

**March 3, 2008**

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

Acting Mayor O'Keefe presided.

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

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

**Call to Order and Adoption of the Agenda**

**SJMC2008-03-03/129R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Puddister: That the agenda be adopted as presented with the following additional items:**

- a. Notice of Motion – St. John's Municipal Elections Vote-By-Mail By-Law
- b. Memorandum dated February 27, 2008 from the Chief Commissioner and City Solicitor re Resignation of Mayor
- c. Memorandum dated March 3, 2008 from the Associate Commissioner and Director of Engineering re Request for No Stopping Anytime Restriction on Smithville Crescent

**Adoption of Minutes**

**SJMC2008-03-03/130R**

**It was decided on motion of Councillor Duff; seconded by Councillor Hann: That the Minutes of the February 25<sup>th</sup>, 2008 meeting be adopted as presented.**

**Resignation of Mayor**

Under business arising, Council considered a memorandum dated February 27, 2008 from the Associate Commissioner/Director of Corporate Services and City Clerk clarifying a number of issues about the implications of the resignation of the Mayor.

Acting Mayor O'Keefe explained that he will assume the duties and powers on an acting basis only and will remain in that capacity until April 18, 2008, the effective date for his resignation as Deputy Mayor to run for the position of Mayor. Council will be without a Mayor and Deputy Mayor and will be required under Section 16 of the Act to elect a Councillor to act as Mayor.

The Acting Mayor also outlined the By-Election Timelines.

### **Notices Published**

1. **A Discretionary Use Application** has been submitted by Ms. Judy Williams requesting permission to establish and operate a Pet Grooming Salon as a **Home Occupation** in her residence located at **Civic No. 78 Gillies Road**. The proposed business will occupy a floor area of approximately 14 square meters within the dwelling unit. The applicant will be the sole employee. Off-street parking for six vehicles can be accommodated on the sit. **(Ward 4)**

#### **SJMC2008-03-03/131R**

**It was decided on motion of Councillor Colbert; seconded by Councilor Ellsworth: That the application be approved.**

### **Public Meeting Report dated February 13, 2008 Flooding Problems on Blackmarsh Road**

Council considered the above noted public hearing report which was held to discuss plans by the City to address flooding problems caused by water coming across Blackmarsh Road.

Councillor Coombs noted that the flooding problem has been dealt with in that Council has listed the project on the Multi-Year Capital budget - Phase 1, 2009 and Phase 2, 2010.

### **Development Committee Report dated February 26, 2008**

Council considered the following Development Committee Report dated February 26, 2008:

The following matter was considered by the Development Committee at its meeting held on February 26, 2008. The staff report is attached for Council's information.

**1. Proposed Lounge  
Yuk Yuk's Comedy Club  
Civic No. 193 Kenmount Road, Unit 4A (Ward 3)**

The Development Committee recommends that the above noted application be approved.

**Art Cheeseman, Chairperson  
Associate Commissioner/Director of Engineering**

**SJMC2008-03-03/132R**

**It was decided on motion of Councillor Duff; seconded by Councillor Hickman: That the Committee's recommendation be approved.**

**Planning & Housing Standing Committee Report dated February 27, 2008**

Council considered the following Planning & Housing Committee Report dated February 27, 2008:

In Attendance: Councillor Keith Coombs, Chairperson  
Councillor Shannie Duff  
Councillor Tom Hann  
Councillor Art Puddister  
Councillor Frank Galgay  
Councillor Ron Ellsworth  
Councillor Wally Collins  
Mr. Ron Penney, Chief Commissioner & City Solicitor  
Mr. Art Cheeseman, Associate Commissioner/Director of Engineering  
Mr. Cliff Johnston, Director of Planning  
Mr. Dave Blackmore, Director of Building & Property Management  
Mr. Paul Mackey, Director of Public Works & Parks  
Mr. Joe Sampson, Manager of Development  
Mr. Ken O'Brien, Manager of Planning & Information  
Ms. Kelly Butler, Recording Secretary

**1. Georgetown Neighbourhood Association – Request for Sub-Area Plan for Georgetown (Ward 2)**

The Committee considered the **attached** memorandum dated February 22, 2008, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that the following five (5) persons be appointed as the core of a Planning Area Advisory Committee for Georgestown, with other members to be added as needed: Elizabeth Oliver, Elizabeth-Anne Malischewski, Andrew Draskoy, Allan Goulding, and David Thompson.**

**The Committee also recommends approval of City resources to do mass mail outs to the Georgestown neighbourhood as well as to help organize public meetings at venues in the neighbourhood.**

**2. St. John's Municipal Plan and St. John's Development Regulations**

The Committee considered the **attached** memorandum dated February 15, 2008, from the Director of Planning regarding the above noted matter.

**The Committee recommends that the Minister of Municipal Affairs be written with the request to allow the City to defer the five (5) year review of the St. John's Municipal Plan and the St. John's Development Regulations until the new St. John's Urban Region Regional Plan is completed.**

**3. Pippy Park Master Plan Review (Ward 4)**

The Committee considered the **attached** memorandum dated February 22, 2008, from the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that the staff comments provided in the memorandum regarding the Pippy Park Master Plan Review be referred to the Pippy Park Commission for its review and consideration.**

**4. Grand Concourse Authority Benefits – CD #R2008-01-21/6**

The Committee considered as information the **attached** memorandum dated February 25, 2008, from the Director of Planning regarding the above noted matter.

**5. Proposed Alteration to the St. John's-Paradise Watershed Agreement**

The Committee considered the **attached** letter dated December 28, 2007, from Mr. Alton Glenn, Town Planner, Town of Paradise, regarding the above noted matter.

**The Committee recommends that the request for an amendment to the Watershed Agreement be denied and that the Director of Planning be directed to write the Town of Paradise's Town Planner in this regard.**

**6. Proposed Rezoning of Property – Civic No. 22 St. Joseph's Lane (Ward 2) – Signal Hill Developments**

The Committee met with Mr. Kevin Nolan, Signal Hill Developments, to discuss the above noted matter. The Committee also considered the **attached** memorandum dated February 26, 2008, from the Director of Planning and the Manager of Planning and Information.

Councillor Galgay indicated he would be abstaining from discussion on this application due to a possible conflict of interest.

**The Committee recommends that the applicants be asked to prepare a Land Use Assessment Report under Terms of Reference that would be approved by Council. (*The proposed Terms of Reference for the Land Use Assessment Report have been prepared by the Department of Planning subsequent to the Planning and Housing Committee meeting and are attached for Council's consideration.*)**

**Upon submission and review of the Land Use Assessment Report by City staff, it is recommended that the rezoning application be referred to a public meeting to be chaired by a member of Council. It is also recommended that the public meeting be scheduled only after all technical information required by the Department of Engineering has been provided by the applicants to enable City staff to determine if the proposed extension to the existing building at the former St. Joseph's School can be technically accommodated.**

**7. Proposed Rezoning of Property – Civic No. 418-420 Backline Road (Ward 5) – Floyd and Mary Coles**

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The Committee considered the **attached** memorandum dated February 26, 2008, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that the rezoning application be advertised for public review and comment. Upon completion of this process, the application will be referred to a future Regular Meeting of Council for consideration of approval.**

**8. Proposed Rezoning of Property – Doyle's Road (adjacent to Civic No. 77) (Ward 5) – George Rideout**

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The Committee considered the **attached** memorandum dated February 22, 2008, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends that the rezoning application be rejected given the past public opposition to similar rezoning applications in the Goulds and given the concerns from the Department of Public Works and Parks.**

**9. FCM Report on Housing and Homelessness**

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The Committee considered the above noted report from the Federation of Canadian Municipalities.

**The Committee recommends that the City formally support the recommendations of the attached report from the Federation of Canadian**

**Municipalities entitled “Sustaining the Momentum: Recommendations for a National Action Plan on Housing and Homelessness.”**

Councillor Keith Coombs  
Chairperson

**SJMC2008-03-03/133R**

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

Discussion ensued, during which Councillor Duff suggested that the City write FCM along with our members of Parliament to advise of Council’s formal adoption of the recommendations of the report from the Federation of Canadian Municipalities entitled “Sustaining the Momentum: Recommendations for a National Action Plan on Housing and Homelessness”.

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

**Public Works & Environment Standing Committee Report, February 26, 2008**

Council considered the following Public Works & Environment Standing Committee Report dated February 26, 2008:

In Attendance:

- Councillor Wally Collins, Chairperson
- Councillor Shannie Duff
- Councillor Tom Hann
- Councillor Frank Galgay
- Councillor Ron Ellsworth
- Ron Penney, Chief Commissioner & City Solicitor
- Art Cheeseman, Associate Commissioner/Director of Engineering
- Paul Mackey, Director of Public Works & Parks
- Bob Bishop, Director of Finance & City Treasurer
- Dave Blackmore, Director of Building & Property Management
- Brendan O’Connell, Manager of Environmental Services
- Jason Sinyard, Manager of Waste Management
- Robin King, Transportation Engineer
- Mark Stuckless, Traffic Operations Engineer
- John Barry, Senior Project Engineer
- Phil Hiscock, Operations Assistant – Streets
- George Whiteway, Operations Assistant – Environmental Services
- Brian Head, Operations Assistant – Parks
- Chauncey Hayes, Project Engineer
- Jason Phillips, Infrastructure Engineer
- Karen Chafe, Recording Secretary

## **1. Traffic Control Measures Planned for Harbour Interceptor Sewer – Harbour Street West**

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The Committee met with Robin King, Transportation Engineer, Mark Stuckless, Traffic Operations Engineer and John Barry, Senior Project Engineer to discuss the traffic control measures planned for the next phase of the Harbour Interceptor Sewer project. A copy of the power point presentation is on file with the City Clerk's Dept. and it outlines the project overview and the traffic issues that will result. The following summary is outlined from the presentation and is for Council's information:

- While traffic will be restricted on Harbour Drive, limited access to all businesses will be maintained. Access to all parking areas can be accommodated throughout construction.
- No significant impact on tractor-trailer traffic or occasional wide loads is anticipated. These vehicles will be forced to use other routes such as Water Street, Duckworth Street and New Gower Street.
- Increased traffic volumes along other routes such as Water Street will be facilitated by advance signage and public awareness efforts. Timing of traffic signals on Water Street will be reviewed as well.
- The net loss of parking will be approximately 30 on-street metered spaces on Harbour Drive for the majority of the construction season.
- No significant impact on planned special events is expected.
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## **2. Premises Isolation – Water Distribution System, Property Metering**

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The Environmental Services Division conducted a power point presentation on recommendations for a Cross Connection Control and Water Metering program. Brendan O'Connell introduced the team of staff members who worked on the proposal: Chauncey Hayes, Project Engineer, Jason Phillips, Infrastructure Engineer and George Whiteway, Operations Assistant – Environmental Services. A copy of the power point presentation is on file with the City Clerk's Dept. and provides further detail on the program. The following recommendations as outlined in the February 25<sup>th</sup>, 2008 memorandum from the Manager of Environmental Services are recommended for Council's approval as moved by Councillor Ellsworth; seconded by Councillor Duff:

### **Recommendations – Premises Isolation:**

- **Council adopt the attached Policy entitled “Premises Isolation from the Public Water Supply”, and shall put the Policy into effect upon notification to the public.**
- **Council instruct the Legal Department to prepare a Bylaw so that the Policy applies to both existing and new properties. The Bylaw should include a requirement that private hydrant use, other than for maintenance and fire fighting, be controlled and charged for using a permit system.**

- That the City approve the hiring of a Premises Isolation Control Officer and the associated equipment and software, as part of the 2009 budgetary process.

**Recommendations – Property Metering:**

- That Council direct that a Water Meter By-law be put in place to facilitate the following:
  - This Policy shall apply to all properties, with the exception of residential properties with two dwelling units or less, and provided that the residential property does not have, or is proposed to have, a mixed use or home occupation use. However, in the case of properties to which this Policy does not apply, the premises shall be required to provide, and keep accessible a straight piece of pipe suitable for future installation of a meter.
  - The water metering program be applied to existing and new property.
  - Water meters shall be located immediately upon entry of the service to a building, prior to any branch or connection, except where the City requires a meter at the property boundary (eg. for MUN);
  - The City will not provide water meters where use of internal building plumbing is required to convey the water to the meter.
  - Where the City requires a water meter at the property line, it is to be installed in a heated, above-ground non-confined space enclosure.
  - The meter type and size shall be determined by the City, based on information supplied by the property owner, and City measurements where available.
  - Compliance with the City's requirements be at the customer's sole cost.

The Committee further recommends that a Premises Isolation Control Officer be hired as soon as practical in 2008, with funding to be provided by the Water Tax.



### **3. City Hall/Annex Rooms Usage Agreement**

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The Committee considered a memorandum dated January 28<sup>th</sup>, 2008 from the Director of Building & Property Management, regarding the above noted. The Committee on motion of Councillor Ellsworth; seconded by Councillor Duff endorses the following recommendation of staff:

**That the City Hall/Annex Rooms Usage Agreement be amended to include a requirement for proof of insurance by the user of the facility. The City of St. Johns' requires similar insurance coverage for special events and is intended to protect the City from adverse claims should an incident occur at a private function held on City property.**

### **4. Service Evaluation Survey Results**

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The Committee refers the attached service evaluation survey results to Council for information.

### **5. Paper/Cardboard Recycling**

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The Committee considered an e-mail of concern from Karen Herzberg, referred from Councillor Puddister, relative to the issue of paper recycling and the need for the City and the Provincial Government to work together in an effort to resolve the lack of appropriate means by which to recycle paper and cardboard.

**The Committee recommends that a letter be written to the Multi-Materials Stewardship Board and copied to the Minister of Environment and Conservation, the purpose of which is to raise the issue of inadequate paper recycling programs and to invite a consultation process with the City to resolve this problem.**

### **6. Amendment of By-laws – Outstanding Ticket Charges**

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The Committee considered a memorandum dated February 21<sup>st</sup>, 2008 from the Director of Building & Property Management regarding the above noted matter. The Committee on motion of Councillor Ellsworth; seconded by Councillor Duff recommends Council's approval of the following:

**That the City's various by-laws and regulations requiring the issuing of permits or licenses be amended to include a provision that where outstanding fines exist, no further permits will be issued or licenses renewed.**

### **7. Proposed Policy for Bottled Water**

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The Committee considered a letter dated February 21<sup>st</sup>, 2008 from Bill Hynd, Oxfam Canada regarding World Water Day and requesting that the City of St. John's establish a policy that will declare that all future city-hosted events would serve public tap water instead of bottled water. The letter states that "From an environmental, economic and moral point of view it is more appropriate for the city to use our publicly funded water sources rather than providing expensive bottled water at city functions."

**The Committee recommends that staff of the Dept. of Engineering draft a policy for the Committee's review which would regulate the use of bottled water in City-owned facilities, particularly for city functions.**

Councillor Wally Collins  
Chairperson

**SJMC2008-03-03/134R**

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

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

**Special Events Advisory Committee Report dated February 26, 2008**

Council considered the following Special Events Report dated February 26, 2008:

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

Organizer:	Anne Troake (Fur Institute of Canada)
Event:	<b>Block Party</b>
Location:	Prince Edward Plaza, George Street, St. John's
Date:	March 15, 2008

**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

**SJMC2008-03-03/135R**

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

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

**Arts Jury 2008 Report dated February 21, 2008**

Council considered the following Arts Jury 2008 Report dated February 21, 2008:

**To: His Worship the Mayor and Members of Council**  
**From: Arts Jury**  
**Date: February 21<sup>st</sup>, 2008**  
**Subject: Arts Jury 2008**

A meeting of the Arts Jury was held on Thursday, February 21<sup>st</sup>, 2008 at 9:00 a.m. in the Department of Economic Development, Tourism, and Culture boardroom, 348 Water St. The purpose of the meeting was to review 122 applications with a total request of \$358,557. Last year, the City received 101 applications with a total request of \$292,170. Of the 122 applications received this year, 20 were rejected. It should be noted that the total amount for this year's budget has increased to \$100,648, keeping in line with the \$1 per capita formula based on the City's population.

With regard to application # 53 (Michael El-Gohary), under the Music sector, Councillor Duff abstained from discussion, declaring a conflict of interest in this case.

In addition to the attached grants applications recommended for approval by the Arts Jury, the following is also recommended:

- # 1 That Council approve the total \$102,975 in arts grants funding which goes over the \$100,648 budget by \$2327. The overage is a direct result of the pressure of the Arts Jury Fund to incorporate grants for festivals which were to have been considered under a separate budget process which was not finalized prior to the Arts Jury review. It should be noted that despite this, the Jury is recommending just over 20% of its budget to festival organizations.**
- # 2 Given the overwhelming amount of applications received by the Arts Jury, a significant portion of which comes from festival organizations, the Arts Jury wishes to stress once again the importance of Council's implementing a separate fund for festivals. The Committee was only able to fund the existing festivals at the same level as last year. Council should note that additional funding was provided to these festivals in mid year through the City's operating budget, in recognition of the fact that festivals are an important part of our cultural tourism product and are seriously under-funded.**
- # 3 With regard to two significant new festival applications received from the Newfoundland Musicians Association (requesting \$8000) and the North Atlantic Fiddle Convention, which is a major international event (requesting \$25,000), the Arts Jury felt that this should be referred to the City's Finance and Administration Standing Committee for review under its criteria for conferences. Finally, the Lantern Festival was a new applicant to the Arts Jury this year, and it is recommended that this application be referred to Grants and Subsidies.**

Respectfully Submitted,

Susan Ledrew, Chair  
Councillor Frank Galgay  
Petrina Bromley, Performing Arts

Councillor Shannie Duff  
Ed Kavanagh, Literary Arts  
Jack Botsford, Visual Arts

<b>Applicant Organizations</b>	<b>Amount Recommended</b>	<b>Total %</b>
<b>Visual Sector</b>		
1. St. Michael's Printshop	4,750.00	
2. Eastern Edge Gallery	1,900.00	
3. Craft Council of NL	1,000.00	
4. Craft Council of NL Clay Studio	500.00	
5. RCA Gallery	4,750.00	
6. Jay Kimball	750.00	
7. Rhonda Pelley	500.00	
8. Jason Holley	500.00	
9. Michael Connolly	750.00	
10. John McDonald	750.00	
11. Tia Connolly	750.00	
12. Sarah Hillock	500.00	
13. Rosalind Ford	500.00	
14. Kym Greeley	500.00	
15. Michael Flaherty	500.00	
16. Jason Penney	500.00	
17. Corrine E. Coleman	500.00	
18. James Shebib	500.00	
19. Darren Whalen	500.00	
20. Michelle Bush	500.00	

21. Iakov Afanassiev	500.00	
22. Annette Manning	500.00	
23. Isabella St. John	1,000.00	
24. Janice S. Udell	750.00	
25. Shane Dwyer	500.00	
26. Justin Hall	300.00	
27. John Haney	500.00	
28. Susan Anne Jamieson	500.00	
29. Gordon Laurin	500.00	
<b>Sub-total</b>	<b>26,450.00</b>	<b>25.6%</b>
<b>Literary Sector</b>		
30. Newfoundland Writers' Guild	500.00	
31. Marion Frances White	500.00	
32. Joanne Soper-Cook	500.00	
33. Paul Butler	750.00	
34. Maura Hanrahan	750.00	
35. Mike Heffernan	500.00	
36. Paul Whittle	500.00	
37. Paul Rowe	750.00	
38. Elizabeth Pickard	500.00	
39. Shoshanna Wingate	500.00	
40. Robert Kelly	500.00	
41. Will Hillard	750.00	
42. Joel Thomas Hynes	500.00	
43. Gerard Collins	500.00	
<b>Sub-total</b>	<b>8000.00</b>	<b>7.8%</b>
<b>Music Sector:</b>		

44. Mary O'Keefe	750.00	
45. Vernon Regehr	750.00	
46. Luke Major	500.00	
47. Celtic Fiddlers	1000.00	
48. Duane Andrews	1000.00	
49. Curtis Andrews	600.00	
50. Jim Duff	1000.00	
51. Jane Leibel	500.00	
52. Bill Brennan	1000.00	
53. Michael El-Gohary	500.00	
54. Karla Pilgrim	500.00	
55. Shelley Chase	500.00	
56. The Discounts	500.00	
57. Maggis Meyer	500.00	
58. Sean Panting	1000.00	
59. James Hurley	500.00	
<b>Sub-total</b>	<b>11,100.00</b>	<b>10.8%</b>
<b>Multi-Media Sector</b>		
60. Independent Artists Cooperative	1000.00	
61. Mary Lewis	1000.00	
62. Roger Maunder	1000.00	
63. Deanne Foley	750.00	
64. Kathryn Jennex	500.00	
65. Ruth Lawrence	1000.00	
66. Lynn Kristmanson	500.00	
67. Darcy Fitzpatrick	500.00	
<b>Sub-total</b>	<b>6250.00</b>	<b>6%</b>

<b>Performing Sector:</b>		
68. Artistic Fraud of Newfoundland	4000.00	
69. c2c Theatre	1500.00	
70. Newfoundland Historic Trust	500.00	
71. RCA Theatre	2850.00	
72. White Rooster Productions	1000.00	
73. The Open Actor's Studio	1000.00	
74. Newfoundlandartistx (nax)	1000.00	
75. Wonderbolt Productions	1900.00	
76. Frank Barry	400.00	
77. Lois Brown	500.00	
78. Louise Moyes	1000.00	
79. Sarah Joy Stoker	1000.00	
80. Mark Edward Quinn White	500.00	
81. Leah Lewis	1000.00	
82. Jane Dingle	600.00	
83. Dale Jarvis & Chris Brookes	1000.00	
84. Chuck Herriott	750.00	
85. Nicole Rousseau	500.00	
86. Andy Jones	1000.00	
87. Brad Hodder	750.00	
88. Peter Duchemin	500.00	
89. Lynn Panting	750.00	
90. Tammy MacLeod	500.00	
91. Megan McCabe	500.00	
92. Philip Goodridge	500.00	
93. Shelley Neville	1000.00	

<b>Sub-total</b>	<b>26,500.00</b>	<b>25.8%</b>
<b>Festivals Sector:</b>		
94. Neighbourhood Dance Works	1900.00	
95. Sound Symposium	9000.00	
96. Atlantic Jazz Initiative	950.00	
97. Tuckamore Festival	1900.00	
98. Nickel Independent Film Festival	950.00	
99. NL Folk Arts Council	4750.00	
100. St. John's Storytelling Festival Inc.	475.00	
101. Shakespeare By the Sea Festival	950.00	
<b>Sub-total</b>	<b>20875.00</b>	<b>20.3%</b>
<b>Operational Sector:</b>		
102. RCA Operational	3800.00	
<b>Sub-total</b>	<b>3800.00</b>	<b>3.7%</b>
<b>TOTAL</b>	<b>\$102,975</b>	<b>100%</b>

**SJMC2008-03-03/136R**

**It was moved by Councillor Duff, seconded by Councillor Hickman: That the recommendations of the Arts Jury be adopted as presented.**

**During discussion, members of Council enquired as to the value of the City's art collection and asked that the information be brought forward for next week.**

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

**Development Permit List**

Council considered as information the following Development Permits List for the period February 21<sup>st</sup> to 28<sup>th</sup>, 2008:



**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF FEBRUARY 21, 2008 TO FEBRUARY 28, 2008**

ISSUED FOR INFORMATION PURPOSES ONLY

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Com.	Hennebury Engineering Limited	Starbuck's Coffee: Parking Lot Upgrading	Civic No. 193 Kenmount Road	Ward 4	Site Plan Approval	2008 02 21
Com.	Kavanagh & Associates Limited	Bill Matthews Volkswagen/Audi Dealership	Kenmount Road	Ward 4	Revised Site Plan Approval	2008 02 21
Res.	Ms. Michelle Manning	Demolition and Reconstruction of Single Detached Dwelling	Civic No. 243 Mundy Pond Road	Ward 3	Application Approved	2008 02 22
Res.	Mr. Rod Jerrett	Proposed Subdivision of Property: Semi-Detached Dwelling to be Attached at the Foundation	Civic No. 6 Edinburgh Street	Ward 2	Application Rejected: Contrary to Section 2	2008 02 26
Com.	Ms. Shaina Rose	Proposed Family Home Child Care Service (Maximum of 6 Children)	Civic No. 12 Ashbourne Drive	Ward 5	Application Approved	2008 02 27
Ind.	Kirkland Balsom	Bell Aliant OPI Site	Adjacent to Civic No. 6 Waterford Bridge	Ward 2	Application Approved	2008 02 27

*	<b>Code Classification:</b>		
	RES	- Residential Institutional	INST -
	COM	- Commercial Industrial	IND -
	AG	- Agriculture	
**	This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.		

**Ed Murray  
Development Officer  
Department of Planning**

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**Building Permits List**

**SJMC2008-03-03/137R**

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

2008/02/27

Permits List

**CLASS: COMMERCIAL**

GUARDIAN RETAIL INC.	396 BACK LINE	CO RETAIL STORE
NF PAINTBALL SUPPLY	536-538 WATER ST	CO RETAIL STORE
THE HAIR STUDIO	64 BLACKMARSH RD, HAIR STUDIO	MS SERVICE SHOP
BLACKMARSH SUPERETTE	137 BLACKMARSH RD	MS CONVENIENCE STORE
SALTWATER IMAGES INC.	203 BLACKMARSH RD	MS RETAIL STORE
X-STATIC HAIR SALON	271 BLACKMARSH RD	MS SERVICE SHOP
BLACKMARSH MINI MART	711 BLACKMARSH RD	MS CONVENIENCE STORE
EARLE CONSULTING LTD.	191 KENMOUNT RD - STARBUCKS	SN EATING ESTABLISHMENT
LOU'S AUTOMOTIVE INC.	468 LOGY BAY RD	MS COMMERCIAL GARAGE
A.I.M.E. PHYSIOTHERAPY INC.	204-206 MAIN RD	MS CLINIC
PC MEDIC INCORPORATED	16 STAVANGER DR	MS RETAIL STORE
ARIZONA HEAT INC.	386 STAVANGER DR	MS SERVICE SHOP
MUSIC CITY	15-27 STAVANGER DR	MS RETAIL STORE
PLAY IT AGAIN SPORTS	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
CLARKE ENTERPRISES LIMITED	585 TORBAY RD	MS RESTAURANT
TOYS "R" US (CANADA) LTD.	58 KENMOUNT RD	NC RETAIL STORE
AVIS RENT-A-CAR	136 AIRPORT RD AVIS RENT-A-CAR	NC FENCE
THE WOODS AT SOUTHLANDS	120 GABRIEL RD	SW RECREATIONAL USE
ALIAN T	KING'S RD, ALIAN T	NC COMMUNICATIONS USE
PET CITY	430 TOPSAIL RD, PET CITY	CR RETAIL STORE
PHB GROUP INC	516 TOPSAIL RD -JO BOSS COFFEE	CR EATING ESTABLISHMENT
THE WOODS AT SOUTHLANDS	120 GABRIEL RD	SW RECREATIONAL USE
DR. ANTHONY POON - DENTAL	84-86 ELIZABETH AVE	CR CLINIC

THIS WEEK \$ 273,750.00  
TO DATE \$ 5,995,294.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00  
TO DATE \$ 3,028,071.00

**CLASS: RESIDENTIAL**

ROCKWOOD HOMES	87 CHEYNE DR - LOT 3.16	NC SINGLE DETACHED DWELLING
ROCKLAND HOMES	89 CHEYNE DR, LOT 3.17	NC SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	9-23 GRAVES ST	NC PATIO DECK
GIBRALTAR DEVELOPMENT	36 JULIEANN PL, LOT 75	NC SINGLE DETACHED DWELLING
GIBRALTER DEVELOPMENT	47 JULIEANN PL - LOT 109	NC SINGLE DETACHED DWELLING
GIBRALTAR DEVELOPMENT	6 LUCYROSE LANE, LOT 93	NC SINGLE DETACHED DWELLING
GEORGE & LINDA RIDEOUT	8 PILOT'S HILL	NC PATIO DECK
PRO-TECH CONSTRUCTION	22 SHORTALL ST, LOT 34	NC SINGLE DETACHED DWELLING
BEVERLY J. WAREHAM	34 DUNDAS ST	CO HOME OCCUPATION
JOHN DESMOND COUSENS	18 MCDUGALL ST	CO HOME OFFICE
DENNIS & JACKIE TRAVERSE	26 CORNWALL AVE	EX SINGLE DETACHED DWELLING
COMFORT & JOY	6 WOOD ST	OC LODGING HOUSE
INDEPENDENT HOLDINGS INC.	28 BARTER'S HILL PL	RN SEMI-DETACHED DWELLING
RICHARD A. & ELSIE RYDER	44 BATTERY RD	RN SINGLE DETACHED DWELLING
BRUCE & ALISAN J. SHAWYER	72 BONAVENTURE AVE	RN SINGLE DETACHED DWELLING
GUARDIAN HOMES INC.	33 BRAD GUSHUE CRES	RN SINGLE DETACHED DWELLING
JOEL THOMAS HYNES	92 LIME ST	RN SINGLE DETACHED DWELLING
MARK UNSWORTH	14-16 YOUNG ST	RN TOWNHOUSING

THIS WEEK \$ 1,221,642.00  
TO DATE \$ 4,887,506.00

**CLASS: DEMOLITION**

CANADIAN CANCER SOCIETY

70 ROPEWALK LANE

DM HOTEL

THIS WEEK \$	30,000.00
TO DATE \$	250,500.00

THIS WEEK'S TOTAL: \$ 1,525,392.00

TOTAL YEAR TO DATE: \$ 14,161,371.00

REPAIR PERMITS ISSUED:	2008/02/21 TO 2008/02/27 \$	63,900.00
	2007/12/13 TO 2008/02/27 \$	209,350.00 TD

LEGEND

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

**Payrolls and Accounts**

**SJMC2008-03-03/138R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending February 28, 2008 be adopted as presented:**

**Weekly Payment Vouchers  
For The  
Week Ending February 28, 2008**

**PAYROLL**

Public Works	\$ 351,452.74
Bi-Weekly Casual	\$ 11,749.08

**ACCOUNTS PAYABLE**

Cheque No. 128840 - 129128	\$3,930,407.97
<b>Total:</b>	<b>\$4,293,609.79</b>

### **Notice of Motion**

Councillor Coombs 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 Section 3 of the St. John's Municipal Elections Vote-By-Mail By-Law so as to grant the Chief Returning Officer the discretion to determine the number and location of Satellite Drop-Off Centres.

### **Petitions**

Acting Mayor O'Keefe tabled a petition the prayer of which reads as follows, and which is referred to the Parks and Recreation Department for follow-up:

We the patrons of Shallow Water Fitness at the Mews Center wish to protest the decision to not offer a special on passes as in previous years. The special was offered once or twice a year. Buy one and get one for half price. As most of the patrons of this activity are seniors, we feel that the special on passes should be continued. Exercise should be encouraged, especially for seniors. We hope you reconsider your decision to not offer this special and reinstate it so that more seniors will continue to avail of this activity.

### **Community Grants – 2008**

Council considered the recommended Community Grants for 2008 as presented by the Director of Finance and City Treasurer.

#### **SJMC2008-03-03/139R**

**It was moved by Councillor Ellsworth; seconded by Councillor Galgay: That the recommended grant for the School Lunch Program be increased from \$5,000 to \$7,000.**

**The motion being put was carried with Councillor Colbert abstaining.**

#### **SJMC2008-03-03/140R**

**It was moved by Councillor Galgay; seconded by Councillor Ellsworth: That a grant of \$2,000 be provided to the George Street United Church Program.**

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

#### **SJMC2008-03-03/141R**

**It was then moved by Councillor Ellsworth; seconded by Councillor Galgay: That the following Community Grants for 2008 as amended be approved:**

<b>APPLICANT</b>			
<b>(Final as per CD#R2008-03-03/21)</b>			<b>2008</b>
			<b>Recommended</b>
<b>COMMUNITY SERVICES - General</b>			
1	Senior's Resource Centre		10,000
2	SPCA		12,000
3	St. John's Boys and Girls Club(MC,BC)		75,000
4	The Gathering Place		5,000
5	DARE		5,000
6	Vera Perlin Society		5,000
7	Emmaus House		2,000
8	Kids Help Phone		4,000
9	Beagle Paws		1,000
10	Vibrant Communities Initiative		10,000
11	George Street United Church		2,000
<b>COMMUNITY SERVICES - Neighbourhood</b>			
1	MacMorran (Mt. Scio) Comm Ctr		16,000
2	Buckmasters Circle Comm Ctr		16,000
3	Rabbittown Comm Ctr		16,000
4	Froude Ave Comm Ctr		16,000
5	Virginia Park Comm Ctr		16,000
6	Friends of Victoria Park		5,000
7	Kilbride 50+ Club		1,000
<b>COMMUNITY SERVICES - Family Life</b>			
1	School Lunch Assoc		7,000
2	Community Youth Network		5,000
3	Choices for Youth		5,000
<b>COMMUNITY ARTS/CULTURAL/MEDIA</b>			
1	Arts Jury		100,000
2	Kiwanis Music Festival		3,500
3	Anna Templeton Centre		3,000
4	FOG-MUN Botanical Garden		500
5	Nfld. Symphony Orchestra		50,000
<b>EDUCATION</b>			
1	Students for Literacy at MUN		2,000
2	St. John's Public Library Board		5,000
<b>REHABILITATION</b>			
1	Rainbow Riders		4,000
2	Longside Club		3,000
3	U.P.P. - The Pottle Centre		3,000
<b>2008</b>			
<b>Recommended</b>			
<b>RECREATION</b>			
1	Special Olympics		5,000
2	Daffodil Seniors Club		1,000
3	Avalon Sledge Hockey		1,500
<b>SPECIAL EVENTS</b>			
1	St. John's Pipe Band		5,000
2	Signal Hill Tattoo		28,000
<b>OTHER</b>			
1	Grand Concourse		36,000
2	Other (non-sports) travel		4,000
3	Festival 500		100,000
4	Tax Back Grants - EDGE, Water		60,000
5	Cygnus Gymnastics		16,153
Totals			666,661
Additional Grants			
	Southlands Fun Day		1,500
	Southlands Operating Grant		5,000
			6,500
Aquarena			150,000
Total			823,161
Budget			824,000

**The motion being put was unanimously carried. (Councillor Colbert abstained on the School Lunch Program)**

**Letter of Resignation from Councillor Ron Ellsworth**

Council Ellsworth tendered his letter of resignation as Councillor for Ward Four, effective at 4:30 p.m., Friday, April 18, 2008.

**124 Circular Road**

Council considered a memorandum dated February 26, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2008-03-03/142R**

**It was moved by Councillor Puddister; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor that the City expropriate the easement for the extension of water and sewer mains at 124 Circular Road, with the developer being responsible for reimbursing the City for all costs related thereto, be accepted.**

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

**ERCO Developments**

Council considered a memorandum dated February 28, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2008-03-03/143R**

**It was moved by Councillor Coombs; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that City land between the frontage of the developers land (ERCO) and the street on Hamilton Avenue be sold to the developer for water and sewer lines, at a price to be based on \$1.00 per square foot, plus usual administration fee, be accepted.**

**The motion being put was carried with Councillor Ellsworth abstaining.**

**Election Finance By-Law**

Council considered a memorandum dated February 28, 2008 from the Associate Commissioner/Director of Corporate Services and City Clerk which provided an overview of the provisions of the Election Finance By-Law, which was passed by Council on October 15, 2007.

**Bulk Garbage & Recyclable Metals Collection Contracts**

Council considered a memorandum dated February 25, 2008 from the Director of Public Works and Parks regarding the above noted.

**SJMC2008-03-03/144R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Collins: That the recommendation of the Director of Public Works and Parks that Bulk Garbage & Recyclable Metals Collection with Newfound Disposal be extended for a one year period in accordance with the terms of the existing contracts, be approved.**

**Snow Clearing Report for the period January 1<sup>st</sup> to February 29<sup>th</sup>, 2008**

Council considered as information the snow clearing report for the period January 1<sup>st</sup> to February 29, 2008 showing a negative variance of \$618,020.

**Councillor Duff**

Councillor Duff asked that the Kiwanis Music Festival Association of St. John's be written thanking them for their hard work and dedication towards making the 57th Annual Kiwanis Music Festival a very successful music event. She also asked that letters of congratulations be written to the Rose Bowl Winners.

**Councillor Ellsworth**

Councillor Ellsworth thanked the volunteers who worked diligently towards making the Kiwanis Music Festival a very successful event.

He also commended the volunteers who participated in the Real Time Cancer Fund Raising event.

Councillor Ellsworth alluded to an announcement that the town of Port aux Basques was granted \$20,000 towards the Kraft Hockeyville 2008 and encouraged residents to follow the situation and provide support where possible.

**Councillor Collins**

Councillor Collins advised that the estimated cost for the construction of the Southlands Community Centre is in the vicinity of \$1.8 million and is hopeful the Provincial Government will cost share the project.

**Adjournment**

There being no further business, the meeting adjourned at 5:20 p.m.

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**MAYOR**

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**CITY CLERK**