

August 11, 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.

Mayor Dennis O'Keefe presided.

There were present also Deputy Mayor Ellsworth and Councillors Duff, Colbert, Hann, Hickman, Puddister, Galgay, Coombs, Hanlon and Collins.

The Chief Commissioner and City Solicitor, the Associate Commissioner/Director of Engineering, the Associate Commissioner/Director of Corporate Services and City Clerk, Director of Planning and the Recording Secretaries were also in attendance.

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

#### **SJMC2008-08-11/479R**

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

- a. Memorandum dated July 31, 2008, from the Associate Commissioner/ Director of Engineering re: Robin Hood Bay Landfill Re-Engineering Metal Recycling Site Lease**
- b. Memorandum dated August 7, 2008, from the Chairman – Special Events Advisory Committee re: Special Events Advisory Committee Recommendations**
- c. Memorandum dated August 11, 2008, from the Director of Finance & City Treasurer re: Tender for the Supply of Road Salt**
- d. Memorandum dated August 11, 2008, from the Manager of Development re: Request for Deferment – Discretionary Use Application – Civic No. 55-57 Mayor Avenue (Ward 2)**

### **Adoption of Minutes**

#### **SJMC2008-08-11/480R**

**It was decided on motion of Councillor Duff; seconded by Councillor Colbert: That the minutes of the meeting held on July 28, 2008, be adopted as presented.**

**Well Aware Program – CD#R2008-07-15/35**

Under business arising, Council considered as information a memorandum dated August 5, 2008, from Mayor O’Keefe regarding the above noted matter.

**Notices Published**

1. **Rezoning of lands managed and controlled by the Port Authority at and near Pier 18, on the north side of US Army Dock Road, as well as along East Middle Battery Road and Outer Battery Road** to the Industrial General (IG) Zone to reflect the fact that these lands are managed and controlled by the St. John’s Port Authority and as such are not available for residential development. **(Ward 2)**

**Memorandum dated August 4, 2008, from the Director of Planning  
1 letter of objection.**

**SJMC2008-08-11/481R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Coombs: That the application be approved, and that the following Resolutions for St. John’s Municipal Plan Amendment Number 63, 2008 and St. John’s Development Regulations Amendment Number 440, 2008 be adopted; which will then be referred to the Department of Municipal Affairs with a request for Provincial registration as per the requirements of the Urban and Rural Planning Act.**

**RESOLUTION**

**ST. JOHN’S MUNICIPAL PLAN AMENDMENT NUMBER 63, 2008**

**WHEREAS** the City of St. John's wishes to amend the land use designation of property controlled and managed by the St. John’s Port Authority in the vicinity of the U.S. Army Dock Road.

**BE IT THEREFORE RESOLVED** that the City of St. John’s adopts the following map amendment to the St. John’s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

**Redesignate land in the vicinity of U.S. Army Dock Road from the Residential Medium Density Land Use District to the Industrial Land Use District as show 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.

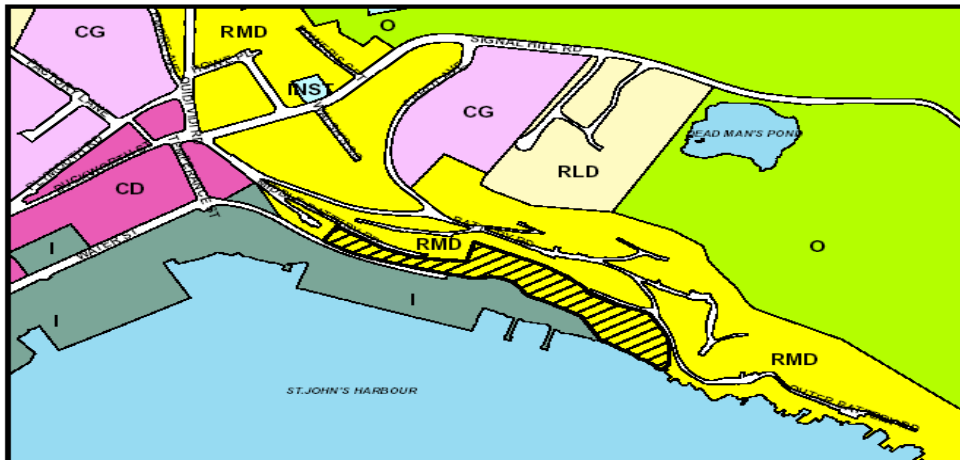
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk this 11<sup>th</sup> day of August, 2008.

\_\_\_\_\_  
**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



**CITY OF ST. JOHN'S**

**MUNICIPAL PLAN 2003  
AMENDMENT No. 63, 2008  
[MAP III-1A]**

SCALE: 1:5,000  
2008 07 21  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

 AREA PROPOSED TO BE REDESIGNATED FROM RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT TO INDUSTRIAL (I) LAND USE DISTRICT  
East Middle Battery Road, Outer Battery Road and US Army Dock Road, St. John's Port Authority lands

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

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DIRECTOR CORP. SERVICES/CITY CLERK

\_\_\_\_\_  
COUNCIL ADOPTION

\_\_\_\_\_  
M.C.I.P. signature and seal

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 440,  
2008**

**WHEREAS** the City of St. John's wishes to amend the land use designation of property controlled and managed by the St. John's Port Authority in the vicinity of the U.S. Army Dock Road.

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

**Rezone land in the vicinity of U.S. Army Dock Road from the Residential High Density (R3) Zone and the Residential Battery (RB) Zone to the Industrial General (IG) 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.

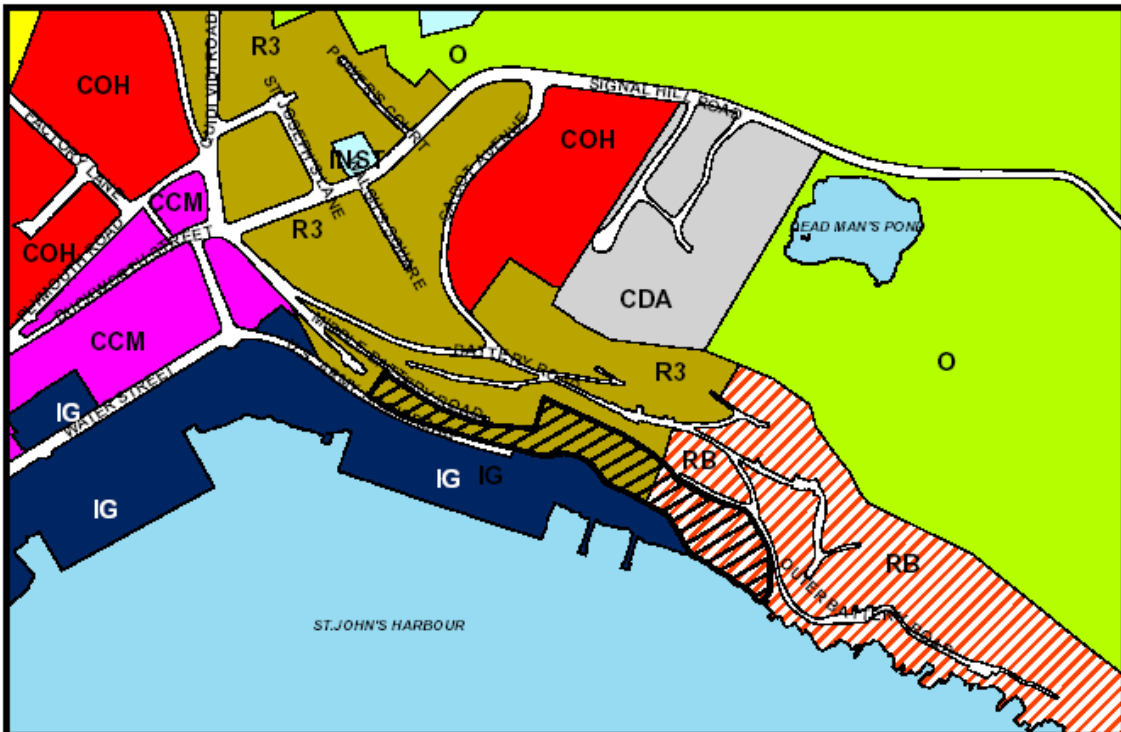
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk this 11<sup>th</sup> day of August, 2008.

\_\_\_\_\_  
**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



**CITY OF ST. JOHN'S  
 LAND USE ZONING AND  
 DEVELOPMENT REGULATIONS 1994  
 AMENDMENT No. 440, 2008  
 [MAP Z-1A]**

SCALE: 1:5,000

2008 07 21  
 CITY OF ST. JOHN'S  
 DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED  
 FROM RESIDENTIAL HIGH DENSITY (R3) AND  
 RESIDENTIAL BATTERY (RB) LAND USE ZONES  
 TO INDUSTRIAL GENERAL (IG) LAND USE ZONES

**East Middle Battery Road, Outer Battery Road  
 and US Army Dock Road, St. John's Port Authority lands**

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

\_\_\_\_\_  
 ACTING MAYOR

\_\_\_\_\_  
 DIRECTOR CORP. SERVICES/CITY CLERK

\_\_\_\_\_  
 COUNCIL ADOPTION

\_\_\_\_\_  
 M.C.I.P. signature and seal

2. **A Discretionary Use Application** has been submitted by Paul McDonald requesting permission to redevelop and convert **Civic No. 55-57 Mayor Avenue** into office use. The proposed conversion will involve the demolition of both the storage area fronting Howley Avenue Extension and the one-storey garage on the north side of the building. The Mayor Avenue front portion of the building will be reduced in size but will retain the architectural features of homes in the area. The total floor area of the building will be reduced from 17,300 ft<sup>2</sup> to 7,250 ft<sup>2</sup>. On-site parking will be provided by ten (10) vehicles. **(Ward 2)**

**1 letter of concern/objection, 1 letter of concern (with 5 signatures), and 1 letter requesting deferment**  
**Memorandum from the Manager of Development**

**SJMC2008-08-11/482R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Duff: That the application be deferred.**

3. **A Discretionary Use Application** has been submitted by Dougal Dundar requesting permission to develop one (1) additional Infill Dwelling Unit at **Civic No. 109-111 Pennywell Road**. The proposed two-unit dwelling can accommodate two (2) on-site parking spaces. **(Ward 2)**

**SJMC2008-08-11/483R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the application be approved.**

**Development Committee Report**

Council considered the following Development Committee Report dated August 5, 2008:

**RECOMMENDATION OF APPROVAL:**

1. **Proposed Rebuild of a Single Detached Dwelling**  
**Ms. Carol O'Brien**  
**Civic No. 435 Southside Road (Ward 5)**

The Development Committee recommends that Council grant approval to above noted application.

**OTHER:**

2. **Proposed Change of Occupancy  
Retail Music Store (with Private Music Instruction)  
Long Holdings Ltd.  
Civic No. 447 Kenmount Road (Ward 4)**

The Development Committee recommends that forty-one (41) parking spaces will be sufficient for this proposed business, based on anticipated low traffic volumes. Parking relief may be approved by Council.

**Art Cheeseman, Chairperson  
Associate Commissioner/Director of Engineering**

**SJMC2008-08-11/484R**

**Regarding Item #1: It was decided on motion of Councillor Duff; seconded by Councillor Collins: That the Committee's recommendation of approval be accepted.**

**SJMC2008-08-11/485R**

**Regarding Item #2: It was decided on motion of Councillor Duff; seconded by Councillor Collins: That the Committee's recommendation that Council approve parking relief for the application and allow forty-one (41) parking spaces for the proposed use, be accepted.**

**Special Events Committee Report**

Council considered the following Special Events Committee Report dated August 7, 2008:

- 1) Event: **Thomas Amusements**  
Location: Zeller's Parking Lot – Stavanger Drive  
Date: September 23-28, 2008  
Time: 2:00 p.m. – 6:00 p.m.
- 2) Event: **5 km Road Race**  
Location: Quidi Vidi Lake  
Date: August 24, 2008  
Time: 8:30 a.m. – 9:30 a.m.
- 3) Event: **NL Sexual Assault Crisis Centre Parade**  
Location: Starts at Bannerman Park, ends at City Hall  
Date: September 19, 2008  
Time: 7:00 p.m. – 9:00 p.m.

- 4) Event: NLAA Provincial Marathon
- Location: Mount Pearl Track and Field
- Date: September 14, 2008
- Time: 6:00 a.m. – 1:00 p.m.

This event requires the Road Closure of Brookfield Road (East Bound) at 8:30 a.m. to 11:00 a.m.

Recommendation:

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

Robin King  
Chairman, Special Events Committee

**SJMC2008-08-11/486R**

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

**Development Permit List**

Council considered as information the following Development Permits List for the period July 25, 2008 to August 6, 2008:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF July 25, 2008 TO August 6, 2008**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Glen Ingerman	2 Lot Subdivision	179 Bay Bulls Rd (Purcell Street)	5	Approved	08-07-28
RES	Jim & Clarice Masters	Extension	67-77 Main Road	5	Approved	08-07-30
IND	Capital Ready Mix Ltd.	Quarry	400m from Incinerator Road	5	Rejected	08-07-30
RES	Roger Linehan	Home Office	1 North Drive	5	Approved	08/07/31



\*Code Classification:

RES	- Residential	INST	- Institutional
COM	- Commercial	IND	- Industrial
AG	- Agriculture		

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\*\* 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.

**Andrea Roberts**  
**Assistant Development**  
**Officer**  
**Department of Planning**

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(Councillor Hann retired from the meeting.)

**Building Permits List**

**SJMC2008-08-11/487R**

**It was decided on motion of Councillor Puddister; 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:**

2008/08/05

Permits List

**CLASS: COMMERCIAL**

KATHY HICKS/PETER HALLEY	6 CATHEDRAL ST	CO CLUB
NEWFOUND ICELAND SPORTSWEAR	126 WATER ST, NEWFOUND ICELAND	CO RETAIL STORE
ROYAL BANK OF CANADA	40 ABERDEEN AVE	MS BANK
TIM HORTONS	25 ABERDEEN AVE	MS EATING ESTABLISHMENT
LESTER'S FARM MARKET	177 BROOKFIELD RD	MS AGRICULTURE
LESTER'S FARM MARKET	173 BROOKFIELD RD	MS AGRICULTURE
BANK OF NOVA SCOTIA	21 ELIZABETH AVE -SCOTIABANK	MS BANK
DICKS AND COMPANY LIMITED	385 EMPIRE AVE	MS OFFICE
FIRST ST. JOHN'S DEVELOPMENTS	41 KELSEY DR - MOORES	MS RETAIL STORE
LEGROW'S TRAVEL	75 KELSEY DR - LEGROWS TRAVEL	MS OFFICE
DISCOUNT AUTO	350 KENMOUNT RD-DISCOUNT AUTO	MS COMMERCIAL GARAGE
HICKMAN MOTORS LTD.	85-95 KENMOUNT RD	MS CAR SALES LOT
PENNEY KIA INC.	497 KENMOUNT RD - PENNEY KIA	MS CAR SALES LOT
GOULDS KICKERS SOCCER ASSOC	434-438 MAIN RD	MS PARISH HALL
O'DRISCOLL RESTAURANTS INC.	446 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
SATURN	20 PEET ST - SATURN	MS CAR SALES LOT
EASTSIDE MARIOS	180 PORTUGAL COVE RD-EASTSIDE	MS RESTAURANT
BROTHER'S FOODS LIMITED	686 TOPSAIL RD	MS RESTAURANT
SECOND PAGE BOOK STORE	655 TOPSAIL RD	MS OFFICE
CHES'S SNACKS LIMITED	655 TOPSAIL RD	MS RESTAURANT
GRECO PIZZA	286 TORBAY RD - GRECO PIZZA	MS RESTAURANT
HICKMAN MOTORS	266 TORBAY RD	SN CAR SALES LOT

BRITON HOLDINGS INC.	272-276 TORBAY RD - RUSTLERS	MS RESTAURANT
PLANET BEACH	272-276 TORBAY RD - PLANET BCH	MS SERVICE SHOP
BULLDOG FITNESS	141 TORBAY RD -BULLDOG FITNESS	MS SERVICE SHOP
HEALY'S PHARMACY LTD.	722 WATER ST - THERAPEUTIX	MS CLINIC
CARRICK ENTERPRISES LIMITED	312 WATER ST, PEDDLERS ON GEO	RN TAVERN
KARMA HAIR STUDIO	132 WATER ST, KARMA HAIR STUDI	CR SERVICE SHOP
OLYMPIC CONSTRUCTION LIMITED	ROBIN HOOD BAY ROAD VICINITY	NC ACCESSORY BUILDING
OLYMPIC CONSTRUCTION	ROBIN HOOD BAY RD - OLYMPIC	NC ACCESSORY BUILDING
FORTIS PROPERTIES CORPORATION	136-140 WATER ST	NC PATIO DECK
C & J SERVICES LTD.	29-57 MAJOR'S PATH	NC ACCESSORY BUILDING
FORTIS PROPERTIES CORPORATION	139 WATER ST	RN OFFICE
HICKMAN MOTORS	266 TORBAY RD, HICKMAN MOTORS	NC FENCE
SHAMROCK CITY	2 HOLDSWORTH ST	RN TAVERN
COLIN DALTON	327 DUCKWORTH ST	RN TAVERN
VALE INC.	280 TORBAY RD, SUTIE W200	RN OFFICE
NATIONAL ENTERPRISES INC.	246 WATER ST	RN RESTAURANT
ST JOHN'S MEDICAL HOLDINGS LTD	427 NEWFOUNDLAND DR	SW OFFICE
ROCHAN INVESTMENTS	120 TORBAY RD	RN OFFICE
OMI SERVICES LTD.	37-85 PEPPERRELL RD	NC OFFICE
PFC PF COLLINS CUSTOMS BROKER	EAST WHITE HILLS RD, PF COLLIN	NC OFFICE

THIS WEEK \$ 7,415,500.00  
TO DATE \$ 27,549,423.00

**CLASS: INDUSTRIAL**

WATERFORD FOUNDATION INC.	79 BLACKMARSH RD	RN LIGHT INDUSTRIAL USE
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THIS WEEK \$ 200,000.00  
TO DATE \$ 1,955,000.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

R J G CONSTRUCTION	HARBOUR DRIVE, CONST. TRAILER	NC ACCESSORY BUILDING
THE BUTTON SHOP	235-237 PENNYWELL RD	RN HANDICRAFTS

THIS WEEK \$ 11,000.00  
TO DATE \$ 29,583,808.00

**CLASS: RESIDENTIAL**

TONY POWER	4 ALBANY ST	NC ACCESSORY BUILDING
DERICK & JOAN YOUNG	55 ANTHONY AVE	NC PATIO DECK
GRANT R. & KAREN S. DWYER	17 BALMORAL PL	NC ACCESSORY BUILDING
ROBERT SULLIVAN	71 BATTERY RD	NC PATIO DECK
RODRIGUES ESTATE DEVELOPMENT	BAY BULLS RD	NC SINGLE DETACHED DWELLING
MARILYN MULLINS	45 BAY BULLS RD	NC ACCESSORY BUILDING
JASON & HIDI HOUSE	32 BAYBERRY PL	NC PATIO DECK
DION & TARA CLARK	36 BEAUFORD PL	NC FENCE
DARRYLL & AMY PENNELL	40 BRAD GUSHUE CRES	NC FENCE
DONALD DUNN & DENISE DUNN	1 BRAD GUSHUE CRES	NC FENCE
WILLIAM R. BROWN	64 BOYLE ST	NC PATIO DECK
NEIL BARKER	104 BRANSCOMBE ST	NC ACCESSORY BUILDING
RODNEY & DENISE ABBOTT	30 BROWNE CRES	NC PATIO DECK
ANEITRA HEAD	30 BURRY PORT ST	NC FENCE
ANEITRA HEAD	30 BURRY PORT ST	NC ACCESSORY BUILDING
WILLIAM GOSSE	160 CANADA DR	NC ACCESSORY BUILDING
JOHN & DEBBORAH GUZZWELL	249 CANADA DR	NC ACCESSORY BUILDING
GARY O'DRISCOLL	11 CHARLTON ST	NC PATIO DECK
TERRY WALSH CONSTRUCTION	68 CHEROKEE DR, LOT 31	NC SINGLE DETACHED DWELLING

JOHN MERRICK	6 COLVILLE PL	NC FENCE
CATHERINE HAYES	12 COVENTRY WAY	NC ACCESSORY BUILDING
DAVID & MICHELE POWER	120 DOOLING'S LINE	NC ACCESSORY BUILDING
DAVID & MICHELE POWER	120 DOOLING'S LINE	NC ACCESSORY BUILDING
BAE NEWPLAN GROUP LIMITED	45-47 DUCKWORTH STREET	NC CONDOMINIUM
RICHARD PARSONS	114 EDISON PL	NC PATIO DECK
ERCO DEVELOPMENT	EMPIRE AVE, LOT 19	NC TOWNHOUSING
ERCO DEVELOPMENT	EMPIRE AVE, LOT 20	NC TOWNHOUSING
CARDINAL HOMES LTD	FAULKNER ST, LOT 32	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LTD	FAULKNER ST, LOT 31	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LTD	17 FAULKNER ST, LOT 138	NC SEMI-DETACHED DWELLING
CARDINAL HOMES	19 FAULKNER ST, LOT 137	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	49 FAULKNER ST, LOT 123	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	47 FAULKNER ST, LOT 124	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	65 FAULKNER ST, LOT 115	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	63 FAULKNER ST, LOT 116	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	45 FAULKNER ST, LOT 125	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	43 FAULKNER ST, LOT 126	NC SEMI-DETACHED DWELLING
GERALD & SHERRI FRAMPTON	61 FIRDALE DR	NC FENCE
SHEILA STICKLAND & EDWARD SUMMERS	131 FOREST RD 7 FROUDE AVE	NC ACCESSORY BUILDING NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION	56 GAIRLOCK ST LOT 6-1	NC SINGLE DETACHED DWELLING
JASON & ALLISON HIGGINS	16 GERARD PL	NC FENCE
CRAIG BUTTON	GREAT EASTERN AVE, LOT 264	NC SINGLE DETACHED DWELLING
GREGORY T CONNORS	GREAT EASTERN AVENUE, LOT 233	NC SINGLE DETACHED & SUB.APT
PERHAM HOMES	82 GREAT EASTERN AVE, LOT 244	NC SINGLE DETACHED DWELLING
TOM MARNELL	GREAT EASTERN AVE, LOT 259	NC SINGLE DETACHED DWELLING
RANDY COLES	90 GREAT EASTERN AVE , LOT 248	NC SINGLE DETACHED & SUB.APT
REARDON CONSTRUCTION & DEV LTD	12 GREEN ACRE DR, LOT 67	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	9 GREEN ACRE DR, LOT 62	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	11 GREEN ACRE DR, LOT 61	NC SINGLE DETACHED DWELLING
DARRIN SOOLEY	175 GREEN ACRE DR	NC ACCESSORY BUILDING
SHIRLEY MOUNT	15 GREGORY ST	NC ACCESSORY BUILDING
SKYMARK HOMES CONTRACTING	21 GULLAGE ST, LOT 24	NC SINGLE DETACHED DWELLING
SKYMARK CONTRACTING LIMITED	25 GULLAGE ST, LOT 26	NC SINGLE DETACHED DWELLING
ADEL & NADIA RIZKALLA	37 HARRIS RD	NC PATIO DECK
DAVID F. ST. JOHN	22 HAZELWOOD CRES	NC PATIO DECK
FRANK MCDONALD	47 HEAVY TREE RD	NC ACCESSORY BUILDING
WINDOW SHOP	18 JAMIE KORAB ST, LOT 5-134	NC SINGLE DETACHED & SUB.APT
TRABON CONSTRUCTION	11 JAMIE KORAB ST, LOT 128	NC SINGLE DETACHED & SUB.APT
PHILIP POWER & SON	13 JAMIE KORAB ST, LOT 127	NC SINGLE DETACHED DWELLING
PETER DWYER	29 JAMIE KORAB ST, LOT 5-119	NC SINGLE DETACHED DWELLING
WILLIAM & BERNADETTE NOFTALL	22 LAURIER ST	NC ACCESSORY BUILDING
DAVID & THERESA KENDALL	11 LONG BEACH ST	NC ACCESSORY BUILDING
MICHELLE FLYNN	39 LONG BEACH ST	NC ACCESSORY BUILDING
RANDOLPH MCNIVEN	96 MACBETH DR	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION	53 MACBETH DR, LOT 6-9	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION	75 MACBETH DR, LOT 6-62	NC SINGLE DETACHED DWELLING
PATRICK CLARKE	MAIN ROAD	NC SINGLE DETACHED DWELLING
STEVEN DUNCAN	118 MILITARY RD	NC SINGLE DETACHED DWELLING
M. T. MURPHY	164 MILITARY RD	NC SINGLE DETACHED DWELLING
BARRY PARSONS	2 BLAKETOWN PL	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LIMITED	1 MYRICK PL, LOT 149	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LIMITED	38 MYRICK PL, LOT 113	NC SINGLE DETACHED DWELLING
JACQUELINE AUGUSTA ST. CROIX	137 NEW COVE RD	NC FENCE
DAVID A. & BRENDA L. CURTIS	342 NEWFOUNDLAND DR	NC FENCE
ANN MCCANN	12 NOTRE DAME DR	NC ACCESSORY BUILDING
TERRY WALSH CONTRACTING	2 OTTER DR	NC ACCESSORY BUILDING
TERRY WALSH CONTRACTING	55 OTTER DR, LOT 124	NC SINGLE DETACHED DWELLING
DWAYNE & MARION ELAINE GILL	27 PALM DR	NC ACCESSORY BUILDING
PETER & MICHELLE MERCER	102 PEARLTOWN RD	NC FENCE

CYNTHIA PENNEY	13 PENNYWELL RD	NC PATIO DECK
MIKE & SUSANNE STEVENSON	55 PITCHER'S PATH, LOT 24	NC SINGLE DETACHED DWELLING
DAVID SCOTT & DEBBIE HIBBS	116 PROWSE AVE	NC ACCESSORY BUILDING
GLENN INGERMAN	PURCELL STREET	NC SINGLE DETACHED DWELLING
SIGNAL HILL DEVELOPMENT INC.	22 ST. JOSEPH'S LANE	NC FENCE
BERNADETTE M. BUCKLEY	16 RALEIGH ST	NC PATIO DECK
FRASER J. M. DAVIDSON	25 RANKIN ST	NC PATIO DECK
CHRISTOPHER OLENICK &	3 RHODORA ST	NC ACCESSORY BUILDING
J & P CONTRACTING	22 ROTARY DR, LOT 28	NC SINGLE DETACHED & SUB.APT
AARON & PATRICK SULLIVAN	18 RUSS HOWARD ST, LOT 103	NC SINGLE DETACHED DWELLING
ANDREW WARREN	6 SERPENTINE ST	NC FENCE
DWAYNE & SANDRA HOLWELL	11 SERPENTINE ST	NC ACCESSORY BUILDING
PRO TECH CONSTRUCTION	7 SHORTALL ST, LOT 20	NC SINGLE DETACHED DWELLING
SPENCER & BONITA STEVENSON	290 STAVANGER DR	NC FENCE
KELLY-RYAN NEWHOOK	312 STAVANGER DR	NC ACCESSORY BUILDING
KEN WALSH & COLLEEN SMITH	3 STONEBRIDGE PL , LOT 3.34	NC SINGLE DETACHED DWELLING
CHAD WARREN & SHERRY MCHUGH	564 THORBURN ROAD	NC SINGLE DETACHED DWELLING
DAVID TAYLOR & TRACEY COOK	90 TOPSAIL RD	NC ACCESSORY BUILDING
NEVILLE & VIOLET LEGGE	14 WHITEHORSE PL	NC ACCESSORY BUILDING
WADE & TASSIE BURTON &	113 WINSLOW ST	NC FENCE
MICHELLE & PAUL PITTMAN	8 EASTMEADOWS AVE	CO SUBSIDIARY APARTMENT
J MULLHOLLAND	209 ELIZABETH AVE	CR SINGLE DETACHED & SUB.APT
JONATHAN & JOHN SHARRON	149 EMPIRE AVE	CR SUBSIDIARY APARTMENT
WINSTON HISCOCK	21 EXMOUTH ST	CR SUBSIDIARY APARTMENT
RICK & TINA TULK	39 NEWHOOK PL	CR SUBSIDIARY APARTMENT
COURTNEY YOUNG	117 AIRPORT RD	EX SINGLE DETACHED DWELLING
GEORGE HORAN	58 FRANKLYN AVE	EX SINGLE DETACHED DWELLING
GRAHAM BUTT	60 HARRINGTON DR	EX ACCESSORY BUILDING
JASON EVELEIGH	148 NEW COVE RD	EX PATIO DECK
ELEANOR DOBBIN	1 PORTUGAL COVE RD	EX SINGLE DETACHED DWELLING
PATRICK & MAXINE PENDERGAST	62 RUMBOLDT PL	EX PATIO DECK
TERRY WALSH CONTRACTING	267 BAY BULLS RD, LOT 2	RN SINGLE DETACHED DWELLING
TERRY WALSH CONTRACTING	269 BAY BULLS RD - LOT 3	RN SINGLE DETACHED DWELLING
PAUL & SUZANNE CONWAY	9 BRITISH SQ	RN SEMI-DETACHED DWELLING
KELLY JANE BRUTON &	2 SAUNDERS PL	RN SINGLE DETACHED DWELLING
LYNN LUNDE	72 COLONIAL ST	RN SINGLE DETACHED DWELLING
SEBASTIEN DONNET	65 FEILD STREET	RN SINGLE DETACHED DWELLING
MICHAEL O'DEA	51 FLEMING ST	RN SINGLE DETACHED DWELLING
ERCO DEVELOPMENTS INC.	1 FLORENCIA CRT	RN TOWNHOUSING
ERCO DEVELOPMENTS INC.	1 FLORENCIA CRT	RN TOWNHOUSING
ERCO HOMES	2 FLORENCIA CRT	RN TOWNHOUSING
GARY/MARTINA/KEITH DUNNE	74 FLOWER HILL	RN TOWNHOUSING
PAUL PASCHKE & GINGER CROSS	16 GEAR ST	RN SEMI-DETACHED DWELLING
CLAUDETTE MORRIS	97 GOWER ST	RN TOWNHOUSING
J. JEFFREY GREENE	37 HAYWARD AVE	RN SEMI-DETACHED DWELLING
STEVE BROWNE	22 MAYOR AVE	RN SINGLE DETACHED DWELLING
CHARLES WHEELER	63 MERRYMEETING RD	RN SINGLE DETACHED DWELLING
KIM MEADUS CLANCEY	2 NEVILLE PL	RN SINGLE DETACHED DWELLING
KELLOWAY CONSTRUCTION	41 PENNYWELL RD	RN TOWNHOUSING
BARBARA E. DINGWELL	117 QUIDI VIDI RD	RN SEMI-DETACHED DWELLING
DYMPHNA P. MCCARTHY	23 SHEA ST	RN SINGLE DETACHED & SUB.APT
PRO TECH CONSTRUCTION	10 SHORTALL ST, LOT 28	RN SINGLE DETACHED DWELLING
SIGNATURE HOMES	201 WATERFORD BRIDGE RD	RN SINGLE DETACHED DWELLING
MIKE O'DEA	362 WATER ST	RN MIXED USE
DAVID GREEN	28 WILLIAM ST	RN SEMI-DETACHED DWELLING
JEROME & CHERIE SEWARD-DROVER	36 COURTNEY ST	SW SINGLE DETACHED DWELLING
CLYDE BOYD	9 DRAKE CRES	SW SINGLE DETACHED DWELLING
WILLIAM & GAIL HANN	5 EASTVIEW CRES	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 16,718,970.00  
TO DATE \$ 82,857,413.00

**CLASS: DEMOLITION**

NIGEL MARKHAM	4 MONK LANE	DM SINGLE DETACHED DWELLING
10434 NEWFOUNDLAND LIMITED	1 WHITEWAY PL	DM SINGLE DETACHED DWELLING
		THIS WEEK \$ 22,000.00
		TO DATE \$ 594,100.00

THIS WEEK'S TOTAL: \$ 24,367,470.00

TOTAL YEAR TO DATE: \$142,539,744.00

REPAIR PERMITS ISSUED: 2008/07/24 TO 2008/08/05 \$ 162,295.00  
 2007/12/13 TO 2008/08/05 \$ 2,252,663.00 YTD

LEGEND

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

**Payrolls and Accounts**

**SJMC2008-08-11/488R**

**It was decided on motion of Councillor Puddister: seconded by Councillor Hickman: That the following Payrolls and Accounts for the weeks ending July 31, 2008 and August 7, 2008 be adopted as presented:**

**Weekly Payment Vouchers  
For The  
Week Ending July 31, 2008**

**PAYROLL**

Public Works	\$ 303,087.71
Bi-Weekly Casual	\$ 145,061.85

**ACCOUNTS PAYABLE**

Cheque No. 135158 - 135469	\$4,519,465..83
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<b>Total:</b>	<b>\$4,967,615.39</b>
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**Weekly Payment Vouchers  
For The  
Week Ending August 7, 2008**

**PAYROLL**

Public Works	\$ 291,437.78
Bi-Weekly Amalgamation	\$ 560,653.16
Bi-Weekly Management	\$ 635,163.80
Bi-Weekly Administration	\$ 678,941.68

**ACCOUNTS PAYABLE**

Cheque No. 135470 – 135726	\$3,527,747.77
<b>Total:</b>	<b>\$5,963,944.19</b>

**Tenders**

- a. Tender – Tender #2008-089 - Forklift
- b. Tender – Tenders #2008-092 (Two Compact Pickups), 2008-093 (Four One-Ton Pickups), and 2008-094 (Four ½ Ton Pickups)
- c. Tender – Supply of Road Salt
- d. Tender - Robin Hood Bay Landfill Re-Engineering Metal Recycling Site Lease

**SJMC2008-08-11/489R**

**It was decided on motion of Councillor Duff; seconded by Councillor Puddister, with Deputy Mayor Ellsworth abstaining: That the recommendations of the Director of Finance and City Treasurer and the Associate Commissioner/Director of Engineering be approved and the tenders awarded as follows:**

- a. **Liftow Ltd. @ \$33,900.00 (taxes not included)**
- b. **2008-092 (Two Compact Pickups) – Avalon Ford @ \$43,364.72 (taxes noted included)**  
**2008-093 (Four One-Ton Pickups) – Avalon Ford @ \$100,799.40 (taxes not included)**

**2008-094 (Four ½ Ton Pickups) – Avalon Ford @ \$78,728.00 (taxes not included)**

- c. **A. Harvey & Co. @ #84.86 (Option A); and A. Harvey & Co. @ \$86.22 (Option B) (taxes not included)**
- d. **NLL Recycling Ltd. in the amount of \$229,800.00 per year**

**August 2008 Economic Update**

Council considered as information the August 2008 Economic Update.

**Phone Polls**

**SJMC2008-08-11/490R**

**It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That he following phone polls be ratified:**

- a. **Funding for Shakespeare by the Sea Festival (\$950.00)**
- b. **Extension to George Street Festival to Wednesday, August 6<sup>th</sup>**

**10 Pitcher's Path – Lawrence and Marie Power**

Council considered a memorandum dated July 31, 2008, from the Chief Commissioner and City Solicitor regarding the above noted matter.

**SJMC2008-08-11/491R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that approval be given for compensation in the amount of \$4,500.00 to be paid to Lawrence and Marie Power, 10 Pitcher's Path, for the removal of trees, shrubs and a light standard associated with ditch widening on the property, be accepted.**

**4 Bell's Turn**

Council considered a memorandum dated July 31, 2008, from the Chief Commissioner and City Solicitor regarding the above noted matter.

**SJMC2008-08-11/492R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that the Mayor and City Clerk be authorized to execute the attached**

**Postponement Agreement, which will have the effect of keeping the City's mortgage in a second mortgage position, be approved.**

**2008 Client Satisfaction Survey Results**

Council considered as information a memorandum dated July 31, 2008, from the Associate Commissioner/Director of Corporate Services and City Clerk regarding the 2008 Client Satisfaction Survey Results.

**Request to Lower Flags at City Hall to Half-Mast**

Council considered a letter dated August 4, 2008, from Juanita Bishop, Event Coordinator/Community Liaison, NL Sexual Assault Crisis and Prevention Centre regarding the above noted request.

**SJMC2008-08-11/493R**

**It was decided on motion of Councillor Coombs; seconded by Councillor Hanlon: That the request from the NL Sexual Assault Crisis and Prevention Centre to have the flags at City Hall lowered to half-mast from Monday, September 15, 2008, to Friday, September 19, 2008 (inclusive), to serve as a memorial for those whose lives have been taken or affected by acts of sexual violence, be approved.**

**Article from MUN Gazette - *Building the Newfoundland-Ireland Connection***

Council considered as information an article from the July 24<sup>th</sup> edition of the MUN Gazette entitled: Building the Newfoundland-Ireland connection.

**Request for Mayor's Participation on the 2008 Coastal Cities Summit Panel**

Council considered a letter from Rebecca Harris, Summit Managing Chair, Coastal Cities Summit 2008, requesting the Mayor's participation on the 2008 Coastal Cities Summit Panel taking place in St. Pete's Beach, Florida, on Wednesday, November 19, 2008.

**SJMC2008-08-11/494R**

**It was decided on motion of Councillor Hickman; seconded by Councillor Collins: That request for Mayor O'Keefe to participate in the 2008 Coastal Cities Summit Panel on Wednesday, November 19, 2008, in St. Pete's Beach, Florida, be approved.**



**Deputy Mayor Ellsworth**

Deputy Mayor Ellsworth congratulated the Regatta Committee on the success of the Regatta. He expressed his disappointment at the number of adults who were littering at the event. He encouraged the general public to be vigilant in keeping the City clean and tidy.

Deputy Mayor Ellsworth also congratulated the Rock Rugby Team on winning its third National Rugby Championship on Saturday.

Deputy Mayor Ellsworth referenced the issue of bicycle safety in the City, noting he had spoken to a number of residents who had experienced close calls with motor vehicles. In this regard, he asked that drivers be more vigilant and aware of bicyclists on City streets.

Deputy Mayor Ellsworth raised the issue of deferred assessments and asked the City Solicitor to prepare a status report on the matter, specifically the number of outstanding cases that still remain unsettled. He noted that the situation is especially frustrating and difficult for seniors who have been waiting for the matter to be dealt with.

Council agreed that the Chief Commissioner and City Solicitor would provide Deputy Mayor Ellsworth with a status report on the deferred assessment cases.

Deputy Mayor Ellsworth referenced the City's REAL program and appealed to the general public to donate their used sports equipment to the program. Equipment can be dropped off at the Mews Centre or at the Department of Recreation office at 1 Crosbie Place.

**Councillor Hickman**

Councillor Hickman offered his congratulations to the Regatta Committee on the success of the Regatta. He noted that because of the two-day delay in the holiday, people seemed to be confused about the change in the garbage collection schedule.

The Associate Commissioner/Director of Engineering advised that as the holiday was Friday, then Friday's collection moved to Monday.

Councillor Hickman also offered his congratulations and support to the City of Corner Brook and all the athletes who are participating in the NL Summer Games.

### **Councillor Puddister**

Councillor Puddister also referenced the recent Regatta, and inquired if it would be possible to look at making the event a smoke-free event in the future or at least having designated smoking areas. He noted that the City of Mount Pearl has designated all its outdoor events smoke-free. Councillor Puddister also inquired if it would be possible to look at having the Regatta Day holiday changed to the first weekend in August, to coincide with the civic holiday taken in the rest of Canada. He asked that the Regatta Committee be written regarding both these requests.

The Chief Commissioner and City Solicitor suggested that perhaps it would be best to invite the Regatta Committee to meet with Council and discuss these issues. Council agreed with this suggestion.

### **Councillor Galgay**

Councillor Galgay also expressed his congratulations to the Regatta Committee, and its President, Mr. Charles Cook, on a very successful event. He also noted the excellent coverage of the event by Rogers Cable, and indicated that it allows people who cannot otherwise attend the Regatta to see the races.

### **Councillor Hanlon**

Councillor Hanlon tabled photos of the Ryan property at 358 Airport Heights Drive, noting that the issues dealing with the slope and retaining wall adjacent to the property have not been resolved to the owner's satisfaction. She requested that staff prepare a report on the matter for the next Council meeting. She noted that the matter has been ongoing for the past two years and needs to be resolved as quickly as possible.

The Associate Commissioner/Director of Engineering advised that staff had recently had a teleconference meeting with the owner to try and address his safety and aesthetic concerns with the slope and the retaining wall. It was staff's intention to bring the matter back to Council when the issue with the slope had been finalized. Councillor Colbert advised that he had visited the site and looked at it from the point of view as if it were his property and his family's safety that was at issue. He noted that it was unfortunate that the owner had not been kept apprized of the work that was going to be carried out and how his property would be restored. Councillor Colbert noted that there were other retaining walls in the vicinity of this property that would be more appropriate, and he suggested that the cost of having a similar retaining wall installed on the Ryan property be investigated. If the cost is negligible, then Council can look at it further.

Council agreed that staff would prepare a report on the issue for the next Council meeting, including the cost of installing the type of retaining wall referenced by Councillor Colbert.

Councillor Hanlon indicated that she had received a number of calls from residents regarding roaming cats. She noted that the provisions of Animal Control By-Law need to be enforced, and she asked that this matter be referred to the Animal Care and Control Committee for follow-up.

Councillor Hanlon advised that she had received a call from a lady who had received a parking ticket because her disabled parking permit had expired. She noted that the person had received no notification that the permit had expired, and she inquired if there was anything the City could do in this regard. It was noted that the permits are issued by Motor Vehicle Registration, however, the issue of the ticket can be logged by Access Centre and will be referred to the Traffic Division for follow-up. Councillor Hanlon advised that this had already been done.

Councillor Hanlon referenced a report on Global Age-Friendly Cities, where seniors are recognized for their contribution to society and provided with economic and social resources. She suggested that the City investigate become a Global Age-Friendly City. Councillor Duff advised that the City provides a large number of seniors programs through the Department of Recreation. She suggested that staff prepare a summary of the various seniors programs that are available for Council's information.

### **Councillor Collins**

Councillor Collins referenced an article that was recently in The Telegram regarding a manhole cover on Cox's Lane. The manhole cover was damaged by a plow during the winter but has not yet been repaired. He noted that there are 350 manholes slated for repair and the contractor hired to repair them started work in the east end first. The manhole should be repaired in September.

### **Mayor O'Keefe**

Mayor O'Keefe noted the passing of Mr. Thomas Ashley Evans, a long-time employee of the City, and asked that the City Clerk send a letter of condolence to Mr. Evans' family.

Mayor O'Keefe referenced the recent dismissal of the Internal Auditor, and he took exception to the comments made by the Deputy Mayor in a recent Telegram article on the matter, noting that it left the general public with the negative perception of the City's operations. He noted that he wanted to clarify some of the assertions made in the article, namely that the Deputy Mayor voluntarily resigned from the Audit Committee and was not removed as stated in the article; that there is no attempt to "water down" the Audit Committee or the Internal Audit function as it is an important aspect of the City's operations; and the Chief Commissioner only notified him of his pending resignation the day before the emergency meeting was called and not ten days before as was indicated. He also noted that the comparisons to the Cameron Inquiry and the MHA Spending Scandal were inappropriate. Mayor O'Keefe also

criticized the Deputy Mayor's abstention from voting on the issue, noting it was as a dereliction of his duty as a member of Council and representative of the citizens of St. John's.

In response, Deputy Mayor Ellsworth indicated that the comments made in the Telegram were misconstrued, and the reason for his abstention on the vote was because he was not comfortable voting when he did not have adequate information on the issue. He also noted that he had to leave the meeting early due to a prior family commitment and was not privy to the remainder of the discussion. He noted that the reference to the Cameron Inquiry and the spending scandal did not necessarily indicate any wrongdoing on the part of the City, but was just an illustration of what could happen if the appropriate processes are not followed.

A lengthy debate ensued, wherein members of Council asserted that they had adequate information upon which to make a decision and voted accordingly.

**SJMC2008-08-11/495R**

**It was decided on motion of Councillor Hanlon; seconded by Councillor Coombs: That the City initiate the process of hiring a new Internal Auditor in conjunction with the Audit Committee and the Department of Human Resources.**

**Adjournment**

There being no further business, the meeting adjourned 6:10 p.m.

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**MAYOR**

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**CITY CLERK**