

**April 28, 2008**

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

Acting Mayor Duff presided.

There were present also Councillors Colbert, Hickman, Hann, Puddister, Galgay, and Collins

Regrets: Councilor Coombs

The Chief Commissioner and City Solicitor, Associate Commissioner/Director of Corporate Services and City Clerk, Director of Planning, and Manager, Corporate Secretariat were also in attendance.

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

**SJMC2008-04-28/252R**

**It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That the agenda be adopted as presented with the following additional items:**

1. Memorandum dated April 28, 2008 from the Director of Planning re Proposed Rezoning of Property for a Residential Development, Former Sprung Site off Commonwealth Avenue, Newfoundland and Labrador Housing Corporation
2. St. John's Local Board of Appeal Appointments

**Adoption of Minutes**

**SJMC2008-04-28/253R**

**It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the Minutes of the April 22<sup>nd</sup>, 2008 meeting be adopted as presented.**

### **Information on Liquor Licenses**

Under business arising, Council considered as information a memorandum dated April 23, 2008 from the Director of Planning regarding the above noted. Members of Council again discussed its concerns relative to bar closing hours and will wait the outcome of the public hearing to be held by the Newfoundland Liquor Licensing Board.

### **Notices Published**

**1. A Discretionary Use Application** has been submitted by Facilities Design Group Inc. on behalf of JMJ Holdings Limited to redevelop **Building 106 East Drive in Pleasantville (Civic No. 1 Roosevelt Avenue, formerly Centre Base Bingo) to accommodate sixteen (16) residential condominium units.** The proposed condominium building will be increased in height by one (1) storey whereby each floor will contain eight (8) units. On-site parking will be provided for (23 vehicles), with the basement area converted to accommodate twenty (20) indoor parking spaces. **(Ward 1)**

#### **SJMC2008-04-28/254R**

**It was moved by Councillor Colbert; seconded by Councillor Puddister: That the application be approved.**

**The motion being put was unanimously carried**

### **Development Committee Report dated April 22, 2008**

Council considered the following Development Committee Report dated April 22, 2008:

### **RECOMMENDATIONS OF APPROVAL**

**1. Transfer of Restaurant Liquor License  
Tea Room at the Garden (Former Bloomin' Tea Pot)  
Mr. Glenn Downey  
MUN Botanical Garden (Ward 4)**

The Development Committee recommends that Council approve the transfer of the restaurant liquor license to the new owners.

Ron Penney, LL.B.  
Acting Chair – Development Committee

#### **SJMC2008-04-28/255R**

**Regarding Item #1, it was decided on motion of Councillor Hickman; seconded by Councillor Puddister: That the Committee's recommendation of approval be accepted.**

**Special Events Advisory Committee Report dated April 15, 2008**

Council considered the following Special Events Advisory Committee Report dated April 15, 2008:

- 1) Event:           **Refresher Training Exercise**  
Organizer:       Sgt. S.W. Herritt - Department of National Defence  
Location:         Quidi Vidi Lake  
Date:             May 3, 2008  
Time:             13:00 pm – 15:00 pm

It should be noted the *Royal St. John's Regatta Committee* has given their permission to use Quidi Vidi Lake for this event.

- 2) Event:           **Battle of the Atlantic Ceremony**  
Location:         From Parade Street to Waterfront (Pier 10/11)  
Date:             May 4, 2008  
Time:             10:20 am – 13:00 pm

This event may cause traffic delays along the parade route.

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

---

Robin King, P. Eng.  
Chairman, Special Events Advisory  
Committee

**SJMC2008-04-28/256R**

**It was decided on motion of Councillor Colbert; seconded by Councillor Galgay: That the Committee's recommendations be approved.**

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

**Resolutions**

**Proposed Rezoning of Property for a Residential Development, Former Sprung Site off Commonwealth Avenue, Newfoundland and Labrador Housing Corporation**

Council considered a memorandum dated April 28, 2008 from the Director of Planning regarding the above noted.

**SJMC2008-04-28/257R**

**It was moved by Councillor Colbert seconded by Councillor Hann: That the following Resolutions for St. John’s Municipal Plan Amendment Number 56, 2008 and St. John’s Development Regulations Amendment Number 426, 2008, be adopted:**

**RESOLUTION**

**ST. JOHN’S MUNICIPAL PLAN AMENDMENT NUMBER 56, 2008**

**WHEREAS** the St. John’s Municipal Council wishes to permit residential development on the former Sprung Greenhouse property located off Commonwealth Avenue.

**BE IT THEREFORE RESOLVED** that the St. John’s Municipal Council hereby adopts the following map amendment to the St. John’s Municipal Plan, in accordance with the Urban and Rural Planning Act, 2000:

**Redesignate the former Sprung Greenhouse property off Commonwealth Avenue from the Agricultural and Rural Land Use Districts to the Residential Low Density and Open Space Land Use Districts, as shown on Map III-1A attached.**

**BE IT FURTHER RESOLVED** that the St. John’s Municipal Council 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 Acting Mayor and the City Clerk on behalf of Council this 28<sup>th</sup> day of April, 2008.

\_\_\_\_\_  
**Acting Mayor**

\_\_\_\_\_  
**Director of Corporate Services  
& City Clerk**

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

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 426,  
2008**

**WHEREAS** the St. John's Municipal Council wishes to permit residential development on the former Sprung Greenhouse property located off Commonwealth Avenue.

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

**Rezone the former Sprung Greenhouse property off Commonwealth Avenue from the Agricultural (AG) and Rural (R) Zones to the Residential Low Density (R1), Open Space (O), and Open Space Reserve (OR) Zones, as shown on Map Z-1A attached.**

**BE IT FURTHER RESOLVED** that the St. John's Municipal Council 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 Acting Mayor and the City Clerk on behalf of Council this 28<sup>th</sup> day of April, 2008.

\_\_\_\_\_  
**Acting Mayor**

\_\_\_\_\_  
**Director of Corporate Services  
& City Clerk**

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

**And further, that Dr. Chris Sharpe, a member of the City's commissioner list, be appointed as the commissioner to conduct a public hearing on the amendments.**

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

**Development Permit List**

Council considered as information the following Development Permits List for the period April 17<sup>th</sup> to April 24<sup>th</sup>, 2008.

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF APRIL 17, 2008 TO APRIL 24, 2008**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Com.	Mr. David Walsh	Home Office for St. Francis Foundation	Civic No. 77 Petty Harbour Road	Ward 5	<b>Application Approved</b>	2008 04 17
Res.	Reardon Construction & Development Limited	Two (2) Semi-Detached Dwelling Units	Civic Nos. 114 & 116 Blackmarsh Road	Ward 2	<b>Application Approved</b>	2008 04 18
Res.	Mr. Fred R. Eales	Residential Building Lot (Non-Farm Related)	Pearltown Road	Ward 5	<b>Application Rejected: As per LDAA</b>	2008 04 23
Com.	Mr. Keith Courtney	Home Office for K & J Contracting	Civic No. 148A Doyle's Road	Ward 5	<b>Application Approved</b>	2008 04 23
Ind.	Anemos Energy Corporation	Temporary Meteorological Assessment Tower	Southern Shore Highway	Ward 5	<b>Application Approved</b>	2008 04 23

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

**Ed Murray  
Development Officer  
Department of Planning**

---

**Building Permits List**

**SJMC2008-04-28/258R**

**It was decided on motion of Councillor Hann; seconded by Councillor Hickman: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits list, be approved:**

2008/04/23

Permits List

**CLASS: COMMERCIAL**

G P AUTO SALE	326 LOGY BAY RD - G P AUTO	CO CAR SALES LOT
MODH ENTERPRISES	10 KING'S RD	SN RESTAURANT
KHICKMAN SATURN SAAB	20 PEET ST	MS CAR SALES LOT
DALLAS MERCER CONSULTING INC.	603 TOPSAIL RD, DALLAS MERCER	RN OFFICE
N.D. DOBBIN LTD	45 ROPEWALK LANE, SITE TRAILER	NC ACCESSORY BUILDING
CITY SANITARY FILL PROFIT	340 EAST WHITE HILLS RD	NC ADMIN BLDG/GOV/NON-

THIS WEEK \$ 635,865.00  
TO DATE \$ 10,026,485.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00  
TO DATE \$ 1,755,000.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

NFLD. & LAB HOUSING CORP PROFIT	804 VETERAN'S RD	RN ADMIN BLDG/GOV/NON-
CORPUS CHRISTI CHURCH	260 WATERFORD BRIDGE RD	EX CHURCH

THIS WEEK \$ 1,500,000.00  
TO DATE \$ 10,223,114.00

**CLASS: RESIDENTIAL**

KEITH EMBERLEY	313 BACK LINE	NC FENCE
DORIS ROWE - WILCOX	12 BUTTERWORTH PL	NC ACCESSORY BUILDING
GAVEN ROGERS	21 CESSNA ST	NC ACCESSORY BUILDING
BYRON & STACEY PAYNE	18 CHEROKEE DR	NC ACCESSORY BUILDING
BYRON & STACEY PAYNE	45 CHEROKEE DR	NC ACCESSORY BUILDING
SAMUEL M. KEAN &	4 CHUCKLEY PEAR PL	NC ACCESSORY BUILDING
CHERYL DEBRA HAWCO	398 EMPIRE AVE	NC PATIO DECK
JEREMY WHITTLE	9 GERARD PL	NC ACCESSORY BUILDING
SCOTT MANSFIELD	81 GILLIES RD	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	31 GISBORNE PL - LOT U2	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	33 GISBORNE PL - LOT U1	NC TOWNHOUSING
CARDINAL HOMES LTD	155 GREEN ACRE DR, LOT 65A	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LIMITED	157 GREEN ACRE DR, LOT 65B	NC SEMI-DETACHED DWELLING
RICK & PAMELA ELLIOTT	5 HEBBARD PL	NC FENCE
MARSHA & CHRIS EUSTACE	15 JAMIE KORAB ST - LOT 126	NC SINGLE DETACHED DWELLING
ROD COLLIER	21 KINCAID ST	NC ACCESSORY BUILDING
ATLANTIC HOMES LIMITED	12 LADY ANDERSON ST, LOT 218	NC SINGLE DETACHED DWELLING
DAVID & ROSE HOWLETT	699 MAIN RD	NC SINGLE DETACHED DWELLING
CHAD WHELAN	9 MYRICK PL, LOT 141	NC SINGLE DETACHED DWELLING
DAVID & LISA HEFFERMAN	14 NONIA ST	NC FENCE
DAVID & LISA HEFFERMAN	14 NONIA ST	NC ACCESSORY BUILDING
GLENDA MALONE	50 O'REILLY ST	NC ACCESSORY BUILDING
CARDINAL HOMES	14 ROTARY DR - LOT 25	NC SINGLE DETACHED & SUB.APT
CARDINAL HOMES	16 ROTARY DR - LOT 26	NC SINGLE DETACHED & SUB.APT
CARDINAL HOMES LIMITED	18 ROTARY DR, LOT 27	NC SINGLE DETACHED & SUB.APT
HANN CONSTRUCTION LTD	24 SOLDIER CRES - LOT 35	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	7 SOLDIER CRES, LOT 52	NC SINGLE DETACHED DWELLING
HANN CONSTRUCTION LTD.	15 SOLDIER CRES, LOT 48	NC SINGLE DETACHED DWELLING
CARON HAWCO	36 VICTORIA ST	CO HOME OFFICE
KEITH MERCER	4 BRIARWOOD PL	EX ACCESSORY BUILDING
CHRISTOPHER HUTCHINGS	4 GILL PL	EX TOWNHOUSING

VINCENT HEALEY	1B TUNIS CRT	EX ACCESSORY BUILDING
SEAN WOOD	73 ALMOND CRES	RN SINGLE DETACHED DWELLING
KEITH EMBERLEY	313 BACK LINE	RN SINGLE DETACHED DWELLING
GREGORY HANLEY & DWELLING	36 CAIRO ST	RN SINGLE DETACHED
DEAN MILLER DWELLING	122 EMPIRE AVE	RN SINGLE DETACHED
JOHN MERCER DWELLING	43 TORBAY RD	RN SINGLE DETACHED

THIS WEEK \$ 3,351,820.00  
TO DATE \$ 18,441,316.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00  
TO DATE \$ 359,000.00

THIS WEEK'S TOTAL: \$ 5,487,685.00  
TOTAL YEAR TO DATE: \$ 40,804,915.00

REPAIR PERMITS ISSUED: 2008/04/17 TO 2008/04/23 \$ 104,000.00  
2007/12/13 TO 2008/04/23 \$ 551,350.00

LEGEND

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

**Payrolls and Accounts**

**SJMC2008-04-28/259R**

**It was decided on motion of Councillor Colbert; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending April 24<sup>th</sup>, 2008 be adopted as presented:**



**Weekly Payment Vouchers  
For The  
Week Ending April 24, 2008**

**PAYROLL**

Public Works	\$ 272,128.52
Bi-Weekly Casual	\$ 10,958.69

**ACCOUNTS PAYABLE**

Cheque No. 131158 - 131433	\$3,453,923.96
----------------------------	----------------

**Total: \$3,737,011.17**

**Tenders**

- a. Tender – Chlorine Gas
- b. Tender – Paint Line Marker

**SJMC2008-04-28/260R**

**It was decided on motion of Councillor Colbert; seconded by Councillor Hann: That the recommendations of the Director of Finance and City Treasurer be approved and the tenders awarded as follows:**

- a. Eastchem Inc. in the amount of \$220,770.00 (taxes not included)
- b. MB Companies in the amount of \$164,654.00 (taxes not included)

**2008 Household Hazardous Waste (HHW) Program**

Council considered a memorandum dated April 24, 2008 from the Director of Public Works and Parks regarding the above noted.

**SJMC2008-04-28/261R**

**It was moved by Councillor Collins; seconded by Councillor Hann: That the recommendations of the Director of Public Works and Parks that (1) the proposal from Newalta Industrial Services Inc. in the amount of \$51,915.00 per event (option 3) be accepted; that two events be held in 2008 – one on May 10<sup>th</sup> and the other on September 13<sup>th</sup> and that both events be held at the Confederation Building east parking lot; be approved.**

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

### **Request for Swan – Corner Brook**

Council considered a memorandum dated April 24, 2008 from the Director of Public Works and Parks regarding the above noted.

#### **SJMC2008-04-28/262R**

**It was moved by Councillor Hann; seconded by Councillor Hickman: That the recommendation of the Director of Public Works and Parks that Melanie McLeod be authorized to proceed with transferring the unpaired female swan from Bowring Park to Corner Brook, be approved.**

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

### **Appointments – St. John’s Local Board of Appeal**

Councillor Duff announced Council’s appointment of Mr. T.M. Hickey to the St. John’s Local Board of Appeal effective May 1, 2008 to May 1, 2011; and also Council’s appointment of current member, Mr. Grant Chalker as Chair of the Board effective immediately.

### **Councillor Hickman**

Councillor Hickman noted that Parks Canada has completed its plan for Signal Hill and Fort Amherst and are looking for partners and corporate support to get involved.

#### **SJMC2008-04-28/263R**

**It was moved by Councillor Hickman; seconded by Councillor Collins: That the City through the Departments of Economic Development, Tourism and Culture and Public Works and Parks arrange a meeting with Provincial and Federal Parks Canada officials to discuss the rehabilitation of the Fort Amherst site.**

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

### **Councilor Puddister**

Councillor Puddister advised that the Metrobus Board will be meeting next Monday and the issue of seniors’ bus fares will be discussed. He suggested that members of Council refer their comments on this matter to the any member of Council’s Board representatives. He noted he has asked Manager, Judy Powell to research other cities’ practices in this regard.

Councillor Colbert noted he would support a move to reduce the age requirement for senior citizens' bus passes from 65 back to maybe 55.

Councillor Puddister noted some controversy regarding signage on Water Street due to the Harbour Cleanup Project and thanked Mr. Bill Callahan for bringing it Council's attention. He noted that staff have since modified the signs and is optimistic this change will address the problem and thanked staff for assistance in this regard.

Councillor Puddister noted his attendance along with other members of Council at the unveiling of Tommy Ricketts Medals event held at the Coastal Railway Museum and he encouraged residents to view the display at the Museum.

Councillor Puddister noted Marine Atlantic's announcement of \$101 million for a new Ferry for the North Sydney/Port aux Basques run. He encouraged all school children to take part in the naming of the new ferry contest.

**Councillor Galgay**

Councillor Galgay noted that he too attended the unveiling of the Sergeant Tommy Ricketts Medals event and encouraged the public to visit the Railway Coastal Museum to view the medals which are on loan from the Canadian War Museum in Ottawa.

**Councillor Collins**

Councillor Collins advised of the Goulds Volunteer Appreciation event and thanked the volunteers on behalf of the City for their valuable contribution to the community.

**Councillor Hann**

Councillor Hann expressed concern over the current rise in fuel costs and its impact on Metrobus operation who are predicting a deficit in the vicinity of \$300,000. He noted that the Commission will have to investigate ways and means to offset the increased costs.

**Adjournment**

There being no further business, the meeting adjourned at 5:25 p.m.

---

**MAYOR**

---

**CITY CLERK**