

**AGENDA
REGULAR MEETING**

**SEPTEMBER 9th, 2013
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

September 6th, 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 9th, 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 9th, 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 3rd, 2013)**
4. **Business Arising from the Minutes**
 - A. **Included in the Agenda**
5. **Other Matters**
6. **Notices Published**
 - a. **Proposed Rezoning of Property Situate 200-232 Newfoundland Drive, Virginia Park Plaza, Applicant: Regal Realty Limited (Ward 1)
Three (3) Submissions
Memorandum dated September 5, 2013 from the Chief Municipal Planner**
 - b. **A Discretionary Use Application** has been submitted requesting permission to construct a single detached dwelling at **Civic No. 52 Pennywell Road** to create a two-unit infill dwelling. Two off-street parking spaces will be provided. **(Ward 2)**
7. **Public Hearings**

Public Hearing Report dated August 14, 2013
RE: 12-20 Mount Cashel Road
Application for Townhouse Condominium Development
Proposed New R2 Condominium Zone
Applicant: 62554 Newfoundland and Labrador Inc.
8. **Committee Reports**
 - a. **Development Committee Report** dated September 3, 2013
 - b. **Heritage Advisory Committee Report** dated July 26th, 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 4, 2013 from the City Solicitor
Re: 238 Portugal Cove Road
- b. Memorandum dated August 29, 2013 from the City Solicitor
Re: Grace Hospital Site
- c. **Correspondence from the Mayor's Office**
- d. **Items Added by Motion**

16. Adjournment

September 3rd , 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

SJMC2013-09-03/379R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That the Agenda be adopted as presented.

Adoption of Minutes

SJMC2013-09--03/380R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Galgay: That the minutes of August 19th, 2013 be adopted as presented.

Business Arising

St. John's Urban Region Regional Plan Number 3, 2013

St. John's Municipal Plan Amendment Number 111, 2013 and St. John's Development Regulations Amendment Number 560, 2013, Blackhead Road and Blackhead Crescent

Under business arising, Council considered a memorandum dated August 21, 2013 from the Chief Municipal Planner regarding the above noted along with the Commissioner's report on the amendments.

SJMC2013-09--03/381R

It was moved by Councillor Collins; seconded by Councillor Galgay: That the following Resolutions for St. John’s Municipal Plan Amendment Number 111, 2013 and St. John’s Development Regulations Amendment Number 560, 2013 be approved, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendments:

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 111, 2013**

WHEREAS the City of St. John’s wishes to make several existing single detached houses conforming/ permitted uses and to allow limited additional residential development along a small section of Blackhead Road and Blackhead Crescent.

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

Redesignate land east and south of Beaver Pond that is situated with frontage along sections of Blackhead Road and/or Blackhead Crescent from the Restricted (RES) District to the Rural (R) District, as more specifically shown on the 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 3rd day of September, 2013.

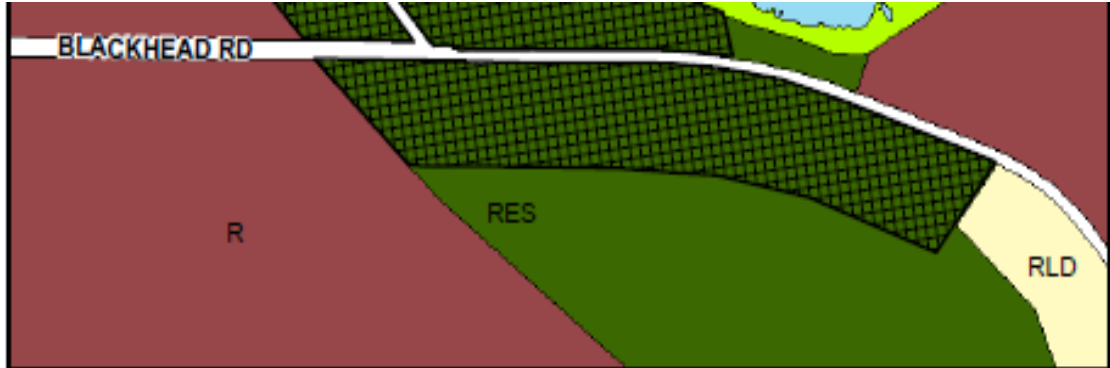
Mayor

City Clerk

Provincial Registration

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

MCIP



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 111, 2013
[Map III-1A]**

2013 02 11 SCALE: 1:4000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REDESIGNATED FROM
RESTRICTED (RES) LAND USE DISTRICT
TO RURAL (R) LAND USE DISTRICT

BLACKHEAD ROAD/BLACKHEAD CRESCENT

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 560, 2013**

WHEREAS the City of St. John's wishes to make several existing single detached houses conforming/ permitted uses and to allow limited additional residential development along a small section of Blackhead Road and Blackhead Crescent.

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

Rezone land east and south of Beaver Pond that is situated with frontage along sections of Blackhead Road and/or Blackhead Crescent from Open Space Reserve (OR) and the Rural (R) to Rural Residential Infill (RRI), as more specifically shown on the 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 3rd day of September , **2013**.

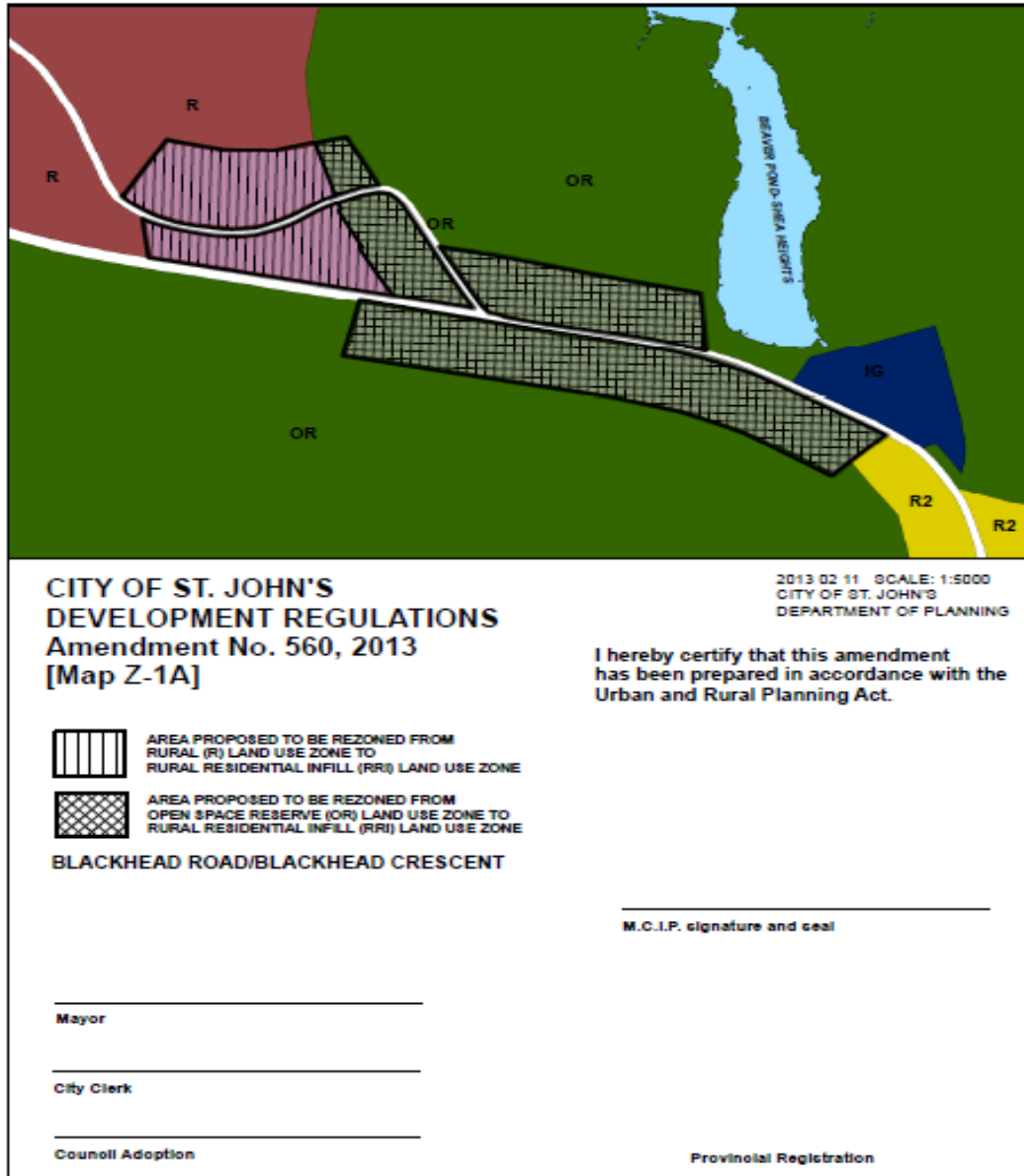
Mayor

City Clerk

Provincial Registration

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

MCIP



The motion being put was unanimously carried.

**St. John's Municipal Plan Amendment Number 116, 2013 and Development Regulations Amendment Number 577, 2013, Civic # 24 and 28 Road DeLuxe (Ward 3)
Applicant: Anglican Homes Inc.**

Under business arising, Council considered a memorandum dated August 21, 2013 from the Chief Municipal Planner regarding the above noted.

SJMC2013-09--03/382R

It was moved by Councillor Tilley; seconded by Councillor Hann: That the following Resolutions for St. John’s Municipal Plan Amendment Number 116, 2013 and St. John’s Development Regulations Amendment Number 577, 2013 be adopted, and further, that Ms. Maura Hanrahan, a member of the City’s commissioner list, be appointed as the commissioner to conduct a public hearing on the Municipal Plan and Development Regulations amendments.

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 116, 2013**

WHEREAS the City of St. John’s wishes to accommodate the expansion to St. Luke’s Homes located at Civic Number 24 (includes Civic 20 and 26 Road DeLuxe and Civic 243 Topsail Road) and 28 Road DeLuxe.

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 24 and 28 Road DeLuxe from the Residential Low Density Land Use District to the Institutional 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 3rd day of September, 2013.

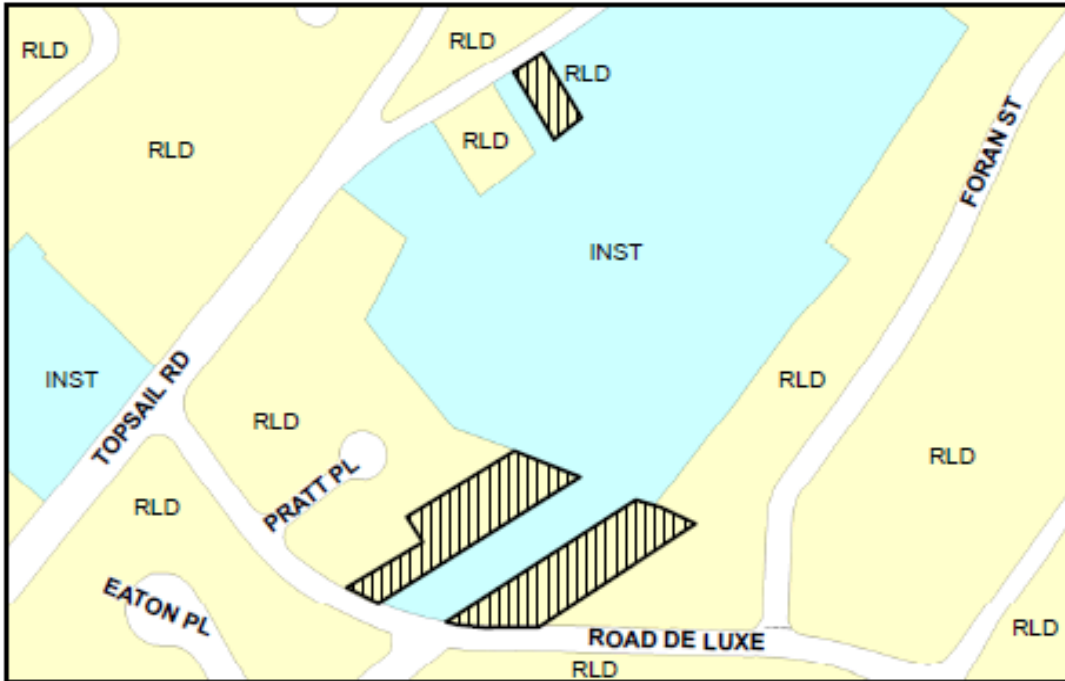
Mayor

City Clerk

Provincial Registration

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

MCIP



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 116, 2011
[Map III-1A]**

2013 07 12 SCALE: 1:2500
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 INSTITUTIONAL (INST) LAND USE DISTRICT

St. Luke's Home
Road De Luxe

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 577, 2013**

WHEREAS the City of St. John's wishes to accommodate the expansion to St. Luke's Homes located at Civic Number 24 (includes Civic 20 and 26 Road DeLuxe and Civic 243 Topsail Road) and 28 Road DeLuxe.

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 24 and 28 Road DeLuxe from the Residential Low Density (R1) Zone to the Institutional (INST) 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 3rd day of September, 2013.

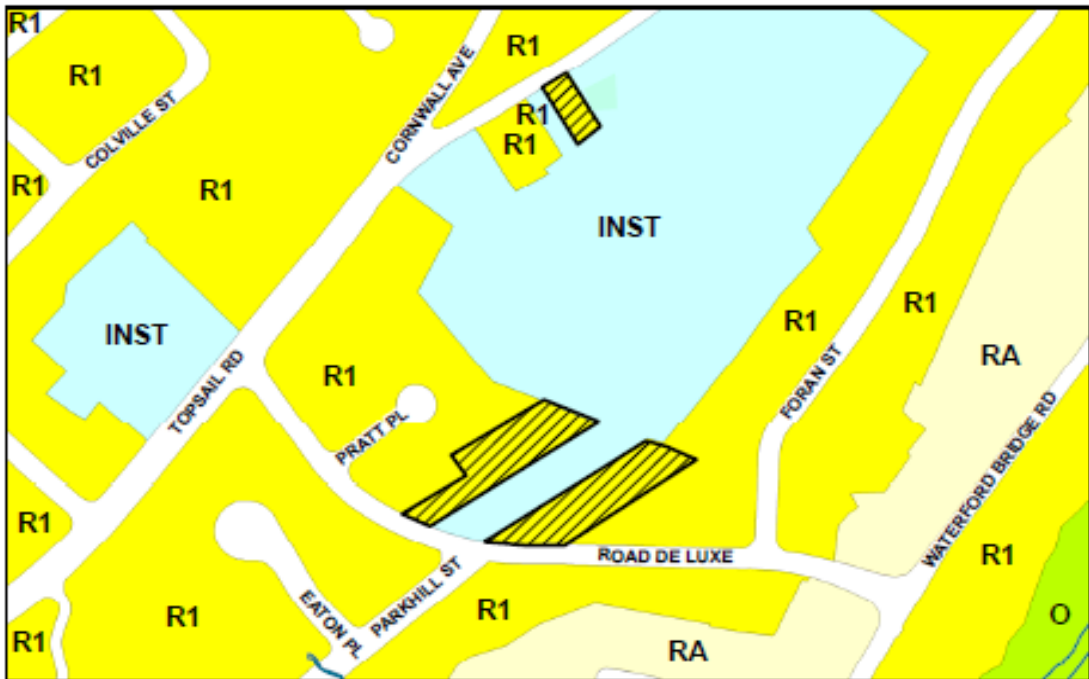
Mayor

City Clerk

Provincial Registration

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


MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 577, 2013
[Map Z-1A]**

2013 05 02 SCALE: 1:10000
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) TO
INSTITUTIONAL (INST) LAND USE ZONE

St. Luke's Homes
Road De Luxe

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

**Proposed Site Redevelopment – 6 Storey Extension to Office Building
430-436 Water Street**

Applicant – Stantec Architecture Ltd. For MundRe Group o/a 2281461 Ontario Ltd.

Council considered a memorandum dated August 29, 2013 from the Chief Municipal Planner regarding the above noted.

SJMC2013-09--03/383R

It was moved by Councillor Hann; seconded by Councillor Galgay: That the following Resolutions for St. John's Municipal Plan Amendment Number 114, 2013 and St. John's Development Regulations Amendment Number 575, 2013 be adopted, and further, that Dr. Christopher Sharpe, a member of the City's commissioner list, be appointed as the commissioner to conduct a public hearing on the amendments.

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 114, 2013**

WHEREAS the City of St. John's wishes to accommodate further development of property situated at Civic Number 430 Water Street [Parcel ID #46659] for the purpose of enlarging the existing office building by constructing a 6 storey rear extension.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Municipal Plan under the provisions of the Urban and Rural Planning Act, 2000:

1. Amend Part III, Section 3.3.4 ("Commercial Downtown District") of the St. John's Municipal Plan as follows:

- (1) At end of subsection with the heading "Building Height and Area" add:

"Notwithstanding the above, the City of St. John's may permit development of a building with a height not exceeding 6 storeys on property situate at Civic Number 430 Water Street (Parcel ID #46659).

- (2) Repeal the subsection with the heading "Building Height in Heritage Area" substituting the following:

"Building Height in Heritage Areas

The additional height bonus as provided in the preceding Section is restricted to a maximum of ten storeys, where the building is located in a Heritage Area (see Part III, Section 7). In addition, any building in excess of four storeys in such areas shall be set back no less than eight metres from the street line; however, this shall not apply to property situated at Civic Number 430 Water Street [Parcel ID# 46659]."

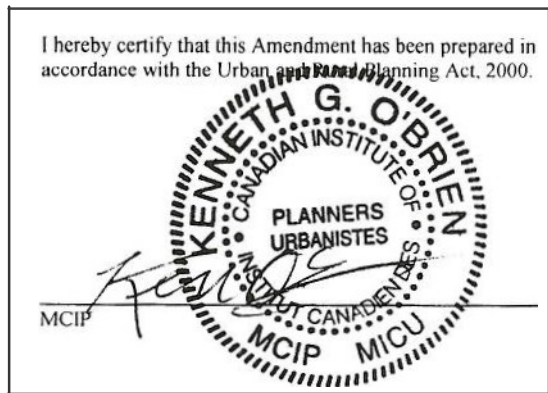
- 2. Amend Map 111-2 ("Downtown Building Control") of the St. John's Municipal Plan by adding the property at Civic Number 430 Water Street [Parcel ID # 46659] as an "Area allowing a building height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15 m/4 storeys above grade."

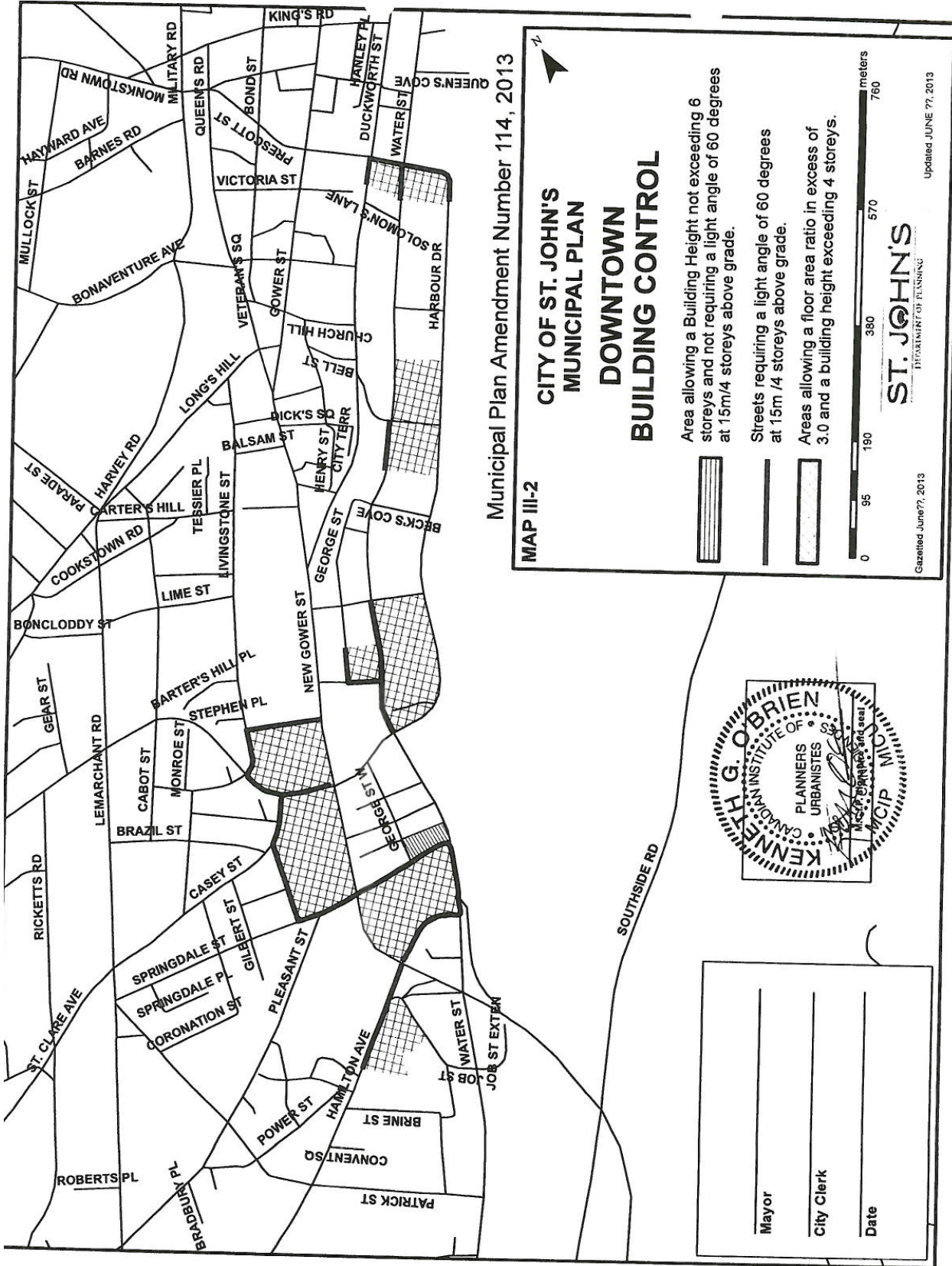
BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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 3rd day of September, 2013.

Mayor

City Clerk





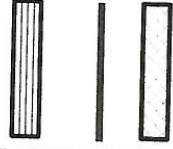
Municipal Plan Amendment Number 114, 2013

MAP III-2

CITY OF ST. JOHN'S MUNICIPAL PLAN

DOWNTOWN BUILDING CONTROL

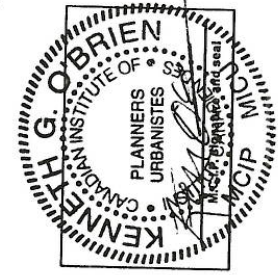
- Area allowing a Building Height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15m/4 storeys above grade.
- Streets requiring a light angle of 60 degrees at 15m/4 storeys above grade.
- Areas allowing a floor area ratio in excess of 3.0 and a building height exceeding 4 storeys.



ST. JOHN'S DEPARTMENT OF PLANNING

Updated JUNE 27, 2013

Gazetted June 27, 2013



Mayor

City Clerk

Date

**RESOLUTION
ST. JOHN'S DEVELOPMENT
REGULATIONS AMENDMENT NUMBER
575, 2013**

WHEREAS the City of St. John's wishes to accommodate further development of property situate at Civic Number 430 Water Street [Parcel ID #46659].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Development Regulations under the provisions of the Urban and Rural Planning Act, 2000:

1. Amend Section 10.23.3 [Commercial Central Mixed (CCM) Zone – Zone Requirements] by adding the following:

"(j) Notwithstanding Subsection (b), Council may permit at the property located at Civic Number 430 Water Street Parcel ID # 46659], a Building with a Building Height not greater than 6 storeys/21.6 metres."

2. Amend Section 11.5 [Overlay Districts -Light Planes] by repealing the phrase

" Springdale Street (from John Street to Water

Street)" and substituting the following:

"- Springdale Street (from John Street to Water Street), except for property situate at Civic Number 430 Water Street [Parcel ID# 46659)."

3. Amend Map F ("Downtown Building Control") of the St. John's Municipal Plan by adding the property at Civic Number 430 Water Street [Parcel ID # 46659) as an "Area allowing a Building Height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15 m/4 storeys above grade."

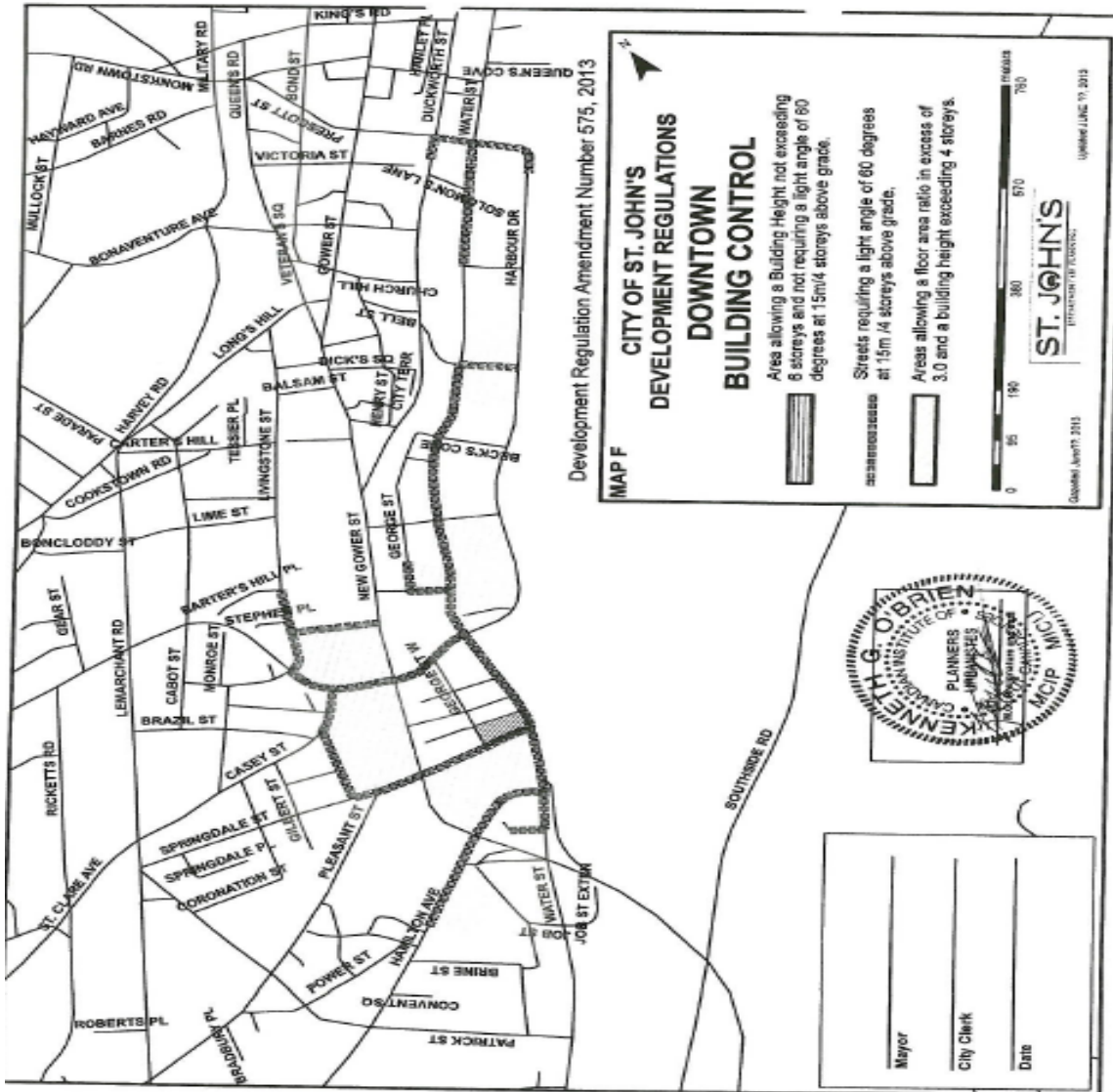
BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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 3rd day of September, **2013.**

Mayor

City Clerk

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



The motion being put was unanimously carried.

Other Matters

At this point, with Council's indulgence, Councillor Tilley tabled a petition the prayer of which reads as follows:

"We, the residents of McLoughlan Street and surrounding area and friends of St. Mary's protest the proposed installation of a Cell Tower by Bell Mobility on the land owned by Anglican Homes Incorporated, known as Bishop Meaden Manor. We STRONGLY suggest that Anglican Homes Incorporated reverse their decision to lease the property for this purpose and FERVENTLY encourage Bell Mobility to find a more suitable site NOT located in a Residential Zone and in such close proximity to St. Mary's Elementary School, the Playground, the Grand Concourse Walking Trail and the Bishop Meaden Seniors Complex."

Councillor Tilley also tabled a letter concerning the proposal by Bell Mobility to erect a cellular tower at McLoughlin Street, which was referred to the City Solicitor for response to the concerns outlined by the residents.

Public Hearings

Public Hearing Report dated August 20, 2013

Re: Proposed Rezoning, Civic #4 Oxen Pond Road

Memorandum dated August 29, 2013 from the Chief Municipal Planner

Councillor Colbert presented the report on a public hearing held on August 20, 2013 to provide an opportunity for public review and comment on the application submitted by Management Unlimited Inc., to rezone land located at Civic Number 4 Oxen Pond Road for the purpose of allowing the existing dwelling to be converted into office space for the neighbouring Don Cherry's restaurant. In this regard, Council considered a memorandum dated August 29, 2013 from the Chief Municipal Planner. Written submissions from the residents were also presented.

SJMC2013-09--03/384R

It was moved by Councillor Colbert; seconded by Councillor Hanlon: That staff be directed to proceed with the rezoning process for 4 Oxen Pond Road, and further, agreed that the following Resolutions for St. John's Municipal Plan Amendment Number 117, 2013 and St. John's Development Regulations Amendment Number 581, 2013 be adopted in principle, which will then be forwarded to the Department of Municipal Affairs with a request for the issuance of a Provincial release in accordance with the requirements of the Urban and Rural Planning Act:

**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 3rd day of September, 2013.

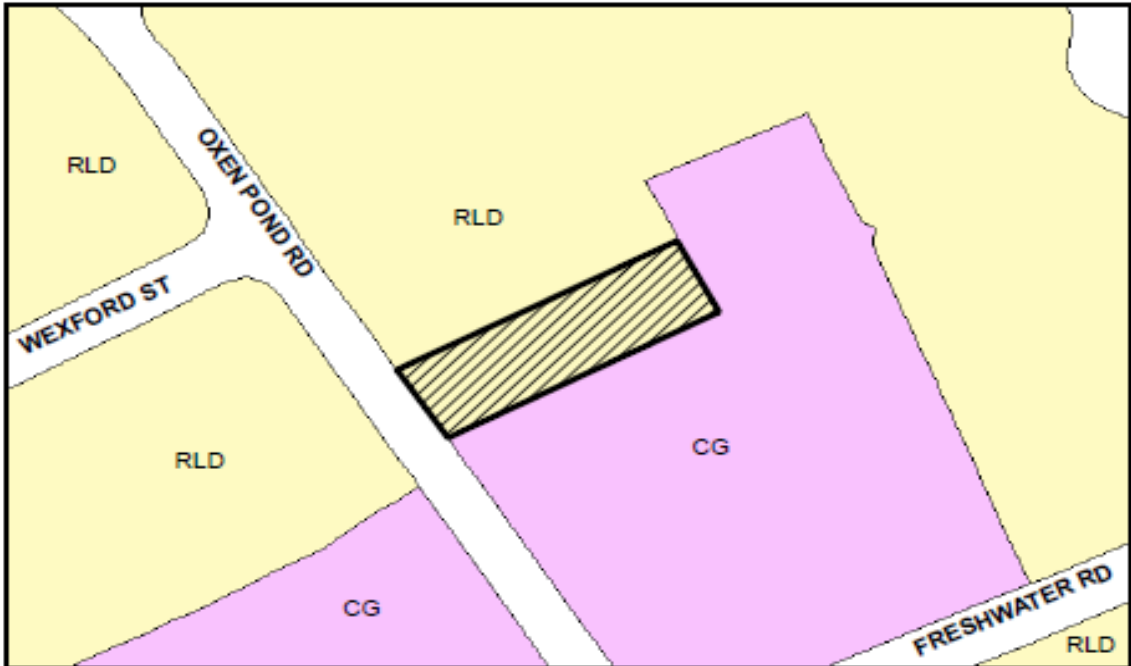
Mayor

City Clerk

Provincial Registration

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

MCIP



**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 3rd day of September, 2013.

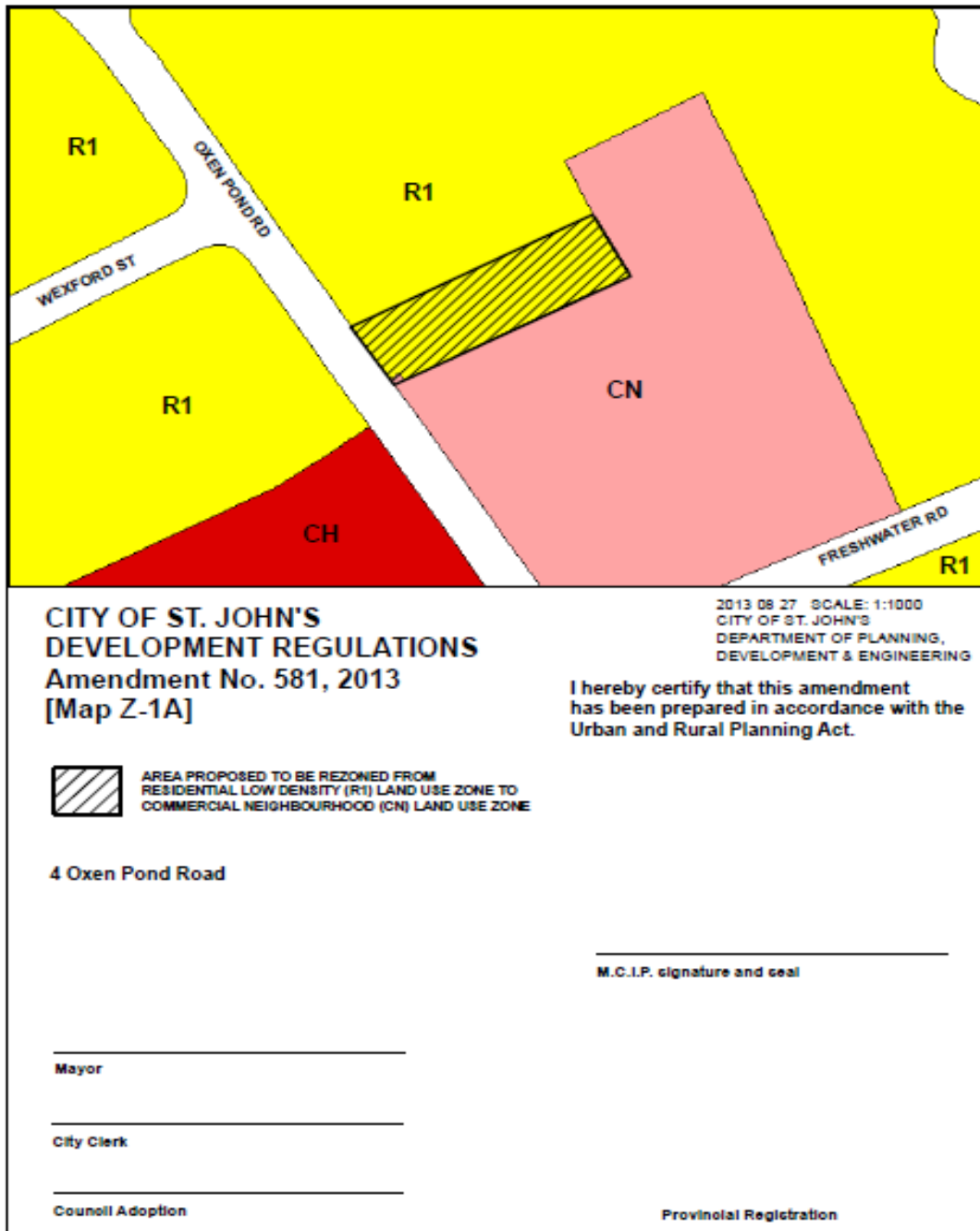
Mayor

City Clerk

Provincial Registration

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

MCIP



Councillor Colbert noted problems associated with the green space behind Don Cherry's and suggested that the matter be taken up with the new Council.

The motion being put was unanimously carried.

Public Hearing Report dated August 27, 2013
Proposed Rezoning to Residential Medium Density (R2) Zone
Civic No. 163 Blackhead Road
Memorandum dated August 29, 2013 from the Chief Municipal Planner

Councillor Colbert presented a report of a public meeting held on August 27, 2013 to provide an opportunity for public review and comment on an application submitted by the City of St. John's, to rezone land at Civic Number 163 Blackhead Road for the purpose of developing the property as a mixed use residential development, with a focus on the provision of providing affordable housing. In this regard Council considered a memorandum dated August 29, 2013 from the Chief Municipal Planner.

SJMC2013-09--03/385R

It was moved by Councillor Colbert; seconded by Councillor Collins: That staff be directed to proceed with the proposed rezoning of property at civic number 163 Blackhead Road from Apartment Low Density (A1) to Zone to the Residential Medium Density (R2) Zone, and agreed that the following Resolution for St. John's Development Regulations Amendment Number 582, 2013, be adopted, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment:

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 582, 2013

WHEREAS the City of St. John's wishes to accommodate development of property situated at 163 Blackhead Road for the purpose of a medium density residential mixed use development.

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 163 Blackhead Road from the Apartment Low Density (A1) Zone to the Residential Medium Density (R2) 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 3rd day of September, 2013.

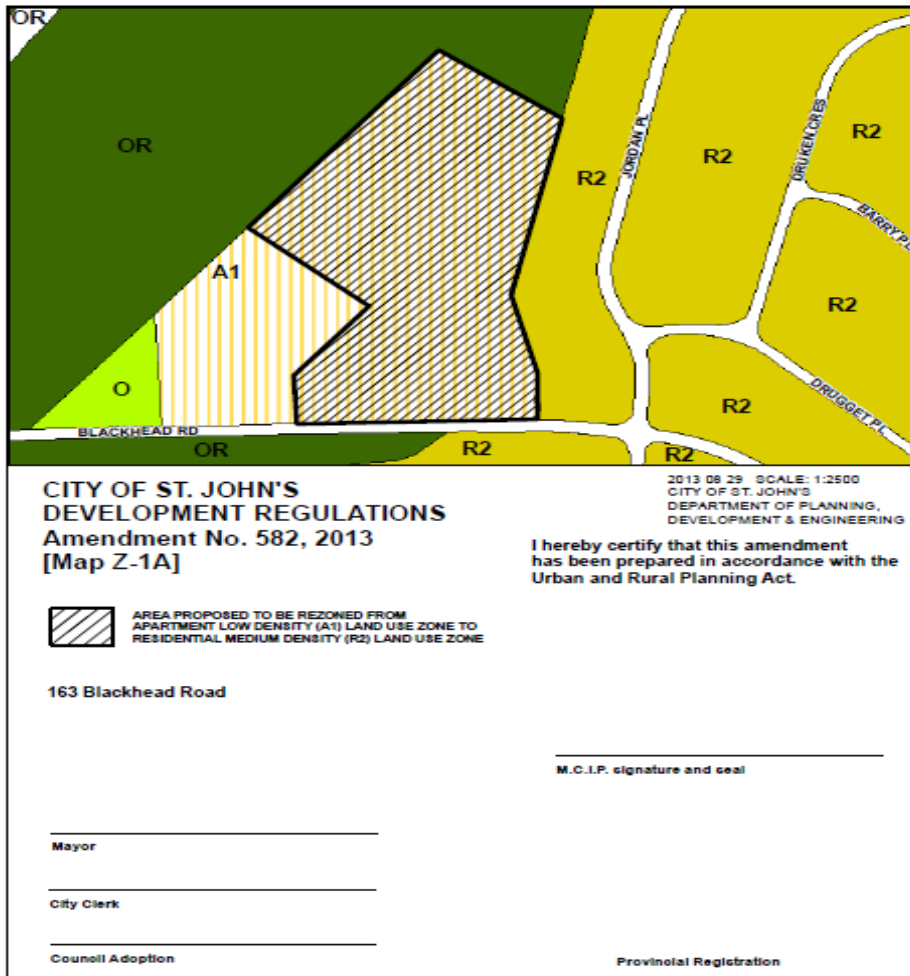
Mayor

City Clerk

Provincial Registration

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

MCIP



The motion being put was unanimously carried.

Committee Reports

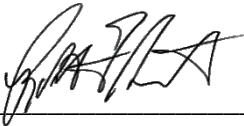
Development Committee Report of August 20th, 2013

Council considered the following Development Committee Report dated August 20th, 2013:

- 1. Department of Planning File No. 13-00214/B-17-B.34
Proposed Crown Land Grant for a Residential Building Lot
Department of Environment & Conservation File 1033546
Crown Land Grant Referral for 0.18 Hectares
Blackhead Road (Ward 5) – Rural (R) Zone**

Recommendation:

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



Robert F. Smart, City Manager
Chair – Development Committee

SJMC2013-09-03/386R

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

The motion being put was carried with Councillor Collins dissenting.

Art Procurement Jury Report dated August 29, 2013

Attendees: Deputy Mayor Shannie Duff, Juror (Council Representative)
Mireille Eagan, Juror
Candace Fulford, Juror
Théa Morash, Arts & Cultural Development Coordinator
Helen Miller, City Archivist
Rhonda Rose-Colbert, Project Assistant

SJMC2013-09-03/387R

It was moved by Deputy Mayor Duff; seconded by Councillor Hickman: That the following 2013 Art Procurement selection totaling \$20,390.00 be approved:

Art Procurement 2013 – Recommendations		
Artist's Name	Title of Artwork	Price
Cory Collins	Free University of Iqaluit	\$ 1,325.00
Boyd Chubbs	Scat at the Peter Easton	\$ 1,950.00
Erika Stephens-Moore	Point Pleasant	\$ 2,450.00
Laurie Leehane	Bond Street	\$ 2,300.00
John Goodyear	The Ring	\$ 1,750.00
Michael Young	The Fox	\$ 2,200.00
Kathleen Knowling	Lonely House, McDougal Street	\$ 700.00
John Mcdonald	Lately	\$ 2,700.00
Jonathan Green	Even Here it Was Impossible to Escape	\$ 525.00
Audrey Hurd	Ghost Shoes	\$ 180.00
Philippa Jones	Universal Equation Solver	\$ 1,200.00
John MacCallum	The Discussion	\$ 800.00
Jonathan O'Dea	Jellybeans	\$ 2,000.00
Jennifer Morgan	Postcards: Cathedral	\$ 310.00
TOTAL		\$ 20,390.00

The motion being put was unanimously carried.

SJMC2013-09-03/388R

It was then moved by Deputy Mayor Duff; seconded by Councillor Hickman: That the following Art Procurement Jury recommendations be referred to 2014 budget discussions.

- **That, considering in part the increasing cost of art acquisition (due to rising costs of creation to artists, gallery operation, and so on), Council consider increasing the annual Art Procurement budget by \$5,000 per year over the next four years.**
- **That Council additionally consider increasing the Art Procurement budget by \$100,000 over three years, specifically to acquire art for the new St. John's Convention Centre. This would allow the City to acquire more significant pieces by established Newfoundland and Labrador artists.**
- **That Council consider the following: Once a year, the City partner with a professional curator to develop an annual plan for the display and animation of our Civic Art Collection with the objective of making it more accessible to the public. The program will both celebrate and reflect upon the city's visual culture through the development and presentation of focused exhibitions that are innovative, relevant, and responsive to the public and arts community.**
- **This may include themed exhibits in the Great Hall, and educational components such as a lecture series, and/or programming for youth. The Public Art Advisory Committee could act as a steering committee to guide this process.**

Deputy Mayor Shannie Duff
Chairperson

The motion being put was unanimously carried.

Development Permits

Council considered as information the following Weekly Development Permits for the period August 16th to 29th, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF August 16, 2013 TO August 29, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Balnafad Company Limited	Two (2) Building Lots	Griffin's Lane	5	Approved	13-08-16
RES	Equity Capital Corporation	Proposed Building Lot	Lot 5 adjacent 218 Petty Harbour Road	5	Rejected as per section 10.41.3	13-08-20
RES		Subdivide for an additional building lot	267 Mundy Pond Road	3	Approved	13-08-22
RES	Acreage Investments	Building Lot	35-37 Hennessey's Line	5	Approved	13-08-27
RES		Demolition & Rebuild of Single Detached Dwelling	212-214 Petty Harbour Road	5	Approved	13-08-27
RES	Pinnacle Engineering Ltd	Forty-three (43) Unit Residential Condominium	Shortall Street-Clovelly	1	Approved	13-08-16

<p>* Code Classification: RES- Residential COM - Commercial AG - Agriculture OT - Other</p>	<p>INST - Institutional IND - Industrial</p>
<p>** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.</p>	

Gerard Doran
Development Officer
Department of Planning

Building Permits List – September 3, 2013

SJMC2013-09-03/389R

It was decided on motion of Councillor Tilley; seconded by Councillor O’Leary: 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 3, 2013 Regular Meeting**

Permits Issued: 2013/08/15 to 2013/08/28

Permits List

Class: Commercial

22 O'leary Ave	Co	Retail Store
15-27 Stavanger Dr	Co	Retail Store
655 Topsail Rd	Co	Commercial School
Quidi Vidi Hr Ft/Cadet Rd	Nc	Harbour Use
250 Duckworth St	Rn	Restaurant
46a Aberdeen Ave	Ms	Clinic
50 Aberdeen Ave	Ms	Retail Store
75 Aberdeen Ave	Sn	Retail Store
25 Anderson Ave.	Sn	Clinic
Avalon Mall -Bench	Sn	Retail Store
57 Blackmarsh Rd	Ms	Place Of Assembly
235 Blackmarsh Rd	Ms	Day Care Centre
44 Crosbie Rd	Ms	Convenience Store
395 East White Hills Rd	Ms	Commercial Garage
10 Elizabeth Ave	Ms	Retail Store
84-86 Elizabeth Ave	Ms	Service Shop
385 Empire Ave	Ms	Office
391-395 Empire Ave	Ms	Retail Store
32 Frecker Dr	Ms	Service Station
324 Frecker Dr	Ms	Convenience Store
140 Freshwater Rd	Ms	Restaurant
9 Hallett Cres	Ms	Retail Store
10 Hebron Way	Ms	Eating Establishment
12-20 Highland Dr	Ms	Retail Store
58 Kenmount Rd	Ms	Office
274 Kenmount Rd	Ms	Retail Store
460 Kenmount Rd- Tim Hortons	Sn	Eating Establishment
460 Kenmount Rd	Ms	Eating Establishment
81 Kenmount Rd	Ms	Retail Store
187 Kenmount Rd	Ms	Office
193 Kenmount Rd	Ms	Retail Store
409 Kenmount Rd	Ms	Commercial Garage
461 Kenmount Rd	Ms	Car Sales Lot
90 Logy Bay Rd	Ms	Club
326 Logy Bay Rd	Ms	Convenience Store
205 Logy Bay Rd	Ms	Club
416-420 Main Rd	Ms	Restaurant
484-490 Main Rd	Ms	Commercial School
484 Main Rd	Ms	Club
431-435 Main Rd	Ms	Take-Out Food Service
431-435 Main Rd	Ms	Take-Out Food Service
219 Major's Path	Ms	Retail Store
10 Messenger Dr	Ms	Retail Store
110 Mundy Pond Rd	Ms	Church
119 New Cove Rd	Ms	Clinic
446 Newfoundland Dr	Ms	Restaurant
57 New Pennywell Rd	Ms	Office
51 Old Pennywell Rd	Ms	Service Shop
57 Old Pennywell Rd	Ms	Office
60 O'leary Ave	Ms	Retail Store
82 O'leary Ave	Ms	Commercial School

20 Peet St	Ms	Car Sales Lot
52 Pippy Pl	Ms	Retail Store
180 Portugal Cove Rd	Ms	Retail Store
279 Portugal Cove Rd-Envy Hair	Ms	Service Shop
279 Portugal Cove Rd	Ms	Clinic
283 Portugal Cove Rd	Ms	Eating Establishment
35 Ridge Rd	Ms	Club
35 Ridge Rd	Ms	Club
46-50 Robin Hood Bay Rd	Ms	Industrial Use
20 Ropewalk Lane	Ms	Service Shop
38 Ropewalk Lane	Ms	Tavern
45 Ropewalk Lane	Ms	Retail Store
16 Stavanger Dr	Ms	Restaurant
410 Stavanger Dr	Ms	Retail Store
3 Stavanger Dr	Ms	Restaurant
3 Stavanger Dr	Ms	Retail Store
397 Stavanger Dr	Ms	Retail Store
415 Stavanger Dr	Ms	Restaurant
86 Thorburn Rd	Ms	Retail Store
88 Thorburn Rd	Ms	Convenience Store
Thorburn Rd	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
446 Topsail Rd	Ms	Service Station
26-34 Torbay Rd	Ms	Tavern
10 Elizabeth Ave	Ms	Retail Store
192-194 Torbay Rd	Ms	Restaurant
320 Torbay Rd	Ms	Club
340 Torbay Rd	Sn	Service Shop
430 Torbay Rd	Ms	Tavern
660 Torbay Rd	Ms	Service Station
141 Torbay Rd	Ms	Restaurant
141 Torbay Rd	Ms	Restaurant
Torbay Road-Torbay Rd Mall	Ms	Communications Use
421 Torbay Rd	Ms	Retail Store
611 Torbay Rd	Ms	Retail Store
216 Water St	Sn	Retail Store
50 White Rose Dr	Ms	Retail Store
1 Kiwanis St , Chatters Kelsey	Rn	Service Shop
25 Anderson Ave	Rn	Clinic
88 Water St 4th Floor	Rn	Club
496 Topsail Rd Lawtons Drugs	Rn	Pharmacy
27 Rowan St	Rn	Retail Store
570 Newfoundland Dr	Rn	Office
82 O'leary Ave	Cr	Commercial School
71 O'leary Ave	Cr	Place Of Amusement
24 Stavanger Dr	Sw	Retail Store
210-214 Water St	Rn	Restaurant
57 Old Pennywell Rd---Delux	Cr	Office
15 Church Hill	Rn	Office
100 Elizabeth Ave	Rn	Mixed Use
Factory Lane	Rn	Office
28 Stavanger Dr	Rn	Retail Store

This Week \$ 2,073,900.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

Mcniven Pl -Ball Field

Sw Recreational Use

This Week \$ 550,000.00

Class: Residential

23 Airport Rd	Nc	Accessory Building
42 Alexander St	Nc	Accessory Building
27 Athlone Pl	Nc	Fence
391 Bay Bulls Rd	Nc	Accessory Building
32 Blue River Pl	Nc	Fence
26 Brad Gushue Cres	Nc	Fence
18 Brownrigg Pl	Nc	Accessory Building
8 Calver Ave	Nc	Accessory Building
35 Canada Dr	Nc	Patio Deck
79 Canada Dr	Nc	Accessory Building
44 Cape Pine St	Nc	Accessory Building
69 Cape Pine St	Nc	Accessory Building
85 Cape Pine St	Nc	Accessory Building
35 Carpasian Rd	Nc	Accessory Building
116 Carrick Dr	Nc	Fence
148 Castle Bridge Dr, Lot 198	Nc	Single Detached Dwelling
156 Castle Bridge Dr, Lot 194	Nc	Single Detached Dwelling
172 Cheeseman Dr	Nc	Fence
172 Cheeseman Dr	Nc	Patio Deck
174 Cheeseman Dr , Lot 176	Nc	Single Detached Dwelling
36 Cherokee Dr	Nc	Fence
32 Cornwall Cres	Nc	Patio Deck
15 Country Grove Pl	Nc	Accessory Building
1 Crestview Pl, Lot 1	Nc	Single Detached Dwelling
3 Crestview Pl, Lot 2	Nc	Single Detached Dwelling
5 Crestview Pl, Lot 3	Nc	Single Detached Dwelling
82 Donovan's Rd	Nc	Accessory Building
99-103 Doyle's Rd	Nc	Single Detached Dwelling
10 Dunkerry Cres, Lot 285	Nc	Single Detached Dwelling
40 Dunkerry Cres., Lot 270	Nc	Single Detached & Sub.Apt
39 Dunkerry Cres, Lot 317	Nc	Single Detached Dwelling
115 Fahey St	Nc	Accessory Building
12 Galashiels Pl	Nc	Fence
14 Gibbs Pl	Nc	Accessory Building
19 Gibbons Pl, Lot 12	Nc	Single Detached Dwelling
16 Glenlonan St	Nc	Fence
18 Glenlonan St	Nc	Fence
25 Glenlonan St	Nc	Accessory Building
26 Gooseberry Lane	Nc	Fence
158 Great Eastern Ave	Nc	Accessory Building
125 Green Acre Dr	Nc	Accessory Building
61 Hamilton Ave	Nc	Mixed Use
32 Harrington Dr	Nc	Accessory Building
24 Hazelwood Cres	Nc	Patio Deck
68 Hayward Ave	Nc	Patio Deck
56 Highland Dr	Nc	Fence
12 Horwood St	Nc	Patio Deck
4 Irish Loop St	Nc	Fence
22 Jenmar Cres	Nc	Accessory Building
14 Katie Pl	Nc	Accessory Building
198 Ladysmith Dr, Lot 496	Nc	Single Detached & Sub.Apt
193 Ladysmith Dr, Lot 610	Nc	Accessory Building
197 Ladysmith Dr, Lot 608	Nc	Single Detached & Sub.Apt
209 Ladysmith Dr, Lot 602	Nc	Single Detached & Sub.Apt
16 Mcneily St	Nc	Accessory Building

292 Main Rd	Nc	Single Detached Dwelling
1 Melrose Pl	Nc	Fence
1 Milbanke St Exten	Nc	Accessory Building
16 Miranda St	Nc	Accessory Building
20 Mooney Cres	Nc	Accessory Building
135 Old Petty Harbour Rd	Nc	Accessory Building
64 Orlando Pl, Lot 197	Nc	Single Detached Dwelling
4-8 Park Lane	Nc	Accessory Building
12 Parsonage Dr, Lot 6	Nc	Single Detached Dwelling
58 Parsonage Dr, Lot 214	Nc	Single Detached Dwelling
6 Parsons Pl	Nc	Accessory Building
17 Petite Forte Dr	Nc	Accessory Building
20 Picea Lane	Nc	Fence
203 Portugal Cove Rd	Nc	Accessory Building
134 Queen's Rd	Nc	Patio Deck
26 Ridgemount St	Nc	Accessory Building
16 Rose Abbey St	Nc	Fence
6 Rostellan Pl	Nc	Single Detached Dwelling
17 Royal Oak Dr	Nc	Patio Deck
566 Southside Rd	Nc	Accessory Building
66 Stamp's Lane	Nc	Fence
75 Tree Top Dr	Nc	Single Detached Dwelling
52 Valleyview Rd	Nc	Accessory Building
60 Viscount St	Nc	Accessory Building
46 Wadland Cres	Nc	Accessory Building
26 Walsh's Lane	Nc	Accessory Building
112 Whiteway St	Nc	Patio Deck
105 Winslow St	Nc	Accessory Building
3 Georgina St	Cr	Subsidiary Apartment
65 Carrick Dr	Ex	Single Detached Dwelling
54 Circular Rd	Ex	Single Detached Dwelling
11 Coventry Way	Ex	Single Detached Dwelling
19 Downing St	Ex	Single Detached Dwelling
8 Druken Cres	Ex	Accessory Building
8 Katie Pl	Ex	Single Detached Dwelling
38 Mcneilly St	Ex	Single Detached & Sub.Apt
30 Mcniven Pl	Ex	Accessory Building
36 Barter's Hill Pl	Rn	Semi-Detached Dwelling
34 Bellevue Cres	Rn	Single Detached Dwelling
9 Canso Pl	Rn	Single Detached Dwelling
2 Chapel St	Rn	Townhousing
32 Dublin Rd	Rn	Single Detached Dwelling
3 Irish Loop St	Rn	Patio Deck
29 Jasper St	Rn	Single Detached Dwelling
176 Ladysmith Dr	Rn	Single Detached Dwelling
3 Lamanche Pl	Rn	Single Detached Dwelling
18 Maxse St	Rn	Semi-Detached Dwelling
1 Melrose Pl	Rn	Accessory Building
36 Merrymeeting Rd	Rn	Patio Deck
21 Murphy's Ave	Rn	Single Detached Dwelling
13 Nascopie Cres	Rn	Townhousing
21 Parliament St	Rn	Single Detached Dwelling
132 Prowse Ave	Rn	Single Detached & Sub.Apt
11 Road De Luxe	Rn	Single Detached Dwelling
28 Rose Abbey St	Rn	Subsidiary Apartment
113 Springdale St	Rn	Single Detached & Sub.Apt
7 Sitka St	Rn	Subsidiary Apartment
16 Wood St	Rn	Townhousing
6 Berrigan Pl	Sw	Single Detached & Sub.Apt
69 Cape Pine St	Sw	Single Detached Dwelling
38 Connemara Pl	Sw	Single Detached Dwelling
51 Graves St	Sw	Single Detached Dwelling
26 Lobelia St	Sw	Single Detached Dwelling
2 Rostellan St	Sw	Single Detached Dwelling

This Week \$ 8,221,072.00

Class: Demolition

42 Calver Ave

Dm Single Detached Dwelling

This Week \$ 13,500.00

This Week's Total: \$ 10,858,472.00

Repair Permits Issued: 2013/08/15 To 2013/08/28 \$ 591,100.00

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 3, 2013		
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$156,500,500.00	\$68,400,100.00	-54
Industrial	\$3,600,100.00	\$131,000.00	-96
Government/Institutional	\$15,500,500.00	\$71,800,700.00	363
Residential	\$131,700,400.00	\$113,000,300.00	-14
Repairs	\$3,600,700.00	\$3,500,400.00	-3
Housing Units (1 & 2 Family Dwellings)	437	317	
TOTAL	\$310,902,200.00	\$256,832,500.00	-17

Respectfully Submitted,

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

Payrolls and Accounts

SJMC2013-09-03/390R

It was decided on motion of Councillor Tilley; seconded by Councillor O’Leary: That the following Payrolls and Accounts for the weeks ending August 22nd, and August 29th, be approved:

**Weekly Payment Vouchers
For The
Week Ending August 22, 2013**

Payroll

Public Works	\$ 407,795.35
Bi-Weekly Casual	\$ 137,901.78
Accounts Payable	\$2,728,712.42
Total:	\$ 3,274,712.42

**Weekly Payment Vouchers
For The
Week Ending August 29, 2013**

Payroll

Public Works	\$ 404,483.12
Bi-Weekly Administration	\$ 807,223.19
Bi-Weekly Management	\$ 694,180.51
Bi-Weekly Fire Department	\$ 601,037.57
Accounts Payable	\$ 4,745,191.40
Total:	\$ 7,252,115.79

Quarterly Travel Report

Council considered as information the quarterly travel report for the second quarter of 2013.

Ratification of E Poll

SJMC2013-09-03/391R

It was decided on motion of Councillor Galgay; seconded by Deputy Mayor Duff: That the following E-poll be ratified:

**Approval of Tender – Water Transmission Main Replacement
Mayor Avenue, Phase 1, Freshwater Road to Calver Street
RJG Construction @ \$1,706,140.67**

September 2013 Economic Update

Councillor Tilley presented the highlights of the September 2013 Economic Update.

Proposed Cell Tower at McLoughlan Street - Bell Mobility

His Worship the Mayor and Members of Council expressed concern on the approach taken by Bell Mobility with respect to its proposed cell phone tower near McLoughlan Street. Since the City is in the process of developing a cell phone tower siting protocol, members of Council are asking that Bell Mobility defer any further action pending finalization of the City's protocol. It was noted that Bell Mobility now intends to reopen the communication process for two more weeks which will allow residents another opportunity to express their concerns. Members of Council indicated their support of the residents on this matter.

Adjournment

There being no further business the meeting adjourned at 6:00 p.m.

MAYOR

CITY CLERK

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on Monday, September 9, 2013**

Ref #	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
1	Civic Number 200-232 Newfoundland Dr. Commercial Neighbourhood (CN) Zone	1	The City of St. John's has received an application to redevelop Virginia Park Plaza for residential and commercial use. The applicant wishes to add two storeys to the existing building in the plaza, converting it to a 5-storey condominium building; build a second 5-storey condominium building on the other side of the plaza; and build a small 2-storey building near the front of the property for commercial and office use. This would require a rezoning of the site from the Commercial Neighbourhood (CN) Zone to the Commercial Office Hotel (COH) Zone. There would be approximately 262 condominium units, with on-site parking.			>262	3 submission	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.
2	Civic Number 52 Pennywell Road Residential High Density (R3) Zone	2	A Discretionary Use Application has been submitted requesting permission to construct a Single Detached Dwelling at Civic No. 52 Pennywell Road to create a two (2)-unit infill dwelling. Two (2) off-street parking spaces will be provided.			2	No submissions received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

The Office of the City Clerk and the Department of Planning, Development & Engineering, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

Jason Sinyard, P. Eng, MBA
Director of Planning and Development

MEMORANDUM

Date: September 5, 2013

To: His Worship the Mayor and Members of Council

**Re: Council Directive R2012-10-01/5
Proposed Rezoning of Property Situate 200-232 Newfoundland Drive (WARD 1)
Applicant: Regal Realty Limited**

At the Regular Meeting of Council held on October 1, 2012, Council agreed to the Planning and Housing Standing Committee's recommendation that the applicant be directed to prepare a Land Use Assessment Report (LUAR) regarding the possible rezoning of the subject property to the Commercial Office Hotel (COH) Zone to accommodate the proposed redevelopment project (two apartment buildings and a standalone commercial building); and further, upon completion of the LUAR and its review by City staff, that the proposed rezoning and LUAR be advertised to the area residents and property owners.

On July 18, 2013 RJC Services, on behalf of the applicant, submitted a draft LUAR to the City of St. John's. The document was reviewed by staff and found to be satisfactory for referral to the public for review and comment before being referred to Council for consideration.

Following this, public notices advising of the rezoning application was mailed to all registered property owners and residents of properties within a minimum radius of 150 metres of 200-232 Newfoundland Drive (the *Virginia Park Plaza*), published in *The Telegram* newspaper and posted on the City of St. John's website in accordance with the requirements of Section 5.5 of the City of St. John's Development Regulations. The notices stated that the LUAR document and rezoning application would be given consideration by Council at the Regular Meeting of Council scheduled for September 9, 2013; and that written submissions would be welcomed until 12:00 Noon on Thursday, September 5, 2013.

Verbal and written representations, some expressing concern or opposition to the proposed development, were received prior to the September 5, 2013 deadline. Following this, the Ward 1 Councillor attended an informal meeting to discuss the proposed development with area residents and the applicant on the evening of September 4, 2013 at the Virginia Park Community Centre.

ST. JOHN'S

DEPARTMENT OF PLANNING

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

Recommendation

Based on the comments received in response to the public notices, Council could decide to defer making a decision on the rezoning application and refer the matter to a public meeting chaired by a member of Council. This would be reasonable and consistent with the approach Council has taken in the past when considering significant rezoning and development proposals, and allow for a more informed dialogue amongst neighbouring residents, the developer and Council.

Alternatively, if Council feels that it has sufficient information to make a decision on the LUAR and rezoning application and is prepared to decide in favour, it is recommended that Council:

1. approve the July 18, 2013 LUAR; and
2. adopt the attached resolutions for St. John's Development Regulations Amendment Number 583, 2013, pertaining to the property at Civic Number 200-232 Newfoundland Drive.

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

This is provided for the consideration of Council.

Ken O'Brien, MCIP
Chief Municipal Planner

PDB/dlm

Attachments

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 583, 2013**

WHEREAS the City of St. John's wishes to accommodate a mixed residential and commercial development on property situated at Civic Number 200-232 Newfoundland Drive.

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 200-232 Newfoundland Drive from the Commercial Neighbourhood (CN) Zone to the Commercial Office Hotel (COH) 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 9th day of **SEPTEMBER, 2013**.

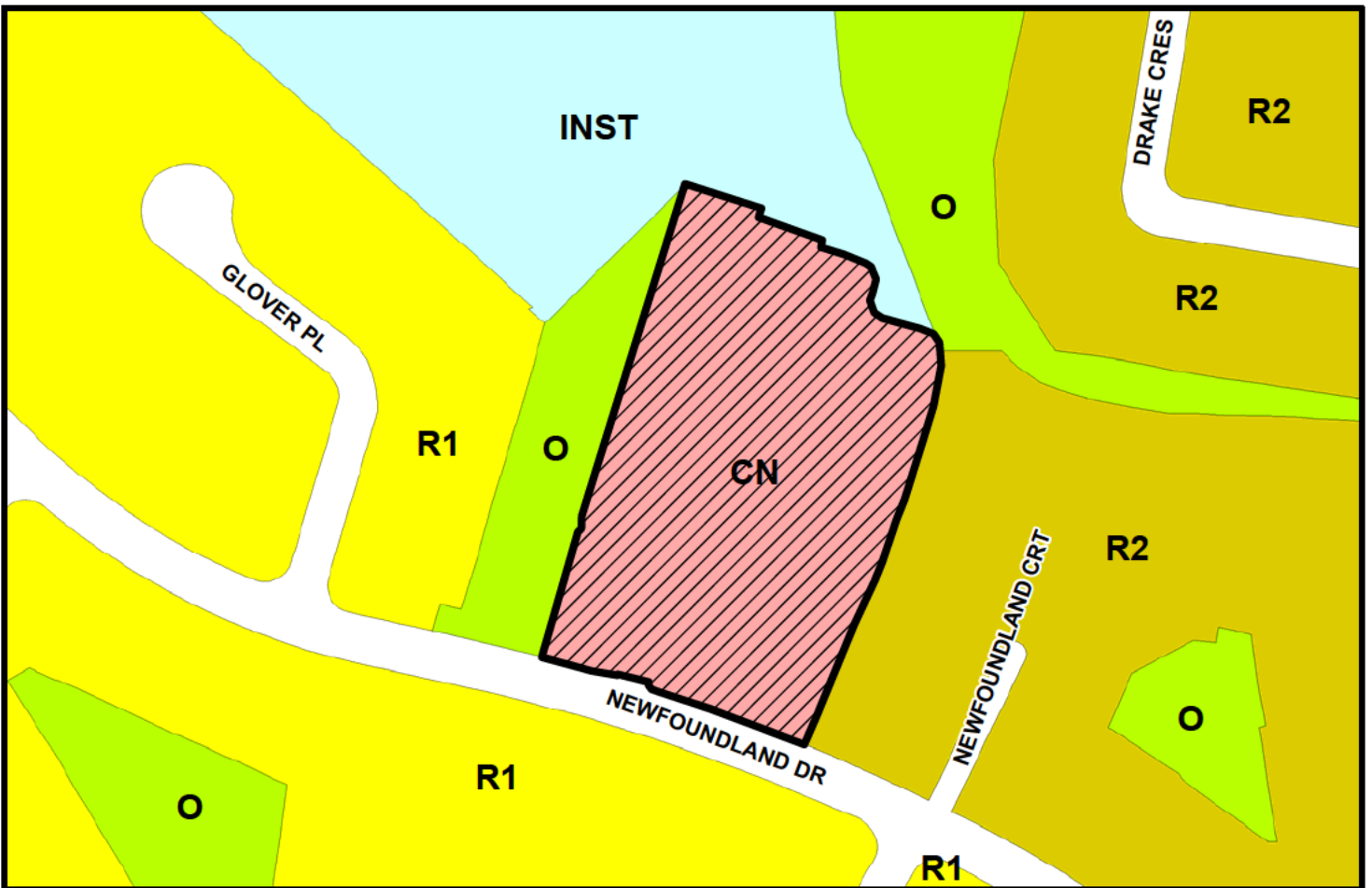
Mayor

City Clerk

Provincial Registration

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

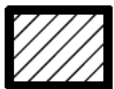
MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 583, 2013
[Map Z-1A]**

2013 09 05 SCALE: 1:2000
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
COMMERCIAL NEIGHBOURHOOD (CN) LAND USE ZONE TO
COMMERCIAL OFFICE HOTEL (COH) LAND USE ZONE

200-232 Newfoundland Drive

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

MEMORANDUM

Date: September 4, 2013

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File No. B-17-M.5 / 12-00243**
12-20 Mount Cashel Road (Ward 4)
Application for a Townhouse Condominium Development
Proposed New R2 Condominium Zone
Applicant: 62554 Newfoundland and Labrador Inc.

At its Regular Meeting on December 10, 2012, Council deferred a decision on an application from 62554 Newfoundland and Labrador Inc. to develop a 27-unit residential development on vacant land at 12-20 Mount Cashel Road to provide City staff time to review public submissions after the application had been advertised. Subsequently, Council directed staff to create a new land-use zone that could accommodate this proposal and which might be used for other applications in other locations.

This application and the proposed new zone (called the Residential Medium Density – Condominium Zone or R2 Condominium Zone) was referred to a public meeting on August 14, 2013; minutes are attached.

The subject property is zoned Residential Medium Density (R2) and designated by the St. John's Municipal Plan in the Residential Low Density District. The R2 Zone allows Townhouses as a Permitted Use. The applicant proposed the development as a private Planned Unit Development (PUD). This is a form of development whereby a condominium corporation would be established to maintain all infrastructure (including the private access road and parking lot, snowclearing, garbage collection, and so on. A PUD may be allowed as a Discretionary Use in the R2 Zone. The entire property would have frontage on Mount Cashel Road (a public road) but individual units would not.

The City's Development Committee advised that the PUD provisions of the St. John's Development Regulations may need to be updated. Rather than considering this as a PUD, the Development Committee recommended that Council consider establishing a site-specific zone which could allow the development as proposed.

The applicant proposes to construct 27 townhouses, each of which will be three (3) storeys high; each unit will have an indoor parking space. In addition, 36 outdoor parking spaces are proposed, for a total of 63 off-street parking spaces.

Copies of the written submissions received from area residents before the public meeting are attached. Also attached is a letter from KMK Properties Inc. dated August 13, 2013.

The City's Transportation Engineer reviewed a traffic report from Genivar Inc. provided by the applicant, and advised of no traffic concerns from the proposed development.

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

There is planning merit to certain aspects of the application. It proposes to develop vacant urban land in an established neighbourhood where there are municipal water and sewer services as well as relatively close shopping and commercial services. The application would increase the residential density of the neighbourhood, as supported by the Municipal Plan in appropriate areas. The alternative to this development would be to allow a small number of houses with frontage on Mount Cashel Road and with very deep lots.

City staff have drafted the attached proposed new land-use zone called the Residential Medium Density – Condominium Zone (or R2 Condominium Zone). Its zone standards are based on the R2 Zone but can accommodate development as a planned-unit development with a condominium corporation.

Recommendation

Upon reviewing the minutes of the public meeting and the written public submissions respecting the proposed development and proposed new zone, Council should determine if it is prepared to rezone the subject property from the R2 Zone to the proposed new site-specific zone, the R2 Condominium Zone.

If Council decides to approve the rezoning, the Department of Planning will prepare the necessary rezoning resolution and refer it to the Department of Municipal Affairs with a request for provincial registration of the rezoning. As information, an amendment to the St. John's Municipal Plan is not required in order to allow this proposed rezoning.

This is provided for Council's consideration.

Ken O'Brien, MCIP
Chief Municipal Planner

KOB/dlm

Attachments

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 584, 2013

WHEREAS the City of St. John's wishes to modify the St. John's Development Regulations to establish a site-specific zone for property located at 12-20 Mount Cashel Road.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Development Regulations in accordance with the Urban and Rural Planning Act, 2000:

- Rezone the property at 12-20 Mount Cashel Road from the Residential Medium Density (R2) Zone to the Residential Medium Density – Condominium (R2- Condominium) Zone, as shown on Map Z-1A attached; and
- Amend Section 10 of the Development Regulations by adding the following new zone:

10.4.(B) RESIDENTIAL MEDIUM DENSITY - CONDOMINIUM (R2 Condominium) ZONE

(See Section 5.1.4 - Development Above the 190-Metre Contour)

The purpose of this land-use zone is to allow land development under condominium ownership, where the overall development has frontage on a public road but individual units within the development do not have frontage on a public road.

10.4.(B).1 Permitted Uses

Residential Condominium:

- (a) Accessory Building (subject to Section 8.3.6)
- (b) Home Office (subject to Section 7.9)
- (c) Townhousing

10.4.(B).2 Discretionary Uses (subject to Section 5.8)

- (a) Home Occupation (subject to Section 7.8)
- (b) Parking Lot (subject to Section 7.13)
- (c) Public Utility

10.4.(B).3 Zone Requirements

The following requirements shall apply to all types of residential development:

- (a) Lot Area (minimum) 180 square metres per Dwelling Unit
- (b) Lot Frontage (minimum) 20 metres
- (c) Building Line (minimum) 6 metres
- (d) Side Yard for End-Unit Townhouses (minimum) 1.2 metres
- (e) Side Yard (as oriented from the public street frontage) (minimum) 6 metres
- (f) Rear Yard (as oriented from the public street frontage) (minimum) 1.2 metres
- (g) Building Height (maximum): 3 storeys
- (h) Off-Street Parking Spaces (minimum): 1 space per Dwelling Unit
- (i) Landscaping (minimum): 30% of entire Lot Area

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

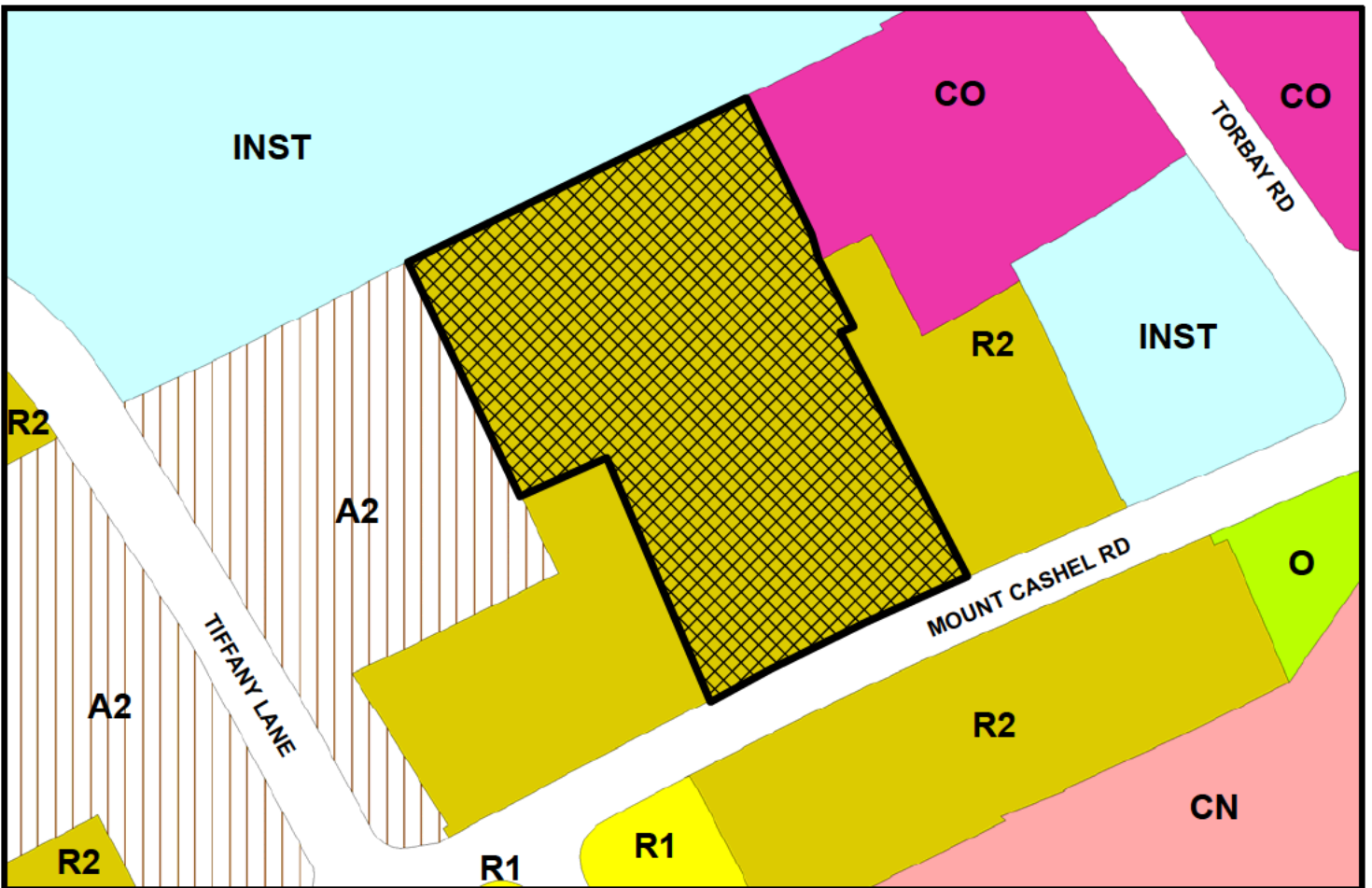
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this _____ day of _____, **2013.**

Mayor

City Clerk

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

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 584, 2013
[Map Z-1A]**

2013 09 05 SCALE: 1:1250
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 MEDIUM DENSITY (R2) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY - CONDOMINIUM ZONE
(R2 CONDOMINIUM) LAND USE ZONE

12-20 Mount Cashel Road

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

PUBLIC MEETING
12-20 MOUNT CASHEL ROAD
PROPOSED RESIDENTIAL TOWNHOUSE DEVELOPMENT
August 14, 2013 at 7:00 pm - Foran/Greene Room, 4th Floor, City Hall

1. WELCOME AND INTRODUCTIONS

In Attendance: City: Councillor Gerry Colbert, Chairperson
Ken O'Brien, Chief Municipal Planner
Sandy Abbott, Recording Secretary

Other Attendees: Kevin King, KMK Properties Inc.
Cliff Johnston, KMK Properties Inc.
(7 residents – see attached list)

Councillor Colbert welcomed the attendees. He introduced Ken O'Brien, Chief Municipal Planner with the City, and Kevin King, KMK Properties Inc.

Councillor Colbert explained the process of the meeting and that attendees can bring forward their questions and concerns to Mr. O'Brien and/or Mr. King after their short presentations.

2. PRESENTATION: MR. KEN O'BRIEN, CHIEF MUNICIPAL PLANNER:

- The proposal is for a 27-unit condominium development along 12-20 Mount Cashel Road.
- Proposal would have a private driveway entering into the site with townhouses along both sides.
- The area is presently R2 Residential Zone, but the City is considering creating a new R2 Condominium Zone.
- The purpose of the R2 Condominium Zone is to allow land development under condominium ownership where the overall development has frontage on a public road, but individual units within the development do not have frontage on a public road.
- The development would have the characteristics of a planned-unit development but would be a condominium ownership; this way, the entire development is treated as one unit for the purpose of road frontage.
- A traffic study conducted for the development showed that traffic in the area would not be unduly affected.

3. PRESENTATION: MR. KEVIN KING, KMK PROPERTIES INC.:

- Many people want to live in the City centre but can't afford it.
- These will be executive townhomes with attached garages which will sell for around \$380,000 to \$400,000 per unit; they will be 2 to 3 bedroom units with 9 foot ceilings; they are very well laid out with large kitchens and high quality workmanship.
- There will be 63 parking spaces for 27 units.
- These units will bring up the residential cost of the whole neighbourhood.

4. DISCUSSION AND QUESTIONS:

Nick Crosbie:

- Owns single-storey bungalow which is situated right on the property line.
- A four-storey building will give a shadow effect on his 200-foot long backyard.
- Are there balconies on these condominiums?
- Has there been a Land Use Assessment Report done?

Jessica Dillon:

- Feels this new zoning is a significant change.
- The ratio is supposed to be 1 up to 1.5 without changing the Municipal Plan.
- This ratio is much higher than that.

Ken O'Brien - Response:

- *A traffic study was done which is a part of the LUAR.*
- *The LUAR looks at the particulars of a project, i.e., shadowing, lighting, garbage, transformer sites, impact to neighbours, etc.*
- *This issue will need to be discussed further with the Planning and Housing Committee.*
- *A Commissioner's public hearing will be required at a future date.*

Nick Crosbie:

- Will go through the information which was distributed at the meeting and if he has any further concerns, will email a response to the City Clerk's office.

Councillor Colbert - Response:

- *While the new residential zone is site-specific for this purpose, it will eventually become another way to increase density in the City.*

Jessica Dillon:

- Concerned about snow clearing and garbage removal.

Ken O'Brien – Response:

- *This is a private road so the condominium corporation will have to push snow to the end of the lot or remove it in the same way as other condominiums.*

Leah Butler:

- A private company performs snow-clearing at Forest Road condos, but they push the snow onto the road which is illegal.

Councillor Colbert – Response:

- *If the City gets a complaint from residents, they either give the condominium corporation a specific length of time to remove the snow or else the City will remove the snow and bill the condominium corporation. We can only try to enforce the rules.*

Nick Crosbie:

- The traffic study was based on 2010 data, so it might be appropriate to redo it.
- The findings of the 2010 study say there is no effect on traffic in the area yet a number of areas have a D rating.
- This should be revisited.

Ken O'Brien – Response:

- *The City is considering allowing only right-hand turning on Mount Cashel Road.*

Lorne Power:

- New resident to the area.
- Feels that Mount Cashel Road is a thoroughfare for people making a short-cut.

Councillor Colbert – Response:

- *Suggested that they start a petition signed by all their neighbours asking that a current traffic study and speed study be done.*
- *This should be done as soon as school starts.*

Leah Butler:

- Concerned about how garbage will be handled.

Kevin King – Response:

- *The condominium owners will put their garbage out on the private driveway with nets over it same as elsewhere in the City.*
- *The condominium corporation will hire their own contractor to pick up the garbage.*

Adam:

- Felt that the speed limit should be reduced on Mount Cashel Road.
- Would like to have a pedestrian walkway to the Salvation Army property through the condominium complex as there are no sidewalks on Torbay Road from Mount Cashel Road to shopping in the area (i.e., Shopper's Drug Mart).
- Suggested building one or two less units to provide somewhere to dump snow.

Councillor Colbert – Response:

- *The condominium corporation takes responsibility for snow clearing.*
- *In terms of changing the speed limit, get together as a neighbourhood group, write a letter to your Ward Councillor, and ask to have the matter referred to the Police and Traffic Committee.*
- *Staff will bring back recommendations from the Committee to the neighbourhood, and they will decide together what will make the most sense for their area.*

5. ADJOURNMENT

Councillor Colbert thanked those present for attending the meeting. He suggested that if there were further concerns and/or questions, residents should email the City Clerk's office at cityclerk@stjohns.ca.

A report will be submitted to the next regular meeting of Council for review and decision.

There being no further business, the meeting adjourned at 7:55 pm.

Councillor Gerry Colbert
Chairperson

**12-20 MOUNT CASHEL ROAD
PROPOSED RESIDENTIAL TOWNHOUSE DEVELOPMENT**

PUBLIC MEETING

**Wednesday, August 14, 2013
7:00 pm – Foran/Greene Room, 4th Floor, City Hall**

A public meeting will be held by the City of St. John's to provide an opportunity for public review and comment on an application submitted by 62554 Newfoundland and Labrador Inc. regarding the development of the vacant property located on **12-20 Mount Cashel Road** for a proposed Residential townhouse development.

Under the St. John's Municipal Plan, the property is designated Residential Low Density (RLD) District. The site is currently zoned Residential Medium Density (R2) Zone under the St. John's Development Regulations.

This application may be viewed at the Department of Planning, Development and Engineering, 3rd floor, St. John's City Hall, Monday through Friday from 9 am to 4:30 pm; phone (709) 576-8430 or e-mail: planning@stjohns.ca.

Any person wishing to make a submission on this application prior to the public meeting must provide a signed written statement to the City Clerk's Department either by mail, fax or email:

Mail: P.O. Box 908, St. John's, NL A1C 5M2
Fax: (709)576-8474
E-mail: cityclerk@stjohns.ca.

Written and verbal representations may also be submitted at the time of the public meeting. The public meeting will be chaired by a member of Council.

ST. JOHN'S

Proposed R2 Condominium Zone - for public meeting on 12-20 Mount Cashel Road

Ken O'Brien to: Sandra Abbott

This zone is proposed to be introduced for areas where development in depth is proposed, and where public road frontage is not available. The development proposed would have characteristics of a planned-unit development (PUD) but would be in condominium ownership. That way, the entire development is treated as one unit for the purpose of road frontage.

10.4.(B) RESIDENTIAL MEDIUM DENSITY - CONDOMINIUM (R2 Condominium) ZONE (See Section 5.1.4 - Development Above the 190-Metre Contour)

The purpose of this land-use zone is to allow land development under condominium ownership, where the overall development has frontage on a public road but individual units within the development do not have frontage on a public road.

10.4.(B).1 Permitted Uses

Residential Condominium:

- (a) Accessory Building (subject to Section 8.3.6)
- (b) Home Office (subject to Section 7.9)
- (c) Townhousing

10.4.(B).2 Discretionary Uses (subject to Section 5.8)

- (a) Home Occupation (subject to Section 7.8)
- (b) Parking Lot (subject to Section 7.13)
- (c) Public Utility

10.4.(B).3 Zone Requirements

The following requirements shall apply to all types of residential development:

- (a) Lot Area (minimum) 180 square metres per Dwelling Unit
- (b) Lot Frontage (minimum) 20 metres
- (c) Building Line (minimum) 4.90 metres
- (d) Side Yard for End-Unit Townhouses (minimum) 1.2 metres
- (e) Side Yard (as oriented from the public street frontage) (minimum) 5 metres
- (f) Rear Yard (as oriented from the public street frontage) (minimum) 1.2 metres
- (g) Building Height (maximum): 3 storeys
- (h) Off-Street Parking Spaces (minimum): 1 space per Dwelling Unit
- (i) Landscaping (minimum): 30% of entire Lot Area



Tuesday, August 13, 2013

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

To whom it may concern;

**Re: Council Directive R2012-12-10/4
Department of Planning File Number B-17-M.5
Application for a Proposed Residential Townhouse Development
Civic Number 12-20 Mount Cashel Road**

We the applicant would like the following submission to be included at the public meeting scheduled for Wednesday, August 14, 2013 regarding the above mentioned Development Application for Civic Number 12-20 Mount Cashel Road. We hope the attached information will assist the public in further understanding the rationale for the development and to give a clear overview of what the completed development will accomplish.

The vacant parcel of land located on Civic Number 12-20 Mount Cashel Road is currently zoned Residential Medium Density (R2). This zone allows Townhomes as a permitted use. As the builder and developer, we submitted to develop these townhomes as a Private Planned Unit Development (PUD). We understand, on January 15, 2013, at a meeting of the City of St. John's Development Committee a recommendation was made to consider the approval of this application by establishing a site-specific zone in lieu of a PUD. We look forward to working with the city to amend the current Development Regulations to ensure the best form of application for this parcel of land is utilized.

It should be noted, as a developer, KMK Capital is dedicated to providing quality housing. The townhome units in question will be marketed as executive townhomes intended to be priced in line with the area's residential selling point. This development is intended to add to an already established neighbourhood. Building materials and architectural features will be considered when constructing the residential dwellings and will include attention to detail such as designer posts on entranceways, brick skirting on sides and rears and more (See Appendix A for Exterior & Interior renderings and Floorplans).

The site plan as depicted in "Appendix B" offers a unique opportunity to a large demographic to purchase quality new home construction in one of the most sought after areas to live in the center of St. John's.

On November 24, 2012, a Notice of Application was placed in The Telegram Newspaper and 165 notices were sent to the neighbouring area by the City Planning Department. At that time only four (4) submissions were received regarding the development proposal. We feel it is important to note that this low response rate of only 2.4% demonstrates virtually no opposition in regards to our proposed development. At the January 15th Development Committee, our response and feedback to those concerns were addressed and the committee found planning merit in our application. As well, the city's Transportation Engineer has advised that there are no concerns from a traffic perspective regarding this development.

Furthermore, the development plan as submitted is clearly in line with the City's Municipal plan, the city's planning objectives for infill development in the city core and is consistent with the development mix in the area. We are looking forward to continuing the vision of the city's municipal plan by providing high quality housing and meeting other objectives such as the following:

- **Section 1.2.3** "Increasing densities in residential areas; Encouraging a compatible mix of residential building; Encourage infill in older parts of the city; Minimize sprawl"
- **Section 2.2.2** "Provide Good Residential Neighbourhood at Reduced Public Cost"
- **Section 2.2.4** "Increase Housing Supply"

We hope this submission can assist and answer questions that may arise from the public. We look forward to proceeding with the development of this community. Please do not hesitate to contact the undersigned if you have any further questions or concerns.

Regards,



Kevin King,
President
62554 Newfoundland and Labrador Inc.

enclosures

APPENDIX A

|

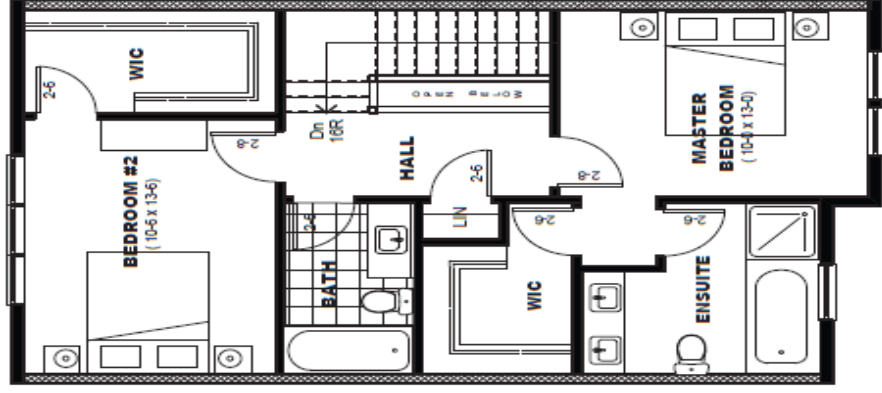
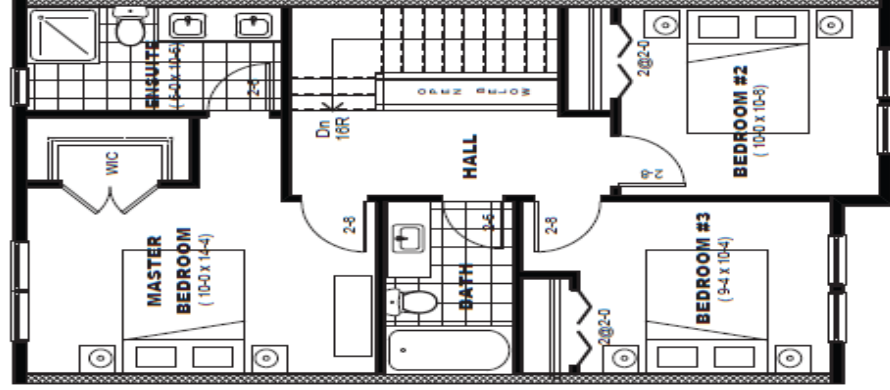
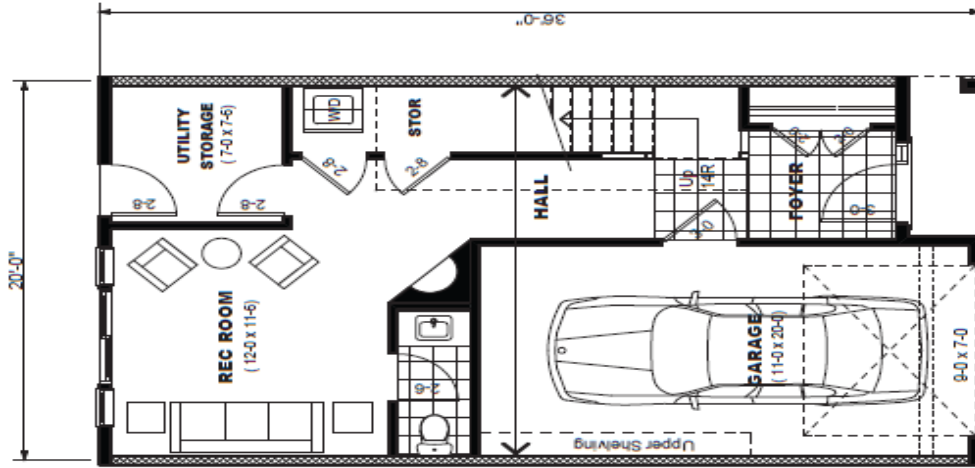
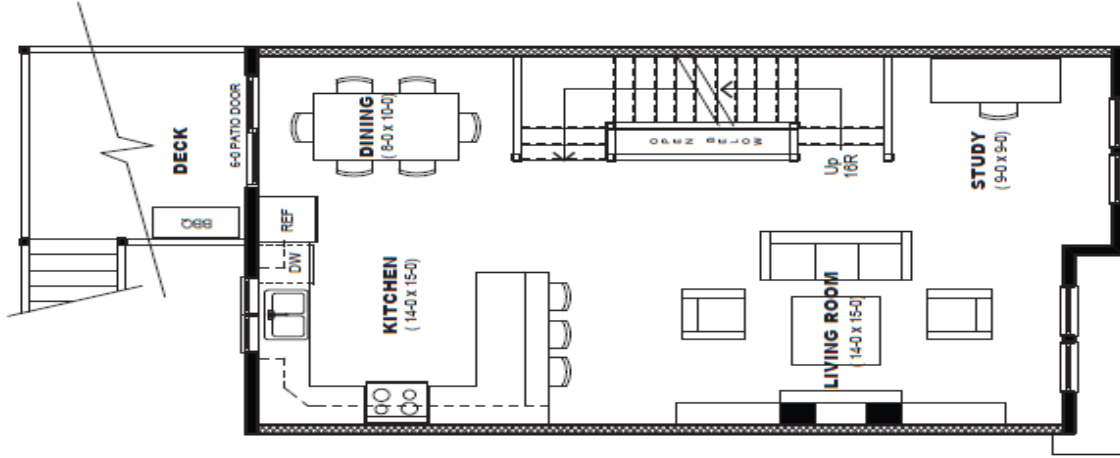


Front Elevation - View Facing north east

* All illustrations are artists concepts. Plan and specifications are subject to change without notice. Exterior elevations are determined by the vendor's architect and may vary. E. & O. E. 12/08/13

LUCAS

Executive Townhomes



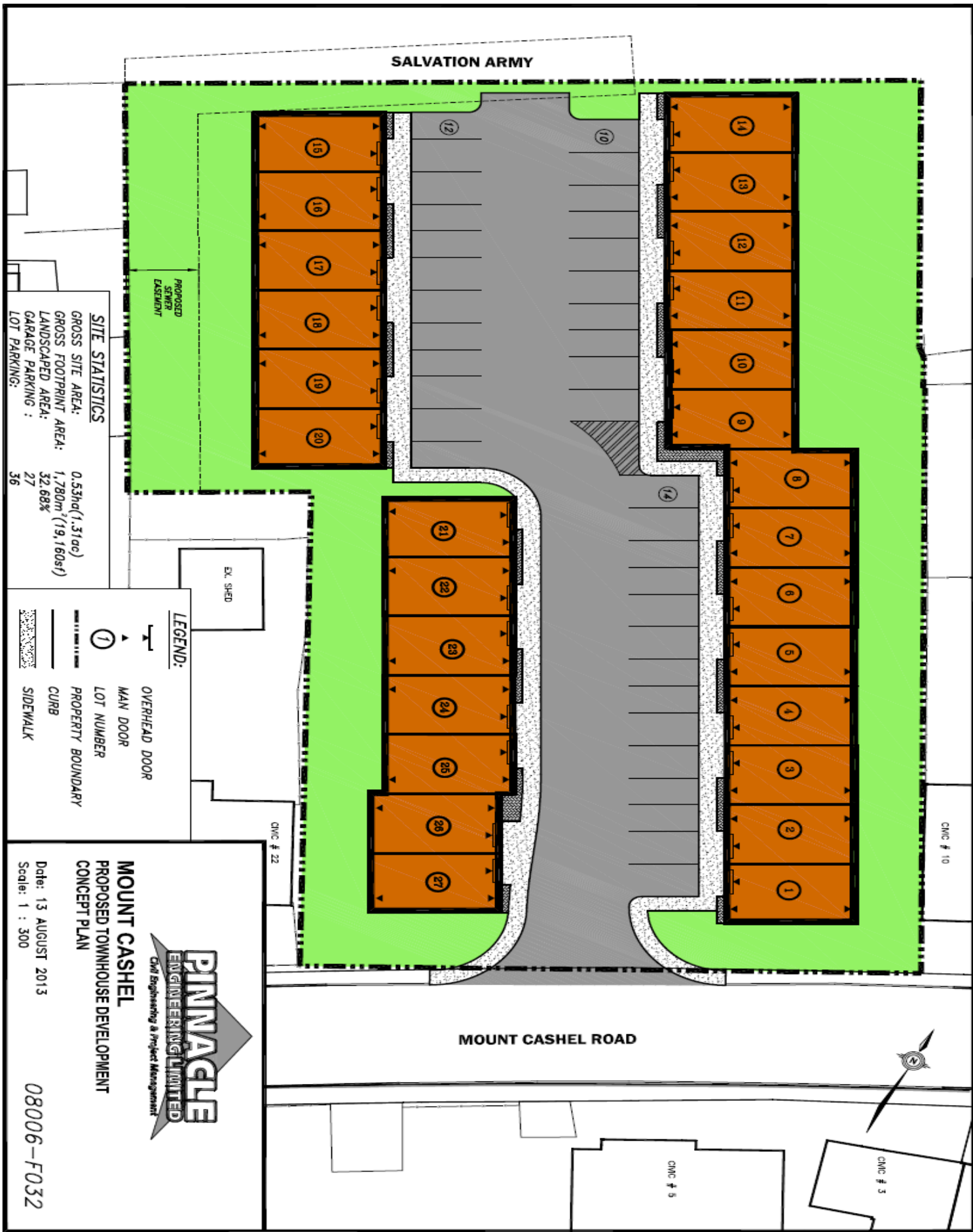
Optional floorplans available

* All illustrations are artists' concepts. Homes may be left or right versions. Above floor plans apply to elevations of this model type only, all dimensions are approximate. Actual usable floor space may vary from stated floor area. Structural/mechanical requirements may result in dimensional revisions. Plan and specifications are subject to change without notice. Exterior elevations are determined by the vendor's architect and may vary. Brick sides & rears are subject to site specifications. E. & O. E. 08/09/13

Interior Illustration



* All illustrations are artists concepts. Plan and specifications are subject to change without notice. Exterior elevations are determined by the vendor's architect and may vary. E. & O. E. 12/08/13



SITE STATISTICS
 GROSS SITE AREA: 0.53ha (1.31ac)
 GROSS FOOTPRINT AREA: 1,780m² (19,160sf)
 LANDSCAPED AREA: 32.68%
 GARAGE PARKING: 27
 LOT PARKING: 36

LEGEND:
 OVERHEAD DOOR
 MAN DOOR
 LOT NUMBER
 PROPERTY BOUNDARY
 CURB
 SIDEWALK

PINNACLE ENGINEERING LIMITED
 Civil Engineering & Project Management

MOUNT CASHEL
 PROPOSED TOWNHOUSE DEVELOPMENT
 CONCEPT PLAN

Date: 13 AUGUST 2013
 Scale: 1 : 300

08006-F032

CNIC # 10

CNIC # 3

CNIC # 5

CNIC # 22

SALVATION ARMY

MOUNT CASHEL ROAD

PROPOSED
 SPUR
 EASEMENT



August 13, 2013

City of St. John's
10 New Gower Street
St. John's, NL A1C 5M2
Attention: City Clerk

Re: Application 12-20 Mount Cashel Road

My name is Jessica Dellow. My husband, Nick Crosbie, and I reside at [REDACTED] I am writing to express the concerns we have respecting the application made to the Council to amend the zoning for 12-20 Mount Cashel Road to permit the proposed development. Several of our neighbours have also signed this letter, as they too have concerns about this development. We also refer you to our original letter which we e-mailed to the City Clerk on December 5, 2013 – we continue to have those concerns, but will not repeat them in this letter other than to say that what is proposed does not comply with the St. John's Municipal Plan or the St. John's Development Regulations.

- (1) Site-specific zoning is not permitted by the St. John's Municipal Plan for residential development in St. John's.

St. John's has adopted and developed the St. John's Municipal Plan (the "Plan"). It is a **comprehensive policy document** on land use and development of the City. The Plan states at page I-2:

By establishing the position of the City on a wide range of land use matters, the Plan assists developers, as well as interested citizens to understand what is permitted or may be considered in the City. ...As such, the Plan provides City Council and municipal staff with a structure for both gathering information and making decisions about land use and development.

The Plan does not take a site-specific approach to residential housing, but rather identifies four broadly-based land use residential designations for the City. The zones are: residential low density, residential medium density, residential high density, and residential downtown.

There is no authority in the Plan which permits the City to designate individual properties within St. John's as something other than one of these four land use designations. An amendment to the Municipal Plan would be needed before the City is able to remove in a piecemeal fashion residential properties from the application of one of those four zones.

- (2) The proposed development does not comply with the infill housing requirement of the St. John's Development Regulations.

The Development Regulations provide at 7.10 that:

7.10 INFILL HOUSING

Infill Housing is subject to the following requirements:

- (a) the type, scale, massing, and design of the Development is generally appropriate to the neighbourhood;
- (b) adequate provision is made for light, privacy and amenity;

...

Mount Cashel Road is a short 2-block long residential street with approximately two three story homes, four two story homes, and 20 single or split level homes. There are approximately 26 structures on the road. The proposal is to add 27 units to the street in three buildings, more than doubling the population.

There is no building on Mount Cashel Road that is physically comparable in terms of scale or mass to what the property developer intends to build.

The residents of 10 Mount Cashel will seriously have their light impacted as a solid three-story mass is proposed to line the entire length of the western 10 Mount Cashel property boundary at a distance of less than 6 meters from the 10 Mount Cashel property.

Privacy at 10 Mount Cashel will also be greatly impacted as nine units with decks will line the entire western property line of 10 Mount Cashel. The privacy of the residents at 22 Mount Cashel will also be similarly negatively affected.

(3) Traffic study

Two additional 16 storey residential towers that will be accessed off of Mount Cashel Road have recently been approved by Council. This development is being undertaken by the same developer who proposes to develop 12-20 Mount Cashel Road. A further traffic study should be undertaken prior to Council's consideration of any development at 12-20 Mount Cashel Road.

Yours truly,

Nick Losbie

Jessica Bellon

Eddy Bragg

Nathan K...

Maurice Babrin

Stacy M. Ryan

[Handwritten signature]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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MEMORANDUM

REPORT / RECOMMENDATIONS TO COUNCIL **Development Committee** **Tuesday, September 3, 2013**

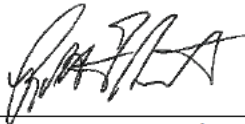
The following matter was considered by the Development Committee at its meeting held on September 3, 2013. A staff report is attached for Council's information.

1. Request for a Variance **Hebron Way**

KMK Capital has requested a variance in the height requirements for a proposed four-storey office building to be located in the new commercial subdivision off Hebron Way.

The proposed building will have a finished roof height of 15.84 meters which is within the 10% variance, which may be permitted by Council as per Section 8.4 of the Development Regulations.

It is recommended that Council approve this request.



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 4, 2013

To: Robert Smart
Chair – Development Committee

From: David M. Blackmore, R.P.A.
Deputy City Manager,
Planning, Development and Engineering

Re: **Request for a Variance
Hebron Way**

KMK Capital has requested a variance in the height requirement for a proposed four storey office building to be located in the new commercial subdivision off Hebron Way.

The zoning permits a four storey building with a maximum height of 15 metres exclusive of mechanical equipment, rooms, parapets or ornamental properties.

The proposed building will have a finished roof height of 15.84 meters which is within the 10% variance, which may be permitted by Council as per Section 8.4 of the Development Regulations.

It is recommended that Council approve this request.

(original signed)

David M. Blackmore, R.P.A.

DMB/amw

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

**Report/Recommendations
Heritage Advisory Committee
July 26, 2013**

Attendees: Deputy Mayor Shannie Duff, Chairperson
Councillor Sheilagh O'Leary
Dave Lane, NL Historic Trust
Gerard Hayes, Citizen Representative
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Ken O'Brien, Manager of Planning & Information
Peter Mercer, Heritage Officer
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

Report:

1. 488 Water St. – Application to Replace Front Door

The Committee considered the above-noted application. The building known as Apothecary Hall is a heritage designated structure. The Heritage Officer has consulted with the owner who has agreed to replace the door with a fiberglass $\frac{3}{4}$ windowed door which will line up with the existing window sill façade.

The Committee recommends approval as per the recommendation of the Heritage Officer.

Deputy Mayor Shannie Duff
Chairperson

ST. JOHN'S





APOTHECARY HALL

James J. O'Mara
PHARMACY MUSEUM
APOTHECARY HALL

James J. O'Mara
PHARMACY MUSEUM
APOTHECARY HALL

188

James J. O'Mara
2010



**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF August 30, 2013 TO September 5, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Demolition & Rebuild of Dwelling	4 Empire Avenue	2	Approved	13-09-03
RES	ALLNORTH Consultants Ltd	Nineteen (19) residential building lots	Parsonage Drive	1	Approved	13-09-04
RES	APM Construction	Two (2)-Four(4) Story Residential Buildings, 64 + 39 Units	St. John's Place – Block #6	1	Approved	13-09-05
COM		Home Office for Event Planning	2 First Avenue	4	Approved	13-09-05

* 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 9, 2013 Regular Meeting

Permits Issued: 2013/08/29 To 2013/09/04

Class: Commercial

16-72 Hamlyn Rd-Halloween Ally	Co	Place Of Amusement
3-11 Rowan St	Rn	Mixed Use
16-72 Hamlyn Rd Halloween Ally	Sn	Retail Store
38-42 Ropewalk Lane Sign #2	Ms	Tavern
655 Topsail Rd, Discovery Ctr.	Cr	Commercial School
27 Elizabeth Ave	Co	Eating Establishment
454 Water St	Rn	Mixed Use
75 Aberdeen Ave	Rn	Retail Store

This Week \$ 1,780,700.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

Clancey Dr (Quidi Vidi Lake)	Nc	Recreational Use
------------------------------	----	------------------

This Week \$.00

Class: Residential

346 Anspach St	Nc	Fence
5 Ariel Pl	Nc	Accessory Building
57 Beothuck St	Nc	Patio Deck
72 Blue Puttee Dr	Nc	Fence
17 Caribou Pl	Nc	Accessory Building
19 Chafe Ave	Nc	Patio Deck
356 Duckworth St	Nc	Patio Deck
13 Dunford St	Nc	Semi-Detached Dwelling
44 Dunkerry Cres Lot 268	Nc	Single Detached Dwelling
501 Foxtrap Access Rd	Nc	Fence
20 Georgina St	Nc	Fence
8 Hamel St	Nc	Patio Deck
16 Huntingdale Dr	Nc	Fence
3 Kenai Cres, Lot 245	Nc	Single Detached Dwelling
11 Kenai Cres, Lot 241	Nc	Fence
15 Kerr St	Nc	Fence
69 Ladysmith Dr	Nc	Accessory Building
83 Newtown Rd	Nc	Fence
4 Nonia St	Nc	Fence
35 Old Bay Bulls Rd	Nc	Fence
3 Organ Pl	Nc	Accessory Building
82 Pitcher's Path	Nc	Accessory Building
16 Rose Abbey St	Nc	Accessory Building
6 Sequoia Dr, Lot 297	Nc	Single Detached & Sub.Apt
206 Stavanger Dr, Lot 4	Nc	Single Detached Dwelling
29 Sitka St	Nc	Fence
51 William St	Nc	Accessory Building
30 Winthrop Pl	Nc	Fence

46 Cypress St	Cr	Subsidiary Apartment
13 Dorset St	Cr	Single Detached & Sub.Apt
9 Long Beach St	Ex	Single Detached Dwelling
43 Parade St	Ex	Single Detached Dwelling
20 Blackwood Pl	Rn	Single Detached Dwelling
20 Blackwood Pl	Rn	Single Detached Dwelling
2 Capulet St	Rn	Subsidiary Apartment
16 Circular Rd	Rn	Single Detached Dwelling
32 Cookstown Rd	Rn	Single Detached Dwelling
20 Fleming St	Rn	Single Detached Dwelling
17 Country Grove Pl	Sw	Single Detached & Sub.Apt
11 Elm Pl	Sw	Single Detached Dwelling
16 Griffin's Lane	Sw	Single Detached Dwelling
16 Rose Abbey St	Sw	Single Detached Dwelling
24 Whiteford Pl	Sw	Single Detached Dwelling

This Week \$ 1,244,815.00

Class: Demolition

81 Thorburn Rd	Dm	Mixed Use
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This Week \$ 45,000.00

This Week's Total: \$ 3,070,515.00

Repair Permits Issued: 2013/08/29 To 2013/09/04 \$ 43,000.00

30 Gullage Street New Driveway Rejected As Per Section 10.3.3(1)(G)Of The City Of St. John's Development Regulations As At Least 50% Of The Front Yard Shall Be Landscaped.

34 Glenlonan Street Driveway Extension Rejected As Per Section 10.3.3(1)(G)Of The City Of St. John's Development Regulations As At Least 50% Of The Front Yard Shall Be Landscaped.

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 9, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$156,700,000.00	\$70,200,800.00	-55
Industrial	\$3,600,100.00	\$131,000.00	-96
Government/Institutional	\$15,500,500.00	\$71,800,700.00	363
Residential	\$134,200,100.00	\$114,300,100.00	-15
Repairs	\$3,700,600.00	\$3,500,400.00	-5
Housing Units (1 & 2 Family Dwellings)	445	322	
TOTAL	\$313,701,300.00	\$259,933,000.00	-17

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending September 05, 2013

Payroll

Public Works	\$ 459,536.41
Bi-Weekly Casual	\$ 111,357.14
Accounts Payable	\$ 4,471,043.17
Total:	\$ 5,041,936.72

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
AMERICAN WATER WORKS ASSOC.	0000000659	STANDARD REVISIONS - PAPER UPDATE SERVICE	\$631.53
ROUTEMATCH SOFTWARE, INC.	0000000660	ANNUAL HOSTING FEE	\$12,144.83
MERCER MACNAB VAVASOUR & FAGAN IN TRUST	00057241	LEGAL CLAIM - ACQUISITION OF LAND	\$800,000.00
BELL MOBILITY	00057242	CELLULAR PHONE USAGE	\$666.81
BELL ALIANT	00057243	TELEPHONE SERVICES	\$3,644.95
TOWER TECH COMMUNICATIONS & SPORTS FIELD LIGH	00057244	NETTING REPAIRS & INSTALLATION	\$8,087.52
MCDONALD, HEATHER	00057245	TRAVEL ADVANCE	\$1,873.72
NEWFOUNDLAND EXCHEQUER ACCOUNT	00057246	WWT EXAM	\$50.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	00057247	CIVIC MORTGAGE REGISTRATION FEE	\$117.60
HARRIGAN GROCERY	00057248	BALL FIELD NET	\$514.15
NEWFOUNDLAND POWER	00057249	ELECTRICAL SERVICES	\$12,537.63
WHITTEN, CECIL	00057250	REFUND OVERPAYMENT OF TAX	\$1,091.99
MANULIFE FINANCIAL	00057251	LTD PREMIUMS	\$525.60
SOBEYS ROPEWALK LANE	00057252	CANADA DAY CUPCAKES	\$954.27
ST. JOHN'S BASEBALL MIDGET AAA TEAM	00057253	TRAVEL ASSISTANCE GRANT	\$400.00
COLFORD, STEPHEN	00057254	TRAVEL ADVANCE	\$3,991.74
HILLIARD, ROSE	00057255	REIMBURSEMENT TUITION	\$306.00
JONATHAN MURPHY	00057256	TRAVEL ADVANCE	\$2,467.50
KELLY'S PUB & RESTAURANT	00057257	MEAL ALLOWANCE	\$774.00
AUDIO SYSTEMS LTD.	00057258	AUDIO EQUIPMENT	\$3,188.63
COSTCO WHOLESALE	00057259	MISCELLANEOUS SUPPLIES	\$48.27
FEDERAL EXPRESS CANADA LTD.	00057260	COURIER SERVICES	\$217.61
KELLOWAY CONSTRUCTION LIMITED	00057261	CLEANING SERVICES	\$4,296.42
NEWFOUNDLAND EXCHEQUER ACCOUNT	00057262	REGISTRATION OF EASEMENT	\$7,090.75
HERCULES SLR INC.	00057263	REPAIR PARTS	\$3,240.90
BELBIN'S GROCERY	00057264	CATERING SERVICES	\$161.69
SMS EQUIPMENT	00057265	REPAIR PARTS	\$1,688.69
THE HUB TROPHIES & MEDICAL SUPPLIES	00057266	NAME PLATES	\$52.56
HAROLD SNOW & SONS	00057267	HARDWARE SUPPLIES	\$27.13
CUSTOM SYSTEMS ELECTRONICS LTD	00057268	PROFESSIONAL SERVICES	\$1,431.92
CHARLES R. BELL LTD.	00057269	APPLIANCES	\$2,721.04
STANLEY CANADA CORPORATION	00057270	REPAIR PARTS	\$868.18
PLAZA BOWL LIMITED	00057271	SHEA HEIGHTS COMMUNITY CENTRE EVENT	\$60.00
STANTEC CONSULTING LTD. (SCL)	00057272	PROFESSIONAL SERVICES	\$479.62
GRAPHIC ARTS & SIGN SHOP LIMITED	00057273	SIGNAGE	\$339.85
COX & PALMER	00057274	RECREATION PROGRAM REFUND	\$90.00
BRENKIR INDUSTRIAL SUPPLIES	00057275	PROTECTIVE CLOTHING	\$14,475.04
DBA CONSULTING ENGINEERS LTD.	00057276	PROFESSIONAL SERVICES	\$2,214.80
FRESHWATER SUZUKI	00057277	REPAIR PARTS FOR EQUIPMENT	\$137.77
JLG TRANSPORATION LTD.	00057278	TAXI SERVICES	\$189.00
OFFICEMAX GRAND & TOY	00057279	OFFICE SUPPLIES	\$818.82
PINNACLE OFFICE SOLUTIONS LTD	00057280	PHOTOCOPIES	\$2,800.37

NAME	CHEQUE #	DESCRIPTION	AMOUNT
SPECTRUM INVESTIGATION & SECURITY 1998 LTD.	00057281	SECURITY SERVICES	\$5,030.31
WESTERN HYDRAULIC 2000 LTD	00057282	REPAIR PARTS	\$470.37
ATLANTIC TRAILER & EQUIPMENT	00057283	REPAIR PARTS	\$561.15
C & W INDUSTRIAL FABRICATION & MARINE EQUIPMENT	00057284	PROFESSIONAL SERVICES	\$180.80
TRIWARE TECHNOLOGIES INC.	00057285	COMPUTER EQUIPMENT	\$910.78
NEW WORLD FITNESS	00057286	MEMBERSHIP DUES FOR FIREFIGHTERS	\$162.63
CANADA POST CORPORATION	00057287	BRM ANNUAL FEE	\$762.75
KEITH'S TAKE OUT	00057288	MEAL ALLOWANCE	\$76.19
CANADIAN CORPS COMMISSIONAIRES	00057289	SECURITY SERVICES	\$6,911.44
AIR LIQUIDE CANADA INC.	00057290	CHEMICALS AND WELDING PRODUCTS	\$2,553.36
CANADIAN STANDARDS ASSOCIATION	00057291	PUBLICATIONS	\$175.15
DAVE CARROLL	00057292	BAILIFF SERVICES	\$366.50
INTEREX	00057293	METAL/STEEL	\$264.42
WAL-MART 3196-ABERDEEN AVE.	00057294	MISCELLANEOUS SUPPLIES	\$122.88
MILA FOODS INC.	00057295	MEAL SUPPLIES	\$241.00
SOBEY'S INC	00057296	PET SUPPLIES	\$78.75
NORTRAX CANADA INC.,	00057297	REPAIR PARTS	\$5,850.40
CALA	00057298	TESTING OF WATER	\$2,960.60
NEWFOUNDLAND GLASS & SERVICE	00057299	GLASS INSTALLATION	\$327.69
MAC TOOLS	00057300	TOOLS	\$49.79
JOE JOHNSON EQUIPMENT INC.	00057301	REPAIR PARTS	\$391.41
NORTH ATLANTIC SUPPLIES INC.	00057302	REPAIR PARTS	\$423.75
CLARKE'S TRUCKING & EXCAVATING	00057303	GRAVEL	\$1,767.60
CLEARWATER POOLS LTD.	00057304	POOL SUPPLIES	\$213.74
PETER'S AUTO WORKS INC.	00057305	TOWING OF VEHICLES	\$988.75
COMPLETE TIRE & SALES LTD.	00057306	TIRES/TIRE REPAIRS	\$347.75
CONTROLS & EQUIPMENT LTD.	00057307	CANCELLED	\$13,505.52
CRANE SUPPLY LTD.	00057308	PLUMBING SUPPLIES	\$47.46
JAMES G CRAWFORD LTD.	00057309	PLUMBING SUPPLIES	\$493.38
CROSBIE INDUSTRIAL SERVICE LTD	00057310	RENTAL OF EQUIPMENT	\$27,404.40
NEWFOUND CABS	00057311	CANCELLED	\$1,729.32
BARNES DISTRIBUTION	00057312	REPAIR PARTS	\$186.20
AUTO TRIM DESIGN	00057313	REPAIR PARTS	\$2,791.10
CREDIT RECOVERY 2003 LIMITED	00057314	CREDIT COLLECTIONS	\$7,756.63
CABOT READY MIX LIMITED	00057315	DISPOSAL OF OLD CONCRETE	\$1,869.30
DICKS & COMPANY LIMITED	00057316	OFFICE SUPPLIES	\$1,768.95
WAJAX POWER SYSTEMS	00057317	REPAIR PARTS	\$2,313.68
MIC MAC FIRE & SAFETY SOURCE	00057318	REPAIR PARTS	\$78.49
MADSEN POWER SYSTEMS	00057319	REPAIR PARTS	\$171.69
REEFER REPAIR SERVICES LTD.	00057320	REPAIR PARTS	\$1,892.67
ATLANTIC HOSE & FITTINGS	00057321	RUBBER HOSE	\$80.18
THYSSENKRUPP ELEVATOR	00057322	ELEVATOR MAINTENANCE	\$1,689.35

NAME	CHEQUE #	DESCRIPTION	AMOUNT
RUSSEL METALS INC.	00057323	METALS	\$128.82
CANADIAN TIRE CORP.-ELIZABETH AVE.	00057324	MISCELLANEOUS SUPPLIES	\$449.96
CANADIAN TIRE CORP.-MERCHANT DR.	00057325	MISCELLANEOUS SUPPLIES	\$122.37
CANADIAN TIRE CORP.-KELSEY DR.	00057326	MISCELLANEOUS SUPPLIES	\$623.23
EAST CHEM INC.	00057327	CHEMICALS	\$348.49
EASTERN MEDICAL SUPPLIES	00057328	MEDICAL SUPPLIES	\$239.07
EASTERN TURF PRODUCTS	00057329	REPAIR PARTS	\$558.34
NATIONAL ENERGY EQUIPMENT INC.	00057330	REPAIR PARTS	\$276.35
NINO CONSTRUCTION LIMITED	00057331	REFUND WATER DEFERRAL PERMIT	\$7,500.00
THE ACTIVE NETWORK, INC.	00057332	EPSON THERMAL RECEIPT PRINTER	\$2,044.35
EXECUTIVE COFFEE SERVICES LTD.	00057333	COFFEE SUPPLIES	\$321.72
HOME DEPOT OF CANADA INC.	00057334	BUILDING SUPPLIES	\$1,087.58
DOMINION STORE 935	00057335	MISCELLANEOUS SUPPLIES	\$257.74
BASIL FEARN 93 LTD.	00057336	REPAIR PARTS	\$512.41
O'KEEFE'S FLOWERS	00057337	FLOWERS	\$100.57
PRINCESS AUTO	00057338	MISCELLANEOUS ITEMS	\$713.99
C.B.J. ENTERPRISES INC. (STOGGERS PIZZA)	00057339	MEAL ALLOWANCES	\$334.48
MILLENNIUM EXPRESS	00057340	COURIER SERVICES	\$944.97
COASTLINE SPECIALTIES	00057341	KID BUILDERS SAFETY PANEL	\$374.03
NEWALTA INDUSTRIAL SERVICES	00057342	INDUSTRIAL SUPPLIES	\$74,857.72
ATLANTIC OILFIELD & INDUSTRIAL SUPPLY	00057343	INDUSTRIAL SUPPLIES	\$2,665.35
PROVINCIAL FENCE PRODUCTS	00057344	FENCING MATERIALS	\$668.40
WOLSELEY CANADA WATERWORKS	00057345	REPAIR PARTS	\$16.95
DOMINION STORES 934	00057346	MISCELLANEOUS SUPPLIES	\$109.04
STARGARDEN GROUP	00057347	PROFESSIONAL SERVICES	\$3,955.00
MADSEN CONSTRUCTION EQUIPMENT INC.	00057348	REPAIR PARTS	\$114.75
HARVEY & COMPANY LIMITED	00057349	REPAIR PARTS	\$1,240.87
HARVEY'S OIL LTD.	00057350	PETROLEUM PRODUCTS	\$22,054.28
MS GOVERN	00057351	PROFESSIONAL SERVICES	\$23,730.00
POWER BROTHERS INC. POWER'S SALVAGE	00057352	REPAIR PARTS	\$65.73
GUILLEVIN INTERNATIONAL CO.	00057353	ELECTRICAL SUPPLIES	\$393.19
BRENNTAG CANADA INC	00057354	CHLORINE	\$3,503.00
PRACTICAR CAR & TRUCK RENTALS	00057355	VEHICLE RENTAL	\$6,054.54
A TASTE OF CLASS INC	00057356	LUNCHEON	\$4,615.18
HICKMAN MOTORS LIMITED	00057357	AUTO PARTS	\$118.20
HISCOCK RENTALS & SALES INC.	00057358	HARDWARE SUPPLIES	\$725.58
HONDA ONE	00057359	REPAIR PARTS	\$282.10
DISTRIBUTION BRUNET INC.,	00057360	REPAIR PARTS	\$1,747.66
ON GRADE (NL) INC.,	00057361	SURVEY EQUIPMENT	\$141.25
SPORTCHEK-ABERDEEN DRIVE	00057362	CLOTHING ALLOWANCE	\$79.08
PENNECON ENERGY TECHNICAL SERVICE	00057363	PROFESSIONAL SERVICES	\$14,414.56
IMPRINT SPECIALTY PROMOTIONS LTD	00057364	PROMOTIONAL ITEMS	\$121.92

NAME	CHEQUE #	DESCRIPTION	AMOUNT
SCOPE INDUSTRIAL	00057365	REPAIR PARTS	\$269.39
ONX ENTERPRISE SOLUTIONS LIMITED	00057366	PROFESSIONAL SERVICES	\$14,507.50
UMBRELLA SECURITY	00057367	ALARM MONITORING	\$218.66
ISLAND HOSE & FITTINGS LTD	00057368	INDUSTRIAL SUPPLIES	\$266.75
LIFTOW LTD.	00057369	REPAIR PARTS	\$179.30
PRINTER TECH SOLUTIONS INC.,	00057370	REPAIRS TO EQUIPMENT	\$1,218.78
IDEXX LABORATORIES	00057371	VETERINARY SUPPLIES	\$447.48
DBI-GARBAGE COLLECTION REMOVAL LTD.	00057372	GARBAGE COLLECTION	\$966.15
KAVANAGH & ASSOCIATES	00057373	PROFESSIONAL SERVICES	\$15,237.31
STANTEC ARCHITECTURE LTD.	00057374	PROFESSIONAL SERVICES	\$92,942.90
FINE FOOD FACTORY	00057375	SANDWICH TRAYS	\$197.00
ATLANTICA MECHANICAL SERVICES	00057376	PROFESSIONAL SERVICES	\$1,863.94
MARK'S WORK WEARHOUSE	00057377	PROTECTIVE CLOTHING	\$1,062.11
MARTIN'S FIRE SAFETY LTD.	00057378	SAFETY SUPPLIES	\$386.93
MCLOUGHLAN SUPPLIES LTD.	00057379	ELECTRICAL SUPPLIES	\$3,121.52
MIKAN INC.	00057380	LABORATORY SUPPLIES	\$2,426.72
NU-WAY EQUIPMENT RENTALS	00057381	RENTAL OF EQUIPMENT	\$13,837.98
NEWFOUNDLAND DISTRIBUTORS LTD.	00057382	INDUSTRIAL SUPPLIES	\$614.94
NEWFOUNDLAND DESIGN ASSOCIATES	00057383	PROFESSIONAL SERVICES	\$237,364.85
NFLD KUBOTA LTD.	00057384	REPAIR PARTS	\$539.38
NEWFOUNDLAND POWER	00057385	ELECTRICAL SERVICES	\$553.81
BELL ALIANT	00057386	TELEPHONE SERVICES	\$7,298.88
TOROMONT CAT	00057387	AUTO PARTS	\$48.75
R NICHOLLS DISTRIBUTORS INC.	00057388	PROTECTIVE CLOTHING	\$32,262.07
ORNAMENTAL CONCRETE LTD.	00057389	CONCRETE/CEMENT	\$214.47
PENNECON ENERGY HYDRAULIC SYSTEMS	00057390	REPAIR PARTS	\$245.78
PBA INDUSTRIAL SUPPLIES LTD.	00057391	INDUSTRIAL SUPPLIES	\$4,277.92
GCR TIRE CENTRE	00057392	TIRES	\$1,265.15
PERIDOT SALES LTD.	00057393	REPAIR PARTS	\$729.41
PETER PAN SALES LTD.	00057394	SANITARY SUPPLIES	\$3,639.77
J & J SEARCHING SERVICES	00057395	LIEN SEARCH	\$310.75
CA PIPPY PARK COMMISSION	00057396	GROUNDS MAINTENANCE	\$18,532.00
POLAR FARMS LIMITED	00057397	KENTUCKY BLUEGRASS SOD	\$381.50
PROFESSIONAL UNIFORMS & MATS INC.	00057398	PROTECTIVE CLOTHING	\$1,106.27
REPROGRAPHICS LTD.	00057399	TONER CARTRIDGES	\$138.30
RIDEOUT TOOL & MACHINE INC.	00057400	TOOLS	\$1,103.22
NAPA ST. JOHN'S 371	00057401	AUTO PARTS	\$112.76
S & S SUPPLY LTD. CROSSTOWN RENTALS	00057402	REPAIR PARTS	\$1,632.52
ST. PAUL FIRE & MARINE INSURANCE CO.	00057403	LEGAL CLAIM	\$48,980.29
BIG ERICS INC	00057404	SANITARY SUPPLIES	\$1,201.33
SAUNDERS EQUIPMENT LIMITED	00057405	REPAIR PARTS	\$6,541.58
STRONGCO	00057406	REPAIR PARTS	\$1,331.58

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CHANDLER	00057407	CLOTHING ALLOWANCE	\$214.60
SPORTSCRAFT 1990 LTD.	00057408	SPORTING EQUIPMENT	\$214.69
SUPERIOR OFFICE INTERIORS LTD.	00057409	OFFICE SUPPLIES	\$762.75
THRIFTY CAR RENTALS	00057410	VEHICLE RENTAL	\$4,878.21
PAINT SHOP-TOPSAIL DECOR	00057411	PAINT SUPPLIES	\$66.85
TRACTION DIV OF UAP	00057412	REPAIR PARTS	\$7,695.64
URBAN CONTRACTING JJ WALSH LTD	00057413	PROPERTY REPAIRS	\$1,469.00
CANSEL WADE	00057414	OFFICE SUPPLIES	\$1,751.50
WATERWORKS SUPPLIES DIV OF EMCO LTD	00057415	REPAIR PARTS	\$603.90
WEIRS CONSTRUCTION LTD.	00057416	ROAD GRAVEL	\$1,425.67
WAL-MART 3092-KELSEY DRIVE	00057417	MISCELLANEOUS SUPPLIES	\$213.91
O'DEA, EARLE	00057418	REFUND COMPLIANCE LETTER	\$150.00
ROYAL BANK OF CANADA	00057419	REFUND OVERPAYMENT OF TAX	\$1,751.83
FRENCH & ASSOCIATES	00057420	REFUND COMPLIANCE LETTER	\$150.00
ASNL- AUTISM SOCIETY OF NL	00057421	LUNCH FOR YOUTH INCLUSION LEADERSHIP PROGI	\$261.51
INDEPENDENT LIVING RESOURCE CENTRE	00057422	BROCHURES	\$37.00
THE GATHERING PLACE	00057423	HPS FUNDING	\$79,516.00
SAMANTHA YOUNG	00057424	SUMMER REFEREE	\$66.00
SONNY'S DRUM STUDIO	00057425	REAL PROGRAM	\$115.00
BELL MOBILITY INC. RADIO DIVISION	00057426	MAINTENANCE CHARGES & REPAIRS	\$310.05
BMO BANK OF MONTREAL	00057427	REFUND OVERPAYMENT OF TAX	\$384.75
HUNGRY HEART CAFE	00057428	LUNCHEON	\$338.33
HILLMAN, DR. A.	00057429	MEDICAL EXAMINATION	\$40.00
DROVER, JUSTIN	00057430	SUMMER REFEREE	\$74.28
BUTLER, MEKAELA	00057431	SUMMER REFEREE	\$254.46
TAYLOR, ANDREW	00057432	SUMMER REFEREE	\$99.04
TRELA, CONRAD	00057433	SUMMER REFEREE	\$137.52
TUCK, STEPHANIE	00057434	SUMMER REFEREE	\$44.00
LEWIS, LIAM	00057435	SUMMER REFEREE	\$44.00
YETMAN, BILLI ANN	00057436	SUMMER REFEREE	\$154.04
RAMSAY, EMMA	00057437	SUMMER REFEREE	\$66.00
KRISTEN JENKINS	00057438	SUMMER REFEREE	\$77.00
ST. JOHN'S GIRLS U16A SOCCER TEAM	00057439	TRAVEL ASSISTANCE GRANT	\$400.00
MC-PIX: MELANIE COURAGE PHOTOGRAPHER	00057440	INSTRUCTOR FEE	\$54.39
A HOLDING PLACE	00057441	COUNSELING SERVICES	\$576.35
REDWOOD MANAGEMENT LTD	00057442	REFUND WATER DEFERRAL PERMIT	\$7,500.00
COMPASS HEALTH CENTRE LTD.	00057443	COUNSELING SERVICES	\$272.00
BOYS AND GIRLS CLUBS OF ST. JOHN'S	00057444	CTJS PROGRAM	\$600.00
MICHELLE TAYLOR	00057445	SUMMER REFEREE	\$44.00
SAMUEL MAHON	00057446	SUMMER REFEREE	\$70.14
MARIA MILLS	00057447	SUMMER REFEREE	\$23.38
SOBEYS ROPEWALK LANE	00057448	MISCELLANEOUS SUPPLIES	\$42.72

NAME	CHEQUE #	DESCRIPTION	AMOUNT
NOONAN LAW	00057449	REFUND COMPLIANCE LETTER	\$150.00
KOKORO DOJO	00057450	REAL PROGRAM	\$270.00
DR. ANDREW HUTTON	00057451	MEDICAL EXAMINATION	\$20.00
EILEEN REDDIGAN	00057452	EDUCATION INCENTIVE PROGRAM	\$300.00
SARAH LAWRENCE	00057453	RECREATION PROGRAM REFUND	\$60.00
SULLIVAN'S CONTRACTING	00057454	REFUND OVERPAYMENT OF TAX	\$243.00
DR. KEEGAN, AU., M.D., E.R.C.S.(C)	00057455	MEDICAL EXAMINATION	\$20.00
DR. CHRISTOPHER COX	00057456	MEDICAL EXAMINATION	\$20.00
BROWN, MADDISON	00057457	SUMMER REFEREE	\$22.00
BUDGELL, HANNAH	00057458	SUMMER REFEREE	\$22.00
LEWIS, SARAH	00057459	SUMMER REFEREE	\$22.00
MARMOUCHE, NADIA	00057460	SUMMER REFEREE	\$22.00
MATTATALL, DAVID	00057461	SUMMER REFEREE	\$119.66
SHORTALL, LUCAS	00057462	SUMMER REFEREE	\$121.04
JENKINS, ALYSSA	00057463	SUMMER REFEREE	\$66.00
CADIGAN, SARAH	00057464	SUMMER REFEREE	\$49.52
NOAH DEBOURKE	00057465	SUMMER REFEREE	\$110.00
BLAKE POOLE	00057466	SUMMER REFEREE	\$99.00
ROGERS, DIANE	00057467	EDUCATION INCENTIVE PROGRAM	\$200.00
TAMI STRONG	00057468	RECREATION PROGRAM REFUND	\$20.00
FIONA BURKE	00057469	RECREATION PROGRAM REFUND	\$22.50
JAMES WYSE	00057470	REFUND APPEAL BOARD FEE	\$113.00
JANIS E. PENNEY-SCHWARTZ	00057471	REFUND OVERPAYMENT OF TAX	\$200.00
PAUL & ELIZABETH SMITH	00057472	REFUND OVERPAYMENT OF TAX	\$221.08
GERTRUDE FURLONG	00057473	REFUND OVERPAYMENT OF TAX	\$269.36
MICHELLE BEST	00057474	RECREATION PROGRAM REFUND	\$20.00
DONNA GRENNING	00057475	RECREATION PROGRAM REFUND	\$20.00
DOUG BARLETT	00057476	RECREATION PROGRAM REFUND	\$20.00
LISA BURTON	00057477	RECREATION PROGRAM REFUND	\$20.00
MICHEAL RALPH	00057478	RECREATION PROGRAM REFUND	\$20.00
SNOW'S ELECTRICAL LIMITED	00057479	REFUND ELECTRICAL PERMIT	\$242.00
BECKY DALY	00057480	SUMMER REFEREE	\$33.00
BRANDI MALLARD	00057481	SUMMER REFEREE	\$22.00
TERRANCE & ROSALIND CHOLOCK	00057482	REFUND OVERPAYMENT OF TAX	\$1,201.74
SIDNEY H. MORRIS	00057483	REFUND OVERPAYMENT OF TAX	\$26.44
VIVEK & SANSRITI SAXENA	00057484	REFUND OVERPAYMENT OF TAX	\$25.00
THE HUMAN TOUCH INC. CENTRE	00057485	REFUND OVERPAYMENT OF TAX	\$11.23
DOROTHY RYALL	00057486	REFUND OVERPAYMENT OF TAX	\$137.00
RYLAN & SUJJI EGAN	00057487	REFUND OVERPAYMENT OF TAX	\$1,000.00
THE BUSINESS POST	00057488	ADVERTISING	\$610.20
DONNA SLANEY	00057489	RECREATION PROGRAM REFUND	\$110.00
CAROLE BARRON	00057490	REFUND SEWER DIG	\$500.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CBS SKATING CLUB	00057491	CTJS FALL	\$150.00
BRENDA BLACKMORE	00057492	RECREATION PROGRAM REFUND	\$60.00
TRAVOR BROWN	00057493	RECREATION PROGRAM REFUND	\$239.75
MURPHY, PATRICIA	00057494	VEHICLE BUSINESS INSURANCE	\$117.00
COOK, CAROLYN	00057495	REIMBURSEMENT FIRST AID SUPPLIES	\$62.04
SUSAN ROSE	00057496	CLOTHING ALLOWANCE	\$75.00
GARY MCGRATH	00057497	REIMBURSEMENT TUITION	\$1,098.00
KRYSTAL MULLEY HATCHER	00057498	REIMBURSEMENT TUITION	\$461.73
HILLIARD, ROSE	00057499	MILEAGE	\$76.33
MURRAY, ASHLEY	00057500	MILEAGE	\$119.88
DAY, DAVID	00057501	REIMBURSEMENT COFFEE & MUFFINS	\$163.29
GLYNN, KENNETH	00057502	VEHICLE BUSINESS INSURANCE	\$336.00
ANDREW RODGERS	00057503	CLOTHING ALLOWANCE	\$125.00
EMCO SUPPLY	00057504	REPAIR PARTS	\$955.71
HARRIS & ROOME SUPPLY LIMITED	00057505	ELECTRICAL SUPPLIES	\$122.64
LIGHTING & TRAFFIC	00057506	PROFESSIONAL SERVICES	\$763.88
GRAND CONCOURSE AUTHORITY	00057507	PROGRESS PAYMENTS	\$20,579.50
GOODLIFE FITNESS	00057508	FITNESS MEMBERSHIP	\$2,262.58
RBC GLOBAL SERVICES/RBC INVESTOR SERVICES	00057509	PAYROLL DEDUCTIONS	\$1,043,569.29
UNITED WAY OF NEWFOUNDLAND & LABRADOR	00057510	PAYROLL DEDUCTIONS	\$171.75
HEALTH CARE FOUNDATION	00057511	PAYROLL DEDUCTIONS	\$12.00
INFINITY CONSTRUCTION	00057512	PROGRESS PAYMENTS	\$387,773.46
MCLOUGHLAN SUPPLIES LTD.	00057513	ELECTRICAL SUPPLIES	\$2,075.59
PARTS FOR TRUCKS INC.	00057514	REPAIR PARTS	\$343.89
CUPE LOCAL 569	00057515	PAYROLL DEDUCTIONS	\$32,497.06
NAPE	00057516	PAYROLL DEDUCTIONS	\$1,207.66
THE WORKS	00057517	MEMBERSHIP FEES	\$1,009.42
RECEIVER GENERAL FOR CANADA	00057518	PAYROLL DEDUCTIONS	\$2,025.88
THE SHERIFF'S OFFICE	00057519	WAGE GARNISHMENTS	\$450.00
IDANCE INC.	00057520	CTJS PROGRAM	\$600.00
CIBC	00057521	PAYROLL DEDUCTIONS	\$1,382.22
ROYAL BANK	00057522	PAYROLL DEDUCTIONS	\$730.47
IRVING OIL MARKETING GP	00057523	GASOLINE & DIESEL PURCHASES	\$9,349.22
MERCER MACNAB VAVASOUR & FAGAN IN TRUST	00057524	LEGAL CLAIM	\$2,789.64
NEWFOUNDLAND LIQUOR CORP.	00057525	REFRESHMENTS	\$2,206.16
NEWFOUNDLAND POWER	00057526	ELECTRICAL SERVICES	\$162,189.29
CONTROLS & EQUIPMENT LTD.	00057527	REPAIR PARTS	\$3,594.70
CONTROLS & EQUIPMENT LTD.	00057528	REPAIR PARTS	\$9,910.82
NEWFOUND CABS	00057529	TRANSPORTATION SERVICES	\$1,729.32
MODERN HEAVY CIVIL LIMITED	00057530	CONTRACT PAYMENT	\$966,328.02
		TOTAL	4,471,043.17

MEMORANDUM

Date: September 4, 2013
To: Mayor O'Keefe and Members of Council
From: Robert J. Bursey, City Solicitor
Re: **238 Portugal Cove Road**

The City expropriated an easement over land at 238 Portugal Cove Road for replacement of the water transmission line.

The owners have now agreed to accept compensation in the amount of \$750.00, plus legal fees.

I recommend that approval be given to compensate in this amount, and request that this matter be brought before Council at the next regular meeting.

Robert J. Bursey,
City Solicitor

RJB/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: August 29, 2013
To: Mayor & Council
From: Robert J. Bursey, City Solicitor
Re: **Grace Hospital Site**

Coady Construction Ltd has the contract to complete the replacement of infrastructure on Craigmillar Avenue.

Arrangements have been made for the storage of materials for this project on a portion of the former Grace Hospital site, however, the province requires that the City enter into a lease for six (6) months at no cost.

I recommend that authority be given to execute the lease and request that this matter be brought before Council at the next regular meeting.

Robert J. Bursey,
City Solicitor

RJB/jcd

ST. JOHN'S

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