

June 28<sup>th</sup>, 2011

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

His Worship the Mayor presided.

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

The City Manager, Deputy City Manager/Director of Public Works and Parks; Director of Planning; Director of Engineering; City Solicitor, Recording Secretary and Manager, Corporate Secretariat were also in attendance.

#### **Adoption of the Agenda**

##### **SJMC2011-06-28/346R**

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

- a. Tender – Goulds Washroom Construction – Tender #2011063
- b. Economic Outlook 2011

#### **Adoption of Minutes**

##### **SJMC2011-06-28/347R**

**It was decided on motion of Councillor Galgay; seconded by Deputy Mayor Duff: That the Minutes of the June 20<sup>th</sup>, 2011 meeting be adopted as presented.**

#### **Business Arising**

**Re: Proposed Rezoning of Properties**

**North Side of Maddox Cove Road (Ward 5)**

**Applicants: Stan Murphy, Bernard Chafe, Colleen Stack & Samuel Stack**

Council considered a memorandum dated June 22, 2011 from the Director of Planning regarding the above noted.

**SJMC2011-06-28/348R**

**It was moved by Councillor Collins; seconded by Councillor Hanlon: That staff be directed to proceed with the rezoning of the subject properties located on the north side of Maddox Cove Road from the Open Space Reserve (OR) Zone to the Rural Residential Infill (RRI) Zone; and further, that the additional legal surveys and descriptions be required to be provided by the applicants in order for the official rezoning and Municipal Plan amendment maps to be prepared by the Department of Planning.**

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

**Re: Proposed Rezoning of Property  
Civic Number 181 Hamilton Avenue (Ward 2)**

Council considered a memorandum dated June 24, 2011 from the Director of Planning regarding the above noted.

**SJMC2011-06-28/349R**

**It was moved Councillor Galgay; seconded by Councillor O’Leary: That the following Resolutions for St. John’s Municipal Plan Amendment Number 93, 2011 and St. John’s Development Regulations Amendment Number 510, 2011 be approved; which will then be referred to the Department of Municipal Affairs for Provincial Registration:**

**RESOLUTION  
ST. JOHN’S MUNICIPAL PLAN  
AMENDMENT NUMBER 93, 2011**

**WHEREAS** the City of St. John’s wishes to allow the redevelopment of the former CEI Club at Civic Number 181 Hamilton Avenue as a residential apartment building.

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

**“Redesignate the property at Civic Number 181 Hamilton Avenue from the Open Space Land Use District to the Residential Medium Density 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 28<sup>th</sup> day of **June, 2011.**

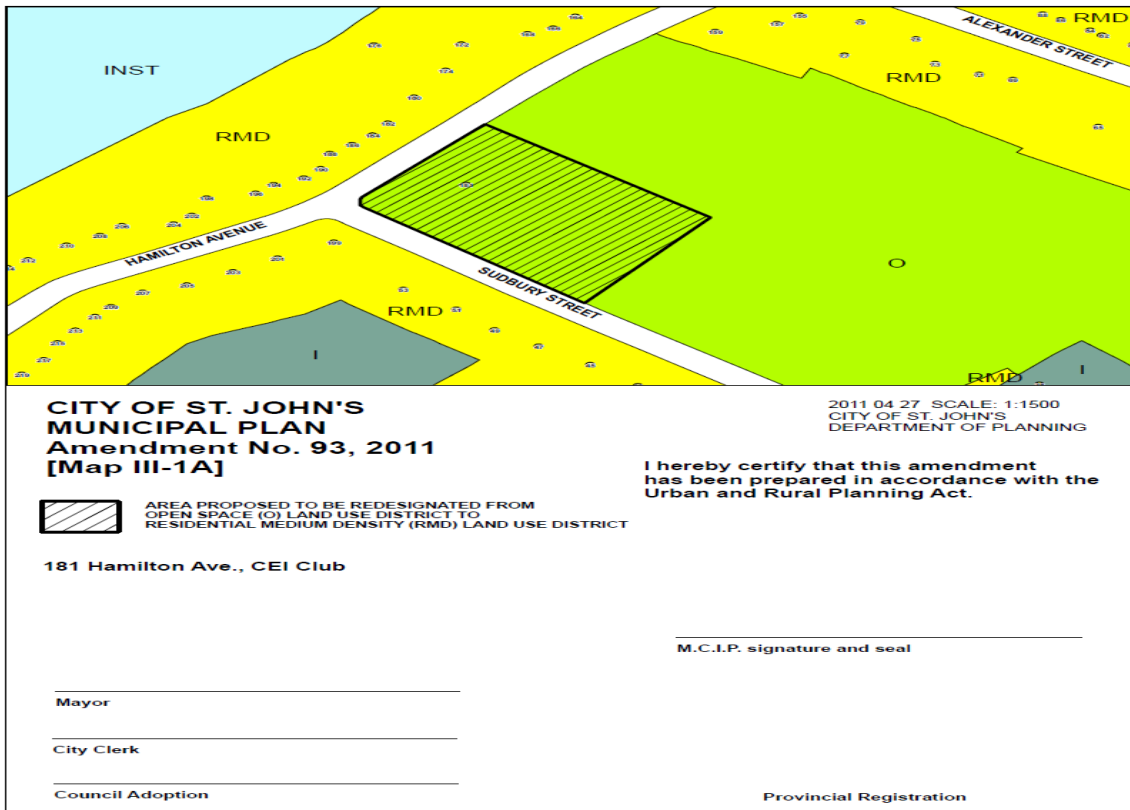
\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

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

\_\_\_\_\_  
MCIP

**It is noted that Council had appointed a commissioner to conduct a public hearing on the amendments, however, the hearing was cancelled under the authority of the Urban and Rural Planning Act, as no written objections to the amendments were received by the City Clerk's Department prior to the hearing.**



**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 510, 2011**

**WHEREAS** the City of St. John's wishes to allow the redevelopment of the former CEI Club at Civic Number 181 Hamilton Avenue as a residential apartment building.

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

**“Rezone the property at Civic Number 181 Hamilton Avenue from the Open Space (O) Zone to the Apartment Medium Density (A2) 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.

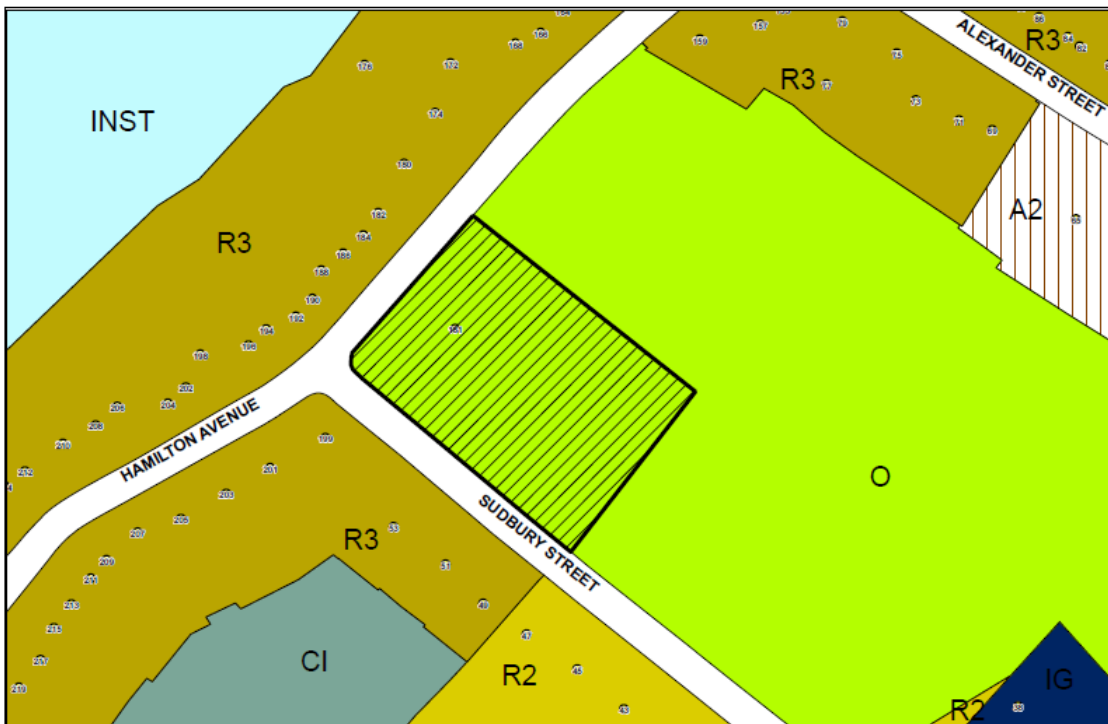
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 28<sup>th</sup> day of **June, 2011.**

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

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

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

\_\_\_\_\_  
MCIP



**CITY OF ST. JOHN'S  
DEVELOPMENT REGULATIONS  
Amendment No. 510, 2011  
[Map Z-1A]**

2011 04 27 SCALE: 1:1500  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REZONED FROM  
OPEN SPACE (O) LAND USE ZONE TO  
APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE

181 Hamilton Avenue., CEI Club

\_\_\_\_\_  
M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption

Provincial Registration

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

**Proposed Rezoning of Property  
Civic Number 23 Henry Street (Ward 2)  
Applicant: Henry Bell Developments Ltd.**

Council considered a memorandum dated June 24, 2011 from the Director of Planning regarding the above noted.

**SJMC2011-06-28/350R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That the following Resolutions for St. John's Municipal Plan Amendment Number 94, 2011 and St. John's Development Regulations Amendment Number 511, 2011 be approved which will then be referred to the Department of Municipal Affairs for Provincial registration:**

**RESOLUTION  
ST. JOHN'S MUNICIPAL PLAN  
AMENDMENT NUMBER 94, 2011**

**WHEREAS** the City of St. John's wishes to redesignate the property at Civic Number 23 Henry Street to allow the development of a residential condominium development/parking garage development incorporating the site.

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

**“Redesignate the property at Civic Number 23 Henry Street from the Residential Downtown Land Use District to the Commercial Downtown Land Use District as shown on Map III-1B 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 28<sup>th</sup> day of **June, 2011.**

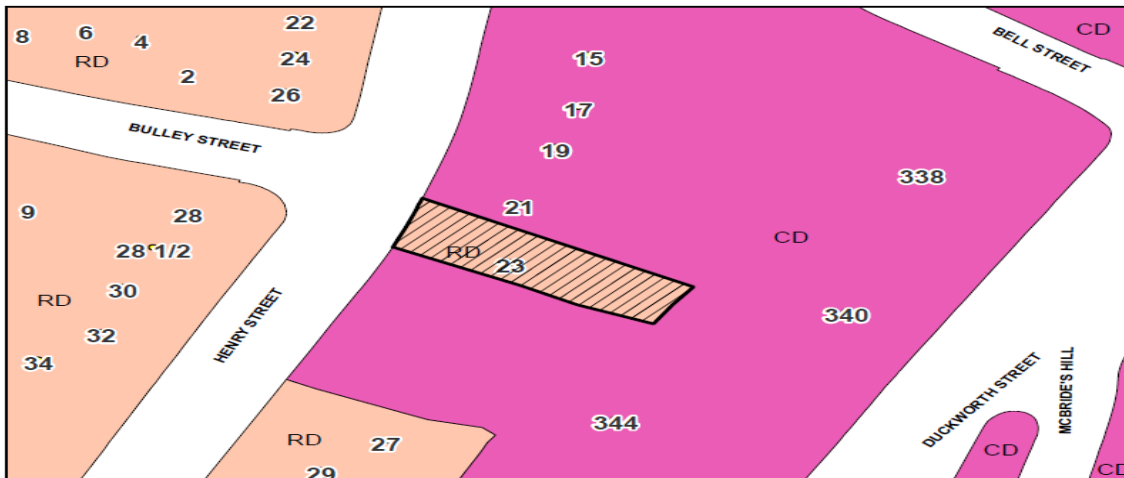
I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
MCIP

It is noted that Council had appointed a commissioner to conduct a public hearing on the amendments, however, the hearing was cancelled under the authority of the Urban and Rural Planning Act, as no written objections to the amendments were received by the City Clerk's Department prior to the hearing.



**CITY OF ST. JOHN'S  
MUNICIPAL PLAN  
Amendment No. 94, 2011  
[Map III-1B]**

2011 04 27 SCALE: 1:500  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REDESIGNATED FROM  
RESIDENTIAL DOWNTOWN (RD) LAND USE DISTRICT TO  
COMMERCIAL DOWNTOWN (CD) LAND USE DISTRICT

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

23 Henry St., Henry Bell Development Ltd.

\_\_\_\_\_  
M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption

Provincial Registration

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 511, 2011**

**WHEREAS** the City of St. John's wishes to rezone the property at Civic Number 23 Henry Street to allow the development of a residential condominium development/parking garage development incorporating the site.

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

**“Rezone the property at Civic Number 23 Henry Street from the Residential Downtown (RD) Zone to the Commercial Central Mixed Use (CCM) Zone as shown on Map Z-1B 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 28<sup>th</sup> day of **June, 2011**.

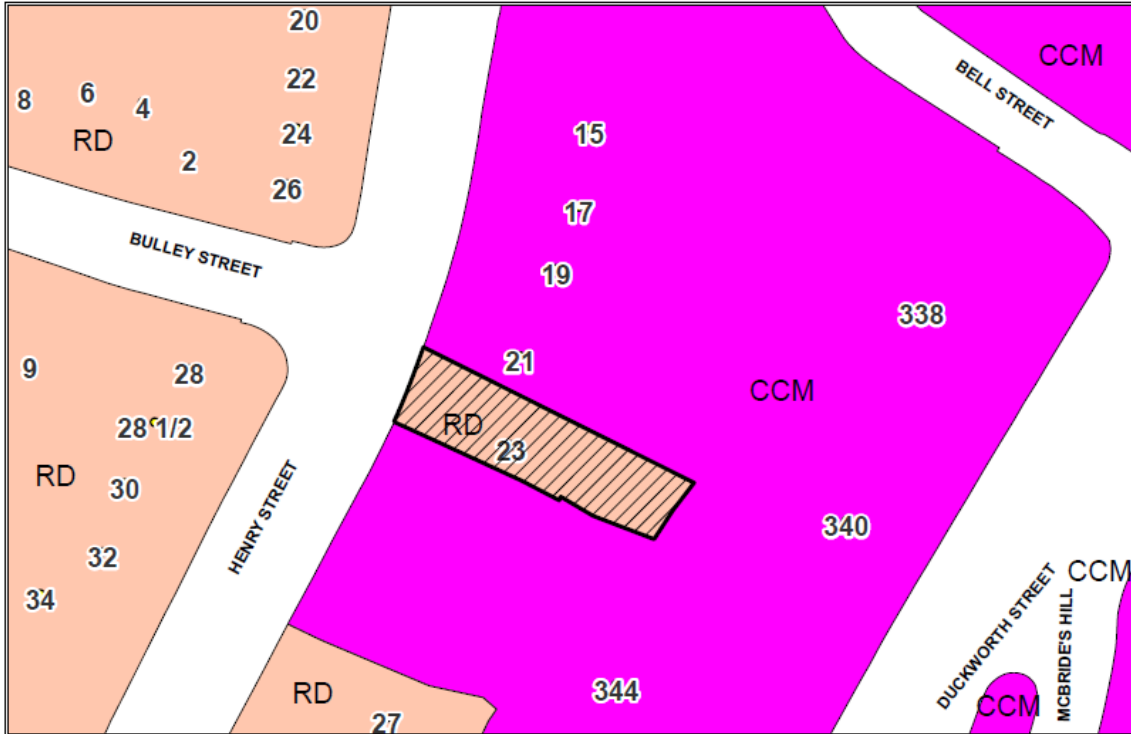
\_\_\_\_\_  
**Mayor**

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

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

\_\_\_\_\_  
MCIP





**CITY OF ST. JOHN'S  
DEVELOPMENT REGULATIONS  
Amendment No. 511, 2011  
[Map Z-1B]**

2011 04 27 SCALE: 1:500  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REZONED FROM  
RESIDENTIAL DOWNTOWN (RD) LAND USE ZONE TO  
COMMERCIAL CENTRAL MIXED (CCM) LAND USE ZONE

23 Henry St., Henry Bell Development Ltd.

\_\_\_\_\_  
M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption

\_\_\_\_\_  
Provincial Registration

**The motion being put was unanimously.**

**Other Matters**

Councillor O’Leary referenced comments made at the Regular Meeting of Council held on June 20, 2011 by Councillor Breen with respect to the arts grants and the commission received by the galleries. In this regard Councillor O’Leary tabled a letter from Sara Tilley, Executive Director, VANL-CARFAC in response to her query regarding best practices for art procurement procedures, and specifically regarding commercial galleries receiving commission fees when selling their artists’ work to a procurement. Ms. Tilley states that “it is standard practice for artists engaged with commercial galleries or dealers to allow their dealer to act as representative on their behalf in many different types of sales, including those to procurement processes, and for the gallery or dealer to claim their usual 40 to 60% commission rate for doing so.” A copy of the letter is on file with the City Clerk’s office.

Both His Worship the Mayor and Councillor Breen, though recognizing the standard practice policy, noted that the focus of the arts grants program is to put money in the hands of the artists not the dealers and are not suggesting that the process was carried out in an inappropriate or unprofessional manner.

**Public Meeting Report dated June 15, 2011**

Councillor Breen presented a public meeting report dated June 15, 2011 regarding a Discretionary Use Application submitted by Genivar Inc. on behalf of Mary Brown’s Restaurants for municipal approval to establish and operate a Mary Brown’s Restaurant and Drive-Thru at Civic No. 632 Topsail Road – the site of the Irving Gas Bar and Convenience Store at Topsail Road/Burgeo Street.

Councillor Breen pointed out that Council decided to defer consideration of the application for a drive thru pending a review of standards governing restaurants, take-outs and drive thrus, abutting residential areas.

**SJMC2011-06-28/351R**

**It was moved by Councillor Breen; seconded by Councillor Hann: That the Public Meeting Report be accepted as presented and brought forward when the application for a drive thru is being considered.**

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

**Development Committee Report dated June 21, 2011**

Council considered the following Development Committee Report dated June 21, 2011:

**RECOMMENDATION OF REJECTION:**

- 1. Proposed Demolition of Dwelling and Construction of New Dwelling  
David and Crystal Knight  
Civic No. 24-26 King's Hill Road  
Town of Portugal Cove-St. Philips**

The Development Committee recommends that Council reject the proposed demolition and construction of a new dwelling pursuant to Section 104(4)(c) of the City of St. John's Act.

- 2. Proposed Extension to Building  
Hennebury Engineering Limited on behalf of The Carpet Factory  
Civic No. 1 Logy Bay Road (Ward 1)**

The Development Committee recommends that Council reject the above noted application as the proposed extension will increase the degree of non-conformity and will further exacerbate the unsafe parking situation where cars have to back out onto Logy Bay Road.

Robert F. Smart  
City Manager  
Chair – Development Committee

**SJMC2011-06-28/352R**

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

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

**Parks and Recreation Standing Committee Report dated June 16, 2011**

Council considered the following Parks and Recreation Standing Committee Report dated June 16, 2011:

**Attendees:** Councillor Wally Collins, Chairperson  
Councillor Danny Breen  
Councillor Tom Hann  
Councillor Frank Galgay  
Councillor Bruce Tilley  
Councillor Gerry Colbert  
Robert Smart, City Manager  
Jill Brewer, Director of Recreation  
Jason Sinyard, Acting Director of Public Works  
Natalie Godden, Manager of Family & Leisure Services  
Gordon Tucker, Manager of Property Management  
Brian Head, Operations Assistant – Parks  
David Crowe, Foreperson – Public Works & Parks  
Karen Chafe, Recording Secretary

**Report:**

**1. Funding Request: Playground Landscape Work: Virginia Park Community Centre**

The Committee considered a letter dated May 26, 2011 from Tracy Carberry, Executive Director of the Virginia Park Community Centre, requesting funds for landscaping work to complete their playground equipment installation. They have received funding in the amount of \$8700.00 to provide two new pieces of equipment for ages 9-12 years old; however, they do not have the available funds to do the landscaping work which needs to be completed before they can install their new equipment. The landscaping expense will cost approximately \$7000.00. Ms. Carberry notes in her letter that the playground is the only supervised area in the community where children can play in a safe and protected environment. With new families attending Virginia Park Community Centre's programs each year, they have out grown the space and now find that it is too small to occupy the children in their neighbourhood.

**The Committee on motion of Councillor Breen; seconded by Councillor Galgay recommends that Council approve the required \$7000 in funding to facilitate landscaping requirements for the playground's expansion.**

**2. Outdoor Washrooms at St. Kevin's Ball Field**

Councillor Collins referenced Council's previous approval to construct washrooms at St. Kevin's in the amount of \$100,000, the funding for which was reallocated from the development fees for the construction of a subdivision tot lot located across the

street from St. Kevin's Ball Field. He advised that the lowest tender amount has come in \$75,000 above the approved amount.

**The Committee on motion of Councillor Colbert; seconded by Councillor Galgay recommends that the additional \$75,000 be approved for a total of \$175,000 to construct the washrooms at St. Kevin's Ball Field.**

Councillor Wally Collins  
Chairperson

**SJMC2011-06-28/353R**

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

It was noted by some members of Council that the committee discussed the implementation of "no mow zones" on slopes in City-owned public spaces. Councillor Galgay expressed concern about the effect that would have on the City's major parks and asked that the matter be referred back to the Committee. It was noted that the Parks and Recreation Committee agreed that the Parks Division would investigate the costs associated with maintaining the higher profile slopes of the City and that the information will be forwarded back to the Committee for review.

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

**Heritage Advisory Committee Report dated June 22, 2011**

Council considered the following Heritage Advisory Committee Report dated June 22, 2011:

**Members:** Deputy Mayor Shannie Duff, Chairperson  
Councillor Sheilagh O'Leary  
Wayne Purchase, Downtown St. John's  
David Kelland, NL Association of Architects  
George Chalker, Heritage Foundation of NL  
Tony Lockyer, NL Homebuilders Association  
Anne Hart, Resident Representative  
Gerard Hayes, Citizen Representative  
Ken O'Brien, Manager of Planning & Information

Peter Mercer, Heritage Officer  
Helen Miller, Archivist  
Alannah Wicks, Archives  
Karen Chafe, Recording Secretary

1. **Rooftop Deck for *the Cove at O'Reilly's* and *O'Rielly's* (318 Water St. and 13 George St.)**

The Committee considered the elevations for the proposed roof-top decks and eco gardens for the *Cove at O'Reilly's* and *O'Rielly's Pub* (situated above 318 Water St. and 13 George St. respectively). The matter had been deferred for clarification on the upper roof-top portion of the deck above 13 George St.. Mr. Craig Flynn and Ms. Brenda O'Reilly were invited to the meeting to further discuss these details which are outlined on the attached elevation prepared by the PHB Group.

**The Committee recommends approval of the design for the rooftop decks situated at *The Cove at O'Reilly's* and *O'Rielly's Pub* (318 Water St. and 13 George St. respectively) as presented.**

**The Committee recognizes that similar applications for roof-top gardens will likely come forward; and the Committee, therefore, recommends the development of comprehensive criteria to ensure appropriate design guidelines.**

2. **132 Duckworth Street (Courtyard by Marriott) Design**

The Committee considered the attached elevations for the proposed Courtyard by Marriott as designed by the PHB Group. The Committee had previously met with Phillip Pratt to discuss the details of the design. The new construction will consist of an extension, situated directly across the street, to the existing hotel and comprised of three levels of hotel space and two levels of parking, proposed to be connected by a pedway.

**The Committee having considered the design elevations recommends approval of the new structure as presented but without the pedway connection. The Committee feels that the building design is appropriate and makes a real effort to maintain the rhythm of the streetscape, complementing the existing vernacular.**

**Approving a pedway in the absence of clear guidelines to delineate design criteria and the conditions under which pedways should be approved might set a precedent that would encourage the undue and inappropriate proliferation of such structures in the Downtown. Future applications for pedway construction should not be considered until such guidelines have been developed. This will ensure that applications for developments including pedways will be dealt with on a consistent and equitable basis.**

3. **60 Margaret's Place – Proposed Condominium Project**

The Committee considered the attached elevations for the proposed condominium project to be situated at 60 Margaret's Place which has already received approval for three storeys (consisting of 33 units). An application is currently being considered by Council for a fourth storey (consisting of 11 more units). The Committee has been requested to review the design elevations only.

**The Committee recommends approval of the design submitted which consists of clapboard style exterior and vertical slider windows.**

4. **53 Margaret's Place (St. Michael's Convent) – Proposed 6 Unit Condominium**

The Committee considered the attached elevations for the proposed six-unit condominium development at 53 Margaret's Place (the former St. Michael's Convent).

**The Committee recommends approval of the design as submitted.**

5. **Henry Bell Street Parking Garage – Revised Renderings for Garage**

The Committee considered the attached revised elevations for the Henry Bell Street parking garage.

**The Committee recommends that the Heritage Officer refer the applicant to other successful designs which have come forward, noting that the design as presented is not reflective of the pattern and rhythm of Duckworth St. which is a high profile area. The Committee, therefore, recommends that the elevations be rejected and that the applicant resubmit revised elevations.**

6. **205 Water St. (HSBC Bank) – Repair to Damaged Fascia**

The Committee considered the application for 205 Water St. wherein the damaged fascia will be repaired, as delineated in the shaded area of the attached elevation. The repair will be in keeping with the existing façade. This is a heritage designated building.

**The Committee recommends approval as submitted.**

7. **Proposed LED Sign: Blue on Water Restaurant/Hotel**

The Committee considered an application for an LED sign to be situated on the west corner elevation of Blue on Water. A copy of the design is attached.

**The Committee recommends rejection of the sign which contravenes the Heritage Sign By-Law. The Committee further recommends that LED signs not be permitted in the Heritage Area.**

**Deputy Mayor Shannie Duff  
Chairperson**

**SJMC2011-06-28/354R**

**It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary: That the Committee’s recommendations pertaining to Items 1, 3, 4, 6 and 7 be approved; and that Items #2 and #5 be dealt with separately.**

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

**SJMC2011-06-28/355R**

**Regarding Item #2 (132 Duckworth Street (Courtyard by Marriott) Design, it was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That the design of the building as presented be approved.**

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

**SJMC2011-06-28/356R**

**It was then moved by Deputy Mayor Duff; seconded by Councillor O’Leary: That the recommendation of the Committee that the pedway connection not be approved, be accepted.**

Members of Council supporting the motion agreed that approving a pedway in the absence of clear guidelines to delineate design criteria and the conditions under which pedways should be approved might set a precedent that would encourage the undue and inappropriate proliferation of such structures in the downtown. They also stressed the importance of preserving the heritage area.

Members of Council objecting to the motion argued that the pedway being proposed is an integral part of the extension of the hotel; that other pedways exist in the downtown; it would not be practical to require patrons to move from one side of the street to the other, particularly given St. John’s is a winter city; and the proponent has taken steps to ensure the design will be in keeping with the heritage and culture of the area.

During discussion, Councillor Hickman asked if an underground tunnel has been looked at as an option and requested that the Director of Engineering provide the cost to install a tunnel.

**Following discussion, the motion being put there voted for it the mover, seconder and Councillor Hickman. The motion was lost.**



**SJMC2011-06-28/357R**

**It was then moved by Councillor Colbert; seconded by Councillor Hann: That the pedway connection proposed by Marriott Design for 132 Duckworth Street be approved.**

**The motion being put was carried with Deputy Mayor Duff, Councillors O’Leary and Hickman objecting.**

**SJMC2011-06-28/358R**

**Regarding Item #5 – Henry Bell Street Parking Garage, Revised Renderings for Garage, it was moved by Deputy Mayor Duff; seconded by Councillor O’Leary: That the Committee’s recommendation to reject the elevations and that the applicant resubmit revised elevations, be approved.**

Members of Council supporting the motion agreed with the Committee that the design as presented is not reflective of the pattern and rhythm of Duckworth Street.

Members of Council objecting to the motion argued that the design for the garage as proposed is acceptable and similar to another garage design already approved by the Committee and different from the initial design.

**Following discussion, the motion being put there voted for it the mover, seconder and Councillors Galgay and Hickman. The motion was lost**

**SJMC2011-06-28/359R**

**It was then moved by Councillor Breen; seconded by Councillor Hickman: That the revised renderings for the Henry Bell Street Parking Garage be approved as presented.**

**The motion being put was carried with Deputy Mayor Duff, Councillors Galgay, O’Leary and Hickman objecting.**

**Arts Advisory Committee Report dated June 9, 2011**

Council considered the following Arts Advisory Committee Report dated June 9, 2011:

**Attendees:** George Murray – Association of Cultural Industries, Vice-Chairperson  
Councillor Sheilagh O’Leary  
Councillor Sandy Hickman  
Calla Lachance – Dance Rep.  
Margot Bruce-O’Connell – Business Rep.  
Reg Winsor – Newfoundland and Labrador Arts Council Rep.  
Thea Morash, WANL  
Peter Rompkey, RCA Theatre

Michelle Bush, Visual Artist  
Michelle Haire, Canadian Heritage  
Denis Parker, Music NL  
Elizabeth Lawrence, Director of Economic Development, Tourism & Culture  
Heather Hickman, Manager of Community Development  
Kay Anonsen, Arts & Cultural Development Coordinator  
Paul Boundridge, Planning Coordinator  
Bernadette Walsh, Special Projects Coordinator  
Rhonda Rose-Colbert, Project Assistant  
Karen Chafe, Recording Secretary

1. **Culture Days**

The Committee met with Laura Bruijns, Program Coordinator for Culture Days at the Association of Cultural Industries NL. She circulated background information and promotional pamphlets outlining the Culture Days event taking place this year from September 30 to October 2<sup>nd</sup>, 2011. The Culture Days website outlines that:

Culture Days is a collaborative pan-Canadian volunteer movement to raise the **awareness, accessibility, participation and engagement** of all Canadians in the arts and cultural life of their communities. A national Steering Committee, together with provincial committees (known as Provincial Task Forces) self-mobilize at the grassroots level to implement concurrent, annual, province-wide public participation events that take place throughout the country over the last weekend of September.

Ms. Bruijns requested that the City participate by helping to launch the event via a proclamation. The Committee recommended the following:

**That Council proclaim Culture Days during its regular council meeting of September 26<sup>th</sup>, 2011 and that Ms. Bruijns provide the written proclamation to the Mayor's Office in advance of that meeting.**

2. **Revision to Committee's Terms of Reference re: Council Representation**

The Committee makes the following recommendation for revision to the Committee's Terms of Reference:

**The Committee recommends that the Terms of Reference for the Arts Advisory Committee be revised to reflect the mandatory presence of at least one council representative per meeting to constitute a quorum.**

George Murray  
Vice Chairperson

**SJMC2011-06-28/360R**

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

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

**Special Events Committee Report dated June 20, 2011**

Council considered the following Special Events Committee Report dated June 20, 2011:

- 1) Event: Pre-Regatta Shannyganock Concert  
Location: Quidi Vidi lake  
Date: August 2  
Time: 5:30pm - 11:00 pm

This event requires a road closure of the Boulevard at Legion Road to White Hills.

- 2) Event: Drop Zone  
Location: Atlantic Place  
Date: August 13  
Time: 7:00 am - 5:00 pm

This event requires a closure of Ayre's Cove.

- 3) Event: Tely 10 Road Race  
Location: Start at Town of Paradise and finish near Bannerman Park, St. John's  
Date: July 24, 2011  
Time: 8:00 am - 1:00 pm

This event will require some road closures along the route.

Recommendation:

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

---

Robin King, P. Eng.  
Chair – Special Events Advisory Committee

**SJMC2011-06-28/361R**

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

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

**Development Permits List**

Council considered the following Development Permits List for the period June 17 to 23, 2011:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF June 17, 2011 TO June 23, 2011**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Tony Barton	Residential Building Lot	21 Wild Rose Lane (new lot fronts Lake View Drive)	5	Approved	11-06-22
RES	Eric & Madonna Chafe	Residential Building Lot	531 Main Road	5	Approved	11-06-22
RES	Capital Homes	3 Storey -33 Unit Seniors Apartment Building	Margaret's Place	2	Approved	11-06-17

\* Code Classification:  
 RES- Residential  
 COM- Commercial  
 AG - Agriculture  
 OT- Other

INST - Institutional  
 IND - Industrial

\*\* 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**

**SJMC2011-06-28/362R**

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

2011/06/22

Permits List

**CLASS: COMMERCIAL**

PARALLEL	3 CASHIN AVE	CO OFFICE
SEASPRAY CONSTRUCTION CORP.	377 DUCKWORTH ST PIATTO PIZZA	SN RESTAURANT
BODY QUEST	92 ELIZABETH AVE	MS SERVICE SHOP
MCDONALDS	75 KELSEY DR	MS RESTAURANT
LOBLAWS PROPERTIES LIMITED	20 LAKE AVE	MS RETAIL STORE
O'DRISCOLL RESTAURANTS INC.	446 NEWFOUNDLAND DR MR SUB	MS EATING ESTABLISHMENT
GAME-ON-GEAR	37 O'LEARY AVE	MS OFFICE
LESTER FARMS	90 PEARLTOWN RD	MS AGRICULTURE
HICKMAN MOTORS LIMITED	20 PEET ST	MS CAR SALES LOT
LAHEY HOLDINGS LIMITED	117 ROPEWALK LANE	MS MIXED USE
ROPEWALK FOODS INC.	117 ROPEWALK LANE MR SUB	MS EATING ESTABLISHMENT
CIRCLE K	2 STAVANGER DR, CIRCLE K	SN SERVICE STATION
FUTURE SHOP	20 STAVANGER DR	MS RETAIL STORE
FUTURE SHOP	20 STAVANGER DR	SN RETAIL STORE
HEALTH QUEST	140 STAVANGER DR	MS RETAIL STORE
HAIR CONNECTION INC.	386 STAVANGER DR	MS SERVICE SHOP
CABOT DEVELOPMENT CORPORATION	5 STAVANGER DR PET SMART	MS RETAIL STORE
10475 NFLD LTD.	644 TOPSAIL RD	MS CLUB
DISCOVER MUSIC SCHOOL LIMITED	644 TOPSAIL RD	MS COMMERCIAL SCHOOL
ECOLE PRESCHOLAIRE MES AMIS	436 TORBAY RD	MS NURSERY SCHOOL
TIM HORTONS	139 TORBAY RD	MS RESTAURANT
DECORATING DESIGNS INC	445 TORBAY RD - PAINT SHOP	MS RETAIL STORE
LAWTONS	573 TORBAY RD, LAWTONS	SN RETAIL STORE
REMAX PLUS REALTY	57 SPRUCE GROVE AVE	NC ACCESSORY BUILDING
COLONIAL GARAGE & DISTRIBUTORS	351 HAMILTON AVE	NC FENCE
JASON HUMBER	6 LEMARCHANT RD	CO OFFICE
JAMES G. CRAWFORD LTD.	29 SHAW ST	EX WAREHOUSE
EPIC CONSULTING SERVICES INC.	AVALON MALL, DAVID'S TEA	RN RETAIL STORE
JAMES B. & JUANITA LESTER	181 BROOKFIELD RD	NC AGRICULTURE
HOOPER HOLDINGS INC.	531 TOPSAIL RD - PROFESSIONAL	RN RETAIL STORE
JOHN LESTER - AGRICULTURAL	173 BROOKFIELD RD	NC AGRICULTURE
DOR ENTERPRISES	383 DUCKWORTH ST, ROCKHOUSE	RN TAVERN
CHIMO CONSTRUCTION LTD.	422 LOGY BAY RD	NC OFFICE

THIS WEEK \$ 1,128,610.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

CITY OF ST. JOHN'S	557 MAIN RD	EX ADMIN BLDG/GOV/NON-PROFIT
THE CHURCH LADS' BRIGADE	82 HARVEY RD	RN PLACE OF ASSEMBLY
SEVENTH DAY ADVENTIST	30 ALDRSHOT ST	RN CHURCH

COUGAR HELICOPTER SAR FACILITY 40 CRAIG DOBBIN'S WAY

NC TRANSPORTATION TERMINAL

THIS WEEK \$ 6,948,796.00

CLASS: RESIDENTIAL

WAYNE POWER	3 ALDERGROVE PL	NC FENCE
BERNARD SAUNDERS AND	3 ARNOLD LOOP	NC PATIO DECK
JOSEPH & MARION PILGRIM	45 BEAUFORD PL	NC FENCE
KARWOOD CONTRACTING	1 LOTUS ST, LOT 101	NC SINGLE DETACHED DWELLING
KARL RICHES AND	10 BLUE JACKET PL	NC FENCE
STEVEN PITTMAN &	3 BORDEN ST	NC PATIO DECK
STEVEN PITTMAN &	3 BORDEN ST	NC FENCE
SHANNON DROVER	6 BROOKLYN AVE	NC ACCESSORY BUILDING
ROBERT & DEBRA SKANES	28 CALGARY ST	NC PATIO DECK
JON MURPHY	13 CAMPBELL AVE	NC PATIO DECK
BALNAFAD COMPANY LTD.	54 CAPE PINE ST, LOT 70	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LTD.	71 CAPE PINE ST, LOT 34	NC SINGLE DETACHED DWELLING
BALNADFAD COMPANY LTD.	16 CAPPAHAYDEN ST, LOT 47	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION LTD.	87 CASTLE BRIDGE DR	NC SINGLE DETACHED DWELLING
PHILIP POWER & SONS	137 CASTLE BRIDGE DR, LOT 188	NC SINGLE DETACHED DWELLING
POMUR LIMITED	19 CORNWALL CRES	NC PATIO DECK
KARWOOD CONTRACTING	22 COUNTRY GROVE PL, LOT 56	NC SINGLE DETACHED DWELLING
CHRIS HIBBS & LINDSEY SAUNDERS	83 CRAIGMILLAR AVE	NC ACCESSORY BUILDING
ERCO HOMES	8 DAUNTLESS ST, LOT 79	NC SINGLE DETACHED DWELLING
DAVID SMITH	12 DUMBARTON PL	NC PATIO DECK
CHRISTOPHER/ROSE BRAGG	8 ELDERBERRY PL	NC PATIO DECK
CHARLES ROBERT MILLER AND	52 FRANCIS ST	NC PATIO DECK
BOB COCHRANE	27 FRANCIS ST	NC ACCESSORY BUILDING
COREY WELLS AND	26 GEORGINA ST	NC ACCESSORY BUILDING
ASHLEY G. LAYDEN AND	28 GEORGINA ST	NC ACCESSORY BUILDING
GLENN PARSONS	16 GLENEYRE ST	NC PATIO DECK
SULLIVAN'S CONTRACTING LTD	39 GOLD MEDAL DR	NC FENCE
BEACON POINT DEVELOPMENT	108 GREAT EASTERN AVE, LOT 94	NC SINGLE DETACHED DWELLING
PAUL MCEVOY	124 GREAT EASTERN AVE, LOT 102	NC SINGLE DETACHED & SUB.APT
SAMUEL ROBERT COVE &	11 GREGORY ST	NC FENCE
ERCO HOMES	28 GULLAGE ST, LOT 34	NC SINGLE DETACHED DWELLING
RENEE LESTER	47 HOPEDALE CRES	NC FENCE
WAYNE WALSH	36 KEITH DR	NC ACCESSORY BUILDING
PAUL WALSH	84 LAKE VIEW DR	NC SINGLE DETACHED DWELLING
CATHERINE HAYES	313 LEMARCHANT RD	NC ACCESSORY BUILDING
ANGUS JOSEPH WOODFORD JR	23 LONG BEACH ST	NC FENCE
ERCO HOMES	12 MCCRAE ST, LOT 135	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	15 MCCRAE ST, LOT 119	NC SINGLE DETACHED DWELLING
JILLIAN FURLONG	12 MCFARLANE ST	NC PATIO DECK
KEVIN & CAROL NASH	8 MOGRIDGE ST	NC PATIO DECK
B & B NEW HOME CONSTRUCTION	5 NERISSA PL, LOT 452	NC SINGLE DETACHED & SUB.APT
JOHN & DEBBIE GREENING	78 NOTRE DAME DR	NC FENCE
MICHAEL O'DEA	8 O'REGAN PL	NC FENCE
FRANK STANLEY	33 O'REILLY ST	NC ACCESSORY BUILDING
LAURA VIVIAN	52 OTTER DR	NC ACCESSORY BUILDING
FABIAN PENNELL	31 PITCHER'S PATH	NC ACCESSORY BUILDING
ROSEMARIE SNOW	2 PROSPECT ST	NC FENCE
WILLIAM BYRD	30 ROSALIND ST - LOT 397	NC SINGLE DETACHED & SUB.APT
BRUCE P. & DEBORAH L. WHITE	92 SPRINGDALE ST	NC PATIO DECK
PAUL WILLIAMS	81 SPRINGDALE ST	NC PATIO DECK
ERCO HOMES	247 STAVANGER DR, LOT 1	NC SINGLE DETACHED DWELLING
WALTER C. & MAXINE HAYDEN	39 STENLAKE CRES	NC SWIMMING POOL
KENNETH WALSH & COLLEEN SMITH	27 STONEBRIDGE PL	NC FENCE
CATHERINE HAYES	313 LEMARCHANT RD	CR SINGLE DETACHED DWELLING
CAMELOT PROPERTIES LTD.	216 WATER ST	CR OFFICE
SHAWN WILLIAMS	7 BANTING PL	EX SINGLE DETACHED DWELLING
ED BOWEN & BARBARA BOWEN	53 CASTLE BRIDGE DR, LOT 114	EX PATIO DECK

GREG PIKE	1 DARCY ST	EX SINGLE DETACHED DWELLING
IAN DAWE	18 BALSAM ST	RN TOWNHOUSING
VICKI STODDARD	15 BEAUMONT ST	RN SINGLE DETACHED DWELLING
MATTHEW CULP	13 BINDON PL	RN SINGLE DETACHED DWELLING
NFLD. & LAB. HOUSING CORP.	101 BUCKMASTER'S CIR	RN TOWNHOUSING
SHIRLEY DENINE	7 CABOT ST	RN TOWNHOUSING
DANIEL SIMMONDS & SANDRA SMALL	26 CARONDALE DR	RN SINGLE DETACHED DWELLING
55736 NF & LAB INC.	100 ELIZABETH AVE, UNIT 410	RN CONDOMINIUM
55736 NF & LAB INC.	100 ELIZABETH AVE, UNIT 209	RN CONDOMINIUM
55736 NF & LAB INC.	100 ELIZABETH AVE, UNIT 215	RN CONDOMINIUM
55736 NF & LAB INC.	100 ELIZABETH AVE, UNIT 703	RN CONDOMINIUM
55736 NF & LAB INC.	100 ELIZABETH AVE, UNIT 607	RN CONDOMINIUM
55736 NF & LAB INC.	100 ELIZABETH AVE, UNIT 601	RN CONDOMINIUM
55736 NFLD & LAB INC.	100 ELIZABETH AVE, SUITE 707	RN CONDOMINIUM
55736 NFLD & LAB INC.	100 ELIZABETH AVE, SUITE 405	RN CONDOMINIUM
JONATHAN SHARRON	149 EMPIRE AVE	RN SINGLE DETACHED & SUB.APT
JOHN GARY ADAMS	25 GOWER ST	RN SEMI-DETACHED DWELLING
ANDREW MCKILLOP & NANCY WHITE	7 MORISON PL	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	9-27, 35-53 NASCOPIE CRES	RN TOWNHOUSING
JAMES A.PRICE	7 PARADE ST	RN TOWNHOUSING
TREVOR JAMES PIKE	201 PENNYWELL RD	RN SINGLE DETACHED DWELLING
RYAN K. COX	99 PLEASANT ST	RN TOWNHOUSING
RICHARD & DEBORAH M. SEVERS	122 SUGARLOAF RD	RN SINGLE DETACHED DWELLING
ERIC CONNOLLY	146-152 WATER ST	RN RETAIL STORE
DAVID CRAGGS	9 MEADOWGREEN PL	SW SINGLE DETACHED DWELLING
MUNDEN A CRITCH	8 PADDY'S POND PL, LOT 8	SW OTHER

THIS WEEK \$ 5,038,220.00

**CLASS: DEMOLITION**

GERALD & LISA CRANE	23 EXETER AVE	DM SINGLE DETACHED DWELLING
DARRELL G. KENNY	2 MERCER'S LANE	DM SINGLE DETACHED DWELLING

THIS WEEK \$ 11,500.00

THIS WEEK'S TOTAL: \$ 13,127,126.00

REPAIR PERMITS ISSUED: 2011/06/16 TO 2011/06/22 \$ 79,100.00

LEGEND

CO	CHANGE OF OCCUPANCY	SN	SIGN
CR	CHNG OF OCC/RENOVTNS	MS	MOBILE SIGN
EX	EXTENSION	CC	CHIMNEY CONSTRUCTION
NC	NEW CONSTRUCTION	CD	CHIMNEY DEMOLITION
OC	OCCUPANT CHANGE	DV	DEVELOPMENT FILE

RN	RENOVATIONS	WS	WOODSTOVE
SW	SITE WORK	DM	DEMOLITION
TI	TENANT IMPROVEMENTS		

**Payrolls and Accounts**

**SJMC2011-06-28/363R**

**It was decided on motion of Councillor Hann; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week ending June 23, 2011, be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending June 23, 2011**

**PAYROLL**

Bi-Weekly Management	\$ 609,621.60
Public works	\$ 361,846.93
Regional Fire	\$ 553,913.96
Bi-Weekly Administration/Regional Water	\$ 700,585.08
<b>ACCOUNTS PAYABLE</b>	<b>\$ 3,756,400.22</b>

**Total: \$ 5,982,367.79**

**Tenders**

- a. Tender – Hurricane Igor Storm Damage Remediation Contract Package 2
- b. Tender – Resurfacing Tennis Courts
- c. Tender – Goulds Washroom Construction – Tender #2011063

**SJMC2011-06-28/364R**

**It was moved by Councillor Hann; seconded by Councillor Tilley: That the recommendations for the Director of Engineering; the Acting Director of Finance and City Treasurer and Director of Building and Property Management be approved and the tenders awarded as follows:**



- a. Carew Services Ltd. in the amount of \$656,814.76
- b. Maritime Tennis Court Builders in the amount of \$47,760.00 as per the Public Tender Act (taxes not included)
- c. Coastal Building Supplies in the amount of \$174,700.00 (includes HST)

**Re: Heavy Tree Road**

Council considered a memorandum dated June 23, 2011 from the City Solicitor regarding the above noted.

**SJMC2011-06-28/365R**

**It was moved by Councillor Collins; seconded by Councillor Hann: That a right of way between 47 and 49 Heavy Tree Road be sold to the owner of 47 Heavy Tree Road, Mr. McDonald, at a rate of \$2.00 per square foot (approximately \$25,000) plus usual administration fees and HST.**

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

**87-89 Rennies Mill Road**

Council considered a memorandum dated June 22, 2011 from the City Solicitor regarding the above noted.

**SJMC2011-06-28/366R**

**It was moved by Councillor Colbert; seconded by Councillor Tilley: That the easement required by Newfoundland Power in order to service the new housing being constructed at 87-89 Rennies Mill Road be granted for the consideration of \$5000.00 and that the original easement be released, and further, the \$1000.00 consideration for the easement to be released to be credited toward the new easement cost.**

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

**Land adjacent to 48 Mercer's Drive**

Council considered a memorandum dated June 21, 2011 from the City Solicitor regarding the above noted.

**SJMC2011-06-28/367R**

**It was moved by Deputy Mayor Duff; seconded by Councillor Hickman: That a 10' strip of land adjacent to 48 Mercer's Drive be sold to Mr. Hann, owner of number**

**48 Mercer's Drive, for \$2000 (\$2.00/sq.ft.), plus usual administrative fees and HST, as per the City Solicitor's recommendation.**

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

**Correspondence from the Mayor's Office**

- a. Letter dated May 9, 2011 from His Worship the Mayor to Premier Kathy Dunderdale
- b. Letter dated May 9, 2011 from His Worship the Mayor to Honourable Kevin O'Brien, Minister of Municipal Affairs
- c. Letter dated May 18, 2011 from His Worship the Mayor to Honourable Minister Shawn Skinner, Minister of Natural Resources Re Municipal Operating Grant Formula

Council acknowledged the above noted correspondence to Premier Dunderdale, Minister O'Brien and Minister Skinner regarding meetings with members of Council. His Worship the Mayor noted that further discussions will take place on developing a new fiscal relationship with the Province.

**Economic Outlook 2011**

Councillor Hanlon presented the highlights of the 2011 Economic Outlook.

**Councillor Tilley**

As a follow-up to an earlier discussion regarding "no mow zones" Councillor Tilley noted that residents are complaining that Columbus Drive embankment needs to be mowed. The Deputy City Manager/Director of Public Works and Parks noted that a decision was made in the interest of safety to let steep banks naturalize in that area along with other areas of the City such as Bowring Park. He noted, however, that Parks and Recreation Committee will again be discussing the matter.

Councillor Tilley advised he received calls from residents of Mundy Pond with respect to the river cleanup. It was noted the cleanup of rivers is ongoing and Mundy Pond will be included in that cleanup.

**Councillor Hickman**

Councillor Hickman updated Council on the Igor cleanup noting that Quidi Vidi Lake is now completed.

Councillor Hickman noted that the City recently unveiled its Energy Reduction Strategy in conjunction with its partners “Take Charge” which is a joint initiative between Newfoundland Power, Newfoundland Hydro and Canadian Association of Homebuilders Eastern Newfoundland branch. He noted the importance of the City showing leadership in this worthwhile initiative.

**Councillor O’Leary**

Councillor O’Leary noted she attended a News Conference on the Biomonitoring for environmental lead exposure in Children from pre-1970s housing in St. John’s, NL noting that the results of the study were mostly positive. Councillor O’Leary advised that the research group will be providing more information on this matter and on how the City can assist.

Councillor O’Leary noted an article from the Washington Huffington Post regarding research conducted by scientists showing birth defects caused by the world’s top selling weed killer (Roundup).

Councillor O’Leary extended congratulations to the CBC news team on their recent Radio/TV News Directors Association award winnings.

**Deputy Mayor Duff**

Deputy Mayor Duff thanked members of staff, His Worship the Mayor and all involved in the recent launch of the Bowring Park Foundation. She also thanked Councillor O’Leary for her efforts towards organizing the Teddy Bear Picnic event which was cancelled due to inclement weather. It is hoped another date can be scheduled.

Deputy Mayor Duff encouraged residents to attend the Festival 500 event taking place July 6 to 13.

**Councillor Hanlon**

Councillor Hanlon thanked the Singing Legionnaires for the service they provide to the City every year. She also thanked the Economic Development Tourism and Culture Team for the work towards planning the Discovery Day events.

Councillor Hanlon commended and thanked all who assisted and were involved with the NOIA Trade show event.

**His Worship the Mayor**

His Worship the Mayor reminded members of Council to adhere to the guidelines pertaining to the “go around” portion of the meeting.

**Adjournment**

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

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**MAYOR**

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**CITY CLERK**