

**February 4<sup>th</sup>, 2008**

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

His Worship the Mayor presided.

There were present also Deputy Mayor O'Keefe, Councillors Duff, Colbert, Hickman, Hann, Puddister, Galgay, Coombs and Collins.

Regrets: Councillor Ellsworth

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

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

**SJMC2008-02-04/54R**

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

- a. Tender – Sale of Building Lots by Public Tender – 204 Forest Road and 2 Cuckholds Cove Road

**Adoption of Minutes**

**SJMC2008-02-04/55R**

**It was decided on motion of Councillor Coombs; seconded by Councillor Hann: That the Minutes of the January 28<sup>th</sup>, 2008 meeting be adopted as presented.**

**Public Meeting Report dated January 24<sup>th</sup>, 2008**

Council considered a public meeting report dated January 24, 2008 which was held to consider two rezoning proposals – (a) Civic Number 2 ½ Syme's Bridge and (b) City-Owned Land – Civic Number 520 Southside Road. In this regard, Council also considered a memorandum dated January 30, 2008 from the Director of Planning.

**SJMC2008-02-04/56R**

**It was decided on motion of Councillor Colbert; seconded by Deputy Mayor O’Keefe: That an application from Mr. Alfred Marshall of Welcome Homes Ltd. to rezone the vacant land located at Civic Number 2 ½ Syme’s Bridge from the Residential Medium Density (R2) Zone to an apartment zone to permit the construction of a three (3) unit apartment building, be rejected.**

**SJMC2008-02-04/57R**

**It was decided on motion of Councillor Colbert; seconded by Deputy Mayor O’Keefe: That a proposal to rezone the vacant City-owned land at Civic Number 520 Southside Road from the Open Space (O) Zone to the Residential Medium Density (R2) Zone, and the adjacent lands between Civic Numbers 18 and 34 Cousens Place, be rejected.**

**Public Meeting Report dated January 30, 2008**

Council considered a public meeting report dated January 24, 2008 which was held to consider the proposed construction of 300 metres of walking trail in the area of the Southbrook residential development. It is proposed to construct the trail from Sprucedale Drive along the rear of the properties on Green Acre Drive and Butterworth Place to Southlands Boulevard.

Upon reviewing the minutes Council decided not to proceed with the proposed walking trail.

**Development Committee Report dated January 29, 2008**

Council considered the following Development Committee Report dated January 29, 2008:

**RECOMMENDATION OF APPROVAL:**

- 1. Proposed Residential Building Lot  
Mr. Barry Murphy  
Civic No. 870-872 Main Road (Ward 5)**

The Development Committee recommends that Council approve the above noted application in accordance with Section 7.12.1(c) of the Development Regulations subject to the following conditions:

- a. the applicant submitting a revised survey plan of the property;
- b. a Certificate of Approval for a drilled well and septic disposal field from the Department of Government Services; and
- c. approval from the Departments of Engineering and Planning

**2. Crown Land Lease Referral  
Stoney Ridge Farms Ltd.  
Civic No. 1194 Portugal Cove Road (Ward 1)**

The Development Committee recommends that Council approve the requested Crown Land Lease. Should the applicant be successful in obtaining a Crown Land Lease, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.

**3. Proposed Commercial Parking Lot Development  
Mr. Anthony Scholes  
Civic No. 160-176 Duckworth Street (Ward 2)**

The Development Committee recommends that this proposal be granted approval-in-principle subject to the following conditions:

- a. submission of a site plan and details prepared in accordance with the City's Commercial Development Policy;
- b. submission of a landscape site plan and details prepared in accordance with the City's Landscape Development and Street Tree Planting Policies; and
- c. completion of an archaeological analysis of the site, in accordance with Section 5.9.1 of the St. John's Development Regulations, prior to the commencement of any redevelopment of the site. The applicant must obtain the requisite permits from the Historic Resources Division of the Provincial Government under the Historic Resources Act prior to any archaeological work taking place

**RECOMMEND OF REJECTION:**

**4. Request to Transfer an Existing Liquor License from the Star of the Sea Association to Mr. Gary White, Star of the Sea Hall – Civic No. 19 Henry Street (Ward 2)**

The Development Committee recommends that the above noted request for the transfer of the liquor license be denied as the proposed change of use from a non-profit establishment to a commercial operation would not be more compatible with the provisions of the Municipal Plan and the Development Regulations and would not be a desirable use in a residential neighbourhood.

**OTHER:**

5. **Proposed Demolition of Existing Building/Subdivision of Property/Construction of Two (2) New Semi-Detached Dwelling Units**  
**Mr. Samuel McGrath**  
**Civic No. 21 Liverpool Avenue (at Suez Street) (Ward 2)**

The Development Committee recommends that Council establish a building line setback of 3.1 metres along the Liverpool Avenue frontage of this property in accordance with Section 8.3.1 of the Development Regulations to accommodate the proposed redevelopment of this property.

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

**SJMC2008-02-04/58R**

**Regarding Item #1: It was decided on motion of Councillor Duff ; seconded by Councillor Hann: That the Committee's recommendation of approval subject to the conditions outlined, be accepted.**

**SJMC2008-02-04/59R**

**Regarding Item #2: It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Committee's recommendation of approval be accepted.**

**SJMC2008-02-04/60R**

**Regarding Item #3: It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Committee's recommendation of approval-in-principle subject to the conditions outlined, be accepted.**

**SJMC2008-02-04/61R**

**Regarding Item #4: It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Committee's recommendation of rejection be accepted.**

**SJMC2008-02-04/62R**

**Regarding Item #5: It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Committee's recommendation that Council establish a building line setback of 3.1 metres along the Liverpool Avenue frontage of the subject property, be accepted.**

**Development Permit List**

Council considered as information the following Development Permits List for the period January 25, 2008 to January 31, 2008:



THIS WEEK \$ 181,000.00  
TO DATE \$ 3,929,444.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00  
TO DATE \$ 1,806,500.00

**CLASS: RESIDENTIAL**

WALTER MARTIN & KAREN STEELE	1 MCGRATH PL WEST	NC ACCESSORY BUILDING
JEFFREY REARDON	31C SHAW ST	NC ACCESSORY BUILDING
WANDA MERCER/ALLAN WHITE	127 BAY BULLS RD	CO HOME OFFICE
BASIL & MARIE JAMES	118 OLD PETTY HARBOUR RD	CO HOME OCCUPATION
BRIANNE HEAD	36 ALMOND CRES	CR SUBSIDIARY APARTMENT
CHRISTOPHER BROMLEY	29 CHEROKEE DR	CR SUBSIDIARY APARTMENT
WILLIAM MARCH	60 MACBETH DR	CR SUBSIDIARY APARTMENT
HELEN BIDGOOD	50 SQUIRES AVE	CR SUBSIDIARY APARTMENT
SHAWN & SARAH TAPPER	5 BUTTERWORTH PL	RN SINGLE DETACHED DWELLING
ERCO DEVELOPMENTS INC.	6 FLORENCIA CRT	RN TOWNHOUSING
CRAIG DROVER	246 HAMILTON AVE	RN SINGLE DETACHED DWELLING
MARGARET MCMILLAN	7 HOWE PL	RN TOWNHOUSING
GERALD YOUNG	65 KING'S BRIDGE RD	RN SINGLE DETACHED DWELLING
VINCENT WALSH	65 PALM DR	RN SINGLE DETACHED DWELLING
GREGORY ANDREWS	87 WINSLOW ST	RN SINGLE DETACHED DWELLING

THIS WEEK \$ 77,400.00  
TO DATE \$ 2,238,364.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00  
TO DATE \$ 119,500.00

THIS WEEK'S TOTAL: \$ 258,400.00

TOTAL YEAR TO DATE: \$ 8,093,808.00

REPAIR PERMITS ISSUED: 2008/01/24 TO 2008/01/30 \$ 11,500.00  
2007/12/13 TO 2008/01/30 \$ 60,300.00 YTD

LEGEND

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

**Payrolls and Accounts**

**SJMC2008-02-04/64R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending January 31<sup>st</sup>, 2008 be approved as presented:**

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

**PAYROLL**

Public Works	\$ 380,960.76
Bi-Weekly Casual	\$ 13,065.64

**ACCOUNTS PAYABLE**

Cheque No. 127389 - 127983	\$3,655,935.11
<b>Total:</b>	<b>\$4,049,961.51</b>

**Tenders**

- a. **Tender - Sale of Building Lots by Public Tender – 204 Forest Road and 2 Cuckhold’s Cove Road**
- b. **Tender – Basketball, Volleyball and Badminton Equipment**

**SJMC2008-02-04/65R**

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

- a. **Philip Osborne, Lot 204 Forest Road for \$38,150.00 and Tom Osborne, Lot at 2 Cuckhold’s Cove Road for \$41,250.00**
- b. **Centaur Products (Atlantic) Inc. for all 3 sections – Section 1 (4 Portable Basketball Backstops) - \$49,845.00, Section 2 (4 Competition Volleyball Post Systems and Equipment) - \$15,107.00, and Section 3 (6 Badminton Post Systems) - \$996.30, as per the Public Tender Act, (taxes not included) – (As per memorandum dated January 31, 2008 from the Director of Finance and City Treasurer).**

### **Symposium Planning Committee**

Council considered as information a memorandum dated January 29, 2008 from Councillor Duff, Chair, Symposium Planning Committee regarding the Symposium Planning Committee and the names of its present members.

### **Proposed Hotel – Bell Street**

Council considered a memorandum dated January 30, 2008 from the Chief Commissioner and City Solicitor advising that the estimated permit fees for the proposed Hotel at Bell Street are \$252,000 and the annual property, business occupancy and water taxes are estimated to be \$408,000. He also noted that the accommodation tax depends on the room rate and occupancy rate so it would not be possible to accurately estimate that amount.

### **Memorandum dated January 29, 2008 from the Associate Commissioner/Director of Corporate Services and City Clerk re Awarding of Contract for the Preparation of the 2008 Client Satisfaction Survey**

**SJMC2008-02-04/66R**

**It was moved by Councillor Colbert; seconded by Councillor Puddister: That the contract to conduct the 2008 Client Satisfaction Survey be awarded to Sagacity Consulting for the amount of \$14,000 plus HST.**

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

### **Blackmarsh Road – Upgrading**

Council considered a memorandum dated January 31, 2008 from the Associate Commissioner and Director of Engineering regarding the above noted advising that the cost to upgrade Blackmarsh Road to urban standards from Canada Drive to the City Boundary is approximately \$1,126,000 and from Canada Drive to Frecker Drive is approximately \$1,530,000. This work would involve the installation of major storm sewer as well as the installation of curb and gutter.

During discussion on the issue, the Director of Engineering noted that the drainage system that was installed in the area was meant to be an interim measure and conditions like the recent event where flooding resulted because of snow in the drainage system were unavoidable and had the potential to happen again. Councillor Coombs requested that this



project be added to the first year of the Multi Year Program. Council asked the Director of Engineering to look at the list of Multi-Year projects that was submitted to the Province and bring forward the list for review by Council with a view to accommodating this project.

**Snow Clearing Report for the period January 1<sup>st</sup> to February 1<sup>st</sup>, 2008**

Council considered as information the snow clearing report for the period January 1 to February 1, 2008 showing a negative variance of \$400,198.00. The Director of Finance and City Treasurer also advised that the entire overtime budget for 2008 has now been utilized.

**Year End Economic Update February 2008**

Council considered as information the Year End Economic Update February 2008.

**Letter dated January 12, 2008 from Mr. Art Wight re Property corner of Springdale and Pleasant Streets**

Council considered the above noted letter regarding the construction of a shed at the corner of Springdale Street and Pleasant Street which is a combination of residential and commercial units, with a convenience store, City Superette and Deli on the main floor. It was noted that this matter has been resolved and no further action is required.

**Councillor Galgay**

Councillor Galgay reminded residents of two public meetings to be held –

- (1) February 6, 2008 - Regarding an application from Ron Fougere Associates Ltd. on behalf of Sinbads Ltd. (Steele Hotels) to construct an eighty four (84) room hotel on vacant land situated at Civic No. 418 Water Street, intersections of Water Street/Prince Street/Buchanan Street.
- (2) February 7, 2008 – Regarding a Proposal submitted by the PHB Group Architects Inc. on behalf of Mr. Brian Babb for the rezoning of property situated at Civic number 28 Water Street (adjacent to Leo's Lane)

**Councillor Collins**

Councillor Collins thanked Council on behalf of Southlands Citizens Committee for its contribution to Southlands Family Fun Day.

Councillor Collins noted that the Goulds Winter Carnival will take place February 8 to 17, 2008.

**His Worship the Mayor**

**SJMC2008-02-04/67R**

**It was decided on motion of Deputy Mayor O'Keefe; seconded by Councillor Coombs: That travel by His Worship the Mayor to Ottawa, February 7 and 8, 2008 to attend the FCM Conference, be approved.**

**Adjournment**

There being no further business, the meeting adjourned at 4:50 p.m.

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**MAYOR**

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**CITY CLERK**