condominium buildings will remove this illusion.
3. Further to point 2, I am not convinced by the rendering shown on pages 24 and 26 "Across Quidi Vidi Lake" and from "Coronation Bridge". In these views the building appears to be only two to three storeys high. Surely the 1<sup>st</sup> and 2<sup>nd</sup> floor occupants will have some view of the lake rather than just the hill there. It appears as though the developer has taken some licenses with the vertical scale here.
4. The view on page 25 shows the actual height of the buildings a bit more clearly. Unfortunately, where the Architect has shown the true height of the building here he seems to have given very little consideration to these facades. For buildings of this scale in such a prominent city location I would hope for a more considered approach to the building. They also do not appear to "blend in with the historic nature of the Quidi Vidi Village" nor do they "reflect the historic nature of Quidi Vidi Village" (both quotes



from page 10, Section B). The presence of "French balconies" (also noted in Section B) belies the assertion noted above. Quidi Vidi Village has always been a quiet village made up of quite small residences (up until those three mansions were built more recently) which hark back to the harder times when it was primarily a fishing community. A 24-unit condominium complex has no place there.

5. The developer makes reference repeatedly to the building as a 4-storey building with a basement garage while the cross-section of the building clearly shows the garage as being more above ground than in ground. This is backed up by section C on page 15: The floor to floor height of each storey is 10-11feet while the grade to eaves height is 49 feet which leaves somewhere between 5 and 9 feet of the parking garage above grade height. This conflicts with the statement that the 'parking level will be below the finished grade'. I think this sort of misrepresentation is quite rampant in the document.

6. Finally, in the conclusion of the report the developer makes note that there must be a balance between the "need for a multiple type of housing development" and the "economics of making it viable for the developer and those residents that will live in these condominiums". While it is a noble gesture to consider your pocket book and your potential customers, some consideration should also be given to the existing residents of Quidi Vidi Village, the hundreds of citizens who walk the lake each day and the thousands who attend the regatta each year. The developer makes no reference to these people who will all be hugely affected by this development.

Kind Regards,  
Andreas Georghiou

**REPORT/RECOMMENDATIONS**  
**Development Committee**  
**May 22<sup>nd</sup>, 2012**

The following matter was considered by the Development Committee at its meeting held on May 22<sup>nd</sup>, 2012. A Staff report is attached for Council's information.

**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

Attach.

# MEMORANDUM

Date: May 24, 2012  
To: Mayor and Members of Council  
Re: **Department of Planning File No. S-25-C.2/10-00138  
Development Agreement  
Kilbride Subdivision - Stage 1  
Proposed Twenty Nine (29) Residential Building Lots  
Off Connolly's Lane (Ward 5)  
Applicant: Equity Capital Corporation**

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Equity Capital Corporation have made application to the City for a proposed twenty nine lot residential subdivision to be known as Kilbride Subdivision- Stage 1 and generally situated off Connolly's Lane.

The Developer now wishes to execute the Development Agreement.

The site is located in the Residential Low Density (R1) Zone. All lots have the minimum Lot Frontage of fifteen (15) metres. Single Detached Dwellings with Subsidiary Apartments are a permitted use in the R1 Zone.

In accordance with the requirements of the St. John's Development Regulations, approval for this application must be given by Council in the form of a Development Agreement. The City's Development Team has prepared an Agreement for Council's consideration. The Terms of the Agreement have been accepted by the Developer.

The key points in the Agreement for this project include the following:

1. The Developer shall pay to the City, prior to the execution of this Agreement, a Development Fee in the amount of \$29,000.00 to be deposited into the City's Open Space Reserve account.
2. The Developer shall pay to the City, prior to the execution of this Agreement, a Subdivision Application Fee in the amount of \$2,900.00.
3. There is an assessment for the Waterford Valley Relief Trunk Sewer in the amount of \$6,035.89, which must be paid to the City, prior to the execution of this Agreement.
4. The Developer shall deposit with the City Phase 2 security in the amount of \$1,097,521.00 as security for the completion of the Phase 2 work.
5. The developer shall deposit with the City Phase 1 security in the amount of \$1,541,741.00 if building permits are required by the developer prior to the City's acceptance of Phase 1 work.

## RECOMMENDATION:

It is recommended that Council grant approval to the Development Agreement.

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Mr. Robert Smart  
Chair - Development Committee

/amh

I:\Robert Smart\Mayor - Killbride Subdivision - May 24, 2012 doc

# 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

**DEVELOPMENT AGREEMENT  
BETWEEN**

**CITY OF ST. JOHN'S**

**AND**

**EQUITY CAPITAL CORPORATION**

**This Development Agreement was approved by  
the St. John's Municipal Council at the Regular  
Meeting of Council held on**



**THIS AGREEMENT** made at St. John's, Newfoundland this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

**BETWEEN:** CITY OF ST. JOHN'S, a statutory corporation under the City of St. John's Act, R.S.N., c. C-17 (hereinafter called the 'City')

**AND** EQUITY CAPITAL CORPORATION, a corporation duly registered to carry on business in the Province of Newfoundland (hereinafter called the 'Developer')

**WHEREAS**, the Developer has made application to the City for approval to develop a twenty nine (29) lot residential subdivision to be known as Kilbride Subdivision – Stage 1, on which Single Detached Dwellings will be constructed and located on property generally situate off Connolly's Lane and more particularly described in Schedule 'A' attached hereto which Schedule forms part of this Agreement (hereinafter called the 'Development').

**AND WHEREAS** applications involving any Subdivision requiring the extension or construction of municipal services or public or private roads are approved by the City in the form of a Development Agreement in accordance with the requirements of the St. John's Development Regulations (hereinafter called the 'Development Regulations').

**NOW THIS AGREEMENT** that in consideration of the sum of One Dollar (\$1.00) paid by each party hereto to the other (the receipt of which each party hereby acknowledges) and the covenants contained herein and other good and valuable consideration the parties hereto agree as follows. The City hereby grants approval to the Developer for the Development subject to the following conditions:

- 1) The Developer covenants that it is the owner in fee simple of the lands herein contained.
- 2) The Developer covenants and agrees to carry out all work on the Development in accordance with the approved Subdivision Plan as described in Schedule 'A' attached hereto which Schedule forms part of this Agreement.

- 3) The Developer covenants and agrees to carry out all work on the Development in accordance with the Site Servicing Plans as described in Schedule 'B' attached hereto which Schedule forms part of this Agreement.
- 4) The Developer covenants and agrees to carry out all work on the Development in accordance with the Lot Grading Plan as described in Schedule 'C' attached hereto which Schedule forms part of this Agreement.
- 5) The Developer shall pay to the City, prior to the execution of this Agreement, a Development Fee in the amount of One Thousand Dollars \$1,000.00 per Lot for a total of Twenty Nine Thousand Dollars (\$29,000.00) which shall be deposited into the City's Open Space Reserve Account.
- 6) The Developer shall pay to the City, a Subdivision Application Fee of One Hundred Dollars (\$100.00) per Lot for a total amount of Two Thousand Nine Hundred Dollars (\$2,900.00), prior to execution of this Agreement.
- 7) In accordance with the requirements of the Development Regulations, Phase 1 Security in the amount of One Million Five Hundred Forty One Thousand Seven Hundred Forty One Dollars ( \$1,541,741.00 ) is applicable to the Development. Security in this amount in a form acceptable to the City's Director of Finance must be submitted by the Developer to the City if Building Permits are required by the Developer prior to the City's acceptance of Phase 1 work.
- 8) In accordance with the requirements of the Development Regulations, Phase 2 Security in The amount of One Hundred Ninety Seven Thousand Five Hundred Twenty One Dollars ( \$197, 521.00 ) must be submitted by the Developer to the City in a form acceptable to the City's Director of Finance prior to the execution of this Agreement.

- 9) The Developer shall pay to the City the amount of Two Thousand Thirty Five Dollars and Eighty Nine Cents (6,035.89) for the Waterford Valley Relief Trunk Sewer Assessment, which amount shall be paid prior to the execution of this Agreement.
- 10) The Developer covenants and agrees to carry out all work on the Development in accordance with the requirements of the Development Regulations.
- 11) The Developer shall carry out all work on the Development in accordance with the applicable conditions of the City of St. John's Engineering Department Design and Construction Procedure Manual.
- 12) The Developer shall carry out all work on the Development in accordance with the City of St. John's Specification Book.
- 13) The Developer shall carry out all work on the Development in accordance with all requirements of the City's Department of Building and Property Management and all other applicable requirements of the City.
- 14) The Developer shall acquire clear title to all lands which form the Development.
- 15) The Developer shall not carry out any work on the Development until this Agreement has been properly executed.
- 16) The Developer shall ensure that all work performed by or on behalf of the Developer on the Development is covered by commercial general liability insurance for a minimum limit of Two Million Dollars (\$2,000,000.00). The City of St. John's shall be named as additional insured on all policies. Proof of such insurance shall be provided by the Developer to the City prior to the execution of this Agreement.

- 17) This Agreement shall be executed within six (6) months of the date of the approval of the said Agreement as granted by the City.
- 18) This Agreement shall be registered in the Registry of Deeds for Newfoundland by the City after it has been executed. The Developer shall pay the amount of Two Hundred Dollars (\$200.00) for the costs associated with this process. This amount is to be paid by the Developer to the City in a form acceptable to the City's Director of Finance prior to execution of this Agreement.
- 19) Approval in the form of this Agreement is valid for a period of two (2) years from the date of execution of this Agreement. The Agreement may be renewed by the City for a further period not exceeding one (1) year.
- 20) Approval given under this Agreement is voidable, at the sole discretion of the City, if after seven (7) days notice to the Developer by the City, the Developer is not in strict conformity with any and all of the terms and conditions of this Agreement and any and all of the terms and conditions or any other approvals related to the Development.
- 21) Approval given under this Agreement is voidable at the sole discretion of the City, if after seven (7) days notice to the Developer by the City, any development at any time does not conform to all Municipal regulations, by-laws and laws of the City and all other laws or regulations of the Province of Newfoundland and Dominion of Canada.
- 22) This Agreement is voidable, at the sole discretion of the City, in the event of the insolvency of the Developer or the commencement of receivership or bankruptcy proceedings against the Developer prior to completion of the Developer's obligations hereunder.
- 23) If the City chooses, at its sole discretion, not to treat this Agreement as void in the face of non-performance of any of the terms and conditions hereto or the terms and conditions of any applicable approvals and permits or any violations of any applicable laws, then that shall not

be deemed to be a condonation of the non-performance, violation or otherwise as the case may be and shall not be any limit on the City's discretion to treat other or continued non-performance or violations as cause for voiding this Agreement.

- 24) If the Developer does not perform or otherwise violates any of the terms and conditions of this Agreement, which non-performance or violation remains uncorrected after seven (7) days notice to the Developer by the City, then the City, at its sole discretion, may order the immediate cessation of the Development and order full restitution for any site restoration, damages or injury of any nature whatsoever together with any other penalties, fines, actions and otherwise as may be applicable in this instance.
- 25) The approval of this Agreement shall not prevent the City from thereafter requiring the correction of errors or from ordering the cessation of, removal of, or remedial work on the Development being carried out in the event that the same is in violation of the Development Regulations or any other regulations, by-laws or statutes.
- 26) The City may revoke an approval and any subsequent permits for failure, by the holder of such approvals or permits, to comply with the Development Regulations or any condition attached to the approval or permit or where the approval or permit was issued contrary to the Development Regulations or was issued on the basis of incorrect information.
- 27) The Developer shall immediately advise the City of any intent to transfer or assign any of its rights or obligations under this Agreement. No transfer or assignment of rights or obligations under this Agreement shall be permitted without the prior approval of the City which approval may be withheld at the sole discretion of the City.
- 28) The Developer, from the commencement of any activity, which shall, notwithstanding the generality of the above, be deemed to include activities of work or construction or development identified under this Agreement, whether or not commenced prior to the execution of this Agreement and whether or not the activity is along the boundaries of, or

outside the Development, shall indemnify and save harmless the City, from any and all losses, claims, damages, demands, actions, causes of actions, suits or costs which may be brought against or incurred by the City, its agents or employees, by any person or persons by reason of any act or omission of the Developer during the period from the commencement of any activity identified under this Agreement until Final Acceptance issued in respect of such activity.

- 29) The Developer agrees to the following arbitration process for conditions contained in the Agreement:
- (a) Where a difference arises between the parties bound by this Agreement, and where the difference arises out of the interpretation, application, administration or alleged violation of this Agreement, and including any questions as to whether a matter is arbitrable, one of the parties may notify the other party in writing of its desire to submit to arbitration the difference or allegation for arbitration and the notice shall contain the name of the person appointed to be an arbitrator by the party giving the notice;
  - (b) The party to whom notice is given shall within five (5) days after receiving the notice, name the person whom it appoints to be an arbitrator and advise the party who gave the notice of the name of its appointee;
  - (c) The two arbitrators named in accordance with its provisions shall within five (5) days after the appointment of the second of them, name a third arbitrator who shall be the Chairperson of the Arbitration Board;
  - (d) Each party who is required to name a member of the Arbitration Board shall pay the remuneration and expenses of that member and the parties shall pay equally the remuneration and expenses of the Chairperson;
  - (e) The decision of the arbitration board shall be given within fourteen (14) days following the appointment of the Chairperson. It is understood, however, that the Arbitration Board shall not be authorized to make any decision inconsistent with the stipulation of this Agreement, nor to delete, alter, or amend any part thereof;

- (f) Notwithstanding Section 29(e), the decision of the Arbitration Board shall be binding upon the parties;
- (g) The arbitration shall be conducted in accordance to the rules set out under the Arbitration Act, Chapter 8, R.S.N. 1990, c. A-14 as amended for the Province of Newfoundland.

30) Any notice, communications or requests to be given to either party shall be in writing and delivered by personal delivery addressed to such party at the following address:

as to the City

City of St. John's  
10 New Gower Street  
P.O. Box 908  
St. John's NL A1C 5M2  
ATTENTION: Manager of Development,  
Department of Planning

as to the Developer:

Equity Capital Corporation  
989 Torbay Road  
Torbay NL A1K 1A3

or at such address as either of the parties may from time to time advise the other in writing by notice.

- 31. This Agreement shall be binding upon and shall ensure to the benefit of the City and the Developer and their respective trustees, successors and assigns.
- 32. Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine gender and words importing persons shall include firms and corporations.

33. This Agreement and the attachments hereto represent the whole Agreement between the Parties.

**IN WITNESS WHEREOF** the City and the Developer have caused to be hereto affixed their respective corporate seals the day and year first above written.

CITY OF ST. JOHN'S

\_\_\_\_\_  
Mayor

Signed, Sealed and Delivered by the  
City of St. John's before me:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Commissioner of Oaths, Notary Public  
or Barrister

Signed, Sealed and Delivered by  
Equity Capital Corporation

before me:

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Commissioner of Oaths,  
Notary Public



# MEMORANDUM

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Date: May 23, 2012

To: His Worship the Mayor and Members of Council

From: Robin King, P. Eng.  
Chairperson, Special Events Advisory Committee

Re: Special Events Advisory Recommendation

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The following recommendations of the Committee are forwarded to Council for approval in principle subject to any conditions that may be required by the Special Events Advisory Committee:

- 1) **Event:** Athletics NorthEast Running Club Duathlon  
**Location:** Gould's  
**Date:** June 3th, 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.

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

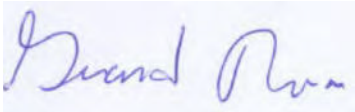
**ST. JOHN'S**

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

\* 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.




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## 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
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**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
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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		

**YEAR TO DATE COMPARISONS****28-May-12**

<b>TYPE</b>	<b>2011</b>	<b>2012</b>	<b>% VARIANCE (+/-)</b>
Commercial	\$16,900,100.00	\$118,800,200.00	603
Industrial	\$1,500,600.00	\$3,600,100.00	140
Government/Institutiona	\$12,400,400.00	\$11,800,200.00	-5
Residential	\$73,700,300.00	\$67,700,800.00	-8
Repairs	\$1,400,100.00	\$1,600,300.00	14
Housing Units (1 & 2 Family Dwellings)	252	241	
<b>TOTAL</b>	<b>\$105,901,500.00</b>	<b>\$203,501,600.00</b>	<b>92</b>

# MEMORANDUM

## 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**

# 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
CARR MCLEAN	00037131	OFFICE SUPPLIES	\$429.12
PIK-FAST EXPRESS INC.	00037132	COOLER RENTALS	\$94.92
DESTINATION ST. JOHN'S	00037133	ADVERTISING	\$678.00
DICKS & COMPANY LIMITED	00037134	OFFICE SUPPLIES	\$124.11
ENCON GROUP INC.	00037135	HEALTH PREMIUMS	\$450.44
BRUCE W. CHAFE	00037136	PROFESSIONAL SERVICES	\$477.52
PARTS FOR TRUCKS INC.	00037137	REPAIR PARTS	\$4,676.16
FEDERAL EXPRESS CANADA LTD.	00037138	COURIER CHARGES	\$18.77
NEWFOUND DISPOSAL SYSTEMS LTD.	00037139	REFUND - TENDER DEPOSIT	\$15,053.55
PUBLIC SERVICE CREDIT UNION	00037140	PAYROLL DEDUCTIONS	\$7,067.22
PURCELL, TIMOTHY	00037141	REIMBURSEMENT-PURCHASE OF SUPPLIES	\$142.74
ROYAL BANK VISA	00037142	VISA PAYMENT	\$558.63
DOWNHOME INCORPORATED	00037143	ADVERTISING	\$459.91
PINNACLE OFFICE SOLUTIONS LTD	00037144	PHOTOCOPIES	\$62.12
VOKEY'S JANITORIAL SERVICE	00037145	JANITORIAL SERVICES	\$1,078.17
LA BREA INTL INC.	00037146	PROMOTIONAL MATERIALS	\$4.28
ORKIN CANADA	00037147	PEST CONTROL	\$112.44
WELSH, SHERRY	00037148	REIMBURSEMENT - PETTY CASH	\$584.83
NOONAN LAW	00037149	PROFESSIONAL SERVICES	\$282.50
PRONTO INNOVATIONS	00037150	PROMOTIONAL MATERIALS	\$292.62
NATIONAL FIRE PROTECTION ASSOC	0000000405	FIRE SAFETY SUPPLIES	\$91.43
RECREONICS INC.	0000000406	REPAIR PARTS	\$460.04
M-B COMPANIES INC.	0000000407	REPAIR PARTS	\$1,390.69
SAFEND	0000000408	ANNUAL MAINTENANCE & SUPPORT FEES	\$3,647.19
IDERA DIVISION OF BBS TECHNOLOGIES	0000000409	ANNUAL RENEWAL FEES	\$4,949.30
SIEMENS WATER TECHNOLOGIES	0000000410	REPAIR PARTS	\$27,749.35
TOMY CANADA LIMITED	0000000411	PROMOTIONAL ITEMS	\$1,041.74
MARINE TECHNOLOGY SOCIETY	0000000412	MEMBERSHIP RENEWAL	\$548.08
INTERNAT. ASSOC OF EMERGENCY MANAGERS	0000000413	IAEM SUBSCRIPTION	\$99.65
SWANA	0000000414	2012 EXCELLENCE AWARD	\$124.56
SSQ INSURANCE COMPANY INC.	00037151	GROUP AD&D INSURANCE FOR MAY 2012	\$3,870.79
DESJARDINS FINANCIAL SECURITY	00037152	PAYROLL DEDUCTIONS	\$499,855.83
RECEIVER GENERAL FOR CANADA	00037153	PAYROLL DEDUCTIONS	\$125,736.80
RECEIVER GENERAL FOR CANADA	00037154	PAYROLL DEDUCTIONS	\$2,141.37
LABATT BREWERIES LIMITED	00037155	REFUND - BUSINESS REALTY TAX	\$2,384.97
MOLSON BREWERIES	00037156	REFUND - BUSINESS REALTY TAX	\$2,137.55
OAK TREES & ACORNS CHILD CARE CENTRE	00037157	REGISTRATION FEES	\$90.00
DINN, KAREN	00037158	TRAVEL ADVANCE	\$1,290.00
O'BRIEN, KEN	00037159	TRAVEL REIMBURSEMENT	\$23.00



O'LEARY, SHEILAGH	00037160	TRAVEL ADVANCE	\$748.15
ROBERT SMART	00037161	REIMBURSEMENT - LUNCHEON MEETING	\$93.79
CARR MCLEAN	00037162	OFFICE SUPPLIES	\$25.93
THYSSENKRUPP ELEVATOR	00037163	ELEVATOR MAINTENANCE	\$334.76
JOHNSON INVESTMENTS INC.	00037164	PROFESSIONAL SERVICES	\$429.20
NATURAL CHOICE ASSOCIATES, INC.	00037165	PROFESSIONAL SERVICES	\$14,107.80
NEWFOUNDLAND POWER	00037166	ELECTRICAL SERVICES	\$3,363.01
BELL MOBILITY	00037167	CELLULAR PHONE USAGE	\$286.14
BELL ALIANT	00037168	TELEPHONE SERVICES	\$731.05
THE NEWFOUNDLAND QUARTERLY	00037169	SUBSCRIPTION	\$46.90
ROGERS CABLE	00037170	INTERNET SERVICES	\$163.39
NEWFOUNDLAND POWER	00037171	ELECTRICAL SERVICES	\$14,542.65
PARTS FOR TRUCKS INC.	00037172	REPAIR PARTS	\$93.50
GORDON BARNES	00037173	PROFESSIONAL SERVICES	\$2,400.00
NEWFOUNDLAND POWER	00037174	ELECTRICAL SERVICES	\$4,736.29
CITY OF ST. JOHN'S	00037175	REPLENISH PETTY CASH	\$450.08
BELL ALIANT	00037176	TELEPHONE SERVICES	\$1,923.00
FINANCIAL MGMT INST OF CANADA-ST. JOHN'S CHAPTER	00037177	PROFESSIONAL DEVELOPMENT SESSION	\$30.00
ROBERT BAIRD EQUIPMENT LTD.	00037178	RENTAL OF EQUIPMENT	\$1,087.43
ROBERT BAIRD EQUIPMENT LTD.	00037179	RENTAL OF EQUIPMENT	\$61.00
REPROGRAPHICS LTD.	00037180	PROJECTOR/INTERACTIVE WHITEBOARD	\$421.10
REPROGRAPHICS LTD.	00037181	PROJECTOR/INTERACTIVE WHITEBOARD	\$5,176.92
PARTS FOR TRUCKS INC.	00037182	REPAIR PARTS	\$1,147.28
DARLENE SHARPE	00037183	CLEANING SERVICES	\$600.00
O'KEEFE, DENNIS	00037184	TRAVEL REIMBURSEMENT	\$579.63
MIKE JOYCE	00037185	TRAVEL REIMBURSEMENT	\$96.58
ADVANTAGE SIGNS & GRAPHIC DESIGN LTD.	00037186	SIGNAGE	\$122.22
AFONSO GROUP LIMITED	00037187	SEWER INSPECTIONS	\$881.98
ACTION TRUCK CAP & ACCESSORIES	00037188	REPAIR PARTS	\$767.82
SERVICEMASTER CONTRACT SERVICE	00037189	CLEANING SERVICES	\$367.25
ASHFORD SALES LTD.	00037190	REPAIR PARTS	\$291.09
ATLANTIC PURIFICATION SYSTEM LTD	00037191	WATER PURIFICATION SUPPLIES	\$279.96
AVALON FORD SALES LTD.	00037192	AUTO PARTS	\$689.12
MIGHTY WHITES LAUNDROMAT	00037193	LAUNDRY SERVICES	\$52.37
COSTCO WHOLESAL	00037194	MISCELLANEOUS SUPPLIES	\$374.67
KELLOWAY CONSTRUCTION LIMITED	00037195	PLUMBING SUPPLIES & REPAIRS	\$31,965.28
RDM INDUSTRIAL LTD.	00037196	INDUSTRIAL SUPPLIES	\$568.97
DISCOUNT CAR & TRUCK RENTALS	00037197	VEHICLE RENTAL	\$353.69
NEWFOUNDLAND EXCHEQUER ACCOUNT	00037198	ANNUAL OPERATING FEES	\$485.90
HERCULES SLR INC.	00037199	REPAIR PARTS	\$105.09



STAPLES THE BUSINESS DEPOT - OLD PLACENTIA RD	00037200	STATIONERY & OFFICE SUPPLIES	\$628.10
BELL CANADA	00037201	EQUIPMENT/SOFTWARE CHARGES	\$713.60
DE-WATERING TECHNOLOGY	00037202	DISPOSAL SERVICES	\$9,388.11
BELBIN'S GROCERY	00037203	CATERING SERVICES	\$185.86
SMS EQUIPMENT	00037204	REPAIR PARTS	\$123.78
CHARLES R. BELL LTD.	00037205	APPLIANCES	\$590.99
STANLEY CANADA CORPORATION	00037206	HARDWARE SUPPLIES	\$545.90
BEST DISPENSERS LTD.	00037207	SANITARY SUPPLIES	\$1,269.35
BILLARD'S TRUCKING LTD	00037208	RENTAL OF EQUIPMENT	\$288.15
WASTE MANAGEMENT	00037209	COLLECTION SERVICES	\$311.29
ROCKWATER PROFESSIONAL PRODUCT	00037210	CHEMICALS	\$2,652.12
NEWFOUNDLAND OCEAN INDUSTRIES ASSOCIATION	00037211	2012 CONFERENCE FEE	\$1,128.87
GRAPHIC ARTS & SIGN SHOP LIMITED	00037212	SIGNAGE	\$84.75
EC. BOONE LTD.	00037213	PROTECTIVE CLOTHING	\$246.19
PIZZA DELIGHT	00037214	REFRESHMENTS	\$64.98
BARNES/BOWMAN DISTRIBUTION	00037215	INDUSTRIAL SUPPLIES	\$3,569.26
BREN-KIR INDUSTRIAL SUPPLIES	00037216	INDUSTRIAL SUPPLIES	\$1,568.97
PAUL MURPHY SERVICES INC	00037217	REPAIR PARTS	\$1,073.50
UNITED RENTAL OF CANADA INC.	00037218	REPAIR PARTS	\$4,963.20
ST. JOHN'S AMATEUR BASEBALL	00037219	2012 RECREATION GRANT	\$3,400.00
ST. JOHN'S SENIOR SOCCER	00037220	2012 RECREATION GRANT	\$3,400.00
BROWNE'S AUTO SUPPLIES LTD.	00037221	AUTOMOTIVE REPAIR PARTS	\$356.56
SOBEY'S #604	00037222	GROCERY ITEMS	\$52.02
GRAND AND TOY	00037223	OFFICE SUPPLIES	\$195.26
CO-OP FEEDS/COUNTRY RIBBON INC FEEDS DIVISION	00037224	DUCK FEED	\$173.80
CITY OF MOUNT PEARL	00037225	SNOW CLEARING	\$10,482.45
STAPLES THE BUSINESS DEPOT - STAVANGER DR	00037226	STATIONERY & OFFICE SUPPLIES	\$4,815.03
TRIWARE TECHNOLOGIES INC.	00037227	COMPUTER EQUIPMENT	\$2,657.76
CHESTER DAWE CANADA - O'LEARY AVE	00037228	BUILDING SUPPLIES	\$497.76
SKY HIGH AMUSEMENTS ENTERTAINMENT SERVICES	00037229	EQUIPMENT RENTAL	\$395.50
AEARO CANADA LIMITED	00037230	PRESCRIPTION SAFETY GLASSES	\$201.00
CAMPBELL'S SHIP SUPPLIES	00037231	PROTECTIVE CLOTHING	\$298.30
CANADIAN CORPS COMMISSIONAIRES	00037232	SECURITY SERVICES	\$23,254.47
AIR LIQUIDE CANADA INC.	00037233	CHEMICALS AND WELDING PRODUCTS	\$2,568.44
HISCOCK'S SPRING SERVICE	00037234	REPAIR PARTS	\$5,854.91
DAVE CARROLL	00037235	BALIFF SERVICES	\$180.00
CARSWELL DIV. OF THOMSON CANADA LTD	00037236	PUBLICATIONS	\$292.35
WAL-MART 3196-ABERDEEN AVE.	00037237	MISCELLANEOUS SUPPLIES	\$79.45
ROGERS CABLE	00037238	INTERNET SERVICES	\$22.36
NORTRAX CANADA INC.,	00037239	REPAIR PARTS	\$781.40







DOMINION STORE 935	00037280	MISCELLANEOUS SUPPLIES	\$405.90
EXECUTIVE TAXI LIMITED	00037281	TRANSPORTATION SERVICES	\$440.67
VITALSINE	00037282	EXTENDED WARRANTY	\$3,450.16
MARY KENNEDY	00037283	INSTRUCTOR FEES	\$362.60
IMPACT SIGNS AND GRAPHICS	00037284	SIGNAGE	\$169.50
MILLENNIUM EXPRESS	00037285	COURIER SERVICES	\$249.17
MEDICAL WEST SUPPLIES INC.	00037286	BUNKER SUITS	\$20,338.01
STELLAR INDUSTRIAL SALES LTD.	00037287	INDUSTRIAL SUPPLIES	\$93.56
PRODUITS HEVEA INC.	00037288	REPAIR PARTS	\$6,377.67
SIMPLEX GRINNELL	00037289	EQUIPMENT REPAIRS	\$497.20
OMNITECH INC.	00037290	REPAIR PARTS	\$10,164.35
PROVINCIAL FENCE PRODUCTS	00037291	FENCING MATERIALS	\$394.39
PENNEY'S HOLDING LIMITED	00037292	GRAFFITI REMOVAL	\$84.75
WOLSELEY CANADA WATERWORKS	00037293	INDUSTRIAL SUPPLIES	\$1,019.71
H & R MECHANICAL SUPPLIES LTD.	00037294	MECHANICAL SUPPLIES	\$598.75
TROY FIRE & LIFE SAFETY LTD.	00037295	SAFETY SUPPLIES	\$1,453.18
DOMINION STORES 934	00037296	MISCELLANEOUS SUPPLIES	\$164.91
EASTERN PROPANE	00037297	PROPANE	\$671.15
SERVICE PLUS INC.	00037298	RENTAL OF EQUIPMENT	\$3,552.72
KEITH W. BUSSEY EXCAVATING LTD	00037299	RENTAL OF EQUIPMENT	\$2,639.68
A HARVEY & CO. LTD.	00037300	ROAD SALT	\$624.02
HARVEY'S OIL LTD.	00037301	PETROLEUM PRODUCTS	\$220.60
HARVEY'S TRAVEL AGENCY LTD.	00037302	AIRFARE COSTS	\$1,113.28
MS GOVERN	00037303	PROFESSIONAL SERVICES	\$4,943.75
COFFEE & COMPANY	00037304	CATERING SERVICES	\$289.28
IBI GROUP	00037305	PROFESSIONAL SERVICES	\$3,175.15
G4S CASH SERVICES (CANADA) LTD	00037306	RENTAL OF SAFE	\$47.97
GUILLEVIN INTERNATIONAL CO.	00037307	ELECTRICAL SUPPLIES	\$67.11
NEWMAN'S CLEANING LTD.	00037308	CLEANING SERVICES	\$372.90
CANADIAN LINEN & UNIFORM	00037309	MAT RENTALS	\$501.05
STELLA BURRY COMMUNITY SER.	00037310	CATERING SERVICES	\$111.45
FIRST CANADIAN GROUP LTD.	00037311	PROGRESS PAYMENT	\$1,020,009.97
HICKMAN MOTORS LIMITED	00037312	AUTO PARTS	\$305.81
GRANITE DESIGN	00037313	PROFESSIONAL SERVICES	\$1,440.75
HISCOCK RENTALS & SALES INC.	00037314	HARDWARE SUPPLIES	\$209.18
FLEET READY LTD.	00037315	REPAIR PARTS	\$156.20
HONDA ONE	00037316	REPAIR PARTS	\$202.19
DISTRIBUTION BRUNET INC.,	00037317	REPAIR PARTS	\$1,621.81
ON GRADE (NL) INC.,	00037318	SURVEY EQUIPMENT	\$3,267.57
IBM CANADA LTD.	00037319	TRANSITIONAL SUPPORT	\$1,638.50

SPYDERS INC.,	00037320	WEB SECURITY RENEWAL	\$20,233.78
IMPRINT SPECIALTY PROMOTIONS LTD	00037321	PROMOTIONAL ITEMS	\$108.20
ONX ENTERPRISE SOLUTIONS LTD.	00037322	REPAIR PARTS	\$21,898.43
ON-SITE AUTO GLASS	00037323	GLASS REPLACEMENT	\$141.25
ISLAND HOSE & FITTINGS LTD	00037324	INDUSTRIAL SUPPLIES	\$17.20
PRINTER TECH SOLUTIONS INC.,	00037325	REPAIRS TO EQUIPMENT	\$540.14
THE STEVENS COMPANY	00037326	VETERINARY SUPPLIES	\$282.50
KROMAR PRINTING LTD.	00037327	PRINTING SERVICES	\$2,960.60
CDMV	00037328	VETERINARY SUPPLIES	\$567.47
LIPHOOK COUPLERS SYSTEMS INC.,	00037329	REPAIR PARTS	\$1,774.71
CHRISTOPHER'S CAFE & CATERING	00037330	CATERING SERVICES	\$126.53
CANADA POOL LIMITED	00037331	POOL SUPPLIES	\$392.11
MPS	00037332	PRINTING SERVICES	\$350.30
KAVANAGH & ASSOCIATES	00037333	PROFESSIONAL SERVICES	\$92,416.74
KEAN'S PUMP SHOP LTD.	00037334	REPAIR PARTS	\$598.76
KENT BUILDING SUPPLIES	00037335	BUILDING SUPPLIES	\$1,534.19
DATARITE.COM	00037336	INK CARTRIDGES	\$125.66
LAWLOR'S TROPHIES & ENGRAVING LTD	00037337	PLAQUE ENGRAVING	\$40.34
MARK'S WORK WEARHOUSE	00037338	PROTECTIVE CLOTHING	\$450.27
JT MARTIN & SONS LTD.	00037339	HARDWARE SUPPLIES	\$232.78
M'CLOUGHLAN SUPPLIES LTD.	00037340	ELECTRICAL SUPPLIES	\$962.99
MIKAN INC.	00037341	LABORATORY SUPPLIES	\$2,810.62
MOBILE TRAILER REPAIR SERVICE	00037342	REPAIR PARTS	\$272.43
WAJAX INDUSTRIAL COMPONENTS	00037343	REPAIR PARTS	\$310.00
NATIONAL CHEMSEARCH INC.	00037344	CHEMICALS	\$3,537.91
NEWFOUND DISPOSAL SYSTEMS LTD.	00037345	DISPOSAL SERVICES	\$146.69
NEWFOUNDLAND DESIGN ASSOCIATES	00037346	PROFESSIONAL SERVICES	\$4,709.40
NFLD KUBOTA LTD.	00037347	REPAIR PARTS	\$35,884.81
TOROMONT CAT	00037348	AUTO PARTS	\$102.58
NORTH ATLANTIC PETROLEUM	00037349	PETROLEUM PRODUCTS	\$69,371.72
ORNAMENTAL CONCRETE LTD.	00037350	CONCRETE/CEMENT	\$185.26
PBA INDUSTRIAL SUPPLIES LTD.	00037351	INDUSTRIAL SUPPLIES	\$110.35
ARIVA	00037352	PAPER	\$2,022.31
GCR TIRE CENTRE	00037353	TIRES	\$37,378.55
PERIDOT SALES LTD.	00037354	REPAIR PARTS	\$1,115.80
PETER PAN SALES LTD.	00037355	SANITARY SUPPLIES	\$282.52
THE HUB	00037356	CATERING SERVICES	\$1,292.72
JUDY PIERCEY	00037357	SEARCHING SERVICES	\$84.75
K & D PRATT LTD.	00037358	REPAIR PARTS AND CHEMICALS	\$900.50
RENTAL SHOP LTD.	00037359	REPAIRS TO JACK HAMMER	\$152.55



RIDEOUT TOOL & MACHINE INC.	00037360	TOOLS & INDUSTRIAL SUPPLIES	\$496.45
NAPA ST. JOHN'S 371	00037361	AUTO PARTS	\$147.45
ROYAL FREIGHTLINER LTD	00037362	REPAIR PARTS	\$2,524.98
LIFESAVING SOCIETY NFLD & LAB.	00037363	REGISTRATION FEES	\$70.00
S & S SUPPLY LTD. CROSSTOWN RENTALS	00037364	REPAIR PARTS	\$6,380.32
ST. JOHN'S VETERINARY HOSPITAL	00037365	PROFESSIONAL SERVICES	\$1,207.42
BIG ERICS INC	00037366	SANITARY SUPPLIES	\$895.49
SAUNDERS EQUIPMENT LIMITED	00037367	REPAIR PARTS	\$13,438.25
SANSOM EQUIPMENT LTD.	00037368	REPAIR PARTS	\$158.20
SPEEDY AUTOMOTIVE LTD.	00037369	REPAIR PARTS	\$1,238.51
STEELEFAB INDUSTRIES LTD.	00037370	AUTOMOTIVE SUPPLIES	\$1,586.52
STEWART MCKELVEY STIRLING SCALES	00037371	STEEL	\$96.05
SUPERIOR PROPANE INC.	00037372	PROFESSIONAL SERVICES	\$96.05
TOWER TECH COMM. & SPORTS FIELD LIGHTING	00037373	PROPANE	\$1,705.64
TRACTION DIV OF UAP	00037374	NETTING REPAIRS & INSTALLATION	\$8,446.75
WATERWORKS SUPPLIES DIV OF EMCO LTD	00037375	REPAIR PARTS	\$479.66
WAL-MART 3092-KELSEY DRIVE	00037376	REPAIR PARTS	\$3,243.26
IMAGE 4 PRINTING & DESIGN INC	00037377	MISCELLANEOUS SUPPLIES	\$415.41
CONNIE PARSONS SCHOOL OF DANCE	00037378	PRINTING SERVICES	\$108.90
WILKINSON, MADONNA	00037379	REAL PROGRAM	\$100.00
TITFORD, JUNE	00037380	INSTRUCTOR FEES	\$326.34
FARDY, BRENDA	00037381	INSTRUCTOR FEES	\$263.80
WALSH, BASIL	00037382	INSTRUCTOR FEES	\$217.68
NFLD & LAB CONSTRUCTION SAFETY ASSOCIATION	00037383	INSTRUCTOR FEES	\$217.68
SOUND SYMPOSIUM	00037384	REGISTRATION FEES	\$248.60
ST. JOHN'S THER. RIDING ASSOC "RAINBOW RIDERS" INC.	00037385	ENTERTAINMENT - CRUISE SHIP VISIT	\$1,200.00
WATERFORD VALLEY SOFTBALL	00037386	2012 RECREATION GRANT	\$4,270.00
CHES CROSBIE BARRISTERS	00037387	2012 RECREATION GRANT	\$4,600.00
SMITH, VERNA	00037388	PROFESSIONAL SERVICES	\$67.80
SMITH, BOYD	00037389	INSTRUCTOR FEES	\$276.85
THE STEP FIDDLERS	00037390	INSTRUCTOR FEES	\$276.85
GOULDS MINOR HOCKEY	00037391	HONORARIUM - CRUISE SHIP VISIT	\$500.00
MONICA DOMINGUEZ	00037392	REAL PROGRAM	\$1,700.00
STAPLES THE BUSINESS DEPOT - KELSEY DR	00037393	HONORARIUM - CRUISE SHIP VISIT	\$100.00
NRU WOMEN	00037394	STATIONERY & OFFICE SUPPLIES	\$46.24
SMITH, GERALD	00037395	TRAVEL ASSISTANCE GRANT	\$400.00
ASHOK & PRATIBHA SANCHETTI	00037396	HONORARIUM - CRUISE SHIP VISIT	\$100.00
ELTON'S FIGHTING SYSTEM	00037397	REFUND - MUNICIPAL TAX	\$272.98
JANET CULL	00037398	REAL PROGRAM	\$813.60
NATALIE NOSEWORTHY	00037399	REAL PROGRAM	\$180.00
		REAL PROGRAM	\$180.00

FLYNN, JORDAN & CALLAHAN, MARIA  
 ADVANCED EDUCATION & SKILLS  
 ADVANCED EDUCATION & SKILLS  
 AQUA BOUNTY CANADA INC.  
 HICKMAN MOTORS LTD.  
 RBC  
 LOUISE WEBB  
 MILLER, EDMUND & JANET  
 BLANCHARD, CRAIG & SUSAN  
 HAYLEY WHITEWAY  
 MACDONALD DRIVE JUNIOR HIGH SCHOOL  
 GLOBAL CONVENTION SERVICES LTD.,  
 RON KIRBY  
 JEFF MARSHALL  
 PATRICIA YETMAN  
 NOSEWORTHY, WANDA  
 WINSOR, MICHELLE  
 ASHLEY, CHRIS  
 JONES, CHRISTINA  
 GUY, BRUCE  
 QUIGLEY, CRAIG  
 SHEPPARD, TAMMY  
 SPURRELL, NADINE  
 WHITE, PETER  
 HUMPHRIES, JEANELLE  
 HILLIARD, ROSE  
 DUNNE, CODY  
 HYNES, PETER  
 HOUNSELL, SHERRY  
 CHRISTA NORMAN  
 HARRIS & ROOMIE SUPPLY LIMITED

00037400	REFUND - MUNICIPAL TAX	\$359.38
00037401	REFUND - MUNICIPAL TAX	\$728.05
00037402	REFUND - MUNICIPAL TAX	\$828.61
00037403	REFUND - BUSINESS OCCUPANCY	\$358.48
00037404	REFUND - UTILITY BILLING	\$557.53
00037405	REFUND - UTILITY BILLING	\$971.48
00037406	REFUND - MUNICIPAL TAX	\$323.68
00037407	REFUND - MUNICIPAL TAX	\$341.36
00037408	REFUND - MUNICIPAL TAX	\$522.48
00037409	ENTERTAINMENT - YOUTH WEEK	\$50.00
00037410	FACILITY RENTAL - YOUTH WEEK	\$275.00
00037411	DISPLAY BOOTH LIGHTING	\$83.62
00037412	REFUND - APPLICATION FEE	\$50.00
00037413	INSTRUCTOR FEES	\$167.40
00037414	REFUND - SWIMMING LESSONS	\$40.00
00037415	FOOTWEAR ALLOWANCE	\$125.00
00037416	MILEAGE	\$82.67
00037417	REIMBURSEMENT - PASSPORT	\$87.00
00037418	MILEAGE	\$56.59
00037419	VEHICLE BUSINESS INSURANCE	\$278.00
00037420	TUITION FEES	\$600.00
00037421	TUITION FEES	\$486.00
00037422	MILEAGE	\$62.20
00037423	MILEAGE	\$53.45
00037424	MILEAGE	\$21.30
00037425	MILEAGE	\$29.13
00037426	HONORARIUM	\$100.00
00037427	MILEAGE	\$27.35
00037428	MILEAGE	\$24.10
00037429	MILEAGE	\$126.83
00037430	ELECTRICAL SUPPLIES	\$1,617.63
<b>TOTAL:</b>		<b>\$2,463,239.53</b>



# MEMORANDUM

Date: May 24, 2012

To: His Worship the Mayor and Members of Council

From: Paul Mackey, P. Eng.,  
Deputy City Manager/Director of Public Works and Parks

Re: **Tender - 2012 Infrastructure Improvements – Contract # 2 – Concrete Curb, Gutter and Sidewalk**

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The following tenders have been received for the project “**2012 Infrastructure Improvements – Contract # 2 – Concrete Curb, Gutter and Sidewalk**”:

- |    |                            |               |
|----|----------------------------|---------------|
| 1. | Kelloway Construction Ltd. | \$ 921,910.50 |
| 2. | Infinity Construction Ltd. | \$ 877,131.43 |

## RECOMMENDATION

It is recommended that the tender be awarded to the lowest bidder Infinity Construction Ltd. in the amount of Nine Hundred Twenty-One Thousand, Nine Hundred Ten Dollars and Fifty Cents.

*Paul Mackey*

Paul Mackey, P. Eng.,  
Deputy City Manager/Director of Public Work and Parks

/amh

# ST. JOHN'S



# MEMORANDUM

Date: May 24, 2012

To: His Worship the Mayor and Members of Council

From: Paul Mackey, P. Eng.,  
Deputy City Manager/Director of Public Works and Parks

**Re: Tender - 2012 Infrastructure Improvements – Contract # 3 – Concrete Repairs**

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The following tenders have been received for the project “**2012 Infrastructure Improvements - Contract # 3 – Concrete Repairs**”:

1.	Kelloway Construction Ltd	\$ 271,284.75
2.	Carew Services Ltd.	\$ 551,974.76
3.	Clarke's Trucking and Excavating Ltd.	\$ 315,699.40
4.	Infinity Construction Ltd.	\$ 264,777.08

## RECOMMENDATION

It is recommended that the tender be awarded to the lowest bidder Infinity Construction Ltd. in the amount of Two Hundred Sixty-Four Thousand, Seven Hundred Seventy-Seven Dollars and Eight Cents.

*Paul Mackey*

Paul Mackey, P. Eng.,  
Deputy City Manager/Director of Public Work and Parks

/amh

# ST. JOHN'S

# MEMORANDUM

Date: May 24, 2012

To: His Worship the Mayor and Members of Council

From: Paul Mackey, P. Eng  
Deputy City Manager/Director of Public Works and Parks

Re: **2012 Sewer Improvements**  
**Request to Add Additional Work to Contract**

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Attached for your consideration is a memo from Brendan O'Connell which is self-explanatory.

## RECOMMENDATION

I recommend that Council approve adding the proposed additional work to the existing contract with Pyramid Construction for 2012 Sewer Improvements. The cost of the additional work is \$550,000 and it is proposed to fund this work from savings in already approved Environmental Services projects which came in under budget.

*Paul Mackey*

Paul Mackey, P. Eng., \_\_\_\_\_  
Deputy City Manager/Director of Public Work and Parks

# ST. JOHN'S

# MEMORANDUM

Date: May 24, 2012  
To: Paul Mackey, P. Eng. Deputy City Manager, Director of Public Works and Parks  
From: Brendan O'Connell, P. Eng.  
**Re: Request to add Additional Works to Contract**

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Council recently awarded a contract entitled "2012 Sewer Improvements" to Pyramid Construction Limited. The contract award amount was \$1,153,696.10, including HST.

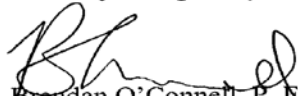
A portion of that contract is to replace the sanitary sewer along Tunis Court where the sewer was extensively damaged during the February 12, 2012 snowmelt/rainfall event. A number of homes received extensive damage as a result that event, and a subsequent investigation of the sanitary sewer confirmed that the sewer had deteriorated to the point where it had to be replaced promptly. The plans for the initial contract award were prepared with our knowledge that the final design of the Tunis Court sewer replacement would be subject to further review prior to actual construction.

The revised plans are now complete and include replacement of the storm sewer and water main in those portions of the street where the sanitary sewer will be replaced. An additional cost of \$550,000 is anticipated to be required to be added to the Pyramid contract. This amount exceeds the normally allowable 10% over run. Due to favorable contract prices received for Environmental Services Capital Works projects this year the funds are available to do this work without the need for new Council funding.

I recommend that:

- The works be constructed as soon as possible given the extensive deterioration of the existing sanitary sewer, which compromises its capacity to withstand a major flooding event
- Council approve adding the additional works to the existing contract with Pyramid. Pyramid are prepared to begin work promptly.

I am requesting that you bring this matter to Council for consideration.



Brendan O'Connell, P. Eng.,  
Manager of Environmental Services  
Department of Public Works and Parks

# MEMORANDUM

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Date: May 22, 2012

To: His Worship the Mayor and Members of Council

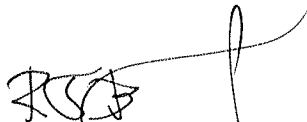
From: Robert J. Bursey, City Solicitor

**Re: Proposed Amendment to the Plumbing By-Law**

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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.



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Robert J. Bursey, LL.B.  
City Solicitor

RJB/kab

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# 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**

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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.

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MAYOR

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CITY CLERK



# MEMORANDUM

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Date: May 18, 2012  
To: Mayor and Members of Council  
From: Robert J. Bursey, City Solicitor  
**Re: 37 Bannerman Street**

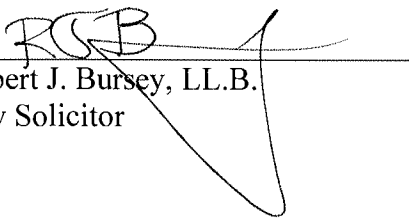
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Approximately 6 years ago, the owner of 37 Bannerman Street installed a window in the side of her house which is on her property line. She since sought approval from the City however it could not be approved pursuant to the National Building Code as it is on the property line and there is a requirement for 4 feet of separation.

The adjacent land, which is used for neighborhood parking is owned by the City.

If the property owner acquired a 4 foot easement from the City the window could be approved and remain. The City's land is not developable by itself and is only of value to an abutting property owner for consolidation. The land can still be used for parking with the easement in place.

I recommend that the 4 foot easement be sold to the property owner of 37 Bannerman Street \$500.00 plus usual administration fees and applicable HST and request that this matter be bought before Council at the next Regular Meeting.



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Robert J. Bursey, LL.B.  
City Solicitor

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# 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 24, 2012

To: His Worship the Mayor & Members of Council

From: Paul Mackey, P. Eng.,  
Deputy City Manager/Director of Public Works & Parks

Re: City Staff Neighbourhood Cleanup

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Jason Sinyard has put together the attached proposal for employee participation in a litter clean-up initiative. I think this is a great way for the City to raise public awareness about the litter problem and to set a good example for other City residents.

## RECOMMENDATION

I recommend that Council approve staff participation in this initiative on June 6<sup>th</sup> (or next suitable day if weather is inclement on June 6<sup>th</sup>).

*Paul Mackey*

Paul Mackey, P. Eng.,  
Deputy City Manager/Director of Public Works & Parks

**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

Date: May 2, 2012

To: Paul Mackey, P. Eng., Deputy City Manager / Director of Public Works & Parks

From: Jason Sinyard, P. Eng., MBA, Manager – Waste Management Division

**Re: City Staff Neighbourhood Cleanup**

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As you know the proliferation of litter is a problem throughout the region, particularly this time of year. To try to combat this issue the City has annual litter collection contracts in addition to our Waste Management Division and Parks Division employees. While our staff and the contractors do a good job reducing litter throughout the city, there is a limit to what they can accomplish given the magnitude of the task. Therefore we continuously seek additional resources and ways to optimize the resources that we already have. With that in mind, I suggest the City has a yet untapped resource that could assist with the fight against litter, that is, the remainder of our staff throughout the organization – from new employees to senior managers to council members.

The City is a supporter of St. John's Clean & Beautiful – an organization that encourages residents and businesses to get out and clean up the City. The City as an organization should set an example and participate in such a clean-up during SJC&B's annual "Take Pride – Take Action" campaign. I propose that on Wednesday June 6 from 2:00 – 4:00 staff trade in their existing jobs and participate in a clean-up. Staff would preregister and would state the area that they will be cleaning. They can select an area from a predetermined list, clean up their own neighbourhood or any other area of the City that requires a clean-up. We would encourage staff to take before and after pictures which could be featured in a future issue of Ripples. The Waste Management Division can organize the event as well as supply gloves, litter pickers, bags and safety vests in addition to collecting the full bags. Of course all city staff will not be able to participate as we still have to maintain the day to day business of the city, but Council should encourage all supervisors to grant time off wherever possible and to participate themselves, if they can.

This initiative would not only help beautify our City but would also bring attention to the region's litter problem – a major step in changing people's mind set about their waste and where they put it.

Please bring this to Council for consideration for what will hopefully become an annual event.

Regards,



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Jason Sinyard, P. Eng., MBA