

April 6th, 2009

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

His Worship the Mayor presided.

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

Regrets: Deputy Mayor Ellsworth and Councillor Hickman

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

Delegations Vibrant Communities

Vibrant Communities in partnership with the City of St. John's, and the Anna Templeton Centre have created a community quilt representing neighbourhoods in the City.

Council unanimously agreed that the Quilt be displayed at City Hall for all to see and that the appropriate arrangements be made.

Call to Order and Adoption of the Agenda

SJMC2009-04-06/189R

It was decided on motion of Councillor Coombs; seconded by Councillor Duff: That the Agenda be adopted as presented with the following additional items:

- a. Memorandum dated April 6, 2009 from the Chief Commissioner and City Solicitor re City of St. John's/DDC Open Space Revitalization Project (RNC Memorial)

- b. Memorandum dated April 6, 2009 from the Chief Commissioner and City Solicitor re 9 Eastbourne Crescent – Keith Joy
- c. Tender – Queen’s River Trunk Storm Sewer – Phase 3 Portugal Cove Road from Elizabeth Avenue to Kerry Street
- d. Tender – Ruby Line Street Upgrading, Sprucedale Drive to Gisbourne Place
- e. Tender – T2009004 Multimedia and Audio Conference Systems
- f. Tender – 2009047 Pest Control

Councillor Puddister questioned why the additional agenda items did not meet the agenda deadline. The Associate Commissioner/Director of Engineering advised that agenda items c. and d. above did not meet the agenda deadline due to time constraints associated with the tender opening and subsequent review. Regarding Items e and f, the Chief Commissioner and City Solicitor agreed to follow up on the reason the items could not be included in the agenda.

Adoption of Minutes

SJMC2009-04-06/190R

It was decided on motion of Councillor Duff; seconded by Councillor Galgay: That the Minutes of the March 30th, 2009 meeting be adopted as presented.

Business Arising

Notice of Motion - Repeal of Section 5(2) Conflict of Interest By-Law

Councillor Hann asked that the above noted item be deferred, on behalf of the Deputy Mayor, who due to a family emergency, was not in attendance.

SJMC2009-04-06/191R

It was moved by Councillor Hann; seconded by Councillor Hanlon: That the request for deferral of this matter due to the absence of the Deputy Mayor, be granted.

The motion being put was unanimously carried.

Proposed Rezoning of Property – Vickers Avenue

Under business arising, Council considered a memorandum dated March 31, 2009, from the Director of Planning regarding the above noted.

SJMC2009-04-06/192R

It was moved by Councillor Coombs; seconded by Councillor Puddister: That the following Resolutions for St. John’s Municipal Plan Amendment Number 70, 2009 and St. John’s Development Regulations Amendment Number 458, 2009 be adopted in principle, subject to the issuance of a Provincial release from the Department of Municipal Affairs.

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 70, 2009**

WHEREAS the City of St. John’s wishes to permit the development of a new housing development by the Newfoundland and Labrador Housing Corporation on Vickers Avenue.

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

Redesignate land on Vickers Avenue from the Open Space Land Use District to the Residential Medium Density Land Use District as shown on Map III – 1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 6th day of April, **2009**.

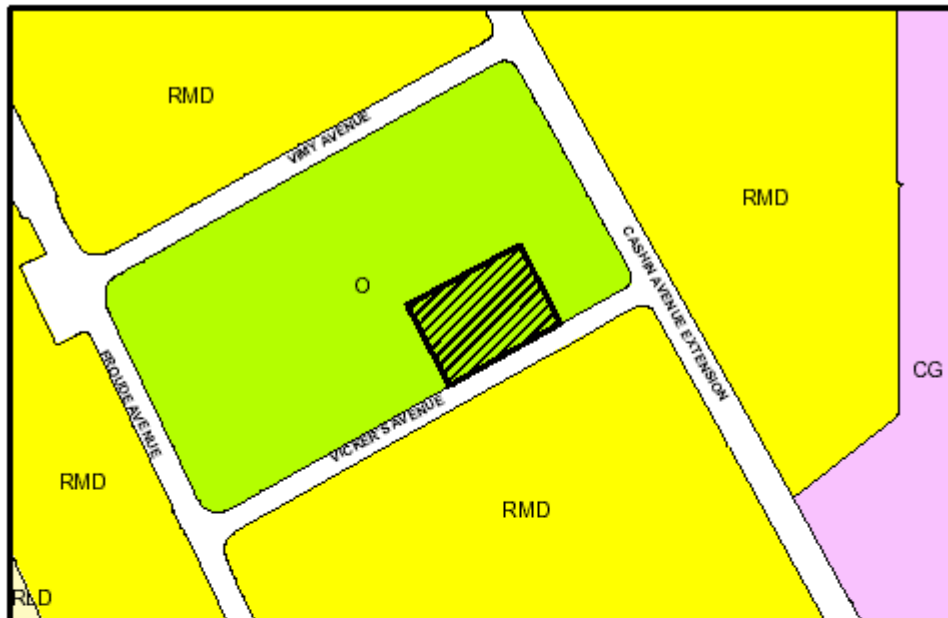
Mayor

**Director of Corporate Services/
City Clerk**

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

MCIP

Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 70, 2009
[Map III-1A]**

2009 03 23 SCALE: 1:1500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REDESIGNATED FROM
OPEN SPACE (O) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT

VICKERS AVENUE (Newfoundland & Labrador Housing)

M.C.I.P. signature and seal

Mayor

Director Corp. Services/City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 458, 2009**

WHEREAS the City of St. John's wishes to permit the development of a new housing development by the Newfoundland and Labrador Housing Corporation on Vickers Avenue.

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

Rezone land on Vickers Avenue from the Open Space (O) Zone to the Residential High Density (R3) Zone as shown on Map Z-1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 6th day of April, **2009**.

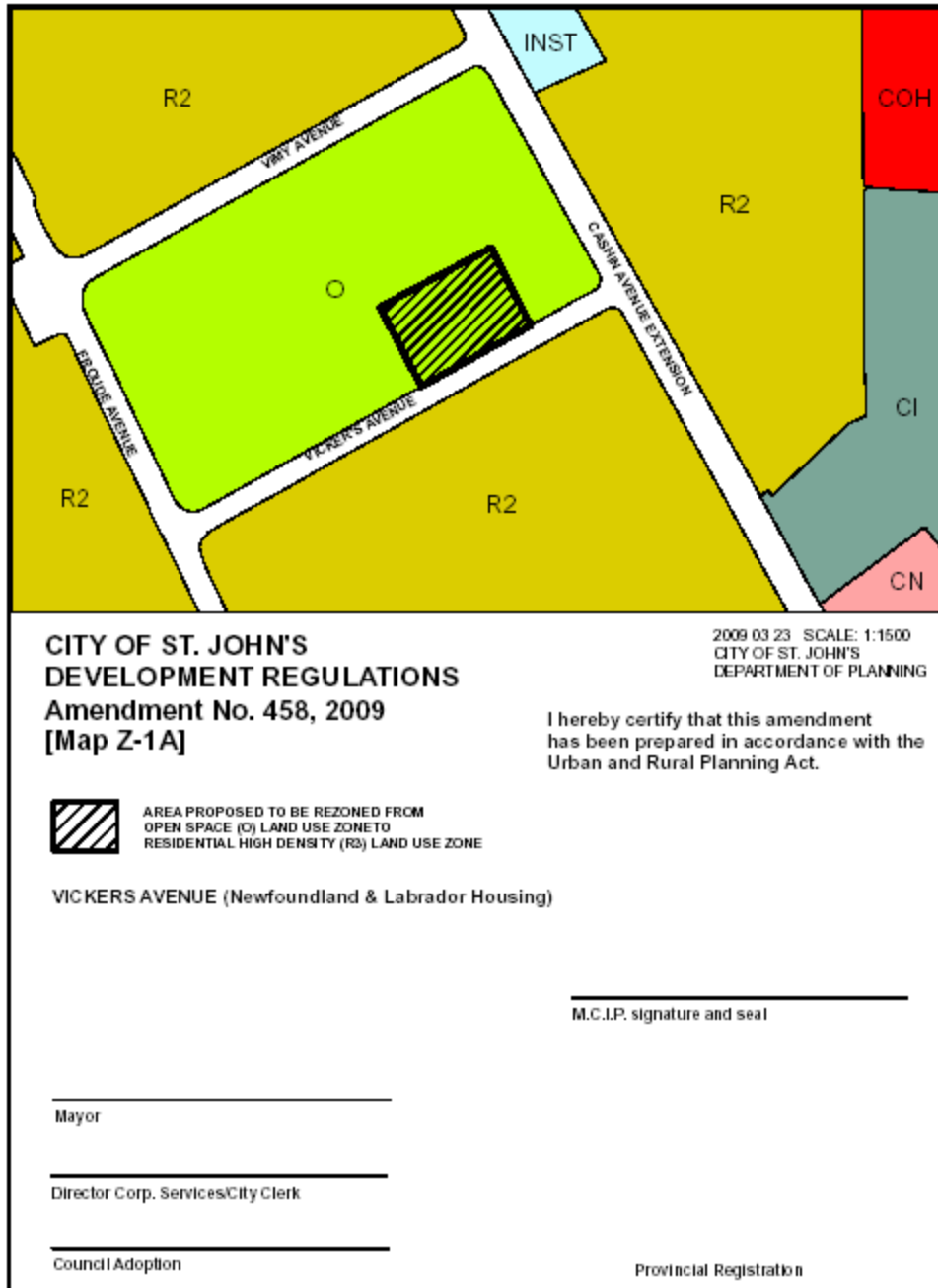
Mayor

**Director of Corporate Services/
City Clerk**

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

MCIP

Provincial Registration



The motion being put was unanimously carried.

City of St. John's Request for Amendment to Section 13 of the Animal Protection Act

Under business arising, Council considered a letter dated June 17, 2008, from His Worship the Mayor to the Minister of Natural Resources reiterating previous requests from the City of St. John's to the provincial government for an amendment to Section 13

of the Animal Protection Act so that the City can effectively address matters within its mandate respecting animal services and minimize the suffering of animals within its jurisdiction.

During discussion, it was pointed out that previous requests had been made to the province in this regard and to date the requested amendment and the appointment of Humane Services staff as special constables has not been forthcoming. Council agreed that if response is not received within a reasonable period of time the Chief Commissioner and City Solicitor be directed to contact the Deputy Minister in this regard.

Bid for Canadian Urban Forest Conference

Under business arising, Councillor Duff referenced the above noted and the concerns raised relative to the fact the City would be creating a precedent, the cost to hire a coordinator and the financial risk to the City if it agreed to host the Canadian Urban Forest Conference. She noted that the Urban Forest Conference is hosted by municipalities which organize and implement the event, as the City did for FCM, CAMA and CCCO. These conferences have been taking place every two years since 1992. There are a number of other Canadian cities who have run successful conferences and which City staff have been attending since they first started and found them to be quite valuable in terms of the information that they obtained. Councillor Duff noted that in reviewing information on other conferences there has never been a shortfall because of revenues. The conference fees are designed to cover off all expenses including a coordinator if needed, and some cities second there staff. She further noted that this type of conference falls directly within the City's mandate and would be hosted the same way the City would host other similar events.

Councillor Duff noted that the first suggestion that the conference come to St. John's was made last summer when staff attended the 2008 conference. However, the City did not receive a formal invitation to submit a bid until January 2009 and the feeling is that timing might be minimal to take on a conference of this nature. She suggested that maybe Council would be interested in submitting a bid for the 2012 conference.

SJMC2009-04-06/193R

It was moved by Councillor Duff; seconded by Councillor Hanlon: That the City submit a bid for the 2012 Canadian Urban Forest Conference (CUFC).

The motion being put was carried with Councillor Hann dissenting.

Development Committee Report dated March 31, 2009

Council considered the following Development Committee Report dated March 31, 2009:

RECOMMENATION OF APPROVAL:

**1. Proposed Demolition and Reconstruction of Accessory Dwelling Unit
Circle Square Ranch
Civic no. 729 Fowler's Road (Ward 5)**

The Development Committee recommends that the above noted application be approved subject to the following conditions:

- a. the proposed new dwelling unit must have a Certificate of Approval from Government Services for water supply and septic disposal systems;
- b. the required Demolition/Building Permits must be obtained from Access St. John's prior to the commencement of any development on the site; and
- c. the older dwelling must be removed from the site prior to commencement of construction of the new dwelling, or adequate security must be deposited with the City to ensure that the older dwelling is removed from the site upon occupancy of the new structure.

**2. Proposed Commercial Building
Custom Cabinets and Supplies
Civic No. 164 Major's Path (Ward 1)**

The Development Committee recommends that Council approve the redevelopment of the Non-Conforming Lot in accordance with the Section 10.27.5(1)(b) of the St. John's Development Regulations. It is further recommended that Council grant Approval-in-Principle for the development, subject to the following conditions:

- a. compliance with the requirements of the Departments of Planning and Engineering, including conformance with the City's Commercial Development Policy;

- b. payment of all development fees and assessments in accordance with Section 6.4 of the St. John's Development Regulations; c. the required Building Permits must be obtained from the City prior to the commencement of any development; and
- d. approval of the building elevations from the St. John's International Airport Authority.

RECOMMENDATION OF REJECTION:

**3. Proposed Demolition and Replacement of Dwelling
Victor Sharpe
Civic No. 9 Sharpe's Road
Town of Portugal Cove-St. Philips (Broad Cove River Watershed)**

The Development Committee recommends, that as the subject dwelling is not beyond 50% dilapidated, that Council reject the above noted application for reconstruction of the subject dwelling pursuant to Section 104(4)(c) of the City of St. John's Act.

**Art Cheeseman, Chairperson
Associate Commissioner/Director of Engineering**

SJMC2009-04-06/194R

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

The motion being put was unanimously carried.

Finance and Administration Committee Report dated March 25, 2009

Councillor Hann asked on behalf of the Deputy Mayor that the above noted report be deferred for one week. Council agreed, however, Councillor Colbert asked that Items 8 to 16 as follows be dealt with at this time due to timing constraints associated with the events. Council concurred.

In Attendance: Deputy Mayor Ellsworth, Chairperson
Councillor Gerry Colbert
Councillor Frank Galgay
Councillor Debbie Hanlon
Councillor Wally Collins
Mr. Ron Penney, Chief Commissioner & City Solicitor
Mr. Neil Martin, Associate Commissioner/Director of Corporate Services & City Clerk
Mr. Bob Bishop, Director of Finance & City Treasurer
Mr. Paul Mackey, Director of Public Works & Parks

Mr. Dave Blackmore, Director of Building & Property Management
 Mr. Kevin Breen, Director of Human Resources
 Ms. Jill Brewer, Director of Recreation
 Mr. Jason Silver, City Internal Auditor
 Ms. Kelly Butler, Recording Secretary

Also in attendance were Craig Ennis and Kelly Finlay with the Board of Trade and Curtis Rumboldt with CBC Radio.

In Attendance: Deputy Mayor Ellsworth, Chairperson
 Councillor Gerry Colbert
 Councillor Frank Galgay
 Councillor Debbie Hanlon
 Councillor Wally Collins
 Mr. Ron Penney, Chief Commissioner & City Solicitor
 Mr. Neil Martin, Associate Commissioner/Director of Corporate Services & City Clerk
 Mr. Bob Bishop, Director of Finance & City Treasurer
 Mr. Paul Mackey, Director of Public Works & Parks
 Mr. Dave Blackmore, Director of Building & Property Management
 Mr. Kevin Breen, Director of Human Resources
 Ms. Jill Brewer, Director of Recreation
 Mr. Jason Silver, City Internal Auditor
 Ms. Kelly Butler, Recording Secretary

Also in attendance were Craig Ennis and Kelly Finlay with the Board of Trade and Curtis Rumboldt with CBC Radio.

8. Financial Support for Meetings and Conventions

The Committee considered a memorandum dated March 23, 2009, from the Director of Corporate Services regarding the above noted matter.

Regarding the recommendation for the Provincial Occupational Health Nurses Conference, the Director of Human Resources noted that the City employs three OHS nurses, one of whom is on the executive of the organizing committee. In this regard, he requested that consideration be given to providing a \$500 grant for this conference to be allocated from the Department of Human Resources budget.

The Committee recommends that the following grants be awarded as per Policy 04-09-02 – Financial Support for Meetings and Conventions:

- 1. Horizon 2009 Conference \$500**
- 2. Human Resources Solutions for a Dynamic Marine Industry Seminar \$500**
- 3. International Society of Anglo-Saxonists 2009 Biannual Conference \$750**

4.2009 Canadian Prostate Cancer Network National Conference	\$750
5.National Catholic Women’s League Convention	\$1,000
6.2009 Supported Employment Nfld. & Lab. Provincial Conference	\$0
7.Provincial Occupational Health Nurses Conference	\$500
8.44th Annual MUN Business Day Conference	\$0
9.2009 Canadian Police Curling Championships	\$500

It is further recommended that the \$500 grant for the Provincial Occupational Health Nurses Conference be allocated from the Department of Human Resources Budget as it does not meet the criteria for funding under Policy No. 04-09-02.

9. 2009 Atlantic Planning Conference – Request to Host Opening Banquet

The Committee considered correspondence from Ken O’Brien, Atlantic Planners’ Institute regarding the above noted request.

The Committee recommends that the City approve the request to host the Opening Banquet for the 2009 Atlantic Planning Conference taking place in St. John’s from November 18th to 20th.

10. Canadian Public Works Association NL Conference & Trade Show – Request to Sponsor a Luncheon

The Committee considered correspondence from Craig Kennedy, Canadian Public Works Association NL regarding the above noted request.

The Committee recommends that the City approve the request to sponsor lunch for the CPWA-NL Conference on Thursday, May 14, 2009.

11. Southlands Family Fun Day – Request for Financial Contribution

The Committee considered a letter dated January 20, 2009, from Debbie McCarthy, Southlands Family Fun Day Organizing Committee regarding the above noted request.

The Committee recommends that Council approve \$1,500 in funding for Southlands Family Fun Day. It is further recommended that the Organizing Committee be requested to make application for this funding through the Grants and Subsidies Program.

12. Johnson GEO Centre Fundraiser – Request to Purchase a Table

The Committee considered a letter dated March 6, 2009, from Paul Dean and Paul Johnson regarding the above noted request.

The Committee recommends that the City purchase a ten-person table for the GEO Centre Fundraiser at a cost of \$1,750 (taxes and gratuity included).

13. Brigade Council of the CLB – Request for Financial Contribution for Medical Clinic Construction Project in Belize

The Committee considered a letter dated March 6, 2009, from Colonel K. Arns, CLB, regarding the above noted request.

The Committee recommends that the request for a financial contribution for the CLB's Medical Clinic Construction Project be denied as it does not meet the policy for funding.

14. Community Services Council – Request for a Financial or In-Kind Contribution for Volunteer Week 2009 Activities

The Committee considered a letter dated March 13, 2009, from Paulette Murray and Penny Rowe regarding the above noted request.

The Chief Commissioner/City Solicitor noted that the City hosts its own Volunteer Week event each year to recognize the City's volunteers.

The Committee recommends that the request from the Community Services Council for a Financial or In-Kind Contribution for Volunteer Week 2009 Activities be denied as the City hosts its own Volunteer Week events.

15. St. Matthew's Elementary School – Request for Financial Contribution Towards Student Exchange Program

The Committee considered a letter dated March 4, 2009, from Kyrrah Dwyer, St. Matthew's School regarding the above noted request.

The Committee recommends that the request from St. Matthew's Elementary School for a financial contribution towards the Student Exchange Program be denied as it does not meet the criteria for funding.

16. Quintessential Vocal Ensemble – Request for Financial Support for Travel to Compete in the 2009 Florilège Vocal De Tours

The Committee considered a letter dated March 23, 2009, from Robert Strong, Quintessential Vocal Ensemble regarding the above noted request.

The Committee recommends that the request for financial support for travel from the Quintessential Vocal Ensemble be denied as it does not meet the criteria for funding.

Deputy Mayor Ron Ellsworth
Chairperson

SJMC2009-04-06/195R

It was then moved by Councillor Colbert; seconded by Councillor Puddister: That the Committee's recommendations with respect to Items 8 to 16 be approved as presented.

The motion being put was unanimously carried.

Parks and Recreation Committee Report dated February 27, 2009

Council considered the following Parks and Recreation Committee Report dated February 27, 2009:

Please find attached, the minutes from two meetings held on Friday, February 27th, 2009 with respect to presentations which were conducted for the following two groups by the Consultants for the Cycling Master Plan: **Hatch Mott MacDonald and Marshall Macklin Monaghan.**

- The Parks and Recreation Standing Committee and Council of the Whole (12:00 noon)
- The Board of Directors of the Grand Concourse Authority (2:30 p.m.)

Copies of the *Draft Cycling Master Plan* and the *Virginia River Trail Multi-Use Upgrade Feasibility Assessment* are on the City's website at: www.stjohns.ca. The following recommendation is now put forward for Council's consideration and approval:

That Council adopt in principle the Draft Cycling Master Plan and the Virginia River Trail Multi-Use Upgrade Feasibility Assessment. A public meeting will be conducted to provide the general public with the opportunity to view the Consultant's presentation noted above and to provide feedback and comments. This meeting has been scheduled for Wednesday, April 29th, 2009 in the Foran/Greene Room, 4th Floor, City Hall at 7:00 p.m. Further information is available on the City's website.

Councillor Shannie Duff
Chairperson

SJMC2009-04-06/196R

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

During discussion, Councillor Duff encouraged the general public to attend the public meeting being held on April 29th, 2009 to view the final draft of the Cycling Master Plan as well as the Virginia River Trail Multi-Use Upgrade Feasibility Assessment, and stressed the importance of having the views and comments of the general public, noting the need for consultation with trail walkers. Councillor Duff also noted that consideration of any other trails will require separate study and consultation.

During discussion, Councillor Hann asked the status of a proposed smoke-free strategy for Playgrounds and Parks. Councillor Duff noted that the issue was discussed at the Parks and Recreation Committee meeting, and at the request of Councillor Hickman was deferred for referral to Council on April 21, 2009, upon his return. Councillor Duff noted that as a result of recent correspondence and action by the Province, the matter will require further discussions.

Following discussion, the motion being put was unanimously carried.

Heritage Advisory Committee Report dated April 1, 2009

Council considered the following Heritage Advisory Committee Report dated April 1, 2009:

Attendees: Councillor Shannie Duff, Chairperson
Gerard Hayes
Anne Hart, Resident Representative
Debbie O’Rielly, Heritage Foundation of NL
David Kelland, Newfoundland Association of Architects
Robyn Pike, Newfoundland Historic Trust
Neil Hardy, Downtown Development Commission
Ken O’Brien, Manager of Planning & Information
Peter Mercer, Heritage Officer
Helen Miller, Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

1. 344 Duckworth St. (former CBC Building)

The Committee considered the attached preliminary elevations for the above noted application. The proposed elevations would meet the maximum height requirements of 15 metres at the Henry Street level. Staff has determined that there are a number of outstanding non-heritage planning issues that need to be dealt with prior to any final approvals being given.

The Committee recommends that a true artist’s rendering showing various street perspectives including the front, sides and back of the building be submitted for the Committee’s review. These renderings should reflect any modifications that may be required as a result of the City’s regulatory and planning process. Such information should also include the following:

- **Proposed exterior finishes**
- **Perspective elevations showing streetscape and surrounding buildings**
- **Elevations from Henry St.**
- **View planes perspectives**
- **There should be a clear distinction between what currently exists and what is proposed to be changed.**

2. 606 Water St. – Sign Application

The Committee met with Alison and Howard Sturge regarding their sign application for 606 Water St., formerly known as Bubba’s Tubs. The proposed sign will replace an already existing non-conforming sign which was installed prior to Council’s adoption of the revised Heritage Sign By-Law. The applicants are requesting a variance of the sign by-law regulations for the proposed wall sign which would be installed on the west elevation of this building. The applicant also requested that consideration be given to installing a second sign underneath the proposed wall sign advertising weekend garage sales in the building.

The Committee acknowledges that the situation merits special consideration in light of the fact that a non-conforming sign in that location predated the property being included in the Heritage Area, and that the sign does not otherwise contravene the provisions of the St. John’s Sign By-Law. The Committee, therefore, recommends that the Burke Realty sign (rendering attached) be approved. This sign will be positioned on the building’s west side elevation.

With regard to the proposed garage sale sign, the Committee recommends that the applicant install a sign on the front of the building which meets the City’s Heritage Sign By-Law. Some acceptable options are:

- **a sign within the front window;**
- **a perpendicular hanging sign,**
- **a sandwich board on the sidewalk**
- **a temporary banner would be considered with the stipulation that it is only displayed on Saturdays and Sundays.**

3. 39 Queen’s Road – Application to Replace Windows

The Committee considered the above noted application to replace windows for Unit 7 in keeping with the dimension and design of the existing windows.

The Committee recommends approval of the application subject to the new windows replicating the existing.

4. **317 Water St. – Application to Replace Windows (already installed)**

The Heritage Officer advised that an application had been received from the owner of 317 Water St. to replace the windows on the second and third levels of this building. A permit was issued by the City with the condition that the windows match those already existing in the adjacent building to the west (# 319), which has windows that are symmetrical to civic # 317, as outlined in the attached photos. The applicant did not comply with the conditions of the permit and installed casement style windows instead of vertical sliders.

The Committee recommends that the applicant be made to comply with the original conditions of the building permit issued, and that the windows be replaced with windows the same as the building situated to the west at civic # 319.

With regard to the installation of the air conditioning grills as superimposed in the attached photograph, the Committee recommends approval subject to these grills being surface mounted grills and that they match the color of the building's façade for an unobtrusive effect.

5. **20 King Edward Place**

The Committee considered an artist rendering for the above noted property, formerly known as the old General Hospital.

The Committee recommends rejection of any proposed extensions to the Old General Hospital building, noting that the footprint should remain intact. If the developer wishes to expand the number of units on this site, an application for a separate building plan should be submitted to the City, outlining the detailed design for such. The Committee further recommends that prior to submitting such a plan, that the applicant consult with the City's Planning Department to determine what options are available for expanded development.

6. **Sub-Committee on Review of Heritage Incentives**

The Committee considered background information from the Heritage Officer with regard to the past initiatives/programs that were available for heritage incentives. The Committee felt that this issue should be reviewed in more depth with a view to developing a new program.

The Committee recommends that a Sub-Committee be established to review heritage incentives programs and that the membership consist of the following:

- **Councillor Shannie Duff**
- **Debbie O’Rielly, Heritage Foundation of NL**
- **Neil Hardy, Downtown Development Commission**
- **Appropriate City Staff**
- **Other prospective members from the business and residential community as the Committee sees fit.**

**Councillor Shannie Duff
Chairperson**

SJMC2009-04-06/197R

It was moved by Councillor Duff; seconded by Councillor Galgay: That the Committee’s recommendations 1, 2, 3, 5 and 6 be approved as presented.

The motion being put was unanimously carried.

SJMC2009-04-06/198R

Regarding Item #4, (317 Water Street), it was moved by Councillor Puddister; seconded by Councillor Hann: That the Committee’s recommendation regarding the windows be rejected and that the existing casement style windows installed by the applicant be approved.

Councillor Duff noted that the applicant violated the conditions of the permit and has on other occasions carried out work without the applicable permits.

The motion being put was carried with Councillors Duff and Galgay dissenting.

Also, Council unanimously agreed with the Committee’s recommendation respecting the installation of the air conditioning grills.

Development Permits List

Council considered the following Development Permits List for the period March 27 to April 2, 2009:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF March 27, 2009 TO April 2, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Deanna Gail Ryan	Home Office	32 Corporal Jamie Murphy Street	1	Approved	09-03-27
COM	Bell Aliant	OPI Installation	Blackmarsh Road @ Municipal Depot	3	Approved	09-03-30
ISNT	United Church of Canada	Extension to Office	330 Elizabeth Avenue	4	Approved	09-03-30
RES	Chris Walsh	Proposed 3 lot subdivision	746-748 Main Road	5	Approved-Lot No. 2 only	09-03-30
RES	NLHC	Retrofit of 8 living units	10-24 Vimy Avenue	2	Approved	09-04-01

* 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

SJMC2009-04-06/199R

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

2009/04/01

Permits List

CLASS: COMMERCIAL

RODNEY MAURICE	59 HARVEY RD	CO SERVICE SHOP
ROB YETMAN	5 WATERFORD BRIDGE RD	CR PLACE OF AMUSEMENT
IRVING OIL MARKETING LIMITED	32 FRECKER DR	SN COMMERCIAL GARAGE
BASIL J. DOBBIN	16 STAVANGER DR	MS RESTAURANT
IRVING OIL CO. LTD.	632 TOPSAIL RD	SN COMMERCIAL GARAGE
AFRICIAN MARKET SQUARE	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
AFRICIAN MARKET SQUARE	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
THE ELEGANT YARD SALE	362 WATER ST	SN RETAIL STORE
HOWARD & ALISON STURGE	606 WATER ST, GARAGE 606	CO RETAIL STORE

58989 NEWFOUNDLAND & LABRADOR	312 WATER ST	SW TAVERN
STEPHANIE & MELVIN COOMBS	9 CHURCHILL SQ	CR RETAIL STORE
ASHLEY FELTHAM SCHOOL OF DANCE	484-490 MAIN RD	RN COMMERCIAL SCHOOL
HMV CANADA INC.	42 KENMOUNT RD, HMV	RN RETAIL STORE
PORTOBELLO'S RESTAURANT	115 DUCKWORTH ST	CR RESTAURANT
SONCO PARKING	1 CLIFT'S - BAIRD'S COVE	RN PARKING LOT
EDDIE BAUER OF CANADA, INC.	50 KENMOUNT RD, AVALON MALL	RN RETAIL STORE
WAL-MART CANADA CORP.	90 ABERDEEN AVE	EX RETAIL STORE
LANSING PROPERTIES INC.	251 EMPIRE AVE, EXT, RENO, S W	EX OFFICE

THIS WEEK \$ 2,482,058.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

SALVATION ARMY TEMPLE	101 TORBAY RD	SN CHURCH
RCMP "B" DIVISION HEADQUARTERS	100 EAST WHITE HILLS RD, WALL	RN ADMIN BLDG/GOV/NON-PROFIT
CITY OF ST. JOHN'S	940 THORBURN RD ROTARY PARK	EX ACCESSORY BUILDING

THIS WEEK \$ 76,400.00

CLASS: RESIDENTIAL

KARWOOD CONTRACTING LTD	4 SPRUCE GROVE AVE, LOT 123	NC SINGLE DETACHED DWELLING
BILL WHITE	74 BRAD GUSHUE CRES, LOT 5-163	NC SINGLE DETACHED & SUB.APT
SULLIVAN'S CONT. LTD	73 BRAD GUSHUE CRES LOT 5-145	NC SINGLE DETACHED DWELLING
SULLIVAN'S CONST. LTD	81 BRAD GUSHUE CRES LOT 5-149	NC SINGLE DETACHED DWELLING
ENCON CONST. LTD	97 BRAD GUSHUE CRES LOT 5-157	NC SINGLE DETACHED DWELLING
MODERN HOMES LTD	6 CARIBOU PL, LOT 3	NC SINGLE DETACHED DWELLING
MODERN HOMES LTD	10 CARIBOU PL, LOT 5	NC SINGLE DETACHED DWELLING
MODERN HOMES LTD	24 CARIBOU PL - LOT 12	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION	26 CASTLE BRIDGE DR, LOT #7	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION	60 CASTLE BRIDGE DR, LOT 24	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION	55 CASTLE BRIDGE DR, LOT 113	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION	61 CASTLE BRIDGE DR, LOT 110	NC SINGLE DETACHED DWELLING
O'REGAN HOLDINGS INC.	10 CORNWALL AVE	NC FENCE
REARDON CONSTRUCTION & DEV LTD	77 GISBORNE PL, LOT Z5	NC TOWNHOUSING
SULLIVAN'S CONSTRUCTION	36 GOLD MEDAL DR, LOT 187	NC SINGLE DETACHED DWELLING
ENCON CONSTRUCTION LTD	44 GOLD MEDAL DR, LOT 5-191	NC SINGLE DETACHED DWELLING
FWS HOLDINGS INC	51 GUZZWELL DR	NC PATIO DECK
FWS HOLDINGS INC	51 GUZZWELL DR	NC FENCE
LORI MITCHELL	44 MARK NICHOLS PL LOT 200	NC SINGLE DETACHED DWELLING
SCOTT REID	48 MARK NICHOLS PL - LOT 202	NC SINGLE DETACHED DWELLING
CRAIG BROOKS	46 OXEN POND RD	NC PATIO DECK
ATLANTIC HOMES LTD	5 PLOVER ST, LOT 50	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	37 SGT CRAIG GILLAM AVE, LOT 27	NC SINGLE DETACHED DWELLING
ERCO HOMES	32 SOLDIER CRES, LOT 31	NC SINGLE DETACHED DWELLING
COREY HIGDON	20 TAYLOR PL	NC PATIO DECK
COREY HIGDON	20 TAYLOR PL	NC FENCE
TONY SMITH	5 NORTHERN RANGER ST	CO HOME OFFICE
CRAIG J. PELLEY	27 PENNEY CRES	CR SUBSIDIARY APARTMENT
MIKE SELLARS	11 ALBANY PL	EX SINGLE DETACHED & SUB.APT
FRED DROVER	42 JASPER ST	EX SINGLE DETACHED DWELLING
DANIEL M. FLEMING &	613 MAIN RD	EX SINGLE DETACHED DWELLING

MICHEL WAWRZKOW & MAXINE	6 STONEYHOUSE ST	EX SINGLE DETACHED DWELLING
ALLYSON STUCKLESS	37 ALLANDALE RD	RN SINGLE DETACHED DWELLING
GARY GALE	32 COURTNEY ST	RN SINGLE DETACHED & SUB.APT
CLEMENT GRANT	279 HAMILTON AVE	RN SINGLE DETACHED DWELLING
WILLIAM LANE	35 HARRIS RD	RN SINGLE DETACHED & SUB.APT
MIKE HEFFERNAN	15 MOUNTAINVIEW DR	RN APARTMENT BUILDING
DARYL & LORRAINE RIDEOUT	26 TURNBERRY ST	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	10-24 VIMY AVE, 8 UNITS	RN TOWNHOUSING
DEL CONTRACTING LTD.	93 WATER ST	RN CONDOMINIUM
LARRY P. WALSH	568 EMPIRE AVE	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 4,573,045.00

CLASS: DEMOLITION

NICK VINICOMBE	17 GOOSEBERRY LANE	DM SINGLE DETACHED DWELLING
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THIS WEEK \$ 5,000.00

THIS WEEK'S TOTAL: \$ 7,136,503.00

REPAIR PERMITS ISSUED: 2009/03/26 TO 2009/04/01 \$ 47,500.00

LEGEND

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

Payrolls and Accounts

SJMC2009-04-06/200R

It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That the following Payrolls and Accounts for the week ending April 2, 2009 be approved as presented:

**Weekly Payment Vouchers
For The
Week Ending April 2, 2009**

PAYROLL

Public Works	\$ 385,440.90
Bi-Weekly Amalgamation	\$ 663,147.75
Bi-Weekly Management	\$ 594,600.03
Bi-Weekly Administration	\$ 621,693.75

ACCOUNTS PAYABLE

Cheque No. 145205 - 145500	\$4,987,345.87
Total:	\$7,252,228.30

Tenders

- a. Tender – Client Satisfaction Survey
- b. Tender – Queen’s River Trunk Storm Sewer – Phase 3
Portugal Cove Road from Elizabeth Avenue to Kerry Street
- c. Tender – Ruby Line Street Upgrading, Sprucedale Drive to Gisbourne Place
- d. Tender – T2009004 Multimedia and Audio Conference Systems
- e. Tender – 2009047 Pest Control

SJMC2009-04-06/201R

It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That the recommendation of the Associate Commissioner/Director of Corporate Services and City Clerk, the Associate Commissioner and Director of Engineering and the Director of Building and Property Management be approved and the tenders awarded as follows:

- a. Sagacity Consulting for the amount of \$14,000 plus HST
- b. Modern Paving Ltd. for the amount of \$1,176,284.80
- c. Modern Paving Ltd. for the amount of \$1,477,104.93
- d. Audio Systems Ltd. for the amount of \$95,583.31 which includes HST
- e. A-1 Pest Control for the amount of \$20,312.81 which includes HST

Notice of Motion

Amendment to Section 2(2) of the St. John's Street Cleaning By-Law

Councillor Collins gave the following Notice of Motion:

TAKE NOTICE that I will at the next regular meeting of the St. John's Muicipal Council move to enact an amendment to Section 2(2) of the St. John's Street Cleaning By-Law so as to remove the requirement to publish in a newspaper.

City of St. John's/DDC Open Space Revitalization Project (RNC Memorial)

Council considered a memorandum dated April 6, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-04-06/202R

It was moved by Councillor Duff; seconded by Councillor Colbert: That the recommendation of the Chief Commissioner and City Solicitor that the City provide an additional contribution of \$15,000.00 to the RNC Memorial Project, be approved.

The motion being put was unanimously carried.

9 Eastbourne Crescent – Keith Joy

Council considered a memorandum dated April 6, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-04-06/203R

It was moved by Councillor Puddister; seconded by Councillor Colbert: That the recommendation of the Chief Commissioner and City Solicitor that the City sell to Mr. Joy, the encroached upon land at Eastbourne Crescent for \$2.00 per square foot plus usual administration fees and applicable HST, once written confirmation is received from Better Homes Limited that they will in fact execute the Quit Claim Deed once prepared by the City, be approved.

Councillor Colbert along with His Worship the Mayor applauded the Chief Commissioner and City Solicitor and the Manager of Real Estate Services for their involvement and the efficient manner in which they handled the transactions related to this property.

Following discussion, the motion being put was unanimously carried.

Combination Cleaning/Vacuum Machine Service Contract

Council considered a memorandum dated March 26, 2009, from the Director of Public Works and Parks regarding the above noted.

SJMC2009-04-06/204R

It was moved by Councillor Duff; seconded by Councillor Hann: That the recommendation of the Director of Public Works and Parks that the contract for Combination Cleaning/vacuum Service with Afonso Group be extended for a two year period in accordance with the terms of the existing contract, be approved.

The motion being put was unanimously carried.

Snow Clearing Report for the period January 1st to April 3rd, 2009

Council considered the above noted snow clearing report showing a negative variance of \$845,993.

April 2009 Economic Update

Council considered the above noted April 2009 Economic Update.

Awarding of Freedom of the City to the 56 Engineer Squadron

Council considered a memorandum dated April 1, 2009, from His Worship the Mayor regarding the above noted.

SJMC2009-04-06/205R

It was moved by Councillor Galgay; seconded by Councillor Hanlon: That the 56 Engineer Squadron be awarded the Freedom of the City coinciding with the celebration of its 60th Anniversary on October 24, 2009.

Councillor Hanlon provided information on the history of the squadron and thanked Councillors Hann and Galgay for their contribution to the Committee on the Awarding of the Freedom of the City.

The motion being put was unanimously carried.

Letter of Thanks dated March 27, 2009, from Don Coombs, Chief Development Officer, Trinity Conception Placentia Health Foundation re: Use of City's Booth

Council acknowledged the above noted letter.

Letter of Thanks dated March 2, 2009, from Councillor Keith Keating, Chairperson, Urban Municipalities Committee re: Hosting of the UMC Meetings – February 27 & 28, 2009

Council acknowledged the above noted letter.

Councillor Colbert

Councillor Colbert applauded the success of the Herder Memorial Cup event held at Mile One Stadium this past weekend and commended Mile One Stadium staff, organizers, volunteers and fans. He noted that this calibre of activity on a local level is worth pursuing.

Councillor Collins

Councillor Collins noted the awarding of tenders for the various project within his ward - Ruby Line and Doolings Line upgrading and the fact that tenders will be called next week for Everard Avenue and Keiley Drive.

Councillor Hann

Councillor Hann noted the awarding of the contract for the Multimedia and Audio Conference System which will address the problems experienced at times with the current system.

Councillor Debbie Hanlon

Councillor Hanlon cautioned the general public on the dangers of walking on "ice pans" which are common this time of year along the coast

Councillor Hanlon noted that the RCMP are looking for volunteers to deliver pamphlets on Substance Abuse and anyone wishing to take part should contact the local detachment of the RCMP.

Councillor Hanlon indicated that she continues to receive numerous complaints about potholes as well as complaints regarding the lack of pavement markings, which she has referred to staff.

His Worship the Mayor pointed out that the potholes on the streets are being fixed as quickly as possible. He noted that staff have indicated that the current problems are due in large part to the weather, with nine per cent above normal snowfall and 40 percent above normal rainfall this winter. He noted that the hot asphalt plants are not open until the end of May and that a cold patch is being done until that time. He urged residents to call the city and register their complaints and crews will patch as quickly as possible.

Adjournment

There being no further business, the meeting adjourned at 5:50 p.m.

MAYOR

CITY CLERK