

May 11th, 2009

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:50 p.m. today.

His Worship the Mayor presided

There were present also Deputy Mayor Ellsworth, Councillors Duff, Hickman, Hann, Puddister, Galgay, Coombs, Hanlon and Collins

Regrets: Councillor Colbert

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

Call to Order and Adoption of the Agenda

SJMC2009-05-11/269R

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

- a. Memorandum dated May 11, 2009 from the Director of Planning re Redevelopment Plan - Former Federal Government Lands in Pleasantville, Canada Lands Company
- b. Memorandum dated May 11, 2009 from the Director of Finance and City Treasurer re Infrastructure Funding
- c. Memorandum dated May 1, 2009 from the Director of Public Works and Parks re Truck Side Guards

Adoption of Minutes

SJMC2009-05-11/270R

It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the Minutes of the May 4th, 2009 meeting be adopted as presented.

Infrastructure Announcement

His Worship the Mayor provided an update on today's Federal/Provincial Infrastructure funding announcement which will have a significant impact on the City's capital funding and financing requirements over the next few years. He noted that the announcement will enable the City to fund the cost overruns on the harbour cleanup project.

Much of the approved expenditure relates to projects which would have been 100% funded by the City or, at best, cost-shared with the Province, on a 50/50 basis through the Multi-Year Capital Works Program. The announcement, together with Team Gushue Highway, will provide approximately \$134.5 million in infrastructure investment in the City. The overall capital cost savings to the City amount to \$56,451,000, which on completion and re-financing would reduce the City's future cumulative debt service costs by over \$4,500,000.00 per annum. Also, on a straight-forward basis, the announcement will mean a per residential unit saving on the ultimate water tax rate of approximately \$60.00 per annum.

His Worship the Mayor and members of Council thanked both levels of government for working co-operatively on behalf of the City, and as well, commended City Staff who played a major role towards obtaining the funding.

Business Arising

Redevelopment Plan-Former Federal Government Lands -Pleasantville Canada Lands Company

Under business arising, Council considered a memorandum dated May 7, 2009 from the Director of Planning regarding the above noted.

SJMC2009-05-11/271R

It was moved by Councillor Puddister; seconded by Councillor Hann: That the following Resolution for St. John's Municipal Plan Amendment Number 67, 2009 and St. John's Development Regulations Amendment Number 456, 2009 be adopted, which will then be forwarded to the Department of Municipal Affairs with a request for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act.

**URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 67, 2009
AND
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 456,
2009**

Under the authority of Sections 16, 17 and 18 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council:

- a) adopted St. John's Municipal Plan Amendment Number 67, 2009, and St. John's Development Regulations Amendment Number 456, 2009, on the 30th day of March, 2009;
- b) gave notice of the adoption of St. John's Municipal Plan Amendment Number 67, 2009, and St. John's Development Regulations Amendment Number 456, 2009, by advertisements inserted in The Telegram newspaper on the 4th day and the 8th day of April, 2009;
- c) set the 28th day of April, 2009, at 7:00 p.m. at The Royal Canadian Legion Building on The Boulevard for the holding of a public hearing to consider objections and representations.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council approves St. John's Municipal Plan Amendment Number 67, 2009 and St. John's Development Regulations Amendment Number 456, 2009, as adopted.

SIGNED and SEALED this 11th day of May, 2009.

Mayor

**Director of Corporate Services
and City Clerk**

The motion being put was unanimously carried.

Nomenclature Committee Meeting

Councillor Puddister asked when the Nomenclature Committee will be meeting and was advised that the next meeting will be held within a week.

Truck Side Guards

Council considered a memorandum dated May 1, 2009 from the Director of Public Works and Parks along with a memorandum dated April 29, 2009 from the Manager of Fleet Services Division regarding the above noted.

SJMC2009-05-11/272R

It was moved by Councillor Hanlon; seconded by Councillor Hickman: That staff be authorized to proceed with the installation of side guards (on the sidewalk side), on the single axle rear loader garbage truck, the tandem axle anti-icing truck and the tandem axle dump truck identified in the report presented by the Manger of Fleet Service Division, and that on a go forward basis, other trucks be considered for side guards as they are replaced.

The motion being put was unanimously carried.

Development Committee Report dated May 5th, 2009

Council considered the following Development Committee Report dated May 5th, 2009:

RECOMMENDATION OF APPROVAL:

- 1. Proposed Building Lot
Tina Tulk
Civic No. 2 Forde Drive (Ward 4)**

The Development Committee recommends that Council approve a 4.5 metre side yard clearance along the Airport Heights Drive side of the above noted property.

- 2. Crown Land Grant Referral
IMV Projects Atlantic
Incinerator Road (Ward 5)**

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

**3. Proposed Substation Upgrades
Newfoundland Power
Civic No. 45 King's Bridge Road (Ward 2)**

The Development Committee recommends that Council approve the above noted application.

**4. Proposed Demolition and Reconstruction of Single Detached Dwelling
Darryl Chislett
Civic No. 131 Old Petty Harbour Road (Ward 5)**

The Development Committee recommends that Council approve the above noted application.

RECOMMENDATION OF REJECTION:

**5. Proposed Subdivision of Property
Joseph Newell
Civic No. 13 Cabot Avenue (Ward 2)**

The Development Committee recommends that Council reject the above noted application as it is contrary to the provisions of the Battery Development Guideline Study.

**6. Proposed Reconstruction of Single Detached Dwelling
Non-Conforming Use Application
David Thomlyn
Blackhead Crescent adjacent to Civic No. 420 Blackhead Road (Ward 5)**

The Development Committee recommends that Council reject the above noted application.

**7. Request for Approval-in-Principle
PHB Group on behalf of Mr. Frank Raso
Proposed Property Redevelopment
Demolish Civic Nos. 182 and 184 Signal Hill Road and Construct a New
Eight (8) Suite (16 Occupant) Bed and Breakfast (Ward 2)**

The Development Committee recommends that Council reject the application for demolition of the buildings situated at Civic Nos. 182 and 184 Signal Hill Road and construction of a new eight (8) suite (16 guest) Bed and Breakfast as being contrary to Section 10.47.3 of the St. John's Development Regulations.

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

SJMC2009-05-11/273R

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Duff:
That the Committee's recommendations be approved as presented.**

The motion being put was unanimously carried.

Planning and Housing Standing Committee Report dated May 5th, 2009

Council considered the following Planning and Housing Standing Committee Report dated May 5th, 2009:

In Attendance: Councillor Keith Coombs, Chairperson
 Councillor Shannie Duff
 Councillor Tom Hann
 Councillor Sandy Hickman
 Councillor Art Puddister
 Mr. Ron Penney, Chief Commissioner & Solicitor
 Mr. Art Cheeseman, Associate Commissioner/Director of Engineering
 Mr. Cliff Johnston, Director of Planning
 Mr. Paul Mackey, Director of Public Works & Parks
 Mr. Gordon Tucker, Acting Director of Building & Property Management
 Mr. Joe Sampson, Manager of Development
 Mr. Ken O'Brien, Manager of Planning & Information
 Mr. Chris Small, Planning Technician
 Ms. Kelly Butler, Recording Secretary

1. Revised Proposal for Hotel Development – 3103301 NS Ltd. – Civic No. 123-125 Water Street (Ward 2)

The Committee met with Mr. Jim Spatz, 3103301 NS Ltd., and Mr. Pierre Gallant, Architects Four Ltd. to discuss a revised design for the proposed hotel development project at Civic No. 123-125 Water Street.

The Committee also considered the **attached** memoranda dated April 27, 2009, and May 4, 2009, from the Director of Planning as well as the addendum dated April 17, 2009, to the Land Use Assessment Report prepared by Architects Four Ltd. The Committee also reviewed an updated public view plane analysis prepared by City staff to reflect the new building design as submitted by the applicants. The public view plane analysis is available for review from the Department of Planning.

The Committee recommends, on motion of Councillor Puddister; seconded by Councillor Duff: That the revised hotel building design be referred to a public meeting to be chaired by a member of Council.

2. Proposed Rezoning of Property from CDA Zone to A2 and R1 Zones – Epic Consulting – Civic No. 397 Blackmarsh Road (Ward 3)

The Committee met with Mr. Corey Tucker, Epic Consulting, to discuss the above noted matter. The Committee also considered the **attached** memorandum dated April 30, 2009, from the Manager of Planning and Information and the Director of Planning.

The Committee recommends, on motion of Councillor Hann; seconded by Councillor Duff, with Councillor Hickman dissenting: That the applicant be asked to undertake a Land Use Assessment Report (LUAR) at their expense for the proposed residential development under Terms of Reference that would be approved by Council. Upon completion of the assessment report and review of the report by City staff to determine that all applicable information has been provided, it is recommended that the rezoning application be referred to a public meeting to be chaired by a member of Council.

*The proposed Terms of Reference for the Land Use Assessment Report have been prepared by the Department of Planning and are **attached** for Council's consideration of approval.*

3. Proposed Rezoning of Property to Accommodate a Residential Condominium Apartment Development – Gibraltar Development - Civic No. 455-465 Logy Bay Road (Ward 1)

The Committee considered the **attached** memorandum dated April 29, 2009, from the Manager of Planning and Information and the Director of Planning regarding the above noted matter.

The Director of Planning advised that the proposal is for four storeys in total – three residential storeys plus ground floor parking. However, he noted that the Apartment Medium Density (A2) Zone, does permit a building height of six storeys. Councillor Puddister indicated that he would only be in favour of the proposed rezoning if the height of the building was limited to four storeys.

The Committee recommends, on motion of Councillor Puddister; seconded by Councillor Duff: That the applicant be asked to undertake a Land Use Assessment Report (LUAR) at their expense for the proposed residential condominium apartment development, *limited to four storeys as requested*, under Terms of Reference that would be approved by Council. Upon completion of the assessment report and review of the report by City staff to determine that all applicable information has been provided, it is recommended that the rezoning application be referred to a public meeting to be chaired by a member of Council.

The proposed Terms of Reference for the Land Use Assessment Report have been prepared by the Department of Planning and are attached for Council's consideration of approval.

Councillor Keith Coombs
Chairperson

SJMC2009-05-11/274R

It was moved by Councillor Coombs; seconded by Councillor Puddister: That the Committee's recommendations pertaining to items 2 and 3 be approved as presented.

Councillor Hickman spoke against the development as proposed for property situated off Blackmarsh Road and Captain Whalen Drive and noted that residents have indicated to him their concern relative to the magnitude of the development as proposed.

The motion being put was carried with Councillor Hickman objecting to Item #2.

SJMC2009-05-11/275R

Regarding Item #1, it was moved by Councillor Coombs; seconded by Councillor Duff: That the Committee's recommendation be approved.

Councillor Coombs outlined a summary of the changes in the redesign of the hotel building as contained in the memorandum dated April 27, 2009 from the Director of Planning.

The motion being put was carried with Deputy Mayor Ellsworth abstaining declaring a conflict of interest.

Para Transit Advisory Committee (E-mail poll) May 11th, 2009

SJMC2009-05-11/276R

It was moved by Deputy Mayor Ellsworth ; seconded by Councillor Galgay: That the following e-mail poll be ratified:

Members: Cecil Whitten, Cerebral Palsy Association (Chairman)
Councillor Ron Ellsworth, Council Representative
Bill Westcott, Epilepsy NL
Lori Shea, CCB
Kate Morrison, MS Society

Margaret Murphy, CNIB
Vera Parsons, ILRC
Danny Allured, Wheelway Transportation
Robert Bishop, Director of Finance & City Treasurer
Karen Chafe, Recording Secretary

Para Transit Advisory Committee – Proposed Extension of Term

The term of office for the Para Transit Advisory Committee is renewable every two years. The term of office for the present group expires in 2009.

In light of the ongoing review of the para transit service, currently being conducted by iTrans Consultants, the Committee recommends that it would be in the best interest of the City to permit a one year extension to the Para Transit Advisory Committee's term of office to the end of 2010. This would facilitate consistency during the overseeing of the para transit review process currently underway. Council's ratification is hereby requested.

**Cecil Whitten
Chairperson**

The motion being put was unanimously carried.

Special Events Advisory Committee Recommendations dated May 6th, 2009

Council considered the following Special Events Advisory Committee Report dated May 6th, 2009:

1. Thomas Amusements
Zellers Parking Lot
June 22 - July 5, 2009
2:00 pm - 10:30 pm (daily)
2. Lunchtime Concert Series
Harbourside Park
July 3 - August 28, 2009 (Fridays only)
11:00 am - 1:00 pm
3. CF Days
Quidi Vidi Lake Area
June 20, 2009
8:00 am - 4:00 pm

(A road closure is required on the Boulevard between East White Hills Road and Legion Road)

- 4. Cochrane Street United Church BBQ & Concert
Bannerman Park
August 2, 2009
2:30 pm - 5:30 pm
- 5. Neighborhood Dance Works (Dance performance)
Bannerman Park
July 22 & 23, 2009
12:00 pm - 1:00 pm
- 6. 10 KM Road Race
Southside Road
May 17, 2009
8:00 am - 9:30 am

(A full road closure is required of Southside road)

SJMC2009-05-11/277R

It was moved by Councillor Hickman; seconded by Councillor Coombs: That the Committee's recommendations be approved, subject to the conditions set out by the Special Events Advisory Committee.

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permit List for the period May 1, 2009 to May 7,2009:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF May 1, 2009 TO May 7, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Regina Costello	Home Office – Travel Consultant	41 Beacon Hill Crescent	5	Approved	09-05-06
RES	Don Hearn	Demolition and Replacement of Dwelling	52-54 Petty Harbour Rd.	5	Approved	09-05-07

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

INST - Institutional
 IND - Industrial

** 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.

Gerard Doran
Development Officer
Department of Planning

Building Permits List

SJMC2009-05-11/278R

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

2009/05/06

Permits List

CLASS: COMMERCIAL

DRS. KRISTA BROWN/COLLEEN COOK	40 AIRPORT HEIGHTS DR	CO CLINIC
CHATTERS BEAUTY SALON	98 ABERDEEN AVE	MS SERVICE SHOP
SMART SET	79B ABERDEEN AVE	MS RETAIL STORE
PETS UNLIMITED	89 ABERDEEN AVE	MS RETAIL STORE
REITMANS (CANADA) LIMITED	95C ABERDEEN AVE	MS RETAIL STORE
CHARLES HAMLYN	255 BAY BULLS RD	MS SERVICE SHOP
VACHON OUTLET	57 BLACKLER AVE	MS RETAIL STORE
ROYAL CANADIAN LEGION	59 BLACKMARSH RD	MS CLUB
MARIE'S MINI MART	44 CROSBIE RD	MS RETAIL STORE
ACHIEVA	49-55 ELIZABETH AVE	MS OFFICE
ROMAR ENTERPRISES LIMITED	9-11 HALLETT CRES	MS RETAIL STORE
BOSTON PIZZA	35 KELSEY DR	MS RESTAURANT
GLOW TAN	30 KENMOUNT RD	MS SERVICE SHOP
KENMOUNT BILLIARDS INC.	58 KENMOUNT RD	MS PLACE OF AMUSEMENT
CLEARWATER POOLS LIMITED	274 KENMOUNT RD	MS OFFICE
CHIP REIT NO. 30 HOLDINGS LTD.	199 KENMOUNT RD	MS HOTEL
KENNY'S POND FACILITY INC.	135 MACDONALD DR	MS CONDOMINIUM
MIKE FOLEY KEMPO	135 MAYOR AVE	MS COMMERCIAL SCHOOL
ST JOHN'S NFLD CURL CLUB	135 MAYOR AVE	MS COMMERCIAL SCHOOL
ABIGAIL'S HAIR STUDIO	200-232 NEWFOUNDLAND DR	MS SERVICE SHOP
MR. SUB	446 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
ACTION INSURANCE SERVICES INC.	446 NEWFOUNDLAND DR	MS OFFICE
WALLNUTS INC.	57 OLD PENNYWELL RD	MS PLACE OF AMUSEMENT
FURR FACTORY	71 O'LEARY AVE	MS RETAIL STORE
NORTH ATLANTIC REFINING LTD.	154 PENNYWELL RD	MS SERVICE STATION
KOSY DESIGNS INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
ACTION PHYSIOTHERAPY	279 PORTUGAL COVE RD	MS CLINIC
VIDEO CONNECTION INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
SELL OFF VACATIONS	38-42 ROPEWALK LANE	MS OFFICE

MR. SUB	117 ROPEWALK LANE	MS EATING ESTABLISHMENT
HERBAL MAGIC	386 STAVANGER DR	MS RETAIL STORE
HAIR CONNECTION INC.	386 STAVANGER DR	MS SERVICE SHOP
PRINCESS AUTO LTD.	410 STAVANGER DR	MS RETAIL STORE
EARLY ACHIEVERS INC.	397 STAVANGER DR	MS OFFICE
STAVANGER DRIVE PIZZA COMPANY	415 STAVANGER DR -BOSTON PIZZA	MS RESTAURANT
HAZELWOOD ELEMENTARY SCHOOL	391 TOPSAIL RD	MS SCHOOL
SUBWAY	46 TORBAY RD	MS EATING ESTABLISHMENT
TOTALLY TANNED LTD.	120 TORBAY RD	MS SERVICE SHOP
10475 NFLD LTD.	272-276 TORBAY RD CURVES	MS CLUB
WEST SIDE CHARLIES	430 TORBAY RD	MS PLACE OF AMUSEMENT
ADMIRALTY AUTO SERVICES LTD.	452 TORBAY RD FAST LANE	MS COMMERCIAL GARAGE
HARVEY'S OIL LTD.	714 TORBAY RD	MS PETROLEUM USE
TOULON DEVELOPMENT	145 TORBAY RD - CAMPUS RINGS	MS RETAIL STORE
ICT CANADA GROUP INC.	TORBAY ROAD-TORBAY RD MALL	MS COMMUNICATIONS USE
TRA NEWFOUNDLAND C/O EMPIRE CO	504 WATER ST	MS OFFICE
LOBLAWS PROPERTIES LIMITED	55 STAVANGER DR, GARDEN CENTER	NC ACCESSORY BUILDING
DANNY REARDON	248 WATER ST, PASTA PLUS	OC RESTAURANT
GRAPEVINE	206 WATER ST	RN TAVERN
SHAMEL INVESTMENTS LTD.	272-276 TORBAY RD - DOMINO'S	CR TAKE-OUT FOOD SERVICE
DANIER LEATHER	30 KENMOUNT RD	CR RETAIL STORE
FORTIS PROPERTIES CORPORATION	140 WATER ST PENTHOUSE	RN OFFICE
RON FOUGERE ASSOC. LTD	8 KENNA'S HILL	CR OFFICE
DEPT. OF MUNICIPAL AFFAIRS	25-39 HALLETT CRES	CR OFFICE

THIS WEEK \$ 1,118,656.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

CITY OF ST JOHN'S	24 BLACKLER AVE	NC ACCESSORY BUILDING
ST.MATHEW'S SCHOOL	119 COWAN AVE	MS SCHOOL
CITY OF ST. JOHN'S	40 MUNDY POND RD	MS ADMIN BLDG/GOV/NON-PROFIT
VERA PERLIN CHARITABLE	235-237 PENNYWELL RD	RN HANDICRAFTS
MCAULEY CONVENT	250 WATERFORD BRIDGE RD	NC ACCESSORY BUILDING
AGNES PRATT HOME INC	TOPSAIL RD, TUB ROOM & LOUNGE	RN HOME FOR AGED
CITY SANITARY FILL	340 EAST WHITE HILLS RD, 4C	NC ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 596,858.00

CLASS: RESIDENTIAL

JAMES FRANCIS DOWER	53 AUTUMN DR	NC PATIO DECK
MARGARET ROWE	29 BAKER ST	NC ACCESSORY BUILDING
K & P CONTRACTING LTD.	245 BAY BULLS RD	NC SINGLE DETACHED DWELLING
PHYLLIS HEALEY	114 BLACKMARSH RD	NC ACCESSORY BUILDING
KORI RALPH	19 BOLAND ST	NC ACCESSORY BUILDING
JOHN PROWSE CONSTRUCTION	31 CASTLE BRIDGE DR. LOT 125	NC SINGLE DETACHED DWELLING
JOHN PROWSE CONSTRUCTION	49 CASTLE BRIDGE DR. LOT 116	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION LTD.	69 CASTLE BRIDGE DR, LOT 106	NC SINGLE DETACHED DWELLING
TERRY WALSH CONSTRUCTION	74 CHEROKEE DR, LOT 34	NC SINGLE DETACHED DWELLING
TERRY WALSH CONTRACTING	61 CHEROKEE DR, LOT 61	NC SINGLE DETACHED DWELLING
HIPPO HOMES INC.	59 CHEYNE DR, LOT 3.02	NC SINGLE DETACHED DWELLING
GREGORY TODD STANLEY &	10 DUMBARTON PL	NC FENCE
DOUGLAS RYAN/PATRICIA O'BRIEN	17 EASTAFF ST	NC ACCESSORY BUILDING
KARA SLADE	108 EDISON PL	NC FENCE
LLOYD & CONNIE MCGRATH	9 FAHEY ST EXTEN	NC ACCESSORY BUILDING
JOHN CHAFFEY	89 FIRDALE DR	NC ACCESSORY BUILDING

REARDON CONSTRUCTION & DEV LTD	34	GISBORNE PL. LOT F1	NC	TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	36	GISBORNE PL. LOT F2	NC	TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	38	GISBORNE PL. LOT F3	NC	TOWNHOUSING
JOHN DROVER	7	GLADNEY ST	NC	ACCESSORY BUILDING
JEFFREY CAREW	48	GOLD MEDAL DR. LOT 5-193	NC	SINGLE DETACHED DWELLING
HANN CONSTRUCTION LT.	4	GOLF COURSE RD. LOT 5A	NC	SINGLE DETACHED DWELLING
JEFFERY BIRMINGHAM &	63	HILLVIEW DR E	NC	FENCE
CRAIG HICKEY & RHONDA CLARKE	32	HOPEDALE CRES	NC	FENCE
PAUL MURPHY CONSTRUCTION	21	JAMIE KORAB ST, LOT 123	NC	SINGLE DETACHED DWELLING
KARA INVESTMENTS	3	KING EDWARD PL LOT 3	NC	TOWNHOUSING
KARA INVESTMENTS	5	KING EDWARD PL LOT 4	NC	TOWNHOUSING
KARA INVESTMENTS LTD	7	KING EDWARD PL LOT 5	NC	TOWNHOUSING
KARA INVESTMENTS LTD.	9	KING EDWARD PL LOT 6	NC	TOWNHOUSING
KARA INVESTMENTS	11	KING EDWARD PL LOT 7	NC	TOWNHOUSING
MIKHAIL & IRYNA PASYNOK	7-9	KING'S RD	NC	PATIO DECK
FRANK SMITH	19	LADY ANDERSON ST. LOT 270	NC	SINGLE DETACHED & SUB.APT
JOHN & MAUREEN MURPHY	4	LAUGHLIN CRES	NC	SINGLE DETACHED DWELLING
DAMIEN SMITH & AMY MAE FLYNN	4	MACBETH DR	NC	FENCE
TERRY WALSH CONTRACTING	91	MACBETH DR. LOT 135	NC	SINGLE DETACHED DWELLING
BERNARD DAVIS & SEBRINA DAVIS	14	MACKENZIE ST	NC	ACCESSORY BUILDING
BERNARD DAVIS & SEBRINA DAVIS	14	MACKENZIE ST	NC	FENCE
ROBERT PAYNE	40	MARK NICHOLS PL. LOT 5-198	NC	SINGLE DETACHED DWELLING
KRISTA MCDONALD	56	MARK NICHOLS PL, LOT 206	NC	SINGLE DETACHED DWELLING
JOHN TOMPKINS	16	MERCER'S DR	NC	ACCESSORY BUILDING
JOHN TOMPKINS	16	MERCER'S DR	NC	FENCE
JDL ENTERPRISES	12	MIKE ADAM PL, LOT 243	NC	SINGLE DETACHED DWELLING
JDL ENTERPRISES INCORPORATED	16	MIKE ADAM PL, LOT 245	NC	SINGLE DETACHED DWELLING
SKYMARK HOMES	52	NAVAJO PL. LOT 250	NC	SINGLE DETACHED DWELLING
SKYMARK HOMES	31	NAVAJO PL, LOT 228	NC	SINGLE DETACHED DWELLING
ANTONIO MARTIN & JANET BENDER	401	NEWFOUNDLAND DR	NC	FENCE
WADE COOK	395	OLD PENNYWELL RD	NC	ACCESSORY BUILDING
GRANT COOPER	18	O'MARA PL	NC	PATIO DECK
STANLEY MOORES	27	OXEN POND RD	NC	ACCESSORY BUILDING
GARY MURPHY	17	PALM DR	NC	ACCESSORY BUILDING
PAUL SNELGROVE	16	PETITE FORTE DR, LOT 308	NC	SINGLE DETACHED DWELLING
DOUGLAS HICKEY	18	PETITE FORTE DR, LOT 309	NC	SINGLE DETACHED & SUB.APT
JUNE ELVINA OSMOND & GEORGE	85	PORTUGAL COVE RD	NC	ACCESSORY BUILDING
KATHRYN ROBERTS	97	ST. CLARE AVE	NC	FENCE
CHRISTOPHER DUNPHY & MICHELLE	31	SERPENTINE ST	NC	FENCE
ROBERT & DEBORAH RIDEOUT	100	SHOAL BAY RD	NC	SINGLE DETACHED & SUB.APT
REARDON CONSTRUCTION &	12	SPRUCEDALE DR. LOT 152	NC	SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	16	SPRUCEDALE DR. LOT 150	NC	SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	30	SPRUCEDALE DR, LOT 114	NC	SINGLE DETACHED DWELLING
MARK W. & COLLEEN V. KIRBY	5	TREBBLE PL	NC	FENCE
WALTER EMBERLEY	67	VIRGINIA PL	CR	SUBSIDIARY APARTMENT
PAUL G. & SANDRA M. MURPHY	20	CEDARHURST PL	EX	PATIO DECK
TIMOTHY JONES & DIANNE FORD	9	COTTONWOOD CRES	EX	SINGLE DETACHED DWELLING
DR. CHISTOPHER JACKMAN &	11	HAWTHORN PL	EX	SINGLE DETACHED DWELLING
PATRICK SEARS	48	HENNESSEY'S LINE	EX	SUBSIDIARY APARTMENT
JEFF PURCELL	92	PORTUGAL COVE RD	EX	SINGLE DETACHED DWELLING
DARREN & TRACY JENSEN	2	AYRE PL	RN	SINGLE DETACHED DWELLING
NORTHVIEW HOLDINGS LTD.	23	BARTER'S HILL PL	RN	TOWNHOUSING
TONY BATTEN	25	BARTER'S HILL PL	RN	SEMI-DETACHED DWELLING
ADRIAN POWER	17	CORPORAL JAMIE MURPHY ST	RN	SINGLE DETACHED DWELLING
LESLIE WHITE	79	GLENVIEW TERR	RN	SEMI-DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	91-109	BARACHOIS ST	RN	TOWNHOUSING
GLENN BARRY	4	NUNNERY HILL	RN	SEMI-DETACHED DWELLING
UPLAND HOLDINGS LIMITED	119	PENNYWELL RD	RN	TOWNHOUSING
ARNOLD HAINES	2	POWER ST	RN	SINGLE DETACHED DWELLING
SHAWN LAMSWOOD	53	WILLIAM ST	RN	TOWNHOUSING
FABIAN O'NEILL	142	GOWER ST	SW	SEMI-DETACHED DWELLING
BRUCE BOURQUE	27	HALL'S RD	SW	SINGLE DETACHED DWELLING

THIS WEEK \$ 7,015,020.00

CLASS: DEMOLITION

JEROME QUINLAN

63 WARBURY ST

DM SINGLE DETACHED DWELLING

THIS WEEK \$ 6,000.00

THIS WEEK'S TOTAL: \$ 8,736,534.00

REPAIR PERMITS ISSUED: 2009/04/30 TO 2009/05/06 \$ 96,300.00

LEGEND

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

Payrolls and Accounts

SJMC2009-05-11/279R

**It was decided on motion of Councillor Hann; seconded by Councillor Hanlon:
That the following Payrolls and Accounts for the week ending May 7, 2009:**

**Weekly Payment Vouchers
For The
Week Ending May 7, 2009**

PAYROLL

Public Works	\$ 391,465.52
Bi-Weekly Casual	\$ 12,869.03

ACCOUNTS PAYABLE

Cheque No. 146594 - 146897	\$3,691,509.31
Total:	\$ 4,095,843.86

Tenders

1. Tender – 2009 Watermain Improvements
2. Tender – 2009 Infrastructure Maintenance Contract 3 – Concrete Curb, Gutter and Sidewalk
3. Tender – City of St. John’s Energy Retrofit – Phase 3 Depot Building – EMCS Control Modifications (#11-07-290)
4. Tender – City of St. John’s Energy Retrofit – Phase 3 Mechanical Modifications – Various Buildings (#11-07-290)

SJMC2009-05-11/280R

It was decided on motion of Councillor Hann; seconded by Councillor Hanlon: That the recommendations of the Associate Commissioner and Director of Engineering and the Director of Building and Property Management be approved and the tenders awarded as follows:

1. **Pyramid Construction Ltd. in the amount of \$1,014,593.10**
2. **Modern Paving Ltd. in the amount of \$1,800,000.00**
3. **CongtrolPro Distributors for \$50,840.00, including HST**
4. **Tristar Mechanical in the amount of \$223,401.00, including HST**

59 Major’s Path – Roy Peach

Council considered a memorandum dated May 6, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJCM2009-05-11/281R

It was moved by Councillor Puddister; seconded by Councillor Hann: That the recommendation of the Chief Commissioner and City Solicitor that Mr. Roy Peach be compensated in the amount of \$950.00 plus legal fees for his expropriated interest in land at 59 Major’s Path required by the City for street widening in September 2008, be approved.

The motion being put was unanimously carried.

Hamilton Avenue – Katimavik

Council considered a memorandum dated May 4, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-05-11/282R

It was moved by Councillor Hickman; seconded by Councillor Hanlon: That the recommendation of the Chief Commissioner and City Solicitor that Katimavik be authorized to proceed with clearing a section of City land at the bottom of Hamilton Avenue and plant crops and plants, be approved.

Deputy Mayor Ellsworth suggested that the Community Garden Alliance be approached to become involved in this project.

The motion being put was unanimously carried.

2009 Retaining Wall Program

Council considered a memorandum dated May 6, 2009 from the Associate Commissioner and Director of Engineering regarding the above noted.

SJMC2009-05-11/283R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Hann: That the following list of Retaining Walls be repaired under the 2009 Multi-Year Capital Works Program for the 2009 Retaining Wall Program:

Retaining Wall Rehabilitation

Nunnery Hill
Hamilton Avenue/Sudbury Street - #199
Outer Battery Road - #34
Fort Waldegrave - #2
Southside Road (East of #484) - Wall Section West of Outfall
Lower Battery Road @ Battery Road
Lower Battery Road (Turn-a-round)
Queen's Road - #39/41
Rickett's Road - #134
Sudbury Street - #35

Provisional Retaining Wall Rehabilitation

Duckworth Street - Anglican Cathedral
Hipditch Hill - #17
Battery Road @ Cabot Avenue

The motion being put was carried with Councillor Galgay abstaining on (Hamilton Avenue/Sudbury Street-#199), declaring a conflict of interest.

Phone Poll Ratification- Caribou Monument Plaque Installation – Site Landscaping

SJMC2009-05-11/284R

It was moved by Combs; seconded by Councillor Collins: That the following Phone Poll be ratified:

Phone Poll Re: Tender - Caribou Monument Plaque Installation: Site Landscaping Awarded to Murray's Landscape Services Limited In the amount of \$90,258.75		
	Yes	No
Mayor Dennis O'Keefe	N/A	
Deputy Mayor Ron Ellsworth	Yes	
Councillor Gerry Colbert	N/A	
Councillor Shannie Duff	Yes	
Councillor Frank Galgay	N/A	
Councillor Keith Coombs	Yes	
Councillor Tom Hann	Yes	
Councillor Wally Collins	Yes	
Councillor Debbie Hanlon	Yes	
Councillor Sandy Hickman	N/A	
Councillor Art Puddister	Yes	

The motion being put was unanimously carried.

Supply and Install Asphalt Contract Extension

Council considered a memorandum dated May 8, 2009 from the Director of Public Works and Parks regarding the above noted.

Council agreed at the request of the Deputy Mayor that this item be deferred for one week pending information from the Director of Public Works and Parks on the time frame for cutting and replacing the asphalt.

Memorandum from His Worship the Mayor requesting approval to host a small reception for the Cruise Association of Newfoundland and Labrador's Board of

Directors on Thursday, May 28th, 2009 for approximately 25 people at an estimated cost of \$300-\$350

SJMC2009-05-11/285R

It was moved by Councillor Duff; seconded by Councillor Hann: That the City host a small reception for the Cruise Association of Newfoundland and Labrador's Board of Directors on Thursday, May 28th, 2009 (Mayor's Lounge) for approximately 25 people at an estimated cost of \$300-\$350.

The motion being put was unanimously carried.

Letter dated April 21, 2009 from Lord Provost Peter J. Stephen, OStJ, MCIBS, Town House, Aberdeen re letters of condolences

Council acknowledged the above noted letter.

Councillor Hanlon

Councillor Hanlon thanked staff for their research and efforts towards determining the suitability of installing side guards on City's trucks. She also thanked the Mayor and Ms. Jeannette Holman-Prince for their time and effort, and members of Council for a decision today to have the side guards installed.

Councillor Coombs

Councillor Coombs advised he had concern expressed to him in relation to pan handlers going on to the streets creating a safety concern and asked what the City's role is in addressing this type of problem. The Chief Commissioner and City Solicitor noted that in terms of aggressive pan handling, if the situation is obstructing traffic the matter should be referred to the RNC.

Councillor Galgay

Councillor Galgay advised of the public meeting scheduled to be held May 13, 2009 in the Foran/Greene Room, to provide an opportunity for public review and comment regarding an application submitted by Nolan Hall Real Estate Ltd. to construct a condominium, hotel on the former Powers Salvage site located on the east side of Temperance Street.

Councillor Hickman

Councillor Hickman asked that the Associate Commissioner/Director of Engineering contact the Provincial Highways Department with regards to dust control on the dirt road to Cochrane Pond Park.

Councillor Hickman asked for a status report on the fields, when they will be opening up for soccer and baseball.

Councillor Hickman asked the status of the King George V Field. The Chief Commissioner and City Solicitor advised application has been made to the Province for cost sharing of the flood remediation and is confident the City will be supported in this regard. With regards to the turf, he advised that staff are still dealing with the insurance company and are not recommending the replacement of the turf until the flood remediation is complete.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth advised that as part of the Para Transit Service Review, a public meeting will be held on May 20, 2009 and encouraged interested residents to attend.

Deputy Mayor Ellsworth advised that he received a number of calls about the state of commercial properties, and asked that property owners cooperate and cleanup their properties, and that the City step up enforcement for non-compliance.

His Worship the Mayor noted that City enforcement takes place on a complaint basis and staff will respond once a complaint is registered. He encouraged citizens and Councillors to call 311 to register complaints.

Councillor Duff

Councillor Duff advised that a report on the public meeting on the Cycling Master Plan will be brought forward for debate and discussion at next week's meeting.

Adjournment

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

MAYOR

CITY CLERK