

June 8th, 2009

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

Deputy Mayor Ellsworth presided

There were present also Councillors Duff, Hickman, Puddister, Coombs, Hanlon and Collins

Regrets: His Worship the Mayor, Councillors Colbert , Galgay, Hann

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

Call to Order and Adoption of the Agenda

SJMC2009-06-08/340R

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

- a. Memorandum dated June 5, 2009 from the Associate Commissioner/Director of Engineering re Petty Harbour Long Pond Water Treatment Plant, Contract No. 1, Site Preparation and Underground Reservoir

Adoption of Minutes

SJMC2009-06-08/341R

It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the Minutes of the June 1st, 2009 meeting be adopted as presented.

Business Arising

Under business arising, Councillor Coombs referred to Council's decision of last week granting one week advance registration for City residents to the City's recreation programs and services, and the response to that decision from the neighbouring municipalities. He suggested that the City consider taking a regional approach to the recreational services as is the case for the landfill, water and fire services, bus service etc. He asked that the municipalities be approached on whether they would be interested in considering this possibility. Councillor Puddister noted that Councillor Coombs' idea has merit and indicated that the programs and services in particular should be subsidized by the region. Councillor Duff noted that the City is trying to move in the direction of regional cooperation and should not be placing restrictions on its recreational facilities, and that Council's decision only relates to a one week advance registration period. Following discussion, the matter was referred to the Parks and Recreation Standing Committee for discussion and recommendation.

Battery Development Guidelines Study (Ward 2)

Under business arising, Council considered a memorandum dated June 4, 2009 from the Director of Planning regarding the above noted.

SJMC2009-06-08/342R

It was moved by Councillor Coombs; seconded by Councillor Puddister: That the following Resolution for St. John's Development Regulations Amendment Number 462, 2009 be adopted, which will then be referred to the Department of Municipal Affairs for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 462, 2009**

WHEREAS the City of St. John's wishes to amend the St. John's Development Regulations to introduce measures to implement the key recommendations of the Battery Development Guidelines Study.

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

1. **Add a new map to Section 3 of the Regulations to be referred to as “Map I - Battery Development Area.”**
2. **Add the following new subsection to Section 7 (“Special Developments”) to read as follows:**

“7.29 The Battery Development Area

1) **In addition to the requirements of Section 10, the development of any property included in the Battery Development Area, as identified on Map I - Section 3, is also subject to the requirements of Appendix A - entitled “Footprint and Height Control Overlay for the Battery Development Area,” unless otherwise approved in accordance with subsection two (2) below; and**

2) **Where an application is made to develop a property which is located within the Battery Development Area in which the proposed development exceeds the parameters of Appendix A - “Footprint and Height Control Overlay for the Battery Development Area”, Council may approve the development, provided that the applicant undertakes a Land Use Assessment Report on the proposed development at their expense, under terms of reference approved by Council, and provided that property owners/residents as determined by Council or an Officer of Council are given an opportunity to review and comment on the Land Use Assessment Report before it is referred to Council for consideration of approval and, provided the Land Use Assessment Report demonstrates to Council’s satisfaction that the proposed development is acceptable.**

3. **Add a new reference to subsection 10.5 (Residential High Density (R3) Zone) of the Regulations to read as follows:**

“10.5.4 Battery Development Area

1) **Notwithstanding the requirements of Section 10.5.3, the maximum Building Height for properties that are included on Map I - Battery Development Area that are zoned as Residential High Density (R3), is three (3) storeys from the downhill side of a lot; and**

2) **In addition to the requirements of Section 10.5.3, the development of any properties that are included on Map I - Battery Development**

Area, is subject to Section 7.29 and Appendix A. “Footprint and Height Control Overlay for the Battery Development Area.”

4. Delete all references to Duplex Dwellings and Semi - Detached Dwellings in Section 10.8 (the Residential Battery (RB) Zone).

5. Repeal Section 10.8.3 (5) (Zone Requirements for Single - Detached Dwellings in the Residential Battery (RB) Zone) and replace with the following:

“10.8.3(5) Single Detached Dwelling

- (a) Lot Area (minimum) 150 square metres
- (b) Lot Frontage (minimum) 10 metres
- (c) Building Line (minimum) 4.5 metres
- (d) Side Yards (minimum) 1.2 metres
- (e) Side Yard on Flanking Road (minimum) 1.2 metres
- (f) Rear Yard (minimum) 1.2 metres
- (g) Building Height (maximum) – two (2) storeys on the uphill side of a lot and three (3) storeys on the downhill side of a lot.”

6. Add the following new subsection to Section 10.8 - (Residential Battery (RB) Zone) to read as follows:

“10.8.4 Battery Development Area

In addition to the requirements of Section 10.8.3, the development of any properties that are included on Map I - Battery Development Area that are zoned as Residential Battery (RB), is subject to the provisions of Section 7.29 and Appendix A – “Footprint and Height Control Overlay for the Battery Development Area.”

7. Add the following new subsection to section 10.23 - Commercial Central Mixed Use (CCM) Zone to read as follows:

“10.23.4 Battery Development Area

In addition to the requirements of Section 10.23.3 (Zone requirements - Commercial Central Mixed Use (CCM) Zone), any development of the property at Civic Numbers 32-34 - 36 Temperance Street (and known as the former Power Salvage Site) must be terraced in line with the slope of Temperance Street and building elevations for any proposed development on the site must be reviewed and approved by Council before any proposed development receives approval and applicable permits.

8. Amend Section 10.28 (the Industrial General (IG) Zone) by adding a new subsection to read as follows:

“10.28.5 Industrial General (IG) Zone Adjacent to the Battery Development Area The development of any properties that are zoned as Industrial General (IG) which are located adjacent to the Battery Development Area as identified on Map I - Section 3, is subject to a Land Use Assessment Report to be prepared by an applicant at their expense under terms of reference to be approved by Council and subject to the public notification procedures of Section 5.5 of these Regulations.”

9. Amend Section 10.33 (the Open Space (O) Zone) by adding a new subsection to read as follows:

“10.33.4 Battery Development Area

- (a) With respect to the development of any properties identified on Map I, Section 3 - Battery Development Area that are zoned as Open Space (O), no buildings or structures shall be permitted unless these buildings and structures will not be visible from the Downtown; and**
- (b) In addition to the requirements of Section 10.33.3 the development of any properties that are included on Map I, Section 3 - Battery Development Area that are zoned as Open Space (O), is subject to Section 7.29 and Appendix A – Footprint and Height control Overlay for the Battery Development Area.”**

10. Delete the reference to “Signal Hill” in Section 10.47.1 (Comprehensive Development Area Zones) and replace it with the term “Signal Hill/Battery.”

11. Amend Section 10.47.3 (Discretionary Uses and Requirements for Comprehensive Development Areas) by repealing the reference to “Signal Hill” and replacing it with the following:

“Signal Hill/Battery - Single Detached Dwellings, Parks, Private Parks and Public Utilities. The maximum Building Height in the Signal Hill/Battery Comprehensive Development Area Zone is one (1) storey, not exceeding 4.5 metres to the peak of the roof from the centre of the lot and not exceeding two (2) storeys from the downhill side of the lot.”

12. Add the following new subsection to Section 10.47 (Comprehensive Development Areas) to read as follows:

“10.47.4 Battery Development Area

In addition to the requirements of Section 10.47.3 of these Regulations, the development of any properties zoned as Comprehensive Development Area - Signal Hill/Battery, is subject to Section 7.29 and Appendix A – “Footprint and Height Control Overlay for the Battery Development Area.”

13. Rezone land in the Battery Road area from the Residential High Density (R3) Zone to the Residential Battery (RB) Zone as shown on Map Z-1A attached.

14. Add the attached table entitled “Footprint and Height Control Overlay for the Battery Development Guidelines Area” as “Appendix A” to the Regulations.

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 8th day of **June, 2009**.

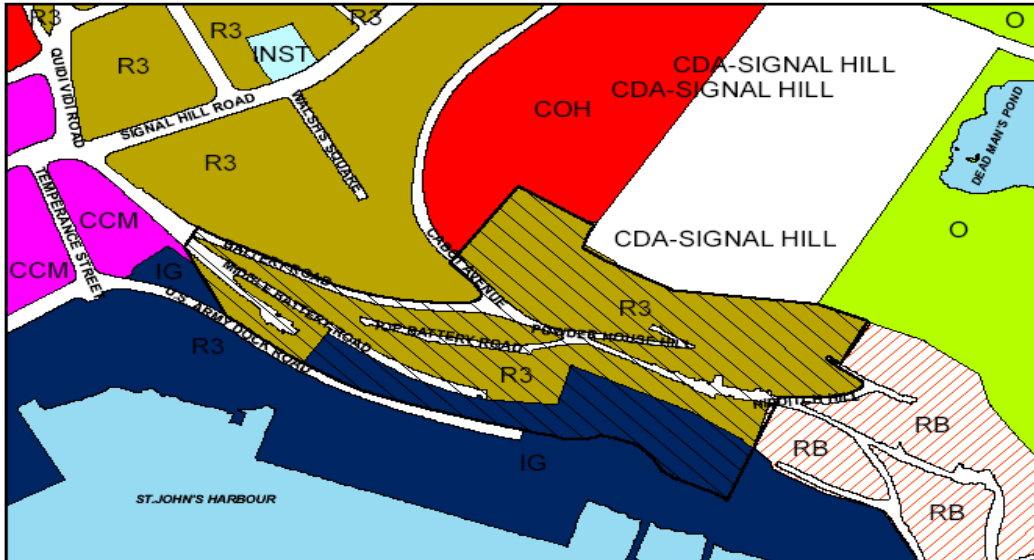
Mayor

**Director of Corporate Services
and City Clerk**

Provincial Registration

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

MCIP stamp and signature



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 462, 2009
[Map Z-1A] MAP 1 OF 2**

2009 06 01 SCALE: 1:3000
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 HIGH DENSITY (R3) LAND USE ZONE
TO RESIDENTIAL BATTERY (RB) LAND USE ZONE

CABOT AVENUE & ARMY DOCK ROAD

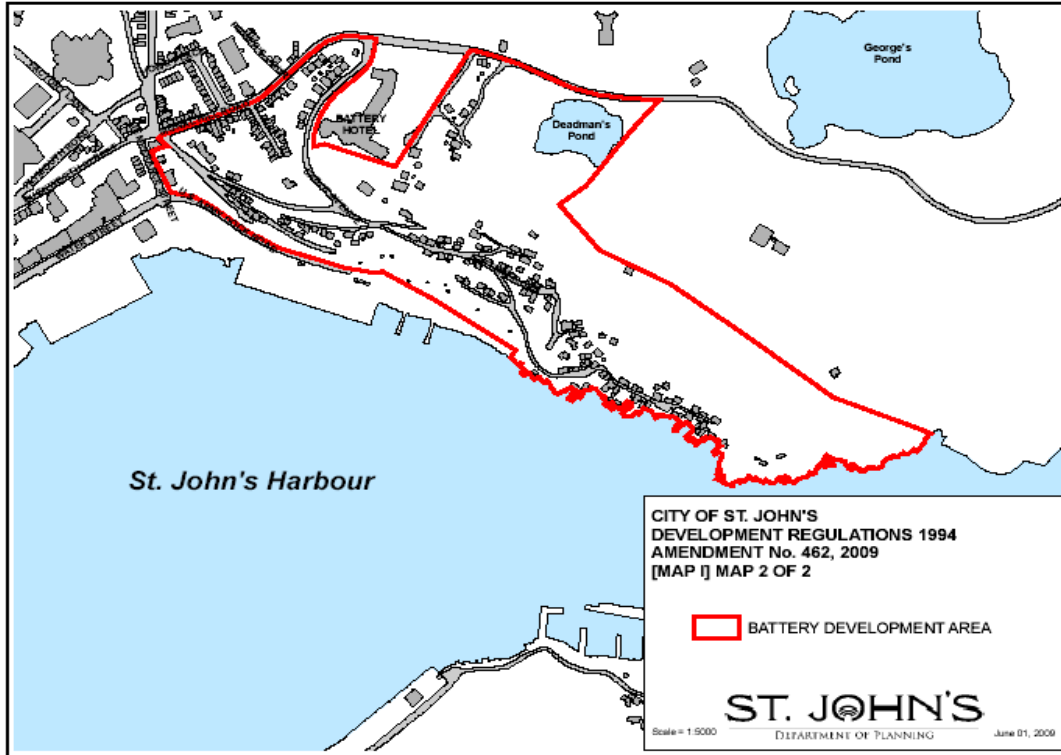
M.C.I.P. signature and seal

Mayor

Director Corp. Services/City Clerk

Council Adoption

Provincial Registration



And further; that the following Resolutions for St. John's Development Regulations Amendment Number 463, 2009 and St. John's Municipal Plan Amendment Number 72, 2009 be adopted-in-principle, which will then be referred to the Department of Municipal Affairs for Provincial registration in accordance with the requirement of the Urban and Rural Planning Act.

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 463, 2009**

WHEREAS the City of St. John's wishes to amend the St. John's Development Regulations in order to introduce measures to implement the key recommendations of the Battery Guidelines Study.

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

1. **Rezone land in the Cabot Avenue area from the Commercial Office Hotel (COH) Zone to the Residential Battery (RB) Zone as shown on Map Z-1A attached.**
2. **Rezone land in the vicinity of Murphy's Right-of-Way and Dead Man's Pond off Signal Hill Road from the Comprehensive Development Area (CDA) – Signal Hill Zone to the Open Space (O) Zone as shown on Map Z-1A attached.**

- 3. **Repeal Map E “Heritage Areas” in Section 3 of the Regulations and replace it with the new attached Map E – “Heritage Areas,” dated June 2009 which adds a portion of the Battery/Signal Hill Road area to Heritage Area 3.**

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 8th day of June, **2009**.

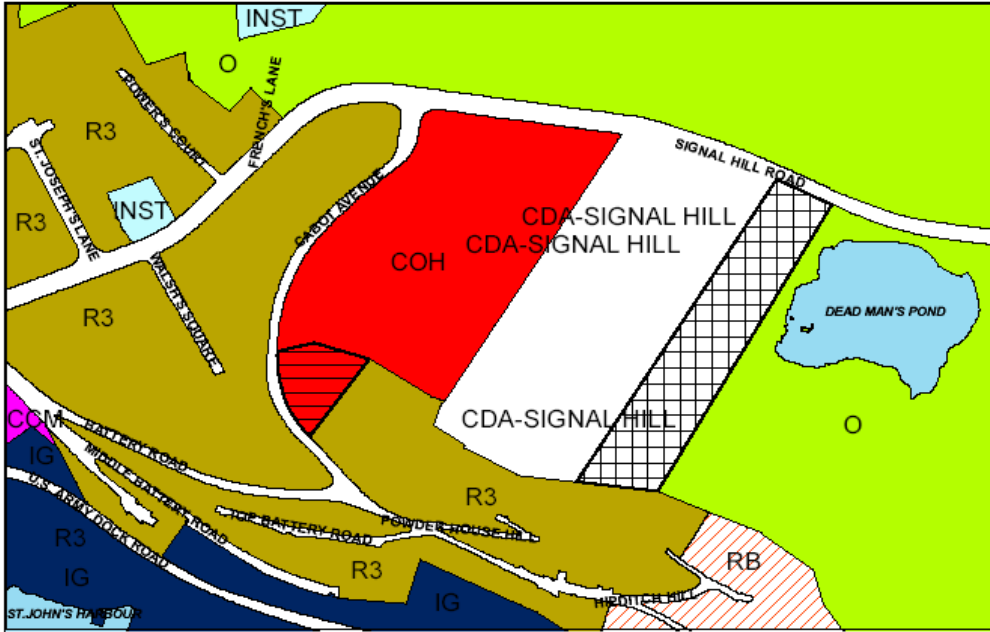
Mayor

**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




**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 463, 2009
[Map Z-1A]**

2009 06 01 SCALE: 1:3000
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
COMMERCIAL OFFICE HOTEL (COH) LAND USE ZONE
TO RESIDENTIAL BATTERY (RB) LAND USE ZONE

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

SIGNAL HILL ROAD & CABOT AVENUE

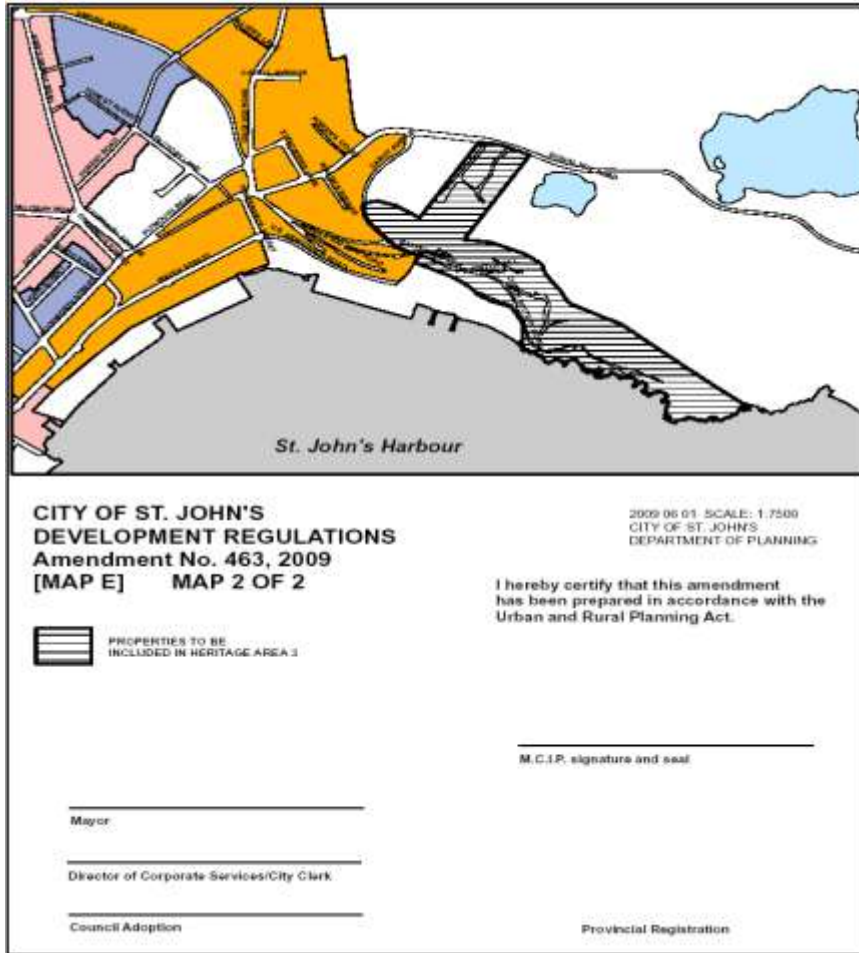
M.C.I.P. signature and seal

Mayor

Director Corp. Services/City Clerk

Council Adoption

Provincial Registration



**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 72, 2009**

WHEREAS the City of St. John's wishes to amend the St. John's Municipal Plan to introduce measures to implement the key recommendations of the Battery Development Guidelines Study.

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

- 1. Redesignate land in the Cabot Avenue area from the Commercial General Land Use District to the Residential Medium Land Use District as shown on Map III - 1A attached.**
- 2. Redesignate land in the vicinity of Murphy's Right-of-Way and Dead Man's Pond off Signal Hill Road from the Residential Low Density**

Land Use District to the Open Space Land Use District as shown on Map III - 1A attached.

- 3. Repeal existing Map III - 3 - Heritage Areas and replace it with a new Map III - 3 - Heritage Areas dated June, 2009 which adds a portion of the Battery/Signal Hill Road area of "Planning Area 2 - East End, the Battery, Quidi Vidi Village" to the Heritage Area.**

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 8th day of June, 2009.

Mayor

**Director of Corporate Services
and City Clerk**

Provincial Registration



<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____ MCIP</p>



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 72, 2009
[Map III-1A] MAP 1 OF 2**

2009 06 01 SCALE: 1:2500
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 REDESIGNATED FROM COMMERCIAL GENERAL (CG) LAND USE DISTRICT TO RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT
-  AREA PROPOSED TO BE REDESIGNATED FROM RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO OPEN SPACE (OS) LAND USE DISTRICT

SIGNAL HILL ROAD & CABOT AVENUE

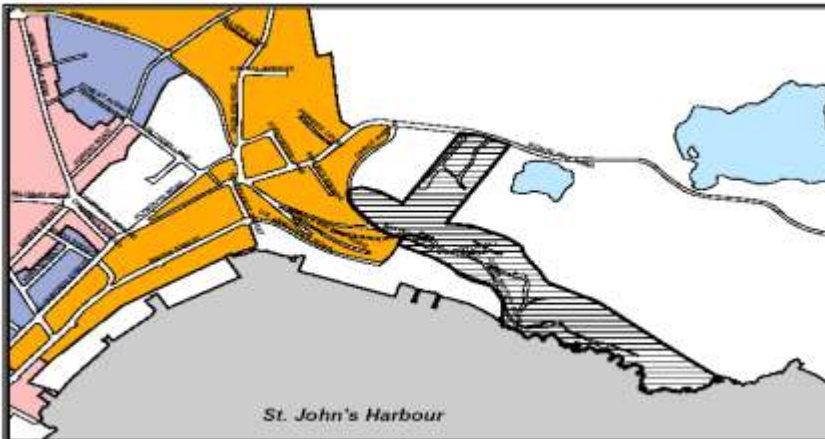
M.C.I.P. signature and seal

Mayor

Director of Corporate Services/City Clerk

Council Adoption

Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 72, 2009
[MAP III-3] MAP 2 OF 2**

2009 06 01 SCALE: 1:7500
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.

-  PROPERTIES TO BE INCLUDED IN HERITAGE AREA

M.C.I.P. signature and seal

Mayor

Director of Corporate Services/City Clerk

Council Adoption

Provincial Registration

During discussion, Councillor Duff indicated her support of the motion noting there was fairly strong approval of the City's initiative in this regard recognizing that the scale of the Battery and the views in the Battery were very important to the value of property and the quality of life, and commended staff for their work in translating the guidelines into actual development recommendations. She pointed out that when the City did have the public hearing there were specific requests made by residents in the Battery/Signal Hill area to restore the Battery Hotel site to the guideline area, and the Battery Hotel was exempted from the Battery Guidelines Study by motion of Council in January 2006, likely initiated by the development proposal for the Battery Hotel for a 10 storey hotel. Councillor Duff noted that in the future she would like to see Council refer the matter back to the Planning Committee to look at that site and see if, in fact, it needs a site specific height amendment and see what kind of a height limitation would be appropriate.

In terms of the LUAR Councillor Duff noted that there is a provision within those guidelines that provided a Land Use Impact Assessment document is done and the immediate neighbours are notified, Council can give consideration to some minor changes and give Council the ability to review the specifics.

With regard to the Power Salvage site, the level of protection exists in the fact that once an agreement is signed with that developer it will be based on the presentation that was made in that LUAR and any change from that would have to go right back to the process, to another LUAR and another public hearing.

Following discussion, the motion being put was unanimously carried.

Development Committee Report dated June 2, 2009

Council considered the following Development Committee Report dated June 2, 2009:

RECOMMENDATION OF APPROVAL:

- 1. Proposed Extension to Dwelling
Gerald and Susan Conran-Tulk
Civic No. 2 Morris Avenue (Ward 2)**

The Development Committee recommends that Council approve a 0.39 metres Building Line for the above noted application.

Art Cheeseman, Chairperson
Associate Commissioner/Director of Engineering

SJMC2009-06-08/343R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permit List for the period May 29 to June 4, 2009:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF May 29, 2009 TO June 4, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Sharon Cave	Replacement of Dwelling	17 Plank Road	2	Approved	09-06-03
RES	Leslie Furlong	Building Lot	86 Gillies Road	4	Approved	09-06-04
RES	Ken Sooley	Accessory Building	38 Outer Battery Road	2	Approved	09-06-04
COM	Iman – Anila	Eating Establishment	272 Duckworth Street	2	Approved	09-06-04

*	Code Classification:			
	RES	- Residential Institutional	INST	-
	COM	- Commercial Industrial	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

SJMC2009-06-08/344R

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

2009/06/03

Permits List

CLASS: COMMERCIAL

CABINETS BY DESIGN	50 PIPPY PL - CABINETS BY DESI	CO RETAIL STORE
KARMA HAIR STUDIO	132 WATER ST, KARMA HAIR STUDI	CR SERVICE SHOP
GLENVIEW QUIKSTOP	277 BAY BULLS RD	SN RETAIL STORE
A.I.M.E. PHYSIOTHERAPY INC.	204-206 MAIN RD	MS CLINIC
BIDGOOD'S PROPERTY MANAGEMENT	355B MAIN RD	MS OFFICE
F.J. WADDEN & SONS LTD.	28-30-32 O'LEARY AVE	MS OFFICE
HOMBURG L.P. MANAGEMENT INC.	24 STAVANGER DR	MS OFFICE
SUNSPA TANNING SALON	145 TORBAY RD, SUNSPA	SN SERVICE SHOP
WAYPOINTS	145 LEMARCHANT RD	NC FENCE
DON & DIANE KIELEY	154 DUCKWORTH ST	RN RETAIL STORE
TOM BYRNE	686 TOPSAIL RD	RN RESTAURANT
PHB GROUP INC	1 VICTORIA ST	RN PLACE OF AMUSEMENT

THIS WEEK \$ 1,338,700.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

REPUBLIC SEASON 1 INC.	TORBAY AIRPORT, BLDG 25	RN ADMIN BLDG/GOV/NON-PROFIT
BR. RICE REG. HIGH SCHOOL	75 BONAVENTURE AVE	RN SCHOOL

THIS WEEK \$ 697,996.00

CLASS: RESIDENTIAL

GERALD BEAUDRY	1 BIRCHWYND ST	NC ACCESSORY BUILDING
CORRINA BARTLETT	32 BLACKWOOD PL	NC ACCESSORY BUILDING
NEW VICTORIAN HOMES	10 BLUE JACKET PL, LOT 73	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	12 BLUE JACKET PL, LOT 72	NC SINGLE DETACHED DWELLING
RICK BEST	2 BOLAND ST	NC ACCESSORY BUILDING
KELLY J. DAVIS	81 CALVER AVE	NC ACCESSORY BUILDING
PRO TECH CONSTRUCTION	58 CASTLE BRIDGE DR, LOT 23	NC SINGLE DETACHED DWELLING
JOHN ELLIOTT	150 CRAIGMILLAR AVE	NC ACCESSORY BUILDING
COLIN COOMBS & M. DANIELLE	142 DOYLE'S RD	NC ACCESSORY BUILDING
DONALD K./ CYNTHIA J. POWELL	6 EARHART ST	NC PATIO DECK
JOHN JOHNSON & LISA RICE	101 EDISON PL	NC FENCE
WILLIAM & MARYANN MILLER	22 FEILD ST	NC ACCESSORY BUILDING
SEAN A. HARTERY	54 FLOWER HILL	NC PATIO DECK
WAYNE & VENESSA NICHOLS	67 GAIRLOCK ST	NC ACCESSORY BUILDING
ROBERT SMART	44 GLENVIEW TERR	NC ACCESSORY BUILDING
MACINTYRE HOMES & RENOVATIONS	45 GOLD MEDAL DR, LOT 5-169	NC SINGLE DETACHED DWELLING
RYAN PITTMAN	56 GREAT EASTERN AVE	NC ACCESSORY BUILDING
SCOTT EZEKIEL	15 HERCULES PL	NC FENCE
JUSTIN BROWN	75 HOPEDALE CRES	NC PATIO DECK
WARREN EDWARD BRODERICK	17 IRISH LOOP ST	NC ACCESSORY BUILDING
COLIN CROFT	13 JAMIE KORAB ST	NC ACCESSORY BUILDING
PAUL MURPHY CONST	3 JUDGE PL, LOT 8	NC SINGLE DETACHED DWELLING
LAURA CHAPMAN	26 JULIEANN PL	NC FENCE
DENNIS PYNN	24 LADY ANDERSON ST, LOT 286	NC SINGLE DETACHED & SUB.APT
HAMDI MAGRABI	3 LAMBERT PL	NC FENCE
RANDELL & DONNA MERCER	50 LEMARCHANT RD	NC FENCE
JOANNE MARIE MCDONALD	133 LOGY BAY RD	NC PATIO DECK

KELLY KNOTT	4 MACGREGOR ST	NC PATIO DECK
SABRE SERVICES LIMITED	421-423 MAIN RD	NC APARTMENT BUILDING
BRIAN & DIANNE WHITEWAY	25 MAHOGANY PL	NC FENCE
MICHAEL COX	58 MARK NICHOLS PL, LOT 5-207	NC SINGLE DETACHED DWELLING
JOSEPH ABBOTT LIMITED	64 MARK NICHOLS PL, LOT 210	NC SINGLE DETACHED DWELLING
HELEN SLANEY	24 MERRYMEETING RD	NC FENCE
MIRIAM EFFORD	30 MOONEY CRES	NC PATIO DECK
SHAWN & CARLA MULROONEY	29 MOSS HEATHER DR	NC ACCESSORY BUILDING
NICHOLA NEVILLE	10 NEWHOOK PL	NC FENCE
LORNA BALDWIN	34 NEWHOOK PL	NC FENCE
JAMES TAYLOR	127 OLD PETTY HARBOUR RD	NC SINGLE DETACHED DWELLING
VALERIE COMPTON	7 OTTER DR	NC ACCESSORY BUILDING
TERRY WALSH CONTRACTING	65 OTTER DR, LOT 129	NC SINGLE DETACHED DWELLING
TERRANCE & JANEY HEALEY	37 PADDY DOBBIN DR	NC ACCESSORY BUILDING
EDWARD KIRBY	6 PEARCE AVE	NC FENCE
PERHAM HOMES LIMITED	25 PETITE FORTE DR, LOT 298	NC SINGLE DETACHED & SUB.APT
JOHN ROBERTS THE TRIMMER	1 PLOVER ST LOT 48	NC SINGLE DETACHED & SUB.APT
DOUG HYNES/VALERIE HODDER	25 PORTUGAL COVE RD	NC ACCESSORY BUILDING
JOY GALLANT	53 PRINCE OF WALES ST	NC FENCE
STEPHEN FITZGERALD	19 ROCHE ST	NC FENCE
DAVID PETERS	3 RODNEY ST	NC FENCE
DALE C. RIDEOUT	29 ROSS RD	NC ACCESSORY BUILDING
STEPHEN & CONNIE GARTLAND	8 ROTARY DR	NC FENCE
STEPHEN & CONNIE GARTLAND	8 ROTARY DR	NC ACCESSORY BUILDING
RODNEY & SANDRA LEWIS	17 RUSS HOWARD ST	NC FENCE
MILDRED POWER	92 SEABORN ST	NC FENCE
SCOTT MANSFIELD	SHAW STREET	NC SINGLE DETACHED DWELLING
ERCO HOMES	31 SHORTALL ST, LOT 8	NC SINGLE DETACHED DWELLING
PETER HICKMAN	56 SMITHVILLE CRES	NC PATIO DECK
PETER HICKMAN	56 SMITHVILLE CRES	NC PATIO DECK
GARY BAILEY	56 STAMP'S LANE	NC FENCE
WAYNE & WANDA CARTER	15 WALSH'S SQ	NC FENCE
GUY DREDGE	333 GROVES RD	CO HOME OFFICE
CRAIG J. PELLEY	27 PENNEY CRES	CO SUBSIDIARY APARTMENT
MICHAEL & JESSICA STRINGER	80 GREAT EASTERN AVE	CR SUBSIDIARY APARTMENT
PAT FITZGERALD	24 SKANES AVE	CR SUBSIDIARY APARTMENT
STEPHEN JAMES	208 HAMILTON AVE	EX SINGLE DETACHED DWELLING
CHARLES SIMMONDS & CAROL DICK	20 MOUNTAINVIEW DR	EX PATIO DECK
SANDRA KIELEY	226-228 PETTY HARBOUR RD	EX SINGLE DETACHED DWELLING
MICHAEL & ALLISON KIRKLAND	22 TREBBLE PL	EX SINGLE DETACHED DWELLING
BERNADETTE M. BUCKLEY	60 ALEXANDER ST	RN SEMI-DETACHED DWELLING
MICHAEL J. WHELAN	25 ALEXANDER ST	RN SINGLE DETACHED DWELLING
RAYMOND RHINELANDER	215 BLACKMARSH RD	RN SINGLE DETACHED DWELLING
LEO D. BARRY	5 BURNS PL	RN SINGLE DETACHED DWELLING
ALLAN DAVID GOULDING	145 EMPIRE AVE	RN SINGLE DETACHED DWELLING
MARY SHORTALL	50 FLOWER HILL	RN SEMI-DETACHED DWELLING
SEAN A. HARTERY	54 FLOWER HILL	RN SEMI-DETACHED DWELLING
RONALD & JOAN E. ANDERSON	70 FOREST RD	RN TOWNHOUSING
GEORGE ALEXANDER OAKLEY	64 FRESHWATER RD	RN SEMI-DETACHED DWELLING
PAUL O'BRIEN & AMANDA HOWELL	66 HUSSEY DR	RN MOBILE HOME
BRAD CARROLL & LORI HUNT	29 NAVAJO PL	RN SINGLE DETACHED DWELLING
JEROME RYAN & JOANNE HEDDERSON	8 PYNN PL	RN SINGLE DETACHED DWELLING
SULLIVAN'S CONST. LOTLIMITED	18 RUSS HOWARD ST. LOT 103	RN SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	1 SPRUCEDALE DR	RN SINGLE DETACHED DWELLING
JOSEPH GAMBA	19 CABOT ST	SW SINGLE DETACHED & SUB.APT
GERALD COSTELLO	138 ENNIS AVE	SW SINGLE DETACHED DWELLING
RENEE D. KEOUGH &	10 MAXSE ST	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 3,606,821.00

CLASS: DEMOLITION

NFLD & LABRADOR HOUSING CORP.	250 EMPIRE AVE	DM TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	252 EMPIRE AVE	DM TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	254 EMPIRE AVE	DM TOWNHOUSING

NFLD & LABRADOR HOUSING CORP.	256 EMPIRE AVE	DM TOWNHOUSING
PATRICK YETMAN	67 JORDAN PL	DM SINGLE DETACHED DWELLING
DARRYL CHISLETT	131 OLD PETTY HARBOUR RD	DM SINGLE DETACHED DWELLING
SHELLEY BUTT	50 PLEASANT ST	DM TOWNHOUSING
REITMANS (CANADA) LIMITED	THE VILLAGE-430 TOPSAIL RD	DM RETAIL STORE
A. HARVEY & CO. LTD.	PIER 12, WATER ST	DM HARBOUR USE

THIS WEEK \$ 242,000.00

THIS WEEK'S TOTAL: \$ 5,885,517.00

REPAIR PERMITS ISSUED: 2009/05/28 TO 2009/06/03 \$ 189,900.00

LEGEND

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

Payrolls and Accounts

SJMC2009-06-08/345R

It was decided on motion of Councillor Collins: seconded by Councillor Hickman: That the following Payrolls and Accounts for the week ending June 4, 2009 be approved:

**Weekly Payment Vouchers
For The
Week Ending June 4, 2009**

PAYROLL

Public Works	\$ 351,338.75
Bi-Weekly Casual	\$ 17,248.50

ACCOUNTS PAYABLE

Cheque No. 147763 - 148051	\$3,869,063.49
Total:	\$ 4,237,650.74

Tenders

1. Tender – Truck Snow Plow Blades
2. Tender – One Ton Pickup Truck
3. Tender – Roll Off Truck Service Robin Hood Bay
For one year
4. Tender – ½ Ton Pickup Truck
5. Tender – Scanlan’s Lane Reconstruction and Retaining Wall
Replacement
6. Tender – Petty Harbour Long Pond Water Treatment Plant
Contract No. 1, Site Preparation and Underground Reservoir

SJMC2009-06-08/346R

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

1. **Nortrax in the amount of \$79,200.00 (taxes not included)**
2. **Terra Nova Motors in the amount of \$26,073.00 (taxes not included)**
3. **Newfound Disposal in the amount of \$42,750.00 (taxes not included)**
4. **Avalon Ford in the amount of \$22,741.75 (taxes not included)**
5. **Withdrawn pending further analysis by the Associate Commissioner and Director of Engineering**
6. **First Canadian Group Ltd. in the amount of \$3,887,466.30**

North East Avalon Joint Council letter re Search and Rescue

Council considered as information a letter to the Honourable Peter Gordon MacKay, Minister of National Defence and Minister for the Atlantic Gateway from Mr. Walter Butt, Chairperson, North East Avalon Joint Council requesting support of the following recommendations: (1) additional helicopter to be stationed on the Avalon Peninsula for fast response time (2) all DND Search and Rescue Helicopter locations be staffed 24 hours a day 7 days a week as would any ambulance service, and (3) a list of protocols to be set out as regards to staffing during training exercise or activities.

Request for reception (The Artists Infrastructure Committee)

Council considered a memorandum dated June 4, 2009 from Councillor Hickman regarding a request from the Artists Infrastructure Committee for two small receptions after its focus groups met on June 29 and July 13.

SJMC2009-06-08/347R

It was moved by Councillor Hickman; seconded by Councillor Collins: That the City sponsor two receptions for the Artists Infrastructure Committee on June 29 and July 13, 2009 at Rabbittown Community Theatre, Freshwater Road for 5 p.m.

The motion being put was unanimously carried.

Queen's River Trunk Storm Sewer – Portugal Cove Road

Council considered a memorandum dated June 4, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-06-08/348R

It was moved by Councillor Collins; seconded by Councillor Hanlon: That the recommendation of the Chief Commissioner and City Solicitor that the Mayor and City Clerk be authorized to execute 4 Notices of Expropriation with respect to an easement required by the City from DWC Holdings Inc. and three easements from Cambridge Estates Realty Inc., for the replacement of the Queen's River Storm Sewer System, be approved.

The motion being put was unanimously carried.

Fort William Properties Limited

Council considered a memorandum dated June 4, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-06-08/349R

It was moved by Councillor Duff; seconded by Councillor Hickman: That the recommendation of the Chief Commissioner and City Solicitor that Fort William Properties Limited be compensated the appraised value in the amount of \$150,000.00 plus legal fees for land expropriated at Elizabeth Avenue for widening and upgrading Elizabeth Avenue, be approved.

The motion being put was unanimously carried.

Doolings Line – Leonard Dooling

Council considered a memorandum dated May 29, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-06-08/350R

It was moved by Councillor Collins; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that Mr. Leonard Dooling be compensated in the amount of \$1,665.00 instead of \$1,315.00 as previously approved by Council for an easement expropriation on Doolings Line, to reflect the hay price increase, be approved.

The motion being put was unanimously carried.

Canada Day Fireworks

Council considered a memorandum dated June 1, 2009 from the Director of Economic Development, Tourism and Culture regarding the above noted.

SJMC2009-06-08/351R

It was moved by Councillor Hickman; seconded by Councillor Collins : That the Canada Day Fireworks be awarded to Fireworks FX in the amount of \$10,000.00, inclusive of all taxes.

The motion being put was unanimously carried.

Summer Lunchtime Concert Series

Council considered a memorandum dated June 3, 2009 from the Director of Economic Development, Tourism and Culture regarding the above noted.

SJMC2009-06-08/352R

It was moved by Councillor Hickman; seconded by Councillor Duff: That the contract for the provision of audio services for the Summer Lunchtime Concert Series be awarded to Wallace Hammond in the amount of \$6,780.00 (inclusive of all taxes)

The motion being put was unanimously carried.

Emergency Replacement of Culverts

Council considered as information a memorandum dated June 3, 2009 from the Director of Public Works and Parks advising that the culverts at Critch's Path, Petty Harbour Road and Bennett's Road must be replaced as soon as possible at an estimated cost of \$200,000.00, tenders are being called for this work and the results will be forwarded to Council for award. Council unanimously approved this expenditure.

June 2009 Economic Update

Council considered as information the June 2009 Economic Update.

Letter dated May 2009 to His Worship the Mayor from Mr. Jim Karygiannis, M.P. re Bill C-319 An Act to amend the Motor Vehicle Safety Act (speed limiters)

Council considered the above noted.

SJMC2009-06-08/353R

It was moved by Councillor Puddister; seconded by Councillor Collins: That a letter of support be forwarded on behalf of Council for Private Member's Bill C-319 (formerly C-568), which will amend the Motor Vehicle Safety Act to include prohibitions against the manufacturer, importation, sale, lease,

operation and release after repair of motor vehicles manufactured after January 1, 2010, if they are not equipped with a speed limiter that is engaged and set to a maximum speed that is not greater than 150 kilometres per hour.

The motion being put was unanimously carried.

Councillor Duff

Councillor Duff asked the status of Council's decision to request the Province to amend the Highway Traffic Act to deal with excessive noise levels caused by motorcycles with modified or non-OEM (original equipment manufacturer's muffler systems). Councillor Puddister advised that staff will formulate the appropriate resolution which will be referred to Council for approval. The Chief Commissioner and City Solicitor agreed to bring forward the resolution in time for Councillor Duff to present it at the Urban Municipalities Conference in Goose Bay from June 19 to 21, 2009.

Councillor Hickman

Councillor Hickman suggested that serious consideration should be given in the future to the possibility of reorganizing resources to allow for timelier spring cleanup, street markings, playgrounds, programming etc.

Councillor Hickman advised the general public of two public meetings –

1. Proposed Hotel Development, 123 Water Street, June 9, 2009
2. Application to rezone property at Civic Numbers 26 and 34 Cousens Place from Open Space to Residential Medium Density, June 10, 2009

Councillor Puddister

Councillor Puddister thanked P.F. Collins Group who agreed to do a neighbourhood cleanup last week in the East White Hills Road area in conjunction with Clean and Beautiful.

Councillor Puddister also advised that Mr. Gerry Byrne of Orphan Industries Limited and Mr. Steve Chafe of Crosbie Industrial Limited have also agreed to do cleanups along the Logy Bay Road area.

Councillor Coombs

Councillor Coombs advised that he noticed a number of bags of debris along Prince Philip Drive that need to be picked up. Councillor Hanlon agreed to followup up on this.

Councillor Hanlon

Councillor Hanlon encouraged schools to take part in the Tidy Schools Award. She also presented a recently published book titled "Poppy & Allie Go Green" written by Hazelwood Elementary School Teachers, Lori Lane and Kathy Winsor.

Acting Mayor Ellsworth

Acting Mayor Ellsworth commended the various groups and organizations for their cleanup efforts. He encouraged commercial property owners to follow suit and reminded residents to avail of the 311 services to register their complaints.

Acting Mayor Ellsworth asked the status of the street marking program and the Director of Public Works and Parks was asked to provided a report to Council for next week in this regard.

Acting Mayor Ellsworth advised that following adjournment the Director of Finance will provide a presentation on the budget process.

Adjournment

There being no further business, the meeting adjourned at 5:40 p.m.

MAYOR

CITY CLERK