

September 29, 2008

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:30 p.m. today.

Mayor Dennis O'Keefe presided.

There were present also Councillors Colbert, Duff, Hann, Puddister, Coombs, Hanlon and Collins.

Regrets: Deputy Mayor Ellsworth, Councillors Galgay and Hickman

The Chief Commissioner and City Solicitor, the 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

SJMC2008-09-29/589R

It was decided on motion of Councillor Hann; seconded by Councillor Hanlon: That the agenda be adopted as presented with the following additional items:

- **Memorandum dated September 29, 2008 from the Director of Planning re Proposed Rezoning of Land – Jensen Camp Place – Applicant, Mr. Wayne Tibbs**
- **Banner Request – National Co-op Housing Week, October 12-18, 2008**

Adoption of Minutes

SJMC2008-09-29/590R

It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the Minutes of the September 22, 2008 meeting be adopted as presented.

Proposed Text Amendment-St. John’s Development Regulations, Subsidiary Apartments in Accessory Dwelling Units in the Rural Zone

Council considered a memorandum dated September 23, 2008 from the Director of Planning regarding the above noted.

SJMC2008-09-29/591R

It was moved by Councillor Coombs; seconded by Councillor Duff: That the following Resolution for St. John’s Development Regulations Amendment Number 444, 2008 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:

RESOLUTION

ST. JOHN’S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 444, 2008

WHEREAS the City of St. John’s wishes to allow Subsidiary Apartments in Accessory Dwelling Units in the Rural (R) Zone.

BE IT THEREFORE RESOLVED that the City of St. John’s 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:

Add “Subsidiary Apartment in an Accessory Dwelling Unit” to the list of Permitted Uses in the Rural (R) Zone – Section 10.38.1.

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 29th day of September, 2008.

Mayor

**Director of Corporate Services
and 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.

Proposed Rezoning of Land – Jensen Camp Place – Applicant, Mr. Wayne Tibbs

Council considered a memorandum dated September 29, 2008 from the Director of Planning regarding the above noted.

SJMC2008-09-29/592R

It was moved by Councillor Coombs; seconded by Councillor Hann: That the following Resolution to St. John's Municipal Plan Amendment Number 64, 2008 and St. John's Development Regulations Amendment Number 442, 2008 be adopted, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration:

**URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN=S MUNICIPAL PLAN AMENDMENT NUMBER 64, 2008
AND
ST. JOHN=S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 442,
2008**

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

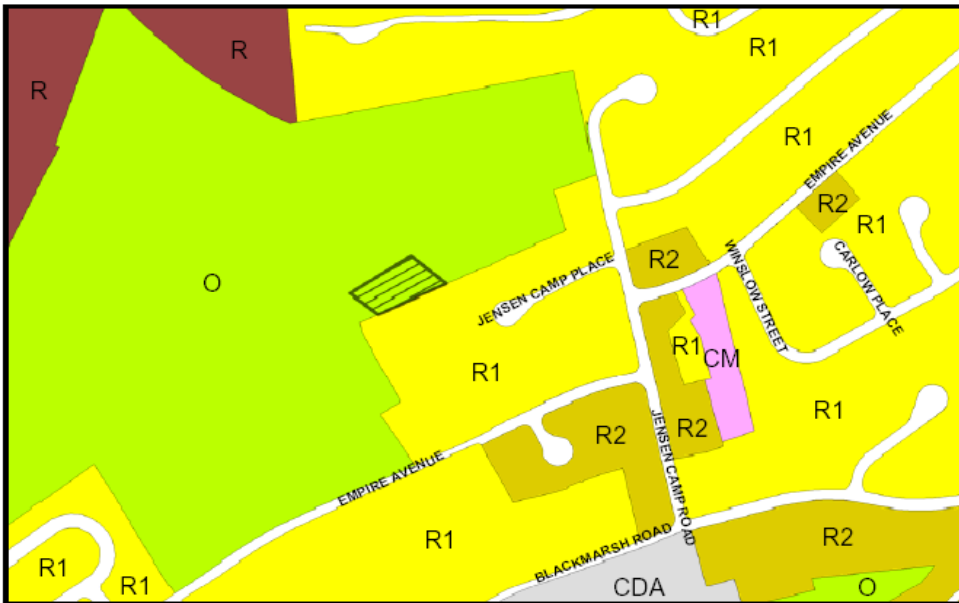
- a) adopted St. John=s Municipal Plan Amendment Number 64, 2008 and St. John=s Development Regulations Amendment Number 442, 2008 on the 8th day of September, 2008.
- b) gave notice of the adoption of St. John=s Municipal Plan Amendment Number 64, 2008 and St. John=s Development Regulations Amendment Number 442, 2008 by advertisements inserted in the Telegram newspaper on the 13th day and the 20th day of September, 2008.
- c) set the 29th day of September, 2008 at 7:00 pm 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 64, 2008 and St. John=s Development Regulations Amendment Number 442, 2008, as adopted.

SIGNED AND SEALED this 29th day of SEPTEMBER, 2008

Mayor

Director of Corporate Services
and City Clerk



CITY OF ST. JOHN'S

SCALE= 1:5000

**LAND USE ZONING AND
SUBDIVISION REGULATIONS 1994
AMENDMENT No. 442, 2008
[MAP Z-1A]**

2008 08 21
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED FROM
OPEN SPACE (O) LAND USE ZONE TO
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE

JENSEN CAMP PLACE (WAYNE TIBBS PROPERTY)

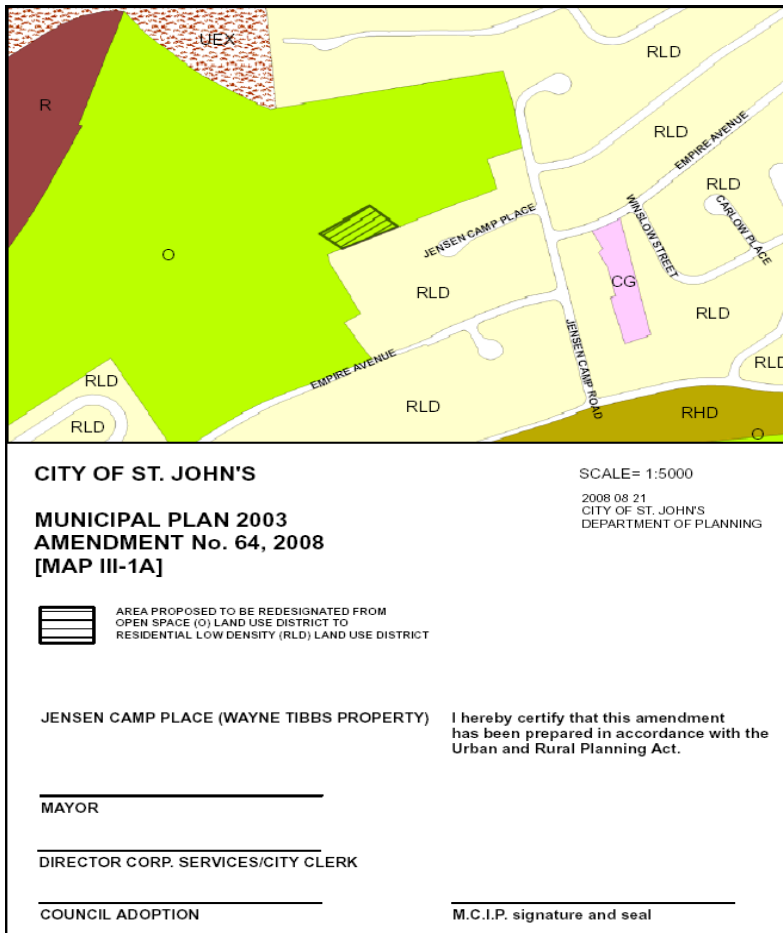
I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.

MAYOR

DIRECTOR CORP. SERVICES/CITY CLERK

COUNCIL ADOPTION

M.C.I.P. signature and seal



The motion being put was unanimously carried.

Cheque #137500 – Booth Rental, payable to “The Wedding Show”

Council considered as information a memorandum dated September 25, 2008 from the Director of Finance and City Treasurer regarding the above noted.

Public Hearing Report dated September 17, 2008

Councillor Duff presented a public hearing report dated September 17, 2008. The purpose of the hearing was to provide an opportunity for interested persons, agencies and groups to provide their comments to the city on the issue of operating hours for lounges and whether changes should be made to the current Provincial regulations regarding the hours of operation for lounges. Councillor Duff pointed out that Council does not have the authority to regulate the hours of lounges, that the matter is under active consideration by

the Liquor Licensing Board and the Province and that the City is considering taking a position one way or the other.

During discussion on the report it was pointed out that the two main issues raised during the hearing were (1) residents want the same level of policing experienced during the RNC summer pilot project and (2) the need for more taxis during bar closing. It was suggested that the Taxi Committee address the need for more taxi licenses. It was pointed out during discussion that only a few bars ignore the existing bar hours with the Associate Commissioner noting that Liquor Control Act has been amended to empower the Board to have a closing hour, however, the regulation has not been passed. During discussion, it was suggested that since only very few bar owners ignore the rules, that Council consider the impact changing the hours will have on business.

It was agreed that the public hearing report be referred to a future Special Meeting of Council for consideration and recommendation.

Parks and Recreation Standing Committee Report dated September 23rd, 2008

Council considered the following Parks and Recreation Standing Committee Report dated September 23, 2008:

Attendees: Councillor Shannie Duff, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Frank Galgay
Councillor Tom Hann
Councillor Sandy Hickman
Councillor Gerry Colbert
Councillor Debbie Hanlon
Councillor Art Puddister
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
Natalie Godden, Manager of Family & Leisure Services
Heather Hickman, Manager of Community Development
Brian Head, Operations Assistant – Parks
Carla Lawrence, Manager of Youth Soccer Division

Leslie White, Program Supervisor
Karen Chafe, Recording Secretary

Report:

1. Community Garden Alliance

The Committee met with members of the Community Garden Alliance: Matthew Atkinson, Angela Loucks-Atkinson, Krista Koch and Rochelle Batstone. The purpose of the meeting was to introduce members of Council to the Alliance, its accomplishments and proposal for future expansion. The CGA's mandate is as follows: "Support sustainable, environmentally and community conscious urban food production within the St. John's area." A power point presentation was conducted, a copy of which is on file with the City Clerk's Department.

The CGA elaborated on the tremendous success of the Rabbittown Community Garden wherein they converted a litter-strewn field into a thriving community gathering place. Weekly community gatherings, activities and workshops have taken place here since the garden was developed. The CGA has recognized the potential for the City of St. John's to become a "national example of community development and urban agriculture capacity building", which can be accomplished through the development of a supportive community gardens policy; the adoption of a city food charter; land use planning and public awareness education on the value of community gardens.

The CGA outlined their 2009 program plans which include a number of potential future sites for the development of other community gardens. The following is needed to accomplish the CGA's vision:

- paid CGA Coordinator (year-long, part-time)
- Seasonal Garden Managers for:
 - o Rabbittown Garden
 - o Manager for new 2009 site
- Materials and supplies for workshops
- Funding and materials for construction
- Access to big equipment (e.g. tractor)

The CGA referenced the City's Grants and Subsidies Program through which it intends to submit an application for funding. Other potential sources of funding and support were cited by the Committee as follows:

- Provincial Dept. of Agriculture
- Provincial Dept. of Human Resources, Labour & Employment
- Federal Government subsidies through student hiring
- Partnerships with schools for access to their land and involvement of students
- Vibrant Communities Initiative

Councillor Duff suggested that members of Council who have not yet visited the Rabbittown Community Garden should do so. She also expressed interest in having a future meeting with the CGA to assist them with their planning process and to access the City's expertise on various issues. Deputy Mayor Ellsworth agreed to liaise with the CGA and keep the Committee updated as required.

2. **Smoke-Free Outdoor Spaces**

The Committee discussed the above noted issue and the lobbying efforts of the Newfoundland and Labrador Alliance for the Control of Tobacco (ACT) to impose a no-smoking by law in outdoor recreational and City open spaces. Though City staff were in agreement that efforts should be made to discourage public smoking in outdoor areas, it was noted that a by-law imposing such would not be practical nor enforceable. The following recommendation was proposed by the Committee:

That staff develop a draft strategy for the Committee's review, the purpose of which is to encourage smoke-free public environments, particularly in playgrounds, parks, recreational facilities and open spaces. This would be done on a prioritized basis through the installation of signage such as the following: "thank you for respecting our smoke-free space", as well as the inclusion of smoke-free messages on program registration forms, the Active Living Guide, and other forms of correspondence normally circulated to the general public.

3. **Seasonal Lifeguard Service at Rotary Sunshine Park**

The Committee considered a memo dated September 17th, 2008 from the Director of Recreation regarding the above noted matter as well as the issue paper prepared by Leslie White, Program Supervisor re: same. Upon the advice of the Chief Commissioner/City Solicitor, the following was recommended for approval:

That the status quo be maintained and that there be no lifeguard supervision at Rotary Sunshine Park (Healy's Pond), only signage. The following recommendations are also proposed for Council's approval:

- a. **Improved signage (cost estimated at \$1,200)**
- b. **Development of a system to ensure the swimming area is free from hazards.**
- c. **Establishment of an equipment inspection and maintenance protocol.**
- d. **Ensuring rescue equipment, (such as a buoyant throwing aid) is available for public use.**

4. **Closure of Public Washroom Facilities in City-owned Parks**

Councillor Duff referenced the possibility of increasing the availability of public washrooms by having them remain open beyond usual working hours to accommodate users of the parks. Staff advised that vandalism is a common problem which is why washrooms are locked at the end of the working day. Accommodation of the request would require an increase in the service level.

The Committee recommends that staff submit for budget discussion, the possibility of increasing the service level within the Parks Division to accommodate the extension of hours for washrooms to remain open for longer periods during the day, beyond business hours.

**Councillor Shannie Duff
Chairperson**

SJMC2008-09-29/593R

It was moved by Councillor Duff; seconded by Councillor Hann: That the Committee's recommendations #1, 3 and 4 be approved as presented.

The motion being put was unanimously carried.

SJMC2008-09-29/594R

Regarding Item #2, it was moved by Councillor Coombs; seconded by Councillor Hann: That the Committee's recommendation be deferred for further discussion, and that staff, in developing a draft strategy for the Committee's review on smoke free outdoor spaces, that consideration be given to allowing smoking in open spaces or maybe designating smoke areas.

The motion being put was unanimously carried.

Special Events Advisory Committee Report dated September 24, 2008

Council considered the following Special Events Advisory Committee Report dated September 24, 2008:

- 1) Event: Alexander Keith's Birthday Celebration
Location: George Street - Prince Edward Plaza
Date: October 4, 2008
- 2) Event: Mardi Gras
Location: George Street - Prince Edward Plaza
Date: October 31- Nov.1, 2008

These events require the road closure of George Street from Adelaide to Water Street.

- 3) Event: Cape to Cabot Road Race
Location: Cape Spear to Signal Hill via City Streets
Date: October 19, 2008
Time: 8:00 am – 11:00 am

- 4) Event: Canadian Breast Cancer Foundation Walk
- Location: Quidi Vidi Lake Area
- Date: October 05, 2008
- Time: 10:00 am – 11:00 am

This event requires the following roads to be temporarily closed to all traffic with the exception of residents:

Lake Avenue	Carnell Drive
The Boulevard	Quidi Vidi Village Road
Forest Road	Empire Avenue – King’s Bridge Road to Forest Road Only

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.

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

SJMC2008-09-29/595R

It was decided on motion of Councillor Colbert; seconded by Councillor Hanlon: That the Committee’s recommendations be approved.

Mayor’s Advisory Committee on the Status of Persons with Disabilities Report dated September 17th, 2008

Council considered the following Mayor’s Advisory Committee on the Status of Persons with Disabilities Report dated September 17th, 2008:

Attendees:

- Kelly Heisz, Chairperson
- Betty Osmond, CCB
- Ed Sawdon, CHANNEL
- Bob Mercer, People First
- Art Norris, CHHA
- Susan Ralph, ILRC
- Debbie Ryan, CNIB
- Deputy Mayor Ron Ellsworth
- Gord Tucker, Manager of Property Management Division
- Scott Winsor, Construction Engineer
- Michelle Winsor, Family & Special Services Coordinator
- Karen Chafe, Recording Secretary

Committee Membership Update

The Committee requests Council's endorsement of the following membership changes made by the representative organizations on the Committee:

- **The Independent Living Resource Center has appointed Susan Ralph, replacing Marjorie Winsor;**
- **The CNIB has appointed Debbie Ryan and Phillip Strong, alternating for each other, as replacements for Anne Malone.**

Budget Considerations

Committee Members were asked to consider areas in the City where accessibility can be improved and to provide their feedback to the Committee at which time all submissions will be reviewed for eventual submission to Council. The Committee further recommends Council's approval of the following:

That the \$25,000 annual budget allocation for the Mayor's Advisory Committee on the Status of Persons with Disabilities which is used to facilitate accessibility improvements in various areas around the City, be increased to an annual total of \$50,000.

Kelly Heisz
Chairperson

SJMC2008-09-29/596R

It was moved by Councillor Hanlon; seconded by Councillor Hann: That the Committee's recommendations be approved, with item #2 (Budget Considerations) being referred for consideration during the budget review.

The motion being put was unanimously carried.

Para Transit Advisory Committee Report dated September 18th, 2008

Council considered the following Para Transit Advisory Committee Report dated September 18th, 2008:

Attendees: Cecil Whitten, Cerebral Palsy Association (Chairman)
Councillor Ron Ellsworth, Council Representative
Bill Westcott, Epilepsy NL
Lori Shea, CCB
Kate Morrison, MS Society
Margaret Murphy, CNIB
Vera Parsons, ILRC
Nancy Lear
Danny Allured, Wheelway Transportation

Una Tucker, Dept. of Health & Community Services
Robert Bishop, Director of Finance & City Treasurer
Karen Chafe, Recording Secretary

Draft Terms of Reference for Proposed Study to Review Para Transit System

The Committee recommends approval of the attached draft Terms of Reference for the proposed Study to Review the Para Transit System.

Cecil Whitten
Chairperson

SJMC2008-09-29/597R

It was moved by Councillor Hanlon; seconded by Councillor Hann: That the Committee's recommendations to approve the Draft Terms of Reference for the proposed Study to Review the Para Transit System, be accepted.

TERMS OF REFERENCE

The successful respondent will be expected to review the operations of the St. John's Para-Transit System as it currently operates, assess its capacity to respond to current and future demand and provide recommendations for its future funding, governance and operations.

Specifically, the consultant will be expected to address the following issues:

1. Eligibility
 - Review criteria in other jurisdictions in Canada.
 - Consider legal and/or statutory requirements.
 - Consider governance, e.g. who decides on eligibility?
 - Documentation required.
 - Temporary disability vs. permanent.

2. Demand
 - Assess current and projected demand under several scenarios, taking eligibility considerations into account.

3. Compilation of information on other similar services; e.g. cities with populations in the 75,000 to 300,000 range
 - Governance
 - In-house vs. contracted
 - Levels of services
 - Numbers of vehicles
 - Hours of operations
 - Service standards
 - Staff training
 - Funding; sources, amounts and basis for cost-sharing
 - Best practices
 - Other complementary services
 - Accessible buses
 - Accessible taxis

4. Assessment of current service
 - Consultation with stakeholders
 - users
 - user groups
 - Provincial and Municipal Governments
 - operator
 - Equipment
 - Buses
 - Dispatch and recording
 - Other

5. Recommendations
 - Form the Para-Transit System should take in future
 - Recommended governance model
 - Funding requirements
 - Ancillary services (e.g.accessible transit, taxis)
 - Service levels

The motion being put was unanimously carried.

Arts Advisory Committee Report dated September 18, 2008

Council considered the following Arts Advisory Committee Report dated September 18, 2008:

Attendees: Councillor Shannie Duff, Chairperson
Councillor Sandy Hickman
Karen Cole
Michele Stamp
Tanya Morash
Libby Creelman
Brenda McClellan
Elizabeth Lawrence, Director of Economic Development, Tourism & Culture
Kay Anonsen, Arts & Cultural Development Coordinator
Paul Boundridge, Planning Coordinator
Karen Chafe, Recording Secretary

1. **Arts Venue Needs Assessment & Feasibility Analysis**

Reference was made to the public meeting chaired by Councillor Sandy Hickman a few years ago with the performing arts community, wherein the idea of a new arts venue was raised and strongly supported. The Committee considered as information, the above noted study prepared by D.W. Knight Associates which was commissioned as a result of that public meeting. A copy of the study is available on file with the City Clerk's Department. The Committee agreed that if the City eventually decides to pursue the idea of an arts venue, it would have to be strongly driven by the arts community, particularly the performing arts community.

It was recommended by the Committee that the final report of the Arts Venue Needs Assessment & Feasibility Analysis be presented by the Consultant, D.W. Knights Associates during a public meeting with the performing arts community.

2. **Expanded Terms for Themed Exhibits Committee**

The Committee considered the attached memorandum dated September 18th, 2008 from the Themed Exhibits Committee.

It was recommended by the Committee that the proposal for expanded terms of reference for the Themed Exhibits Committee, as outlined in the attached memorandum, be approved by Council and that this sub-committee continue to exist under the auspices of the Arts Advisory Committee, but renamed the Public Art Committee. The sub-committee

will develop a more complete rationale, terms of reference and potential names for new members to bring forward as a recommendation to the Arts Advisory Committee at the December meeting.

Councillor Shannie Duff
Chairperson

SJMC2008-09-29/598R

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

The motion being put was unanimously carried.

Police and Traffic Committee Report dated September 16, 2008

Council considered the following Police and Traffic Committee Report dated September 16, 2008:

In Attendance: Councillor Art Puddister, Chairperson
Deputy Mayor Ron Ellsworth
Councillor Frank Galgay
Councillor Debbie Hanlon
Sgt. Paul Murphy, Royal Newfoundland Constabulary
Mr. Chris Whelan, St. John's Transportation Commission
Mr. Peter Belbin, Chair – Downtown Development Commission
Mr. Bob Ledrew, Nfld. Carriers' Association
Mr. Percy Rideout, Citizen Representative
Mr. Robin King, Transportation Engineer
Mr. Phil Hiscock, Operations Assistant – Streets Division
Mr. Derm Layman, Foreperson – Streets Division
Ms. Dawn Corner, Supervisor of Parking & Traffic
Mr. Bill MacDonald, Supervisor of Traffic Signals
Mr. Chris Pitcher, Supervisor of Parking Services

Councillor Puddister called the meeting to order.

Adoption of Agenda

The agenda was adopted with the following additions:

- a. CD# R2008-06-30/18 – Motorcycle/Scooter Parking in St. John's
- b. Request for Permit Parking on Military Road
- c. Letter from Residents of Cornwall Heights re: Speeding and Short-Cutting
- d. Memorandum dated September 16, 2008, from the Transportation Engineer re: CD# R2007-11-19/11 – Petition, Noise Pollution – Arnold's Loop, East White Hills Road

Adoption of Minutes

The minutes of the June 4, 2008, meeting were adopted as presented.

1. Bonaventure Avenue/Military Road @ Garrison Hill – Request for an All-Way Stop

The Supervisor of Parking and Traffic advised that a traffic study was completed on March 4, 2008, in response to the above noted request. None of the criteria were met, therefore, it is recommended that the request be denied and the status quo maintained.

The Committee recommends that the request be denied and the status quo maintained.

2. New Cove Road – Request for a Crosswalk in the Vicinity of Tunis Court

The Supervisor of Parking and Traffic advised that a pedestrian and vehicle count was conducted, the results of which indicated that the crosswalk is not warranted in this location.

The Committee recommends that a crosswalk not be installed on New Cove Road in the vicinity of Tunis Court.

3. Airport Heights @ Elderberry Place Request for Crosswalk

The Supervisor of Parking and Traffic advised that a pedestrian/vehicle count was conducted in response to the above noted request. The results of the count indicated that a crosswalk is warranted. Traffic Division staff have determined that the most appropriate location for the crosswalk is at McNiven Place.

The Committee recommends that a crosswalk be installed on Airport Heights Drive at McNiven Place.

4. Waterford Bridge Road @ Cowan Avenue – Request for Existing Crosswalk to be Upgraded to an RA-5 Pedestrian Activated Flashing Beacon Assembly

The Transportation Engineer advised that a traffic count was undertaken in response to the above noted request. While the criteria pertaining to vehicle traffic volumes was met, the criteria for pedestrian traffic volumes was not. In order for the crosswalk to be upgraded, both criteria must be met. Therefore, it is recommended that the existing crosswalk not be upgraded.

Councillor Hanlon noted that she had lived in this area for several years, and it is very dangerous for pedestrians who are trying to cross the street at this location. She indicated that pedestrian traffic volumes are much higher in the summertime and inquired when the traffic count was conducted. The Supervisor of Parking and Traffic advised that the traffic count was conducted at the end of May when the weather was good, and schools were still in session. She also noted that when she analyzed the data, she used the time period which had the highest pedestrian volumes.

The Committee recommends that the existing crosswalk on Waterford Bridge Road at Cowan Avenue not be upgraded to an RA-5 Pedestrian Activated Flashing Beacon Assembly.

5. Duckworth Street – Request for a Disabled Parking Space in the Vicinity of Classic Café

The Supervisor of Parking and Traffic advised that as requested at the last meeting, staff looked into whether or not there would be an issue with the grade of the road for wheelchairs in this area. The Supervisor of Traffic and Parking indicated that there was a grade, however, since the a request had been received it was likely that disabled customers were already using this area to park regardless of the grade, and if anything the locating of a space closer to the restaurant's entrance would make access safer. Also as per the last meeting, businesses were contacted regarding the above noted request, and they are in favour of the space being installed.

The Committee recommends that an impaired mobility parking space be installed on Duckworth Street adjacent to the Classic Café.

6. Motorcycle Noise

Councillor Puddister advised that he had raised the above noted matter at the Committee's last meeting in response to complaints from constituents about noise from motorcycles. He noted that the problem is most prevalent in the downtown area, in particular Signal Hill Road and the Hamilton Avenue/Topsail Road area. Sgt. Murphy advised that there currently are no provisions in the Highway Traffic Act that can enable police to measure the noise from exhausts for motorcycles and/or cars. He noted, however, that the RNC are currently in discussions with Motor Vehicle Registration to make some changes to the Act.

Discussion ensued with it being noted that the State of Massachusetts appears to have the best and simplest regulations dealing with motorcycle noise. The Transportation Engineer advised that he had spoken to the City's Legal Department about making changes to the City's Noise By-Law to address the problem of motorcycle noise. As soon as a position paper has been prepared by the Legal Department, then the Committee can decide how to proceed. Councillor Puddister suggested that if the Legal Department can draft an amendment to the By-Law within the next 30 days, then the matter could be brought to Council and a public meeting could be called.

The Committee agreed that the matter would be referred to Traffic Division and Legal Department staff to prepare a position paper, for the Committee's review and consideration, on amending the City's Noise By-Law in order to adequately address the issue of motorcycle noise.

7. Hamilton Avenue @ Shaw Street – Request for Intersection to be Fully Signalized

The Committee deferred a decision on this request pending completion of a traffic study by Traffic Division staff.

8. Intersection of Portugal Cove Road and New Cove Road – Sight Distance Issues

The Committee considered a memorandum dated September 11, 2008, from the Transportation Engineer regarding the above noted matter, and provided three options for

the Committee's consideration to address the problem. He noted that issue arose from the complaints of area residents who were unable to exit their driveways safely.

The Committee recommends that Council approve the realignment and signalization of the intersection of Portugal Cove Road and New Cove Road as outlined in Option #3, and that the work be completed as Capital funding and priorities permit.

The estimated cost for Option #3 is \$300,000.

9. Ropewalk Lane @ Sobeys – Request for the Existing Crosswalk to be Upgraded to an RA-5 Pedestrian Activated Flashing Beacon Assembly

The Transportation Engineer advised that a traffic count was conducted in response to the above noted request, the results of which indicate that an upgraded crossing is warranted.

The Committee recommends that an RA-5 Pedestrian Activated Flashing Beacon Assembly be installed on Ropewalk Lane in the vicinity of Sobeys, pending the selection of a suitable location.

10. Austin Street @ Rogers Cable – Request for a Crosswalk

The above noted request was received from Rogers Cable. A traffic count was conducted which indicated that a crosswalk is warranted at the location.

The Committee recommends that a crosswalk be installed on Austin Street at Rogers Cable.

11. Old Topsail Road @ St. Mary's School Access – Request for a Crosswalk

The Supervisor of Parking and Traffic advised that a traffic count was undertaken in response to the above noted request. While the criteria pertaining to pedestrian traffic volumes was met, the criteria for gaps in vehicle traffic volumes was not. In order for the crosswalk to be upgraded, both criteria must be met. Therefore, it is recommended that a crosswalk not be installed. There was some discussion regarding the possible relocation of an existing crosswalk east of the proposed location; however, staff advised that this crosswalk was installed at that location because there was sidewalk on the other side of the road. There is no sidewalk on the other side of the road at the proposed new location. Therefore it is safer for the pedestrians to go to the other crosswalk where there is sidewalk.

The Committee recommends that a crosswalk not be installed on Old Topsail Road at the St. Mary's School Access.

12. Circular Road @ Bannerman Road – Request for a Crosswalk

The Supervisor of Parking and Traffic advised that a traffic count was conducted in response to the above noted request, the results of which indicate that a crosswalk is warranted. She noted that the crosswalk will be located on the west leg of Circular Road at Bannerman Road in order to reduce vehicle/pedestrian conflicts and to provide a safer crossing for pedestrians.

The Committee recommends that a crosswalk be installed on the west leg of the Circular Road at Bannerman Road intersection.

13. Winslow Street @ Carlow Place – Request for a Crosswalk

The Supervisor of Parking and Traffic advised that a vehicle traffic count was conducted in the fall of 2007. Based on the vehicle volumes at that time, a crosswalk would not be warranted because there would be sufficient gaps in traffic. She noted that since there has not been a significant change in development in the area, it is not likely that traffic volumes will have increased sufficiently that this will have changed such that a crosswalk would be warranted.

The Committee recommends that a crosswalk not be installed on Winslow Street at Carlow Place.

14. Stavanger Drive @ Larner Street – Request for a Crosswalk

The Committee deferred a decision on this request pending completion of a traffic study by Traffic Division staff.

15. Kerry Street @ Portugal Cove Road – Sight Distance Issue

The Transportation Engineer noted that this is a sight distance situation is similar to that on Portugal Cove Road/New Cove Road, with residents at #4 Kerry Street having trouble safely exiting their driveways. Due to the configuration of the intersection, vehicles are able to make the turn from Portugal Cove Road to Kerry Street without reducing speed. The speed of vehicles combined with the close proximity of the driveway at #4 means that the residents have insufficient sight distance available to safely exit their driveway. The intersection speed and configuration also make it difficult for pedestrians to cross the street safely at this location.

Staff presented a proposed reconfiguration of the intersection that would reduce vehicle speeds and improve access from the driveways. The other option would be to remove a significant amount of trees and hedges from the two properties, however, staff advised that this would not likely improve the sight distance sufficiently.

The Committee recommends that the intersection reconfiguration of Kerry Street at Portugal Cove Road be approved and added to the Capital Works List for funding.

It was noted that the approximate cost for this work is \$15,000.

16. Mogridge Street @ Fahey Street

The Committee considered correspondence from Darren and Margaret Earle regarding concerns with the volume and speed of traffic at the above noted intersection. The Supervisor of Parking and Traffic advised that Traffic Division staff conducted an investigation which revealed that there are stop signs facing westbound traffic on Fahey Street and southbound traffic on Mogridge Street. This is an unusual stop sign

configuration for a T-intersection and may be contributing to the problems outlined in the letter from the Earles. In order to correct the problem the westbound stop sign should be removed. To facilitate this change, an all-way stop will have to be temporarily installed at the intersection after which the westbound stop sign should be removed.

The Committee recommends that the Mogridge Street/Fahey Street intersection be temporarily converted to an all-way stop for a 6-9 month period, and at the end of this time period the stop signs will be removed from Fahey Street eastbound and westbound, and the stop sign on Mogridge Street will remain.

16. Duckworth Street – Request for permit spaces on Duckworth Street and the designation of two disabled parking spaces in front of their building

The Committee considered a letter dated May 26, 2008, from Harold Guzzwell, Client Services Manager, Department of Human Resources, Labour and Employment regarding the above noted matter.

A brief discussion ensued regarding the limited number of parking spaces in the downtown, and the impact on parking if more metered parking was removed to accommodate permit spaces. It was further noted that it is anticipated that the buildings on Duckworth Street in the area referenced in Mr. Guzzwell's letter will be developed in the near future and they will likely prefer parking meters instead of permit parking. It was also noted that there is currently a parking study going on that will provide more insight on parking demand and issues in the downtown and that any decisions with respect to parking should be deferred until the study is completed. It was also noted that a portion of Duckworth Street is already being used for permit parking for the Provincial Court judges.

With respect to their request for two disabled parking spaces, the Transportation Engineer noted that if the loading zone in front of their building is longer required, that it be removed and two metered spaces should be installed. It was noted that there is already a disabled parking space located 40 m from their building and that we would not typically install a second disabled space that close.

The Committee recommends that the requests be denied.

With respect to adding additional parking in the downtown, Mr. Belbin referenced the temporary parking area that the City leased from Harvey's in order to accommodate those people who were displaced during construction for the Harbour Sewer Interceptor Project. He inquired if the City might be interested in trying to purchase or lease this space from Harvey's to provide additional metered parking. The Transportation Engineer advised that with the increased activity in the oil and gas sector, it is unlikely that Harvey's would sell this property, however, they may be agreeable to leasing it in the short term. He suggested that it would be best to wait until the downtown parking study is completed before moving forward with any parking initiatives.

17. Allandale Road – Request for an Impaired Mobility Parking Space

The Committee considered correspondence from Dan Butler, Bell Aliant, regarding the above noted request.

The Committee recommends that an impaired mobility space be installed on Allandale Road, adjacent to the Aliant Building.

18. Cuckhold's Cove Road – Issues with No Stopping Anytime Restriction

The Committee considered correspondence from the Quidi Vidi Village Foundation requesting the installation of additional No Stopping signage and a letter from Clifton Small requesting that the current signage be removed. Councillor Galgay advised that the current No Stopping signage was installed in response to resident complaints of illegal activities happening in the area.

The Committee recommends that No Stopping Anytime signs be installed such that both sides of Cuckhold's Cove Road are designated as No Stopping Anytime.

The Supervisor of Parking and Traffic noted that in response to the concerns outlined in Mr. Small's letter regarding parking for tourists using the trail system, the City has installed two signs advising trail users to use the Signal Hill parking lot.

19. Boland Street – Request for No Parking Anytime Restriction

The Supervisor of Parking and Traffic advised that an area resident has complained about vehicles parking on Boland Street that block the road and impede snow clearing. In response, Traffic Division staff have visited the site numerous times, and observed no problems with vehicles parked on the side of the street. Should there be an issue with snow clearing, the Streets Division will have to address this matter.

The Committee recommends that the request be denied and the status quo maintained.

20. York Street- Request for Residential Permit Parking

The Committee considered a request from Mark Tizzard for the installation of Residential Permit Parking on York Street. A survey of residents indicated that the majority are in favour of the installation.

The Committee recommends that Residential Permit Parking be installed on the maximum two hour sections of York Street, with the exception of the business at Civic No. 33/35 York Street.

21. Cookstown Road – Request for Residential Permit Parking

The Committee considered a request from the residents of #9 and #11 Cookstown Road for the installation of Residential Permit Parking.

The Committee recommends that Residential Permit Parking be installed on Cookstown Road adjacent to Civic Nos. 9 and 11.

22. Taaffe's Lane – Request for No Parking Anytime

The Committee considered a request from residents of Taaffe's Lane for No Parking Anytime signage. The Supervisor of Parking and Traffic advised that all residents are in favour of installing the parking restriction.

The Committee recommends that the No Parking Anytime restriction on Taaffe's Lane be extended to the end of the lane.

22. Request from RNC to Use Variable Message Signs for Amber Alerts

The Committee considered a letter from Sgt. Sean Ennis, Amber Alert Coordinator, Royal Newfoundland Constabulary regarding the above noted matter.

The Transportation Engineer noted that the Traffic Division currently has four variable message signs, and they could be programmed to accommodate Amber Alert messages when necessary.

The Committee recommends approval of the request from the RNC to use the City's variable message signs during an Amber Alert.

23. CD# R2007-11-19/11 – Request for a Noise Reduction Fence Along White Hills Road behind Properties on Arnold's Loop

The Committee considered a memorandum dated September 16, 2008, from the Transportation Engineer regarding the above noted matter. The Transportation Engineer noted that there is a substantial grade difference from East White Hills Road to the back of the properties on Arnold's Loop, which exacerbates the traffic noise problem. It is therefore recommended that in order to mitigate this problem, a sound barrier fence be erected along East White Hills Road. The fence would be 1.8 metres high and approximately 145 metres long, with an estimated cost of approximately \$33,500. It was noted that the existing guard rail would be incorporated in the design of the fence.

The Operations Assistant indicated that he had some concerns with erecting a fence in this location as it is a high drift area, and it may make the situation worse. In addition, he noted that the fence may be damaged by snow clearing equipment as it will be located quite close to the sidewalk.

Following a brief discussion, the Committee agreed that the matter be referred to the next meeting of the Public Works Committee for consideration and review. It was also suggested that the Transportation Engineer be invited to attend the meeting.

OTHER BUSINESS:

24. Cornwall Heights – Residents' Concerns with Speeding and Shortcutting

The Committee considered a letter from Dr. Leonard and Mrs. Elizabeth Zedel regarding the above noted matter.

The Supervisor of Traffic and Parking advised that Traffic Division staff have conducted a traffic study in this area. Traffic volumes and speeds on Cornwall Heights were considered to be within normal range for this type of residential street, with it being noted that of the 750 vehicles counted, only 30 were classified as being “heavy” vehicles. In comparison, a traffic study was also done on Amherst Heights, which is similar to Cornwall Heights in classification, and the traffic volumes on this street and number of heavy vehicles were similar to what is experienced on Cornwall Heights.

The Committee recommends that that status quo be maintained on Cornwall Heights.

25. Military Road – Request for Residential Permit Parking

The Supervisor of Parking and Traffic advised that a request had been received for the installation of Residential Permit Parking on Military Road. Area residents were surveyed, with three indicating their opposition to permit parking and two indicating support. As there was no clear consensus, it is recommended that the status quo be maintained.

The Committee recommends that the status quo be maintained with respect to Residential Permit Parking on Military Road.

26. CD #R2008-06-30/18 - Motorcycle/Scooter Parking

The Transportation Engineer advised that parking for specialized vehicles such as motorcycles and scooters will be examined as part of the Downtown Parking Study. He noted that the study is currently underway, and there is a link for details and updates on the City’s website.

27. Main Road/Petty Harbour Road – Request for a Crosswalk

The Committee deferred a decision on this request pending the completion of a traffic study by Traffic Division staff.

28. Permanent Speed Display/Radar Stations

The Supervisor of Parking and Traffic noted that at the Committee’s last meeting, it was agreed that staff would investigate the use of permanent speed display/radar stations as a means to deal with speeding issues in the City. Staff have obtained the requested information and are looking for further direction as to how to proceed on the matter. The Transportation Engineer suggested that clear criteria/guidelines should be developed to delineate where and when this equipment will be used/installed.

The Committee agreed that Traffic Division staff would draft the criteria/guidelines for use and provision of permanent speed display/radar stations and present them for the Committee’s review and consideration.

29. Southside Road - Residents’ Concerns with Speeding and Shortcutting

The Transportation Engineer advised that he had received several calls from a resident of Southside Road regarding the issue of speeding trucks. He noted that Traffic Division staff

have done a traffic study in the area which showed that there is no problem with trucks. The only thing that will solve the speeding problem is enforcement and the RNC have been doing their best in that regard.

30. George Street West – Loading Zone near Diesel Injection

Councillor Puddister advised that Diesel Injection had recently moved to another location, therefore, the loading zone near their premises is no longer required. He suggested that staff look at removing it and replacing it with metered spaces if possible.

Adjournment

There being no further business, the meeting adjourned at 1:40 p.m.

Councillor Art Puddister
Chairperson

SJMC2008-09-29/599R

It was moved by Councillor Puddister; seconded by Councillor Duff: That the Committee’s recommendations be approved.

Regarding #2 (New Cove Road – Request for Crosswalk)

Councillor Hanlon asked that the matter be referred back to staff to have the vehicle count conducted at a different time. Council concurred.

Regarding Items #8 and #15 (Intersection of Portugal Cove Road and New Cove Road and Kerry Street @ Portugal Cove Road) – Council agreed to committed funding under the 2009 Capital Budget)

The motion being put including Council’s decision respecting Items 2, 8 and 15 was unanimously carried.

Development Permits List for the period September 19 to 25, 2008

Council considered the following Development Permits List for the period September 19 to 25, 2008:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF September 19, 2008 TO September 25, 2008**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Mark Davis	Home office for Inspection Business	65 Pennywell Road	2	Approved	08-09-24
AG	Magna Contracting	3 Vehicle Garage	Provincial Agriculture 304 Brookfield Road	5	Approved	08-09-25

RES	Gerard Parrell	Building Lot	Pearltown Road (adjacent to Civic No.154 Pearltown Road)	5	Rejected: Lot impacted by flood plain/buffer Contrary to Section 11.2.4(1)(a)	08-09-25
RES	Philip Eustace	Building Lot	173 Sugarloaf Road	1	Approved	08-09-25

* 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

SJMC2008-09-29/600R

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

2008/09/24

Permits List

CLASS: COMMERCIAL

NL TOY STORE INC.	409 KENMOUNT RD	MS RETAIL STORE
MUSIC CITY	278 B WATERFORD BRIDGE RD	MS RETAIL STORE
LUSH LIMITED	515 KENMOUNT RD, LUSH'S LTD	RN OFFICE
PAT O'CALLAGHAN	30 QUEEN'S RD	NC FENCE
CIR MANAGEMENT LTD.	553 TORBAY RD	NC ACCESSORY BUILDING
57355 NEWFOUNDLAND AND	16 GEORGE ST, CLUB ETOMIC	RN TAVERN
CROMBIE DEVELOPMENTS LTD.	AVALON MALL	SW SHOPPING CENTRE
UGO	430 TOPSAIL RD - U G O	TI EATING ESTABLISHMENT
THE T.D.L. GROUP LTD.	553 TORBAY RD	RN EATING ESTABLISHMENT
PLAYTIME SPORTS (SOCCER)	BOULEVARD	NC CLUB

THIS WEEK \$ 4,970,200.00
 TO DATE \$ 38,599,590.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
 TO DATE \$ 2,535,000.00

CLASS: GOVERNMENT/INSTITUTIONAL

BR. RICE REG. HIGH SCHOOL	75 BONAVENTURE AVE	RN SCHOOL	
			THIS WEEK \$ 23,000.00
			TO DATE \$ 29,666,708.00

CLASS: RESIDENTIAL

NEW VICTORIAN HOMES	6 BANIKHIN PL - LOT 53	NC SINGLE DETACHED DWELLING
GAIL PIERCEY	279 BAY BULLS RD	NC ACCESSORY BUILDING
REGINALD WHITE & BETTY	38 BLACKWOOD PL	NC PATIO DECK
TERRY & CATHERINE GRANDY	148 BROOKFIELD RD	NC FENCE
LEONARD & GERALDINE WHITE	8 CARRIAGE LANE, LOT 5	NC SINGLE DETACHED DWELLING
EUGENE DOYLE	83 DOYLE ST	NC ACCESSORY BUILDING
BELL ALIANT	EAGLE COURT, COMM. CABINET	NC FENCE
MARK THOMPSON	161 ELIZABETH AVE	NC ACCESSORY BUILDING
MARTIN LOVELACE	40 EMPIRE AVE	NC PATIO DECK
CARDINAL HOMES LIMITED	10 FAULKNER ST - LOT 74	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LIMITED	12 FAULKNER ST - 73	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LTD.	14 FAULKNER ST, LOT 72	NC SEMI-DETACHED DWELLING
CARDINAL HOMES LIMITED	16 FAULKNER ST - LOT 71	NC SEMI-DETACHED DWELLING
PRO TECH CONSTRUCTION	69 GAIRLOCK ST, LOT 6-65	NC SINGLE DETACHED DWELLING
SHUBAYOGA HOMES INC.	38 GALAXY CRES, LOT 5	NC SINGLE DETACHED DWELLING
PHILIP J. & SUSAN E. LIND	22 GANDER CRES	NC ACCESSORY BUILDING
GARY & YVONNE PRICE	17 GULLIVER PL	NC ACCESSORY BUILDING
JOSEPH WHITE	32 HIGHLAND DR	NC ACCESSORY BUILDING
MELANIE PAYNE	112 HUSSEY DR	NC PATIO DECK
SHANNAN WHITE	8 IRISH LOOP ST	NC ACCESSORY BUILDING
TERRY WALSH CONSTRUCTION	89 MACBETH DR, LOT 134	NC SINGLE DETACHED DWELLING
TOM BREWER	24 MCLOUGHLAN ST	NC PATIO DECK
PAUL & ANNE MARIE MATTHEWS	7 MIDDLETON ST	NC ACCESSORY BUILDING
SKYMARK CONTRACTING	68 NAVAJO PL, LOT 205	NC SINGLE DETACHED DWELLING
SHANNON STACEY	24 NEWHOOK PL	NC PATIO DECK
DAVID JOHN LUCAS	31 O'REILLY ST	NC ACCESSORY BUILDING
TERRY WALSH CONSTRUCTION	46 OTTER DR, LOT 76	NC SINGLE DETACHED DWELLING
STEPHEN PUMPHREY	11 PERLIN ST	NC ACCESSORY BUILDING
SARAH UPSHALL	32 PICEA LANE	NC ACCESSORY BUILDING
DAVE GULLIVER'S CABS LIMITED	31 PORTUGAL COVE RD	NC SINGLE DETACHED DWELLING
MATTHEW GALGAY	52 ST. CLARE AVE	NC PATIO DECK
DON CLEARY	SAVANNAH PARK DR, 5B	NC SINGLE DETACHED DWELLING
HANN CONSTRUCTION LTD.	15 SGT. CRAIG GILLAM AVE L 65	NC SINGLE DETACHED DWELLING
JEFFREY REARDON,	31 SHAW ST - LOT 3	NC SINGLE DETACHED DWELLING
J.H.GERARD/M.E. KRANENBURG	27 TOBIN CRES	NC ACCESSORY BUILDING
DARREN LANE & NANCY GREENING	68 TREE TOP DR	NC ACCESSORY BUILDING
TIM ENNIS	6 VISCOUNT ST	NC ACCESSORY BUILDING
NEW VICTORIAN HOMES	1 WHITEWAY PL	NC SINGLE DETACHED DWELLING
DEREK & CAROL BARRETT	26 CALGARY ST	CR SUBSIDIARY APARTMENT
FERGUS HAYWARD & VERNA HAYWARD	21 DORSET ST	CR SUBSIDIARY APARTMENT
DEAN MURPHY	137 HILLVIEW DR W	EX SINGLE DETACHED DWELLING
VICTOR SMITH	7 MCCONNELL PL	EX SINGLE DETACHED DWELLING
STEPHEN CLEARY	32 RUMBOLDT PL	EX SINGLE DETACHED DWELLING
CAROL/GREG HARTERY	12 BARTER'S HILL PL	RN SINGLE DETACHED DWELLING
WILL BURKE	69 BONAVIDA ST	RN SINGLE DETACHED & SUB.APT
DEANNE LOIS VELEY	126 BROOKFIELD RD	RN SINGLE DETACHED DWELLING
KENDALL FLOOD	63 CARTER'S HILL	RN SEMI-DETACHED DWELLING
ALEXANDER MACDONALD	16 CHESTNUT PL	RN SINGLE DETACHED DWELLING
ERCO DEVELOPMENTS INC.	4 FLORENCIA CRT	RN TOWNHOUSING
MALCOLM WELLS	13 BIRMINGHAM ST	SW SINGLE DETACHED & SUB.APT
C. L. BELL	25 MONKSTOWN RD	SW SINGLE DETACHED & SUB.APT

THIS WEEK \$ 3,840,745.00
TO DATE \$113,886,162.00

CLASS: DEMOLITION

CAROLYN DOBBIN	8 FOREST RD	DM ACCESSORY BUILDING
STELLA BERRY FOUNDATION INC.	9 1/2 MULLOCK ST	DM OTHER

THIS WEEK \$ 15,000.00
 TO DATE \$ 1,069,800.00

THIS WEEK'S TOTAL: \$ 8,848,945.00

TOTAL YEAR TO DATE: \$185,757,260.00

REPAIR PERMITS ISSUED: 2008/09/18 TO 2008/09/18 \$ 18,700.00
 2007/12/13 TO 2008/09/18 \$ 2,900,233.00 YTD

LEGEND

CO CHANGE OF OCCUPANCY	SN SIGN
CR CHNG OF OCC/RENOVTNS	TI TENANT IMPROVEMENTS
NC NEW CONSTRUCTION	EX EXTENSION
OC OCCUPANT CHANGE	CC CHIMNEY CONSTRUCTION
RN RENOVATIONS	DV DEVELOPMENT FILE
SW SITE WORK	DM DEMOLITION
MS MOBILE SIGN	

Payrolls and Accounts

SJMC2008-09-29/601R

It was decided on motion of Councillor Duff; seconded by Councillor Puddister: That the following Payrolls and Accounts for the weeks ending September 25th, 2008 be adopted as presented:

**Weekly Payment Vouchers
 For The
 Week Ending September 25, 2008**

PAYROLL

Public Works	\$ 289,360.34
Bi-Weekly Casual	\$ 12,010.70

ACCOUNTS PAYABLE

Cheque No. 137513 – 137818	\$5,293,851.65
Total:	\$5,595,222.69

The motion being put was unanimously carried.

Petition

Councillor Collins tabled a petition (consisting of approximately 1550 signatures) the prayer of which reads as follows, and which was referred to the Parks and Recreation Committee for consideration:

We, the residents of Kilbride, hereby petition the City of St. John's to build a gym-size structure at the Lions Club Centre in Kilbride so that we can have an adequate facility for sports and fitness activities, such as basketball, indoor soccer, ball hockey, fitness classes, etc for youth and adult populations.

The present Lions Club building, although appreciated, is limited in height and size and restricts the kinds of activities that can be carried on there. Furthermore there are no school gyms nearby that could be used for after school an evening programs.

Kilbride is a growing community with one of the largest populations of young children to be found anywhere in the province. In the past few years, development has really started to take off in Kilbride and several areas are rezoned and slated for future subdivisions.

There is plenty of land available at the Lions Club Centre for this new building, and at this location it would be best positioned to serve the whole community of Kilbride."

25 Major's Path, Arlene Chafe and Ruth Ann Chafe

Council considered a memorandum dated September 24, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-09-29/602R

It was moved by Councillor Colbert; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor that land required by the City in the front of 25 Major's Path for street widening, be acquired for \$4,805.00 plus legal fees, provided the City also completes the porch replacement and electrical panel relocation to the owners' satisfaction

and compensate in the additional amount of \$10,000.00 for injurious affection to the remaining property and business disruption during the work, be approved.

The motion being put was unanimously carried.

20-26 Major's Path

Council considered a memorandum dated September 21, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-09-29/603R

It was moved by Councillor Colbert; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor the land required by the City in front of 20-26 Major's Path for street upgrading, be acquired for \$675.00 plus legal fees, be approved.

The motion being put was unanimously carried.

59 Major's Path

Council considered a memorandum dated September 21, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-09-29/604R

It was moved by Councillor Colbert; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor that land expropriated by the City at the front of 59 Major Path for street upgrading, be acquired for \$5,470.00, (which represents Mr. Harold Ryan's leasehold interest in this land), plus legal fees, be approved.

The motion being put was unanimously carried.

City owned land between 2 Carolyn Drive and 128 Hussey Drive

Council considered a memorandum dated September 23, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-09-29/605R

It was moved by Councillor Colbert; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor that City owned land between 2 Carolyn Drive and 128 Hussey Drive be conveyed to Alan Osborne at a cost of \$2.00 per square foot plus usual administration fees and HST, be approved.

The motion being put was unanimously carried.

Elizabeth Avenue Street Upgrading

Council considered a memorandum dated September 22, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-09-29/606R

It was decided on motion of Councillor Colbert; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor that land required by the City at the front of 27 Elizabeth Avenue for street upgrading, be expropriated and that the Notice of Expropriation as presented be executed, be approved.

73 Monkstown Road

Council considered a memorandum dated September 22, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-09-29/607R

It was moved by Councillor Colbert; seconded by Councillor Duff: That the encroached upon land at 73 Monkstown Road be sold at a rate of \$10.00 per square foot plus usual administration fees and HST, be approved.

The motion being put was unanimously carried.

Banner Request – United Way Campaign, October 20 to October 31, 2008

Council unanimously approved the above noted banner request.

Banner Request – National Co-op Housing Week, October 12-18, 2008

Council unanimously approved the above noted banner request.

Request from Canadian Mental Health Association-Newfoundland and Labrador Division that the City purchase a table of ten at a cost of \$900 to the Annual Gala Event to be held October 9, 2008 at the Delta Hotel

SJMC2008-09-29/608R

It was moved by Councillor Colbert; seconded by Councillor Hann: That the request from the Canadian Mental Health Association-Newfoundland and Labrador Division that the City purchase a table of ten at a cost of \$900 to the Annual Gala Event to be held October 9, 2008 at the Delta Hotel, be denied as it does not meet the City's criteria for funding.

The motion being put was unanimously carried.

St. John's International Airport Authority – The Monetary Impact of Military Aircraft Landings on the City of St. John's

Council considered an outline of the monetary impact of Military Aircraft Landings on the City of St. John's showing total military spending for 2007 at \$34,014,389.52 compared to \$20,500,000 for 2005. Mayor O'Keefe indicated that the financial impact on the city has been significant and confirms that the City's contribution of \$1 million towards the capital cost of the investment in capital infrastructure to accommodate increased military traffic at the Airport was indeed a good investment.

Letter dated August 24, 2008 from Mayor O'Keefe to MS Eurodam Visitor

Council considered as information the above noted letter and a response.

Letter dated September 12, 2008 from Dean Goudie commending Humane Services staff for their dedication to the care of all animals

Council considered as information the above noted letter commending Humane Services staff for their dedication to the care of all animals.

Letter to His Worship the Mayor from James W. Roebuck extending gratitude to Mr. Gerry Smith for his hospitality towards him and his wife while visiting the City

Council considered as information the above noted letter.

Letter dated September 22, 2008 to Mayor O'Keefe from John Steele, Chair, Daffodil Place Campaign thanking the City on behalf of the Canadian Cancer Society, and Daffodil Place Campaign and cancer patients and their families in Newfoundland and Labrador for the financial contribution towards Daffodil Place

Council considered as information the above noted letter. His Worship the Mayor encouraged other cities and towns who have not contributed to this cause to "come on board".

Copy of Letter dated September 19, 2008 from the Manager of Employee Wellness to Alzheimer Society of Newfoundland and Labrador re City of St. John's "Staff Coffee Break" 2008 (World Alzheimer Day)

Council considered as information the above noted letter.

Letter dated September 23, 2008 from Jose Ribau Esteves, Mayor of the Municipality of Ilhavo to Mayor O'Keefe, thanking him on behalf of the residents of the Municipality of Ilhavo for his visit during their 110th anniversary of Ilhavo's inception as a Municipality

Council considered the above noted letter along with a Press Release from Mayor Esteves Office dated September 23, 2008.

FCM Election Alert – Green Shift

Council considered information provided by the Director of Finance indicating that, based on usage in 2007 and applying the high rate to be reached in year 4 of the “Green Shift, the additional annual cost to the City would be approximately \$800,000, in furnace oil, diesel and the impact on the Transportation Commission. The Mayor indicated that the Director of Finance and City Treasurer advised that, in his opinion, there was not enough information or detail on any offsets to make a judgement.

Councillor Hann noted that in his research he found numerous benefits that would offset the increased cost in diesel and furnace oil, which included tax cuts, infrastructure funding etc. He suggested supporting the Premier's ABC Campaign. The Mayor noted the need to keep the matter non-political.

Resolutions

Mayor O'Keefe read into the record the following Resolution :

The City of St. John's acknowledges the outstanding achievement of Dr. Nigel Francis S. Rusted as a medical practitioner. On the 29th day of September in the year 2008, the Municipal Council of the City of St. John's unanimously adopted the following resolution:

WHEREAS Dr. Rusted began his career as a medical student aboard the SS Kyle during the summer of 1930 and 1931; and

WHEREAS After graduation from the Dalhousie University Medical School and subsequent post graduate training, Dr. Rusted served aboard the MV Lady Anderson as the physician responsible for the health care of 80 communities on the southwest coast; and

WHEREAS In 1936, Dr. Rusted opened a private practice clinic in the City of St. John's and was appointed a junior surgeon at the General Hospital; and

WHEREAS Throughout his long and distinguished medical career in the City, Dr. Rusted has committed his time and professional skills to his large clinical practice as well as to the city's hospitals and the Memorial University Medical School; and

WHEREAS At 101 years of age, his legacy is that of a long career dedicated to the profession he loves in the place to which he is devoted.

THEREFORE BE IT RESOLVED that the City of St. John's proudly confers the Freedom of the City on **DR. NIGEL FRANCIS S. RUSTED**.

IN WITNESS THEREOF, the seal of the City of St. John's has been affixed and this Resolution has been duly signed by His Worship the Mayor and the City Clerk, this 29th day of September in the year 2008.

MAYOR

CITY CLERK

Councillor Coombs

Councillor Coombs reminded residents of the meeting for homeowners of Alderberry Lane on Tuesday, September 30, 2008 to be held at St. Theresa's Parish Hall, 120 Mundy Pond Road to discuss the ongoing issue of teenage rowdiness in the area.

Councillor Hanlon

Councillor Hanlon commended members of the Writers Guild on the celebration of their 40th anniversary. She commended our Newfoundland writers who contribute greatly to preserving our heritage.

Councillor Hanlon commended the Green Plan's proposed extension of the retrofit for housing.

Adjournment

There being no further business, the meeting adjourned at 6:50 p.m.

MAYOR

CITY CLERK