

**June 15<sup>th</sup>, 2009**

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:50 p.m. today.

His Worship Mayor O'Keefe presided

There were present also Deputy Mayor Ellsworth; Councillors Duff, Colbert, Hickman, Hann, Puddister, Galgay, Coombs, Hanlon and Collins

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

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

**SJMC2009-06-15/353R**

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

- a. Memorandum dated June 12, 2009 from the Director of Planning re Application from Lester Farms Inc., Civic Number 90-92 Pearltown Road**
- b. Tender – Scanlon's Lane Reconstruction and Retaining Wall Replacement**

**Adoption of Minutes**

**SJMC2009-06-15/354R**

**It was decided on motion of Councillor Collins; seconded by Councillor Coombs: That the Minutes of the June 8<sup>th</sup>, 2009 meeting be adopted as presented.**

**Business Arising**

**Resolution – Municipalities Newfoundland and Labrador**

**SJMC2009-06-15/355R**

**It was moved by Councillor Puddister; seconded by Councillor Galgay: That the following Municipalities Newfoundland and Labrador Resolution be adopted.**

**MUNICIPALITIES NEWFOUNDLAND AND LABRADOR**

**RESOLUTION**

**WHEREAS** residents of municipalities throughout the Province of Newfoundland and Labrador have the peaceful and quiet enjoyment of their homes disturbed by the noise emitted from motorcycles which have had their exhaust systems modified.

**AND WHEREAS** the exhaust systems of such motorcycles have been modified after their manufacture and sale so as to emit a deeper and louder sound.

**AND WHEREAS** the Highway Traffic Act, RSNL 1990 c.H-3, as amended, the Act which regulates motor vehicles and their use in our Province, does not address the modification of motorcycles in the aforesaid manner such as that such modification is not prohibited or regulated in any way thereby allowing noise from motorcycles with modified exhaust systems to continue to disturb the peace and quiet of our fellow residents.

**NOW THEREFORE BE IT RESOLVED** that Municipalities Newfoundland and Labrador request the Government of Newfoundland and Labrador amend the Highway Traffic Act, RSNL 1990 c.H-3, as amended so as to prohibit or regulate the modification of the exhaust systems of motorcycles after purchase in such a manner as to make the noise emitted from them deeper and louder than that in the original manufacturer's specifications and so as to establish an appropriate penalty for the contravention of the aforesaid amendment.

Discussion ensued during which Councillor Puddister tabled an email from Luc Fournier enclosing a copy of the presentation he made to the Canadian Council of Motor Transport Administrators in Regina on motorcycle noise emissions and a briefing note explaining

the work they have been achieving on that topic over the last couple of years. Councillor Puddister explained that the intent is to bring forward the Resolution at the Municipalities Newfoundland and Labrador annual meeting in the fall to seek support to have the Highway Traffic Act amended to prohibit the modification of exhaust systems on motorcycles.

During discussion, Councillor Colbert noted there is a growing number of motorcycle riders who are responsible and law abiding. He suggested the various groups/riders be invited to meet with the Police and Traffic Committee to allow them the opportunity to provide other suggestions/alternatives to resolving the issue of motorcycle noise.

**Following discussion, the motion being put was unanimously carried with Councillor Puddister agreeing to take Councillor Colbert's suggestion, that the various stakeholders meet with the Police and Traffic Committee, back to the Committee for consideration.**

#### **Resident vs Non Resident Registration Procedures**

Under business arising, Councillor Duff asked for further clarification from Councillor Coombs on Council's Directive of last week regarding the City taking a regional approach to recreational services since it seems what was referred would be consideration of establishing a regional recreation services board similar to the boards established for landfill, water and fire.

Councilor Coombs noted that he had asked that the Parks and Recreation Committee make a determination with regards to how far they would wish to go, and also find out whether there's an appetite in the rest of the region along those lines and to what extent, just programs or facilities, a system that would allow all people in the region to equally have access to programs and facilities.

Councillor Duff pointed out that regional boards have to be established under Provincial Legislation noting that a committee of Council cannot make a decision on such a major issue without the proper input and the development of an issue paper by staff. She suggested as a first step that Councillor Puddister, who is meeting tomorrow evening with the Northeast Avalon Joint Councils, as Council's representative, raise the issue

with the members to get a general sense of how they would wish to proceed and report back to Council.

Councillor Puddister indicated that he will raise the matter with the Northeast Avalon Joint Councils but they do not have the authority to make any commitments, and will have to go back to their respective Councils, and since tomorrow's meeting is the last meeting until September he suggested that Councillor Coombs or staff email northeast Avalon municipalities for feedback in this regard.

His Worship the Mayor indicated that he will raise the issue at the regional mayors caucus meeting. Councillor Colbert agreed that the idea merits consideration.

### **Public Hearings**

- a. **Public Hearing Report dated June 3<sup>rd</sup>, 2009**  
Re: Proposed Redevelopment of the Former CBC Radio Building  
Civic Number 344 Duckworth Street

Councillor Hickman presented a public hearing report dated June 3<sup>rd</sup>, 2009 which was held to discuss the proposed redevelopment of the former CBC Radio Building, Civic Number 344 Duckworth Street by Powderhouse Hill Investments Inc. In this regard Council considered a memorandum dated June 10<sup>th</sup>, 2009 from the Director of Planning.

#### **SJMC2009-06-15/356R**

**It was moved by Councillor Hickman; seconded by Councillor Galgay: That the approval-in-principle be granted to Powderhouse Hill Investment for the proposed redevelopment of the former CBC Radio Building subject to the following conditions:**

- 1. Submission by the developer of a detailed site plan and building plans for review and approval by City staff;**
- 2. The development must comply with all applicable requirements of the St. John's Development Regulations and all applicable requirements of the Departments of Engineering, Building and Property Management and Planning;**
- 3. The height of the redeveloped building shall not exceed 15 metres as measured from Henry Street; and**
- 4. Submission of detailed building elevations for the project prepared by the applicant for review by the City's Heritage Officer in conjunction with the City's Heritage Advisory Committee.**

Discussion ensued during members of Council expressed their support of the redevelopment of the former CBC Radio building, were satisfied that the proposed height of the building is 15 metres as established from Henry Street which is permitted under the CCM Zone; that the developer proposes to create eleven parking spaces inside the building, and that future residents living in the former CBC Radio building will not qualify for a residential parking permit due to the limited number of on-street parking spaces available in the Henry Street area and the number of residential parking permits that are already issued. The developer also proposed to maintain and use the sound recording studio located in the building. Members of Council were hopeful that the project may stimulate development in the area.

During discussion, Councillor Hann asked that the Developer be approached to consider erecting a plaque in the building to commemorate the CBC.

Also, Councillor Puddister asked if the issue of asbestos was addressed with respect to this building. The matter was referred to the Director of Planning for follow-up.

**Following discussion, the motion being put was unanimously carried.**

**b. Public Hearing Report dated June 9<sup>th</sup>, 2009  
Re: Proposed Hotel Development, Civic Number 123 Water Street**

Councillor Hickman presented a public hearing report dated June 9<sup>th</sup>, 2009 which was held to discuss the modified building design for the proposed Hotel Development, Civic Number 123 Water Street by 3103301 NS Ltd. In this regard, Council considered a memorandum dated June 12, 2009 from the Director of Planning.

**(Deputy Mayor Ellsworth abstained from discussion, declaring a Conflict of Interest)**

**SJMC2009-06-15/357R**

**It was moved by Councillor Hickman ; seconded by Councillor Hann:That the following Resolution for St. John's Development Regulations amendment Number 454, 2009 be adopted:**

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 454, 2009**

**WHEREAS** the City of St. John's wishes to permit a hotel development with a Building Height greater than 15 metres and with a Floor Area Ratio greater than 3.0 at the property located at Civic Number 123 Water Street (the southeast corner of the intersection of Water Street and Prescott Street).

**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, 2000:

**Repeal Section 10.23.3 of the Development Regulations-Zone Requirements for the Commercial Central Mixed Use (CCM) Zone and substitute the following:**

**"10.23.3 Zone Requirements**

**The following requirements shall apply to all uses except Service Stations:**

- (a) **Floor Area Ratio (maximum)            3.0**  
  
**In a situation where owing to substantial grade differences on a lot with frontage on more than one public street, a multi-storey building would have a storey higher than 6.0 metres, Council may increase the maximum Floor Area Ratio to 4.0, provided the maximum Building Height does not exceed 15 metres.**
  
- (b) **Building Height (maximum)            15 metres**
  
- (c) **Residential Density (maximum)        One (1) Dwelling Unit per 50 m<sup>2</sup> of Lot Area**
  
- (d) **Notwithstanding Subsections (a), (b) and (c), Council may permit at the property situate at Civic Number 418 Water Street (situated between the intersections of Water Street and Prince Street and Water Street and Buchanan Street), a Building with a Building Height greater than 15 metres.**
  
- (e) **Notwithstanding Subsections (a), (b) and (c), Council will permit at the property situate at Civic Number 123 Water Street (the southeast corner of the intersection of Water Street**

**and Prescott Street), a Building with a Building Height not greater than 17.9 metres as measured from Water Street and a Floor Area Ratio not greater than 3.54.”**

**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 15<sup>th</sup> day of June, 2009.

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

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

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

\_\_\_\_\_  
MCIP

**And further; that Approval in Principle be granted for the Proposed Hotel Development, Civic No. 123 Water Street, subject to the following conditions:**

1. Provincial registration is issued for St. John’s Development Regulations Amendment Number 454, 2009;
2. Development of the hotel is to be undertaken in accordance with the Land Use Assessment Report dated November 26, 2008 and the addendum to the Land Use Assessment Report dated April 14, 2009 submitted by 3103301 NS Ltd;
3. The maximum height of the hotel building shall not exceed 17.9 metres to the top of the parapet as measured from Water Street and 22.3 metres as measured from Harbour Drive and the maximum floor area ratio of the hotel building shall not exceed 3.54;
4. Development of the hotel must be undertaken in accordance with all applicable requirements of the City’s Department of Engineering, Building and Property Management, Public Works and Parks and Planning;
5. Development of the hotel must be undertaken in accordance with all applicable requirements of the St. John’s Development Regulations;
6. The applicant must satisfy any applicable requirements of the Provincial Archaeologist’s Office; and;
7. Review of the building elevations for the hotel project by the City’s Heritage Officer in conjunction with the City’s Heritage Advisory Committee (the application site is located in Heritage Area 2) and
8. Preparation by City Staff of a Development Agreement on the hotel development which would be referred to a future Regular Meeting of Council for consideration of approval.

During discussion on this application, members of Council were satisfied that even though the building height is 17.9 metres which is higher than the 15 metre development regulation requirement, a reasonable compromise had been reached, noting that neither a rezoning nor a Municipal Plan amendment for the property located at 123 Water Street would be required under the site-specific text amendment approach. Members of Council agreed that a balance had to be reached in order to allow for an economically viable development, while agreeing that Council has to be mindful of a vision for the downtown and future development and try to find a balance that will ensure keeping its uniqueness and its heritage character.

**Following discussion, the motion being put was carried by all members of Council with the exception of Deputy Mayor Ellsworth who abstained declaring a conflict of interest.**

**Development Committee Report dated June 9<sup>th</sup>, 2009**

Council considered the following Committee Report dated June 9<sup>th</sup>, 2009:

**RECOMMENDATION OF APPROVAL:**

- 1. Proposed Demolition and Replacement of Dwelling  
Mr. Victor Sharpe  
Civic No. 9 Sharpe's Road (Town of Portugal Cove-St. Philips)**

The Development Committee recommends that Council approve the above noted application pursuant to Section 104(4)(d) of the City of St. John's Act. Where the subject dwelling is considered to be structurally unsound for renovations as per the Department of Building and Property Management, the City Manager has recommended approval of the replacement of the dwelling.

**RECOMMENDATION OF REJECTION:**

- 2. Proposed Rezoning to Accommodate Residential Housing Development  
Mr. Joe Wadden  
Donovan's Road, Goulds (Ward 5)**

The Development Committee recommends that Council reject the above noted application as the subject property is located outside the Goulds Ultimate Service Area. Except for infill development consistent with the existing Rural Residential

Infill (RRI) zoning, development of property outside the Ultimate Service Area is contrary to Council's adopted policy for the Goulds area.

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

**SJMC2009-06-15/358R**

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Hann: That the Committee's recommendations be approved.**

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

**Special Events Advisory Committee Report dated June 9<sup>th</sup>, 2009**

Council considered the following Special Events Advisory Committee Report dated June 9<sup>th</sup>, 2009:

1. Event: Molson 10 km Road Race  
Location: Southside Road  
Date: June 20, 2009

A full road closure is required for Southside Road

2. Event: Canada's Big Birthday  
Location: George Street – Prince Edward Plaza  
Date: June 30 – July 1, 2009

This event requires the road closure of George Street from Adelaide Street to Water Street.

Recommendation:

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

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

**SJMC2009-06-15/359R**

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

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

**Arts Advisory Committee Report dated May 21<sup>st</sup>, 2009**

Council considered the following Arts Advisory Committee Report dated May 21<sup>st</sup>, 2009:

**Attendees:** Councillor Shannie Duff, Chairperson  
Councillor Sandy Hickman  
Libby Creelman  
Thea Morash  
Michele Stamp  
Aiden Flynn  
Denis Parker  
Elizabeth Lawrence, Director of Economic Development, Tourism & Culture  
Kay Anonsen, Arts & Cultural Development Coordinator  
Bernadette Walsh, Special Projects Coordinator  
Paul Boundridge, Planning Coordinator  
Karen Chafe, Recording Secretary

**1. Special Events and Festivals Fund**

Council, during its Regular Meeting of April 27<sup>th</sup>, 2009 adopted the funding allocations as outlined in the memorandum dated April 21<sup>st</sup>, 2009 with respect to the special events and festivals fund. The total amount recommended for allocation from the \$100,000 budget this year was \$88,200, leaving \$11,800 in reserve as per Council's request. The Committee felt that the reserved amount should be given to those approved applications.

**The Committee recommends that Council give consideration to reallocating the reserved amount to the approved applicants and that this be done on a pro-rated basis.**

**2. Public Art Advisory Committee**

The Themed Exhibits Committee has recently met to review the proposed terms of reference and make-up of committee members for the newly appointed Public Art Advisory Committee.

**The Arts Advisory Committee endorses the recommendation of the Themed Exhibits Committee that Council adopt the following membership list and Terms of Reference (attached) for the Public Art Advisory Committee:**

**Citizen Representatives:**

- **Sheila Perry, Artistic Director, Provincial Art Gallery at the Rooms**
- **Jim Redpath, Collector**
- **Gordon Laurin, Artist, Non-Profit Gallery Coordinator**
- **Christina Parker, Commercial Gallery Owner**

- **Valerie Hodder, VANL**

**Arts Advisory Committee Representatives:**

- **Councillor Shannie Duff, Chairperson**
- **Karen Cole**

**Ex-officio:**

- **David Blackmore, Director of Building & Property Management**
- **Kay Anonsen, Arts & Cultural Development Coordinator**

**3. Review of Terms of Reference for the Arts Advisory Committee**

Some concern was expressed about the question of whether or not the Arts Advisory Committee was fulfilling the functions for which it was intended, particularly since its inception back in 2001 and its evolution since that period. The following was recommended:

**That a small working staff committee be established to review the Terms of Reference for the Arts Advisory Committee for eventual review by this Committee. The working committee will consist of the following:**

- **Elizabeth Lawrence, Director of Economic Development, Tourism & Culture**
- **Kay Anonsen, Arts & Cultural Development Coordinator**
- **Paul Boundridge, Planning Coordinator**
- **Representative from the Arts Council.**

Councillor Shannie Duff  
Chairperson

**SJMC2009-06-15/360R**

**It was moved by Councillor Duff; seconded by Councillor Hickman: That the Committee's recommendations pertaining to Items 2 and 3 be approved.**

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

**SJMC2009-06-15/361R**

**Regarding Item #1, (Special Events and Festivals Fund) It was moved by Councillor Puddister; seconded by Councillor Hann: That the Committee's recommendation be rejected, and that the reserve fund be held.**

During discussion, members of Council supporting the motion agreed that the funding was allocated to the various groups in accordance with the criteria developed by Council and the remaining funding should be held. Members of Council objecting to the motion

felt that reallocating the reserved funding would provide much needed extra funding to some groups especially the smaller ones. Deputy Mayor Ellsworth asked Council’s direction to staff with respect to the allocation of the extra funding.

**Following discussion, the motion being put was carried with Councillors Hickman, Coombs and Duff dissenting.**

**Development Permits List**

Council considered as information the following Development Permit List for the period June 5<sup>th</sup> to 11<sup>th</sup>, 2009:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF June 5, 2009 TO June 11, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	George Rideout	Building Lot	71 Doyles Road	5	<b>Approved</b>	09-06-10
INST	Grand Concourse Authority	RNC Memorial Monument	Queen's Road and Gower Street	2	<b>Approved</b>	09-06-10
RES	Darlene Harris	Three (3) Townhouse Dwelling Units	Brine Street	2	<b>Approved</b>	09-06-11
COM	Pinnacle Engineering Ltd	Metro Self Storage	White Rose Drive	1	<b>Approved</b>	09-06-11

<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**

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**Building Permits List**

**SJMC2009-06-15/362R**

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

2009/06/10

Permits List

**CLASS: COMMERCIAL**

LONG ROAD INCORPORATED	270 WATER ST	RN RETAIL STORE
FOORWEAR SOLUTIONS	40 ABERDEEN AVE, FOOTWEAR SOLU	SN RETAIL STORE
ISLAND FURNITURE ASSOCIATION	50 ABERDEEN AVE	MS RETAIL STORE
TOYOTA PLAZA LIMITED	73 KENMOUNT RD	SN CAR SALES LOT
KING'S GLASS & TIRE INC.	229 KENMOUNT RD	MS RETAIL STORE
SPEEDY GLASS #2	439 KENMOUNT RD	MS COMMERCIAL GARAGE
SPEEDY GLASS	9 PIPPY PL	MS COMMERCIAL GARAGE
PAUL J. & JOANNE HEFFERNAN	54 REID ST	MS PLACE OF AMUSEMENT
PEPPERILL INVESTMENT GROUP	10 SELFRIDGE RD	SN OFFICE
BOURNES ESSO SERVICE LTD.	660 TORBAY RD	MS SERVICE STATION
TROPICAL AND MARINE PETS INC.	611 TORBAY RD	MS RETAIL STORE
CYCHOTIC BIKEST	7 LEMARCHANT RD	RN RETAIL STORE
GREEN FOOD INDUSTRIES INC.	56A KENMOUNT RD, STRIP OUT	RN RESTAURANT
GEOSCOTT EXPLORATION	220-222 MAIN RD	CR OFFICE
KIM PADDON	47 HARVEY RD	RN MIXED USE
RON WHIFFEN	556-558 MAIN RD	CR CUSTOM WORKSHOP
THE TDL GROUP LTD.	92 THORBURN RD	SW EATING ESTABLISHMENT
ULTRAMAR LTD	CHARTER AVE	SW COMMERCIAL GARAGE
PETROLEUM & ENVIRONMENTAL SER	470 TOPSAIL RD	SW COMMERCIAL GARAGE
EXIT ON THE ROCK REALTY LTD.	17 KENMOUNT RD	CR OFFICE
SOUTHWEST PROPERTIES	215 WATER ST (COMMON AREA 5TH)	RN OFFICE
FACILITIES DESIGN GROUP INC	25 KENMOUNT RD - EXIT REALTY	RN OFFICE
CHEVRON CANADA LIMITED	215 WATER ST, NEW ENTRANCE	RN OFFICE
NFLD. POWER	45 KING'S BRIDGE RD	NC PUBLIC UTILITY

THIS WEEK \$ 1,221,908.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

CONSEIL SCOLAIRE FRANCOPONE PR	65 RIDGE RD	RN SCHOOL
CITY OF ST. JOHN'S	340 EAST WHITE HILLS RD	NC ADMIN BLDG/GOV/NON-PROFIT
JENDORE LIMITED	240 WATERFORD BRIDGE RD	RN COMMERCIAL SCHOOL

THIS WEEK \$ 229,000.00

**CLASS: RESIDENTIAL**

THOMAS & EVA BEEHAN	69 ALDERSHOT ST	NC FENCE
NEW VICTORIAN HOMES	5 SPRUCE GROVE AVE, LOT 119	NC SINGLE DETACHED DWELLING
ALWELL OYET & CHINENYE OYET	36 BLACKLER AVE	NC PATIO DECK
TRACY MADORE	374 BLACKMARSH RD	NC PATIO DECK
CLAYTON PENNEY CONSTRUCTION	68 BRAD GUSHUE CRES, LOT 160	NC SINGLE DETACHED DWELLING

BILL WHITE	74 BRAD GUSHUE CRES	NC ACCESSORY BUILDING
PAUL WOODLAND	66 BURRY PORT ST	NC FENCE
ARNI HJALMTYR THORARINSON &	30 CARPASIAN RD	NC ACCESSORY BUILDING
ARNI HJALMTYR THORARINSON &	30 CARPASIAN RD	NC FENCE
PRO TECH CONSTRUCTION	41 CASTLE BRIDGE DR, LOT 120	NC SINGLE DETACHED DWELLING
CHERYL LYNN HICKMAN	33 CORNWALL CRES	NC FENCE
ROBERT & PHYLLIS RYAN	51 COVENTRY WAY	NC ACCESSORY BUILDING
BONNIE I. LAVERS	15 DOYLE ST	NC ACCESSORY BUILDING
KEVIN ANTLE	11 DOYLE'S RD	NC ACCESSORY BUILDING
BRAD & JANET TOBIN	53 DURDLE DR	NC ACCESSORY BUILDING
CHARLES & ELIZABETH DRISCOLL	10 EATON PL	NC PATIO DECK
PERRY MCCARTHY	FOWLER'S RD	NC ACCESSORY BUILDING
ERIC & LYNN ANDERSON	288 FRECKER DR	NC PATIO DECK
TAMMY CHURCHILL	73 FRECKER DR	NC FENCE
THOMAS KRAUKLIS	65 GIL EANNES DR	NC FENCE
HEAVENLY HOMES LIMITED	86 GILLIES ROAD	NC SINGLE DETACHED DWELLING
GUARDIAN HOMES INC.	42 GOLD MEDAL DR, LOT 190	NC SINGLE DETACHED DWELLING
JOAN MARILYN BURRY	5 GREENSPOND DR	NC ACCESSORY BUILDING
BOYD POWER	73 GREENSPOND DR	NC PATIO DECK
CHARLES & JOY A. HYNES	65 HALL'S RD	NC ACCESSORY BUILDING
GREG TUCKER	95 HALLEY DR	NC ACCESSORY BUILDING
FRANK MCDONALD	47 HEAVY TREE RD	NC ACCESSORY BUILDING
CLINTON BRUCE	16 JAMIE KORAB ST	NC FENCE
PAUL SHEA	44 JASPER ST	NC ACCESSORY BUILDING
GIBRALATAR DEVELOPMENT	64 JULIEANN PL LOT 143	NC SINGLE DETACHED DWELLING
JOHN PENNELL	33 KEANE PL	NC FENCE
JASON FOLLETT & AMY GUEST	76 KEITH DR	NC ACCESSORY BUILDING
EROC HOMES	11 KERR ST, LOT 45	NC SINGLE DETACHED DWELLING
JONATHAN TUBRETT & CHARLENE	10 LADY ANDERSON ST	NC FENCE
REARDON CONSTRUCTION AND	110 LOGY BAY RD, LOT 3	NC SINGLE DETACHED DWELLING
GUARDIAN HOMES INC.	52 MARK NICHOLS PL, LOT 204	NC SINGLE DETACHED DWELLING
CATHERINE WARD & EZEKIAH WARD	313 NEWFOUNDLAND DR	NC FENCE
LARRY & JUANITA LANE	2 NEWHOOK PL	NC FENCE
DARRYL CHISLETT	131 OLD PETTY HARBOUR RD	NC SINGLE DETACHED DWELLING
RAY HOGAN	4 O'NEIL AVE	NC PATIO DECK
ENGY W.BOTROS	12 PADDY DOBBIN DR	NC ACCESSORY BUILDING
KIMBERLEY BALDWIN	38 PADDY DOBBIN DR	NC FENCE
DERRICK HISCOCK	13 PERLIN ST	NC FENCE
ROBERT DEMPSTER	10 PINE BUD PL	NC ACCESSORY BUILDING
NOEL & YOLANDA SHEEHAN	110 PLEASANT ST	NC FENCE
ANN CHAFE	5 RUSSELL ST	NC ACCESSORY BUILDING
DONNA GREENE	7 SALISBURY ST	NC ACCESSORY BUILDING
NEW VICTORIAN HOMES	36 SGT. CRAIG GILLAM AVE,L 13	NC SINGLE DETACHED DWELLING
ERCO HOMES	29 SHORTALL ST, LOT 9	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	26 SPRUCEDALE DR, LOT 145	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	31 SPRUCEDALE DR. LOT 173	NC SINGLE DETACHED DWELLING
LARRY BREEN	24 STONEBRIDGE PL	NC SWIMMING POOL
NICHOLAS & BERNADETTE FUREY	61 TERRA NOVA RD	NC FENCE
TERRY & ROXANNE COLLINS	196 THORBURN RD (GREENHOUSE)	NC ACCESSORY BUILDING
HIPPO HOMES INC.	8 TOBY MCDONALD ST, LOT 5-257	NC SINGLE DETACHED DWELLING
TIM FORD	18 TOBY MCDONALD ST, LOT 262	NC SINGLE DETACHED DWELLING
CLINTON MUNDON	9 TOBY MCDONALD ST. LOT 5-229	NC SINGLE DETACHED DWELLING
ERIN NICHOLL	22 VEITCH CRES	NC FENCE
MATTHEW SHARP	22 VICTORIA ST	NC PATIO DECK
PALMI & SHELLEY MAGNUSSON	97 WABUSH PL	NC FENCE
JONATHON LARDER	140 CAMPBELL AVE	CO SINGLE DETACHED DWELLING
AIR-FLOW SHEET METAL LTD.	177 GROVES RD, AIR FLOW SHEET	CO HOME OFFICE
LAURA BETH POWER	6 ARGUS PL	CR SUBSIDIARY APARTMENT
PATRICK J. HENNESSEY &	36 JORDAN PL	CR SUBSIDIARY APARTMENT
SHIRLEY AUDREY CLARKE	4 BANFF PL	EX PATIO DECK
PAUL & GERRIANN DILLON	77 DILLON CRES	EX SINGLE DETACHED DWELLING
JOHN & ELAINE THIBAUT	91 FIRDALE DR	EX SINGLE DETACHED DWELLING
CHESLEY LUCAS, JR.	177 GROVES RD	EX ACCESSORY BUILDING
DONALD TIZZARD	39 MCNIVEN PL	EX ACCESSORY BUILDING

MARION PHILLIPS	1 MONCHY ST	EX SINGLE DETACHED DWELLING
EDWARD & RITA HALL	17 NEWTOWN RD	EX ACCESSORY BUILDING
HART HOMES INC.	23 SHAW ST	EX SINGLE DETACHED DWELLING
W. BRUCE & EDITH J. CLARKE	354 STAVANGER DR	EX PATIO DECK
JOHN FLOOD	1 TWILLINGATE PL	EX SINGLE DETACHED & SUB.APT
SHARON GRAY	57 BANNERMAN ST	RN SINGLE DETACHED & SUB.APT
DONALD & MARY O'NEILL	12 BEAUMONT ST	RN PATIO DECK
MRS MARY WHITE	38 BRAZIL ST	RN SEMI-DETACHED DWELLING
CATHERINE M.L. MARSHALL	40 BRAZIL ST	RN SEMI-DETACHED DWELLING
PENNY O'DEA	13 CAMPBELL AVE	RN SEMI-DETACHED DWELLING
ALONZO & FAY CARROLL	188 CANADA DR	RN SINGLE DETACHED DWELLING
BRADLEY HANCOCK & DARLENE	42 COWAN AVE	RN SINGLE DETACHED DWELLING
ROSEMARY BURKE	4 EMPIRE PL	RN SINGLE DETACHED DWELLING
ROSEMARY BURKE	4 EMPIRE PL	RN SINGLE DETACHED DWELLING
ERIC HAMMOND	182 FOREST RD	RN SINGLE DETACHED DWELLING
STEPHEN & SHARON PIPPY	94 HALLEY DR	RN SINGLE DETACHED DWELLING
STEPHEN FITZGERALD	35 HENRY ST	RN SINGLE DETACHED DWELLING
MIKHAIL & IRYNA PASYNOK	7-9 KING'S RD	RN SINGLE DETACHED DWELLING
TIMOTHY FARRELL	62 NEWFOUNDLAND DR	RN TOWNHOUSING
EDWIN LAWRENCE	15 RUSS HOWARD ST	RN SINGLE DETACHED DWELLING
KEVIN J. ENGLISH	38 POWER'S CRT	RN TOWNHOUSING
CRAIG WHITTLE	74 TOPSAIL RD	RN SINGLE DETACHED DWELLING
LEASIDE MANOR B & B	39 TOPSAIL RD	RN LODGING HOUSE
MATTHEW SHARPE	22 VICTORIA ST	RN TOWNHOUSING
ROGER ANDREWS	39 1/2 BELL'S TURN	SW SINGLE DETACHED & SUB.APT
GERALYN TERESA LYNCH	127 EMPIRE AVE	SW SINGLE DETACHED DWELLING
ERIC HAMMOND	182 FOREST RD	SW SINGLE DETACHED DWELLING
JAMES PERRY	2 MACBETH DR	SW SINGLE DETACHED DWELLING
PICTURE PERFECT PET PARLOUR	196 THORBURN RD	SN HOME OCCUPATION

THIS WEEK \$ 4,286,553.00

**CLASS: DEMOLITION**

STEPHEN FITZGERALD	35 HENRY ST	DM SINGLE DETACHED DWELLING
DENTAL & HEARING CRAFTS LTD.	167 OLD PENNYWELL RD	DM SINGLE DETACHED DWELLING
IMPERIAL OIL LIMITED	SOUTHSIDE RD, PIER 23	DM OFFICE

THIS WEEK \$ 76,000.00

THIS WEEK'S TOTAL: \$ 5,813,461.00

REPAIR PERMITS ISSUED: 2009/06/04 TO 2009/06/10 \$ 218,360.00

LEGEND

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

**Payrolls and Accounts**

**SJMC2009-06-15/363R**

**It was decided on motion of Councillor Collins: seconded by Councillor Galgay: That the following Payrolls and Accounts for the week ending June 11<sup>th</sup>, 2009 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending June 11, 2009**

**PAYROLL**

Public Works	\$ 312,890.21
Bi-Weekly Amalgamation	\$ 467,516.26
Bi-Weekly Management	\$ 581,288.76
Bi-Weekly Administration	\$ 607,742.77

**ACCOUNTS PAYABLE**

Cheque No. 148052 - 148344	<b>\$5,118,344.80</b>
<b>Total:</b>	<b>\$7,087,782.80</b>

**Tenders**

- a. **Tender – Supply and Installation SCBA Refill Station - SJRFD**
- b. **Tender - Purchase of a Multi Processor**
- c. **Tender – Scanlon’s Lane Reconstruction and Retaining Wall Replacement**

**SJMC2009-06-08/364R**

**It was decided on motion of Councillor Collins; seconded by Councillor Galgay: That the recommendations of the Director of Finance and City Treasurer and the Associate Commissioner and Director of Engineering be approved and the tenders awarded as follows:**

- 1. **Breathing Air Systems at \$65,989.00 (taxes not included)**
- 2. **Toromont Cat @ \$115,031.00 (taxes not included)**
- 3. **Coady Construction and Excavation in the amount of \$1,102,821.81**

**Holdsworth Court – Whalen’s Pub**

Council considered a memorandum dated June 11, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2009-06-15/365R**

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Coombs: That the recommendation of the Chief Commissioner and City Solicitor with respect to City leased land at Holdsworth Court, that the City give Classic Holdings 30 Days Notice, pursuant to condition #5 of the Lease, that the Lease will be terminated and then enter into a new Lease with C. Whalen's Holdings Ltd., be approved.**

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

**34 Connors Avenue –Wayne Chaulk**

Council considered a memorandum dated June 11, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2009-06-15/366R**

**It was moved by Councillor Coombs; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that the City proceed with the exchange of land at 34 Connors Avenue by Mr. Wayne Chalk, be approved.**

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

**20 Ropewalk Lane, Billboard Application**

Council considered a memorandum dated June 10<sup>th</sup>, 2009 from the Director of Building and Property Management regarding the above noted.

**SJMC209-06-15/367R**

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Hanlon: That the billboard location as proposed for 20 Ropewalk Lane be approved.**

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

**Display of Irish Photo Exhibit in Great Hall in September 2009**

Council considered a memorandum dated June 11, 2009 from the Director of Economic Development, Tourism and Culture regarding the above noted.

**SJMC2009-06-15/368R**

**It was moved by Councillor Puddister; seconded by Councillor Hanlon: That the City host the Mr. Michael Durand's Irish exhibit in the Great Hall in September 2009.**

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

### **Lunchtime Concerts 2009**

Council considered as information a memorandum dated June 15<sup>th</sup>, 2009 from the Lunchtime Concert Series Jury regarding the above noted.

**Letter dated June 5, 2009 to The Right Honourable Stephen Harper, Prime Minister of Canada from Premier Williams requesting that the Government of Canada establish full-time airborne search and rescue capability in St. John's, that is incremental to service provided by the Gander-based 103 Search and Rescue Squadron, to meet the needs of the growing offshore oil and gas industry**

Council acknowledged the above noted letter.

**Letter dated May 19<sup>th</sup>, 2009 to Mayor O'Keefe from Roy Mann, Town Mayor of Penzance sending greetings to the citizens of St. John's through Mr. Colin Sanger who will be visiting the City in June**

Council acknowledged the above noted letter.

### **Application from Lester Farms Inc., Civic Number 90-92 Pearltown Road**

Council considered a memorandum dated June 12, 2009 from the Director of Planning regarding the above noted and advising that City staff have recently been verbally advised by Mr. Jim Lester that in addition to a farm restaurant and agi-tourism activities, that he and his spouse wish to use their new building at Civic Number 90-92 Pearltown Road for other activities such as wedding receptions, meetings, social events, etc.

**Council agreed that a second public meeting be held on this application to explain to the area residents what the proposed changes in the application are as well as the proposed changes to the Development Regulations that would be required to accommodate the application.**

### **Councillor Collins**

Councillor Collins reminded residents of the City's Water Conservation Order. The Associate Commissioner/Director of Engineering advised that due to the fact there has been 30 percent less rain this spring and less runoff from snowfalls this winter that water levels at Windsor Lake and Bay Bulls Bid Pond are lower, and asked all residents served by the Regional Water System to abide by the Water Conservation Order.

Councillor Collins congratulated Stacey Price; Stephen Price and Justin Miller on their award winnings at the recently held National Weight Lifting Tournament.

**Councillor Hanlon**

Councillor Hanlon thanked all who took part in the Take Pride Take Action Campaign which officially ends today, and asked that residents continue to make every effort to clean up their properties. She noted that Ms. Karen Hickman, Executive Director, Clean and Beautiful will provide Council with a final update.

**Councillor Coombs**

**SJMC2009-06-15/369R**

**It was moved by Councillor Coombs; seconded by Councillor Collins: That Council approve funding to the Mundy Pond Softball Association to carry out their trailer repairs in conjunction with the Department of Building and Property Management staff, at an approximate cost of \$7100.00, and further that the associated permit fees be waived.**

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

**Councillor Galgay**

Councillor Galgay tabled information from the FCM Annual General Meeting, attended by him in Whistler, BC June 5-8, 2009. The information will be kept on file with the City Clerk's office.

Councillor Galgay tabled a letter from Mr. Gary M. Sooley, Area Manager, Fisheries and Oceans advising that the Small Craft Harbours Branch of the Department of Fisheries and Oceans will be conducting repairs and modifying the slipway at Quidi Vidi, and noted that he has asked the Director of Building and Property Management to communicate with Mr. Sooley in this regard.

**Councillor Puddister**

Councillor Puddister advised the general public of a public meeting to be held June 24, 2009 at the Royal Canadian Legion, the Boulevard, to consider an application by Gibraltar Development Ltd. to rezone property located at Civic Number 455- 461 Logy Bay Road from the Commercial Regional (CR) Zone to the Apartment Medium Density (A2) Zone to allow the construction of a 4-storey, 24 unit residential apartment building.

Councillor Puddister advised that approximately three weeks ago Council, on recommendation of the Police and Traffic Committee approved a recommendation to install no parking signs on Logy Bay Road on the east side between Selfridge Road and Baly Haly, and noted that people are complying somewhat. He asked the Baseball Association and attendees at the games to not park on that part of Logy Bay Road but park on the west side of Logy Bay Road or on Ennis Avenue .

### **Councillor Hickman**

Councilor Hickman advised that he is unable to attend the Canadian Capital Cities Organization Conference to be held in Whitehorse, mid August and having polled Council first and no interest expressed, suggested that the Chief Commissioner and City Solicitor attend as Council's representative.

### **SJMC2009-06-15/370R**

**It was moved by Councillor Hickman; seconded by Councillor Coombs: That the Chief Commissioner and City Solicitor be granted approval to attend the Canadian Capital Cities Organization Conference, as the City's representative to be held in Whitehorse in mid August, 2009.**

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

### **Deputy Mayor Ellsworth**

Deputy Mayor Ellsworth encouraged landlords whose properties are unoccupied during the summer months to continue to maintain their properties.

Deputy Mayor Ellsworth congratulated The Childrens' Wish Foundation on the celebration of their 25<sup>th</sup> anniversary.

Deputy Mayor Ellsworth stressed the importance of the residents abiding by the Water Conservation Order.

### **His Worship the Mayor**

His Worship the Mayor updated Council on his recent meetings of the Federation of Canadian Municipalities and Big City Mayor's Caucus attended by him and Councillor Galgay on June 3 to 9 in Whistler B.C . He noted that the Big City Mayor's Caucus meeting concentrated on the Economic Stimulus Program

being brought down by the Federal Government and the role of the Canadian Cities. Also discussed, was the importance of initiating discussions with the Federal Government regarding a long term, 20 year infrastructure plan. The Mayor noted that discussion also centred around growing economic protectionism, as well as other issues.

His Worship the Mayor also advised he met privately with Liberal Leader, Michael Ignatieff following the final day of the FCM meeting. The Mayor noted he was impressed with his knowledge of the City of St. John's and the Province of Newfoundland and Labrador, and his attitude towards intergovernmental relations. The Mayor also noted that another topic talked about with Mr. Ignatieff was the O'Brien formula and the way the Province has been treated by the Conservative Government, and was led to believe by his comments that with a change in government and him as Prime Minister he would look at re-addressing the inequity that was done to Newfoundland and Labrador.

**Adjournment**

There being no further business, the meeting adjourned at 6:45 p.m.

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**MAYOR**

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**CITY CLERK**