

November 9<sup>th</sup>, 2009

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

His Worship the Mayor presided.

There were present also Deputy Mayor Duff, Councillors O'Leary, Hickman, Colbert, Hann, Breen, Galgay, Tilley, Hanlon and Collins.

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

#### **Call to Order and Adoption of the Agenda**

##### **SJMC2009-11-09/625R**

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

- a. Memorandum dated November 9<sup>th</sup>, 2009 from the Director of Finance and City Treasurer re Schedule for Budget Activities

#### **Adoption of Minutes**

##### **SJMC2009-11-09/626R**

**It was decided on motion of Duff; seconded by Councillor Collins: That the minutes of the November 2<sup>nd</sup>, 2009 meeting be adopted as presented.**

#### **Notices Published**

1. **A Discretionary Use Application** has been submitted by Greg Healy and Tilly O'Keefe requesting permission to operate a Lounge in association with a restaurant at **Civic No. 177-179 New Gower Street**. The proposed business "Humphreys Restaurant and Pub" will occupy a floor area of 150 m<sup>2</sup>. The site is located in the parking Exempt Area, Map D of the St. John's Development Regulations. **(Ward 2)**

**One (1) submission of support**

**SJMC2009-11-09/627R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That the application be approved.**

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

2. **A Discretionary Use Application** has been submitted by Michelle Follett requesting permission to operate a Men's barbershop as a **Home Occupation at Civic No. 211 Anspach Street**. The proposed business, "The Razors Edge" will occupy a floor area of 22 m<sup>2</sup> and operate Monday to Saturday from 10 a.m. to 6 p.m. on appointment only basis. On-site parking can accommodate two (2) vehicles. **(Ward 3)**

**SJMC2009-11-09/628R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That the application be approved.**

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

**Committee Reports**

**Finance & Administration Standing Committee Report dated October 28, 2009**

Council considered the following Finance and Administration Standing Committee Report dated October 28, 2009:

- In Attendance:
- Deputy Mayor Shannie Duff, Chairperson
  - Councillor Gerry Colbert
  - Councillor Frank Galgay
  - Councillor Danny Breen
  - Councillor Debbie Hanlon
  - Councillor Wally Collins
  - Mr. Ron Penney, Chief Commissioner & City Solicitor
  - Mr. Art Cheeseman, Associate Commissioner/Director of Engineering
  - Mr. Neil Martin, Associate Commissioner/Director of Corporate Services & City Clerk
  - Mr. Bob Bishop, Director of Finance & City Treasurer
  - Mr. Paul Mackey, Director of Public Works & Parks
  - Mr. Kevin Breen, Director of Human Resources
  - Mr. Dave Blackmore, Director of Building & Property Management
  - Ms. Jill Brewer, Director of Recreation
  - Ms. Elizabeth Lawrence, Director of Economic Development, Tourism & Culture
  - Mr. Cliff Johnston, Director of Planning
  - Mr. Walt Mills, Development Engineer
  - Mr. Jason Silver, City Internal Auditor
  - Ms. Kelly Butler, Recording Secretary

Also in attendance was Mr. Craig Ennis with the St. John's Board of Trade.

**1. Delegation – Canadian Red Cross**

The Committee met with Mr. Al Pelley, Ms. Rhonda Kenny and Mr. Bob Pike of the Canadian Red Cross to discuss the fundraising campaign to establish a Disaster Management Training Centre in St. John's.

Mr. Pelley provided an overview of the operations of the Red Cross, noting that the organization has responded to more significant weather related disasters in the past couple of years than it has in its entire 50 year history. Experts are saying that the world can expect to see much more of the same. The Red Cross has also been working closely in partnership with the federal and provincial governments on the H1N1 flu pandemic. The Red Cross has to build its capacity in order to respond to the predicted effects of climate change, health issues, and security threats. To accomplish this goal, the Red Cross plans to establish a Disaster Management Training Centre in St. John's to ensure that all Red Cross volunteers have nationally standardized training and education and are ready when a disaster occurs. Red Cross volunteers must have the right tools to get the job done, from back up generators to a communications infrastructure, which will keep the Red Cross in contact with volunteer teams, government agencies and other organizations across the province, the country and the world, if necessary.

Mr. Pike noted that the Red Cross is seeking partnerships with various levels of government in order to accomplish its goal of building a new Disaster Management Training facility. The Red Cross has met with representatives from both the federal and provincial governments and the private sector to discuss possible partnerships for the project. Municipalities Newfoundland and Labrador have also endorsed the campaign. Mr. Pike advised that the Red Cross is requesting that the City consider investing \$100,000 to the Prepared Campaign.

Deputy Mayor Duff inquired if the Provincial Government had made any commitment for funding for the project. Mr. Pike advised that the Red Cross has requested a donation of \$750,000 from the Province, and it is hoped they will consider contributing at least \$500,000 in funding.

(Following the presentation, the delegation retired from the meeting.)

A brief discussion ensued regarding the funding request, with it being noted that the Red Cross is a provincial body and any support approved by the City should be contingent on a contribution from the Provincial Government as well. It was also noted that the Red Cross plays an important part of the City's emergency response plan.

**The Committee recommends, on motion of Councillor Colbert; seconded by Councillor Breen: That the request from the Red Cross for a \$100,000 contribution from the City for the Prepared – Disaster Management Campaign be referred to 2010 budget discussions for review and**

**consideration. It is further recommended that should the City approve the funding to be allocated from the 2010 budget, that this approval be contingent on the Provincial Government also providing the same financial contribution for this project.**

**2. Delegation – Affordable Housing Action Committee**

The Committee met with Mr. Ed Power, Co-Chair of the City's Affordable Housing Action Committee to discuss the requirement for a Housing Resource Person for the Committee. The Committee also considered a memorandum dated October 23, 2009, from the Director of Building and Property Management.

Mr. Power advised that the Affordable Housing Action Committee (AHAC) came about following the completion of an Affordable Housing Study commissioned by the City in 2007. AHAC is comprised of representatives the private sector, community support agencies and representatives from three levels of government who are responsible for housing, homelessness, and support services (CMHC, NLHC, HRLE, and Eastern Health). The Committee has been active for the past 18 months and has demonstrated its ability to bring housing issues to the forefront. It has hosted a housing forum in St. John's, lobbied successfully to include affordable housing within the Canada Lands Redevelopment of Pleasantville, and developed an action plan on housing issues for Council as a template for short and long terms planning. The Committee is also currently developing a design charette to take place in December to look at the Pleasantville affordable housing project with community partners and representatives from the award winning Benny Farm Development in Montreal. However, the volume of research and planning required to sustain the Committee's momentum cannot be maintained without the appropriated dedicated resources.

The Director of Building and Property Management noted that Council has previously approved funding for a position within his department to serve as a Resource Coordinator for the Affordable Housing Action Committee. At the time of approval, it was anticipated that 50% of this cost of the position's salary would be funded through the National Homelessness Initiative and the Provincial Department of Human Resources, Labour and Employment. Unfortunately, the Committee has not been successful in securing cost-shared funding. He further noted that the Department of Building and Property Management does have enough money in its budget to cover the position's salary for the remainder of 2009, with the increased service level being put forward for funding consideration under the 2010 budget.

(Mr. Power retired from the meeting.)

**The Committee recommends, on motion of Councillor Galgay; seconded by Councillor Hanlon: That the City fund 100% of the cost for the Housing Resource Person position, and that the position be advertised immediately as funding is available in the 2009 budget year.**

**3. Development of the New Corporate Strategic Plan**

The Committee considered a memorandum dated October 20, 2009, from the Chief Commissioner and City Solicitor regarding the above noted matter.

The Chief Commissioner and City Solicitor noted that the City has had a Corporate Strategic Plan for a number of years, however, it was developed wholly by staff with little Council input. The intent is to revise and update the process used for the preparation of future strategic plans. In particular, the City should look to accommodate public input into the strategic planning process and ensure that the new corporate strategy aligns with the City's departmental business and long range plans as well as with the City's operating and capital budget planning cycle.

The Director of Corporate Services indicated that a Request for Proposals will be developed to retain the services of a consultant to aid in this process. He noted that the entire process should take approximately 6-9 months. Deputy Mayor Duff requested that the Steering Committee overseeing this process include both staff and Council members.

**The Committee recommends, on motion of Councillor Hanlon; seconded by Councillor Breen: That Council approve the following:**

- a. the approval of the strategic planning process as identified in the attached memorandum from the Chief Commissioner & City Solicitor dated October 20, 2009;**
- b. the approval of the strategic plan development time frame as identified in the aforementioned memo; and**
- c. the retention, through a public Call for Proposals, of strategic planning consulting services.**

**4. Proposed Budget Consultations**

The Committee considered a memorandum dated October 16, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance indicated that the 2010 budget consultations would include at least one town hall meeting in the Foran Room to provide a brief overview of the current budget, provide information on the budgetary requests that have been submitted as well as any financial constraints that the City will consider before finalizing its budget. In addition to the town hall meeting, a set period will be established for the public to submit comments either by email or via regular mail, and a comment section will be posted on the City's website.

The Committee discussed the format of the town hall session, with it being noted that it would be better to have two town hall sessions – one to explain the budget and how the

City does its budget forecasting and another session to receive submissions from the public and special interest groups.

**The Committee recommends, on motion of Councillor Breen; seconded by Councillor Colbert: That the process for 2010 budget consultations be comprised of the following:**

- a. a town hall session to explain the budgetary process and the criteria used by Council to determine what service levels get funded in the budget;**
- b. a second town hall session to accept submissions from the general public and special interest groups;**
- c. a period for the public to submit comments and suggestions via email or real mail; and**
- d. a comment location on the City's website.**

**5. Request for Proposals – Banking Services**

The Committee considered a memorandum dated October 15, 2009, from the Director of Finance regarding the above noted matter.

**The Committee recommends, on motion of Councillor Colbert; seconded by Councillor Collins: That the Royal Bank of Canada be appointed as the City's bank for a term of five years commencing January 1, 2010.**

**6. Enactment of By-Laws – CDS & Co.**

The Committee considered a memorandum dated October 23, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance explained that Clearing and Depository Services Inc. (CDS) provides the only clearing service for issues of Canadian debt securities. CDS has recently made changes to its book entry only services system, and effective August 1, 2009, CDS now requires municipal issuers who desire to deposit bonds in the CDS system as book entry only securities to enter into new arrangements with CDS, which includes signing a Book Entry Only Security Services Agreement. The BEO SSA incorporates a number of Issuer Procedures which could negatively impact the City under certain conditions. Therefore, it is recommended that the City enact two by-laws which will serve to protect the City's interests.

**The Committee recommends, on motion of Councillor Galgay; seconded by Councillor Hanlon: That the City approve and enact the two attached by-laws.**

**7. Condominium Services Review Committee**

Deputy Mayor Duff advised that prior to the last municipal election, Council established a new Committee to review the issue of condominium servicing. The Committee is comprised of representatives from various condominium corporations in the City. Unfortunately two of the Councillors who spearheaded the Committee are no longer on Council, however, the Committee will continue to move forward.

The Chief Commissioner and City Solicitor noted that during the Condominium Committee's last meeting, the Director of Finance was asked to gather information from other condominium corporations across the country. When the report is compiled, another meeting of the Committee will be convened.

**The Committee agreed that Councillor Hanlon be appointed as the chairperson of the Condominium Services Review Committee**

**8. Updated Occupational Health and Safety Employee Policies and Manual**

The Committee considered a memorandum dated October 15, 2009, from the Director of Human Resources regarding the above noted matter.

**The Committee recommends, on motion of Councillor Hanlon; seconded by Councillor Collins: That the recommended changes be made to the City's Occupational Health and Safety Employee Policies and Manual as outlined in the attached memorandum from the Director of Human Resources.**

**9. Financial Support for Meetings and Conventions**

The Committee considered a memorandum dated October 26, 2009, from the Director of Corporate Services regarding the above noted matter.

It was noted that the CAIMS group also requested funding in the amount of \$1,375 (in-kind service) for the payment of one breakfast at the conference location (Inco Innovation Centre, MUN).

**The Committee recommends, on motion of Councillor Colbert, seconded by Councillor Hanlon: That the following grants be awarded as per Policy 04-09-02 – Financial Support for Meetings and Conventions:**

- |    |  |                |
|----|--|----------------|
| a. | <b>Volleyfest 2009</b>                         | <b>\$1,000</b> |
| b. | <b>Royal Commonwealth Society Canadian AGM</b> | <b>\$500</b>   |
| c. | <b>National Restorative Justice Symposium</b>  | <b>\$500</b>   |
| d. | <b>2010 Annual Meeting of CAIMS</b>            | <b>\$1,000</b> |
| e. | <b>Baseball Canada Convention</b>              | <b>\$500</b>   |

**It is further recommended that the additional funding request from the CAIMS group for the cost of a breakfast be denied.**

**10. Engineers Without Borders Conference**

The Committee considered a memorandum dated September 22, 2009, from the Director of Economic Development, Tourism and Culture regarding the above noted matter.

**The Committee recommends, on motion of Councillor Hanlon; seconded by Councillor Colbert: That the City host the VIP wine and cheese reception for 100 people who are attending the Engineers Without Borders 2010 National Conference on January 9, 2010.**

**11. Atlantic Green Forum**

The Committee considered a request from Deputy Mayor Duff and Councillor O'Leary to attend the Atlantic Green Forum taking place at the Holiday Inn on November 9-10, 2009. Councillor Hanlon indicated that she would like to attend this forum as well.

**The Committee recommends, on motion of Councillor Colbert; seconded by Councillor Hanlon: That Council approve the attendance of Deputy Mayor Duff, and Councillors O'Leary and Hanlon at the Atlantic Green Forum.**

**12. Protected Areas Association 20<sup>th</sup> Annual Benefit and Silent Auction**

The Committee considered a letter dated October 1, 2008, from Ruth French, Development and Outreach Coordinator, requesting financial support for the above noted event.

**The Committee recommends, on motion of Councillor Galgay; seconded by Councillor Collins: That the City approve \$600 in funding for the Protected Areas Association's 20<sup>th</sup> Annual Benefit and Silent Auction.**

**13. Request for Financial Support for the 60<sup>th</sup> Anniversary Celebration of the 56 Engineer Squadron**

The Committee considered a letter dated August 14, 2009, from Major R. J. Nolan, Commanding Officer, 56 Engineer Squadron regarding the above noted matter.

**The Committee recommends that the request for financial support for the 60<sup>th</sup> Anniversary Celebration of the 56 Engineer Squadron be denied as it is contrary to City policy.**

**14. Lady Cove Choir – Request for Financial Support**

The Committee considered a letter dated August 25, 2009, from Kellie Walsh and Donna Ball, Lady Cove Choir regarding the above noted matter.

**The Committee recommends that the request for financial support for the Lady Cove Choir be denied as it is contrary to City policy.**

**15. Cowan Heights Youth Basketball League**

The Committee considered correspondence from Mike Provencher, Cowan Heights Youth Basketball League requesting a donation to continue the operations of the league.



The Director of Recreation advised that the league is operated almost exclusively by volunteers, and they are responsible for the maintenance of the facilities as part of an agreement in lieu of payment of rent.

**The Committee recommends that the organization be advised to apply for grant funding through the City's Grants and Subsidies Program.**

**16. The Arthritis Society Annual Jingle Bell Run Fundraiser**

The Committee considered a letter dated July 17, 2009, from Brenda Kitchen requesting that the City become an Elf Sponsor in the Arthritis Society's Annual Jingle Bell Run.

**The Committee recommends that the request for sponsorship be denied as it is contrary to City policy.**

**17. Taxation of Seniors – Letter from Mervyn F. Green**

The Committee considered a letter from Mr. Mervyn Green outlining his concerns with respect to a number of issues including the taxation of seniors and other matter relating to the financial affairs of the City.

Councillor Hanlon noted that the issue of the taxation for seniors will be on the agenda for the next meeting of the Mayor's Advisory Committee on Seniors. It was suggested that the Mayor provide a response to Mr. Green as the letter was addressed to the Mayor.

**The Committee agreed that Mr. Green's letter be forwarded to the Mayor's Office for a response.**

**18. Seniors Resource Centre Snow Busters Program**

The Committee considered a letter dated September 9, 2009, from Kelly Heisz, Executive Director, Seniors Resource Centre requesting financial support for the organization's Snow Busters Program.

The Director of Public Works and Parks advised that funding for the Snow Busters Program has been a line item in the Department's budget for the past few years. The program will again be forwarded for consideration under the 2010 budget.

**19. Wellness Program Eligibility**

The Committee considered a memorandum dated October 27, 2009, from the Director of Human Resources regarding the above noted matter.

**The Committee recommends, on motion of Councillor Colbert; seconded by Councillor Hanlon: That any employees or Councillors enrolled in the**

**Wellness Program now or in the future, be given the option to continue on with the program at retirement.**

Deputy Mayor Shannie Duff  
Chairperson

**SJMC2009-11-09/629R**

**It was moved by Deputy Mayor Duff; seconded by Councillor Hanlon: That Item #3 Development of the New Corporate Strategic Plan, be dealt with under separate motion and that the remaining items be approved as presented.**

**Regarding Item #6 – Council adopted the following By-Laws:**

**CITY OF ST. JOHN'S**

**A By-Law to authorize the issue of replacement bonds**

**WHEREAS** The St. John's Municipal Council (the "Council") is empowered under the provisions of *The City of St. John's (Loan) Act, 1978*, Chapter 9 of the Revised Statutes of Newfoundland and Labrador, 1978, as amended (the "said Act") to borrow upon the credit of the City of St. John's (the "City") by the issue and sale of bonds subject to the prior approval, in writing, of the minister, as defined in the said Act;

**AND WHEREAS** the City of St. John's (the "City") has issued and continues to issue bonds to provide financing for its purposes pursuant to the provisions of the said Act from time to time in connection with various long term financing transactions;

**AND WHEREAS** when the City from time to time issues bonds in the capital markets, such bonds are typically issued in global fully registered form (individually a "Global Bond" and collectively the "Global Bonds") in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") as book entry only securities;

**AND WHEREAS** CDS has introduced changes to its book entry only services system and, effective August 1, 2009, requires municipal issuers who desire to issue bonds in the CDS system as book entry only securities to enter into new arrangements with CDS, including CDS' Book Entry Only Securities – Services Agreement and as part of the new arrangements, municipalities may enter into Rider 1 (Municipalities) to CDS' Book Entry Only Securities – Services Agreement (the "Rider");

**AND WHEREAS** the Rider, amongst other things, provides in section 3.3 that if the statute or by-laws binding the issuer requires a bond of indemnity as a condition of issuing a replacement certificate in the event of a

defacement, loss, mysterious or unexplainable disappearance, theft or destruction or other instance, then CDS may at its option, either give an indemnity to the issuer for losses incurred by the issuer by reason of a claim in respect of the defaced, lost mysteriously or unexplainably disappeared, stolen or destroyed global certificate, substantially in the form required by the issuer and acceptable to CDS, or deliver a bond of indemnity, lost document bond or similar instrument each of which is issued by a surety or insurer, in a form acceptable to both the issuer and CDS, and issuer shall have no right to require a fee of any kind, whereupon the issuer shall, if requested by CDS, issue a new global certificate to replace such defaced, lost, mysteriously or unexplainably disappeared, stolen, destroyed or dematerialized global certificate;

**AND WHEREAS** the Rider also provides in section 3.1 that the issuer shall deliver or cause to be delivered to CDS for each specific issue of bonds being deposited at CDS, one original, fully registered global certificate or if the aggregate principal amount of the bonds at maturity exceeds \$50 million CAD and if the statutes or by-laws binding the issuer require a bond of indemnity as a condition of issuing a replacement certificate, then with respect to each \$50 million of principal amount, the issuer shall deliver or cause to be delivered to CDS an additional original, fully registered global certificate;

**AND WHEREAS** it is expedient to authorize the issuing of replacement bonds, including Global Bonds, in the event of a defacement, loss, mysterious or unexplainable disappearance, theft or destruction or other instance (such as dematerialization) and establish certain conditions in respect thereof;

**NOW THEREFORE** The St. John's Municipal Council hereby enacts as follows:

1. In the event of the defacement, loss, mysterious or unexplainable disappearance, theft or destruction or other instance (such as dematerialization) of bonds, including Global Bonds, the Mayor and the Treasurer on behalf of the City are hereby authorized to issue replacement bonds in respect of any such bonds on the provision of a bond of indemnity, lost document bond or similar instrument each of which is issued by a surety or insurer, in a form acceptable to both the City and the entity that has requested the replacement bond.
2. In the case of a request for a replacement bond by CDS, the City shall have no right to require a fee of any kind, although the City, may, at its discretion, in other cases require the payment of a fee to cover the cost of issuing a replacement bond.
3. This By-law comes into force on the day it is passed.

**CITY OF ST. JOHN'S**

**A By-Law to authorize the execution of a book entry only - services agreement and a rider, both with CDS Clearing and Depository Services Inc. ("CDS") and both in respect of the deposit in the CDS system of bonds as book entry only securities.**

**WHEREAS** The St. John's Municipal Council (the "Council") is empowered under the provisions of *The City of St. John's (Loan) Act, 1978*, Chapter 9 of the Revised Statutes of Newfoundland and Labrador, 1978, as amended (the "said Act") to borrow upon the credit of the City of St. John's (the "City") by the issue and sale of bonds subject to the prior approval, in writing, of the minister, as defined in the said Act;

**AND WHEREAS** City of St. John's (the "City") has issued and continues to issue bonds to provide financing for its purposes pursuant to the provisions of the said Act from time to time in connection with various long term financing transactions;

**AND WHEREAS** when the City from time to time issues bonds in the capital markets, such bonds are typically issued in global fully registered form (individually a "Global Bond" and collectively the "Global Bonds") in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") as book entry only securities;

**AND WHEREAS** CDS has introduced changes to its book entry only services system and, effective August 1, 2009, requires municipal issuers who desire to issue bonds in the CDS system as book entry only securities to enter into new arrangements with CDS, including CDS' Book Entry Only Securities – Services Agreement and as part of the new arrangements, municipalities may enter into Rider 1 (Municipalities) to CDS' Book Entry Only Securities – Services Agreement (the "Rider");

**AND WHEREAS** it is expedient to authorize the entering into new arrangements with CDS to ensure that CDS accepts new issues of bonds and maintains existing securities issued by the City as book entry only securities in the CDS system;

**NOW THEREFORE** the Council of City of St. John's hereby enacts as follows:

1. The Mayor and the Treasurer on behalf of the City are hereby authorized to execute the agreement entitled "Book Entry Only – Services Agreement" and the Rider, both with CDS and both in respect of the issuance of bonds of the City, with such changes thereto as may be required by CDS and as such authorized officials of the City may, at their discretion, approve.

- 2. This By-law comes into force on the day it is passed.

**Regarding Item #12, Councillor Hann asked if the approval is in accordance with current policy and it was noted that the group’s request for support has been granted for a number of years. Councillor Hann noted he would like to see a review of the policy.**

**Following discussion, the motion being put was unanimously carried.**

**SJMC2009-11-09/630R**

**Regarding Item #3, Development of the New Corporate Strategic Plan, it was moved by Deputy Mayor Duff; seconded by Councillor Tilley: That the Committee’s recommendation be approved.**

Deputy Mayor Duff explained the development of the New Corporate Strategic Plan, the intent being to update the process for preparation of future strategic plans.

**Following discussion, the motion being put was unanimously carried.**

**Development Permits List**

Council considered as information the following Development Permit List for the period October 30<sup>th</sup> to November 5<sup>th</sup>, 2009:

DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF October 30, 2009 TO November 5, 2009

Code	Applicant	Application	Location	Ward	Development Officer’s Decision	Date
COM	Kavanagh & Associates Ltd	Laydown Area for PF Collins	251 East White Hills Road	1	Approved	09-10-30
COM	Facilities Design Group Inc.	Proposed Offices for FFAW (Site Plan)	368 Hamilton Avenue	2	Approved	09-10-30
COM	Gibraltar Development	Residential Condominium Building 24 Units	455-459 Logy Bay Road	1	Approved	09-11-02

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

INST - Institutional  
 IND - Industrial

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\*\* 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

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**Building Permits List**

**SJMC2009-11-09/631R**

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

2009/11/04

Permits List

**CLASS: COMMERCIAL**

FOCAL POINT GALLERY	124 DUCKWORTH ST	CO RETAIL STORE	
WAYPOINTS	145 LEMARCHANT RD	RN OFFICE	
MARK WINSOR	193 KENMOUNT RD, PET PAWS	SN RETAIL STORE	
PATTISON OUTDOOR	439 KENMOUNT RD	SN RETAIL STORE	
AFRICIAN MARKET SQUARE	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE	
AFRICIAN MARKET SQUARE	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE	
AFRICIAN MARKET SQUARE	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE	
ANNABELLE FURZER	366 THORBURN RD	CR SERVICE SHOP	
MAVERICK SPORT LTD.	250 WATER ST	RN RETAIL STORE	
NOEL PARSLEY	284 LEMARCHANT RD	RN OFFICE	
		THIS WEEK \$	131,359.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

ST.KEVIN'S HIGH	435 BACK LINE	SW VACANT LAND	
WESLEY UNITED CHURCH	101 PATRICK ST	RN CHURCH	
		THIS WEEK \$	2,500.00

**CLASS: RESIDENTIAL**

JAMES FLYNN	3 BALLY HALY PL	NC ACCESSORY BUILDING
GENO COLLINS	5 TOP BATTERY RD	NC SINGLE DETACHED DWELLING
TODD & MICHELLE HICKEY	16 BAYBERRY PL	NC ACCESSORY BUILDING
GLENN MCCANN	15 BLUE JACKET PL, LOT 66	NC SINGLE DETACHED DWELLING
ERCO HOMES	17 BLUE JACKET PL, LOT 67	NC SINGLE DETACHED DWELLING
PETER & DONNA IVANY	260 CANADA DR	NC FENCE
JIM MARNELL	2 CARIBOU PL, LOT 1	NC SINGLE DETACHED & SUB.APT
HIPPO HOMES INCORPORATED	61 CHEYNE DR, LOT 303	NC SINGLE DETACHED DWELLING
BERNARD MANNING	64 CUCKHOLD'S COVE RD	NC ACCESSORY BUILDING
RICHARD TULK AND TINA TULK	2 FORDE DR	NC SINGLE DETACHED & SUB.APT
TONY CHALIFOUR	122 FRESHWATER RD	NC FENCE
DIANNE HAWCO	8 FURLONG ST	NC PATIO DECK
REARDON CONSTRUCTION & DEV LTD	46 GISBORNE PL LOT H1	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	48 GISBORNE PL LOT H2	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	50 GISBORNE PL LOT H3	NC TOWNHOUSING
NEWFOUNFLAND HOUSING	168 GOWER ST	NC PATIO DECK
SHAWN LANGDON	26 GREAT EASTERN AVE, LOT 57	NC SINGLE DETACHED & SUB.APT
NELSON WHITE	3 HENNEBURY PL	NC FENCE
FAIRVIEW INVESTMENTS LIMITED	28 ICELAND PL - LOT 10	NC SINGLE DETACHED DWELLING
SKYMARK HOMES	62 ICELAND PL, LOT I-27	NC SINGLE DETACHED DWELLING
FAIRVIEW INVESTMENTS LIMITED	47 ICELAND PL, LOT 43	NC SINGLE DETACHED DWELLING
GIBRALTAR DEVELOPMENT	71 JULIEANN PL, LOT 127	NC SINGLE DETACHED DWELLING
GLEN GEORGE	24 LARNER ST	NC ACCESSORY BUILDING
NEW VICTORIEN HOMES	21 LIONS RD, LOT 42	NC SINGLE DETACHED & SUB.APT
ROCKWOOD HOMES	LOGY BAY RD/VIRG.WATER VIL L15	NC SINGLE DETACHED DWELLING
STEVEN DUNCAN	118 MILITARY RD	NC SINGLE DETACHED DWELLING
CARDINAL HOMES LTD	101 NEW PENNYWELL RD, LOT 56	NC SINGLE DETACHED & SUB.APT
MARK OLIVER	88 OLD BAY BULLS RD	NC ACCESSORY BUILDING
SKYMARK HOMES	9 PIPER ST, LOT 4	NC SINGLE DETACHED DWELLING
GRANT A. PARR AND KYLA BRAKE	129 AIRPORT HEIGHTS DR	NC FENCE
JIM MARSHALL	60 ST. CLARE AVE	NC PATIO DECK
ERCO HOMES	34 SGT. CRAIG GILLAM AVE,L 12	NC SINGLE DETACHED DWELLING
DWAYNE WHITT	322 THORBURN RD	NC ACCESSORY BUILDING
GERALD & KATHRYN HALLEY	22 TORONTO ST	NC PATIO DECK
ANDREW HOWSE	53 CHEROKEE DR	CR SUBSIDIARY APARTMENT
MARAJ LTD.	332 TOPSAIL RD	CR SUBSIDIARY APARTMENT
DMC	79 CORNWALL AVE	EX SINGLE DETACHED DWELLING
JAMES CONROY	39 CORNWALL CRES	EX ACCESSORY BUILDING
JAMES J. DUNN JR.	27 SUDBURY ST	EX SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	BLDG. 811 ALEXANDER PL	RN APARTMENT BUILDING
MORGAN WINTER & TINA DANESE	29 COLLIER'S LANE	RN SINGLE DETACHED DWELLING
LISA C GOSSE	25 CORNWALL AVE	RN SINGLE DETACHED DWELLING
ADAM O'BRIEN	64 EDISON PL	RN SINGLE DETACHED DWELLING
GERALD K. PUMPHREY	107 EDISON PL	RN SEMI-DETACHED DWELLING
DAVID WOOLRIDGE	194 FRESHWATER RD	RN SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	55 GISBORNE PL	RN SINGLE DETACHED DWELLING
HOWARD NASH & SANDI LAFLEUR-	21 HALLEY DR	RN SINGLE DETACHED DWELLING
MICHELLE ANN DOOLEY	167 LEMARCHANT RD	RN SEMI-DETACHED DWELLING
MIKE O'DEA	8 O'REGAN PL	RN SINGLE DETACHED & SUB.APT
NFLD. & LAB HOUSING CORP	BLDG. 807, CHURCHILL AVE	RN APARTMENT BUILDING
LAURA COADY & BLAIR TRISCOTT	144 RUBY LINE	RN SINGLE DETACHED DWELLING
STEPHEN HODDER	23 SUDBURY ST	RN SINGLE DETACHED DWELLING
LLEWELLYN COLLINS	20 LINEGAR AVE	SW SINGLE DETACHED DWELLING
DAVID & JACQUELINE HEELEY	39 PARLIAMENT ST	SW SINGLE DETACHED DWELLING
PAUL GOUGH	33 POINT LEAMINGTON ST	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 4,643,180.00

**CLASS: DEMOLITION**

CITY OF ST. JOHN'S	63 MAJOR'S PATH	DM SINGLE DETACHED DWELLING
AIDAN MURPHY	8 STRAWBERRY MARSH RD	DM SINGLE DETACHED & SUB.APT
FORTIS PROPERTIES CORPORATION	CAVENDISH SQ	DM HOTEL

FORTIS PROPERTIES CORPORATION CAVENDISH SQ - SHERATON HOTEL DM HOTEL

THIS WEEK \$ 102,000.00

THIS WEEK'S TOTAL: \$ 4,879,039.00

REPAIR PERMITS ISSUED: 2009/10/29 TO 2009/11/04 \$ 114,300.00

LEGEND

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

**Payrolls and Accounts**

**SJMC2009-11-09/632R**

**It was decided on motion of Councillor Hann; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week ending November 5<sup>th</sup>, 2009, be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending October 29, 2009**

**PAYROLL**

Public Works	\$ 305,667.20
Bi-Weekly Amalgamation	\$ 465,120.44
Bi-Weekly Management	\$ 607,804.95
Bi-Weekly Administration	\$ 635,194.77

**ACCOUNTS PAYABLE**

Cheque No. 154192 – 154542	\$3,607,809.77
<b>Total:</b>	<b>\$5,621,597.13</b>



**Tender**

**a. Tender – Rapid Intervention Unit (SJRFD)**

**SJMC2009-11-09/633R**

**It was decided on motion of Councillor Hann; seconded by Councillor Tilley: That the recommendation of the Director of Finance and City Treasurer be approved and the tender awarded as follows:**

- a. ERL (Emergency Repairs Ltd.) in the amount of \$141,870.00 (taxes not included)**

**Petitions**

Councillor Hanlon tabled a petition the prayer of which reads as follows, and which was referred to the Transportation Engineer for analysis:

**“Petition for a Traffic Study on Kerry Street”**

**St. John’s Sports and Entertainment Ltd. Budgeted Statement of Revenues and Expenses for the year ending December 31, 2010**

Council considered the St. John’s Sports and Entertainment Limited budgeted statement of revenues and expenses for the year ending December 31, 2010.

**SJMC2009-11-09/634R**

**It was moved by Councillor Breen; seconded by Deputy Mayor Duff: That the St. John’s Sports and Entertainment Limited budgeted statement of revenues and expenses for the year ending December 31, 2010, be approved. The motion being put was unanimously carried.**

**Letter dated October 29, 2009 from Mark Warren, HSE Coordinator, Newdock requesting exemption from the St. John’s Firearms By-Law 1422**

Council agreed to a request from Mark Warren, HSE Coordinator, Newdock for exemption from the St. John’s Firearms By-Law 1422 for the next two years to control nuisance pigeons that remain within their facility.

**SJMC2009-11-09/635R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That a request from Newdock Ltd. for an exemption to By-Law 1422 (the St. John’s Firearms By-law) for the next two years, be granted.**

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

**Request from the Downtown Development Corporation that the City provide funding in the amount of \$3,000.00 towards the DDC's Santa Shuttle**

**SJMC2009-11-09/636R**

**It was moved by Councillor Collins; seconded by Councillor O'Leary: That the City provide \$3000 in funding for the DDC's Santa Shuttle.**

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

**Councillor Collins**

Councillor Collins advised that a report on the Goulds Trunk Sewer installation will be brought forward to the Public, Environment and Protection Committee for consideration.

**Councillor Hanlon**

Councillor Hanlon indicated that sometimes the City is not recognized or acknowledged at events that receive significant support from the City and noted that the City needs to take a more active role in promoting itself. She also suggested that Mile One Centre look at installing a marquee as a means of advertising its events. The matter was referred to the Boards of St. John's Sports and Entertainment Ltd.

Councillor Hanlon noted that she was made aware of the fact that the Singing Legionnaires are in need of new uniforms and asked if the City should get involved. She was advised that they can apply under the City's Grants and Subsidies Program for funding. Councillor Hanlon also suggested that any business interested in getting involved can contact her for follow-up.

**Councillor Tilley**

Councillor Tilley congratulated the government on its Youth Retention and Attraction Strategy for Newfoundland and Labrador. He asked that a copy of the document be obtained and referred to the Mayor's Advisory Committee on Youth to see what initiatives Council can take in this regard.

Councillor Tilley tabled a letter from Arthur & Lorraine Hamlyn 180 Waterford Bridge Road re proposed rezoning to accommodate residential development

Waterford Bridge Road, Corpus Christi Hall, which was referred to the Director of Planning.

Councillor Tilley tabled a letter from Freeman C. Sheppard, regarding Notice of Assessment, 756, 760 and 764 Blackmarsh Road which was referred to the Director of Finance and City Treasure for review.

### **Councillor Breen**

Councillor Breen noted there are frequent concerns relative to speeding on City Streets and asked that the matter be referred to the Police and Traffic Committee in order that the overall issue in terms of design, possibility of three-way stops or T-intersections can be considered.

### **Councillor Colbert**

Councillor Colbert referred to the 59<sup>th</sup> annual general meeting of Municipalities Newfoundland and Labrador held in Gander this past weekend at which time Graham Letto stepped down as president with Harry Hallett assuming the role. Councillor Colbert, who served as chair of the Finance Committee, advised that he is leaving the board, and Councillor Debbie Hanlon will now serve as the City representative of the Board of Directors of MNL. Councillor Colbert thanked Council for the opportunity to serve as the City's member on the Board of MNL .

He also thanked Mr. Bob Bishop Director of Finance and City Treasurer and Ms. Michelle Peach, Chief Financial Officer of the City of Mount Pearl and Ms. Ruby Pearce, MNL financial staff, for their assistance over the last several years .

Councillor Colbert advised that the City's Resolution on Motorcycle Noise was brought forward and passed, and as well a Resolution on the issue of pesticides brought forward by the City of Mount Pearl, was passed. The Resolutions will now be brought forward to a policy committee of the board of the Municipalities of Newfoundland and Labrador who will develop a paper and meet with the respective minister and staff to discuss the issues raised by elected municipal officials and seek the Province's support.

Councillor Colbert advised that during the meetings, Acting Minister of Municipal Affairs, Tom Hedderson, announced that the government will now allow Municipalities in Newfoundland and Labrador to use their share of the gas tax to improve local water and sewer systems. Councillor Colbert asked that staff review the government's position and whether or not it makes sense for the City to use a portion of the gas tax for those particular infrastructure projects.

Councillor Colbert also noted that Minister Dianne Whelan was made an honorary member of MNL. He also noted that individuals were recognized for long service one being Mr. John Hamlyn who has been Mayor of Cow Head since 1962.

### **Mayor O'Keefe**

Mayor O'Keefe pointed out that Council has a long record of supporting the abolition of the use of pesticide and communicated to the Province the City's desire either to see government legislation or enable the City to bring in the appropriate legislation, and to date nothing has transpired.

### **Councillor Hann**

#### **SJMC2009-11-09/637R**

**It was moved by Councillor Hann; seconded by Councillor Hanlon: That the City's policy pertaining to the purchase of tables at fundraisers be brought forward for review.**

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

### **Councillor Hickman**

Councillor Hickman noted the importance of good communications and suggested that a communications specialists should be considered at some future date.

Councillor Hickman also agreed that the issue of speeding on City streets should be looked at and noted that it is his belief that there are streets of different service levels that should have appropriate speeds limits.

**Councillor O’Leary**

Councillor O’Leary applauded the action of MNL with respect to its initiative on Pesticide use and indicated that in conjunction with MNL there is an existing pesticide coalition with whom she will be working very closely. She applauded the efforts the City has taken in the past and believes the time is now and the City should continue to take leadership.

Councillor O’Leary alluded to the following issues raised by Clean and Beautiful which are referred to the Public Works, Environment and Protection Committee for follow-up:

- (1) Ticketing and fining in regard to property disrepair or the improper disposal and storage of garbage. She asked that the pertinent bylaws be reviewed;
- (2) Clarification on the street cleaning schedule, whether or not it is a prearranged scheduled or on a complaint basis;
- (3) Issue pertaining developers requiring dumpsters on their work site, clarification on whether they are required to be on the property;
- (4) Concrete Garbage containers around the city without lids – may be look at need for new containers

**Deputy Mayor Duff**

Deputy Mayor Duff tabled as information a memorandum dated November 9, 2009 from the Director of Finance and City Treasurer outlining a schedule for budget activities.

Deputy Mayor Duff referenced the MNL convention meetings held this weekend in Gander. She advised there was a session on Waste Water and an outline of the new Federal regulations which will require over a certain time frame that all waste water to go to secondary processing. She asked that staff provide a report on the implications on the City of these regulations.

Deputy Mayor Duff noted a session was also held in relation to the integrated community sustainability plans. She asked that status of that process for the City.

**Adjournment**

There being no further business, the meeting adjourned at 6:10 p.m.

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**MAYOR**

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**CITY CLERK**