

September 17, 2007

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 Councillors Duff, Colbert, Hickman, Hann, Puddister, Galgay, Ellsworth, Coombs and Collins

Regrets: Deputy Mayor O'Keefe

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

Call to Order and Adoption of the Agenda

SJMC2007-09-17/507R

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

- a. Tender - Ice Control and Snow Clearing
- b. Memorandum dated September 14, 2007 from the Chief Commissioner and City Solicitor re: Application to Rezone Property 615 Empire Avenue (Ward 3)
- c. Finance and Administration Standing Committee Report dated September 14, 2007

Adoption of Minutes

SJMC2007-09-17/508R

**It was decided on motion of Councillor Hann; seconded by Councillor Hickman:
That the Minutes of the September 10th, 2007 meeting be adopted as presented.**

Application to Rezone Property, Pearce Avenue/Blackmarsh Road (Ward 3)

Under business arising, Council considered a memorandum dated September 13, 2007 from the Director of Planning regarding the above noted.

SJMC2007-09-17/509R

It was moved by Councillor Duff; seconded by Councillor Hickman: That the following Resolution for St. John's Municipal Plan Amendment Number 50, 2007 and St. John's Development Regulations Amendment Number 411, 2007 be adopted; which will then be referred to the Department of Municipal Affairs for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act, 2007.

**URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 50, 2007
and
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 411, 2007**

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

- a) adopted St. John's Municipal Plan Amendment Number 50, 2007 and St. John's Development Regulations Amendment Number 411, 2007 on the 20th day of August, 2007;
- b) gave notice of the adoption of St. John's Municipal Plan Amendment Number 50, 2007 and St. John's Development Regulations Amendment Number 411, 2007 by advertisements inserted in the Telegram newspaper on the 25th day and the 29th day of August, 2007;
- c) set the 12th day of September, 2007 at 7:00 p.m. at St. John's City Hall for the holding of a public hearing to consider objections and representations.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council approves St. John's Municipal Plan Amendment Number 50, 2007 and St. John's Development Regulations Amendment Number 411, 2007 as adopted.

SIGNED and SEALED this 17th day of September, 2007.

Mayor

**Director of Corporate Services
and City Clerk**

The motion being put was unanimously carried.

Proposed Text Amendment – St. John’s Development Regulations, Height of Accessory Buildings

Under business arising, Council considered a memorandum dated September 11, 2007 and a memorandum dated June 26, 2007 from the Director of Planning and the Manger of Development regarding the above noted.

SJMC2007-09-17/510R

It was moved by Councillor Duff ; seconded by Councillor Colbert: That the following Resolution for St. John’s Development Regulations Amendment Number 414, 2007 be adopted, which will then be referred to the Department of Municipal Affairs for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act, 2000.

**RESOLUTION
ST. JOHN’S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 414, 2007**

WHEREAS the St. John’s Municipal Council wishes to make provision in the St. John’s Development Regulations for additional building height for Accessory Buildings.

BE IT THEREFORE RESOLVED that the St. John’s Municipal Council hereby adopts the following text amendment to the St. John’s Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Repeal **Section 8.3.6(2) (Building Height-Accessory Buildings)** and substitute the following:

“(2) Building Height

The maximum building height for an Accessory Building shall be 4 metres, however Council may at its discretion increase the building height beyond 4 metres subject to the following:

- (a) submission of detailed building elevations of the proposed Accessory Building; and**
- (b) written notification of the application of the proposed Accessory Building to abutting property owners for comment.”**

BE IT FURTHER RESOLVED that the St. John’s Municipal Council 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 **17th** day of **September, 2007**.

Mayor

**Director of Corporate Services
& City Clerk**

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

MCIP stamp and signature

The motion being put was unanimously carried.

Proposed Rezoning of Properties –Torbay Road North (Ward 1)

Under business arising, Council considered a memorandum dated September 14, 2007 from the Director of Planning regarding the above noted.

SJMC2007-09-17/511R

It was moved by Councillor Duff; seconded by Councillor Hickman: That the following Resolutions for St. John’s Municipal Plan Amendment Number 46, 2007 and St. John’s Development Regulations Amendment Number 404, 2007 be adopted; and further, that Ms. Marie White, a member of the City’s Commissioners’ List, be appointed as the Commissioner to conduct a public hearing on the proposed amendments to the St. John’s Municipal Plan and St. John’s Development Regulations and the proposed amendments to the St. John’s Urban Region Regional Plan.

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 46, 2007**

WHEREAS the St. John’s Municipal Council wishes to permit future commercial retail development of properties located on the east and west sides of Torbay Road, north of the intersection of Torbay Road with Stavanger Drive and to also designate a buffer for Outer Cove Brook, Island Pond Brook and Island Pond Marsh which are located in this area.

BE IT THEREFORE RESOLVED that the St. John’s Municipal Council hereby adopts the following map amendment to the St. John’s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Redesignate lands on the east and west sides of Torbay Road, north of the intersection of Torbay Road with Stavanger Drive, from the Industrial General Land Use District to the Commercial General Land Use District and the Open Space Land Use District as shown on Map III - 1A attached.

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

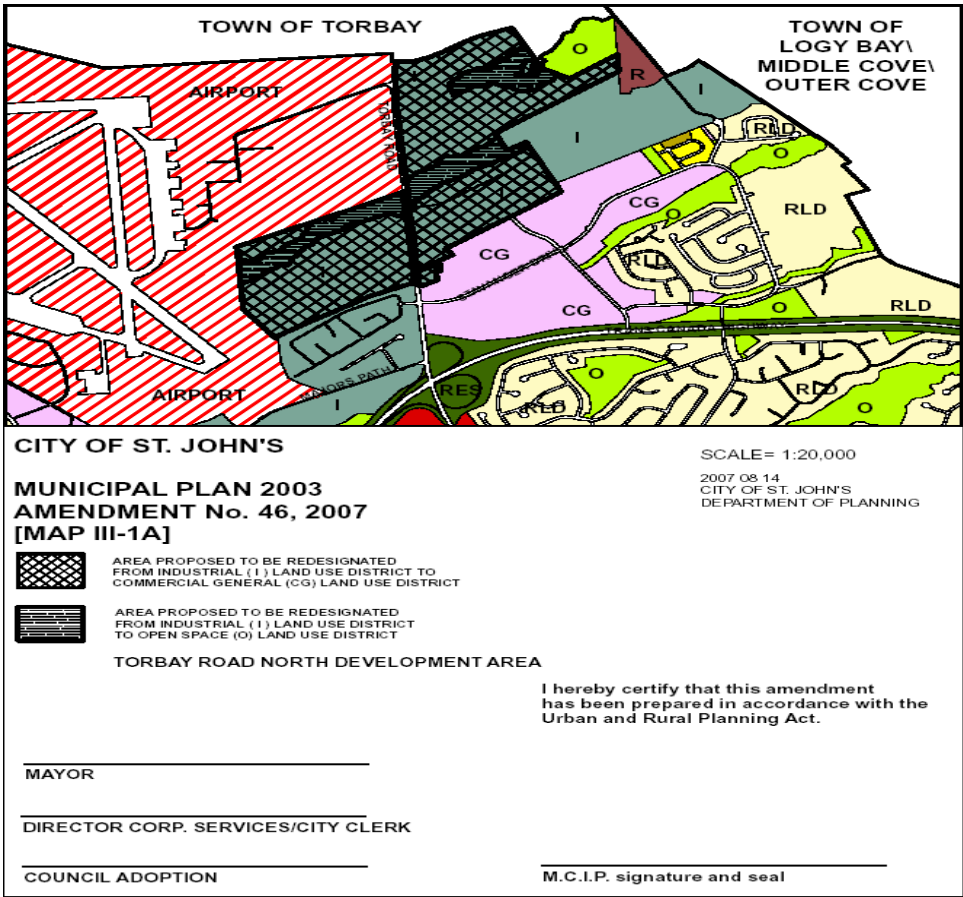
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 17th day of September, 2007.

Mayor

**Director of Corporate Services/
City Clerk**

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

MCIP



RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 404, 2007

WHEREAS the St. John's Municipal Council wishes to permit commercial-retail development of properties located on the east and west sides of Torbay Road, north of the intersection of Torbay Road with Stavanger Drive and to also designate a buffer for Outer Cove Brook, Island Pond Brook and Island Pond Marsh which are located in this area.

BE IT THEREFORE RESOLVED that the St. John's Municipal Council hereby adopts the following map amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000.

Rezone lands on the east and west sides of Torbay Road, north of the intersection of Torbay Road with Stavanger Drive, from the Commercial Industrial (CI) Zone and the Industrial General (IG) Zone to the Commercial Regional (CR) Zone and the Open Space (O) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the St. John's Municipal Council requests the Minister of Municipal Affairs to register the amendment in accordance with the Urban

and Rural Planning Act.

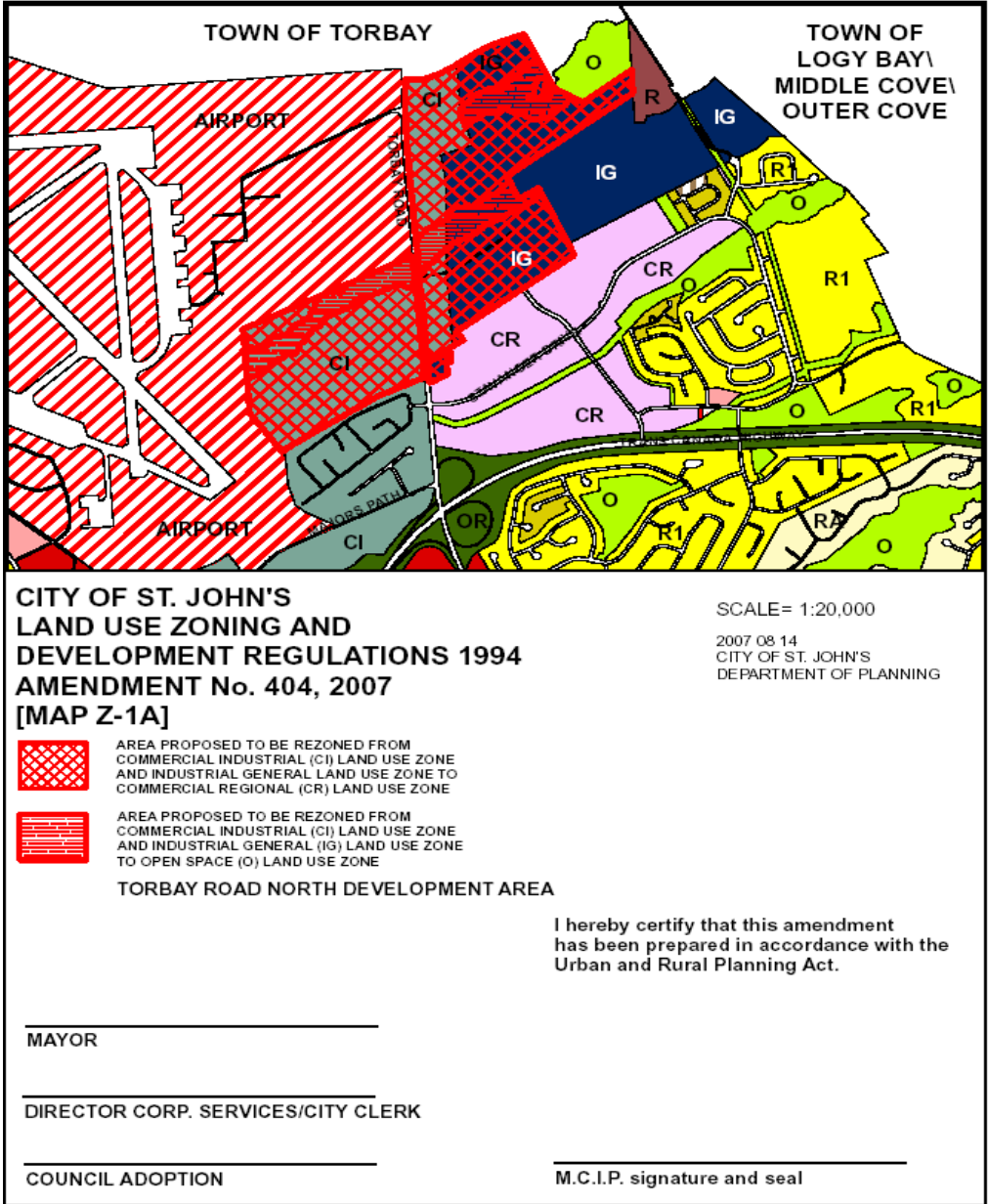
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 17th day of September, 2007.

Mayor

**Director of Corporate Services
& City Clerk**

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

MCIP



The motion being put was unanimously carried.

Public Hearings

Council considered a Public Hearing Report dated September 11, 2007 which was held to consider an application from Mr. Tom Hogan to have property situated at 615 Empire Avenue (between Winslow Street and Jensen Camp Road) rezoned from the Residential Low Density (R1) Zone to the Commercial Mixed use (CM) Zone. The rezoning is intended to allow the development of a self-storage warehouse use (rental storage).

In this regard, Council considered a memorandum dated September 17, 2007 from the Director of Planning.

SJMC2007-09-17/512R

It was moved by Councillor Coombs; seconded by Councillor Hann: That staff be directed to proceed with the rezoning of the application site and that the following Resolutions for St. John’s Municipal Plan Amendment Number 51, 2007 and St. John’s Development Regulations Amendment Number 416, 2007 be adopted in principle, subject to the issuance of a Provincial release:

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 51, 2007**

WHEREAS the St. John’s Municipal Council wishes to permit a mixed commercial venture at Civic Number 615 Empire Avenue.

BE IT THEREFORE RESOLVED that the St. John’s Municipal Council hereby adopts the following map amendment to the St. John’s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Redesignate land at Civic Number 615 Empire Avenue from the Residential Low Density Land Use District to the Commercial General Land Use District as shown on Map III-1A attached.

BE IT FURTHER RESOLVED that the St. John’s Municipal Council 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 17th day of September, 2007.

Mayor

Director of Corporate Services/City Clerk

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 416, 2007**

WHEREAS the St. John's Municipal Council wishes to permit a mixed commercial venture at Civic Number 615 Empire Avenue.

BE IT THEREFORE RESOLVED that the St. John's Municipal Council hereby adopts the following map amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Rezone land at Civic Number 615 Empire Avenue from the Residential Low Density(R1) Zone to the Commercial Mixed (CM) Zone as shown on MapZ-1A attached.

BE IT FURTHER RESOLVED that the St. John's Municipal Council 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 17th day of September, **2007**.

Mayor

**Director of Corporate Services/
City Clerk**

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

MCIP

The motion being put was unanimously carried.

Development Committee Report dated September 11, 2007

Council considered the following Development Committee Report dated September 11, 2007:

- 1. Application for Crown Land
James Howlett
Fourth Pond Road, Goulds (Ward 5)**

The Development Committee recommends that the request for the Crown Land Grant be approved subject to the following conditions:

- a. the portion of the property which is zoned Open Space (O) shall remain in the same zoning designation, thus maintaining the buffer of Fourth Pond Brook; and
- b. should the applicant be successful in obtaining a Crown Land Grant, a formal Development Application must be submitted to the City for review and final approval prior to the commencement of any development on the site.

Ronald G. Penney, LLB
Acting Chair
Development Committee

SJMC2007-09-17/513R

It was decided on motion of Councillor Collins; seconded by Councillor Duff: That the Committee's recommendation of approval subject to the conditions outlined, be accepted.

Parks and Recreation Standing Committee Report dated September 11, 2007

Council considered the following Parks and Recreation Standing Committee dated September 11, 2007 :

Attendees: Councillor Frank Galgay, Chairperson
Councillor Gerry Colbert
Councillor Tom Hann
Councillor Shannie Duff
Councillor Sandy Hickman
Ron Penney, Chief Commissioner/City Solicitor
Jill Brewer, Director of Recreation
Paul Mackey, Director of Public Works & Parks
Bob Bishop, Director of Finance & City Treasurer
Dave Blackmore, Director of Building & Property Management
Tanya Haywood, Manager of Facilities Division
Brian Head, Operations Assistant – Parks
Heather Hickman, Manager of Community Development
Natalie Godden, Manager of Family & Leisure Services
Carla Lawrence, Manager of Youth Soccer Division
Karen Chafe, Recording Secretary

Report:

1. **Proposal for Recreational Enhancement of Beaver Pond Area**

The Committee met with Mr. Harold Druken, Paddy Howlett and Jess Wilkins to discuss their proposal to enhance the recreational potential of Beaver Pond which is currently in a state of neglect. They elaborated on the tremendous opportunity to use this area for local residents and tourists alike who pass by on their way to Cape Spear. Reference was made to its traditional use as a swimming hole for previous generations and the possibility of continuing to use it in this manner. The delegation questioned the discrepancy between the coliform counts conducted by the Province as compared to those conducted by the City. It was noted that results can vary significantly depending on the amount of rainfall which had occurred, the temperature during the time of testing and the time of year the testing was conducted. The City's water testing indicated that the total coliform and faecal coliform counts are too high for safe swimming. Though the results vary depending on the time of year they are taken, staff feels that there is major cause for concern and would not advocate the Pond's use for swimming purposes. The problem requires long-term solutions relative to identifying the source of contamination through a series of extensive and costly water testing. If such testing identifies the source of the problem, it is still no guarantee that the problem can be easily fixed.

A community group in the Shea Heights area is willing to offer \$10,000 plus equipment and manpower to initiate a community project for the clean-up and restoration of the area. Mr. Druken stated that the Shea Heights Community is very much in support of improving Beaver Pond so that it can be enjoyed by its residents and used as an area for recreational activities to take place during the summer.

The Committee was receptive to cooperating with the Shea Heights Neighbourhood Improvement Board to develop a concept plan for the area. With regard to the issues of water quality, it was agreed that water testing be conducted at Second Pond which is adjacent to Beaver Pond. The Committee agreed that swimming continue to be prohibited until such time as reasonable assurances of water quality can be made.

3. Ayre Athletic Field – Proposed Service Building

The Director of Recreation updated the Committee on discussions held with the Guards Athletic Association who have expressed an interest in cost-sharing with the City the construction of a service building. Such an agreement would be mutually beneficial to both parties as it would provide the City with the required storage area and washrooms that would accommodate the recreational activities taking place, and it would also provide a meeting room for the Guards Athletic Association to conduct their monthly meetings and a place for the display of their artifacts and memorabilia. The City would own, manage and program the building while allowing free access to the building for the Guards Athletic Association meetings. The Association is willing to provide a maximum of \$100,000 toward the cost. Staff estimates the cost for construction to be in the vicinity of \$250,000, based on a recent similar project at Southlands.

The Committee recommends that Council enter into a cost-shared agreement with the Guards Athletic Association for the funding of the proposed new maintenance building with the Association contributing \$100,000 and Council contributing the balance, estimated in the vicinity of

\$150,000. This agreement is subject to formal confirmation from the Guards Athletic Association.

4. Parking Lot Upgrading for Ayre Athletic Field and Arena

The Director of Recreation updated the Committee with respect to the cost of upgrading to the parking lot for Ayre Athletic Field and the Arena which is estimated at \$227,000. This project has been referred to the City's 2008 capital works budget.

The Committee recommends that staff contact the owners of the Prince of Wales Arena to determine if they would be interested in cost-sharing the upgrading of the parking lot.

7. Terms of Reference for the Mayor's Advisory Committee on Youth

The Committee reviewed the attached Terms of Reference for the Mayor's Advisory Committee on Youth. The major changes to the report are outlined in bold in the report. They consist mainly of the recommended increase of membership from 8 youth to 15 and the age eligibility being increased to 20 years of age from 18. Attendance is now also *expected* as opposed to *encouraged*.

The Committee recommends adoption of the revised Terms of Reference for the Mayor's Advisory Committee on Youth.

**Councillor Frank Galgay
Chairperson**

SJMC2007-09-17/514R

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

During discussion, Councillor Colbert commented with respect to Ayre Athletic Grounds suggesting that the City should consider acquiring land adjacent to Ayre Athletic Grounds on Adams Avenue for parking purposes.

With respect to the paving of the parking lot in front of Ayre Athletic grounds, Councillor Colbert indicated, that while not disputing the need, the lot should not take priority over areas such as the Mews Centre and Bowring Park. Councillor Hickman noted that in this instance he would prioritize parking lot paving due to the layout of the parking lot, its high usage in the winter months and the fact it is under accessible during the summer months.

Following discussion the motion being put was unanimously carried.

Finance and Administration Standing Committee Report dated September 14, 2007

Council considered the following Finance and Administration Standing Committee Report dated September 14, 2007:

SJMC2007-09-17/515R

It was moved by Councillor Ellsworth; seconded by Councillor Coombs: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

Development Permit List

Council considered as information the following Development Permits List for the period September 6th to September 13th, 2007

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF SEPTEMBER 6, 2007 TO SEPTEMBER 13, 2007**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Ms. Karen Fumeaux	Residential Building Lot	Lot No. 6 Airport Heights Drive	Ward 4	Application Approved	07 09 06
Com.	Ms. Lisa Parsons Sullivan	Family Home Child Care Service (6 Children)	Civic No. 14 Wabush Place	Ward 3	Application Approved	07 09 06
Inst.	Royal Canadian Legion - Branch No. 1	Proposed Subdivision of Property	Civic No. 57-59 Blackmarsh Road	Ward 3	Application Rejected: Contrary to Sect. 9.1.1	07 09 11
Res.	Mr. Michael	Proposed Construction of	Between Civic Nos. 80 &	Ward 5	Application	07 09 11
Inst.	Church of St. Mary=s the Virgin	Proposed Parking Lot Expansion and Upgrading	Civic No. 80 Craigmillar Avenue	Ward 2	Application Approved	07 09 11
Res.	Mr. Kevin Fisher	Proposed Residential Building Lot (PUD)	Lot No. 3 Maunders Lane	Ward 1	Application Rejected: Contrary to Council=s Moratorium on PUD=s & Contrary to Sects. 8.1.2 & 10.3.3(1)(b)	07 09 12
Other	Mr. Aubrey Williams	Proposed Walking Track for a Race Horse	Civic No. 143 Main Road	Ward 5	Application Approved	07 09 12

*	Code Classification:			
	RES	- Residential	INST	-
	COM	- Institutional	IND	-
	AG	- Agriculture		
**	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.			

**Ed Murray
Development Officer
Department of Planning**

Building Permits List

SJMC2007-09-17/516/R

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

2007/09/12

Permits List

CLASS: COMMERCIAL

FURNITURE ETC. LTD.	44 CROSBIE RD	CO RETAIL STORE
PETER'S PIZZA&GOLDEN FOODS LTD	135 CAMPBELL AVE, PETER'S PIZZ	MS RESTAURANT
CROSSTOWN HAIR & TANNING LTD	398 EMPIRE AVE	SN SERVICE SHOP
ASS AS 411 TORBAY ROAD	7 LEDREW'S RD, PETER'S PIZZA	MS RESTAURANT
QUINLAN TAYLOR SERVICES INC.	235 MAJOR'S PATH	SN OFFICE
COLOR YOUR WORLD	40 ROPEWALK LANE, COLOR YOUR W	MS RETAIL STORE
STASSIS FOOD INC.	38 ROPEWALK LANE	MS RESTAURANT
STASSIS INVESTMENTS INC.	38 ROPEWALK LANE, NO NAME PIZZ	MS RESTAURANT
NORTH ATLANTIC	660 TORBAY RD, NORTH ATLANTIC	MS OFFICE
PIZZA EXPRESS LIMITED	TORBAY ROAD-TORBAY RD MALL	MS RESTAURANT
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD, PETER'S PIZZA	MS RESTAURANT
CRAIG DROVER	12 MERRYMEETING RD	RN MIXED USE
OZARK HOLDINGS	22 SUDBURY ST	NC FENCE
BIDGOOD'S PROPERTY MANAGEMENT	355A MAIN RD	RN RETAIL STORE
NEWFOUNDLAND STRUCTURES INC.	215 WATER ST	CR OFFICE
MUSIC WORLD	430 TOPSAIL RD MUSIC WORLD	CR RETAIL STORE
LEON'S FURNITURE	58 KENMOUNT RD - LEON'S	RN RETAIL STORE
WALKER ENTERPRISES INC.	390 INCINERATOR RD	NC SALVAGE YARDS

THIS WEEK \$ 348,850.00
TO DATE \$ 32,899,025.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
TO DATE \$ 1,524,967.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00
TO DATE \$ 16,640,215.00

CLASS: RESIDENTIAL

TRABON CONSTRUCTION	48 BRAD GUSHUE CRES, LOT 5-94	NC SINGLE DETACHED DWELLING
GLEN ROSE	111 BROOKFIELD RD	NC PATIO DECK
RUBY CHAYTOR	2 CORMACK ST	NC ACCESSORY BUILDING
DENNIS O'KEEFE	4 CURRIE PL	NC ACCESSORY BUILDING
AUSTIN & ROSANNA REDLACK	4 DRAKE CRES	NC PATIO DECK
BAE NEWPLAN GROUP LIMITED	45-47 DUCKWORTH STREET	NC CONDOMINIUM
BAE NEWPLAN GROUP LIMITED	45-47 DUCKWORTH STREET	NC CONDOMINIUM
DONOVAN HOMES LIMITED	126 EDISON PL, LOT 28A	NC SEMI-DETACHED DWELLING

DONOVAN HOMES LIMITED	128 EDISON PL, LOT 28B	NC SEMI-DETACHED DWELLING
ALIAN T	EMPIRE AVE -ALIAN T	NC ACCESSORY BUILDING
CRAIG HANCOCK	554 EMPIRE AVE	NC ACCESSORY BUILDING
ALAN HATCHER	6 FOGO PL	NC PATIO DECK
PAULINE GILL	100 FORT AMHERST RD	NC PATIO DECK
TAMMY TILLER	14 GERARD PL	NC ACCESSORY BUILDING
JULIE JOHNSON	153 GOWER ST	NC PATIO DECK
PERHAM HOMES	56 GREAT EASTERN AVE	NC SINGLE DETACHED DWELLING
PETER HOWELL	4 GUZZWELL DR	NC ACCESSORY BUILDING
COLIN CROFT	20 HOPEDALE CRES, LOT 210	NC SINGLE DETACHED DWELLING
ATLANTIC HOMES LIMITED	15 HOPEDALE CRES, LOT 154	NC SINGLE DETACHED DWELLING
ATLANTIC HOMES LTD.	31 HOPEDALE CRES, LOT 162	NC SINGLE DETACHED & SUB.APT
BLAIR & JENNIFER LEONARD	62 HUNTINGDALE DR	NC FENCE
GIBRALTAR DEVELOPMENT	45 JULIEANN PL, LOT 110	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	61 LARNER ST, LOT 253	NC SINGLE DETACHED DWELLING
JODY WORTHMAN &	14 LAUGHLIN CRES	NC ACCESSORY BUILDING
WILLIAM O'KEEFE	7 LAWTON CRES	NC ACCESSORY BUILDING
JIM ROBERTSON	21 LODGE PL	NC ACCESSORY BUILDING
KENNY'S POND RETIREMENT	135 MACDONALD DRIVE	NC APARTMENT BUILDING
SHIRLEY ATKINS	10 MACPHERSON AVE	NC FENCE
RANDY CAREW	30 MARK NICHOLS PL	NC FENCE
ANNE GILLIS/ROBERT MACISAAC	63 MAYOR AVE	NC ACCESSORY BUILDING
EASTERN SIDING SYSTEMS INC.	12 MYRICK PL, LOT 138	NC SINGLE DETACHED & SUB.APT
BALNAFAD COMPANY LIMITED	22 MYRICK PL, LOT 129	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LIMITED	23 MYRICK PL, LOT 128	NC SINGLE DETACHED DWELLING
SHAWN LAHEY	24 MYRICK PL, LOT 127	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LIMITED	26 MYRICK PL, LOT 125	NC SINGLE DETACHED DWELLING
CHARACTER BUILDERS LTD.	30 MYRICK PL - LOT 121	NC SINGLE DETACHED DWELLING
CHARACTER BUILDERS LTD.	42 MYRICK PL - LOT 109	NC SINGLE DETACHED DWELLING
LLEWELLYN & VANDI NORMAN	9 NAVAJO PL	NC ACCESSORY BUILDING
STEPHEN & ROBERT &	27 NORTHERN RANGER ST	NC ACCESSORY BUILDING
NEW VICTORIAN HOMES	9 OAKLEY PL, LOT 284	NC SINGLE DETACHED DWELLING
JOHN REARDIGAN	144 OLD PETTY HARBOUR RD	NC ACCESSORY BUILDING
TERRY WALSH CONST	10 OTTER DR, LOT 94	NC SINGLE DETACHED DWELLING
SCOTT S. STUCKLESS	34 PALM DR	NC ACCESSORY BUILDING
GREG GAVIN	PENETANGUISHENE	NC SINGLE DETACHED DWELLING
FAMILY HOME LIMITED	2 RUSS HOWARD ST - LOT 95	NC SINGLE DETACHED DWELLING
FRED & BONITA HOLLETT	15 SAVANNAH PARK DR	NC ACCESSORY BUILDING
JANET CAMPBELL	21 STONEBRIDGE PL	NC FENCE
PAUL F. MALONE	5 SYMONDS PL	NC ACCESSORY BUILDING
MARIO RYAN	2 WADLAND TERR	NC FENCE
GEORGE BALDWIN	18 RIVERSIDE DR WEST	CO HOME OFFICE
DENNIS & ANITA DUNN	2 VICTORIA ST	CO BOARDING HOUSE (4 OR LESS)
MARCEL HUNT	178 HUSSEY DR	EX MOBILE HOME
JULIA C. TRAHEY	156 PATRICK ST	EX SINGLE DETACHED DWELLING
MARK G. KENNEDY	82 BARNES RD	RN TOWNHOUSING
DUNCAN KENDRICK	136 CASEY ST	RN SEMI-DETACHED DWELLING
ROBERT STOYLES	125 GOWER ST	RN TOWNHOUSING
CARDINAL HOMES LIMITED	2 MACLAREN PL, LOT 5	RN SINGLE DETACHED DWELLING
LEONARD CLARKE	26 MONKSTOWN RD	RN SINGLE DETACHED & SUB.APT
LEONARD CLARKE	26 MONKSTOWN RD	RN SINGLE DETACHED DWELLING
DR. A.M. SANCHETI	3 SEABORN ST	RN SINGLE DETACHED DWELLING
TRACEYANNE M. LOEFFLER	7 WOOD ST	RN TOWNHOUSING
P.J. & CAROL ANN FORD	16 JAMES LANE	SW SINGLE DETACHED DWELLING
TANYA MALONE & JEFF SHEEHAN	19 OLD PETTY HARBOUR RD	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 17,983,275.00
TO DATE \$119,671,895.00

CLASS: DEMOLITION

THIS WEEK \$.00
TO DATE \$ 411,356.00

THIS WEEK'S TOTAL: \$ 18,332,125.00

TOTAL YEAR TO DATE: \$171,147,458.00

REPAIR PERMITS ISSUED: 2007/09/06 TO 2007/09/12 \$ 68,100.00
2006/12/28 TO 2007/09/12 \$ 2,244,553.00 YTD

LEGEND

CO	CHANGE OF OCCUPANCY	SW	SITE WORK
EX	EXTENSION	OB	OIL BURNING EQT
NC	NEW CONSTRUCTION	TI	TENANT IMPROVEMENTS
OC	OCCUPANT CHANGE	CC	CHIMNEY CONSTRUCTION
RN	RENOVATIONS	CD	CHIMNEY DEMOLITION
SN	SIGN	WS	WOODSTOVE
MS	MOBILE SIGN	DM	DEMOLITION
CR	CHNG OF OCC/RENOVTNS		

Payrolls and Accounts

SJMC2007-09-17/517R

**It was decided on motion of Councillor Hann; seconded by Councillor Duff:
That the following Payrolls and Accounts for the week ending September
13th, 2007 be approved as presented:**

**Weekly Payment Vouchers
For The
Week Ending September 13, 2007**

PAYROLL

Public Works	\$ 271,296.58
Bi-Weekly Casual	\$ 36,271.34

ACCOUNTS PAYABLE

Cheque No. 120869 – 121181 (Includes Direct Deposits/Transfers/Equip. Leasing)	\$3,461,374.73
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Total: \$3,768,942.65

Tenders

- a. Tender – 2007 Watermain Improvements - Contract No. 2
- b. Tender–Purchase of Three (3) Cab &Chassis c/w Dump/Stake Bodies
- c. Tender – Purchase of Two (2) Compact Lawn Tractors c/w Mowing Attachments
- d. Tender – Ice Control & Snow Clearing, Various Sites

SJMC2007-09-17/518R

It was decided on motion of Councillor Hann; seconded by Councillor Duff: That the recommendation of the Associate Commissioner and Director of Engineering; the Director of Finance and City Treasurer and the Manager, Property Management Division be approved and the tenders awarded as follows:

- a. **Newfound Construction Ltd. in the amount of \$459,163.50**
- b. **Avalon Ford Sales 1996 Ltd. in the amount of \$149,088.00 (HST Extra)**
- c. **Nfld. Kubota Ltd. In the amount of \$21,978.00 (HST Extra)**
- d. **C.W. Parsons Limited in the amount of \$277,846.50 which includes HST**

Bell's Turn Realignment

Council considered a memorandum dated September 13, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-09-17/519R

It was decided on motion of Councillor Colbert; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that Notices of Expropriation pertaining to land required by the City from three property owners in order to complete the realignment work for Bell's Turn, be executed.

Lakeview Drive – Goulds, St. John's Racing & Entertainment Centre Inc.

Council considered a memorandum dated September 13, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-09-17/520R

It was decided on motion of Councillor Colbert ; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that land at Lakeview Drive, required for street reconstruction, be acquired for the appraised value of \$6,500.00 plus legal fees, be accepted.

Request from Pollard's Therapeutic Massage that the City display their banner during National Massage Therapists Awareness Week, October 21 to 27, 2007

Council unanimously approved the above noted request.

Letter dated September 10, 2007 from Mr. Paul Madden re Capitol Theatre

Council considered the above noted letter from Mr. Paul Madden regarding the development of the new 500 seat Capitol Theatre in the former CBC building. The proposed project would cost \$4 million to be cost shared as follows:

- \$1.5 million – Mr. Paul Madden
- \$1 million – ACOA
- \$1 million – Provincial Government

- \$1/2 million – City of St. John’s
- Any overruns to be covered by the developer
- Application to be made to ACOA by the City of St. John’s
- Upon completion of the project the Capital Theatre will be leased for \$1.00 per year plus operating expenses to a not for profit arts group

Mr. Madden indicated that if this project is to proceed it will need the City’s support and is asking for a commitment in principle that will allow him to seek funding from ACOA and the Provincial government.

Discussion ensued with regards to the City’s commitment of \$500,000.00 towards the LSPU Hall renovation and improvements project subject to their securing funding from other partners by December 2008. It was further pointed that the LSPU is looking for long term funding of \$100,000 annually.

His Worship the Mayor along with other members of Council indicated they are not willing to support two theatres and agreed that Mr. Madden’s proposal to redevelop the Capital Theatre as a 500 seat theatre is a far more important project for the Arts Community than the rehabilitated LSPU Hall.

Members of Council also felt that a decision would be premature given that a detailed business plan has not been submitted. Concern was expressed over the issue of governance, demand and economic feasibility.

Following discussion, Council agreed to defer the matter for two weeks pending a response to an application to the Provincial Department of Tourism to secure cost shared funding towards a needs assessment study.

Email from Con DiNino re invitation to His Worship the Mayor to attend the Dalai Lama Event, October 29, 2007, Ottawa, Ontario and request to raise the Tibetan Flag on October 28, 2007

SJMC2007-09-19/521R

It was decided on motion of Councillor Coombs; seconded by Councillor Hann: That travel by His Worship the Mayor to Ottawa to attend the Dalai Lama event on October 29, 2007 be approved, and further that their request to raise the Tibetan Flag on October 28, 2007 be approved.

Travel by His Worship the Mayor

SJMC2007-09-17/522R

It was decided on motion of Councillor Coombs; seconded by Councillor Hickman: That travel by His Worship the Mayor to Ottawa, to attend the Big City Mayor's Meeting, October 11, 2007; and to Corner Brook to attend Board of Trade Meeting on Oil Industry, October 18, 2007, be approved.

Adjournment

There being no further business, the meeting adjourned at 5:30 p.m.

MAYOR

CITY CLERK