

March 21st, 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: Councillors O'Leary; Hickman, Colbert; Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Deputy Mayor Duff and Councillor Hann.

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

Adoption of the Agenda

SJMC2011-03-21/137R

It was decided on motion of Councillor Tilley; seconded by Councillor Hickman: That the Agenda be adopted as presented.

Adoption of Minutes

SJMC2011-03-21/138R

It was decided on motion of Councillor O'Leary; seconded by Councillor Hickman: That the minutes of the March 15th, 2011 meeting be adopted as presented with the following amendment:

Page 21 – Cindy McGrath, Public Works Division, corrected to read Jennifer McGrath

Public Hearings

Councillor Breen presented a Public Hearing Report dated March 8, 2011 which was held to provide an opportunity for public review and comment on an application submitted by Mr. Gerry Young to rezone property at Civic Number 69 King's Bridge Road (the "King's Bridge Service Station") from the Residential Low Density (R1) Zone to the Commercial Neighbourhood (CN) Zone.

All in attendance supported the application and there were no verbal or written submissions presented to Council prior to the meeting nor any representations from the general public during the meeting.

Council considered a memorandum dated March 16, 2011 from the Director of Planning regarding the application.

SJMC2011-03-21/139R

It was moved by Councillor Breen; seconded by Councillor Hanlon: That staff be directed to proceed with the proposed rezoning of property at Civic Number 69 King's Bridge Road from R1 Zone to the CN Zone; and further, that the following Resolutions for St. John's Municipal Plan Amendment Number 92, 2011 and St. John's Development Regulations Amendment Number 509, 2011 be adopted in principle, which will then be forwarded to the Department of Municipal Affairs, with a request for the issuance of a provincial release in accordance with the requirements of the Urban and Rural Planning Act:

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 92, 2011**

WHEREAS the City of St. John's wishes to allow the rezoning of the King's Bridge Service Station site located at 69 King's Bridge Road.

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

“Redesignate property located at 69 King's Bridge Road from the Residential Low Density Land Use District to the Commercial General 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.

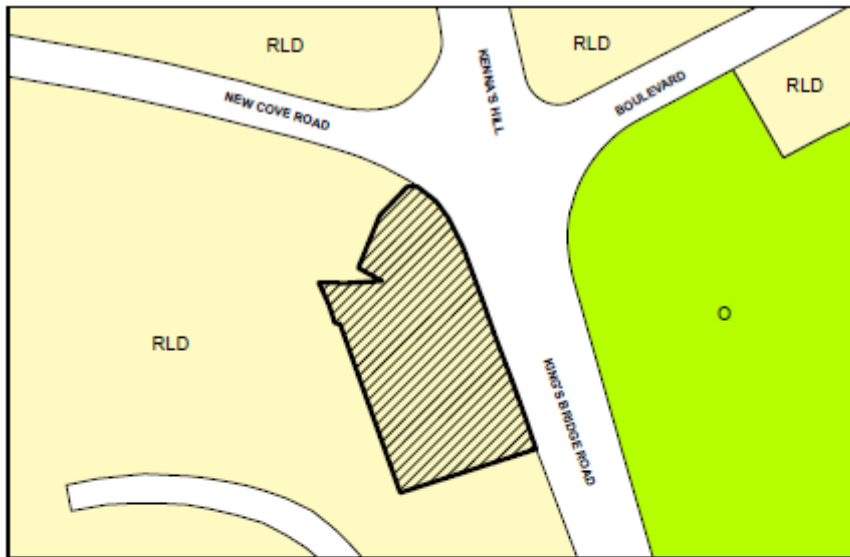
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 21st day of **March, 2011**.

Mayor

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
MUNICIPAL PLAN
Amendment No. 92, 2011
[Map III-1A]**

2011 03 15 SCALE: 1:1000
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 RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO COMMERCIAL GENERAL (CG) LAND USE DISTRICT

69 KING'S BRIDGE ROAD (King's Bridge Service Station)

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 509, 2011**

WHEREAS the City of St. John's wishes to allow the rezoning of the King's Bridge Service Station site located at 69 King's Bridge Road.

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

“Rezone property located at 69 King's Bridge Road from the Residential Low Density (R1) Zone to the Commercial Neighbourhood (CN) 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.

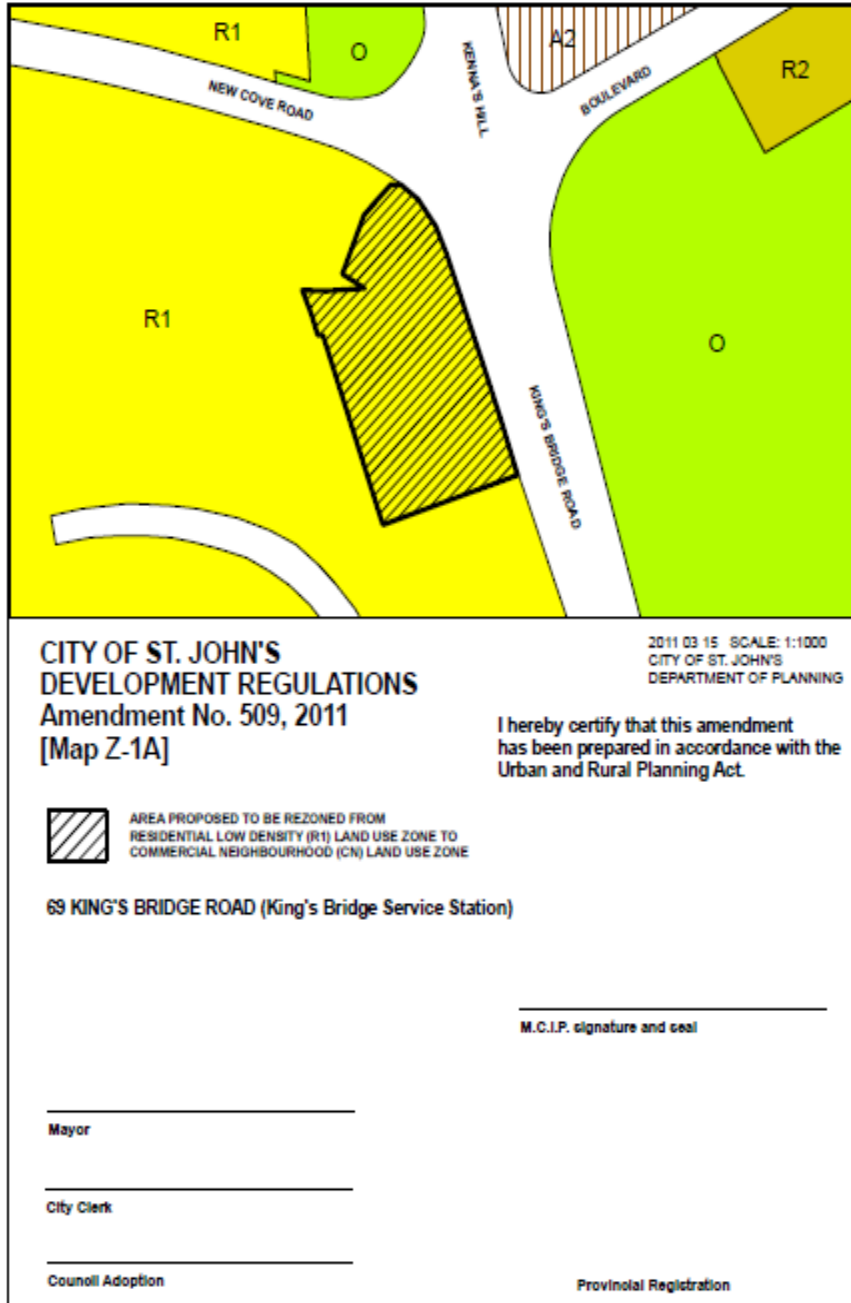
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 21st day of **March, 2011**.

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



Colbert Colbert enquired if the remaining properties up to Winter Avenue would be considered for rezoning in the near future.

The motion being put was unanimously carried.

Committee Reports

Parks and Recreation Committee Report dated march 15, 2011:

Council considered the following Parks and Recreation Committee Report dated March 15, 2011:

- In Attendance:
- Councillor Wally Collins, Chairperson
 - Councillor Danny Breen
 - Councillor Sandy Hickman
 - Councillor Sheilagh O’Leary
 - Councillor Frank Galgay
 - Councillor Gerry Colbert
 - Councillor Bruce Tilley
 - Councillor Debbie Hanlon
 - Paul Mackey, Deputy City Manager/Director of Public Works & Parks
 - Jill Brewer, Director of Recreation
 - Bob Bursey, City Solicitor
 - Bob Bishop, Director of Finance & City Treasurer
 - Gord Tucker, Acting Director of Building & Property Management
 - Natalie Godden, Manager of Family & Leisure Services
 - Heather Hickman, Manager – Community Development
 - Tanya Haywood, Manager – Facilities Division
 - Carla Lawrence, Manager – Sport and Communications
 - Brian Head, Operations Assistant – Parks
 - Karen Chafe, Recording Secretary

1. **St. John’s Minor Baseball (SJMB)**

The Committee met with the following delegation from the St. John’s Minor Baseball group: Glenn Cribb, Rick Tiller, Bob Morgan and Frank O’Leary. They conducted a power point presentation outlining their goals and accomplishments which have resulted in a significant increase of participant registration. St. John’s Minor Baseball has \$50,000 available to contribute toward the cost of field improvements noted below and requests that the City cost-share this work:

Requests
• Kitty Gaul: cost-share two enclosed dugouts.
• Bannerman Park: trade Conway Glenn for use of this facility and cost-share two enclosed dugouts.
• Kelly’s Brook: cost-share two smaller enclosed dugouts.
• Virginia Park: cost share two enclosed dugouts
• Airport Heights: obtain usage of facility and cost share two enclosed dugouts.
• Terra Nova Field: cost-share construction of storage facility

With regard to the request to trade Conway Glenn for Bannerman Park, staff advised that if consideration is given to this request, there would be a need to install netting down the third base line at an approximate cost of \$15,000 - \$20,000. There are also 51 different teams using Bannerman Park for softball who would be displaced should this field be allocated to baseball.

The Committee recommends that this request be denied.

With regard to the Terra Nova field request to cost-share the construction of a storage facility, staff advised that the standard practice is for sports groups to fund their own specific requirements and that storage is not a facility based requirement.

The Committee recommends that this request be denied

The Committee on motion of Councillor Colbert; seconded by Councillor Hickman: recommends the following based on staff's estimate to install dugouts at a cost of \$10,000 - \$12,000:

That subject to 50/50 cost-shared funding from St. John's Minor Baseball, the City will provide \$7500 toward the cost of installing two enclosed dugouts at Kitty Gaul Park; and further that the City would provide \$5000 each toward the cost of installing dugouts at the following locations: Kelly's Brook, Virginia Park and Airport Heights.

2. Eastern National Tournament – 2012

The Director of Recreation received a request from the Baseball Association for a letter of support from the City to bid on the Eastern National Tournament for 2012.

The Committee recommends approval of the letter of support.

3. 2011 Recreation Newfoundland and Labrador Annual Conference and Trade Show

The Committee considered a memo dated March 8, 2011 from the Director of Recreation regarding the City's hosting of the 2012 Recreation Newfoundland and Labrador Annual Conference and Trade Show from May 31-June 2, 2012. One of the expectations of the Host Committee is to attend the prior conference which will be held in Gander, June 2-4, 2011. There will be a staff presence at the Gander Conference and a host booth in the Trade Show.

The Committee on motion of Councillor Galgay; seconded by Councillor Hickman recommends that Council appoint Chairperson Collins to attend the Gander Conference on June 2-4, 2011.

4. **Spring and Summer Registration for Recreation Programs**

The Department of Recreation advised of the following dates for recreational program registration:

- Spring Registration: April 9, 2011
- Summer Registration: May 7, 2011

5. **Future Disposal of Land Occupied by MacPherson School**

The Committee referenced the Eastern School District's official notice to close MacPherson School. It was suggested that Council begin discussions with the Eastern School District to determine the future disposal of this and any other decommissioned land. It was agreed that such land should benefit the community as a whole, i.e. as an open or recreational space to accommodate the surrounding schools and residents or as an arts facility and/or farmers' market. Such public uses would be more appropriate than further residential densification.

Reference was made to a meeting that was held with the Eastern School District and members of Council whereby both parties were amenable to working cooperatively to keep center city schools open and that consideration be given to allowing the City first right of refusal to any lands that become available.

The Committee recommends that should the Eastern School District decide to dispose of the land situated at MacPherson School (which will now be permanently decommissioned) or any other decommissioned space, that the City be given first right of refusal to purchase such land for a public use. The Committee further recommends that the Mayor write a letter to the Eastern School District outlining this request.

Councillor Wally Collins
Chairperson

SJMC2011-03-21/140R

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

The motion being put was unanimously carried.

Resolutions

SJMC2011-03-21/141R

It was moved by Councillor Tilley; seconded by Councillor Colbert: That the following Resolution be adopted:

RESOLUTION

WHEREAS the City of St. John's Municipal Council is empowered under the provisions of the City of St. John's (Loan) Act 1978, as amended, to borrow on the credit of the City, subject to the approval of the Minister of Municipal Affairs;

AND WHEREAS the Council approved the St. John's Transportation Commission entering into agreement with the Royal Bank of Canada for borrowing of monies for Capital Expenditures;

AND WHEREAS the Council deems it advisable to authorize the St. John's Transportation Commission to borrow amounts up to a total of Fifteen Million, Dollars (\$15,000,000) for the said Capital Expenditures and to seek the approval of the Minister to borrow up to the said amount for the said purpose;

BE IT THEREFORE RESOLVED that the required approval of the Minister be sought to authorize the St. John's Transportation Commission to borrow from the Royal Bank of Canada amounts up to a total of Fifteen Million Dollars (\$15,000,000) the proceeds of such borrowing to be applied towards Capital Expenditures for the Commission.

The motion being put was unanimously carried.

Building Permits List

SJMC2011-03-21/142R

It was decided on motion of Councillor Breen; 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:

2011/03/16

Permits List

CLASS: COMMERCIAL

DRAPES ETC.	15-27 STAVANGER DR	CO RETAIL STORE
TORBAY RD. IRVING	192-194 TORBAY RD	MS SERVICE STATION
SUMMIT BUILDERS	MEWS PL, LOT 9	NC ACCESSORY BUILDING
CIR MANAGEMENT LTD	430 TOPSAIL RD, ONE TOOTH	RN RETAIL STORE
ROGER THORNHILL BARBOUR SHOP	355 MAIN RD	CR SERVICE SHOP
BLUE WATER DOWN TOWN	331 WATER ST	NC FENCE
63486 NL CORP	270 WATER ST - ROCKET BAKERY	CR RESTAURANT
STATE OF MIND	57 OLD PENNYWELL RD	RN RETAIL STORE
DENIS MURPHY	AVALON MALL NO. 1 - SIRENS	RN RETAIL STORE
ONE TOOTH RETAIL OUTLET	430 TOPSAIL RD, ONE TOOTH	TI RETAIL STORE
PARA ENGINEERING	365-367 WATER ST	RN OFFICE
CHURCHILL PROPERTIES LTD.	8-10 ROWAN ST	RN OFFICE
CLEAR RISK INC.	40 ABERDEEN AVE , PINNACLE ENG	TI OFFICE
BAIN JOHNSTON CENTRE LIMITED	10 FORT WILLIAM PL, WASHROOMS	RN OFFICE

THIS WEEK \$ 496,132.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

PIPPY PARK COMMISSION	472 ALLANDALE RD	NC RECREATIONAL USE
FED. GOV'T. (BLDG. #223)	PLEASANTVILLE,BLDG 223	RN ADMIN BLDG/GOV/NON-PROFIT
PHB GROUP	194 ELIZABETH AVE, SQUIRES HOU	RN SCHOOL

THIS WEEK \$ 3,075,900.00

CLASS: RESIDENTIAL

VIRGINIA & WAYNE HALLEY	53 BATTERY RD	NC SINGLE DETACHED DWELLING
KIERAN M. HEFFERNAN	13 SPRUCE GROVE AVE	NC ACCESSORY BUILDING
MARY LEE	27 BOLAND ST	NC ACCESSORY BUILDING
MARY LEE	27 BOLAND ST	NC FENCE
GLENN INGERMAN	PURCELL STREET	NC SINGLE DETACHED DWELLING
PATRICIA GRATTAN	7 WINTER PL	CO HOME OFFICE
SEAN O'REILLY	44 CAPE PINE ST	CR SUBSIDIARY APARTMENT
ATLANTIC HOMES LTD.	14 GEORGINA ST	CR SUBSIDIARY APARTMENT
DOMINIQUE BREGENT-HEALD &	52 ROCHE ST	EX SINGLE DETACHED DWELLING
SKYMARK CONTRACTING LTD.	99 BRAD GUSHUE CRES	RN SINGLE DETACHED DWELLING
EASTERN HEALTH	18 BROWN RIGG PL	RN SINGLE DETACHED DWELLING
HARMONY ROBERTS	26 FAULKNER ST	RN SINGLE DETACHED DWELLING
CRYSTAL WHITE	31-33 GOLF AVE	RN SINGLE DETACHED DWELLING
CANDICE BRAZIL	12 ICELAND PL	RN SINGLE DETACHED DWELLING
BARRY GRENNING	242 SOUTHERN SHORE HWY	RN SINGLE DETACHED DWELLING
RENEE BOILEAU	28 YOUNG ST	RN TOWNHOUSING

THIS WEEK \$ 259,000.00

CLASS: DEMOLITION

CYRIL TOBIN	372 EMPIRE AVE	DM SINGLE DETACHED DWELLING
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TREVOR J. LEONARD

85 MILITARY RD

DM ACCESSORY BUILDING

THIS WEEK \$ 5,500.00

THIS WEEK'S TOTAL: \$ 3,836,532.00

REPAIR PERMITS ISSUED: 2011/03/10 TO 2011/03/16 \$ 31,200.00

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

SJMC2011-03-21/143R

It was decided on motion of Councillor Breen; seconded by Councillor Hickman: That the following Payrolls and Accounts for the week ending March 17, 2011, be approved:

**Weekly Payment Vouchers
For The
Week Ending March 17, 2011**

PAYROLL

Public Works	\$ 406,803.94
Bi-Weekly Administration	\$ 640,840.43
Bi-Weekly Management	\$ 601,375.10
Regional Fire Department	\$ 558,456.28

ACCOUNTS PAYABLE \$ 4,446,588.17

Total: \$ 6,654,063.92

Notice of Motion

Councillor Hickman 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 amend sections 7 & 8 of The St. John's Snow Removal Regulations so as to recoup cost incurred by the City as a result of having to remove snow placed by persons on streets and sidewalks previously cleared by the City.

Canada Post – Shea Heights

Council considered a memorandum dated March 16, 2011 from the City Solicitor regarding the above noted.

SJMC2011-03-21/144R

It was moved by Councillor Colbert; seconded by Councillor Collins: That the City re-enter into a Lease with Canada Post for lease of space at the Shea Heights Community Centre for the Shea Heights Post Office, for 5 years with the rent being \$15,571.00 for the first 3 years and \$16,000.00 for the last 2 years, as recommended by the City Solicitor.

The motion being put was unanimously carried.

Ruth Avenue Water Tower Site

Council considered a memorandum dated March 16, 2011 from the City Solicitor regarding the above noted.

SJMC2011-03-21/145R

It was moved by Councillor Galgay; seconded by Councillor O'Leary: That Bell Aliant be permitted to erect a cell tower on the site of the City's Water Tower near Southlands and that a lease be entered into for the portion of the land to be used for the cell tower, with the annual rent being \$4,000.00.

The motion being put was unanimously carried.

Snow Clearing Report for the period January 1st to March 18th, 2011

Council considered the snow clearing report for the period January 1 to March 18, 2011 showing a negative variance of \$292,530.00.

Councillor Collins

Councillor Collins noted Council's approval of \$11,600.00 towards Southlands Family Fun Day and thanked Council for its support of the event.

Councillor Collins noted the Trumpet Newsletter outlining the Bowring Park Foundation's latest restoration projects for the park.

Councillor Hanlon

Councillor Hanlon noted that The City of St. John's is celebrating Tourism Awareness Week 2011 by honouring the very best in the tourism business at its 20th Annual Tourism Awards Ceremony in June. Nominations are now being accepted for the five annual awards.

Councillor Hanlon advised that some of Newfoundland and Labrador's best known places are receiving nation-wide attention. The Great Places in Canada competition invites Canadians to nominate a vote for their favourite public spaces, streets and neighbourhoods across the country.

The Province's historic Cape Spear, the capital City's Bowring Park and Pippy Park, and the remote and unspoiled Grassy Park, on the province's southwest coast, were short-listed in the public spaces category. The vibrant houses of downtown St. John's are quickly gaining votes in the greatest streets category and Labrador's North West River is nominated in the neighbourhoods' category.

The last day to nominate and vote for your favourite place is this Friday, March 25.

Councillor Hanlon outlined some of the highlights of Multi Cultural Week. She advised that the Diversity Multi Cultural Symposium preregistration date is March 23, 2011.

Councillor Tilley

Councillor Tilley advised that the Director of Economic Development, Tourism and Culture has been asked to set up a meeting with the St. John's International Airport Authority to give the Board of Directors and the CEO the opportunity to provide Council with a overview of the Authority's intention to have an Industrial Park at the Airport.

Councillor Tilley advised that dates have been set for the removal and replacement of posters on the poles in the downtown.

Councillor Galgay

Councillor Galgay advised that the Board of Directors of MNL will be meeting in Gander in May, and as Council's representative, he will report back to Council accordingly.

Councillor Breen

Councillor Breen advised that through Destination St. John's the City submitted a bid proposal on the 2013 World Female Hockey Championships and the City has been short listed. He noted that host committee will be in Calgary in early April to present the City's final bid.

Councillor Breen tabled information by the Heart and Stroke Foundation of Canada on the announcement by the Federal Minister of Health, three research initiatives studying how the design of neighbourhoods impact obesity.

Councillor Breen updated Council on the situation with the Robin Hood Bay Landfill odor problem and the measures being take to correct the problem

Councillor Hickman

Councillor Hickman commended staff for the efforts towards the City Cleanup and encouraged the community to take responsibility and do its part towards keeping the City clean.

Councillor O’Leary

Councillor O’Leary noted that St. John’s Clean and Beautiful is seeking nominations for its community awards and suggested that people contact Karen Hickman at St. John’s Clean and Beautiful in this regard.

Councillor O’Leary informed the general public of her attendance at a presentation along with Councillor Galgay, MHA Lorraine Michael, representatives from Parks Canada and Historic Trust where the Outer Battery Neighbourhood Association’s desire to preserve the heritage of the Outer Battery, was discussed. She noted that OBNA’s request for a hold on demolition and construction pending the results of a contracted study with Jokinen Associates Engineers, by early spring, was approved by Council. She noted however, that safety issues will have to be addressed immediately.

Adjournment

There being no further business, the meeting adjourned at 5:30 p.m.

MAYOR

CITY CLERK