

March 12, 2007

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

His Worship the Mayor presided.

There were present also Councillors Duff, Hickman, Hann, Puddister, Galgay, Coombs, Ellsworth and Collins.

Regrets: Deputy Mayor O'Keefe and Councillor Colbert

The Chief Commissioner/City Solicitor, 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 Agenda

SJMC2007-03-12/113R

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

- a. Tender - NL Sports Centre
- b. Letter dated March 8, 2007 from the Eastern School re Youth and Violence Conference

Adoption of the Minutes

SJMC2007-03-12/114R

It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Minutes of March 5, 2007 be adopted as presented.

Public Meeting-Applications for Rezoning, Torbay Road North Concept Plan

Under business arising, Council considered a memorandum dated March 7, 2007 from the Director of Planning advising that a public meeting has now been

scheduled for Thursday, March 22, 2007 at 7:00 p.m. at St. John=s City Hall for (1) the application from Carrera Capital Canada Ltd. to rezone land the former Field Farm and the Lal property on the west side of Torbay Road to the Commercial Regional (CR) Zone; and (2) the application from Perennial Management to rezone the A. Harvey & Company property on the east side of Torbay Road to the Commercial Regional (CR) Zone.

Blackmarsh Road Area - Flooding

Under business arising, Council considered as information a memorandum dated March 1, 2007 from the Associate Commissioner/Director of Engineering regarding the Blackmarsh Road Area flooding. It was agreed at the request of Councillor Coombs that the item be referred to Capital Works Budget discussions.

Development Committee Report dated March 6, 2007

Council considered the following Development Committee Report dated March 6, 2007:

RECOMMENDATION OF APPROVAL:

- 1. Proposed Semi-Detached Dwelling Unit
Two (2) Residential Dwelling Units
Mr. Marc Boily
Civic No. 1 Mount Cashel Road (Ward 4)**

The Development Committee recommends that Council grant approval to the above noted application.

Art Cheeseman, Chairperson
Associate Commissioner/Director of Engineering

SJMC2007-03-12/115R

**It was moved by Councillor Duff; seconded by Councillor Ellsworth:
That the Committee=s recommendation of approval of the application
be accepted.**

The motion being put was unanimously carried.

Heritage Advisory Committee Report dated March 7, 2007

Council considered the following Heritage Advisory Committee Report dated March 7, 2007:

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

Report:

1. 39 Topsail Road - Leaside Manor (Installation of Fire Escape)

The Committee met with Mr. Gary Walsh, Architect, representing the owner of 39 Topsail Road, to discuss the requirement to install a fire escape from the second level of the building, as outlined in the attached elevations. Some concerns were expressed about the visibility of the proposed staircase, as well as the alteration of the window to accommodate an entrance. It was noted, however, that this is a code requirement, and the other alternatives investigated were either not practical or significantly cost prohibitive.

The Committee recommends approval of the proposed fire escape which is a code requirement, in accordance with the submitted plans. The Committee suggests that the railings and staircase be painted to blend with the property=s siding or trim.

It should be noted that the application will have to be forwarded to the Heritage Foundation for review due to the building=s Provincial heritage designation status. ***Note: Subsequent to this meeting, the Foundation has given its approval.***

2. 216 Water St. - Proposed Fourth Floor Addition

The Committee met with Mr. Steve Campbell, owner of 216 Water St. He has proposed the idea of building a fourth floor addition which would be recessed from the building line. The purpose of the addition is to provide the necessary office space required for his business. Staff advised that this matter was reviewed by the Development Committee at which time there was an issue with floor area ratio and had recommended against an additional storey, and that further alternatives would have to be considered if approval was recommended.

The Committee was receptive to the proposal in principle. However, recommendations to Council must await submission of a detailed design plan as well as any feedback required from staff dealing with the regulatory aspects of the proposal.

3. 93 Water Street - King George V Building

The Committee met with Guido Del Rizzo, developer, Ron Fougere, Architect and Mr. Brian Vallis, unit owner, to discuss the possibility of installing two penthouses (cupolas) for access to the roof garden by the two top floor tenants. The detailed revised plans are attached.

The Committee recommends approval of the revised plans as submitted by the architect.

**Gerard Hayes
Acting Chairperson**

SJMC2007-03-12/116R

Regarding Item #1: It was moved by Councillor Duff; seconded by Councillor Ellsworth: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

SJMC2007-03-12/117R

Regarding #2: It was moved by Councillor Duff; seconded by Councillor Ellsworth: That discussion on the matter be deferred pending further review with respect to the regulatory aspects of the proposal.

The motion being put was unanimously carried.

SJMC2007-03-12/118R

Regarding Item #3: It was moved by Councillor Duff; seconded by

Councillor Ellsworth: That the matter be referred back to the Development Committee for review in terms of code requirements for roof top structures.

The motion being put was unanimously carried.

Cycling Initiative Committee Report dated March 7, 2007

Council considered the following Cycling Initiative Committee Report dated March 7, 2007:

Attendees: Councillor Shannie Duff, Chairperson
Addison Bown, Grand Concourse Authority
Regina Reese, Grand Concourse Authority
Leon Organ, Bicycle Newfoundland and Labrador
Jim Brazil, Newfoundland Safety Council
Constable Doug Barrett, RNC Community Services Section
Andrew Planchat, Canary Cycles
Paul Mackey, Director of Public Works & Parks
Robin King, Transportation Engineer
Heather Hickman, Manager of Community Development
Neil MacKenzie, Community Services Coordinator
Carolyn Staple, Outdoor Recreation Fieldworker
Karen Chafe, Recording Secretary

Report:

Terms of Reference for a St. John=s Cycling Plan

The Committee refers to Council the attached Terms of Reference for a St. John=s Cycling Plan.

The Committee recommends that the attached Terms of Reference be referred to the Parks & Recreation Standing Committee for their review and anticipated recommendation to approve a cost allocation of \$50,000 through the Capital Works budget. Reference was also made to the possibility of accessing funds through the Open Space Reserve

Fund which appropriately ties in with this proposed initiative.

**Councillor Shannie Duff
Chairperson**

SJMC2007-03-12/119R

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

The motion being put was unanimously carried.

Special Events Committee Report dated March 8, 2007

Council considered the following Special Events Committee Report dated March 8, 2007:

Memorandum to His Worship the Mayor
And Members of Council

Re: Special Events Advisory Committee Recommendations

The following recommendation of the Special Events Advisory Committee is forwarded to Council for consideration:

Organizer: Mr. Barry Parsons (Extreme Promotions)
Event: Snowmobile Race
Location: St. John=s Racing and Entertainment Centre, Goulds
Date: March 24 - 25, 2007

Recommendation

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

Robin King, P. Eng.
Chairman, Special Events Advisory Committee
Department of Engineering

SJMC2007-03-12/120R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List for the period of March 1 to March 8, 2007:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF MARCH 1, 2007 TO MARCH 8, 2007

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Ms. Rose Reid	Subdivision of Property: One Additional Residential Building Lot	Civic No. 52 Evelyn Place	Ward 4	Application Rejected: Contrary to Section 8.1.2	07 03 01
Com.	Mr. Danieal Griffiths	Proposed Home Office: Business Telephone for a Maid Service	Civic No. 23 Bugler Place	Ward 1	Application Approved	07 03 02
Res.	Mr. Fred Eales	Subdivision of Property: Non-Farm Related Single Detached Dwelling	Pearltown Road	Ward 5	Application Rejected: As per LDAA	07 03 05
Ind.	Kirkland Balsom Associates	Bell Aliant - OPI Site	Bonaventure Avenue (Lions Park)	Ward 4	Application Approved	07 03 05
Ind.	Kirkland Balsom Associates	Bell Aliant - OPI Site	Cornwall Avenue	Ward 2	Application Approved	07 03 05
Ind.	Kirkland Balsom Associates	Bell Aliant - OPI Site	Cornwall Crescent	Ward 2	Application Approved	07 03 05
Ind.	Kirkland Balsom Associates	Bell Aliant - OPI Site	Curtis Place	Ward 4	Application Approved	07 03 05
Ind.	Kirkland Balsom Associates	Bell Aliant - OPI Site	Kenmount Road	Ward 4	Application Approved	07 03 05
Ind.	Kirkland Balsom Associates	Bell Aliant - OPI Site	Terra Nova Road	Ward 4	Application Approved	07 03 05

Inst.	Circle Square Ranch	Proposed New Washroom / Shower Facilities	Fowler=s Road	Ward 5	Application Approved	07 03 07

NOTES:

Code Classification:			
RES	- Residential	INST	- Institutional
COM	- Commercial	IND	- Industrial
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.			

Ed Murray
Development Officer
Department of Planning

Building Permits List

SJMC2007-03-12/121R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the recommendation of the Director of Building & Property Management with respect to the following Building Permits List, be approved:

2007/03/07

Permits List

CLASS: COMMERCIAL

PAUL SQUIRES	3 CASHIN AVE	CO LIGHT INDUSTRIAL USE
CONTEMPORARY FLORISTS INC.	1 WATERFORD BRIDGE RD	CO RETAIL STORE
TOYS "R" US (CANADA) LTD.	58 KENMOUNT RD	NC FENCE
ATLANTIC SHOPPING CENTER LTD.	AVALON MALL NO. 1, THE MARKET	SN RETAIL STORE
TRADERS ATLANTIS INC.	12-20 HIGHLAND DR	SN RETAIL STORE
ANDREW PLANCHAT	7 LEMARCHANT RD	SN RETAIL STORE
CONTEMPORARY FLORIST INC.	1 WATERFORD BRIDGE RD	SN RETAIL STORE
KING GEORGE PROPERTIES INC.	93 WATER ST	SN HOTEL
BREEN'S ENTERPRISE LIMITED	326 LOGY BAY RD, BREEN'S	RN BAKERY
ALEC G. HENLEY GROUP.	357 DUCKWORTH ST, PARKING GARG	RN OFFICE
ALEX G. HENLEY GROUP	359 DUCKWORTH ST, GATE	NC FENCE
MEGA WRAPS RESTAURANT	585 TORBAY RD- MEGA WRAPS	TI RESTAURANT
PUBLIC WORKS & GOVERNMENT SERV	PLEASANTVILLE, SERVICE CANADA	RN OFFICE
NEWFOUNDLANDLABRADOR SPORTS	100 CROSBIE RD/SPORTS CENTRE	NC RECREATIONAL USE

THIS WEEK \$ 5,775,380.00
TO DATE \$ 10,352,023.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

TO DATE \$ 300,000.00

CLASS: GOVERNMENT/INSTITUTIONAL

MEMORIAL UNIVERSITY

ELIZABETH AVE, INCO, CP-2

RN SCHOOL

THIS WEEK \$ 2,500,000.00
TO DATE \$ 4,090,500.00

CLASS: RESIDENTIAL

JOSEPH ABBOTT LTD.	32 BRAD GUSHUE CRES, LOT 5-86	NC SINGLE DETACHED DWELLING
LAWRENCE STEAD	49 GIL EANNES DR	NC ACCESSORY BUILDING
TREVOR EARLE	43 HENNESSEY'S LINE	NC SINGLE DETACHED DWELLING
JAMAL O.SHIREF & MARILYN COLES	69 HIGHLAND DR	NC FENCE
THERESA JACKSON	39 BALNAFAD PL	CR SUBSIDIARY APARTMENT
GERRY BEEHAN	19 ALBANY ST	RN SINGLE DETACHED DWELLING
WILLIAM LUSH, JR.	108 BARNES RD	RN TOWNHOUSING
ANDREE THOMAS	22 BATTERY RD	RN SEMI-DETACHED DWELLING
JOHN MATE	42 CIRCULAR RD	RN SINGLE DETACHED & SUB.APT
PATRICK REDDICK	117 PORTUGAL COVE RD	RN SINGLE DETACHED & SUB.APT
PHILIP SARGENT	63 PRINCE OF WALES ST	RN SEMI-DETACHED DWELLING
PAUL TRACEY	44 SHAW ST	RN SINGLE DETACHED DWELLING
WILLIAM E. & CATHERINE ANTLE	42 LAKE VIEW DR	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 476,200.00
TO DATE \$ 7,280,469.00

CLASS: DEMOLITION

THIS WEEK \$.00
TO DATE \$ 89,056.00

THIS WEEK'S TOTAL: \$ 8,751,580.00

TOTAL YEAR TO DATE: \$ 22,112,048.00

REPAIR PERMITS ISSUED: 2007/03/01 TO 2007/03/07 \$ 15,000.00
2006/12/28 TO 2007/03/07 \$ 201,430.00 YTD

LEGEND

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

Payrolls and Accounts

SJMC2007-03-12/122R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the following Payrolls and Accounts for the week ending March 8, 2007 be approved:

**Weekly Payment Vouchers
For The
Week Ending March 8, 2007**

PAYROLL

Public Works	\$ 501,907.85
Amalgamation	\$ 515,891.39
Bi-Weekly Administration	\$ 774,303.78
Bi-Weekly Management	\$ 693,055.97

ACCOUNTS PAYABLE

Cheque	No.	113398	-	113729
				\$1,820
				,625.68

(Includes Direct Deposits/Transfers/Equip. Leasing)

Total:

**\$4,305
,781.67**

Tenders

- a. Tenders - Re-Engineering Robin Hood Bay Landfill, Contract 1 - Site Work Special Waste Disposal Area
- b. Tender - Supply of Glass Beads for Traffic Paint
- c. Tender - Supply of Trees and Shrubs
- d. Tender - Supply of Fall Bulbs
- e. Tender - Supply of Work Boots
- f. Tender - Phase II, NL Sports Centre

SJMC2007-03-12/123R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the recommendations of the Associate Commissioner/Director of Engineering, the Director of Finance and City Treasurer and the Director of Building & Property Management be approved and the tenders awarded as follows:

- a. JAG Enterprises Ltd. in the amount of \$177,099.00

- b. **Construction Signs Ltd. in the amount of \$27,000.00 (HST Extra)**
- c. **Sheridan Nurseries in the amount of \$55,966.04 (HST Extra)**
- d. **Pat=s Plants & Gardens in the amount of \$13,732.50 (HST Extra)**
- e. **Campbells Ship Supply in the amount of \$75,489.00 (HST Extra)**
- f. **Olympic Construction Ltd. in the amount of \$1,062,637.70 (HST included)**

Notices of Motion

Councillor Ellsworth gave the following Notice of Motion:

TAKE NOTICE that I will at the next regular meeting of the St. John=s Municipal Council move to enact an amendment to the St. John=s Covering of Garbage Placed for Collection By-Law so as to remove references to the use of blankets and so as to provide that the effective period of the By-Law is May 1st to November 30th of each year.

Snow Clearing Report - Memorandum dated March 8, 2007 from the Director of Finance and City Treasurer

Council considered as information the Snow Clearing Report for the period January 1st to March 9, 2007 showing a negative variance of \$423,724.00 which, as noted by the Director of Finance, does not yet reflect the cost of hiring private trucks for the snow removal program.

Letter to Mayor Andy Wells from Mayor David Miller, Toronto re: >One Cent Now= Campaign

Council considered as information the above noted letter.

Youth and Violence Conference

SJMC2007-03-12/124R

It was moved by Councillor Coombs; seconded by Councillor Duff: That the City cover the cost of mid-morning coffee breaks during the

Youth and Violence Conference planned for St. John=s, March 29 to 30, 2007, at an approximate cost of \$1500.00.

The motion being put was unanimously carried.

Councillor Duff

Councillor Duff congratulated the Brad Gushue Curling Team on their strong performance at the Tim Horton=s Brier Competition and as well the Stacie Devereaux Curling Team on winning silver at the World Junior Curling Championships, and asked that a letter of congratulations be forwarded to the teams.

Councillor Hickman

Councillor Hickman also congratulated the teams along with the MUN Sea-Hawks on winning the bronze medal in the CIS competition , being the first CIS women=s basketball medal winners in program history. He also congratulated the organizers responsible for making the event a huge success, and commended the superlative media coverage.

Councillor Hickman also congratulated the Newfoundland and Labrador athletes who participated in the Canada Winter Games and asked that a letter be forwarded to silver medal winner, boxer, Mponda Kalunga.

Councillor Hickman referenced a recent *Globe and Mail* article referring to the City of Toronto=s pilot project on usage of high-efficiency street lighting and asked that the issue be referred to the Public Works Environment and Protection Standing Committee for consideration.

Councillor Hann

Councillor Hann reminded residents of the upcoming meeting to be held on March 14, 2007 to discuss the feasibility of extending the Mount Pearl Municipal boundary east of Commonwealth Avenue and south of the current Mount Pearl municipal boundary to the limits of the proposed East-West Arterial Road and making a corresponding change to the City of St. John's municipal boundary in that area. He urged residents to attend the meeting in support of the City's position on this very important issue.

Councillor Puddister

Councillor Puddister indicated that concern was expressed to him with respect to frozen parking meters and the issuing of tickets. He asked that the matter be referred to the Police and Traffic Committee with a respect to the City's policy in this regard.

Councillor Ellsworth

Councillor Ellsworth advised of the Rabbittown Community Centre's third annual Winter Carnival, March 12 to March 18, 2007 and encouraged residents in the area to take part in the events.

Councillor Ellsworth advised that the Mayor's Advisory Committee on Youth is undertaking to seek nominations for its first annual Youth of the Year Award for 2007. The competition is open to all youth residing in the City of St. John's between the ages of 13 and 18 by December 31, 2007 and the winner will receive \$500 to be presented during Youth Week Celebrations to be held in May, 2007.

Adjournment

There being no further business the meeting adjourned at 4:50 p.m.

MAYOR

CITY CLERK