

June 28th, 2010

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

His Worship the Mayor presided.

There were present also: Deputy Mayor Duff; Councillors O'Leary, Hickman, Colbert, Hann, Breen, Galgay, Tilley, Hanlon and Collins

The City Manager, Deputy City Manager/Director of Corporate Services and City Clerk; Deputy City Manager/Director of Public Works and Parks; Director of Planning, Director of Engineering, Acting City Solicitor; Manager of Planning and Information and Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2010-06-28/377R

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

- a. Memorandum dated June 28, 2010 from the Director of Planning re Proposed Rezoning of property Corpus Christi Parish Hall Site - #200 Waterford Bridge Road, Applicant J & P Contracting.
- b. Email dated June 25, 2010 from Kevin Nolan and Robert Hall re 21-23 Rennie's Mill Road.

Adoption of Minutes

SJMC2010-06-28/378R

It was decided on motion of Councillor Tilley; seconded by Councillor Galgay: That the minutes of the June 22nd, 2010, meeting be adopted as presented.

George Street Redevelopment Study (Ward 2) – Phase 2 – Projects and Costs

Council considered a memorandum dated June 15, 2010 from the City Manager regarding the George Street Redevelopment Study, Phase 2, along with cost estimates broken down into estimates for George Street's eastern end (from Beck's Cove to

Adelaide Street) and western end (from Adelaide Street to Queen Street). They are also shown with the cost of burying the overhead electrical cables.

Mr. Philip Pratt, PHB Group, gave a power point presentation on the long term plan for George Street which can be carried out in phases and under various priorities.

SJMC2010-06-28/379R

It was moved by Councillor Galgay; seconded by Councillor Hanlon: That the final George Street Redevelopment Study be granted Approved-in-Principle.

Members of Council with the exception of Councillor Collins supported the plan and as indicated by members of Council, the plan for George Street is a long range plan, has no funding commitment to date, and funding partners such as government agencies, corporations, businesses, etc., will be an integral part of its implementation.

Councillor Collins objected to funding the project noting that other projects deserve funding priority.

The motion being put was carried with Councillor Collins dissenting

St. John's Transportation Commission Audited Financial Statements 2009

Councillor Hann presented the St. John's Transportation Commission Audited Financial Statements for 2009. He outlined some of the highlights of the statements noting that in the 2009 fiscal year the outstanding debt was reduced and no additions to the debt were made during the year. Councillor Hann indicated, however, that metrobus is facing some challenges over the next few years in the area of capital requirements for fleet replacement which will add additional expense to the bottom line. He acknowledged General Manager, Ms. Judy Powell and Chief Financial Officer, Mr. Jason Hussey, who were in attendance and thanked them on a well managed transit system.

SJMC2010-06-28/380R

It was moved by Councillor Hann; seconded by Councillor Tilley: That the St. John's Transportation Audited Financial Statements for 2009 be adopted as presented.

During discussion, points were raised relative to developing ways to increase ridership, how to encourage marketability and the eventuality of a regional service. Councillor Hann advised that the consultant's report will address those issues and public meetings will be held, the dates to be decided by the consultants.

Following discussion, the motion being put was unanimously carried.

Business Arising

Notice of Motion – Deputy Mayor Duff

SJMC2010-06-28/381R

Pursuant to Notice of Motion, it was moved by Deputy Mayor Duff; seconded by Councillor Hickman: That the following Sign By-Law (Amendment No. 2) be adopted:

BY-LAW NO.

SIGN (AMENDMENT NO. 2 – 2010) BY-LAW

PASSED BY COUNCIL ON

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990, c.C-17, as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to signage in the City of St. John's.

BY-LAW

1. This By-Law may be cited as the "St. John's Sign (Amendment No. 2 – 2010) By-Law."
2. Section 2(j) of the St. John's Sign By-law is repealed and the following substituted:

"2(j) "wall sign" means a sign which is painted on or which is affixed parallel to a wall of a building, but excludes a fascia sign, a mural and a billboard".
3. Section 23 of the St. John's Sign By-Law is repealed and the following substituted:

- “23 (1) The maximum height of a billboard shall be 8 metres above grade, unless otherwise approved by Council.
- (2) A billboard shall not exceed 20 metres² unless otherwise approved by Council.
- (3) Billboards are prohibited on roadways and highways where the posted speed limit is 70 kph or greater.
- (4) Billboards are prohibited on lands owned by the City of St. John’s.
- (5) Billboards shall not be erected within 100 metres of another billboard on the same side of the street.
- (6) Billboards shall not be permitted in a Residential Zone or within 60 metres of a Residential Zone unless the billboard is on the opposite side of the street from the Residential Zone.

IN WITNESS WHEREOF the Seal of the City of St. John’s was hereunto affixed and this By-Law was signed by the Mayor and City Clerk this day of , 2010.

MAYOR

CITY CLERK

The motion being put was unanimously carried.

Notice of Motion – Councillor Colbert

21-23 Rennie’s Mill Road

SJMC2010-06-28/382R

Pursuant to Notice of Motion, it was moved by Councillor Colbert; seconded by Councillor Hanlon: That Council’s decision with respect to the application by Nolan Hall regarding the Ryan Mansion Property, Civic No. 21-23 Rennie’s Mill Road, be rescinded and that the application by Nolan Hall to develop the four (4) person B&B at No. 21-23 Rennie's Mill Road

(Ryan Mansion Property) into a sixteen (16) person B &B with Spa Services, be approved.

During discussion, some members of Council who had rejected the application on June 14, 2010, indicated they had recently visited the site of the proposed application and as a result their concerns were alleviated due to the fact that the developer had provided more detailed information on the issues pertaining to the proposed spa operation and parking.

Following discussion, the motion being put was unanimously carried.

Notices Published

1. **A Variance of Non-Conformity Application** has been submitted by Michael Tucker requesting permission to construct an extension to **Civic # 314 Southern Shore Highway**. The proposed development, an extension to a Non-Conforming Use will comprise a floor area of 16 m², a 21% increase in floor area of the existing dwelling floor area. **(Ward 5)**

SJMC2010-06-28/383R

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

The motion being put was unanimously carried.

2. **A Discretionary Use Application** has been submitted by Jim Owens requesting permission to construct an Accessory Building at **Civic 271 Southern Shore Highway**. The proposed building will comprise a floor area of 55 m² and its height will measure 6.25 meters from grade. **(Ward 5)**

SJMC2010-06-28/384R

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

The motion being put was unanimously carried.

Public Hearings

a. Public Hearing Report dated June 16, 2010

Re: Application to construct an office and parking building at Civic No. 351 Water Street (the former Woolworth's Store)
Applicant: East Port Properties Ltd.

Memorandum dated June 24, 2010 from the Director of Planning

Deputy Mayor Duff presented a public hearing report dated June 16, 2010 which was held to discuss the application submitted by East Port Properties Limited to construct an office and parking building at the property located at Civic No. 351 Water Street (the former Woolworth's Store). In this regard, Council considered a memorandum dated June 24, 2010 from the Director of Planning.

SJMC2010-06-28/385R

It was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That the Department of Planning be directed to prepare the applicable amendments to the St. John's Municipal Plan and the St. John's Development Regulations to designate all the properties in the block of land on the south side of Water Street between Bishop's Cove and Steer's Cove from the boundaries of Heritage Areas 2 and 3 and designating these properties for greater building height and building bulk; the drafted amendments to be referred to the Planning and Housing Committee for review.

(At this point, His Worship the Mayor left the chair and returned during discussion on this item. Deputy Mayor Duff assumed the Chair in his absence.)

During discussion, questions were raised relative to the issue of removing the block of land from the Heritage Area; the operational agreement and costing relative to the private/public partnering of the parking garage; and the impact of the Heritage Committee's recommendations on the development. However, it was pointed out that Council will have an opportunity to enter into a full debate on this application following review by the Planning and Housing Committee and subsequent report to Council.

Following discussion, the motion being put was unanimously carried.

b. Public Hearing Report dated June 22, 2010

Re: Proposed Rezoning of Property to Allow a New Housing Development, Civic No. 154 Freshwater Road (Former Site of the Seventh Day Adventist School), Applicant: Freshwater Development Ltd.

Memorandum dated June 24, 2010 from the Director of Planning

Deputy Mayor Duff presented a public hearing report dated June 22, 2010 to discuss an application from Freshwater Development Ltd. to rezone the property located at Civic Number 154 Freshwater Road (the site of the former Seventh Day Adventist School Building) from the Institutional Zone to the Residential High Density (R3) Zone. The purpose of the proposed rezoning is to permit the development of a new residential subdivision consisting of town-homes and semi-detached houses.

SJMC2010-06-28/386R

It was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That the following Resolutions for St. John's Municipal Plan Amendment Number

84, 2010 and St. John’s Development Regulations Amendment Number 487, 2010 be adopted in principle, which will then be referred to the Department of Municipal Affairs with a request for issuance of a Provincial release in accordance with the requirements of the Urban and Rural Planning Act:

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN AMENDMENT
AMENDMENT NUMBER 84, 2010**

WHEREAS the City of St. John’s wishes to permit a residential development on property situated at Civic Number 154 Freshwater Road.

BE IT THEREFORE RESOLVED that the City of St. John’s hereby adopts the following map amendment to the St. John’s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act.

Redesignate the property situated at Civic Number 154 Freshwater Road from the Institutional Land Use District to the Residential Medium Density Land Use District as shown on Map III – IA attached.

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 **28th day of June, 2010.**

Mayor

**Director of Corporate Services/
City Clerk**

Provincial Registration

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

MCIP

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 487, 2010**

WHEREAS the City of St. John's wishes to permit a residential development on property situated at Civic Number 154 Freshwater Road.

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

Rezone the property situated at Civic Number 154 Freshwater Road from the Institutional (INST) Zone to the Residential High Density (R3) Zone as shown on Map Z-IA attached.

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 **28th day of June, 2010.**

Mayor

**Director of Corporate Services/
City Clerk**

Provincial Registration

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

MCIP

The motion being put was unanimously carried.

Public Meeting Report dated June 23, 2010

Phase 2 of the Cycling Master Plan as it relates to the Virginia River Trail

Deputy Mayor Duff presented a public hearing report dated June 23, 2010 which was held to discuss Phase 2 of the Cycling Master Plan as it relates to the Virginia River Trail. Deputy Mayor Duff pointed out that a number of valid issues were raised at the meeting including the issue of ATV and Snowmobiles that can enter the trail; loss of open space; the removal of a buffer of trees on Guzzwell Drive; the potential interaction between pedestrians and bicyclers. She advised that each issue will be addressed individually in terms of the final design plan for the trail.

During discussion, Deputy Mayor Duff referenced an ad placed in the weekend Telegram by Mr. Paul Johnston noting “the Concourse cannot accept what is proposed but might agree the following ”Two Lane Trail Solution is practical:

Pursue the consultant’s approach, but reserve a six-foot wide gravel walkway for Walkers, and join to it, a four (or five) foot-wide, paved Trail, reserved and marked for Cyclists, to avoid co-mingling”

Deputy Mayor Duff outlined some of the reasons why this option was previously considered and later rejected as follows – differential settlement between the edge of the pavement and granular surface could be hazardous; tends to increase bike speeds on the paved portion; would encourage the potential use of the trails by skateboarders and inline skaters; the use of pavement portion would create conflict and be less safe for pedestrians and people with strollers; and considerable cost of maintaining the asphalt.

The Deputy Mayor advised of the upcoming meetings on Phase 1 of the Cycling Plan and noted that a final report on the Cycling Plan Phases 1 and 2 will be brought forward with recommendations to be considered by Council and that a final decision on the Plan will have to be made this year to take advantage of the Provincial Gas Tax Fund.

Committee Reports

Development Committee Report dated June 22, 2010

Council considered the following Development Committee Report dated June 22, 2010:

The following matters were considered by the Development Committee at its meeting held on June 22, 2010. The staff reports are attached for Council’s information.

RECOMMENDATION OF APPROVAL:

- 1. Proposed Commercial Buildings
RJC Services for Karamar Holdings Ltd.**

**Kelsey Drive (Ward 4)
Commercial Kenmount Zone (CK) Zone**

The Development Committee recommends that Council grant Approval-in-Principle to the above noted development subject to the following conditions:

- a. meeting the requirements for development in the Commercial Kenmount Zone in accordance with Section 10.26 of the St. John's Development Regulations;
- b. one (1) Accessory Dwelling Unit per office building be permitted;
- c. all development fees and civic assessments are paid prior to final approval; and
- d. permits must obtained from the Department of Building and Property Management prior to development taking place on the site.

RECOMMENDATION OF REJECTION

1. **Crown Land Grant Referral
Proposed Building Lot
Applicant: Mr. Wayne Joseph Howell
Blackhead Road (Ward 5)
Rural Residential (RR) Zone**

The Development Committee recommends that Council reject the above noted application.

OTHER

3. **Proposed Building Lot
Subdivision of Civic No. 36-40 Park Lane (Ward 5)
Applicant – Mr. Glen Putt
Rural Residential Infill (RRI) Zone**

The Development Committee recommends that Council establish a minimum building line of 18 metres for this property in accordance with Section 8.3.1 of the St. John's Development Regulations.

**Ronald Penney, Chairperson
City Manager**

SJMC2010-06-28/387R

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

The motion being put was unanimously carried.

Planning & Housing Standing Committee Report dated June 23, 2010

Council considered the following Planning & Housing Committee Report dated June 23, 2010:

In Attendance: Councillor Frank Galgay, Chairperson
Deputy Mayor Shannie Duff
Councillor Tom Hann
Councillor Danny Breen
Councillor Bruce Tilley
Mr. Ron Penney, City Manager
Mr. Cliff Johnston, Director of Planning
Mr. Walt Mills, Director of Engineering
Mr. Dave Blackmore, Director of Building & Property Management
Ms. Linda Bishop, Acting City Solicitor
Mr. Joe Sampson, Manager of Development
Mr. Ken O'Brien, Manager of Planning & Information
Mr. Jim Clarke, Manager of Street and Parks
Ms. Lynnann Winsor, Development Engineer
Ms. Lindsay Lyghtle, Planner
Ms. Kelly Butler, Recording Secretary

Also in attendance was Ms. Alisha Morrissey with The Telegram.

1. Delegation – Muslim Association of Newfoundland and Labrador re: Proposed Multi-Purpose Community Centre – Sugarloaf Road (Ward 1)

The Committee met with representatives (Drs. Pirzada, Haddara, and Carrim) of the Muslim Association of Newfoundland and Labrador (MANAL) to discuss the Association's application to construct a multi-purpose community centre on property located on Sugarloaf Road. The Committee considered the **attached** memorandum dated June 17, 2010, from the Director of Planning and Manager of Development regarding the application. The Committee also reviewed the **attached** Power Point presentation prepared by MANAL as well as a written response prepared by MANAL to City Staff's concerns regarding the application.

The Committee recommends, on motion of Councillor Breen; seconded by Councillor Hann, with Deputy Mayor Duff opposed: That Council not undertake a text amendment to the St. John's Development Regulations to the Rural (R) Zone to accommodate the proposed multi-purpose building and that the proposed development not be permitted at the Sugarloaf Road location.

The Committee also recommends, on motion of Councillor Breen; seconded by Councillor Hann: That City Staff be directed to meet with

representatives of MANAL to determine if there are other sites in the City that might be available for the proposed use.

2. Proposed Rezoning of Property – Civic Nos. 46 to 100 Old Bay Bulls Road (Ward 5) – City of St. John’s

The Committee considered the **attached** memorandum dated June 16, 2010, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Councillor Hann; seconded by Councillor Breen: That the proposed rezoning of properties between Civic Nos. 46 and 100 Old Bay Bulls Road from the Rural Residential Infill (RRI) Zone to the Residential Low Density (R1) Zone be advertised for public review and comment. Upon completion of this process, the proposed rezoning will be referred to a future Regular Meeting of Council for consideration of adoption.

3. Proposed Rezoning of Property – Civic No. 404 Blackhead Road (Ward 5) – Mr. Walter Norman

The Committee considered the **attached** memorandum dated June 17, 2010, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Councillor Hann, with Councillor Tilley opposed: That the rezoning application be rejected.

4. Proposed Text Amendment – St. John’s Development Regulations – Water Utility Enclosures for Premises Isolation Backflow Prevention Devices

The Committee considered the **attached** memorandum dated June 14, 2010, from the Director of Planning regarding the above noted matter.

The Committee recommends, on motion of Councillor Hann; seconded by Deputy Mayor Duff: That the proposed text amendment to the St. John’s Development Regulations be advertised for public review and comment. Upon completion of this process, the proposed text amendment will be referred to a future Regular Meeting of Council for consideration of adoption.

5. Battery Hotel Site – Civic No. 100 Signal Hill Road (Ward 2)

The Committee considered the **attached** memorandum dated June 22, 2010, from the Director of Planning regarding the above noted matter.

The Committee discussed the matter at length with it being noted that the current zoning of the site would permit a 10 storey building to be constructed. Deputy Mayor Duff noted that in January 2006, Council agreed to exempt the Battery Hotel site from the Battery Development Guidelines Study Area despite a recommendation made by City Staff against doing so. She also noted that while there is no current application on file for

this site, it is an important site, and it would be in the best interests of the City to have some measure of control over its future development.

Upon review of the issue, the Committee recommends, on motion of Deputy Mayor Duff; seconded by Councillor Breen: That a Notice of Motion be given rescinding Council's decision of January 3, 2006, to remove the Battery Hotel site at Civic No. 100 Signal Hill Road from the Battery Development Guidelines Area.

6. Municipal Plan Review

The Committee discussed the issue of the upcoming review of the St. John's Municipal Plan and possible processes to be used in terms of the review. Deputy Mayor Duff indicated that the process should be more inclusive, and she suggested that City Staff be requested to research municipal plan review processes used in other Canadian municipalities. She suggested Saint. John, NB and Halifax, NS as possible resources for that information.

The Committee recommends, on motion of Deputy Mayor Duff: That City Staff be directed to bring forward information on the recent processes used by other Canadian municipalities in the review and preparation of their respective municipal plans. This information should be brought forward to for the review of the Planning and Housing Committee.

Councillor Frank Galgay
Chairperson

SJMC2010-06-28/388R

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

Regarding Item #6, Municipal Plan Review – it was agreed that staff be directed to expand its research of municipal plan review processes used in other Canadian municipalities beyond Saint John, NB, and Halifax, NS.

His Worship the Mayor reminded members of Council that it is still the plan of Council to review the Municipal Plan upon completion of the new Northeast Avalon Regional Plan, as per Council's recommendation.

The motion being put was unanimously carried.

Art Procurement Jury Report dated June 17, 2010

Council considered the following Art Procurement Jury Report dated June 17, 2010:

Re: Recommendation for Art Procurement 2010

As per the City’s Public Art Program policies and procedures, a jury was convened on Thursday, June 17th at the Department of Economic Development, Tourism, and Culture from 10:00 a.m. until 2:30 p.m. to consider 237 pieces of art for the annual Art Procurement Program. Please see attached table of recommendations for Art Procurement.

One of the goals of the City’s Public Art Program is to engage the public with art and these new acquisitions enable the City to further this goal by displaying art in municipal buildings. Through this program, the City also invests in its local arts community and builds a collection that will be accessible to future generations.

The submissions this year were a remarkable representation of the different media the City’s artists are using today as well as a good cross-section of emerging, mid career and established artists.

The Jury would like to take this opportunity to commend St. John’s City Council on their leadership in establishing a public art collection and continuing to invest in it. A Public Art Collection for a City ensures that the public, not just private collectors, have access to the work of successive generations of artists.

Respectfully submitted,

Deputy Mayor Shannie Duff
Sheila Perry
Scott Goudie

SJMC2010-06-28/389R

It was moved by Deputy Mayor Duff; seconded by Councillor Hann: That the recommendations for Art Procurement 2010 as recommended by the Art Jury be approved as follows:

Art Procurement 2010			
17-Jun			
3rd Floor, 348 Water Street			
Artist's Name	Medium	Title of Artwork	Cost
Trine Schioldan	hand dyed, felted wood, beads	The Gathering	\$375
David Baltzer	oil on canvas	St. Johns Mooring	\$1,100
CandaceFulford	acrylic paint, inda ink & nail polish on hand carved panel	The Hideaway	\$650
Lori Doody	etching	September Song	\$650

Jennifer Barrett	acrylic & permanent marker on canvas	Bell Island/Little Bell Island	\$650
Jack Botsford	intaglio etching	Cambodia	\$300
Michael Connolly	dry-point intaglio	Towards The Tablelands	\$395
Tia Connolly	ink on hand dyed paper	Family of Three	\$475
Jonathan Green	lithograph	The Fram's Drift:Nansen's Farthest North 86 13.6'N	\$345
Michael Pittman	mixed media on panel	Arbicide (Treachery of Brothers)	\$1,000
Waite	india ink & encaustic on panel	Untitled (Apothecary Bottles)	\$500
Boylde Chubbs	ink drawing	Off McMurdo's Lane Looking East	\$500
Will Gill	acrylic & collage on panle	Cemetery Park	\$1,200
Kym Greely	acrylic on canvas on board	Fogo 1	\$850
Gerald Squires	oil on canvas	Cliff's of Elliston, Bonavista	\$2,150
Sharon Puddester	mixed media	L'anse aux Meadows-Summer	\$1,500
David Kaarsemaker	oil & relief on panel	St. Tuckmore	\$700
Frank LaPointe	watercolour	Pond Diptych	\$700
	watercolour	Expoits River	\$350
Jennifer Morgan	variable etching	Daffidown Lilly	\$230
Julia Pickard	watercolour	Regratta	\$225
Veselina Tomova	etching	A Good Summer, Changes Islands	\$820
John Goodyear	sculptured black walnut, woodturning, carving, piercing & sandblasting	Emerge	\$1,100
Ann Kirby	hooked on primitive burlap using high quality recycled materials	Women Drying Fish	\$600
Manuel Lethbridge	soapstone, antler	Carbiou	\$318
Grand Total			\$20,183

The motion being put was unanimously carried.

Proposed Rezoning of property Corpus Christi Parish Hall Site - #200 Waterford Bridge Road, Applicant J & P Contracting

Council considered a memorandum dated June 28, 2010 from the Director of Planning regarding the above noted along with a copy of the Commissioner's report dated June 23, 2010.

SJMC2010-06-28/390R

It was moved by Councillor Tilley; seconded by Councillor Galgay: That the following Resolution for St. John's Municipal Plan Amendment Number 81, 2010 and St. John's Development Regulations Amendment Number 483, 2010 be adopted; which will then be sent to the Department of Municipal Affairs with a request for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act:

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 81, 2010**

WHEREAS the City of St. John's wishes to amend the St. John's Municipal Plan in order to permit the development of a residential neighbourhood of single detached houses at 200 Waterford Bridge Road;

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act, 2000:

Redesignate lands at Civic Number 200 Waterford Bridge Road from the Institutional (INST) Land Use District to the Residential Low Density (RLD) Land Use District as shown on Map III – 1A attached.

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 **28th day of June, 2010.**

Mayor

**Director of Corporate Services/
City Clerk**

Provincial Registration

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

MCIP

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 483, 2010**

WHEREAS the City of St. John's wishes to amend the St. John's Development Regulations in order to permit the development of a residential neighbourhood of single detached houses on at 200 Waterford Bridge Road;

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act, 2000:

Rezone lands at Civic Number 200 Waterford Bridge Road from the Institutional (INST) Zone to the Residential Special (RA) Zone as shown on Map Z-1A attached.

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 **28th day of June, 2010.**

Mayor

**Director of Corporate Services/
City Clerk**

Provincial Registration

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

MCIP

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List for the period of June 18, 2010 to June 24, 2010:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF June 18, 2010 TO June 24, 2010**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
MW	Farrell's Excavating Limited	Barite Grinding Plant	2700 Trans Canada Highway	5	Approved	10-06-23
COM	Joris Meester	Home Office	308 Stavanger Drive	1	Approved	10-06-23
IND	Kendall Engineering	NLL Recycling	340 East White Hills Road	1	Approved	10-06-24
COM	John D. Allan	Site Work	East White Hills Road (adjacent to Civic No. 275)	1	Approved	10-06-24

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

**Gerard Doran
Development Officer
Department of Planning**

Building Permits List

SJMC2010-06-28/391R

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

Permits List

CLASS: COMMERCIAL

FOOTWEAR SOLUTIONS	40 ABERDEEN AVE	MS RETAIL STORE
ORTHOPEDIC SOLUTIONS	1 ANDERSON AVE	MS CLINIC
MCDONALDS	37 ANDERSON AVE	MS RESTAURANT
DICKS AND COMPANY LIMITED	385 EMPIRE AVE	MS OFFICE
AVALON RECYCLING SERVICES LTD	61 JAMES LANE	MS LIGHT INDUSTRIAL USE
PETS UNLIMITED	39 KELSEY DR, PETS UNLIMITED	SN RETAIL STORE
CAA ATLANTIC SERVICES LIMITED	55 KELSEY DR	MS RETAIL STORE
ORNAMENTAL CONCRETE LIMITED	274 KENMOUNT RD	MS RETAIL STORE
AT HOME FURNISHINGS	193 KENMOUNT RD	MS RETAIL STORE
YUK YUKS	193 KENMOUNT RD	MS PLACE OF AMUSEMENT
PENNEY KIA INC.	497 KENMOUNT RD	MS CAR SALES LOT
MCDONALD'S	345-349 MAIN RD	MS RESTAURANT
ABC SIDING & WINDOWS INC.	1 MARCONI PL	MS RETAIL STORE
O'DRISCOLL RESTAURANTS INC.	446 NEWFOUNDLAND DR MR. SUB	MS EATING ESTABLISHMENT
HICKMAN MOTORS LIMITED	20 PEET ST	MS CAR SALES LOT
EASTERN PROPANE	29-31 PIPPY PL	MS OFFICE
TIM DONUT LIMITED	30 ROPEWALK LANE	MS EATING ESTABLISHMENT
THE BUSINESS DEPOT LTD.	34 STAVANGER DR	MS RETAIL STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR	MS RETAIL STORE
LOBLAWS PROPERTIES LIMITED	55 STAVANGER DR	MS RETAIL STORE
PENNECON ENERGY LTD.	20 SUDBURY ST	SN OFFICE
MCDONALD'S RESTAURANTS OF	506 TOPSAIL RD	MS RESTAURANT
PIPERS DEPARTMENT STORES	681 TOPSAIL RD	MS RETAIL STORE
GRANITE DEPARTMENT STORE INC.	272-276 TORBAY RD	MS RETAIL STORE
NORTH ATLANTIC REFINING	280 TORBAY RD	MS OFFICE
COLOR YOUR WORLD	464 TORBAY RD	MS RETAIL STORE
BROWNE'S AUTO SUPPLIES LTD.	464 TORBAY RD	MS RETAIL STORE
THE TDL GROUP CORP.	139 TORBAY RD	MS EATING ESTABLISHMENT
SUN SPA # 1	45 TORBAY RD	MS SERVICE SHOP
SUN SPA	145 TORBAY RD	MS SERVICE SHOP
JOSADA HAIR STUDIO	TORBAY ROAD-TORBAY RD MALL	MS SERVICE SHOP
LOTTO BOOTH	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD	MS RETAIL STORE
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD	MS RETAIL STORE
JOHN D ALLAN LIMITED	275 EAST WHITE HILLS RD	SW VACANT LAND
UPSTREAM MARKETING	362 WATER ST. 1ST FLOOR	CR OFFICE
RON FOUGERE ASSOC	215 WATER ST, 6TH FLOOR	TI OFFICE
CITY STARS HOLDINGS INC	150 LEMARCHANT RD	CR COMMERCIAL SCHOOL
CROMBIE DEVELOPMENTS LIMITED	AVALON MALL, PARKING LOT	SW PARKING LOT
LONG HARBOUR HOLDINGS INC	10 ST. CLARE AVE	TI RECREATIONAL USE
CAPITAL SUBARU	KENMOUNT RD	NC CAR SALES LOT
NORTHEAST AVALON	35 RIDGE RD, YMCA	NC CLUB

THIS WEEK \$ 19,975,319.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

WATER TREATMENT PLANT	70 SOUTHERN SHORE HWY	EX ADMIN BLDG/GOV/NON-PROFIT
-----------------------	-----------------------	------------------------------

THIS WEEK \$ 26,800,000.00

CLASS: RESIDENTIAL

FREDERICK & WANDA HAINES	31 BRAD GUSHUE CRES	NC FENCE
NEIL BROWNE AND	93 BRAD GUSHUE CRES	NC FENCE
COLIN SULLIVAN AND	95 BRAD GUSHUE CRES	NC FENCE
COLIN SULLIVAN AND	95 BRAD GUSHUE CRES	NC ACCESSORY BUILDING
LLOYD MATTHEWS	2 CARIBOU PL	NC ACCESSORY BUILDING
COREY WELLS	22 CARIBOU PL	NC FENCE
CATHY RUSSELL	65 CHEYNE DR	NC ACCESSORY BUILDING
ADRIAN WELLS	2 CONNEMARA PL	NC PATIO DECK
RICHARD YOUNG	36 CONNORS AVE	NC ACCESSORY BUILDING
KRISTA PENNEY	141 CRAIGMILLAR AVE	NC PATIO DECK
ROBERT RIDGLEY	120 CROSBIE RD	NC FENCE
CONSTANCE MACKEY	50 EASTAFF ST	NC ACCESSORY BUILDING
CONSTANCE MACKEY	50 EASTAFF ST	NC FENCE
ANTHONY LOCKYER	32 FIRDALE DR	NC ACCESSORY BUILDING
D. CRAIG KNICKLE	17A FOREST RD	NC PATIO DECK
DBH ENTERPRISES LTD.	44 FRANCIS ST, LOT 79	NC SINGLE DETACHED DWELLING
ENOS THOMAS	133 FRECKER DR	NC ACCESSORY BUILDING
JAMES HOPKINS	51 GOLD MEDAL DR	NC ACCESSORY BUILDING
DAVID LANE	155 GOWER ST	NC FENCE
DEAN ROBERT KENNEDY	77 KEITH DR	NC ACCESSORY BUILDING
MAR BUILDERS	1 KNAPDALE PL, LOT 38	NC SINGLE DETACHED DWELLING
STEVEN CHRISTOPHER ANTLE	19 MARGARET'S PL	NC FENCE
GERALD COATES	39 MARK NICHOLS PL	NC ACCESSORY BUILDING
DANIKA KUNG	6 MARSHALL PL	NC ACCESSORY BUILDING
STEADFAST CONTRACTING LTD.	7 MARSLAND PL, LOT 44	NC SINGLE DETACHED & SUB.APT
JOAN MCCUE	61 MAYOR AVE	NC ACCESSORY BUILDING
MICHAEL P. & JUDY SPURRELL	151 OLD PETTY HARBOUR RD	NC PATIO DECK
MICHAEL P. & JUDY SPURRELL	151 OLD PETTY HARBOUR RD	NC ACCESSORY BUILDING
TIM R. LOEHR & LINDSEY ANNE	82 PALM DR	NC ACCESSORY BUILDING
STEPHEN PIEROWAY	137 PATRICK ST	NC FENCE
RUSSELL DURANT	6 PETITE FORTE DR	NC ACCESSORY BUILDING
PATRICK & MAXINE PENDERGAST	62 RUMBOLDT PL	NC ACCESSORY BUILDING
AUBREY EVANS	7 SAVANNAH PARK DR	NC ACCESSORY BUILDING
THOMAS DOOLEY	22 SERPENTINE ST	NC ACCESSORY BUILDING
PHILLIP HANRAHAN	125 SHOAL BAY RD	NC FENCE
N. DORIS HUSSEY	31 SORREL DR	NC ACCESSORY BUILDING
EASTERN SIDING SYSTEMS INC	511 SOUTHSIDE RD	NC SINGLE DETACHED & SUB.APT
RYAN R. FROUDE &	31 SPRUCEDALE DR	NC ACCESSORY BUILDING
JOHN FOLLETT	33 SPRUCEDALE DR	NC ACCESSORY BUILDING
JUNE BENNETT	21 TOBY MCDONALD ST	NC FENCE
JUNE BENNETT	21 TOBY MCDONALD ST	NC ACCESSORY BUILDING
ALVIN & LAURA ANTLE	2 WATSON ST	NC PATIO DECK
COLIN & PAULA MCCORMICK	22 WHITEFORD PL	NC FENCE
ENCON CONSTRUCTION LTD	38 HATCHER ST	CR SUBSIDIARY APARTMENT
SHANE RUSSELL	46 CHEROKEE DR	EX PATIO DECK
GRAHAM COLLINS	26 HUSSEY DR	EX MOBILE HOME
GARY FRANCIS MAHONEY &	114 OLD PETTY HARBOUR RD	EX SINGLE DETACHED DWELLING
CHRISTINA HUNT	12 STONEYHOUSE ST	EX SINGLE DETACHED DWELLING
WILLIAM J. RYAN	14 CARTY PL	RN SINGLE DETACHED DWELLING
ANN CONNOR-SHEPPARD	132 CIRCULAR RD	RN SINGLE DETACHED DWELLING
DONALD HARTERY	30 CONWAY CRES	RN SINGLE DETACHED DWELLING
DOUGLAS TIBBO	24 COOK ST	RN TOWNHOUSING
ERNESTINE BAGGS	17 CORNWALL AVE	RN SINGLE DETACHED DWELLING
POMUR LTD.	19 CORNWALL CRES	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	22-32 COWPERTHWAIT CRT	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	11-28 EAGLE CRT	RN TOWNHOUSING
GERARD FITZPATRICK	10 FITZPATRICK AVE	RN SEMI-DETACHED DWELLING
BYRON & R. ROXANNE COOPER	96 GRENFELL AVE	RN APARTMENT BUILDING
NFLD & LABRADOR HOUSING CORP.	1-6, 7-15A KEEGAN CRT	RN TOWNHOUSING
HERBERT STUCKLEY	83 MAYOR AVE	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	1-10 MITCHELL CRT	RN TOWNHOUSING
STEPHEN DOUGLAS MOTTY	77 NOTRE DAME DR	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	24-31, 32-35, 36-39 STABB CRT.	RN TOWNHOUSING

DAVID BARTLETT	218 TOPSAIL RD	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	60 CABOT ST	SW TOWNHOUSING
MARK BOWERING & ROBERT WHITE	4 HARRIS RD	SW SINGLE DETACHED & SUB.APT
VINCENT & MICHELLE DELANEY	2 SHANNON PL	SW SINGLE DETACHED DWELLING
		THIS WEEK \$ 2,605,406.00

CLASS: DEMOLITION

FRASER H. EDISON &	16 WATERFORD HTS S	DM SINGLE DETACHED DWELLING
FACILITIES DESIGN GROUP INC.	350 PENNYWELL RD	DM SCHOOL
		THIS WEEK \$ 41,000.00

THIS WEEK'S TOTAL: \$ 49,421,725.00

REPAIR PERMITS ISSUED: 2010/06/17 TO 2010/06/23 \$ 210,600.00

LEGEND

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

Payrolls and Accounts

SJMC2010-06-28/392R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending June 24, 2010 be approved:

**Weekly Payment Vouchers
For The
Week Ending June 24, 2010**

PAYROLL

Bi-Weekly Management	\$ 567,784.17
Regional Fire Services	\$ 540,562.28
Bi-Weekly Administration	\$ 680,733.07

Public Works	\$ 331,082.95
ACCOUNTS PAYABLE	\$ 4,268,880.39
Total:	\$ 6,389,042.86

84 Bay Bulls Road – Richard Pike

Council considered a memorandum dated June 23, 2010 from the City Manager regarding the above noted.

SJMC2010-06-28/393R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That the recommendation of the City Manager that a portion of land at 84 Bay Bulls Road, required by the City for street upgrading, be acquired at the appraised value of \$6,100.00 plus legal fees, be approved.

The motion being put was unanimously carried.

Battery

Council considered a memorandum dated June 23, 2010 from the City Manager regarding the above noted.

SJMC2010-06-28/394R

It was moved by Councillor Galgay; seconded by Councillor O’Leary: That the recommendation of the City Manager that a request from the Outer Battery Neighbourhood Association that the City waive tipping fees for the disposal of the material arising from the demolition and repairs of the structures in the Battery, due to storm damage, be approved.

The motion being put was unanimously carried.

Letter dated June 21, 2010 from Sarah Downey, Chairperson, St. John’s Pride requesting on behalf of the St. John’s Pride Organization for the City of St. John’s to sponsor the Opening Ceremonies/Flag Raising and Reception of the 2010 St. John’s Pride Festivities to take place on July 15th, 2010

SJMC2010-06-28/395R

It was moved by Councillor Breen; seconded by Councillor Hickman: That a request that the City sponsor the Opening Ceremonies/Flag Raising and Reception of the 2010 St. John's Pride Festivities to take place on July 15th, 2010, be approved.

The motion being put was unanimously carried.

Letter to His Worship the Mayor from Union of Taxation Employees re the Union of Taxation Employees donation of \$500 to the Real Program and thanking Mr. Bryan Harris for his time and presentation at the recent Health and Safety Conference in St. John's at the Delta Hotel.

Council acknowledged the above noted letter. His Worship extended thanks to Mr. Harris on an "excellent job."

Councillor O'Leary

Councillor O'Leary reminded the general public that the City encourages its residents to avoid the cosmetic use of pesticides.

Councillor Hickman

Councillor Hickman congratulated Jennifer McGrath, Department of Recreation on her first issue of the neighbourhood news letter.

Councillor Breen

Councillor Breen congratulated employees of Johnston Inc. on their cleanup initiative in the City's East End. He also thanked Karen Hickman, Executive Director of Clean and Beautiful for organizing the event.

Councillor Breen asked the Deputy Mayor the status of the review of the criteria for the Arts Jury. She agreed to follow-up on the matter.

Councillor Galgay

Councillor Galgay advised of the official opening of the Buckmaster's Rotary Park in Buckmaster's Circle on June 30, which he noted will serve not only the residents of Buckmaster's Circle but the whole City.

Councillor Hanlon

Councillor Hanlon thanked Eastern Health on its changes to the parking meter system at the Health Science Centre.

Adjournment

There being no further business, the meeting adjourned at 6:30 p.m.

MAYOR

CITY CLERK