

**September 20<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.

Acting Mayor Duff presided.

There were present also: Councillors O'Leary, Hickman, Colbert, Hann, Breen, Galgay, Tilley and Collins.

Regrets – His Worship the Mayor and Councillor Hanlon.

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

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

**SJMC2010-09-20/512R**

**It was decided on motion of Councillor Collins; seconded by Councillor Hickman: That the Agenda be adopted as presented.**

**Adoption of Minutes**

**SJMC2010-09-20/513R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Breen: That the minutes of the September 13, 2010 meeting be adopted as presented.**

**Committee Reports**

**Development Committee Report dated September 14, 2010**

Council considered the following Development Committee Report dated September 14, 2010:

**RECOMMENDATION OF APPROVAL:**

**1. Application for Proposed Costco Gas Bar  
Terrain Group Inc. on behalf of Costco Wholesale  
Aberdeen Avenue (Ward 1)**

The Development Committee in conjunction with the City's Transportation Engineer recommends, based on the findings of the traffic study that Council grant approval to the application submitted to the City by the Terrain Group Inc. on behalf of Costco Wholesale, subject to the following conditions:

- a. that Costco contribute \$155,000 towards the cost of signaling the Costco/ Loblaws driveway access with Stavanger Drive and that this payment be made to the City prior to the release of the building permit for the gas bar;
- b. that the traffic signal installation at the Costco/Loblaws driveway access with Stavanger Drive be completed and operational prior to the release of any occupancy permit for the gas bar; and
- c. approval of a detailed site plan for the gas bar by staff of the Departments of Engineering and Planning.

**2. Proposed Demolition and Reconstruction of Single Detached Dwelling  
Mr. Rod Mercer  
Civic No. 400 Blackhead Road (Ward 5)**

The Development Committee recommends that the above noted application be approved as a replacement of a non-conforming structure in accordance with Section 7.12.1(b) of the Development Regulations subject to the following conditions:

- a. the required Demolition/Building Permits must be obtained from Access St. John's prior to the commencement of any development on the site; and
- b. the existing dwelling must be removed from the site prior to commencement of construction of the new dwelling, or a security to be deposited with the City to ensure that the older dwelling is removed from the site upon occupancy of the new structure. The amount of the deposit will be determined by the Department of Building and Property Management.

**RECOMMENDATION OF REJECTION:**

**3. Application for Proposed Campgrounds  
Mr. Perry McCarthy  
Fowler's Road (Ward 5)**

The Development Committee recommends that Council reject the above noted application as it is considered to be premature development.

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

**SJMC2010-09-20/514R**

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

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

**Planning and Housing Standing Committee Report dated Sept. 15, 2010**

Council considered the following Planning and Housing Standing Committee dated September 15, 2010:

In Attendance:

- Councillor Frank Galgay, Chairperson
- Deputy Mayor Shannie Duff
- Councillor Sheilagh O'Leary
- Councillor Tom Hann
- Councillor Sandy Hickman
- Councillor Danny Breen
- Councillor Bruce Tilley
- Mr. Ron Penney, City Manager
- Mr. Cliff Johnston, Director of Planning
- Mr. Walt Mills, Director of Engineering
- Mr. Dave Blackmore, Director of Building & Property Management
- Mr. Bob Bursey, City Solicitor
- Mr. Jim Clarke, Acting Director of Public Works & Parks
- Mr. Joe Sampson, Manager of Development
- Mr. Ken O'Brien, Manager of Planning & Information
- Mr. Robin King, Transportation Engineer
- Ms. Lynnann Winsor, Development Engineer
- Mr. Chris Small, Planning Technician
- Ms. Kelly Butler, Recording Secretary

Also in attendance were Mr. Craig Ennis, St. John's Board of Trade, Ms. Alisha Morrissey with The Telegram and Mr. John Warren.

- 1. Delegation – Leger Holdings re: Proposed Residential Development –  
Murphy's Right-of-Way off Signal Hill Road (Ward 2)**
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The Committee met with Messrs. Bill Clarke, Ryan Clarke and Danny Madden to discuss the proposed residential development for Murphy's Right-of-Way off Signal Hill Road. The Committee also considered the **attached** memorandum dated September 13, 2010, from the Director of Planning and the Manager of Development. The Committee also reviewed a View Plane Analysis prepared by City Staff (a copy of which will be sent out with the Regular Agenda of Council).

The Manager of Development advised that following a public meeting on the original application, the developer submitted a revised subdivision plan which reduced the number of building lots from nine (9) to eight (8), with the proposed building lot fronting on Signal Hill Road having been removed from the plan. The proposed dwellings will be two storeys in height as viewed from the road, and one storey in height on the upper side or rear of the building lots.

Mr. Clarke noted that the project will follow all of the guidelines of the Battery Development Guidelines Study, with the exterior of the units being done in a manner that maintains the historic look of the Battery. Regarding the requirement for rock removal, Mr. Clarke advised that rock removal is anticipated to take three to four weeks, but it could take as long as five weeks. The hours of operation for the rock busting equipment will be in compliance with the City's Regulations. It is anticipated that work will begin at 8 a.m. and end within the supper hour.

Deputy Mayor Duff expressed concern regarding possible traffic implications, noting that residents exiting the street would not be visible to motorists travelling up Signal Hill Road. The Transportation Engineer indicated that Murphy's Lane would be made one-way, and that there should be no problems with visibility at the lower end of the street, near the blind hill.

**The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Breen, with Deputy Mayor Duff and Councillor O'Leary opposed: That the revised development application for the proposed eight (8) lot housing subdivision be approved-in-principle subject to the following conditions:**

- a. that Council adopt the proposed amendment to Section 10.47.3 of the St. John's Development Regulations which pertains to the rezoning requirements for the Comprehensive Development Area – Signal Hill/Battery Zone (south side of Murphy's Right-of-Way) as outlined in the staff memorandum from the Department of Planning;**
- b. that the building elevations for all individual houses in the proposed subdivision must be reviewed by the City's Heritage Officer and referred to Council for consideration of approval;**
- c. payment of the subdivision application fee of \$100 per residential building lot and the payment of the development fee of \$1000 per residential building lot and any other applicable fees and/or assessments;**

- d. **compliance with all applicable requirements of the City's Departments of Building and Property Management, Engineering, Public Works and Parks, and Planning; and**
  - e. **compliance with all the applicable requirements of the St. John's Development Regulations.**
2. **Delegation – WLC Holdings Ltd. and Representatives from the Hardman Group Ltd. re: Proposed Residential Condominium Development and Parking Garage – Civic No. 340-344 Duckworth Street (Ward 2)**

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The Committee met with Mr. Colin Whitcomb, Executive Vice-President – Hardman Group Ltd., Mr. Bill Clarke, Mr. Ryan Clarke, Mr. Richard Cook and Mr. Doug Hawes, representing Henry Bell Development Ltd. to discuss the proposed residential condominium development and parking garage at Civic No. 340-344 Duckworth Street. The Committee also considered the **attached** memorandum dated September 13, 2010, from the Director of Planning and the Manager of Planning and Information. In addition, the Committee also reviewed drawings of the proposed development which were tabled by Mr. Cook during the meeting. (A copy of these drawings will be sent out with the Regular Agenda of Council.)

The Director of Planning advised that the application from Henry Bell Development the subject property is zoned as Commercial Central Mixed (CCM), which permits the proposed uses. There is a height limitation of 15 metres in the CCM Zone. It is staff's recommendation that the applicants be requested to prepare a Land Use Assessment Report (LUAR) on the project, with the height being limited to 15 metres as measured from Henry Street. Once the LUAR has been submitted and reviewed by staff, the application will be referred to a public meeting to be chaired by a member of Council.

The Manager of Planning and Information advised that the application had been referred to the City's Heritage Advisory Committee. The Heritage Committee was generally in favour of the design elements presented for the condominium component of the project, however, the Committee felt that it would be premature to make a recommendation on the proposal including the request for height variation pending a full review by the Planning and Housing Standing Committee. The Heritage Committee did express its concern with respect to the façade of the proposed parking garage. The City's Heritage Officer will try to find examples of parking garages that have been styled in the heritage manner.

Mr. Whitcomb provided a brief background on the Hardman Group, noting that they have been involved in the development business in Atlantic Canada for over 40 years. He noted that one of the company's first projects was the Avalon Mall. In recent years, the company has mainly done projects throughout Atlantic Canada, and has been looking to undertake a project in St. John's. The opportunity to return to St. John's came when the company was approached by Mr. Clarke and Mr. Cook to partner on the condominium project. Mr. Whitcomb highlighted the risks that the company will encounter with this project, and he noted that he hoped Council would look favourably on the project which would help reignite this particular part of the downtown. He referenced the small height variance that is being

requested, and he expressed his hope that Council would allow it given the value of the project and the benefits it would bring to the City.

Mr. Clarke advised that the company had recently purchased the former Telephone Building located across the street from the subject property, and a development application will be submitted shortly for that site as well. Parking for this building will also be provided in the proposed parking garage.

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

The Committee discussed the application at length, with it being noted that the development proposal seems to be a good fit with the neighbourhood. Some members of Council expressed concern about the requested height variance, and inquiring if the project would be impacted if it was limited to 15 metres in height. Staff indicated that in order to meet the 15 metre height limitation, one storey of the parking garage may have to be removed. This would still leave adequate parking to meet the parking requirements for the proposed condominium developments as well as some additional parking for public use. Staff noted that if a variance on the height requirement were granted, it may have an impact on the residential properties on the north side of Henry Street.

**The Committee recommends, on motion of Councillor Hickman; seconded by Deputy Mayor Duff: That the applicants be directed to provide electronic drawings of the proposed development to the Department of Planning so that staff may undertake a View Plane Analysis of the proposed development. The applicants should be asked to prepare drawings of the project as currently presented to the City, which shows heights above 15 metres, as measured from Henry Street, as well as drawings of the proposed development with building heights limited to 15 metres as measured from Henry Street.**

**Upon submission of the information by the applicants and completion of the View Plane Analysis by City Staff, the View Plane Analysis will be referred to the Planning Committee for review and recommendation to Council on further processing of the application with respect to a Land Use Assessment Report and a public meeting.**

**3. Proposed Rezoning of Property – Civic No. 18 Topsail Road (Ward 2) – Wrightland Development Corporation**

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The Committee considered the attached memorandum dated September 13, 2010, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends, on motion of Councillor Tilley; seconded by Deputy Mayor Duff: That the rezoning application be referred to a public meeting to be chaired by a member of Council.**

**4. Proposed Rezoning of Property – Civic No. 31-33 Golf Avenue (Ward 2) – Crystal White**

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The Committee considered the **attached** memorandum dated September 13, 2010, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Breen: That That the rezoning application be referred to a public meeting to be chaired by a member of Council.**

**5. Proposed Rezoning of Property – Maddox Cove Road (Ward 5) – Kevin Heffernan**

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The Committee considered the **attached** memorandum dated September 13, 2010, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter.

**The Committee recommends, on motion of Deputy Mayor Duff; seconded by Councillor Breen, with Councillor Tilley opposed: That the rezoning application be rejected as approving the proposed rezoning would allow unserviced residential development to occur on this property, thereby facilitating residential sprawl, which is contrary to the objectives of the City’s Municipal Plan for compact and orderly development. It is also noted that Maddox Cove Road is a designated Scenic Road under the St. John’s Urban Region Regional Plan.**

**6. Proposed Text Amendment for Residential Building Lot – Civic No. 165 Doyle’s Road (Ward 5) – Vicki Williams**

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The Committee considered the **attached** memorandum dated September 15, 2010, from the Director of Planning and the Manager of Development regarding the above noted matter. The purpose of the proposed text amendment is to amend Section 10.34.1(k) of the St. John’s Development Regulations Agriculture Zone, by deleting the words **“as an Accessory Building”** and amend the section to read: **“Single Detached Dwelling (subject to the approval of the Provincial Department of Natural Resources)”**

**The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Breen: That the proposed text amendment be advertised for public review and comment. Upon completion of the public notification process, the proposed text amendment will be referred to a future Regular Meeting of Council for consideration of adoption and approval.**

Councillor Frank Galgay  
Chairperson

**SJMC2010-09-20/515R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley:  
That the Committee's recommendations pertaining to Items 2 – 6 be  
approved.**

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

**SJMC2010-09-20/516R**

**Regarding Item #1, (Murphy's Right-of-Way off Signal Hill Road), it  
was moved by Councillor Galgay; seconded by Councillor Tilley:  
That the Committee's recommendation be approved.**

Members of Council supporting the motion noted that the subject property is zoned as Comprehensive Development Area-Signal Hill Battery under the St. John's Development Regulations, which allows the development as a Discretionary Use and meets the Signal Hill Boundary Guidelines. They also noted that the development process has been followed and subsequent to the public hearing held on the proposed application, a revised subdivision plan was received from the applicant which reduced the number of building lots from nine to eight. It was pointed out that the property is privately owned and located outside the park boundary; that the infrastructure for water and sewer servicing is in place and that the developer will be sensitive to the ambience and topography of the area.

Acting Mayor Duff and Councillor O'Leary objected to the motion and agreed that because of the Signal Hill National Historic site the proposed location is inappropriate for a residential development. Councillor O'Leary noted that "private ownership does not give carte blanche to development in this City". She further indicated that this type of development will encroach upon areas where the City has contributed considerably such as the Deadman's Pond beautification and the National Geographic Geo Tourism Initiative.

The Acting Mayor reiterated Councillor O'Leary's comments noting that the Battery Guidelines recommended that the site not be developed and that the property should be rezoned Open Space to protect the natural Landscape of Signal Hill. She further noted that subsequent to that recommendation a fair market assessment of the property was carried out and an offer to purchase was rejected. With respect to the



upperhill, down hill slope, the Acting Mayor indicated, that in speaking with Mr. Philip Pratt, author of the PHB Report, it was noted that the particular recommendation in the Battery Guidelines Study was made not in reference to the subject site, and that the subject site not be developed. On a point of order, Councillor Breen noted that Acting Mayor Duff's comment was not his understanding of what he was told by Mr. Pratt and asked for clarification. The Director of Planning advised that in a letter to staff from Mr. Philip Pratt he indicates that the recommendation refers to the Battery Area as a whole which would include the subject property.

**Following discussion, the motion being put was carried with Acting Mayor Duff and Councillor O'Leary dissenting.**

**Heritage Advisory Committee Report dated September 10, 2010**

Council considered the following Heritage Advisory Committee Report dated September 10, 2010:

**Members:** Deputy Mayor Shannie Duff  
Councillor Sheilagh O'Leary  
Anne Hart, Resident Representative  
Gerard Hayes, General Representative  
Debbie O'Rielly, NL Historic Trust  
Glen Power, Downtown Development Commission  
Melanie Del Rizzo, Business Tax Payer  
Ken O'Brien, Manager of Planning & Information  
Peter Mercer, Heritage Officer  
Helen Miller, Archivist  
Karen Chafe, Recording Secretary

**Report:**

**1. Proposed Parking Garage and Condominium Development: Henry Bell Development Ltd.**

The Committee considered the draft design elevations for the development at 340, 342 and 344 Duckworth St., a copy of which is attached to this report.

**With the exception of the garage design, the Committee was generally in favour of the design elements presented for the condominium component. It was noted, however, that it would be premature to make a recommendation on the proposal including the request for height**

variation pending a full review by the Planning & Housing Standing Committee.

With regard to the garage design, the Committee felt that more consideration be given to incorporating a mock streetscape appearance, similar to that used in other cities to shield the appearance of a garage, i.e. use of punched windows, etc. The appropriate design of the garage is particularly important given the garage's prominence on Duckworth St. It was suggested that a design review be conducted in consultation with the Heritage Officer.

2. **Fort William Condominiums – Water Street East**

The Committee considered revised plans for the siding treatment to Fort William Condominiums. The original plan proposed clapboard siding and the new plan proposes stone cladding as outlined in the attached elevation.

**The Committee expresses no objection to the replacement of the originally proposed clapboard siding with stone cladding.**

3. **95 Water Street (Raymond's Restaurant, Killick Capital)**

The Committee considered an application for signage at 95 Water Street which will consist of three (3) bronze plaques approximately 20" x 20" located on the front of the building.

**The Committee recommends approval of the bronze plaque signs as proposed.**

4. **295 Water Street**

The Committee considered an application from Jean Dwyer with Regal Realty Ltd. to place a canopy over the entrance to the building situated at 295 Water St. Over the years, the Committee has considered previous awning applications for this building and has rejected each application based on the following points:

- **The O'Dwyer Block is a designated heritage building that is one of the few downtown buildings to have survived the 1892 fire. This building was a key element in the designation of this section of Water Street as Canada's first National Historic District.**
- **The fascia board is an important architectural feature of the building and should not be covered with an awning.**
- **The Committee has previously suggested to former applicants that an alternative to the awning would be a prominent projecting sign and/or fascia sign similar to the adjoining properties within the O'Dwyer Block, that meets the requirements of the Heritage Sign By-Law.**

5. **28 Cochrane St.**

The Committee considered an application for the installation of a fire escape on the third floor of this building. Without the third floor fire escape, that level would only be permitted for use as a storage area. The owner would like to occupy the third floor as an office or living space.

**The Committee recommends approval of the fire escape to the third floor unit of the building, and further that the design consist of wrought iron or steel in consultation with the Heritage Officer.**

6. **106 Water St. – Sign Application and Fire Escape**

The Committee considered elevations for signage at 106 Water St. on both the front and side facades.

**The Committee recommends approval of the front façade signs as outlined in the attached elevation and that the wall sign proposed for the side elevation on Holloway Street be reduced in size to adhere with the Heritage Sign By-Law.**

**With regard to the request for a fire escape at the rear of the building, the Committee recommends approval in consultation with the Heritage Officer.**

**Deputy Mayor Shannie Duff  
Chairperson**

**SJMC2010-09-20/517R**

**It was moved by Councillor O’Leary; seconded by Councillor Hickman:  
That the Committee’s recommendations be approved.**

Discussion ensued during which Councillor Hann referenced an application for a new building 49-53 Harvey Road which was also considered by the Committee and recommended for approval with stipulations, but later deferred for further consideration. Acting Mayor Duff advised that the application was deferred at the request of staff who pointed out that the actual development was in conflict with the general guidelines applicable to Heritage Area 3. She noted that a meeting date has been set to further review the application. Councillor Hann indicated that the Committee’s recommendation on the proposed application should have been included in the Committee’s report of September 10, 2010.

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

**Special Events Advisory Committee Report dated September 15, 2010**

Council considered the following Special Events Advisory Committee Report dated September 15, 2010:

- 1) **Event:** NLAA Provincial Marathon  
**Location:** Various City Streets  
**Date:** September 26, 2010  
**Time:** 8:30 am – 1:30 pm

This event will require the following road closures.

Brookfield Road - eastbound lane from City Limits to Waterford Bridge Road  
Waterford Bridge Road - eastbound lane from Brookfield Road to Park Road  
Park Road

- 2) **Event:** CIBC Run for the Cure  
**Location:** Cape Spear to Signal Hill  
**Date:** October 3, 2010  
**Time:** 9:30 am – 11:00 am

This event will require the following road closures.

The Boulevard - Kings Bridge Road to Quidi Vidi Village Road  
Quidi Vidi Village Road  
Forest Road - westbound lane from Quidi Vidi Village Road to Empire Avenue  
Empire Avenue - Forest Road to Kings Bridge Road  
Kings Bridge Road - northbound curb lane - Empire Avenue to Lake Avenue  
Lake Avenue  
Lakeview Avenue - northbound  
Carnell Drive

- 3) **Event:** MUN Road Race  
**Location:** Elizabeth Ave. – Westerland Rd.  
**Date:** October 2, 2010  
**Time:** 7:30 am – 9:00 am

This event will require the following road closures.

Elizabeth Avenue - westbound lane from Allandale Road to Westerland Road

Westerland Road - northbound lane from Elizabeth Avenue to entrance to MUN

**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.  
Chair – Special Events Advisory Committee

**SJMC2010-09-20/518R**

**It was moved by Councillor Tilley; seconded by Councillor Hann: 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 September 10, 2010 to September 16, 2010:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF September 10, 2010 TO September 16, 2010**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Tony Duke	Building Lot	280 New Pennywell Road	4	<b>Approved</b>	10-09-10

**Gerard Doran  
Development Officer  
Department of Planning**

*	<b>Code Classification:</b> RES- Residential COM- Commercial AG- Agriculture	<b>INST</b> <b>IND</b>	- Institutional - 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.			

**Building Permits List**

**SJMC2010-09-20/519R**

**It was decided on motion of Councillor Tilley; 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:**

2010/09/15

Permits List

**CLASS: COMMERCIAL**

UNIVERSAL CORPORATE WEAR	355B MAIN RD	CO RETAIL STORE
DEANNE MAHONEY	355B MAIN RD	CO CLINIC
RONA	TORBAY ROAD @ WHITE ROSE DR	NC RETAIL STORE
BEST BUY/PET SMART	TORBAY RD @ STAVANGER DR	NC RETAIL STORE
RONA	710 TORBAY ROAD	NC RETAIL STORE
DOWNEAST TAS COMMUNICATIONS	40 ABERDEEN AVE	MS RETAIL STORE
CORE INSIGHT CHIROPRACTIC	40 ABERDEEN AVE	MS CLINIC
CORE INSIGHT CHIROPRACTIC	40 ABERDEEN AVE	SN RETAIL STORE
ABERDEEN PIZZA LTD	46 ABERDEEN AVE	MS RESTAURANT
FIRST STICK POND DEVELOPMENT	98 ABERDEEN AVE	MS SERVICE SHOP
TOWN SHOES LIMITED	85A ABERDEEN AVE	MS RETAIL STORE
REITMANS (CANADA) LIMITED	95C ABERDEEN AVE	MS RETAIL STORE
IRVING OIL MARKETING LIMITED	8 BAY BULLS RD	MS COMMERCIAL GARAGE
ST. PAT'S BOWLING LANES	45 BLACKMARSH RD	MS PLACE OF AMUSEMENT
PROFESSIONAL APPAREL MARKETING	203 BLACKMARSH RD	MS RETAIL STORE
LESTER FARMS (INVESTORS GROUP)	177 BROOKFIELD RD	MS AGRICULTURE
ST. JOHN'S LODGE #245 OF THE	CARPASIAN RD	MS CLUB
INTIMATE DESIRES	3-7 CASHIN AVE	MS RETAIL STORE
FIRST CHOICE HAIR CUTTERS	84-86 ELIZABETH AVE	MS SERVICE SHOP
ELIZABETH PLAZA LIMITED	92 ELIZABETH AVE	MS RETAIL STORE
NELLA LTD (J.W. ALLAN CO LTD)	94 ELIZABETH AVE	MS RETAIL STORE
DOWNEY'S ITF TAE KWAN DO	ELIZABETH AVE	MS CLUB
IRVING OIL LTD.	71-77 ELIZABETH AVE	MS SERVICE STATION
CUSTOM WHEELS	377 EMPIRE AVE	MS RETAIL STORE
PARKSIDE PIZZA	2 FOGWILL PL	MS RESTAURANT
NEEDS CONVENIENCE	174 FRESHWATER RD	MS CONVENIENCE STORE
W.L.B. SERVICES LTD.	336 FRESHWATER RD	MS SERVICE SHOP
10768 NEWFOUNDLAND LIMITED	336 FRESHWATER RD	MS BANK
SALON 56	15 GOLDSTONE ST	MS SERVICE SHOP
UPTOWN HAIR DESIGN &	169 HAMLYN RD	MS SERVICE SHOP
TIM HORTONS	78 HARVEY RD	MS EATING ESTABLISHMENT
O'KEEFE & PEDDLE	12-20 HIGHLAND DR	MS SERVICE SHOP
JUMBO VIDEO	12-20 HIGHLAND DR	MS RETAIL STORE
STATION LOUNGE	7 HUTCHINGS ST	MS TAVERN

SALLY BEAUTY SUPPLY	55 KELSEY DR	SN RETAIL STORE
W.L.B. SERVICES LTD.	55C KELSEY DR	MS SERVICE SHOP
INDIGO BOOKS & MUSIC INC.	70 KENMOUNT RD	MS RETAIL STORE
RAMADA	102-108 KENMOUNT RD	MS HOTEL
CLEARWATER POOLS LIMITED	274 KENMOUNT RD	MS RETAIL STORE
TIM HORTON DONUTS LTD.	460 KENMOUNT RD	MS EATING ESTABLISHMENT
SALVATION ARMY NAT.RECYCLING	49-51 KENMOUNT RD	MS RETAIL STORE
VALUE VILLAGE STORES, INC.	161 KENMOUNT RD	MS RETAIL STORE
VOQUE OPTICAL	193 KENMOUNT RD	MS SERVICE SHOP
NEEDS CONVENIENCE	330 LEMARCHANT RD	MS CONVENIENCE STORE
LAKEVIEW CHIROPRACTIC	1 LOGY BAY RD	MS CLINIC
NEEDS	430-432 MAIN RD	MS CONVENIENCE STORE
ALEX FOLEY ACADAMY MARTIAL ART	484 MAIN RD	MS CLUB
TRAVEL QUEST	239 MAJOR'S PATH	MS OFFICE
SHATOKON KARATE	100 MUNDY POND RD	MS CLUB
YMCA	NEW COVE RD	MS CLUB
INTEGRATED CHIROPRACTIC	119 NEW COVE RD	MS CLINIC
VACANT (SOOTHE)	119 NEW COVE RD	MS RETAIL STORE
CANTON RESTAURANT	200-232 NEWFOUNDLAND DR	MS RESTAURANT
MAS LIFESTYLE INC.	446 NEWFOUNDLAND DR	MS CLUB
NEEDS CONVENIENCE	449 NEWFOUNDLAND DR	MS CONVENIENCE STORE
DORSET INVESTMENTS LIMITED	40 O'LEARY AVE	MS CLUB
SIGNAL HOBBIES INC.	36 PEARSON ST	MS RETAIL STORE
NEW LOOK UPHOLSTERY	20 PEET ST	MS RETAIL STORE
NORTH ATLANTIC REFINING	154 PENNYWELL RD	MS SERVICE STATION
DOWNEAST TAS COMMUNICATIONS	34 PIPPY PL	MS RETAIL STORE
CABINETS BY DESIGN	50 PIPPY PL	MS RETAIL STORE
INVESTOR'S SYNDICATE LIMITED	33 PIPPY PL	MS OFFICE
RIVERDALE TENNIS CLUB	4 PORTUGAL COVE RD	MS CLUB
VIDEO CONNECTION INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
KEIBRIDAN ENTERPRISES INC.	279 PORTUGAL COVE RD	MS COMMERCIAL SCHOOL
NEWCO METAL & AUTO RECYCLING	46-50 ROBIN HOOD BAY RD	MS INDUSTRIAL USE
STAND 'N' TAN LIMITED	20 ROPEWALK LANE	MS SERVICE SHOP
ROPEWALK TAILORING	30 ROPEWALK LANE	MS SERVICE SHOP
SELL OFF VACATIONS	38-42 ROPEWALK LANE	MS OFFICE
COLUMBUS HALL COMPANY LTD	ST. CLARE AVE	MS PLACE OF ASSEMBLY
IRVING OIL MARKETING LIMITED	2 STAVANGER DR	MS RETAIL STORE
J. D. IRVING, LIMITED	10 STAVANGER DR	MS RETAIL STORE
JANET CULL PLANET ROCK	386 STAVANGER DR	MS RETAIL STORE
MARIE'S MINI MART	286 STAVANGER DR	MS CONVENIENCE STORE
FIRST CHOICE HAIRCUTTERS LTD.	95E STAVANGER DR	MS SERVICE SHOP
NORTH ATLANTIC REFINING	86 THORBURN RD	MS OFFICE
REITMANS CANADA	430 TOPSAIL RD	SN RETAIL STORE
NORTH ATLANTIC REFINING	446 TOPSAIL RD	MS SERVICE STATION
NORTH ATLANTIC REFINING	446 TOPSAIL RD	MS SERVICE STATION
KENNY ENTERPRISES LIMITED	462 TOPSAIL RD	MS CONVENIENCE STORE
IRVING OIL CO. LTD.	632 TOPSAIL RD	MS COMMERCIAL GARAGE
TOPSAIL BILLIARD INC.	681 TOPSAIL RD	MS PLACE OF AMUSEMENT
BELLA VISTA LIMITED	26-34 TORBAY RD	MS TAVERN
CROMBIE PROPERTY HOLDINGS II	10 ELIZABETH AVE	MS RETAIL STORE
LEGROWS TRAVEL	10 ELIZABETH AVE	MS OFFICE
PRINCE CHARLES BUILDING	120 TORBAY RD, PRINCE CHARLES	MS OFFICE
IRVING OIL	192-194 TORBAY RD	MS SERVICE STATION
STEPPING STONE INC.	272-276 TORBAY RD	MS COMMERCIAL SCHOOL
FIRST CHOICE HAIRCUTTERS LTD.	TORBAY RD	MS SERVICE SHOP
WEIGHT WATCHERS	105 TORBAY RD	MS CLUB
KUMON	145 TORBAY ROAD, TORBAY RD.MALL	MS RETAIL STORE
CARRIE HAYWARD	516 TOPSAIL RD	CR CLUB
LEWISPORTE HOLDINGS LTD &	235 BLACKMARSH RD	NC FENCE
THE BENNETT GROUP OF COMPANIES	510 TOPSAIL RD	RN OTHER
NORTH ATLANTIC REFINING	446 TOPSAIL RD	NC ACCESSORY BUILDING
LE BOUDOIR	256 WATER ST	CR RETAIL STORE
MCINNES COOPER	139 WATER ST, 7TH & 9TH FLOORS	TI OFFICE
TIRE MART LIMITED	3-7 CASHIN AVE	RN SERVICE SHOP

ALEC G HENLEY & ASSOC	357 DUCKWORTH ST	RN OFFICE
MACMORRAN COMMUNITY CENTRE COR	10 BROTHER MCSHEFFREY LANE	EX PLACE OF ASSEMBLY
MCDONALD'S RESTAURANTS OF	506 TOPSAIL RD	RN RESTAURANT
FAIRVIEW INVESTMENTS LIMITED	21 HALLETT CRES	NC MIXED USE

THIS WEEK \$ 4,458,194.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

WATER TREATMENT PLANT	70 SOUTHERN SHORE HWY	RN ADMIN BLDG/GOV/NON-PROFIT
BIRD CONSTRUCTION COMPANY	PLEASANTVILLE/MITCHALL PLACE	NC ACCESSORY BUILDING
VERA PERLIN SCHOOL	350 PENNYWELL RD	RN SCHOOL

THIS WEEK \$ 2,515,000.00

**CLASS: RESIDENTIAL**

ROGER WELLS	91 BARTER'S HILL	NC ACCESSORY BUILDING
ROGER WELLS	91 BARTER'S HILL	NC FENCE
ROGER WELLS	91 BARTER'S HILL	NC PATIO DECK
ANGUS ERICKSON MCLEOD COOK	60 BAYBERRY PL	NC ACCESSORY BUILDING
PAUL SHARR	28 BLACKMARSH RD	NC ACCESSORY BUILDING
ANNE MARIE KEARSEY	1 BLATCH AVE	NC PATIO DECK
ANN SIMMS	89 BROOKFIELD RD	NC PATIO DECK
PRO TECH CONSTRUCTION	100 CASTLE BRIDGE DR, LOT 42	NC SINGLE DETACHED DWELLING
COREY KENNY	136 DONOVAN'S RD	NC FENCE
ROGER M. POWER	31 DUNDAS ST	NC FENCE
ANDRE BESSO	4 EASTMEADOWS PL	NC ACCESSORY BUILDING
GLENN & SONIA BURRY	109 ELIZABETH AVE	NC PATIO DECK
JUDY JANES	610 EMPIRE AVE	NC ACCESSORY BUILDING
ROGER LEWIS	35 ERLEY ST	NC FENCE
JENSEA HOLDINGS LTD.	106 FOREST RD	NC SINGLE DETACHED DWELLING
HAROLD CRAIG FORSEY	25 FRANCIS ST	NC ACCESSORY BUILDING
AUSTIN'S CONTRACTING INC.	6 GEORGINA ST, LOT 427	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING INC.	8 GEORGINA ST, LOT 428	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING INC.	10 GEORGINA ST, LOT 429	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING INC.	12 GEORGINA ST, LOT 430	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING INC.	22 GEORGINA ST, LOT 435	NC SINGLE DETACHED DWELLING
LAURA AUCKINLECK	1 GOODRIDGE ST	NC PATIO DECK
FAIRVIEW INVESTMENTS LIMITED	98 GREAT EASTERN AVE, LOT 57	NC SINGLE DETACHED & SUB.APT
AARON GREENE	49 GRENFELL AVE	NC PATIO DECK
STEPHEN A. LUCAS	84 HALL'S RD	NC FENCE
KEITH MCDONALD & LINDA CAINES	21-23 HEFFERNAN'S LINE	NC FENCE
GEORGINA C. DROVER	27 HOPEDALE CRES	NC FENCE
PATRICK GALE	17 KIELEY DR	NC ACCESSORY BUILDING
GUARDIAN HOMES INC.	3 KNAPDALE PL	NC SINGLE DETACHED DWELLING
GUARDIAN HOMES INC.	9 KNAPDALE PL, LOT 42	NC SINGLE DETACHED DWELLING
TERRY WALSH CONTRACTING	37 LADYSMITH DR, LOT 6	NC SINGLE DETACHED DWELLING
TERRY WALSH CONTRACTING	39 LADYSMITH DR, LOT 7	NC SINGLE DETACHED DWELLING
ATLANTIC HOMES LTD.	155 LADYSMITH DR, LOT 362	NC SINGLE DETACHED & SUB.APT
LEONA LUNDRIGAN	31-33 LAKE VIEW DR	NC SWIMMING POOL
DEBORAH MADDALENA	11 LEDUM PL	NC FENCE
DEBORAH MADDALENA	11 LEDUM PL	NC ACCESSORY BUILDING
RYAN DROVER	21 LONG BEACH ST	NC ACCESSORY BUILDING
FRED WILLIAMS	753-755 MAIN RD	NC ACCESSORY BUILDING
LEONARD NORTON	5 MAHOGANY PL	NC ACCESSORY BUILDING
LIAM KELLY & SARAH ANTHONY	47 MARK NICHOLS PL	NC FENCE



MODERN HOMES LTD.	3 MARSLAND PL, LOT 46	NC SINGLE DETACHED & SUB.APT
MODERN HOMES LTD	5 MARSLAND PL, LOT 45	NC SINGLE DETACHED & SUB.APT
ELIZABETH A. CALLAHAN	10 MORRIS AVE	NC ACCESSORY BUILDING
THOMAS OLIVER	206 MUNDY POND RD	NC ACCESSORY BUILDING
NOVA HOMES CONSTRUCTION LTD.	PETITE FORTE DRIVE - LOT 357	NC SINGLE DETACHED & SUB.APT
RAJAN MATHIEW	PETITE FORTE DRIVE - LOT 327	NC SINGLE DETACHED DWELLING
MARNELL HOLDINGS LTD.	PETITE FORTE DRIVE - LOT 347	NC SINGLE DETACHED & SUB.APT
ATLANTIC HOMES LTD.	62 PETITE FORTE DR, LOT 353	NC SINGLE DETACHED & SUB.APT
DENISE HAND	2 PINE BUD AVE	NC ACCESSORY BUILDING
WILLIAM ROWE	1 QUEBEC ST	NC FENCE
SABRINA MALLARD	113 QUIDI VIDI RD	NC PATIO DECK
RAJAN MATHIEW	8 ROSALIND ST, LOT 386	NC SINGLE DETACHED & SUB.APT
DWD INVESTMENTS INC	7 ST. SHOTTS PL, LOT 100	NC SINGLE DETACHED & SUB.APT
DND INVESTMENTS INC.	9 ST. SHOTTS PL, LOT 99	NC SINGLE DETACHED & SUB.APT
NEW VICTORIAN HOMES	70 SHORTALL ST, LOT 47	NC SINGLE DETACHED DWELLING
ALWIN SPURRELL	31 SYMONDS PL	NC PATIO DECK
CHRISTOPHER TAYLOR	22 WINNIPEG ST	NC ACCESSORY BUILDING
JOHN QUINLAN & ANN QUINLAN	20 CAPE PINE ST	CR SUBSIDIARY APARTMENT
ALFRED RAYMOND BARRETT &	33 HAMEL ST	CR SINGLE DETACHED & SUB.APT
JUDY DOBBIN	10 BONAVENTURE AVE	EX SINGLE DETACHED DWELLING
NEIL MIFFLIN	85 EASTBOURNE CRES	EX PATIO DECK
DAVID PUDESTER	65 FIRDALE DR	EX PATIO DECK
JOHN SQUIRES	53 PENETANGUISHENE RD	EX ACCESSORY BUILDING
COREY SNOOK	143 PORTUGAL COVE RD	EX SINGLE DETACHED DWELLING
TERRY GILL	87 BARTER'S HILL	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	273 BLACKMARSH RD	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	275 BLACKMARSH RD	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	277 BLACKMARSH RD	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	279 BLACKMARSH RD	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	281 BLACKMARSH RD	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	283 BLACKMARSH RD	RN TOWNHOUSING
NFLD & LABRADOR HOUSING CORP	285 BLACKMARSH RD	RN TOWNHOUSING
DAVID MARTIN & RACQUEL MARTIN	14 BRAD GUSHUE CRES	RN SINGLE DETACHED DWELLING
KEVIN J. DAWSON	2 EXETER AVE	RN SINGLE DETACHED DWELLING
MARY SHORTALL	50 FLOWER HILL	RN SEMI-DETACHED DWELLING
M H FUDGE & SONS	107 GOWER ST	RN APARTMENT BUILDING
ROCHELLE MALIGAYA &	21 HALLEY DR	RN SINGLE DETACHED DWELLING
HEIDI RANDELL	70 HIGHLAND DR	RN SINGLE DETACHED & SUB.APT
DEBORAH & WALTER EMBERLEY	76 LIME ST	RN TOWNHOUSING
WALLACE E.& LAURA M. COLLINS	259-261 MAIN RD	RN SINGLE DETACHED DWELLING
MR PAUL NORTHCOTT	31 PARADE ST	RN SINGLE DETACHED DWELLING
PARSONS ENIGINEERING	172 PLEASANT ST	RN SEMI-DETACHED DWELLING
MIKE CLEMENTS	159 QUEEN'S RD	RN TOWNHOUSING
LAURA COADY & BLAIR TRISCOTT	144 RUBY LINE	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	66 - 80, 96 -100 WATSON ST	RN TOWNHOUSING
MILDRED BENNETT	6 BATTERY RD	SW SINGLE DETACHED DWELLING
GEOFF OAKLEY	14 CENTRAL ST	SW PARKING LOT
MARK BOWERING & ROBERT WHITE	4 HARRIS RD	SW SINGLE DETACHED DWELLING
MANAGEMENT UNLIMITED INC.	119 STRAWBERRY MARSH RD	SW SINGLE DETACHED & SUB.APT

THIS WEEK \$ 5,157,185.00

**CLASS: DEMOLITION**

JOANNE BUTLER	19 OUTER BATTERY RD	DM ACCESSORY BUILDING
GERALD REID & KATHY REARDON	54 BLACKLER AVE	DM SINGLE DETACHED DWELLING
ROBERT J. TUCKER	399 EMPIRE AVE	DM SINGLE DETACHED DWELLING
4246551 CANADA INC.	60 O'LEARY AVE	DM ACCESSORY BUILDING
NEWLAB HOLDINGS LTD.(ODY)	83 THORBURN RD	DM COMMERCIAL GARAGE
THE PENNEY GROUP	497 KENMOUNT RD	DM CAR SALES LOT

THIS WEEK \$ 97,577.00

THIS WEEK'S TOTAL: \$ 12,227,956.00

REPAIR PERMITS ISSUED: 2010/09/09 TO 2010/09/15 \$ 166,985.00

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**

**SJMC2010-09-20/520R**

**It was decided on motion of Councillor Collins; seconded by Councillor Tilley:  
That the following Payrolls and Accounts for the weeks ending September 16,  
2010 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending Sept. 16, 2010**

**PAYROLL**

Public Works	\$ 349,717.15
Bi-Weekly Management	\$ 642,152.27
Regional Fire Services	\$ 668,018.59
Bi-Weekly Administration	\$ 681,441.31

**ACCOUNTS PAYABLE** \$ 5,959,089.18

**Total:** \$ 8,300,418.50

**Tenders**

- a. Tender - CISCO Network Equipment
- b. Tender – Two (2) New Pumper Trucks
- c. Tender – Petty Harbour Long Pond, Pre-Purchase of Chlorination Equipment and Accessories
- d. Tender – Robin Hood Bay Waste Management Facility, Contract 4M – Bird Deterrent System
- e. Tender - Retaining Wall Program
- f. Pippy Place – Storm Sewer Reconstruction

**SJMC2010-09-20/521R**

**It was moved by Councillor Hickman; seconded by Councillor Collins: That the recommendations of the Director of Finance and City Treasurer, Deputy City Manager/Director of Public Works and Parks and the Director of Engineering be approved and the tenders awarded as follows:**

- a. **Unis Lumin in the amount of \$28,756.99 (taxes not included)**
- b. **Carl Thibault Fire Trucks in the amount of \$762,200.82 (taxes incl)**
- c. **Siemens Water Technologies Canada in the amount of \$164,850.05**
- d. **PCO Services Corp. in the amount of \$108,745.23**
- e. **Carew Services Ltd. in the amount of \$ 275,243.00**
- f. **Modern Paving Ltd. in the amount of \$1,661,775.40**

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

**West End Fire Station – 215 Blackmarsh Road**

Council considered a memorandum dated September 16, 2010 from the City Manager, regarding the above noted.

**SJMC2010-09-20/522R**

**It was moved by Councillor Breen; seconded by Councillor Tilley: That the Agreement as presented to purchase the land at 215 Blackmarsh Road, as site of the West End Fire Station, at a cost of \$565,000.00, be approved.**

During discussion, Councillor Collins asked for deferral of this item for one week, pending information on the impact the changed location will have on response time in the Shea Heights and Southside areas. However, all other members of Council were against deferral. It was noted that following a complete assessment of the site, the Fire Chief recommended the Blackmarsh Road site and was satisfied that the impact will be minimal and will provide better coverage in other areas of the City. It was noted by the City Manager that an

extensive search was conducted and the subject site is the optimal location for the west end fire station, noting there are not a lot of other opportunities. Concern was also expressed that a deferral may jeopardize the City's option to purchase the property.

**Following discussion, the motion being put was carried with Councillor Collins dissenting.**

**Ratification of Email Poll**

**SJMC2010-09-20/523R**

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

**Cashin Avenue Extension closed on Saturday September 18, 2010 to facilitate connection to a watermain**

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

**Storm Preparation**

The Deputy City Manager/Director of Public Works and Parks updated Council on weather preparation measures being undertaken to handle the heavy rain and wind forecast for September 21, 2010.

**Councillor Collins**

Councillor Collins thanked Council for its support of the Gerry King Memorial Softball tournament held this past weekend in Shea Heights.

**Councillor Galgay**

Councillor Galgay tabled a letter from Mr. Jim Peddle on behalf of residents of Calver Avenue Sidewalk Committee requesting the installation of new sidewalks. The matter was referred to Public Works & Environment Standing Committee for consideration.

**Councillor O'Leary**

Councillor O'Leary advised that complaints in relation to graffiti, referred to the City by St. John's Clean and Beautiful, have not been addressed to date, and

asked if there is a time frame to be adhered to by establishments. The City Manager agreed to provide that information for next week's Council meeting.

Councillor O'Leary asked the City's role in the rehabilitation of Fort Amherst. The City Manager advised that Council adopted a concept plan for Fort Amherst, and have completed the first phase involving Frederick's Cove Park due to open in November. He noted that some time ago the City made application under a Federal Government Funding Program but was unsuccessful, however, application will be made again by month end.

**Acting Mayor Duff**

Acting Mayor Duff asked when the sidewalks on Winter Avenue will be restored. The matter was referred to staff for follow-up.

**Adjournment**

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

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**MAYOR**

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**CITY CLERK**