

**October 18<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, Tilley, Hanlon and Collins.

Regrets – Councillor Hickman.

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

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

**SJMC2010-10-18/570R**

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

- a. Tender – Robin Hood bay Landfill – Contract No. 22 -  
2010 Production of Cover Material
  
- c. Tender – St. John's Cycling Plan – Phase 1  
Implementation – Multi-Use Trail – Prince Philip Drive Columbus Drive

**Adoption of Minutes**

**SJMC2010-10-18/571R**

**It was decided on motion of Deputy Mayor Duff; seconded by Councillor Collins: That the Minutes of the October 12<sup>th</sup>, 2010 meeting be adopted as presented.**

**Development Committee Report dated October 12, 2010**

Council considered the following Development Committee Report dated October 12, 2010:

**RECOMMENDATION OF APPROVAL:**

**1. Proposed Commercial Building Lots  
NCH Holdings Limited  
Robin Hood Bay Road/East White Hills Road (Ward 1)**

The Development Committee recommends that Council grant Approval-in-Principle to the above noted development, subject to the following conditions:

- a. compliance with the requirements of the Departments of Planning and Engineering, including conformance with the City's Commercial Development Policy;
- b. payment of all development fees and assessments in accordance with Section 6.4 of the St. John's Development Regulations; and
- c. the required Building Permits must be obtained from the City, prior to the commencement of any development.

**2. Discretionary Use Application/Converted Building  
Proposed Coffee Shop and Two (2) Residential Apartments  
Applicant: Mr. Alfred Hynes  
123-125 Quidi Vidi Road (Ward 2)**

The Development Committee recommends that Council reaffirm its approval for the application with minor changes and allow the applicant to develop the property for a Coffee Shop and two (2) residential apartments.

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

**SJMC2010-10-18/572R**

**It was moved by Councillor Hann; seconded by Councillor Tilley: 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 8 to 14, 2010.

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF October 8, 2010 TO October 14, 2010**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Trent Chaytor	Home Office Electrical Contractor	26 Colville St.	3	Approved	10-10-12
COM	Cyril Fitzpatrick	Security Building/Kiosk for Towing and Vehicle Impound Yard	George's Pond Road	3	Approved	10-10-12
COM	Dwight French	Home Office IT Consultant Business	79 Greenspond Drive	3	Approved	10-10-13
COM	PHB Group	Two (2) Office Buildings	Airport Road (opposite Comfort Inn)	1	Approved	10-10-14

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

INST - Institutional  
IND - Industrial

\*\* This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.

**Gerard Doran  
Development Officer  
Department of Planning**

**Building Permits List**

**SJMC2010-18-12/573R**

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

2010/10/13

Permits List

**CLASS: COMMERCIAL**

CAPITAL SUBARU	KENMOUNT RD	NC CAR SALES LOT
DOLLARAMA	65 KELSEY DR DOLLARAMA	SN RETAIL STORE
ULTRAMAR LTD.	225 LOGY BAY RD	MS COMMERCIAL GARAGE
BIDGOOD'S PROPERTY MANAGEMENT	351-353 MAIN RD	SN RETAIL STORE
CONVERGYS CUSTOMER MANAGEMENT	TORBAY RD	MS OFFICE
CUSTOM CABINETS	64 MAJOR'S PATH	NC ACCESSORY BUILDING

SOLO INVESTMENTS	681 TOPSAIL RD	RN RETAIL STORE
BIDGOOD'S WHOLESALE LIMITED	355A MAIN RD	CR CLINIC
AUGUST & LOTTA	325-327 DUCKWORTH ST	RN RETAIL STORE
SONG HEE TAKE-OUT	209 EMPIRE AVE	RN TAKE-OUT FOOD SERVICE
DLB CONSTRUCTION & DEV	40 ABERDEEN AVE, UNIT 001	TI OFFICE
PRO-VISION OPTICAL	24 QUEEN'S RD	RN CLINIC
SHAWN LEE	280-282 MAIN RD	NC COMMERCIAL GARAGE
MCDONALD'S RESTAURANTS OF	506 TOPSAIL RD	RN EATING ESTABLISHMENT
WEIR'S CONSTRUCTION LTD.	195 CBS BYPASS RD/WEIRS	NC OFFICE
PHB GROUP INC.	AIRPORT RD	NC OFFICE

THIS WEEK \$ 3,249,929.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

ST. KEVIN'S CHURCH	452-456 MAIN RD	RN CHURCH
		THIS WEEK \$ 73,000.00

**CLASS: RESIDENTIAL**

LORI PITCHER AND	12-18 BARTON'S RD, LOT 1	NC SINGLE DETACHED DWELLING
DR. ELIAS BARTELLAS	57 BATTERY RD	NC FENCE
R. PAUL BURGESS &	66 BELLEVUE CRES	NC ACCESSORY BUILDING
KEVIN MOOTREY & DAWN MOOTREY	9 BISHOP'S LINE	NC ACCESSORY BUILDING
SARAH M. CAHILL	4 BRIGHTON PL	NC ACCESSORY BUILDING
WILLIAM DERRICK ENGLISH AND	40 CASTLE BRIDGE DR	NC ACCESSORY BUILDING
PATRICK MCDONALD AND	58 CASTLE BRIDGE DR	NC ACCESSORY BUILDING
DONOVAN HOMES LTD.	122 EDISON PL, LOT 27A	NC SEMI-DETACHED DWELLING
DONOVAN HOMES LTD.	124 EDISON PL, LOT 27B	NC SEMI-DETACHED DWELLING
WALTER T. WHITE AND	40 ENNIS AVE	NC FENCE
AUSTIN'S CONTRACTING INC.	22 GEORGINA ST, LOT 435	NC SINGLE DETACHED DWELLING
FRANK SMITH	37 GEORGINA ST, LOT 365	NC SINGLE DETACHED & SUB.APT
GUARDIAN HOMES INC.	86 GLENLONAN ST, LOT 51	NC SINGLE DETACHED DWELLING
MARTIN BLIZNAKOV	65 HIGHLAND DR	NC ACCESSORY BUILDING
REARDON CONSTRUCTION & DEV LTD	51 JENNMAR CRES, LOT 97	NC SINGLE DETACHED DWELLING
GIBRALTAR DEVELOPMENT LIMITED	10 KATIE PL., LOT 157	NC SINGLE DETACHED DWELLING
SOUTHCOTT HOMES LIMITED	20 - 30 KING EDWARD PLACE	NC FENCE
GUARDIAN HOMES INC.	6 KNAPDALE PL, LOT 45	NC SINGLE DETACHED DWELLING
TERRY WALSH CONTRACTING	65 LADYSMITH DR, LOT 19	NC SINGLE DETACHED & SUB.APT
AUSTINS CONTRACTING	133 LADYSMITH, LOT 424	NC SINGLE DETACHED DWELLING
LLOYD COLES	147 MAIN RD	NC ACCESSORY BUILDING
NFLD & LABRADOR HOUSING CORP	4 MAXWELL PL	NC PATIO DECK
COLIN P SULLIVAN	21 NAVAJO PL	NC FENCE
W. PATRICK DALTON & TINA MARY	30 OAKLEY PL	NC FENCE
TERRY WALSH CONTRACTING	66 OTTER DR, LOT 149	NC SINGLE DETACHED DWELLING
BLAIR & JENNIFER BRADBURY	38 PALM DR	NC ACCESSORY BUILDING
DOUG PIERCEY	46 PENNYWELL RD	NC PATIO DECK
DENIS FLEMING	75 PETITE FORTE DR - LOT 336	NC SINGLE DETACHED DWELLING
MAC BLUNDON	77 PETITE FORTE DR - LOT 337	NC SINGLE DETACHED DWELLING
RAY STOODLEY	168 AIRPORT HEIGHTS DR	NC SINGLE DETACHED & SUB.APT
CRAIG CONNERS	14 RICHMOND STREET - LOT 1	NC TOWNHOUSING
CRAIG CONNERS	16 RICHMOND STREET - LOT 2	NC TOWNHOUSING
PETER HEARNS	42 SERPENTINE ST	NC FENCE
GERALD & MERCEDES MOORE	33 SERPENTINE ST	NC FENCE
MICHAEL ELLSWORTH	35 SERPENTINE ST	NC FENCE
MICHAEL ELLSWORTH	35 SERPENTINE ST	NC ACCESSORY BUILDING

ERCO HOMES	4 SOLDIER CRES, LOT 45	NC SINGLE DETACHED DWELLING
KAPIL TAHLAN AND	291 STAVANGER DR	NC FENCE
NFLD & LABRADOR HOUSING CORP.	335 TORBAY RD	NC PATIO DECK
NFLD & LABRADOR HOUSING CORP.	337 TORBAY RD	NC PATIO DECK
MR. BRUCE PARDY	11 WATERFORD AVE	NC ACCESSORY BUILDING
RODERICK DYER	28 CURLING PL	CO HOME OFFICE
ROCK SOLID HOME BUILDERS	22 CANSO PL	CR SUBSIDIARY APARTMENT
ALLAN KWABIAH AND	283 ELIZABETH AVE	CR SINGLE DETACHED & SUB.APT
CARL WILLIAMS	58-60 PETTY HARBOUR RD	EX SINGLE DETACHED DWELLING
NORMAN BESSEY	51 TORBAY RD	EX SINGLE DETACHED DWELLING
GREGORY SMITH	5 VAUGHAN PL	EX SINGLE DETACHED DWELLING
BRUCE MULLETT	23 ALEXANDER ST	RN TOWNHOUSING
PAULINE & GEORGE PHILLIPS	12 ANN-JEANNETTE PL	RN SINGLE DETACHED DWELLING
SUZANNE SEXTY	114 BOND ST	RN SEMI-DETACHED DWELLING
BARRY G. OLIVER &	11 DAVIDSON PL	RN SINGLE DETACHED & SUB.APT
SKYMARK HOMES	35 FLEMING ST	RN SINGLE DETACHED DWELLING
SKYMARK HOMES	37 FLEMING ST	RN SINGLE DETACHED DWELLING
MAURICE GRIFFITHS AND	9 FORBES ST	RN APARTMENT BUILDING
MARINA HISCOCK	178 FOREST RD	RN SINGLE DETACHED DWELLING
DEBORAH & WALTER EMBERLEY	76 LIME ST	RN TOWNHOUSING
MARIA HALFYARD	30 PENNYWELL RD	RN SINGLE DETACHED DWELLING
RYAN KEITH	100 PLEASANT ST	RN SEMI-DETACHED DWELLING
MARINER PROPERTY MANAGEMENT	7 PRINCE OF WALES ST	RN SINGLE DETACHED & SUB.APT
SHANE SEAL AND MELANIE SEAL	27 ROCHE ST	RN SINGLE DETACHED DWELLING
HEATH O'NEILL &	44 KINCAID ST	SW SINGLE DETACHED DWELLING
RAY WHITE	246 PENNYWELL RD	SW SINGLE DETACHED & SUB.APT

THIS WEEK \$ 3,890,855.00

**CLASS: DEMOLITION**

DON EDGEcombe	OUTER BATTERY RD	DM ACCESSORY BUILDING
PROVINCIAL INVESTMENTS INC.	88 KENMOUNT RD	DM LIGHT INDUSTRIAL USE

THIS WEEK \$ 70,100.00

THIS WEEK'S TOTAL: \$ 7,283,884.00

REPAIR PERMITS ISSUED: 2010/10/07 TO 2010/10/13 \$ 69,247.00

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**

**SJMC2010-10-18/574R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Hann: That the following Payrolls and Accounts for the weeks ending October 14<sup>th</sup>, 2010 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending October 14, 2010**

**PAYROLL**

Public Works	\$ 356,021.39
Bi-Weekly Administration	\$ 656,352.95
Bi-Weekly Management	\$ 592,681.02
Regional Fire Services	\$ 560,863.76

**ACCOUNTS PAYABLE** \$ 3,069,422.17

**Total:** \$ 5,235,341.29

**Tenders**

- a. Tender – IBM Subscription and Support Renewal
- b. Award of Contract – Website Redesign
- c. Tender – Robin Hood Bay Landfill – Contract No. 22 -  
2010 Production of Cover Material
- d. Tender – St. John’s Cycling Plan – Phase 1  
Implementation – Multi-Use Trail – Prince Philip Drive Columbus Drive

**SJMC2010-10-18/575R**

**It was moved by Councillor Galgay; seconded by Councillor Hann: That the recommendations of the Director of Finance and City Treasurer; the Acting City Manager/Director of Corporate Services and City Clerk; the Deputy City**

**Manager/Director of Public Works and Parks and the Director of Engineering, be approved and the tenders awarded as follows:**

- a. Bell Aliant (Xwave) in the amount of \$49,019.98 (taxes not included)**
- b. Pilot Communications in the amount of \$88,158 plus HST**
- c. Cabot Ready Mix Limited in the amount of \$477,707.50**
- d. Infinity Construction Limited in the amount of \$1,049,306.70**

**172 Logy Bay Road – Ron Fougere & Associates**

Council considered a memorandum dated October 8, 2010 from the City Manager regarding the above noted.

**SJMC2010-10-12/576R**

**It was moved by Councillor Breen; seconded by Councillor O’Leary: That the recommendation of the City Manager that land at 172 Logy Bay Road be sold to Ron Fougere and Associates to square off the proposed parking lot for the proposed new development, at a rate of \$10.00 per square foot (approximately \$750.00) plus usual administration fees, be approved.**

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

**Hurricane Igor Clean-up**

Council considered a memorandum dated October 14, 2010 from the Deputy City Manager/Director of Public Works and Parks regarding the above noted.

**SJMC2010-10-18/577R**

**It was moved by Deputy Mayor Duff; seconded by Councillor Hanlon: That the recommendation of the Deputy City Manager/Director of Public Works and Parks that the City stop taking new curbside collection appointments effective 4 p.m., Friday, October 22, and continue to operate the 3 drop-off sites until further notice, be approved.**

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

**Ratification of Email Poll Re**

**SJMC2010-10-18/578R**

**It was moved by Councillor Hanlon; seconded by Councillor Breen: That the following email poll be ratified:**

**A section of Portugal Cove Road to be closed from Gooseberry Lane to New Cove Road to facilitate work on the Queens River Trunk Storm Sewer system from October 18, 2010 to December 31, 2010. During this time through traffic will be detoured around the site while maintaining access to local area residents and emergency vehicles.**

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

**Department of Economic Development, Tourism and Culture - Arts and the City**

Council considered the above information on the City's arts plan. Deputy Mayor Duff advised that reports will be made available to Council on a regular basis.

Councillor Hann noted that the information refer to the special events and festivals fund of \$200,000.00 provided by the City and clarified the fact that the funding allocation amounts to \$100,000.00 towards festivals and events and \$100,000.00 towards Festival 500.

**Letter dated October 7, 2010 to His Worship the Mayor from NL Housing & Homelessness Network extending gratitude to the City for the tremendous showing of financial support towards the proposed new initiative in Pleasantville**

Council acknowledged the above noted letter. Deputy Mayor Duff pointed out that the project involves the creation of a ground floor office/commercial space to support a not-for-profit enterprise within the development of the City's affordable housing apartment building which will benefit many different groups within the City.

**Councillor O'Leary**

Councillor O'Leary extended condolences to the family of Denise Brake. She also offered condolences to the arts community of which Ms. Brake was an integral part.

Councillor O'Leary commended RNC Constable Sharon Warren on her selection as the International Association of Women Police (IAWP) 2010 Officer of the Year). Councillor O'Leary also commended the RNC whose new recruits comprise 43% women.



Councillor O'Leary referenced a letter from the Ms. Martha Drake, Provincial Archaeologist, regarding the proposed Housing Development on Murphy's Row, Signal Hill, who advised that an Historic Resources Impact Assessment as provided for under Section 13 of the Historic Resources Act is required before the development proceeds.

Councillor O'Leary commented that she received a call from a resident commending the Deputy City Manager/Director of Public Works and Parks for his exemplary work and good communications skills. Members of Council extended congratulations to the Director as well.

**Councillor Galgay**

Councillor Galgay advised that a public meeting will be held in the Foran Room, 4th Floor, City Hall on Thursday, October 21st, 2010, at 7:00 p.m. pertaining to the City's proposed Traffic Calming Policy.

**Councillor Tilley**

Councillor Tilley asked that a letter of congratulations be forwarded Sgt. Albertine Bethel on being chosen the Church Lads Brigade bandmaster.

Councillor Tilley also asked that a letter be forwarded the principal of Cowan Heights Elementary School congratulating the school on receiving national recognition for its commitment to accommodating students with Tourette Syndrome and other challenging needs.

**Councillor Hanlon**

Councillor Hanlon noted that the City will be celebrating the 8th Annual Ocean Week from October 17-23.

**Councillor Collins**

Councillor Collins thanked the organizers and volunteers of the Cape to Cabot race held on the weekend. Councillor Collins took part in the race and was congratulated by members of Council.

**His Worship the Mayor**

His Worship the Mayor noted today as being the first day of the City's curbside recycling program which as indicated by the Deputy City Manager/Director of Public Works and Parks was very successful and received an enthusiastic response.

**Adjournment**

There being no further business, the meeting adjourned at 5:10 p.m.

---

**MAYOR**

---

**CITY CLERK**