

**March 5, 2007**

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

His Worship the Mayor presided.

There were present also Deputy Mayor O=Keefe, Councillors Duff, Hickman, Hann, Puddister, Galgay, Coombs, Ellsworth and Collins.

Regrets: Councillor Colbert

The Chief Commissioner/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 Agenda**

#### **SJMC2007-03-05/101R**

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

- a. Letter dated March 5, 2007 from St. John=s Clean and Beautiful re: Covering of Garbage Bylaw
- b. Letter dated March 5, 2007 from Newfoundland Association of Architects re: Notice of Event by the Newfoundland Association of Architects: Harbour Charette
- c. Memorandum dated March 5, 2007 from the Associate Commissioner/City Solicitor re: Recreation Department - Rental of Office Space

### **Adoption of the Minutes**

#### **SJMC2007-03-05/102R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Councillor Hann: That the Minutes of February 26, 2007 be**

adopted as presented.

**Governance Structure - St. John=s Sports and Entertainment Board of Directors**

Councillor Duff enquired as to the process to be followed to elect a member of Council to the Civic Centre Board. It was noted that the City Clerk will poll members of Council to see who is interested in serving as Council appointee to the St. John=s Sports and Entertainment Board of Directors. If more than one Councillor expresses an interest a vote by Council will be necessary.

**Development Committee Report dated February 27<sup>th</sup>, 2007**

Council considered the following Development Committee Report dated February 27<sup>th</sup>, 2007:

**RECOMMENDATION OF APPROVAL:**

- 1. Request for Approval-in-Principle  
Proposed 133 Lot Residential Subdivision  
Triple D Holdings  
Between Bay Bulls Road and Old Bay Bulls Road (Ward 5)**

The Development Committee recommends that Council grant Approval-in-Principle to the above noted application subject to the following conditions:

- a. no lots being located within the buffer or flood plain of Kilbride Brook;
- b. submission of detailed site/site servicing plans for review and approval by the City=s Department of Engineering and Planning and the City=s Streets and Parks Services Division; and
- c. final approval of the subdivision by Council in the form of a Development Agreement.

- 2. Proposed Senior Citizens= Retirement Complex  
Character Builders Limited  
Civic No. 154 Freshwater Road (Ward 2)**

The Development Committee recommends that Council grant Approval-in-Principle to the above noted application subject to the following conditions:

- a. submission of a site plan and details prepared in accordance with the City=s Commercial Development Policy;
- b. as there is no additional capacity in the storm sewers in Freshwater Road, Suez Street or Suvla Street, the Developer must use on-site storm water retention or upgrade the existing municipal storm sewer to accommodate storm water run-off from the site; and
- c. submission of a landscape site plan and details prepared in accordance with the City=s Landscape Development and Street Tree Planting Policies.

**3. Crown Land Grant Referral  
Mr. Stacey Michael Penney  
Blackhead Road (Ward 5)**

The Development Committee recommends that Council approve the Crown Land Grant. Should the applicant be successful in obtaining the Crown Land Grant, a formal development application must be submitted to the Department of Planning for review and approval prior to the commencement of any development on the site.

**Ron Penney, Acting Chairperson  
Chief Commissioner/City Solicitor**

**SJMC2007-03-05/103R**

**Regarding Item #1: It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the Committee=s recommendation to grant Approval-in-Principle to the application subject to the conditions outlined, be accepted.**

**SJMC2007-03-05/104R**

**Regarding Item #2: It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the Committee=s recommendation to grant Approval-in-Principle to the application subject to the conditions outlined, be accepted.**

**SJMC2007-03-05/105R**

**Regarding Item #3: It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the Committee=s recommendation to approve the Crown Land Grant be accepted.**

Council considered the following Planning and Housing Standing Committee Report dated February 23<sup>rd</sup>, 2007:

In Attendance:                   Councillor Shannie Duff, Chairperson  
                                  Councillor Art Puddister  
                                  Councillor Frank Galgay  
                                  Councillor Ron Ellsworth  
                                  Councillor Wally Collins  
                                  Mr. Ron Penney, Chief Commissioner and City Solicitor  
                                  Mr. Cliff Johnston, Director of Planning  
                                  Mr. Paul Mackey, Director of Public Works & Parks  
                                  Mr. Robin King, Transportation Engineer  
                                  Mr. Jim Ford, Manager of Regulatory Services  
                                  Mr. Joe Sampson, Manager of Development  
                                  Mr. Ken O'Brien, Manager of Planning & Information  
                                  Mr. Jim Clarke, Manager of Streets and Parks  
                                  Mr. Bob Bursey, Senior Legal Counsel  
                                  Ms. Debbie Reid, City Internal Auditor  
                                  Ms. Kelly Butler, Recording Secretary

**1.     Definition of Park - Amendments to Development Regulations**

The Committee considered the **attached** memorandum dated February 23, 2007, from the Senior Legal Counsel regarding the above noted matter.

Mr. Bursey advised that the current definition of park is very broad and therefore, may pose a problem for the City if an application is made under the current definition in a zone where Council may feel that such a development was inappropriate. Council would have no power to reject such a development. Staff from the Planning, Building and Property Management, and Legal Departments met to discuss this issue, and are recommending that the definition of park be broken down into two categories - public parks, which are parks owned by the City, the Provincial Government or the Federal Government; and privately owned parks, which are parks owned by someone other than the aforementioned levels of government.

During discussion, reference was made to Pippy Park and how it would be affected under the new definitions. Subsequently, it was suggested that the definition of public park also include an agency of either the municipal, provincial or federal governments.

**The Committee recommends that current definition of a Park under the St. John's Development Regulations be amended as follows:**

**PARK** - means an area owned by either the City of St. John=s, the Province of Newfoundland and Labrador, or the Government of Canada, or an agency of either body, which is maintained substantially in its natural state and/or landscaped for the use and enjoyment of the public, and includes Play Lots, playgrounds, playing fields, campgrounds, picnic areas, and buildings accessory to such uses, but does not include Places of Assembly or Private Parks.

**PRIVATE PARK** - means an area owned by any other person other than the City of St. John=s, the Province of Newfoundland and Labrador, or the Government of Canada, which is maintained substantially in its natural state and/or landscaped for the use and enjoyment of the public, and includes playgrounds, playing fields, campgrounds, and picnic area, but does not include Places of Assembly or Parks.

It is further recommended that the amendments be made retroactive, in accordance with Section 39(2) of the Urban and Rural Planning Action, to include any **APark@** developments that may have ben made and yet to be approved by Council, or any that have recently been rejected by Council.

Staff have been directed by the Committee to advertise the proposed amendments to the Development Regulations for public review and comment. Upon completion of this process, the proposed amendments will be referred back to a future Regular Meeting of Council for consideration of adoption. This is provided for Council=s information at this time.

## **2. Torbay Road North Concept Plan (Ward 1)**

The Committee considered the **attached** memorandum dated February 19, 2007, from the Director of Planning regarding the above noted matter.

The Director of Planning advised that following the presentation of the Torbay Road North Concept Plan at the last Committee meeting, staff met with the developers of the Field Farm and Harvey=s properties to discuss their applications in relation to the recommendations for infrastructure upgrading and traffic analysis contained in the concept plan report. Both applicants expressed concern with the timing of the rezoning process, and are anxious to move forward with the processing of their applications.

Discussion ensued with Councillor Duff noting that she would prefer that the entire concept plan be adopted for the Torbay Road North area as was done with the

Kilbride Concept Plan. She noted that if applications are approved in isolation, it could negatively impact other property owners in the area at some point in the future.

**The Committee agreed to direct staff to schedule a public meeting to be chaired by a member of Council on the current applications from Carrera Capital Canada Ltd. and Perennial Management requesting rezoning of their lands from the Commercial Industrial (CI) and Industrial General (IG) Zones to the Commercial Regional (CR) Zone. The tentative date for the public meeting is March 21, 2007. This is provided for the information of Council at this time.**

**3. Proposed Rezoning for Residential Subdivision - Heavy Tree Road and Ruby Line**

The Committee considered the **attached** memorandum dated February 23, 2007, from the Manager of Development regarding the above noted matter.

**The Committee recommends that Council defer consideration of the above noted application for rezoning pending completion of the Agricultural Development Area Boundary Review.**

**4. Request for Appointment as Hearing Commissioner**

The Committee considered the **attached** request from Mr. Wayne Thistle, QC, C.ARB, to be appointed as a hearing commissioner for the City of St. John's. The Committee briefly reviewed and discussed Mr. Thistle's resume and qualifications.

**The Committee recommends that Mr. Thistle be added to the list of hearing commissioners for amendments to the St. John's Municipal Plan.**

**Councillor Shannie Duff  
Chairperson**

**SJMC2007-03-05/106R**

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

**The motion being put unanimously carried.**

**Public Works & Environment Standing Committee Report dated February 27<sup>th</sup>,**

**2007**

Council considered the following Public Works Environment & Protection Standing Committee Report dated February 27<sup>th</sup>, 2007:

**Attendees:** Councillor Ron Ellsworth, Chairperson  
Councillor Wally Collins  
Councillor Tom Hann  
Councillor Frank Galgay  
Councillor Shannie Duff  
Ron Penney, Chief Commissioner/City Solicitor  
Art Cheeseman, Associate Commissioner/Director of Engineering  
Bob Bishop, Director of Finance & City Treasurer  
Dave Blackmore, Director of Building & Property Management  
Paul Mackey, Director of Public Works & Parks  
Jim Clarke, Manager of Streets & Parks  
Gerri King, Manager of Environmental Initiatives  
Brendan O=Connell, Manager of Environmental Services  
Steve Colford, Operations and Systems Engineer  
Karen Chafe, Recording Secretary

**Report:**

1. **Water & Sewer Lateral Repair Policy**

The Committee considered the report from the Department of Public Works & Parks regarding the above noted issue. The Department was requested to review the Water & Sewer Lateral Repair Policy criteria and submit options and recommendations with a view to making the service more cost efficient with comprehensive criteria *that clearly and equitably delineate eligibility*. The Committee endorses the following recommendation of staff:

**That the water and sewer lateral repair policy be amended to:**

- 1. Delete the condition that the residence be "owner occupied;**
- 2. Restrict City assistance to lateral problems within the public street line only."**

The Committee bases the above noted recommendation on the following points which are worthy of note:

- There is no clear definition for the term "owner occupied", and this is illustrated by Council's past direction on a number of occasions to expand on the definition to accommodate individual situations, eventually leading to the

possibility for abuse of the policy. This problem is clearly outlined on page 4 of 8 of the attached report. The argument is often used that the Aowner occupied@ definition also excludes other property owners who should receive the same service for the same taxes.

- It should be stressed that laterals are the private property of the home owner, and should, therefore, be the owner=s responsibility, the same as any other maintenance issue, ie: roof repair or electrical upgrading.
- No such policy exists in other municipalities across the country to maintain laterals outside the street line.
- It should be noted that the total cost of water and sewer laterals services for 2005 was \$980,742.62. It has been estimated that actual costs for lateral repairs will increase over the next few years by an amount of \$490,000 if the Aowner-occupied@ definition is permitted to remain and is increasingly and successfully challenged.
- It should be noted that the older homes in the downtown area that are built right against the property boundary would receive free lateral assistance, because the entire lateral would be inside the City street line. Under the existing policy, people living in these properties now have to pay \$100 plus HST for the service.
- Establishment of the problem location will require a clearing and tv inspection of the lateral on a Aonce off@ basis, at no charge to the owner. However, if the problem is determined to be outside the street lines, the City will provide no further assistance.

2. **Covering of Garbage Placed for Collection By-Law Review**

The Committee considered a memorandum dated February 12<sup>th</sup>, 2007 from the Director of Public Works & Parks regarding the review completed at the end of the trial period to determine whether or not the *Covering of Garbage Placed for Collection By-Law* should continue. The following recommendations of staff were endorsed by the Committee and are forwarded for Council=s approval:

**That Council continue with the By-Law with the following changes:**

- a. **Limit acceptable covering materials to approved containers and nets;**
- b. **Develop and circulate educational material to residents on the proper use of covering materials, containers and weights;**
- c. **Designate Traffic Enforcement Officers for periodic enforcement of the By-Law and other Sanitation Regulations infractions;**



- d. **Effective May 1<sup>st</sup>, 2007 (one month after the effective date of the by-law), refuse to collect garbage which is not placed for collection in accordance with the By-Law and Sanitation Regulations. Use stickers to advise residents of the reason for non-collection.**

**The Committee further recommends April 1<sup>st</sup>, 2007 as the start date to implement the *Covering of Garbage Placed for Collection By-Law*.**

**3. Requests for Official Correspondence**

The Committee endorses the following recommendation of the Director of Building & Property Management relative to the requests for official correspondence:

**That future requests for copies of occupancy permits be restricted to requests from the original applicant or owner and that the activity be undertaken from a cost recovery perspective.**

**4. Service Evaluation Survey Results**

The Committee refers the attached service evaluation survey results from the Department of Public Works & Parks for information.

Councillor Ron Ellsworth  
Chairperson

**SJMC2007-03-05/107R**

**Regarding Items #2 and #3: It was moved by Councillor Ellsworth; seconded by Councillor Hann: That the Committee=s recommendations be approved.**

Discussion ensued with respect to Item #2 with Councillor Galgay pointing out that he supports the concerns raised by some of his constituents living in the downtown with respect to potential liability issues as a result of coverings left on streets and lack of driveways, front yards and lawns. His Worship the Mayor noted that initially he indicated that he would support the policy on a trial basis, based on public opinion. Councillor Ellsworth indicated that a very low number of complaints and concerns were raised since the implementation of the policy and based on that the Committee recommends moving forward.

Also during discussion, it was pointed out that the City has to follow up on obtaining the appropriate legislation to allow the City the power to enforce its policy. In addition, it was agreed by Council that the effective date for implementation of the bylaw be changed from April 1<sup>st</sup> to May 1<sup>st</sup>, given the volume of snow currently experienced this season. Councillor Ellsworth agreed to bring forward the appropriate amendment with it being noted that the November 30 deadline date would be discretionary.

**Following discussion, the motion being put was carried with Councillor Galgay dissenting on Item #2.**

**SJMC2007-03-05/108R**

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

Discussion ensued during which members of Council supporting the motion argued that there is no clear definition for "owner occupied" and that the definition often excludes property owners who should receive the same service; laterals are in private property and should be the owner=s responsibility; no other municipality in North America maintains private property laterals; and the actual costs will increase if the "owner-occupied" definition remains.

Members of Council speaking against the motion argued that changing the current policy for water and sewer lateral repair would cause unnecessary hardship for senior citizens and residents on limited income. It was suggested during discussion that consideration be given to expanding the program and reducing the Public Works budget to fund the additional costs. They also indicated they would prefer that the current practice continue for the remainder of 2007 and in the interim the City=s Risk Manager will find out whether insurance is available under the Home Owners Insurance Policy to cover lateral repairs, and if so, what would be the associated cost, and what if any insurance is available to people renting properties.

Once the information becomes available it will be forwarded to the Committee for consideration during discussions on this matter for 2008.

Discussion continued, during which Councillor Ellsworth pointed out that the increased cost to maintain the existing program for 2007 is in the vicinity of \$1/2 million in addition to the \$1 million cost to provide the service. He further noted that the proposed policy amendment is in fact increasing the service level in that all residents are treated in an equal fashion. He advised that in the event the motion fails, he will ask that the matter be placed on the agenda of tomorrow=s Finance and Administration Standing Committee for consideration, noting that the suggestion to allocate the additional funding from the Capital Works budget would not be prudent due to the budget=s cost overruns.

**Following discussion the motion being put there voted for it the mover, seconder, Councillors Collins and Duff. Voting against the motion were Deputy Mayor O=Keefe, Councillors Galgay, Puddister, Coombs, Hickman and His Worship the Mayor. The motion was lost.**

**Development Permits List**

Council considered the following Development Permits List for the period of February 23, 2007 to March 1, 2007:

DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF FEBRUARY 23, 2007 TO MARCH 1, 2007

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Inst.	Sheppard Case Architects Inc.	Proposed Re-development of Salvation Army Wiseman Centre	Civic No. 714 Water Street	Ward 2	Site plan Approval	07 02 23
Com.	Mr. Raymond Hennessey	Request for a Snow Dumping Site	Airport Heights Drive (Near Argus Place)	Ward 4	Application Rejected: Contrary to Section 10.3.1 (R1 Zoning )	07 02 27
Com.	Mr. Art Mercer	Chef By Design Catering	Civic No. 61 Patrick Street	Ward 2	Application	07 02 27

			SPA at the Monastery		Approved	
Com.	Campbell Management Limited	Proposed Fourth Floor Extension to Commercial Building	Civic No. 216 Water Street	Ward 2	Application Rejected: Contrary to Section 10.25.3 (a)	07 02 28

NOTES:

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

Ed Murray  
Development Officer  
Department of Planning

Councillor Ellsworth referred to Item #2 - request for a snow dumping site, and advised that the issue was raised by a resident and has been dealt with; however, he asked that Council be informed if the problem continues.

**Building Permits List**

**SJMC2007-03-05/109R**

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

2007/02/28

Permits List

CLASS: COMMERCIAL

VIC ROBERTS	515 KENMOUNT RD - HARRY'S FIRE	CO RETAIL STORE
WOODWARD RENT-A-CAR LIMITED	152 AIRPORT RD	MS CAR SALES LOT
PETER'S PIZZA&GOLDEN FOODS LTD	135 CAMPBELL AVE, PETER'S PIZZ	MS RESTAURANT
HAIR SOLUTIONS	10 ELIZABETH AVE, HAIR SOLUTIO	MS SERVICE SHOP
BANK OF NOVA SCOTIA	21 ELIZABETH AVE	MS BANK
ROCCOM CONSULTING	336 FRESHWATER RD	MS RETAIL STORE
HEALTH GROUP ASSOCIATES INC.	179 HAMLIN RD	MS CLUB
PLAZACORP PROPERTY HOLDINGS	80 KENMOUNT RD, MONTANA'S COOK	MS RESTAURANT
THE ROYAL GARAGE LIMITED	350 KENMOUNT RD	MS COMMERCIAL GARAGE
BILL MATTHEWS' AUTOHAUS	211 KENMOUNT RD	MS CAR SALES LOT
ATLANTIC RECREATION LIMITED	465 KENMOUNT RD, ATLANTIC REC	MS RETAIL STORE
ATLANTIC AUTO SALES INC.	515 KENMOUNT RD	MS CAR SALES LOT
ASS AS 411 TORBAY ROAD	7 LEDREW'S RD, PETER'S PIZZA	MS RESTAURANT
ASS AS 411 TORBAY ROAD	7 LEDREW'S RD, PETER'S PIZZA	MS RESTAURANT

ABC SIDING & WINDOWS INC.	1 MARCONI PL, ABC SIDING	MS RETAIL STORE
HEALTH QUEST INC.	427 NEWFOUNDLAND DR	MS RETAIL STORE
BUDDY'S FISH AND CHIPS LTD	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
BUDDY'S FISH AND CHIPS LTD	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
SURPLUS FREIGHT	22 O'LEARY AVE, SURPLUS FREIGH	MS RETAIL STORE
SUN SPA	36 PEARSON ST, SUN SPA	MS SERVICE SHOP
SECOND PAGE BOOK STORE	36 PEARSON ST, SECOND PAGE	MS RETAIL STORE
GROUP HOLDINGS LIMITED	20 PEET ST	MS CAR SALES LOT
B.D.MEDICAL INC.	342 PENNYWELL RD	MS OFFICE
ATLANTIC HOSE AND FITTINGS LTD	50 PIPPY PL, ATLANTIC HOSE	MS RETAIL STORE
TERRY THE TINTER	9-11 PIPPY PL, TERRY THE TINTE	MS COMMERCIAL GARAGE
10460 NEWFOUNDLAND INC.	180 PORTUGAL COVE RD	MS RESTAURANT
TIM DONUT LIMITED	30 ROPEWALK LANE, TIM HORTONS	MS RESTAURANT
COLOR YOUR WORLD	40 ROPEWALK LANE, COLOR YOUR W	MS RETAIL STORE
STASSIS FOOD INC.	38 ROPEWALK LANE	MS RESTAURANT
STASSIS INVESTMENTS INC.	38 ROPEWALK LANE, NO NAME PIZZ	MS RESTAURANT
VOGUE BEAUTY SALON	133 ST. CLARE AVE	MS SERVICE SHOP
THE BUSINESS DEPOT LTD.	34 STAVANGER DR, BUSINESS DEPO	MS RETAIL STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR, BUSINESS DEPO	MS RETAIL STORE
HERBAL MAGIC	386 STAVANGER DR, HERBAL MAGIC	MS RETAIL STORE
TELUS MOBILITY	15-27 STAVANGER DR	MS RETAIL STORE
TIM HORTONS DONUTS LTD.	92 THORBURN RD	MS RESTAURANT
10475 NFLD LTD.	644 TOPSAIL RD	MS CLUB
KARITSIOTIS ENTERPRISES LTD.	662 TOPSAIL RD	MS RESTAURANT
MY BROTHER'S PLACE	686 TOPSAIL RD, MY BROTHERS PL	MS RESTAURANT
SECOND PAGE BOOK STORE	655 TOPSAIL RD	MS RETAIL STORE
PIPER'S DEPARTMENT STORE LTD.	681 TOPSAIL RD, PIPER'S	MS RETAIL STORE
TORBAY FUN FOODS LTD.	286 TORBAY RD	MS RESTAURANT
PIPER'S DEPARTMENT STORES	272-276 TORBAY RD, PIPER'S	MS RETAIL STORE
HARVEY'S TRAVEL	272-276 TORBAY RD	MS SERVICE SHOP
MAPLE STREET HOLDINGS INC.	272-276 TORBAY RD	MS RESTAURANT
RDW HOLDING'S INC.	272-276 TORBAY RD	MS EATING ESTABLISHMENT
BRITON HOLDINGS INC.	272-276 TORBAY RD	MS RESTAURANT
NORTH ATLANTIC REFINING LTD.	280 TORBAY RD, NORTH ATLANTIC	MS RETAIL STORE
BANK OF NOVA SCOTIA	TORBAY RD	MS BANK
COLOR YOUR WORLD	464 TORBAY RD, COLOR YOUR WORL	MS RETAIL STORE
NORTH ATLANTIC	660 TORBAY RD, NORTH ATLANTIC	MS OFFICE
NANCY DAWSON & DONALD BARRY	696 TORBAY RD	MS LIGHT INDUSTRIAL USE
JOSADA HAIR STUDIO	TORBAY ROAD-TORBAY RD MALL	MS SERVICE SHOP
CASH CITY	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
PIZZA EXPRESS LIMITED	TORBAY ROAD-TORBAY RD MALL	MS RESTAURANT
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD, PETER'S PIZZA	MS RESTAURANT
DECORATING DESIGNS INC	445 TORBAY RD	MS RETAIL STORE
DAKOTA'S SALON AND SPA INC.	611 TORBAY RD, DAKOTA'S SALON	MS SERVICE SHOP
NORTH ATLANTIC REFINING LTD.	694 WATER ST, NORTH ATLANTIC	MS SERVICE STATION
HEALY'S PHARMACY LTD.	722 WATER ST	MS CLINIC
BLUE CHARM ANGLING COMPANY	5 WATERFORD BRIDGE RD	CO RETAIL STORE
INTERNATIONAL NEWS	215 WATER ST	RN RETAIL STORE
ST JOHN'S STATUS-WOMEN COUNCIL	83 MILITARY RD, STATUS FOR WOM	NC PATIO DECK
11164 NEWFOUNDLAND INC.	120 NEW GOWER ST	RN HOTEL
P V INSPECTION	215 WATER ST, PV INSPECTION	RN OFFICE
#1 NAIL	AVALON MALL, #1 NAILS	CR SERVICE SHOP
LB2P HOLDINGS INC	16-18 PRESCOTT ST	RN OFFICE
GENTARA COMPANY LIMITED	354 WATER ST - SUITE 210	RN OFFICE
VENTURE ARCHITECTURE 2000 INC.	139 WATER ST, PARKING GARAGE	RN PARKING LOT
REITMANS (CANADA) LIMITED	AVALON MALL NO. 2, SMART SET	RN RETAIL STORE
JOHN FRANKLIN	193 WATER ST, JOHN FRANKLIN	CR HOTEL
DUNDEAL CANADA (GP) INC.	235 WATER ST, SCOTIA CENTER	RN BANK

THIS WEEK \$ 728,500.00  
TO DATE \$ 4,576,643.00

CLASS: INDUSTRIAL

THIS WEEK \$ .00

TO DATE \$ 300,000.00

CLASS: GOVERNMENT/INSTITUTIONAL

KENMOUNT FIRE STATION	66 O'LEARY AVE	NC ADMIN BLDG/GOV/NON-PROFIT	
			THIS WEEK \$ 400,000.00
			TO DATE \$ 1,590,500.00

CLASS: RESIDENTIAL

CYRIL WHEELER	46 LONG BEACH ST - LOT 93	NC ACCESSORY BUILDING	
BALNAFAD CO. LTD.	48 LONG BEACH ST, LOT 94	NC SINGLE DETACHED DWELLING	
TERRY WALSH CONTRACTING	16 OTTER DR, LOT 91	NC SINGLE DETACHED DWELLING	
TANYA SLADE	37 FAHEY ST	CO HOME OCCUPATION	
HELPING HANDS	320 HAMILTON AVE	CO HOME OCCUPATION	
CRAIG & SUSAN BLANCHARD	3 PENETANGUISHENE	CO HOME OFFICE	
DEAN SHANO	200 BAY BULLS RD	CR SUBSIDIARY APARTMENT	
TERRY WALSH CONTRACTING	45 CHEROKEE DR, LOT 53	CR SUBSIDIARY APARTMENT	
ROOSEVELT PROPERTIES LTD.	59 ROOSEVELT AVENUE	CR CONDOMINIUM	
ALBERT MULLOWNEY	1 SALISBURY ST	CR SUBSIDIARY APARTMENT	
JAMES PARKER &	184 GOWER ST	RN SINGLE DETACHED DWELLING	
MIKHAIL PASYNOK	7-9 KING'S RD	RN SEMI-DETACHED DWELLING	
SCOTT S. STUCKLESS	34 PALM DR	RN SINGLE DETACHED DWELLING	
JOHN POND	13 PENNYWELL RD, JOHN POND	RN APARTMENT BUILDING	
ANTHONY & JOAN NOONAN	170 WATERFORD BRIDGE RD	RN SINGLE DETACHED DWELLING	
MCCARTHY'S PARTY LIMITED	566 WATER ST, MCCARTHY'S PARTY	RN SUBSIDIARY APARTMENT	
			THIS WEEK \$ 3,053,200.00
			TO DATE \$ 6,804,269.00

CLASS: DEMOLITION

CITY OF ST. JOHN'S	60 BLACKLER AVE	DM ADMIN BLDG/GOV/NON-PROFIT	
BERNIE FOWLER	329 DUCKWORTH ST	DM MIXED USE	
			THIS WEEK \$ 800.00
			TO DATE \$ 89,056.00

THIS WEEK'S TOTAL: \$ 4,182,500.00

TOTAL YEAR TO DATE: \$ 13,360,468.00

REPAIR PERMITS ISSUED: 2007/02/22 TO 2007/02/28 \$ 62,680.00  
2006/12/28 TO 2007/02/28 \$ 186,430.00 YTD

LEGEND

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

Payrolls and Accounts

SJMC2007-03-05/110R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the following Payrolls and Accounts for the week ending March 1, 2007 be approved:

Payment Vouchers Weekly  
For The  
Week Ending March 1, 2007

**PAYROLL**

Public Works	\$ 415,521.50
Bi-Weekly Casual	\$
	14,009.10

**ACCOUNTS PAYABLE**

Cheque No. 113113 - 113397	\$
	3,503,244.56
(Includes Direct Deposits/Transfers/Equip. Leasing)	

**Total:**

\$  
3  
,  
9  
3  
2  
,  
7  
7  
5

**Tenders**

**a. Recreation Department - Rental of Office Space**

**SJMC2007-03-05/111R**

It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the recommendation of the Chief Commissioner/City Solicitor that approval be granted to lease an additional 620 sq. ft. of space adjacent to the space leased at 1 Crosbie Road for the Recreation Department, at a cost of \$9,480.00 per year, be approved.

**Petitions**

Deputy Mayor O=Keefe tabled a petition the prayer of which reads as follows; which matter was referred to the Associate Commissioner/Director of Engineering for attention:

**We, the undersigned residents of Royal Oak Drive, hereby request that the City of St. John=s repave our street under the 2007 Street Rehab Program. Our street has progressively gotten worse over the past few years. If this street is not repaved soon it will get to a point where complete reconstruction will be necessary. Repaving will be much cheaper than total reconstruction. So act now.**

**64 Jordan Place**

Council considered a memorandum dated February 27, 2007 from the Chief Commissioner/City Solicitor regarding the above noted.

**SJMC2007-03-05/112R**

It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner/City



**Solicitor that land located (between 64 Jordan Place and the street) be sold at a price based on \$2.00 per square foot (approximately \$3,000.00) plus usual administration fees and HST, be approved.**

**Snow Clearing Report for the period January 1<sup>st</sup> to March 2<sup>nd</sup>, 2007**

Council considered the snow clearing report for the period January 1 to March 2, 2007 showing a negative variance of \$386,225.00.

At this point His Worship the Mayor referenced an article contained in a recent edition of *The Telegram* by Brian Jones critical of the City=s snow clearing service. Councillor Hann read into the record a response to that article by the Director of Public Works & Parks.

**Economic Update, March 2007**

Council considered as information the Economic Update for March 2007.

**Notice of Event by the Newfoundland Association of Architects Harbour Charette**

Council considered a letter dated March 5, 2007 to His Worship the Mayor advising of the Harbour Charette event scheduled for June 8<sup>th</sup> and 9<sup>th</sup>, 2007, extending an open invitation to Council members to participate in the event where consideration will be given to how the waterfront can be revitalized through exceptional design and the provision of commercial and civic space for people and events. Members of Council unanimously endorsed the initiative. The Chief Commissioner/City Solicitor pointed out that it is important that the owners of property along Harbour Drive are involved in this process as well as representatives of the Port Authority. It was noted that the Arts Community will also be involved.

**His Worship the Mayor**

His Worship the Mayor tabled a copy of a presentation by Marie White with respect to the St. John=s-Mount Pearl boundary issue.

**Deputy Mayor O=Keefe**

Deputy Mayor O=Keefe tabled a letter dated February 8, 2007 from Robert Noseworthy, Chair, referred to the Mayor=s Advisory Committee on the Status of Persons with Disabilities for consideration.

**Councillor Duff**

Councillor Duff tabled a letter from St. John=s Clean and Beautiful expressing concern about the new Garbage Bylaw and its pilot implementation. They feel that Council must bring the Bylaw to top priority status, making it a permanent fixture of the solid waste management plan of the City of St. John=s.

Councillor Duff referred to the minutes of February 19, 2007 during which an application by Mr. Gerard Power, for proposed rezoning of property on Ballast Road, Quidi Vidi Village was discussed. She asked that the record reflect her comments during debate that Mr. Power can reapply for rezoning should he be successful in obtaining the 15 metre property requirement on a public road necessary to carry out the rezoning.

**Councillor Puddister**

Councillor Puddister advised that he has received criticism that although the City has increased its snow clearing budget over the past number of years it has not increased its fleet, and asked that the Chief Commissioner/City Solicitor provide a report outlining a comparison of the City=s snow clearing fleet over the past ten years.

**Adjournment**

There being no further business the meeting adjourned a 5:50 p.m.

---

**MAYOR**

---

**CITY CLERK**