

December 14^h, 2009

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, Breen, Galgay, Tilley, Collins, Colbert and Hanlon.

The City Manager, the Deputy City Manager/Director of Corporate Services and City Clerk; the Deputy City Manager/Director of Engineering, Director of Planning, Acting Director of Finance & City Treasurer, Development Engineer, City Solicitor and Recording Secretary were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2009-12-14/691R

**It was decided on motion of Councillor Collins; seconded by Councillor Tilley:
That the Agenda be adopted as presented with the following two additions:**

- **Report of the Joint Committee of Council and the Downtown Development Commission dated December 8th, 2009**
- **Memorandum dated December 14th, 2009 from the Director of Planning re: Discretionary Use Application – Hair Styling Business as a Home Occupation – Civic Number 15 Highland Drive**

Adoption of Minutes

SJMC2009-12-14/692R

**It was decided on motion of Councillor Galgay; seconded by Councillor Tilley:
That the minutes of the December 7th, 2009 meeting be adopted as presented.**

2010 Tax Rates

SJMC2009-12-14/693R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Hanlon with Councillors Tilley, Breen and Hann dissenting: That the following Resolution be adopted:

2010 PROPERTY TAX RATE RESOLUTION - RESIDENTIAL PROPERTIES

IT IS HEREBY RESOLVED that pursuant to the provisions of the St. John's Assessment Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the real property tax rate for the 2010 fiscal year as follows, namely:-

1. for residential properties and the residential portion of mixed commercial/residential properties, the real property tax rate is 1.01 percent per annum of the assessed value of the property in respect of which the tax is imposed.
2. (a) where the real property tax applies to buildings to which water mains are not accessible for servicing such buildings with water services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value; and,

(b) where the real property tax applies to buildings to which sewer mains are not accessible for servicing such buildings with sewer services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value.

The said taxes shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2010.

SJMC2009-12-14/694R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Galgay with Councillors Tilley, Breen and Hann dissenting: That the following Resolution be adopted:

2010 PROPERTY TAX RATE RESOLUTION - COMMERCIAL PROPERTIES

IT IS HEREBY RESOLVED that pursuant to the provisions of the St. John's Assessment Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the commercial property tax rate for the 2010 fiscal year as follows, namely:-

1. for commercial properties and the commercial portion of mixed commercial/residential properties, the real property tax rate is 1.63 percent per annum of the assessed value of the property in respect of which the tax is imposed.
2. (a) where the real property tax applies to buildings to which water mains are not accessible for servicing such buildings with water services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value; and,

- (b) where the real property tax applies to buildings to which sewer mains are not accessible for servicing such buildings with sewer services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value.

The said taxes shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2010.

SJMC2009-12-14/695R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Hickman with Councillor Tilley dissenting: That the following Resolution be adopted:

2010 BUSINESS TAX RATE RESOLUTION

IT IS HEREBY RESOLVED that pursuant to the provisions of The St. John's Assessment Act, and all other powers it enabling, the St. John's Municipal Council fixes the business tax rates for the 2010 fiscal year as follows:-

Banks/Trust Co/Credit Unions	6.545 percent per annum
Loan Companies/Investment Firms and Life Insurance Companies	4.674 percent per annum
Oil Companies Tank Farms	3.369 percent per annum
Breweries	2.338 percent per annum
Commercial Schools	2.338 percent per annum
Hotel/Motel	1.870 percent per annum
Bed and Breakfasts	1.121 percent per annum
Other Business Operations	1.683 percent per annum
Productive Agriculture Lands	0.257 percent per annum
Unproductive Agriculture Lands	0.0 percent per annum
Registered Charities	0.0 percent per annum

Communication/Cable operators not covered under the Utility Tax Resolution will be fixed at 3.369 percent per annum.

Container Terminals/Oil Industry Offshore Supply Bases rate will be fixed at 1.092 percent per annum.

Businesses operating in the Downtown St. John's Business Improvement Area will be subject to an additional tax of 10% per annum of the Business Tax imposed to a maximum annual additional tax levy of \$4,000 for each location from which the business, trade or profession is carried on.

A minimum Business Tax will be levied at \$267.50 per annum.

The said tax shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2010.

SJMC2009-12-14/696R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Collins, with Councillor Tilley dissenting: That the following Resolution be adopted:

2010 WATER TAX RESOLUTION

IT IS HEREBY RESOLVED that under the provisions of The St. John's Assessment Act, and all other powers it enabling, the Water Tax shall be levied as follows:-

For residential units and for commercial properties not taxed by water meters, the sum of Five Hundred and Seventy Dollars (\$570.00) per annum per commercial unit for commercial properties or per residential unit for residential and apartment buildings.

The said tax shall be due and payable half-yearly on the 1st. day of January and the 1st. day of July, 2010.

SJMC2009-12-14/697R

It was decided on motion of Councillor Hanlon; seconded by Deputy Mayor Duff, with Councillor Tilley dissenting: That the following Resolution be adopted:

2010 WATER BY METER RESOLUTION

IT IS HEREBY RESOLVED that under the provisions of the St. John's Assessment Act, and all other powers it enabling, the Council hereby fixes the rates for Water by Meter effective January 1, 2010, as follows:-

Monthly Consumption Rates

\$3.73 per 1,000 gallons

or \$0.82 per cubic meter

Monthly Base Charge

5/8" meter	\$ 33.95
3/4" meter	51.00
1" meter	84.90
1½" meter	169.70
2" meter	270.70
3" meter	541.95
4" meter	866.30

6"	meter	1,693.30
8"	meter	2,708.50
10"	meter	3,892.20

SJMC2009-12-14/698R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Galgay, with Councillor Tilley dissenting: That the following Resolution be adopted:

RESOLUTION
2010 BUSINESS TAX RATE ON UTILITIES

IT IS HEREBY RESOLVED that pursuant to the provisions of the Taxation of Utilities and Cable Television Companies Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the Municipal Business Tax rate on utilities at 2.5 percent of the gross revenue of any and all utilities derived within the City limits of the City of St. John's during the year January 1, 2009 to December 31, 2009.

The said tax shall be due and payable at the time and in the manner prescribed by the Lieutenant-Governor in Council in the regulations made pursuant to the said **Taxation of Utilities and Cable Television Companies Act**.

SJMC2009-12-14/699R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Hickman, with Councillor Tilley dissenting: That the following Resolution be adopted:

2010 ACCOMMODATION TAX RESOLUTION

IT IS HEREBY RESOLVED that pursuant to the provisions of the St. John's Assessment Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the Accommodation Tax at 3% of the amount charged for the accommodation, lodging or stay in a room in a building in the City which is:-

- (a) licensed under the Tourist Establishments Act;
- (b) owned by the Memorial University of Newfoundland; or
- (c) located at the Littledale Conference Centre.

The said tax shall be due and payable quarterly by April 15th ., July 15th ., October 15th . and January 15th .

SJMC2009-12-14/700R

It was decided on motion of Councillor Hanlon; seconded by Councillor O'Leary: That the following Resolution be adopted:

2010 20% PROPERTY TAX REDUCTION FOR SENIOR CITIZENS

IT IS HEREBY RESOLVED that a reduction of 20% of the property tax for 2010 be provided to senior citizens subject to the following conditions:

- (a) That the applicant is the assessed owner of the property as of January 1, 2010.
- (b) That the applicant occupies the property as his/her principal year-round residence.
- (d) That the applicant is in receipt of the guaranteed income supplement under the Old Age Security Act.

City of St. John's 2010 Budget

SJMC2009-12-14/701R

It was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That the City of St. John's 2010 Budget be adopted as presented.

All members of Council spoke on behalf of their constituents with regard to the budget and the tax resolutions. Those speaking in favour of the budget all agreed that the process for budget review was quite extensive and challenging with many difficult decisions having to be made in light of the City's increased cost demands namely the recycling initiative that will come on stream this year in May as well as the operation of the newly commissioned Riverhead Treatment Plant. Reference was made to the possibility of increased revenue generation to offset the expenses incurred through the following means:

- economic growth and development;
- more assistance at the federal government level and the push by the FCM for increased federal funding to municipalities by imposing a 1% share of the HST;

- the possibility of the Provincial government's reviewing its payment in lieu of tax process whereby taxes now unpaid by the Province on its buildings in the City would be appropriately taxed.

Those speaking against the budget expressed disappointment that Council was not able to get a larger reduction in the mil rate. It was felt that there is only so much that the taxpayer should be required to sustain and the City has to investigate other sources of revenue, particularly development. Reference was also made to the City's provision of operating grants and that perhaps such organizations should be more aggressively pursuing corporate sponsorship support rather than relying on the taxpayer. It was suggested that Council establish a complete review of the budget process, particularly how organizations can be assisted and encouraged to pursue corporate sponsorship. Concern was also expressed about the need to delve more in-depth into the services already provided with a view to obtaining greater efficiencies with more effective delivery to the citizens. It was felt that Council should take a hard look at its existing services and how they can be improved and made more efficient before it gives consideration to implementing new services.

The motion be put, was carried with Councillors Hann, Breen and Tilley dissenting.

The City Manager acknowledged the presence of Acting Director of Finance and City Treasurer Mr. Carl Keeping, noting that this will be his last budget on behalf of the City as he will be retiring next year. Council commended Mr. Keeping for his exemplary work.

Petition – Concerns Over Snow Clearing

Councillor O'Leary tabled a petition with close to forty names attached and read into the record the prayer of the petition which expressed concern and frustration about the City's snow clearing operations, particularly as it relates to the difficulty which pedestrians and people with disabilities have to face when sidewalks are not cleared, resulting in reduced mobility for citizens. The petition was referred to the Director of Public Works & Parks as well as the Standing Committee of Public Works & Environment.

Notices Published

- a. **A Discretionary Use Application** has been submitted by Ray Hennessy requesting to operate a Bed and Breakfast from Civic No. 222 Old Bay Bulls Road. The proposed B & B will be located in the same building as Hennessey's Rest Home which is scheduled to close this year and will accommodate a maximum of sixteen (16) overnight guests in eight (8) rooms. On-site parking can accommodate sixteen (16) vehicles. (Ward 5)

SJMC2009-12-14/702R

It was decided on motion of Councillor Hickman; seconded by Deputy Mayor Duff: That the application be approved.

- b. **A Discretionary Use Application** has been submitted by Ms. Joanne McLean to operate a Hair Styling Business as a Home Occupation from Civic Number 15 Highland Drive. (Ward 1).

SJMC2009-12-14/703R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Colbert: That the recommendation of staff be approved and that Council approve the application for the proposed hair styling business situate Civic Number 15 Highland Drive subject to the conditions outlined in the staff memo dated December 14th, 2009.

Committee Reports

Development Committee Report dated December 1, 2009

Council considered the following Development Committee Report dated December 8th, 2009:

APPLICATIONS FOR APPROVAL:

- 1. **Development Agreement
Variance of Non-Conforming Use Application
Proposed Extension to Building
Molson Brewery
Circular Road and Belvedere Street (Ward 2)**

The Development Committee recommends that Council reaffirm its previous approval of the above noted application.

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

SJMC2009-12-704R

**It was decided on motion of Councillor Colbert; seconded by Councillor Tilley:
That the recommendation of approval in the report be adopted.**

Planning and Housing Standing Committee Report dated December 9th, 2009

Council considered the following Planning and Housing Standing Committee Report dated December 9th, 2009:

**1. Proposed Text Amendment to the St. John's Development Regulations re:
Multiple Housing Units in the Residential Medium Density (R2) Zone**

The Committee considered the **attached** memorandum dated December 4, 2009, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Deputy Mayor Duff; seconded by Councillor Hann: That staff be directed to draft a text amendment to the St. John's Development Regulations to allow a multiple dwelling, with a maximum limit on the number of dwelling units, as a Discretionary Use in the Residential Medium Density (R2) Zone.

The Committee further recommends that when the text amendment is drafted that it be referred to a future Regular Meeting of Council for review prior to being advertised for general public review and comment.

2. Rezoning of Property – Civic No. 1 Cornwall Crescent (Ward 2) – Church of St. Mary the Virgin

The Committee considered the **attached** memorandum dated December 4, 2009, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Hann: That the rezoning application for the proposed rezoning of Civic No. 1 Cornwall Crescent, from the Residential Low Density R1) Zone to the Institutional (I) Zone, be referred to a public meeting to be chaired by a member of Council.

The Committee further recommends that staff be directed to draft a text amendment to the St. John's Development Regulations to introduce "Office" as a Discretionary Use in the Institutional (I) Zone. The text amendment would be advertised for general public review and comment before being referred to a future Regular Meeting of Council for consideration of adoption.

3. Rezoning of Property – Civic No. 265 Brookfield Road (Ward 5) – Mr. Rob Boland

The Committee considered the **attached** memorandum dated December 4, 2009, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

The Committee recommends, on motion of Deputy Mayor Duff; seconded by Councillor Hann: That the application be rejected as it is the Committee's opinion that a used car sales lot is not warranted as a non-urban land use in the Rural Land Use District at this location.

4. Council Directive R2009-11-16/13 – Land for Park Space in Subdivision Developments

The Committee considered as information the **attached** memorandum dated December 4, 2009, from the Director of Planning regarding the above noted matter.

The Committee agreed that the Department of Recreation should be involved in the review of all development applications with respect to the requirement for and location of public recreation and park spaces.

Councillor Frank Galgay
Chairperson

SJMC2009-12-705R

It was decided on motion of Councillor Galgay; seconded by Deputy Mayor Duff: That the recommendations contained within the report be adopted.

Heritage Advisory Committee Report of December 8th, 2009

Council considered the following Heritage Advisory Committee report of December 8th, 2009:

Members: Deputy Mayor Shannie Duff
Councillor Sheilagh O'Leary
Councillor Debbie Hanlon
Debbie O'Rielly, Heritage Foundation of NL
Melanie Del Rizzo, General Representative
David Kelland, NL Association of Architects
Glen Power, Downtown Development Commission
Robyn Pike, Newfoundland Historic Trust
Anne Hart, Resident Representative
Gerard Hayes, General Representative

Committee Appointment of Tony Lockyer

The Committee has been advised by the Canadian Homebuilders Association – Eastern NL Region that Mr. Tony Lockyer will be the new representative filling the vacancy on the Committee left by Craig Williams.

The Committee recommends Council's ratification of the appointment of Tony Lockyer representing the Canadian Homebuilders Association – Eastern NL Region.

Councillor Shannie Duff
Chairperson

SJMC2009-12-706R

**It was decided on motion of Councillor Hanlon; seconded by Councillor Tilley:
That the recommendation contained within the report be adopted.**

Economic Development Standing Committee Report of December 3rd, 2009

Council considered the following report of the Economic Development Standing Committee dated December 3rd, 2009:

Attendees: Councillor Debbie Hanlon, Chairperson
Deputy Mayor Shannie Duff
Councillor Frank Galgay
Councillor Danny Breen
Ron Penney, Chief Commissioner & City Solicitor
Elizabeth Lawrence, Director of Economic Development, Tourism, & Culture
Vicki Button, Marketing and Business Development Coordinator
Wendy Mugford, Economic Development Coordinator
Heather Mills-Snow, Economic Development Coordinator
Karen Chafe, Recording Secretary

Report:

1. Review of Sponsorship: Make the Most of Memorial Fair

The Committee reviewed an issue paper from the Dept. of Economic Development, Tourism & Culture outlining the background with respect to the above noted issue. Last year, the City of St. John's signed on as a community sponsor with the University to enhance the student experience during their stay in St. John's.

The Committee recommends Council's approval of the recommendation of the Dept. of Economic Development, Tourism & Culture that the City of St. John's continue to work with local post secondary institutes on welcoming students to St. John's. The Committee further agrees with the suggestions outlined by the Department to enhance the City's profile

by having a larger booth, exterior display of the City's banner and related announcements advising of the City's sponsorship.

2. St. John's Board of Trade Business Outlook Conference

The Committee considered the attached background information on the St. John's Board of Trade Business Outlook Conference to be held on Thursday, January 21st, 2010 at the Delta Hotel, St. John's.

The Committee recommends that Council approve payment of registration for any member of Council wishing to attend this conference. The cost of registration per individual is \$175 (member rate).

3. Economic Developers Association of Canada (EDAC)

The Committee considered an issue paper prepared by the Dept. of Economic Development, Tourism & Culture regarding the possibility of hosting the EDAC in 2013. In 2003, the Conference was held in St. John's and was attended by approximately 350 people. Should Council wish to pursue this Conference, a conference coordinator would have to be hired and funding support will be sought to fund that position. Figures from previous conferences indicate that the revenues outweigh the expenses incurred.

It should also be noted that there are many benefits in hosting this conference from hotel room nights sold, catering services, and tour services for the partner program. The conference is also an opportunity to showcase St. John's and to extend a networking opportunity to the local business community to meet with trade commissioners and others who often attend the conference.

The Committee recommends that Council approve the City's bid, in association with the provincial economic development organization, to hold the Economic Developers Association of Canada Conference in St. John's in 2013 and the conference organizers be contacted to confirm their interest in having the 2013 conference in St. John's. Once this has been confirmed, the Committee recommends that a conference committee be struck to coordinate the event.

4. Ocean Media Strategy

Staff tabled background information on the Ocean Media Strategy in which the City of St. John's through the Department of Economic Development, Tourism & Culture works with a number of partners to support the development of the local ocean technology cluster. As part of the Department's ongoing ocean technology initiatives, it has implemented a media program aimed at generating editorial coverage of the ocean tech cluster in key international trade and media publications. This media coverage is generated by either hosting editors and publishers in St. John's for familiarization tours or by contracting local writers to develop editorial

content for placement in selected publications. Attached for Council's information are a number of articles that have been published in the *Marine Technology Reporter Magazine (MTR)* and *International Ocean Systems Magazine*.

5. **Annual Municipal Performance Report**

The Committee considered a Council Directive from the Regular Meeting of August 10th, 2009 regarding the article which appeared in MacLean's Magazine presenting the results of an AIMS study which portrayed the City of St. John's in a negative light. The Director of Economic Development, Tourism & Culture advised the Committee that both she and the Director of Finance & City Treasurer had reviewed the report. A letter of response was since submitted to MacLeans and AIMS firm in which it was suggested that the next time they are in the City, that they should meet with Council. The Committee agreed that given the extent of time that has now passed, it would not be worth the expense and effort to invite either group to specifically come to the City for the express purpose of discussing this article, particularly as the City's concerns have been outlined to them in written format. It was agreed that no further action be taken.

Reference was made to the Conference Board of Canada study which is anticipated to be released in January 2010. The study will focus on indicators which make a city attractive and desirable and will consider seven domains or magnets of attraction such as environment, innovation, economy, societal issues, education, culture and health care. The City has had input into the defined indicators and methodology. It will compare Canadian cities using the same criteria and indicators for each.

6. **Proposal to Develop a Strategic Economic Roadmap**

The Director of Economic Development, Tourism & Culture conducted a power point presentation outlining the proposal to develop a Strategic Economic Roadmap. A copy of the background information is attached to this report.

The Committee on motion of Councillor Danny Breen recommends that the City proceed to develop the Strategic Economic Plan, and that the City commit \$15,000 towards the estimated \$40,000 cost of hiring an external consultant. Costs associated with operationalizing the Committees such as preparing background information and related reports will be absorbed by the partners.

7. **Meeting Requests with Committee**

The Committee has received a number of requests from various organizations to meet with the Committee during the new year.

The Committee recommends that the Director of Economic Development, Tourism & Culture coordinate the scheduling of these various groups to meet with the Committee on an individual basis.

8. **Proposal from Ray Penton: "Think Visual"**

The Committee considered a proposal from Ray Penton who is developing a 12-13 series of episodes for an energy show that will be locally based.

The Committee agreed that the proposal merits further investigation by staff and that the Director of Economic Development, Tourism & Culture review the proposal and report back to the Committee with recommendations.

Councillor Debbie Hanlon, Chairperson

SJMC2009-12-707R

It was moved by Councillor Hanlon; seconded by Councillor Galgay: That the recommendations contained within the report be adopted.

Councillor Colbert referenced recommendation # 1 regarding the Sponsorship of the Make the Most of Memorial Fair, noting that the City should also collaborate with Metrobus in its promotional efforts, noting that Metrobus facilitates a significant portion of the student population in providing transportation needs.

The motion being put was carried.

Joint Committee of Council and the Downtown Development Commission Report

Council considered the report of the Joint Committee of Council and the Downtown Development Commission dated December 8th, 2009:

In Attendance: Deputy Mayor Shannie Duff, Chairperson

Councillor Tom Hann

John McCarthy, Downtown Development Commission

Charlie Cook, Downtown Development Commission

Glen Power, Downtown Development Commission

Scott Cluney, Downtown Development Commission

Ron Penney, Chief Commissioner/City Solicitor

Art Cheeseman, Associate Commissioner/Director of Engineering

David Blackmore, Director of Building & Property Management

Paul Mackey, Director of Public Works & Parks

Cliff Johnston, Director of Planning

Robin King, Transportation Engineer

Jim Clarke, Manager of Public Works & Parks

Walt Mills, Development Engineer

Karen Chafe, Recording Secretary

Report:

1. **Update on Harbour Interceptor Sewer Project**

The Committee provided a brief update on the Harbour Interceptor Sewer project, noting that the only thing remaining to be completed is the application of asphalt at Bishop's Cove. Until this can be done, that street will be closed off due to safety and liability concerns. Access accommodations will be made, however, for adjoining properties.

2. **Sidewalk Snow Clearing Enhancement for Downtown**

The Committee was provided an update on the proposed enhancement to the sidewalk snow clearing contract cost-shared by the City and the Downtown Development Commission. It was noted that this matter was referred to Council for budget discussion at which time it was determined that no further budget enhancement be approved at this time.

3. **Downtown Parking Study**

The Committee briefly reviewed the Downtown Parking Study recommendations and proposed Downtown Parking Management Strategies, copies of which were circulated during the meeting. The Downtown Development Commission requested that prior to any further discussion taking place on this matter, that this information be referred back to their Board of Directors for review and consideration. It is anticipated that a meeting of the Joint Committee will be rescheduled in the new year.

4. **BIA Nomination Requirements**

The Committee referenced the recent BIA Nominations for the Board of Directors of the Downtown Development Commission. As a result of non-payment of taxes, some of the nominees had to be eliminated. In some cases, the amount outstanding was small and nominees were unaware that interest had been charged to their accounts leaving them in arrears. The pre-authorized and post-dated cheque options used by some of the nominees are also not acceptable as full payment of taxes because there is no guarantee that taxes will actually be paid in full by these methods.

Given the above noted information, the Committee recommends that a tax certificate be required to be attached with all candidate nomination forms for future BIA elections. This requirement will eliminate any question about whether or not a person is in arrears and puts the onus on the candidate to ensure that their taxes are paid up front.

The Committee also agreed that it would be in order for the City of St. John's and the Downtown Development Commission to consult with each other about how to disseminate information on nomination requirements for future BIA elections.

**Deputy Mayor Shannie Duff
Chairperson**

SJMC2009-12-708R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Galgay: That the report be adopted.

Development Permits List

Council considered as information the following Development Permit List for the period December 4, 2009 to December 10, 2009:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF December 4, 2009 TO December 10, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Jennifer Head	Home Office	42 Greenspond Drive	3	Approved	09-12-04
RES	Patricia and Gerald O'Brien	Building Lot	16 Topsail Road	2	Approved	09-12-07
COM	Scott Neil	Building Lot #1	Gillies Road	4	Approved	09-12-09

<p>* Code Classification: RES- Residential COM- Commercial AG - Agriculture</p>	<p>INST - Institutional IND - Industrial</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.

Building Permits List

SJMC2009-12-14/709R

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

2009/12/09

Permits List

CLASS: COMMERCIAL

ISLAND FURNITURE ASSOCIATION	50 ABERDEEN AVE	MS RETAIL STORE
MCCLOUGHLAN ESTATES LIMITED	22-24 BLACKMARSH RD	SN RETAIL STORE
MARIES MINI MART	63 BROOKFIELD RD-MARIES MINI	SN CONVENIENCE STORE
THE GOLD FACTORY	10 ELIZABETH AVE	MS RETAIL STORE
MARIE'S MINI MART	12 GLENEYRE ST	MS CONVENIENCE STORE
ST. JOHN'S 8 MOTEL LIMITED	175 HIGGINS LINE	MS HOTEL
FRANK HOWARD	46 KENMOUNT RD	SN CAR SALES LOT
RAMADA INN	102-108 KENMOUNT RD	MS HOTEL
KING'S GLASS & TIRE INC.	229 KENMOUNT RD	MS RETAIL STORE
SPEEDY GLASS #2	439 KENMOUNT RD	MS COMMERCIAL GARAGE
HAPPY'S FIREWORKS	511 KENMOUNT RD	MS RETAIL STORE
HAIR BY PATRICIA - UNISEX	36 PEARSON ST	MS SERVICE SHOP
DOMINO'S PIZZA	272-276 TORBAY RD	MS RESTAURANT
BOURNES ESSO SERVICE LTD.	660 TORBAY RD	MS SERVICE STATION
TROPICAL AND MARINE PETS INC.	611 TORBAY RD	MS RETAIL STORE
TONYA POTTLE	132 WATER ST	SN SERVICE SHOP
ABB INC.	205 WATER ST	SN BANK
PAUL TRACEY	355A MAIN RD	NC ACCESSORY BUILDING
TERRA NOVA MOTORS	595 KENMOUNT RD, STEPS	SW CAR SALES LOT
TRIPLE S MANAGEMENT LTD.	31 HARDING RD	RN OFFICE
SONCO PARKING	1 CLIFT'S - BAIRD'S COVE	RN COMMERCIAL GARAGE
MERCEDES-BENZ	211-213 KENMOUNT RD	EX CAR SALES LOT

THIS WEEK \$ 1,321,600.00

CLASS: INDUSTRIAL

WATER TREATMENT PLANT	90 DENSMORE'S LANE	NC PUBLIC UTILITY
-----------------------	--------------------	-------------------

THIS WEEK \$ 3,880,768.00

CLASS: GOVERNMENT/INSTITUTIONAL

STELLA BURRY COMM. SERVICES	53 BOND ST	CR OFFICE
SNC LAVAL PROFAC	10 BARTER'S HILL *CHILLER*	RN ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 197,890.00

CLASS: RESIDENTIAL

ERCO HOMES	2 BANIKHIN PL, LOT 51	NC SINGLE DETACHED DWELLING
TERRY & CATHERINE GRANDY	148 BROOKFIELD RD	NC ACCESSORY BUILDING
PRO TECH CONSTRUCTION LIMITED	72 CASTLE BRIDGE DR, LOT 29	NC SINGLE DETACHED DWELLING
ADAM JAMES STANLEY	19 CHEROKEE DR	NC PATIO DECK
GEORGE CHARLES RIDEOUT	67-69 DOYLE'S RD	NC ACCESSORY BUILDING
MURRAY'S LANDSCAPE SERVICES	15 FRANCIS ST - LOT 71	NC SINGLE DETACHED DWELLING
SHUBAYOGA HOMES INC.	20 GALAXY CRES, LOT 18	NC SINGLE DETACHED DWELLING
PAUL MURPHY CONSTRUCTION	21 JAMIE KORAB ST	NC ACCESSORY BUILDING
KARA INVESTMENTS	12 KING EDWARD PL, LOT 23	NC TOWNHOUSING
KARA INVESTMENTS	14 KING EDWARD PL, LOT 22	NC TOWNHOUSING
KARA INVESTMENTS	16 KING EDWARD PL, LOT 21	NC TOWNHOUSING
KARA INVESTMENTS	18 KING EDWARD PL, LOT 20	NC TOWNHOUSING
DONOVAN HOMES LTD.	47 LADYSMITH DR - LOT 11	NC SINGLE DETACHED DWELLING
JOHN THOMAS & BRENDA ANNE LEE	64 MAIN RD	NC ACCESSORY BUILDING

ETHEL DEMPSEY	67 NOTRE DAME DR	NC FENCE
RICK & COLLETTE HEISTINGER	2 PERLIN ST	NC FENCE
CHAD COOMBS	21 PETITE FORTE DR	NC ACCESSORY BUILDING
ROBERT & GLORIA BROWN	257 PETTY HARBOUR RD	NC ACCESSORY BUILDING
PAUL TRACEY	20 ROPEWALK LANE, PAUL TRACEY	NC ACCESSORY BUILDING
WILLIAM CHISLETT & MADONNA	32 RUSSELL ST	NC ACCESSORY BUILDING
DALE BUTLER	11 SPRUCEDALE DR	NC ACCESSORY BUILDING
53025 NEWFOUNDLAND & LABRADOR	50 TIFFANY COURT	NC CONDOMINIUM
SULLIVAN'S CONT. LTD.	21 TOBY MCDONALD ST, LOT 223	NC SINGLE DETACHED DWELLING
ANN MARGARET BARNEY	19 COLONIAL ST	CO HOME OFFICE
MICHELLE FOLLETT	211 ANSPACH ST	CR HOME OCCUPATION
DAN LEHR	59 BENNETT AVE	CR SUBSIDIARY APARTMENT
STEPHEN MANNING	82 PADDY DOBBIN DR	EX PATIO DECK
SCOTT PARSONS	33 BROWNRIFF PL	RN SINGLE DETACHED & SUB.APT
ETHELBERT & SHIRLEY REID	26 CARPASIEN DR	RN SINGLE DETACHED DWELLING
BYRON DRISCOLL	77 CHEYNE DR	RN SINGLE DETACHED DWELLING
GEORGE CHARLES RIDEOUT	67-69 DOYLE'S RD	RN SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	54 FAULKNER ST	RN SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	56 FAULKNER ST	RN SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	66 FAULKNER ST	RN SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	68 FAULKNER ST	RN SINGLE DETACHED DWELLING
ROSE MARY T. HUDDY	61 FERRYLAND ST W	RN PATIO DECK
BRENDAN KELLY	11 GOLF AVE	RN SEMI-DETACHED DWELLING
BRENDAN KELLY	13 GOLF AVE	RN TOWNHOUSING
STEPHEN GRANT THORNE	19 OXEN POND RD	RN SINGLE DETACHED DWELLING
SAMUEL MCGRATH	19 SUEZ ST	RN SEMI-DETACHED DWELLING
SAMUEL MCGRATH	21 SUEZ ST	RN SEMI-DETACHED DWELLING
DARYL & LORRAINE RIDEOUT	26 TURNBERRY ST	RN SINGLE DETACHED DWELLING
R & R CONTRACTING LTD	32 WILLIAM ST	RN SEMI-DETACHED DWELLING
RICK & COLLETTE HEISTINGER	2 PERLIN ST	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 6,244,914.00

CLASS: DEMOLITION

PRINCIPAL HOLDINGS LTD.	211-213 KENMOUNT RD/PRINCIPAL	DM CAR SALES LOT
-------------------------	-------------------------------	------------------

THIS WEEK \$ 20,000.00

THIS WEEK'S TOTAL: \$ 11,665,172.00

REPAIR PERMITS ISSUED: 2009/12/03 TO 2009/12/09 \$ 32,100.00

LEGEND

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

Payrolls and Accounts

SJMC2009-12-14/710R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending December 10th, 2009, be approved:

**Weekly Payment Vouchers
For The
Week Ending December 10, 2009**

PAYROLL

Public Works	\$ 477,184.89
Bi-Weekly Amalgamation	\$ 491,137.43
Bi-Weekly Management	\$ 592,818.62
Bi-Weekly Administration	\$ 712,382.31

ACCOUNTS PAYABLE

Cheque No. 156233 – 156561	\$3,503,425.08
Total:	\$5,776,948.33

Tenders

SJMC2009-12-14/711R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the tender 2009167 for Non-Profit Housing Roof Repairs at Forest Road be awarded to the lowest bidder Newfound Roofing for the total amount of \$229,390.00 which includes HST.

1A Mount Cashel Road – Linda Hollett (Linda’s Hairstyling)

Council considered a memo dated December 9th, 2009 from the City Manager regarding the leasing of a portion of its open space at the corner of Mount Cashel Road and Torbay Road to Linda Hollett to increase parking for her hairstyling business.

SJMC2009-12-14/712R

It was decided on motion of Councillor Colbert; seconded by Councillor Breen: That the land be leased to Ms. Hollett again but that it not be sold, as there is a possibility that this non-conforming business might cease to exist, sometime in

the future, and that the rent be increased to \$225.00 per month to reflect the increase in land value.

Councillor Colbert, though moving the motion above, did suggest that staff investigate the possibility of selling this portion of land to Ms. Hollett, noting that he could not see a future use for such land by the City. The City Manager advised that staff did investigate this question and were advised by the Parks Division that the land should remain in the ownership of the City, particularly should the use of the building revert back to a residence.

The motion being put was carried.

53 Monkstown Road – Erika Pittman

Council considered a memo dated December 9th, 2009 from the City Manager regarding the above noted.

SJMC2009-12-14/713R

It was decided on motion of Councillor Galgay; seconded by Councillor Tilley: That the strip of City owned land along William Street which is fenced with 53 Monkstown Road and used as part of the property for decades be sold to the property owner (as per the owner's request) at a sale of \$413.00 (\$2.00 per square foot) plus usual administration fees and HST.

365-367 Water Street, Zorin Industries Inc.

Council considered a memo dated December 10th, 2009 from the City Manager regarding 365-367 Water St.

SJMC2009-12-14/714R

It was decided on motion of Councillor Hickman; seconded by Councillor O'Leary: That the land between Zorin's property and the City's street right-of-way (which includes the requested parking) be leased at an annual rent of \$15,000 over a 10 year term.

56 Eastaff Street

Council considered a memo dated December 11th, 2009 regarding 56 Eastaff Street.

SJMC2009-12-14/715R

It was decided on motion of Councillor Breen; seconded by Councillor Tilley: That approval be given for the City to execute the Quit Claim Deed.

Notice to Motorists – Downtown Snow Removal Operations

Council considered as information the above noted notice from the Department of Public Works & Parks advising motorists in the City of St. John's that night-time snow removal and street widening operations have commenced in the designated Downtown area on an as-required basis and will continue throughout the winter.

Mayor Dennis O'Keefe

- His Worship the Mayor commended the downtown business community for its patience in dealing with the ongoing disruption caused by the harbour interceptor sewer project. He was pleased to announce that this work has been completed and the downtown is open for business. He encouraged shoppers to come downtown.

Councillor Debbie Hanlon

- Councillor Hanlon referenced the selling of Christmas trees at Churchill Square which is currently being done unregulated.

SJMC2009-12-14/716R

It was decided on motion of Councillor Hanlon; seconded by Councillor Tilley: That effective immediately vendors must obtain permit licenses from the City to operate at Churchill Square and that the site designated be situated at the north east portion of the parking lot.

- The Household Hazardous Waste facility will be closing for the season following this Saturday and will reopen again in January.

Councillor Danny Breen

- Councillor Breen advised the general public that the City will be opening an outdoor skating rink to be situated at Bowring Park Duck Pond as soon as the weather permits. This is a pilot project which will be monitored this year to determine its success for continuation or expansion in the coming years.

Councillor Tom Hann

- Councillor Hann advised that St. Thomas Church will be providing their annual Christmas dinner this year and everyone is invited free of charge. Home delivery will also be made available.

- Councillor Hann advised that the para-transit service will have extended hours of operation during the Christmas season to accommodate users wishing to visit throughout the season. The following hours apply:
 - **Christmas Eve, Thursday, Dec 24, 2009**
 - Hours of Operations are: 7:00am – Midnight
 - **Christmas Day, Friday, Dec 25, 2009**
 - Hours of Operations are: 7 am – 1 am
 - **Boxing Day, Saturday, Dec 26, 2009**
 - Hours of Operations are: 9 am – 2 am
 - **New Years Eve, Thursday, Dec 31, 2009**
 - Hours of Operation are: 7 am - 2 am
 - **New Years Day, Friday, Jan 1, 2010**
 - Hours of Operations are: 7am – 1 am

- Councillor Hann referenced the many national awards won by Metrobus including the following:
 - 2009 Innovation Award
 - 2005 Business Excellence Award
 - 2003 Corporate Recognition Award
 - Canada Transit System of the Year

- Councillor Hann advised that he will defer raising the issue of the grants review to a future meeting of Council.

Councillor Sandy Hickman

- Councillor Hickman tabled the 2009/2010 Seniors' Community Recreation Grant application, the deadline for which is January 22nd, 2009. He requested that this be referred to the Dept. of Recreation for review as well as the Mayor's Advisory Committee on Seniors.

- Councillor Hickman reminded the general public that this year's New Years Eve fireworks will take place at Quidi Vidi.

Adjournment

There being no further business, the meeting adjourned at 6:30 p.m.

MAYOR

CITY CLERK