

February 15th, 2010

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 5:00 p.m. today.

His Worship the Mayor presided.

There were present also Deputy Mayor Duff; Councillors O'Leary, Hickman, Hann, Colbert, Breen, Galgay, Tilley, Hanlon and Collins

The City Manager, the Deputy City Manager/Director of Corporate Services and City Clerk; Deputy City Manager/Director of Public Works and Parks, Director of Planning, Director of Engineering, City Solicitor and Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2010-02-15/85R

It was decided on motion of Councillor Tilley; seconded by Councillor Hickman: That the Agenda be adopted as presented including the following additional items:

- a. Memorandum dated February 15th, 2010 from the City Manager
re: Bell Street
- b. Travel request by His Worship the Mayor re Gander, NL, Cruise NL

Adoption of Minutes

SJMC2010-02-15/86R

It was decided on motion of Councillor Breen; seconded by Councillor Hann: That the minutes of the February 8th, 2010 meeting be adopted as presented.

Business Arising

Proposed Text Amendment-St. John's Development Regulations, Definition of "Converted Building"

Under business arising, Council considered a memorandum dated February 10th, 2010 from the Director of Planning regarding the above noted.

SJMC2010-02-15/87R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That Council adopt the proposed text amendment to the Development Regulations to add "Food Processing Operation" to the definition of Converted Building; and further, that the following Resolution for St. John's Development Regulations, Amendment Number 478, 2010 be adopted, which will then be referred to the Department of Municipal Affairs for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act.

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 478, 2010**

WHEREAS the City of St. John's wishes to modify the definition of "Converted Building" to include a "Food Processing Operation".

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

Repeal the current definition of "Converted Building" in Section 2 of the Regulations and substitute the following new definition:

"CONVERTED BUILDING means a Building erected prior to January 1, 1960, and which has been, or is proposed to be altered, or converted so as to provide therein a Clinic, two or more Dwelling Units, a Hotel, a Restaurant, a Service Shop, an Office or a Food Processing Operation, provided such a conversion shall not increase the ground floor area by more than five percent (5%) of the Lot Coverage, nor shall such conversion alter the external appearance of the Building without the approval of Council."

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

IN WITNESS THEREOF the Seal of the City of St. John's has been

hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this **15th** day of **February, 2010**.

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

The motion being put was unanimously carried.

Engineering Consulting Services, Forest Road Watermain Upgrading Project

Under business arising, Council considered as information a memorandum dated February 9th, 2010 from the Director of Engineering regarding the above noted, in response to a request from Council at its Regular Meeting held on February 1, 2010 for information on the cost of engineering and consulting services by the successful consultant in relation to the above noted project.

Traffic Calming Policy Development

Under business arising, Council considered a memorandum dated February 9th, 2010 from the Director of Engineering regarding the above noted.

SJMA2010-02-15/88R

It was moved by Councillor Colbert; seconded by Councillor Hanlon: That the IBI Group be authorized to develop the City's Traffic Calming Policy, at a cost of \$17,280.00 plus tax, to be charged to the Engineering Departments consulting services operating budget, (noting there will be an over expenditure under this line item because this study was not provided for in the normal budgeting process).

The motion being put was unanimously carried.

Other Matters

Councillor Hann alluded to the early recommendations of the Wells Inquiry into Offshore Helicopter Safety and made the following motion.

SJMC2010-02-15/89R

It was moved by Councillor Hann; seconded by Councillor Collins: That the Mayor on behalf of Council write the CNLOPB supporting the early recommendations put forth by the Justice Robert Wells Inquiry into Offshore Helicopter Safety, which may see the establishment of a dedicated Offshore Search and Rescue unit in St. John's

The motion being put was unanimously carried.

Notices Published

1. A Discretionary Use Application has been submitted by Brent Smith on behalf of The Newfoundland Chocolate Company requesting permission to occupy **Civic No. 123-125 Quidi Vidi Road** as a "Food Processing Operation" as a Use within a Converted Building. The proposed business will employ a staff of four (4), would have a floor area of 300 square metres, the upper level for office use, the main floor as food processing and retail space. The basement would be utilized for storage. Hours of operation are proposed from 8:30 a.m. to 5:00 p.m., five (5) days a week for the chocolate preparation and packaging, with the retail portion operating Monday to Saturday from 9:00 a.m. to 5:00 p.m. There are two (2) off-street parking spaces as well as six (6) on-street parking spaces directly in front of the property on Quidi Vidi Road which have been included within this proposal for consideration of this application. **(Ward 2)**

Two (2) Letters of support
Two (2) Letters of concern
Petition of Concern

SJMC2010-02-15/90R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That the application be deferred subject to the Transportation Engineer's review of the letters and petition of concern.

The motion being put was unanimously carried.

2 A **Discretionary Use Application** has been submitted by Eastern College (formerly Compu College) requesting permission to occupy 1,368 square metres of the **Rutter Building located at Civic No. 22 Pearl Place** as a Commercial School. The proposed Commercial School will have a maximum student enrollment of two hundred (200) students and a staff of twelve (12). On-site parking can accommodate eighty-four (84) vehicles. **(Ward 5)**

One (1) Letter of Objection

SJMC2010-02-15/91R

It was moved by Councillor Hickman; seconded by Deputy Mayor Duff: That the application be approved subject to the applicant submitting a revised site plan showing provision of an additional thirty-eight (38) on-site parking spaces.

The motion being put was unanimously carried.

Development Committee Report dated February 9th, 2010

Council considered the following Development Committee Report dated February 9th, 2010:

RECOMMENDATION OF APPROVAL:

- 1. Proposed Extension to Dwelling
Ms. Susan Sherk
Civic No. 103 Bennett's Road
Town of Portugal Cove-St. Philips**

The Development Committee recommends that Council approve the above noted application pursuant to Section 104(4)(b) of the City of St. John's Act, subject to the following conditions:

- a. the extension to the dwelling be limited to a maximum of 53 m²;
- b. the applicant must remove the existing accessory building prior to the issuance of a permit to construct the proposed extension to the dwelling. If the accessory building is not removed prior to the issuance of a building permit, adequate security must be retained by the Town of Portugal Cove-St. Philips to have the accessory building demolished; and
- c. future applications to construct an accessory building on this property be rejected.

RECOMMENDATION OF REJECTION:

- 2. Application for a Crown Land Grant
Proposed Recreation Vehicle Sales and Service
Mr. Perry McCarthy
Fowler's Road (Ward 5)**

The Development Committee recommends that Council reject the above noted application for a Crown Land Grant.

**Ronald Penney, Chairperson
City Manager**

SJMC2010-02-15/92R

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

The motion being put was unanimously carried.

Planning & Housing Standing Committee Report dated February 4th, 2010

Council considered the following Planning & Housing Committee Report dated February 4th, 2010:

In Attendance:

- Councillor Frank Galgay, Chairperson
- Deputy Mayor Shannie Duff
- Councillor Sheilagh O'Leary
- Councillor Sandy Hickman
- Councillor Gerry Colbert
- Councillor Bruce Tilley
- Councillor Danny Breen
- Councillor Wally Collins
- Mr. Ron Penney, City Manager
- Mr. Paul Mackey, Deputy City Manager/Director of Public Works & Parks
- Mr. Cliff Johnston, Director of Planning
- Mr. Walt Mills, Director of Engineering
- Mr. Dave Blackmore, Director of Building & Property Management
- Mr. Bob Bishop, Director of Finance
- Ms. Elizabeth Lawrence, Director of Economic Development, Tourism & Culture
- Mr. Joe Sampson, Manager of Development
- Ms. Lynnann Winsor, Development Engineer
- Mr. Jim Clarke, Manager of Streets & Parks
- Mr. Chris Small, Planning Technician
- Ms. Kelly Butler, Recording Secretary

1. Proposed Office Building – Civic No. 351 Water Street – former Woolworth’s Department Store Site (Ward 2) – East Port Properties Ltd. and PHB Group

The Committee met with Mr. John Lindsay and other representatives of East Port Properties Ltd. and Mr. Philip Pratt, Ms. Kerri Gosse and other representatives of the PHB Group Architects Inc. regarding the above noted application. The Committee also considered the **attached** memorandum dated February 3, 2010, from the Director of Planning, and the Committee reviewed a Power Point presentation prepared by the PHB Group (**copy attached**) and a Public View Plane Analysis prepared by City staff (a copy of which is available from the Department of Planning).

The Committee recommends, on motion of Councillor Breen; seconded by Councillor Duff: That the applicant be asked to undertake a Land Use Assessment Report under Terms of Reference to be approved by Council for the proposed office building. It is further recommended that once the Assessment Report has been submitted and reviewed by City staff that the application be referred to a public meeting to be chaired by a member of Council.

The Committee also recommends that Council give consideration to removing all the properties situated in the block of land located on the south side of Water Street between Bishop’s Cove and Steers Cove from Heritage Areas 2 and 3 and that all properties in this block be designated as bonus sites for greater building height and bulk. These changes would require that appropriate amendments be made to both the St. John’s Municipal Plan and the St. John’s Development Regulations.

*(Subsequent to the Committee meeting, the proposed Terms of Reference for the Land Use Assessment Report for the proposed office building at Civic No. 351 Water Street, were prepared by City staff and are **attached** for Council’s consideration of approval.)*

(Councillors Colbert and Hickman retired from the meeting prior to discussion on the following items.)

2. Proposed Text Amendment to the St. John’s Development Regulations – Building Height in the Industrial General (IG) Zone

The Committee considered the **attached** memorandum dated January 26, 2010, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Duff: That staff be directed to draft a text amendment to the St. John’s Development Regulations to increase the maximum allowable building height in the Industrial General (IG) Zone for properties located outside the Downtown area, to 28 metres. Once the amendment is drafted by the Department of Planning in conjunction with the Legal Department, it

would be advertised for public review and comment and then referred to a future Regular Meeting of Council for consideration of adoption.

3. **Proposed Personal Care Home – Civic No. 5 Old Petty Harbour Road/Dorsey’s Lane (Ward 5) – Hennebury Engineering Ltd. on behalf of Seanic Canada Inc.**

The Committee considered the **attached** memorandum dated February 3, 2010, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Deputy Mayor Duff; seconded by Councillor O’Leary: That the applicant be asked to undertake a Land Use Assessment Report under Terms of Reference that would be approved by Council. It is further recommended that once the Assessment Report has been submitted and reviewed by City staff, that the application be referred to a public meeting to be chaired by a member of Council.

*(Subsequent to the Committee meeting, the proposed Terms of Reference for the Land Use Assessment Report for the proposed personal care home at Civic No. 5 Old Petty Harbour Road, were prepared by City staff and are **attached** for Council’s consideration of approval.)*

4. **Proposed Townhousing Development – Civic No. 560 Topsail Road (Ward 3) – Powderhouse Hill Investments Ltd.**

The Committee considered the **attached** memorandum dated February 3, 2010, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Councillor Tilley; seconded by Deputy Mayor Duff: That the rezoning application be rejected by Council due to concerns expressed by the Department of Public Works and Parks with respect to potential snow clearing and snow removal operational issues if the proposed residential development were to proceed.

The Committee further recommends that the Department of Planning be directed to meet with the Department of Public Works and Parks and the Legal Department to explore the feasibility of modifying the zone requirements of the Residential Medium Density (R2) Zone for undeveloped properties located outside the Downtown core. The objective would be to determine if standards can be developed to allow multiple family dwellings such as semi-detached homes and townhouses without the necessity of snow removal operations. A similar exercise was undertaken in the preparation of zoning amendments to accommodate the Canada Lands Plan for the redevelopment of former Federal Government lands in Pleasantville. It should be noted that any future decisions respecting applications for proposed rezonings of land to the Residential Medium Density (R2) Zone would continue to be at the sole discretion of Council.

Councillor Frank Galgay
Chairperson

SJMC2010-02-15/93R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That Committee recommendations 1, 2 and 4 be approved.

Regarding Item #1 Civic No. 351 Water Street, former Woolworth's Department Store Site, the Deputy Mayor explained why this site is being considered to be removed from the Heritage areas. She noted that the block was only included in the Heritage zones in 2003 on the recommendation of architect, Phillip Pratt, who felt it should be considered part of the heritage area as a transitional zone. The Deputy Mayor indicated that the architect's rationale for expanding the boundary was to make it a buffer or transitional zone to take care of how the block should be developed given its proximity to the original heritage area.

Also, as suggested by the Deputy Mayor the amendments regarding the proposed deletion of a block of land between Bishop's Cove and Steer's Cove from the Heritage areas 2 and 3 and proposed recommendation of these blocks as bonus sites for greater building height and bulk will be referred to a future meeting of the Planning and Housing Committee for review.

Councillor Colbert noted that the opportunity may exist for the City to partner with the proponent towards the provision of additional parking spots in the building, depending on the financial viability. He also noted that the proposed building has the potential to incorporate a pedway to connect Mile One Stadium and the Convention Centre

Following discussion, the motion being put was unanimously carried.

Regarding Item #3, Proposed Personal Care Home – Civic No. 5 Old Petty Harbour Road/Dorsey's Lane, Councillor Galgay advised that since the Meeting of the Planning Committee on February 4, 2010 the proponent met with staff of the Planning Department and presented a revised plan for the proposed Personal Care Home. For this reason Councillor Collins made following motion.

SJMC2010-02-15/94R

It was moved by Councillor Collins; seconded by Councillor Tilley: That an application by Hennebury Engineering Ltd. on behalf of Seanic Canada Inc. be deferred pending review of the proposed revisions to the original Proposed Personal Care Home application.

The motion being put was unanimously carried.

Heritage Advisory Committee Report dated February 9th, 2010

Council considered the following Heritage Advisory Committee Report dated February 9th, 2010:

Members: Deputy Mayor Shannie Duff
Councillor Sheilagh O’Leary
Glen Power, Downtown Development Commission
Anne Hart, Resident Representative
Gerard Hayes, General Representative
Tony Lockyer, Eastern NL Homebuilders
Debbie O’Rielly, Heritage Foundation of NL
Melanie Del Rizzo, General Representative
Peter Mercer, Heritage Officer
Helen Miller, Archivist
Paul Boundridge, Planning Coordinator
Karen Chafe, Recording Secretary

Report:

1. 95 Water Street – Javelin Building – Proposed Renovations

The Committee met with Ron Fougere and Troy Healy of Ron Fougere Associates to discuss proposed renovations for 95 Water Street, Javelin Building, formerly the Brother T.I. Murphy Building. A copy of the architectural renderings are attached to this report. The building in question has municipal and provincial heritage designation, as outlined in the attached Statements of Significance. The proposal is as follows:

- Renovation to the building’s interior will accommodate:
 - A basement commercial style kitchen and private gym area;
 - A main floor restaurant with a mix of public and private dining room spaces;
 - A second floor office which will mostly retain the existing floor plan with an expanded open office at the rear of the building.
 - The interior footprint of the overall building will not change drastically but will be refurbished and restored. The biggest renovation will entail

the relocation of the center staircase to the front east side of the building to accommodate more restaurant dining space.

- The building's exterior renovations consist of the following:
 - window replacement of the existing vinyl inserts with metal windows more reminiscent of the original metal style mullions which had been recently replaced. The building's windows which are situated at the upper rear elevation will be replaced with a plate glass window style, incorporating a mullion arched design that reflects the arched look of the existing windows.
- The building's architectural features will be cleaned and restored where necessary.
- A fire escape will be installed on the west elevation of the building in accordance with the National Building Code of Canada. It will be a metal stair with open permeable risers. Property easements preclude the location of the fire escape at the east elevation.
- The concrete linchings (previously approved for demolition by the former owner) and situated at the rear and west side elevations of the building will be removed to expose the main building wall to which they were attached. A window will be installed in the basement on the western side of the rear facade for the kitchen area.
- A roof-top deck and glass railing will be installed at the roof-top rear and the parapets surrounding the remainder of the roof-top will be preserved. The roof-top deck will be for the sole use of the offices.

The Committee recommends approval of the proposed renovations to 95 Water St., as outlined in the attached architectural renderings with the following stipulations:

- **that the sandstone lintels and window sills be retained;**
- **that the existing roof-top parapets be retained and that the roof-top garden conform with life safety codes;**
- **that the design of the fire escape be minimalist while conforming to life safety codes.**

The Committee commends this strong proposal for the refurbishment of a unique and significant designated heritage building. The proposal respects the original design of the building, and the minimal changes proposed, such as the new window at the rear of the building and the fire escape, are acceptable tradeoffs in light of the strength of the overall proposal.

2. LSPU Hall – Application for Automated Sign

The Committee considered an application from the LSPU Hall for the installation of an automated sign to be situated on the balcony railing of the main entrance.

The Committee recommends rejection of the sign application as the proposal for a lighted, animated sign is not appropriate within the

Heritage Conservation Area. The Committee further recommends that the Heritage Officer consult with the applicant to devise a more appropriate design that fits both the needs of the applicant while conforming with the heritage sign by-law.

**Deputy Mayor Shannie Duff
Chairperson**

SJMC2010-02-15/95R

It was moved by Deputy Mayor Duff; seconded by Councillor Hanlon: That the Committee's recommendations be approved.

The motion being put was unanimously carried.

Audit Committee Report dated February 4th, 2010

Council considered the following Audit Committee Report dated February 4th, 2010:

In Attendance: Councillor Danny Breen, Chairperson
 Deputy Mayor Shannie Duff
 Councillor Tom Hann
 Councillor Bruce Tilley
 Ron Penney, City Manager
 Neil Martin, Deputy City Manager/Director of Corporate Services
 & City Clerk
 Paul Mackey, Deputy City Manager/Director of Public Works &
 Parks
 Bob Bishop, Director of Finance & City Treasurer
 Jason Silver, City Internal Auditor
 Sean Janes, Auditor I
 Kelly Butler, Recording Secretary

1. Program Review: Maintenance of Roads & Sidewalks – Department of Public Works & Parks (Assignment #09-04)

The City Internal Auditor provided the Committee with an in-depth overview of the above noted report.

The report provided a detailed analysis of the CRM system limitations, issue resolution goals, issue prioritization, quality control, identification of issues, and performance measures and reporting relative to the maintenance of the City's roads and sidewalks. The report also provided some recommendations to improve quality control and the timely resolution of issues.

The Committee recommends that the attached report and recommendations be adopted as presented.

2. Consultation Engagement: ERP Implementation Process – Internal Controls and System Access Security (Assignment #0209)

The City Internal Auditor provided the Committee with an in-depth overview of the above noted report.

The City Internal Auditor advised as part of the consultation, best practices were researched in terms of internal control relating to computerized environments, particularly where systems are fully integrated. The main purpose of the report was to provide advice on best practices based on research conducted for the purpose of assisting management in their strategy and decision making relative to the remainder of the City's ERP Implementation Process. In addition, various interviews were conducted with City staff to focus on the research areas which were both applicable and practical for the City. The Director of Corporate Services indicated that he had reviewed the report and concurred with the details, analysis, and best practices contained in it.

The Committee recommends that the attached report and recommendations be adopted as presented.

3. Three Year Audit Plan for 2010 to 2012

The Committee considered the attached memorandum dated December 29, 2009, from the City Internal Auditor regarding the above noted matter.

The City Internal Auditor advised that a risk assessment of the City's programs and service levels was completed in 2006, and it was used to compile the previous three year audit plan. He noted that at some point in the future, it will be necessary to undertake another risk assessment.

The Director of Corporate Services noted that as the City is currently switching from old systems and methods to new software and methodology, Internal Audit staff may experience some challenges in undertaking their reviews as it will be difficult to carry out comprehensive testing. The City Internal Auditor agreed that it has been challenging to start a significant audit analysis because of the amount of changeover currently happening within the organization. He noted, however, that the plan can be adapted as necessary.

The Committee recommends that the attached Three Year Audit Plan for 2010 to 2012 be adopted as presented.

Councillor Danny Breen
Chairperson

SJMC2010-02-15/96R

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

The motion being put was unanimously carried.

(Councillor Hann left the meeting)

Arts Advisory Committee Report dated February 4th, 2010

Council considered the following Arts Advisory Committee Report dated February 4th, 2010:

Attendees: Deputy Mayor Shannie Duff
Councillor Sheila O'Leary
Libby Creelman
Michelle Stamp
Thea Morash
Frank Fagan
Denis Parker
Aiden Flynn
Brenda McClellan
Elizabeth Lawrence, Director of Economic Development, Tourism & Culture
Kay Anonsen, Arts & Cultural Development Coordinator
Bernadette Walsh, Special Projects Coordinator
Paul Boundridge, Planning Coordinator
Heather Hickman, Manager of Community Development
Karen Chafe, Recording Secretary

Report:

1. Poet Laureate Report

The Committee considered as information, the attached Poet Laureate Report prepared by the Department of Economic Development, Tourism & Culture.

The Committee recommends that the report be adopted as presented and that an advisory committee for the poet laureateship be established consisting of City Council, staff and representation from the literary arts community. The mandate of the committee would be to assist the City in promoting and maximizing the benefits of having a Poet Laureate.

2. Public Art Advisory Committee of August 19th (Deferred Recommendations)

The Committee had previously reviewed the Public Art Advisory Committee report of August 19th, 2009 and recommended Council's adoption of the report with the exception of item #'s 1 and 5 which had been deferred for further

consideration. Council during its Regular Meeting of November 30th, 2009 agreed with the deferral of these items and adopted the remainder of the report as per the Committee's recommendations. These deferred items are now ready for Council's consideration below:

- **With regard to item # 1 of the August 19th report, the Committee recommends that Council approve the original recommendation as follows with respect to Jury Composition:**
 - **That the annual jury be comprised of four jury members; one city councillor, two practicing artists, a curator and/or community member knowledgeable of contemporary visual art practices.**

- **With regard to item # 5 of the August 19th report, the Committee recommends approval of the following revised recommendation with respect to Jury Fees:**
 - **That an honorarium based on the current CARFAC fee structure be provided to artists on the jury (annual art procurement).**

Deputy Mayor Duff
Chairperson

SJMC2010-02-15/97R

It was moved by Deputy Mayor Duff; seconded by Councillor Colbert: That the Committee's recommendations be approved

Regarding Item #2, recommendation with respect to Jury fees, Councillor Breen asked for clarification. The Deputy Mayor explained that artists on the jury are paid by the CARAC fee structure, however, this item was previously deferred because one of the members felt that everyone on the jury should be paid, however, the majority didn't agree, and hence the committee's recommendation.

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permit List for the period February 5th, to February 11th, 2010:

KENMOUNT BILLIARDS INC.	58 KENMOUNT RD	MS TAVERN
MORTGAGE SHOP	58 KENMOUNT RD	MS OFFICE
FLOOR SOURCE	210 KENMOUNT RD	MS RETAIL STORE
CITY AUTO MART	211 KENMOUNT RD	MS RETAIL STORE
FURNITURE & MATTRESS	323 KENMOUNT RD	MS RETAIL STORE
BIG R	484-490 MAIN RD	MS RESTAURANT
CITY OF ST. JOHN'S	40 MUNDY POND RD	MS ADMIN BLDG/GOV/NON-PROFIT
ABIGAIL'S HAIR STUDIO	200-232 NEWFOUNDLAND DR	MS SERVICE SHOP
PIZZA EXPERTS	446 NEWFOUNDLAND DR	MS RESTAURANT
CABINETS BY DESIGN	50 PIPPY PL	MS RETAIL STORE
HOLIDAY INN	180 PORTUGAL COVE RD	MS OFFICE
PATTISON SIGN GROUP	PORTUGAL COVE RD	SN SERVICE STATION
KOSY DESIGNS INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
ACTION PHYSIOTHERAPY	279 PORTUGAL COVE RD	MS CLINIC
MARIE'S	27 AIRPORT HEIGHTS DR	MS CONVENIENCE STORE
MICHELLE'S HAIR & NAIL	140A PROWSE AVE EXTEN	MS SERVICE SHOP
STRATEGIC TAXES	4 RICKETTS RD	MS OFFICE
SELL OFF VACATIONS	38-42 ROPEWALK LANE	MS OFFICE
GALLERIA ENTEAK INC.	16 STAVANGER DR	MS RETAIL STORE
HERBAL MAGIC SYSTEMS	386 STAVANGER DR	MS RETAIL STORE
PRINCESS AUTO LTD.	410 STAVANGER DR	MS RETAIL STORE
EARLY ACHIEVERS INC.	397 STAVANGER DR	MS OFFICE
BOSTON PIZZA	415 STAVANGER DR	MS RESTAURANT
IRVING OIL CO. LTD.	632 TOPSAIL RD	SN COMMERCIAL GARAGE
STANLEY'S PUB	26-34 TORBAY RD	MS TAVERN
TOTALLY TANNED LTD.	120 TORBAY RD	MS SERVICE SHOP
CURVES	272-276 TORBAY RD	MS CLUB
WEST SIDE CHARLIES	430 TORBAY RD	MS TAVERN
A. HARVEY & COMPANY LIMITED	714 TORBAY RD	MS OFFICE
CAMPUS RINGS	145 TORBAY RD	MS RETAIL STORE
CHINA HOUSE	TORBAY ROAD-TORBAY RD MALL	MS RESTAURANT
ICT CANADA GROUP INC.	TORBAY ROAD-TORBAY RD MALL	MS OFFICE
BOWRING PARK	305 WATERFORD BRIDGE RD	MS ADMIN BLDG/GOV/NON-PROFIT
TERRY WALSH CONTRACTING	1 GOLDSTONE ST, SUITE 2	TI OFFICE
BILLY JO HEAD	11-13 FRESHWATER RD	OC RESTAURANT
PEARL HOLDINGS LIMITED	271 BROOKFIELD RD	RN MIXED USE
CROMBIE REIT	468 TOPSAIL RD, MR. BILLIARDS	RN TAVERN
BELL ALIANT	PETITE FORTE DRIVE	NC COMMUNICATIONS USE
ATLANTIC SHOPPING CENTER LTD.	AVALON MALL - ATHLETE'S/OLSEN	RN RETAIL STORE
MOORE HOLDINGS LIMITED	29-31 PIPPY PL	RN OFFICE
COUNTRY RIBBON INC.	EAST WHITE HILLS RD	RN INDUSTRIAL USE
CAL LEGROW INSURANCE LIMITED	189 HIGGINS LINE	RN OFFICE
SONCO PARKING	1 CLIFT'S - BAIRD'S COVE	RN PARKING LOT

THIS WEEK \$ 915,697.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

FISHERIES & OCEANS CANADA	SOUTHSIDE RD, COAST GUARD BLDG	RN ADMIN BLDG/GOV/NON-PROFIT
CITY OF ST. JOHN'S	1 BECK'S COVE	RN ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 14,729,000.00

CLASS: RESIDENTIAL

ADAN NOSEWORTHY	47 CAPE PINE STREET - LOT 22	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION	91 CASTLE BRIDGE DR, LOT 95	NC SINGLE DETACHED DWELLING
ALISTAIR MURIE	17 CEDAR DR	NC ACCESSORY BUILDING
ALLISON TURPIN	63 HUNTINGDALE DR, LOT 11	NC SINGLE DETACHED DWELLING
HICKEY'S BUILDING SUPPLIES	12 JAMIE KORAB ST, LOT 137	NC SINGLE DETACHED DWELLING
BRICON ENTERPRISES	46 LADYSMITH DR, LOT 30	NC SINGLE DETACHED DWELLING
HARRY BOYLE	173-175 MAIN RD	NC ACCESSORY BUILDING
JOHN ROCHE	18 PROSPECT ST	NC PATIO DECK
REVEREND REUBEN & RUTH HATCHER	59 ROOSEVELT AVE - UNIT 104	NC FENCE
HICKEY'S BUILDING SUPPLIES	20 RUSS HOWARD ST, LOT 104	NC SINGLE DETACHED DWELLING
RODNEY HOLMES	2 SPRUCEDALE DR	NC ACCESSORY BUILDING
JOHN HUGGETT	73 ALEXANDER ST	CR SINGLE DETACHED & SUB.APT
SHAWN & CATHERINE LEWIS	39 DUNTARA CRES	CR SINGLE DETACHED DWELLING
TONY MARTIN	264 MAIN RD	CR SUBSIDIARY APARTMENT
AMANDA TRAVERSE	9 PLOVER ST	CR SUBSIDIARY APARTMENT
PETER BARTLETT	42 SALISBURY ST	CR SUBSIDIARY APARTMENT
DONALD & E. ROSEANN PARR	35 ALICE DR	RN SINGLE DETACHED & SUB.APT
ANITA M. MCGEE	23 BARNES RD	RN SEMI-DETACHED DWELLING
CAL & ANN OLLERHEAD	173 FOREST RD	RN SINGLE DETACHED & SUB.APT
KEVIN OWENS	48 GROVES RD	RN SINGLE DETACHED DWELLING
LEE BENNETT	20 LUCYROSE LANE	RN SINGLE DETACHED DWELLING
KEN BAVIS	38 PRESCOTT ST	RN TOWNHOUSING
JOANNE DOBBIN	89 RENNIE'S MILL RD	RN SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	26 SPRUCEDALE DR	RN SINGLE DETACHED DWELLING
JOHN VEITCH & VALERIE A. HYNES	29 VEITCH CRES	RN SINGLE DETACHED DWELLING
JOHN STUART DURRANT	45 QUEEN'S RD	SW SEMI-DETACHED DWELLING
NORMAN J. & LINDA D. WHELAN	34 RENNIE'S MILL RD	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 1,572,850.00

CLASS: DEMOLITION

CABOT DEVELOPMENT CO. LTD.	10 BONAVENTURE AVE	DM SINGLE DETACHED DWELLING
BALNAFAD CO. LTD	6 GRIFFIN'S LANE	DM SINGLE DETACHED DWELLING

THIS WEEK \$ 8,000.00

THIS WEEK'S TOTAL: \$ 17,225,547.00

REPAIR PERMITS ISSUED: 2010/02/01 TO 2010/02/10 \$ 28,295.00

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

SJMC2010-02-15/99R

It was decided on motion of Councillor Tilley; seconded by Councillor Breen: That the following Payrolls and Accounts for the week ending February 11th, 2010 be approved:

**Weekly Payment Vouchers
For The
Week Ending February 11, 2010**

PAYROLL

Public Works	\$ 434,745.33
Bi-Weekly Casual	\$ 17,143.02

ACCOUNTS PAYABLE

	\$3,749,303.64
Total:	\$4,201,191.99

(Councillor Hann returned to the meeting)

Tenders

- a. Tender – Message Boards
- b. Tender - Fertilizers

SJMC2010-02-15/100R

It was moved by Councillor Tilley; seconded by Councillor Breen: That the recommendations of the Acting Director of Finance be approved and the tenders awarded as follows:

- a. **Battlefield Rentals in the amount of \$23,840.00 (taxes not included)**
- b. **Eastchem in the amount of \$16,287.50 (Fertilizer), and Gaze Seed in the amount of \$16,055.00 (Limestone) (taxes not included)**

The motion being put was unanimously carried.

Notice of Motion

- 1. Deputy Mayor Duff gave the following Notice of Motion:

TAKE NOTICE that I will at the next Regular Meeting of Council move a motion to rescind the motion of March 3, 2009, to defer a review of the City of St. John's

Municipal Plan pending the completion of the review of the Regional Plan for the North East Avalon.

DATED at St. John's, NL this 15th day of February, 2010

2. Councillor Colbert gave the following Notice of Motion

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to amend the City of St. John's Conflict of Interest By-Law so as to clarify that insignificant or remote interests that currently are not subject to disclosure requirements, are not considered to be pecuniary interests for the purpose of the By-Law.

DATED at St. John's, NL this 15th day of February, 2010

120 Portugal Cove Road – William Trickett, Powerline Easement

Council considered a memorandum dated February 11th, 2010 from the City Manager regarding the above noted.

SJMC2010-02-15/101R

It was moved by Councillor Hanlon; seconded by Councillor Collins: That the Mayor and City Clerk be authorized to execute Notice of Expropriation with respect to a powerline easement at 120 Portugal Cove, required by the City in order to realign the intersection of Portugal Cove Road and New Cove Road.

The motion being put was unanimously carried.

Higgins Line/Ridge Road

Council considered a memorandum dated February 8th, 2010 from the City Manager regarding the above noted.

SJMC2010-02-15/102R

It was moved by Councillor Breen; seconded by Councillor Collins: That the recommendation of the City Manager that the City compensate Cleary Morris for a portion of the Higgins Line/Ridge Road site in the amount of \$50,000.00, plus legal fees in full settlement of his claim and that the City increase its contribution to the YM/YWCA by \$50,000.00 to cover this additional cost, be referred to the next meeting of the Finance and Administration Standing Committee for consideration.

The motion being put was unanimously carried.

Bell Street

Council considered a memorandum dated February 15th, 2010 from the City Manager regarding the above noted.

SJMC2010-02-15/103R

It was moved by Councillor Galgay; seconded by Councillor Colbert: That the recommendation of the City Manager that approval be granted to expropriate a 9' strip of land on Bell Street, for which no owner can be determined, on behalf of the developer, required for the proposed Bell Street development, subject to the developer providing the City with a deposit in an amount to be estimated to cover all costs associated with the expropriation, be approved.

The motion being put was unanimously carried.

Email from Mr. Brock Carlton, Chief Executive Officer, FCM re Follow-up on the Big City Mayors' Caucus discussion regarding support for Haiti

SJMC2010-02-15/104R

It was moved by Councillor Colbert; seconded by Councillor Breen: That follow-up on the Big City Mayors' Caucus discussion regarding support for Haiti be referred to the next meeting of the Finance and Administration Committee for consideration.

The motion being put was unanimously carried.

Request from the Prince of Wales College/Holloway School Memorial Committee that the City cost share on a 50/50 basis with the Alumni Memorial Committee of Prince of Wales College and Holloway School the cost of establishing two memorial sites

SJMC2010-02-15/105R

It was moved by Councillor Tilley; seconded by Deputy Mayor Duff: That a request from the Prince of Wales College/Holloway School Memorial Committee that the City cost share on a 50/50 basis with the Alumni Memorial Committee of Prince of Wales College and Holloway School the cost of establishing two memorial sites (1) Prince of Wales Memorial Site on LeMarchant Road at an approximately cost of between \$22,000.00 to \$23,000.00 and (2) Holloway School Site, on Long's Hill at an approximate cost of between \$36,000.00 to \$37,000.00 for a total cost of approximately \$58,000.00 to \$60,000.00, be referred to the next meeting of the Finance and Administration Standing Committee for consideration.

The motion being put was unanimously carried.

Travel by His Worship the Mayor

SJMC2010-02-15/106R

It was moved by Deputy Mayor Duff; seconded by Councilor Colbert: That Travel by His Worship the Mayor to Gander, NL to attend Board Meeting and Annual General Meeting of Cruise Newfoundland and Labrador, February 17 – 19, 2010, be approved.

The motion being put was unanimously carried.

Councillor O’Leary

Councillor O’Leary commended the St. John’s Clean and Beautiful schools Committee on there arts exhibition at City Hall last week.

Councillor O’Leary congratulated the Provincial Government on the formation of their first Advisory Council for the inclusion of Persons with Disabilities.

Councillor O’Leary referenced a public service announcement from the Friends of St. John’s Farmer’s Market, who will be holding a public information session and discussion at Gower Street Untied Church on February 20, 2010, 2:00 p.m. to 4:00 p.m.

Councillor O’Leary commended staff on their quick action in bringing forward solutions to address the issue with respect to the placing of crossing guards in school zones.

Councillor Hanlon

Councillor Hanlon thanked staff for their prompt response to the crossing guard situation. Councillor Hanlon indicted that some councils across Canada utilize high school students as crossing guards, and will bring forward information in this regard to the Police and Traffic Committee for consideration.

Councillor Hanlon noted she would like to see Council take a more active role in the control of snow mobiles within the City limits. She asked that the matter again be brought forward to the Police and Traffic Committee for discussion.

Councillor Hanlon asked that a letter of congratulations be forwarded to the new Chair of the St. John's Board of Trade, Mr. Derrick Sullivan.

Councillor Collins

Councillor Collins commended the Goulds Winter Carnival Committee on another very successful Winter Carnival Event.

Adjournment

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

MAYOR

CITY CLERK