

June 26, 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 Colbert, Duff, Hickman, Hann, Puddister, Coombs, Ellsworth, and Collins.

Regrets: Councillor Galgay

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

Call to Order and Adoption of the Agenda

The following additional items were added to the agenda by unanimous consent

- a. Tender – 2007 Infrastructure Maintenance – Contract No. 1, Manholes and Catch Basins
- b. Email from Paul McDonald, 8-8A Forest Road
- c. Heritage Advisory Committee June 26th, 2007 e-mail poll
- d. Memorandum dated June 26, 2007 from the Director of Planning re: Application to Rezone Property, 421-425 main Road, Mr. Cyril Martin

SJMC2007-06-26/343R

It was then moved by Councillor Colbert; seconded by Councillor Duff: That an email from His Worship the Mayor to Councillor Ellsworth dated June 13, 2007 be removed from the agenda, noting it to be a private affair.

The email was written by the Mayor in response to Councillor Ellsworth's comments at a private meeting of Council that the Mayor deliberately lied to the people of St. John's in the matter of Council's decision concerning a revised overtime policy.

Councillor Colbert noted that this type of discussion doesn't belong in the public chamber and asked for an opinion from the Chief Commissioner and City Solicitor who advised that the agenda is established by the City Clerk and the item was presented to

him for inclusion in the agenda. He noted the matter is a public concern in that the poll referred to in the email is related to public office; however, he noted Council has to decide on the matter. Some members of Council agreed with the motion while others agreed that it is an issue of public concern.

His Worship the Mayor indicated that the citizens of St. John's are entitled to know whether or not members of this Council are lying on matters of public issue. He asked that the motion be referred to the Chief Commissioner and City Solicitor to determine whether it is legal under the Rules of Procedure.

Following discussion, the motion being put there voted for it the mover, seconder, Councillors Hickman, Hann and Collins.

Voting against the motion were Deputy Mayor O'Keefe, Councillor Coombs and His Worship the Mayor, with Councillors Puddister and Ellsworth abstaining. The motion was carried.

The remaining agenda items were approved by unanimous consent.

Adoption of Minutes

SJMC2007-06-26/344R

It was decided on motion of Councillor Duff; seconded by Councillor Councillor Hann: That the Minutes of the June 18th, 2007 meeting be adopted as presented.

Corporate ID

Councillor Puddister referred to remarks he made in a recent edition of The Telegram regarding the City's New Corporate Logo. Councillor Puddister withdrew the comments and apologized to staff, noting that following further review he did in fact remember that staff did first present the matter to Council which at that time received Council approval.

Councillor Duff also apologized noting that she was not present at the meeting of Council when the matter was discussed and was told by other members of Council that it had not been brought forward to Council.

Notices Published

1. **A Discretionary Use Application** has been submitted by Ms. Carolyn Dobbin requesting permission to **renovate Monroe House located at Civic Nos. 8-8A Forest Road** to accommodate the establishment of a seven (7) suite/fourteen (14) guest bed and breakfast. Stacked off-street parking for eight (8) vehicles will be provided on site. **(Ward 2)**

**7 Submissions of concern and or objection
(Letter from Mr. Paul McDonald withdrawn and replaced)**

SJMC2007-06-26/345R

**It was moved by Deputy Mayor O’Keefe; seconded by Councillor Puddister:
That the application be rejected.**

In this regard Councillor Duff tabled a petition from residents of Forest Road objecting to the application.

The motion to reject being put was unanimously carried.

2. **A Discretionary Use Application** has been submitted by Bell Aliant requesting permission to install a telecommunications cabinet (OPI cabinet) in **Kenny’s Brook Park at the rear of the Civic No. 54 Hoyles Avenue**. The proposed cabinet will measure 1.5 ft. x 5 ft. at the base and is 5 ft. height. **(Ward 4)**

SJMC2007-06-26/346R

**It was moved by Councillor Colbert; seconded by Councillor Hickman: That
the application be approved.**

The motion being put was unanimously carried.

3. An application has been received from Weir’s Construction Ltd. to rezone a parcel of land, approximately 3.5 hectares (8.5 acres) in size, located off the Manuels Access Road west of the Trans Canada Highway. The current zoning of the land is the Rural Zone – the proposed new zoning designation of the land is the Industrial General Zone. The purpose of the rezoning application is to permit the construction of a building to contain offices and a repair garage for trucks and heavy equipment. Limited outside storage of heavy equipment and vehicles is also proposed. **(Ward 5)**

Memorandum dated June 21, 2007 from the Director of Planning

SJMC2007-06-26/347R

**It was moved by Councillor Colbert; seconded by Councillor Puddister:
That staff be directed to proceed with the proposed rezoning of the property
of Weir’s Construction, Manuels Access Road, from the Rural Zone to the
Industrial General (IG) Zone; and agreed that the following Resolutions for
St. John’s Development Regulations Amendment Number 363, 2007 be
adopted, which will then be forwarded to the Department of Municipal
Affairs for Provincial registration in accordance with the requirements of the
Urban and Rural Planning Act, 2000;**

RESOLUTION

**ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 363, 2007**

WHEREAS the St. John's Municipal Council wishes to amend the land-use zoning of property used by Weir's Construction on the Manuels Access Road to permit the development of a building with offices and an equipment repair garage,

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 on south side of the Manuels Access Road from the Rural (R) Zone to the Industrial General (IG) Zone as shown on Map Z-1A attached.

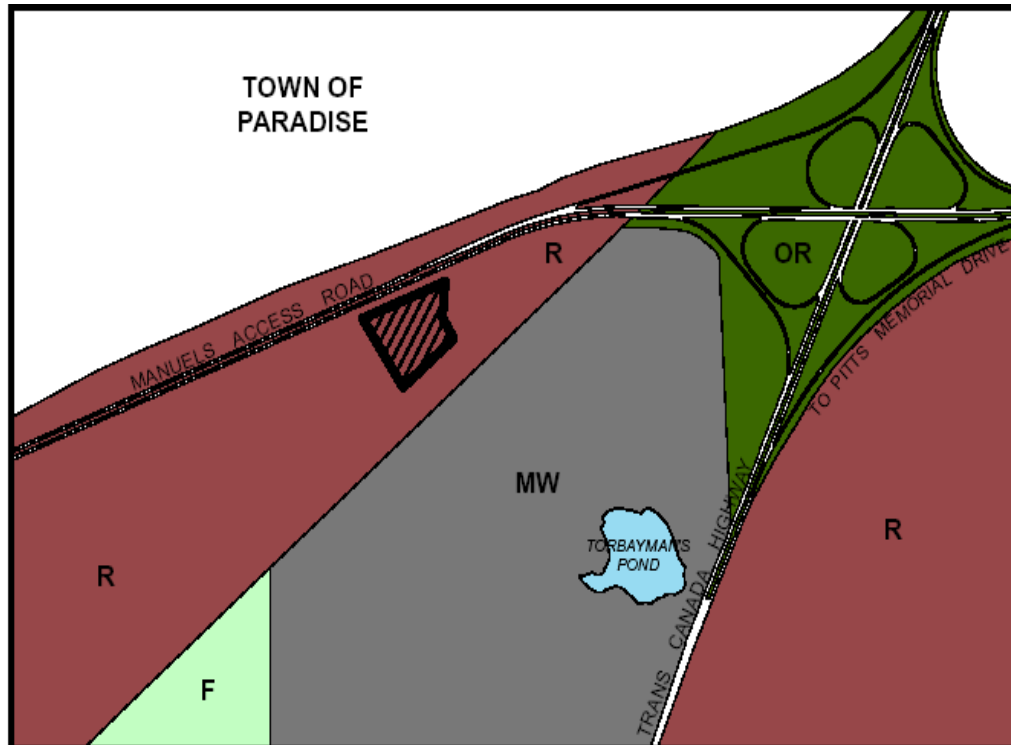
BE IT FURTHER RESOLVED that the St. John's Municipal Council requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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 26th day of June, 2007.

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

Mayor


City Clerk



**CITY OF ST. JOHN'S
LAND USE ZONING AND
DEVELOPMENT REGULATIONS 1994
AMENDMENT No. 363, 2007
[MAP Z-1A]**

SCALE= 1: 15,000

2007 06 20
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

 AREA PROPOSED TO BE REZONED
FROM RURAL (R) LAND USE ZONE TO
INDUSTRIAL GENERAL (IG) LAND USE ZONE

MANUELS ACCESS 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 the City grant Approval-in-Principle to the application from Weir's Construction to construct a new building for offices and a repair garage subject to the following conditions:

1. Provincial registration of St. John's Development Regulations Amendment Number 363, 2007;
2. Development of the site to be undertaken in accordance with the Land Use Assessment Report submitted by Weir's Construction;
3. Submission of a detailed site and building plans for the new building;
4. Compliance with all application requirements of the City's Department of Engineering, Department of Building and Property Management, Department of Public Works and Parks, Department of Planning and the St. John's Regional Fire Department; and
5. Compliance with all requirements of the Provincial Department of Transportation and Works.

The motion being put was unanimously carried.

Public Hearing Report dated May 24th, 2007 Re: Kilbride Concept Plan Memorandum dated June 21, 2007 from the Director of Planning

Council considered the above noted public hearing report which was held to consider the rezoning of lands off Bay Bulls Road which was identified in the Kilbride Concept (adopted by Council on May 7th, 2007) as Blocks 2 and 3, from the Comprehensive Development Area Zone and the Rural Zone to the Residential Low Density (R1) Zone and the Open Space Zone. The lands under consideration for rezoning are located in Ward 5.

SJMC2007-06-26/348R

It was moved by Councillor Hann; seconded by Councillor Collins: That staff be directed to proceed with the rezoning of the properties in Blocks 2 and 3 as identified in the Kilbride Concept Plan to the Residential Low Density (R1) Zone and the Open Space (O) Zone, that the property of Mr. Gord Stanley be included in the proposed rezoning and that Mr. Stanley's land be rezoned to the R1 Zone with the condition that there be a protective buffer zoned as Open Space (O) around the stream which crosses over his property; and further that the following Resolutions for St. John's Development Regulations Amendment Number 408, 2007, St. John's Municipal Plan Amendment Number 49, 2007 and St. John's Development Regulations Amendment Number 409, 2007 be adopted as presented; which will then be presented to the Department of Municipal Affairs with a request for Provincial release.

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 408, 2007**

WHEREAS the St. John's Municipal Council wishes to amend the land use zoning designation of properties located along the east side of Bay Bulls Road, south of Griffin's Lane in order to implement the Kilbride Concept Plan.

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 on the east side of Bay Bulls Road from the Comprehensive Development Area (CDA) Zone, the Open Space (O) Zone and the Rural Residential Infill (RRI) Zone to the Residential Low Density (R1) Zone as shown on Map Z-1A attached.**
- (2) **Rezone land on the east side of Bay Bulls Road from the Comprehensive Development Area (CDA) Zone to the Open Space (O) Zone as shown on Map Z-1A attached.**

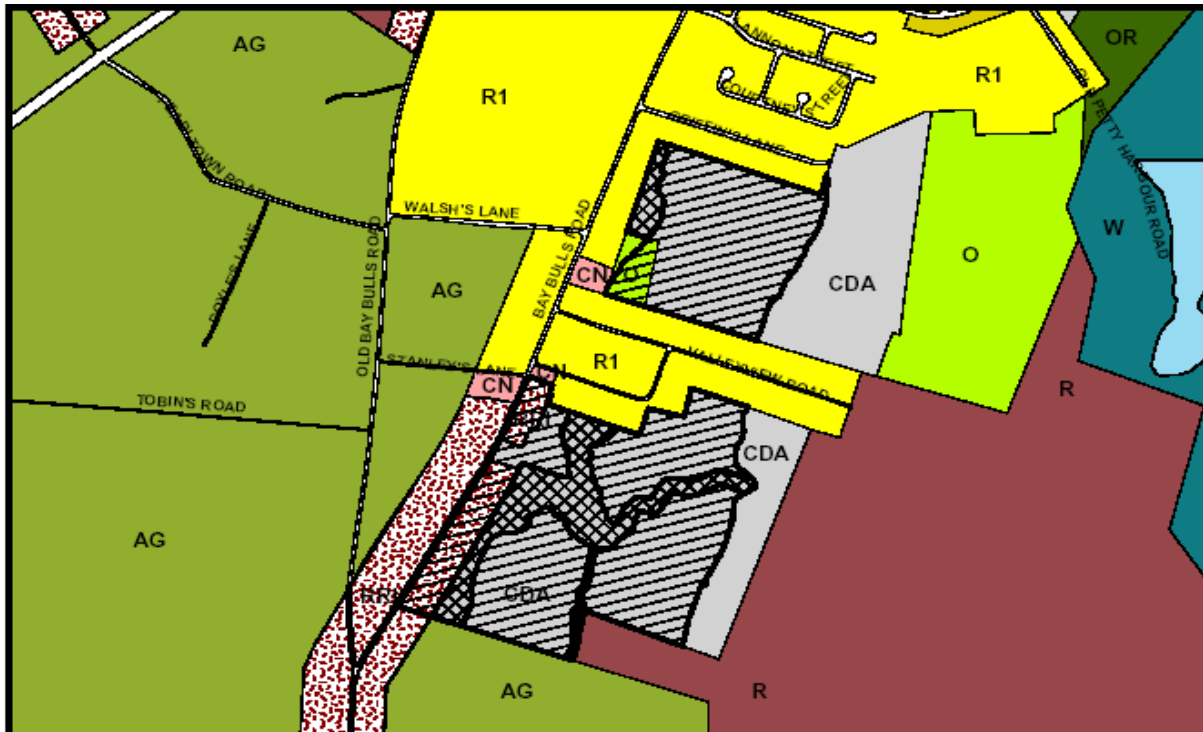
BE IT FURTHER RESOLVED that the St. John's Municipal Council requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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 **26th** day of **June, 2007**.

<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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Mayor

City Clerk



**CITY OF ST. JOHN'S
LAND USE ZONING AND
DEVELOPMENT REGULATIONS 1994
AMENDMENT No. 408, 2007
[MAP Z-1A]**

SCALE= 1: 12,500

2007 06 20
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED FROM
COMPREHENSIVE DEVELOPMENT AREA (CDA),
OPEN SPACE (O), AND RURAL RESIDENTIAL
INFILL (RRI) LAND USE ZONES TO
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
COMPREHENSIVE DEVELOPMENT AREA (CDA)
LAND USE ZONE TO OPEN SPACE (O) LAND USE ZONE

**BAY BULLS ROAD, CONNOLLY'S LANE
GRIFFINS LANE & VALLEYVIEW 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

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 49, 2007**

WHEREAS the St. John's Municipal Council wishes to amend the land use district designation of properties located on the east side of Bay Bulls Road, south of Valleyview Road in order to implement the Kilbride Concept Plan.

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 on the east side of Bay Bulls Road, south of Valleyview Road from the Rural Land Use District to the Residential Low Density Land Use District as shown on Map III-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.

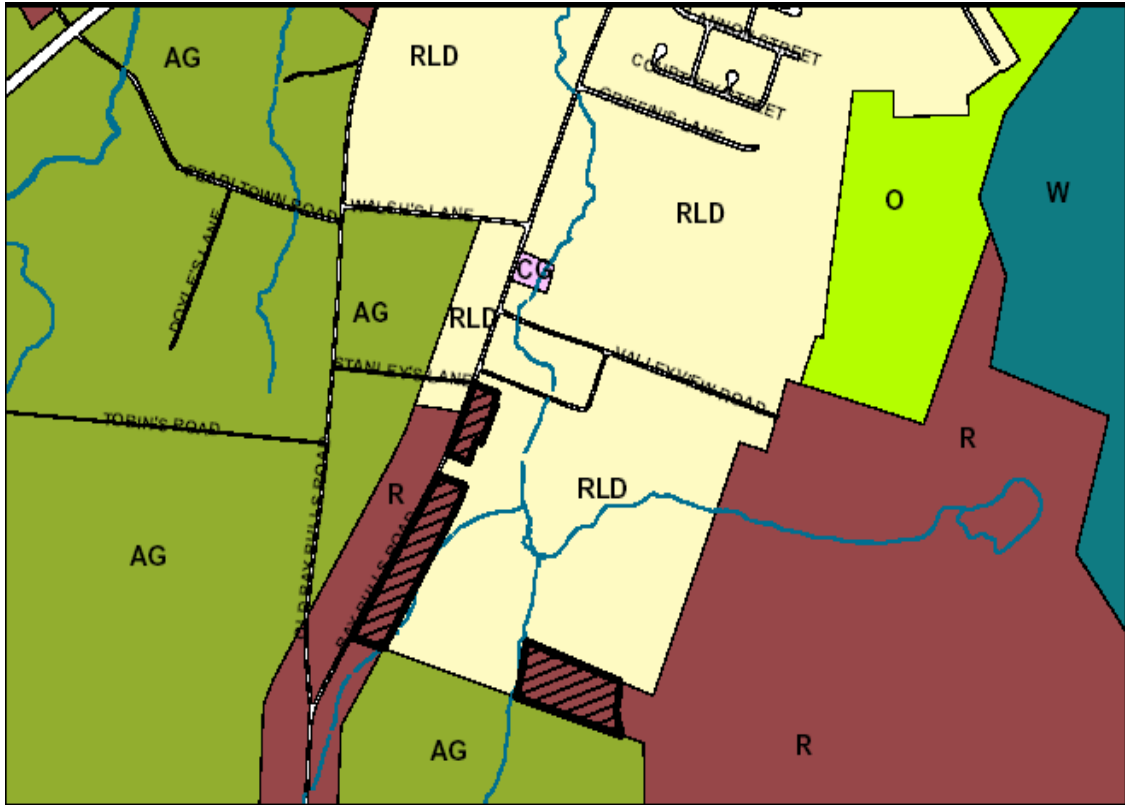
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 26th day of June, 2007.

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

MCIP Stamp & Signature

Mayor

City Clerk



CITY OF ST. JOHN'S

**MUNICIPAL PLAN 2003
AMENDMENT No. 49, 2007
[MAP III-1A]**

SCALE= 1: 12,500
2007 06 20
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REDESIGNATED
FROM RURAL (R) LAND USE DISTRICT TO
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT

BAY BULLS ROAD, KILBRIDE

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

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 409, 2007**

WHEREAS the St. John's Municipal Council wishes to amend the land use zoning designation of properties located along the east side of Bay Bulls Road, south of Valleyview Road in order to implement the Kilbride Concept Plan.

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 on the east side of Bay Bulls Road, south of Valleyview Road, from the Rural (R) Zone and the Rural Residential Infill (RRI) Zone to the Residential Low Density (R1) Zone as shown on Map Z-1A attached.

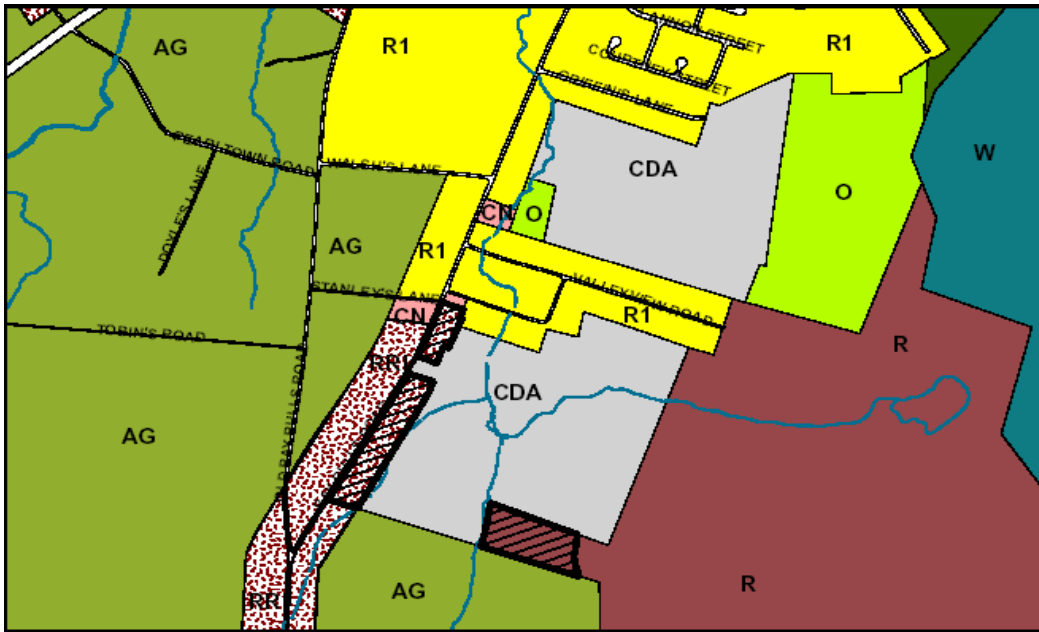
BE IT FURTHER RESOLVED that the St. John's Municipal Council requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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 26th day of **June, 2007**.

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

Mayor

City Clerk



CITY OF ST. JOHN'S

SCALE= 1: 12,500

**LAND USE ZONING AND
DEVELOPMENT REGULATIONS 1994
AMENDMENT No. 409, 2007
[MAP Z-1A]**

2007 06 20
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED FROM RURAL (R)
AND RURAL RESIDENTIAL INFILL (RRI) LAND USE ZONE
TO RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE

BAY BULLS ROAD, KILBRIDE

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

Public Hearing Report dated June 19th, 2007
Memorandum dated June 22, 2007 from the Director of Planning

Council considered a Public Hearing Report dated June 19th, 2007 which was held to consider an application from Capital Ready Mix Limited to rezone approximately 24 hectares (60 acres) of land off Incinerator Road and Foxtrap Access Road to the Mineral Workings Zone in order to permit the future development of a quarry.

SJMC2007-06-26/349R

It was moved by Councillor Colbert; seconded by Councillor Collins: That staff be directed to proceed with the proposed rezoning of the subject property off Incinerator Road from the Rural Zone and the Industrial General (IG) Zone to the Mineral Workings (MW) Zone to permit the proposed future new quarry; and further that the following Resolution for St. John's Development Regulations Amendment Number 330, 2007 be adopted as presented, which will then be referred to the Department of Municipal Affairs for Provincial registration.

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 330, 2007

WHEREAS the St. John's Municipal Council wishes to amend the zoning designation of property off Incinerator Road in order to permit the future development of a quarry operation.

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 off Incinerator Road from the Rural (R) Zone and the Industrial General (IG) Zone to the Mineral Workings (MW) 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 proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

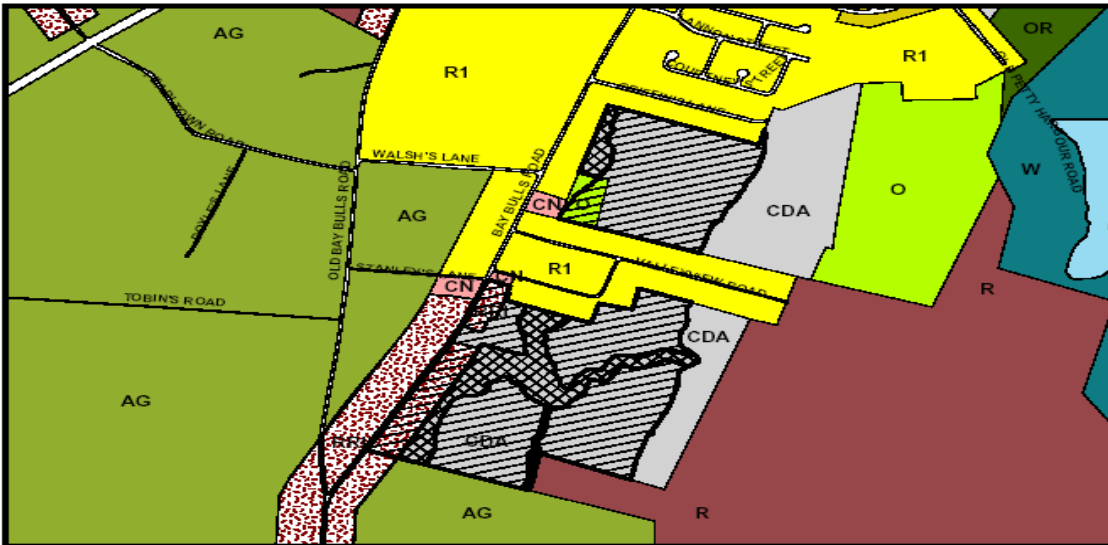
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 26th day of **June, 2007.**

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

MCIP stamp and signature

Mayor

City Clerk



**CITY OF ST. JOHN'S
LAND USE ZONING AND
DEVELOPMENT REGULATIONS 1994
AMENDMENT No. 408, 2007
[MAP Z-1A]**

SCALE= 1: 12,500

2007 06 20
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED FROM
COMPREHENSIVE DEVELOPMENT AREA (CDA),
OPEN SPACE (O), AND RURAL RESIDENTIAL
INFILL (RRI) LAND USE ZONES TO
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
COMPREHENSIVE DEVELOPMENT AREA (CDA)
LAND USE ZONE TO OPEN SPACE (O) LAND USE ZONE

**BAY BULLS ROAD, CONNOLLY'S LANE
GRIFFINS LANE & VALLEYVIEW 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.

Development Committee Report dated June 19, 2007

Council considered the following Development Committee Report dated June 19th, 2007:

The following matter was considered by the Development Committee at its meeting held on June 19, 2007. The staff report is attached for Council's information.

**1. Proposed Relocation of Mobile Vending Site
Duckworth Street East (Ward 2)**

Should Council wish to entertain the above noted request, the following action is recommended:

- a. the application to relocate the existing vending space should be advertised;
- b. upon completion of advertising, if Council approves the relocation, the Mobile Vending By-Law will require amendment and allow an electrical source; and
- c. the new location will require a public tender.

Art Cheeseman, Chairperson
Associate Commissioner/Director of Engineering

SJMC2007-06-26/350R

Regarding Item #1: It was decided on motion of Councillor Duff; seconded by Councillor Collins: That the application be approved subject to the conditions as outlined by the Committee:

Special Events Committee Report dated June 21, 2007

Council considered the following Special Events Committee Report dated June 21, 2007:

- 1) Event: Folk Festival
Location: Bannerman Park
Date: August 4 – 6, 2007

The organizer has also made application for an **extension to the noise by-law** to 12:00 midnight on all three days of their event.

Recommendation

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

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

SJMC2007-06-26/351R

It was decided on motion of Councillor Colbert; seconded by Councillor Hickman: That the Committee's recommendations be approved.

At this point, Councillor Hann referenced a letter from the Newfoundland and Labrador Folk Arts Council requesting that the City provide an annual grant to ensure the vitality of the Annual NL Folk Festival and to help them continue providing this unique cultural event.

SJMC2007-06-26/352R

Following discussion, it was moved by Councillor Hann; seconded by Deputy Mayor O'Keefe: That the City provide \$20,000.00 to the NL Folk Festival for this year.

The motion being put was carried with Councillor Ellsworth dissenting.

Parks and Recreation Standing Committee Report dated June 15th, 2007

Council considered the following Parks and Recreation Standing Committee Report dated June 15th, 2007:

Attendees: Councillor Frank Galgay, Chairperson
 Councillor Shannie Duff
 Councillor Ron Ellsworth
 Councillor Tom Hann
 Councillor Sandy Hickman
 Ron Penney, Chief Commissioner/City Solicitor
 Jill Brewer, Director of Recreation
 Paul Mackey, Director of Public Works & Parks
 Bob Wilson, Acting Director of Building & Property Management
 Tanya Haywood, Manager of Facilities Division
 Linda Bishop, Senior Legal Counsel
 Jim Clarke, Manager of Streets & Parks
 Brian Head, Operations Assistant – Parks
 Heather Hickman, Manager of Community Development
 Natalie Godden, Manager of Family & Leisure Services
 Carla Lawrence, Manager of Youth Soccer Division
 Karen Chafe, Recording Secretary

Also in attendance from Softball Newfoundland were Messrs Lloyd Power and John Martin.

1. **Closing Time for Tot Lots**

The Committee considered a memorandum dated June 4th, 2007 from the Director of Public Works & Parks regarding the above noted matter and a proposed change in the closing time for tot lots.

The Committee recommends approval of staff's recommendation that the closing time for tot lots be changed to close at dark. If this change is approved, signage will be installed in all tot lots advising the public of this revised closing time.

A notice of motion will be required to amend Section 3 of the St. John's Parks By-Law to reflect the above noted recommendation.

2. **Terms of Reference for Parks & Recreation Master Plan**

The Committee considered the draft Terms of Reference for the Parks & Recreation Master Plan. The Director of Recreation referenced the highlights of the document at which time a number of areas were suggested for revision.

The Committee recommends adoption of the attached revised Terms of Reference dated June 18th, 2007 which incorporates the suggested revisions as outlined during the meeting.

3. **2007 Senior Men's Canadian Fastpitch Championships at Caribou Complex**

The Committee considered a request for financial assistance and in-kind support totalling \$43,430, to facilitate the above noted tournament which will take place from August 25th – September 2nd, 2007. The Tournament will consist of a total of 16 teams with 400 players competing in nine tournament days. The Organizing Committee has estimated the financial return to the City of St. John's in the amount of \$750,000 to \$1,000,000 and that if support from the City is not forthcoming, the Organizing Committee will not be able to host the Championships.

The Committee recommends that the City approve a total amount of \$22,000 in funding, approximately half of what was requested, conditional upon the other half being sponsored by either the Provincial Government and/or other outside sources above and beyond the \$12,000 already identified in the Organizing Committee's budget. The Committee further requests that staff identify from which budget this allocation will come from.

The Committee further recommends that in-kind requests for field preparation and practice field also be approved in addition to the above noted amount of \$22,000.

**Councillor Frank Galgay
Chairperson**

SJMC2007-06-26/353R

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

The motion being put was unanimously carried.

Cygnus Gymnastics

Councillor Hickman asked that Council provide a one time grant to Cygnus Gymnastics to support the funding of a staff position as Cygnus Gymnastics moves from the St. John's Recreation Centre at Bushmaster's Circle to the new Dominion store near Quidi Vidi Lake. He noted that the matter was discussed with the Director of Recreation who has identified a department savings in the amount of \$13,500.00.

SJMC2007-06-26/354R

**It was moved by Councillor Hickman; seconded by Deputy Mayor O'Keefe:
That the City provide a one time grant in the amount of \$13,500.00 towards a
staff position for Cygnus Gymnastics to be funded out of savings identified
by the Department of Recreation.**

The motion being put was unanimously carried.

Heritage Advisory Committee Report dated June 19th, 2007

Council considered the following Heritage Advisory Committee Report dated June 19th, 2007:

Attendees: Councillor Shannie Duff, Chairperson
Debbie O'Rielly
Bernadine Simmonds
David Kelland
Gerard Hayes
Neil Hardy
Ken O'Brien, Manager of Planning and Information
Peter Mercer, Heritage Officer
Helen Miller, City Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

Report:**1. 193 Water Street – Exterior Renovations**

The Committee had previously met with Mr. John Franklin, owner of 193 Water St., to discuss his exterior renovations, most of which have already taken place without the City's approval. The Committee had deferred a decision on this matter pending an opportunity to view the site in person.

Given the fact that the building in question is a heritage designated structure, and that what has been constructed is clearly not in keeping with the attached Statement of Significance as outlined by the Newfoundland and Labrador Heritage Foundation, the Committee recommends rejection of the attached design submitted. The Committee further recommends that the applicant be asked to resubmit a design that is more reflective of the original architecture of the building.

2. 8 Forest Road

The Committee considered the application for exterior renovations to the above noted property. Previously the Committee had recommended rejection of the proposed service elevator which was to be situated at the front of the building and which would have required modification to the two front dormers and front entrance. The Committee had suggested that the elevator be relocated such that it would not require exterior modification. The applicant has since investigated alternatives, however, the first solution appears to be the best one due to the affect that relocation would have on the interior layout of the building. The chair lift has been adjusted to minimize the impact to the upper level dormer. It should also be noted that the current front door is not centered and the applicant has requested permission to install a new door to the right of the existing. This would enable the left door to be fixed in place and have the wheel chair lift installed behind it. The right door would then become the main entrance door. The new door would be custom built to match the existing.

The Committee recommends approval of the revised application with the stipulation that the window openings within the proposed enlarged dormer be proportionately increased in size to better reflect the void to solid ratio of the dormer. The proposed openings on the drawing appear to be much smaller than the size of the dormer. The design of the dormer windows should also match the ones existing on the front façade.

The Committee recommends approval of the proposed double doors at the front entrance with the stipulation that they be centered within the portico.

3. 16-18 Prescott Street – Exterior Renovations

The Committee met with Mr. Dick Cook, representing the applicant, to discuss modifications to the previously approved design submitted to the Committee and subsequently approved by Council on December 11th, 2006. A copy of the proposed design is attached to this report.

The Committee recommends approval of the revised plan as submitted. It should be noted that the revised plan is more in keeping with the heritage spirit of the building than the previously approved design. The Committee commends the applicant's initiative to restore

and reinvigorate the building which is located on a high profile street and which has been vacant for many years.

4. Historic Colours of Newfoundland

The Committee commends the efforts of R.A. Templeton Ltd. and Societe Laurentide in conjunction with the Heritage Foundation of Newfoundland and Labrador who have come together to create the “Historic Colours of Newfoundland”. During the Council meeting, Councillor Duff will circulate the palette of colours which are inspired by the many historic buildings of St. John’s and outport Newfoundland.

Councillor Shannie Duff
Chairperson

SJMC2007-O6-26/355R

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

Councillor Duff displayed a palette of colours and commended the efforts of R.A. Templeton’s Ltd. and Societe Laurentide in conjunction with the Heritage Foundation of NL who created the “Historic Colours of Newfoundland.

Following discussion, the motion being put was unanimously carried.

Heritage Committee e-mail Poll – June 26th, 2007

Council considered the following Heritage Committee Councillor Ellsworth-mail poll:

Attendees: Councillor Shannie Duff, Chairperson
Debbie O’Rielly
Bernadine Simmonds
David Kelland
Gerard Hayes
Neil Hardy
Ken O’Brien, Manager of Planning and Information
Peter Mercer, Heritage Officer
Helen Miller, City Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

Report:

1. 93 Water St. – Roof-Top Deck Proposal

The Committee considered the attached proposal from Phillip Pratt for the construction of a roof-top deck on the King George V Building situated at 93 Water St. It should be noted that Council has previously exempted this building from the moratorium on roof-top decks.

The Committee expresses no objection to the proposal from a heritage perspective, given the above noted exemption. It should be noted that the proposal does not fundamentally alter the architecture or appearance of the building and does not alter or obscure the character-defining elements of the architecture on this heritage designated structure. If Council approves the proposal, it should be pending the submission of detailed construction drawings to be submitted to the Building Department for review and approval.

Councillor Shannie Duff
Chairperson

SJMC2007-06-26/356R

It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Committee's recommendation be approved.

Development Permits List

Council considered as information the following Development Permits List for the period June 15, 2007 to June 21, 2007:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF JUNE 15, 2007 TO JUNE 21, 2007**

"ISSUED FOR INFORMATION PURPOSES ONLY"

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Mr. Trevor Earle	Residential Building Lot	Hennessey's Line	Ward 5	Application Approved	07/06/15
Com.	Mr. Ralph Reid	Construction of Commercial Accessory Building	Civic No. 164 Major's Path	Ward 1	Application Approved	07/06/18
Com.	Mr. Xioa Guang Lui	Home Office: Globe Solar Energy Newfoundland Inc.	Civic No. 168 Elizabeth Avenue	Ward 4	Application Approved	07/06/20
Res.	Paul G. Emberley Design & Drafting Ltd.	Residential Building Lot	Civic No. 177B Pennywell Road	Ward 2	Application Approved	07/06/20

NOTES:

*	Code Classification: RES COM AG	- Residential - Commercial - Agriculture	INST IND	- -
**	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.			

Ed Murray
Development Officer
Department of Planning

Building Permits List**SJMC2007-06-26/357R**

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

2007/06/20

Permits List

CLASS: COMMERCIAL

AFRICAN MARKET SQUARE	145 TORBAY RD, AFRICAN MARKET	CO RETAIL STORE
DICKS AND COMPANY LIMITED	385 EMPIRE AVE	MS RETAIL STORE
GROUP HOLDINGS LIMITED	20 PEET ST	MS CAR SALES LOT
LAURA SECORD	THE VILLAGE-430 TOPSAIL RD	SN RETAIL STORE
CIBC	215 WATER ST	SN BANK
N.D. DOBBIN LTD.	10 ELIZABETH AVE	NC ACCESSORY BUILDING
ELAINE DOBBIN CENTER	70 CLINCH CRES	SW ACCESSORY BUILDING
IMV PROJECTS ATLANTIC	146-152 WATER ST	RN OFFICE
IMV PROJECTS ATLANTIC	146-152 WATER ST, IMV PROJECTS	CO OFFICE
KIM KEEL	46 SHAW ST	NC PATIO DECK
ANDREA MAUNDER	65A LEMARCHANT RD-NOUVELL NF	CO RESTAURANT
W. H. PARSONS LIMITED	90 O'LEARY AVE - TOTAL GROUP	CR OFFICE
PATRICK HANLON	208 MUNDY POND RD	RN CONVENIENCE STORE
KENMOUNT PROPERTIES INC.	261 KENMOUNT RD	SW OFFICE
BLUE DROP INC.	16-18 PRESCOTT ST	RN OFFICE
A-1 AUTOMOTIVE LTD	ROBIN HOOD BAY RD	NC WAREHOUSE
		THIS WEEK \$ 1,348,400.00
		TO DATE \$ 24,648,761.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
TO DATE \$ 1,524,967.00

CLASS: GOVERNMENT/INSTITUTIONAL

ST. ANDREWS ELEMENTARY SCHOOL	141 UNIVERSITY AVE	NC ACCESSORY BUILDING
DFO - DEPT. OF PUBLIC WORKS	80 EAST WHITE HILLS RD	SW ADMIN BLDG/GOV/NON-PROFIT
DFO - DEPT. OF PUBLIC WORKS	80 EAST WHITE HILLS RD, DFO	SW ADMIN BLDG/GOV/NON-PROFIT
FED. GOV'T. (D.F.O. COMPLEX)	80 EAST WHITE HILLS RD, PWGSC	RN ADMIN BLDG/GOV/NON-PROFIT
MEMORIAL UNIVERSITY OF NFLD.	194 ELIZABETH AVE BALTIMORE CT	RN ADMIN BLDG/GOV/NON-PROFIT
		THIS WEEK \$ 1,120,200.00
		TO DATE \$ 11,651,758.00

CLASS: RESIDENTIAL

CHARLIE RYALL	422 BACK LINE	NC ACCESSORY BUILDING
BALNAFAD CO. LTD.	31 BALNAFAD PL - LOT 16	NC SINGLE DETACHED DWELLING
JOHN & FLORA WILLIAMS	2 BAR HAVEN ST, LOT 112	NC SINGLE DETACHED & SUB.APT
HEATHER BUTLER	66 BEAUFORD PL	NC ACCESSORY BUILDING
MATTHEW BRENNAN	32 BRAD GUSHUE CRES, LOT 85	NC ACCESSORY BUILDING
SULLIVAN'S CONTRACTING LTD	19 BRAD GUSHUE CRES, LOT 5-45	NC SINGLE DETACHED DWELLING
GUARDIAN HOMES INC	33 BRAD GUSHUE CRES- LOT 52	NC SINGLE DETACHED DWELLING
RONALD D. & SUZANNE E. TAYLOR	16 BURIN ST	NC ACCESSORY BUILDING
CARDINAL HOMES LTD.	15 BUTTERWORTH PL, LOT 29	NC SINGLE DETACHED DWELLING

DWAYNE HARRIS	7 CAROLYN DR	NC PATIO DECK
SHAWN HENNEBURY	6 CLEARVIEW ST	NC ACCESSORY BUILDING
PRO TECH CONSTRUCTION	3 COULTAS ST, LOT 2	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION LTD.	5 COULTAS ST, LOT 3	NC SINGLE DETACHED DWELLING
ALLAN & LEONA HURLBURT	10 CRAMBRAE ST	NC FENCE
OSWALD BROWN	4 EARLE ST	NC PATIO DECK
DAVE ASHLEY	457 EMPIRE AVE	NC SINGLE DETACHED DWELLING
TRACY M. KARLIK	53 ENNIS AVE	NC ACCESSORY BUILDING
BRIAN & DAWN COOMBS	65 GAIRLOCK ST	NC ACCESSORY BUILDING
CLIFFORD & CURTIS BUTTON	33 GIL EANNES DR	NC FENCE
HAROLD & NANCY COOPER	71 GIL EANNES DR, LOT 29	NC SINGLE DETACHED DWELLING
ATLANTIC HOMES LIMITED	48 GREAT EASTERN AVE - LOT 146	NC SINGLE DETACHED DWELLING
DWAYNE GEORGE	49 GREAT EASTERN AVE, LOT 136	NC SINGLE DETACHED & SUB.APT
SCOTT KEATS & HELEN DILLON	202 GREEN ACRE DR	NC ACCESSORY BUILDING
SUSAN J. MORGAN	2 GREGG PL	NC FENCE
JERRY PITTMAN	26 HERCULES PL	NC PATIO DECK
DONOVAN HOMES LTD.	15 HERCULES PL, LOT 95	NC SINGLE DETACHED DWELLING
NORMAN'S CONTRACTING LTD.	49 HOPEDALE CRES, LOT 171	NC SINGLE DETACHED DWELLING
COLIN HOWLETT	110 HOWLETT'S LINE	NC SINGLE DETACHED DWELLING
HART HOMES INC.	66 HUNTINGDALE DR	NC SINGLE DETACHED DWELLING
LARRY WALSH	8 JACARANDA PL	NC SWIMMING POOL
WILLIAM RANSON & LESLEY	30 JASPER ST	NC FENCE
ERCO DEVELOPMENTS	55 LARNER ST, LOT 186	NC SINGLE DETACHED DWELLING
JIM SWYER	32 LONG BEACH ST	NC FENCE
JOHN P. DINN	822-826 MAIN RD	NC ACCESSORY BUILDING
SKYMARK CONTRACTING LIMITED	15 MARGARET'S PL	NC TOWNHOUSING
SKYMARK CONTRACTING LIMITED	17 MARGARET'S PL	NC TOWNHOUSING
SKYMARK CONTRACTING LIMITED	19 MARGARET'S PL	NC TOWNHOUSING
OAKLAND ENTERPRISES	47 MARGARET'S PL	NC FENCE
KEN KELLY	27 MERCER'S DR	NC FENCE
SKYMARK CONTRACTING	11 NAVAJO PL, LOT 181	NC SINGLE DETACHED DWELLING
HANN CONSTRUCTION LTD.	32 OAKLEY PLACE, LOT 275	NC SINGLE DETACHED DWELLING
SCOTT S. STUCKLESS	34 PALM DR	NC FENCE
KEITH ESCOTT	40 RIDGEMOUNT ST	NC ACCESSORY BUILDING
JOHN W. AND HEATHER E. MELINDY	180 RUBY LINE	NC ACCESSORY BUILDING
REARDON CONSTRUCTION & DEV LTD	16 SERPENTINE ST - LOT 8	NC SINGLE DETACHED DWELLING
GARY & BRENDA FURLONG	36 SERPENTINE ST	NC ACCESSORY BUILDING
ERCO HOMES	28 SOLDIER CRES, LOT 33	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	30 SOLDIER CRES, LOT 32	NC SINGLE DETACHED DWELLING
ROY BAKER	298 SOUTHERN SHORE HIGHWAY	NC ACCESSORY BUILDING
DAVID MATCHEM	2 TOOTON PL	NC ACCESSORY BUILDING
NEW VICTORIAN HOMES	5 TRAINOR PL, LOT 232	NC SINGLE DETACHED DWELLING
PAUL BEAUMONT	68 MONROE ST	CR SINGLE DETACHED & SUB.APT
SHAWN WIGHT	66 MONKSTOWN RD	EX SINGLE DETACHED DWELLING
EUGENE & FLORENCE MCDONALD	14 SHANNON PL	EX FENCE
NFLD & LABRADOR HOUSING CORP.	225-233 ANSPACH ST	RN TOWNHOUSING
FRANK CONNORS	80 BRAZIL ST	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	45-65 CHALKER PL	RN TOWNHOUSING
BARBARA BUTLER	6 CHUCKLEY PEAR PL	RN SINGLE DETACHED DWELLING
LEO J. & ELIZABETH T. DEAN	63 FEILD ST	RN SINGLE DETACHED DWELLING
JUDITH MOAKLER	6 MCLOUGHLAN ST	RN SINGLE DETACHED DWELLING
COLIN & LOUISE SULLIVAN	6 MARK NICHOLS PL	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	150-162 MONTAGUE ST	RN TOWNHOUSING
JASON & JANET BROWN	22 PALM DR	RN SINGLE DETACHED DWELLING
PETER & MICHELLE SMITH	9 SOLDIER CRES	RN SINGLE DETACHED DWELLING
BERNADINE RING	15 STONE'S RD	RN SINGLE DETACHED DWELLING
PATRICK SHEPPARD	34 WEYMOUTH ST	RN SINGLE DETACHED & SUB.APT
ELIZABETH PARSONS	24 WINSLOW ST	RN SINGLE DETACHED DWELLING
SUSAN J. MORGAN	2 GREGG PL	SW SINGLE DETACHED & SUB.APT
NORMAN & JANICE VAN DE SPIEGLE	26 MOUNT CASHEL RD	SW SINGLE DETACHED DWELLING
GREG ROGERS	160 MUNDY POND RD	WS ACCESSORY BUILDING
MARA LANG	5 BATES HILL	SN RESTAURANT

THIS WEEK \$ 5,630,015.00
TO DATE \$ 48,602,593.00

CLASS: DEMOLITION

THIS WEEK \$.00
 TO DATE \$ 260,956.00

THIS WEEK'S TOTAL: \$ 8,098,615.00

TOTAL YEAR TO DATE: \$ 86,689,035.00

REPAIR PERMITS ISSUED: 2007/06/14 TO 2007/06/20 \$ 83,600.00
 2006/12/28 TO 2007/06/20 \$ 1,093,331.00 YTD

LEGEND

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

Payrolls and Accounts

SJMC2007-06-26/358R

It was decided on motion of Councillor Hann; seconded by Councillor Duff: That the following Payrolls and Accounts for the week ending June 21st, 2007 be approved as presented.

**Weekly Payment Vouchers
 For The
 Week Ending June 21, 2007**

PAYROLL

Public Works	\$ 301,807.16
Bi-Weekly Casual	\$ 38,356.57

ACCOUNTS PAYABLE

Cheque No. 117914 – 118240 (Includes Direct Deposits/Transfers/Equip. Leasing)	\$5,287,760.91
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Total: \$5,627,924.59

Tenders

- a. Tender – Graffiti and Gum Removal**
- b. Tender – Purchase of Two (2) Tandem Trucks**
- c. Tender – Purchase of Two (2) Backhoes**

- d. Tender – 2007 Infrastructure Maintenance – Contract No. 2, Concrete Curb, Gutter and Sidewalk
- e. Tender – 2007 Infrastructure Maintenance – Contract No. 1, Manholes and Catch Basins
- f. Tender – Water Main Looping – Carpasian Road, Appointment of Engineering Consultant

SJMC2007-06-26/359R

It was decided on motion of Councillor Hann; seconded by Councillor Duff: That the recommendations of the Acting Director of Finance and City Treasurer; the Associate Commissioner/Director of Engineering and the Director of Public Works and Parks be approved and the tenders awarded as follows:

- a. Kelloway Construction in the amount of \$33,500.00 (HST Extra)
- b. Harvey & Co. Ltd. in the amount of \$221,936.61 (HST Extra)
- c. United Rentals Inc. in the amount of \$135,400.00 (HST Extra)
- d. Modern Paving Ltd. In the amount of \$930,405.30
- e. Pyramid Construction Ltd. in the amount of \$451,508.40
- f. Kendall Engineering

Notices of Motion, Written Questions and Petitions

Councillor Hann gave the following Notice of Motion – St. John’s Parks By-Law :

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 Parks By-Law so as to provide that Play Lots close thirty (30) minutes after sunset.

DATED at St. John’s this 26th day of June, 2007

Petitions

- (1) Councillor Collins tabled a petition concerning Doolings Line, which was referred to the Department of Engineering for consideration; the prayer of which reads as follows:

“The residents of Doolings Line, Goulds again petition the City of St. John’s to approve the capital works project that will improve safety on our street.

Doolings Line is very narrow. Two vehicles going in opposite directions cannot pass each other. When they meet one has to haul into a nearby driveway.

Our Children are at risk when they walk on the road. School busses find it difficult to maneuver with on-coming traffic. The school bus that is supposed to pick up Junior High School kinds won’t go onto Doolings Line. The whole situation is an accident waiting to happen. In the winter things are worse.

Approximately 4 years ago Mr. Robin King, the Traffic Engineer for the City of St. John’s installed a traffic counter on Doolings Line and the results at that time were significant. Since then the numbers have greatly increased.

Residents of the Goulds and surrounding areas use our street to get to Ruby Line and the Goulds By-Pass Road. With the new shopping area on Ruby Line and the traffic coming from Tim Horton's especially in the morning the situation is magnified. Farm equipment and other heavy vehicles use Doolings Line often.

We want the City of St. John's to make safety on our street the main concern when it deliberates over the 2008 multi year Capital Works Program and approve this project."

Councillor Collins asked that the matter be considered under this year Capital Works budget.

- (2) Councillor Puddister tabled a petition regarding 129 Penney Crescent which will be included in the agenda of the Regular Meeting of Council to be held on July 10, 2007 when this matter will be brought forward. The prayer of the petition reads as follows:

"This is a petition against the approval of a Beauty Salon located at 129 Penney Crescent. This is an area with no through-fare, and a very quiet neighbourhood. If this is approved, we feel that our property value will decrease and we did not purchase a house in this area for this kind of activity."

New Corporate ID

Council considered a memorandum dated June 21, 2007 from the Chief Commissioner and City Solicitor regarding the New Corporate ID; the intent being to incorporate the new identity into various media as new supplies and updates are scheduled for renewal. The Chief Commissioner and City Solicitor indicated that the intent of the initiative was not to carry out a complete rebranding exercise but to develop an image which respects, recognizes and incorporates the icons, brands and programs used throughout the City. He also assured Council that the Director of Economic Development, Tourism and Culture will ensure that the branding as proposed is adhered to. Councillor Colbert congratulated staff on this initiative.

263 Canada Drive – Dwight Humpheries

Council considered a memorandum dated June 19, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-06-26/360R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Collins: That the recommendation of the Chief Commissioner and City Solicitor that approval be granted to lease land at the rear of 263 Canada Drive to the owner at a cost of \$130.00 per year plus the usual administration fee of \$150.00, be approved.

214 Mundy Pond Road, Estate of Roland Collins

Council considered a Memorandum dated June 21, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-06-26/361R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that approval be granted to acquire land at 14 Mundy Pond Road, at a cost of \$75,000.00, since the City will require this property in future for reconstruction of the intersection of Mundy Pond Road and Columbus Drive, be approved.

Banner Request - Ovarian Cancer Canada (OCC) – August 27, 2007 to Sept. 9, 2007

Council unanimously approved the above noted banner request.

Wedgewood Park Pool

Council considered a memorandum dated June 21, 2007 from the Director of Building and Property Management regarding the above noted.

SJMC2007-06-26/362R

It was moved by Councillor Puddister; seconded by Councillor Coombs: That funding in the amount of approximately \$80,000.00 be allocated out of the 2008 Capital Works Budget to carry out work on the Wedgewood Park Pool.

The motion being put was unanimously carried.

Application to Rezone Property – 421-425 Main Road, Mr. Cyril Martin

Council considered a memorandum dated June 26, 2007 from the Director of Planning regarding the above noted.

SJMC2007-06-26/363R

It was moved by Councillor Hann; seconded by Councillor Duff: That the rezoning application for property 421-425 Main Road to A1 Zone be approved with the condition that the maximum building height for a future apartment building on the property be restricted to two (2) storeys not exceeding 8 metres.; and further, that the following Resolution for St. John's Municipal Plan Amendment Number 48, 2007 and St. John's Development Regulations Amendment Number 406, 2007 with the noted restriction on building height for an apartment building, be approved.

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 48, 2007
and
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 406, 2007

Under the authority of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council:

- a) adopted St. John's Municipal Plan Amendment Number 48, 2007 and St. John's Development Regulations Amendment Number 406, 2007 on the 4th day of June, 2007;
- b) gave notice of the adoption of St. John's Municipal Plan Amendment Number 48, 2007 and St. John's Development Regulations Amendment Number 406, 2007 by advertisements inserted in the Telegram newspaper on the 9th day and the 13th day of June, 2007;
- c) set the 26th day of June, 2007 at 7:00 p.m. at St. John's City Hall for the holding of a public hearing to consider objections and representations.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council approves St. John's Municipal Plan Amendment Number 48, 2007 and St. John's Development Regulations Amendment Number 406, 2007 as adopted by Council at its Regular Meeting on June 4, 2007 with the following addition:

Revise Section 10.12.3(1)(f) of the text of the St. John's Development Regulations (Maximum Building Height for Apartment Buildings in the Apartment Low Density (A1) Zone) to read as follows:

A(f) 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 Murphy Estate) and the property at Civic Number 421-425 Main Road where the maximum building height is limited to two (2) Storeys (not exceeding 8 metres).@

SIGNED and SEALED this 26th day of JUNE, 2007.

Mayor

**Director of Corporate Services
and City Clerk**

The motion being put was unanimously carried.

Deputy Mayor O'Keefe

Deputy Mayor O'Keefe advised that he attended the St. John's Bonavista Region Cruise Partnership Agreement Ceremony in Bonavista on Saturday, June 23rd, 2007 and tabled the official document for the Mayor's signature to be forwarded to the Town of Bonavista.

Deputy Mayor O'Keefe presented a cheque for \$30,000.00 representing a portion of the partnership of the Town of Portugal Cove/St. Philips as a joint partner in the redevelopment of the Rotary Sunshine Park. He noted that joint partners in that venture aside from the City, the town of Portugal Cove/St.Philips and Rotary Park, the job creation program and the Grand Concourse have managed to accumulate approximately \$400,000.00 of which the City has contributed one half to be used for Phase 1 Redevelopment of the Park which should be completed by August or September. He complimented the Town of Portugal Cove/St. Phillips on being such a great partner.

Deputy Mayor O'Keefe raised the issue surrounding Doolings Line noting that he has received a number of calls from the residents expressing concerns of safety due to the dilapidated condition of Doolings Line. He asked that Council consider a number of options in order to have the upgrading of the street completed.

Doolings Line Upgrading**SJMC2007-06-26/364R**

It was moved by Deputy Mayor O'Keefe; seconded by Councillor Collins: That if the City can successfully negotiate with the Province a Multi Year Capital Works Program for 2008, that Doolings Line upgrading be approved and funded through that program.

The motion being put was unanimously carried.

Councillor Hickman

Councillor Hickman advised residents that he has referred the traffic situation with respect to the Thorburn Road Bridge construction to the City Traffic division for investigation.

Councillor Puddister

Councillor Puddister advised that he received an email from Mr. Edgar Williams who spoke to comments he made in reference to the Public Meeting by Canada Lands regarding the redevelopment of Pleasantville Lands. In response to Mr. Williams' comments with respect to the number of attendees, Councillor Puddister suggested there were somewhere between 60 and 100 people in attendance. In response to Mr. Williams question on the proposed location of the development, Councillor Puddister advised that he supports the proposed

location because it was selected by the Military as a suitable site. Councillor Puddister noted he stands by his comments made at the meeting.

His Worship the Mayor also agreed that the Department of National Defence proposal is an “excellent” development in addition to a residential development.

Councillor Coombs

Councillor Coombs noted that St. John’s Jazz Festival initially made application for funding of approximately \$50,000 to the Finance and Administration Standing Committee. He noted that the group has expanded considerably and are now in talks with major fish companies as well as the Department of Fisheries about the possibility of next year expanding to a having a Seafood Festival; and in addition, this year the Canadian Jazz Organization is coming to St. John’s and are hoping to have European representatives as well. Councillor Coombs advised that the group has received funding in the amount of \$24,000 from the Province and \$88,000 from the Federal Government, along with \$2,500 from the City. He asked that the City consider additional funding and made the following motion.

SJMC2007-06-26/365R

It was moved by Councillor Coombs; seconded by Deputy Mayor O’Keefe: That the City contribute an additional \$17,500.00 this year to the St. John’s Jazz Festival.

During discussion, Councillor Duff though supporting the motion cautioned members of Council that parameters have to be set on how to fund festivals and noted that staff have been asked to prepare criteria in this regard.

Councillor Ellsworth objected to the motion noting that the funding has not been budgeted and that there are infrastructure needs.

Following discussion, the motion being put was carried with Councillor Ellsworth objecting.

Councillor Coombs tabled a request from Newfoundland and Labrador Ball Hockey Association for funding towards the 2008 World Jr. Ball Hockey Championships and asked that it be referred to the Finance and Administration Standing Committee for consideration.

Garbage Placed for Collection By-Law

SJMC2007-06-26/366R

It was moved by Councillor Coombs; seconded by Deputy Mayor O’Keefe: That the Covering of Garbage Placed for Collection By-Law be amended to remove the stipulation that only nets be used and include the use of blankets as an acceptable

covering for garbage; and that uncovered garbage be collected and those responsible for uncovered garbage be issued a citation.

During discussion it was noted that Council at its meeting held on June 18, 2007 directed that the matter be referred to the Public Works & Environment Standing Committee for reconsideration and therefore the previous motion is out of order.

By unanimous consent Council agreed to cancel the previous direction of Council to have the matter referred to the Public Works Committee. The Chief Commissioner and City Solicitor advised that in order to amend a By-Law a Notice of Motion has to be put forward.

Councillor Coombs then gave the following Notice of Motion:

TAKE NOTE that I will at the next Regular Meeting of Council move to amend the present Covering of Garbage Placed for Collection By-Law to allow for the use of blankets for the remainder of the present year, and also to amend the by-law to have uncovered garbage picked up and the homeowner cited for non-compliance.

Councillor Collins

Southlands Committee

SJMC2007-06-26/367R

It was moved by Councillor Collins; seconded by Deputy Mayor O'Keefe: That the City provide a \$5000.00 grant to assist with the startup of the Southlands Community Committee.

The motion being put was unanimously carried.

His Worship the Mayor

His Worship the Mayor noted that he attended the NOIA Conference held in the City last week which he indicated was an "Excellent" event. He referenced the Premier's speech and his comment on the oil and gas development lending grounds for a lot of optimism with respect to offshore activity.

The Mayor noted that he received a response to his letter to Federal Energy Minister and that it did not address any of the questions he asked about Federal Research money or the lack thereof in Newfoundland.

The Mayor also noted that he has not received a response to his letter to Federal Minister Hearn and that he intends to prepare an official Freedom of Information request to obtain the information he previously requested.

The Mayor encouraged all citizens to take the time to view the Newfoundland Association of Realist Artists display at City Hall. He noted that the City should have a collection of paintings of the old streetscapes of St. Johns for display at City Hall.

Councillor Colbert suggested that perhaps at the end of the display it might be possible to avail of the paintings for use towards a charity auction.

Adjournment

There being no further business, the meeting adjourned at 6:20 p.m.

MAYOR

CITY CLERK