

September 4th, 2012

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

His Worship the Mayor presided.

There were present also: Deputy Mayor Duff; Councillors O'Leary, Hann, Colbert, Breen, Tilley, Hanlon and Collins.

Regrets: Councilor Hickman and Galgay.

City Manager, Deputy City Manager/Director of Corporate Services & City Clerk, Deputy City Manager/Director of Public Works & 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

SJMC2012-09-04/432R

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

Adoption of Minutes

SJMC2012-09-04/433R

**It was decided on motion of Councillor Tilley; seconded by Councillor O'Leary:
That the minutes of August 20th, 2012 meeting be adopted as presented.**

Business Arising

Resolutions

Resolution by Councillor O'Leary that MNL urge the Provincial Government to stop using herbicides to control brush growth along public highways.

SJMC2012-09-04/434R

It was moved by Councillor O'Leary; seconded by Deputy Mayor Duff: That the following Resolution urging the Provincial Government to discontinue the use of herbicides for brush-clearing along public highways in Newfoundland and Labrador, be adopted:

A RESOLUTION TO URGE THE PROVINCIAL GOVERNMENT TO DISCONTINUE THE USE OF HERBICIDES FOR BRUSH CLEARING ALONG PUBLIC HIGHWAYS IN NEWFOUNDLAND AND LABRADOR.

WHEREAS in November 2009, at its AGM, Municipalities Newfoundland and Labrador (MNL) passed a unanimous resolution, presented by the City of Mount Pearl, calling on the provincial government to enact a province-wide ban on the sale and use of pesticides for cosmetic use;

WHEREAS in July 2011 the provincial government announced a ban on the sale and use of pesticides for cosmetic use, which came into effect in May 2012;

WHEREAS the provincial government continues to use pesticides that have been banned for cosmetic use-specifically, Tordon 101 , containing 2,4-D- to control brush growth along public highways;

BE IT RESOLVED that MNL urge the provincial government to stop using herbicides to control brush growth along public highways, as they are a threat to human and animal health and the environment; and to use manual/mechanical methods instead, which will have the additional benefit of providing regular seasonal employment for a large number of people.

Councillor O'Leary outlined her argument and following discussion the motion being put there voted for it the mover, seconder, Councillors Hanlon and Colbert.

Voting against the motion were Councilors Collins, Tilley, Breen, Hann and His Worship the Mayor. The motion was lost.

**St. John's Development Regulations Amendment No. 545, 2012
Application to Rezone Property to the Residential Medium Density (R2) Zone
Civic No. 172 Mundy Pond Road**

Under business arising, Council considered a memorandum dated August 30, 2012 from the Acting Director of Planning regarding the above noted.

SJMC2012-09-04/435R

It was moved by Councillor Colbert; seconded by Councillor Hann: That the following Resolution for St. John's Development Regulations Amendment No. 545, 2012 be adopted, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration.

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 545, 2012**

WHEREAS the City of St. John's wishes to allow a semi-detached housing development at Civic Number 172 Mundy Pond Road.

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

- 1. Rezone land at Civic Number 172 Mundy Pond Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone as shown on Map Z-1A attached.**
- 2. Make a text amendment to Section 10.4.1 (Permitted Uses in the Residential Medium Density (R2) Zone) to provide that the only residential uses that will be allowed at Civic Number 172 Mundy Pond Road under the Residential Medium Density (R2) Zone will be single detached dwellings and semi-detached dwellings. The amendment is to delete the existing portion of Section 10.4.1 "Permitted Uses" that lists Residential Uses, and replace it with the following:**

*10.4.1 Permitted Uses
Residential:*

- (a) *Accessory Building (subject to Section 8.3.6)*
- (b) *Bed and Breakfast (subject to Section 7.28)*
(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street, where Bed and Breakfast is not a Permitted Use)
- (c) *Boarding or Lodging House (accommodating between five (5) and sixteen (16) persons)*
(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street, where Boarding or Lodging House is not a Permitted Use)
- (d) *Duplex Dwelling*
(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street, where Duplex Dwelling is not a Permitted Use but a Discretionary Use and is subject to Section 5.8, and at 172 Mundy Pond Road, where Duplex Dwelling is not a Permitted Use)
- (e) *Home Office (subject to Section 7.9)*
- (f) *Semi-Detached Dwelling*
(Except for that section of Planning Area 11 at Eastbourne & Bavidge Street where Semi-Detached Dwelling is not a Permitted Use but a Discretionary Use and is subject to Section 5.8)
- (g) *Single Detached Dwelling (see Section 10.4.3(5) - Zone Requirements*
where the application site is located in that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street)
- (h) *Subsidiary Apartment*
- (i) *Townhousing*
(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Townhousing is not a Permitted Use but a Discretionary Use and is subject to Section 5.8; and except for Planning Area 4 - Mundy Pond, where Townhousing is restricted to Blackmarsh Road and the area bounded by L'Anse aux Meadows Crescent, Captain Whelan Drive, and Columbus Drive, and Planning Area 13 - Shea Heights, where Townhousing is not a Permitted Use; and that section of Planning Area 2 - land located between Quidi Vidi Village Road and Cuckhold's Cove Road, west of Quidi Vidi Village and known as the Connors Estate and Clarke Estate, where Townhousing is not a Permitted Use, and at 172 Mundy Pond Road where Townhousing is not a Permitted Use).

The remainder of Section 10.4.1 remains unchanged.

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 4th day of September, 2012.

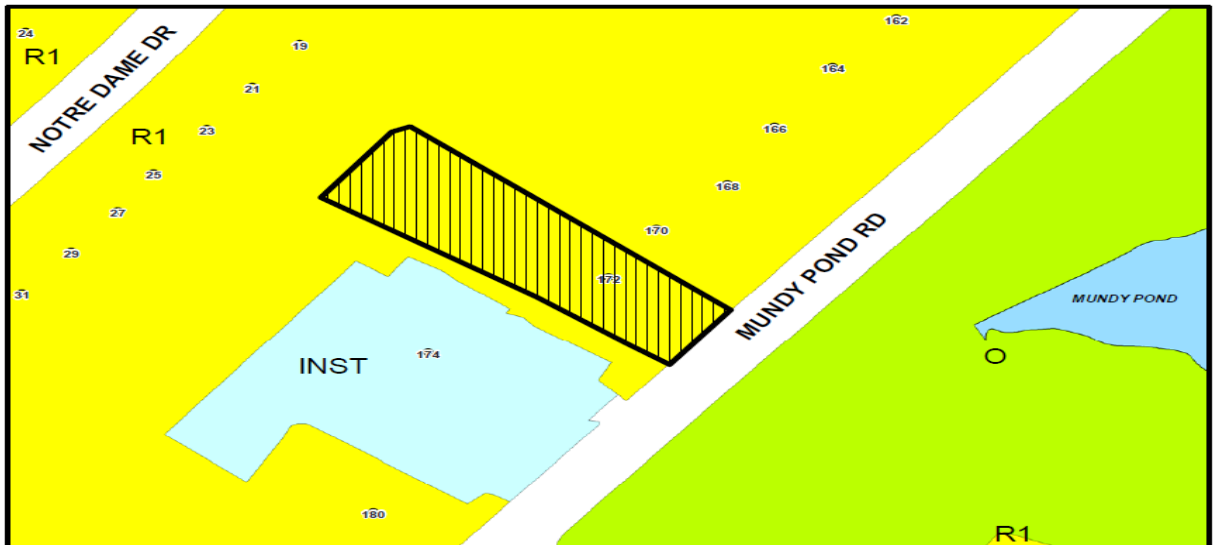
Mayor

City Clerk

Provincial Registration

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

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 545, 2012
[Map Z-1A]**

2012 08 10 SCALE: 1:1000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REZONED FROM RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE TO RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

172 MUNDY POND ROAD

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

Notices Published

1. An application has been submitted to the City by Dynamis Homeopathic Inc. requesting permission to establish and operate a Dance Studio at **Civic No. 93 Torbay Road**. In order to accommodate the studio, a rear extension to the existing building of 69 square metres will be built. Thirteen (13) parking spaces will also be developed at the rear of the lot. **(Ward 1)**

SJMC2012-09-04/436R

It was moved by Councillor Colbert; seconded by Councillor Hanlon: That the application be approved.

The motion being put was unanimously carried.

- 2 An application has been submitted requesting permission to construct a dwelling unit in the basement of **Civic No. 33 Golf Avenue** for a total of two (2) dwelling units. Two (2) on-site parking spaces will be provided. The subject building is located in the Residential Medium Density (R2) Zone where Multiple Dwellings can be allowed as a Discretionary Use. **(Ward 2)**

Submission of concern

SJMC2012-09-04/437R

It was moved by Councillor Colbert; seconded by Councillor Hanlon: That the application be approved.

The motion being put was unanimously carried.

Planning Committee Report dated August 21, 2012

Council considered the following Planning Committee Report dated August 21, 2012:

In Attendance: Councillor Tom Hann, Chairperson
Councillor Wally Collins
Councillor Sandy Hickman
Mr. Bob Smart, City Manager
Mr. Cliff Johnston, Director of Planning
Mr. Walt Mills, Director of Engineering
Mr. Dave Blackmore, Director of Building and Property Management
Mr. Robin King, Transportation Engineer
Ms. Lynnann Winsor, Manager of Development & Engineering Services
Mr. Kevin Breen, Manager of Streets and Parks
Mr. Brendan O'Connell, Acting Director of Public Works & Parks
Mr. Joe Sampson, Manager of Development
Mr. Ken O'Brien, Manager of Planning and Information
Ms. Maureen Harvey, Recording Secretary

1. **Representatives from Pinnacle Developments Inc. re: Proposed 5-storey apartment building at Civic Number 21-47 LeMarchant Road – Ward 2**

The Committee met with representatives of Pinnacle Developments Inc. regarding its proposal to develop a 5-storey residential apartment building in two phases on two adjoining properties – 21 LeMarchant Road (vacant land at the corner of Cookstown Road) and 23-47 LeMarchant Road (the former Tulk’s Glass and Key shop at the corner of Lime Street).

The Committee also considered a memorandum dated August 17, 2012 from the Director of Planning which contained the details and design of the proposed development. A copy of the memorandum is on file with the Office of the City Clerk.

The first phase would develop the Tulk’s Glass portion for 40 apartments on 5 floors, with two levels of underground parking. The second phase would extend the building toward Cookstown Road, adding 16 more apartments and underground parking. Parking access would be from Lime Street and Cookstown Road.

On a motion put forth by Councillor Sandy Hickman; Seconded by Councillor Wally Collins the Committee recommends approval for the project to move forward such that the applicant be required to submit a land-use assessment report (LUAR) for Council’s consideration. Should the LUAR be approved, a public meeting will be held and chaired by a member of Council. It is noted that a Municipal Plan amendment is not required.

Subsequent to the Committee meeting, the proposed terms of reference for the LUAR have been prepared by City staff and are attached for Council’s consideration of approval.

2. **Representatives of Kingslake Projects Inc. re: Proposed hotel development at New Gower and Springdale Street – Ward 2**

The Committee considered a memorandum dated August 17, 2012 from the Department of Planning and met with representatives of Kingslake Projects Inc.

It was noted that at the Regular Meeting of Council held on February 6, 2012, Council agreed not to proceed at this time with the rezoning of the application property at New Gower Street/Springdale Street from the Residential Downtown (RD) Zone to the Commercial Central Office (CCO) Zone. Council, did however, agree to meet with the applicant and their architectural consultants to determine the feasibility of redesigning the proposed hotel development so that it has a possible

lower building height through a larger footprint with the objective of lessening impacts of the hotel development on the adjoining and nearby residential properties.

The architect held a meeting with the residents, the input of which was considered in completing the redesign which is currently before Council.

The Committee has reviewed the revised design and its main elements which include:

- a. The proposed height of the hotel remains at twelve (12) storeys.
- b. The redesigned hotel has a building footprint of approximately 759 square metres with a lot coverage of approximately 12%;
- c. The hotel building has been moved away from the adjacent residential properties; the building orientation has rotated such that it avoids the windows and faces the side wall of the adjoining townhouse development; at the closest point, the setback from the adjoining residential lot doubles from the original of approximately 6 metres to approximately 12 metres;
- d. The exterior design of the building has been completely redone.
- e. The landscape buffer between the hotel building and adjoining residential properties is increased;
- f. The parking count has been reduced to 112 spaces;
- g. It is proposed to have a 4-way access at Springdale Street. The City's Transportation Engineer has asked the applicant's traffic engineering consultant to provide further information on this matter; and
- h. The applicants propose that any other future construction on the western portion of the property would be residential in order to provide a transition from the commercial arterial street (New Gower Street), to the residential areas.

On a motion by Councillor Sandy Hickman; Seconded by Councillor Wally Collins the Committee recommends Council consider the proposed rezoning of the property from the RD Zone to the CCO Zone based on the proposed design changes to the hotel development. It is further recommended that the revised rezoning application be referred to a public meeting to be chaired by a member of Council.

For the benefit of area residents and ease of reference, it is also recommended that the applicants be asked to update the original land use assessment report on a section by section basis, to outline the original design elements of the hotel project and to incorporate into each applicable section of the report, detailed information on the proposed new design elements with the rationale for the proposed design change. The Committee recommends that the updated LUAR should be prepared and submitted by the applicant and reviewed by city staff before the public meeting is scheduled.

3. **Memorandum dated August 17, 2012 from the Department of Planning re: Proposed Rezoning to Residential Low Density (R1) Zone – Land North of Coventry Way and New Pennywell Road (Ward 3) Applicant: Nosegard Holdings Ltd.**

Allnorth Consultants Limited, on behalf of Nosegard Holdings Limited, has submitted an application to rezone vacant land between the Coventry Way residential subdivision and the Team Gushue Highway Extension to the Residential Low Density (R1) Zone. This is to allow the development of a new residential subdivision of approximately 50 residential building lots. The rezoning would require an amendment to the St. John's Municipal Plan.

Based on a motion by Councillor Wally Collins; Seconded by Councillor Sandy Hickman the Committee recommends the rezoning application be referred to a public meeting to be chaired by a member of Council.

4. **Memorandum dated August 17, 2012 from the Department of Planning re: Proposed Rezoning to R1 Zone for Residential Use – Blackmarsh Road (Ward 3)**

The Committee considered the above-noted memorandum noting that the property owner has applied to rezone a parcel of land on the north side of Blackmarsh Road, just west of the Frecker Drive intersection, for residential use, with the intention of selling the property. Municipal water and sewer services are not available along this portion of Blackmarsh Road.

A motion was put forth by Councillor Hickman; Seconded by Councillor Collins that the proposed rezoning to accommodate a residential lot on this property would be premature until the development concept for this entire section of Blackmarsh Road has been established. At present, the subject property does not meet the development standard for the RR Zone and cannot be developed and as such the application is recommended for rejection.

5. **Memorandum dated August 17, 2012 from the Department of Planning re: Proposed Rezoning to RR Zone – Civic Number 331 Thorburn Road (Ward 4)**

The Committee considered an application from the owner of land at Civic Number 331 Thorburn Road to rezone the rear portion of land with the intent to construct a single detached house behind an existing house.

Although the proposed subdivision of the property at 331 Thorburn Road could create a new lot that meets the minimum lot size of 4,000 square metres, it would have only 11.9 metres of frontage on Thorburn Road. To meet the minimum frontage of 45 metres, the building line would have to be set back approximately 150 metres from Thorburn Road.

This area of Thorburn Road is unserviced, and the RR Zone boundary has been drawn just deep enough to allow the development of unserviced lots that front onto the road. Pushing the zone boundary deeper on this property to allow the development of another lot would not be consistent with the objectives of the St. John's Municipal Plan. Therefore, it is recommended that the rezoning application be rejected.

6. **Memorandum dated August 17, 2012 from the Department of Planning re: Atlantic Green Forum – Design Charrette – Sunday, October 28, 2012**

The Committee is pleased to note the City's involvement at the upcoming Atlantic Green Forum scheduled to take place in October 2012 and organized by Landscape Newfoundland and Labrador. This year's event is based on the theme of "Open Spaces in Your Community". This group is working with the City and other parties to host a design charrette on Sunday, Oct. 28th. The purpose is to explore how the City's new Municipal Plan can better integrate a system of open spaces.

A charrette is an intensive, hands-on workshop that brings people from different disciplines and backgrounds together to explore design options for a particular area or site.

The charrette will examine how open-space planning and design can help protect and enhance the existing system of public open space in the city. It will be open to the public. Landscape NL will be inviting community leaders, elected officials, developers, City staff, and professionals involved in open space (land-use planners, architects, engineers, landscape designers, horticulturalists, farmers, ecologists, landscape architects, health professionals, and others).

Small groups at the charrette will evaluate the benefits of several types of open space: urban plazas, heritage sites, public parks, bikeways and walking trails, stream and pond corridors, coastlines, road and highway corridors, residential green space, and natural buffers. The working group is securing the permission of property owners. Candidate sites include:

- Lundrigan's Marsh off East White Hills Road
- Former Grace Hospital site, LeMarchant Road
- A developing residential subdivision
- A Grand Concourse existing trail.

Councillor Tom Hann
Chairperson

SJMC2012-09-04/438R

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

The motion being put was unanimously carried.

Heritage Committee Report dated August 22, 2012

Council considered the following Heritage Committee Report dated August 22, 2012:

In Attendance: Deputy Mayor Shannie Duff, Chairperson
Wayne Purchase, Downtown St. John's
Tony Lockyer, Eastern Homebuilder's Association
George Chalker, Heritage Foundation of NL
Anne Hart, Citizen Representative
Dave Blackmore, Director of Building and Property Management
Ken O'Brien, Manager of Planning & Information
Peter Mercer, Heritage Officer
Maureen Harvey, Recording Secretary

1. 40 Henry Street – Former Star of the Sea property

Subsequent to a previous Heritage Advisory Committee meeting, the developer of the former "Star of the Sea" property has submitted a revised design plan. The Committee met with the developer, Mr. Vahe Kouyoumdjian and reviewed the site plan, floor plans, parking area plans, design concept, elevations and design rationale.

Drawings are on file with the Office of the City Clerk.

The Committee recommends approval of the July 27, 2012 design for the re-development of the former "Star of the Sea" property located at 40 Henry Street. The City's Department of Planning will provide a separate report to Council once all Planning, Engineering, and other staff reviews have been completed.

2. 100 Water Street – Breakwater Books Building

The Committee considered an application from KMK Development to demolish the building located at 100 Water Street which is designated by Council as a heritage building.

The Committee strongly recommends that Council reject the application for demolition of property at 100 Water Street. This building is an important heritage structure by reason of its age, architecture and historic associations (see attached statement of historic significance). The building appears to be in sound structural condition. It is located on

a site adjacent to the War Memorial and close to a number of significant heritage buildings, including the newly restored King George V Building and the Javelin Building.

3. **Protection of Designated Heritage Buildings**

Some concern was expressed about the legal protection for buildings designated by Council as Heritage Buildings.

The Committee recommends that Council request staff to explore this issue to ensure that the City does have the power under existing legislation and by-laws to enable council to legally protect designated Heritage Buildings from demolition.

4. **Mallard Cottage – 8 Barrow’s Road (Restoration and Building Extension)**

At the last meeting of the Heritage Advisory Committee, a recommendation was made for approval for the restoration of Mallard Cottage. With respect to the proposed expansion for kitchen and dining space, the matter was deferred pending receipt of drawings illustrating proposed elevations.

The Committee met with Mr. Todd Perrin to discuss and reviewed the plans and is pleased that the expansion is in keeping with the original design of the building and that the extension’s design will match the character of the old.

The Committee recommends approval for the expansion of the restaurant kitchen and dining space at Mallard Cottage.

5. **Proposal to construct a fence at 26 King’s Bridge Road**

The Committee considered a request from the property owner at 26 King’s Bridge Road. Having reviewed the documentation, the Committee is satisfied that a fence was located on the property years ago and that the application for a 6’ wooden fence is appropriate.

The Committee recommends that the construction of a fence measuring up to 6’ at 26 King’s Bridge Road be approved subject to its design and location being approved by the City’s Traffic Division and that it be covered with a solid paint or stain.

Deputy Mayor Shannie Duff
Chairperson

SJMC2012-09-04/439R

It was moved by Deputy Mayor Duff; seconded by Councillor Hanlon: That Item #2 – 100 Water Street – Breakwater Books Building be deferred pending review of additional information to be provided by the Department of Building and Property Management.

The motion being put was unanimously carried.

SJMC2012-09-04/440R

It was then moved by Deputy Mayor Duff; seconded by Councillor Tilley: That recommendations 1, 3, 4 and 5 be approved.

The motion being put was unanimously carried.

Special Events Advisory Committee Report dated August 24, 2012

Council considered the following Special Events Advisory Committee Report dated August 24, 2012:

- 1) **Event:** Nautilus Provincial 5km Road Race
Location: Water Street East (Port Authority Building)
Date: September 9, 2012
Time: 8:00 am – 9:00 am

This event requires the road closure of Water Street from Patrick Street to Temperance Street.

- 2) **Event:** CIBC Run for the Cure
Location: Quidi Vidi Lake Area
Date: September 30, 2012
Time: 9:00 am – 12:00 pm

This event requires the following temporary road closures;

The Boulevard
Quidi Vidi Village Road
Forest Road westbound between Empire Avenue and Quidi Vidi Village Road
Empire Avenue westbound between Forest Road and Kings Bridge Road
Lake Avenue
Carnell Drive
Churchill Avenue - Legion Road to East White Hills Road

SJMC2012-09-04/441R

It was moved by Deputy Mayor Duff; seconded by Councillor Colbert: 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 August 17, 2012 to August 30, 2012:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF August 17, 2012 TO August 30, 2012**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Demolition and Rebuild of Dwelling	119 Groves Road	4	Approved	12-08-23
RES		Subdivide for Residential Lot	1330 Blackhead Road	5	Approved	12-08-23
COM	Calloway Reit	Commercial Building G - RBC Bank & Swiss Chalet	Kelsey Drive	4	Approved	12-08-23
RES		Building Lot	Barton's Road Lot 2	5	Approved	12-08-28
COM		Home Office for Electrical Contracting	33 Dorset Street	4	Approved	12-08-30

<p>* Code Classification: RES - Residential COM - Commercial AG - Agriculture OT - Other</p> <p style="margin-left: 150px;">INST - Institutional IND - Industrial</p>
<p>** 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.</p>

Gerard Doran
Development Officer
Department of Planning

Building Permits List

SJMC2012-09-04/442R

It was moved by Councillor Collins; seconded by Councillor Colbert: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:

2012/08/29

Permits List

CLASS: COMMERCIAL

- | | | |
|------------------------|----|----------------------|
| 27 BLACKMARSH RD | CO | EATING ESTABLISHMENT |
| 470 TOPSAIL RD WALMART | CR | RETAIL STORE |
| 470 TOPSAIL RD WALMART | CR | RETAIL STORE |

AVALON MALL NO. 1	SN	SHOPPING CENTRE
36 BLACKMARSH RD	SN	SERVICE STATION
12 GLENEYRE ST	SN	SERVICE SHOP
319 HAMILTON AVE	SN	RETAIL STORE
12-20 HIGHLAND DR	MS	SERVICE SHOP
394 KENMOUNT RD	MS	RESTAURANT
207 KENMOUNT RD	SN	RESTAURANT
595 KENMOUNT RD	MS	CAR SALES LOT
219 MAJOR'S PATH	MS	RETAIL STORE
10 MESSENGER DR	MS	RETAIL STORE
34 NEW COVE RD	MS	PLACE OF AMUSEMENT
20 PEET ST	MS	CAR SALES LOT
52 PIPPY PL	MS	RETAIL STORE
46-50 ROBIN HOOD BAY RD	MS	INDUSTRIAL USE
45 ROPEWALK LANE	MS	RETAIL STORE
STAVANGER DRIVE	SN	OTHER
95A STAVANGER DR	MS	RETAIL STORE
86 THORBURN RD	MS	SERVICE STATION
520 TOPSAIL RD	MS	RESTAURANT
632 TOPSAIL RD	MS	SERVICE STATION
TORBAY ROAD-TORBAY RD MALL	MS	COMMUNICATIONS USE
421 TORBAY RD	MS	RETAIL STORE
25 WHITE ROSE DR	SN	CLINIC
292 WATER ST	RN	TAVERN
4-6 BATES HILL	RN	MIXED USE
460 TOPSAIL RD	RN	RESTAURANT
177 KENMOUNT RD	NC	ACCESSORY BUILDING
QUIDI VIDI HR FT/CADET RD	NC	HARBOUR USE
216 WATER ST	RN	OFFICE
430 TOPSAIL RD EASY FINANCIAL	RN	OFFICE
335 FRESHWATER RD	RN	VETERINARY HOSPITAL
KELSEY DR RBC/SWISS CHALET	SW	MIXED USE
KELSEY DR - TD BANK	NC	BANK
680 TORBAY RD - MR LUBE	NC	SERVICE STATION
EAST WHITE HILLS RD.	NC	WAREHOUSE

THIS WEEK \$ 10,865,903.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

98 ELIZABETH AVE	RN	CHURCH
290 EMPIRE AVE	RN	ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 262,300.00

CLASS: RESIDENTIAL

2 ADVENTURE AVE	NC	ACCESSORY BUILDING
66 ALLANDALE RD	NC	SINGLE DETACHED DWELLING
30 SPRUCE GROVE AVE LOT 136	NC	SINGLE DETACHED DWELLING
53 SPRUCE GROVE AVE, LOT 94	NC	SINGLE DETACHED DWELLING
125 BLUE PUTTEE DR	NC	FENCE
93 BOND ST	NC	FENCE
13 BONNIE DR	NC	SWIMMING POOL
70 BRAD GUSHUE CRES	NC	FENCE
51 BROWNSDALE ST	NC	PATIO DECK
16 BURDELL PL	NC	PATIO DECK

16 BURDELL PL	NC	ACCESSORY BUILDING
78 CABOT ST	NC	ACCESSORY BUILDING
232 CANADA DR	NC	ACCESSORY BUILDING
70 CAPE PINE ST	NC	ACCESSORY BUILDING
61 CARPASIAN RD	NC	FENCE
170 CASHIN AVE EXTEN	NC	PATIO DECK
142 CASTLE BRIDGE DR, LOT 201	NC	SINGLE DETACHED DWELLING
152 CASTLE BRIDGE DR., LOT 196	NC	SINGLE DETACHED DWELLING
65 CASTLE BRIDGE DR	NC	PATIO DECK
113 CASTLE BRIDGE DR., LOT 224	NC	SINGLE DETACHED DWELLING
139 CHEESEMAN DR	NC	ACCESSORY BUILDING
35 CORNWALL AVE	NC	ACCESSORY BUILDING
29 COTTONWOOD CRES	NC	FENCE
22 COUNTRY GROVE PL	NC	ACCESSORY BUILDING
43 CYPRESS ST LOT 131	NC	SINGLE DETACHED DWELLING
28 DAUNTLESS ST	NC	ACCESSORY BUILDING
DOOLINGS LINE, LOT 2	NC	SINGLE DETACHED DWELLING
340 DUCKWORTH ST	NC	PARKING LOT
47 EASTBOURNE CRES	NC	ACCESSORY BUILDING
421 EMPIRE AVE	NC	PATIO DECK
268 FRECKER DR	NC	ACCESSORY BUILDING
6 GALASHIELS PL, LOT 115	NC	SINGLE DETACHED DWELLING
10 GALASHIELS PL - LOT 119	NC	SINGLE DETACHED DWELLING
3 GALASHIELS PL, LOT 112	NC	SINGLE DETACHED & SUB.APT
63 GAIRLOCK ST	NC	ACCESSORY BUILDING
46 GLENEYRE ST	NC	ACCESSORY BUILDING
5 GLENLONAN ST, LOT 75	NC	SINGLE DETACHED & SUB.APT
67 GLENLONAN ST	NC	ACCESSORY BUILDING
48 GOLD MEDAL DR	NC	ACCESSORY BUILDING
122 GREAT EASTERN AVE	NC	ACCESSORY BUILDING
41 GREAT EASTERN AVE	NC	ACCESSORY BUILDING
125 GREAT EASTERN AVE	NC	PATIO DECK
154 HIGGINS LINE	NC	PATIO DECK
57 HOPEDALE CRES	NC	FENCE
36 ICELAND PL	NC	FENCE
8 IRONWOOD PL	NC	ACCESSORY BUILDING
24 JENNMAR CRES	NC	FENCE
15 JENNMAR CRES	NC	FENCE
17 JENNMAR CRES	NC	FENCE
18 KEANE PL	NC	PATIO DECK
14 KATIE PL	NC	FENCE
45 LADY ANDERSON ST, LOT 645	NC	SINGLE DETACHED DWELLING
165 LADYSMITH DR LOT 341	NC	SINGLE DETACHED & SUB.APT
15 LEE'S RD	NC	ACCESSORY BUILDING
33 LONG BEACH ST	NC	ACCESSORY BUILDING
36 MCNIVEN PL	NC	FENCE
33 MOSS HEATHER DR	NC	ACCESSORY BUILDING
22 OBERON ST, LOT 157	NC	SINGLE DETACHED DWELLING
1 TITANIA PL, LOT 173	NC	SINGLE DETACHED DWELLING
94 OLD PETTY HARBOUR RD	NC	ACCESSORY BUILDING
42 PARSONAGE DR, LOT 2.01	NC	SINGLE DETACHED DWELLING
45 PATRICK ST	NC	ACCESSORY BUILDING
93 PEARLTOWN RD	NC	ACCESSORY BUILDING
62 PETITE FORTE DR	NC	ACCESSORY BUILDING
115 PETTY HARBOUR RD	NC	ACCESSORY BUILDING
3 PLUTO ST, LOT 71	NC	SINGLE DETACHED DWELLING
69 PORTUGAL COVE RD	NC	ACCESSORY BUILDING
79 RENNIE'S MILL RD	NC	SWIMMING POOL
32 ROTARY DR	NC	FENCE
109 ST. CLARE AVE	NC	PATIO DECK
45 SAVANNAH PARK DR	NC	ACCESSORY BUILDING
27 SERPENTINE ST	NC	FENCE
29 SERPENTINE ST	NC	FENCE
14 SMITH AVE	NC	ACCESSORY BUILDING

1 SPRATT PL	NC	PATIO DECK
65 SPRINGDALE ST	NC	FENCE
52 SUNSET ST	NC	PATIO DECK
60 TEAKWOOD DR	NC	FENCE
59 TEAKWOOD DR	NC	FENCE
32 THOMAS ST	NC	FENCE
621 TORBAY RD	NC	PUBLIC UTILITY
96 WATERFORD BRIDGE RD	NC	PATIO DECK
586 WATER ST	NC	FENCE
146 WATSON ST	NC	FENCE
27 WATSON ST	NC	FENCE
141 HAMILTON AVE	CO	HOME OFFICE
4 KILBRIDE AVE	CO	SUBSIDIARY APARTMENT
91 SHOAL BAY RD	CO	HOME OFFICE
61 COLVILLE ST	CR	SUBSIDIARY APARTMENT
207 BROOKFIELD RD	EX	SINGLE DETACHED DWELLING
79 CAMPBELL AVE	EX	SINGLE DETACHED DWELLING
16 FOREST AVE	EX	SINGLE DETACHED DWELLING
89 HEFFERNAN'S LINE	EX	SINGLE DETACHED DWELLING
30 MCNIVEN PL	EX	SINGLE DETACHED DWELLING
1 MAXSE ST	EX	SINGLE DETACHED & SUB.APT
148 PEARLTOWN RD	EX	SINGLE DETACHED DWELLING
64 TREE TOP DR	EX	SINGLE DETACHED DWELLING
14 AUGUSTA CRT	RN	CONDOMINIUM
20 AUGUSTA CRT, LOT 5	RN	CONDOMINIUM
56 BELVEDERE ST	RN	SINGLE DETACHED DWELLING
17 COLLEGE SQ	RN	SINGLE DETACHED DWELLING
35 COUNTRY GROVE PL	RN	SINGLE DETACHED DWELLING
64 CUCKHOLD'S COVE RD	RN	SINGLE DETACHED DWELLING
54 CYPRESS ST	RN	SINGLE DETACHED DWELLING
4 DICK'S SQ (KIMBERLY ROW)	RN	SEMI-DETACHED DWELLING
100 ELIZABETH AVE, SUITE 801	RN	CONDOMINIUM
58 EMPIRE AVE	RN	SINGLE DETACHED DWELLING
21 FALKLAND ST	RN	SINGLE DETACHED DWELLING
11 FLAVIN ST	RN	TOWNHOUSING
3 FOREST AVE	RN	SINGLE DETACHED DWELLING
50 FRESHWATER RD	RN	SINGLE DETACHED DWELLING
43 FRESHWATER RD	RN	TOWNHOUSING
109 FRESHWATER RD	RN	SINGLE DETACHED DWELLING
23 GREAT EASTERN AVE	RN	SINGLE DETACHED & SUB.APT
14 LINSOTT ST	RN	SINGLE DETACHED DWELLING
12 MONROE ST	RN	TOWNHOUSING
21 QUEEN'S RD	RN	MIXED USE
6 ST. TERESA'S CRT	RN	TOWNHOUSING
8 ST. TERESA'S CRT	RN	TOWNHOUSING
1 SIGNAL HILL RD	RN	SINGLE DETACHED DWELLING
5 TANNER ST	RN	SINGLE DETACHED & SUB.APT
26 THOMAS ST	RN	SINGLE DETACHED DWELLING
52 TUNIS CRT	RN	SINGLE DETACHED DWELLING
30 VINNICOMBE ST	RN	SINGLE DETACHED DWELLING
13 CAPE BROYLE PL	SW	SINGLE DETACHED & SUB.APT
10 MARSLAND PL	SW	SINGLE DETACHED & SUB.APT
17 OLD PETTY HARBOUR RD	SW	SINGLE DETACHED DWELLING
1 SPRATT PL	SW	SINGLE DETACHED DWELLING

THIS WEEK \$ 5,587,485.00

CLASS: DEMOLITION

215 BLACKMARSH RD	DM	SINGLE DETACHED DWELLING
680 TORBAY RD	DM	SINGLE DETACHED DWELLING
684 TORBAY RD	DM	SINGLE DETACHED DWELLING

THIS WEEK \$ 55,000.00

THIS WEEK'S TOTAL: \$ 16,770,688.00

REPAIR PERMITS ISSUED: 2012/08/16 TO 2012/08/29 \$ 208,680.00

LEGEND

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

The motion being put was unanimously carried.

Payrolls and Accounts

SJMC2012-09-04/443R

It was moved by Councillor Collins; seconded by Councillor Colbert: That the following Payrolls and Accounts for the weeks ending August 23 and August 30, 2012 be approved:

**Weekly Payment Vouchers
For The
Week Ending August 23, 2012**

Payroll

Public Works	\$ 381,153.83
Bi-Weekly Casual	\$ 158,699.16
Accounts Payable	\$ 4,575,060.22
Total:	\$ 5,114,913.21

**Weekly Payment Vouchers
For The
Week Ending August 30, 2012**

Payroll

Public Works	\$ 391,529.72
Bi-Weekly Administration	\$ 777,784.48
Bi-Weekly Management	\$ 675,742.68
Bi-Weekly Fire Department	\$ 604,024.59

Accounts Payable \$ **4,266,109.76**

Total: \$ **6,715,191.23**

The motion being put was unanimously carried.

Tenders

- a. Tender - Two (2) Landfill Compactors
- b. Tender – Automated Tarping Machine (Landfill Cover)

SJMC2012-09-04/444R

It was moved by Councillor Collins; seconded by Councillor Hann: That the recommendations for the Director of Finance & City Treasurer be approved and the tenders awarded as follows:

- a. Al-jon Manufacturing @ \$1,553,280.00 US Funds (taxes extra)
- b. Tarpomatic Inc. @ \$115,773.12 (taxes extra)

The motion being put was unanimously carried.

Notice of Motion

Councilor Hann gave the following Notice of Motion:

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move a motion to amend the St. John's Taxi By-Law so as to provide for the issuance of operator licenses for accessible taxis.

Harbour Drive Fence

Council considered a memorandum dated August 27, 2012 from the City Manager regarding the construction of a new fence on Harbour Drive in partnership with the St. John's Port Authority.

SJMC2012-09-04/445R

It was moved by Councillor Breen; seconded by Councillor Hann: That Council approve a 50% contribution towards costs to a maximum of \$425,000.00 towards the construction of a new fence on Harbour Drive in partnership with the St. John's Port Authority; and that funding be allocated for this purpose in the 2013 budget; and further that City officials be fully engaged on this project and have equal input with the Port Authority on final design, material selection, accessibility, etc.

His Worship the Mayor explained the history of the proposal by the St. John's Port Authority who approached the City to cost share the replacement of the metal fence on the harbor front. He pointed out that the current fencing is an "eye sore" and the fencing proposal, which the St. John's Port Authority requires for security reasons, is all part of the concept of enhancing the vitality of the downtown.

Deputy Mayor Duff though supporting the motion expressed concern that the viewing platform proposed could be obtrusive.

Following discussion the motion being put was unanimously carried.

98 Blackler Avenue – Gary White

Council considered a memorandum dated August 28, 2012 from the City Solicitor regarding the above noted.

SJMC2012-09-04/446R

It was moved by Councillor Collins; seconded by Councillor Tilley: That City land adjacent to property at 98 Blackler Avenue be sold to the owner of 98 Blackler Avenue, at a rate of \$10.00 per square foot plus usual administration fees and HST.

The motion being put was unanimously carried.

284 Waterford Bridge Road – Sisters of Mercy of Nfld.

Council considered a memorandum dated August 28, 2012 from the City Solicitor regarding the above noted.

SJMC2012-09-04/447R

It was moved by Councillor Tilley; seconded by Councillor Hanlon: That City owned land located in front of 284 Waterford Bridge Road, be sold to the owners of the property at 284 Waterford Bridge Road, in order to construct a driveway, at a rate of \$2.00 per square foot (approximately \$5,000) plus usual administration fees and HST.

The motion being put was unanimously carried.

61 Hamilton Avenue – CRO-AT Developments Inc.

Council considered a memorandum dated August 30, 2012 from the Acting City Solicitor regarding the above noted.

SJMC2012-09-04/448R

It was moved by Councillor Colbert; seconded by Deputy Mayor Duff: That two parcels of land at Brine Street be sold at a rate of \$20.00 per square foot plus HST to the abutting property owners.

The motion being put was unanimously carried.

Ratification of E Poll

SJMC2012-09-04/449R

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

**Regional Stormwater Detention Feasibility Study
Proposal Call for Engineering Consulting Services
Awarded to CBCL Ltd. @ \$56,409.60 (including HST)**

The motion being put was unanimously carried.

Letter dated August 16, 2012 to His Worship the Mayor from Mr. Leigh Puddester, Chair and CEO MMSB congratulating the City on its recent Gold Medal Award at the Solid Waste Association of North America's Conference in Washington, DC, for Excellence in Communications with respect to the City's "Curb It" Recycling Program

Council acknowledged the above noted letter.

Councillor Hann

Councillor Hann responded and expressed "dismay" at a comment made recently by the Minister of Municipal Affairs in a Telegram article on public transit. He noted that given the continued regional growth, he hopes that the Province will reconsider the issue of a public transit system in its review of the Regional Plan. His Worship the Mayor agreed, suggesting that given the response from the surrounding mayors the Province should take the initiative towards the development of a regional transit plan.

Councillor O'Leary

Councillor O'Leary expressed concern that a car parked in front of 32 Newtown Road is visually blocking the school crossing sign. She asked that the matter be referred to the Director of Engineering for follow-up.

His Worship the Mayor

His Worship the Mayor advised that he received a donation of documents, by Dr. Bernard O'Dwyer, which play a major role in the history of the City of St. John's. The documents were referred to the City Archivist who will determine the most appropriate agency to handle the documents.

Adjournment

There being no further business, the meeting adjourned at 6:20 p.m.

MAYOR

CITY CLERK