

May 14, 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 Hickman, Hann, Puddister, Galgay, Coombs, Ellsworth, and Collins.

Regrets: Councillors Duff and Colbert.

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

Pilot Project Recycling Initiative Presentation

Mr. Jason Sinyard, Manager of Waste Management, Ms. Janine Pillar, Supervisor of Waste Diversion and Mr. Paul Mackey, Director of Public Works & Parks were in attendance to conduct a brief presentation on the recycling pilot project which has taken place today in the Cowan Heights area. The pilot is scheduled to take place in portions of the Downtown area tomorrow. Detailed background information on this initiative is available on the City's website.

Call to Order and Adoption of the Agenda

SJMC2007-05-14/241R

It was decided on motion of Councillor Ellsworth; seconded by Deputy Mayor O'Keefe: That the Agenda be adopted as presented with the following additional items:

- a. Memo dated May 7th, 2007 from Chief Commissioner/City Solicitor re: Railway Coastal Museum Train Car Display;**
- b. Minutes from the May 1st meeting of the Graffiti Committee;**
- c. Report of the Finance & Administration Standing Committee dated May 11th, 2007;**

- d. **Memo dated May 11th, 2007 from Acting Director of Building & Property Management re: City Hall Roofing & Related Work;**
- e. **Letter dated May 10th, 2007 from Jason Brown, Chief Executive Officer of the YM/YWCA re: Funding Proposal for St. John's Family Y Facility;**
- f. **Memo dated May 10th, 2007 from Chief Commissioner/City Solicitor re: Water & Sewer – Robin Hood Bay Road.**

Adoption of Minutes

SJMC2007-05-14/242R

It was decided on motion of Councillor Ellsworth; seconded by Deputy Mayor O'Keefe: That the minutes of the May 7th, 2007, meeting be adopted as presented.

Parking Enforcement – Private Parking Lots (CD# R2007-04-24/12)

Under business arising, Council considered a memorandum dated May 10th, 2007 from the Associate Commissioner/Director of Engineering regarding the number of parking enforcement contracts the City of St. John's has entered into with private lot owners, the revenue generated by this activity and the costs associated with providing the service.

SJMC2007-05-14/243R

It was decided on motion of Deputy Mayor O'Keefe; seconded by Councillor Puddister: That the City provide parking enforcement services to the Airport Authority, particularly at the drop-off area along the frontage of the terminal. The City will not assume any responsibility for the operation of the airport parking lots. It should be noted that the contract will be structured such that it can be terminated at any point if it turns out that adding the Airport is costing the City money.

Ilhavo Friendship Agreement

Council considered the Council Directive from the Regular Meeting of April 30th, 2007 related to the Friendship Agreement between St. John's and Ilhavo.

SJMC2007-05-14/244R

It was decided on motion of Councillor Coombs; seconded by Deputy Mayor O'Keefe: That the Friendship Agreement between the Cities of St. John's and Ilhavo be maintained and that the exchange program occur every second year due to budgetary constraints.

Notice of Motion – Residential Development Application – Heavy Tree Road**SJMC2007-05-14/245R**

It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That Council rescind its decision of March 5th, 2007, to defer processing of an application submitted by Triple D Holdings Limited to rezone property off Heavy Tree Road to permit a residential development, pending a review by the Provincial Government of the current boundaries of the St. John's Agricultural Development Area.

Notice of Motion – St. John's Electrical By-Law**SJMC2007-05-14/246R**

It was decided on motion of Councillor Ellsworth; seconded by Councillor Galgay: That the following amendment be enacted to the St. John's Electrical By-Law so it contains the provision that contractors must call for inspections and must obtain final certificates.

BY-LAW NO.**ST. JOHN'S ELECTRICAL (AMENDMENT NO. 1 - 2007) BY-LAW****PASSED BY COUNCIL ON MAY 14th, 2007**

Pursuant to the powers vested in it under the City of St. John's Act, R.S.N. 1990, c.C-17, as amended and all other powers enabling it, the City of St. John's enacts the following By-Law:

BY-LAW

1. This By-Law may be cited as the St. John's Electrical (Amendment No. 1 - 2007) By-Law.
2. Section 7 of The St. John's Electrical By-Law is repealed and the following substituted:
 - A7. (1) With respect to an electrical permit issued under this By-Law, it shall be the responsibility of the person to whom the permit was issued to ensure the electrical work done is done or made in compliance with this By-Law and all other rules and regulations applicable herein;

- (2) Electrical contractors, or any other holder of an electrical permit issued under this By-Law, shall be responsible for requesting all inspections required under this By-Law and obtaining a final electrical certificate from the inspector at the conclusion of the electrical work for which the electrical permit was issued;
- (3) An electrical permit issued shall not be transferable; and
- (4) The electrician actually performing the work shall be in the employ of the person to whom the permit was issued.©

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 14th day of May, 2007.

Mayor

City Clerk

George St. Clean-up

Under business arising, Councillor Hickman referenced the need for clean-up on George St. and commended staff of Public Works & Parks in this regard. He continued to stress the importance of maintaining this high traffic and tourist destination and the eventual need to invest further in the street.

Notices Published

1. **A Variance of Non-Conformity Application** has been submitted by Mr. Harvey Hann requesting demolition of 2 semi-detached units and reconstruction of 1 bungalow style single detached dwelling with a floor area of 129 m² at civic No.15-17 Airport Road zoned Commercial Industrial (CI). (Ward 1).
(One letter of objection received)

SJMC2007-05-14/247R

It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the application be approved.

2. **A Variance of Non-Conformity/Change of Use Application** has been submitted by Paul G. Emberley Design & Drafting Limited proposing a dispatch office for Co-Op Taxi between civic Nos. 177 & 179 Pennywell Road. (Ward 2)

(6 letters of objection and one petition of objection (25 names))

The application has been withdrawn by Paul Emberley in his letter dated May 7th, 2007.

3. **A Discretionary Use Application** has been received from Walker Enterprises Limited for a proposed salvage yard at Incinerator Road in the Industrial General (IG) Zone. (Ward 5). Four letters of concern were received.

SJMC2007-05-14/248R

It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the application be approved subject to the conditions as put forth by the City's Dept. of Planning.

Development Committee Report - May 8, 2007

Council considered the following Development Committee Report dated May 8, 2007:

RECOMMENDATIONS OF APPROVAL:

1. **Proposed Accessory Building**
Mr. Robert King
Civic No. 134A Bennett's Road
Town of Portugal Cove – St. Phillips
Broad Cove River Watershed

The Development Committee recommends that Council approve the application pursuant to Section 104 (4) (a) of the City of St. John's Act subject to the demolition and inspection of the removal of the existing accessory building or the applicant must deposit a security in the amount of \$5,000.00 (five thousand dollars) should the applicant obtain a permit to construct, prior to demolition of the existing building.

2. **Application to Renovate**
Bldg. 106 East Drive
Pleasantville (Ward 1)
Zoning: Commercial Office Hotel (COH)
Applicant: J.M.J. Holdings Ltd.

The Development Committee recommends that Council grant approval to the application from J.M.J Holdings Ltd. to renovate the basement of Bldg. 106 East Drive in Pleasantville for tenant space for Lewhill Testing Technologies subject to all requirements of the City's Department of Building and Property Management.

Art Cheeseman, Chairperson
Associate Commissioner/Director of Engineering

SJMC2007-05-14/249R

It was decided on motion of Councillor Hann; seconded by Councillor Hickman: That the Committee's recommendations be adopted.

Parks & Recreation Standing Committee Report – May 8th, 2007

Council considered the following Parks & Recreation Standing Committee Report dated May 8th, 2007:

Attendees: Councillor Frank Galgay, Chairperson
 Councillor Wally Collins
 Councillor Ron Ellsworth
 Councillor Tom Hann
 Councillor Sandy Hickman
 Ron Penney, Chief Commissioner/City Solicitor
 Jill Brewer, Director of Recreation
 Paul Mackey, Director of Public Works & Parks
 Dave Blackmore, Director of Building & Property Management
 Robert Bishop, Director of Finance & City Treasurer
 Tanya Haywood, Manager of Facilities Division
 Jim Clarke, Manager of Streets & Parks
 Brian Head, Operations Assistant – Parks
 Heather Hickman, Manager of Community Development
 Karen Chafe, Recording Secretary

1. **True Sport Community – City of St. John's**

The Committee considered background information from the Dept. of Recreation regarding the True Sport national initiative to promote sport in communities. It was decided on motion of Councillor Hann; seconded by Councillor Collins that the following staff recommendation be approved by Council:

That the City of St. John's apply for the designation as a True Sport community. There is no financial cost to the City to apply for such designation.

2. **Crosbie Road Baseball Relocation**

As a result of the construction of the Newfoundland and Labrador Sports Center, the Crosbie Road field was taken out of service, and \$100,000 has been allocated from that project for its replacement. It is now proposed that Terra Nova Field be upgraded and lit as an alternative to the construction of a replacement field. The Committee considered background information from the Operations Assistant of Parks regarding the quotes received from contractors to install ballfield lighting and field extension at the Terra Nova field. Pending the lighting options outlined, the total project cost is estimated at \$206,580 to \$216,612.

The Committee on motion of Councillor Hickman; seconded by Councillor Ellsworth recommends the following for Council's approval:

That the \$100,000 allocation be used this year to upgrade and enhance the infrastructure of Terra Nova field, including the design and extension of the ballfield, with specific priority being given to the following projects:

- **Construction of two dug outs**
- **Installation of batting cage**
- **Installation of safety screen**

The Committee further recommends that the additional funding required beyond the \$100,000 allocation to facilitate field lighting be pre-approved for the 2008 Capital Works Budget.

The Committee finally recommends that a public consultation session be held with the surrounding neighbourhood residents to solicit their feedback on the proposed field lighting anticipated for installation next year, pending funding approval.

3. **Graffiti Removal**

The Committee considered a memorandum dated May 3rd, 2007 from the Director of Public Works & Parks regarding the removal of graffiti and the need to address the problem through the provision of funding in the amount of at least \$20,000. It should be noted that \$13,000 has already been approved by the Public Works & Environment Standing Committee through the reallocation of funds from the New Environmental Initiatives Grants program.

The Committee recommends that an additional \$7000 be approved to complement the existing \$13,000 commitment for graffiti removal and that the matter be referred to the Finance & Administration Standing Committee to determine budget allocation and whether or not an annual commitment should be approved.

With regard to the process for removal of graffiti from City-owned facilities and buildings, the Committee further recommends that staff strive to remove graffiti as soon as is practically possible upon the discovery of such.

4. Children's Wish Foundation – Waiver of Field Rental Fees

The Committee considered a memorandum dated May 2nd, 2007 from the Director of Recreation regarding the request from the Children's Wish Foundation to waive field rental fees for their upcoming softball tournament. It should be noted that the City receives many similar requests from non-profit groups and the User Pay Policy outlines a reduced community rate in this regard. The Committee on motion of Councillor Ellsworth; seconded by Councillor Hickman recommends the following:

That the Children's Wish Foundation be offered the reduced community rate for the field rental, which is a 50 percent reduction as per the User Pay Policy. This would result in the cost of rental being reduced from \$396.00 down to \$198.00.

5. Bowring Park Foundation

During the special council meeting of May 7th, 2007, a delegation representing the Bowring Park Foundation presented a proposal to Council to cost-share the construction and development of the Midstream Area of Bowring Park at an estimated increased cost of \$1,450,000. The original cost estimate was \$663,000 which Council had agreed to cost-share, however, the increase is due to needed upgrading of the existing infrastructure.

The Committee expressed its support of the proposal as submitted by the Bowring Park Foundation, however, the matter will be referred for indepth discussion to the Finance & Administration Standing Committee, as per the direction at the special meeting.

**Councillor Frank Galgay
Chairperson**

SJMC2007-05-14/250R

It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the recommendations of the report be adopted.

Railway Coastal Museum Train Car Display

Council tabled a memorandum dated May 7th, 2007 from the Chief Commissioner/City Solicitor outlining the increased costs of development for the Railway Coastal Museum Train Car Display concept plan, originally estimated at \$283,000 but which has now risen

to \$419,000. ACOA had agreed to provide funding in the amount of \$183,000 and the City's share was to have been \$100,500. The net shortfall is now \$84,000 and the Johnson Family Foundation has agreed to contribute \$25,000 towards the project which leaves a shortfall of \$59,000.

SJMC2007-05-14/251R

It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the City of St. John's contribute the additional \$59,000 for the Railway Coastal Museum Train Car Display project to offset the shortfall caused by increased costs. This will bring the total committed funding of the City to \$159,500.

Graffiti Committee Meeting of May 1st, 2007

Deputy Mayor O'Keefe spoke to the above noted report, a copy of which forms part of the minutes. Though Council has agreed to commit \$20,000 toward the clean-up of graffiti, Deputy Mayor O'Keefe stressed the importance of long-term increased funding to offset the problem, noting that \$20,000 will barely offset clean-up on City-owned facilities alone. He compared this to the \$10 million per year that the City of Montreal has committed for the same purpose. Councillor Puddister suggested that the City should become a leader with regard to the removal of graffiti by immediately painting over any graffiti that is discovered, so that it is not on display for long periods of time. It should be noted that the clean-up will be contracted out by the City, the tender for which will soon be awarded. Reference was also made to the fines issued for such offences with it being noted that the City of Calgary issues a \$5000 fine.

Reference was made to the possibility of laying charges for the defacement of public or private property, with it being noted that it is a criminal code offence, however, witnesses to the acts of vandalism must be willing to come forward. In this regard, it was suggested that an incentive of a reward be provided.

SJMC2007-05-14/252R

It was decided on motion of Councillor Puddister; seconded by Councillor Collins: That a \$500 reward be issued to witnesses providing evidence which leads to the conviction of anyone defacing public or private property through the means of graffiti.

Heritage Advisory Committee Report of May 9th, 2007

Council considered the following Heritage Advisory Committee report dated May 9th, 2007:

Attendees: Gerard Hayes, Acting Chair
Councillor Tom Hann
Councillor Shannie Duff (via conference call)
Melanie Del Rizzo
Neil Hardy
Cliff Johnston, Director of Planning
Ken O'Brien, Manager of Planning and Information
Linda Bishop, Barrister/Solicitor
Jim Ford, Manager of Regulatory Services
Peter Mercer, Heritage Officer
Karen Chafe, Recording Secretary

Report:

1. **Application for Redevelopment (Former NL Museum – 285 Duckworth St.)**
The Provincial Dept. of Works, Services & Transportation has submitted an application to the City for the installation of windows on the east and west side elevations of the building.

The Committee recommends approval of the application for window installation.

Reference was made to the state of Scanlon's Lane, adjacent to the former museum building, and the need for upgrading of the retaining walls in this area. It was suggested that the Provincial Government be approached to determine their interest in a cost-shared agreement with the City to upgrade this area, noting that any improvements would be of significant benefit to the adjacent property owned by the Province.

2. **"The Narrows" Condominium Development – 47 Duckworth St.**
The Heritage Officer displayed the final design elevations for the above noted property, previously approved by the Committee, pending submission of final details.

The Committee recommends approval of the plans as submitted.

3. **199 Water St. (Trapnell's Building) – Sign Application for “Britannia Teas”**
 The Heritage Officer displayed the design for a sign band to be installed on the above noted building with a dimension of 24” x 96”. This dimension fits within the building’s existing sign band.

The Committee recommends approval of the design as submitted.

Gerard Hayes
 Acting Chairperson

SJMC2007-05-14/253R

It was decided on motion of Councillor Hann; seconded by Councillor Ellsworth: That the recommendations of the report be adopted.

Finance & Administration Standing Committee Report of May 11th, 2007

Council tabled the following May 11th, 2007 report of the Finance & Administration Standing Committee:

In Attendance: Deputy Mayor Dennis O=Keefe, Chairperson
 Councillor Frank Galgay
 Councillor Wally Collins
 Mr. Ron Penney, Chief Commissioner/City Solicitor
 Mr. Bob Bishop, Director of Finance & City Treasurer
 Mr. Kevin Breen, Director of Human Resources
 Ms. Jill Brewer, Director of Recreation
 Mr. Jim Clarke, Manager of Streets & Parks
 Ms. Tanya Haywood, Manager - Facilities Division
 Ms. Natalie Godden, Manager - Family & Leisure Services
 Ms. Heather Hickman, Manager - Community Development
 Ms. Diane Winsor, Manager - Employee Relations
 Ms. Lynn O’Grady, Manager - Employee Wellness
 Mr. Derek Coffey, Auditor I
 Mr. Jeff Ralph, Financial Analyst II
 Ms. Kelly Butler, Recording Secretary

1. Bowring Park Proposal - Funding for Midstream Area Project

The Committee discussed the above noted matter which was referred for consideration from the Special Meeting of Council held on May 7, 2007.

The Committee fully endorses the proposal as put forth by the Bowring Park Foundation and recommends that Council approve the requested funding for the project.

Deputy Mayor Dennis O=Keefe
 Chairperson

SJMC2007-05-14/254R

It was decided on motion of Deputy Mayor O'Keefe; seconded by Councillor Collins: That the recommendation of the report be adopted with respect to the proposal put forth by the Bowring Park Foundation and that Council cost-share on a 50/50 basis the \$1,450,000 required for the project.

Development Permits List

Council considered as information the following Development Permits List for the period of May 4th, 2007 to May 10th, 2007:

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Nolan Hall Limited	Place Bonaventure - Stage 2	Bonaventure Avenue	Ward 2	Site Plan Approval	07 05 04
Ind.	Bell Aliant	Proposed OPI Site	Cumberland Crescent	Ward 4	Application Approved	07 05 07
Ind.	Bell Aliant	Proposed OPI Site	Larkhall Street	Ward 4	Application Approved	07 05 07
Ind.	Bell Aliant	Proposed OPI Site	L=Anse aux Meadows Crescent	Ward 3	Application Approved	07 05 07
Ind.	Bell Aliant	Proposed OPI Site	Hamilton Avenue @ LeMarchant Road	Ward 2	Application Approved	07 05 07
Ind.	Bell Aliant	Proposed OPI Site	Bonaventure Avenue @ Bro. Rice Jr. High	Ward 2	Application Approved	07 05 07
Com.	Mr. Frank Dunn	Home Office: Admin. Office for a Shin Supply Business	Civic No. 42 Smith Avenue	Ward 2	Application Approved	07 05 07
Res.	Mr. John MacDonald	Residential Building Lot	Shoal Bay Road	Ward 5	Application Approved	07 05 07
Com.	Mr. George Baldwin	Home Office: Killick Brokerage Limited	Civic No. 18 Riverside Drive	Ward 5	Application Approved	07 05 08
Res.	Mr. Ches Luther Jr.	Residential Building Lot	Lot No. 3 Groves Road	Ward 5	Application Approved	07 05 09
Com.	Ms. Deanne Smith	Home Office: Living Well - Health & Wellness Education	Civic No. 2A MacGregor Street	Ward 1	Application Approved	07 05 09

NOTES:

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

Ed Murray
Development Officer
Department of Planning

** 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.

Building Permits List**SJMC2007-05-14/255R**

It was decided on motion of Councillor Galgay; 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:

2007/05/09

Permits List

CLASS: COMMERCIAL

SCREAMING EAGLE	16-72 HAMLYN RD	CO RETAIL STORE
WATERWORKS COMMUNICATIONS	96 LEMARCHANT RD	CO OFFICE
MATTHEWS VW/AUDI	KENMOUNT RD, EAST OF T N MOTOR	NC CAR SALES LOT
WOODWARD RENT-A-CAR LIMITED	152 AIRPORT RD	MS CAR SALES LOT
ARDENE HOLDINGS	AVALON MALL # 1, ARDENE'S	SN RETAIL STORE
PETER'S PIZZA&GOLDEN FOODS LTD	135 CAMPBELL AVE, PETER'S PIZZ	MS RESTAURANT
BANK OF NOVA SCOTIA	21 ELIZABETH AVE	MS BANK
ROCCOM CONSULTING	336 FRESHWATER RD	MS RETAIL STORE
HEALTH GROUP ASSOCIATES INC.	179 HAMLYN RD	MS CLUB
LEGROWS TRAVEL	75 KELSEY DR	MS OFFICE
MCDONALD'S RESTAURANTS CAN.LTD	54 KENMOUNT RD	MS RESTAURANT
THE ROYAL GARAGE LIMITED	350 KENMOUNT RD	MS COMMERCIAL GARAGE
WENDY'S RESTAURANT-ROBIN MOORE	35 KENMOUNT RD	MS RESTAURANT
TIM HORTON DONUTS LTD.	151 KENMOUNT RD	MS RESTAURANT
BILL MATTHEWS' AUTOHAUS	211 KENMOUNT RD	MS CAR SALES LOT
PENNEY KIA INC.	497 KENMOUNT RD	MS CAR SALES LOT
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
WATERWORKS COMMUNICATIONS	96 LEMARCHANT RD	SN OFFICE
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
PRO-GLO LIMITED	33 O'LEARY AVE	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
10460 NEWFOUNDLAND INC.	180 PORTUGAL COVE RD	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
MCDONALD'S RESTAURANTS OF	14 STAVANGER DR	MS RESTAURANT
THE BUSINESS DEPOT LTD.	34 STAVANGER DR, BUSINESS DEPO	MS RETAIL STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR, BUSINESS DEPO	MS RETAIL STORE
SAMSHORE DAY SPA	386 STAVANGER DR	MS CLINIC
HERBAL MAGIC	386 STAVANGER DR, HERBAL MAGIC	MS RETAIL STORE
TELUS MOBILITY	15-27 STAVANGER DR	MS RETAIL STORE
10475 NFLD LTD.	644 TOPSAIL RD	MS CLUB
KARITSIOTIS ENTERPRISES LTD.	662 TOPSAIL RD	MS RESTAURANT
CHECKLIST COLLECTIBLES	653 TOPSAIL RD	MS RETAIL STORE
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
GRECO/CAPTAIN SUB	286 TORBAY RD	MS RESTAURANT

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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
HAWKNO HOLDINGS LIMITED	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
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
BARRETT'S BAKERY OUTLET	TORBAY ROAD-BARRETT'S BAKERY	MS BAKERY
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD, PETER'S PIZZA	MS RESTAURANT
DECORATING DESIGNS INC	445 TORBAY RD	MS RETAIL STORE
NORTH ATLANTIC REFINING LTD.	694 WATER ST, NORTH ATLANTIC	MS SERVICE STATION
HEALY'S PHARMACY LTD.	722 WATER ST	MS CLINIC
HUGO JARON	197 WATER ST, JARDON JEWELERY	SN RETAIL STORE
CHIMO CONSTRUCTION MGMT	ROBIN HOOD BAY RD, CON TRAILER	NC ACCESSORY BUILDING
CATHERINE P. BROOKS	562 WATER ST	RN MIXED USE
REITMANS (CANADA) LIMITED	AVALON MALL, WASHROOMS	RN RETAIL STORE
11115 NEWFOUNDLAND LTD.	288 WATER ST, 11115 NFLD LTD	CR TAVERN
ZEDD IT SOLUTIONS INC.	210 WATER ST	RN OFFICE
PHB GROUP INC	215 WATER ST - TOTALLY GREEK	CR RESTAURANT
IMPERIAL OIL LIMITED	460 KENMOUNT RD	NC ACCESSORY BUILDING

THIS WEEK \$ 151,600.00
TO DATE \$ 18,055,390.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
TO DATE \$ 1,524,967.00

CLASS: GOVERNMENT/INSTITUTIONAL

AUTISM SOCIETY	70 CLINCH CRES	NC MIXED USE
ATLANTIC PROPERTY MANAGEMENT	1 CROSBIE PL	CR ADMIN BLDG/GOV/NON-PROFIT
ATLANTIC BUSINESS INTERIORS	100 EAST WHITE HILLS RD	RN ADMIN BLDG/GOV/NON-PROFIT
GOULDS RECREATION CENTRE	509 MAIN RD, REC CENTRE	EX ADMIN BLDG/GOV/NON-PROFIT
CITY OF ST. JOHN'S	TOPSAIL ROAD, BEHIND PIPERS	NC ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 295,000.00
TO DATE \$ 8,037,622.00

CLASS: RESIDENTIAL

RON WALSH	8 ASHBOURNE DR - LOT 49	NC SINGLE DETACHED DWELLING
ROBERT HISCOCK	BACK LINE - LOT 6	NC SINGLE DETACHED DWELLING
WALLACE J BROWN	76 BLACKMARSH RD	NC ACCESSORY BUILDING
BILL WARREN	16 BRAD GUSHUE CRES-LOT 5-79	NC SINGLE DETACHED DWELLING
DONALD & DENISE DUNN	1 BRAD GUSHUE CRES, LOT 5-36	NC SINGLE DETACHED & SUB.APT
RONALD ROSE	21 BRAD GUSHUE CRES, LOT 46	NC SINGLE DETACHED DWELLING
GRANT BURRY	9 BRADSHAW PL	NC PATIO DECK
BOYD MORGAN	11 BROWNE CRES	NC ACCESSORY BUILDING
DAVID KING	100 CABOT ST	NC ACCESSORY BUILDING
RON MURPHY	38 CORPORAL JAMIE MURPHY ST	NC ACCESSORY BUILDING
BRADLEY HANCOCK &	40 COWAN AVE	NC ACCESSORY BUILDING
HARRY BARNES	93 COWAN AVE	NC FENCE

MARK & MICHELLE HEALY	42 DENSMORE'S LANE	NC SINGLE DETACHED DWELLING
JOSEPH W. & LAURA M. MELAY	29 DEVINE PL	NC FENCE
DERRICK JOYCE	24 DUMBARTON PL	NC ACCESSORY BUILDING
GARY DOYLE	24 DUNTARA CRES	NC ACCESSORY BUILDING
RANDY POWER	53 EASTBOURNE CRES	NC ACCESSORY BUILDING
ROSE A DROVER	89 EASTBOURNE CRES	NC ACCESSORY BUILDING
ROSE A DROVER	89 EASTBOURNE CRES	NC FENCE
JOSEPH F. STANLEY	103 EDISON PL	NC PATIO DECK
PAUL & YVONNE PARSLEY	509 EMPIRE AVE	NC ACCESSORY BUILDING
BRADLEY & KRISTA-LEE BUTLER	43 GREAT EASTERN AVE, LOT137NC	SINGLE DETACHED & SUB.APT
ANTHONY KNEE	41 HORLICK AVE	NC PATIO DECK
HANN CONSTRUCTION LIMITED	67 LARNER ST, LOT 256	NC SINGLE DETACHED DWELLING
CARDINAL HOMES LIMITED	4 MACLAREN PL, LOT 107	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LIMITED	5 MACLAREN PL, LOT 108	NC SEMI-DETACHED DWELLING
PATRICIA SMITH	27 MACLAREN PL	NC FENCE
DEREK CHAFE & MICHELLE WHELAN	25 MCKAY ST	NC PATIO DECK
KAREN & MARTIN HATTENHAUER	30 MCNEILY ST	NC ACCESSORY BUILDING
VIOLET BROWNE	43 MONKSTOWN RD	NC ACCESSORY BUILDING
PAUL BROWN AND ANGELA CUMBY	20 NEWFOUNDLAND DR	NC ACCESSORY BUILDING
WINNIE FLYNN	73 NOTRE DAME DR	NC ACCESSORY BUILDING
TERRY WALSH CONTRACTING	26 OTTER DR - LOT 86	NC SINGLE DETACHED DWELLING
TERRY WALSH CONSTRUCTION LTD.	28 OTTER DR, LOT 85	NC SINGLE DETACHED DWELLING
KIMBERLY ANNE LAWSON	107 PENNEY CRES	NC ACCESSORY BUILDING
FRANCIS MALONEY	43 PETTY HARBOUR ROAD	NC ACCESSORY BUILDING
NANCY WHITE	41 PRINCE OF WALES ST	NC FENCE
WILLIAM DERRAUGH	43 REID ST	NC PATIO DECK
STEVE POWER	SAVANNAH PARK DR	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	6 SERPENTINE ST, LOT 3	NC SINGLE DETACHED DWELLING
DONALD J NORMAN	2 TESSIER PL	NC PATIO DECK
H G BEACOCK	33 TREE TOP DR	NC FENCE
LARRY ADAMS	10 VEITCH CRES	NC ACCESSORY BUILDING
HANN CONSTRUCTION LIMITED	20 VEITCH CRES, LOT 242	NC SINGLE DETACHED DWELLING
HANN CONSTRUCTION LTD.	26 VEITCH CRES, LOT 245	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	34 VEITCH CRES, LOT 249	NC SINGLE DETACHED DWELLING
ALLAN WHITTY	26 WARFORD RD	NC SINGLE DETACHED DWELLING
SCOTT GRAHAM	38 GAMBIER ST	CR SUBSIDIARY APARTMENT
RICK MAJOR	121 MCNIVEN PL	CR SINGLE DETACHED DWELLING
COMPUS ENTERPRISES	215 WATER ST, MR. SUB	CR RESTAURANT
EDITH FUREY	106 WHITEWAY ST	CR SUBSIDIARY APARTMENT
GARY & JUDY QUINLAN	721 EMPIRE AVE	EX SINGLE DETACHED DWELLING
PHB GROUP INC.	107 RENNIE'S MILL RD	EX SINGLE DETACHED DWELLING
JENNIFER DROVER	40 ABERDEEN AVE	RN CLINIC
CONOR O'DEA	36 BOULEVARD	RN SINGLE DETACHED DWELLING
PAUL MURPHY CONST. LTD	29 BRAD GUSHUE CRES, LOT 50	RN SINGLE DETACHED DWELLING
ATIQ & IRAM AWAN	17 CESSNA ST	RN SINGLE DETACHED DWELLING
DR. DAVID GUY	44 CORNWALL AVE	RN SINGLE DETACHED & SUB.APT
MARY HAYES	12 CORONATION ST	RN TOWNHOUSING
LEE MACALLISTER	17 GOWER ST	RN SEMI-DETACHED DWELLING
LEE MACALLISTER	19 GOWER ST	RN SEMI-DETACHED DWELLING
MAUREEN MURPHY & KJELL RUSTAD	161 GOWER ST	RN SEMI-DETACHED DWELLING
TRABON CONSTRUCTION	62 PALM DR	RN SINGLE DETACHED DWELLING
NOEL & YOLANDA SHEEHAN	110 PLEASANT ST	RN SINGLE DETACHED DWELLING
MARIO ESCOBAR/AMANDA GAULTOIS	161 PLEASANT ST	RN SEMI-DETACHED DWELLING
KIMBERLEY D. SOPER	7 STEPHEN PL	RN SEMI-DETACHED DWELLING
GARY EMBERLEY	227 TOPSAIL RD	RN SINGLE DETACHED & SUB.APT
EDWARD & SYLVIA HEATH	76 VIRGINIA PL	RN SINGLE DETACHED DWELLING
BERNARD EVANS	9 LESLIE ST	SW SINGLE DETACHED & SUB.APT
CHAN CHAU & BETTY TAM	21 MARIGOLD PL	SW SWIMMING POOL

THIS WEEK \$ 3,490,220.00

TO DATE \$ 23,897,358.00

CLASS: DEMOLITION

HARVEY HANN	15 AIRPORT RD	DM SEMI-DETACHED DWELLING
HARVEY HANN	17 AIRPORT RD	DM SEMI-DETACHED DWELLING
URBAN CONTRACTING	17 HENRY ST	DM SEMI-DETACHED DWELLING

THIS WEEK \$ 6,100.00
 TO DATE \$ 174,956.00

THIS WEEK'S TOTAL: \$ 3,942,920.00

TOTAL YEAR TO DATE: \$ 51,690,293.00

REPAIR PERMITS ISSUED: 2007/05/03 TO 2007/05/09 \$ 79,500.00
 2006/12/28 TO 2007/05/09 \$ 621,230.00 YTD

LEGEND

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

Rejection:

B1 071081
 Meehan's Lane

Construction for Accessory Building is rejected as contrary to Sections 2 & 5 of the St. John's Development Regulations, as by definitions as accessory building is located on the same lot as the main building to which it is accessory, in this case there is no building on the subject property.

Payrolls and Accounts

SJMC2007-05-14/256R

It was decided on motion of Councillor Galgay; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending May 10, 2007, be approved:

**Weekly Payment Vouchers
 For The
 Week Ending May 10, 2007**

PAYROLL

Public Works	\$ 267,979.04
Bi-Weekly Casual	\$ 12,969.37

ACCOUNTS PAYABLE

Cheque No. 116038 - 116310 (Includes Direct Deposits/Transfers/Equip. Leasing)	\$ 2,141,695.61
Total:	\$2,422,644.02

Tenders

- a. Tender - Recreation Division Office Furniture
- b. Tender - Supply of Ready Mix Asphalt
- c. Tender – City Hall Roofing & Related Work

SJMC2007-05-14/257R

It was decided on motion of Councillor Puddister; seconded by Councillor Collins: That the recommendations of the Director of Building & Property Management and Director of Finance and City Treasurer be approved and the tenders awarded as follows:

- | | | | |
|----|------------------------|-----------------------------|--------------------------|
| a. | Sections 1, 2, 6, 7, 8 | Superior Office Interiors | \$29,437.00 + HST |
| | Section 3 | Island Office Furniture | \$ 3,040.00 + HST |
| | Section 4 & 5 | Atlantic Business Interiors | <u>\$ 796.00 + HST</u> |
| | | TOTAL | \$33,273.00 + HST |
- b. Cabot Ready Mix in the amount of \$62.25 per metric tonne (HST extra).
 - c. Atlantic Roofing Co. 1996 Ltd. for the amount of \$246,887.00 (including HST)

Groves Road – NF Power Easement

Council considered a memorandum dated May 4th, 2007 from the Chief Commissioner/City Solicitor regarding the upgrading of utility services in the Grovesdale Subdivision and the requirement by NF Power of a three metre wide easement over City land from Groves Road into the subdivision.

SJMC2007-05-14/258R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Hann: That approval be given to grant the Easement and that authority be given for the Mayor and City Clerk to execute the Easement Agreement.

Property Adjacent to 61 New Cove Road

Council considered a memorandum dated May 10th, 2007 from the Chief Commissioner/City Solicitor regarding the above noted matter.

SJMC2007-05-14/259R

It was decided on motion of Councillor Ellsworth; seconded by Councillor Puddister: That approval be given to execute the Quit Claim Deed for land adjacent to property situate civic # 61 New Cove Road. In exchange for this, the owner has agreed to grant to the City easement rights for maintenance of a sewer line that runs through the property.

Northeast Avalon Joint Councils – Meeting of May 16th, 2007

Council considered a memorandum dated May 9th, 2007 from Councillor Puddister regarding the hosting of the meeting of the Northeast Avalon Joint Council, and his request to host a small reception for 25 to 30 people after this meeting for an approximate cost of \$300.00.

SJMC2007-05-14/260R

It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That approval be given to host a reception for the Northeast Avalon Joint Councils, the approximate cost of which is \$300.00.

Coventry Way – East/West Arterial

Council considered an e-mail dated April 13th, 2007 from Jason Shaw regarding the growing concern among the residents of Coventry Way with respect to the impact of the East/West Arterial on this typically quiet neighbourhood. Deputy Mayor O’Keefe has advised that he has referred this query to the Dept. of Engineering for review and appropriate response.

Registration Approval for the Harris Centre Forum (May 16th, 2007)

Council considered a memorandum dated May 10th, 2007 requesting approval for the attendance and registration of Councillor Puddister at the Harris Centre Forum taking place on May 16th, 2007. The theme of the Forum is: “Economic Development Benefits of the Oil & Gas Industry in Newfoundland & Labrador.”

SJMC2007-05-14/261R

It was decided on motion of Councillor Galgay; seconded by Deputy Mayor O'Keefe: That Councillor Puddister's registration costs of \$228 (taxes included) be paid by the City.

2007 FCM-CH2M Hill Sustainable Community Awards

Council considered as information, a letter dated April 26th, 2007 from Gord Steeves, President of the Federation of Canadian Municipalities regarding the City's submission to the 2007 FCM-CH2M Hill Sustainable Community Awards. The City's project submission was not selected to receive an award. A certificate of recognition, however, was awarded to the City in light of its leadership efforts in sustainable community development.

YMCA-YWCA of Northeast Avalon

Council tabled a letter from Mr. Jason Brown, Chief Executive Officer of the YMCA-YWCA of Northeast Avalon with regard to the construction of the new St. John's Family Y facility, the total cost of which is estimated at \$10.5 million. This Organization has requested Council's financial support for cost-shared funding in the amount of \$1.5 million. The remainder of the cost is expected to come from provincial and federal capital funding in the amount of \$3 million as well as fund-raising initiatives and bank financing conducted by the YMCA. The YMCA-YWCA has also requested a Council resolution supporting their proposal to the Municipal/Rural Infrastructure Fund (MRIF) as a sponsor.

SJMC2007-05-14/262R

It was decided on motion of Deputy Mayor O'Keefe; seconded by Councillor Puddister, with Councillors Collins and Ellsworth dissenting: That the City commit \$1.5 million to the cost-shared project for the construction of the new Family Y Center, and further that a Council resolution supporting the MRIF proposal be approved.

Councillor Hickman, though speaking in favour of the motion did wish to suggest that Council's portion of funding be directly attributed toward the charitable and community aspect of the Organization as opposed to the gymnasium aspect.

Councillor Hann also questioned the status of information previously requested relative to the break-down of the 50/50 cost shared funding policy and the proposed implementation of a specific limited budget in this regard.

Water and Sewer – Robin Hood Bay

Council tabled a memorandum dated May 10th, 2007 from the Chief Commissioner/City Solicitor regarding the proposal by a group of property and business owners on Robin Hood Bay Road with respect to the provision of water and sewerage to Robin Hood Bay. A copy of the proposal from Mr. Chris Collingwood to cost-share the project with the City is on file with the City Clerk's Department.

SJMC2007-05-14/263R

It was decided on motion of Councillor Hickman; seconded by Councillor Puddister: That the City accept the proposal of the property owners on Robin Hood Bay Road and that the City pay the \$69,000 cost of oversizing the water main, which is required for City servicing the landfill and half of the cost of the water and sewer, \$278,000, for a total cost to the City of \$347,000. The source of the City's share will be the capital reserve for the landfill.

Deputy Mayor O'Keefe

Representatives from the City of St. John's have been invited by the Administration of the Rui Costa Sousa & Irmac Group in Portugal for the inauguration of the new plant and presentation of its mark of soaked cod deep frozen.

SJMC2007-05-14/264R

It was decided on motion of Councillor Hickman; seconded by Councillor Galgay: That the cost of airfare to Portugal for Deputy Mayor O'Keefe and Councillor Coombs to attend the above noted event, for which accommodations will be paid by the Administration of the Rui Costa Sousa & Irmac Group, be approved.

Councillor Tom Hann

Councillor Hann requested information on the rate of compliance for the covering-of-garbage by-law, noting that he has observed a significant lack thereof in various neighbourhoods throughout the City. This blatant disregard of the by-law is unfair to the residents who have gone through the expense to cover their garbage with nets or within approved containers. The City would need specific addresses to send out notices in this regard.

Councillor Ellsworth advised that violators who have been reported are in the process of being notified and warned that as of June 1st, their continued lack of compliance will result in them not getting their garbage picked up. Concern was expressed by members of Council about this strategy, noting that it defeats the overall purpose of the by-law, that being to have a cleaner City. It was speculated that many of those not in compliance would not be particularly concerned about the fact that their garbage is not going to be picked up, and they will continue to violate the by-law. Councillor Ellsworth stated, however, that there are measures in place to address these issues.

Councillor Art Puddister

Councillor Puddister referenced the successful application of Cruise Newfoundland and Labrador, and referenced the assistance of Federal MP Loyola Hearn in helping to facilitate its success.

Councillor Frank Galgay

Councillor Galgay advised that there will be a public meeting of the Georgestown Neighbourhood Association taking place on Tuesday, May 29th, 2007 at 7:30 p.m. at St. Bon's Gymnasium.

Councillor Keith Coombs

Councillor Coombs referenced the International Symposium on Oil & Gas Resources being held in the City of Corner Brook and that City's request to the City of St. John's to

provide some financial support in aid of the Symposium. Such an event will benefit the Province of Newfoundland and Labrador as a whole, including the City of St. John's.

SJMC2007-05-14/265R

It was decided on motion of Councillor Coombs; seconded by Councillor Galgay: That \$2000 be given to the City of Corner Brook in aid of their hosting of the International Symposium on Oil & Gas Resources.

Councillor Ron Ellsworth

Councillor Ellsworth referenced the presentation which took place prior to this meeting, conducted by Mr. Jason Sinyard, Manager of Waste Management and Ms. Janine Pillar, Supervisor of Waste Diversion. He commended the City's staff involved with the implementation of the City's Recycling Program and looked forward to a successful pilot project which will eventually lead to the development of a permanent recycling program in this regard.

Councillor Ellsworth referenced the recent rally held on Friday, May 11th, 2007, at Confederation Building which was well attended by the general public. The purpose of the rally was to protest the Federal Government's unfair treatment of the Province with respect to the equalization payments for offshore oil and gas revenues.

Councillor Wally Collins

Councillor Collins referenced a meeting of the Southbrook Residents Committee to be held on Tuesday, May 15th, 2007 at 7:00 p.m., at City Hall in Conference Room "A".

Adjournment

There being no further business, the meeting adjourned at 6:00 p.m.

MAYOR

CITY CLERK