

October 25th, 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, Hickman, Colbert, Hann, Breen, Galgay, Tilley, Hanlon and Collins.

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, and Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2010-10-25/579R

It was decided on motion of Councillor Hanlon; seconded by Councillor Breen: That the Agenda be adopted as presented.

Adoption of Minutes

SJMC2010-10-25/580R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Hickman: That the Minutes of the October 18th, 2010 meeting be adopted as presented.

Properties on Water Street between Bishop's Cove and Steer's Cove & Proposed Office/Parking Building – East Port Properties Ltd. at Civic Number 351 Water Street

Under business arising, Council considered a memorandum dated October 21, 2010 from the Director of Planning regarding the above noted.

SJMC2010-10-25/581R

It was moved by Deputy Mayor Duff; seconded by Councillor Colbert: That the St. John's Municipal Plan Amendment Number 85, 2010 and St. John's Development Regulations Amendment Number 489, 2010 with the proposed changes to Development Regulations Amendment Number 489, 2010 be approved as presented; that the Resolution for St. John's Municipal Plan

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 489, 2010**

WHEREAS the City of St. John's wishes to make provision for the development of buildings with greater building height and building bulk in the block of land located on the south side of Water Street between Bishop's Cove and Steer's Cove and to remove this area from the Heritage Area.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map and text amendments to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act.

- 3. Modify Section 3, Map E – “Heritage Areas” by removing the properties in the block of land located on the south side of Water Street between Bishop’s Cove and Steer’s Cove from the boundaries of Heritage Areas 2 and 3 as shown more particularly in the attached plan.**
- 4. Modify Section 3, Map F - “Downtown Building Control” by adding the properties in the block of land on the south side of Water Street between Bishop’s Cove and Steer’s Cove as an area allowing greater building height and building bulk as shown more particularly on the attached plan.**
- 5. Create a new Zone to be referenced as the “Commercial Central Retail – Water Street West (CCR-Water Street West) Zone” with the following requirements:**

“Commercial Central Retail – Water Street West (CCR – Water Street West) Zone.

Purpose of this Zone: This zone shall apply to the properties on the south side of Water Street located between Bishop’s Cove and Steer’s Cove.

- (a) Permitted Uses – all Uses permitted in the Commercial Central Retail (CCR) Zone.**
- (b) Discretionary Uses – all Uses referenced as Discretionary Uses in the Commercial Central Retail (CCR) Zone.**
- (c) Zone Requirements**
 - (i) Floor Area Commercial (minimum) Not less than one (1) storey of the Building shall be used exclusively for one or more of the following uses – Retail Store, Bank, Service Shop, Eating Establishment, Tavern, Place of Amusement, Place of Assembly and such a Commercial Storey shall be**

at the approximate elevation of the adjoining portion of Water Street.

- (ii) **Building Line (minimum)** All Buildings situated on Water Street shall be built at the Street Line of Water Street, except for entrances to an arcade or a pedestrian court with a width not exceeding 6 metres, measured along a line parallel to Water Street.
- (iii) **Building Height:** The maximum Building Height at the Street Line of Water Street, and within 8 metres thereof, is 15 metres. For those parts or portions of Buildings that are set back 8 metres or more from the Street Line of Water Street, Council may permit, at its discretion and subject to such conditions that it may see fit to impose, such additional Building Height as it may deem to be appropriate in the circumstances, up to a maximum of Building Height of 40 metres.

Notwithstanding the foregoing, and only in relation to the property at Civic Number 351 Water Street (commonly known as the former Woolworth's Store site), the maximum Building Height at the Street Line of Water Street and within 4 metres thereof, is 15.5 metres. The maximum Building Height for those parts or portions of a Building that are set back from 4 metres to within 8 metres of the Street Line of Water Street is 16 metres. For those parts or portions of a Building that are set back 8 metres or more from the Street Line of Water Street, Council may permit, at its discretion and subject to such conditions that it may see fit to impose, such additional Building Height as it may deem to be appropriate in the circumstances, up to a maximum of Building Height of 40 metres.

- (iv) **Floor Area Ratio:** The maximum allowable Floor Area Ratio is 5.0.”

- 4. **Rezone the properties in the block of land located on the south side of Water Street between Bishop's Cove and Steer's Cove from the Commercial Central Retail (CCR) Zone to the Commercial Central Retail – Water Street West (CCR – Water Street West) Zone as shown on Map Z – 1A attached.**

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed

and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 25th day of October, 2010.

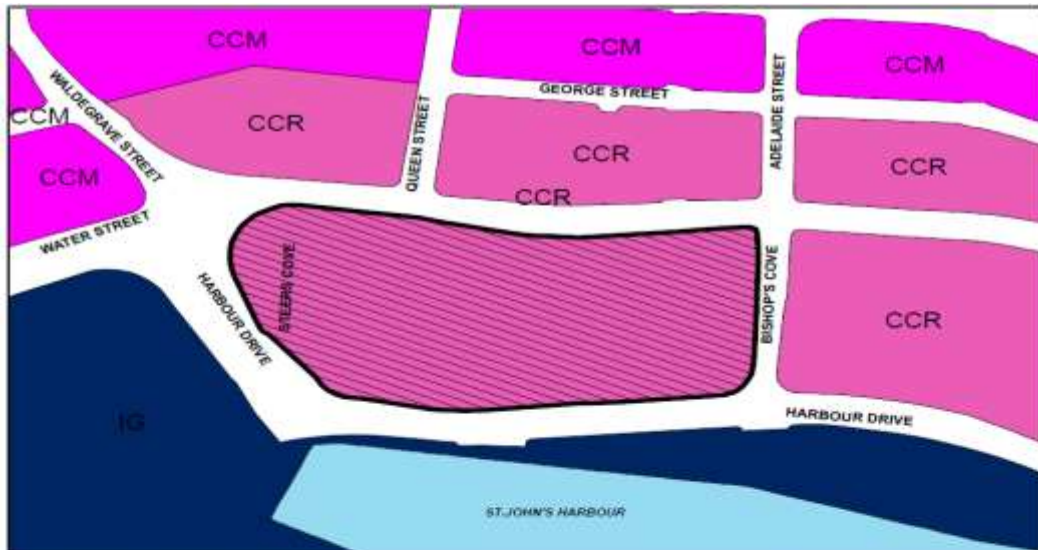
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.


MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 489, 2010
[Map Z-1A]**

2010 07 26 SCALE: 1:2500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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

 AREA PROPOSED TO BE REZONED FROM COMMERCIAL CENTRAL RETAIL (CCR) LAND USE ZONE TO COMMERCIAL CENTRAL RETAIL - WATER ST WEST (CCR-WSW) LAND USE ZONE

WATER STREET - HARBOUR DRIVE TO BISHOP'S COVE

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 85, 2010
AND
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 489, 2010**

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

- a) Adopted St. John's Municipal Plan Amendment Number 85, 2010 and St. John's Development Regulation Amendment Number 489, 2010 on the 23rd day of August, 2010.
- b) Gave notice of the adoption of St. John's Municipal Plan Amendment Number 85, 2010 and St. John's Development Regulations Amendment Number 489, 2010 by advertisements inserted in the Telegram newspaper on the 28th day of August, 2010 and the 1st day of September, 2010.
- c) Set the 15th day of September, 2010 at 7:00 pm at St. John's City Hall for the holding of public hearing to consider objections and representations.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council approves St. John's Municipal Plan Amendment Number 85, 2010 as adopted and St. John's Development Regulations Amendment Number 489, 2010 as amended.

SIGNED AND SEALED this 25th day of **October, 2010.**

Mayor

City Clerk

And further; that Approval-in-Principle be granted to the proposed office/parking building proposed to be construction by East Port Properties Ltd. at Civic Number 351 Water Street subject to the following conditions:

- 1. Subject to Council agreeing to approve St. John's Municipal Plan Amendment Number 85, 2010 and St. John's Development Regulations Amendment Number 489, 2010 and subject to these amendments receiving Provincial Registration from the Department of Municipal Affairs;**
- 2. Development of the office/parking building must be undertaken in accordance with the land use assessment report dated May, 2010 prepared by the PHB Group Ltd. which was presented at the public meeting held on June 16, 2010;**
- 3. The building height of the office/parking building must be constructed to a maximum height of 15.5 metres at the Street Line of Water Street while any portion of the building above 16 metres in height must set back a minimum distance of 8metres from the Street Line of Water Street;**
- 4. The proponent must submit detailed site, site-servicing and building plans for the review and approval of City staff;**
- 5. The development must satisfy all applicable requirements of the St. John's Development Regulations and the City's Commercial Development Policy; and**
- 6. The development must satisfy all applicable requirements of the City's Departments of Engineering, Building and Property Management, Public Works and Parks and Planning including the payment of any applicable fees and/or assessments as determined by City staff.**

Councillor Galgay provided an overview on this application and following a brief discussion the motion being put was unanimously carried

Public Meeting Report dated October 20, 2010

Councillor Hann presented a public meeting report dated October 20, 2010 which was held to provide an opportunity for public review and comment on the application submitted by Chrystal White to rezone property at Civic No. 31-33 Golf Avenue from Apartment Medium Density (A2) Zone to the Residential Medium Density (R2) Zone to allow the development of a single detached dwelling. In this regard, Council considered a memorandum dated October 21, 2010 from the Director of Planning.

SJMC2010-10-25/582R

It was moved by Councillor Hann; seconded by Councillor Galgay That the following Resolution for St. John’s Development Regulations Amendment Number 497, 2010 be adopted which will be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment in accordance with the provisions of the Urban and Rural Planning Act:

**RESOLUTION
ST. JOHN’S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 497, 2010**

WHEREAS the City of St. John’s wishes to amend the St. John’s Development Regulations in order to permit the development of a single detached dwelling at Civic 31 – 33 Golf Avenue.

BE IT THEREFORE RESOLVED that the City of St. John’s hereby adopts the following map amendment to the St. John’s Development Regulations in accordance with the provisions of the Urban and Rural Planning Act, 2000:

Rezone land at Civic Number 31 – 33 Golf Avenue from the Apartment Medium Density (A2) Zone to the Residential Medium Density (R2) Zone as shown on Map Z-1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this **25th day of October, 2010.**

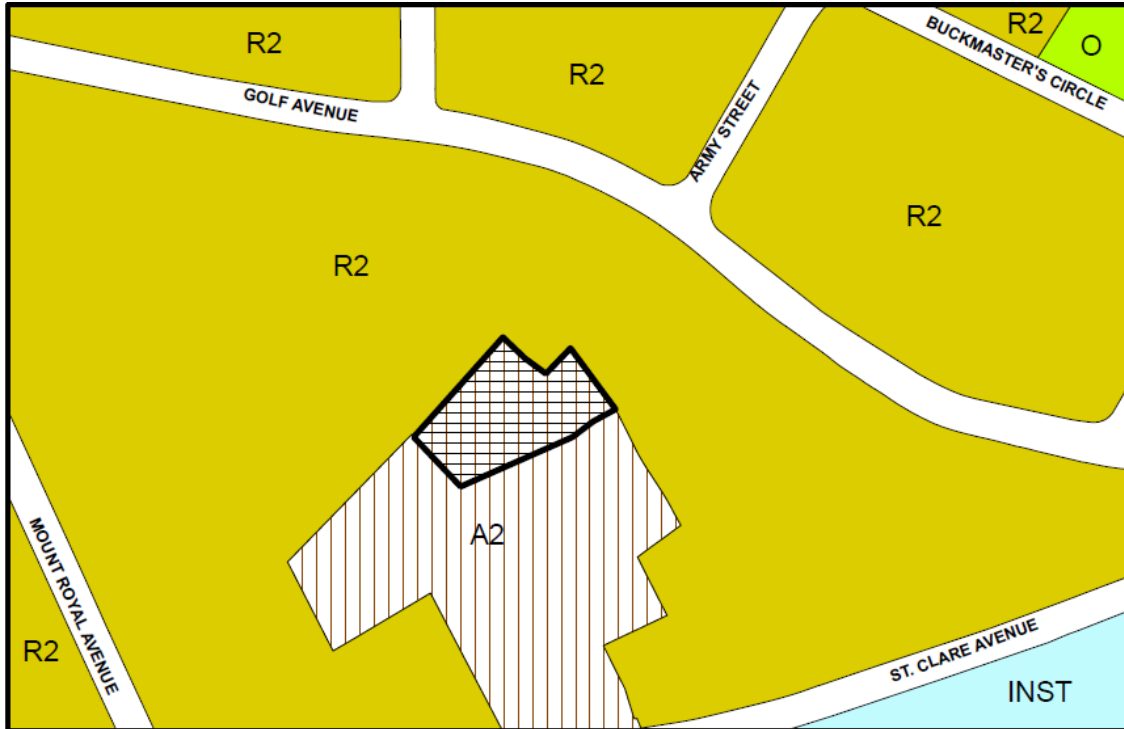
Mayor

City Clerk

Provincial Registration

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 497, 2010
[Map Z-1A]**

2010 10 21 SCALE: 1:1500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REZONED FROM
APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

31-33 GOLF AVENUE (Crystal White property)

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

Development Committee Report dated October 19, 2010

Council considered the following Development Committee Report dated October 19, 2010:

RECOMMENDATIONS OF REJECTION:

- 1. Proposed Home Occupation/Discretionary Use Application
Independent Distributor of Hockey Sticks and Accessories
James N. Sweeney
Civic No. 72 Brad Gushue Crescent (Ward 5)**

The Development Committee recommends that Council reject the above noted application in accordance with Section 7.8 of the St. John's Development Regulations.

- 2. Crown Land Grant Referral
Proposed Building Lot
James A. Dinn
Main Road (Adjacent to Civic No. 1020) (Ward 5)**

The Development Committee recommends that Council reject the Crown Land Grant application for residential use.

- 3. Proposed Quarry – Mineral Working
Infinity Construction Inc.
Trans Canada Highway at Foxtrap Access Road (Ward 5)**

The Development Committee recommends that Council reject the above noted application as it is contrary to Section 10.38 of the St. John's Development Regulations.

OTHER:

- 4. Proposed Quarry Operation
City Sand and Gravel Ltd.
Foxtrap Access Road Area (Ward 5)**

The Development Committee recommends that Council defer any decision respecting the application from City Sand and Gravel Ltd. to establish a quarry operation in the Foxtrap Access Road area until such time as the Minister of Environment and Conservation first makes her decision on the application under the provisions of the Environmental Assessment Regulations. If Council agrees with this recommendation, the Department of Planning will advise City Sand and Gravel Ltd. accordingly.

**Cliff Johnston, MCIP
Acting Chair – Development Committee**

SJMC2010-10-25/583R

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

The motion being put was unanimously carried.

Joint Committee of Council and the Downtown Development Commission Report dated October 19, 2010

Council considered the following Joint Committee of Council and the Downtown Development Commission Report dated October 19, 2010

In Attendance: Deputy Mayor Shannie Duff, Chairperson
Councillor Frank Galgay
Councillor Bruce Tilley
Councillor Tom Hann
Councillor Sheilagh O'Leary
John McCarthy, Downtown Development Commission
Charlie Cook, Downtown Development Commission
Scott Cluney, Downtown Development Commission
Paul Mackey, Deputy City Manager/Director of Public Works & Parks
Walt Mills, Director of Engineering
Cliff Johnston, Director of Planning
Sylvester Crocker, Acting Director of Building & Property Management
Robin King, Transportation Engineer
Jim Clarke, Manager of Streets & Parks
Karen Chafe, Recording Secretary

Also in attendance was Alisha Morrissey with The Telegram.

1. **Angel Street Project**

Councillor Sheilagh O'Leary was present to outline a proposal for the City to take part in the Angel Street Project which originated in Iqaluit and was created as a positive initiative to honour and bring hope to those who are subject to domestic violence. The Angel Street Project's Mission "is to have every city in Canada choose to be vigilant of domestic abuse and make a positive change by naming an Angel Street in their community."

Councillor O'Leary advised that a number of options were considered to name one of the City's new streets in St. John's, however, this would not be practical due to the fact there is already an Angel Place. The suggestion was eventually made that the newly refurbished north/east corner of Prescott and Duckworth Streets would be a most appropriate location to commemorate the cause by naming it Angel Corner. The Committee was quite receptive to this idea, noting that the corner is directly

situated on the route for the Take Back the Night march. The proposed site could also be further enhanced in the following ways subject to consultation with the City and the Downtown Development Commission:

- Creation of a story board outlining the significance of Angel Corner;
- Creation of a professional mural by an Aboriginal artist
- Relocation of benches, planters and garbage receptacle to facilitate more space if required.

The Committee on motion of John McCarthy; seconded by Councillor Sheilagh O’Leary recommends approval to name the northeast corner of Prescott and Duckworth Streets as Angel Corner, subject to approval by the Downtown Development Commission’s Board of Directors. Once this has been achieved, the City in consultation with the DDC will consider ideas as noted above for the further enhancement of this location to commemorate the Angel Street Project.

2. **Development of Standards for Temporary Gravel Parking Lots**

The DDC raised concern about the significant loss of parking that will occur due to various upcoming major developments in the Downtown area. As an interim measure to offset the loss of parking, the DDC requested that the City of St. John’s develop flexible standards to enable the utilization of vacant lots where available to facilitate parking on a temporary basis.

The Department of Engineering agreed to develop a draft set of standards to regulate temporary parking lots for eventual review by the Committee. Once such standards are reviewed and approved by Council, the DDC can then circulate them through its membership and possibly encourage those who are eligible, to consider using their vacant land as temporary parking lots which can also be revenue generators.

3. **Regulations for Mobile Vendors**

The DDC raised concerns about mobile vending machines located in prime parking spaces in the Downtown area, and particularly those which remain stationary when not in use, thus taking up valuable parking space which could otherwise be used. The DDC has noticed that some of these vendors do not actually operate throughout the week and may only open up during Friday or Saturday nights when business is the most brisk. They also impede snow clearing operations when snow piles up at the rear of these machines.

The Committee recommends that the Dept. of Building and Property Management review the Mobile Vending regulations with a view to considering their compliance the same as other vehicles parked downtown during snow clearing operations during the December 1st – March 31st timeframe. The review should also give consideration to the

relocation of the mobile vending machines to alternate sites away from the main streets, particularly Water St.

Any proposed revisions to the Mobile Vending regulations will be subject to consultation with the mobile vending industry.

Deputy Mayor Shannie Duff
Chairperson

SJMC2010-10-25/584R

It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary: 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 15 to 21, 2010.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF October 15, 2010 TO October 21, 2010**

Code	Applicant	Application	Location	Ward	Development Officer’s Decision	Date
COM	Robert Miller	Home Office	67 Keith Drive	5	Approved	10-10-15
COM	Ed Williams	Home Office	111 Dooling’s Line	5	Approved	10-10-15
RES	May Hibri	Residential Building Lot	Adjacent 565 Southside Road	5	Approved	10-10-18

* 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

SJMC2010-10-25/585R

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

2010/10/20

Permits List

CLASS: COMMERCIAL

FOOTWEAR SOLUTIONS	40 ABERDEEN AVE	MS RETAIL STORE
ROYAL BANK OF CANADA	40 ABERDEEN AVE	MS BANK
BOGART'S JEWELRY LTD	40 ABERDEEN AVE	MS RETAIL STORE
U WEIGHT LOSS	46A ABERDEEN AVE	MS CLINIC
LAZ-BOY FURNITURE	50 ABERDEEN AVE	MS RETAIL STORE
SMART SET	79B ABERDEEN AVE	MS RETAIL STORE
PETS UNLIMITED	89 ABERDEEN AVE	MS RETAIL STORE
FIREPLACE & CLOSET SOLUTIONS	18 CRAIG DOBBIN'S WAY	MS RETAIL STORE
ORTHOPEDIC SOLUTIONS	1 ANDERSON AVE	MS CLINIC
MCDONALDS	37 ANDERSON AVE	MS RESTAURANT
QUINLAN ENTERPRISES	57 ANTHONY AVE	MS SERVICE SHOP
PRETZELMAKER/MRS. FIELDS	AVALON MALL PRETZELMAKER	SN EATING ESTABLISHMENT
MARIE'S MINI MART	44 CROSBIE RD	MS CONVENIENCE STORE
SMART KIDZ	10 ELIZABETH AVE	MS RETAIL STORE
SEQUERRA INVESTMENTS INC.	27 ELIZABETH AVE	MS RESTAURANT
MARIE'S MINI MART	324 FRECKER DR	MS CONVENIENCE STORE
GOING MOBILE	336 FRESHWATER RD	MS RETAIL STORE
IN MOTION	179 HAMLYN RD	MS CLINIC
THERAPEUTIC SERVICES LTD.	12-20 HIGHLAND DR	MS CLINIC
CAL LEGROW INSURANCE LIMITED	189 HIGGINS LINE	MS OFFICE
BOSTON PIZZA	35 KELSEY DR	MS RESTAURANT
PETS UNLIMITED	39 KELSEY DR	MS RETAIL STORE
MOORES	41 KELSEY DR	MS RETAIL STORE
GBS COMMUNICATIONS (TELUS)	45 KELSEY DR	MS RETAIL STORE
WAL MART BUILDING "A"	75 KELSEY DR	MS RETAIL STORE
MCDONALD'S	75 KELSEY DR	MS RESTAURANT
MCDONALD'S RESTAURANTS OF	54 KENMOUNT RD	MS RESTAURANT
SJJ ENTERPRISE LTD.	58 KENMOUNT RD	MS RETAIL STORE
KENMOUNT BILLIARDS INC.	58 KENMOUNT RD	MS TAVERN
MORTGAGE SHOP	58 KENMOUNT RD	MS OFFICE
TIM HORTON DONUTS LTD.	460 KENMOUNT RD	MS EATING ESTABLISHMENT
WENDY'S RESTAURANTS OF CANADA	35 KENMOUNT RD	MS RESTAURANT
COHEN'S HOME FURNISHINGS	81 KENMOUNT RD	MS RETAIL STORE
FURNITURE & MATTRESS	323 KENMOUNT RD	MS RETAIL STORE
SPEEDY GLASS	439 KENMOUNT RD	MS COMMERCIAL GARAGE
PENNEY KIA INC.	497 KENMOUNT RD	MS CAR SALES LOT
ATLANTIC AUTO SALES	515 KENMOUNT RD	MS CAR SALES LOT
BALLY HALY GOLF & COUNTRY	90 LOGY BAY RD	MS CLUB
A.I.M.E. PHYSIOTHERAPY INC.	204-206 MAIN RD	MS CLINIC
UNIVERSAL CORPORATE WEAR	484-490 MAIN RD	MS RETAIL STORE
MCDONALD'S	345-349 MAIN RD	MS RESTAURANT
TRIM SHOP	219 MAJOR'S PATH	MS RETAIL STORE
O'DRISCOLL RESTAURANTS INC.	446 NEWFOUNDLAND DR MR. SUB	MS EATING ESTABLISHMENT
PIZZA EXPERTS	446 NEWFOUNDLAND DR	MS RESTAURANT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS RESTAURANT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS RESTAURANT
O'LEARY AVENUE RECYCLING	28 O'LEARY AVE	MS LIGHT INDUSTRIAL USE
CREATIVE BRICK AND TILE	78 O'LEARY AVE	MS RETAIL STORE

ATLANTIC CASH & CARRY	37 O'LEARY AVE	MS OFFICE
LESTER FARMS	90 PEARLTOWN ROAD	MS AGRICULTURE
INSTA LOANS	36 PEARSON ST	MS OFFICE
KOSY DESIGNS INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
ACTION PHYSIOTHERAPY	279 PORTUGAL COVE RD	MS CLINIC
NEWCO METAL & AUTO RECYCLING	46-50 ROBIN HOOD BAY RD	MS INDUSTRIAL USE
TIM DONUT LIMITED	30 ROPEWALK LANE	MS EATING ESTABLISHMENT
RENT CASH INC.	38-40 ROPEWALK LANE	MS BANK
ROPEWALK FOODS INC.	117 ROPEWALK LANE	MS EATING ESTABLISHMENT
MCDONALD'S RESTAURANTS OF	14 STAVANGER DR	MS RESTAURANT
HEALTH QUEST	140 STAVANGER DR	SN SERVICE SHOP
SHARKEY'S CUTS FOR KIDS	140 STAVANGER DR	SN SERVICE SHOP
HERBAL MAGIC	410 STAVANGER DR	MS RETAIL STORE
HENRY'S	15-27 STAVANGER DR	MS RETAIL STORE
DRAPES ETC. LTD.	15 STAVANGER DR	MS RETAIL STORE
CREATIVE BRICK AND TILE	25 STAVANGER DR	MS RETAIL STORE
GOING MOBILE	15-27 STAVANGER DR	MS RETAIL STORE
LOBLAWS PROPERTIES LIMITED	55 STAVANGER DR	MS RETAIL STORE
EARLY ACHIEVERS INC.	397 STAVANGER DR	MS OFFICE
BOSTON PIZZA	415 STAVANGER DR	MS RESTAURANT
KENNY ENTERPRISES LIMITED	THORBURN RD	MS RETAIL STORE
MCDONALD'S RESTAURANTS OF	506 TOPSAIL RD	MS RESTAURANT
NEW WORLD FITNESS	644 TOPSAIL RD	MS CLUB
RED ROCK GRILL	686 TOPSAIL RD	MS RESTAURANT
CHES'S SNACKS LIMITED	655 TOPSAIL RD	MS RESTAURANT
STANLEY'S PUB	26-34 TORBAY RD	MS TAVERN
TOTALLY TANNED LTD.	120 TORBAY RD	MS SERVICE SHOP
MCDONALD'S RESTAURANTS OF	248 TORBAY RD	MS RESTAURANT
JUNGLE JIMS	286 TORBAY RD	MS RESTAURANT
THE MATTRESS STORE LTD.	286 TORBAY RD	MS RETAIL STORE
CURVES	272-276 TORBAY RD	MS CLUB
GRUMPY STUMP	272-276 TORBAY RD	MS RESTAURANT
RUSTER'S	272-276 TORBAY RD	MS RESTAURANT
WENDY'S	272-276 TORBAY RD	MS RESTAURANT
COCONUT ISLAND	272-276 TORBAY RD	MS CLINIC
NORTH ATLANTIC REFINING	280 TORBAY RD ORANGE STORE	SN SERVICE STATION
BANK OF NOVA SCOTIA	TORBAY RD	MS BANK
WEST SIDE CHARLIES	430 TORBAY RD	MS TAVERN
BROWNE'S AUTO SUPPLIES LTD.	464 TORBAY RD	MS RETAIL STORE
NORTH ATLANTIC	660 TORBAY RD	MS SERVICE STATION
HARMONIE FOODS LIMITED	553 TORBAY RD TIM HORTONS	MS EATING ESTABLISHMENT
TROPICAL AND MARINE PETS INC.	611 TORBAY RD	MS RETAIL STORE
LE BOUDOIR	256 WATER ST	SN RETAIL STORE
JODY TEMPLE/CASH NOW	390 DUCKWORTH ST	RN PLACE OF AMUSEMENT
LOFT 709	391 DUCKWORTH ST, LOFT 709	RN TAVERN
EDWARD & BERNICE DOYLE	204 DUCKWORTH ST	RN SERVICE SHOP
HARVEY AUTO CARRIERS LIMITED	545 WATER ST	RN ACCESSORY BUILDING
M & M PROPERTIES LIMITED	149 AIRPORT RD	NC FENCE
HEALTH QUEST	140 STAVANGER DR	CR SERVICE SHOP
AVALON SPORTS INC.	39 CHURCHILL AVE	RN OFFICE
SOUTHWEST PROPERTIES	215 WATER ST	RN OFFICE
WEIGHT WATCHERS	430 TOPSAIL RD WEIGHT WATCHERS	TI RETAIL STORE
DR. AMIN ALIBHAI	427 NEWFOUNDLAND DR	RN CLINIC
COVERDALE INFUSION CLINICS	427 NEWFOUNDLAND DR	CR CLINIC

THIS WEEK \$ 246,327.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

RONCALLI ELEMENTARY	130 AIRPORT HEIGHTS DR	RN SCHOOL
DEPT NATIONAL DEFENCE	CHARTER AVE, NEXT TO BLDG 312	NC WAREHOUSE
DEPT. OF NATIONAL DEFENCE	PLEASANTVILLE, MITCHELL PLACE	NC ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$100,864,967.00

CLASS: RESIDENTIAL

JOHN WILLIAMS	4 BEN AVON PL	NC ACCESSORY BUILDING
JONAS & RAYMOND ROBERTS	4 CABOT ST	NC PATIO DECK
FRANK G. FLEMING	76 CANADA DR	NC FENCE
ANNIE ROCHE	17 CAROLYN DR	NC ACCESSORY BUILDING
FORREST FOLLETT AND	52 CASHIN AVE	NC ACCESSORY BUILDING
ADAM J. TERRY & CHRISTINE M.	62 CHAPMAN CRES	NC ACCESSORY BUILDING
DAVID J. MACGREGOR &	46 CORNWALL AVE	NC ACCESSORY BUILDING
MRS. DORA YETMAN	14 ELLIS PL	NC FENCE
TERRY HALE	75 FIRDALE DR	NC ACCESSORY BUILDING
AIDAN MURPHY	28 FOREST RD	NC FENCE
PAUL SNOW	43 FRANCIS ST	NC ACCESSORY BUILDING
DENNIS PYNN	7 GEORGINA ST, LOT 380	NC SINGLE DETACHED & SUB.APT
DENNIS PYNN	9 GEORGINA ST, LOT 379	NC SINGLE DETACHED & SUB.APT
PAUL FOLEY	90 GLENLONAN ST, LOT 49	NC SINGLE DETACHED DWELLING
GERARD CONWAY	27 GREAT EASTERN AVE	NC FENCE
BARRY YETMAN	287 HAMILTON AVE	NC ACCESSORY BUILDING
KEVIN BARNABLE	95 KEITH DR	NC ACCESSORY BUILDING
HANN CONSTRUCTION LIMITED	14 KERR ST, LOT 35	NC SINGLE DETACHED DWELLING
DAVE SQUIRES	103 MACBETH DR	NC FENCE
GORDON CRANE	255 MUNDY POND RD	NC ACCESSORY BUILDING
KAREN YETMAN	19 MYRICK PL	NC ACCESSORY BUILDING
MARK OLIVER	88 OLD BAY BULLS RD	NC ACCESSORY BUILDING
ROCKWOOD HOMES	26 PARSONAGE DR, LOT 13	NC SINGLE DETACHED DWELLING
ROBERT WHITE	114 PLEASANT ST	NC FENCE
JEREMIAH J. ENGLISH	15 PRINCE OF WALES ST	NC ACCESSORY BUILDING
THOMAS MAHONEY	22 PROSPECT ST	NC PATIO DECK
MICHAEL CLEMENTS	159 QUEEN'S RD	NC TOWNHOUSING
ERCO HOMES	11 ROWSELL PL - LOT 58	NC SINGLE DETACHED DWELLING
ERCO HOMES	14 SOLDIER CRES - LOT 40	NC SINGLE DETACHED DWELLING
CRAIG IVANY	333 STAVANGER DR	NC FENCE
JOHN NOSEWORTHY	8 STEAD PL	NC PATIO DECK
PAUL STONE	68 VALLEYVIEW RD	NC ACCESSORY BUILDING
KYRAN & ANNE DWYER	18 WABUSH PL	NC PATIO DECK
DAN FRAMPTON	4 WALWYN ST	NC ACCESSORY BUILDING
STEADFAST CONTRACTING LTD	4 MARSLAND PL	CR SUBSIDIARY APARTMENT
CRAIG ANDREWS	8 BANCROFT PL	EX ACCESSORY BUILDING
ROBERT HALLETT & ANNE BURKE	85 CIRCULAR RD	EX SINGLE DETACHED DWELLING
ROBERT & ELIZABETH CAMPBELL	12 LAUGHLIN CRES	EX SINGLE DETACHED DWELLING
JEREMIAH J. ENGLISH	15 PRINCE OF WALES ST	EX SINGLE DETACHED DWELLING
PAULA HOLLOWAY	285 SOUTHERN SHORE HWY	EX SINGLE DETACHED DWELLING
GAIL & CLARENCE MURPHY	59 SPRINGDALE ST	EX SINGLE DETACHED DWELLING
BLAIR CAMPBELL	31 ALEXANDER ST	RN TOWNHOUSING
GLENN PIERCEY &	2 BEECH PL	RN SINGLE DETACHED DWELLING
DAPHNE RUBY	18 SPRUCE GROVE AVE	RN SINGLE DETACHED DWELLING
EDWARD J. DUFF	10 COLVILLE PL	RN SINGLE DETACHED & SUB.APT
CARL JOHN WHITE	26 DUCKWORTH ST	RN TOWNHOUSING
AUSTIN'S CONTRACTING	8 GEORGINA ST	RN SINGLE DETACHED DWELLING
JASON KEMSHALL	27 GOWER ST	RN TOWNHOUSING
SHAWN MULROONEY AND	350 GROVES RD	RN SINGLE DETACHED DWELLING
DAVID C. PENNEY	24 LAURIER ST	RN SINGLE DETACHED & SUB.APT
ANDRE BEAUDOIN	89 LIME ST	RN TOWNHOUSING
EDWARD BROCKERVILLE	21 MACLAREN PL	RN SINGLE DETACHED DWELLING
CLEO GOODRIDGE	21 MYRICK PL	RN SINGLE DETACHED DWELLING
JEROME CODNER	92 PATRICK ST	RN SEMI-DETACHED DWELLING
WILLIAM J. BROWNE	23 PATRICK ST	RN SEMI-DETACHED DWELLING

RICK GUSHUE	237 PETTY HARBOUR RD	RN SINGLE DETACHED DWELLING
MARK UNSWORTH	130 PLEASANT ST	RN TOWNHOUSING
EDWARD & VANESSA REDDICK &	353 PORTUGAL COVE PL	RN SINGLE DETACHED DWELLING
ADAM DOYLE AND GERALD DOYLE	21 WILLIAM ST	RN SEMI-DETACHED DWELLING
IAN JORDAAN	7 EAST MIDDLE BATTERY RD	SW SINGLE DETACHED DWELLING
RICHARD F. GOOSNEY &	19 GAMBIER ST	SW SINGLE DETACHED DWELLING
MARK QUINN & ANGELA ANTLE	5 WHITEWAY PL	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 2,410,774.00

CLASS: DEMOLITION

GLEN POWER	29 HOLLOWAY ST	DM SEMI-DETACHED DWELLING
BETTER CONTRACTING	581 THORBURN RD	DM SINGLE DETACHED DWELLING
HARVEY AUTO CARRIERS LIMITED	545 WATER ST	DM ACCESSORY BUILDING
MCINNES COOPER	10 FORT WILLIAM PL, LEVELS 4&5	DM OFFICE

THIS WEEK \$ 71,000.00

THIS WEEK'S TOTAL: \$103,593,068.00

REPAIR PERMITS ISSUED: 2010/10/14 TO 2010/10/20 \$ 134,450.00

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

SJMC2010-10-25/586R

It was decided on motion of Councillor Hann; seconded by Councillor Breen: That the following Payrolls and Accounts for the weeks ending October 21st, 2010 be approved:

**Weekly Payment Vouchers
For The
Week Ending October 21, 2010**

PAYROLL

Public Works	\$	340,434.24
Bi-Weekly Casual	\$	16,641.34

ACCOUNTS PAYABLE \$ 4,266,569.98

Total: \$ 4,623,645.56

Tenders

- a. Tender – Traffic Equipment

SJMC2010-10-25/587R

It was moved by Councillor Hann; seconded by Councillor Breen: That the recommendation of the Director of Finance and City Treasurer be approved and the tender awarded as follows:

- a. **Fortran Traffic @ \$35,868.60 for section 1; Econolite @ \$1967.70 for section 2; Electromega @ \$28,295.40 for section 3 (there were the low bidder on all items in that section); Solar @ \$4800.00 for section 4 and Electromega @ \$11,760.00 for section 5 (low bidder did not meet specifications), as per the Public Tendering Act (taxes not included)**

Notice of Motion, Written Questions and Petitions

Councillor Breen gave the following Notice of Motion:

TAKE NOTICE that I will at a future regular meeting of Council move a motion to amend the Noise By-law to change allowable start up time on construction sites from 7:00 a.m. seven days a week, to 9:00 a.m. on Saturdays, Sundays and statutory holidays.

DATED at St. John's this 25th, day of October, 2010.

Councillor Danny Breen

Petitions

Councillor Collins tabled a petition the prayer of which reads as follows and which was referred to the Department of Public Works and Parks for follow up:

“We, the undersigned residents of Middle Pond, hereby petition the City of St. John's to clean out the ditches that carry water away from our properties.”

Councillor Tilley tabled a petition the prayer of which reads as follows and which was referred to the Police and Traffic Committee for consideration.

“We, the following residents of Harrington Drive are subjected to ongoing incidents of speeding motorists which is compromising the safety of our neighbourhood. We are requesting the installation of speed bumps on our street.”

Memorandum dated October 21, 2010 from Deputy Mayor Duff, Mayor's Advisory Committee on Affordable Housing, requesting Council support to sponsor a small dinner the evening before during the Committee's annual conference, November 22 and 23, 2010

SJMC2010-10-25/588R

It was moved by Councillor Colbert; seconded by Councillor O'Leary: That the City sponsor a small dinner the evening before the annual conference of Mayor's Advisory Committee on Affordable Housing, November 22 and 23, 2010, to be held at the Hungry Heart Café at an approximate cost of between \$500-\$750.

The motion being put was unanimously carried.

Mews Place – Loblaws Properties Ltd.

Council considered a memorandum dated October 20, 2010 from the City Manager regarding the above noted.

SJMC2010-10-25/589R

It was moved by Councillor Breen; seconded by Councillor Colbert: That an Easement Release for water and sewer lines over property of Loblaws at Mews Place, be executed by the City, as recommended by the City Manager.

The motion being put was unanimously carried.

69 Brookfield Road

Council considered a memorandum dated October 20, 2010 from the City Manager regarding the above noted.

SJMC2010-10-25/590R

It was moved by Councillor Collins; seconded by Councillor Hickman: That the recommendation of the City Manager that the owner of property at 69 Brookfield Road be compensated in the amount of \$2,025.00 for a removed tree and hedging from the property during the reconstruction of Brookfield Road, be approved.

The motion being put was unanimously carried.

107 Bay Bulls Road

Council considered a memorandum dated October 20, 2010 from the City Manager regarding the above noted.

SJMC2010-10-25/591R

It was moved by Councillor Collins; seconded by Councillor Tilley: That the recommendation of the City Manager that the City acquire a parcel of land at 107 Bay Bulls Road for sidewalk construction, at a cost of \$1000.00 plus legal fees, be approved.

The motion being put was unanimously carried.

Ratification of Email Poll

SJMC2010-10-25/592R

It was moved by Councillor Tilley; seconded by Councillor Galgay: That the following email poll be ratified:

Re: Approval of Registration Fees for Deputy Mayor Shannie Duff and Councillor Sheilagh O’Leary to attend the Provincial Sustainable Farming Conference 2010 – October 22-24, 2010 at Holiday Inn (total cost \$180).

The motion being put was unanimously carried.

Ratification of Email Poll

SJMC2010-10-25/593R

It was moved by Councillor Tilley; seconded by Councillor Galgay: That the following email poll be ratified:

Re: Closure of Lake View Ave where it intersects with Forest Road to facilitate work on the water main along Forest Road - October 22 and 23, 2010.

The motion being put was unanimously carried.

Councillor Collins

Councillor Collins reminded residents of a public meeting to be held on Tuesday, October 26, 2010 to provide an opportunity for public review and comment on an application submitted by Seanic Canada Inc. to rezone property located between Old Petty Harbour Road, Dorsey's Lane and Carondale Drive from the Residential Low Density (R1) Zone to the Apartment Special (AA) Zone.

Councillor Hanlon

Councillor Hanlon noted National Geographic Traveler magazine has selected Newfoundland's Avalon Peninsula as its top rated coastal destination and praised and thanked staff indicating that their work towards promoting the City as well as the Province has significantly contributed towards the City earning this recognition.

Councillor Hanlon noted that it has been brought to her attention that people are rummaging through recycables for containers that sell. The Deputy City

Manager/Director of Public Works and Parks noted that staff are aware of the problem and will continue to work towards finding a solution.

Councillor Hanlon referenced a letter to the Telegram from Barbara Colbourne, Deputy Mayor of Lushes Bight-Beaumont, Long Island, complaining about the parking situation during the recent MNL Conference held at the Delta St. Johns. Councillor Hanlon noted that the comments made by Ms. Colbourne were not reflective of MNL membership. His Worship the Mayor noted that he has asked staff to look into the allegations contained in the letter and reply to Ms. Colbourne accordingly. He also indicated that in future the parking issue will be looked at by all parties.

Councillor Breen

Councillor Breen updated residents on construction activity taking place on Torbay Road.

Councillor Breen noted complaints from residents, particularly Newfoundland Drive area with respect to the start up time on construction sites on weekends and statutory holidays. He advised that he has consulted with NL Construction Association requesting information on the impact of changing the hours and will await information from them before moving forward on this matter.

Councillor Colbert

Councillor Colbert advised residents that the tear up on the Boulevard is due to the preparation work for the construction of the military facility in Pleasantville, and noted that a coat of asphalt will be applied for the winter.

Councillor Hickman

Councillor Hickman also recognized the fact that National Geographic Traveler magazine has selected Newfoundland's Avalon Peninsula as its top rated coastal destination and congratulated everyone involved.

Councillor Hickman asked if the City would receive funding under the Federal/Provincial Program for repairs as a result of hurricane Igor. The Director of Engineering advised that application will be submitted for emergency repair work funding. Councillor Hickman suggested that the City pursue other sources of funding towards its capital projects and suggested that the matter be referred to Public Works, Environment and Protection for discussion.

Councillor O’Leary

Councillor O’Leary advised that the “Happy City” group has organized a forum for October 30, 2010 which is an opportunity to solicit information and opinions on the various growth and development issues of the City of St. John’s.

Councillor O’Leary advised that Clean and Beautiful recently held their annual meeting and commended the board members. She noted that new membership will include people from organizations such as NLHC and MMSB noting that new initiatives will be pursued, one being the “Golden Broom award.

Councillor O’Leary noted that she had discussions with staff on the problem of recycling plastic shopping bags. She encouraged businesses in the community to charge for the bags noting she would like to see the City encourage this initiative.

Deputy Mayor Duff

Deputy Mayor Duff updated Council on her attendance at the Provincial Sustainable Farming Conference 2010 held at Holiday Inn on October 22 to 24, 2010. She noted the importance of protecting agricultural land and the problems experienced by new farmers due to lack of farm land and markets. She noted she would like the City to take on farming initiatives similar to the new farmers market Halifax.

Adjournment

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

MAYOR

CITY CLERK