

**AGENDA
REGULAR MEETING**

**SEPTEMBER 23rd, 2013
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

September 20th, 2013

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday , September 23rd, 2013 at 4:30 p.m.**

There will not be a special meeting.

By Order

Neil A. Martin
City Clerk

ST. JOHN'S

DEPARTMENT OF CORPORATE SERVICES

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

**AGENDA
REGULAR MEETING
SEPTEMBER 23rd, 2013
4:30 p.m.**

At appropriate places in this agenda, the names of people have been removed or edited out so as to comply with the Newfoundland and Labrador Access to Information and Protection of Privacy Act.

- 1. Call to Order**
- 2. Approval of the Agenda**
- 3. Adoption of the Minutes (September 16th, 2013)**
- 4. Business Arising from the Minutes**
 - A. Included in the Agenda**
 - i. Notice of Motion – St. John’s Commercial Property Tax By-Law (Councillor Breen)
 - ii. Notice of Motion – Property Tax Exemption (Deputy Mayor Duff)
 - iii. Memorandum dated September 18, 2013 from the Chief Municipal Planner
Re: Civic # 4 Oxen Pond Road (**Ward 4**)
- 5. Other Matters**
- 6. Notices Published**
- 7. Public Hearings**
- 8. Committee Reports**
 - a. Development Committee Report dated September 17, 2013
 - b. Public Works & Environment Standing Committee Report dated September 17, 2013
 - c. Heritage Advisory Committee Report dated September 13, 2013
- 9. Resolutions**
- 10. Development Permits List**
- 11. Building Permits List**
- 12. Requisitions, Payrolls and Accounts**
- 13. Tenders**

14. Notices of Motion, Written Questions and Petitions

15. Other Business

- a. Memorandum dated September 18th, 2013 from the City Solicitor
Re: Kiwanis Street - 372 Kenmount Road
- b. Memorandum dated September 18th, 2013 from the City Solicitor
Re: Water Transmission Line – Portugal Cove Road
- c. **Correspondence from the Mayor's Office**
- d. **Items Added by Motion**

16. Adjournment

September 16th, 2013

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.

The City Manager; Deputy City Manager, Corporate Services & City Clerk; Deputy City Manager, Public Works; Deputy City Manager, Financial Management; Deputy City Manager, Planning, Development & Engineering; Deputy City Manager, Community Services; Director of Engineering; City Solicitor, Chief Municipal Planner and Manager, Corporate Secretariat, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2013-09-16/405R

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

- a. Notice of Motion
- b. Tender – Compu-Spread Parks
- c. Tender – Pine Bud Place – Water and Sewer Upgrade
- d. Nomenclature Committee Report, Sept. 16th, 2013
- e. Requests to Council from the Rotary Club
- f. Notice of Motion – O'Brien Farm Foundation

Adoption of Minutes

SJMC2013-09-16/406R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Galgay: That the minutes of September 9th, 2013 be adopted as presented.

Notices Published

1. A **Discretionary Use Application** has been submitted requesting permission to construct a Single Detached Dwelling at **civic number 14 Henry Street** to create a one unit Single-Detached Infill dwelling. One off-street parking space will be provided. (Ward 2)

One (1) submission

SJMC2013-09-16/407R

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

The motion being put was unanimously carried.

2. **Discretionary Use Application** has been submitted requesting permission to occupy **civic number 515 Back Line Road** as a Home Occupation for an Esthetics Spa. The proposed business will offer esthetic services such as manicures, pedicures, waxing and massage. It will occupy a floor area of approximately 8.8 m² and will operate Monday to Saturday, 9 a.m. to 7 p.m., one client per session, by appointment only. Each session is approximately one to two hours long, with a maximum of five sessions per day. On-site parking is available for the business. The applicant is the sole employee. (Ward 5)

One (1) Submission

SJMC2013-09-16/408R

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

The motion being put was unanimously carried.

3. A **Discretionary Use Application** has been submitted requesting permission to occupy a portion of **civic number 300 LeMarchant Road** as a Home Occupation for an Internal Medicine and Kidney Disease Clinic. The proposed business will occupy a floor area of approximately 14.5 m² and will operate Monday to Friday, 9 a.m. to 5 p.m., one patient per appointment, and is by appointment only. Each appointment is approximately one hour or less, with a maximum of 10 patients per day. Two on-site parking spaces are available for the business. The applicant is the sole employee. (Ward 2)

SJMC2013-09-16/409R

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

The motion being put was unanimously carried.

Committee Reports

Planning Committee Report dated September 11, 2013

Council considered the following Planning Committee Report dated September 11, 2013:

In Attendance: Councillor Tom Hann, Chairperson
Deputy Mayor Shannie Duff
Councillor Sheilagh O’Leary
Councillor Sandy Hickman
Councillor Bruce Tilley
Councillor Danny Breen
Robert Smart, City Manager
Dave Blackmore, Deputy City Manager, PDE
Jason Sinyard, Director, Planning and Development
Brendan O’Connell, Director, Engineering
Lynnann Winsor, Director, Water & Wastewater
Lindsay Lyghtle-Brushett, Planner
Judy Powell, Metrobus
Sandy Abbott, Recording Secretary

The following matters were considered by the Planning and Housing Committee at its meeting held on September 11, 2013. A staff report is attached for Council’s information.

- 1. Department of Planning File Number: B-17-L.7 / 13-00131
Proposed Rezoning from the Institutional (INST) Zone to the Residential Kenmount (RK) Zone
Ladysmith Drive, East Side
Applicant: 11368 NL Ltd. (Ward 4)**

The applicant has submitted an application to rezone part of a property situated on the east side of Ladysmith Drive. The subject property is zoned Institutional (INST). The purpose is to rezone the subject property to the Residential Kenmount (RK) Zone. A Municipal Plan amendment would be required for this application.

The Committee recommends rejection as it is premature, and any change in the zoning in that area is deferred until the Municipal Plan Review is completed.

- 2. Siting of Wireless Facilities (Telecommunication or Cellphone Towers)
Draft Siting Protocol**

The matter of a siting protocol has been discussed at the Development Committee and the Planning and Housing Committee. This latest draft (attached) is referred for consideration.

The Committee recommends that the Draft Siting Protocol be recommended to Council for approval at its next regular meeting.

- 3. Department of Planning File Number: B-17-M.19 / 13-00109**
Proposed Text Amendment to allow residential uses on the ground floor within the Commercial Office (CO) Zone, on a discretionary basis
53 and 67 Margaret's Place
Applicant: 66459 Newfoundland and Labrador Ltd.

Newfoundland and Labrador Ltd. Has submitted an application to redevelop the property located on 53 and 67 Margaret's Place in St. John's. The application is to allow residential uses on the ground floor within the Commercial Office (CO) Zone, on a discretionary basis.

The Committee recommends approval of the application by Council.

(Original Signed)

Jason Sinyard
Director, Planning and Development

SJMC2013-09-16/410R

Regarding Item # 2 – Siting of Wireless Facilities, it was moved by Councillor Hann; seconded by Councillor Tilley: That the Draft Siting Protocol be adopted as presented, that it be referred to a public meeting; that staff meet with Industry Canada and representatives of the telecom industry, and further, that staff be directed to begin reviewing applications using this protocol, until such time as the amendments dealing with the classification of wireless facilities, and in which zones they are discretionary, have been made. These would be brought forward to Council at a future date for consideration.

Discussion ensued during which members of Council accepted a friendly amendment to the motion by Councillor Tilley, as follows:

Council would favour locations which are not in a Residential Zone or an Apartment Zone, and at least **200 m** from a Residential zone, an Apartment zone, a school property, or a recreational facility.

During discussion. Councillor Hickman suggested that staff at some future date look at the possibility of including land owners/renters in this policy and review the tax regime for the land being leased.

Following discussion, the amended motion being put was unanimously carried.

SJMC2013-09-16/411R

It was then moved by Councillor Tilley; seconded by Councillor Hann: That the City indicate to Bell Mobility that their proposal to build a cell tower on McLoughlan Street is unacceptable, and that they be asked to find an alternate site for the proposed tower.

The motion being put was unanimously carried.

SJMC2013-09-16/412R

Regarding Item # 1 – Ladysmith Drive, East Side Proposed Rezoning, it was moved by Councillor Hann; seconded by Councillor Hickman: That the Committee’s recommendation of deferral of the proposed rezoning be accepted.

Councillor Hanlon spoke against the motion and asked that the development be allowed to continue, noting that the INST Zone was put in place for future school or institutional use ; however, the Eastern School District have since advised they do not require this land. Other members of Council felt that as part of having a complete neighbourhood with different land uses within easy walking distance it would be wise to explore other possible institutional uses before rezoning it.

Following discussion , the motion being put was carried with Councillors Hanlon and Tilley dissenting.

SJMC2013-09-16/413R

Regarding Item #3, 52 and 62 Margaret’s Place, it was moved by Councillor Hann, seconded by Councillor Breen: That the Committee’s recommendation of approval be accepted.

The motion being put was unanimously carried.

Nomenclature Committee Report

Council considered the following Nomenclature Committee Report:

Date: September 13th , 2013
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendations

Council approval is requested for the following Street name:

Southlands Development Areas 3 & 4 – Stage 5 (44 lots) Fairview Investments Limited (Ward 5)

1. Cherrybark Crescent

SJMC2013-09-16/414R

It was moved by Councillor Collins: seconded by Councillor Breen: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

Nomenclature Committee Report

Council considered the following Nomenclature Committee Report dated September 16th, 2013:

Date: September 16th, 2013
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendations

Council approval is requested for the following Street names:

Coventry Terrace Subdivision (53 Lots)

- 1. Daimler Street**
- 2. Willenhall Place**

SJMC2013-09-16/415R

It was moved by Councillor Tilley; seconded by Councillor Breen: That the Committee’s recommendations be approved.

The motion being put was unanimously carried.

Development Permits

Council considered as information the following Weekly Development Permits for the period September 6, 2013 to September 12, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 6, 2013 TO September 12, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Avalon Mall	Waste Enclosure	48 Kenmount Road	4	Approved	13-09-06
RES		Demolition & Rebuild of Single Detached Dwelling	9 Morris Avenue	2	Approved	13-09-11
COM	Murphy's Service Centre	Parking Lot Improvements	155 Empire Avenue	4	Approved	13-09-12

* Code Classification:
 RES - Residential
 COM - Commercial
 AG - Agriculture
 OT - Other

INST - Institutional
 IND - Industrial

** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.

**Gerard Doran
Development Officer
Department of Planning**



Building Permits List – September 16 2013

SJMC2013-09-16/416R

It was decided on motion of Councillor Tilley; seconded by Councillor Breen: That the recommendation of the Deputy City Manager, Planning, Development & Engineering with respect to the following building permits, be approved:

**Building Permits List
Council’s September 16, 2013 Regular Meeting**

Permits Issued: 2013/09/05 To 2013/09/11

CLASS: COMMERCIAL

175 Hamlyn Rd., Royal LePage	Co	Office		
181 Hamilton Ave	Nc	Accessory Building		
22 Austin St	Sn	Communications Use		
48 Kenmount Rd - Intersport	Sn	Retail Store		
223 Duckworth St, Suite 223	Sn	Office		
Elizabeth Ave	Ms	Commercial School		
50 Mews Pl Cabot Tire & Auto R	Sn	Commercial Garage		
199 Water St Smoothie Factory	Sn	Eating Establishment		
Freshwater Rd - Apt 112	Co	Office		
181 Mundy Pond Rd, 2nd Floor	Rn	Mixed Use		
187 Kenmount Rd, Cbcl	Rn	Office		
260 Duckworth St	Sw	Parking Lot		
15 Prescott St.	Sw	Parking Lot		
33 Pippy Pl	Rn	Office		
117 Ropewalk Lane	Cr	Commercial School		
			This Week \$	237,100.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

101 Torbay Road	Ms	Church		
Harbour Dr.-Pier 9	Nc	Accessory Building		
			This Week \$	160,500.00

Class: Residential

37 Baird Pl	Nc	Patio Deck		
301 Bay Bulls Rd	Nc	Accessory Building		
16 Blackall Pl	Nc	Accessory Building		
3 Chester Pl	Nc	Accessory Building		
52 Cypress St	Nc	Accessory Building		
14 Douglas St Lot 253	Nc	Single Detached & Sub.Apt		
101 Doyle's Rd	Nc	Accessory Building		
34 Dunkerry Cres	Nc	Accessory Building		
38 Dunkerry Cres, Lot 271	Nc	Single Detached Dwelling		
56 Dunkerry Cres Lot 262	Nc	Accessory Building		

63 Durdle Dr	Nc	Accessory Building
24 Exmouth St	Nc	Patio Deck
8 Fallowtree Pl	Nc	Fence
61 Feild St	Nc	Single Detached & Sub.Apt
12 Gerard Pl	Nc	Accessory Building
16 Gibbon Pl, Lot 15	Nc	Single Detached Dwelling
20 Gibbon Pl, Lot 13	Nc	Single Detached Dwelling
18 Glenlonan St(Retaining Wall	Nc	Fence
35-37 Hennessey's Line	Nc	Single Detached Dwelling
6 Ironwood Pl	Nc	Accessory Building
76 Lady Anderson St	Nc	Fence
83 Main Rd	Nc	Fence
83 Main Rd	Nc	Accessory Building
66 Newfoundland Dr	Nc	Patio Deck
108 Old Pennywell Rd	Nc	Single Detached & Sub.Apt
56 Orlando Pl Lot 193	Nc	Single Detached & Sub.Apt
42 Parsonage Dr	Nc	Accessory Building
42 Parsonage Dr	Nc	Fence
72 Airport Heights Dr	Nc	Patio Deck
52 Rosalind St	Nc	Fence
12 Sequoia Dr , Lot 300	Nc	Single Detached Dwelling
326 Stavanger Dr	Nc	Fence
18 Tigress St, Lot 617	Nc	Single Detached & Sub.Apt
193 Waterford Bridge Rd	Nc	Accessory Building
207 Brookfield Rd	Ex	Single Detached Dwelling
10 Conway Cres	Ex	Single Detached Dwelling
36 Melville Pl	Ex	Patio Deck
37 Parsonage Dr	Ex	Single Detached Dwelling
67 Wabush Pl	Ex	Single Detached & Sub.Apt
10 Central St	Rn	Single Detached Dwelling
12 Colonial St	Rn	Townhousing
65 Faulkner St	Rn	Single Detached Dwelling
15 Flavin St	Rn	Single Detached Dwelling
10 Kenai Cres	Rn	Single Detached Dwelling
18 Kenai Cres	Rn	Single Detached & Sub.Apt
99 Maunder's Lane	Rn	Single Detached Dwelling
36 Melville Pl	Rn	Single Detached Dwelling
112 Newtown Rd	Rn	Single Detached Dwelling
48 O'reilly St	Rn	Single Detached Dwelling
63 Quidi Vidi Rd	Rn	Single Detached Dwelling
65 Rennie's Mill Rd	Rn	Single Detached & Sub.Apt
182 Waterford Bridge Rd	Rn	Single Detached Dwelling
26 Winter Ave	Rn	Single Detached Dwelling
119 Blue Puttee Dr	Sw	Single Detached Dwelling
35 Country Grove Pl	Sw	Single Detached Dwelling
59 Duckworth St	Sw	Single Detached Dwelling
31 Exmouth St	Sw	Single Detached Dwelling
5 Glenlonan St	Sw	Single Detached Dwelling
112 Old Petty Harbour Rd	Sw	Single Detached & Sub.Apt

This Week \$ 3,245,250.00

Class: Demolition

9 Morris Ave	Dm	Single Detached Dwelling
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This Week \$.00

This Week's Total: \$ 3,642,850.00

Repair Permits Issued: 2013/09/05 To 2013/09/11 \$ 153,750.00

2 Beaumont Street - application for billboard was rejected due to Section 23(6) of the St. John's Sign By - Law.

Legend

- Co Change Of Occupancy
- Cr Chng Of Occ/Renovtns
- Ex Extension
- Nc New Construction
- Oc Occupant Change
- Rn Renovations
- Sw Site Work
- Ti Tenant Improvements
- Sn Sign
- Ms Mobile Sign
- Cc Chimney Construction
- Cd Chimney Demolition
- Dv Development File
- Ws Woodstove
- Dm Demolition

YEAR TO DATE COMPARISONS			
September 16, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$156,900,000.00	\$70,500,900.00	-55
Industrial	\$3,600,100.00	\$131,000.00	-96
Government/Institutional	\$15,500,500.00	\$72,000,000.00	365
Residential	\$137,000,100.00	\$117,500,300.00	-14
Repairs	\$3,800,500.00	\$3,700,200.00	-3
Housing Units (1 & 2 Family Dwellings)	456	332	
TOTAL	\$316,801,656.00	\$263,832,732.00	-17

Respectfully Submitted,

David Blackmore, R.P.A.
Deputy City Manager - Planning, Development & Engineering

Payrolls and Accounts

SJMC2013-09-16/417R

It was decided on motion of Councillor Tilley; seconded by Councillor Breen: That the following Payrolls and Accounts for the week ending September 12th, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending September 12, 2013**

Payroll

Public Works	\$ 412,323.91
Bi-Weekly Administration	\$ 806,917.32
Bi-Weekly Management	\$ 748,071.32
Bi-Weekly Fire Department	\$ 600,443.14
Accounts Payable	\$ 6,147,319.18
Total:	\$ 8,715,074.84

Tender

1. Tender – Water Transmission Main Replacement
Blackmarsh Road to Topsail Road
2. Pine Bud Place- Water & Sewer Upgrade
3. Tender – Bay Bulls Road Street Upgrading Phase 2
(Royal Oak Drive to Bay Bulls Road)
4. Tender - Tender Skate Park Equipment 2013079
5. Compu-Spread Parts

SJMC2013-09-16/418R

**It was decided on motion of Councillor Tilley; seconded by Councillor Breen:
That recommendations of the Director of Engineering and the Deputy City
Manager of Corporate Services be approved and the tenders awarded as
follows:**

1. **Pyramid Construction Ltd. @ \$1,800,501.32**
2. **Pyramid Construction Ltd. @ \$1,621,883.35**
3. **Weir's Construction @ \$1,930,506.41**
4. **Canadian Ramp Company @ \$51,221.81 – taxes extra**
5. **Bosch Rexroth Canada Corp. @ \$44,069.74**

Notice of Motion

Councillor Breen gave the following Notice of Motion:

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to enact an amendment to the St. John's Commercial Property Tax By-Law so as to provide for vacancy relief where the tenant of leased premises is exempt from municipal taxation by virtue of provincial or federal legislation.

DATED at St. John's, NL this 16th day of September, 2013

Notice of Motion

Deputy Mayor Duff gave the following Notice of Motion

TAKE NOTICE that I will at the next Regular Meeting of Council move a motion to introduce a ByLaw to exempt the O'Brien Farm Foundation from municipal property tax.

Dated at St. John's this 16th day of September, 2013

Curbside Leaf Collection Pilot Project

Council considered a memorandum dated September 12, 2013 from the Deputy City Manager, Public Works along with a background report from Mr. Steve Colford on a proposed curbside leaf collection project.

SJMC2013-09-16/419R

It was moved by Councillor O'Leary; seconded by Councillor Breen: That the pilot curbside leaf collection program be deferred and referred to the Public Works Committee for discussion.

His Worship the Mayor felt that the program should not be implemented until next year to allow an opportunity to educate the general public.

Following discussion, the motion being put was carried with His Worship the Mayor dissenting.

92 Bay Bulls Road

Council considered a memorandum dated September 11, 2013 from the City Solicitor regarding the above noted.

SJMC2013-09-16/420R

It was moved by Councillor Collins; seconded by Councillor Hanlon: That Notice of Expropriate be executed for land required by the City from 92 Bay Bulls Road for street upgrading.

The motion being put was unanimously carried.

Kiwanis Street, 59973 Newfoundland & Labrador Limited

Council considered a memorandum dated September 11, 2013 from the City Solicitor regarding the above noted.

SJMC2013-09-16/421R

It was moved by Councillor Collins; seconded by Councillor Hanlon: That Notice of Expropriation be executed for land required by the City from 59973 Newfoundland & Labrador Limited for construction of Kiwanis Street.

The motion being put was unanimously carried.

**Letter to His Worship the Mayor dated September 6, 2013 from Alexander (Sandy) Roche, Treasurer, Rotary Club of Waterford Valley
Re: Requests to Council from the Rotary Club**

Council considered the above noted letter to His Worship the Mayor

SJMC2013-09-16/422R

It was moved by Councillor O'Leary; seconded by Councillor Breen: That the City in conjunction with the City of Mount Pearl and the Town of Paradise proceed with the following:

- a. **The creation of an inter-municipal body which would require the relevant officials of the three municipalities to come together on a regular basis to deliberate on the health of the Waterford River and to maximize the opportunity for a more coordinated approach to planning and developments throughout the river system;**
- b. **A study which would assess how the health of the river has fared over time; enumerate and prioritize the factors that currently affect or will likely affect the health of the river and identify possible mitigating remedial actions with order of magnitude cost estimates;**

- c. **Participate in the September 29th, World Rivers Day Event focusing on the Waterford River.**

The motion being put was unanimously carried.

Councillor O’Leary

Councillor O’Leary brought forward an ongoing complaint on behalf of Mr. J. Pike in relation to the operation of an industrial business, D. F. Barnes Ltd., 11-45 Pepperrell Road, seemingly operating in violation of City regulations. She asked that the matter be referred to staff for follow-up.

Adjournment

There being no further business the meeting adjourned at 5:45 p.m.

MAYOR

CITY CLERK

NOTICE OF MOTION

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to enact an amendment to the St. John's Commercial Property Tax By-Law so as to provide for vacancy relief where the tenant of leased premises is exempt from municipal taxation by virtue of provincial or federal legislation.

DATED at St. John's, NL this day of September, 2013.

COUNCILLOR

ST. JOHN'S

BY-LAW NO.

COMMERCIAL PROPERTY TAX (AMENDMENT NO. 1 – 2013) BY-LAW

PASSED BY COUNCIL ON _____, 2013

Pursuant to the powers vested in it under the section 4 of the City of St. John's Municipal Taxation Act, SNL 2006 c.C-17, as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law related to commercial property tax.

BY-LAW


1. This By-Law may be cited as the "St. John's Commercial Property Tax (Amendment No. 1 – 2013) By-Law".
2. Section 2(1)(b)(vi) is amended by adding the phrase "or federal or provincial legislation" after the word "City".

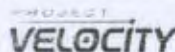
IN WITNESS WHEREOF the Seal of the City of St. John's has been hereunto affixed and this By-Law was signed by the Mayor and City Clerk this _____ day of _____, 2013

MAYOR

CITY CLERK

Advisory Notices
 Amec Weather
 Bulletin Board
 Bylaws
 Corporate ID
 Forms
 Human Resources
 Policies
 Staff Activities &
 CUPE 1289 Info
 Training Calendar
 Information Services

 Information Services

 PROJECT VELOCITY

 CSJ GRAPHIC STANDARDS MANUAL

 Ripples

By-Laws and Regulations

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Important Information

(Includes disclaimer and copyright information and details about the availability of printed and electronic versions of the By-Laws.)

BY-LAW NO. 1562
 AMENDMENT NO.
 COMMERCIAL PROPERTY TAX BY-LAW
 PASSED BY COUNCIL ON October 29, 2012

Pursuant to the powers vested in it under section 4 of the City of St. John's Municipal Taxation Act, SNL 2006 c.C-17.1, as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law related to commercial property tax.

BY-LAW

1. This By-Law may be cited as the "St. John's Commercial Property Tax By-Law".

2. (1) In this By-Law:

(a) "leaseable area" means the total floor area of a commercial property available to be rented to a tenant and on which rent will be paid to the landlord;

(b) "vacancy" means leaseable area that:

(i) is unoccupied and for which there is no rent, of any kind, being paid, whether accruing, or not, for the period that such rent is unrecoverable whether due to bankruptcy proceedings of the tenant, or other cause acceptable to the City;

(ii) is occupied by a tenant who has filed or is subject to bankruptcy proceedings, for the period prior to the appointment of a trustee and subject to further readjustment for any related payments under the bankruptcy proceeding;

(iii) is occupied by a tenant who is not paying rent despite the reasonable and best efforts by the landlord to obtain payment and provided that any exemption is subject to readjustment in the event of any subsequent recovery by the landlord;

(iv) for any one series of consecutive months during the full term of a lease is provided rent free, including free of operating and common expenses, to the tenant in accordance with the provisions of a lease as an inducement to the tenant, provided that such period may not exceed a maximum period of six months in any lease;

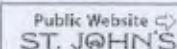
(v) is not being occupied for any purpose whatsoever, including but not limited to, temporary storage or for passage of people or goods, and for which there is no rent of any kind being paid;

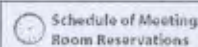
(vi) is occupied by a charitable organization duly recognized as such under the Income Tax Act, RSC 1985, c.C-1(5th Supp.), or successor legislation as amended from time to time, or such other entity which has been exempted from municipal taxation by agreement or regulation of the City; and

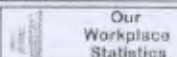
Quick Links

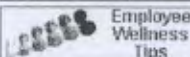
Intranet Home
 Telephone Directory
 Job Centre
 569
 1289
 Management
 Other
 Weather
 Administration

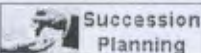
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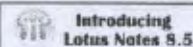
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 8:00am - 4:30pm

Phone: 576-6154

Email:
hdesk@stjohns.ca

(vii) space in buildings that becomes vacant due to the annual closing of a seasonal business operation, provided that such period(s) may not exceed a maximum of six months in any one year.

provided, however, that any vacancy determined under any of the above sub-sections shall not be eligible for exemption where the parties to the lease are related or associated as defined in accordance with the Income Tax Act, RSC 1985, c.C-1(5th Supp.), or successor legislation as amended from time to time; and

(c) "vacancy relief" means relief from real property tax due to vacancy in a commercial property.

(2) Unless otherwise stated the definitions in the City of St. John's Municipal Taxation Act, SNL 2006, c.C-17.1, as amended, shall apply.

3. Vacancy relief may only be applied for where:

(a) a building or portion thereof is subject to vacancy for at least 30 consecutive days; and

(b) the portion claiming vacancy is clearly delineated or separated by a physical barrier, or capable of being separated by a physical barrier, from any occupied portion of the building provided that such portion is:

(i) capable of being leased for immediate occupancy;

(ii) capable of being leased, but not for immediate occupancy due to repairs, renovations, or construction that is needed and/or underway to render the portion available for occupancy; or

(iii) subject to a closure order issued by the City and is vacant.

4. (1) The application for vacancy relief shall be made in arrears and shall be in the form as made available by the City.

(2) The application for vacancy relief shall be submitted to the City within 30 days of the last day of each quarter of the taxation year. A taxpayer who fails to file an application for vacancy relief within the time specified shall be deemed to have filed a nil vacancy relief claim for such quarter.

(3) The application for vacancy relief shall be accompanied by all information requested by the City to properly process the application.

(4) The City may conduct investigations and inspections of a commercial property to determine the validity of an application for vacancy relief.

(5) The City shall cause a notice to be sent to the owner of a commercial property claiming vacancy relief where it determines such application does not establish an entitlement to vacancy relief.

5. Real property tax on commercial property shall be paid on a quarterly basis with each payment to be remitted within 30 days of the preceding quarter.

6. The amount of vacancy relief shall be 50% of the real property

tax applicable to the vacant area.

7. Vacancy relief shall be credited to the property tax account prior to the end of the quarter following that quarter for which vacancy relief has been granted.

8. The City may audit a representative selection of applications for vacancy relief.

9. The City will not pay interest on any adjustments or credits to property tax accounts resulting from vacancy relief or an adjustment thereto.

10. Any person who contravenes the provisions of this By-Law or makes a false or deceptive claim shall be guilty of an offence and liable upon summary conviction to a penalty as provided for in Section 403 of the City of St. John's Act.

11. This By-Law shall come into effect on January 1, 2013.

[Back](#)

NOTICE OF MOTION

TAKE NOTICE that I will at the next Regular Meeting of Council move a motion to introduce a By-Law to exempt the O'Brien Farm Foundation from municipal property tax.

Dated at St. John's this 16th day of September, 2013

Deputy Mayor Duff

BY-LAW NO.

**ST. JOHN'S PROPERTY TAX EXEMPTION O'BRIEN FARM FOUNDATION
INCORPORATED BY-LAW**

PASSED BY COUNCIL ON SEPTEMBER , 2013

Pursuant to the powers vested in it under the St. John's Municipal Taxation Act, SNL 2006 c.C-17.1, as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law relating to the exemption of the O'Brien Farm Foundation Incorporated.

BY-LAW

1. This By-Law may be cited as the "St. John's Property Tax Exemption O'Brien Farm Foundation Incorporated By-Law".
2. Property held by the O'Brien Farm Foundation Incorporated and situate in the area of Mount Scio Road and Oxen Pond Road shall be exempt from the real property tax.

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 _____, 2013.

MAYOR

CITY CLERK

MEMORANDUM

Date: September 18, 2013

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File Number B-17- O.4**
St. John's Municipal Plan Amendment Number 117, 2013 and Development Regulations
Amendment Number 581, 2013
Civic 4 Oxen Pond Road, Ward 4
Applicant: Management Unlimited Inc.

At the Regular Meeting of Council held on September 3, 2013, Council agreed to proceed with the proposed amendments and asked the Department of Municipal Affairs to issue a Provincial release for St. John's Municipal Plan Amendment Number 117, 2013 and St. John's Development Regulations Amendment Number 581, 2013. These amendments would re-designate and rezone land at Civic 4 Oxen Pond Road from the Residential Low Density (R1) Zone to the Commercial Neighbourhood (CN) Zone. The purpose of the proposed rezoning is to allow the existing dwelling to be converted into office space for the neighbouring Don Cherry's restaurant.

The Department of Municipal Affairs has advised that it has now issued a Provincial release for the City's proposed amendments and it is now in order for Council to proceed with the next steps in the amendment process.

Recommendation

It is recommended that Council now adopt the attached resolutions for St. John's Municipal Plan Amendment Number 117, 2013 and St. John's Development Regulations Amendment Number 581, 2013, to rezone land from the Residential Low Density (R1) Zone to the Commercial Neighbourhood (CN) Zone to allow the existing dwelling to be converted into office space.

If the resolutions are adopted by Council, then it is further recommended that Council appoint Mr. Stan Clinton, MCIP, a member of the City's commissioner list, as the commissioner to conduct a public hearing on the Municipal Plan and Development Regulations amendments.

The proposed date for the public hearing is Tuesday, October 15, 2013 at 7p.m., St. John's City Hall.



Ken O'Brien, MCIP
Chief Municipal Planner

LLB/dlm

I:\KOBrien\2013\Mayor - Civic 4 Oxen Pond Road - adoption - September 2013.doc

Attachment

ST. JOHN'S

DEPARTMENT OF PLANNING

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 117, 2013**

WHEREAS the City of St. John's wishes to accommodate the conversion of an existing dwelling into office space located at Civic Number 4 Oxen Pond Road.

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

Redesignate land at Civic Number 4 Oxen Pond Road from the Residential Low Density Land Use District to the Commercial General Land Use District as shown on Map III-1A attached.

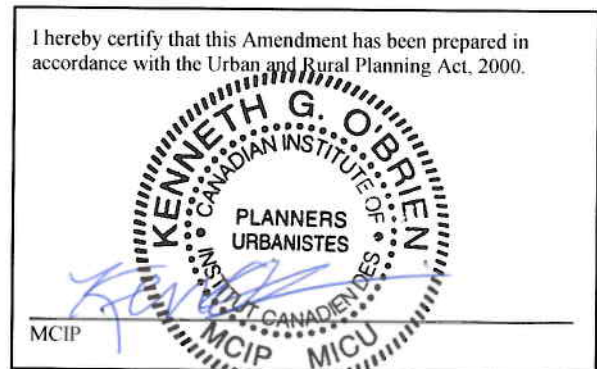
BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

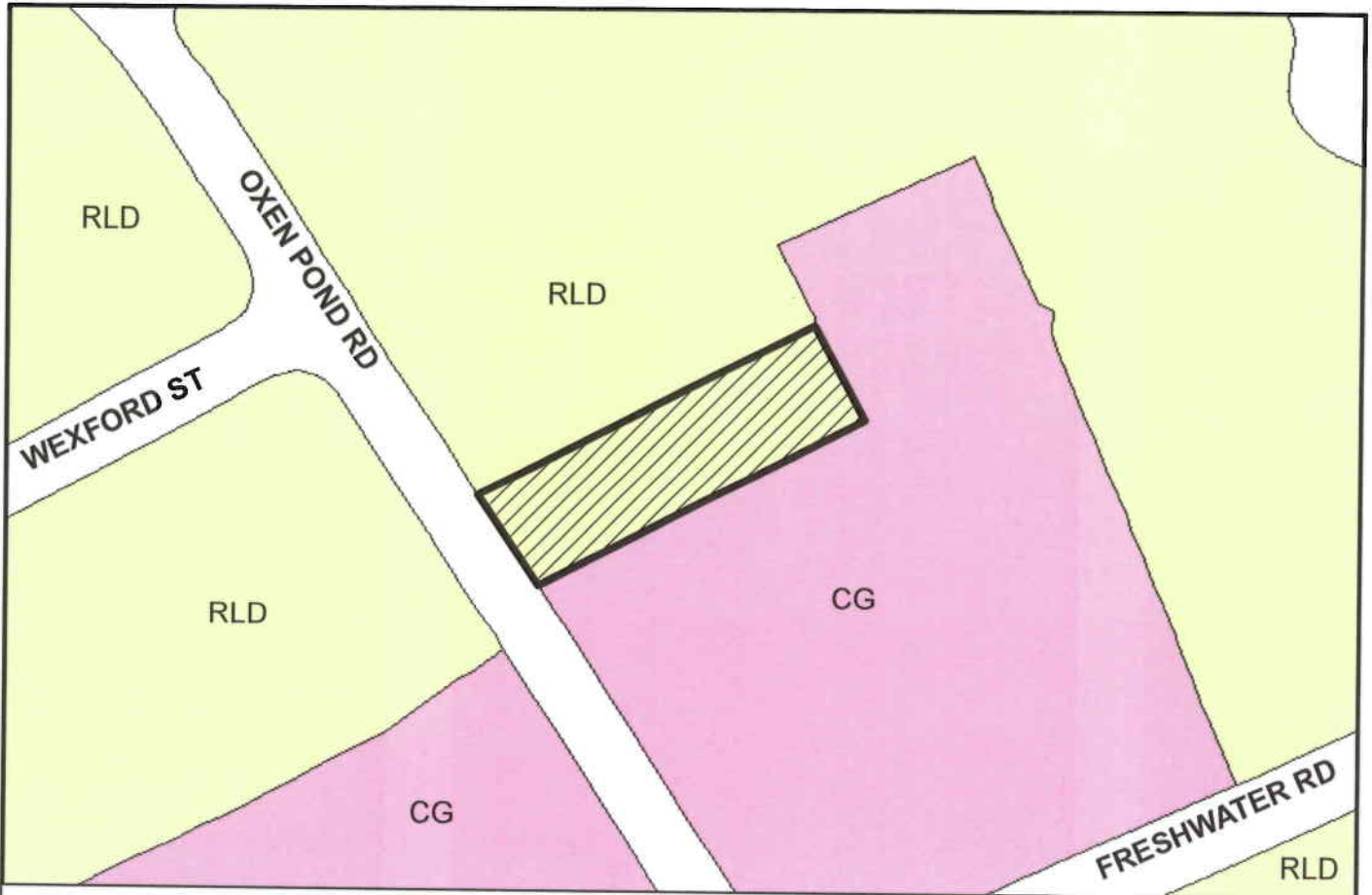
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this ____ day of _____, 2013.

Mayor

City Clerk

Provincial Registration

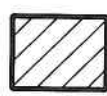




**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 117, 2013
[Map III-1A]**

2013 08 27 SCALE: 1:1000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**

 **AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT
TO COMMERCIAL GENERAL (CG) LAND USE DISTRICT**

4 Oxen Pond Road



M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 581, 2013**

WHEREAS the City of St. John's wishes to accommodate the conversion of an existing dwelling into office space located at Civic Number 4 Oxen Pond Road.

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

Rezone land at Civic Number 4 Oxen Pond Road from the Residential Low Density (R1) Zone to the Commercial Neighbourhood (CN) Zone as shown on Map Z-1A attached.

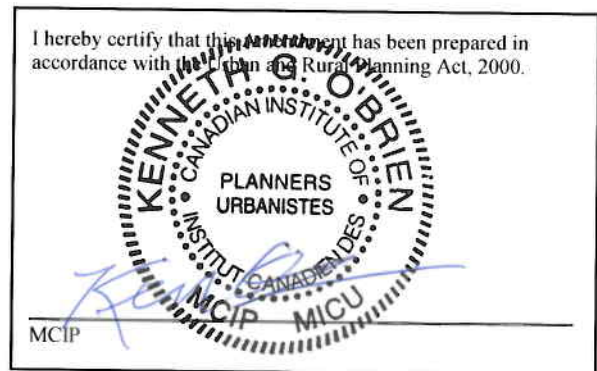
BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

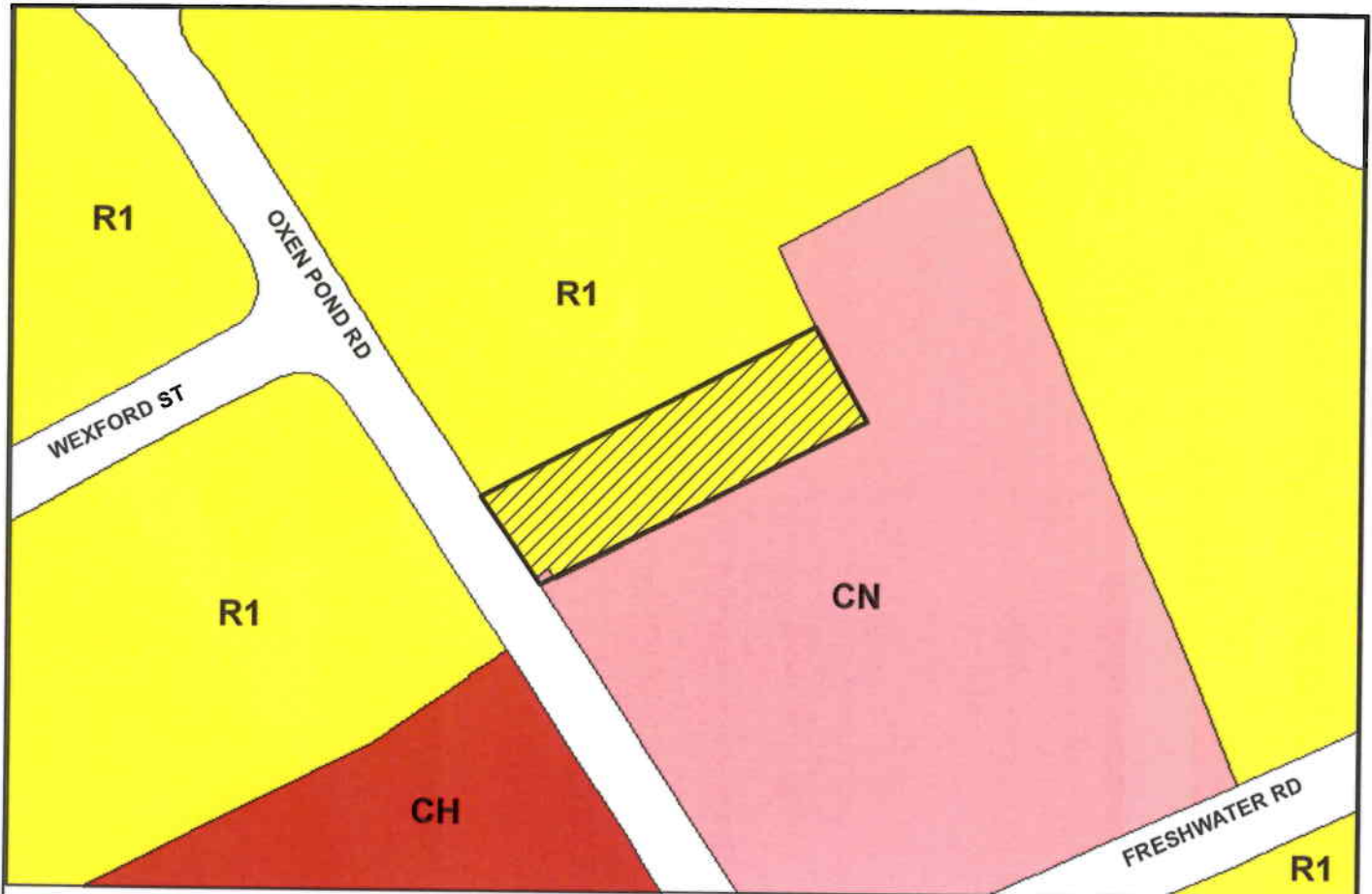
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this _____ day of _____, 2013.

Mayor

City Clerk

Provincial Registration

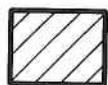




**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 581, 2013
[Map Z-1A]**

2013 08 27 SCALE: 1:1000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE TO
COMMERCIAL NEIGHBOURHOOD (CN) LAND USE ZONE

4 Oxen Pond Road



M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

MEMORANDUM

REPORT / RECOMMENDATIONS TO COUNCIL

Development Committee
Tuesday, September 17, 2013

The following matters were considered by the Development Committee at its meeting held on September 17, 2013. Staff reports are attached for Council's information.

- 1. Department of Planning File No. 13-00238/B-17-M.26**
Proposed Crown Land Grant for Extension to Private Property to Create Additional Building Lot
Department of Environment and Conservation File 1036214
Crown Land Grant Referral for 0.23 Hectares
Civic No. 836 Main Road – Rural (R) Zone (Ward 5)

Recommendation:

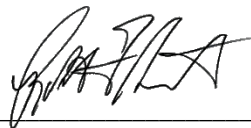
It is recommended that Council reject the subject Crown Land Grant application for residential use.

- 2. Department of Planning, Development and Engineering File No. 13-00009**
Proposed Carport and Deck
Civic No. 4 Outer Battery Road – Residential Battery Zone (RB) Zone (Ward 2)

Recommendation:

Based on the fact that the proposed new dwelling will not have any significant interference with the private views from other properties and that the design of the proposed new dwelling is in keeping with the character of other dwellings in the area, it is recommended that Council grant approval to the application subject to the following conditions:

- 1) Approval of the building elevations by the City's Heritage Officer; and,
- 2) Compliance with all requirements of the City's Department of Engineering and Department of Building and Property Management.



Robert F. Smart, City Manager
Chair – Development Committee

RFS/sba

attachment

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

MEMORANDUM

Date: September 19, 2013
To: His Worship the Mayor and Members of Council
From: Robert Smart, City Manager
Chair-Development Committee

Department of Planning File No. 13-00238/B-17-M.26
Proposed Crown Land Grant for Extension to Private Property to
Create Additional Building Lot
Department of Environment & Conservation File 1036214
Crown Land Grant Referral for 0.23 Hectares
836 Main Road (Ward 5) – Rural (R) Zone

An application for Crown Land has been submitted to the Development Division to extend the above referenced property to accommodate the creation of an additional building lot. This parcel of Crown Land is located in the Rural (R) Zone.

The Development Committee has reviewed the Crown Land Grant referral and is of the opinion that the proposed development should not be permitted. The proposed lot is located within the Rural Zone where residential development is only permitted if it is accessory to a Forestry or Agricultural Use, as per Section 10.38.1. Also, the property is not privately owned, and the Committee does not recommend the development of lands which are currently Crown Land that must be serviced by means of drilled well and septic disposal system. Only Infill Development on private land, which is located on a Public Street, should be considered for development in rural zoned, unserviced areas of the City.

Recommendation:

Council reject the subject Crown Land Grant application for residential use.



Robert Smart
Chair – Development Committee

/amh

ST. JOHN'S

MEMORANDUM

Date: September 18, 2013

To: His Worship the Mayor and Members of Council

From: Robert Smart
Chair- Development Committee

**Re: Department of Planning, Development and Engineering File No.13-00009
Proposed Carport and Deck
Civic No. 4 Outer Battery Road
Residential Battery Zone (RB) Zone (Ward 2)**

A building application has been submitted for approval from Council to construct a combined carport and deck at Civic No.4 Outer Battery Road. The proposed work will be a modification of the appearance to the existing structure. The redevelopment of the subject property would appear to have no impact on the private views of the neighbouring property at Civic No.7 Outer Battery Road.

As part of the application process in determining existing views and how development may impact those views, City staff will seek permission from the abutting property owners that will likely be affected. In the case of this application, staff has been successful in obtaining a reply from the owners at Civic No. 7 Outer Battery Road. Based on photos and field observations by both staff and the applicant, the harbour view for Civic No. 7 Outer Battery Road windows will be not be impacted by the proposed carport and deck construction. The owner of No. 7 Outer Battery Road has prepared and signed a letter indicating that they have no objection to the extension. To that end, staff are prepared to make a determination and recommendation to Council of the subject application.

The application site is zoned Residential Battery (RB) Zone under the *St. John's Development Regulations* and is also within The Battery Development Area.

The application has been reviewed by staff using the Battery Development Guideline Study. The Footprint and Height Control Overlay of the Study identifies the existing dwelling as probable interference with existing or potential views and that no vertical expansion be permitted and no horizontal expansion be permitted in accordance with (RB) zone requirements. The Study does, however, provide a mechanism where in the case that a property owner wants to expand or build in excess of the Overlay, the onus should be on them to demonstrate through a Land Use Assessment Report that it is an acceptable development. This could include three dimensional or other analysis. In this case the property owner has provided the actual height of the proposed new extension by submitting building elevations which clearly identifies that they will be no loss of private views. One of the key

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DEPARTMENT OF PLANNING

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

principle statements in the Study is that a building can be added to if the addition does not **significantly** interfere with another property's view. Building design should also be in keeping with the character of housing stock in the area. The proposed design is in keeping with that principle and is subject to approval by the City's Heritage Officer.

As approval of this application is at the Discretion of Council, the property owner at Civic No.7 Outer Battery Road, as stated previously in this memorandum have no objection to this application.

Recommendation

Based on the fact that the proposed new dwelling will not have any significant interference with the private views from other properties and that the design of the proposed new dwelling is in keeping with the character of other dwellings in the area, it is recommended that Council grant approval to the application subject to the following conditions:

- 1) Approval of the building elevations by the City's Heritage Officer; and,
- 2) Compliance with all requirements of the City's Department of Engineering and Department of Building and Property Management.



Robert Smart
Chair- Development Committee

/amh

Report/Recommendations
Public Works & Environment Standing Committee
September 17, 2013

Attendees: Councillor Wally Collins, Chairperson
Deputy Mayor Shannie Duff
Councillor Tom Hann
Councillor Bruce Tilley
Councillor Danny Breen
Councillor Sandy Hickman
Paul Mackey, Deputy City Manager of Public Works
Jason Sinyard, Director of Planning
Brendan O'Connell, Director of Engineering
Lynnann Winsor, Director of Water & Wastewater
Don Brennan, Director of Streets & Traffic
Brian Head, Manager of Parks & Open Spaces Division
Phil Hiscock, Manager of Streets & Traffic
Jason Phillips, Manager Water & Wastewater
Shelley Parly, Communications & PR Officer
Karen Chafe, Recording Secretary

1. **Wishingwell Road & Terra Nova Road Water Main Rehabilitation**

The Committee considered a memo dated August 29, 2013 from the Deputy City Manager of Public Works regarding the above noted. The Committee on motion of Councillor Hickman; seconded by Councillor Breen recommends approval of the following:

That Council approve in principle the re-lining of approximately 2,000 metres of water main including the identified sections on Wishingwell Road and Terra Nova Road at an estimated cost of \$2,400,000 (plus HST). It is further proposed that funding for this work be provided from the \$1,000,000 previously allocated plus an additional \$1,400,000 from unallocated capital funding. If Council approves this approach, tenders will be called and a further recommendation will be brought forward to Council for award of the work provided the prices are in the range anticipated.

2. **Backyard Composting**

The Committee considered a memo dated September 16, 2013 from the Deputy City Manager of Public Works regarding the above noted. The Committee on motion of Councillor Tilley; seconded by Deputy Mayor Duff recommends that Council approve the following:

That Council refer the issue of support for backyard composting to the 2014 budget process for consideration. The Committee further recommends that if funding is approved for a program, the City purchase 500 subsidized compost bins from the MMSB and partner with Botanical Gardens to conduct training for residents in the proper use of these bins.

3. **Robin Hood Bay Hours of Operation**

The Committee considered a memo dated September 16, 2013 from the Deputy City Manager of Public Works in response to an e-mail from Wally Fry suggesting the extension of hours of operation for the

Residential Drop Off (RDO) at the Robin Hood Bay Regional Waste Management Facility. The Committee on motion of Deputy Mayor Duff; seconded by Councillor Breen recommends the following:

That the status quo be maintained with respect to the hours of operation at Robin Hood Bay Landfill. While extending the hours of operation would provide more flexibility for RDO users, the cost to do this is significant and does not appear to be warranted. The RDO is currently open all day Saturday for the convenience of the general public.

4. **Request for Sidewalk Installation on Empire Avenue (near Ropewalk Lane intersection)**

The Committee considered an e-mail from Donald Connolly referred via the Mayor's Advisory Committee on the Status of Persons with Disabilities. Mr. Connolly references the lack of sidewalk immediately past the ESSO Station on Empire Avenue and Ropewalk Lane going west on Empire. He notes that the area is extremely dangerous for a distance of 300-400 feet as pedestrians have to leave the sidewalk and walk in the street before rejoining the sidewalk. He thought that the property in question is possibly owned by Dominion Recycling.

Staff advised that though there is no program for the installation of new sidewalks, they have received various requests over the years for such. It was therefore suggested that a list for new sidewalks be developed and referred for review under the capital works list along with Mr. Connolly's request.

5. **Curbside Leaf Collection Pilot Project**

Council deferred and referred to the Committee a memo dated September 12, 2013 from the Deputy City Manager of Public Works regarding the above noted matter. The Committee on motion of Councillor Tilley; seconded by Councillor Hann recommends Council approval of the following:

That the City proceed with a pilot curbside leaf collection program this fall in accordance with the requirements outlined in the attached report. Information will be provided to residents encouraging them to handle their own leaves by mulching them on their lawns or by backyard composting. Other options for residents include using the proposed curbside collection program (for which paper (Kraft) bags are mandatory to eliminate double handling of the material collected), or dropping their leaves off at the Robin Hood Bay Residential Drop-off facility at no charge. Leaves collected in the curbside program will be used for horticultural and/or landscaping purposes. The cost of the proposed pilot curbside collection program will come from the existing Waste Management Division budget.

Councillor Wally Collins
Chairperson

MEMORANDUM

Date: September 19, 2013

To: His Worship the Mayor & Members of Council

From: Paul Mackey, P. Eng.,
Deputy City Manager, Public Works

Re: **Curbside Leaf Collection Pilot Project Costs**

As requested by the Public Works Committee, the following is the estimated cost of the proposed curbside leaf collection pilot project:

Advertising	\$13,000
Brochure production & mail-out	15,000
Leaf collection	<u>36,000</u>
Total	\$64,000

For comparison purposes, the average cost to operate the 2 drop-off sites (Bowring Park + Quidi Vidi Lake) in previous years is estimated at \$74,000 annually.

Paul Mackey

Paul Mackey, P. Eng.,
Deputy City Manager, Public Works

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

MEMORANDUM

Date: September 12, 2013

To: His Worship the Mayor & Members of Council

From: Paul Mackey, P. Eng.,
Deputy City Manager, Public Works

Re: **Curbside Leaf Collection Pilot Project**

Attached for your consideration is a background report from Steve Colford on a proposed curbside leaf collection pilot project.

Recommendation:

I recommend that we proceed with a pilot curbside leaf collection program this fall in accordance with the requirements outlined in the attached report.

Information will be provided to residents encouraging them to handle their own leaves by mulching them on their lawns or by backyard composting. Other options for residents include using the proposed curbside collection program (for which paper (Kraft) bags are mandatory to eliminate double handling of the material collected), or dropping their leaves off at the Robin Hood Bay Residential Drop-off facility at no charge.

Leaves collected in the curbside program will be used for horticultural and/or landscaping purposes.

The cost of the proposed pilot curbside collection program will come from the existing Waste Management Division budget.

Paul Mackey

Paul Mackey, P. Eng.,
Deputy City Manager, Public Works

Attach.

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

Date: September 11, 2013

To: Paul Mackey, Deputy City Manager – Public Works

From: Stephen Colford, P. Eng., MBA, Manager-Waste and Recycling

Re: Pilot Project- Curbside Leaf Collection Program

Background

In the fall of 2012, due to Tropical Storm Leslie, the City did not create any public drop off sites for leaf collection in Bowring Park or Quidi Vidi Lake. These sites have been operating for 20 years and normally were open from the end of October to the end of November. On March 11, 2013, council approved a recommendation from the Deputy City Manager/ Director of Public Works and Parks and directed that staff seek an alternate site for the collection and storage of organic debris in Bowring Park. Once a suitable site was found, the collection of organic debris at the Bowring Park West Parking Lot should cease.

Subsequent to this, the Parks Services Division identified a site for the west end of St. John's. It required funding in order for it to be developed, however, there was no funding available.

Options

- 1) Continue with the status quo and open up these two drop off sites.
- 2) Obtain funding for the identified site for the west end
- 3) Eliminate both these drop off sites and come up with a two phase approach of:
 - a) encouraging the public to mulch leaves on their own lawns
 - b) developing a pilot project for curbside collection of leaves

Discussion of Alternatives

Continuing with the status quo is not addressing the complaints from residents in the Bowring Park area, the reduction in use of the Bowring Park parking lot and the problem that occurs at these sites with residents and commercial haulers dropping off other garbage.

The funding for the replacement west end site was not obtained from an external funding agency this year and there is no guarantee that it will be approved next year. As well, there are still the concerns of setting up drop off sites in residential areas.

The education of the public to mulch leaves on their lawns should be an on-going program. However, there are circumstances where leaves can't be mulched and will be put out for collection. If the City can make use of the leaves by separating them at the curb rather than having them go in the regular garbage than it should create a new program to do that.

Recommendation

It is recommended that the City eliminate the leave drop off sites at Bowring Park and Quidi Vidi and follow the two phase approach of:

- 1) Encouraging the public to mulch the leaves on their lawn
- 2) Implement a pilot curbside leaf collection program for this year. The program will be reviewed upon completion and a report brought back to Council with what was achieved and what would be the recommendation for the future in terms of resource and funding requirements if the program was to continue. Funding for this year's pilot program will come from the existing Waste and Recycling Division budget.

Information for the mulching of leaves and the collection program will be placed on both the City's and Curbit website.

The curbside leaf collection pilot program will:

- Operate for the month of November
- The public will be required to put out their leaves for collection on their regular collection day:
 - By 8 a.m.
 - In paper yard waste bags
 - There will be no limit to the number of paper yard waste bags collected but they each have to be under 50 lbs.
 - The contents should not include garbage, litter, branches, animal feces, garden plants, soil, sods and grass clippings.

Leaves that are not in paper yard waste bags will be picked up by the regular garbage truck and will be counted in the regular garbage 10 bag limit.

Signs will be installed at the Bowring Park West Gravel lot and the Quidi Vidi Large Gravel Lot indicating the program has been discontinued and these areas are no longer drop off sites.

The collected leaves will be used at the Robin Hood Bay Waste Regional Management Facility for horticultural and/or landscaping purposes.

Stephen Colford, P. Eng., MBA

**Report/Recommendations
Heritage Advisory Committee
September 13, 2013**

In Attendance: Deputy Mayor Shannie Duff, Chairperson
Gerard Hayes
Taryn Sheppard
Dave Lane
George Chalker
Melanie Del Rizzo"
Ken O'Brien, Chief Municipal Planner
Sylvester Crocker, Manager of Technical Services
Peter Mercer, Heritage Officer
Helen Miller, Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

1. Marconi Building (Condominium Development) 342 Duckworth St.

Dick Cook and Dan Ripley met with the Committee to discuss revised plans for the above noted property which were previously approved in principle by Council. Revised elevations were reviewed and are on file with the City Clerk's Department. The design has been somewhat refined from the original and the intention is still to preserve the original art deco elements of the building, but by using a ceramic cladding on the newer sections.

The Committee recommends approval of the revised design as submitted, noting that it is a good blend of old and new material and complements the historic character of the Downtown.

2. Richmond Cottage – 4-6 McLea Place (formerly 18 Old Topsail Road/10 Shaw St.)

The Heritage Advisory Committee presents the following brief chronology for Council's information:

- On August 23, 2011, the Heritage Advisory Committee met with Mr. Paul Fowler of Wrightland Development and Mr. Beaton Sheppard, Sheppard Case Architects who presented the proposed subdivision of 3.4 acres of land surrounding Richmond Cottage (4-6 McLea Place) as well as the subdivision of that cottage into two dwelling units. The attached plans were recommended by the Committee and subsequently approved by Council. The architectural renderings submitted showed a heritage sensitive design for the renovation of Richmond Cottage for adaptive reuse.
- On May 29, 2013, the Heritage Advisory Committee met with Paul Fowler and Dermot Karney of Wrightland Development Corporation to discuss their request for approval to demolish Richmond Cottage and replicate it with a new structure set further back on the

ST. JOHN'S

site. Their rationale for demolition is attached to this report. The Committee recommended that Council reject the application to demolish though the report was not considered by Council as the applicant decided to withdraw the request. The Committee's recommendation to reject has since been held in abeyance.

- On September 9, 2013, the members of the Committee conducted a site visit of Richmond Cottage at the invitation of Wrightland Development Corporation in order to assess the present condition of the structure subsequent to the water damage which occurred as a result of the leak from burst pipes.
- The Committee during its meeting of September 13, 2013 agreed that there is no good reason to demolish the building from a structural perspective as it appears to be in reasonably sound condition. The amount of refurbishment the developer will be required to undertake to complete the proposed rehabilitation of Richmond Cottage has not been materially increased as a result of the leak. The attached memo from the City's Department of Building & Property Management confirms the Committee's opinion and the following quote from the report is noteworthy:

Please note that most, if not all the work outlined in the rationale for demolition would need to be completed to facilitate the work that was outlined and presented in their original application for sub-division and renovations from August 23, 2013. In their original application all new exterior cladding and windows were being installed, the roof framing would have had to be re-structured to accommodate the new solariums, the interior would have been stripped to install new electrical, plumbing, ventilation, and insulation and new window and door openings were needed to accommodate reconfiguration.

Based on the foregoing, the following recommendations are put forth:

The Committee reaffirms its earlier recommendation from the May 29, 2013 meeting to reject the request from Wrightland Development to demolish Richmond Cottage and that the structure be fully rehabilitated for the adaptive reuse that was originally proposed by Sheppard Case Architects during the August 23, 2011 Heritage Advisory Committee meeting. The Sheppard Case proposal conforms with the *Parks Canada Standard Guidelines for the Conservation of Historic Places in Canada*.

The Committee also recommends that the regulatory process be reviewed to ensure that heritage designated properties are properly maintained prior to Council's granting permission to develop the lands surrounding them. Comprehensive criteria must be developed to ensure the guaranteed protection of heritage

structures through the establishment of development agreements which outline the specific conditions under which heritage properties must be maintained, i.e.:

- proper security to ensure protection of property from vandalism and neglect;
- timeframes for completion of restoration which must take place prior to further development of the property;
- The submission of bona fide architectural plans which adhere to the standard guidelines imposed by Parks Canada for the preservation and restoration of heritage buildings. The use of these standards ensures that a heritage building's architectural integrity is protected while allowing its adaptive reuse to modern day standards.

3. **7 Monkstown Road**

The Committee considered an application for the replacement of the windows situated within the second floor dormers of 7 Monkstown Road. The division bar within the new windows will be somewhat lower than those in the originals; however they do comply with building code.

The Committee recommends approval of the windows replacement but suggests that the applicant, if he has not already done so, check with local contractors who specialize in heritage window construction, particularly given that this is a heritage designated property. Mr. George Chalker with the Heritage Foundation of NL agreed to provide a list of professionals in this area.

4. **8 Ordnance St.**

The Heritage Officer tabled an application for the installation of windows at 8 Ordnance St. to be situated along the side and back of the property.

The Committee recommends approval of the window installation as outlined by the Heritage Officer.

5. **63 Bond St.**

The Committee considered an application for a window opening at 63 Bond St. on the third storey of the building facing eastward.

The Committee recommends approval of the application and further suggests that the applicant may also wish to install the same window on the opposite corner for the purpose of symmetry.

Deputy Mayor Shannie Duff
Chairperson



MARCONI

354

Shop

Cafe





NEW NORTH ELEVATION

SCALE 1:75



EXISTING NORTH ELEVATION

SCALE 1:75

- NOTES:
- DO NOT SCALE FROM THIS DRAWING.
 - CONTRACTOR TO VERIFY DIMENSIONS ON SITE BEFORE PROCEEDING WITH THIS WORK.

No.	Description	Date
A	ISSUED FOR DEVELOPMENTAL APPROVAL	AUGUST 12, 2011
Revisions		

Stamp

SHEPPARD CASE
ARCHITECTS INC

683 Water Street Tel (709) 753-7132
St. John's, NF Fax (709) 753-6469
Canada A1E 1B5 www.sheppardcasearchitects.ca



Drawing Title

EXISTING HOUSE NORTH ELEVATIONS

Scale	1:75
Date	SEPTEMBER 2011
Drawn by	A. FILLIER
Checked by	B. SHEPPARD

Drawing Number
1187 - A5 RA



NEW SOUTH ELEVATION

SCALE 1:75



EXISTING SOUTH ELEVATION

SCALE 1:75

- NOTES:
- DO NOT SCALE FROM THIS DRAWING.
 - CONTRACTOR TO VERIFY DIMENSIONS ON SITE BEFORE PROCEEDING WITH THIS WORK.

No.	Description	Date
A	ISSUED FOR DEVELOPMENTAL APPROVAL	AUGUST 12, 2011
Revisions		

Stamp

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Fax (709) 753-6469
www.sheppardcasearchitects.ca

Client



Project



Drawing Title	
EXISTING HOUSE SOUTH ELEVATIONS	
Scale	1:75
Date	SEPTEMBER 2011
Drawn by	A. FILLIER
Checked by	B. SHEPPARD

Drawing Number
1187 - A6 RA



NEW EAST ELEVATION
SCALE 1:75



EXISTING EAST ELEVATION
SCALE 1:75

- NOTES:
- DO NOT SCALE FROM THIS DRAWING.
 - CONTRACTOR TO VERIFY DIMENSIONS ON SITE BEFORE PROCEEDING WITH THIS WORK.

No.	Description	Date
A	ISSUED FOR DEVELOPMENTAL APPROVAL	AUGUST 12, 2011
Revisions		

Stamp

SHEPPARD CASE
ARCHITECTS INC
683 Water Street
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www.sheppardcasearchitects.ca

Client

wrightland
DEVELOPMENT CORPORATION

Project

MCLEA PARK
DOWNTOWN ST. JOHN'S

Drawing Title	
EXISTING HOUSE EAST ELEVATIONS	
Scale	1:75
Date	SEPTEMBER 2011
Drawn by	A. FILLIER
Checked by	B. SHEPPARD

Drawing Number
1187 - A7 RA



NEW WEST ELEVATION
SCALE 1:75



EXISTING WEST ELEVATION
SCALE 1:75

- NOTES:
- DO NOT SCALE FROM THIS DRAWING.
 - CONTRACTOR TO VERIFY DIMENSIONS ON SITE BEFORE PROCEEDING WITH THIS WORK.

No.	Description	Date
A	ISSUED FOR DEVELOPMENTAL APPROVAL	AUGUST 12, 2011
Revisions		

Stamp

SHEPPARD CASE
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Client



wrightland
DEVELOPMENT CORPORATION

Project



MCLEA PARK
DOWNTOWN ST. JOHN'S

Drawing Title	
EXISTING HOUSE WEST ELEVATIONS	
Scale	1:75
Date	SEPTEMBER 2011
Drawn by	A. FILLIER
Checked by	B. SHEPPARD

Drawing Number
1187 - A8 RA

MEMORANDUM

Date: June 6, 2012
To: Sylvester Crocker
From: Peter Mercer & Darren Dodd
Re: **2-4 McLea Place - Richmond Hill Cottage
(formerly 18 Topsail Road and/or 2 Shaw Street)**

Sylvester;

Below is a brief history of the redevelopment application from Wrightland Development Corporation for Richmond Hill Cottage.

August 23, 2011 the owner presented a design for redevelopment to the Heritage Advisory Committee (HAC). It included subdivision of the property into two semi-detached dwelling units, the addition of a garage on each unit, the addition of a solarium on the roof, the addition of new window & door openings to reconfigure the dwelling units to front on the new McLea Place cul-de-sac, the installation of all new windows & doors, and the installation of new clapboard, trims, & decorative mouldings. This was discussed at the HAC meeting and a recommendation to approve was forwarded to Council. Council accepted the HAC recommendation and approved the application as presented.

April 17, 2013 the owner advised the City of St. John's that the property was in very poor condition and that they wanted to demolish and rebuild the property. As this property is a Municipal Designated Heritage Structure an inspection was performed

April 25, 2013 Mr. Darren Dodd inspected the property to evaluate its condition.

The inspection revealed that the property did receive water and fuel damage due to broken water and fuel lines, but the property appeared to be structurally sound and worthy of restoration, renovation and repair (see attached photos).

May 2, 2013 Mr. Paul Fowler and Mr. Dermot Kearney of Wrightland Development Corporation met with Peter Mercer and Darren Dodd to discuss the condition of Richmond Hill Cottage and the possible demolition. He was informed that any application for this property would have to be approved by HAC and Council as it was a Municipal Designated Heritage Structure. If he wished to proceed he would need to make application and meet with HAC to discuss his proposal.

ST. JOHN'S

DEPARTMENT OF BUILDING
& PROPERTY MANAGEMENT

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

MEMORANDUM

May 29, 2013 Mr. Paul Fowler of Wrightland Development Corporation met with the HAC to request approval to demolish and rebuild Richmond Hill Cottage. In a letter submitted (see attached) he explains that to effectively renovate Richmond Hill Cottage, all siding, windows, doors, roof, electrical, mechanical, and complete interior finish must be removed from the structure. With this and the recent water damage, he feels it would be better to demolish and rebuild completely.

Please note that most, if not all the work outlined in the Rational for Demolition would need to be completed to facilitate the work that was outlined and presented in their original application for sub-division and renovations from August 23, 2013. In their original application all new exterior cladding and windows were being installed, the roof framing would have had to be re-structured to accommodate the new solariums, the interior would have been stripped to install new electrical, plumbing, ventilation, and insulation, and new window and door openings were needed to accommodate reconfiguration.

The HAC recommendation will be included in the Agenda for the Regular Council Meeting of June 10, 2013.

If you wish to discuss the above further or require additional information, please do not hesitate to contact the undersigned.

Regards



Peter Mercer, CET
Heritage Officer
576-6975

and



Darren Dodd, CET
Senior Building Inspector
576-8284

ST. JOHN'S

DEPARTMENT OF BUILDING
& PROPERTY MANAGEMENT

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



C1300562_134021



C1300562_134022



C1300562_134023



C1300562_134024



C1300562_134025



C1300562_134026



C1300562_134027



C1300562_134028



C1300562_134029



C1300562_1340210



C1300562_1340211



C1300562_1340212



C1300562_1340213



C1300562_1340214



C1300562_1340215



C1300562_1340216



C1300562_1340217



C1300562_1340218



C1300562_1340219



C1300562_1340220



May 22nd, 2013

Peter Mercer, C.E.T.
Heritage Officer
Building & Property Management Department

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

18 Topsail Road "Richmond Hill Cottage" - Civic 4 and 6 "McLea Park"

Peter,

Further to our meeting May 2nd, 2013, please see Wrightland Development Corporation's enclosed Building / Development Application and Rationale to demolish 18 Topsail Road and carryout complete new construction in effort to optimally establish architect Beaton Sheppard's property redesign, transforming Richmond Hill Cottage into two semi-detached townhomes - Civic 4 and 6 McLea Park - as previously approved by Council.

Best regards,

A handwritten signature in black ink, appearing to read "Paul Fowler", with a long horizontal line extending to the right.

Paul Fowler

Wrightland Development Corporation

Suite 202, 40 Aberdeen Avenue
St. John's, NL Canada A1A 5T3
T: +1 709 754 2057
F: +1 709 738 0707

18 Topsail Road - "Richmond Hill Cottage" Rationale for Demolition and New Construction

While 18 Topsail Road, as it stands today without consideration of modifications and additions to the existing structure may be classified as structurally sound, after further extensive analysis, to achieve the approved redesign concept, there will be only stick framing and stone foundation remaining through the course of redevelopment.

To effectively rebuild Richmond Hill Cottage, all siding, windows, doors, roof, electrical and mechanical, and complete interior finish, must be removed from the structure.

Unfortunately, during last winter, we experienced a pipe break on the second floor, which resulted in the entire house being flooded and all existing hardwood floors being destroyed.

Additionally, the home has been broken into on a couple of occasions and vandalized. Fuel was stolen from the storage tank and all visible copper pipes busted off the furnace for salvage.

There is absolutely nothing of architectural significance or material value that can be retained from the existing house. (Apart from interior wrought iron railings, fireplace mantels and chimney tops).

Further, in order to achieve the redesign, new openings for additional windows and door entries must be cut through the existing building envelope framing, which will expose potential compromises to the existing structural integrity.

As well, the grade of the new cul de sac for McLea Park had to be lowered as much as possible to improve the excessive and rapid grade change that was occurring in the case of Lots 4 and 5. (See photos). Consequently, Richmond Hill Cottage sits higher above the cul de sac street grade than initially conceived, making what was to begin with, an even more difficult task incorporating and attaching new garages and front door entries. Given the acute excavation required to add the new entries and garages, there is a very real exposure to undermining the existing foundation.

Wrightland is intent on achieving the most desirable end result for it's McLea Park project and are committed to producing in the highest form the redesign concept for Richmond Hill Cottage.

McLea Park has employed Restrictive Covenants to ensure all new home designs maintain complimentary architectural elements that essentially have been influenced by the property's heritage. Visit website: www.mcleapark.ca

Through its approach to master plan development projects, optimum building design and construction integrity represent the core values of Wrightland Development Corporation.

Attempting to modify the existing Richmond Hill Cottage structure into a state-of-the-art, energy efficient, refined and well-crafted end product, represents an almost impossible challenge given the foregoing.

Also for consideration, is the fact that once the building has been stripped to the frame there is effectively no heritage value remaining?

Wrightland believes it has employed with the assistance of Beaton Sheppard, a refined master plan development in McLea Park that has been sensitive to the property's heritage.

The creation of two semi-detached McLea Park Townhomes represented the only feasible approach for preserving the exterior detail and form of the massive scaled house at 8,000 sf.

Each dwelling embraces and carries forward primary architectural features including.

- A. 12' main floor ceiling height with expansive floor to ceiling windows.
- B. Circular through floor openings with wrought iron railing in main foyers.
- C. Pediments and exterior casing, corner board and clapboard detailing.
- D. Mansard roof and dormers. (Note: Existing dormers do not represent original).

Each dwelling additionally receives redesign enhancements including:

- A. Attached garages and decks.
- B. New cul de sac fronting main entries.
- C. Increased glazing and rooftop observatory over-looking the city and harbour.

Wrightland's complete new reconstruction of the Beaton Sheppard redesigned Richmond Hill Cottage will enable optimum energy efficiency and demising party wall construction. It will facilitate the opportunity to improve each dwelling's relationship to street grades, setbacks and side yards. The end product will be constructed using the highest caliber materials and will be maintenance-free and stand the test of time for many years to come for it's future homeowners.



July 26, 2013

Heritage Advisory Committee
City of St. John's
10 Gower Street
P.O. Box 908
St. John's, NL A1C 5M2

Attention: Deputy Mayor Shannie Duff, Chairperson

Regarding: Civic number 18 Topsail Road
Richmond Cottage Heritage Designation

Dear Ms. Duff:

Further to our attached correspondence of May 22, 2013 and our meeting with you subsequent to that correspondence, we wish to provide further information and explanation with respect to our position in that correspondence.

As you are aware, pursuant to the St. John's Heritage Designation 18 Topsail Road (2 Shaw Street) By-Law, the building known as Richmond Cottage was designated as a heritage building. Section 355(2) of the *City of St. John's Act* provides that a heritage building may not be demolished nor shall the exteriors of the building or structure be altered, except with the approval of the St. John's Municipal Council ("Council"). Similarly, section 5.9.3 of the St. John's Development Regulations provides that a heritage building shall not be removed, pulled down or demolished nor shall its exterior be repaired or altered without the express written permission of Council.

Wrightland Development Corporation

Suite 202, 40 Aberdeen Avenue
St. John's, NL Canada A1A 5T3
T: +1 709 754 2057
F: +1 709 738 0707

In or about September 2011, plans to redesign Richmond Cottage were submitted to the Heritage Advisory Committee (the "Committee"). These plans, copies of which are attached for your reference, were accepted by the Committee, on the basis that the existing house would be disassembled and rebuilt in accordance with the plans. An application to demolish the existing house was later made by Wrightland Development Corporation ("Wrightland") but was withdrawn when we became aware that the Committee was opposed to it. Currently, Wrightland does not have any outstanding application to Council with respect to this structure.

We wish to emphasize that Wrightland's demolition application was not an attempt to circumvent the approval which the Committee had previously granted, nor was it intended to disregard Richmond Cottage's status as a heritage building. Rather, it was felt that demolition would be the most practical and efficient means of facilitating the construction of the house which the Committee had approved. The application was withdrawn as Wrightland would prefer to work together with the Committee to address this matter. To that end, we felt it would be useful to outline Wrightland's reasons for proposing a demolition of the existing house.

Primarily, we believe a demolition would be best due to the current condition of the house. The undersigned recently personally reviewed the house and had a report prepared regarding its condition. The report noted the following:

1. The pediments above the main door entrance are in fair to poor condition and would need to be restored or duplicated to suit the new entrance.
2. The shingles on the Mansard roof show evidence of leaks and need replacement. The roof sheathing needs extensive repair or replacement. The felt moulding, fascia, soffit and frieze board show signs of rot and disrepair, which also indicates that the rafter tails will need repair or replacement.
3. The steps to the recessed entryway and the threshold need replacement. All decorative elements are in poor condition and approximately 25% could be restored. The remainder would have to be replaced.
4. The windows are in poor condition, show evidence of rot and have missing or broken glass. They would need to be replaced.
5. The dormers are in poor condition, and the roofs and windows would need to be replaced.
6. Due to splits, cracks and signs of rot, 20% to 25% of the wooden clapboard would need to be replaced. The original vapor barrier is in poor condition and would need to be replaced.

7. The corner boards, skirt board and water table may not be original. They show signs of being poorly installed or repaired, and there is evidence of rot and general deterioration. They would need to be removed and replaced.
8. The chimneys would need to be removed and rebuilt.
9. The shingles on the roof and approximately 60% of the roof sheathing would need to be replaced. The felt moulding and fascia show signs of rot and would need to be replaced. The condition of the felt moulding and fascia would suggest that the soffit would need to be replaced, as well.
10. The perimeter of the house would need to be excavated in order to repair and waterproof the foundation and install drainage with proper backfill. The stonework above grade is not original and is poorly done, as it allows water to enter the house. It would need to be replaced.
11. The basement floor would need to be excavated to permit proper ventilation and install crushed stone with vapor barrier. New footings may have to be installed. Approximately 30% of the basement flooring could be salvaged for re-use.
12. The back porch is not original and is poorly constructed. It would need to be removed and replaced.

Unfortunately, the condition of the house was exacerbated when the house was broken into and vandalized during the winter. The pipes in the house burst as a result of the vandalism, causing extensive water damage to the house.

Based on the above observations, if the house was to be disassembled and rebuilt in accordance with the approved plans, little to none of the original exterior of the house would remain. Also, in order to arrange new windows, doors and structural point loads, the house would have to be stripped completely. Essentially, everything would have to be removed from the house down to the studs, and virtually nothing would be suitable for re-use.

As indicated in the approved plans, the proposed new house would differ substantially from the existing house. The new house, for example, would feature new windows in different locations, new doorways, two garages, a solarium and generally would be converted from a single-family residence to two townhomes. Based on these differences, and the fact that there is little to be salvaged from the current house, Wrightland felt that demolition may be the most practical option. It would also be safer for workers to demolish the house, rather than attempt to rebuild it, which would require them to work for extended periods in a house which is in poor condition.

Wrightland remains willing to construct a house in accordance with the approved plans. It is only the manner of that construction which Wrightland is proposing to

change. A demolition would allow the new house to be built in the best manner with proper materials so, we feel, the finished product would be better for the ultimate purchaser of the property.

We hope that this helps to clarify Wrightland's reasoning for seeking a demolition, as initially set forth in the attached correspondence, and we welcome the opportunity to discuss this matter further with the Committee.

Regards,

Wrightland Development Corporation

A handwritten signature in blue ink that reads "Kevin King". The signature is fluid and cursive, with the first name "Kevin" and the last name "King" clearly distinguishable.

Kevin King, C.A.
President



PO Box 2403, ST. JOHN'S, NEWFOUNDLAND, CANADA A1C 6E7

29 May 2013

City of St. John's Heritage Advisory Committee
10 New Gower Street
P.O. Box 908
St. John's, NL A1C 5M2

Dear Members of the Heritage Advisory Committee:

18 Topsail Road, Richmond Hill was designated a municipal heritage building in 2003 because it has historic and aesthetic values.

The structure's historic value is tied to its associations with the Honorable Kenneth McLea, and Gilbert Browning. McLea was a St. John's merchant who purchased the land in 1848. He was a candidate for St. John's West in the election of 1861. His campaign resulted in an election riot in which three people were shot and killed on Water Street and his business premises were destroyed. He died a year later. The family sold the property to Reverend George Bond, Sir Robert Bond's brother, in 1875.

Gilbert Browning was a Scottish builder and architect who came to Newfoundland following the Great Fire of 1846. He had been hired by McLea to design and build Richmond Hill. Thirty years after Browning built the house, he purchased it from Bond for his family residence. Browning had become a prominent businessman in his own right. His most successful venture was a biscuit factory, which is still in operation today under the name of Browning-Harvey.

Richmond Hill is aesthetically valuable because of its age – it is 165 years old – and because it is a very good example of early Classical Vernacular architecture. This house has narrow wooden siding and wide cornerboards and is one of only two or three houses in Newfoundland with distinctive Scottish features, notably the five-sided dormer windows with peaked roofs. Richmond Hill has unique windows, which are very tall, spanning from the floor to the top of the first floor. Classical pediments adorn the façade over each window and door. The main entrance is recessed and has a transom. This building speaks to the wealth of its original owner, being one of the finest, earliest residences in St. John's.

As I'm sure you are aware, Richmond Hill was to be divided into townhouses as part of a 12-lot subdivision at the corner of Old Topsail Road and Shaw Street. The development was approved by Council in fall 2010. A City Notice appeared in *The Telegram* on October 13, 2010, that stated, "The original dwelling on the property will be maintained."

Paul Fowler, a principle with the project's proponent, Wrightland Development Corporation was quoted in a January 2011 article in *The Telegram* as saying, "It's a very large house, that's our plan, to develop it in to two town homes."

Councillor Frank Galgay was also quoted in that article and said that he considered the development a good one. He particularly liked that Wrightland had committed to maintaining the integrity of Richmond Hill. He said, "It's important that [they] do that because there were people associated with that particular cottage who were very prominent in the economic, cultural and business community of St. John's."

The support that was given for the original development proposal and the text amendment to the Development Regulations that would allow for the conversion of the house into two residential dwellings was given with the understanding that the heritage structure would be maintained. The amendment was supported as part of a consultative process. The demolition application that has been filed is not subject to public consultation requirements.

The Trust would propose that the Heritage Advisory Committee recommend that approval for demolition be rejected as the structure is a Municipally Designated Building and holds great significance to the city. In addition, the demolition of the building would contravene the original agreement whereby approval for the development of the surrounding property was given with the understanding that the developer would maintain the original dwelling.

Sincerely,



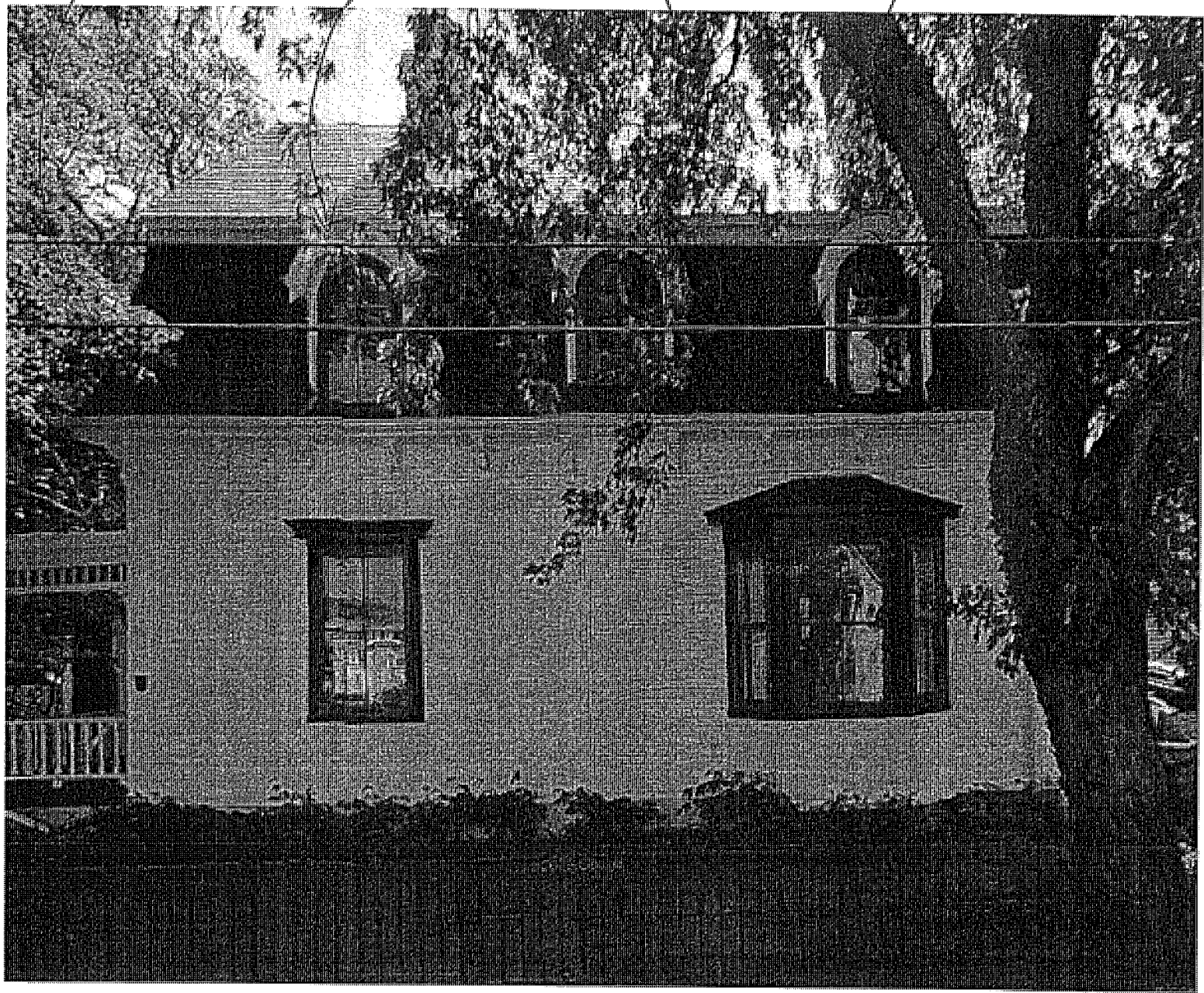
Robyn Pike
President
Newfoundland Historic Trust

Bedroom

Bedroom

BATH

Bedroom





DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 13, 2013 TO September 19, 2013

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office	14 Eaststaff Street	3	Approved	13-09-17
RES	Triple D Holdings Limited	Two (2) Building Lots	Glenlonan Street	5	Approved	13-09-17
AG		Proposed Barn With a Residential Loft	Ruby Line	5	Rejected by LDAA	13-09-18
AG	J3 Consulting Excavating Ltd	Place Fill on Property for Agriculture Use	Back Line	5	Approved	13-09-19
AG		Place Fill of Property for Agriculture Use	Robert E Howlett Highway	5	Approved	13-09-19
COM	United Sail Works	Relocate Sewer Main and Extension to Bldg.	4 East White Hills Road	1	Approved	13-09-18
COM	Venture Architecture 2000 Inc.	New Access Configuration	79 Blackmarsh Road	2	Approved	13-09-19

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

** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.

Gerard Doran
Development Officer
Department of Planning

Building Permits List

Council's September 23, 2013 Regular Meeting

Permits Issued: 2013/09/12 To 2013/09/18

CLASS: COMMERCIAL

25 ABERDEEN AVE TIM HORTONS	SN	EATING ESTABLISHMENT
98 DUCKWORTH ST - HEMPWARE	SN	RETAIL STORE
253 DUCKWORTH ST TIM HORTONS	SN	EATING ESTABLISHMENT
324 FRESHWATER RD	SN	CAR SALES LOT
547 KENMOUNT RD	SN	CAR SALES LOT
23-25 ROWAN ST	SN	MIXED USE
332 WATER ST	SN	RETAIL STORE
25 ABERDEEN AVE TIM HORTONS	NC	ACCESSORY BUILDING
56 LESLIE ST	NC	FENCE
305 WATER ST	RN	RETAIL STORE
390 DUCKWORTH ST	SW	FENCE
48 KENMOUNT RD/WASTE ENCLOSURE	NC	ACCESSORY BUILDING
332 WATER ST	CR	RETAIL STORE
334 WATER ST, 2ND & 3RD FLOORS	RN	OFFICE
14 AUSTIN ST	CO	OFFICE
215 WATER ST -LEGROW'S TRAVEL	RN	OFFICE
1 KIWANIS ST	CR	SERVICE SHOP
253 DUCKWORTH ST TIM HORTONS	RN	EATING ESTABLISHMENT
35 MAJOR'S PATH	NC	OFFICE

THIS WEEK \$ 3,568,470.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

50 RUBY LINE	NC	FENCE
70 EAST WHITE HILLS RD	SW	ADMIN BLDG/GOV/NON-PROFIT
168 MILITARY RD	RN	RECREATIONAL USE

THIS WEEK \$ 5,240,000.00

CLASS: RESIDENTIAL

9 ALDERDICE PL	NC	PATIO DECK
9 ALDERDICE PL	NC	PATIO DECK
75 ALDRSHOT ST	NC	PATIO DECK
19 ALMOND CRES	NC	FENCE
421 BACK LINE	NC	SINGLE DETACHED DWELLING
15 BALNAFAD PL	NC	ACCESSORY BUILDING
53 BATTERY RD	NC	SINGLE DETACHED DWELLING
307 BLACKMARSH RD	NC	ACCESSORY BUILDING
29 BLUE PUTTEE DR	NC	ACCESSORY BUILDING
15 BOND ST	NC	PATIO DECK
43 BRISTOL ST	NC	PATIO DECK
258 CANADA DR	NC	PATIO DECK
4 CAPULET ST	NC	PATIO DECK
42 DUNKERRY CRES	NC	SINGLE DETACHED DWELLING

13 ELDERBERRY PL	NC	ACCESSORY BUILDING
32 COOKSTOWN RD	NC	ACCESSORY BUILDING
73 JORDAN PL	NC	ACCESSORY BUILDING
10 KATIE PL	NC	ACCESSORY BUILDING
44 KENAI CRES., LOT 197	NC	SINGLE DETACHED DWELLING
73 LADYSMITH DR, LOT 168	NC	SINGLE DETACHED DWELLING
123 LADYSMITH DR, LOT 193	NC	SINGLE DETACHED DWELLING
213 LADYSMITH DR, LOT 600	NC	SINGLE DETACHED DWELLING
227 LADYSMITH DR, LOT 593	NC	SINGLE DETACHED & SUB.APT
493 MAIN RD	NC	ACCESSORY BUILDING
24 MIRANDA ST, LOT 105	NC	SINGLE DETACHED DWELLING
109 NEWTOWN RD	NC	FENCE
12 OBERON ST	NC	FENCE
52 ORLANDO PL, LOT 191	NC	SINGLE DETACHED DWELLING
16 PENETANGUISHENE RD	NC	ACCESSORY BUILDING
212 PETTY HARBOUR RD	NC	SINGLE DETACHED DWELLING
75 PITCHER'S PATH	NC	SINGLE DETACHED DWELLING
ST. JOHN'S PLACE	NC	CONDOMINIUM
5 ST. SHOTTS PL	NC	ACCESSORY BUILDING
25 SEABORN ST	NC	FENCE
22 SEQUOIA DR, LOT 305	NC	SINGLE DETACHED DWELLING
7 SEQUOIA DRIVE	NC	ACCESSORY BUILDING
40 STANFORD PL, LOT 52	NC	SINGLE DETACHED DWELLING
76 SUNSET ST	NC	ACCESSORY BUILDING
78 SUNSET ST	NC	ACCESSORY BUILDING
62 TEAKWOOD DR	NC	PATIO DECK
17 TITANIA PL., LOT 165	NC	SINGLE DETACHED DWELLING
24 CARNELL ST	CO	HOME OFFICE
9 ALDERDICE PL	CR	SINGLE DETACHED & SUB.APT
29 BLUE PUTTEE DR	CR	SINGLE DETACHED DWELLING
105 CASTLE BRIDGE DR	CR	SUBSIDIARY APARTMENT
59 GREAT EASTERN AVE	CR	SUBSIDIARY APARTMENT
95 GRENFELL AVE	CR	SUBSIDIARY APARTMENT
62 PETITE FORTE DR	CR	SUBSIDIARY APARTMENT
9 ALDERDICE PL	EX	SINGLE DETACHED & SUB.APT
41 LADYSMITH DR	EX	SINGLE DETACHED DWELLING
21 BROOKLYN AVE	RN	SINGLE DETACHED DWELLING
80 CARRICK DR	RN	SINGLE DETACHED DWELLING
123 ELIZABETH AVE	RN	APARTMENT BUILDING
40 FRESHWATER RD	RN	TOWNHOUSING
128 FRESHWATER RD	RN	SINGLE DETACHED DWELLING
25 FRESHWATER RD	RN	SINGLE DETACHED DWELLING
16 JAMES LANE	RN	SINGLE DETACHED DWELLING
130 LINEGAR AVE	RN	ADMIN BLDG/GOV/NON-PROFIT
212 MUNDY POND RD	RN	SINGLE DETACHED DWELLING
185 PLEASANT ST	RN	TOWNHOUSING
57 PORTUGAL COVE RD	RN	SINGLE DETACHED DWELLING
12 VICTORIA ST	RN	SINGLE DETACHED & SUB.APT
41 SPRUCE GROVE AVE	SW	SINGLE DETACHED DWELLING
7 CHIMO PL	SW	SINGLE DETACHED DWELLING
4 ROSE ABBEY ST	SW	SINGLE DETACHED DWELLING

THIS WEEK \$ 4,973,760.00

CLASS: DEMOLITION

46 QUIDI VIDI VILLAGE RD	DM	SINGLE DETACHED DWELLING
378 DUCKWORTH ST	DM	WAREHOUSE

THIS WEEK \$ 40,000.00

THIS WEEK'S TOTAL: \$ 13,822,230.00

REPAIR PERMITS ISSUED: 2013/09/12 TO 2013/09/18 \$ 106,200.00

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			
September 23, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$161,300,900.00	\$74,100,400.00	-54
Industrial	\$3,600,100.00	\$131,000.00	-96
Government/Institutional	\$15,500,500.00	\$77,200,200.00	398
Residential	\$141,700,400.00	\$122,500,100.00	-14
Repairs	\$4,000,000.00	\$3,800,400.00	-5
Housing Units (1 & 2 Family Dwellings)	462	347	
TOTAL	\$326,102,362.00	\$277,732,447.00	-15

Respectfully Submitted,

David Blackmore, R.P.A.
Deputy City Manager - Planning, Development & Engineering

MEMORANDUM

Weekly Payment Vouchers For The Week Ending September 19, 2013

Payroll

Public Works	\$ 406,702.24
Bi-Weekly Casual	\$ 27,275.45
Accounts Payable	\$2,859,121.52
Total:	\$ 3,293,099.21

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
GRAND CONCOURSE AUTHORITY	00057817	MAINTENANCE CONTRACTS	\$1,978.95
PINNACLE OFFICE SOLUTIONS LTD	00057818	PHOTOCOPIES	\$38.80
SIGNS 1ST	00057819	SIGNAGE	\$1,463.35
THE TELEGRAM	00057820	ADVERTISING	\$186.09
PIK-FAST EXPRESS INC.	00057821	BOTTLED WATER	\$28.00
DICKS & COMPANY LIMITED	00057822	OFFICE SUPPLIES	\$43.51
LA BREA INT'L INC.	00057823	PROMOTIONAL MATERIALS	\$106.98
JOHNSON INVESTMENTS INC.	00057824	PROFESSIONAL SERVICES	\$758.02
BELL MOBILITY	00057825	CELLULAR PHONE USAGE	\$375.54
ORKIN CANADA	00057826	PEST CONTROL	\$123.74
RICK MAGILL	00057827	CLEANING SERVICES	\$40.00
MCCLOUGHLAN SUPPLIES LTD.	00057828	ELECTRICAL SUPPLIES	\$1,542.10
NEWFOUND DISPOSAL SYSTEMS LTD.	00057829	DISPOSAL SERVICES	\$35,776.46
CITY OF ST. JOHN'S	00057830	REPLENISH PETTY CASH	\$172.43
DARLENE SHARPE	00057831	CLEANING SERVICES	\$600.00
PUBLIC SERVICE CREDIT UNION	00057832	PAYROLL DEDUCTIONS	\$9,390.45
FRANK BUTLER	00057833	REFUND STREET EXCAVATION DEPOSIT	\$1,500.00
THOMAS, RHONDA	00057834	REIMBURSEMENT TRAVEL	\$621.78
RIMS	0000000665	REGISTRATION FEE	\$684.65
ROGER BROOKS INTERNATIONAL	0000000666	VISITOR INFORMATION WEBINAR	\$42.13
RAILWAY COASTAL MUSEUM	00057835	REPLENISH PETTY CASH	\$223.79
BELL ALIANT	00057836	TELEPHONE SERVICES	\$55.82
NORSERCO INC.	00057837	TAX ACCOMMODATION PAID TWICE	\$29,841.57
ORHAN BERISA	00057838	REFUND SECURITY DEPOSIT & INTEREST	\$205.58
BRUCE PEARCE	00057839	EMPLOYMENT RELATED EXPENSES	\$417.52
MCCLOUGHLAN SUPPLIES LIMITED	00057840	ELECTRICAL SUPPLIES	\$49.72
NEWFOUNDLAND POWER	00057841	ELECTRICAL SERVICES	\$20,307.88
GENTARA REAL ESTATE LP	00057842	COURT OF APPEAL REFUND	\$400.00
KIRKLAND BALSOM & ASSOC.	00057843	COURT OF APPEAL REFUND	\$200.00
JEREMIAH & MARY PENNEY	00057844	COURT OF APPEAL REFUND	\$60.00
ROBERT NEWHOOK	00057845	COURT OF APPEAL REFUND	\$60.00
CARE GIVERS INC.	00057846	COURT OF APPEAL REFUND	\$60.00
KEVIN F. STAMP	00057847	COURT OF APPEAL REFUND	\$60.00
BELL MOBILITY	00057848	CELLULAR PHONE USAGE	\$28.25
RECEIVER GENERAL FOR CANADA	00057849	PAYROLL DEDUCTIONS	\$545,869.93
RECEIVER GENERAL FOR CANADA	00057850	PAYROLL DEDUCTIONS	\$143,469.41
REGISTRAR OF SUPREME COURT	00057851	COURT ORDER	\$30.00
JASON PHILLIPS	00057852	TRAVEL ADVANCE	\$1,000.00
AMERICAN WATER WORKS ASSOC.	0000000667	MEMBERSHIP RENEWAL	\$737.31
CHEMTRAC SYSTEMS INC	0000000668	CLEANING SUPPLIES	\$142.20
AMERICAN WATER WORKS ASSOC.	0000000669	REGISTRATION FEE	\$179.06
ACKLANDS-GRAINGER	00057853	INDUSTRIAL SUPPLIES	\$507.37
JG LAB. MATERIAL INC.	00057854	REPAIR PARTS	\$434.74

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ACTION TRUCK CAP & ACCESSORIES	00057855	REPAIR PARTS	\$874.29
AIR COOLED ENGINE SERVICE LTD.	00057856	REPAIR PARTS	\$169.39
AIRTITE SHEET METAL LIMITED	00057857	PROFESSIONAL SERVICES	\$13,514.80
APEX CONSTRUCTION SPECIALTIES INC.	00057858	REPAIR PARTS	\$117.46
CABOT AUTO GLASS & UPHOLSTERY	00057859	CLEANING SERVICES	\$135.60
ATLANTIC PURIFICATION SYSTEM LTD	00057860	WATER PURIFICATION SUPPLIES	\$2,635.64
MIGHTY WHITES LAUNDROMAT	00057861	LAUNDRY SERVICES	\$265.32
MUNICIPAL CONSTRUCTION LIMITED	00057862	SAND AND GRAVEL	\$39,407.00
COSTCO WHOLESALE	00057863	MISCELLANEOUS SUPPLIES	\$383.67
KELLOWAY CONSTRUCTION LIMITED	00057864	CLEANING SERVICES	\$47,002.45
RDM INDUSTRIAL LTD.	00057865	INDUSTRIAL SUPPLIES	\$342.99
DISCOUNT CAR & TRUCK RENTALS	00057866	VEHICLE RENTAL	\$1,524.37
NEWFOUNDLAND EXCHEQUER ACCOUNT	00057867	REGISTRATION OF EASEMENT	\$67.80
HERCULES SLR INC.	00057868	REPAIR PARTS	\$1,094.69
STAPLES THE BUSINESS DEPOT - OLD PLACENTIA RD	00057869	STATIONERY & OFFICE SUPPLIES	\$112.77
BELBIN'S GROCERY	00057870	CATERING SERVICES	\$283.98
JENKINS POWER SHEET METALS INC	00057871	PROFESSIONAL SERVICES	\$1,017.00
CABOT PEST CONTROL	00057872	PEST CONTROL	\$357.65
CHARLES R. BELL LTD.	00057873	APPLIANCES	\$1,026.04
BEST DISPENSERS LTD.	00057874	SANITARY SUPPLIES	\$264.56
ROCKWATER PROFESSIONAL PRODUCT	00057875	CHEMICALS	\$3,697.81
TIM HORTONS STORE 387	00057876	REFRESHMENTS	\$50.57
BLACK & MCDONALD LIMITED	00057877	PROFESSIONAL SERVICES	\$50,576.75
GRAPHIC ARTS & SIGN SHOP LIMITED	00057878	SIGNAGE	\$339.00
EASTERN SCHOOL DISTRICT	00057879	RENTAL OF GYM	\$12,712.50
BARNES/BOWMAN DISTRIBUTION	00057880	REPAIR PARTS	\$666.35
BRENKIR INDUSTRIAL SUPPLIES	00057881	PROTECTIVE CLOTHING	\$374.36
ST. JOHN'S AMATEUR BASEBALL	00057882	SPORTS GRANT	\$3,300.00
ST. JOHN'S SENIOR SOCCER	00057883	SPORTS GRANT	\$3,300.00
OFFICEMAX GRAND & TOY	00057884	OFFICE SUPPLIES	\$983.10
OUTFITTERS	00057885	PROTECTIVE CLOTHING	\$590.49
ATLANTIC TRAILER & EQUIPMENT	00057886	REPAIR PARTS	\$388.29
SIGNS 1ST	00057887	SIGNAGE	\$39.55
TRIWARE TECHNOLOGIES INC.	00057888	COMPUTER EQUIPMENT	\$202.27
NEW WORLD FITNESS	00057889	REAL PROGRAM	\$835.36
CHESTER DAWE CANADA - O'LEARY AVE	00057890	BUILDING SUPPLIES	\$263.14
CABOT FORD LINCOLN SALES LTD.	00057891	REPAIR PARTS	\$371.93
COLLEGE OF THE NORTH ATLANTIC	00057892	TRAINING	\$600.00
CAMPBELL RENT ALLS LTD.	00057893	HARDWARE SUPPLIES	\$32.18
AIR LIQUIDE CANADA INC.	00057894	CHEMICALS AND WELDING PRODUCTS	\$634.12
CARSWELL DIV. OF THOMSON CANADA LTD	00057895	PUBLICATIONS	\$675.22
WAL-MART 3196-ABERDEEN AVE.	00057896	MISCELLANEOUS SUPPLIES	\$347.96
NORTRAX CANADA INC.,	00057897	REPAIR PARTS	\$3,638.45

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CALA	00057898	WEBINAR	\$339.00
ROLEY CONSTRUCTION LTD.	00057899	RENTAL OF EQUIPMENT	\$1,627.20
ALLAN MURPHY'S MOBILE WELDING SERVICES	00057900	REPAIRS TO EQUIPMENT	\$3,531.25
JOE JOHNSON EQUIPMENT INC.	00057901	REPAIR PARTS	\$7,309.39
NORTH ATLANTIC SUPPLIES INC.	00057902	REPAIR PARTS	\$370.08
WM L CHAFE & SON LTD.	00057903	PROTECTIVE FOOTWEAR	\$158.20
KENT BUILDING SUPPLIES-PLACENTIA RD	00057904	BUILDING MATERIALS	\$443.82
CBCL LIMITED	00057905	PROFESSIONAL SERVICES	\$40,287.44
CLARKE'S TRUCKING & EXCAVATING	00057906	GRAVEL	\$1,844.60
CANADIAN RED CROSS	00057907	CPR RECERTIFICATION	\$3,765.00
DULUX PAINTS	00057908	PAINT SUPPLIES	\$1,364.11
RON FOUGERE ASSOCIATES LTD	00057909	ARCHITECTURAL SERVICES	\$338,681.76
COLONIAL GARAGE & DIST. LTD.	00057910	AUTO PARTS	\$6,541.72
CONSTRUCTION SIGNS LTD.	00057911	SIGNAGE	\$206.23
THE IDEA FACTORY	00057912	PRINTER SERVICES	\$33,508.06
SCOTT WINSOR ENTERPRISES INC.,	00057913	REMOVAL OF GARBAGE & DEBRIS	\$169.50
MASK SECURITY INC.	00057914	TRAFFIC CONTROL	\$37,505.68
MAXXAM ANALYTICS INC.,	00057915	WATER PURIFICATION SUPPLIES	\$4,320.84
CRANE SUPPLY LTD.	00057916	PLUMBING SUPPLIES	\$396.74
JAMES G CRAWFORD LTD.	00057917	PLUMBING SUPPLIES	\$830.41
THOMAS GLASS INCORPORATED	00057918	GLASS INSTALLATION	\$158.20
HARTY'S INDUSTRIES	00057919	STEEL FLAT BAR	\$282.50
CUMMINS EASTERN CANADA LP	00057920	REPAIR PARTS	\$350.96
CABOT READY MIX LIMITED	00057921	DISPOSAL OF OLD CONCRETE	\$156.62
DICKS & COMPANY LIMITED	00057922	OFFICE SUPPLIES	\$388.77
WAJAX POWER SYSTEMS	00057923	REPAIR PARTS	\$90.37
REEFER REPAIR SERVICES LTD.	00057924	REPAIR PARTS	\$549.18
THYSSENKRUPP ELEVATOR	00057925	ELEVATOR MAINTENANCE	\$84.75
GOODLIFE FITNESS	00057926	FITNESS MEMBERSHIP	\$565.00
CANADIAN TIRE CORP.-ELIZABETH AVE.	00057927	MISCELLANEOUS SUPPLIES	\$542.36
CANADIAN TIRE CORP.-MERCHANT DR.	00057928	MISCELLANEOUS SUPPLIES	\$686.01
CANADIAN TIRE CORP.-KELSEY DR.	00057929	MISCELLANEOUS SUPPLIES	\$716.51
EAST CHEM INC.	00057930	CHEMICALS	\$663.81
EASTERN TURF PRODUCTS	00057931	REPAIR PARTS	\$193.22
ELECTROMEGA LTD.	00057932	REPAIR PARTS	\$6,511.63
ELECTRONIC CENTER LIMITED	00057933	ELECTRONIC SUPPLIES	\$666.70
NATIONAL ENERGY EQUIPMENT INC.	00057934	PROFESSIONAL SERVICES	\$184.13
ACWWA	00057935	CONFERENCE FEE	\$480.25
THE TELEGRAM	00057936	ADVERTISING	\$6,834.19
EXECUTIVE COFFEE SERVICES LTD.	00057937	COFFEE SUPPLIES	\$170.15
FACTORY FOOTWEAR OUTLET LTD.	00057938	PROTECTIVE FOOTWEAR	\$903.96
DOMINION STORE 935	00057939	MISCELLANEOUS SUPPLIES	\$134.80
FASTSIGNS	00057940	SIGNAGE	\$187.13

NAME	CHEQUE #	DESCRIPTION	AMOUNT
BASIL FEARN 93 LTD.	00057941	REPAIR PARTS	\$1,227.52
EMERGENCY REPAIR LIMITED	00057942	AUTO PARTS AND LABOUR	\$32,188.14
MEDICALMART NEWFOUNDLAND & LABRADOR	00057943	MEDICAL SUPPLIES	\$107.79
EXECUTIVE TAXI LIMITED	00057944	TRANSPORTATION SERVICES	\$1,907.44
FOTO1GRAFX & SIGNWORKS	00057945	POSTERS	\$176.28
MILLENNIUM EXPRESS	00057946	COURIER SERVICES	\$224.31
GREENWOOD SERVICES INC.	00057947	OPEN SPACE MAINTENANCE	\$10,414.56
BURSEY CLEANERS LIMITED	00057948	CLEANING SERVICES	\$1,384.25
STELLAR INDUSTRIAL SALES LTD.	00057949	INDUSTRIAL SUPPLIES	\$546.92
ANNA TEMPLETON CENTRE	00057950	REAL PROGRAM	\$235.00
SIMPLEX GRINNELL	00057951	PROFESSIONAL SERVICES	\$1,045.25
PILOT COMMUNICATIONS	00057952	BANNERS	\$395.50
OMNITECH INC.	00057953	REPAIR PARTS	\$6,561.91
PENNEY'S HOLDINGS LIMITED	00057954	PROFESSIONAL SERVICES	\$3,553.85
H & R MECHANICAL SUPPLIES LTD.	00057955	MECHANICAL SUPPLIES	\$734.50
DOMINION STORES 934	00057956	MISCELLANEOUS SUPPLIES	\$339.00
SAGACITY CONSULTING INC	00057957	2013 ACCESS ST. JOHN'S SURVEY	\$19,532.05
EASTERN PROPANE	00057958	PROPANE	\$225.30
HARRIS & ROOME SUPPLY LIMITED	00057959	ELECTRICAL SUPPLIES	\$1,181.35
HARVEY & COMPANY LIMITED	00057960	REPAIR PARTS	\$266.77
HARVEY'S OIL LTD.	00057961	PETROLEUM PRODUCTS	\$38,941.10
BRENNTAG CANADA INC	00057962	CHLORINE	\$21,891.49
PRACTICAR CAR & TRUCK RENTALS	00057963	VEHICLE RENTAL	\$46,196.66
STELLA BURRY COMMUNITY SER.	00057964	CATERING SERVICES	\$2,199.45
HICKMAN MOTORS LIMITED	00057965	AUTO PARTS	\$1,394.25
HISCOCK RENTALS & SALES INC.	00057966	HARDWARE SUPPLIES	\$889.60
CANADIAN PLAYGROUND SAFETY	00057967	REGISTRATION FEE	\$1,356.00
FLEET READY LTD.	00057968	REPAIR PARTS	\$1,269.85
MICROSOFT CANADA	00057969	SOFTWARE	\$48,482.88
HENRY'S	00057970	INK CARTRIDGES	\$284.42
CERTIFIED LABS	00057971	CLEANING SUPPLIES	\$286.96
IMPRINT SPECIALTY PROMOTIONS LTD	00057972	PROMOTIONAL ITEMS	\$42.85
ONX ENTERPRISE SOLUTIONS LIMITED	00057973	LUNCHEON	\$3,338.22
ISLAND FURNITURE ASSOC.	00057974	OFFICE FURNITURE	\$422.62
PINNACLE ENGINEERING LTD.	00057975	PROFESSIONAL SERVICES	\$3,518.82
LIFTOW LTD.	00057976	PROFESSIONAL SERVICES	\$322.09
CREIGHTON ROCK DRILL	00057977	REPAIR PARTS	\$31,734.82
CDMV	00057978	VETERINARY SUPPLIES	\$1,462.40
JOHNSON CONTROLS LTD.	00057979	REPAIR PARTS	\$824.34
CHRISTOPHER'S CAFE & CATERING	00057980	CATERING SERVICES	\$97.16
DBI-GARBAGE COLLECTION REMOVAL LTD.	00057981	GARBAGE COLLECTION	\$53,224.08
SOFTCHOICE CORPORATION	00057982	SOFTWARE	\$1,345.83
TRANE CANADA CO.	00057983	PROFESSIONAL SERVICES	\$339.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
KAVANAGH & ASSOCIATES	00057984	PROFESSIONAL SERVICES	\$15,824.76
WORK AUTHORITY	00057985	CLOTHING ALLOWANCE	\$135.06
KENT BUILDING SUPPLIES-STAVANGER DR	00057986	BUILDING MATERIALS	\$812.73
FINE FOOD FACTORY	00057987	SANDWICH TRAYS	\$114.50
GARDA	00057988	SECURITY SERVICES	\$21,381.97
B & R EQUIPMENT SALES	00057989	REPAIR PARTS	\$1,141.30
JRV DISTRIBUTORS	00057990	EAR PLUGS	\$19.76
MODERN HEAVY CIVIL LIMITED	00057991	PROFESSIONAL SERVICES	\$140,320.04
NEVCO CANADA	00057992	REPAIR PARTS	\$168.12
PEARLGATE MEDICAL CLINIC	00057993	MEDICAL EXAMINATION	\$20.00
HERITAGE SHOP	00057994	GIFT BASKET	\$391.91
MCDONALD'S HOME HARDWARE	00057995	HARDWARE SUPPLIES	\$341.62
MCLOUGHLAN SUPPLIES LTD.	00057996	ELECTRICAL SUPPLIES	\$1,305.87
MICROAGE COMPUTER CENTRES	00057997	COMPUTER EQUIPMENT	\$9,966.60
MIKAN INC.	00057998	LABORATORY SUPPLIES	\$333.92
KONICA MINOLTA BUSINESS SOLUTIONS CANADA LTD	00057999	LEASING OF PHOTOCOPIER	\$147.51
WAJAX INDUSTRIAL COMPONENTS	00058000	REPAIR PARTS	\$535.80
NU-WAY EQUIPMENT RENTALS	00058001	RENTAL OF EQUIPMENT	\$9,049.04
NEWFOUND DISPOSAL SYSTEMS LTD.	00058002	DISPOSAL SERVICES	\$3,078.53
NEWFOUNDLAND DISTRIBUTORS LTD.	00058003	INDUSTRIAL SUPPLIES	\$192.44
NEWFOUNDLAND BROADCASTING CO.	00058004	ADVERTISING	\$6,486.77
TRC HYDRAULICS INC.	00058005	REPAIR PARTS	\$139.10
BELL MOBILITY	00058006	CELLULAR PHONE USAGE	\$184.27
TOROMONT CAT	00058007	AUTO PARTS	\$18,081.95
NORTH ATLANTIC PETROLEUM	00058008	PETROLEUM PRODUCTS	\$38,103.95
ORNAMENTAL CONCRETE LTD.	00058009	CONCRETE/CEMENT	\$437.19
PENNECON ENERGY HYDRAULIC SYSTEMS	00058010	PROFESSIONAL SERVICES	\$549.99
PBA INDUSTRIAL SUPPLIES LTD.	00058011	INDUSTRIAL SUPPLIES	\$59.55
ORKIN CANADA	00058012	PEST CONTROL	\$270.52
PERIDOT SALES LTD.	00058013	REPAIR PARTS	\$406.73
K & D PRATT LTD.	00058014	REPAIR PARTS AND CHEMICALS	\$8,612.06
RIDEOUT TOOL & MACHINE INC.	00058015	TOOLS	\$115.26
ROYAL FREIGHTLINER LTD	00058016	REPAIR PARTS	\$2,613.18
LIFESAVING SOCIETY NFLD & LAB.	00058017	AQUATIC RECERTIFICATION	\$79.10
S & S SUPPLY LTD. CROSSTOWN RENTALS	00058018	REPAIR PARTS	\$4,932.90
BIG ERICS INC	00058019	SANITARY SUPPLIES	\$432.56
SAUNDERS EQUIPMENT LIMITED	00058020	REPAIR PARTS	\$13,678.03
SMITH STOCKLEY LTD.	00058021	PLUMBING SUPPLIES	\$715.91
SMITH'S HOME CENTRE LIMITED	00058022	HARDWARE SUPPLIES	\$413.20
STATE CHEMICAL LTD.	00058023	CHEMICALS	\$1,658.84
SUPERIOR PROPANE INC.	00058024	PROPANE	\$865.56
AETTNL	00058025	MEMBERSHIP RENEWALS	\$1,864.50
TOWER TECH COMMUNICATIONS & SPORTS FIELD LIGHTI	00058026	NETTING REPAIRS & INSTALLATION	\$1,535.71

NAME	CHEQUE #	DESCRIPTION	AMOUNT
TRACTION DIV OF UAP	00058027	REPAIR PARTS	\$4,135.25
TULKS GLASS & KEY SHOP LTD.	00058028	PROFESSIONAL SERVICES	\$259.84
URBAN CONTRACTING JJ WALSH LTD	00058029	PROPERTY REPAIRS	\$372.90
WATERWORKS SUPPLIES DIV OF EMCO LTD	00058030	REPAIR PARTS	\$5,842.93
WESCO DISTRIBUTION CANADA INC.	00058031	REPAIR PARTS	\$347.59
OPERA ON THE AVALON	00058032	SPECIAL EVENTS & FESTIVAL FUND	\$500.00
LYNN PANTING	00058033	EDAC CONFERENCE	\$150.00
SPARTAN FITNESS	00058034	RECREATION SUPPLIES	\$158.20
PENTON, LEN	00058035	PERFORMANCE FEE	\$250.00
MCDONALD, IMELDA	00058036	HONORARIUM	\$300.00
FRIENDS OF VICTORIA PARK	00058037	SPECIAL EVENTS & FESTIVAL FUND	\$500.00
MONICA DOMINGUEZ	00058038	HONORARIUM	\$100.00
BELL MOBILITY INC. RADIO DIVISION	00058039	MAINTENANCE CHARGES & REPAIRS	\$4,046.57
SMITH, GERALD	00058040	TAXI COORDINATOR SERVICES	\$100.00
SOCCERTOTS NL	00058041	REAL PROGRAM	\$1,988.80
HUNGRY HEART CAFE	00058042	CATERING SERVICES	\$22.27
CAROLYN JACKMAN	00058043	HONORARIUM	\$100.00
GOSS GILROY INC	00058044	COMMISSIONER'S HEARING	\$3,875.00
CARLA EVANS	00058045	RECREATION PROGRAM REFUND	\$120.00
DR. KRISDAPHONGS	00058046	MEDICAL EXAMINATION	\$20.00
SINGSONG INC.	00058047	PERFORMANCE FEE	\$452.00
CANCELLED	00058048	CANCELLED	\$0.00
TELECOMMUNICATIONS TECHNOLOGY CANADA INC.	00058049	REFUND OVERPAYMENT OF TAXES	\$2,142.69
BIEGER, METTE	00058050	HONORARIUM	\$50.00
SOULFUL SOUNDS MUSIC STUDIO	00058051	REAL PROGRAM	\$2,268.00
ATLANTIC UNION	00058052	PERFORMANCE FEE	\$350.00
MADELINE FLORENT	00058053	HONORARIUM	\$100.00
LINA MARIE STOLZE	00058054	HONORARIUM	\$50.00
LYNN LUDLOW	00058055	RECREATION PROGRAM REFUND	\$20.00
KAY CONNORS	00058056	RECREATION PROGRAM REFUND	\$30.00
RIANNE MACDONELL	00058057	RECREATION PROGRAM REFUND	\$40.00
JANES AUTO BODY & ANTHONY TIZZARD	00058058	LEGAL CLAIM	\$1,238.79
ELIZABETH STEVENS	00058059	REFUND WATER OFF/ON	\$50.00
ELIZABETH RING	00058060	REFUND OVERPAYMENT OF RENT	\$439.54
LEASIDE MANOR INC.	00058061	2 TRAVEL WRITERS ACCOMMODATIONS	\$767.52
STELLA FRANCIS	00058062	REFUND OVERPAYMENT OF TAXES	\$90.80
DEPT. OF WORKS SERVICES & TRANSPORTATION	00058063	REFUND OVERPAYMENT OF TAXES	\$36,779.54
DAN RUBIN	00058064	PERFORMANCE FEE	\$450.00
KIRKLAND, CAROL	00058065	VEHICLE BUSINESS INSURANCE	\$271.00
JANET MARTIN	00058066	REIMBURSEMENT COFFEE SUPPLIES	\$7.98
BLACKMORE, DAVID	00058067	VEHICLE BUSINESS INSURANCE	\$258.00
KAVANAGH, CECIL	00058068	VEHICLE BUSINESS INSURANCE	\$326.00
GAMBERG, VALERIE	00058069	VEHICLE BUSINESS INSURANCE	\$366.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
MACKENZIE, NEIL	00058070	MILEAGE	\$63.53
WHITE, LESLIE	00058071	TUITION REIMBURSEMENT	\$391.66
WILSON, GEORGE	00058072	CLASS 3 DRIVER'S LICENSE MEDICAL	\$40.00
KENNEDY, CRAIG	00058073	TUITION REIMBURSEMENT	\$306.00
BURDEN, TERRY	00058074	VEHICLE BUSINESS INSURANCE	\$212.18
CROWE, DAVID	00058075	TUITION REIMBURSEMENT	\$378.98
ROSE, TRISHA	00058076	VEHICLE BUSINESS INSURANCE	\$124.49
SQUIRES, JENNIFER	00058077	TUITION REIMBURSEMENT	\$922.44
SULLIVAN, DAPHNE	00058078	VEHICLE BUSINESS INSURANCE	\$225.60
PARDY, SHELLEY	00058079	MEAL ALLOWANCES	\$34.22
FOWLER, TINA	00058080	MILEAGE	\$448.19
STANSBURY, LYDIA	00058081	MILEAGE	\$28.74
WILLIAMS, NICOLE	00058082	MILEAGE	\$75.04
KRYSTAL KELSEY	00058083	TUITION REIMBURSEMENT	\$528.55
GREEN, JASON	00058084	IPHONE 5 CASE - OTTERBOX	\$45.19
DAVID KIRK SQUIRES	00058085	VEHICLE BUSINESS INSURANCE	\$90.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	00058086	REGISTRATION OF EASEMENT	\$184.40
NEWFOUNDLAND EXCHEQUER ACCOUNT	00058087	REGISTRATION OF EASEMENT	\$148.00
EMCO SUPPLY	00058088	REPAIR PARTS	\$825.33
ROGERS CABLE	00058089	INTERNET SERVICES	\$341.83
CANADA CLEAN GLASS	00058090	CLEANING OF WINDOWS	\$678.00
DICKS & COMPANY LIMITED	00058091	OFFICE SUPPLIES	\$949.09
THE TELEGRAM	00058092	ADVERTISING	\$946.02
LA BREA INT'L INC.	00058093	PROMOTIONAL MATERIALS	\$615.85
MCAP LEASING	00058094	LEASING OF OFFICE EQUIPMENT	\$510.78
NEWFOUND DISPOSAL SYSTEMS LTD.	00058095	DISPOSAL SERVICES	\$169.15
RCAP	00058096	LEASING OF OFFICE EQUIPMENT	\$192.71
TYCO INTEGRATED SECURITY CANADA, INC.	00058097	SECURITY SERVICES	\$449.46
WALSH, VINCENT	00058098	REFUND STREET EXCAVATION DEPOSIT	\$1,500.00
ROGERS CABLE	00058099	INTERNET SERVICES	\$53.66
ANCHORAGE CONTRACTING SERVICES	00058100	PROGRESS PAYMENT	\$424,370.51
BARACO-ATLANTIC CORPORATION	00058101	PROGRESS PAYMENT	\$156,964.45
NEWFOUNDLAND POWER	00058102	ELECTRICAL SERVICES	\$1,638.81
GOULDS ARENA ASSOCIATION	00058103	FINAL PAYMENT - WARM ROOM & PARKING LOT	\$36,982.91
LANNON, GEORGINA	00058104	REIMBURSEMENT KETTLE	\$45.19
KAY FILLIER	00058105	TUITION REIMBURSEMENT	\$540.23
YORK DEVELOPMENTS INC.	00058106	REFUND LANDSCAPING DEPOSIT	\$3,547.69
YORK DEVELOPMENTS INC.	00058107	REFUND LANDSCAPING DEPOSIT	\$4,452.31
Total:			<u>\$2,859,121.52</u>

MEMORANDUM

Date: September 18, 2013

To: Mayor O'Keefe and Members of Council

From: Robert J. Bursey, City Solicitor

Re: **Kiwanis Street**
372 Kenmount Road

The City expropriated land at Kenmount Road for the construction of Kiwanis Street.

A little more than half of this land is owned by the owner of 372 Kenmount Road. This owner has agreed to accept the assessed value (\$8.00/square foot) for this land, being \$68,003.00, plus legal fees for the closing of the transaction.

I request that this matter be brought before Council at the next regular meeting.

Robert J. Bursey,
City Solicitor
GG/jcd

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: September 18, 2013
To: Mayor O'Keefe and Members of Council
From: Robert J. Bursey, City Solicitor
Re: Water Transmission Line - Portugal Cove Road

The City recently expropriated an easement at 238 Portugal Cover Road for the water transmission line replacement.

The alignment for the transmission line has been revised and the easement is no longer required on this land.

I recommend that the expropriation be abandoned and enclose a Notice of Abandonment for execution.

I request that this matter be brought before Council at the next regular meeting.

Robert J. Bursey,
City Solicitor

GG/jcd

ST. JOHN'S

LEGAL DEPARTMENT

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