

**October 12<sup>th</sup>, 2010**

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, Colbert, Hann, Breen, Galgay, Hanlon and Collins.

Regrets – Councillors Tilley and Hickman.

The City Manager, Deputy City Manager/Director of Corporate Services and City Clerk; Deputy City Manager/Director of Public Works and Parks; Director of Engineering; Director of Planning, City Solicitor, City's Internal Auditor and Manager, Corporate Secretariat were also in attendance.

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

#### **SJMC2010-10-12/555R**

**It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the Agenda be adopted as presented, including the following additional items:**

- a. Request from Councillor Hanlon that the City cover Registration Cost to attend the 2010 Atlantic Provinces Economic Council (APEC) - November 2, 2010, St. John's, NL - Delta St. John's
- b. Tender – City Infill 1982 Housing Upgrades
- c. Tender – Rawlin's Cross Housing Upgrades

### **Adoption of Minutes**

#### **SJMC2010-10-12/556R**

**It was decided on motion of Councillor Collins; seconded by Councillor Hann: That the Minutes of the October 4<sup>th</sup>, 2010 meeting be adopted as presented.**

## **Business Arising**

### **Heritage Advisory Committee Report dated September 27, 2010**

Under business arising, Council considered the following Heritage Advisory Committee Report dated September 27, 2010:

**Members:** Deputy Mayor Shannie Duff  
Councillor Sheilagh O’Leary  
David Kelland, NL Association of Architects  
Anne Hart, Resident Representative  
Gerard Hayes, General Representative  
Debbie O’Rielly, NL Historic Trust  
Tony Lockyer, Canadian Homebuilders Association, Eastern Region  
Ken O’Brien, Manager of Planning & Information  
Peter Mercer, Heritage Officer  
Helen Miller, Archivist  
Karen Chafe, Recording Secretary

#### **Report:**

##### **1. Proposed Redevelopment of Vacant Land at 49-53 Harvey Road**

On September 8<sup>th</sup>, 2009, the Committee met with Mr. Richard Cook, Ms. Elaine Hann and Mr. Richard Hiblin to discuss their proposed redevelopment of 49-53 Harvey Road into an executive residential condominium complex with office/retail space. The proposal submitted at that time consisted of glass curtain exterior with metallic trim. The Committee expressed concern about the significant departure of the design from the heritage guidelines, and it was the general consensus that the design be rejected and resubmitted, taking special care to respect this section of Heritage Area 3 which is also located on a high profile street. The Committee was also agreeable to continued consultation with the proponent in their efforts at redesign.

Approximately one year later, the proponents resubmitted a revised proposal and it was referred to the Committee on September 10<sup>th</sup>, 2010. Copies of both the original and revised submissions are included with this report. With the exception of the replacement of the metal trim with a brick or parged facing, the revised submission looks very close to the original. The Committee has determined that the revisions do not incorporate aspects of heritage vernacular as do the other properties in the surrounding area, which were rebuilt after the large CLB fire of 1992 which burned many buildings. The proposal is contrary to Section 5.9.4 of the St. John’s Development Regulations and Section 2.4 of the St. John’s Heritage Areas, Heritage Buildings and Public Views report. Approval of this application as presented would set a detrimental precedent for future development in the heritage area.

**Based on the above noted concerns, the Committee recommends that Council reject the application and the applicant submit a revised design that meets the requirements of Section 5.9.4 of the St. John's Development Regulations. The Heritage Advisory Committee will continue to offer advice to the City's Heritage Officer and the developer and offers the following design elements to serve as a guideline:**

- **Fenestration:** The proposed façade consists of a glass curtain treatment typically used in office towers rather than residential buildings. This presents Harvey Road with a fairly blank wall of glass so that the actual windows where people could see and be seen are almost invisible. Punched windows in a regular pattern with some symmetry, echoing the human form, i.e. taller rather than wider, would be more appropriate.
- **Entrance:** the front door should be situated such that it is visible and could be highlighted with a portico, eave and/or lighting.
- **Materials:** should be traditional to or echo the heritage area. Traditional materials for larger buildings would include brick and masonry. Curtain wall is associated with modern high-rise buildings and not considered to be a traditional element, though it has been used to good effect on the Blue Drop, Delgado and Lilly Buildings but usually restrained rather than filling the front façade.
- **Size and scale:** should be oriented to nearby buildings. The contrast in height should be organic, not stark. The scale of the proposed development is large and will overpower the adjacent properties, particularly as it encompasses three building lots. For example, facing Harvey Road, the property to the west is three storeys and the property to the east is two. The proposed development will be five storeys. The rear façade on Long's Hill will appear even more massive, consisting of garage doors on the lower level and balconies and glass rails on all other levels.
- **Streetscape:** given that the proposal will be situated on three lots as one major development, there is an issue with the loss of rhythm to the streetscape, which generally consists of storefront facades. There is a need to reflect a continuous pattern of similar scale buildings.
- New buildings do not have to replicate the past but they should have echoes of the past if they are to be built in a heritage area.

The Committee expressed the importance of developers being engaged in and having a greater understanding of a heritage area's defining principles. The greater their sense for the areas in which they wish to build, the greater their sensitivity toward appropriate development.

Several photographs are attached of new construction and/or renovations in the heritage area that incorporate newer materials and modern design elements that have been very successful.

Deputy Mayor Shannie Duff  
Chairperson

Council also considered a memorandum dated October 8, 2010 from the Director of Planning re Proposed Mixed Use Commercial and Residential Building regarding Civic No. 49-53 Harvey Road

**SJMC2010-10-12/557R**

**It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary: That the Committee’s recommendation be approved.**

Discussion ensued during which Deputy Mayor Duff asked that Council accept the recommendation of the Committee while staff continue to work with the developer in developing a design for the proposed building more in keeping with the area, since she pointed out the property is located in the Heritage Conservation Area and very close to the ecclesiastical district.

During discussion, Councillor Hann listed a number of buildings in the area which he noted have no heritage significance.

Discussion continued, during which Councillor Colbert noted staff’s recommendation contained in a memorandum dated October 8, 2010 from the Director of Planning indicating that it would be premature for Council to grant a formal Approval-in-Principle for the proposed development on Harvey Road at this time prior to the completion of the review of the application by the Departments of Engineering and Planning.

**SJMC2010-10-12/558R**

**It was then moved by Councillor Colbert; seconded by Councillor Hanlon: That a decision on the proposed development be deferred to allow staff of the Engineering and Planning Departments time to complete a review of the application.**

**The motion to defer being put there voted for it the mover, seconder, Councillors Breen, Hann and His Worship the Mayor. Voting against deferral were Deputy Mayor Duff, Councillors Collins, Galgay and O’Leary. The motion to defer was carried.**

**OTHER MATTERS**

Councillor Galgay referenced the application pertaining to a residential subdivision on Murphy's Right-of-Way off Signal Hill Road and the recent questions being raised concerning the title to the property. He asked the City Solicitor to clarify questions being raised on whether the City is required to determine property ownership before entertaining development applications. The City Solicitor advised that the City does not have the power to decide on property ownership, noting the role is that of the Courts. He advised that the City doesn't carry out searches on the many development applications received on an annual basis, which would be very costly and time consuming. He also noted that the City relies on the property owner to provide a property survey. He indicated that the system is such that other facts, such as financing required by most developers, will trigger the need for a title search if problems with title become evident.

During discussion the Director of Planning advised that the City has requested the Department of Municipal Affairs to defer the City's request for provincial registration of St. John's Development Regulations Number 495, 2010, pending the review of the title of the application property at Murphy's Right-of-Way.

**Discussion continued during which the following motion was put forward:**

**SJMC2010-10-12/559R**

**It was moved by Councillor Collins; seconded by Councillor O'Leary: That the Applicant, Leger Holdings Ltd., be given a three week time period to provide documentation showing title to the Murphy's Right-of-Way property.**

During discussion, questions were raised on the status of the application if it is determined the developer doesn't own the property. It was noted that Council can vote to rescind the previous motion of Council granting approval in principle to an 8 lot subdivision on Murphy's Right-of-way off Signal Hill Road.

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

**Notices Published**

1. A **Discretionary Use Application** has been submitted by Turndown BMX Inc. (Rob Yetman) requesting permission to establish an in-door bicycle and skateboard facility as a Place of Amusement at **Civic No. 61 James Lane**. The application entails the development of a 510 m<sup>2</sup> area of which 150 m<sup>2</sup> will be utilized for retail use. The proposed business will operate 7 days a week from 2 p.m. to 10 p.m. Parking will be provided on-site. **(Ward 3)**

**One (1) Submission of Concern  
One (1) Submission of Objection**

**It is noted that the applicant withdrew their application by email on October 7, 2010.**

2. A **Discretionary Use Application** has been submitted by Jendore Limited requesting permission to develop a Parking Lot on the south side of **Waterford Bridge Road near Corpus Christi Church**. The proposed Parking Lot will accommodate part of the parking requirements for The Tower Corporate Campus and will have thirty-nine (39) parking spaces. **(Ward 3)**

**One (1) Submission of Objection**

**SJMC2010-10-12/560R**

**It was moved by Deputy Mayor Duff; seconded by Councillor Hann:  
That the application be approved.**

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

**Development Committee Report October 5, 2010**

Council considered the following Development Committee Report dated October 5, 2010:

**RECOMMENDATION OF APPROVAL:**

1. **Proposed Redevelopment of Property  
Hatch Mott MacDonald  
Civic No. 192-194 Torbay Road (Ward 1)**

The Development Committee recommends that the above noted application be referred to a public meeting to be chaired by a member of Council once staff have completed the technical review of the application.

**RECOMMENDATION OF REJECTION:**

- 2. Extension of Non-Conforming Use Application  
Proposed Juice Bar/Retail Store and Subsidiary Apartment  
Ms. Karen Stirling  
Civic No. 151 Signal Hill Road (Ward 2)**

The Development Committee recommends that the above noted application be rejected for the following reasons:

- a. the proposed use does not fit within the criteria to consider the development under Section 7.24 of the St. John's Development Regulations;
- b. the proposed additional residential unit, combined with the commercial use and development of the property to accommodate additional parking represents a marked increase in the degree of non-confirming use of the property; and
- c. stopping along Signal Hill Road for the purpose of entering such a store would be a safety concern and is not permitted.

**Ronald G. Penney, Chairperson  
City Manager**

**SJMC2010-10-12/561R**

**It was moved by Councillor Hann; seconded by Councillor Colbert: That the Committee's recommendations be approved.**

**The motion being put was carried with Councillor Hanlon dissenting on Item #2.**

**Audit Committee Report dated September 28, 2010**

Council considered the following Audit Committee Report dated September 28, 2010:

In Attendance:           Councillor Danny Breen, Chairperson  
                                  Deputy Mayor Shannie Duff  
                                  Councillor Tom Hann  
                                  Mr. Harold Squires, Citizen Representative  
                                  Mr. Ron Penney, City Manager  
                                  Mr. Bob Bishop, Director of Finance & City Treasurer  
                                  Mr. Jason Silver, City Internal Auditor  
                                  Mr. Sean Janes, Auditor I  
                                  Ms. Kelly Butler, Recording Secretary

Also in attendance was Ms. Alisha Morrissey with the Telegram.

**1. Internal Audit Report – Follow Up: Grants and Subsidies (Assignment No. 10-02)**

The Committee considered the above noted report and reviewed a presentation by the City Internal Auditor which highlighted the report's main points. **(A copy of the report is on file with the City Clerk's Department and forms part of these minutes.)**

The City Internal Auditor noted that the initial report was issued on April 18, 2005 and Council adopted the report and its recommendations on May 2, 2005. The main purpose of the follow up review is to assess whether management has made changes in response to the recommendations contained in the original report.

The following recommendations were highlighted in the presentation:

Recommendation No. 1 – Application and Approval Process – Continue to review and improve application and approval processes for grants and subsidies, particularly where they may be less formalized at present; continued review of these processes and applicable policies outlining criteria for funding. Consideration should be given to the use of a standardized application form for areas where no such form is currently used.

Recommendation 2 – Tracking Costs – Develop and implement a process for tracking and reporting in-kind services where practical. When considering which in-kind services to quantify, the benefit of compiling and reporting such information must outweigh the cost.

Issue 3 – Specific Cost Sharing Policy – No follow up recommendation required as the initial recommendation was implemented.

Recommendation 4.1 – Approvals Outside the Process – Requests for grants and subsidies, wherever possible, should be routed through the City's formal process for evaluation and approval. Recommendations for or against funding, including the amount, are then put forth to the application Council Standing Committee, which in turn will make a recommendation to Council for a final decision.

Recommendation 4.2 – Consistency with Policy – In consultation with Council, management should review and revise, where applicable, all policies relating to grants and subsidies. Consultation from applicants could be considered to solicit feedback as part of the review. The review should be done as soon as reasonably possible and on a regular basis thereafter to ensure policies are kept up to date.

Recommendation 4.3 – Date Applications Received – All applications should be time and date stamped when received by the City to ensure a strong audit trail exists to be able to verify compliance with the applicable deadlines and policies.

Recommendation 5.1 – Cost Tracking – Ensure all grants and subsidies are broken out into separate accounts to simplify budgeting and reporting.

Recommendation 5.2 – Cost Tracking – Consider reporting certain expenditures representing fee for services in accounts that are separate from grants and subsidies.

Recommendation 6 – Source of Funding – Policies relating to long term debt and capital grants to community groups should be reviewed and revised, as applicable, addressing whether or not funding for non-city owned assets can or should be financed using debt. This would help ensure the approval process is systematic and decisions made as part of this process are consistent.

Management has agreed to implement the recommendations as noted in the report.

The Committee discussed the report at length, with the majority of the discussion centering on grant requests for capital projects, and the impact it has on the City's budget. For capital grants where the City does not own or will not eventually own the asset, the expenditure must be funded out of the operations for the year in which it is approved. For capital grants where the City owns or will eventually own the asset, the expenditure can be funded out of long-term debt. It was noted that while the majority of requests for grant funding go through the proper channels, there are times when groups and organizations come directly to Council for capital grant funding for special projects under the City's 50/50 policy. It was suggested that more stringent criteria and a dedicated vetting process should be developed for these types of requests given how they can impact the City's budget in terms of not having adequate funding to put back into core services. Groups looking for capital grant funding should be required to make application prior to budget time so that the requests can be considered during the budget review process. Capital grant funding should only be considered for projects in areas in which the City has a related interest. The Committee agreed that both policies relating to long-term debt and capital grants to community groups should be reviewed and revised to include strict criteria that requests for capital project funding be vetted by staff and that applicants must be able to clearly demonstrate how the proposed project will be of benefit to the City.

Councillor Hann referenced Issue 1 of the report (Application and Approval Process) and he inquired as to how many staff review committees there are versus the number of juried review committees. The City Internal Auditor advised that the most grant funding applications are vetted by a staff committee comprised of the Directors of Finance, Recreation and Economic Development, Tourism and Culture. The only juried review committee is for the Arts Grants Program. Councillor Hann inquired as to why the arts grant applications couldn't be reviewed by staff instead of a peer jury. The City Internal Auditor indicated that it is likely that staff do not have enough expertise to evaluate arts grant applications, therefore, a peer jury is used. Deputy Mayor Duff indicated that the applications are initially vetted by staff and then those applications that meet the set criteria are referred to the Arts Jury for a final decision. The Arts Jury is comprised of members of arts community as well as members of Council. Deputy Mayor Duff noted that the criteria for arts grant funding is broad, and the City's Arts Advisory Committee is currently reviewing the criteria to make them more specific.

**The Committee recommends that follow-up report and recommendations on Grants and Subsidies be adopted as presented. It is further recommended that staff be directed undertake a review of the City's policies regarding long-term debt (Policy 04-01-01) and cost shared capital projects (Policy 04-01-02) relative to a revised criteria and application process.**

**2. Consultative Services Offered by Internal Audit**

The Committee considered a memorandum dated September 7, 2010, from the City Internal Auditor regarding the above noted matter.

The City Internal Auditor noted that it is common practice for Internal Audit departments to conduct various consultation services upon request. Currently, the City's Internal Audit Division provides full and follow-up reviews of various City departments and divisions and provides assistance on matters relating to investigations, internal controls, etc. He suggested that the division could also provide consultation services upon request from the senior management team. Any such requests would be made to the Office of the City Internal Auditor, the City Manager and to the Chair of the Audit Committee. Approval would then be required by both the City Manager and the Chair of the Audit Committee prior to commencing the engagement. He also suggested that formal communications be addressed directly to the requesting Director and to the City Manager. The Audit Committee would be informed that the work is ongoing and would be kept apprised of any impact it may have on the approved Audit Plan.

Mr. Squires noted that while he was in general agreement with the recommendation to provide consultation services, he was unsure why approval would be required by the Chair of the Audit Committee. He suggested that the role of the Chair should be a consultative one and he should only be consulted if the engagement may impact the Audit Plan. The decision on whether or not to do consultative work should be made by the City Manager and the Audit Division. The only time the Audit Committee would be involved in the process is to be made aware of any impact the consultation may have on the Audit Plan. The City Internal Auditor indicated that the reason for involving the Audit Committee Chair was to ensure that he is aware the consultation is happening and if there may be any impact on the Audit Plan. Mr. Squires suggested that requiring the authorization of both the City Manager and the Chair of the Audit Committee to undertake a consultative engagement may be deterrent for staff. Staff may feel that by requesting a consultation, it may appear to management that they are unable to do their job. The City Internal Auditor suggested that instead of having consultative engagements approved by the City Manager and the Chair of the Audit Committee, both parties should instead be advised of the request for a consultative engagement, with neither party required to give formal approval.

Following the discussion, the Committee recommends that following:

**That the City Internal Auditor be authorized to conduct consultative engagements where requested by the City's Senior Management Team, and**

**the City Manager and the Chair of the Audit Committee shall be advised of such requests. Formal communications regarding the consultative engagement should be addressed directly to the requesting Director and to the City Manager. The Audit Committee will be advised that the consultative engagement is taking place and will be kept apprised of any impact on the approved Audit Plan.**

Councillor Danny Breen  
Chairperson

**SJMC2010-10-12/562R**

**It was moved by Councillor Breen; seconded by Councillor Galgay: That the Committee's recommendations be approved.**

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

**Parks and Recreation Committee Report dated October 5, 2010**

Council considered the following Parks and Recreation Committee Report dated October 5, 2010:

In Attendance: Councillor Danny Breen, Acting Chairperson  
Councillor Sheilagh O'Leary  
Councillor Tom Hann  
Councillor Sandy Hickman  
Councillor Gerry Colbert  
Ron Penney, City Manager  
Paul Mackey, Deputy City Manager/Director of Public Works & Parks  
Jill Brewer, Director of Recreation  
Dave Blackmore, Director of Building & Property Management  
Bob Bishop, Director of Finance & City Treasurer  
Heather Hickman, Manager – Community Development  
Tanya Haywood, Manager – Facilities Division  
Natalie Godden, Manager – Family & Leisure Services  
Carla Lawrence, Manager – Youth Soccer  
Brian Head, Operations Assistant – Parks  
David Crowe, Foreperson, Public Works & Parks  
Karen Chafe, Recording Secretary

1. **Meeting with Judith Whittick of the East Coast Trail Association**

The Committee met with Ms. Judith Whittick, Director of Trail Maintenance for the East Coast Trail Association. A letter dated September 13<sup>th</sup>, 2010 from Ms. Whittick was included in the agenda. The ECTA received a grant of \$25,000 from the City for 2010 to assist in the maintenance of 58 km of the coastal hiking

paths of the trail which lie within the boundaries of the City. The ECTA is requesting the same amount for 2011. A power point presentation was also conducted for the Committee, a copy of which is on file with the City Clerk's Department.

**The Committee recommends that the request for \$25,000 toward maintenance for the East Coast Trail be referred to the budget process for consideration.**

2. **Co-Hosting the 2012 Recreation NL Conference**

The Committee considered a memo dated September 17<sup>th</sup>, 2010 from the Director of Recreation regarding the co-hosting of the 2012 Recreation NL Conference. As a co-host of the conference, the following will be required from the City of St. John's:

- A financial contribution of \$1,500;
- In-kind staff support from the City, notably from the Department of Recreation and the Division of Streets and Parks;
- The hiring of a Program Assistant (casual temporary staff position), to assist with the organization of the Conference, (estimated at \$7,000).

**The Committee on motion of Councillor Hickman; seconded by Councillor Colbert recommends that staff's recommendation be approved and that the City agree to co-host the RNL Conference 2012 with the stipulation that the Director of Recreation discuss with Recreation NL alternate funding opportunities for the program assistant position noted above, i.e. through alternate government grants.**

3. **Virginia Park Community Centre – Expansion Plan for Community Centre Playground**

The Committee considered a letter dated Sept. 30<sup>th</sup>, 2010 from Tracy Carberry, Executive Director of the Virginia Park Community Centre seeking the City's support in the expansion plan for the Community Centre's playground.

**The Committee on motion of Councillor Colbert; seconded by Councillor Hann recommends that the City's Parks Division meet with representatives of the Virginia Park Community Centre to ascertain their specific needs for the expansion, with a view to developing a practical plan with estimated costs for referral back to the Committee.**

**4. Shea Heights Community Centre Board of Directors – Renewal**

The Committee considered a memo dated October 1<sup>st</sup>, 2010 from the Director of Recreation outlining the new membership for the Shea Height Community Centre Board of Directors. The terms of office are two years for the Stakeholder Group members and three years for the remaining positions.

**The Committee on motion of Councillor Colbert; seconded by Councillor Hann recommends that the membership for the Shea Heights Community Centre Board of Directors be renewed as per the term of office outlined.**

**Councillor Danny Breen  
Acting Chairperson**

**SJMC2010-10-12/563R**

**It was moved by Councillor Breen; seconded by Councillor Colbert: That the Committee’s recommendations be approved.**

**The motion being put unanimously carried.**

**Special Events Advisory Report dated October 6, 2010**

Council considered the following Special Events Advisory Report dated October 6, 2010:

- 1) **Event:** Cape to Cabot Road Race
- Location:** Cape Spear to Signal Hill Via City Streets
- Date:** Sunday October 17, 2010
- Time:** 8:00 am to 11:00 am

This event will require the following road closures.

Blackhead Road northbound from City Limits to Leslie Street  
 Water Street eastbound curb lane from Leslie Street to Harbour Drive  
 Harbour Drive eastbound  
 Water Street eastbound from Prescott Street/Jobs Cove to Temperance Street  
 Temperance Street  
 Duckworth Street - Plymouth Road to Temperance Street  
 Southside Road - Blackhead Road to Water Treatment Plant - restricted to one-way traffic (with flaggers).

- 2) **Event:** Downtown Christmas Parade
- Location:** Downtown
- Date:** November 28, 2010 (Alternative Date December 05, 2010)
- Time:** 1:00 pm – 3:30 pm

This event requires the following Road Closures and No Parking –Tow Aways

**Road Closures:**

Factory Lane  
Plymouth Road  
Empire Avenue – Kings Bridge Road to Quidi Vidi Road  
Kings Bridge Road – Empire Avenue to Cavendish Square  
Cavendish Square  
Ordinance Street  
Duckworth Street – Temperance Street to Prescott Street  
Water Street - Prescott Street to Patrick Street  
New Gower Street

**No Parking- Towing Aways:**

Factory Lane  
Plymouth Road  
Empire Avenue – Rennies Mill Road to Quidi Vidi Road  
Circular Road – Bannerman Road to Kings Bridge Road  
Kings Bridge Road  
Cavendish Square  
Duckworth Street – Temperance Street to Prescott Street  
Water Street – Prescott Street to Patrick Street

- 3) **Event:** Mardi Gras  
**Location:** George Street  
**Date:** October 29 – 30, 2010

The above noted event requires the road closure of George Street at Adelaide to Water Street.

**Recommendation:**

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

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Robin King, P. Eng.  
Chairman, Special Events Advisory Committee

**SJMC2010-10-12/564R**

**It was moved by Councillor Colbert; seconded by Councillor Hanlon:  
That the Committee’s recommendations be approved.**

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

**Development Permits List**

Council considered as information the following Development Permits List for the period of October 1 to 7, 2010

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF October 1, 2010 TO October 7, 2010**

| Code | Applicant          | Application                                 | Location   | Ward | Development Officer's Decision | Date     |
|------|--------------------|---|--|------|--------------------------------|----------|
| COM  | Terrain Group      | Relocation of Propane Facility              | 28 Stavanger Drive                                   | 1    | Approved                       | 10-10-01 |
| RES  | Brad Sullivan      | Building Lot                                | Ryan's River Road (Adjacent to 33 Ryan's River Road) | 5    | Approved                       | 10-10-04 |
| COM  | AJNJ Holdings Inc. | Expansion of Parking Area for Car Sales Lot | 465 Kenmount Road                                    | 4    | Approved                       | 10-10-05 |
| IND  | Jendore Limited    | Extension to Building                       | 671 Southside Road                                   | 5    | Approved                       | 10-10-06 |
|      |                    |   |  |      |                                |          |
|      |                    |   |  |      |                                |          |
|      |                    |   |  |      |                                |          |

|   |   |
|---|---|
| <p>* Code Classification:<br/> RES - Residential<br/> COM - Commercial<br/> AG - Agriculture</p>  | <p>INST - Institutional<br/> IND - Industrial</p> |
| <p>** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.</p> |   |

**Gerard Doran  
Development Officer  
Department of Planning**

**Building Permits List**

**SJMC2010-10-12/565R**

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

2010/10/06

Permits List

**CLASS: COMMERCIAL**

|                              |                              |                         |
|------------------------------|------------------------------|-------------------------|
| CIR MANAGEMENT               | 506 TOPSAIL RD               | SN EATING ESTABLISHMENT |
| CARRIE HAYWARD               | 516 TOPSAIL RD               | SN CLUB                 |
| IFTIKHAR AHMED               | 108 DUCKWORTH ST - ISS       | CR RETAIL STORE         |
| INDIA GATE                   | 286 DUCKWORTH ST             | RN RESTAURANT           |
| MCDONALD'S RESTAURANTS OF    | 506 TOPSAIL RD               | SW EATING ESTABLISHMENT |
| JOHN LESTER - AGRICULTURAL   | 173 BROOKFIELD RD            | NC AGRICULTURE          |
| KERR CONTROLS LIMITED        | 683 WATER ST                 | RN OFFICE               |
| NORTH ATLANTIC REFINING      | 446 TOPSAIL RD               | EX SERVICE STATION      |
| KENT BUILDING SUPPLIES       | MESSENGER DRIVE@KELSEY DRIVE | SW VACANT LAND          |
| SOBEYS LAND HOLDINGS LIMITED | 10 ELIZABETH AVE             | RN RETAIL STORE         |

THIS WEEK \$ 4,567,251.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

|                                |                         |                              |
|--------------------------------|-------------------------|------------------------------|
| MARY QUEEN-PEACE PARISH HALL   | 101 MACDONALD DR        | SN PARISH HALL               |
| RCMP "B" DIVISION HEADQUARTERS | 100 EAST WHITE HILLS RD | RN ADMIN BLDG/GOV/NON-PROFIT |

THIS WEEK \$ 310,000.00

**CLASS: RESIDENTIAL**

|                                |                             |                              |
|--------------------------------|-----------------------------|------------------------------|
| GERTRUCE WHITTLE               | 253 BAY BULLS RD            | NC PATIO DECK                |
| JENNIFER M. WHITFIELD &        | 51 BELL'S TURN              | NC PATIO DECK                |
| KEVIN SHEPPARD & EDNA LOCKYER  | 4 CALVER ST                 | NC ACCESSORY BUILDING        |
| BALNAFAD COMPANY LIMITED       | 15 CAPE PINE ST, LOT 5      | NC SINGLE DETACHED DWELLING  |
| BALNAFAD COMPANY LIMITED       | 4 CAPPAHAYDEN ST, LOT 52    | NC SINGLE DETACHED DWELLING  |
| PRO TECH CONSTRUCTION LTD      | 98 CASTLE BRIDGE DR, LOT 41 | NC SINGLE DETACHED DWELLING  |
| EST. OF MICHAEL QUINLAN        | COUSENS PL                  | NC FENCE                     |
| BARRY G. OLIVER &              | 11 DAVIDSON PL              | NC FENCE                     |
| BRAD PEDDLE COONTRACTING       | 21 GEORGINA ST, LOT 373     | NC SINGLE DETACHED DWELLING  |
| JEFFREY CAREW                  | 62 GLENLONAN ST, LOT 1      | NC SINGLE DETACHED & SUB.APT |
| JEFFREY CAREW                  | 64 GLENLONAN ST, LOT 68     | NC SINGLE DETACHED & SUB.APT |
| SHANDEE WALSH                  | 66 GREAT EASTERN AVE        | NC ACCESSORY BUILDING        |
| FREEMAN CREWE                  | 9 GREEN ACRE DR             | NC FENCE                     |
| ROBERT & SARAH WHITEHORNE      | 87 GREENSPOND DR            | NC FENCE                     |
| REARDON CONSTRUCTION & DEV LTD | 51 JENNMAR CRES, LOT 97     | NC SINGLE DETACHED DWELLING  |
| ANDRE CERQUEIRA                | 83 JULIEANN PL              | NC FENCE                     |
| MORLEY PAYNE                   | 5 LAMANCHE PL               | NC ACCESSORY BUILDING        |
| ALBERT LEE                     | 181-183 MAIN RD             | NC ACCESSORY BUILDING        |
| PERRY COLLINS                  | 29 MARCONI PL               | NC ACCESSORY BUILDING        |
| ELIZABETH ADAMS                | 15 MORRIS AVE               | NC PATIO DECK                |
| RANDY AND CHERYL TRASK         | 64 NAVAJO PL                | NC ACCESSORY BUILDING        |
| F. GEOFFREY AYLWARD AND        | 28 OXEN POND RD             | NC ACCESSORY BUILDING        |
| ATLANTIC HOMES LTD.            | 53 PETITE FORTE DR, LOT 325 | NC SINGLE DETACHED DWELLING  |
| CHRIS MARNELL                  | 69 PETITE FORTE DR, LOT 333 | NC SINGLE DETACHED & SUB.APT |
| KENNETH HICKEY/ROLANDA RYAN    | 112 PLEASANT ST             | NC FENCE                     |
| E. JAMES CAHILL                | 35 PLEASANTVILLE AVE        | NC ACCESSORY BUILDING        |
| DIANE HUMBER                   | 40 RENNIE'S MILL RD         | NC PATIO DECK                |
| ATLANTIC HOMES LTD             | 4 ROSALIND ST, LOT 384      | NC SINGLE DETACHED & SUB.APT |

|                             |                             |                              |
|-----------------------------|-----------------------------|------------------------------|
| SHIRLEY HONG                | 11 SGT. CRAIG GILLAM AVE    | NC FENCE                     |
| SEAN TRACEY                 | 22 SINNOTT PL               | NC PATIO DECK                |
| GERALD BALLETT              | 342 THORBURN RD             | NC ACCESSORY BUILDING        |
| PERRY C. MCCARTHY           | 17 WHITEFORD PL             | NC SINGLE DETACHED & SUB.APT |
| MARGARET HYNES              | 16 CHERRINGTON ST           | CD SINGLE DETACHED DWELLING  |
| CHRIS YETMAN                | 6 LAGGAN PL                 | CR SUBSIDIARY APARTMENT      |
| LLOYD & DONNA HERRITT       | 44 NEPTUNE RD               | CR SUBSIDIARY APARTMENT      |
| JENNIFER O'REILLY           | 14 ST. SHOTTS PL            | CR SUBSIDIARY APARTMENT      |
| EDGAR POWER, WHITENEY POWER | 10 ANN-JEANNETTE PL, UNIT A | EX MOBILE HOME               |
| EDGAR POWER, WHITENEY POWER | 10 ANN-JEANNETTE PL, UNIT B | EX MOBILE HOME               |
| NATHAN BRIEN                | 11 EARHART ST               | EX SINGLE DETACHED DWELLING  |
| WAYNE & WANDA CARTER        | 15 WALSH'S SQ               | EX PATIO DECK                |
| WAYNE RALPH                 | 24 BUCHANAN ST              | RN TOWNHOUSING               |
| SHARON WELLS                | 20 COWAN AVE                | RN SINGLE DETACHED DWELLING  |
| RICK & WAVEY SMITH          | 140 ENNIS AVE               | RN SINGLE DETACHED & SUB.APT |
| ANN MCLOUGHLAN              | 1 GLENRIDGE CRES            | RN SINGLE DETACHED DWELLING  |
| JACQUES BOUCHER             | 31 GOLD MEDAL DR            | RN SINGLE DETACHED DWELLING  |
| GORDON D. MURPHY            | 10 HUNT PL                  | RN SINGLE DETACHED DWELLING  |
| CHRISTOPHER ADAM PRESS      | 5 MOUNT CASHEL RD           | RN SINGLE DETACHED DWELLING  |
| WILLIAM HARRIS              | 21 PATRICK ST               | RN SINGLE DETACHED & SUB.APT |
| KAREN THISTLE               | 155 UNIVERSITY AVE          | RN SINGLE DETACHED & SUB.APT |
| YORK DEVELOPMENTS INC.      | 93 ALLANDALE PL, UNIT 20A   | SW CONDOMINIUM               |
| HIPPO HOMES INCORPORATED    | 61 CHEYNE DR                | SW SINGLE DETACHED DWELLING  |
| PAUL & MARGARET ROSSITER    | 8 WADLAND TERR              | SW SINGLE DETACHED DWELLING  |

THIS WEEK \$ 2,730,140.00

**CLASS: DEMOLITION**

|                           |                              |                              |
|---------------------------|------------------------------|------------------------------|
| VIMAC LIMITED             | 143 BAY BULLS RD             | DM WAREHOUSE                 |
| DEPT OF NATIONAL DEFENSE  | MITCHELL PLACE               | DM ACCESSORY BUILDING        |
| DEPT. OF NATIONAL DEFENSE | MITCHELL PL, GATE HOUSE      | DM ACCESSORY BUILDING        |
| DEPT OF NATIONAL DEFENSE  | MITCHELL PLACE (PUMP HOUSE)  | DM ACCESSORY BUILDING        |
| FED. GOV'T. (BLDG. #202)  | PLEASANTVILLE MITCHELL PL    | DM ADMIN BLDG/GOV/NON-PROFIT |
| FED. GOV'T. (BLDG. #205)  | PLEASANTVILLE MITCHELL PL    | DM ADMIN BLDG/GOV/NON-PROFIT |
| FED. GOV'T. (BLDG. #206)  | PLEASANTVILLE                | DM ADMIN BLDG/GOV/NON-PROFIT |
| FED. GOV'T. (BLDG. #207)  | PLEASANTVILLE MITCHELL PLACE | DM ADMIN BLDG/GOV/NON-PROFIT |
| FED. GOV'T. (BLDG. #209)  | PLEASANTVILLE MITCHELL PL    | DM ADMIN BLDG/GOV/NON-PROFIT |
| FED. GOV'T. (BLDG. #213)  | PLEASANTVILLE, MITCHELL PL   | DM ADMIN BLDG/GOV/NON-PROFIT |
| FED. GOV'T. (BLDG. #215)  | PLEASANTVILLE MITCHELL PL    | DM ADMIN BLDG/GOV/NON-PROFIT |
| EASTERN DEMOLITION        | 351-353 WATER ST             | DM OTHER                     |

THIS WEEK \$ 1,006,000.00

THIS WEEK'S TOTAL: \$ 8,613,391.00

REPAIR PERMITS ISSUED: 2010/09/30 TO 2010/10/06 \$ 146,825.00

LEGEND

|    |                      |    |                      |
|----|----------------------|----|----------------------|
| CO | CHANGE OF OCCUPANCY  | TI | TENANT IMPROVEMENTS  |
| CR | CHNG OF OCC/RENOVTNS | SN | SIGN                 |
| EX | EXTENSION            | MS | MOBILE SIGN          |
| 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**

**SJMC2010-10-12/566R**

**It was decided on motion of Councillor Hann; seconded by Councillor Colbert: That the following Payrolls and Accounts for the weeks ending October 7<sup>th</sup>, 2010 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending October 7, 2010**

**PAYROLL**

|                  |    |            |
|------------------|----|------------|
| Public Works     | \$ | 380,404.84 |
| Bi-Weekly Casual | \$ | 16,441.27  |

**ACCOUNTS PAYABLE** \$ 3,712,178.85

**Total:** \$ 4,109,024.96

**Tenders**

- a. Tender – City Infill 1982 Housing Upgrades
- b. Tender – Rawlin’s Cross Housing Upgrades

**SJMC2010-10-12/567R**

**It was moved by Councillor Hann; seconded by Councillor Colbert: That the recommendations of the Director of Building and Property Management be approved and the tenders awarded as follows:**

- a. **Newfound Roofing Ltd. in the amount of \$315,270.00 which includes HST**
- b. **Newfound Roofing Ltd. in the amount of \$292,670.00 which includes HST**

**Notice of Motion**

Councillor O’Leary gave the following Notice of Motion

**TAKE NOTICE** that I will at a future regular meeting of Council move a motion to rescind the motion of September 20, 2010 granting approval in principle to an 8 lot subdivision on Murphy’s Right-of-Way off Signal Hill Road.

**DATED** at St. John’s this 12<sup>th</sup> day of October, 2010.

**15 Outer Battery Road – Elaine Wychreschuk**

Council considered a memorandum dated October 1, 2010 from the City Manager regarding the above noted.

**SJMC2010-10-12/568R**

**It was moved by Councillor Galgay; seconded by Councillor Hann: That the recommendation of the City Manager that the City be authorized to acquire an easement encroaching on the land of 15 Outer Battery Road, at a cost of \$500.00 and provide an updated survey of the property, be approved.**

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

**Quarterly Travel Report**

Council considered as information a memorandum dated October 5, 2010 from the Director of Finance and City Treasurer regarding the above noted.

**Letter dated September 27, 2010 from Ms. Karen Huxter, Hands Across the Sea, thanking Council for its contribution towards the HATS-Haiti Mission**

Council acknowledged the above noted letter.

**Request from Councillor Hanlon that the City cover Registration Cost to attend the 2010 Atlantic Provinces Economic Council (APEC) - November 2, 2010, St. John's, NL - Delta St. John's**

**SJMC2010-10-12/569R**

**It was moved by Councillor Colbert; seconded by Councillor Collins: That a request from Councilor Hanlon that the City cover registration costs totalling \$395.00 to attend the 2010 Atlantic Provinces Economic Council (APEC) - November 2, 2010, St. John's, NL - Delta St. John's, be approved.**

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

**Councillor Hanlon**

Councillor Hanlon asked that a letter of congratulations be forwarded to RNC Constable Sharon Warren on her recent selection, as the International Association of Women Police (IAWP) 2010 Officer of the Year.

Councillor Hanlon mentioned the MNL Convention held in St. John's last week and congratulated Councillor Colbert on receiving the Municipal Long Service Award.

Councillor Hanlon tabled information on iPad product which she referred to the City Clerk noting that the technology is worth investigating.

**Councillor Galgay**

Councillor Galgay tabled the 2010 MNL Convention Guide which is on file with the City Clerk's Office. Councillor Galgay congratulated Councillor Hanlon on behalf of Council, as Council's representative on MNL and thanked her for her time and efforts towards a very successful convention.

**Councillor Colbert**

Councillor Colbert thanked members of Council, the residents, staff and family for their support and for affording him the opportunity to serve the municipality of St. John's for the past twenty years.

**Councillor Hann**

Councillor Hann referred to the Province's recent tender call for the installation of surveillance cameras on George Street and commended the RNC on this initiative.

**Councillor O'Leary**

Councillor O'Leary asked residents on behalf of St. John's Clean and Beautiful to continue to clean up their properties and encouraged schools to partake in the school race program. She also asked residents to call 311 to report graffiti issues.

Councillor O'Leary asked if a schedule can be available for the Igor hurricane debris cleanup. The Deputy City Manager/Director of Public Works and Parks advised that it is difficult to provide a schedule due to the nature of the cleanup.

**Deputy Mayor Duff**

Deputy Mayor Duff congratulated Councillor Hanlon, as the City's Chairperson of on MNL, for her contribution towards the tremendous success of the 2010 MNL Convention held in St. John's last week. The Deputy Mayor referenced papers presented at the Convention (1) Regional Government and (2) Municipal Financing, which she noted might be of benefit to members of Council.

The Deputy Mayor asked the status of restoring the sidewalks on Winter Avenue, which matter was referred to the Director of Engineering for follow-up.

**His Worship the Mayor**

His Worship the Mayor paid tribute to the late Keith Healey and offered condolences to his family.

**Adjournment**

There being no further business, the meeting adjourned at 5:45 p.m.

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**MAYOR**

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**CITY CLERK**