

May 24, 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, Breen, and Collins.

Regrets: His Worship the Mayor and Councillors Hanlon, Colbert, Galgay, and Tilley.

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

Adoption of the Agenda

SJMC2011-05-24/269R

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

- a. Memorandum dated May 19, 2011 re: Cost-Sharing Arrangement with the City of St. John's and Triple "D" Developers Limited – Wild Rose Subdivision – Old Bay Bulls Road**
- b. Memorandum dated May 20, 2011 re: 284 Waterford Bridge Road (William & Elizabeth Feehan)**
- c. Memorandum dated May 24, 2011 re: Tender # 2011046 – Multifunction Machines**

Adoption of the Minutes

SJMC2011-05-24/270R

It was decided on motion of Councillor O'Leary; seconded by Councillor Hann: That the minutes of the meeting held on May 16, 2011, be adopted as presented.

Diamond Marsh Subdivision: Ruby Line (Fairview Investments and Triple D Holdings Ltd)

Under business arising, Council considered a memorandum dated May 19, 2011 from the Director of Planning re: CD #R2010-11-08/3 to rezone property to allow the development of a residential subdivision to be called "Diamond Marsh Subdivision".

SJMC2011-05-24/271R

It was decided on motion of Councillor Collins; seconded by Councillor Hickman: That Council adopt the attached resolutions for the St. John's Municipal Plan Amendment Number 88, 2010 and St. John's Development Regulations Amendment Number 499, 2010 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 88, 2010**

WHEREAS the City of St. John's wishes to allow the development of a residential subdivision consisting of single-detached houses on property located off Ruby Line.

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

- 1. Redesignate land off Ruby Line from the Rural Land Use District to the Residential Low Density Land Use District as shown on Map III-IA attached.**
- 2. Redesignate land off Ruby Line from the Residential Low Density Land Use District and the Rural Land Use District to the Open Space Land Use District as shown on Map III-IA attached.**

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

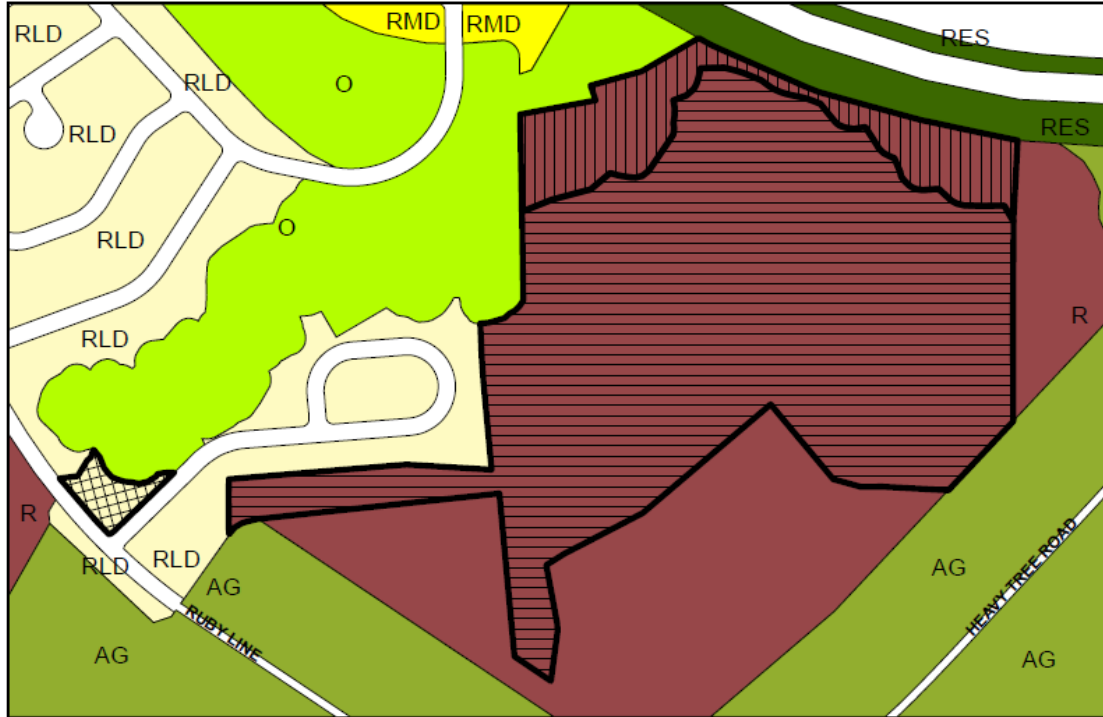
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 24th day of May, 2011.

Mayor

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>_____ MCIP</p>



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 88, 2010
[Map III-1A]**

2010 11 02 SCALE: 1:5000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

-  AREA PROPOSED TO BE REDESIGNATED FROM RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO OPEN SPACE (O) LAND USE DISTRICT
-  AREA PROPOSED TO BE REDESIGNATED FROM RURAL (R) LAND USE DISTRICT TO OPEN SPACE (O) LAND USE DISTRICT
-  AREA PROPOSED TO BE REDESIGNATED FROM RURAL (R) LAND USE DISTRICT TO RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT

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

DIAMOND MARSH PROPERTIES

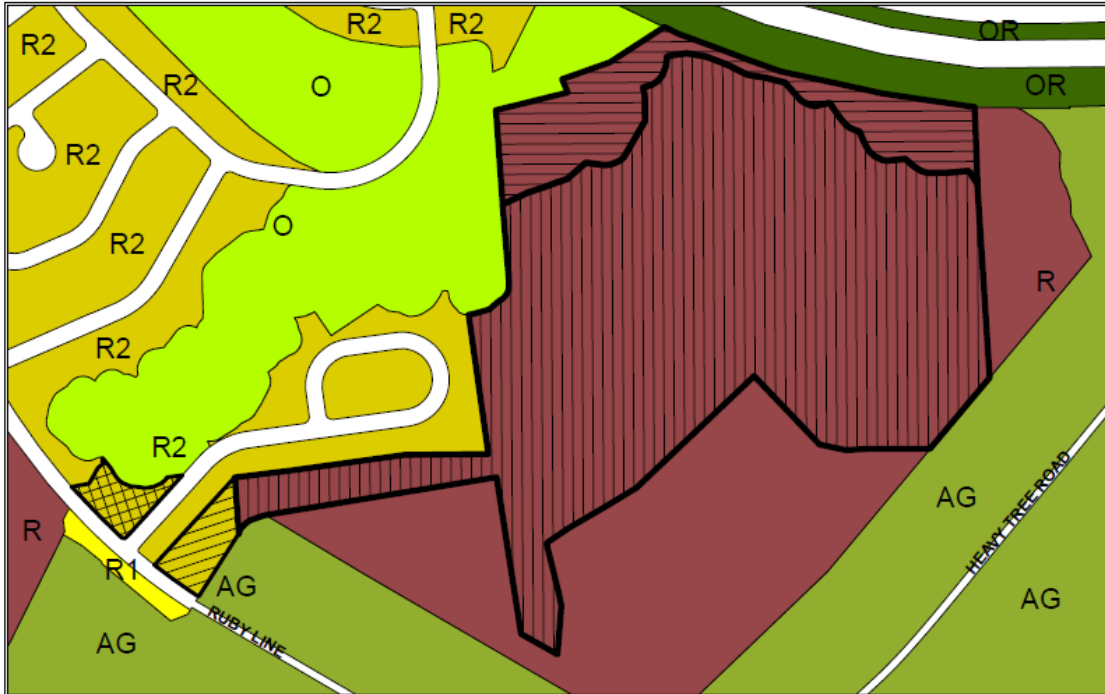
M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption





Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 499, 2010
[Map Z-1A]**

2010 11 02 SCALE: 1:5000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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

-  AREA PROPOSED TO BE REZONED FROM RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE TO OPEN SPACE (O) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE TO RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM RURAL (R) LAND USE ZONE TO OPEN SPACE (O) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM RURAL (R) LAND USE ZONE TO RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE

DIAMOND MARSH PROPERTIES

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**ST. JOHN'S URBAN REGION REGIONAL PLAN
PLAN AMENDMENT No. 1, 2011**

January 2011



URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 1, 2011

I, Kevin O'Brien, Minister of Municipal Affairs, under the authority of Section 16 of the *Urban and Rural Planning Act 2000* adopt the St. John's Urban Region Regional Plan Amendment No. 1, 2011.

Signed at St. John's Newfoundland and Labrador this 10th day of May, 2011.



Kevin O'Brien
Minister of Municipal Affairs



**ST. JOHN'S URBAN REGION REGIONAL PLAN
AMENDMENT No. 1, 2011**

BACKGROUND

The City Council of the City of St. John's is proposing to implement Municipal Plan Amendment No. 88, 2010 and Development Regulations Amendment No. 499, 2009. The proposed amendments are intended to accommodate a residential subdivision. The proposed subdivision consists of 190 lots on approximately 18 hectares of land and would be serviced with both municipal water and sewer. The proposal, known as the Diamond Marsh Subdivision, is located east of Southlands in the area of Ruby Line, Heavy Tree Road, and Pitts Memorial Drive.

St. John's Municipal Plan Amendment No.88, 2010 would re-designate lands from the Residential Low Density to the Open Space Land Use District and also re-designate other lands from the Rural to the Residential Low Density and Open Space Land Use Districts.

St. John's Development Regulations Amendment No. 499, 2010 would re-zone lands from Residential Medium Density to the Open Space and Residential Low Density Land Use Zone and also re-zone other lands from the Rural to the Open Space and Residential Low Density Land Use Zones.

The St. John's Urban Region Regional Plan (SJURRP) sets out a framework for growth and development within the St. John's Urban Region. Municipal Plans prepared by municipalities in the St. John's Urban Region must be consistent with the Regional Plan. The Regional Plan designates land in the area of the proposed subdivision as Rural. Residential subdivision development that is serviced with municipally piped water and sewerage services is not permitted in the SJURRP Rural designation.

It should be noted that any lands not encompassed within the Agriculture Development Area ("ADA" is enacted under the Lands Act) were previously removed from the SJURRP Agriculture designation and policy framework in accordance with an amendment to the Regional Plan in 1988. This amendment directed that lands previously designated Agriculture were thereby reverted to the Rural designation. Accordingly, SJURRP mapping indicates "Agriculture (superseded); see Amendment #2, 1988" and, since the subject area is not contained within the ADA, the area is subject to the Rural designation and policy framework of the Regional Plan.

To accommodate the proposed amendments to the St. John's Municipal Plan and Development Regulations an amendment is required to the St. John's Urban Region Regional Plan to re-designate land south of Pitts Memorial Drive from Rural to Urban Development.



PUBLIC CONSULTATION

During the preparation of this amendment Council will undertake a public consultation process, seeking comments or representations from the public on the proposed amendments to the Municipal Plan and the Regional Plan. As part of the process, the City will provide consultation opportunity for the other municipalities in the Northeast Avalon subject to the St. John's Urban Region Regional Plan, as well as for CBCL Limited, a consulting company engaged in the Regional Plan review. Public notices will be published in the newspaper, posted on the City's website, and the draft amendment will be placed on display at St. John's City Hall.

AMENDMENT No. 1, 2011

The St. John's Urban Region Regional Plan is amended by re-designating land south of Pitts Memorial Drive from "Rural" to "Urban Development" as shown on the attached map.

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 1, 2011 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

MCIP:

(MCIP Seal)





St. John's Urban Region
Regional Plan (1976)
Amendment No. 1 (2011)

I, Kevin O'Brien, Minister of Municipal Affairs, under the authority of Section 16 of the Urban and Rural Planning Act 2000, adopt the St. John's Urban Region Regional Plan Amendment No. 1 2011

Kevin O'Brien
Signed at St. John's Newfoundland and Labrador this 10th day of May, 2011

CANADIAN PLANNERS INSTITUTE OF CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 1, 2011 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000

MCIP: **KIMBERLE LAMCHARD**
CANADIAN INSTITUTE OF PLANNERS URBANISTES

Engineering & Land Use Planning Division

Scale 1:10,081

Notices Published

1. A **Discretionary Use Application** has been submitted by Peter's Pizza & Golden Foods Limited requesting permission to establish a Restaurant at **Civic No. 22 O'Leary Avenue** (former Bubba's Tubs location). The total floor area of the Restaurant is 200 m² with 46 m² of seating area. No alcohol is to be served at the restaurant; on-site parking is provided. **(Ward 4).**

One letter of opposition.

SJMC2011-05-24/272R

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

Development Committee Report – May 17, 2011

Council considered the following report from the Development Committee dated May 17, 2011:

1. **Proposed Text Amendment to the St. John's Development Regulations
Float Plane Operation
Land of the Trans Canada Highway (Ward 5)**

The Development Committee recommends that Council direct the Department of Planning to advertise the proposed text amend for public review and comments. Upon completion of the advertising process, the text amendment will be referred to a future Regular Meeting of Council for consideration of adoption.

2. **Application to Develop Two (2) Seniors' Condominium Apartment Buildings
Gibraltar Development Ltd.
Civic No. 154 Freshwater Road (Ward 2)**

The Development Committee recommends that Council direct the Department of Planning to schedule a public information session, to be chaired by a member of Council, on the seniors' condominium development proposed to be constructed by Gibraltar Development Ltd.

Robert F. Smart
City Manager
Chair – Development Committee

SJMC2011-05-24/273R

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

Development Permits List

Council considered as information the following Development Permits List for the period May 13 to 19, 2011:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF May 13, 2011 TO May 19, 2011

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	N.C.H. Holdings Ltd	Commercial Warehouse	East White Hills Rd	1	Approved	11-05-13
COM	Genivar for McDonalds	Extension to Building	37 Anderson Avenue	4	Approved	11-05-17

<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>
--

Andrea Roberts
Assistant Development
Officer
Department of Planning

Building Permits List

SJMC2011-05-24/274R

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

2011/05/18

Permits List

CLASS: COMMERCIAL

A+ AUTO SERVICE CENTRE(2007)	77 MAJOR'S PATH	OC COMMERCIAL GARAGE
CABOT HABITAT FOR HUMANITY	6 ROBIN HOOD BAY RD	RN RETAIL STORE
SOUTHWEST PROPERTIES	215 WATER ST, 4TH FLOOR COMMON	RN OFFICE
DOWNEAST TAS COMMUNICATIONS	40 ABERDEEN AVE	MS RETAIL STORE
CORE INSIGHT CHIROPRACTIC	40 ABERDEEN AVE	MS CLINIC
PIZZA DELIGHT	46 ABERDEEN AVE	MS RESTAURANT
SAR ENTERPRISES	96 ABERDEEN AVE, BUCK OR TWO	MS RETAIL STORE
CHATTERS OUTLET NL LIMITED	98 ABERDEEN AVE	MS SERVICE SHOP
ADDITION-ELLE	95C ABERDEEN AVE	MS RETAIL STORE
COBALT PROPERTIES LIMITED	10 BAY BULLS RD IRVING OIL	MS COMMERCIAL GARAGE
PROFESSIONAL APPAREL MARKETING	203 BLACKMARSH RD	MS RETAIL STORE
KENNY ENTERPRISES LIMITED	245 BLACKMARSH RD	MS CONVENIENCE STORE
ST. JOHN'S LODGE #245 OF THE	CARPASIAN RD ELKS CLUB	MS CLUB
COMMUNITY YOUTH NETWORK	206 DUCKWORTH ST	SN OFFICE
A1 AUTOMOTIVE LIMITED	395 EAST WHITE HILLS RD	MS COMMERCIAL GARAGE
ELIZABETH PLAZA LIMITED	92 ELIZABETH AVE - BUSHIDO	MS COMMERCIAL SCHOOL
NELLA LTD (J.W. ALLAN CO LTD)	94 ELIZABETH AVE	MS RETAIL STORE
SIMPLY FOR LIFE	295 EMPIRE AVE	MS RETAIL STORE
CUSTOM WHEELS	377 EMPIRE AVE	MS RETAIL STORE
PARKSIDE PIZZA	2 FOGWILL PL	MS RESTAURANT
NEEDS CONVIENCE	14 FORBES ST	MS CONVENIENCE STORE
NEEDS CONVENIENCE	174 FRESHWATER RD	MS CONVENIENCE STORE
W.L.B. SERVICES LTD.	336 FRESHWATER RD	MS SERVICE SHOP
MONEY MART	336 FRESHWATER RD	MS OFFICE
SALON 56 INC.	15 GOLDSTONE ST	MS SERVICE SHOP
UPTOWN HAIR DESIGN &	169 HAMLYN RD	MS SERVICE SHOP
JUMBO VIDEO	12-20 HIGHLAND DR	MS RETAIL STORE
MARIE'S MINI MART	12-20 HIGHLAND DR	MS RETAIL STORE
KENNY ENTERPRISES LIMITED	12-20 HIGHLAND DR	MS RETAIL STORE
STATION LOUNGE	7 HUTCHINGS ST	MS TAVERN
W.L.B. SERVICES LTD.	55C KELSEY DR	MS SERVICE SHOP
THE BUSINESS DEPOT LTD.	65 KELSEY DR	MS RETAIL STORE
CITY HOTELS LIMITED RAMADA INN	102-108 KENMOUNT RD	MS HOTEL
DALE CARNEGIE	102-108 KENMOUNT RD	MS OFFICE
FLOOR SOURCE	210 KENMOUNT RD	MS RETAIL STORE
SALVATION ARMY NAT.RECYCLING	49-51 KENMOUNT RD	MS RETAIL STORE
VALUE VILLAGE STORES, INC.	161 KENMOUNT RD	MS RETAIL STORE
VOGUE OPTICAL LIMITED	195 KENMOUNT RD	MS SERVICE SHOP
NEEDS CONVENIENCE	330 LEMARCHANT RD	MS CONVENIENCE STORE
LAKEVIEW CHIROPRACTIC	1 LOGY BAY RD	MS CLINIC
ULTRAMAR LTD.	225 LOGY BAY RD	MS SERVICE STATION
T.R.A.	430-432 MAIN RD	MS CONVENIENCE STORE
RONA	53-59 MAIN RD	MS RETAIL STORE
TRAVEL QUEST	239 MAJOR'S PATH	MS OFFICE
YMCA-YWCA	NEW COVE RD	MS CLUB
INTEGRATED CHIROPRACTIC	119 NEW COVE RD	MS CLINIC
CANTON RESTAURANT	200-232 NEWFOUNDLAND DR	MS RESTAURANT
ACTIVE WOMEN	446 NEWFOUNDLAND DR	MS CLUB
NEEDS CONVENIENCE	449 NEWFOUNDLAND DR	MS CONVENIENCE STORE
MICHAEL FOLEY	57 OLD PENNYWELL RD	MS CLUB
SIGNAL HOBBIES INC.	36 PEARSON ST	MS RETAIL STORE
NORTH ATLANTIC REFINING	154 PENNYWELL RD	MS SERVICE STATION
DOWNEAST TAS COMMUNICATIONS	34 PIPPY PL	MS OFFICE
VIDEO CONNECTION INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
NEWCO METAL & AUTO RECYCLING	46-50 ROBIN HOOD BAY RD	MS INDUSTRIAL USE
STAND 'N' TAN LIMITED	20 ROPEWALK LANE	MS SERVICE SHOP
SELL OFF VACATIONS	38-42 ROPEWALK LANE	MS OFFICE
COLUMBUS HALL COMPANY LTD	ST. CLARE AVE	MS PLACE OF ASSEMBLY

JANET CULL PLANET ROCK	386 STAVANGER DR	MS RETAIL STORE
MARIES MINI MART	286 STAVANGER DR	MS CONVENIENCE STORE
FIRST CHOICE HAIRCUTTERS LTD.	95E STAVANGER DR	MS SERVICE SHOP
NORTH ATLANTIC REFINING	86 THORBURN RD	MS OFFICE
MARIE'S MINI MART	462 TOPSAIL RD	MS CONVENIENCE STORE
TOPSAIL BILLIARD INC.	681 TOPSAIL RD	MS PLACE OF AMUSEMENT
BELLA VISTA LIMITED	26-34 TORBAY RD	MS TAVERN
BELL ALIANT	10 ELIZABETH AVE	MS RETAIL STORE
LEGROWS TRAVEL	10 ELIZABETH AVE	MS OFFICE
361577 ONTARIO LTD.	120 TORBAY RD	MS OFFICE
ALIMENTATION COUCHE-TARD/MAC'S	192-194 TORBAY RD	MS SERVICE STATION
TORBAY RD. IRVING	192-194 TORBAY RD	MS SERVICE STATION
STEPPING STONE INC.	272-276 TORBAY RD	MS COMMERCIAL SCHOOL
FIRST CHOICE HAIRCUTTERS LTD.	TORBAY RD	MS SERVICE SHOP
61166 NL INC. (CLUB V)	320 WATER ST	NC PATIO DECK
ADAM NEVILLE	279 PORTUGAL COVE RD -SALON	CR SERVICE SHOP
EARL BISHOP, GENTARA	354 WATER ST, 4TH FLOOR DOORS	RN OFFICE
JONATHAN PADDOCK	AVALON MALL, ROBINS DONUTS	OC RETAIL STORE
GENIVAR (C/O DANA PENNEY)	248 TORBAY RD	RN RESTAURANT
GENTARA	354 WATER ST, ECLIPSE	RN OFFICE
SECOND CUP LTD	9 STAVANGER DR, INTERIOR	RN EATING ESTABLISHMENT

THIS WEEK \$ 360,000.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

PENTECOSTAL ASSEMBLIES OF NF & RICKETTS RD CR CHURCH

THIS WEEK \$ 1,000.00

CLASS: RESIDENTIAL

PRO-TECH CONSTRUCTION LTD.	14 ALDERGROVE PL - LOT 248	NC SINGLE DETACHED DWELLING
BRIAN & LINDA DURNFORD	7 BAYBERRY PL	NC ACCESSORY BUILDING
KARWOOD CONTRACTING	46 SPRUCE GROVE AVE - LOT 145	NC SINGLE DETACHED DWELLING
ERCO HOMES	145 BLUE PUTTEE DR, LOT 72	NC SINGLE DETACHED DWELLING
PATRICK BOURGEOIS AND	36 BRAD GUSHUE CRES	NC ACCESSORY BUILDING
PATRICK BOURGEOIS AND	36 BRAD GUSHUE CRES	NC ACCESSORY BUILDING
ELAINE MARTIN AND	267 BROOKFIELD ROAD	NC SINGLE DETACHED DWELLING
ANNA KEOUGH	11 BROWNRIGG PL	NC PATIO DECK
MATTHEW LOVELESS	24 CAPE PINE ST	NC FENCE
PRO-TECH CONSTRUCTION LTD.	18 CASTLE BRIDGE DR - LOT 3	NC SINGLE DETACHED DWELLING
ENCON CONSTRUCTION SERVICES	135 CHEESEMAN DR - LOT 46	NC SINGLE DETACHED DWELLING
GARRY M. TRAINOR	81 COWAN AVE	NC FENCE
MICHELLE COOK	153 CRAIGMILLAR AVE	NC ACCESSORY BUILDING
DARRELL RYAN AND MELISSA RYAN	56 DOOLING'S LINE	NC FENCE
KAREN J. EFFORD	24 EDINBURGH ST	NC ACCESSORY BUILDING
MRS. DORA YETMAN	14 ELLIS PL	NC FENCE
DOUG & JUDY INNES	50 FAHEY ST	NC FENCE
DAVID BANFIELD	76 FRANCIS ST	NC FENCE
EARL WOODMAN	264 FRECKER DR	NC PATIO DECK
B & B NEW HOME CONTRACTING	15 GEORGINA ST, LOT 376	NC SINGLE DETACHED & SUB.APT
SKYMARK CONTRACTING	158 GREAT EASTERN AVE, LOT 118	NC SINGLE DETACHED & SUB.APT
NEW VICTORIAN HOMES	31 GREAT EASTERN AVE, LOT 89	NC SINGLE DETACHED & SUB.APT
SKYMARK CONSTRUCTION	113 GREAT EASTERN AVE, LOT 64	NC SINGLE DETACHED & SUB.APT
SKYMARK CONTRACTING	115 GREAT EASTERN AVE, LOT 63	NC SINGLE DETACHED DWELLING
ROBERT LEGROW	139 GREAT EASTERN AVE, LOT 132	NC SINGLE DETACHED DWELLING
MARNIE TAYLOR	45 HAZELWOOD CRES	NC ACCESSORY BUILDING

TED LAKE	33 HEFFERNAN'S LINE	NC ACCESSORY BUILDING
BRADLEY GUSHUE AND	6 IRONWOOD PL, LOT 31	NC SINGLE DETACHED DWELLING
DAVID DUNPHY AND DONNA DUNPHY	7 JUDGE PL	NC FENCE
BROOKS ADEY & MAISIE ADEY	33 KERSHAW PL	NC SINGLE DETACHED DWELLING
KIMBERLY WHALEN &	3 KITCHENER AVE	NC ACCESSORY BUILDING
HANN CONSTRUCTION LIMITED	3 MCCRAE ST, LOT 125	NC SINGLE DETACHED DWELLING
HANN CONSTRUCTION LTD.	29 MCCRAE ST, LOT 112	NC SINGLE DETACHED DWELLING
KELLY HAWBOLDT AND	20 MARGARET'S PL	NC PATIO DECK
EDWARD BRENTON &	10 MARK NICHOLS PL	NC ACCESSORY BUILDING
STANALAAUS MACKAY AND	2 MARTIN ST	NC ACCESSORY BUILDING
VICTORIA DANIELLE TEMPLEMAN	120 NEW PENNYWELL RD	NC ACCESSORY BUILDING
ANGELA SAINT AND	103 NEW PENNYWELL RD	NC FENCE
COLIN BYRNE	105 NEW PENNYWELL RD	NC FENCE
JEFF ORAM	117 NEW PENNYWELL RD	NC ACCESSORY BUILDING
JOHN & SELENA GAUCI	30 NEWMAN ST	NC ACCESSORY BUILDING
F KRIS AUBREY-BASSLER AND	17 PINE BUD PL	NC ACCESSORY BUILDING
F KRIS AUBREY-BASSLER AND	17 PINE BUD PL	NC FENCE
JOHN JAMES AND HEATHER JAMES	4 PLUTO ST, LOT 74	NC SINGLE DETACHED DWELLING
DWAYNE KENDELL	8 POLE CRES	NC FENCE
JILL MONAHAN	60 POPLAR AVE	NC ACCESSORY BUILDING
MIKE GRIFFITHS	120 AIRPORT HEIGHTS DR	NC SINGLE DETACHED DWELLING
DONNA MANNING	57 RADIO RANGE RD	NC ACCESSORY BUILDING
GLEN & VICKI CRANE	23 REGENT ST	NC ACCESSORY BUILDING
ROGER COLLINS	31 ROCHE ST	NC PATIO DECK
AUSTIN'S CONTRACTING	36 ROSALIND ST, LOT 400	NC SINGLE DETACHED DWELLING
CARL & LORRAINE BURTON	17 ROYAL OAK DR	NC ACCESSORY BUILDING
DERMOT HEPDITCH	23 SERPENTINE ST	NC FENCE
SHAWNE MALIK &	16 SGT. CRAIG GILLAM AVE	NC FENCE
PAUL SULLIVAN	8 SOLDIER CRES	NC FENCE
JASON KEAN	20 SOLDIER CRES	NC FENCE
ALLAN & KAREN THOMAS	5 STONEBRIDGE PL	NC ACCESSORY BUILDING
BREN BRENTONESTMENTS LIMITED	72 TEAKWOOD DR, LOT 8	NC SINGLE DETACHED DWELLING
NEIL PENNELL AND	65 TEAKWOOD DR, LOT 68	NC SINGLE DETACHED DWELLING
JASON PARSONS	28 WARFORD RD	NC ACCESSORY BUILDING
LOYOLA O'BRIEN/PATRICIA DOOLEY	173 WATERFORD BRIDGE RD	NC PATIO DECK
MICHELLE DELANEY	36 WILLIAM ST	NC FENCE
DEBORAH COUGHLIN	61 NEPTUNE RD	CO SINGLE DETACHED DWELLING
NOLAN AND HALL	23 RENNIE'S MILL RD	CO LODGING HOUSE
ROBERT SKANES	28 CALGARY ST	EX SINGLE DETACHED DWELLING
EDWARD JAMES BURKE & GERTRUDE	104 FERRYLAND ST W	EX SINGLE DETACHED DWELLING
DAVID PUDESTER	65 FIRDALE DR	EX PATIO DECK
ROBERT ST. AUBIN	13 GOOSEBERRY LANE	EX SINGLE DETACHED DWELLING
STEPHEN J. YOUNG AND	125 GROVES RD	EX SINGLE DETACHED DWELLING
JOAN SELLARS	3 IRISH LOOP ST	EX ACCESSORY BUILDING
JILL MONAHAN	60 POPLAR AVE	EX SINGLE DETACHED DWELLING
HARVEY BARRETT	7 ALEXANDER ST	RN APARTMENT BUILDING
JABEZ WILLIAM HOWELL	14 BANNERMAN ST	RN TOWNHOUSING
JERMEY HART, AMY OLFORD,	65 BRAZIL ST	RN TOWNHOUSING
PAUL G. ROSSITER AND	26 BROOKLYN AVE	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	214 BUCKMASTER'S CIR	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	216 BUCKMASTER'S CIR	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	218 BUCKMASTER'S CIR	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	220 BUCKMASTER'S CIR	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	222 BUCKMASTER'S CIR	RN TOWNHOUSING
NFLD. & LAB. HOUSING CORP.	224 BUCKMASTER'S CIR	RN TOWNHOUSING
FREDERICK & PAMELA JANES	8 BUGLER PL	RN SINGLE DETACHED DWELLING
GERALD & LISA CRANE	23 EXETER AVE	RN SINGLE DETACHED DWELLING
LINDA CHAFE	7 FLORIZEL PL	RN SINGLE DETACHED DWELLING
SYLVIA ROWE	19 KERSHAW PL	RN SINGLE DETACHED DWELLING
JOHN HASLAM & ROXANNE PETTIPAS	18 KING'S RD	RN APARTMENT BUILDING
ELIZABETH M. WHELAN	39 MULLOCK ST	RN TOWNHOUSING
OLGA HITCHEN, VAUGHAN UNDERHAY&	5 OSBOURNE ST	RN SINGLE DETACHED DWELLING
CHRISTOPHER CAMPBELL	110 PROWSE AVE	RN SUBSIDIARY APARTMENT
PHILIP J. GREELEY AND	120 PROWSE AVE	RN SINGLE DETACHED DWELLING

QUEEN'S RD CONDOMINIUMS	115-119 QUEEN'S RD, PARKING GA RN CONDOMINIUM	
MICHELLE DELANEY	36 WILLIAM ST	RN SEMI-DETACHED DWELLING
DARRELL RYAN AND MELISSA RYAN	56 DOOLING'S LINE	SW SINGLE DETACHED DWELLING
DARRELL CRITCH	58 FERRYLAND ST W	SW SINGLE DETACHED & SUB.APT
NORMAN & INEZ HARRIS	12 GOSLING ST	SW SINGLE DETACHED DWELLING
CRAIG P. WESTCOTT &	21 MACDONALD DR	SW SINGLE DETACHED & SUB.APT
ANNA M.PENNEY	276 NEWFOUNDLAND DR	SW SINGLE DETACHED DWELLING
FIRST CHOICE	84-86 ELIZABETH AVE	MS SERVICE SHOP

THIS WEEK \$ 6,179,546.00

CLASS: DEMOLITION

JOHN BELLOWES	76 BLACKLER AVE	DM ACCESSORY BUILDING
ALWIN SPURRELL	30 GOOSEBERRY LANE	DM SINGLE DETACHED DWELLING

THIS WEEK \$ 5,000.00

THIS WEEK'S TOTAL: \$ 6,545,546.00

REPAIR PERMITS ISSUED: 2011/05/12 TO 2011/05/18 \$ 141,300.00

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

SJMC2011-05-24/275R

It was decided on motion of Councillor Collins; seconded by Councillor Breen: That the following Payrolls and Accounts for the week ending May 19, 2011, be approved:

Tenders

- a. Tender – Nine (9) Truck Plow Sanders
- b. Tender – Installation of Garbage Containers
- c. Tender – Asphalt
- d. Tender – Ready Mix Concrete
- e. Tender – Supply and Installation of Chain Link Fence
- f. Tender – Petty Harbour Long Pond Treatment Plant – Contract 3 – Main Contract
- g. Tender – 2011 Infrastructure Maintenance – Contract 2 – Concrete Curb, Gutter
- h. Tender – 2011 Infrastructure Maintenance – Contract 3 – Concrete Sidewalk Repairs
- i. Tender – Waterford Valley Trunk Sewer Diversion (D/S Dunns Road)
- j. Tender – Multifunction Machines

SJMC2011-05-24/276R

It was moved by Councillor Hickman; seconded by Councillor Breen: That the recommendations of the Deputy City Manager/Director of Corporate Services; Director of Finance and City Treasurer; the Director of Engineering; and the Acting Director of Public Works and Parks; be approved and the tenders awarded as follows:

- a. Western Star Trucks @ \$2,010,204.46
- b. Carew Services Ltd. @ \$38,506.00
- c. Farrell's Excavating @ \$235,875.00
- d. Concrete Products @ \$24,265.50
- e. Provincial Fence Products @ \$41,697.00
- f. First Canadian Group Limited @ \$33,869,387.08
- g. Infinity Construction Ltd. @ \$335,807.75
- h. Infinity Construction Ltd. @ \$218,570.25
- i. Pyramid Construction Limited @ \$135,549.15
- j. Dicks & Company Ltd. (option # 1) @ \$20,090.00 with anticipated cost over five years to be \$30,851.85

Notice of Motion

Councillor Hann gave the following Notice of Motion:

“TAKE NOTICE that I will, at the next Regular Meeting of Council, move a motion to enact an amendment to the St. John's Truck Traffic By-Law so as to amend Appendix A thereto to include that portion of Water Street between Prescott Street and Waldegrave Street.

DATED at St. John's this 24th day of **May, 2011.**

Councillor Hickman gave the following Notice of Motion:

“**TAKE NOTICE** that I will, at the next Regular Meeting of Council, move a motion to adopt the following by-laws:

1. Water Meter By-Law
2. Premises Isolation By-Law

DATED at St. John’s this 24th day of **May, 2011**.

Councillor O’Leary gave the following Notice of Motion:

“**TAKE NOTICE** that I will, at the next Regular Meeting of Council, move a motion to enact an amendment to the St. John’s Fire Hydrant By-Law relating to the regulation of fire hydrants.

DATED at St. John’s this 24th day of **May, 2011**.

2011 Asphalt Sidewalk Replacement Program

Council considered a memorandum dated May 13, 2011 from the Director of Engineering regarding Council’s previous approval of \$250,000.00 for a new program to install concrete sidewalks in areas of the City where sidewalk areas presently have an asphalt surface treatment.

SJMC2011-05-24/277R

It was moved by Councillor Hickman; seconded by Councillor Hann: That the call for public tenders for the following areas be authorized:

- Empire Avenue – North side from Newtown Road to Cairo Street
- Rankin Street
- Salisbury Street – Malta Street to Cairo Street
- McNeil Street (Provisional Work)

SJMC2011-05-24/278R

It was moved by Councillor Collins; seconded by Councillor O’Leary: That the call for public tenders as noted above be deferred pending the return of Ward 2 Councillor Frank Galgay who should be given the opportunity to speak on behalf of the residents of Calver Avenue whose street is not included in the tender call.

Councillor O’Leary supported the amended motion to defer noting that the residents of Calver Avenue over the past few years have actively lobbied Council to replace their asphalt sidewalks. To approve the tender without their inclusion is not appropriate, particularly as their Ward 2 Councillor is not given the opportunity to speak on their behalf. Mayor Duff also asserted that had it not been for the persistence of the residents of Calver Avenue, this motion would not even be considered.

Councillor Breen questioned if Calver Avenue was mistakenly left off the list. The Director of Engineering advised that Calver Avenue was given due consideration but was not included due to it being ranked at a lower priority. Councillor Hann questioned how a deferral for one week will delay the construction process. The Director of Engineering advised that the deferral would only result in a one week delay.

The motion to defer being put was carried.

Epilepsy Newfoundland and Labrador – 351-361 Kenmount Road

Council considered a memorandum dated May 13, 2011 from the Director of Building & Property Management regarding a request for a waiver of permit fees associated with the above-noted property. This project would satisfy the requirement for a permit fee exemption under Section 257 of the City of St. John’s Act.

SJMC2011-05-24/279R

It was decided on motion of Councillor Hickman; seconded by Councillor Hann: That the permit fees be waived as per the Director of Building & Property Management’s recommendation.

Automated External Defibrillators

Council considered a memorandum dated May 17, 2011 from the Director of Human Resources regarding potential sites for phase two of the City’s Automated External Defibrillator (AED) Program.

SJMC2011-05-24/280R

It was decided on motion of Councillor Breen; seconded by Councillor Hickman: That the AEDs be installed at the following locations as per the recommendation of the Director of Human Resources:

- **City Hall Annex**
- **Depot C-Block**
- **Goulds Recreation Center**
- **Goulds Public Works Depot**
- **Kilbride Recreation Center**
- **Shea Heights Recreation Center**
- **Humane Services**
- **Gentara Building**
- **Bowring Park Pool House**
- **Bannerman Park Pool House**

11 Cavell Avenue – Quit Claim Deed

Council considered a memorandum dated May 19, 2011 from the City Solicitor, Bob Bursey regarding his recommendation that the City execute the Quit Claim Deed for 11 Cavell Avenue.

SJMC2011-05-24/281R

It was decided on motion of Councillor Hickman; seconded by Councillor Hann: That the Mayor and City Clerk be authorized to execute a Quit Claim Deed with respect to 11 Cavell Avenue.

63 Pitcher’s Path – James Price

Council considered a memorandum dated May 19, 2011 from the City Solicitor, Bob Bursey, regarding the above noted.

SJMC2011-05-24/282R

It was decided on motion of Councillor Hickman; seconded by Councillor Collins: That the Mayor and City Clerk be authorized to execute the Deed of Conveyance giving approval to sell the no longer required part of the cul-de-sac for \$7,660.00 plus usual administration fees and applicable HST with the Deed of Conveyance going straight to property owners.

284 Waterford Bridge Road – William & Elizabeth Feehan

Council considered a memorandum dated May 20, 2011 from the City Solicitor, Bob Bursey regarding 284 Waterford Bridge Road and a request by the new owners for a right-of-way over the paved driveway.

SJMC2011-05-24/283R

It was decided on motion of Councillor Hickman; seconded by Councillor O’Leary: That approval be given to grant the right-of-way by a Right-of-Way Agreement in the form as deemed acceptable to the Legal Department.

**Cost-Sharing Arrangement City of St. John’s and Triple “D” Developers Ltd.
Wild Rose Subdivision – Old Bay Bulls Road**

Council considered a memorandum dated May 19, 2011 from the Director of Engineering regarding the cost over-run for the above noted project. Due to changes in the scope of the project that resulted from conditions and/or circumstances encountered during construction and the need to acquire an easement, the total cost for the City’s share of this work is \$696,832.69. Council which originally authorized commencement of the project indicated that the City’s share of the total project cost would be \$626,496.31. The cost over-run represents a net difference of \$70,336.38 or + 11.2%

SJMC2011-05-24/284R

It was decided on motion of Councillor Collins; seconded by Councillor O’Leary: That Council approve expenditure of the additional \$70,336.38.

Councillor Hickman

- Councillor Hickman referenced the recently held Municipal Awareness Day which took place on Wednesday, May 18th at City Hall. The event was quite successful with many school children passing through as well as the public in general. Various booths were set up on the 2nd floor to highlight special services provided by the City. Jack Pittman of Larkhall Academy was the winner of the poster contest.

Councillor Sheilagh O’Leary

- Councillor O’Leary received a complaint from a constituent who lives on Military Road and who has been experiencing noise problems with the party bus. She agreed to forward the complaint to the Dept. of Building and Property Management.
- The City will continue to advertise its public advisories about the non-essential use of pesticides. Councillor O’Leary encouraged the general public to use alternate methods of pest control.

- St. John's Clean & Beautiful's Take Pride/Take Action campaign is ongoing. They have received many requests from various community groups and neighbourhoods wishing to clean up their areas. Any neighbourhood group wishing to access the services provided by St. John's Clean & Beautiful should contact Karen Hickman, Executive Director.
- Atlantic Book Awards were held in Dartmouth, Nova Scotia. Councillor O'Leary congratulated Kathleen Winter for winning an award for her novel "Annabel". Next year St. John's will be hosting the Atlantic Book Awards.

Councillor Tom Hann

- Councillor Hann referenced the problems with noise as a result of the modified exhausts that people have installed on their motorcycles. He asserted that the Provincial Government needs to take some action to regulate the use of these devices which are hazardous to people's hearing. The City Solicitor Mr. Bob Bursey advised that the City did make a request to the Province via the Police & Traffic Committee a few years ago for a legislative change to allow these types of noise complaints to be dealt with. It is his understanding that the Province has not moved forward on the matter. Acting Mayor Duff requested that the City Solicitor write another letter to the Province, noting that the matter may merit a meeting with the Minister if there is no movement.

Councillor Wally Collins

- Councillor Collins referenced complaints he received from residents of Fort Amherst about the mess of fish guts and entrails left in the area and he agreed to do a site visit for himself to investigate.

Acting Mayor Duff

- Acting Mayor Duff congratulated Councillor Sheilagh O'Leary and Rhonda Pelley for the award they received for the book "Island Maid" which was the winner of the 2011 Rogers Communication Award for Non-Fiction.

- Arbor Day will be taking place this year on June 1st, 2011 at 10:30 a.m. at the Peter Pan statue in Bowring Park.

Adjournment

There being no further business, the meeting adjourned at 5:25 p.m.

MAYOR

CITY CLERK