

**December 17, 2007**

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 O'Keefe, Councillors Duff, Hickman, Hann, Puddister, Galgay, Coombs and Collins.

Regrets: Councillors Colbert and Ellsworth

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

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

**SJMC2007-12-17/706R**

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

- a. Memorandum dated December 17, 2007 from the Director of Public Works and Parks re: Beck's Cove Sewage Pumping Station, Temporary Pumps
- b. Memorandum dated December 17, 2007 from the Director of Building and Property Management re: 33-35 Flower Hill
- c. Memorandum dated December 17, 2007 from the Director of Building and Property Management re: 16 Young Street
- d. Memorandum dated December 17, 2007 from the Director of Planning re: Torbay Road North Commercial Area

**Adoption of Minutes**

**SJMC2007-12-17/707R**

**It was decided on motion of Councillor Coombs; seconded by Councillor Collins: That the Minutes of the December 10<sup>th</sup>, 2007 meeting be adopted as presented.**

**Proposed Residential Subdivision, Bill Clarke and Gerard Edwards – 10714 Newfoundland Limited, Patrick Dunne Estate – Airport Heights**

Council considered a memorandum dated December 5, 2007 from the Associate Commissioner/Director of Engineering regarding an application from 10714 Newfoundland Limited for a residential subdivision in Airport Heights.

**SJMC2007-12-17/708R**

**It was moved by Councillor Hann; seconded by Councillor Hickman: That the developer pay the cost of the external storm sewer sized to accommodate its development and the City pay the cost of over-sizing the external storm sewer main beyond the size required by the presently proposed development at an estimated cost of \$67,000, the City to assess upstream properties to recover its costs, and further, monies would have to be determined based on the final design and funded from the 2008 Capital Works Program.**

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

**Proposed Text Amendments, St. John's Development Regulations**

Council considered a memorandum dated December 11, 2007 from the Director of Planning regarding the above noted.

**SJMC2007-12-17/709R**

**It was moved by Councillor Duff; seconded by Councillor Coombs: That the following Resolutions for St. John's Development Regulations Amendment Number 418, 2007/419, 2007/420,2007 and 421, 2007 be adopted:**

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 418, 2007**

**WHEREAS** the St. John's Municipal Council wishes to accommodate "Indoor Riding Arena" as a Discretionary Use in applicable Rural zones.

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

1. (a) **Amend Section 2 (DEFINITIONS) by adding the following definition of INDOOR RIDING ARENA:**

**“INDOOR RIDING ARENA means an enclosed structure for horse riding.”**

- (b) **Amend Section 2 (DEFINITIONS) by repealing the definitions of “Commercial School”, “Place of Amusement”, “Recreational Use”, and “Tourism Use” and substituting the following:**

**“COMMERCIAL SCHOOL means a School conducted for gain other than a private academic, religious or philanthropic school, and includes the studio of a dance teacher or music teacher, an art school, golf school, business or trade school and any other specialized school conducted for gain, but does not include an Indoor Riding Arena.”**

**“PLACE OF AMUSEMENT means land or buildings used as gathering places for non-sports related recreational activities and includes but is not limited to a bingo hall, billiard or pool room, games arcade, dance hall and music hall, but does not include an Indoor Riding Arena.”**

**“RECREATIONAL USE means a playground, playing field, an athletic field, stadium, trail riding facilities and similar uses, and Buildings and structures accessory to the foregoing uses, but does not include an Indoor Riding Arena.”**

**“TOURISM USE means a group of uses, including Recreational Use, Bed and Breakfast, and Restaurant, that is geared to serving tourists to the area but does not include a Service Station, Take Out Food Service, Tavern or an Indoor Riding Arena.”**

2. **Amend Section 7 – “SPECIAL DEVELOPMENTS” - by adding:**

**“7.27 INDOOR RIDING ARENA**

**An Indoor Riding Arena is subject to the following requirements:**

- (a) **Council may require buffering and/or screening where in the opinion of Council same is necessary;**
- (b) **Exterior lighting shall not spill towards neighbouring residential properties; and**
- (c) **Offstreet Parking for at least five (5) parking spaces shall be provided.”**

- 3. **Amend Section 10 - USE ZONE SCHEDULES - by adding “Indoor Riding Arena (subject to Section 7.27)” as a Discretionary Use in the Agriculture (AG) Zone, the Forestry (F) Zone, the Rural (R) Zone, the Rural Residential (RR) Zone and the Rural Residential Infill (RRI) Zone.**

**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 Mayor and the City Clerk on behalf of Council this 17<sup>th</sup> day of December, 2007.

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

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

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p>          <p>_____          MCIP</p>
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**RESOLUTION  
 ST. JOHN’S DEVELOPMENT REGULATIONS  
 AMENDMENT NUMBER 419, 2007**

**WHEREAS** the St. John’s Municipal Council wishes to modify the provisions of the St. John’s Development Regulations respecting Comprehensive Development Areas (CDAs).

**BE IT THEREFORE RESOLVED** that the St. John’s Municipal Council hereby adopts the following text amendment to the St. John’s Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000.

**Amend Section 10.47.2 of the St. John’s Development Regulations (“Permitted Uses – all CDAs) by deleting the following subsections and renumbering the remaining subsections.**

- “(a) Agriculture – Livestock (see Section 7.15);
- (b) Forestry;
- (c) Horticultural Operations (see Section 7.16); and

**(d) Dwelling Unit Accessory to Agriculture – Livestock, Horticultural Operations or Forestry Use.”**

**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 Mayor and the City Clerk on behalf of Council this 17<sup>th</sup> day of December, 2007.

\_\_\_\_\_  
**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 420, 2007**

**WHEREAS** the St. John’s Municipal Council wishes to modify the provisions of the St. John’s Development Regulations respecting Accessory Buildings.

**BE IT THEREFORE RESOLVED** that the St. John’s Municipal Council hereby adopts the following text amendment to the St. John’s Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000.

- 1. Amend Section 8.3.6 by changing the current heading from “Accessory Building” to “Accessory Building (Residential Use)”.**
- 2. Add as a new Section 8.3.7 the following:**  
  
**“8.3.7 Accessory Building (General)**

**Except where these Regulations provide otherwise, Council shall have the discretionary power to allow Accessory Buildings related to Permitted Uses and Discretionary Uses as set out in Section 10 of these Regulations.”**

**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 Mayor and the City Clerk on behalf of Council this 17<sup>th</sup> day of December, 2007.

\_\_\_\_\_  
**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 421, 2007**

**WHEREAS** the St. John’s Municipal Council wishes to modify the provisions of the St. John’s Development Regulations respecting Bed and Breakfast operations.

**BE IT THEREFORE RESOLVED** that the St. John’s Municipal Council hereby adopts the following text amendment to the St. John’s Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000.

- 1. Add a new subsection to Section 7 of the Regulations to read as follows:**

**“7.28 Bed and Breakfast**

**A Bed and Breakfast is subject to the following requirement:**

- (a) The approved occupant load for a Bed and Breakfast shall be posted in a prominent position in the said Bed and Breakfast.”**

- 2. Modify Section 10 of the Regulations (Use Zone Schedule) by making reference to Section 7.28 in the following zones which permit Bed and Breakfast Operations:**

- (a) **Section 10.3 - Residential Low Density (R1) Zone;**
- (b) **Section 10.4 – Residential Medium Density (R2) Zone;**
- (c) **Section 10.5 – Residential High Density (R3) Zone;**
- (d) **Section 10.6 – Residential Downtown (RD) Zone;**
- (e) **Section 10.7 – Residential Mixed (RM) Zone;**
- (f) **Section 10.8 – Residential Battery (RB) Zone;**
- (g) **Section 10.9 – Residential Quidi Vidi (RQ) Zone;**
- (h) **Section 10.10 – Residential Kenmount (RK) Zone;**
- (i) **Section 10.22 – Commercial Mixed Use (CM) Zone;**
- (j) **Section 10.23 – Commercial Central Mixed Use (CCM) Zone;**
- (k) **Section 10.34 – Agriculture (AG) Zone;**
- (l) **Section 10.38 – Rural (R) Zone;**
- (m) **Section 10.40 – Rural Residential (RR) Zone;**
- (n) **Section 10.41 – Rural Residential Infill (RRI) Zone;**
- (o) **Section 10.42 – Rural Village (RV) Zone.**

**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 Mayor and the City Clerk on behalf of Council this 17<sup>th</sup> day of December, 2007.

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

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

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p>  <p>_____</p> <p>MCIP</p>
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**The motion being put was unanimously carried.**

**Discretionary Use Application for One (1) Infill Dwelling Unit, Civic Number 11 Tessier Place (Ward 2) - Ms. Janet Lennie & Mr. Graham Openshaw**

Council considered a memorandum dated December 13, 2007 from the Director of Planning regarding the above noted.

**SJMC2007-12-17/710R**

**It was moved by Councillor Galgay; seconded by Councillor Puddister: That the Discretionary Use application for the proposed infill dwelling at Civic Number 11 Tessier Place be approved subject to the following conditions:**

- 1. The house being setback one (1) metre from the front property line;**
- 2. The garage being located on the west side of the dwelling;**
- 3. The applicants being responsible for the snowclearing of the laneway in front of the garage;**
- 4. Approval of the building elevations by the City's Heritage Officer as the site is located in Heritage Area 3; and**
- 5. Compliance with the requirements of the City's Departments of Engineering, Building and Property Management and Planning.**

**The motion being put was carried with Deputy Mayor O'Keefe and Councillor Collins dissenting**

**Notice of Motion – St. John's Sanitation Regulations**

**SJMC2007-12-17/711R**

**Pursuant to Notice of Motion, it was moved by Councillor Hann; seconded by Councillor Duff: That the following St. John's Sanitation Regulations Amendment No. 3 – 2007) By-Law, be adopted:**

**BY-LAW NO.**

**ST. JOHN'S SANITATION REGULATIONS (AMENDMENT NO. 3 – 2007) BY-LAW**

**PASSED BY COUNCIL ON DECEMBER 17<sup>th</sup>, 2007**

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Pursuant to the powers vested in it under the City of St. John's Act, R.S.N.L. 1990 c.C-17 as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to the licensing of vehicles carrying garbage and refuse.

**BY-LAW**

- 1. This By-Law may be cited as the St. John's Sanitation Regulations (Amendment No. 3 – 2007) By-Law.**



2. The following is added as section 21.1:

*“21.1 In addition to the penalty provided in section 21, any license issued pursuant to these Regulations may be cancelled at any time if the holder has contravened or failed to observe or comply with the provisions of these Regulations.”*

**IN WITNESS WHEREOF** the Seal of the City of St. John’s has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this 17<sup>th</sup> day of December, 2007.

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MAYOR

\_\_\_\_\_  
CITY CLERK

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

**Notice of Motion – Heritage Designation, 3 Barnes Road**

**SJMC2007-12-17/712R**

**Pursuant to Notice of Motion, it was moved by Councillor Duff; seconded by Deputy Mayor O’Keefe: That the following St. John’s Heritage Designation (3 Barnes Road) By-Law be adopted:**

**BY-LAW NO.**

**ST. JOHN’S HERITAGE DESIGNATION (3 BARNES ROAD) BY-LAW**

**PASSED BY COUNCIL ON DECEMBER 17<sup>th</sup>, 2007**

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Pursuant to the powers vested in it under Section 355 of the City of St. John’s Act, R.S.N.L. 1990 c. C-17, as amended and all other powers enabling it, the City of St. John’s enacts the following By-Law relating to the heritage designation of the property at Civic Number 3 Barnes Road.

1. This By-Law may be cited as the “St. John’s Heritage Designation (3 Barnes Road) By-Law.
2. The existing structure at 3 Barnes Road is designated as a heritage building.

**IN WITNESS WHEREOF** the Seal of the City St. John's has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk on behalf of the St. John's Municipal Council this 17<sup>th</sup> day of December, 2007.

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MAYOR

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CITY CLERK

Councillor Duff tabled a letter dated December 13, 2007 from Sister Helen Harding, Sisters of Mercy Generalate, advising that in light of the discussion with the Heritage Advisory Committee pertaining to the age of the building and its unique Second Empire style and its history, the Leadership Team of the Congregation have withdrawn the application for a permit to demolish 3 Barnes Road.

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

**Notice of Motion – St. John's Taxi By-Law**

**SJMC2007-12-17/713R**

**Pursuant to Notice of Motion, it was moved by Councillor Hann; seconded by Councillor Duff: That the following St. John's Taxi (Amendment No. 2 – 2007) By-Law be adopted:**

**BY-LAW NO.**

**ST. JOHN'S TAXI (AMENDMENT NO. 2 – 2007) BY-LAW**

**PASSED BY COUNCIL ON DECEMBER 17th, 2007**

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Pursuant to the powers vested in it under the City of St. John's Act, R.S.N.L. 1990 c.C-17, as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to the regulation of taxis in the City of St. John's.

**BY-LAW**

1. This By-Law may be cited as the "St. John's Taxi (Amendment No. 2 – 2007) By-Law.

2. Schedule "A" Tariff of Fares is repealed and the following substituted:

**SCHEDULE "A"**  
**TARIFF OF FARES**

*The flag rate shall be as follows:*

- 1. (a) *for the first .143 (1/7) of a kilometre or part thereof* \$2.88
- (b) *for each additional .143 (1/7) of a kilometre or part thereof* \$0.22
- (c) *for waiting time while under engagement at a rate per hour equivalent to* \$26.00
- 2. *Applicable municipal, provincial and federal taxes, may be added to and included in the fare shown on the meter.*

**IN WITNESS WHEREOF** the Seal of the City of St. John's has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this 17<sup>th</sup> day of December, 2007.

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MAYOR

\_\_\_\_\_  
CITY CLERK

It was noted during discussion, that the amendment is the result of a recommendation of the Taxi Committee and discussions with respect to deregulating the taxi industry rates will be taken up with the Committee and a full report will be presented to Council for discussion.

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

**Development Committee Report dated December 11, 2007**

Council considered the following Development Committee Report dated December 11, 2007:

**RECOMMENDATION OF APPROVAL**

- 1. Proposed Replacement of Accessory Building  
Ms. Brenda Mugford  
Civic No. 48 Healey's Pond Crescent  
Town of Portugal Cove-St. Philips**

The Development Committee recommends that Council approve the above noted application pursuant to section 104(4)(a) of the City of St. John's Act, subject to the applicant providing a security of \$1,500.00 for the potential cost of removing the existing accessory building.

**RECOMMENDATION OF REJECTION:**

- 2. Proposed Residential Housing Development  
Mr. John Bidgood and Mr. Bill Clarke  
Hennessey's Line – Ward 5**

The Development Committee recommends that Council reject the above noted application as the subject property is located outside the Ultimate Service Area.

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

**SJMC2007-12-17/714R**

**Regarding Item #1: It was decided on motion of Councillor Duff; seconded by Councillor Galgay: That the Committee's recommendation of approval pursuant to Section 104(4)(a) of the City of St. John's Act, subject to the applicant providing a security of \$1,500.00 for the potential cost of removing the existing accessory building, be accepted.**

**SJMC2007-12-17/715R**

**Regarding Item #2: It was decided on motion of Councillor Duff; seconded by Councillor Galgay: That the Committee's recommendation of rejection, as the property is located outside the Goulds Ultimate Service Area, be accepted.**

**Planning Committee Report dated December 12, 2007**

Council considered the following Planning Committee Report dated December 12, 2007:

In Attendance:           Councillor Shannie Duff, Chairperson  
                                  Councillor Sandy Hickman  
                                  Councillor Tom Hann

Councillor Art Puddister  
Councillor Frank Galgay  
Councillor Ron Ellsworth  
Councillor Wally Collins  
Mr. Ron Penney, Chief Commissioner & City Solicitor  
Mr. Art Cheeseman, Associate Commissioner/Director of Engineering  
Mr. Cliff Johnston, Director of Planning  
Mr. Dave Blackmore, Director of Building & Property Management  
Mr. Paul Mackey, Director of Public Works & Parks  
Mr. Jim Clarke, Manager of Streets & Parks  
Mr. Joe Sampson, Manager of Development  
Mr. Ken O'Brien, Manager of Planning & Information  
Ms. Debbie Reid, City Internal Auditor

**1. Affordable Housing Study**

The Committee met with members of the Affordable Housing Sub-Committee to discuss the above noted report. **(A copy of the Affordable Housing Report forms part of the minutes and is available from the City Clerk's Department. Copies of the report were distributed to members of Council prior to the meeting.)** Mr. Ed Power gave a PowerPoint presentation outlining a series of recommendations for affordable housing.

Councillor Ellsworth noted that he would support acceptance of the report's recommendations on the condition that a timeline be set to achieve the goals and objectives outlined in the report.

**The Committee recommends that Council accept the report as presented and recommends the following:**

- a. **The Affordable Housing Sub-Committee should revamp itself and become a broad-based Affordable Housing Action Committee (AHAC). Its first tasks would be to delineate its scope of activities, critically examine the recommendations of the consultant, and implement and prioritize those that are acceptable to them, the Planning and Housing Committee, and to Council.**
- b. **The AHAC should be led by two co-chairs – one person representing the community-based organizations and the other representing the private sector.**
- c. **Council should assign appropriate dedicated resources to the AHAC to give them the research and other support they need to implement approved recommendations.**

- d. **The AHAC should take the lead role in the City in strengthening the capacity of the affordable housing sector drawing upon the capacities of all the stakeholders involved.**
- e. **The AHAC should re-examine the City's current affordable housing activities in light of the consultant's recommendations and the Committee's assessment of the activities of other affordable housing stakeholder groups. The AHAC should consider whether the City should continue its current activities, respond to other opportunities to support and facilitate affordable housing, or alter or enhance its current support.**
- f. **The AHAC should coordinate affordable housing advocacy efforts in the City in order to present common stakeholder positions to all relevant decision makers at the federal and provincial levels of government.**
- g. **The AHAC should develop a single point of entry for City residents and other stakeholders to access information about affordable housing in the City of St. John's, including accessible affordable units. The AHAC would work with all stakeholders to determine how information can best be shared and what would be required to develop a common base of information and the parameters by which this information would be used by clients.**

**2. Proposed New Hotel Development for Steele Hotels – Water Street/Buchanan Street/Prince Street – Ward 2**

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The Committee reviewed a presentation by Mr. Ron Fougere, on behalf of Steele Hotels, regarding the above noted application. The Committee also considered the **attached** memorandum dated December 10, 2007, from the Director of Planning and the Manager of Planning and Information.

**The Committee recommends that the applicants be asked to undertake a Land Use Assessment Report for the project at their expense under Terms of Reference that would be approved by Council. Upon completion of the Assessment Report and review of same by City staff, it is recommended that the application be referred to a public meeting to be chaired by a Member of Council.**

*Subsequent to the meeting of the Planning and Housing Committee, the proposed Terms of Reference for the Land Use Assessment Report have been prepared by the Department of Planning and are **attached** for consideration of approval by Council.*

**3. Potential Servicing Above the 190 Metre Contour**

The issue of potential servicing above the 190 metre contour was referred to the Planning and Housing Standing Committee by the Public Works and Environment Standing Committee. The Committee reviewed a presentation by the City's Hydrological Engineer, Dave Wadden, on the issue.

**The Committee endorses the concept of development above the 190 metre contour, and agreed to direct the Department of Planning to prepare a report on the issue which would suggest appropriate zoning that could be considered for these areas and an analysis of what amendments to the St. John's Municipal Plan and the St. John's Development Regulations and the St. John's Urban Region Regional Plan would be required to support development above the 190 metre contour where technically feasible.**

**4. Southbrook Walking Trails (Ward 5)**

The Committee considered the **attached** memorandum dated October 12, 2007, from the Director of Public Works and Parks regarding the above noted matter.

**The Committee recommends that Option 2, as outlined in the attached memorandum, be accepted. This would involve construction of a walking trail, to Grand Concourse Authority standards, to connect the Southbrook residential development with the Merchant Drive commercial area.**

**It is further recommended that a public meeting, to be chaired by a member of Council, be held on this matter.**

**5. St. John's Agricultural Development Area Boundary Review**

The Committee considered information received regarding the schedule of hearings on the review being undertaken of the St. John's Agricultural Development Area boundaries.

**The Committee agreed to direct the Department of Planning to prepare a draft brief for submission to the Commission. This draft brief would be reviewed by the Planning and Housing Committee and Council prior to submission to the Review Commission.**

**6. Proposed Rezoning of Property – Civic No. 225 Portugal Cove Road (Ward 1) – Ms. Barbara Fagan**

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The Committee considered the **attached** memorandum dated December 10, 2007, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that the rezoning application be rejected. It was noted that a similar application was received in 2002 which was rejected by Council.**

**7. Proposed Rezoning of Property – Civic No. 6 Lambe’s Lane (Ward 4) –  
Donovan Holdings Limited**

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The Committee considered the **attached** memorandum dated December 10, 2007, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that a public meeting, to be chaired by a Member of Council, be held on the rezoning application. However, before the public meeting is scheduled, it must be confirmed by City Staff that the application meets City engineering requirements, and the applicants must provide written confirmation to the City that they have acquired, or are able to acquire, the land required for the widening of Lambe’s Lane.**

**8. Proposed Rezoning of Property – Civic No. 2½ Syme’s Bridge Road (Ward 5)  
– Mr. Alfred Marshall**

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The Committee considered the **attached** memorandum dated December 10, 2007, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that a public meeting, to be chaired by a Member of Council, be held on the rezoning application.**

**9. Proposed Rezoning of Property – Civic No. 520 Southside Road (Ward 5) –  
City of St. John’s**

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The Committee considered the **attached** memorandum dated December 10, 2007, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that a public meeting, to be chaired by a Member of Council, be held on the proposed rezoning of Civic No. 520 Southside Road and other lands between Civic Numbers 18 and 34 Cousens Place from the Open Space (O) Zone to the Residential Medium Density (R2) Zone.**

**The Committee further recommends that if the City owned land is rezoned by Council that the City retain ownership of the land for the foreseeable future.**



**10. Proposed Rezoning of Property – Southside Road, Land Adjacent to Civic No. 634 (Ward 5) – Mr. Mac Horan**

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The Committee considered the **attached** memorandum dated December 5, 2007, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that as there is not enough land remaining outside the designated buffer of the Waterford River’s floodplain to accommodate the proposed development of a residential lot, that the rezoning application be rejected.**

**11. Request from the Airport Heights Citizens for Safe Neighbourhoods Committee re: Long Term Goals for Safer Neighbourhoods (Ward 4)**

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The Committee considered correspondence from the Airport Heights Citizens for Safe Neighbourhoods Committee regarding suggestions for short-term and long-term goals to create safer neighbourhoods.

Councillor Ellsworth advised that the Citizens Committee has asked to address both the Planning and Housing Committee and the Police and Traffic Committee to discuss the suggestions they have put forward.

**The Committee recommends that the matter be deferred for consideration at the next meeting of the Planning and Housing Committee and that appropriate representatives from the City’s Police and Traffic Committee be invited to attend that meeting.**

Councillor Shannie Duff  
Chairperson

**SJMC2007-12-17/716R**

**It was moved by Councillor Duff; seconded by Councillor Hickman: That the Committee’s recommendations be approved.**

**The motion being put unanimously carried.**

**Special Events Advisory Committee Report dated December 7<sup>th</sup>, 2007**

Council considered the following Special Events Advisory Committee Report dated December 7<sup>th</sup>, 2007:

**Re: Special Events Advisory Committee Recommendation**

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The following recommendations of the Committee are forwarded to Council for approval subject to any conditions that may be required by the Special Events Advisory Committee.

- 1) Event: City of St. John=s New Years Eve Celebrations  
Location: Harbour Drive  
Date: December 31, 2007 – Alternative date: January 1, 2008

This event requires the following road closures should the event proceed as scheduled:

- Signal Hill Road (10:00 pm - 1:00 am)
- Battery Road (10:00 pm - 1:00 am)
- Harbour Drive from Prescott Street to Bishops Cove / Adelaide Street (8:00 pm - 1:00 am)
- Baird=s (Clift=s) Cove (8:00 pm - 1:00 am)
- Southside Road east of Blackhead Road (10:00 pm - 1:00 am)

No Parking/Tow Away restriction will be required on the closed segments of Harbour Drive from 6:00 pm - 1:00 am (January 1, 2008)

Should the Event be postponed from New Year’s Eve, these road closures will be required from 5:00 pm – 9:00 pm. on January 1, 2008.

**Recommendation**

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

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

**SJMC2007-12-17/717R**

**It was moved by Councillor Hickman; seconded by Councillor Duff: That the Special Events Committee Report dated December 7<sup>th</sup>, 2007 be adopted.**

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

**2008 City of St. John's Budget**

The 2008 City of St. John's Budget was presented and His Worship the Mayor gave a brief overview.

**SJMC2007-12-17/718R**

**It was then moved by Deputy Mayor O'Keefe; seconded by Councillor Puddister: That the 2008 City of St. John's Budget be adopted as presented.**

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

**Resolutions**

**\$15,000,000.00 Bond Resolution**

Council considered a memorandum dated December 14, 2007 from the Director of Finance & City Treasurer along with a Resolution authorizing the issue of a \$15,000,000.00 20 year, sinking fund bond.

**SJMC2007-12-17/719R**

**It was moved by Councillor Puddister; seconded by Councillor Hann: That the following Resolution authorizing the issue of a \$15,000,000.00 20 year, sinking fund bond be adopted:**

**BOND ISSUE**

**WHEREAS** The St. John's Municipal Council (the "Council") is empowered under the provisions of *The City of St. John's (Loan) Act, 1978*, Chapter 9 of the Revised Statutes of Newfoundland and Labrador, 1978, as amended (the "said Act") to borrow upon the credit of the City of St. John's (the "City") by the issue and sale of bonds subject to the prior approval, in writing, of the minister, as defined in the said Act;

**AND WHEREAS** by resolution passed at a meeting held on December 10, 2007 (the "Resolution") the Council deemed it advisable to issue and sell bonds in the amount of Fifteen million dollars (\$15,000,000.00) under the said Act for the purpose of repayment of loans of the City and to seek an approval of the minister (referred to in the Resolution as the "Minister of Municipal Affairs") to issue and sell bonds in the said amount for the said purpose;

**AND WHEREAS** the minister by a letter of approval to borrow dated December 11, 2007 (the "Approval"), gave approval to the City to borrow an amount not exceeding Fifteen Million Dollars (\$15,000,000.00) in the form of a Sinking Fund Bond Issue, repayable in full by "Council" over a period not exceeding twenty years. The Approval provides that the said loan is to be used to retire interim financing used for expenditures to date for the City's 50% share of the 2005-2007 Multi-Year Capital Works Projects, capital expenditures to date on water

treatment projects at Bay Bulls Big Pond and the final portion of the cost of the new Windsor Lake Water Treatment Plant, referred to in the Approval;

**AND WHEREAS** the proceeds of the sale of the bonds to be issued pursuant to this resolution are immediately required by the Council for the purpose of “repayment of loans of the City” and in this connection, the proceeds of the sale of the bonds will in fact be applied to retire “interim financing used for expenditures to date for the City’s 50% share of the 2005-2007 Multi-Year Capital Works Projects, capital expenditures to date on water treatment projects at Bay Bulls Big Pond and the final portion of the cost of the new Windsor Lake Water Treatment Plant”, referred to in the Approval (the “Purpose”), in accordance with Section 3 of the said Act, and the Purpose constitutes the “repayment of loans of the City” that the Council, pursuant to the Resolution, designated as the purpose in respect of which the proceeds of the sale of the bonds are required to be applied;

**AND WHEREAS** Scotia Capital Inc. has been appointed as the City’s Lead Fiscal Agent and that RBC Dominion Securities Inc. has been appointed as the City’s Co-Lead Fiscal Agent for the purposes of facilitating the City’s issue and sale of the Bonds, as defined below (Scotia Capital Inc. and RBC Dominion Securities Inc. are collectively referred to as the “Fiscal Agents”);

**AND WHEREAS** the City’s Fiscal Agents offered to assist the City in issuing and selling the bonds and in registering the bonds in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. (“CDS”);

**AND WHEREAS** the City deems it advisable to issue and sell bonds for the Purpose, in the aforesaid amount;

**NOW THEREFORE BE IT RESOLVED:**

**THAT** the City, under and by virtue of the authority of and pursuant to the provisions of the said Act, borrow Fifteen Million Dollars (\$15,000,000.00) by the issue and sale of sinking fund bonds in global and definitive forms, not exceeding in total the sum of \$15,000,000.00 (the “Bonds”). The Bonds shall initially be issued in global fully registered form in the aggregate principal amount of \$15,000,000.00 in the name of CDS with provision for payment of principal and interest by cheque sent by post to the registered address of the registered holder or, if authorized in writing, by electronic transfer (the “Global Bond”);

**THAT** the Global Bond will be payable as to principal on the 21st day of December, 2027 in lawful money of Canada and in this connection, the City shall, subject to the provisions hereof, issue and forward or cause to be forwarded by post to the registered address of the registered holder thereof as at the close of business on the day before such principal becomes due, a cheque drawn on the

account of the City or, if authorized in writing, by electronic transfer. The Bonds shall rank as obligations of the City *pari passu* with all existing bonds or debentures of the City. The Bonds shall bear interest at the rate of 5.4% per annum (from the 21st day of December, 2007), shall be dated the 21st day of December, 2007, and shall mature on the 21st day of December, 2027.

**THAT** in limited circumstances (as set out in the letter of representations addressed to CDS referred to below) the Global Bond shall be exchangeable for bonds in definitive fully registered form in minimum denominations of \$1,000.00 upon surrender of the Global Bond to the Treasurer of the City. The definitive bonds shall aggregate the same principal amount as the principal outstanding balance of the Global Bond as at the date of exchange, shall bear the same interest rate and maturity date, shall bear all unmatured interest obligations and shall be the same substantially in every respect to the Global Bond. In issuing definitive bonds no change shall be made in the amount which would otherwise be payable under the Global Bond.

**THAT** interest on the Bonds will be payable semi-annually in arrears (in the aggregate annual amount of \$810,000, in semi-annual amounts of \$405,000) on the 21st day of June and the 21st day of December in each year of the currency of the Bonds in lawful money of Canada commencing on the 21st day of June, 2008. The first interest period shall commence on the 21st day of December, 2007. In this connection, the City shall, subject to the provisions hereof, issue and forward or cause to be forwarded by post to the registered addresses of the registered holders thereof as at the close of business on the day before such interest becomes due, cheques drawn on the account of the City or, if authorized in writing, pay such interest by electronic transfer. Such cheques shall be forwarded sufficiently in advance of the relevant due date that delivery of the cheque to the registered address of each registered holder on or before the due date is reasonably assured.

**THAT** in the event that the Global Bond is exchanged for Bonds in definitive fully registered form, the Bonds will be payable as to the principal on or after maturity in lawful money of Canada upon presentation and surrender at the City Hall in the City of St. John's, Newfoundland and Labrador, or at any specified branch of the bank designated in the Bonds or, if authorized in writing, by electronic transfer;

**THAT** in the event that the Global Bond is exchanged for Bonds in definitive fully registered form, the City will appoint a registrar in respect of such definitive fully registered Bonds and any such definitive fully registered Bonds may be exchanged for fully registered Bonds of an equal aggregate principal amount bearing the same rate of interest and maturity date without charge at a specified office of the appointed registrar (the City, in respect of the Global Bond, and, in the event that the Global Bond is exchanged for Bonds in definitive fully registered form, such registrar as the City may from time to time appoint, being referred to as the "Registrar");

**THAT** a register will be kept by the City at the City's Office in the City of St. John's in respect of the Global Bond and in the event that the Global Bond is exchanged for Bonds in definitive fully registered form, a register will be kept for and on behalf of the City by the Registrar at a specified office of the Registrar. The names and addresses of the holders of fully registered Bonds without coupons and particulars of the Bonds held by them respectively, shall be entered in the register and all transfers shall be recorded in the register;

**THAT** after the initial issue and registration of the Bonds, no transfer shall be valid unless made in the said register by the Registrar and unless such transfer is noted on such bonds by the Registrar upon the request of the registered holder or his attorney, duly appointed by an instrument in writing in form and execution satisfactory to the Registrar, or by the executors or administrators of such holder and upon compliance with the reasonable requirements which the Registrar may prescribe and upon surrender of any such bond for cancellation;

**THAT** the said register shall be closed for periods not exceeding thirty days immediately preceding any interest date;

**THAT** no notice of any trust shall be entered in the said register or otherwise recognized, but the Bonds may be registered in the name of a trustee or trustees, and in such case, neither the City nor the Registrar (if other than the City) shall be deemed to have notice of the trust represented by such trustee or trustees or be bound to see to the execution of any trust whether expressed, implied or constructive in respect of Bonds registered in the name of a trustee or trustees;

**THAT** the registered holder for the time being of any Bond shall be entitled to the principal moneys and interest represented thereby, free from all equities or rights of set-off or counterclaim between the City and the original or any intermediate holder thereof and all persons may act accordingly, and the receipt of any such registered holder for such principal moneys and interest shall be a good discharge to the City for the same and the City shall not be affected by notice of or be bound to see to the execution of any trust or equity affecting the ownership of any Bond or the principal moneys or interest owing upon it, or save as required by statute, be bound to enquire into the title to any Bond;

**THAT** in the case of joint registered holders of fully registered Bonds, the principal moneys and interest thereon shall be deemed to be owing to them, upon joint account, and may be paid to the holder whose name first appears in the said register and who shall be treated as the absolute owner of the Bonds by the City for all purposes, and whose receipt thereof shall constitute a valid discharge to the City;

**THAT** a sinking fund (hereinafter called the "Sinking Fund") be provided for the redemption or retirement of the Bonds and that the Sinking Fund be established

under the control of Royal Trust Corporation of Canada, which company is hereby appointed as trustee for the holders of the Bonds; that the Council shall pay into the Sinking Fund by the 21st day of December, for each of the years of 2008 to 2027, both inclusive, an amount of \$375,000.00 which is the prescribed amount of two and one-half percent (2 ½ %) of the aggregate principal amount of the Bonds issued, which prescribed amount is referred to in the said Act. In addition, the Council will pay into the Sinking Fund by the 21st day of December in each of the years of 2008 to 2027, both inclusive, an amount equivalent to the yearly interest on all Bonds retired through the operation of the Sinking Fund;

**THAT** in the event, however, that the amount in or the fair market value of the Sinking Fund, on the 21st day of December for any of the years 2008 to 2027, both inclusive, together with any amount required to be paid into the Sinking Fund for any such year, would be in excess of the aggregate principal amount of the Bonds then outstanding, then in such event, the amount required to be paid into the Sinking Fund on the 21st day of December for that year may be reduced by the amount of any such excess, and any such excess funds in the Sinking Fund are to be returned to the City;

**THAT** the Council may, pursuant to the said Act, provide for the application of moneys in the Sinking Fund from time to time to the reduction of the principal amount of the Bonds by the retirement of any of the Bonds, either by drawing or by purchase in the market or both, and all Bonds so retired shall be cancelled and in this connection the Council empowers Royal Trust Corporation of Canada, as trustee, to apply so much of the moneys in the Sinking Fund as it shall think proper to carry out such purposes and the Council shall take all appropriate actions to ensure that such purposes are fulfilled;

**THAT** the Council hereby empowers the trustee for the holders of the Bonds, to invest moneys in the Sinking Fund from time to time in any trustee investments authorized by the *Trustee Act*, Chapter T-10 of the Revised Statutes of Newfoundland and Labrador, 1990, as amended;

**THAT** subject to the immediately preceding two provisions, the Sinking Fund shall be applied towards the payment of the Bonds on maturity;

**THAT** the Bonds shall not be redeemable by the City prior to the maturity date except for Sinking Fund purposes, provided that nothing herein contained shall prevent the City from purchasing the Bonds in the market, and any Bonds so purchased shall be cancelled;

**THAT** the principal moneys payable under these Bonds and the interest thereon are charged upon and payable out of the assets and revenue of the City;

**THAT** the proceeds from the issue and sale of the Bonds shall be used for the Purpose;

**THAT** His Worship the Mayor and the City Treasurer are hereby authorized to cause the Bonds to be sold or hypothecated at such price or prices as they may determine and the Mayor and the City Treasurer are hereby authorized to enter into a letter of representations with CDS, that the Bonds shall be signed by the Mayor and the City Clerk or such other person authorized under the provisions of the said Act or a person acting in his stead on behalf of the City in accordance with the provisions of the said Act, that the City Treasurer and the City Clerk are hereby individually or jointly authorized to generally do all things and to execute all other documents and papers in the name of the City in order to carry out the sale of the Bonds and that the City Treasurer is authorized to affix the seal of the City to any of such documents and papers;

**THAT** the City reserves the right to issue additional bonds of the same maturity, interest rate and terms and conditions.

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

**Development Permit List**

Council considered as information the following Development Permits List for the period December 7<sup>th</sup>, 2007 to December 13<sup>th</sup>, 2007:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF DECEMBER 7, 2007 TO DECEMBER 13, 2007**

aISSUED FOR INFORMATION PURPOSES ONLYe

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Balnafad Company Limited	Balnafad Subdivision – Stage 5	Bay Bulls Road / Old Bay Bulls Road	Ward 5	As-Built Subdivision Plan Approval	2007 12 07
Res.	Mr. & Mrs. Millard Star	Residential Building Lot	Blackhead Road	Ward 5	Application Approved	2007 12 10
Res.	Ms. Pam Layden	Residential Building Lot	Civic No. 495 Empire Avenue	Ward 3	Application Approved	2007 12 11
Com.	Mr. David Woolridge	Five (5) Bay Commercial Garage	Civic No. 617 Empire Avenue	Ward 3	Application Rejected: As per Section 7.12.2(a)	2007 12 11
Com.	Buy & Sell Magazine	Extension to Building	Civic No. 50 O'Leary Avenue	Ward 4	Application Approved	2007 12 11
Inst.	CBCL Limited	WHSCC Building Parking lot Expansion	WHSCC Building: Civic No. 146 Forest	Ward 2	Application Approved	2007 12 11
Res.	Mr. Barrie Chiasson	Minor Subdivision: One (1) Additional Residential Building Lot	Lot No. 8 Alexis Place	Ward 5	Application Approved: As per Section 8.1.5	2007 12 12



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

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**Building Permits List**

**SJMC2007-12-17/720R**

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

2007/12/12

Permits List

**CLASS: COMMERCIAL**

TERRA BYTE LIMITED	206 DUCKWORTH ST - HOOKED UP	CO EATING ESTABLISHMENT
BODY QUEST	92 ELIZABETH AVE, BODY QUEST	MS SERVICE SHOP
BILL MATTHEWS VOLKSWAGON	575 KENMOUNT RD	SN CAR SALES LOT
MR. SUB	446 NEWFOUNDLAND DR, MR SUB	MS RESTAURANT
TRACIE BOUDREAU	39 AIRPORT HEIGHTS DR	SN SERVICE SHOP
MR. SUB	117 ROPEWALK LANE, MR. SUB	MS RESTAURANT
SAMSHARA	386 STAVANGER DR, SAMSHARA	MS RETAIL STORE
BULLDOG FITNESS	141 TORBAY ROAD BULLDOG FITNES	MS SERVICE SHOP
ALIAN	215 WATER ST, ALIAN	SN OFFICE
FEDERAL BUSINESS DEVEL. BANK	215 WATER ST, BDC	SN BANK
NFLD. FRESHWATER RESOURCE CTR.	5 NAGLE'S PL - FLUVARIUM	RN CULTURAL CENTER
ISLANDER RV	TRANS CANADA HIGHWAY, ISLANDER	EX WAREHOUSE
ALLIED CONSTRUCTORS	397 STAVANGER DR	TI OFFICE
CHIMO CONSTRUCTION	136 CROSBIE RD	RN OFFICE

THIS WEEK \$ 532,900.00  
TO DATE \$ 40,943,482.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00  
TO DATE \$ 1,924,967.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

FED. GOV'T. (BLDGS. #1 & #1A)	304 BROOKFIELD RD	NC ADMIN BLDG/GOV/NON-PROFIT
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THIS WEEK \$ 15,000.00  
TO DATE \$ 17,912,995.00

**CLASS: RESIDENTIAL**

DONOVAN HOMES LTD.	45 BURRY PORT ST, LOT 65	NC SINGLE DETACHED DWELLING
DERMOT CONWAY	779 EMPIRE AVE	NC ACCESSORY BUILDING
GIBRALTER DEVELOPMENT	42 JULIEANN PL - LOT 78	NC SINGLE DETACHED DWELLING
RANDY MCNIVEN	64 MACBETH DR	NC ACCESSORY BUILDING
PRO TECH CONSTRUCTION LTD	74 MACBETH DR, LOT 6-52	NC SINGLE DETACHED & SUB.APT
PRO TECH CONSTRUCTION LTD	77 MACBETH DR, LOT 6-61	NC SINGLE DETACHED DWELLING
SKYMARK CONTRACTING	60 NAVAJO PL, LOT 254	NC SINGLE DETACHED DWELLING
ERCO HOMES	21 OAKLEY PL, LOT 278	NC SINGLE DETACHED DWELLING
STUART BROWN	160 PATRICK ST	NC PATIO DECK
JOHN BUFFINGA	2 REGIMENT RD	NC FENCE
ERICA HOWSE	21 VEITCH CRES	NC FENCE
KIMBERLEY D. NOFTALL	114 EASTBOURNE CRES	CR SUBSIDIARY APARTMENT
GERRY BEEHAN	19 ALBANY ST	EX SINGLE DETACHED DWELLING
JAMES & JUANITA HAYES	12 BONNIE DR	EX SINGLE DETACHED DWELLING
DONALD TIZZARD	39 MCNIVEN PL	EX ACCESSORY BUILDING
RONALD M. & BRENDA NEWTON	31 CARPASIAN RD	RN FENCE
MARY L.COURAGE	50 FOREST RD	RN SINGLE DETACHED DWELLING
W. CHRIS WHEELER	48 GIL EANNES DR	RN SINGLE DETACHED DWELLING
HERBERT & PATRICIA CHISLETT	45-47 HAYWARD AVE	RN SEMI-DETACHED DWELLING
DAVE GUY	6 TREBBLE PL	RN SINGLE DETACHED DWELLING
CYRIL BUTLER	731 THORBURN RD	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 1,109,550.00  
TO DATE \$156,010,145.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00  
TO DATE \$ 535,204.00

THIS WEEK'S TOTAL: \$ 1,657,450.00

TOTAL YEAR TO DATE: \$217,326,793.00

REPAIR PERMITS ISSUED: 2007/12/06 TO 2007/12/12 \$ 13,500.00  
2006/12/28 TO 2007/12/12 \$3,132,596.00 YTD

**REJECTION**

70 Quidi Vidi Village Rd. (Faye Lee Hynes & John Hill) - File B1074059

Application for side fence is rejected as contrary to Section 8.3.3., 8.3.4 of the St. John's Development Regulations due to sight distance issues.

LEGEND

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

**Payrolls and Accounts**

**SJMC2007-12-17/721R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending December 13<sup>th</sup>, 2007 be approved as presented:**

**Weekly Payment Vouchers  
For The  
Week Ending December 13, 2007**

**PAYROLL**

Public Works	\$ 405,820.66
Bi-Weekly Amalgamation	\$ 528,827.56
Bi-Weekly Management	\$ 518,704.41
Bi-Weekly Administration	\$ 509,406.79

**ACCOUNTS PAYABLE**

Cheque No. 125529 – 125884	<b>\$6,771,595.38</b>
<b>Total:</b>	<b>\$8,734,354.80</b>

**Tenders**

- a. **Tender – Supply Only – Mechanically Cleaned Bar Screen**

**SJMC2007-12-17/722R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the recommendation of the Associate Commissioner/ Director of Engineering be accepted and the tender awarded as follows:**

- a. **JWC Environmental in the amount of \$240,403.00**

**Lots 64B and 64C Nature’s Edge – Reardon Construction**

Council considered a memorandum dated December 13, 2007 from the Chief Commissioner/City Solicitor regarding the above noted.

**SJMC2007-12-17/723R**

**It was moved by Councillor Puddister; seconded by Councillor Collins: That the recommendation of the Chief Commissioner/City Solicitor that approval be granted to sell land in front of lots 64B and 64C Nature’s Edge, to Reardon**

**Construction, at a price to be based on \$1.00 per square foot (approximately \$1,000.00) plus usual administration fees, be accepted.**

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

**YM/YWCA – Pippy Park**

Council considered a memorandum dated December 13, 2007 from the Chief Commissioner/ City Solicitor regarding the above noted.

**SJMC2007-12-17/724R**

**It was moved by Deputy Mayor O’Keefe; seconded by Councillor Coombs: That the recommendation of the Chief Commissioner/City Solicitor that the City purchase land at the corner of Ridge Road and Higgins Line, from the C.A. Pippy Park Commission at a cost of \$450,000.00, and that the City then convey the land to the YM/YWCA as part of its \$1.5 million contribution to the Family Y Centre project be approved, and further, that the land once purchased, be expropriated to ensure that the City holds perfect title and that the Mayor and City Clerk be authorized to execute a Notice of Expropriation.**

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

**Agency of Record - Marketing Services**

Council considered a memorandum dated December 7, 2007 from the Director of Economic Development, Tourism and Culture regarding the above noted.

**SJMC2007-12-17/725R**

**It was moved by Councillor Hickman; seconded by Councillor Hann: That the recommendation of the Director of Economic Development, Tourism and Culture that Idea Factory be awarded the contract for an Agency of Record – Marketing Services, be accepted.**

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

**Travel by Deputy Mayor O’Keefe**

**SJMC2007-12-17/726R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hickman: That travel by Deputy Mayor O’Keefe to the UK, January 7, 8 and 9, 2008 be approved.**

**Beck’s Cove Sewage Pumping Station Temporary Pumps**

Council considered a memorandum dated December 17, 2007 from the Director of Public Works and Parks regarding the above noted.

**SJMC2007-12-17/727R**

**It was moved by Councillor Hickman; seconded by Councillor Hann: That the recommendation of the Director of Public Works and Parks that approval be granted the purchase of temporary pumps presently installed at the Beck's Cove Station for the amount of \$72,837.60 + HST, be accepted.**

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

**16 Young Street**

Council considered a memorandum dated December 17, 2007 from the Director of Building and Property Management regarding the above noted.

**SJMC2007-12-17/728R**

**It was moved by Councillor Galgay; seconded by Councillor Puddister: That the recommendation of the Director of Building and Property Management that the building at 16 Young Street be ordered closed and vacated as per Section 36.3 of the Residential Property Standards By-Law, be approved.**

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

**33-35 Flower Hill**

Council considered a memorandum dated December 17, 2007 from the Director of Building and Property Management regarding the above noted.

**SJMC2007-12-17/729R**

**It was moved by Councillor Puddister; seconded by Councillor Galgay: That the recommendation of the Director of Building and Property Management that a demolition order be issued to have buildings at 33-35 Flower Hill removed immediately from the site, failing which, the City will arrange to have the work performed with the cost of such work charged to the property as per Section 37 of the City of St. John's Act, be approved.**

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

**Torbay Road North Commercial Area**

Council considered a memorandum dated December 17, 2007 from the Director of Planning regarding the above noted.

**SJMC2007-12-17/730R**

**It was moved by Councillor Duff; seconded by Councillor Hickman: That the following Resolution for St. John's Municipal Plan Amendment Number 46, 2007 and St. John's Development Regulations Amendment Number 404, 2007 be adopted, which will then be forwarded to the Department of Municipal Affairs for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act, 2000; and further, Council adopted the Concept Plan prepared by City staff which identifies major access points from Torbay Road and Major's Path and the internal street layout which will be used by the City to guide the future commercial development of lands which are included in the Torbay Road North Commercial Area.**

**URBAN AND RURAL PLANNING ACT, 2000  
RESOLUTION TO APPROVE  
ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 46, 2007  
AND  
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 404, 2007**

Under the authority of Sections 16, 17 and 18 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council:

- a) adopted St. John's Municipal Plan Amendment Number 46, 2007, and St. John's Development Regulations Amendment Number 404, 2007, on the 17<sup>th</sup> day of September, 2007;
- b) gave notice of the adoption of St. John's Municipal Plan Amendment Number 46, 2007, and St. John's Development Regulations Amendment Number 404, 2007, by advertisements inserted in *The Telegram* newspaper on the 29<sup>th</sup> day of September, 2007 and the 3<sup>rd</sup> day of October, 2007;
- c) set the 16<sup>th</sup> day of October, 2007 at 7:00 p.m. at St. John's City Hall for the holding of a public hearing to consider objections and representations.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council approves St. John's Municipal Plan Amendment Number 46, 2007 and St. John's Development Regulations Amendment Number 404, 2007, as adopted.

**SIGNED and SEALED this 17<sup>th</sup> day of December, 2007.**

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**Mayor**

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**Director of Corporate Services  
and City Clerk**

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

**Cost Estimate for Additional Sidewalk Snow Clearing**

Council considered as information a memorandum dated March 3, 2006 from the Director of Public Works & Parks concerning the above noted.

Deputy Mayor O'Keefe asked that in future the City publicize the list of streets where sidewalks are to be cleared for the benefit of the general public.

**Deputy Mayor O'Keefe**

**Deputy Mayor O'Keefe presented a cheque from the St. John's Lodge #245 of the Elks of Canada Inc. in the amount of \$500.00 which is earmarked for Jim Clarke's Bowring Park Project.**

**Adjournment**

There being no further business, the meeting adjourned at 5:10 p.m.

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**MAYOR**

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**CITY CLERK**