

January 18th, 2010

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

His Worship the Mayor presided.

There were present also Deputy Mayor Duff; Councillors O'Leary, Hickman, Hann, 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

SJMC2010-01-18/29R

It was decided on motion of Councillor Galgay; seconded by Councillor Collins: That the Agenda be adopted as presented.

Adoption of Minutes

SJMC2010-01-18/30R

It was decided on motion of Councillor Tilley; seconded by Councillor Hanlon: That the minutes of the January 11th, 2010 meeting be adopted as presented.

Business Arising

Proposed Text Amendment – St. John's Development Regulations, Offices as a Discretionary Use in the Institutional Zone

Under business arising, Council considered a memorandum dated January 14th, 2010 from the Director of Planning regarding the above noted.

SJMC2010-01-18/31R

It was moved by Councillor Galgay; seconded by Councillor Collins: That the following Resolution for St. John's Development Regulations Amendment Number 476, 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 476, 2010**

WHEREAS the City of St. John's wishes to allow "Office" as a Discretionary Use in the Institutional (INST) Zone.

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

**Amend Section 10.32.2 of the St. John's Development
Regulations by adding "Office" as a Discretionary Use to the
Institutional Zone.**

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 **18th** day of **January, 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

Deputy Mayor Duff though supporting the motion indicated her concern that the Institutional Use is a very broad zone and that there are many schools and churches in residential zones that may be totally unsuitable for commercial offices. However she noted that the text amendment will introduce “Office” as a discretionary use in the Institutional Zone and requires advertng.

Following discussion, the motion being put was unanimously carried.

Notices Published

1. A Discretionary Use Application has been submitted by Mr. James Langor for a proposed Home Occupation at **Civic No. 120 Regent Street**. The proposed business is a retail outlet, selling specialty fishing flies. The operation is mainly a mail order outlet, with occasional clients visiting the home by appointment only. The approximate floor area of the business is 15.8 m². Proposed hours of operation are Tuesdays and Thursdays, 6 p.m. to 10 p.m., May – July. Three (3) on-site parking spaces are provided. The applicant is the sole employee. **(Ward 1)**

Two (2) Submissions of objection

SJMC2010-01-18/32R

It was moved by Councillor Breen; seconded by Councilor Hann: That the application be deferred until next week in order to have the parking concerns addressed.

The motion being put was unanimously carried.

Committee Reports

Development Committee Report dated January 12, 2010

Council considered the following Development Committee Report dated January 12, 2010:

**1. Crown Land Grant Referral
Public Works and Government Services Canada
White Hills (Ward 1)**

As new aerial mapping shows that the site for the Crown Land application encroaches into the Industrial Special (IS) Zone and is in very close proximity to the landfill site, the Development Committee recommends that the October 5, 2009, decision of Council to approve the above noted Crown Land Grant Transfer be rescinded in accordance with Section 5.4.6 of the St. John's Development Regulations.

**2. Application for a Converted Building – Proposed Food Processing and Retail Store
Mr. Brent Smith
Civic No. 123-125 Quidi Vidi Road (Ward 2)**

The Development Committee recommends that:

- a. Council give consideration to making a text amendment to the St. John's Development Regulations to modify the definition of "Converted Buildings" to include "food processing operations." The proposed text amendment would be drafted by the Department of Planning and subsequently advertised for public review and comment and referred to a future Regular Meeting of Council for consideration of adoption; and
- b. the application from The Newfoundland Chocolate Company for the property at Civic No. 123-125 Quidi Vidi Road be advertised concurrently to the drafting and advertising of the proposed text amendment.

**3. Discretionary Use Application – Proposed Private Campground
John and Adeline Molloy
Land Off Fowler's Road (Ward 5)**

The Development Committee recommends that staff with the City's Department of Planning proceed with advertising the Discretionary Use Application for a private campground.

**4. Proposed Mixed Use Development
Powder House Hill Investments Limited
Duckworth Street/Bell Street and Henry Street (Ward 2)**

The Development Committee recommends that:

- a. Council approve the attached Terms of Reference for the Land Use Assessment Report (LUAR) for the above noted development;

- b. Following receipt of the report and its review by City staff, that staff be directed to proceed with scheduling a public meeting on the LUAR to be chaired by a member of Council; and
- c. Bell Street be closed as a public street and the land sold to the developer at fair market value giving consideration to the relocation of municipal water and sewer services.

**Ronald Penney, Chairperson
City Manager**

SJMC2010-01-18/33R

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

The motion being put was unanimously carried.

Mayor's Advisory Committee on Seniors Report dated January 11, 2010

Council considered the following Mayor's Advisory Committee on Seniors Report dated January 11, 2010:

In Attendance: Councillor Tom Hann, Interim Chairperson
 Councillor Bruce Tilley
 Councillor Debbie Hanlon
 Dr. Wendy Young
 Margaret Adey, CARP
 Kelly Heisz, Seniors Resource Centre
 Graham Hill, CN Pensioners' Association
 Frank Lee, Anglican Homes Inc.
 Puran Singh Cheema
 Lorraine Best
 Heather Hickman, Manager of Community Development
 Helen Handrigan, Senior Housing Officer
 Kelly Butler, Recording Secretary

1. Seniors' Tax Discount

Under business arising, Councillor Hann referenced the above noted matter and he advised that Council had recently approved an increase in the Seniors' Tax Discount from 15% to 20%. He indicated that the Director of Finance is preparing a report for Council regarding the issue of municipal taxation and he has been gathering data from other municipalities across the country.

Councillor Hanlon advised that she is the City's representative on the Board of Directors of Municipalities Newfoundland and Labrador, and she noted that the issue of municipal taxation and its impact on seniors is something that the organization has been looking into. MNL is preparing to bring forward some recommendations in this regard sometime in February.

Mr. Lee inquired if the Seniors' Tax Discount applied to the water tax as well, and if not, does the City have any plans to consider applying the discount to water tax. Councillor Hann indicated that the discount applies to property tax only. At some point in the future, the City will likely implement a metering system so that people only pay for what they use. This would be a much fairer system of taxation. It was suggested that in the interim, perhaps Council could consider offering a seniors' discount on water tax in the next tax year.

Following the discussion, the Committee recommends, on motion of Mr. Lee; seconded by Councillor Hanlon: That the City give consideration to offering a Seniors' Tax Discount on Water Tax for 2011.

2. Appointment of an Interim Committee Chairperson

Councillor Hann noted that the Committee's Chairperson, Gerri Thompson, has temporarily resigned from the Committee due to work commitments from the ongoing H1N1 flu pandemic, and will not likely be available until March or April. Therefore, in the interim, he asked for nominations for an interim chairperson.

Councillor Hanlon nominated Mr. Frank Lee as interim chair.

It was decided on motion of Councillor Tilley; seconded by Ms. Heisz: That Mr. Frank Lee be appointed as the interim chairperson of the Mayor's Advisory Committee on Seniors.

Councillor Tom Hann
Interim Chairperson

SJMC2010-01-18/34R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permit List for the period January 8 to 14, 2010:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF January 8, 2010 TO January 14, 2010

| Code | Applicant | Application | Location | Ward | Development Officer's Decision | Date |
|------|---------------------------|-------------------------------------|---|------|--------------------------------|----------|
| COM | Pinnacle Engineering Ltd. | Extension to Building | Hayward Interiors Plus 203 Kenmount Road | 4 | Approved | 10-01-13 |
| INST | MAE Design Ltd. | Extension to Building | Eastern Health 35 Major's Path | 1 | Approved | 10-01-13 |
| COM | MAE Design Ltd. | Commercial Building for Taiwan Inc. | 394 Kenmount Road | 4 | Approved | 10-01-13 |
| | | | | | | |
| | | | | | | |

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|---|--|
| <p>* Code Classification: RES - Residential COM - Commercial AG - Agriculture</p> | <p>INST - Institutional IND - Industrial</p> |
| <p>** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.</p> | |

Gerard Doran
Development Officer
Department of Planning

Building Permits List

SJMC2010-01-18/35R

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

2010/01/13

Permits List

CLASS: COMMERCIAL

| | | |
|-----------------------------|-------------------|----------------------|
| THE TRIM SHOPPE | 219 MAJOR'S PATH | CO RETAIL STORE |
| JMK ENTERPRISES LIMITED | 137 BLACKMARSH RD | RN CONVENIENCE STORE |
| DOWNEAST TAS COMMUNICATIONS | 40 ABERDEEN AVE | MS RETAIL STORE |

| | | |
|--------------------------------|--------------------------------|----------------------|
| CORE INSIGHT CHIROPRACTIC | 40 ABERDEEN AVE | MS CLINIC |
| ABERDEEN PIZZA LTD | 46 ABERDEEN AVE | MS RESTAURANT |
| ABERDEEN PIZZA LTD | 46 ABERDEEN AVE | MS RESTAURANT |
| MAGICUTS | 90 ABERDEEN AVE | MS SERVICE SHOP |
| FIRST STICK POND DEVELOPMENT | 98 ABERDEEN AVE | MS SERVICE SHOP |
| REITMANS (CANADA) LIMITED | 95C ABERDEEN AVE | MS RETAIL STORE |
| QUINLAN ENTERPRISES | 57 ANTHONY AVE | MS SERVICE SHOP |
| IRVING OIL MARKETING LIMITED | 8 BAY BULLS RD | MS COMMERCIAL GARAGE |
| CHARLES HAMLYN | 255 BAY BULLS RD | MS SERVICE SHOP |
| PROFESSIONAL APPAREL MARKETING | 203 BLACKMARSH RD | MS RETAIL STORE |
| GDP ENTERPRISES INC. | 100 BROOKFIELD RD | MS CONVENIENCE STORE |
| ST. JOHN'S LODGE #245 OF THE | CARPASIAN RD | MS CLUB |
| ICONS | 115 DUCKWORTH ST | SN RETAIL STORE |
| ELIZABETH PLAZA LIMITED | 92 ELIZABETH AVE | MS RETAIL STORE |
| NELLA LTD (J.W. ALLAN CO LTD) | 94 ELIZABETH AVE | MS RETAIL STORE |
| M.B. COUNSELLING SERVICES | 49 ELIZABETH AVE | MS OFFICE |
| IRVING OIL LTD. | 71-77 ELIZABETH AVE | MS SERVICE STATION |
| CUSTOM WHEELS | 377 EMPIRE AVE | MS RETAIL STORE |
| NEEDS CONVENIENCE | 174 FRESHWATER RD | MS CONVENIENCE STORE |
| 10768 NEWFOUNDLAND LIMITED | 336 FRESHWATER RD | MS BANK |
| 10768 NEWFOUNDLAND LIMITED | 336 FRESHWATER RD | MS OFFICE |
| SALON 56 | 15 GOLDSTONE ST | MS SERVICE SHOP |
| UPTOWN HAIR DESIGN & | 169 HAMLYN RD | MS SERVICE SHOP |
| JUMBO VIDEO | 12-20 HIGHLAND DR | MS RETAIL STORE |
| SJJ ENTERPRISE LTD. | 58 KENMOUNT RD | MS RETAIL STORE |
| INDIGO BOOKS & MUSIC INC. | 70 KENMOUNT RD | MS RETAIL STORE |
| SALVATION ARMY NAT.RECYCLING | 49-51 KENMOUNT RD | MS RETAIL STORE |
| VALUE VILLAGE STORES, INC. | 161 KENMOUNT RD | MS RETAIL STORE |
| VOQUE OPTICAL | 193 KENMOUNT RD | MS SERVICE SHOP |
| PRINCIPAL HOLDINGS LIMITED | 497 KENMOUNT RD | SN CAR SALES LOT |
| NEEDS CONVENIENCE | 330 LEMARCHANT RD | MS CONVENIENCE STORE |
| LAKEVIEW CHIROPRACTIC | 1 LOGY BAY RD | MS CLINIC |
| NEEDS | 430-432 MAIN RD | MS CONVENIENCE STORE |
| TRAVEL QUEST | 239 MAJOR'S PATH | MS OFFICE |
| YMCA | NEW COVE RD | MS CLUB |
| LONG HARBOUR HOLDINGS INC. | NEW COVE RD | MS CLUB |
| INTEGRATED CHIROPRACTIC | 119 NEW COVE RD | MS CLINIC |
| INTEGRATED CHIROPRACTIC | 119 NEW COVE RD | MS CLINIC |
| VACANT (SOOTHE) | 119 NEW COVE RD | MS RETAIL STORE |
| CANTON RESTAURANT | 200-232 NEWFOUNDLAND DR | MS RESTAURANT |
| MAS LIFESTYLE INC. | 446 NEWFOUNDLAND DR | MS CLUB |
| NEEDS CONVENIENCE | 449 NEWFOUNDLAND DR | MS CONVENIENCE STORE |
| DORSET INVESTMENTS LIMITED | 40 O'LEARY AVE | MS CLUB |
| SPARTAN | 71 O'LEARY AVE | MS RETAIL STORE |
| SIGNAL HOBBIES INC. | 36 PEARSON ST | MS RETAIL STORE |
| SIGNAL HOBBIES INC. | 36 PEARSON ST | MS RETAIL STORE |
| NORTH ATLANTIC REFINING | 154 PENNYWELL RD | MS SERVICE STATION |
| MICHAEL FOLEY ACADEMY OF | 57 PENNYWELL RD | MS CLUB |
| DOWNEAST TAS COMMUNICATIONS | 34 PIPPY PL | MS RETAIL STORE |
| KOSY DESIGN | 279 PORTUGAL COVE RD, KOSY DES | SN RETAIL STORE |
| VIDEO CONNECTION INC. | 279 PORTUGAL COVE RD | MS RETAIL STORE |
| KEIBRIDAN ENTERPRISES INC. | 279 PORTUGAL COVE RD | MS COMMERCIAL SCHOOL |
| NEWCO METAL & AUTO RECYCLING | 46-50 ROBIN HOOD BAY RD | MS INDUSTRIAL USE |
| STAND 'N' TAN LIMITED | 20 ROPEWALK LANE | MS SERVICE SHOP |
| RENT CASH INC. | 38-40 ROPEWALK LANE | MS BANK |
| IRVING OIL MARKETING LIMITED | 2 STAVANGER DR | MS RETAIL STORE |
| J. D. IRVING, LIMITED | 10 STAVANGER DR | MS RETAIL STORE |
| MARCO SERVICES | 120 STAVANGER DR | SN RETAIL STORE |
| JANET CULL PLANET ROCK | 386 STAVANGER DR | MS RETAIL STORE |
| MARIE'S MINI MART | 286 STAVANGER DR | MS CONVENIENCE STORE |
| NORTH ATLANTIC REFINING | 86 THORBURN RD | MS OFFICE |
| NORTH ATLANTIC REFINING | 446 TOPSAIL RD | MS SERVICE STATION |
| NORTH ATLANTIC REFINING | 446 TOPSAIL RD | MS SERVICE STATION |
| KENNY ENTERPRISES LIMITED | 462 TOPSAIL RD | MS CONVENIENCE STORE |

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|------------------------------|--------------------------------|-------------------------|
| KENNY ENTERPRISES LIMITED | 462 TOPSAIL RD | MS CONVENIENCE STORE |
| JANES & NOSEWORTHY LTD. | 516 TOPSAIL RD | SN OFFICE |
| IRVING OIL CO. LTD. | 632 TOPSAIL RD | MS COMMERCIAL GARAGE |
| TOPSAIL BILLIARD INC. | 681 TOPSAIL RD | MS PLACE OF AMUSEMENT |
| BELLA VISTA LIMITED | 26-34 TORBAY RD | MS TAVERN |
| SUBWAY | 46 TORBAY RD | MS EATING ESTABLISHMENT |
| CROMBIE PROPERTY HOLDINGS II | 10 ELIZABETH AVE | MS RETAIL STORE |
| LEGROWS TRAVEL | 10 ELIZABETH AVE | MS OFFICE |
| IRVING OIL | 192-194 TORBAY RD | MS SERVICE STATION |
| STEPPING STONE INC. | 272-276 TORBAY RD | MS COMMERCIAL SCHOOL |
| AFRICIAN MARKET SQUARE | TORBAY ROAD-TORBAY RD MALL | MS RETAIL STORE |
| KUMON | 145 TORBAY ROAD,TORBAY RD.MALL | MS RETAIL STORE |
| SKYMARK CONTRACTING | ICELAND PL, SITE TRAILER | NC ACCESSORY BUILDING |
| 2010 JUNO AWARDS HOST | MCBRIDE'S HILL, MURAL | SW OTHER |
| J W LINDSAY ENTERPRISES | 497 KENMOUNT RD | NC ACCESSORY BUILDING |
| CARNELL MANAGEMENT INC. | 13-15 PIPPY PL | RN OFFICE |
| THE CHILDREN'S CENTRE | 80 CRAIGMILLER AVE/CHILDREN'S | CO DAY CARE CENTRE |
| SPORTS LOUNGE LTD | 11 BONCLODDY ST | RN TAVERN |
| GLENDENNING GOLF | 120 GABRIEL RD, BASEMENT | RN RECREATIONAL USE |
| CALLOWAY REIT | 55 KELSEY DR | RN RETAIL STORE |
| LE CHATEAU INC. | AVALON MALL | RN RETAIL STORE |

THIS WEEK \$ 698,340.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

| | | |
|--------------------|---------------|----------------|
| ST TERESA'S PARISH | MUNDY POND RD | MS PARISH HALL |
|--------------------|---------------|----------------|

THIS WEEK \$.00

CLASS: RESIDENTIAL

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|-------------------------------|-------------------------------|------------------------------|
| DAVID SQUIRES | 47 BARROWS RD | NC PATIO DECK |
| HANLEY CONSTRUCTION | 43 CAPE PINE STREET, LOT 20 | NC SINGLE DETACHED & SUB.APT |
| HANLEY CONSTRUCTION | 41 CAPE PINE STREET, LOT 19 | NC SINGLE DETACHED & SUB.APT |
| HANLEY CONSTRUCTION | 39 CAPE PINE STREET, LOT 18 | NC SINGLE DETACHED & SUB.APT |
| DARYL TRELEGAN | 22 DEVINE PL | NC FENCE |
| DARYL TRELEGAN | 22 DEVINE PL | NC PATIO DECK |
| LAWRENCE JOSEPH HANN | 225 HAMILTON AVE | NC FENCE |
| DBH ENTERPRISES LTD. | 18 ICELAND PL - LOT 5 | NC SINGLE DETACHED DWELLING |
| PATRICIA HARRIS | 50 LADYSMITH DR, LOT 28 | NC SINGLE DETACHED & SUB.APT |
| GUARDIAN HOMES INC | 35 MARK NICHOLS PL, LOT 5-270 | NC SINGLE DETACHED DWELLING |
| JEREMY RUBY | RUBY LINE | NC SINGLE DETACHED DWELLING |
| HANLEY CONSTRUCTION | 5 ST. SHOTTS PLACE, LOT 101 | NC SINGLE DETACHED & SUB.APT |
| HANLEY CONSTRUCTION | 11 ST. SHOTTS PLACE, LOT 98 | NC SINGLE DETACHED & SUB.APT |
| JENNIFER HEAD | 42 GREENSPOND DR | CO HOME OFFICE |
| RAJAN MATHEW | 30 GREAT EASTERN AVE, LOT 55 | CR SUBSIDIARY APARTMENT |
| ANDY EVELEIGH | 28 HUSSEY DR | EX MOBILE HOME |
| KRISZTINA BAJZAK | 17 PINE BUD AVE | EX SINGLE DETACHED DWELLING |
| NFLD & LAB HOUSING CORP | 5 BEOTHUCK ST, APT 11 | RN APARTMENT BUILDING |
| DARYL TRELEGAN | 22 DEVINE PL | RN TOWNHOUSING |
| SIMON STORY | 157 HAMILTON AVE | RN SEMI-DETACHED DWELLING |
| NFLD & LABRADOR HOUSING CORP. | 19A HARTERY CRES | RN SEMI-DETACHED DWELLING |
| SULLIVAN'S CONTRACTING LTD. | 10 MIKE ADAM PL | RN SINGLE DETACHED DWELLING |

THIS WEEK \$ 2,133,282.00

CLASS: DEMOLITION

| | | | |
|-------------------------|-------------|--------------|-----------|
| MIRANDA MANAGEMENT INC. | 22 PEARL PL | DM MIXED USE | |
| | | THIS WEEK \$ | 78,500.00 |

THIS WEEK'S TOTAL: \$ 2,910,122.00

REPAIR PERMITS ISSUED: 2010/01/07 TO 2010/01/13 \$ 62,795.00

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

SJMC2010-01-18/36R

It was moved by Councillor Tilley; seconded by Deputy Mayor Duff: That the following Payrolls and Accounts for the weeks ending January 8 and 14, 2010, be approved:

**Weekly Payment Vouchers
For The
Week Ending January 8, 2010**

PAYROLL

| | |
|--------------------------|---------------|
| Public Works | \$ 411,357.09 |
| Bi-Weekly Amalgamation | \$ 488,367.96 |
| Bi-Weekly Management | \$ 587,789.92 |
| Bi-Weekly Administration | \$ 623,764.43 |

ACCOUNTS PAYABLE

| | |
|--------------------------------|---------------|
| Cheque No. 00000001 – 00000102 | \$ 539,000.53 |
|--------------------------------|---------------|

| | |
|---------------|-----------------------|
| Total: | \$2,650,279.93 |
|---------------|-----------------------|

**Weekly Payment Vouchers
For The
Week Ending January 14, 2010**

PAYROLL

| | |
|------------------|---------------|
| Public Works | \$ 380,738.73 |
| Bi-Weekly Casual | \$ 7,654.97 |

ACCOUNTS PAYABLE

| | |
|----------------------|-----------------------|
| Cheque No. 103 – 376 | \$5,364,177.74 |
| Total: | \$5,752,571.44 |

The motion being put was unanimously carried.

Petitions

Councillor Breen tabled a petition the prayer of which reads as follows and which was referred to the Police and Traffic Committee for consideration:

“We, the undersigned residents of Wadland Crescent request that the City of St. John's make Wadland Crescent a one way street going from the West intersection of Wadland Crescent and Wadland Terrace to the East intersection of the same streets.

That is going one way from the residence at 34 Wadland Crescent towards and ending at 4 Wadland Crescent.

This one way will assist the City of St. John's in its snow clearing effort and also help the older residents with their snow clearing efforts on Wadland Crescent.”

Notice of Motion

Councillor Hann 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 enact an amendment to the St. John's Accommodation Tax By-Law so as to refer to the new Provincial Statute now applicable.

Avalon Steamatic Limited – Airport Heights Drive/McNiven Place

Council considered a memorandum dated January 13, 2010 from the City Manager regarding the above noted.

SJMC2010-01-18/37R

It was moved by Deputy Mayor Duff; seconded by Councillor Hanlon: That the City Manager be authorized to proceed with the agreement negotiated in regards to a drainage easement and two parcels of land expropriated by the City for street widening at Airport Heights Drive and McNiven Place from Avalon Steamatic Limited, involving compensation in the amount of \$33,000.00, plus the City will convey a parcel of surplus land (265 m^s) adjacent to Avalon's property, and further, the City will be responsible for legal fees.

The motion being put was unanimously carried.

211 Portugal Cove Road – Sewer Line Easement

Council considered a memorandum dated January 14, 2010 from the City Manager regarding the above noted.

SJMC2010-01-18/38R

It was moved by Councillor Hanlon; seconded by Deputy Mayor Duff: That the recommendation of the City Manager to acquire an easement required by the City for the replacement of a sewer line at 211 Portugal Cove Road, from the owner, Estate of Moses Blundon, for the appraised value of \$4,300.00 plus legal fees, be approved.

The motion being put was unanimously carried.

Ruby Line Upgrading

Council considered a memorandum dated January 14, 2010 from the City Manager regarding the above noted.

SJMC2010-01-18/39R

It was moved by Councillor Collins; seconded by Councillor Tilley: That the recommendation of the City Manager to acquire a drainage easement over a small parcel of land at Ruby Line owned by CDL Holdings Limited for \$100 plus legal fees, be approved.

The motion being put was unanimously carried.

20 Prospect Street – Tom Mahoney

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

SJMC2010-01-18/40R

It was moved by Councillor Colbert; seconded by Councillor Galgay: That the recommendation of the City Manager that a strip of City land of approximately 2.5 metres, on Prospect Street, be acquired by Mr. Tom Mahoney, at a rate of \$10.00 per square foot for approximately \$7,600.00, plus usual administration fees and HST, be approved.

The motion being put was unanimously carried.

Economic Review 2009

Council considered as information the 2009 Economic Review. Councillor Hanlon outlined some of the highlights of the review and commended staff. She also referenced the Conference Board of Canada report listing St. John's as one of six cities out of 50 with a "winning combination that attracts migrants." In this regard, His Worship the Mayor along with other members of Council also commended staff, noting that the strong economic growth is encouraging and look forward to further growth in the building and development of the City.

Cruise St. John's Visitation 2009

Council considered as information the highlights of the 2009 Cruise St. John's Visitation along with the 2010 projected Cruise Visitation to St. John's.

Travel Request – Cruise St. John's Sales Mission

SJMC2010-01-18/41R

It was moved by Deputy Mayor Duff; seconded by Councillor Galgay : That the travel by His Worship the Mayor to Seattle, Los Angeles and Miami to take part in the Cruise Sales Mission, February 1 to 5, 2010, be approved.

The motion being put was unanimously carried.

Haiti Earthquake Disaster

His Worship the Mayor called for a moment of silence for the victims and families of the Haiti Earthquake Disaster. The Mayor advised the public that Council has had some very casual discussions as to what the City can do either on a national level or even on an international level, in a meaningful way, to help those who are going through this tragic circumstance in Haiti. He noted that members of Council thought about making a financial contribution or identifying a long term rebuild project and following discussion there was a consensus that the City participate in a long term, rebuild project. Discussion ensued during which the following motion was made:

SJMC2010-01-18/42R

It was moved by Councillor Breen; seconded by Councillor Duff: That the City, in response to the Haiti earthquake disaster, participate in a long term rebuild project, such as assisting in building a school, hospital or some other institution; and that His Worship the Mayor raise the matter during his meetings this week with Federation of Canadian Municipalities and Big City Mayors Caucus, in an effort to have other Canadian Cities participate.

Following discussion, the motion being put was unanimously carried.

Councillor O'Leary

Councillor O'Leary tabled letters she received concerning City litter and the City's curbside recycling program, which were referred to the next meeting of the Public, Works, Environment and Protection Standing Committee meeting. She indicated she will continue to look for areas of improvement on the garbage issue and focus on education and enforcement.

Councillor Hickman

Councillor Hickman commended NL Volleyball Association, players, volunteers, coaches, etc. on a successful tournament held this weekend at the Provincial Sports Centre.

Councillor Breen

Councillor Breen acknowledged the achievements of Erin Langor, former St. John's Youth of the Year, member of the Mayor's Advisory Committee on Youth,

who has been selected as a student reporter at the Olympic Games in Vancouver. Councillor Breen on behalf of Council congratulated Erin on this achievement.

Councillor Breen updated Council with respect to Council's suggestion that Mile One Centre look at installing a marquee as a means of advertising its events. He advised that the Board of St. John's Sports and Entertainment Ltd. along with staff found that a marquee would not be appropriate due to problems associated with traffic obstructions, site line distance etc. He noted however that they are looking at signage which would be projected on the side of Mile One building. This concept will be carried out on a trial basis and residents are encouraged to provide feedback.

Councillor Tilley

Councillor Tilley advised that he has received a number of complaints with respect to speeding and that he contacted the RNC who agreed to step-up enforcement.

Councillor Tilley advised residents of a public meeting to be held January 27, 2010 to consider an application from Epic Consulting Ltd. to rezone land situated off Blackmarsh Road and Captain Whelan Drive "the Gulliver Property" at Civic Number 397 Blackmarsh Road .

Councillor Hanlon

Councillor Hanlon advised that residents of St. John's can now vote to place St. John's on the next version of Canadian Monopoly, voting days are February 8 to 21, 2010.

Councillor Hanlon advised that Empire Theatre will not be accepting the persons with disabilities attendants' passes after March 1st and are adopting an access to entertainment pass used across Canada. The application can be completed on line and submitted to Eastern Seals Canada.

Councillor Hanlon indicated that she was "disturbed" to read a recent news story with respect to comments by Councillor O'Leary and Clean and Beautiful with

regards to the amount of litter around the City. Councillor Hanlon noted that though there is room for improvement she is not in favour of aggressive enforcement and the best way to do things is through positive reinforcement and setting a good example.

Councillor O’Leary noted that the litter situation is an important issue and she took a “direct action approach” and intends to move forward by taking a responsible and positive role.

Adjournment

There being no further business, the meeting adjourned at 5:55 p.m.

MAYOR

CITY CLERK