

**June 1<sup>st</sup>, 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 Deputy Mayor Ellsworth; Councillors Duff, Hickman, Puddister, Galgay, Coombs, Hanlon and Collins

Regrets: Councillors Colbert and Hann

The Associate Commissioner/Director of Corporate Services and City Clerk, the Associate Commissioner/Director of Engineering, Director of Planning, Senior Legal Counsel (Mr. B. Burse) and Manager, Corporate Secretariat were also in attendance.

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

#### **SJMC2009-06-01/322R**

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

### **Adoption of Minutes**

#### **SJMC2009-06-01/323R**

**It was decided on motion of Councillor Duff; seconded by Councillor Collins: That the Minutes of the May 25<sup>th</sup>, 2009 meeting be adopted as presented.**

### **Business Arising**

#### **Proposed Text Amendments – St. John's Development Regulations, Agriculture Zone**

---

Council considered a memorandum dated May 27, 2009 from the Director of Planning regarding the above noted.

#### **SJMC2009-06-01/324R**

**It was moved by Councillor Coombs; seconded by Councillor Collins: That the following Resolution to St. John's Development Regulations Amendment Number 460, 2009 be adopted, which will then be referred to the Department**

**of Municipal Affairs with a request for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act.**

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 460, 2009**

**WHEREAS** the City of St. John's wishes to make provision for "Agricultural Tourism Operations", "Farm Restaurants" and "Indoor Markets" in the Agriculture (AG) Zone.

**BE IT THEREFORE RESOLVED** that the City of St. John's hereby adopts the following text amendments to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

1. **Add a definition in Section 2 for "Agricultural Tourism Operations" to read as follows:**

**"AGRICULTURAL TOURISM OPERATIONS means activities conducted by a farmer on a farm for the enjoyment or education of the public which promote the sale, marketing, production, harvesting or use of products of the farm and enhance the public's understanding and awareness of farming and farm life. Agricultural Tourism Operations may include, but are not limited to, product demonstration, product tasting, sale of farm produce, a petting farm and a Farm Restaurant, but shall not include a Dwelling, a Dwelling Unit, a Place of Amusement, or a Place of Assembly."**

2. **Add a definition in Section 2 for "Farm Restaurant" to read as follows:**

**"FARM RESTAURANT means a Building or part of a Building on a farm where food produced in whole or in part on the farm is prepared and offered in individual portions for retail sale to the public for immediate consumption on the farm, but shall not include a Take-Out Food Service or a Tavern."**

3. **Introduce "Indoor Market" as a Permitted Use in the Agriculture (AG) Zone.**

4. **Introduce "Agricultural Tourism Operations" as a Discretionary Use in the Agriculture (AG) Zone provided that:**

**(a) Adequate off-street parking shall be provided in accordance with the City's Commercial Development Policy.**

5. **Introduce "Farm Restaurant" as Discretionary Uses in the Agriculture (AG) Zone provided that:**

- (a) **The Farm Restaurant has been approved by all applicable Provincial licensing authorities, agencies or departments; and**
- (b) **Adequate off-street parking shall be provided in accordance with the City's Commercial Development Policy.**

**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 1<sup>st</sup> day of June, 2009.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Director of Corporate Services  
and City Clerk**

\_\_\_\_\_  
**Provincial Registration**

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 Property – Civic Number 653 Southside Road**  
**Applicant - Mr. William Noseworthy**

Council considered a memorandum dated May 27, 2009 from the Director of Planning regarding the above noted.

**SJMC2009-06-01/325R**

**It was moved by Councillor Coombs; seconded by Councillor Hickman: That the following Resolution for St. John's Municipal Plan Amendment Number 68, 2009 and St. John's Development Regulations Amendment Number 455, 2009, be adopted, which will then be referred to the Department of Municipal Affairs with a request for Provincial registration in accordance with the requirements of the Urban and Rural Planning Act.**

**URBAN AND RURAL PLANNING ACT, 2000  
RESOLUTION TO APPROVE  
ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 68, 2009  
AND  
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 455,  
2009**

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 68, 2009 and St. John's Development Regulations Amendment Number 455, 2009 on the 21<sup>st</sup> day of April 2009.
- b) gave notice of the adoption of St. John's Municipal Plan Amendment Number 68, 2009 and St. John's Development Regulations Amendment Number 455, 2009 by advertisements inserted in The Telegram newspaper on the 25<sup>th</sup> day and the 29<sup>th</sup> day of April 2009.
- c) set the 12<sup>th</sup> day of May, 2009 at 7:00 p.m. at St. John's City Hall for the holding of a public hearing to consider objections and representations.

Now under the authority of the Urban and Rural Planning Act, 2000, the St. John's Municipal Council approves St. John's Municipal Plan Amendment Number 68, 2009 and St. John's Development Regulations Amendment Number 455, 2009 as adopted.

**SIGNED and SEALED this 1<sup>st</sup> day of June, 2009**

---

**Mayor**

---

**Director of Corporate Services  
and City Clerk**

**The motion being put was unanimously carried with Councillor  
Collins dissenting.**

### **Other Matters**

Under business arising, Councillor Puddister referenced Item 1 (Motorcycle Noise) of the Police and Traffic Report included in the minutes of May 25<sup>th</sup>, 2009 and council's recommendation to asked the Provincial Government to amend the Highway Traffic Act to deal with the excessive noise levels caused by motorcycles with modified or non-OEM (original Equipment manufacturer's muffler systems.) He asked Council approval to refer the matter to the next meeting of Newfoundland and Labrador Federation of Municipalities, along with the Northeast Avalon Joint Councils, to get their support on the matter. Council concurred. At the request of Councillor Duff Council also agreed that the matter be referred to the next meeting of the Urban Municipalities.

### **Public Hearing Report dated May 21<sup>st</sup>, 2009**

Proposed Farm Restaurant and Agricultural Tourism Activities  
Civic Number 90-92 Pearltown Road, Applicant, Lester Farms Inc.

### **Memorandum dated May 27<sup>th</sup>, 2009 from the Director of Planning**

Councillor Coombs reported on a public meeting held on May 21, 2009 to consider an application from Lester Farm Inc. to operate a farm restaurant with agricultural tourism operations at their property Civic No. 90-02 Pearltown Road in Ward 5.

Council also considered a memorandum dated May 27<sup>th</sup>, 2009 from the Director of Planning on this matter.

### **SJMC2009-06-01/326R**

**It was moved by Councillor Coombs; seconded by Councillor Hickman: That the application from Lester Farms Inc. for the proposed Farm Restaurant and Agricultural Tourism operation proposed to operate from Civic Number 90-92 Pearltown Road be deferred pending further review.**

**The motion to defer being put there voted for it the mover, seconder, Councillors Puddister, Galgay and Duff. Voting against deferral were Deputy Mayor Ellsworth, Councillors Collins and Hanlon.**

**The motion to defer was carried.**

**Nomenclature Committee Report dated May 22<sup>nd</sup>. 2009**

Council considered the following Nomenclature Committee Report dated May 22, 2009:

1. Street Renaming  
Lower Section of Prescott Street  
Job's Cove
  
2. Street Renaming  
Formerly Stoneycreek Crescent  
JennMar Crescent

Phyllis Bartlett  
Manager, Corporate Secretariat

**SJMC2009-06-01/327R**

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

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

**Parks and Recreation Committee Report dated May 21<sup>st</sup>, 2009**

Council considered the following Parks and Recreation Committee Report dated May 21<sup>st</sup>, 2009:

In Attendance:

- Councillor Shannie Duff, Chairperson
- Deputy Mayor Ron Ellsworth
- Councillor Tom Hann
- Councillor Frank Galgay
- Councillor Art Puddister
- Councillor Debbie Hanlon
- Ron Penney, Chief Commissioner & City Solicitor
- Paul Mackey, Director of Public Works and Parks
- Jill Brewer, Director of Recreation
- Bob Bishop, Director of Finance
- Dave Blackmore, Director of Building & Property Management
- Jim Clarke, Manager of Streets & Parks
- Brian Head, Operations Assistant – Parks Division
- Heather Hickman, Manager – Community Development
- Tanya Haywood, Manager – Facilities Division
- Carla Lawrence, Manager – Youth Soccer Division
- Natalie Godden, Manager – Family & Leisure Services
- Robin King, Transportation Engineer

Chris Pitcher, Supervisor of Parking Services  
Kelly Butler, Recording Secretary

**1. Delegation – RC Flyers re: Remote Control Vehicles/Plane Recreation Facility Proposal**

The Committee met with Robert Dicks, John Shortall, George Jarvis and Bill Tiller to discuss their proposal for a Remote Control Vehicle/Plane/Boat Recreational Park.

Mr. Dicks gave a PowerPoint presentation outlining the proposal for the recreational park. (A copy of this presentation is on file with the City Clerk's Department).

**The Committee recommends on motion of Councillor Puddister: That the proposal for an RC Park be referred to staff for evaluation and recommendation for the Committee's next meeting.**

**2. Royal St. John's Regatta Committee re: Request to Designate the Regatta as a Smoke-Free Event**

The Committee met with Charles Cook, Wayne Young and Peter Hollett of the Royal St. John's Regatta Committee regarding the possibility of the Regatta becoming a smoke-free event.

Councillor Duff advised that at its last meeting, the Committee agreed to implement a smoking ban at the City's playgrounds and outdoor recreational sport facilities. During discussion, it was suggested that the City approach the Regatta Committee about making the Regatta a smoke-free event as well. She noted that she had written a letter to the Regatta Committee in this regard. She asked for the Regatta Committee's position on this request.

Mr. Cook advised that in general and in principle, the Regatta Committee supports the concept of a smoking ban at sporting event venues. However, the main concern with imposing such a ban is the issue of enforcement. A lengthy discussion ensued regarding the issue of enforcement of such a ban.

**Following the discussion, the Regatta Committee agreed to encourage voluntary compliance for a smoke-free Regatta for 2009. The Regatta Committee also agreed that it would promote the Regatta as a voluntary smoke-free event on its website, program booklet, and application forms for rowers and concessionaires. The Regatta Committee also agreed that it would do some public service announcements throughout the course of Regatta Day encouraging people not to smoke and ask the event broadcaster, Rogers, to make that announcement on its program as well.**

Councillor Puddister inquired about a designated smoking area. Mr. Young indicated that they would advise the rowers, coaches and sponsors that the preferred smoking area would be the east side of the boathouse.

### **3. Resident vs. Non-Resident Registration Procedures**

The Committee considered an Issue Paper prepared by the Department of Recreation regarding the above noted matter.

A brief discussion ensued regarding the issue of resident versus non-resident registration procedures. The Director of Recreation noted that there are supply/demand issues with the current system, and Council have received complaints from City residents about not being able to get space in some programs yet some non-residents get program spaces. There is a high demand for day care and day camp programs as well as swimming lessons, activity centre programs, field rentals, and some youth programs. She noted that it has been the City's policy to take a regional approach with respect to its programs and facilities. She outlined the various options, noting that Option 2 provides priority to City residents by offering advance registration but still maintains a regional approach by maintaining access for non-residents. Councillor Puddister indicated his support for Option 2, noting that he has received several complaints from City residents who feel that they should have priority access to the programs their taxes support. Councillors Duff and Hickman indicated they did not support a change in the current registration procedures, and would prefer the status quo.

**The Committee recommends, on motion of Deputy Mayor Ellsworth; seconded by Councillor Puddister, with Councillors Duff and Hickman opposed: That City approve Option 2 for registered programs only, which will give priority access to residents but still allow access for other regions who may want to avail of the City's programs and services:**

#### **Option 2: One Week Advance Registration for City residents only**

- residents will get priority access, keeping in mind that some residents will still be unable to get program space due to high demand
- revenue should remain relatively unaffected
- will result in additional staff costs to duplicate a registration day.
- the change will become effective for Fall 2009 program registration.

**It is further recommended that the current programs that service residents only such as the REAL Program and the Grants and Subsidies Program remain the same.**

### **4. 2008 Annual Parks Patrol Report**

The Committee considered as information the **attached** 2008 Annual Parks Patrol Report.

The Transportation Engineer advised that the trouble spots in 2008 were typically the same as in the past – Bannerman, Victoria and Bowring Parks.

Councillor Duff inquired about the opening/closing times for the washroom facilities in Bannerman Park, specifically if staff are looking into options to keep the facilities open while the public are still in the parks. The Manager of Streets and Parks advised that vandalism is an issue with respect to keeping the washroom facilities open when staff are



off duty. He noted that all the toilets at the Mundy Pond Park facility had to be replaced last year when it was left open after closing time to allow patrons access. Councillor Duff inquired if it would be possible to have the Parks Patrol keep an eye on the washrooms while they are on patrol. The Manager of Streets and Parks advised that a staff person is required to be on duty to ensure that the washroom facilities are maintained once they are opened to the public. He noted that staff requested additional funding in this year's budget for that purpose, however, no additional funding was approved. The same request will be made again for the 2010 budget, however, it will be up to Council whether the funding is approved. The Operations Assistant noted that there are two staff shifts for Bowring Park 8-4 and 2-10, seven days a week, which allows the washroom facilities to remain open until dark. However, in order to do the same thing for Bannerman Park, another staff person is required, which has not been budgeted. Leaving the washrooms open and unattended would be inviting vandalism.

Councillor Galgay noted that the Parks Patrol Report noted a decrease in vandalism in Bowring Park in 2008. He indicated that this could be attributed to the designated park patrol that was approved by Council. He suggested that an additional patrol in Bannerman Park may help control the vandalism as well. He noted that this is something that should be considered for next year's budget. Councillor Duff inquired if it would be possible to find any funding for an additional staff person in this year's budget. The Director of Finance indicated that the City is currently looking at a deficit for 2008, and as such there is no funding available.

The Chief Commissioner/City Solicitor reminded Councillors that should they receive any calls from constituents regarding vandalism or inappropriate behaviour, they should be advised to call 311 immediately, and they in turn will dispatch the RNC.

#### **5. Ayre Athletic Building**

The Committee considered a memorandum dated May 15, 2009, from the Director of Recreation regarding the above noted matter.

The Director of Recreation advised that the Guards Athletic Association is cost-sharing the construction of a Service Building/Meeting Room with the City, and as such has been granted naming rights of the facility. The Association is also requesting that the exterior of the building be painted in Guards colours (navy with white trim).

**The Committee recommends that Council approve the request from the Guards Athletic Association to paint the exterior of the Ayre Athletic Building with Guards colours (navy with white trim).**

#### **6. Request for Waiver of Rental Fees for Bowring Park Amphitheatre**

The Committee considered a memorandum dated May 20, 2009, from the Manager – Facilities Division regarding the above noted matter.

**The Committee recommends that Council approve the waiver of rental fees for the Bowring Park Amphitheatre (St. John’s Cabot 500 Theatre) for three days in August for the Bowring Park Foundation/Divas fundraising event.**

**7. Locations and Associated Costs for Fenced Dog Parks**

The Committee considered an email dated May 21, 2009, from the Operations Assistant – Parks and Streets Division regarding the above noted matter. Maps and photos of the prospective sites were also provided for the Committee’s information.

The Manager of Streets and Parks advised that the proposed locations and cost for fenced dog parks was as follows:

<b>Location</b>	<b>Size</b>	<b>Estimated Cost</b>
Mundy Pond Park (adjacent to skate park)	1200 m <sup>2</sup>	\$20,000
Mundy Pond Park (adjacent to Mews Centre Parking Lot)	1200 m <sup>2</sup>	\$20,000
Bowring Park (Lemessieur Property)	2100 m <sup>2</sup>	\$18,000

He noted that the largest site is the Lemessieur Property in Bowring Park and it is the least costly to fence because there is already existing fencing on one side of the property. Councillor Puddister advised that he had spoken to Councillor Coombs, the City’s representative on the Bowring Park Foundation Board of Directors, about the possibility of the Foundation cost-sharing the construction of a dog park in Bowring Park. Councillor Coombs advised him that the Foundation is not interested in cost-sharing a dog park nor having one in Bowring Park. He noted that one of the Foundation’s members suggested having a dog park in the green space across from Squires Avenue. The Manager of Streets and Parks advised that this is the Partici-Park site, which often floods, and would not be suitable for a dog park.

Following the discussion:

**The Committee recommends, on motion of Councillor Puddister; seconded by Councillor Hickman: That Council approve-in-principle the Lemessieur Property in Bowring Park and the Mundy Park Pond site (adjacent to the skate park) as the two locations for future dog parks in the City at an estimated cost of \$18,000 and \$20,000 respectively. It is further recommended that the dog park projects be referred to the Capital Works Budget for review and consideration.**

Councillor Shannie Duff  
Chairperson

**SJMC2009-06-01/328R**

**It was moved by Councillor Duff; seconded by Councillor Hickman: That the Committee’s recommendations pertaining to Items 3 and 7 be dealt with separately and that the remaining recommendations be approved.**

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

**SJMC2009-06-01/329R**

**Regarding Item #3, it was moved by Deputy Mayor Ellsworth; seconded by Councillor Puddister: That the Committee's recommendation be approved.**

Members of Council supporting the motion agreed that taxpayers should be granted first priority to register for the programs. It was noted that there have been complaints that some residents have not been able to get space while some non-residents do.

Members of Council opposing the motion agreed that the move would be regressive, would invite backlash that will negatively impact the region and send the wrong message.

**Following discussion, the motion to approve the Committee's recommendation being put there voted for it the mover, seconder, Councillors Galgay, Coombs and Hanlon.**

**Voting against the motion were His Worship the Mayor, Councillors Duff, Hickman and Collins. The motion was carried.**

**SJMC2009-06-01/330R**

**Regarding #7, it was moved by Councillor Coombs; seconded by Councillor Collins: That the Committee's recommendation be rejected.**

Councillor Coombs indicated that he would like the decision reconsidered and noted that some veterinarians suggest that fencing of dogs might cause problems such as aggressive behaviour and spread of disease. He asked that designated off-leashed dog areas be reconsidered. He also expressed concern with locating a dog park adjacent to a skate park where there is a lot of street traffic.

**SJMC2009-06-01/331R**

**It was then moved by Councillor Puddister; seconded by Councillor Coombs: That the item be deferred for a period of thirty days and that staff be asked to revisit the idea of identifying areas that could be used as designated off-leash areas.**

During discussion, Councillor Duff noted that staff have recommended against off-leashed areas due to safety and liability concerns, and that fenced areas are of more benefit than the status quo, noting that the dog park in Quidi Vidi Lake is very well used.

She asked that staff consult with either the Provincial Veterinarian Association or the Provincial Veterinarian to obtain some factual information on the potential for aggressive

behaviour and spread of disease associated with fenced dog parks, which she noted would be of benefit in Council's decision making on this issue.

**Following discussion, the motion to defer for thirty days being put was unanimously carried.**

**Special Events Advisory Recommendations dated May 25<sup>th</sup>, 2009**

Council considered the following Special Events Advisory Committee Report dated May 25<sup>th</sup>, 2009:

- 1.) **Event:** Thomas Amusements  
**Location:** Gould's Race Track  
**Date:** June 3 – June 7, 2009  
**Time:** 3:30 pm – 10:30 pm (daily)
  
- 2.) **Event:** Shea Heights Come Home Year Celebrations  
**Location:** Shea Heights  
**Date:** July 19 – July 26, 2009  
**Time:** Various event times

**Road closures will be required for some events.**

**The Organizer is looking to have the noise by - law extended until 12:00 am on July 26,2009 only.**

- 3.) **Event:** Tely 10 Road Race  
**Location:** Start at Town of Paradise and finish at Bannerman Road., St. John's  
**Date:** July 26, 2009  
**Time:** 8:00 am – 1:00 pm

**This event will require some road closures along the route.**

- 4.) **Event:** Athletics Northeast Road Race  
**Location:** Starts at Mews Centre ends at Quidi Vidi  
**Date:** July 12, 2009  
**Time:** 8:00 am – 12:00 pm  
**Organizer requests a road closure of Pearce Avenue from 8:15 am – 8:30 am**

**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

**SJMC2009-06-01/332R**

**It was moved by Councillor Hanlon ; seconded by Councillor Hickman: That the Committee’s recommendations be approved, subject to the conditions set out by the Special Events Advisory Committee.**

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

**Development Permits List**

Council considered as information the following Development Permit List for the period May 22 to 28, 2009:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF May 22, 2009 TO May 28, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
IND	Alan & Sharon McCann	Proposed Reconstruction of Fishing Shed & Wharf	Adjacent 41 Barrow's Road	2	Approved	09-05-25
COM	West Side Charlie's	Lounge	516 Topsail	3	Rejected – Contrary to Section 10.17	09-05-28
COM	Newfoundland and Labrador Hydro	Parking Lot Extension	500 Columbus Drive	3	Approved	09-05-28
COM	Bell Aliant	OPI - Pole Mounted	Petite Forte Drive and Antelope Street	4	Approved	09-05-28

*	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**

**SJMC2009-06-01/333R**

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

2009/05/27

Permits List

**CLASS: COMMERCIAL**

RACQUEL HOLWELL	377 DUCKWORTH ST	OC RESTAURANT
ST. BONAVENTURE'S COLLEGE	2A BONAVENTURE AVE	MS OTHER
FORTIS PROPERTIES CORPORATION	CAVENDISH SQ SHERATON HOTEL	SN HOTEL
ROYAL BANK OF CANADA	151 CROSBIE RD	MS BANK
MARIES MINI MART	324 FRECKER DR - MARIE'S MINI	SN CONVENIENCE STORE
KENNY HOLDINGS LIMITED	324 FRECKER DR	SN CONVENIENCE STORE
CAL LEGROW INSURANCE LIMITED	189 HIGGINS LINE	MS OFFICE
WAL-MART CANADA CORP.	75 KELSEY DR	MS RESTAURANT
MCDONALD'S RESTAURANTS CAN.LTD	54 KENMOUNT RD	MS RESTAURANT
57770 NEWFOUNDLAND & LABRADOR	207 KENMOUNT RD	MS OFFICE
ROBIN J. & A. BEVERLY &	193-199 LEMARCHANT RD	MS OFFICE
KAREN MURPHY	484 MAIN RD	MS SERVICE SHOP
BIDGOOD'S PROPERTY MANAGEMENT	355B MAIN RD	MS SERVICE SHOP
ABC SIDING & WINDOWS INC.	1 MARCONI PL	MS RETAIL STORE
ST JOHN'S NFLD CURL.CLUB	135 MAYOR AVE	MS PLACE OF AMUSEMENT
ESSENTIAL CHIROPRACTIC	119 NEW COVE RD	MS CLINIC
COOK HOLDINGS	1 NEW GOWER ST	SN TAVERN
SUN SPA	36 PEARSON ST	MS SERVICE SHOP
ARGOSY ENTERPRISES	36 PEARSON ST	MS RETAIL STORE
HICKMAN MOTORS LIMITED	20 PEET ST	MS CAR SALES LOT
RIVERDALE TENNIS CLUB	4 PORTUGAL COVE RD	MS PLACE OF AMUSEMENT
KENNY ENTERPRISES LIMITED	150 QUEEN'S RD	SN CONVENIENCE STORE
MCDONALD'S RESTAURANTS OF	14 STAVANGER DR	MS RESTAURANT
THE BUSINESS DEPOT LTD.	34 STAVANGER DR	MS RETAIL STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR	MS RETAIL STORE
MCDONALD'S RESTAURANTS CAN.LTD	506 TOPSAIL RD	MS RESTAURANT
JANES & NOSEWORTHY ACCOUNTANTS	516 TOPSAIL RD	SN OFFICE
PIPERS DEPARTMENT STORES	681 TOPSAIL RD	MS RETAIL STORE
MCDONALD'S REST.CAN.LTD.	248 TORBAY RD	MS RESTAURANT
GRANITE DEPARTMENT STORE INC.	272-276 TORBAY RD	MS RETAIL STORE
NORTH ATLANTIC REFINING LTD.	280 TORBAY RD	MS RETAIL STORE
COLOR YOUR WORLD	464 TORBAY RD	MS RETAIL STORE
KENNY ENTERPRISES LTD.	660 TORBAY RD	SN CONVENIENCE STORE
JOSADA HAIR STUDIO	TORBAY ROAD-TORBAY RD MALL	MS SERVICE SHOP
CASH CITY	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
WM. SUMMERS PROPERTY	411 TORBAY RD	MS RETAIL STORE
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD	MS RETAIL STORE
IRONWOOD CHIP & PUTT INC.	421 TORBAY RD	MS RECREATIONAL USE
NORTH ATLANTIC SUPPLIES INC.	500-502 WATER ST	SN RETAIL STORE
CANADIAN BLOOD SERVICES	7 WICKLOW ST	MS OFFICE
JOY CLUETT	7 PATON ST, UNIT 120/121	RN CLINIC
CARRICK SERVICES	1 CHURCH HILL, BASEMENT	RN OFFICE
NORHT ATLANTIC SUPPLIES INC.	500-502 WATER ST	CR RETAIL STORE
CARRICK SERVICES	1 CHURCH HILL, LEVEL 1	RN OFFICE
PENNECON LTD-ENERGY SERVICES	610 WATER ST	SW VACANT LAND
MCLOUGHLAN ESTATES LIMITED	22-24 BLACKMARSH RD	EX RETAIL STORE
MURRAY HOLDINGS	50 MUNDY POND RD	RN OFFICE

THIS WEEK \$ 3,256,334.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00

**CLASS: RESIDENTIAL**

KELLY BLENKINSOPP	15 ARGUS PL	NC ACCESSORY BUILDING
KELLY BLENKINSOPP	15 ARGUS PL	NC FENCE
ROBERT PIKE	5 BURTON ST	NC ACCESSORY BUILDING
DORIS L. ROWE-WILCOX	12 BUTTERWORTH PL	NC FENCE
DR. CHRISTOPHER FRENCH, P.M.C	39 CARPASIAN RD	NC FENCE
PHILIP POWER & SON	43 CASTLE BRIDGE DR, LOT 119	NC SINGLE DETACHED DWELLING
PHILIP POWER & SON	45 CASTLE BRIDGE DR, LOT 118	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION LTD	57 CASTLE BRIDGE DR, LOT 112	NC SINGLE DETACHED DWELLING
GEORGE HURLEY	9 CHAFE AVE	NC ACCESSORY BUILDING
MATTHEW BYRNE	48 CHEROKEE DR	NC FENCE
FRANK & CLAUDIA BROCKERVILLE	18 CLEARY DR	NC FENCE
ROBERT FISHER	88 COVENTRY WAY	NC ACCESSORY BUILDING
MARINA MURPHY	124 CRAIGMILLAR AVE	NC FENCE
MSW CONTRACTING	123 CRAIGMILLAR AVE	NC PATIO DECK
GARY RYAN	81 DURDLE DR	NC ACCESSORY BUILDING
FORD & BERNICE HIBBS	93 EASTBOURNE CRES	NC ACCESSORY BUILDING
JAMES ROY SMITH &	60 EDISON PL	NC ACCESSORY BUILDING
REUBEN HENNEBURY	101 FAHEY ST	NC FENCE
REUBEN HENNEBURY	101 FAHEY ST	NC PATIO DECK
COLIN WALSH	101 FAHEY ST	NC FENCE
DAVID LOUGH	184 FOREST RD	NC ACCESSORY BUILDING
FREDERICK HAWLEY/ANDREA POTTER	242 FRESHWATER RD	NC ACCESSORY BUILDING
ROBERT SEXTON & MISTY MALLOTT	44 GOLF AVE	NC FENCE
SANDRA JUDY KELLAND	8 GOWER ST	NC PATIO DECK
BRAD CLARKE	324 GROVES RD	NC ACCESSORY BUILDING
JUSTIN BROWN	75 HOPEDALE CRES	NC ACCESSORY BUILDING
LISA NEVILLE & JAMES FRENCH	48 HYDE PARK DR	NC ACCESSORY BUILDING
PATRICK GAGNON & NELLIE	22 JULIEANN PL	NC FENCE
NEW VICTORIAN HOMES	18 KERR ST, LOT 37	NC SINGLE DETACHED DWELLING
PHILIP A. BALUK &	10 KINCAID ST	NC ACCESSORY BUILDING
DANINE LAVALLEE	22 LADY ANDERSON ST, LOT 287	NC SINGLE DETACHED & SUB.APT
J & P CONTRACTING	15 LIONS RD. LOT 45	NC SINGLE DETACHED & SUB.APT
KERRY SAVOURY & TWYLER TAYLOR	51 MACBETH DR	NC FENCE
ROSS & CINDY SULLIVAN	74 MCNIVEN PL	NC SINGLE DETACHED & SUB.APT
DAVID HOWLETT	699 MAIN RD	NC ACCESSORY BUILDING
DAVID & MARY ANN MACKEY	8 MACKLIN PL	NC PATIO DECK
ATLANTIC HOMES LIMITED	20 MARSLAND PL, LOT 26	NC SINGLE DETACHED DWELLING
STEADFAST CONTRACTING LTD.	27 MARSLAND PL	NC SINGLE DETACHED DWELLING
GERARD WATERMAN	73 MILITARY RD	NC FENCE
GERARD WATERMAN	73 MILITARY RD	NC PATIO DECK
DAVID E. & KELLY M. RAYMOND	40 MOUNTAINVIEW DR	NC ACCESSORY BUILDING
DENISE FLEMING & DAVID TUCK	16 MYRICK PL	NC ACCESSORY BUILDING
SKYMARK HOMES	21 NAVAJO PL. LOT 64	NC SINGLE DETACHED DWELLING
DARROCH & CATHERINE CLANCEY	15 NEWTOWN RD	NC ACCESSORY BUILDING
RYAN MAARSCHALK	1 NORTHERN RANGER ST	NC FENCE
DONALD CHARLES HAPGOOD &	29 OTTER DR	NC ACCESSORY BUILDING
PERRY & THERESA BRYANT	47 PALM DR	NC ACCESSORY BUILDING
WILLIAM BYRD	24 PETITE FORTE DR, LOT 311	NC SINGLE DETACHED DWELLING
PERHAM HOMES LIMITED	36 PETITE FORTE DR, LOT 316	NC SINGLE DETACHED DWELLING
MATTHEW WHEATON	7 PETITE FORTE DR	NC ACCESSORY BUILDING
TRUE NORTH HOMES INC	23 PETITE FORTE DR, LOT 297	NC SINGLE DETACHED DWELLING
TRACEY PARK & CORY PARK	161-163 PETTY HARBOUR RD	NC SINGLE DETACHED DWELLING
SKYMARK HOMES	18 PIPER ST. LOT 217	NC SINGLE DETACHED DWELLING
PAUL WHELAN & SARAH BAIRD	57 PORTUGAL COVE RD	NC PATIO DECK

ROBERT MURPHY	39 REGENT ST	NC ACCESSORY BUILDING
DEBORAH LEE GATHERALL	54 RIDGEMOUNT ST	NC ACCESSORY BUILDING
DEBORAH LEE GATHERALL	54 RIDGEMOUNT ST	NC FENCE
SUSAN LOUISE DEAN &	49 ROCHE ST	NC PATIO DECK
SEBASTIAN HALLIDAY & STEPHANIE	26 SERPENTINE ST	NC FENCE
ERCO HOMES	31 SGT. CRAIG GILLAM AVELOT 30	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION &	2 SPRUCEDALE DR, LOT 157	NC SINGLE DETACHED DWELLING
IAN STANLEY	STANLEY'S LANE	NC ACCESSORY BUILDING
JOSEPH ORR & MICHAEL STOKES	44 TERRA NOVA RD	NC ACCESSORY BUILDING
CHARLOTTE & PEGGY SUE HALLERAN	26 TUNIS CRT	NC FENCE
ORAL CROCKER	4 WELLAND ST	NC FENCE
BOB EDNEY	9 CAMERON CRT	CR SUBSIDIARY APARTMENT
SANDRA JUDY KELLAND	8 GOWER ST	CR LODGING HOUSE
BRIAN ELLIOTT	35 GREEN ACRE DR	CR SUBSIDIARY APARTMENT
DAMIEN COLLIER	15 PETITE FORTE DR	CR SUBSIDIARY APARTMENT
MARK & KYLA GILL	23 FAGAN DR	EX SINGLE DETACHED DWELLING
GLENN & JULIE CUNNINGHAM	10 KNOWLING ST	EX SINGLE DETACHED DWELLING
JAMES SWEETAPPLE	4 LANCASTER ST	EX PATIO DECK
DAVE BOWERING	20 MAHOGANY PL	EX SINGLE DETACHED DWELLING
DAVE BOWERING	20 MAHOGANY PL	EX SINGLE DETACHED DWELLING
STEPHEN RYAN	16 MONTGOMERY ST	EX SINGLE DETACHED DWELLING
DERRICK & TINA HISCOCK	13 PERLIN ST	EX SINGLE DETACHED DWELLING
PAUL & LINDA HOUSE	12 PINE BUD PL	EX SINGLE DETACHED DWELLING
ROBERT & LYNETTE BOWES	68 SMITHVILLE CRES	EX SINGLE DETACHED DWELLING
ALICE GIBBONS	66A SQUIRES AVE	EX PATIO DECK
PATRICIA O'BRIEN	16 TOPSAIL RD	EX SINGLE DETACHED DWELLING
GUY & ELIZABETH CARLETON	2 ALDERBERRY LANE	RN SINGLE DETACHED DWELLING
KENNETH SOOLEY	38 OUTER BATTERY RD	RN SINGLE DETACHED DWELLING
NFLD & LAB HOUSING CORP	5 BEOTHUCK ST, UNIT 11	RN APARTMENT BUILDING
NFLD & LAB HOUSING CORP	5 BEOTHUCK ST	RN APARTMENT BUILDING
FRANK AND JUDY O'NEIL	92 BRAZIL ST	RN SINGLE DETACHED DWELLING
FREDERICK E.BORDEN &	22 BYRON ST	RN SUBSIDIARY APARTMENT
HUNTLEY & DOREEN NESBIT	53 EMPIRE AVE	RN SINGLE DETACHED DWELLING
HANN/HIBLIN	57 HARVEY RD	RN SUBSIDIARY APARTMENT
EDWARD & ELIZABETH MELVIN	35-37 LAKE VIEW DR	RN SINGLE DETACHED & SUB.APT
GERARD WATERMAN	73 MILITARY RD	RN TOWNHOUSING
BRAD DE YOUNG & TERRICE	5 PARADE ST	RN SEMI-DETACHED DWELLING
UPLAND HOLDINGS LIMITED	119 PENNYWELL RD	RN TOWNHOUSING
MR. BILL KELLY	19 WALSH'S SQ	RN TOWNHOUSING
CROSBIE INDUSTRIAL	36 FORBES ST	SW SINGLE DETACHED DWELLING
MARK BOWERING & ROBERT WHITE	4 HARRIS RD	SW SINGLE DETACHED DWELLING
BALNAFAD	GRIFFINS LANE	SN VACANT LAND

THIS WEEK \$ 4,268,353.00

**CLASS: DEMOLITION**

GARY CUNNINGHAM	8 CHARLTON ST	DM TOWNHOUSING
VIEL INVESTMENTS LIMITED	259 EMPIRE AVE	DM SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	51 FROUDE AVE	DM TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	53 FROUDE AVE	DM TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	55 FROUDE AVE	DM TOWNHOUSING
NFLD & LABRADOR HOUSING CORP.	57 FROUDE AVE	DM TOWNHOUSING
ROBERT WINSOR	44 WICKLOW ST	DM SINGLE DETACHED DWELLING

THIS WEEK \$ 87,900.00

THIS WEEK'S TOTAL: \$ 7,612,587.00



REPAIR PERMITS ISSUED: 2009/05/21 TO 2009/05/27 \$ 130,980.00

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**

**SJMC2009-06-01/334R**

**It was decided on motion of Councillor Hickman; seconded by Councillor Puddister: That the following Payrolls and Accounts for the week ending May 28, 2009 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending May 28, 2009**

**PAYROLL**

Public Works	\$ 307,103.80
Bi-Weekly Amalgamation	\$ 472,458.55
Bi-Weekly Management	\$ 578,026.53
Bi-Weekly Administration	\$ 629,850.91

**ACCOUNTS PAYABLE**

Cheque No. 147479 - 147762	\$1,755,416.88
<b>Total:</b>	<b>\$3,742,856.67</b>

**Tenders**

1. Tender – Northeast Land Assembly, Phase 2

**SJMC2009-06-01/335R**

**It was decided on motion of Councillor Hickman; seconded by Councillor Puddister: That the recommendation of the Associate Commissioner and Director of Engineering be approved and the tender awarded as follows:**

**1. Pyramid Construction Ltd. in the amount of \$2,245,507.75**

**58 Portugal Cove Road – John and Carol Reade**

Council considered a memorandum dated May 25, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2009-06-01/336R**

**It was moved by Councillor Combs; seconded by Councillor Hickman: That the recommendation of the Chief Commissioner and City Solicitor that approval be given to increase compensation to John and Carol Reade, 58 Portugal Cove Road by \$1800.00 to cover the lost of a mature tree, be approved.**

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

**Proposed Text Amendment – St. John’s Development Regulations, Building Lines**

Council considered a memorandum dated May 28, 2009 from the Director of Planning regarding the above noted.

**SJMC2009-06-01/337R**

**It was moved by Councillor Hanlon ; seconded by Councillor Puddister: That the approach of the Proposed Text Amendment to the St. John’s Development Regulations allowing Council to establish building lines for individual lots be approved, and that the formal amendments be drafted by the Department of Planning in conjunction with the Legal Department, with the amendments to be advertised to allow an opportunity for public review and comment. Upon completion of the advertising process, the amendments would then be referred to a future Regular Meeting of Council for consideration of adoption.**

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

**Letter dated May 11, 2009 from Mr. Gerald Mercer, Principal, Vanier Elementary School requesting waiver of fees associated with the construction of a shed on school property for recycling purposes**

**SJMC2009-06-01/338R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Puddister : That a request from Mr. Gerald Mercer, Principal, Vanier Elementary School for waiver of fees associated with the construction of a shed on school property for recycling purposes, be approved.**

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

**Letter dated May 21, 2009 to His Worship the Mayor from Minister Clyde Jackman, commending the City on behalf of the Department of Tourism, Culture and Recreation, on its recent installation of outdoor fitness equipment adjacent to Quidi Vidi Lake**

---

Council acknowledged the above noted letter.

**Deputy Mayor Ellsworth**

Deputy Mayor Ellsworth tabled a letter dated May 22, 2009 to His Worship the Mayor and Members of Council from Norris Pettis, Consul General of Canada in which he indicated his remarks may have been misunderstood by some of Newfoundland and Labrador's delegates at the Greater Houston Partnership luncheon during the OTC. The Deputy Mayor thanked him for his letter and support of Newfoundland and Labrador energy objectives.

His Worship the Mayor indicated that he has responded to the Consul General regarding his comments and indicated to him that the City looks forward to working with him in the promotion of the resource wealth offshore Newfoundland and Labrador.

The Deputy Mayor noted that he has received complaints from residents regarding graffiti on buildings and encouraged them to call 311 to register their complaints in order that the matter can be dealt with as quickly as possible.

The Deputy Mayor noted that contractors working on Portugal Cove Road are creating a sight distance problem while parking their equipment too close to the intersection and asked that the Associate Commissioner and Director of Engineering contact the contractor to ask that they park their equipment so as not to impede sight distance.

**Councillor Hickman**

Councillor Hickman asked the time frame for opening up the Harbour Front to traffic. The Associate Commissioner and Director of Engineering advised that the Harbour Drive project will continue until the end of November, noting that different sections will be opened and closed to accommodate traffic.

Councillor Hickman advised of the public meeting to be held June 3, 2009 in the Foran/Greene Room to consider an application from Powderhouse Hill Investments Inc. to renovate and extend the former CBC Radio Building at Civic Number 344 Duckworth Street.

**Councillor Galgay**

Councillor Galgay informed residents of Willicott's Lane that their concerns with respect to street gaps and having the grass area mowed have been referred to the Director of Public Works and Parks for action.

**Councillor Coombs**

Councillor Coombs expressed concern over the closure of public washroom facilities in City parks and made the following motion:

**SJMC2009-06-01/339R**

**It was moved by Councillor Coombs; seconded by Councillor Duff: That staff be directed to provide a recommendation to Council to accommodate extending the hours for public washroom facilities in city-owned parks to remain open for designated periods of time, along with the actual costs and budget allocation.**

Deputy Mayor Ellsworth suggested that the funds be allocated from the City's Grants and Subsidies or Travel budgets.

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

**Councillor Hanlon**

Councillor Hanlon updated Council on the Clean and Beautiful Take Pride Take Action initiative which has to date been a great success. She thanked CBC for their clean up initiative and encouraged business to take pride and clean up their properties.

**Councillor Collins**

Councillor Collins advised that the Kilbride Cleanup will take place June 6, 2009 commencing at the Community Centre and followed by a Neighbourhood Party.

Councillor Collins thanked Mr. L. Redmond, Automotive Industries Association of Canada for his donation of \$1500 towards to the Blackhead Museum project.

In response to a concern raised by Councillor Collins on behalf of a constituent of Old Bay Bulls Road concerning assessments charged for upgrading streets to rural standards, the Associate Commissioner and Director of Engineering advised that the assessment would only apply in a case where the road is gravel and in this particular case the assessment will not apply. The Associate Commissioner and Director of Engineering advised residents who have questions or concerns to contact the name and number on the mail-out provided.

**Adjournment**

There being no further business, the meeting adjourned at 5:55 p.m.

---

**MAYOR**

---

**CITY CLERK**