

May 16, 2011

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

Acting Mayor Duff presided.

There were present also Councillors O'Leary, Hickman, Hann, Galgay, Breen, Tilley, and Collins.

Regrets: His Worship the Mayor and Councillors Hanlon and Colbert.

The City Manager, Deputy City Manager/Director of Corporate Services & City Clerk, Director of Planning, Director of Engineering, City Solicitor, Acting Director of Public Works & Parks, and the Recording Secretary were also in attendance.

#### **Adoption of the Agenda**

##### **SJMC2011-05-16/248R**

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

- a. **Letter dated May 11, 2011, from the Grand Concourse Authority re: Projects Completed by the Grand Concourse Authority in the 20 Year Period from 1990-2010**
- b. **Letter dated May 4, 2011, from the Honourable Darin King, Minister of Human Resources, Labour and Employment and Minister Responsible for the Newfoundland and Labrador Housing Corporation re: Development of the Provincial Social Plan**

#### **Adoption of the Minutes**

##### **SJMC2011-05-16/249R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins: That the minutes of the meeting held on May 9, 2011, be adopted as presented.**

#### **Application for an Indoor Bicycle & Skateboard Facility – Civic No. 77 Blackmarsh Road**

Under business arising, Council considered a memorandum dated May 11, 2011, from the Director of Planning regarding the above noted matter.

Councillor Galgay advised that Council had received 23 letters of support and 10 letters of objection/concern in relation to the application. In addition, he noted that today he had received a petition of opposition to the application from an area resident which contained 21 signatures. (A copy of the petition was tabled and is on file with the City Clerk's Department.) On May 5<sup>th</sup>, a meeting was held at the applicant's current business location on Waterford Bridge Road, and the residents who had indicated opposition to the application were invited to tour the facility and meet with the owner. Councillor Galgay indicated that while the concerns expressed by area residents were important, the business has been operating at its current location on Waterford Bridge Road for a number of years without any complaints from the abutting residential properties.

**SJMC2011-05-16/250R**

**It was moved by Councillor Galgay; seconded by Councillor O'Leary: That the application from Turndown BMX Inc. for an Indoor Bicycle and Skateboard Facility at Civic No. 77 Blackmarsh Road be approved.**

Deputy Mayor Duff and Councillors Tilley, Hann, Hickman, and O'Leary spoke in favour of the motion, noting that the owner's track record at the facility's current location has been very good; there is a need for more indoor recreation facilities in the City for youth and adults; and the proposed location is in a commercial area which is easily accessible for prospective clients of the business.

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

**Proposed Rezoning of Property – Civic No. 69 King's Bridge Road**

Under business arising, Council considered a memorandum dated May 11, 2011, from the Director of Planning regarding the above noted matter.

**SJMC2011-05-16/251R**

**It was decided on motion of Councillor Hickman; seconded by Councillor Hann: That the following Resolution for St. John's Municipal Plan Amendment Number 92, 2011 and St. John's Development Regulations Amendment Number 509, 2011, be approved, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act:**

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

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

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

**“Redesignate property located at 69 King's Bridge Road from the Residential Low Density Land Use District to the Commercial General Land Use District as shown on Map III-1A attached.”**

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

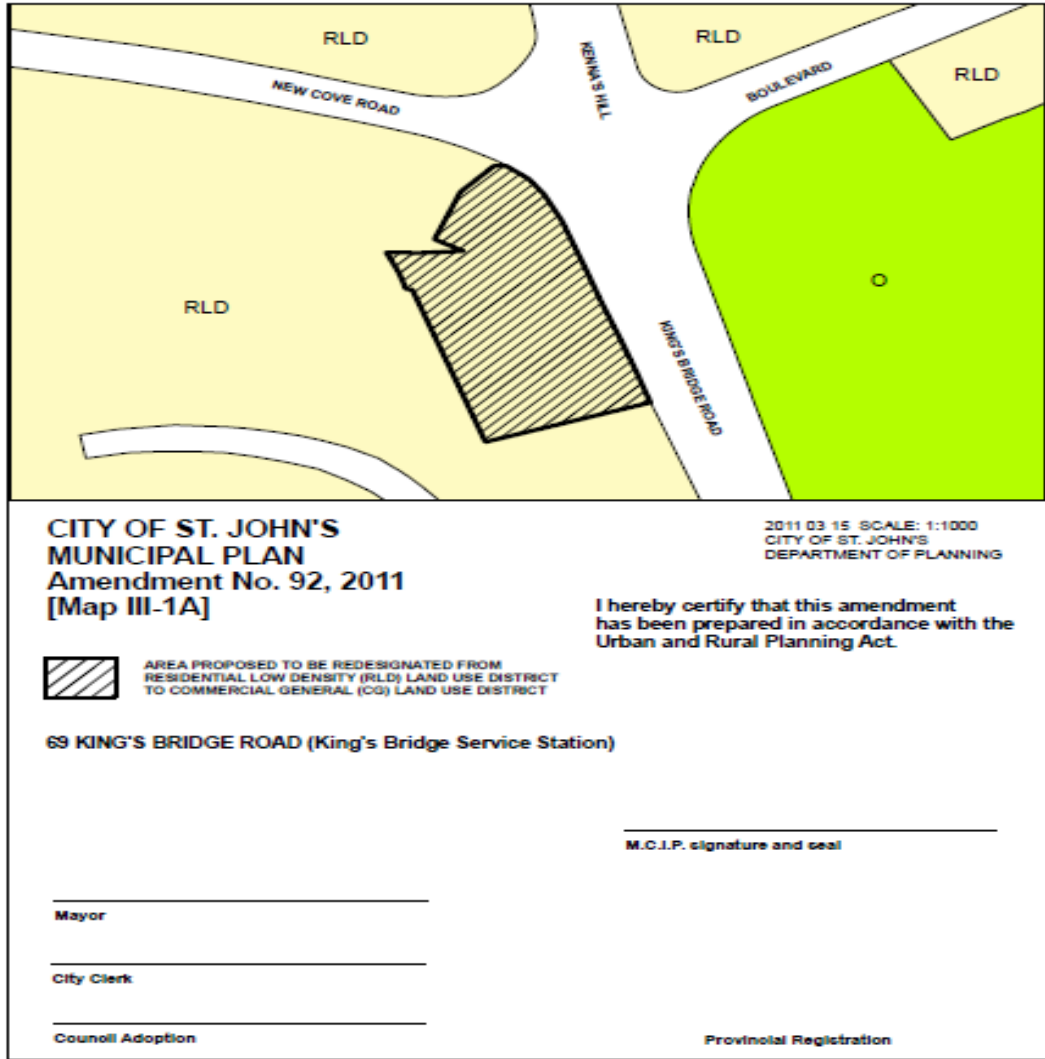
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 16<sup>th</sup> day of **May, 2011**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

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

\_\_\_\_\_  
MCIP



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

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

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

**“Rezone property located at 69 King's Bridge Road from the Residential Low Density (R1) Zone to the Commercial Neighbourhood (CN) Zone as shown on Map Z-1A attached.”**

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

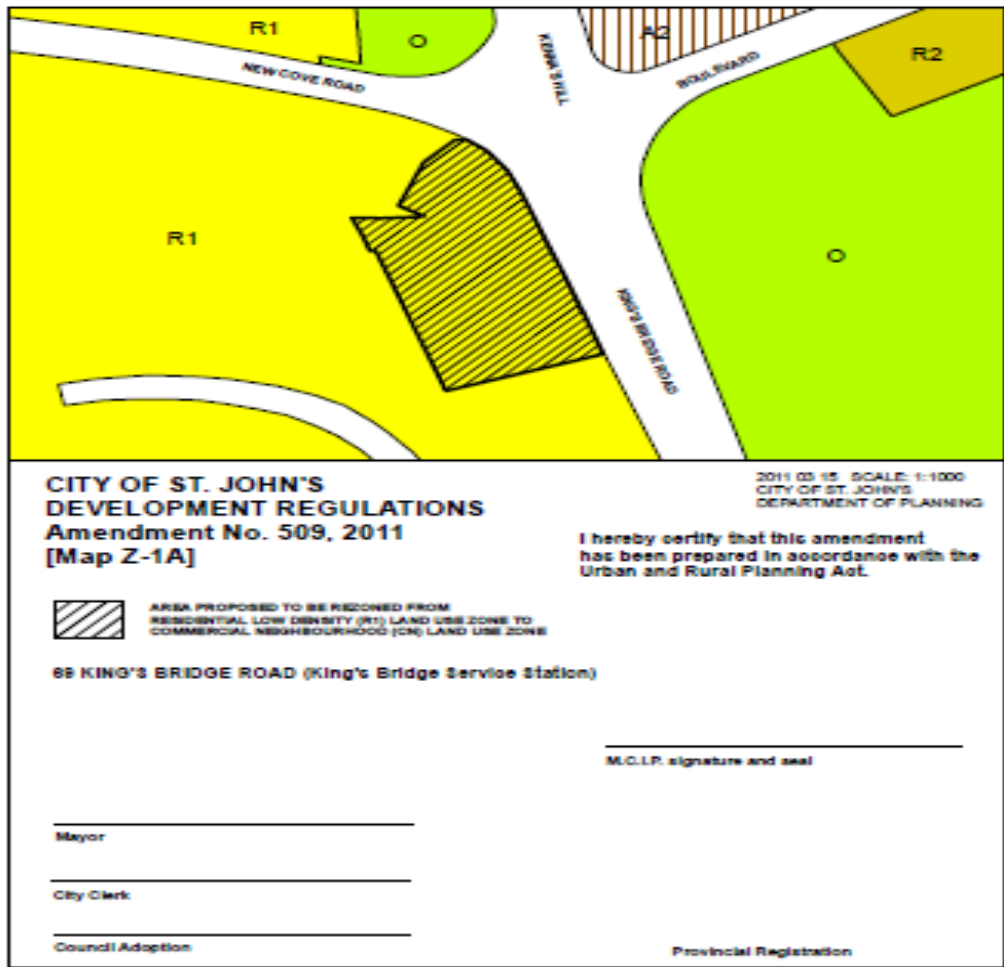
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this 16th day of **May, 2011**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Director of Corporate Services/  
City Clerk**

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

\_\_\_\_\_  
MCIP



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

**Notices Published**

1. **A Discretionary Use Application** has been submitted by Athena Holdings Limited requesting a liquor license in conjunction with their proposed Salon located at **Civic No. 502 Topsail Road (formerly Tim Horton's)**. The total floor area of the Salon is 200 m<sup>2</sup>. Alcohol may be served to waiting clients in the lobby which occupies 20 m<sup>2</sup> of floor area. **(Ward 3)**

One Letter of Concern Submitted

**SJMC2011-05-16/252R**

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

2. **A Discretionary Use Application** has been submitted by Sean Vinnicombe requesting permission to construct a four (4) unit dwelling at **Civic No. 10 Whitty Place**. Four (4) on-site parking spaces will be provided. The subject building is located in the Residential Medium Density (R2) Zone where Multiple Dwellings are a Discretionary Use. **(Ward 5)**

**SJMC2011-05-16/253R**

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

3. **A Change of Non-Conforming Use Application** has been submitted by Brad Fisher requesting permission to convert the main floor of **Civic No. 29 Howley Avenue Extension** (former location of "In Tune") to accommodate three (3) commercial occupancies. **(Ward 2)**

**SJMC2011-05-16/254R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Breen: That the application be approved.**

**Development Committee Report – May 10, 2011**

Council considered the following report from the Development Committee dated May 10, 2011:

**RECOMMENDATION OF APPROVAL:**

1. **Crown Land Grant Referral Application No. 138603**  
**Proposed Commercial Zip Line**  
**North Atlantic Zip Line Inc.**  
**Petty Harbour Road (Ward 5)**

The Development Committee recommends that Council approve the above noted Crown Land Grant referral for North Atlantic Zip Line.

Robert F. Smart  
City Manager  
Chair – Development Committee

**SJMC2011-05-16/255R**

**It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the Development Committee’s recommendation be approved.**

**Planning Committee Report – May 11, 2011**

Council considered the following report from the Planning Committee dated May 11, 2011:

In Attendance:           Councillor Frank Galgay, Chairperson  
                                  Deputy Mayor Shannie Duff  
                                  Councillor Sandy Hickman  
                                  Councillor Tom Hann  
                                  Councillor Danny Breen  
                                  Councillor Bruce Tilley  
                                  Mr. Bob Smart, City Manager  
                                  Mr. Cliff Johnston, Director of Planning  
                                  Mr. Walt Mills, Director of Engineering  
                                  Mr. Dave Blackmore, Director of Building & Property Management  
                                  Mr. Jason Sinyard, Acting Director of Public Works & Parks  
                                  Mr. Ken O’Brien, Manager of Planning & Information  
                                  Mr. Jim Clarke, Manager of Streets & Parks  
                                  Mr. Robin King, Transportation Engineer  
                                  Mr. Dave Wadden, Hydrological Engineer  
                                  Ms. Jennifer Mills, Communications Officer  
                                  Ms. Kelly Butler, Recording Secretary

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

**1.     Delegation – Representatives from Fortis Properties Corporation and Sheppard Case Architects re: Proposed New Office Building – New Gower Street/Springdale Street (Ward 2)**

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The Committee met with representatives of Fortis Properties Corporation (Ms. Nora Duke, Mr. Terry Chaffey, Mr. Monty Hunter, Ms. Gail Tucker) and Sheppard Case Architects (Mr. Jim Case) to discuss the above noted application. The Committee also considered the **attached** memorandum dated May 9, 2011, from the Director of Planning and reviewed a Power Point

presentation prepared by Mr. Jim Case and a View Plane Analysis prepared by City Staff. *(Copies of these presentations are included in this report under separate cover.)*

Mr. Case provided an overview of the proposed office building project including information on the proposed design, building height, building area, elevations, traffic flows to and from the site, and proposed parking.

**The Committee recommends, on motion of Councillor Breen; seconded by Deputy Mayor Duff: That the applicants be requested to undertake a Land Use Assessment Report for the proposed office building development, including a traffic impact analysis. (The proposed Terms of Reference for the Land Use Assessment Report are attached for consideration of approval by Council.)**

**The Committee also agreed that once the assessment report has been reviewed by City staff to ensure all applicable information has been provided, the assessment report and the matter of the proposed rezoning of the application site from the Commercial Central Mixed (CCM) Zone to the Commercial Central Office (CCO) Zone be referred to a public meeting to be chaired by a member of Council.**

**2. Delegation – Mr. Gerald Power re: Proposed Rezoning of Property to Accommodate a Proposed Residential Dwelling – Ballast Road/Quidi Vidi Village Road (Ward 2)**

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The Committee met with Mr. Gerald Power to discuss his rezoning application. The Committee also considered the **attached** memorandum dated May 5, 2011, from the Manager of Planning and Information and the Director of Planning.

Mr. Power provided the Committee with a brief history of the subject property and an overview of his previous rezoning applications.

**The Committee recommends, on motion of Councillor Hickman; seconded by Deputy Mayor Duff: That the application be rejected. The proposed rezoning of back land to accommodate residential development would not be appropriate for this location. The landlocked site is atop a low rocky hill which borders the boundary of the Signal Hill National Historic Site, and within an area designated as Open Space by both the Planning Area 2 Development Plan under the St. John’s Municipal Plan and the Quidi Vidi Village Development Plan.**

**3. Proposed Rezoning of Property – Gerald and Marie Conroy – Civic No. 11 Lee’s Road (Ward 5)**

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The Committee considered the **attached** memorandum dated May 6, 2011, from the Manager of Planning and Information and the Director of Planning regarding the above noted application.

**The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Breen: That the rezoning application be advertised for public review and comment.**



#### **4. Review of the St. John's Municipal Plan**

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The Committee considered the **attached** memorandum dated May 4, 2011, from the Director of Planning regarding the above noted matter.

**The Committee recommends, on motion of Councillor Hickman; seconded by Deputy Mayor Duff: That a Notice of Motion be given to rescind Council's decision of March 3, 2008, to defer the five year review of the St. John's Municipal Plan and the St. John's Development Regulations until the preparation of the new Northeast Avalon Regional Plan is completed. A Notice of Motion is attached for Council's consideration.**

**The Committee further recommends that the Department of Planning be directed to prepare a proposed project charter/work program for the Municipal Plan Review to be considered by the Planning Committee at a future meeting of the Committee.**

#### **5. Pippy Park Heritage Committee**

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The Committee considered the **attached** memorandum dated May 11, 2011, from the Director of Planning regarding the above noted matter.

**The Committee recommends that Mr. Ken O'Brien, Manager of Planning and Information, serve as the City's representative on the Pippy Park Heritage Committee.**

#### **6. Municipalities Newfoundland and Labrador Regional Government Workbooks**

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The Committee considered the **attached** letter dated March 9, 2011, from Municipalities Newfoundland and Labrador regarding the above noted matter. *(Copies of the workbook are available from the City Clerk's Department.)*

**The Committee directed that staff prepare a recommendation on how to proceed in responding to the workbook document which Municipalities Newfoundland and Labrador has requested be completed by December 1, 2011.**

#### **7. Canadian Institute of Planners' National Conference**

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The Committee reviewed as information the **attached** preliminary program for the above noted national conference which will be taking place in St. John's from July 10-13, 2011. It was noted that approximately 600 delegates are anticipated to attend.

Councillor Frank Galgay  
Chairperson

#### **SJMC2011-05-16/256R**

**It was moved by Councillor Galgay; seconded by Councillor Hann: That the recommendations of the Planning Committee be approved.**

Regarding Item #1, Deputy Mayor Duff and Councillor Tilley expressed their support for the proposed office building, noting that the site was designated for this type of development. Deputy Mayor Duff also commended the architect on the proposed design for the building.

Regarding Item #4, Deputy Mayor Duff and Councillors Hann, Tilley and O’Leary expressed their support for moving ahead with the City’s Municipal Plan Review, noting that the process should be inclusive to ensure that all citizens get an opportunity to provide input into the Municipal Plan. Deputy Mayor Duff suggested that the first step should be a visioning exercise to gather public opinion on where residents want to see their City in 10-20 years time.

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

**Parks and Recreation Committee Report – May 12, 2011**

Council considered the following report from the Parks and Recreation Committee dated May 12, 2011:

In Attendance:           Councillor Wally Collins, Chairperson  
                                  Councillor Danny Breen  
                                  Councillor Tom Hann  
                                  Councillor Sandy Hickman  
                                  Councillor Frank Galgay  
                                  Councillor Bruce Tilley  
                                  Robert Smart, City Manager  
                                  Jill Brewer, Director of Recreation  
                                  Dave Blackmore, Director of Building & Property Management  
                                  Bob Bishop, Director of Finance & City Treasurer  
                                  Jason Sinyard, Acting Director of Public Works  
                                  Natalie Godden, Manager of Family & Leisure Services  
                                  Heather Hickman, Manager – Community Development  
                                  Tanya Haywood, Manager – Facilities Division  
                                  Carla Lawrence, Manager – Youth Soccer  
                                  Jim Clarke, Manager of Streets & Parks  
                                  Karen Chafe, Recording Secretary

**Report:**

1.     **Goulds Recreation Association – Budgetary Requirements**  
The Committee met with the following members of the Goulds Recreation Association: Michelle Downey, Susan Putt, Nicole Chaytor and David Ryan. The delegation provided the Committee with an indepth review of their background history and financial situation. Since amalgamation with the City in 1992, the Association has provided comparable

recreational programming to the Goulds community at substantially lower cost than could be done by the City's Dept. of Recreation. The City provides a yearly grant of \$138,600 which prior to 2008 was \$128,600. Reference was made to the ever-increasing challenges of providing consistent programming in light of rising costs, particularly the increase of the minimum wage. The Goulds Recreation Association has tried to address this increase by increasing its program and facility rental fees as well as the elimination of two summer positions. Rates for the fall/winter/spring casual staff have also been frozen to minimum wage.

The Goulds Recreation Association has requested that Council provide an increase of \$15,000 to its annual grant to offset the increased expenditures for salaries which will bring the summer wage levels in line with the \$10.00/hr minimum wage. The increase will also help to offset building maintenance expenditures.

**The Committee on motion of Councillor Hann; seconded by Councillor Tilley: recommends that Council approve the additional funding increase of \$15,000 to the Goulds Recreation Association for a total annual grant of \$153,600 and that the funding allocation be referred to City staff to determine where it should be funded within the City's overall budget.**

**2. Neighbourhood Watch Advisory Committee Appointments**

The Committee considered the attached background information outlining the Neighbourhood Watch Advisory Committee Membership.

**The Committee on motion of Councillor Galgay; seconded by Councillor Tilley recommends that Council approve the recommendations for Committee membership as outlined and further that the position of Chairperson be selected by majority vote of the Neighbourhood Watch Advisory Committee.**

**Councillor Wally Collins  
Chairperson**

**SJMC2011-05-16/257R**

**It was moved by Councillor Collins; seconded by Councillor Tilley: That the recommendations of the Parks and Recreation Committee be approved.**

Regarding Item #1, Councillors Tilley and Galgay spoke in support for the increase in the annual grant provided to the Goulds Recreation Association, and commended the organization on the excellent services and programs that it provides to the community.

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

With respect to the Neighbourhood Watch Advisory Committee, Councillor O'Leary inquired if there was a requirement Council representation on that Committee, and she expressed interested in becoming a part of the Committee.

**SJMC2011-05-16/258R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That Councillor O'Leary be appointed as Council's representative on the Neighbourhood Watch Advisory Committee.**

**Special Events Advisory Committee Report – May 11, 2011**

Council considered the following report from the Special Events Advisory Committee Report dated May 11, 2011:

- 1) **Event:** Athletics NorthEast Running Club Duathlon  
**Location:** Gould's  
**Date:** June 5<sup>th</sup>, 2011  
**Time:** 7:00 am to 10:00 am

Back Line Road – Ruby Line to Doolings Line  
Cochrane Pond Road  
Ruby Line – Main Road to Robert E. Howlett

Residents have already been advised of the proposed closures, no objections were raised. Access will be maintained for emergency vehicles at all times.

**Recommendation:**

It is the recommendation of the Committee that Council approve the above noted events, subject to the conditions set out by the Special Events Advisory Committee.

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Robin King, P. Eng.  
Chair – Special Events Advisory Committee

**SJMC2011-05-16/259R**

**It was decided on motion of Councillor Breen; seconded by Councillor Hickman: That the recommendation of the Special Events Advisory Committee be approved.**

**Development Permits List**

Council considered the following Development Permits List for the period May 6 to 12, 2011:

DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF May 6, 2011 TO May 12, 2011

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Justin Emberley	Home Office – Electrical Contracting	42 McKay Street	2	Approved	11-05-09
RES	Jerome Quinlan	Demolition & Rebuild of Single Detached Dwelling	29 Dillon Crescent	5	Approved	11-05-10

<p>* Code Classification:  RES- Residential  COM- Commercial  AG - Agriculture  OT - Other</p>	<p>INST - Institutional  IND - Industrial</p>
<p>** 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.</p>	

Gerard Doran  
Development Officer  
Department of Planning

**Building Permits List**

**SJMC2011-05-16/260R**

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

2011/05/11

Permits List

**CLASS: COMMERCIAL**

COMMUNITY YOUTH NETWORK	206 DUCKWORTH ST	CO OFFICE
64115 NFLD & LABRADOR INC.	312 WATER ST	CO TAVERN
WIN HOP INC.	197 WATER ST - LIVING PLANET	CO RETAIL STORE
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
GALAXY TRAVEL INC.	271 BLACKMARSH RD	MS OFFICE
BLACKMARSH MINI MART & DELI	711 BLACKMARSH RD	MS CONVENIENCE STORE
LAWTONS DRUGS	11 ELIZABETH AVE	SN PHARMACY
LAURIER LOUNGE	301 HAMILTON AVE	MS TAVERN
CAA ATLANTIC SERVICES LIMITED	55 KELSEY DR	MS OFFICE
PET ZONE	193 KENMOUNT RD	MS RETAIL STORE
LOU'S AUTOMOTIVE & INDUSTRIAL	468 LOGY BAY RD	MS COMMERCIAL GARAGE
GOULDS IRVING	358 MAIN RD	MS SERVICE STATION
ARIZONA HEAT INC.	38 ROPEWALK LANE	MS SERVICE SHOP
PC MEDIC INCORPORATED	16 STAVANGER DR	MS OFFICE
SHARKEY'S CUTS KIDS	140 STAVANGER DR	MS SERVICE SHOP
ARIZONA HEAT INC.	386 STAVANGER DR	MS SERVICE SHOP
GRANITE DEPARTMENT STORE INC.	272-276 TORBAY RD, PIPERS	SN RETAIL STORE
CONVERGYS CUSTOMER MANAGEMENT	TORBAY RD	MS OFFICE
SHOPPERS DRUG MART	155 TORBAY RD	SN PHARMACY
MEGA WRAPS	585 TORBAY RD	MS EATING ESTABLISHMENT
FMC TECHNOLOGIES	475 WATER ST	SN OFFICE
JOANNE DOBBIN	87-89 RENNIE'S MILL RD	NC ACCESSORY BUILDING
IAN KIELEY	484-490 MAIN RD, UNIT #2	CR OFFICE
MAGIC WOK LIMITED	402 WATER ST	RN RESTAURANT
NEWCO METAL & AUTO RECYCLING	46-50 ROBIN HOOD BAY RD	RN SERVICE SHOP
LOBLAWS PROPERTIES LIMITED	20 LAKE AVE	RN RETAIL STORE
PHB GROUP INC.	99 AIRPORT RD	TI OFFICE
SHOPPERS DRUG MART	155 TORBAY RD, SHOPPERS CLINIC	RN CLINIC
FACILITIES DESIGN GROUP INC.	21 HALLETT CRES PATHIX ASP	RN OFFICE
LAWTONS MEDICAL CLINIC	11 ELIZABETH AVE	RN CLINIC
NFLD. TEACHERS ASSOCIATION	3 KENMOUNT RD	RN OFFICE
		THIS WEEK \$ 2,431,864.00

**CLASS: INDUSTRIAL**

CROSBIE INDUSTRIAL SERVICES	410 LOGY BAY RD	RN INDUSTRIAL USE
		THIS WEEK \$ 1,100,000.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

HAZELWOOD ELEMENTARY SCHOOL	391 TOPSAIL RD	MS SCHOOL
		THIS WEEK \$ .00

**CLASS: RESIDENTIAL**

LUCINA HEARN	35A AIRPORT RD	NC FENCE
PRO-TECH CONSTRUCTION LTD	17 ALDERGROVE PL, LOT 245	NC SINGLE DETACHED & SUB.APT
61162 NFLD & LAB LTD	18 ANTELOPE ST, LOT 93	NC SINGLE DETACHED DWELLING
ERCO HOMES	58 BLUE PUTTEE DR, LOT 129	NC SINGLE DETACHED DWELLING
JASON R. WILLIAMS AND	39 BURRY PORT ST	NC ACCESSORY BUILDING
ROCK SOLID HOME BUILDERS	12 CANSO PL, LOT 4	NC SINGLE DETACHED & SUB.APT
FRANCIS ST. CROIX AND	14 CASTLE BRIDGE DR	NC ACCESSORY BUILDING

PRO-TECH CONSTRUCTION	77 CASTLE BRIDGE DR, LOT 102	NC SINGLE DETACHED DWELLING
MARK WHIFFEN & KRISTA BURSEY	13 CESSNA ST	NC FENCE
MACINTYRE HOMES	134 CHEESEMAN DR, LOT 28	NC SINGLE DETACHED DWELLING
DON GIBBONS	141 CHEESEMAN DR, LOT 43	NC SINGLE DETACHED DWELLING
CLAUDE & SANDRA DALEY	64 COCHRANE ST	NC FENCE
ERCO HOMES	26 COUNTRY GROVE PL, LOT 58	NC SINGLE DETACHED DWELLING
VIPUL ACHARYA	12 COWAN AVE	NC PATIO DECK
P MAXINE MERCER	36 DUNTARA CRES	NC FENCE
ROXANNE CALLAHAN	78 EASTBOURNE CRES	NC FENCE
ANAND MOHAN SHARAN	67 ENNIS AVE	NC PATIO DECK
ROGER LEWIS	35 ERLEY ST	NC ACCESSORY BUILDING
EDWARD JOSEPH DOODY	12 FIRDALE DR	NC ACCESSORY BUILDING
NAVIGATOR CONTRACTING INC.	144 GREAT EASTERN AVE, LOT 111	NC SINGLE DETACHED & SUB.APT
ERNEST BROWN	160 GREAT EASTERN AVE, LOT 119	NC SINGLE DETACHED & SUB.APT
FAIRVIEW INVESTMENTS LIMITED	149 GREAT EASTERN AVE, LOT 127	NC SINGLE DETACHED DWELLING
KERRY WHALEN	188 GREEN ACRE DR	NC FENCE
THOMAS & NORMA SPARKES	19 HATCHER ST	NC PATIO DECK
ROBERT S. STARKES	32 HEFFERNAN'S LINE	NC FENCE
ROBERT S. STARKES AND	32 HEFFERNAN'S LINE	NC ACCESSORY BUILDING
FORD BUTLER & RUTH BUTLER	61 HOPEDALE CRES	NC ACCESSORY BUILDING
GLENN MAHER AND	16 ICELAND PL	NC PATIO DECK
PAUL MURPHY CONSTRUCTION LTD	10 JUDGE PL, LOT 3	NC SINGLE DETACHED DWELLING
GIBRALTAR DEVELOPMENT LIMITED	65 JULIEANN PL, LOT 124	NC SINGLE DETACHED DWELLING
LEONA LUNDRIGAN	31-33 LAKE VIEW DR	NC PATIO DECK
CHRISTOPHER FOLEY &	78 MACBETH DR	NC FENCE
HANN CONSTRUCTION LTD.	28 MCCRAE ST, LOT 143	NC SINGLE DETACHED DWELLING
HANN CONSTRUCTION LTD	5 MCCRAE ST, LOT 124	NC SINGLE DETACHED DWELLING
SKYMARK CONTRACTING	4 MARGARET'S PLACE	NC SEMI-DETACHED DWELLING
STEVEN DUNCAN	118 MILITARY RD	NC SINGLE DETACHED DWELLING
JEFFREY D. KEATING	112 MONTAGUE ST	NC FENCE
GISELLE BELBIN &	5 MORRIS AVE	NC FENCE
ROY HYNES	60-62 MOUNTAINVIEW DR	NC SINGLE DETACHED DWELLING
CHRISTOPHER STUCKLESS &	41 NAVAJO PL	NC ACCESSORY BUILDING
BRAD PEDDLE CONTRACTING INC.	5 OBERON ST, LOT 141	NC SINGLE DETACHED DWELLING
JOHN BLAIR DOYLE AND	59 OTTER DR	NC ACCESSORY BUILDING
ERNEST & EDNA GEDGE &	23 PICEA LANE	NC ACCESSORY BUILDING
KURT & DEBORAH MARTIN	9 PROSPERO PL	NC FENCE
STEADFAST CONTRACTING LTD.	22 ROSALIND ST, LOT 393	NC SINGLE DETACHED & SUB.APT
WILLIAM & KIMBERLEY HALEY	14 ROSSCOMMON PL	NC ACCESSORY BUILDING
MELISSA ANGEL	600 SOUTHSIDE RD	NC ACCESSORY BUILDING
PIERRE RYAN &	51 SPENCER ST	NC ACCESSORY BUILDING
DONALD HILLIER & JEAN HILLIER	12 STEER ST	NC FENCE
DUANE & MARY WALSH	14 STIRLING CRES	NC PATIO DECK
MACINTYRE HOMES & RENOVATIONS	11 SUMAC ST, LOT 86	NC SINGLE DETACHED & SUB.APT
OWEN COMBDEN & SHIANNE COLLINS	602 TOPSAIL RD	NC FENCE
NORTHERN PROPERTY HOLDINGS	5 WADLAND CRES	NC ACCESSORY BUILDING
DIANE SKIPTON AND	42 MCKAY ST	CO HOME OFFICE
HENNESSEY'S GUEST HOME	222 OLD BAY BULLS RD	CO LODGING HOUSE
AMANDA JACQUELINE BURTON	70 OLD PETTY HARBOUR RD	CO HOME OFFICE
KEVIN F. RICKETTS	98 DURDLE DR	EX SINGLE DETACHED & SUB.APT
RICHARD GOUGH	17 GRIEVE ST	EX SINGLE DETACHED DWELLING
IAN BARTLETT	12 NAVAJO PL	EX PATIO DECK
PATRICIA RYAN	90 PORTUGAL COVE RD	EX SINGLE DETACHED DWELLING
RALPH RYAN	11 PRINCE CHARLES PL	EX SINGLE DETACHED DWELLING
GREGORY WALSH	46 BARROWS RD	RN SINGLE DETACHED DWELLING
LEWISPORTE HOLDINGS LTD &	225 BLACKMARSH RD	RN APARTMENT BUILDING
KEITH HOLLOHAN & RAYLENE SMITH	44 BONAVISTA ST	RN SINGLE DETACHED DWELLING
STEPHEN HAYES	12 CASHIN AVE	RN APARTMENT BUILDING
ROBERT YOUNG	12 CONWAY CRES	RN SINGLE DETACHED DWELLING
PAUL MURPHY CONSTRUCTION	3 JUDGE PL, LOT 8	RN SINGLE DETACHED DWELLING
LEWIS HOLDINGS LTD.	39 LESLIE ST	RN SEMI-DETACHED DWELLING
LEWIS FISCHER &	19 LUNENBURG ST	RN FENCE
WILLIAM & JANICE WADDEN	21 LUNENBURG ST	RN FENCE
DEREK TIBBS	3 MACPHERSON AVE	RN SINGLE DETACHED & SUB.APT

SHEILA CROSBIE 53 MAYOR AVE  
SARAH TUZIAK AND PETER TUZIAK 16 MULLOCK ST

RN SINGLE DETACHED DWELLING  
RN SEMI-DETACHED DWELLING

THIS WEEK \$ 5,501,540.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00

THIS WEEK'S TOTAL: \$ 9,033,404.00

REPAIR PERMITS ISSUED: 2011/05/05 TO 2011/05/11 \$ 98,250.00

LEGEND

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

**Payrolls and Accounts**

**SJMC2011-05-16/261R**

**It was decided on motion of Councillor Tilley; seconded by Councillor O'Leary: That the following Payrolls and Accounts for the week ending May 12, 2011, be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending May 12, 2011**

**PAYROLL**

Public Works	\$ 362,251.79
Bi-Weekly Administration	\$ 672,697.78



Bi-Weekly Management	\$ 631,558.63
Fire Department	\$ 649,917.54
<b>ACCOUNTS PAYABLE</b>	<b>\$ 2,325,225.61</b>

**Total: \$ 4,641,651.35**

**Tenders**

- a. Tender – Crushed Washed Stone
- b. Tender – Sodium Bisulphite
- c. Tender – Traffic Signal Poles
- d. Tender – Ball Field Sand and Pea Gravel
- e. Tender – Crushed Washed Stone
- f. Tender – Robin Hood Bay Landfill Re-engineering – Contract 23 Landfill Gas Collection System Expansion 2011
- g. RFP – Robin Hood Bay Waste Management Facility Household Hazardous Waste Facility Operations Contract
- h. Tender – 2011 Watermain Improvements
- i. Tender – Waterford River Retaining Wall Replacement (Bowring Park)
- j. Tender – Demolition – 103 Southern Shore Highway; 150 Southern Shore Highway; and 325 Southern Shore Highway

**SJMC2011-05-16/262R**

**It was moved by Councillor Tilley; seconded by Councillor Hickman: That the recommendations of the Director of Finance and City Treasurer; the Acting Director of Public Works and Parks; the Director of Engineering; and the Director of Building and Property Management be approved and the tenders awarded as follows:**

- a. **Cabot Ready Mix @ \$26,150.00 (taxes not included)**
- b. **Brenntag Canada Inc @ \$44,000.00 (sole bidder) (taxes not included)**
- c. **Mallard Forestry Equipment @ \$130,480.08 (taxes not included)**
- d. **Butler's Sand & Stone @ \$44,975.00 (taxes not included)**
- e. **Clarke's Trucking @ \$95,350.00 (taxes not included)**
- f. **Modern Paving Ltd., in the amount of \$2,675,252.40**
- g. **Newalta Corporation, in the amount of \$46,691.20 + HST under the terms of the RFP.**

- h. Clarke's Trucking & Excavating, in the amount of \$573,520.20**
- i. Pyramid Construction Limited, in the amount of \$290,602.10**
- j. Kelloway Construction Ltd., in the amount of \$2,850.000 + HST for 103 Southern Shore Highway; Mercers Trucking, in the amount of \$2,900.00 + HST for 150 Southern Shore Highway; and Metro Rocks Products, in the amount of \$2,742.00 + HST for 325 Southern Shore Highway**

Councillor Hann inquired if the contract for the Household Hazardous Waste Facility covered everything that takes place at that facility.. The Acting Director of Public Works and Parks advised that this was the case.

Councillor Hann also inquired about the exact location of the retaining wall to be replaced along the Waterford River. The Director of Engineering advised that the replacement site was located just downstream from Bowring Park, near the Corpus Christi Church. The contract is for work to repair this section of the retaining wall that was damaged during Hurricane Igor.

Councillor Tilley referenced the tender for Contract 23 at the Robin Hood Bay Landfill and inquired what work the tender covered. The Acting Director of Public Works and Parks advised that the contract is for an extension to the landfill gas collection system. As part of the investigation into complaints about increased odour from the landfill, the consultant submitted a report which recommended expansion of the gas collection system. The design work was carried out in the spring and the tenders were called. It is hoped that the work will commence in the next few weeks. The cost for the additional work will be covered under the funding provided by the Province for the re-engineering of the Robin Hood Bay Landfill.

Councillor Hann referenced the tenders for demolitions and inquired if the City would recover the demolition costs from the property owner. The Director of Corporate Services and City Clerk advised that these properties were owned by the City and were being demolished because they were in the watershed.

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

### **Notice of Motion**

Councillor Galgay gave the following Notice of Motion:

**“TAKE NOTICE** that I will, at the next Regular Meeting of Council, move a motion to rescind the decision made at the Regular Meeting of Council held on March 3, 2008, to defer the five 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.”

**DATED** at St. John’s this 16<sup>th</sup> day of **May, 2011**.

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Councillor Frank Galgay

### **SJMC2011-05-16/263R**

**It was decided on motion of Councillor Breen; seconded by Councillor Hann: That Council waive the one week waiting period required before consideration of the Notice of Motion can take place.**

### **SJMC2011-05-16/264R**

**It was decided on motion of Councillor Galgay; seconded by Councillor O’Leary: That the decision made at the Regular Meeting of Council held on March 3, 2008, to defer the five 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, be rescinded.**

### **Outer Battery Neighbourhood**

Council considered a memorandum dated May 5, 2011, from the Director of Planning regarding the above noted matter.

### **SJMC2011-05-16/265R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That staff be directed to update the Footprint and Height Control Overlay table for the Battery Development Area to include sheds and fishing stages – non-residential properties that could be converted to residential use under certain conditions. Staff would engage the PHB Group to update the overlay table by including these properties and considering whether they could be expanded in height or in footprint without blocking views from nearby properties.**

Deputy Mayor Duff and Councillors Galgay, Hickman, Hann spoke in favour of the motion, noting the importance of the Battery to the City's heritage and the tourism industry. Councillor Hann indicated that the inclusion of these sheds and fishing stages in the Battery Development Area should not adversely impact property owners in any way. The Director of Planning noted that the sheds and fishing stages would be categorized with recommendations for each particular structure as to whether it should be permitted to expand vertically or horizontally, and these recommendations would be incorporated into the City's Development Regulations. This is the same process that was used in the preparation of the Battery Development Guidelines Study.

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

### **Development Above the 190 Metre Contour – Southlands Area and Southwest Development Area**

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Council considered a memorandum dated May 6, 2011, from the Director of Planning regarding the above noted matter.

The Director of Planning provided a brief history on the issue of potential servicing of properties located above the 190 metre contour, noting that in 2007 the Planning and Housing Committee and the Public Works and Environment Committee considered a report prepared by the Department of Engineering regarding potential municipal servicing above the 190 metre contour of lands in the Southlands area and the Southwest Development Area. As per the recommendations of these Committees, Council directed staff to prepare amendments to the Municipal Plan and Development Regulations which would allow potential future development in these areas. The proposed amendments and appropriate mapping were prepared and a public meeting was held in 2009. Subsequent to the public meeting, additional work was undertaken by the Department of Engineering regarding lands which could potentially be developed with municipal services and the mapping was adjusted accordingly. Staff are now recommending that Council adopt-in-principle the proposed amendments to the St. John's Municipal Plan and the St. John's Development Regulations to allow urban development in the designated areas and create two new zoning designations – Comprehensive Development Area-Southlands (CDA-Southlands) Zone and Comprehensive Development Area-Kenmount Road (CDA-Kenmount) Zone.

**SJMC2011-05-16/266R**

**It was moved by Councillor Hann; seconded by Councillor Tilley: That Council proceed with the processing of the proposed amendments to the St. John's Municipal Plan and the St. John's Development Regulations to allow potential future urban developments on municipal water and sewer services above the 190 metre contour in the Southlands Area and the Southwest Development Area, and adopt-in-principle, subject to the issuance of a Provincial release from the Department of Municipal Affairs, the following Resolutions for St. John's Municipal Plan Amendment No. 69, 2011, and St. John's Development Regulations Amendment No. 457, 2011; and further that Council request the Department of Municipal Affairs to undertake the applicable map amendment to the St. John's Urban Region Regional Plan to re-designate lands above the 190 metre contour in the Southlands Area and the Southwest Development Area from "Rural" to "Urban". If the Department of Municipal Affairs agrees to move forward with the Regional Plan amendment, an independent commissioner could then be jointly appointed by the Department of Municipal Affairs and the City to conduct a public hearing and to prepare a report with recommendations on both the Regional Plan amendment and the City's proposed amendments:**

**PROPOSED RESOLUTION  
ST. JOHN'S MUNICIPAL PLAN  
AMENDMENT NUMBER 69, 2011**

**WHEREAS** the City of St. John's wishes to make provision for future urban development for lands located above the 190 metre contour in the Southlands area and the Kenmount Road area.

**BE IT THEREFORE RESOLVED** that the City of St. John's hereby adopts the following text and map amendments to the St. John's Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

**1. Introduce a new Land Use District to the Municipal Plan to read as follows:**

**"Urban Development – Southlands/Kenmount Land Use District**

**This Land Use District identifies lands in the Southlands area and the Kenmount Road area located above the 190 metre contour which have the potential to be developed in the future for a range of land uses utilizing municipal water and sewer services. No development utilizing municipal water and sewer services or on-site water and sewer services shall be permitted in these areas until such time as the City's Department of Engineering determines that the areas are available for serviced development. The range of Permitted Zones and Conditional Zones in this Land Use District shall be determined by Council.**

**2. Delete Part IV – Section 5.2.4 – "Servicing Limits – Planning Area 9 – South**

**West Expansion Area”.**

- 3. Redesignate lands in the Southlands area and the Kenmount Road area from the Rural Land Use District and the Restricted Land Use District to the Urban Development – Southlands/Kenmount Land Use District as shown on Map III-1A and Map IV-4 attached.**

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

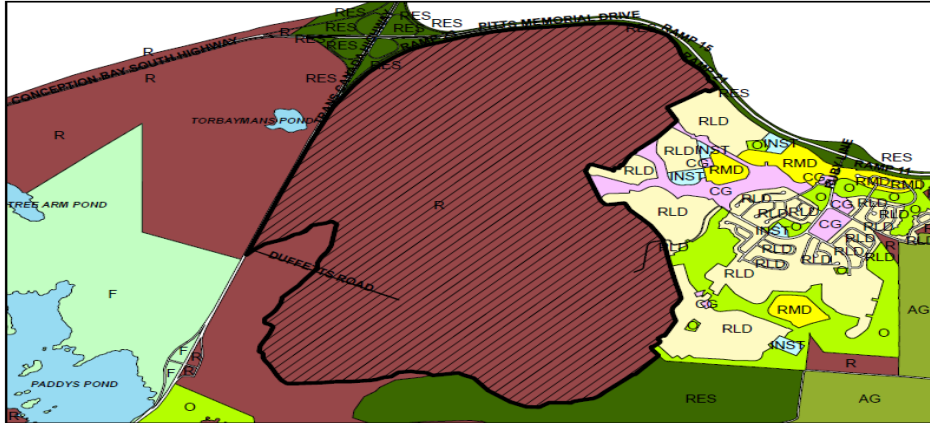
**IN WITNESS THEREOF** the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 16th day of **May, 2009**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Director of Corporate Services/  
City Clerk**

\_\_\_\_\_  
**Provincial Registration**

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p>  <p>_____</p> <p>MCIP</p>
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**CITY OF ST. JOHN'S  
MUNICIPAL PLAN  
Amendment No. 69, 2011  
[Map III-1A] Map 1 of 2**

2011 05 12 SCALE: 1:35000  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REDESIGNATED FROM  
RURAL (R) LAND USE DISTRICT TO  
URBAN DEVELOPMENT - SOUTHLANDS/  
KENMOUNT LAND USE DISTRICT

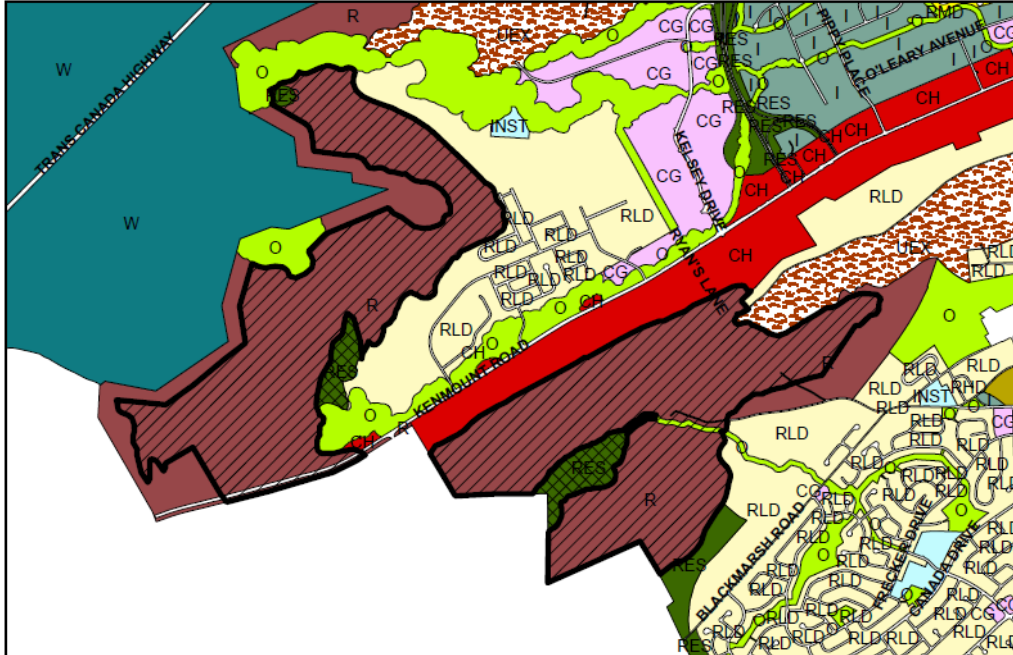
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M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption



\_\_\_\_\_  
Provincial Registration



**CITY OF ST. JOHN'S  
MUNICIPAL PLAN  
Amendment No. 69, 2011  
[Map III-1A] Map 2 of 2**

2011 05 12 SCALE: 1:30000  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

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

-  AREA PROPOSED TO BE REDESIGNATED FROM RURAL (R) LAND USE DISTRICT TO URBAN DEVELOPMENT - SOUTHLANDS/ KENMOUNT LAND USE DISTRICT
-  AREA PROPOSED TO BE REDESIGNATED FROM RESTRICTED (RES) LAND USE DISTRICT TO URBAN DEVELOPMENT - SOUTHLANDS/ KENMOUNT LAND USE DISTRICT

\_\_\_\_\_  
M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption

\_\_\_\_\_  
Provincial Registration



**PROPOSED RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 457, 2011**

**WHEREAS** the City of St. John's wishes to make provision for future urban development for lands located above the 190 metre contour in the Southlands area and the Kenmount Road area.

**BE IT THEREFORE RESOLVED** that the City of St. John's hereby adopts the following text and map amendments to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

1. **Repeal Section 5.1.4 – Development Above the 190 Metre Contour Line and replace it with the following new Section.**

**“5.1.4 Development Above the 190 Metre Contour Line**

**Notwithstanding the provisions of Section 10 – the Comprehensive Development Area – Southlands (CDA – Southlands) Zone and the Comprehensive Development Area – Kenmount (CDA – Kenmount) Zone, no residential development utilizing municipal water and/or sewer services or on-site water and/or sewer services, shall be permitted above the 190 metre contour line.”**

2. **Add two new Zones to Section 10 of the Regulations.**

- a) **Comprehensive Development Area – Southlands (CDA – Southlands) Zone.**

**Permitted Uses**

- (a) **Existing Uses**
- (b) **Reconstruction and replacement of and additions to existing buildings provided that Council may refuse permission for a replacement or reconstruction or addition if Council is of the opinion that such a Development would adversely affect the development of the CDA.**

**With the exception of uses listed above, no Development may be permitted in this CDA until such time as the City's Department of Engineering determines that the area is available for serviced urban development. Council will consider the rezoning of lands in the CDA to an appropriate zone to accommodate a development.”**

- b) **“Comprehensive Development Area – Kenmount Road (CDA – Kenmount) Zone**

**Permitted Uses**

- (a) Existing Uses**
- (b) Reconstruction and replacement of and additions to existing buildings provided that Council may refuse permission for a replacement or reconstruction or addition if Council is of the opinion that such a Development would adversely affect the development of the CDA.**

**With the exception of uses listed above no Development may be permitted in the CDA until such time as the City’s Department of Engineering determines that the area is available for serviced urban development. Council will consider the rezoning of lands in the CDA to an appropriate zone to accommodate a development.”**

- 3. Rezone lands in the Southlands area from the Rural (R) Zone to the CDA – Southlands Zone as shown on the Map Z-1A attached.**
- 4. Rezone lands in the Kenmount Road area from the Rural (R) Zone to the CDA – Kenmount Zone as shown on Map Z-1A attached.**

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

**IN WITNESS THEREOF** the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 16<sup>th</sup> day of **May, 2009**.

\_\_\_\_\_  
**Mayor**

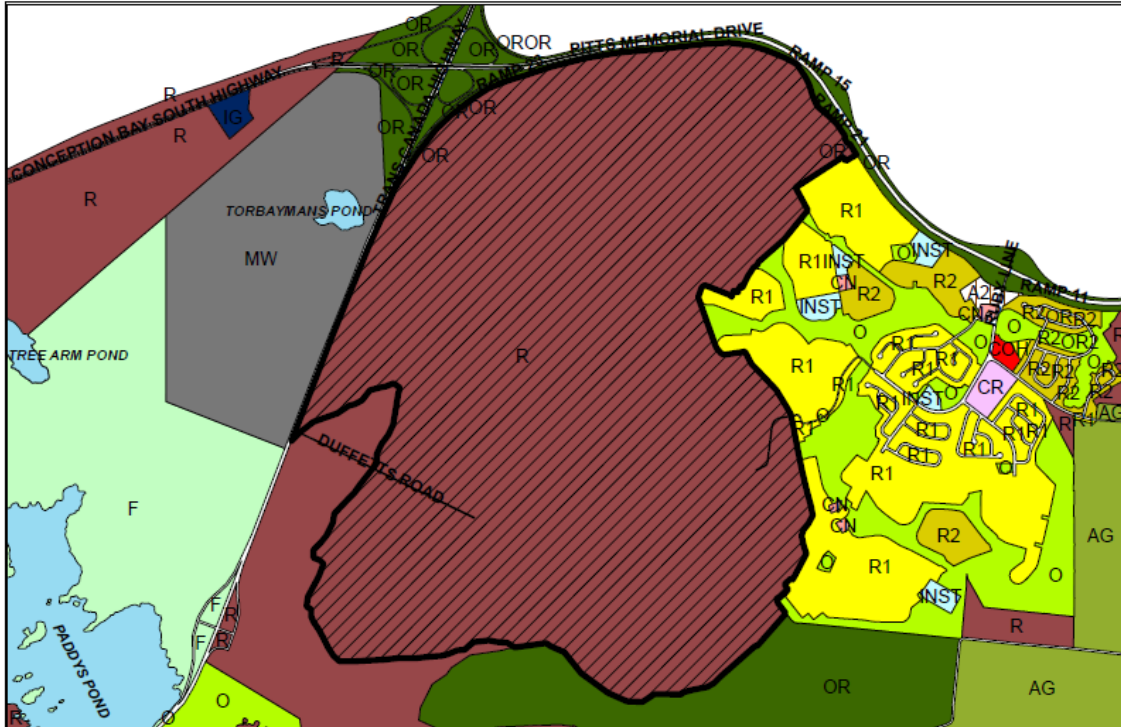
\_\_\_\_\_  
**Director of Corporate Services/  
City Clerk**

\_\_\_\_\_  
**Provincial Registration**

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

\_\_\_\_\_

MCIP



**CITY OF ST. JOHN'S  
DEVELOPMENT REGULATIONS  
Amendment No. 457, 2011  
[Map Z-1A] Map 1 of 2**

2011 05 12 SCALE: 1:35000  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REZONED FROM  
RURAL (R) LAND USE ZONE TO  
COMPREHENSIVE DEVELOPMENT AREA - SOUTHLANDS  
(CDA-SOUTHLANDS) LAND USE ZONE

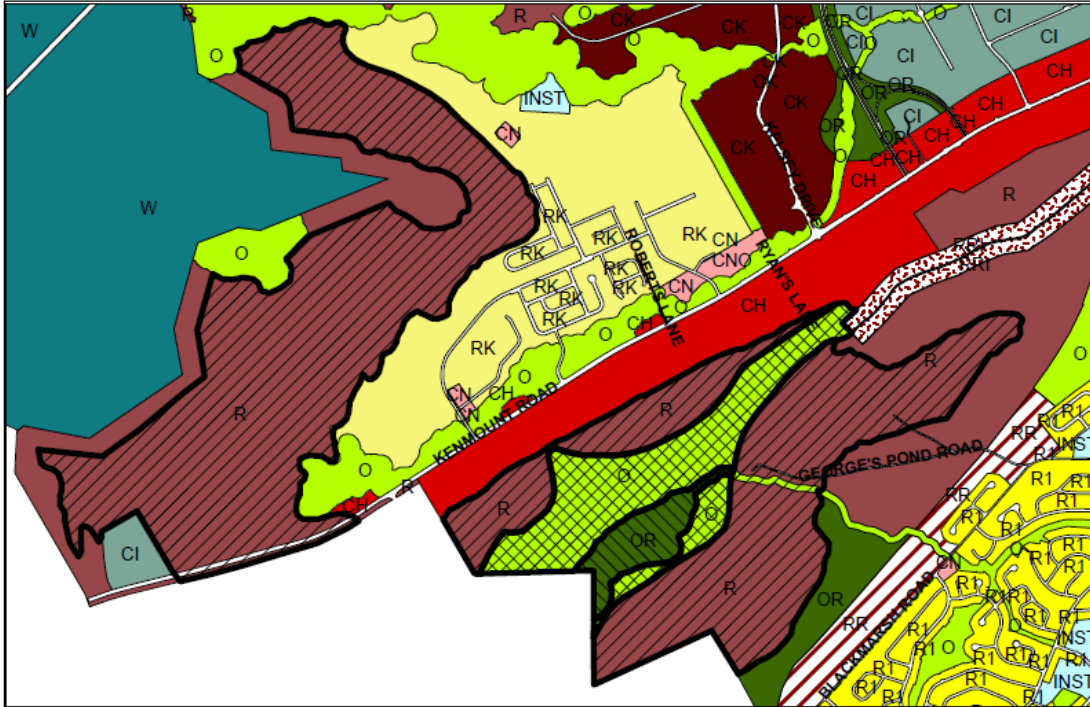
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M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption




\_\_\_\_\_  
Provincial Registration



**CITY OF ST. JOHN'S  
DEVELOPMENT REGULATIONS  
Amendment No. 457, 2011  
[Map Z-1A] Map 2 of 2**

2011 05 12 SCALE: 1:25000  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

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

-  AREA PROPOSED TO BE REZONED FROM RURAL (R) LAND USE ZONE TO COMPREHENSIVE DEVELOPMENT AREA - KENMOUNT (CDA-KENMOUNT) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM OPEN SPACE RESERVE (OR) LAND USE ZONE TO COMPREHENSIVE DEVELOPMENT AREA - KENMOUNT (CDA-KENMOUNT) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM OPEN SPACE (O) LAND USE ZONE TO COMPREHENSIVE DEVELOPMENT AREA - KENMOUNT (CDA-KENMOUNT) LAND USE ZONE

\_\_\_\_\_  
M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption

Provincial Registration

During discussion on the proposed amendments, it was noted that this is important for long term planning for the City. Any future applications for development of these areas will be reviewed on a case by case basis. Councillor O'Leary spoke about the importance of protecting the existing

wetlands and waterways in these areas before any development is considered. The Director of Planning advised that before any development is considered for these areas, all existing waterways and wetlands and their required buffers will be delineated as part of the zoning process. Councillor Collins also suggested that the levels in the Cochrane Pond River be assessed to ensure against future flooding as this is a major waterway which runs through the Goulds. The Director of Engineering noted that numerous studies will have to be completed before any rezoning of this land takes place. Deputy Mayor Duff indicated that this is just the first step in a long process. She also noted that she agreed with Councillor O'Leary's concerns with respect to storm water containment and run-off. Councillor Tilley commented that the development of the lands in the Southwest Development Area could have an impact on his ward, and he asked if the Director of Planning could provide him with some information on how these amendments might affect Ward 3.

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

**Civic No. 342 Portugal Cove Road – Carolyn Lincoln**

Council considered a memorandum dated May 10, 2011, from the City Solicitor regarding the above noted matter.

**SJMC2011-05-16/267R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Hickman: That the Mayor and City Clerk be authorized to execute the Boundary Line Agreement for Civic No. 342 Portugal Cove Road.**

**Mary Queen of Peace School – School Parking Lot Issues**

Council considered a letter from Nicholas Howell regarding the above noted matter. Deputy Mayor Duff noted that the City had received similar letters from 26 other students at Mary Queen of Peace School as well.

Councillor Breen advised that the students had written the letters as part of a persuasive writing exercise. He indicated that the fact that they had written about the traffic issues in the school parking lot was indicative of the fact that the issue is a very important one to the students. The students have suggested possible solutions to the traffic problems including replacing the missing signage, installing flashing amber lights, and marking the roadway with lines. Councillor Breen

noted that the various traffic issues at the school have been recently discussed at the City's Police and Traffic Committee meeting and several suggestions were made such as restricting left turns at the Torbay Road access and closing the Tiffany Lane access. Councillor Breen indicated that as the parking lot falls under the jurisdiction of the School, it might be best to meet with the School Council to discuss the situation and try to come up with some solutions that will work for everyone. He noted that he would be contacting the School Council in this regard.

### **Projects Completed by the Grand Concourse Authority in the 20 Year Period from 1990-2010**

Council considered as information a letter dated May 11, 2011, from Mr. Paul Johnson, Grand Concourse Authority regarding projects completed by the GCA from 1990 to 2010.

### **Development of the Provincial Social Plan**

Council considered as information a letter dated May 4, 2011, from the Honourable Darin King, Minister of Human Resources, Labour and Employment and Minister Responsible for the Newfoundland and Labrador Housing Corporation regarding the development of Provincial Social Plan.

### **Deputy Mayor Duff**

- Deputy Mayor Duff advised that Pippy Park had placed 3<sup>rd</sup> in the Great Public Spaces Category of the Canadian Institute of Planners Great Places in Canada contest.
- Deputy Mayor Duff congratulated the MUN SIFE team on winning SIFE Canada national competition, and she noted the team will advance to represent Canada at the SIFE World Cup in Kuala Lumpur, Malaysia this October.

### **Councillor O'Leary**

- Councillor O'Leary noted that motorcycle noise is becoming an issue again with the onset of the good weather. She inquired about the status of proposed Provincial legislation to enable police to ticket drivers with loud modified exhausts.

The City Solicitor advised that in July 2009, representatives of the City's Police and Traffic Committee met with the Minister of Municipal Affairs requesting that Highway Traffic Act be amended to allow police to deal with the noise from modified mufflers. To date, the amendments to the Act have not been adopted.

**SJMC2011-05-16/268R**

**It was moved by Councillor O'Leary; seconded by Councillor Hann: That the issue of amending the Highway Traffic Act to allow police to deal with noise from modified exhausts/mufflers be raised again with the Provincial Government and that the Province be urged to enact the required legislation.**

**The motion was unanimously carried.**

- Councillor O'Leary advised that May 15<sup>th</sup>-21<sup>st</sup> is National Police Week and she commended the RNC and RCMP for the work that they do in the City and the Province.
- Councillor O'Leary also commended the City's Engineering and Traffic Division staff for the work they do in addressing safety complaints related to traffic issues.

**Councillor Hickman**

- Councillor Hickman noted that St. John's Clean and Beautiful had recently completed its litter index and identified a number of "hotspots" in the City. The organization was very pleased with the improvement of some properties that had been problem areas in the past. He encouraged residents to contact Clean and Beautiful to organize clean ups in their neighbourhoods.

**Councillor Tilley**

- Councillor Tilley advised that the City's Seniors' Day Event will be held in the Foran Room at City Hall on Wednesday, June 1<sup>st</sup> from 1 p.m. to 4:30 p.m. He indicated that he would be providing additional information on the program for the event at next week's meeting. Councillor Hann also noted that the City had received numerous applications for the Senior of the Year Award. The award winner will be announced at the May 30<sup>th</sup> Council meeting.

**Councillor Collins**

- Councillor Collins advised that he had sent out a notice to residents of Palm Drive and Almond Crescent asking for input on having the mailboxes moved back to their original location. There were 105 responses received – 100 people want the mailboxes moved back to the original location and only 5 indicated that the mailboxes should remain at the current location. From the responses received, it appears the mailboxes should be relocated.

**Adjournment**

There being no further business, the meeting adjourned at 6:05 p.m.

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MAYOR

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CITY CLERK