

March 28th, 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, Hann; Colbert; Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Deputy Mayor Duff.

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, City Internal Auditor and Manager, Corporate Secretariat were also in attendance.

Adoption of the Agenda

SJMC2011-03-28/146R

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

- a. **Special Events and Festivals Fund**

Adoption of Minutes

SJMC2011-03-28/147R

It was decided on motion of Councillor O'Leary; seconded by Councillor Hickman: That the minutes of the March 21st, 2011 meeting be adopted as presented.

Business Arising

SJMC2011-03-28/148R

Pursuant to Notice of Motion, it was moved by Councillor Hickman; seconded by Councillor Colbert: That the following St. John's Snow Removal (Amendment No. 1-2011) Regulations be adopted:

BY-LAW NO.

ST. JOHN’S SNOW REMOVAL (AMENDMENT NO. 1 – 2011) REGULATIONS

PASSED BY COUNCIL ON MARCH 28, 2011

Pursuant to the powers vested in it under the City of St. John’s Act, RSNL 1990 c.C-17, as amended, the City of St. John’s enacts the following By-Law relating to snow removal.

BY-LAW

1. This By-Law may be cited as the St. John’s Snow Removal (Amendment No. 1 – 2011) Regulations.
2. Section 7 of The St. John’s Snow Removal Regulations is repealed and the following substituted:
 - 7(1) No person shall deposit snow or ice upon any street or sidewalk which street or sidewalk is cleared of snow or ice by the City.
 - (2) Any cost to the City of removing snow or ice deposited in violation of subsection (1) shall, in addition to any penalty prescribed hereunder, be recoverable from the violator or abutter.
3. Section 8 of The St. John’s Snow Removal Regulations is repealed and the following substituted:
 - 8(1) No person engaged in removing snow or ice from any property or other premises shall do so in any manner that obstructs vehicular traffic on a street or pedestrian traffic on a sidewalk.
 - (2) Any cost to the City of removing snow or ice deposited in violation of subsection (1) shall, in addition to any penalty prescribed hereunder, be recoverable from the violator or abutter.

IN WITNESS WHEREOF the Seal of the City of St. John’s has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this 28th day of March, 2011.

MAYOR

CITY CLERK

The motion being put was unanimously carried.

Application to Rezone Property at King Edward Place - Applicant: Southcott Homes Ltd.

Under business arising, Council considered a memorandum dated March 23, 2011 from the Director of Planning regarding the above noted.

SJMC2011-03-28/149R

It was moved by Councillor Galgay; seconded by Councillor Tilley: That the following Resolutions for St. John's Municipal Plan Amendment Number 90, 2011 and St. John's Development Regulations Amendment Number 503, 2011 be adopted; and further, that Ms. Maura Hanrahan, a member of the City's commissioner list, be appointed as the commissioner to conduct a public hearing on the amendments in accordance with the requirements of the Urban and Rural Planning Act, the date for the public hearing being set at Tuesday, April 26, 2011:

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 90, 2011**

WHEREAS the City of St. John's wishes to amend the current zoning designation of property on King Edward Place.

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 land at King Edward Place from the Institutional Land Use District and the Residential High Density Land Use District to the Residential Medium Density Land Use District as shown on Map III-IA attached.”

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

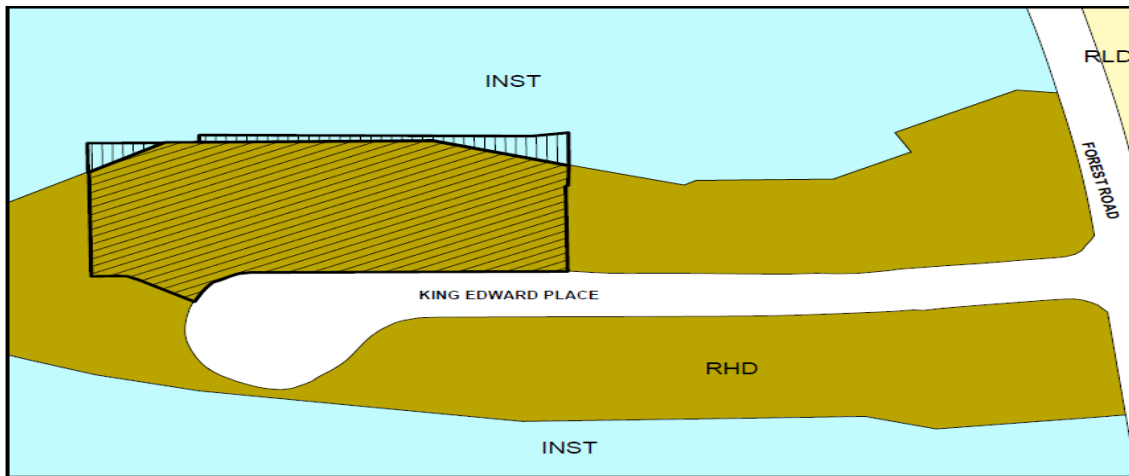
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this **28th day of March, 2011.**

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

Mayor

MCIP

City Clerk



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 90, 2011
[Map III-1A]**

2011 03 02, SCALE: 1:1000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REDESIGNATED FROM INSTITUTIONAL (INST) LAND USE DISTRICT TO RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT



AREA PROPOSED TO BE REDESIGNATED FROM RESIDENTIAL HIGH DENSITY (RHD) LAND USE DISTRICT TO RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT

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

KING EDWARD PLACE

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 503, 2011**

WHEREAS the City of St. John's wishes to amend the current zoning designation of property on King Edward Place.

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 land at King Edward Place from the Apartment High Density (A3) and Institutional (INST) Zone to the Residential High Density (R3) Zone as shown on Map Z-1A attached.”

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

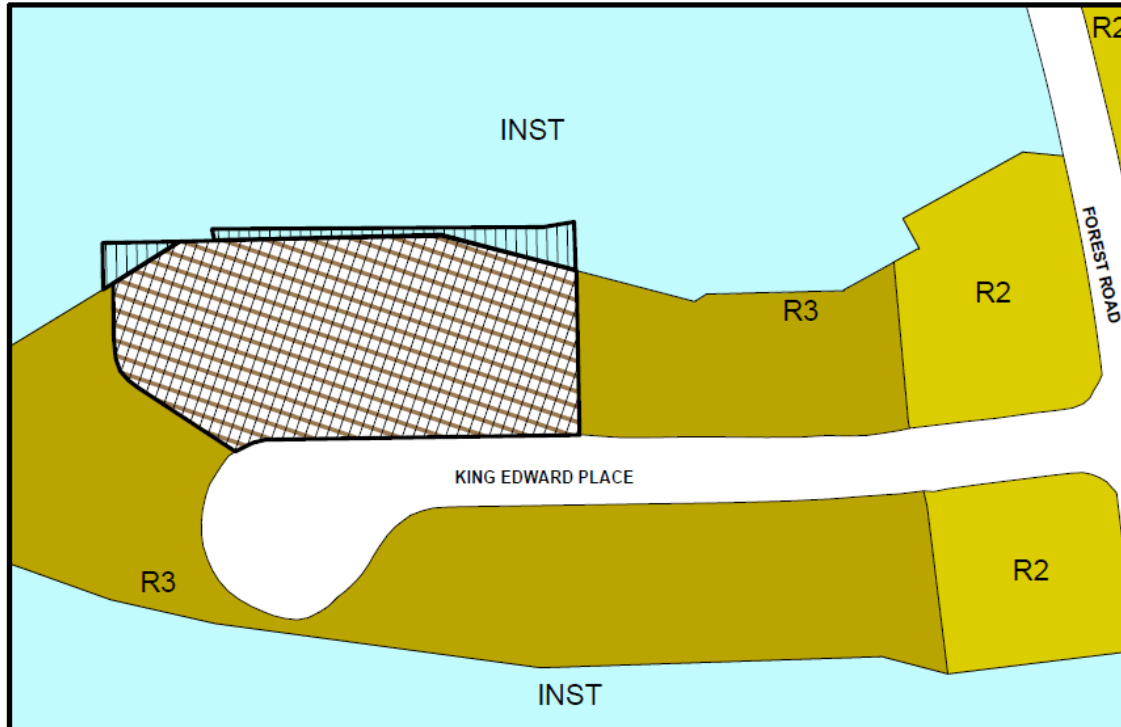
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this **28th day of March, 2011.**

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
DEVELOPMENT REGULATIONS
Amendment No. 503, 2011
[Map Z-1A]**

2011 03 02 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 REZONED FROM
INSTITUTIONAL (INST) LAND USE ZONE TO
RESIDENTIAL HIGH DENSITY (R3) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
APARTMENT HIGH DENSITY (A3) LAND USE ZONE TO
RESIDENTIAL HIGH DENSITY (R3) LAND USE ZONE

KING EDWARD PLACE

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

**Re Application to Rezone Property at Civic Number 350 Blackhead Road
Applicant: Elizabeth English**

Under business arising, Council considered a memorandum dated March 22, 2011 from the Director of Planning regarding the above noted.

SJMC2011-03-28/150R

It was moved by Councillor Collins; seconded by Councillor Hickman: That the following Resolutions for St. John’s Municipal Plan Amendment Number 89, 2011 and St. John’s Development Regulations Amendment Number 502, 2011 be adopted; and further, that Ms. Maura Hanrahan a member of the City’s commissioner list, be appointed as the commissioner to conduct a public hearing on the amendments in accordance with the requirements of the Urban and Rural Planning Act, the date for the public hearing being set on Tuesday, April 26, 2011:

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 89, 2011**

WHEREAS the City of St. John’s wishes to amend the current zoning designation of property on located at Civic Number 350 Blackhead 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 land at Civic Number 350 Blackhead Road from the Rural Land Use District to the Residential Low 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.

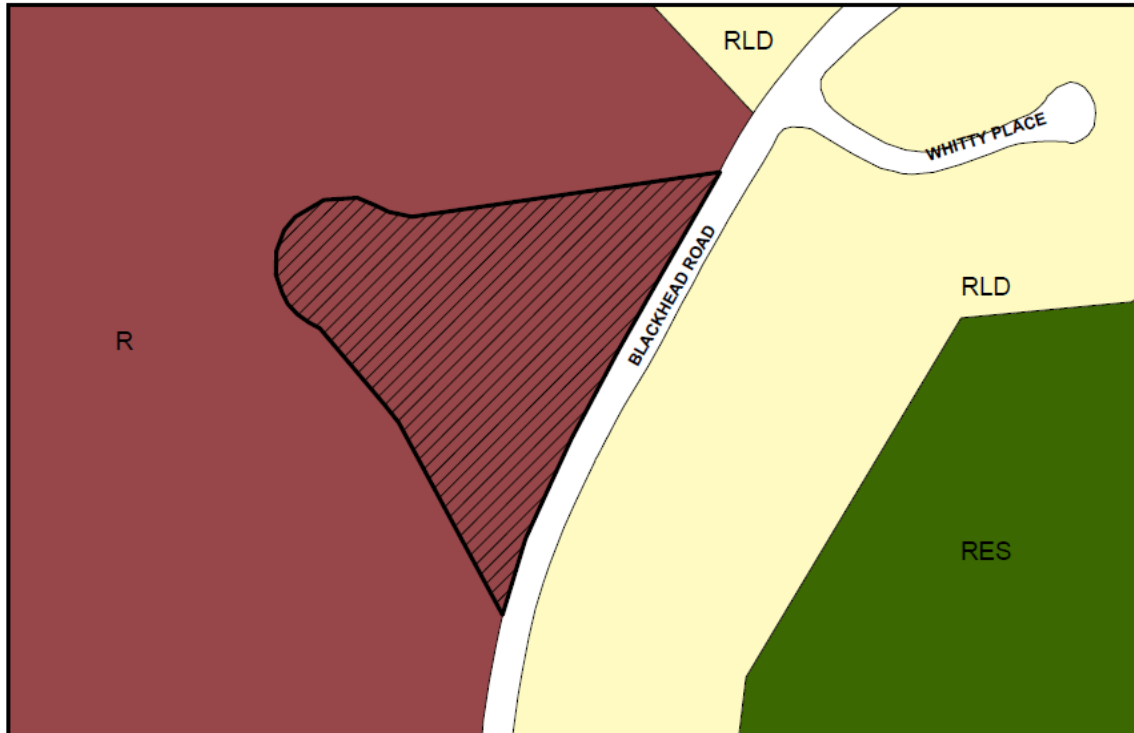
IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this **28th day of March, 2011.**

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. 89, 2011
[Map III-1A]**

2011 03 02 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 REDESIGNATED FROM
RURAL (R) LAND USE DISTRICT TO
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT

350 BLACKHEAD ROAD

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 502, 2011**

WHEREAS the City of St. John's wishes to amend the current zoning designation of property located at Civic Number 350 Blackhead 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 land at Civic Number 350 Blackhead Road from the
Open Space Reserve (OR) Zone to the Residential Medium
Density (R2) Zone as shown on Map Z-1A attached.”**

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

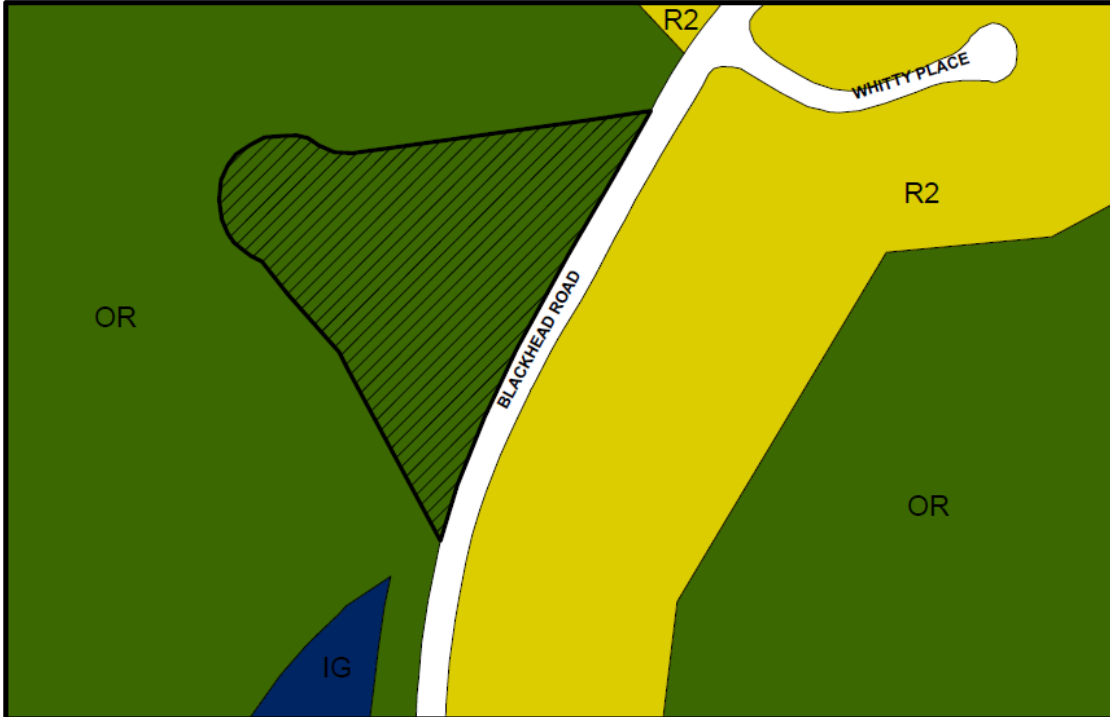
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 28th day of **March, 2011.**

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
DEVELOPMENT REGULATIONS
Amendment No. 502, 2011
[Map Z-1A]**

2011 03 02 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 RESERVE (OR) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

350 BLACKHEAD ROAD

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, Ruby Line at Southlands Boulevard
Applicant: Newfoundland & Labrador Housing Corporation**

Under business arising, Council considered a memorandum dated March 24, 2011 from the Director of Planning regarding the above noted.

SJMC2011-03-28/151R

It was moved by Councillor Collins; seconded by Councillor Hickman: That the following Resolutions for St. John’s Municipal Plan Amendment Number 91, 2011 and St. John’s Development Regulations Amendment Number 508, 2011, be adopted; and further, that Gerhard Weiland, a member of the City’s commissioner list, be appointed as the commissioner to conduct a public hearing on the amendments, the proposed dates for the public hearing being Wednesday, April 27, 2011.

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 91, 2011**

WHEREAS the City of St. John’s wishes to allow the rezoning of property owned by the Newfoundland Labrador Housing Corporation located at the intersection of Ruby Line and Southlands Boulevard.

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 land at the intersection of Ruby Line and Southlands Boulevard from the Residential Low Density Land Use District to the Commercial General Land Use District as shown on Map III – IA attached.”

BE IT FURTHER RESOLVED that the City of St. John’s requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

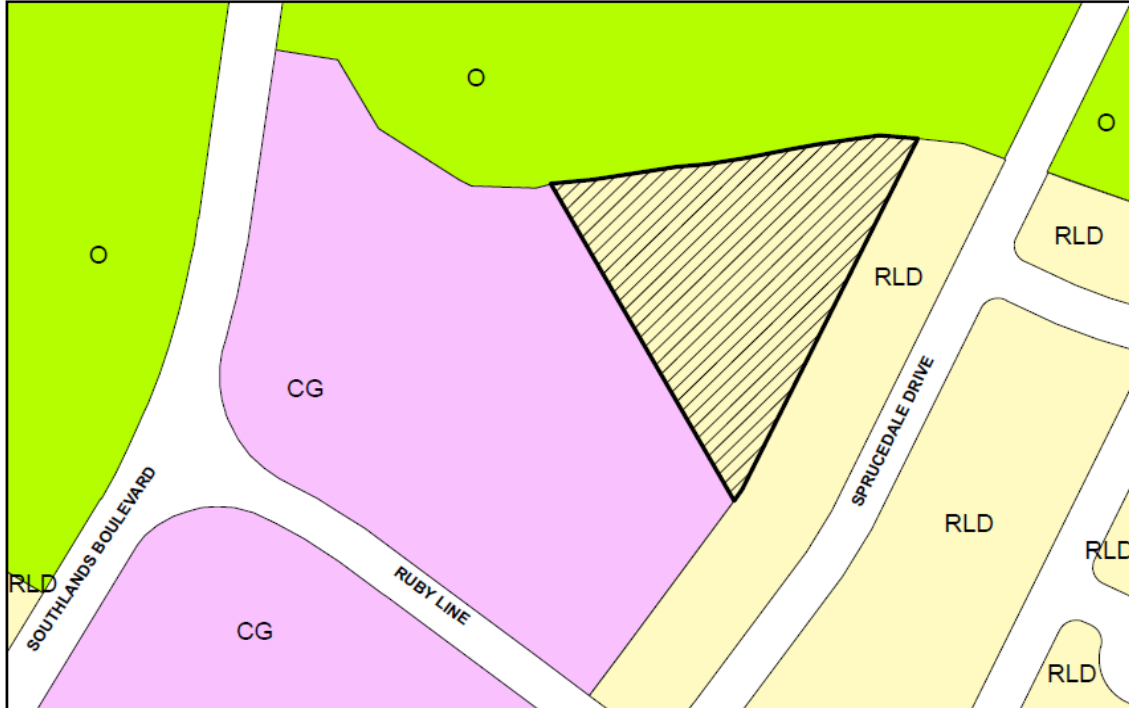
IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this **28th day of March, 2011.**

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. 91, 2011
[Map III-1A]**

2011 03 07 SCALE: 1:2500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT
TO COMMERCIAL GENERAL (CG) LAND USE DISTRICT

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

Southlands Boulevard at Ruby Line
Newfoundland & Labrador Housing Corp.

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 508, 2011**

WHEREAS the City of St. John's wishes to allow the rezoning of property owned by the Newfoundland Labrador Housing Corporation located at the intersection of Ruby Line and Southlands Boulevard.

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 land at the intersection of Ruby Line and Southlands Boulevard from the Residential Low Density (R1) Zone to the Commercial Office Hotel (COH) Zone as shown on Map Z-1A attached.”

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

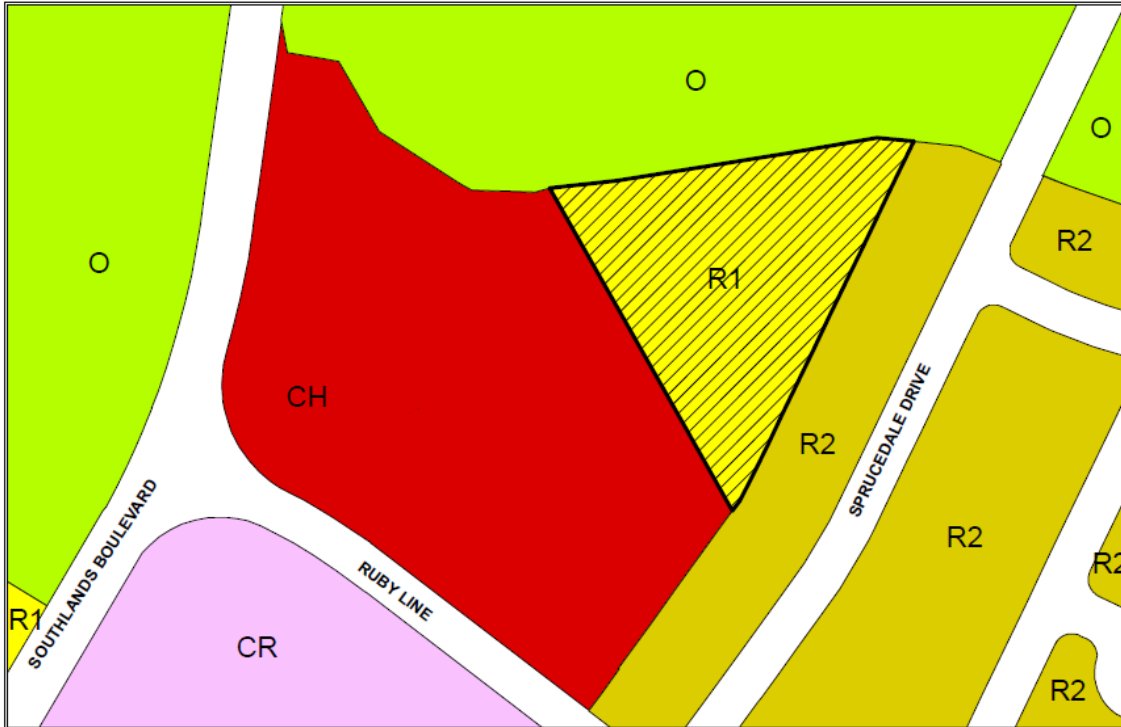
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this **28th day of March, 2011.**

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



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 508, 2011
[Map Z-1A]**

2011 03 07 SCALE: 1:2000
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 LOW DENSITY (RLD) LAND USE ZONE TO
COMMERCIAL OFFICE HOTEL (COH) LAND USE ZONE

Southlands Boulevard at Ruby Line
Newfoundland & Labrador Housing Corp.

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

Resolution – St. John’s Transportation Commission

Under business arising, Councillor Breen asked if Councillor Hann would clarify some issues raised in the media and by the general public concerning last week’s Resolution of Council to increase the Commission’s borrowing limit.

Councillor Hann advised that the current borrowing level approved for Metrobus is \$7.5 million and the resolution approved by Council at its meeting held on March 21, 2011 asked for Provincial government approval to raise that borrowing level to \$15 million. Councillor Hann pointed out that the borrowing will be spread out over seven years or maybe longer if necessary depending on budgeting, and noted that the Commission will continue to pay down the debt each year and there is a fiscal plan in place for the next few years to replace the fleet extending into 2017 and possibly later. With respect to the issue of hybrid buses, Councillor Hann noted that the cost of a hybrid bus is approximately \$300,000 higher than a regular bus and it would therefore cost an additional \$9 million to purchase 30 hybrid buses. As well, Councillor Hann indicated that it is his understanding that “the jury is out” on the benefits of hybrid buses noting that some municipalities across Canada are still experimenting, though realizing some fuel savings.

Councillor Hann advised that the units that the Commission plans to purchase will be more efficient and noted that six buses have been recently retrofitted with mini hybrid units for testing noting that studies indicate that such units have realized up to 50% fuel savings. In addition, these units cost \$30,000 vs \$300,000 extra for hybrids. He further noted that the Province partnered with metrobus to conduct this study by contributing 50% of the cost.

In addressing the issue of purchasing smaller buses, Councillor Hann noted that larger buses are needed to take care of peak periods, the savings are minimal and the smaller buses are not built to standards of the larger buses and have to be replaced more often and therefore more feasible from an efficiency and cost savings point of view to continue with larger buses.

During discussion, Councillor Colbert suggested that now might be the appropriate time for Metrobus to set aside a capital reserve fund. He also asked the number of hybrid vehicles included in the City's fleet. The Deputy City Manager/Director of Public Works and Parks advised that the City purchased five hybrid SUV's two years ago on a pilot basis and the benefits of the units won't be known until they've reached their life cycle.

Councillor Colbert noted that some time ago he along with the Manager of Metrobus and others attended a conference on metrobus operations in Canada wherein the government of Canada provided electric buses to the City of Quebec and there was some discussion whether or not through the gas tax or other means the City of St. John's could incorporate these buses in the off hours in places like downtown St. John's. He asked if Councillor Hann might find out the status of this initiative.

Councillor Hann noted that the Commission plans to look at setting aside a capital reserve fund, however, he cautioned that it will likely result in the City having to increase its subsidy to the Commission. He advised that even though the Canadian Urban Transit Association has been advocating for a long time for assistance from the Federal Government, funding assistance towards buses was not provided, however, \$26 million has been provided specifically to fund the bus depot. He also noted that the Commission will be seeking a portion of the gas tax funding.

Notices Published

1. **A Discretionary Use Application** has been submitted by Lori Long requesting permission to occupy **Civic Number 19 Mountainview Drive as a Home Occupation** for the making, packaging and distributing of natural organic dog treats.

The proposed business will occupy a floor area of approximately 14 square metres on the main floor level and will operate Monday-Friday, 9:00 a.m. to 9:00 p.m. Deliveries will take place once a week. The business involves preparing and cooking of dog treats on domestic cooking equipment using human grade ingredients. No on-site sales, delivery only. Four (4) on-site parking spaces are provided. The applicant is the sole employee.

SJMC2011-03-28/152R

**It was moved by Councillor Collins; seconded by Councillor O’Leary:
That the application be approved.**

The motion being put was unanimously carried.

Committee Reports

Development Committee Report dated March 22, 2011

Council considered the following Development Committee Report dated March 22, 2011:

RECOMMENDATION OF REJECTION:

- 1. Change of Non-Conforming Use Application
Proposed Furniture and Appliance Store
Mr. Tony Pike
Civic No. 74 Springdale Street (Ward 2)**

The Development Committee recommends that Council reject the above noted application as the property has been vacant of a business for eleven (11) years, and it has lost its non-conforming status as defined in Section 7.12.2(b) of the St. John’s Development Regulations.

Neil A. Martin
Acting City Manager
Chair – Development Committee

SJMC2011-03-28/153R

It was moved by Councillor Hann; seconded by Councillor Hickman: That the Committee’s recommendation, to reject the application as the property has been vacant of a business for eleven years, and it has lost its non-conforming status as defined in Section 7.12.2(b) of the St. John’s Development Regulations, be accepted.

It was suggested during discussion that it should be determined whether or not commercial taxes were being paid on the property at 74 Springdale Street since the property became vacant eleven years ago.

The motion to approve the Committee’s recommendation being put was carried with Councillors Hanlon and O’Leary dissenting.

Planning & Housing Standing Committee Report dated March 16, 2011

Council considered the following Planning and Housing Standing Committee Report dated March 16, 2011:

In Attendance: Councillor Frank Galgay, Chairperson
 Councillor Sheilagh O’Leary
 Councillor Sandy Hickman
 Councillor Danny Breen
 Councillor Bruce Tilley
 Councillor Debbie Hanlon
 Councillor Wally Collins
 Mr. Paul Mackey, Deputy City Manager/Director of Public Works &
 Parks
 Mr. Cliff Johnston, Director of Planning
 Mr. Walt Mills, Director of Engineering
 Mr. Dave Blackmore, Director of Building & Property Management
 Mr. Bob Bursey, City Solicitor
 Mr. Joe Sampson, Manager of Development
 Mr. Ken O’Brien, Manager of Planning & Information
 Mr. Robin King, Transportation Engineer
 Ms. Lynnann Winsor, Development Engineer
 Ms. Kelly Butler, Recording Secretary

Also in attendance were Mr. Dave Bartlett with The Telegram and Ms. Alisha Morrissey with the St. John’s Board of Trade.

1. Delegation – Mr. Dave Kelly, Gibraltar Development re: Proposed Rezoning of Property Accommodate a 4-Storey, 22 Unit Apartment Building – Civic No. 146 New Cove Road (Ward 4)

The Committee met with Mr. Dave Kelly of Gibraltar Development to discuss the application to rezone Civic No. 146 New Cove Road to allow for development of a 22 unit apartment building. The Committee also considered the **attached** memorandum dated March 11, 2011, from the Director of Planning and the Manager of Planning and Information.

Mr. Kelly advised that Gibraltar Development’s application for a 3-storey 24-unit apartment building was rejected by Council in July 2010 following a public meeting at which area residents expressed concerns about traffic volumes on New Cove Road. In consultation with Council, the company agreed to delay filing another application for the subject property until after the realignment of Portugal Cove Road/New Cove Road was completed and the new traffic lights were installed. This work has now been completed. Gibraltar Development would like to move forward with an updated application for the subject property for a 22-unit apartment building given that the proposed development will have little impact on traffic flows in the area. Mr. Kelly noted that the company is in a position to

start construction this spring, and he expressed concern that any delay in the application process could inhibit the company’s ability to make commitments to sub-contractors and suppliers, which could mean that the resources would not be available for this project should it receive approval from Council.

Mr. Kelly indicated that the new application proposes to rezone the subject property from Residential Medium Density (R2) Zone to the Apartment Medium Density (A2) Zone in order to accommodate a 4-storey 22 unit apartment building. The proposed design of the building is compact and it fits well on the site. The condominium proposal is in keeping with the City’s objectives under the Residential High Density District, which includes the subject property.

In response to a question regarding the impact of the new traffic light, the Transportation Engineer advised that the level of service is good and there is sufficient capacity. Since the installation of the traffic light, there has been an increase in the amount of left turning northbound traffic at the intersection. Shortcutting on local streets had been an issue due to the difficulty with making the left turn. The Transportation Engineer also provided the following information on traffic counts on Mount Cashel Road, Cherry Hill Road and Laughlin Crescent before and after the installation of the traffic lights:

Street	Vehicles Per Day Before Traffic Lights – Oct. 2010	Vehicles Per Day After Traffic Lights – March 10, 2011
Mount Cashel Road	2546	2522
Cherry Hill Road	504	451
Laughlin Crescent	730	456

Discussion ensued regarding the traffic volumes on Mount Cashel Road and the relationship to Mary Queen of Peace School, with it being noted that the school generates a lot of traffic on this street. Councillor Breen inquired if a specific traffic count could be undertaken to pinpoint exactly how much of the traffic is generated by the school. The Transportation Engineer advised that a traffic counter could be set up by the school gate in order to measure the amount of traffic to and from the school. Several members of the Committee agreed with having another traffic count undertaken to determine the amount of school traffic, and it was noted that this information would be important to provide to area residents should another public meeting be held on the application.

With respect to the traffic flows in the area, the Transportation Engineer indicated that he had a more updated memorandum for the Committee’s information, **(copy attached)**.

Regarding potential use of the subject property, Councillor Breen inquired if the developer had given any thought to building a townhouse development. Mr. Kelly indicated that a townhouse development would require constructing a cul-de-sac which would take up a lot of the site, and it is not something that the company has formally considered.

(Mr. Kelly retired from the meeting.)

The Committee discussed the rezoning application with it being noted that the proposed development has been viewed in a negative light by area residents because of existing traffic problems, and having the additional information on traffic volumes before going to a public meeting is necessary.

The Committee recommends, on motion of Councillor Hanlon; seconded by Councillor Hickman: That the Transportation Engineer be directed to undertake a traffic study in the vicinity of Mount Cashel Road at Mary Queen of Peace School to review the traffic volumes and patterns in this area. Upon completion of the traffic study, it is recommended that the rezoning application be referred to a public meeting to be chaired by a member of Council.

2. Delegation – Ms. Madonna Power re: Proposed Rezoning of Property to Accommodate an Apartment Building (Senior Citizens’ Affordable Housing Development) – Civic No. 62 Bonaventure Avenue (Ward 2)

The Committee met with Ms. Madonna Power to discuss the above noted application to rezone Civic No. 62 Bonaventure Avenue to allow for development of an apartment building.

Councillor Hanlon advised that she was in a conflict of interest as she was Ms. Power’s real estate agent and she excused herself from the meeting during discussion on the application.

(Councillor Hickman entered the meeting.)

Ms. Power noted that she has applied to rezone the subject property to accommodate construction of an affordable housing development for seniors and people with disabilities. She indicated that affordable housing is a big issue in the City, and she thought that the subject property would be a suitable site for such a development. The Director of Planning advised that staff are not recommending approval of the application as it would be considered spot zoning and is expected to generate significant opposition from the neighbourhood.

(Ms. Power retired from the meeting and Councillor Hanlon returned to the meeting.)

The Committee recommends, on motion of Councillor O’Leary; seconded by Councillor Breen, with Councillor Hanlon abstaining: That the rezoning application be rejected. While the application has merit for providing affordable housing, the rezoning would introduce a denser type of housing which is not found on this block of Bonaventure Avenue. The rezoning of the subject property would be considered to be spot zoning and would likely generate significant opposition in the neighbourhood. The applicant has not shown that there could be support for redevelopment of this property.

3. Delegation – Messrs. Fred and Robert Young on behalf of Mr. Brian Young re: Proposed Rezoning of Property to Accommodate Residential Use – Civic No. 121 Cuckhold’s Cove Road (Ward 2)

The Committee met with Messrs. Fred and Robert Young to discuss the above noted application to rezone Civic No. 121 Cuckhold’s Cove Road to accommodate residential use of the building for Mr. Brian Young.

Mr. Fred Young expressed a strong interest for City approval for his son, Brian Young, to be allowed to continue use of the existing fishing/boat storage and auxiliary use building for residential purposes. Mr. Young also provided documentation, for the Committee’s information and review, outlining the history of the Young family property on Cuckhold’s Cove Road.

(Messrs. Fred and Robert Young retired from the meeting.)

The Committee discussed the rezoning application at length, with it being noted that the property has been zoned as Open Space since 1955. In 1994, Mr. Fred Young applied and received Council’s approval to construct a boat storage building on the property. The building was subsequently constructed to resemble a residential dwelling. Sometime later, Mr. Fred Young applied for and received an electrical permit for the building to accommodate the boat storage use. Since that time, the property has been converted for residential use, and the City was made aware of the situation when a complaint was registered against the property.

The Committee recommends, on motion of Councillor O’Leary; seconded by Councillor Collins, with Councillors Hanlon and Tilley opposed: That the rezoning application be rejected as it would be directly contrary to the City’s policy concerning residential development in unserviced areas and the planning policies for Quidi Vidi Village.

4. CD# R2011-02-07/10 – Proposed Text Amendment to the St. John’s Development Regulations – Multiple Dwellings in the Residential Medium Density-Pleasantville (R2-Pleasantville) Zone (Ward 1)

The Committee considered the **attached** memorandum dated March 9, 2011, from the Director of Planning regarding the above noted matter.

The Director of Planning advised that the proposed text amendment was previously brought to the Committee in January with respect to the proposed Easter Seals multiple dwelling housing project to be constructed in Pleasantville. At that time, the Committee agreed that the text amendment would be advertised. However, the Easter Seals project design has undergone a change, and it is now proposed to have one building with 8 units instead of two buildings with 2 and 6 units respectively. As well, the Canada Lands Company has made a written request to the City that the proposed amendment not have a unit cap for Multiple Dwellings in the R2-Pleasantville Zone. Because of these changes, it was decided to bring the redrafted text amendment back to the Committee for further discussion. If Council agrees with the proposed text amendment, the amendment will be advertised concurrently with the Easter Seals project application.

The Committee recommends on motion of Councillor Hickman; seconded by Councillor Collins: That City staff be directed to draft and advertise a proposed text amendment to the St. John's Development Regulations to introduce "Multiple Dwellings" as a Discretionary Use in the Residential Medium Density Pleasantville (R2-Pleasantville) Zone and that this amendment mirror the requirements for Multiple Dwellings presently contained in the Residential Medium Density (R2) Zone, with the exception that there not be a maximum limit on the number of dwelling units in these buildings for the R2-Pleasantville Zone.

It is further recommended that the Easter Seals Housing Project be advertised as a Discretionary Use application concurrent to the advertising of the text amendment. Upon completion of the advertising process, both the amendment and the Easter Seals Housing Project application will be referred to a future Regular Meeting of Council for consideration of adoption/approval.

5. Proposed Rezoning of Property to Accommodate a Condominium Development – Roosevelt Properties Ltd. – Civic No. 181 Hamilton Avenue, former CEI Club (Ward 2)

The Committee considered the **attached** memorandum dated March 10, 2011, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

The Manager of Planning and Information advised that the condition of the subject property has deteriorated somewhat in recent years. He also advised that the Heritage Advisory Committee has reviewed the expansion plans for the building, as the building is a heritage designated property. The Heritage Advisory Committee has asked to see more detailed plans on the construction aspects of the project should the rezoning application be approved by Council. The application requests that the subject property be rezoned from Open Space (O) to Apartment Medium Density (A2) to allow for the expansion and proposed condominium use. The Manager of Planning and Information indicated that the proposed use would be a good re-use of the building.

Councillor Hickman noted that there are a number of mature trees on the property, and he indicated that it would his preference that as many trees be retained as possible. The Manager of Planning and Information advised that he would raise the issue with the developer.

The Committee recommends on motion of Councillor Tilley; seconded by Councillor Breen: That the rezoning application be referred to a public meeting to be chaired by a member of Council.

6. Proposed Rezoning of Property to Accommodate a Medical Clinic – Pinnacle Engineering Limited for Lasco Limited – Civic No. 39 Campbell Avenue (Ward 2)

The Committee considered the attached memorandum dated March 10, 2011, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

Councillor Breen referenced item #2 under the Technical Considerations section of the staff report, and he noted that it references that the subject property and the neighbouring property at #35 Campbell Avenue share a common vehicle access/egress to their parking lots from Campbell Avenue. He inquired if the proposed rezoning and expansion would have any potential impact on the neighbouring property. The Manager of Planning and Information advised that an agreement exists between the applicant and the abutting property owners for the right-of-way to the parking lot, and staff have asked the applicant to provide confirmation that the right-of-way will still be available in order for the applicant to access the parking lot at the rear of No. 39 Campbell Avenue.

The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Hanlon: That the applicant be requested to complete a Land Use Assessment Report (LUAR) to provide detailed information the proposed rezoning/development. The Terms of Reference for the LUAR are attached for Council’s consideration of approval. It is further recommended that once the LUAR has been submitted and found to be satisfactory, it is recommended that a public meeting on the rezoning application be scheduled to be chaired by a member of Council.

7. Proposed Rezoning of Property – Eric Rendell – Civic No. 599-601 Topsail Road (Ward 3)

The Committee considered the attached memorandum dated March 11, 2011, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

Councillor Tilley inquired if the application for rezoning of Civic No. 599-601 Topsail Road was connected to the rezoning application for Civic No. 560 Topsail Road. In response, the Manager of Development advised that the two applications are not related, however, the proposed development of No. 560 will require the expropriation of a small strip of land from the subject property in order to accommodate a turning lane into the development at No. 560.

The Committee recommends, on motion of Councillor Breen; seconded by Councillor Hanlon: That the rezoning application be referred to a public meeting to be chaired by a member of Council.

8. Proposed Rezoning of Property to Accommodate a Proposed Sand and Gravel Quarry – Capital Ready Mix – Incinerator Road (Ward 5)

The Committee considered the **attached** memorandum dated March 10, 2011, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

The Manager of Planning and Information advised that the quarry application is not near the site of the proposed quarry which was the subject of a public hearing in the Town of CBS on Tuesday evening. The proposed quarry is located in an area of Incinerator Road where there are a number of other quarries and heavy industrial use.

The Committee discussed the application in depth, with it being noted that there are some local environmental groups who have expressed concerns with the development of quarries in this area because of the proximity to streams and waterways and the adverse impact that quarries can have on these water courses. There can also be an impact on views if the quarries are located in an area that is visible from the highway. In addition, it was also noted that the sand these quarries provides is used in local construction, and if it has to be trucked in from quarries much farther away, then it could impact on the cost of construction materials and the local economy.

The Director of Planning noted that staff will contact the Provincial Department of Environment and Conservation to determine if this proposed quarry must be registered for an environmental assessment prior to any decision being made by Council on the proposed rezoning to allow a quarry operation.

The Committee recommends, on motion of Councillor Breen; seconded by Councillor Collins: That the applicants be requested to complete a Land Use Assessment Report (LUAR) to provide detailed information the proposed rezoning/ quarry. The Terms of Reference for the LUAR are attached for Council's consideration of approval. It is further recommended that once the LUAR has been submitted and found to be satisfactory, it is recommended that a public meeting on the rezoning application be scheduled to be chaired by a member of Council.

The Committee notes that the Department of Planning will contact the Provincial Department of Environment and Conservation to determine if this proposed quarry must be registered with the Department of Environment and Conservation for an environmental assessment prior to a public meeting being conducted by Council on the rezoning application and any decision being made by Council on the rezoning application.

9. Proposed Text Amendment to the St. John's Development Regulations – Definition of Tavern

The Committee considered the **attached** memorandum dated March 8, 2011, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

The Committee recommends, on motion of Councillor Hickman; seconded by Councillor Hanlon: That City staff be directed to draft and advertise, for public review and comment, the proposed text amendment to the St. John's Development Regulations to replace the current definition of "tavern" with a definition for "lounge". Upon completion of the advertising process, the text amendment will be referred back to a future Regular Meeting of Council for consideration of adoption.

10. 2011 National Planning Conference

For the Committee's information, the Director of Planning advised that the 2011 National Planning Conference of the Canadian Institute of Planners will be held in the City of St. John's from July 10-13, 2011. When the conference program is finalized, this information will be forwarded to the Planning and Housing Committee.

Councillor Frank Galgay
Chairperson

SJMC2011-03-28/154R

It was moved by Councillor Galgay; seconded by Councillor Tilley: : That the Committee's recommendations pertaining to Items 1, 4,5,6,7,8,9 and 10 be approved.

The motion being put was unanimously carried.

SJMC2011-03-28/155R

Regarding Item #2, it was moved by Councillor Hickman; seconded by Councilor Breen: That the Committee's recommendation be approved.

The motion being put was carried by all members of Council with the exception of Councillor Hanlon, who abstained due to a conflict of interest.

SJMC2011-03-28/156R

Regarding Item #3, it was moved by Councilor Collins; seconded by Councillor Hann: That the Committee's recommendation be approved.

The motion being put was carried with Councillors Tilley and Hanlon dissenting.

Heritage Advisory Committee Report dated March 23, 2011

Council considered the following Heritage Advisory Committee Report dated March 23, 2011:

Members: Gerard Hayes, Acting Chairperson
Councillor Sheilagh O’Leary
David Kelland, NL Association of Architects
Wayne Purchase, Downtown St. John’s
David Hood, NL Historic Trust
Ken O’Brien, Manager of Planning & Information
Sylvester Crocker, Manager, Technical Services
Peter Mercer, Heritage Officer
Helen Miller, Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

Report:

1. 7 Plank Road – Designated Building: Proposed Renovations

The Committee met with Ron Fougere to discuss an application for exterior renovations to 7 Plank Road which is a municipal heritage designated building. He tabled revised plans which replace those that were included in the Committee’s agenda. The applicant would like to replace the three third-floor windows on the front of the building (south elevation) with five wider-fixed windows. There are also plans to include one additional window on the east elevation, 2nd floor and to widen one that already exists next to the proposed new window. The elevations are attached. It should be noted that all windows will be fixed and not vertical sliders as noted on the proposed east elevation. It is the applicant’s intention to eventually convert all window from vertical sliders to fixed windows.

The Committee advised the applicant that 7 Plank Road is a heritage designated building; and one of its most notable character defining elements is the fenestration of windows.

The Committee, while it does not have any concerns about the addition of windows, is concerned about the proportion of windows which should be retained within the building’s existing fenestration. On this basis, the Committee recommends that the application be approved subject to the following amendments to the proposal:

- **That the five windows proposed for the third floor front-south elevation be narrowed to the same width as the windows that exist on the second floor level and that they are in line with the windows below. If additional glass area is required, these windows can be made taller provided the signage band below is not affected.**

- That the new window proposed for the east elevation on the second level be narrowed to the same width as the windows that exist on that side. The proposal to widen the existing top window should stay within the same dimensions as those existing on that level.
- That the concrete sills be preserved in the existing openings and replicated for the new openings.

2. **79 Rennies Mill Road**

The Committee met with Mr. Dick Cook, owner of Winterholme situated at 79 Rennies Mill Road. Mr. Cook proposes an extension to Winterholme that would be situated at the rear and visible from Circular Road, elevations attached. The design and materials used for the extension will replicate those used on Winterholme, i.e. the clapboard siding, color, and tapered style of the eaves.

The Committee having considered the municipal, provincial and federal heritage designation status of Winterholme and the character defining elements outlined in the statement of significance, agrees that such will not be compromised by the proposed extension which will be connected through the existing rear one-storey garage on the main floor and attached on the second by a small computer room. The extension also meets all the requirements for heritage structures in Heritage Area 1. On this basis, the Committee recommends that the extension be permitted, subject to consultation with the Heritage Officer relative to exterior detailed design requirements.

3. **Request for Installation of Plaque at 207-209 New Gower St.**

The Committee considered a letter from Rev. David Newman on behalf of the Pentecostal Assemblies of Newfoundland and Labrador. Easter 2011 marks the centennial of both the local church and the denomination. The assembly was present at 207-209 New Gower St. from 1911 to 1963, being the site of the original Bethesda Mission. The Bethesda Centennial Celebration Committee, therefore requests a plaque on the site to commemorate the significance of this location.

The Committee recommends approval of the request to install a plaque commemorating 207-209 New Gower St. as the site of the original Bethesda Mission.

Gerard Hayes
Acting Chairperson

SJMC2011-03-28/157R

It was moved by Councillor O’Leary; seconded by Councillor Galgay: That the Committee’s recommendations be approved.

The motion being put was unanimously carried.

Audit Committee Report dated March 17, 2011

Council considered the following Audit Committee Report dated March 17, 2011:

In Attendance: Councillor Danny Breen, Chairperson
 Councillor Bruce Tilley
 Mr. Neil Martin, Acting City Manager/Director of Corporate Services
 & City Clerk
 Mr. Paul Mackey, Deputy City Manager/Director of Public Works &
 Parks
 Mr. Kevin Breen, Director of Human Resources
 Mr. Jim Clarke, Manager of Streets & Parks
 Mr. Jason Sinyard, Manager of Waste Management
 Mr. Jason Silver, City Internal Auditor
 Mr. Sean Janes, Auditor I
 Ms. Kelly Butler, Recording Secretary

Also in attendance were Mr. Dave Bartlett with The Telegram and Ms. Alisha Morrissey with the St. John's Board of Trade.

1. Internal Audit Report – Department of Public Works and Parks – Program Review: Maintenance of Passive Open Spaces (Assignment No. 10-04)

The Committee considered the above noted report and reviewed a presentation by the Auditor I which highlighted the report's main points. (A copy of the report is on file with the City Clerk's Department and forms part of these minutes.)

The following recommendations contained in the follow-up report were highlighted during the presentation:

- Recommendation 1 – Formal Contracts – Ensure that there are formal signed contracts in place for every program where contractors are performing work for the City under the Maintenance of Passive Open Spaces Budget. The contracts should, at a minimum, outline the City's standards and requirements and legal recourse if these standards and requirements are not met.
- Recommendation 2 – Evaluation of Contractor Performance – Ensure that the Parks Foreperson is provided with copies of all documents required to monitor contractor performance for each program under the Maintenance of Passive Open Spaces Budget, including pertinent sections of the formal contracts, the Walkway Manual from the Grand Concourse Authority, and any other correspondence containing agreed upon standards and requirements.
- Recommendation 3 – Tracking of Contractor Performance – The Parks Foreperson should document all issues and complaints about City open spaces that are maintained by contractors in one file. The information should be maintained in either the ACR computer system, in an Excel spreadsheet, or by using some other centralized tracking method. The file should be stored electronically so as to provide

the ability to sort it by program area and contractor to help ensure that all issues and complaints are considered when evaluating contractor performance. It would also be useful in the case of any legal action that might occur, such as enforcing a penalty clause or the dismissal of a contractor.

- Recommendation 4 – Activity Report Review and Sign-Off – Ensure that the appropriate Parks Forepersons sign off on the activity reports of the employees that report to them to indicate that the reports are accurate and complete and have been reviewed.

It was noted that Management has agreed that all the recommendations outlined in the report will be implemented.

The Manager of Streets and Parks advised that one thing the audit did reveal was the amount of paperwork that must be completed by staff. He noted that management would like have everything done electronically, and it is hoped that this will happen with the implementation of the new ERP system.

Councillor Breen inquired about whose responsibility it is to maintain the Canada Post Super Mailbox sites. He noted that they are usually located on City property, and citizens often lodge complaints about the amount of garbage around them or that they are not plowed out in a timely manner during the winter. The Director of Public Works and Parks advised that Canada Post is responsible for the maintenance of the Super Mailbox sites even though they may be located on City owned land.

Councillor Breen also referenced the City owned land on the corner of Pearson Street and Torbay Road, adjacent to Marie's Mini Mart, and he noted that the City does not cut the grass or pick up the garbage on that particular open space. The Manager of Streets and Parks advised there are a number of sites, including this one, that are only dealt with on a complaint basis, simply because there are not enough resources available to dedicate to all these sites. However, he indicated that the Pearson Street site could be put on the mowing list for the future.

The Committee recommends that the attached report and recommendations on the Department of Public Works and Parks – Program Review: Maintenance of Passive Open Spaces be adopted as presented.

Councillor Danny Breen
Chairperson

SJMC2011-03-28/158R

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

Councillor Breen advised that the Committee also discussed the development of a Whistleblower By-law which is now in draft format and will be brought forward shortly after the new City Manager takes up office.

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF March 18, 2011 TO March 24, 2011

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Jenkins & Power Sheet Metal	Extension to building	63 Main Rd, Goulds	5	Approved	11-03-18
RES	Canada Lands Corporation	Subdivision of land	Block 1-Churchill Avenue Pleasantville Area	1	Approved	11-03-23
RES-COM	Canada Lands Corporation	Subdivision of land	Block 4A-Churchill Avenue Pleasantville Area	1	Approved	11-03-23
RES-COM	Canada Lands Corporation	Subdivision of land	Block 2-Churchill Avenue/East Drive Pleasantville Area	1	Approved	11-03-23
RES	Krista Williams	Building Lot	Petty Harbour Road (adjacent to No. 43)	5	Approved	11-03-24

*	Code Classification: RES- Residential COM- Commercial AG- Agriculture	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

SJMC2011-03-28/159R

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

2011/03/23

Permits List

CLASS: COMMERCIAL

FOOTWEAR SOLUTIONS	40 ABERDEEN AVE	MS RETAIL STORE
BOGART'S JEWELRY LTD	40 ABERDEEN AVE	MS RETAIL STORE
ORTHOPEDIC SOLUTIONS	1 ANDERSON AVE	MS CLINIC
BENNETT RESTAURANTS LIMITED	37 ANDERSON AVE	MS RESTAURANT
BROAD COVE FOOD SERVICES	50 KENMOUNT RD, A&W	SN EATING ESTABLISHMENT
ROCCOM CONSULTING	336 FRESHWATER RD	MS RETAIL STORE
HEALTH GROUP ASSOCIATES INC.	179 HAMLYN RD	MS CLUB
THERAPEUTIC SERVICES LTD.	12-20 HIGHLAND DR	MS CLINIC
CAL LEGROW INSURANCE LIMITED	189 HIGGINS LINE	MS OFFICE
BRISTOL DEVELOPMENT INC.	KELSEY DR @ MESSENGER DR	SN VACANT LAND
MOORE'S	41 KELSEY DR	MS RETAIL STORE
C.B.S. COMMUNICATIONS INC.	55B KELSEY DR	MS COMMUNICATIONS USE
MCDONALDS	75 KELSEY DR	MS RESTAURANT
MCDONALD'S RESTAURANTS OF	54 KENMOUNT RD	MS RESTAURANT
PENNEY KIA INC.	497 KENMOUNT RD	MS CAR SALES LOT
ATLANTIC AUTO	515 KENMOUNT RD	MS CAR SALES LOT
LOBLAWS PROPERTIES LIMITED	20 LAKE AVE	MS RETAIL STORE
BENNETT RESTAURANTS LIMITED	345-349 MAIN RD	MS RESTAURANT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS RESTAURANT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS RESTAURANT
CREATIVE BRICK AND TILE	78 O'LEARY AVE	MS RETAIL STORE
DONOVAN HOLDINGS LTD.	37 O'LEARY AVE	MS RETAIL STORE
LESTER FARMS	90 PEARLTOWN RD	MS AGRICULTURE
TIM DONUT LIMITED	30 ROPEWALK LANE	MS RESTAURANT
MCDONALD'S RESTAURANTS OF	14 STAVANGER DR	MS RESTAURANT
FUTURE SHOP	20 STAVANGER DR	MS RETAIL STORE
HEALTH QUEST	140 STAVANGER DR	MS RETAIL STORE
HAIR CONNECTION INC.	386 STAVANGER DR	MS SERVICE SHOP
CABOT DEVELOPMENT CORPORATION	3 STAVANGER DR PET SMART	MS RETAIL STORE
DRAPES ETC. LTD.	15 STAVANGER DR	MS RETAIL STORE
CREATIVE BRICK AND TILE	25 STAVANGER DR	MS RETAIL STORE
HENRY'S A DIVISION OF CRANBROO	15-27 STAVANGER DR	MS RETAIL STORE
LOBLAWS PROPERTIES LIMITED	55 STAVANGER DR	MS RETAIL STORE
MCDONALD'S RESTAURANTS OF	506 TOPSAIL RD	MS RESTAURANT
10475 NFLD LTD.	644 TOPSAIL RD	MS CLUB
10475 NFLD LTD.	644 TOPSAIL RD	MS CLUB
DISCOVER MUSIC SCHOOL LIMITED	644 TOPSAIL RD	MS COMMERCIAL SCHOOL
RED ROCK GRILL	686 TOPSAIL RD	MS RESTAURANT
CHES'S SNACKS LIMITED	655 TOPSAIL RD	MS RESTAURANT
MCDONALD'S RESTAURANTS OF	248 TORBAY RD	MS RESTAURANT
TORBAY FUN FOODS LTD.	286 TORBAY RD	MS RESTAURANT
THE MATTRESS STORE LTD.	286 TORBAY RD	MS RETAIL STORE
COBBLESTONE VENTURES INC.	272-276 TORBAY RD	MS TAVERN
BRITON HOLDINGS INC.	272-276 TORBAY RD	MS RESTAURANT
HAWKNO HOLDINGS LIMITED	272-276 TORBAY RD	MS RESTAURANT
CAMDYN TANNING INC.	272-276 TORBAY RD	MS SERVICE SHOP
BANK OF NOVA SCOTIA	TORBAY RD	MS BANK
BROWNE'S AUTO SUPPLIES LTD.	464 TORBAY RD	MS RETAIL STORE

RONA	710 TORBAY RD	SN RETAIL STORE
TIM HORTONS	139 TORBAY RD	MS RESTAURANT
TWISTED SISTERS BOUTIK	175 WATER ST, TWISTER SISTERS	SN RETAIL STORE
TOYS "R" US (CANADA) LTD.	58 KENMOUNT RD	NC FENCE
CONVERGYS CUSTOMER MANAGEMENT	TORBAY RD, CONVERGYS	RN OFFICE
R. A. TEMPLETON LIMITED	343 WATER STREET-BISHOPS COVE	RN RETAIL STORE
QUATTRO HOLDINGS LTD.	329 DUCKWORTH ST	CR MIXED USE
GENTARA COMPANY LIMITED	655 TOPSAIL RD	EX RETAIL STORE

THIS WEEK \$ 911,368.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

RCMP	397 STAVANGER DR	RN OFFICE
CANADIAN FOOD INSPECTION	21 HALLETT CRES	TI ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 566,000.00

CLASS: RESIDENTIAL

STEPHEN KIELEY, SEAN KIELEY	1 SPRUCE GROVE AVE	NC FENCE
ROGER COURTNEY	5 SPRUCE GROVE AVE	NC ACCESSORY BUILDING
STEPHEN,SEAN KIELEY	29 SPRUCE GROVE AVE, LOT 107	NC ACCESSORY BUILDING
DENIS J MAHONEY AND	63 CORNWALL CRES	NC ACCESSORY BUILDING
DENIS J MAHONEY AND	63 CORNWALL CRES	NC PATIO DECK
JEROME DUKE	61 DELLA DR	NC ACCESSORY BUILDING
ROBERT KARL O'CONNOR	6 DICK'S SQ	NC FENCE
ROBERT KARL O'CONNOR	6 DICK'S SQ	NC PATIO DECK
SKYMARK CONTRACTING	142 GREAT EASTERN AVE, LOT 110	NC SINGLE DETACHED & SUB.APT
SKYMARK CONTRACTING	146 GREAT EASTERN AVE, LOT 112	NC SINGLE DETACHED & SUB.APT
SKYMARK CONTRACTING	150 GREAT EASTERN AVE, LOT 114	NC SINGLE DETACHED & SUB.APT
SKYMARK CONTRACTING	111 GREAT EASTERN AVE, LOT 65	NC SINGLE DETACHED & SUB.APT
DONOVAN HOMES LIMITED	25 HAMLET STREET, LOT 54	NC SINGLE DETACHED DWELLING
SKYMARK CONTRACTING	6 OBERON ST, LOT 149	NC SINGLE DETACHED DWELLING
TOM COADY	6 PRINCE WILLIAM PL	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING	26 ROSALIND ST, LOT 395	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING	32 ROSALIND ST, LOT 398	NC SINGLE DETACHED DWELLING
DBH ENTERPRISES	44 ROSALIND ST, LOT 404	NC SINGLE DETACHED DWELLING
TERRI LYNNE HODDER AND	273 FRESHWATER RD	CR SINGLE DETACHED & SUB.APT
SABRINA GUY	23 GEORGINA ST	CR SUBSIDIARY APARTMENT
CHRISTOPHER ADAM PRESS	5 MOUNT CASHEL RD	CR SUBSIDIARY APARTMENT
DUANE COLLINS	619 TOPSAIL RD	CR SUBSIDIARY APARTMENT
STELLA BURRY COMMUNITY	9-11 CAREW ST	EX ADMIN BLDG/GOV/NON-PROFIT
GREG MARTIN	176 HAMILTON AVE	EX SINGLE DETACHED DWELLING
NFLD. & LABRADOR HOUSING CORP	2 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	4 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	6 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	8 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	10 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	12 ALGERINE PL	RN TOWNHOUSING
NFLD. & LABRADOR HOUSING CORP	14 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	16 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	18 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	20 ALGERINE PL	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	22 ALGERINE PL	RN TOWNHOUSING
DANIEL MILLER	91 BARNES RD	RN SINGLE DETACHED DWELLING
NFLD & LAB. HOUSING CORP.	95 BOND ST	RN TOWNHOUSING
MICHAEL O'KEEFE	102 BOULEVARD	RN SINGLE DETACHED & SUB.APT

PAUL SMYTH	6 BULLEY ST	RN SINGLE DETACHED DWELLING
ANNE KATIC-DUFFY	3 CANTERBURY PL	RN SINGLE DETACHED DWELLING
DENNIS PENNEY	17 CARIBOU PL	RN SINGLE DETACHED DWELLING
DOUGLAS ARTHUR ALPHEUS TAYLOR	9 CURRIE PL	RN SINGLE DETACHED DWELLING
BARNABAS DOLLIMONT	13 ODERIN PL	RN SINGLE DETACHED DWELLING
MARIE ANNE B. BOULAIN	54 POPLAR AVE	RN SINGLE DETACHED DWELLING
VIC YOUNG	9 PRIMROSE PL	RN SINGLE DETACHED DWELLING
LISA POWER	54 QUIDI VIDI RD	RN SEMI-DETACHED DWELLING
MARK UNSWORTH	4 WEYMOUTH ST	RN SINGLE DETACHED & SUB.APT
NFLD. & LABRADOR HOUSING CORP	16 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	16A WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	18 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	18A WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	20 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	20A WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	22 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LABRADOR HOUSING CORP	24 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	24A WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	26 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LABRADOR HOUSING CORP	26A WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	28 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	28A WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	30 WISHINGWELL RD	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	30A WISHINGWELL RD	RN TOWNHOUSING
WENDY'S RESTAURANTS OF CANADA	35 KENMOUNT RD	MS RESTAURANT

THIS WEEK \$ 3,801,320.00

CLASS: DEMOLITION

DELTON MCGRATH	14 GIBBS PL	DM SINGLE DETACHED & SUB.APT
		THIS WEEK \$ 20,000.00

THIS WEEK'S TOTAL: \$ 5,298,688.00

REPAIR PERMITS ISSUED: 2011/03/17 TO 2011/03/23 \$ 62,700.00

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

SJMC2011-03-28/160R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending March 24, 2011, be approved:

**Weekly Payment Vouchers
For The
Week Ending March 24, 2011**

PAYROLL

Public Works	\$ 431,009.22
Bi-Weekly Casual	\$ 17,470.77

ACCOUNTS PAYABLE \$ 3,760,383.56

Total: \$ 4,208,863.55

Tenders

- a. Tender - Building Supplies
- b. Tender - Towing Services
- c. Tender – Roll Off Waste Bin Service for Depot
- d. Tender – Revised Tender for Rental of Vehicles

SJMC2011-03-28/161R

It was moved by Councillor Hann; seconded by Councillor Collins: That the recommendations of the Director of Finance and City Treasurer be approved and the tenders awarded as follows:

- a. **Kent Building Supplies and Chester Dawe (Rona), on an item by item basis, as per spread sheet presented, the lowest bidder of items required will be approached first to supply and if cannot the City Foreman may use the next low bidder, as per the Public Tender Act (taxes not included)**

- b. **Peter's Auto Works Inc. @ \$28,950.00 (sole bidder) – (taxes not included)**
- c. **Newfound Disposal Systems @ \$35,199.50 (taxes included)**
- d. **Practicar Car Rentals; Thrifty Rentals; Discount Car and Truck Rentals, on an item by item basis as per spread sheet the lowest bidder of items required to be approached first to supply and if cannot the City may use the next low bidder presented as per Public Tendering Act (taxes not included)**

Travel Request by Councillor O'Leary

Council considered a memorandum dated March 24, 2011 from the Acting City Manager regarding the above noted.

SJMC2011-03-28/162R

It was moved by Councillor Hanlon; seconded by Councillor Hickman: That travel by Councillor O'Leary to attend the Atlantic Book Awards Event, Halifax, N.S., May 19 to 20, 2011 be approved.

The motion being put was unanimously carried.

Bowring Park Foundation Lease Agreement Renewal

Council considered a memorandum dated March 23, 2011 from the Deputy City Manager/Director of Pubic Works and Parks regarding the above noted.

SJMC2011-03-28/163R

It was moved by Councillor Breen; seconded by Councillor Hickman: That the Lease Agreement with the Bowring Park Foundation be renewed for a five year period with an effective commencement date of November 1, 2010 on the terms and conditions as stipulated in the Renewal Agreement presented.

The motion being put was unanimously carried.

2011 Streets Rehabilitation Program

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

SJMC2011-03-28/164R

It was moved by Councillor Tilley; seconded by Councillor O’Leary: That a call for public tender for the 2011 Streets Rehabilitation Program work, which is divided into three categories (1) Grind and Patch, (2) Cut and Patch and (3) Listing of Streets to be paved, be approved as presented.

The motion being put was unanimously carried.

Notice to Motorists – Recision of On-Street Parking Ban

Council considered the above notice advising that effective Friday, April 1st, 2011 the Overnight On-Street Parking ban is no longer in effect.

Councillor Breen asked that staff provide a report on the impact of the communication efforts, ie advertising, warning notices etc. with respect to the street parking ban in terms of compliance.

Snow Clearing Report for the period January 1st to March 25th, 2011

Council considered the Snow Clearing Report for the period January 1st to March 25th, 2011 showing a negative variance of \$400,121.00.

Special Events and Festivals Fund

Council considered the following report from the Special Events & Festival Fund Internal Committee:

NF Folk Festival	\$17,000
Wreckhouse Jazz & Blues	15,000
International Women's Film Festival	7,000
24 Hour Art Marathon (Eastern Edge)	7,000
Festival of New Dance	5,000
Victoria Park Lantern Festival	5,000
Tuckamore Festival	7,000
Doors Open	1,000
Nickel Independent Film Festival	4,000
Opera On the Avalon	4,000
Mummers Festival	3,000
Downtown Busker Festival	3,600
Festival du Vent	1,000

Shakespeare by the Sea	3,700	
World Sound (Sound Arts)	2,500	
Feille Seamus Creagh	500	
	<hr/>	
Total		\$ 86,300

The following amounts for in-kind services are also recommended for approval:

Monday Reel Night (Downtown St. John's)	\$ 2,200	
Tely 10 Road Race	10,200	
Pumpkin Fest	300	
	<hr/>	
Total In-Kind		\$ 12,700
Reserve*		\$ 1,000
		<hr/>
TOTAL		\$100,000

* As in the past, a reserve of \$1,000 has been allocated for events & festivals which may come forward during the year. Staff have the authority for approval of up to \$500 under this reserve.

SJMC2011-03-28/165R

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

The motion being put was unanimously carried.

Councillor O'Leary

Councillor O'Leary indicated that she would support further study into the usage of smaller busses in special areas of the City.

Councillor O'Leary noted that the Premier of British Columbia is interested in lobbying the government for a ban on the use of cosmetic use of pesticides in that Province, and noted that she too will continue her lobbying.

Councillor Hickman

Councillor Hickman on behalf of Council thanked the Provincial Government for approving additional funding for the Waste Management Project at Robin Hood Bay, as well as the transfer of the balance of funds not used on the trucks for the site.

Councillor Hickman noted that with the success of the recycling program, there are less bags of garbage collected at each household and therefore felt that the next step is to review the bag limit which is now ten per household unit. He asked that the matter be referred to the Public Works Committee for consideration.

Councillor Colbert

Councillor Colbert advised that the Trail of the Caribou unveiling ceremony is scheduled for mid April at Quidi Vidi Lake.

Councillor Breen

Councillor Breen advised of a public meeting to be held on Tuesday, March 29, 2011 at 7:00 p.m. at St. John's City Hall to provide an opportunity for public review and comment on an application submitted by Henry Bell Developments Limited to construct a five (5) level Parking Garage with approximately 385 parking stalls on property located east of the former CBC Radio Building, between Duckworth Street and Henry Street; a five (5) storey Residential Condominium Building with approximately fifty (50) condominiums built on top of the Parking Garage that will front on Henry Street; plus the re-development of the former CBC Radio Building into approximately forty (40) residential condominiums with the exception of the first level of the former CBC Radio building being used for commercial purposes. Both buildings will be five (5) levels above Henry Street.

Councillor Hanlon

Councillor Hanlon asked about the possibility of pod casting the City Council meetings. The matter was referred to the City Clerk for follow-up.

Councillor Collins

Councillor Collins offered condolences to the families of the late Hubert Noseworthy, former Bowring Park superintendent.

His Worship the Mayor

His Worship the Mayor also paid tribute to Mr. Hubert Noseworthy as well as the late Mr. Charlie Cook.

Adjournment

There being no further business, the meeting adjourned at 6:10 p.m.

MAYOR

CITY CLERK