

January 22, 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, Colbert, Hickman, Hann, Galgay, Coombs, Ellsworth and Collins.

Regrets: Councillor Puddister

The Chief Commissioner/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 Agenda

SJMC2007-01-22/33R

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

- a. Memorandum dated January 22, 2007 from the Manager, Corporate Secretariat re: Travel by Deputy Mayor O=Keefe
- b. Memorandum dated January 22, 2007 from the Chief Commissioner/City Solicitor re: 11 Pennywell Road, City Land

Adoption of the Minutes

SJMC2007-01-22/34R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Hann: That the Minutes of January 22, 2007 be adopted as presented.

Point of Privilege

Under business arising, Council considered as information a memorandum dated January 16, 2007 from the Chief Commissioner/City Solicitor in response to a

request from the Mayor to provide advice on what constitutes a point of personal privilege.

Proposed Text Amendments - St. John=s Development Regulations

Under business arising, Council considered a memorandum dated January 16, 2007 from the Director of Planning concerning the above noted.

SJMC2007-01-22/35R

It was moved by Councillor Duff; seconded by Councillor Hann: That the following Resolutions for St. John=s Development Regulations Amendment Numbers (a) 396, 2007; (b) 397, 2007; 8 398, 2007; and 399, 2007 be adopted; which will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendments in accordance with the requirements of the Urban and Rural Planning Act, 2000:

**RESOLUTION
ST. JOHN=S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 396, 2007**

WHEREAS the St. John=s Municipal Council wishes to include a definition for **ΔHeavy Equipment Storage@** and to allow this use as a Discretionary Use in the Rural Residential Infill (RRI) Zone and the Rural Residential (RR) Zone.

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

1. Amend Section 2 (Definitions) by adding the following definition:

ΔHeavy Equipment Storage means the use of land or buildings for the storage or parking of operational heavy motorized vehicles or equipment such as, but not limited to: construction equipment, transportation equipment, agricultural equipment or fisheries equipment, tow trucks, tractors, tractor trailers, semi-trailers, dump trucks, flatbed trucks, utility trucks, graders, excavators and construction trailers, and shall exclude the service or maintenance, the sale or rental, the salvage for scrap or recycling of equipment or materials or the storage of scrap materials from the aforementioned type of vehicles and equipment.@

2. Amend Section 7 ΔSpecial Developments@ by the addition of the following new subsection.

7.26 Heavy Equipment Storage is subject to the following requirements:

- (a) Open storage of heavy equipment shall be restricted solely to the rear yard and shall not be visible from a street;**
 - (b) Open storage of heavy equipment shall be screened from adjoining land uses in accordance with the provisions of Section 8.5.1; and**
 - (c) The heavy equipment is owned and/or operated by the owner and/or resident of the property.**
- 3. Amend Section 10.34.2 - Discretionary Uses - Agriculture (AG) Zone by repealing subsection 10.34.2 (b) Discretionary Uses and substituting the following:**
- 10.34.2(b) Heavy Equipment Storage subject to Section 7.26 and provided that approval has been granted by the Land Development Advisory Authority under the St. John's Urban Region (Agriculture) Development Area Regulations.**
- 4. Amend Section 10.38.2 - Discretionary Uses - Rural (R) Zone by repealing subsection 10.38.2 (e) and substituting the following:**
- 10.38.2(e) Heavy Equipment Storage - subject to Section 7.26.**
- 5. Amend Section 10.40.2 - Discretionary Uses - Rural Residential (RR) Zone by adding a new subsection to read as follows:**
- 10.40.2(j) Heavy Equipment Storage - subject to Section 7.26.**
- 6. Amend Section 10.41.2 - Discretionary Uses - Rural Residential (RRI) Zone by adding a new subsection to read as follows:**
- 10.41.2(f) Heavy Equipment Storage - subject to Section 7.26.**

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 22nd day of January, 2007.

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

Mayor



Director of Corporate Services/City Clerk

**RESOLUTION
ST. JOHN=S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 397, 2007**

WHEREAS the St. John=s Municipal Council wishes to clarify the minimum lot frontage requirement for semi-detached dwellings in the Residential Battery (RB) Zone as designated in the St. John=s Development Regulations.

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 10.8.3 - Zone Requirements - the Residential Battery (RB) Zone by repealing Section 10.8.3 (4) (b); and substituting it with the following:

a 10.8.3(4)(b) Lot Frontage (minimum) 7.5 metres per Dwelling

Unit@

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.

may be allowed by Council as a Discretionary Use in designated zones.®

- 2) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® to Section 10.11.2 - Discretionary Uses - Apartment Special (AA) Zone.
- 3) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® to Section 10.12.2 - Discretionary Uses - Apartment Low Density (A1) Zone.
- 4) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® to Section 10.13.2 - Discretionary Uses - Apartment Medium Density (A2) Zone.
- 5) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® to Section 10.14.2 - Discretionary Uses - Apartment High Density (A3) Zone.
- 6) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® to Section 10.15.2 - Discretionary Uses - Apartment Downtown (AD) Zone.
- 7) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® to Section 10.18.2 - Discretionary Uses - Commercial Office (CO) Zone.
- 8) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® as a Discretionary Use to Section 10.19 - Commercial Office Hotel (COH) Zone.
- 9) Add aUses complementary to a Seniors= Apartment Building (subject to Section 7.19)® as a Discretionary Use to Section 10.32 - Institutional (INST) 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

shall be considered withdrawn; and

- 3) An application may be withdrawn only on receipt of a written request from the applicant.®

BE IT FURTHER RESOLVED that the St. John=s Municipal Council requests the Minister of Municipal Affairs to register the amendment in accordance with the Urban and Rural Planning Act.

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 22nd day of January, 2007.

Mayor

Director of Corporate Services & City Clerk

The motion being put was unanimously carried.

Application to Rezone Property for a New Pharmacy/Medical Clinic, Former Newfoundland Margarine Company Property, LeMarchant Road, Plazacorp Retail Properties

Under business arising, Council considered a memorandum dated January 17, 2007 from the Director of Planning regarding the above noted application and advising that the Land Use Assessment Report has now been submitted by engineering consultants on behalf of the applicants and reviewed by City staff, and it is now in order to proceed to the public meeting which is scheduled for Tuesday, February 6, 2007 at 7:00 p.m.

<p>I hereby certify that this Development Regulations Amendment has been prepared in accordance with the Urban and Rural Planning Act.</p> <p>MCIP stamp and signature</p>
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Application to Rezone Property for an Office

Building, Ricketts Road, LeMarchant Road 1995 Ltd.

_____ Under business arising, Council considered a memorandum dated January 18, 2007 from the Director of Planning regarding the above noted.

SJMC2007-01-22/36R

It was moved by Councillor Duff; seconded by Councillor Hann: That the following Resolutions for St. John=s Municipal Plan Amendment Number 44, 2007 and St. John=s Development Regulations Amendment Number 400, 2007 be adopted: and further, that Mr. Glenn Barnes, a member of the City=s Commissioner list be appointed to conduct a public hearing and to prepare a report with recommendations for Council=s consideration on the proposed amendments, the proposed date for the hearing being February 12, 2007.

**RESOLUTION
ST. JOHN=S MUNICIPAL PLAN
AMENDMENT NUMBER 44, 2007**

WHEREAS the St. John=s Municipal Council wishes to redesignate land on Rickett=s Road from the Residential High Density Land Use District to the Commercial General Land Use District in order to permit the construction of an office building.

BE IT THEREFORE RESOLVED that the St. John=s Municipal Council hereby adopts the following map amendment to the St. John=s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

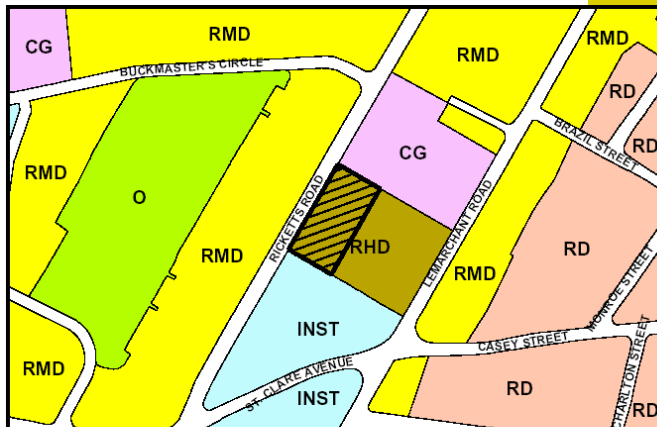
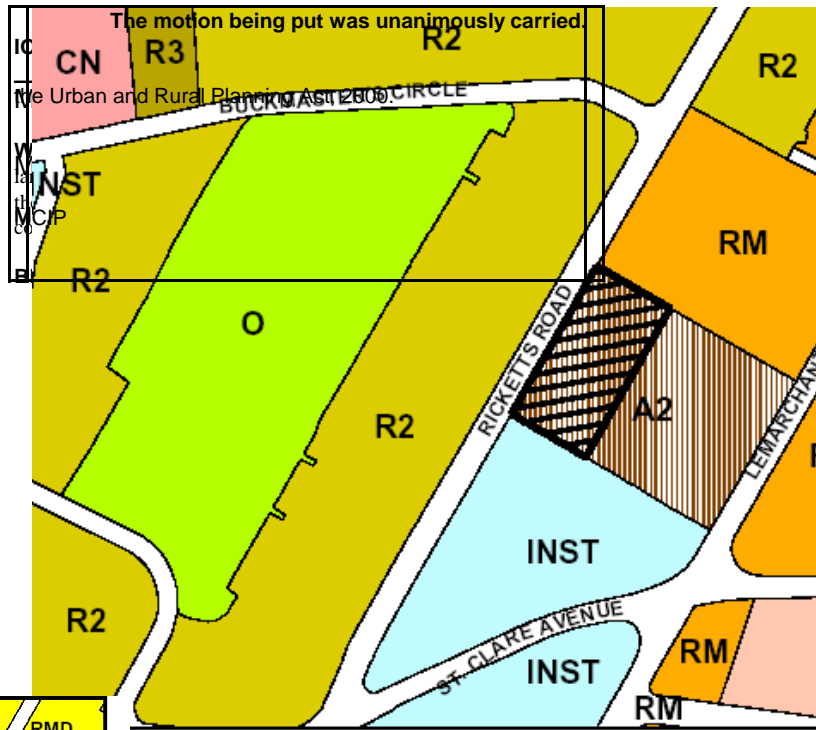
Redesignate land at Rickett=s Road behind Civic Number 130 LeMarchant Road from the Residential High Density Land Use District to the Commercial General Land Use District as shown on Map II - 1A attached.

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 22nd day of January, 2007.

Mayor

Director of Corporate Services/
City Clerk



CITY OF ST. JOHN'S

**USE ZONING AND
DIVISION REGULATIONS 1994
AMENDMENT No. 400, 2007
[Z-1A]**


AREA PROPOSED TO BE REZONED FROM
APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE TO
COMMERCIAL NEIGHBOURHOOD (CN) LAND USE ZONE

RICKETT'S ROAD - REAR 130 LEMARCHANT ROAD

CITY OF ST. JOHN'S

MUNICIPAL PLAN 2003
AMENDMENT No. 44, 2007
[MAP II-1A]

SCALE= 1:2500
2007 01 03
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

 AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL HIGH DENSITY (RHD) LAND USE DISTRICT
TO COMMERCIAL GENERAL (CG) LAND USE DISTRICT

RICKETT'S ROAD - REAR 130 LEMARCHANT ROAD

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.

MAYOR

DIRECTOR CORP. SERVICES/CITY CLERK

COUNCIL ADOPTION

M.C.I.P. signature and seal

I hereby certify
has been prepared
Urban and Rural

DIRECTOR CORP. SERVICES/CITY CLERK

COUNCIL ADOPTION

M.C.I.P. signature and seal

**RESOLUTION
ST. JOHN=S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 400, 2007**

WHEREAS the St. John=s Municipal Council wishes to rezone land on Rickett=s Road from the Apartment Medium (A2) Zone to the Commercial Neighbourhood (CN) Zone to permit the construction of an office building.

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

Rezone land at Rickett=s Road behind Civic Number 130 LeMarchant Road from the Apartment Medium Density (A2) Zone to the Commercial Neighbourhood (CN) Zone as shown on Map Z-1A attached.

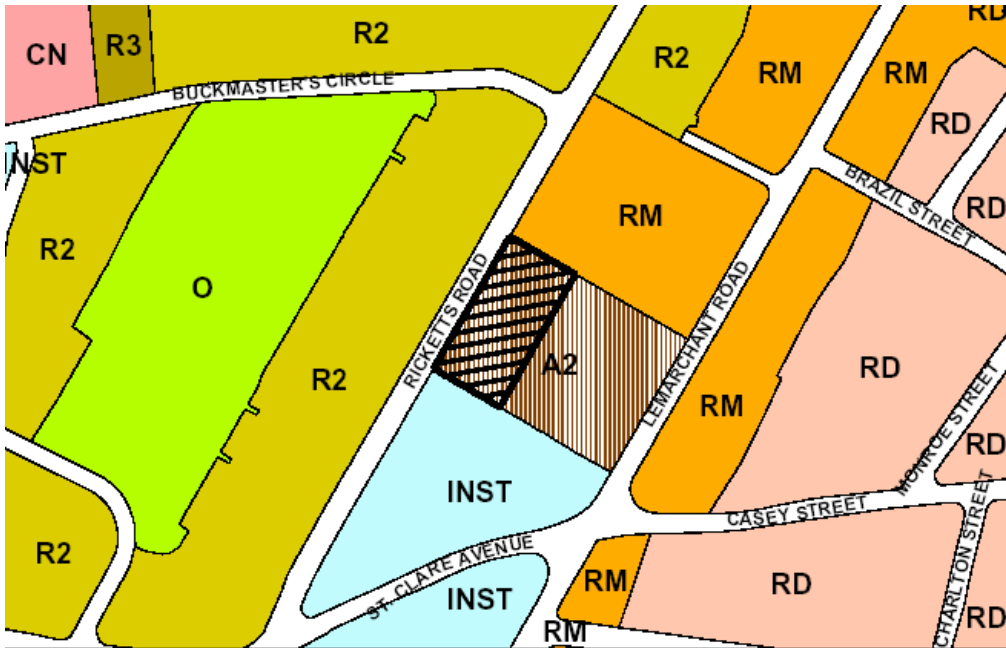
BE IT FURTHER RESOLVED that the St. John=s Municipal Council requests the Minister of Municipal Affairs to register the amendment in accordance with the Urban and Rural Planning Act.

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 22nd day of January, 2007.

Mayor

**Director of Corporate Services
& City Clerk**

<p>I hereby certify that this Development Regulations Amendment has been prepared in accordance with the Urban and Rural Planning Act.</p> <p>MCIP stamp and signature</p>



CITY OF ST. JOHN'S

SCALE= 1:2500

**LAND USE ZONING AND
SUBDIVISION REGULATIONS 1994
AMENDMENT No. 400, 2007
[MAP Z-1A]**

2007 01 03
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED FROM
APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE TO
COMMERCIAL NEIGHBOURHOOD (CN) LAND USE ZONE

RICKETT'S ROAD - REAR 130 LEMARCHANT ROAD

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.

MAYOR

DIRECTOR CORP. SERVICES/CITY CLERK

COUNCIL ADOPTION

M.C.I.P. signature and seal

The motion being put was unanimously carried.

C. Notices Published

1. **A Discretionary Use Application** has been submitted by Karl F. Stack (Progressive Paving Plus) requesting permission to establish and operate an asphalt paving business from **Civic No. 731-733 Main Road**. The proposed business will necessitate the storage of heavy equipment at the site which storage will include a dump truck, utility trailer, asphalt roller and back hoe. **(Ward 5)**

MEMORANDUM DATED JANUARY 16, 2007 FROM THE DIRECTOR OF PLANNING

SJMC2007-01-22/37R

It was decided on motion of Councillor Collins; seconded by Councillor Hann: That the application be approved, along with the proposed text amendment to the Development Regulations for aHeavy Equipment Storage@, subject to submission by the applicant of a plan for review by City staff which satisfies the screening requirements of the Development Regulations for aHeavy Equipment Storage@ uses in the RRI Zone.

2. **A Discretionary Use application** has been submitted by Fred Parsons requesting permission to establish and operate a **Home Occupation** for the purpose of the retail and repair of All Terrain Vehicles (ATV=s) from the accessory building/garage currently on the property at **Civic No. 45 Main Road**. The proposed Home Occupation will occupy 80 m² in the accessory building. Business hours will be 8:30 a.m to 5:00 p.m., Monday through Saturday. Off-street parking can accommodate ten (10) vehicles and the business will employ a staff of one (1). **(Ward 5)**

SJMC2007-01-22/38R

It was decided on motion of Deputy Mayor O=Keefe; seconded by Councillor Ellsworth: That the application be approved.

Public Hearings

- a. Public Hearing Report dated January 8, 2007
Memorandum dated January 10, 2007 from the Director of Planning

Council considered a public hearing report dated January 8, 2007 which was held to

consider an application from Mr. Max Watton to rezone property at Civic Number 70 Freshwater Road (the former Murphy Estate) from the Residential High Density (R3) Zone to the Apartment Low Density (A1) Zone. The applicant advised that the purpose of the rezoning is to permit the construction of an eight (8) unit, two-storey residential condominium development. In this regard, Council also considered a memorandum dated January 10, 2007 from the Director of Planning. Councillors Duff and Galgay noted that in staff's opinion, the revised site plan satisfactorily addresses the concerns of area residents raised at the public meeting.

SJMC2007-01-22/39R

It was moved by Councillor Duff; seconded by Councillor Hickman: That the following Resolution for St. John's Development Regulations Amendment Number 401, 2007 which would have the effect of rezoning the application property at Civic Number 70 Freshwater Road to the Apartment Low Density (A1) Zone and of placing a height restriction for apartment buildings at this location to a maximum of two (2) storeys (to a maximum height of 8 metres), be approved, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration of the rezoning and text amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000;

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 401, 2007**

WHEREAS the St. John's Municipal Council wishes to amend the zoning designation of property situated at Civic Number 70 Freshwater Road in order to permit the construction of a residential apartment development.

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

- 1. Rezone land at Civic Number 70 Freshwater Road from the Residential High Density (R3) Zone to the Apartment Low Density (A1) Zone as shown on Map Z-1A attached.**

- 2. **Repeal Section 10.12.3(1)(f) (Maximum Building Height for Apartment Buildings in the Apartment Low Density (A1) Zone) and replace it with a new subsection to read as follows:**
10.12.3(1)(f) Apartment Buildings - Building Height (maximum)three (3) storeys (not exceeding 12 metres) except for the property at Civic Number 70 Freshwater Road (and referred to as the former Murphy Estate) where the maximum building height is limited to two (2) storeys (not exceeding 8 metres).@

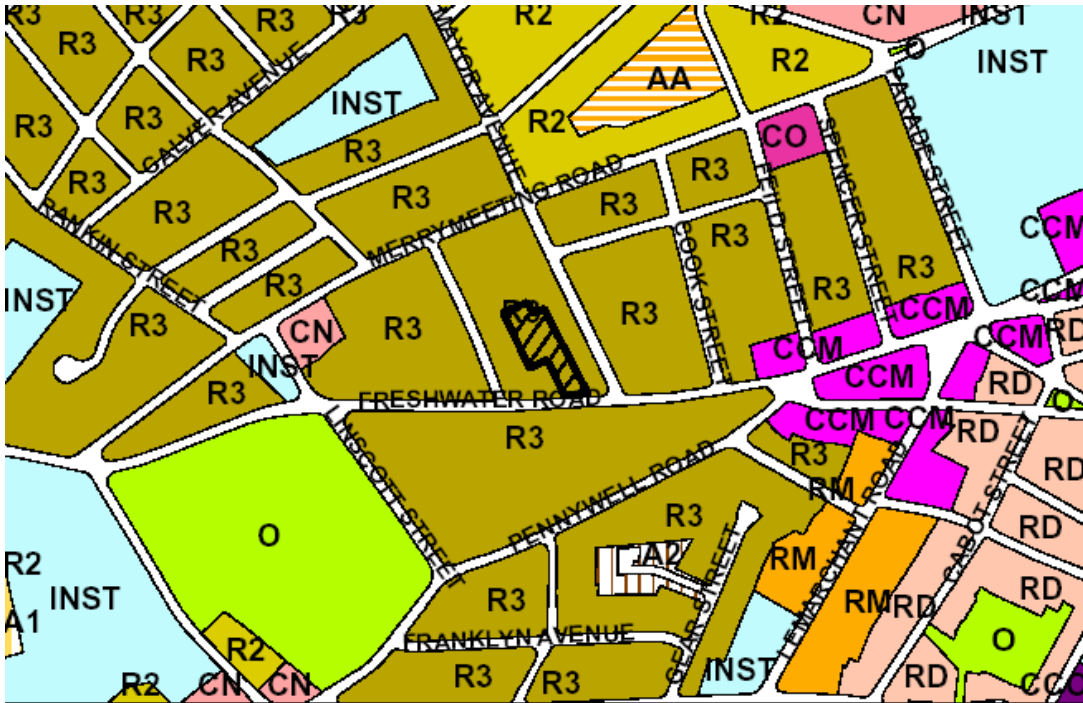
BE IT FURTHER RESOLVED that the St. John=s Municipal Council requests the Minister of Municipal Affairs to register the amendment in accordance with the Urban and Rural Planning Act.

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 22nd day of January, 2007.

Mayor

**Director of Corporate Services
 & City Clerk**


<p>I hereby certify that this Development Regulations Amendment has been prepared in accordance with the Urban and Rural Planning Act.</p> <p>MCIP stamp and signature</p>
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**CITY OF ST. JOHN'S
 LAND USE ZONING AND
 SUBDIVISION REGULATIONS 1994
 AMENDMENT No. 401, 2007
 [MAP Z-1A]**

SCALE= 1:5000

2007 01 10
 CITY OF ST. JOHN'S
 DEPARTMENT OF PLANNING

 AREA PROPOSED TO BE REZONED FROM
 RESIDENTIAL HIGH DENSITY (R3) LAND USE ZONE
 TO APARTMENT LOW DENSITY (A1) LAND USE ZONE

70 FRESHWATER ROAD

I hereby certify that this amendment
 has been prepared in accordance with the
 Urban and Rural Planning Act.

 MAYOR

 DIRECTOR CORP. SERVICES/CITY CLERK

 COUNCIL ADOPTION

 M.C.I.P. signature and seal

and further, that Approval-in-Principle be granted to the proposed new residential development to be constructed at the application site subject to the following conditions:

1. **Approval by Council of the rezoning of the subject property to the Apartment Low Density (A1) Zone and subsequent Provincial registration of the rezoning;**
2. **Submission by the proponent of detailed site plans, site-servicing plans, landscaping plans, and building plans for the proposed residential development;**
3. **Compliance of the application with all requirements of the Departments of Engineering, Public Works and Parks, Building and Property Management and Planning;**
4. **Compliance with all applicable requirements of the St. John=s Development Regulations; and**
5. **Review of the building elevations by the City=s Heritage Officer for the proposed residential development as the subject property is located in Heritage Area 3.**

The motion being put was unanimously carried.

Development Committee Report dated January 16, 2007

Council considered the following Development Committee Report dated January 16, 2007:

RECOMMENDATION OF REJECTION:

1. **Variance of Non-Conformity/Change of Use Application
Proposed Furniture and Bedding Showroom and Warehouse
Star of the Sea Hall
Mr. Gary Hennessey and Mr. Ron Butler
Civic No. 40 Henry Street
Residential Downtown (RD) Zone - Ward 2**

The Development Committee recommends that Council reject the above noted application as sufficient room to accommodate the required truck maneuvers on the site is not available.

OTHER

- 2. Proposed Ten (10) Storey Seniors= Independent and Assisted Living Building (Adult Living Condominiums)
50325 Newfoundland and Labrador Ltd.
Tiffany Lane - Ward 4**

The Development Committee recommends that Council approve the attached Terms of Reference for the Land Use Assessment Report for a Building B@ of the proposed seniors= development. Council is also requested to determine whether it wishes to proceed with public notification of the application and Land Use Assessment Report, once the report has been received and reviewed by staff. This process would include a newspaper notice, notices mailed to property owners in the area, and posting of the Assessment Report on the City=s website. Alternatively, Council could schedule a public meeting on the application and Land Use Assessment Report. The public meeting would be chaired by a member of Council.

**Ron Penney, Acting Chairperson
Chief Commissioner/City Solicitor**

SJMC2007-01-22/40R

Regarding Item #1, it was decided on motion of Councillor Duff; seconded by Councillor Hickman: That the Committee=s recommendation of rejection of the application as sufficient room to accommodate the required truck manoeuvres on the site is not available, be accepted.

SJMC2007-01-22/41R

Regarding Item #2: It was decided on motion of Councillor Duff; seconded by Councillor Hickman: That the Committee=s recommendation that Council approve the Terms of Reference as presented for the Land Use Assessment Report for a Building B@ of the proposed seniors= development, be accepted, and further, agreed that staff be directed to proceed with public notification of the application and Land Use Assessment Report, once the report has been received and reviewed by staff.

Tourism Standing Committee Report dated January 16, 2007

Council considered the following Tourism Standing Committee Report dated January 16, 2007:

In Attendance: Councillor Sandy Hickman, Chairperson
Deputy Mayor Dennis O'Keefe
Councillor Shannie Duff
Councillor Gerry Colbert
Councillor Tom Hann
Councillor Frank Galgay
Councillor Ron Ellsworth
Ron Penney, Chief Commissioner/City Solicitor
Elizabeth Lawrence, Director of Economic Development,
Tourism & Culture
Kevin Gushue, Manager of Tourism Development
Deborah Cook, Tourism Development Coordinator
Margaret Donovan, Tourism Industry Coordinator
Todd Lehr, Tourism Analyst
Kelly Butler, Recording Secretary

Councillor Hickman called the meeting to order.

Delegation - Mr. Roger Flood, President & CEO - Marine Atlantic

The Committee met with Mr. Roger Flood to discuss issues related to the future of Marine Atlantic. Mr. Flood provided the Committee with an overview of the current operations of Marine Atlantic. He advised that the current fleet is comprised of four vessels including a freighter and two purpose-built ships (Caribou and Smallwood). The purpose-built ships are state of the art, but because of their age require ongoing maintenance. The fleet's newest acquisition is the Erickson, which is smaller than the two purpose-built ships, however, it is one of the only vessels in North America that meets both Canadian and European standards. Mr. Flood also discussed the need to upgrade and/or replace the existing fleet, however, he noted that such a decision would rest with Transport Canada.

A number of other issues were also discussed including the need for improved service quality, a marketing and promotion strategy, and an expanded Argentinia service. It was noted that the City's position on these and other issues was outlined in its submission to the Advisory Committee examining the future of Marine Atlantic. **(A copy of this submission forms part of these minutes and is on file with the City Clerk's Department.)** Mr. Flood noted that the public's perception of Marine Atlantic has been based mainly on unflattering media reports, however, he noted that the company carries out customer satisfaction surveys on a regular basis and its rates have continually been in the 95th percentile. In comparisons with similar companies providing similar services world-wide, Marine Atlantic ranks

highly in most categories such as fee rates, vessel utilization, turn-around times, etc. Regarding the need for a marketing strategy, Mr. Flood agreed that this was a valid point, however, he noted that there are a number of internal issues which must be dealt with before an effective marketing and promotion strategy can be developed and implemented.

Councillor Hickman inquired if Marine Atlantic had any future plans for the construction of a second dock in Port Aux Basques. Mr. Flood responded that this project is included in the company's corporate plan, however, the plan has yet to receive final approval from Transport Canada. It is hoped that approval will be given this year, but nothing is definite at this point.

(Following the discussion, Mr. Flood retired from the meeting.)

Adoption of Agenda and Minutes

The agenda and November 16th minutes were approved and adopted as presented.

New Year=s Eve Review

The Director of Economic Development, Tourism, and Culture advised that there is a working Committee comprised of staff and other stakeholders which oversees the planning and logistics for the New Year=s Eve event. She indicated that she is currently awaiting feedback from the Committee which is in the process of reviewing a number of issues in relation to this year=s New Year=s Eve festivities. As soon as the working committee submits its report, it will be referred to the Tourism Standing Committee for review and consideration.

Proposed Elimination of the Visitor Tax Rebate Program

The Committee considered as information a briefing note from the Department of Economic Development, Tourism, and Culture regarding the above noted matter. The Federal Government is proposing to amend the Excise Tax Act to eliminate the GST/HST Visitor Rebate Program. It is expected that this will be done in the Government=s next budget.

The Manager of Tourism Development noted that a number of organizations have made representations to the Federal Government opposing this proposal. He indicated that staff will continue to monitor this issue and will advise if any action is required.

National Tourism Strategy

The Committee considered as information a briefing note from the Department of Economic Development, Tourism, and Culture regarding the above noted matter.

It was noted that local tour operators will be adversely impacted by the impending elimination of the GST exemption for tour operators and convention planners, and

this will in turn affect the City=s ability to attract conventions.

Following a brief discussion, the Committee recommended the following:

That Council write the Honourable Maxime Bernier, Federal Minister for Industry (with a copy to the Provincial Minister of Tourism, Recreation and Culture, Tom Hedderson) commending them for National Tourism Strategy Initiative and urging a continuation of the GST exemption for tour operators and convention planners.

Branding/Logos

Councillor Colbert requested a progress report on the issue paper which staff were directed to prepare regarding the above noted matter.

The City Solicitor/Chief Commissioner advised that the review is underway, and staff will submit a report as soon as it is completed.

Amalgamation of Economic Development and Tourism Standing Committees

Councillor Hann inquired whether further consideration had been given to combining the Economic Development Committee and the Tourism Committee into one single committee.

It was noted that this issue was discussed at a meeting of the Economic Development Committee in December 2005, and it was agreed at that time that the two committees would remain as separate entities. There are no plans to revisit the issue at this time.

Adjournment

There being no further business, the meeting adjourned at 1:30 p.m.

Councillor Sandy Hickman
Chairperson

SJMC2007-01-22/42R

**It was moved by Councillor Hickman; seconded by Councillor Hann:
That the report be adopted as presented.**

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List for the period of January 12, 2007 to January 18, 2007:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF JANUARY 12, 2007 TO JANUARY 18, 2007**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Mr. David Burry & Ms. Jean Grant	Construction of Single Detached Dwelling	Between Civic No. 30 Carondale Drive & Civic No. 25 Brennan Field	Ward 5	Application Rejected: Contrary to Section 10.3.3(1)(f)	07 01 16
Res.	Mr. Jack White	Proposed In-House Garage & Driveway Access	Civic # 37 Newtown Road (Newtown Road at Howley Avenue Ext.)	Ward 2	Application Rejected: Contrary to Section 8.3.3.(1)(a)	07 01 17

NOTES:

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

Ed Murray
Development Officer
Department of Planning

Building Permits List

SJMC2007-01-22/43R

It was decided on motion of Councillor Duff; seconded by Councillor Ellsworth: That the recommendation of the Director of Building & Property Management with respect to the following Building Permit List be approved:

2007/01/17

Permits List

CLASS: COMMERCIAL

VIC ROBERTS

515 KENMOUNT RD - HARRY'S FIRE CO RETAIL STORE

HILL-ROM CANADA	28 MEWS PL, HILL-ROM CANADA	CO WAREHOUSE
SWISS CHALET	70 ABERDEEN AVE	MS RESTAURANT
SMART SET	79B ABERDEEN AVE	MS RETAIL STORE
PENNINGTON'S	95A ABERDEEN AVE	MS RETAIL STORE
THYME	95B ABERDEEN AVE	MS RETAIL STORE
ADDITIONELLE	95C ABERDEEN AVE	MS RETAIL STORE
(COWAN'S OPTICAL)	31 AIRPORT RD	SN SERVICE SHOP
NEWFOUNDLAND LIQUOR COMMISSION	260 BLACKMARSH RD	MS RETAIL STORE
PROFESSIONAL APPAREL	203 BLACKMARSH RD	MS RETAIL STORE
NEEDS	100 BROOKFIELD RD	MS CONVENIENCE STORE
NELLA LTD (J.W. ALLAN CO LTD)	94 ELIZABETH AVE	MS RETAIL STORE
NFLD. LIQUOR COMMISSION	55 ELIZABETH AVE	MS RETAIL STORE
MARIE'S MINI MART	179 ELIZABETH AVE	MS CONVENIENCE STORE
NEEDS CONVENIENCE	174 FRESHWATER RD	MS CONVENIENCE STORE
TRAVEL CUTS LTD.	342 FRESHWATER RD	MS OFFICE
SALON 56	15 GOLDSTONE ST	MS SERVICE SHOP
JUMBO VIDEO	12-20 HIGHLAND DR	MS RETAIL STORE
MARIE'S MINI MART	12-20 HIGHLAND DR	MS CONVENIENCE STORE
24/7 SECURITY SERVICES INC.	58 KENMOUNT RD	MS OFFICE
SALVATION ARMY NAT.RECYCLING	49-51 KENMOUNT RD	MS RETAIL STORE
AUTO SOURCE INC.	229 KENMOUNT RD	MS COMMERCIAL GARAGE
LOOKING GOOD	409 KENMOUNT RD	MS RETAIL STORE
NEEDS CONVENIENCE	330 LEMARCHANT RD	MS CONVENIENCE STORE
NEEDS CONVENIENCE	330 LEMARCHANT RD	MS CONVENIENCE STORE
A.I.M.E. PHYSIOTHERAPY INC.	204-206 MAIN RD	MS CLINIC
NEEDS	430-432 MAIN RD	MS CONVENIENCE STORE
AIRPORT HEIGHT'S DENTAL	237 MAJOR'S PATH	SN CLINIC
NFLD. LIQUOR CORPORATION	8 MERRYMEETING RD	MS RETAIL STORE
CITY OF ST. JOHN'S	40 MUNDY POND RD	MS ADMIN BLDG/GOV/NON-PROFIT
ESSENTIAL CHIROPRACTOR	119 NEW COVE RD	MS CLINIC
PIZZA EXPERTS	446 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
ACTIVE WOMEN	446 NEWFOUNDLAND DR	MS CLUB
NEEDS CONVENIENCE	449 NEWFOUNDLAND DR	MS CONVENIENCE STORE
SIGNAL HOBBIES	36 PEARSON ST	MS RETAIL STORE
NEEDS	36 PEARSON ST	MS CONVENIENCE STORE
JUMBO VIDEO #46	20 ROPEWALK LANE	MS RETAIL STORE
STAND "N" TAN	20 ROPEWALK LANE	MS SERVICE SHOP
PLAZA BOWL	50 ROPEWALK LANE, PLAZA BOWL	SN PLACE OF AMUSEMENT
GRIFFITHS GUITAR WORKS	117 ROPEWALK LANE	MS RETAIL STORE
KENTSIRVING, LIMITED	10 STAVANGER DR	MS RETAIL STORE
FUTURE SHOP	20 STAVANGER DR	MS RETAIL STORE
DIVE NFLD.	386 STAVANGER DR	MS RETAIL STORE
NEWFOUNDLAND LIQUOR COMMISSION	55 STAVANGER DRIVE	MS RETAIL STORE
EARLY ACHIEVERS INC.	397 STAVANGER DR	MS DAY CARE CENTRE
NORTH ATLANTIC REFINING LTD.	446 TOPSAIL RD	MS SERVICE STATION
NORTH ATLANTIC REFINING LTD.	446 TOPSAIL RD	MS SERVICE STATION
SPARTAN	681 TOPSAIL RD	MS RETAIL STORE
STANLEY'S	26-34 TORBAY RD	MS TAVERN
LEGROWS TRAVEL	10 ELIZABETH AVE	MS OFFICE
DOLLARS STORE	TORBAY RD	MS RETAIL STORE
RAINBOW DAY CARE CENTRE	280 TORBAY RD	MS DAY CARE CENTRE
HARVEY'S OIL	714 TORBAY RD	MS PETROLEUM USE
BURSEY CONTRACTING	496 TOPSAIL RD, TEMP TRAILER	NC ACCESSORY BUILDING
SOUTHWEST PROPERTIES	215 WATER ST, LEVEL 5 OPENING	RN OFFICE
ATLANTIC ENTERPRISES	THE VILLAGE-430 TOPSAIL RD	RN SHOPPING CENTRE
CROMBIE DEVELOPMENTS LIMITED	30 KENMOUNT RD	RN RETAIL STORE

THIS WEEK \$ 862,550.00
TO DATE \$ 1,015,800.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
TO DATE \$ 300,000.00

CLASS: GOVERNMENT/INSTITUTIONAL

RCMP "B" DIVISION HEADQUARTERS	100 EAST WHITE HILLS RD	RN ADMIN BLDG/GOV/NON-PROFIT
FED GOVT (SIR HUMPH. GILBERT)	175-177 DUCKWORTH ST,3RD FLR	RN ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 50,000.00
TO DATE \$ 407,500.00

CLASS: RESIDENTIAL

ROGER PENDER	695 EMPIRE AVE	NC ACCESSORY BUILDING
NELL HAYE	40 HOPEDALE CRES, LOT 200	NC SINGLE DETACHED DWELLING
GARY COLE	20 ST. LAURENT ST	NC ACCESSORY BUILDING
DR. DAMODAR VAZE	10 SACKVILLE ST	NC PATIO DECK
HANN CONSTRUCTION LTD.	16 VEITCH CRES, LOT 240	NC SINGLE DETACHED DWELLING
GARY J. WHITE	28 GOLF AVE	CR SUBSIDIARY APARTMENT
KING GEORGE V PROPERTIES INC.	93 WATER ST- UNIT 101	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 102	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 103	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 104	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 201	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 202	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 203	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 204	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 301	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 302	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 303	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST. UNIT 401	CR CONDOMINIUM
KING GEORGE V PROPERTIES INC.	93 WATER ST-UNIT 402	CR CONDOMINIUM
GARY J. WHITE	28 GOLF AVE	EX SINGLE DETACHED DWELLING
BILL WHITE	74 GOWER ST	RN SINGLE DETACHED & SUB.APT
ARVIND ACRAKYA	9 POLINA RD	RN SINGLE DETACHED & SUB.APT
COREY & NANCY WELLS	43 SEABORN ST	RN SINGLE DETACHED DWELLING
ERCO HOMES	9 VEITCH CRES	RN SINGLE DETACHED DWELLING

THIS WEEK \$ 468,500.00
TO DATE \$ 2,073,266.00

CLASS: DEMOLITION

THIS WEEK \$.00
TO DATE \$ 75,256.00

THIS WEEK'S TOTAL: \$ 1,381,050.00

TOTAL YEAR TO DATE: \$ 3,871,822.00

REPAIR PERMITS ISSUED: 2007/01/11 TO 2007/01/17 \$ 5,800.00
2006/12/28 TO 2007/01/17 \$ 31,750.00 YTD

LEGEND

CO	CHANGE OF OCCUPANCY	EX	EXTENSION
RN	RENOVATIONS	CR	CHNG OF OCC/RENOVTNS
MS	MOBILE SIGN	SW	SITE WORK
SN	SIGN	DM	DEMOLITION
NC	NEW CONSTRUCTION		

Payrolls and Accounts

SJMC2007-01-22/44R

It was decided on motion of Councillor Duff; seconded by Councillor Ellsworth: That the following Payrolls and Accounts for the week ending January 18, 2007 be approved:

Weekly Payment Vouchers
For The
Week Ending January 18, 2007

PAYROLL

Public Works	\$ 345,808.11
Bi-Weekly Casual	\$ 8,975.25

ACCOUNTS PAYABLE

Cheque No. 111332 - 111626	\$ 4,308,284.21
(Includes Direct Deposits/Transfers/Equip. Leasing)	

Total:

\$
4
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6
6
3
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7
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5
7

Letter dated January 16, 2007 to Deputy Mayor O=Keefe from Mr. Daniel G. Pottle re letter of thanks to the City on behalf of the Nunatsiavut Government for providing the Nippik Inuit Drummers a place to practice and store their equipment

Council considered the above noted letter.

Martin=s Meadow, Estate of George Tessier

Council considered a memorandum dated January 12, 2007 from the Chief Commissioner/City Solicitor regarding the above noted.

SJMC2007-01-22/45R

It was moved by Councillor Ellsworth; seconded by Councillor Coombs: That the recommendation of the Chief Commissioner/City Solicitor that the Estate of George Tessier be compensated in the amount of \$967.50 with respect to the Martin=s Meadow interests, be approved.

The motion being put was unanimously carried.

Bulk Garbage & Recyclable Metals Collection Contracts

Council considered a memorandum dated January 11, 2007 from the Director of Director of Public Works & Parks regarding the above noted.

SJMC2007-01-22/46R

It was moved by Councillor Ellsworth; seconded by Councillor Coombs: That the recommendation of the Director of Public Works & Parks that the contracts for Bulk Garbage & Recyclable Metals Collection with Newfound Disposal be extended for a one year period in accordance with the terms of the existing contracts, be approved.

The motion being put was unanimously carried.

Letter dated January 7, 2007 to His Worship the Mayor from R.G. Parsons, Brigadier-General, extending thanks for the support extended to members of the Task Force Afghanistan Roto 3

Council considered the above noted letter.

Travel by Deputy Mayor O=Keefe

Council considered a memorandum dated January 22, 2007 from the Manager, Corporate Secretariat regarding travel by Deputy Mayor O=Keefe.

SJMC2007-01-22/47R

It was decided on motion of Councillor Colbert; seconded by Councillor Coombs: That travel by Deputy Mayor O=Keefe as part of a Cruise St. John=s Marketing Initiative seeing the City of St. John=s and the St. John=s Port Authority partner in making a series of sales calls to targeted cruise lines in Miami, Fort Lauderdale, Los Angeles and Seattle, February 19 - 23, 2007, be approved.

11 Pennywell Road, City Land

Council considered a memorandum dated January 22, 2007 from the Chief Commissioner/City Solicitor regarding the above noted.

SJMC2007-01-22/48R

It was moved by Councillor Coombs; seconded by Councillor Hann: That the recommendation of the Chief Commissioner/City Solicitor that approval be granted to proceed with the sale of City land at 11 Pennywell Road based on an agreement reached with the property owner at 13 Pennywell Road, be approved.

The motion being put was unanimously carried.

Councillor Galgay

Councillor Galgay advised that he recently attended the graduating ceremonies for the Life Skills Program sponsored by the Boys and Girls Clubs (Buckmaster=s Circle), and tabled a Certificate of Appreciation which was presented to the City of St. John=s during the ceremony, for its support of the Boys and Girls Club.

Councillor Collins

Councillor Collins offered condolences to Councillor Puddister and his family on the recent passing of his mother.

Adjournment

There being no further business the meeting adjourned at 5:00 p.m.

—

MAYOR

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CITY CLERK