

June 3<sup>rd</sup>, 2013

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

Acting Mayor Duff presided.

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

Regrets: His Worship the Mayor and Councillors Galgay, Hanlon and Breen.

Acting City Manager & City Clerk; Deputy City Manager, Public Works; Deputy City Manager, Planning, Development & Engineering; Acting Director of Planning; City Solicitor and Manager, Corporate Secretariat were also in attendance.

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

##### **SJMC2013-06-03/237R**

**It was decided on motion of Councillor Collins; seconded by Councillor O'Leary: That the Agenda be adopted as presented with the following additional item:**

- a. Email from His Worship the Mayor Re Recent Crime Incident

#### **Adoption of Minutes**

##### **SJMC2013-06-03/238R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Hickman: That the minutes of May 27<sup>th</sup>, 2013 meeting be adopted as presented.**

#### **Business Arising**

##### **Proposed Hotel Development 227-229-245 Kenmount Road (Ward 4) Applicant: Pacific Coast Architecture for Northwood Properties Inc.**

Under business arising, Council considered a memorandum dated May 30, 2013 from the Acting Director of Planning regarding the above noted.

**SJMC2013-06-03/239R**

**It was moved by Councillor Hann; seconded by Councillor Hickman: That the following Resolutions for St. John’s Municipal Plan Amendment Number 109, 2013 and St. John’s Development Regulations Number 557, 2013 be adopted in the form as they were adopted by Council on March 4, 2013, which will now be sent to the Department of Municipal Affairs with a request for provincial registration:**

**RESOLUTION  
ST. JOHN’S MUNICIPAL PLAN  
AMENDMENT NUMBER 109, 2013**

**WHEREAS** the City of St. John’s wishes to allow a hotel development at Civic Number 227-229-245 Kenmount Road which will have a building height greater than 15 metres.

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

**Amend Part III, Section 3.3.3 (“Commercial Highway Land Use District – Building Height and Area”) by adding the following new sentence so that the Section reads as follows:**

**“Building Height and Area  
Building Heights in this District shall not exceed a height of 15 metres or a Floor Area Ratio of 1.0 with the exception of the property located at Civic Number 227-229-245 Kenmount Road [Parcel ID #: 31456-46771-44599] where the maximum allowed Building Height is 25 metres.**

**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 3rd day of **JUNE, 2013.**

\_\_\_\_\_  
**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

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 557, 2013**

**WHEREAS** the City of St. John's wishes to allow a hotel development at Civic Number 227-229-245 Kenmount Road which will have a building height greater than 15 metres.

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

**Amend Section 10.20.3 ("Zone Requirements – Commercial Highway (CH) Zone) by adding the following new subsection:**

**“10.20.3 (3) Notwithstanding subsections (1) and (2) noted above, the maximum Building Height for the property located at Civic Number 227-229-245 Kenmount Road [Parcel ID #: 31456-46771-44599] is 25 metres.**

**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 3rd day of **JUNE, 2013**.

\_\_\_\_\_  
**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

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

## **Notices Published**

- i. **A Discretionary Use Application** has been submitted for a proposed **Home Occupation at Civic No. 31 Druken Crescent** for a photography studio. The proposed business will occupy a floor area of approximately 21 m<sup>2</sup> and will operate on an appointment basis only, with one client or family per session. Maximum two (2) sessions per day, each session is approximately one (1) hour. Sessions are booked between 11 a.m. and 5 p.m. The business involves taking photographs only; processing will not be done on-site. One (1) on-site parking space is provided for the business. The applicant is the sole employee. **(Ward 2)**

### **SJMC2013-06-03/240R**

**It was moved by Councillor Collins; seconded by Councillor Tilley: That the application be approved subject to all applicable City requirements.**

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

## **Committee Reports**

### **Development Committee Report dated May 28<sup>th</sup>, 2013**

Council considered the following Development Committee Report dated May 28, 2013:

- 1. Application Crown Land Grant / 0.011 Hectares of Land  
31 Barrows Road (Ward 2)  
Industrial Quidi Vidi (IQ) Zone**

The Committee recommends that Council approve the subject Crown Land application for the wharf extension. Should the applicant be successful in obtaining Permission to Occupy Crown Land, a formal development application must be submitted to the City for review and approval prior to the commencement of any development on the site.

- 2. Proposed Crown Land Lease for Agriculture  
Pearltown Road (Ward 5)  
Agriculture (AG) Zone**

The Committee recommends that Council approve the subject application for the Crown Land Lease.

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Neil Martin  
Acting City Manager

Regarding Item #1, Application for Crown Land Grant, 31 Barrows Road, Acting Mayor Duff suggested that the residents of the Village be consulted on the matter. She also asked for more information on the application for the wharf extension and how it and any potential development would fit in with the requirements of the Quidi Vidi Development Plan.

**SJMC2013-06-03/241R**

**It was then moved by Councillor Colbert; seconded by Councillor Hann: That the Committee’s recommendation be deferred pending further information.**

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

**SJMC2013-06-03/242R**

**Regarding Item #2: It was moved by Councillor Hann; seconded by Councillor O’Leary: That the Committee’s recommendation of approval be accepted.**

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

**Harbourside Jury 2013**

Council considered as information the following Harbourside Jury 2013 Report:

A meeting of the Music at Harbourside Jury was held on Tuesday, May 28, 2013. The purpose of the meeting was to review the 35 expressions of interest received from musicians for the City’s Music at Harbourside Lunchtime Concert Series, presented at Harbourside Park every Friday in July and August at 12:30 p.m. This concert series is free to attend and open to the general public.

The jury has selected the following line-up:

<b>Performer</b>
Fergus O’Byrne and Jim Payne
Matthew Hornell
The Skylarks
Ian Foster
Duane Andrews
Danette Eddy, Sandy Morris, and Bill Brennan
The Forgotten Bouzouki
Denis Parker
The Freels

Additionally, the jury has determined that the following musicians be contacted in the event that alternate performers are required:

<b>Performer</b>
Bill Brennan and Patrick Boyle
Brad Jefford Group

We look forward to another successful season with our lunchtime concert series and invite the public to come out and enjoy this program.

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Councillor Sandy Hickman, Juror

**Para Transit Advisory (2013-2015)**

Council considered the following Para Transit Advisory Committee Report (2013-2015):

Council is requested to approve the following membership list for the Para Transit Advisory Committee for the term beginning in spring of 2013 to spring of 2015. The organizational representatives have been reappointed by their respective organizations.

<b>Member</b>	<b>Organizational Representation</b>
<b>Cecil Whitten</b>	<b>Cerebral Palsy Association</b>
<b>Bill Westcott</b>	<b>Epilepsy NL</b>
<b>Scott Batten</b>	<b>Independent Living Resource Center (ILRC)</b>
<b>Cecil Goulding</b>	<b>Canadian Council of the Blind</b>
<b>Pauline Crann</b>	<b>Canadian Paraplegic Association</b>
<b>Sheena King</b>	<b>CNIB Representative</b>
<b>Tesse Kennedy</b>	<b>Multiple Sclerosis Society Local St. John's/Mount Pearl Chapter</b>
<b>Ron Ellsworth</b>	<b>Community at Large</b>
<b>Member</b>	<b>Government/Funder Representation</b>
<b>Councillor Tom Hann</b>	<b>City of St. John's</b>
<b>Councillor Debbie Hanlon</b>	<b>City of St. John's</b>
<b>Mayor Randy Simms</b>	<b>City of Mount Pearl</b>
<b>Katherine Turner</b>	<b>Eastern Health</b>
<b>Gordon Butler</b>	<b>Advanced Education &amp; Skills</b>
<b>Bev Griffiths</b>	<b>Dept. of Health &amp; Community Services</b>
<b>Staff Advisors</b>	
<b>Robert Bishop</b>	<b>City of St. John's</b>

<b>Director of Finance &amp; City Treasurer</b>	
<b>Jason Collins Director of Community Services</b>	<b>City of Mount Pearl</b>
<b>Jason Silver Director of Finance</b>	<b>City of Mount Pearl</b>
<b>Susan Ralph Accessible Transit Coordinator</b>	<b>City of St. John's</b>

**Para Transit Advisory Committee**

**SJMC2013-06-03/243R**

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

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

**Special Events Report, May 29, 2013**

Council considered the following Special Events Report dated May 29, 2013:

- 1) **Event:** Athletics NorthEAST Running Club Duathlon
- Location:** Gould's
- Date:** June 16, 2013
- Time:** 8:00 -10:00 am

Affected Roads:  
 Back Line Road - Ruby Line to Doolings Line  
 Cochrane Pond Road  
 Ruby Line - Main Road to Robert E. Howlett

**Recommendation:**

It is the recommendation of the Committee that Council approve the above noted events, subject to the conditions set out by the Special Events Advisory Committee.

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Robin King, P. Eng.  
 Chairperson – Special Events Advisory Committee

**SJMC2013-06-03/244R**

**It was moved by Councillor Collins; seconded by Councillor Hickman: 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 May 24<sup>th</sup> to 30<sup>th</sup>, 28, 2013:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF May 24, 2013 TO May 30, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Demolition & Rebuild of Townhouse	25 Cook Street	2	<b>Approved</b>	13-05-24
RES		Proposed Building Lot	Adjacent 118 University Avenue	4	<b>Rejected</b> as per Restrictive Covenant on the parcel as condition of sale in 2002	13-05-24
RES		Subdivide for 2 Building Lots	26 Rostellan Place	4	Approved	13-05-27
AG		Proposed Residential Dwelling	189 Brookfield Road	5	<b>Rejected</b> as per Department of Agriculture	13-05-28
RES		Building Lot	Subdivision of 331 Thorburn Road	4	<b>Approved</b>	13-05-29
RES		Building Lot	Subdivision of 110 Howlett's Line	5	<b>Approved</b>	13-05-29
INST	Redwood Construction Limited	Extension to Iris Kirby House (site plan)	196 Waterford Bridge Road	3	<b>Approved</b>	13-05-30
RES		Residential Building Lot	300 Brookfield Road	5	<b>Approved</b>	13-05-30



\* Code Classification:  
 RES- Residential  
 COM- Commercial  
 AG - Agriculture  
 OT - Other

INST - Institutional  
 IND - Industrial

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\*\* 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**

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**Building Permits List**

**SJMC2013-06-03/244R**

**It was moved by Councillor Colbert; seconded by Councillor Collins: That the recommendation of the Deputy City Manager, Development, Planning & Engineering with respect to the following Building Permits List be approved:**

**Building Permits List  
 Council's June 03, 2013 Regular Meeting**

Permits Issued: 2013/05/23 To 2013/05/29

**Class: Commercial**

14 Forbes St,Matt's Driver	Co	Commercial School
50 Aberdeen Ave	Ms	Retail Store
90 Aberdeen Ave	Sn	Retail Store
394 Kenmount Rd	Sn	Convenience Store
193 Kenmount Rd	Ms	Retail Store
229 Kenmount Rd	Ms	Car Sales Lot
431-435 Main Rd	Ms	Take-Out Food Service
22 O'leary Ave	Ms	Restaurant
36 Pearson St	Sn	Service Shop
59 Pippy Pl Jrv Distribution	Sn	Retail Store
3 Stavanger Dr	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
390 Topsail Rd	Ms	Retail Store
340 Torbay Rd	Sn	Service Shop
660 Torbay Rd	Ms	Service Station
141 Torbay Rd	Ms	Restaurant
141 Torbay Rd	Ms	Restaurant
611 Torbay Rd	Ms	Retail Store
379 Duckworth St Rockhouse Bar	Rn	Tavern
43 Churchill Sq	Cr	Retail Store
267 Incinerator Rd	Rn	Light Industrial Use
199 Water St Smoothie Factory	Cr	Eating Establishment
3 Ruby Line	Nc	Agriculture
454 Water St	Rn	Mixed Use
50 White Rose Dr	Ex	Retail Store
341 Freshwater Rd	Rn	Bank

This Week \$ 1,459,075.00

**Class: Industrial**

This Week \$ .00

**Class: Government/Institutional**

30 Aldershot St	Sw	Church
40 Teakwood Dr	Nc	Place Of Assembly

This Week \$ 3,430,000.00

**Class: Residential**

26 Alderberry Lane	Nc	Accessory Building
48 Bayberry Pl	Nc	Fence
48 Spruce Grove Ave	Nc	Fence
51 Spruce Grove Ave	Nc	Fence
57 Spruce Grove Ave, Lot 92	Nc	Single Detached Dwelling
4 Blue Jacket Pl	Nc	Accessory Building
177 Campbell Ave	Nc	Fence
89 Cape Pine St	Nc	Fence
16 Cape Race St	Nc	Fence
16 Caribou Pl	Nc	Patio Deck
83 Casey St	Nc	Patio Deck
158 Cheeseman Dr	Nc	Fence
174 Cheeseman Dr, Lot 176	Nc	Single Detached Dwelling
20 Cook St	Nc	Accessory Building
32 Dauntless St	Nc	Accessory Building
84 Dooling's Line	Nc	Accessory Building
19 Douglas St, Lot 257	Nc	Single Detached Dwelling
3 Dublin Rd	Nc	Fence
45 Ferryland St E	Nc	Accessory Building
35 Fleming St	Nc	Townhousing
37 Fleming St	Nc	Townhousing
60 Glenlonan St	Nc	Fence
379 Hamilton Ave	Nc	Fence
52 Kenai Cres Lot 201	Nc	Accessory Building
64 Kenai Cres, Lot 207	Nc	Single Detached Dwelling
26 King's Bridge Rd	Nc	Fence
28 Lady Anderson St	Nc	Accessory Building
28 Lady Anderson St	Nc	Fence
206 Ladysmith Dr, Lot 500	Nc	Single Detached & Sub.Apt
208 Ladysmith Dr, Lot 501	Nc	Single Detached Dwelling
232 Ladysmith Dr, Lot 513	Nc	Single Detached & Sub.Apt
93 Ladysmith Dr, Lot 178	Nc	Single Detached Dwelling
20 Lannon St	Nc	Patio Deck
3 Livingstone St	Nc	Fence
3 Ruby Line	Nc	Accessory Building
6 Maple St	Nc	Fence
6 Maple St	Nc	Patio Deck
14 Maple St	Nc	Fence
85 Pennywell Rd	Nc	Fence
85 Pennywell Rd	Nc	Patio Deck
85 Pennywell Rd	Nc	Accessory Building
43 Pine Bud Ave	Nc	Fence
174 Pleasant St	Nc	Fence
223 Portugal Cove Rd	Nc	Accessory Building
223 Portugal Cove Rd	Nc	Patio Deck
16 Sequoia Dr Lot 302	Nc	Single Detached & Sub.Apt
18 Sequoia Dr, Lot 303	Nc	Single Detached Dwelling
27 Sequoia Dr, Lot 313	Nc	Single Detached Dwelling
152 Signal Hill Rd	Nc	Fence

12 Soldier Cres, Lot 41	Nc	Single Detached Dwelling	
34 Spratt Pl	Nc	Patio Deck	
39 Stanford Pl	Nc	Single Detached Dwelling	
6 Tansley St, Lot 13	Nc	Single Detached Dwelling	
11 Tigress St, Lot 631	Nc	Single Detached Dwelling	
15 Tigress St, Lot 629	Nc	Single Detached & Sub.Apt	
5 Trinity St	Nc	Patio Deck	
15 Firdale Dr	Cr	Subsidiary Apartment	
64 Carpasian Rd	Ex	Accessory Building	
20 Cedarhurst Pl	Ex	Single Detached Dwelling	
88 Lester St	Ex	Single Detached & Sub.Apt	
35 Pine Bud Ave	Ex	Single Detached Dwelling	
15 Allan Sq	Rn	Townhousing	
51 Bennett Ave	Rn	Single Detached Dwelling	
72 Blue Puttee Dr	Rn	Single Detached Dwelling	
38 Bonaventure Ave	Rn	Single Detached Dwelling	
40 Bonaventure Ave	Rn	Semi-Detached Dwelling	
89-91 Casey St	Rn	Semi-Detached Dwelling	
75 Cheyne Dr	Rn	Single Detached Dwelling	
16 Hatcher St	Rn	Single Detached Dwelling	
52 Kenai Cres	Rn	Single Detached Dwelling	
25-27 Maxse St	Rn	Townhousing	
212 Mundy Pond Rd	Rn	Single Detached Dwelling	
57 Portugal Cove Rd	Rn	Single Detached Dwelling	
100 Queen's Rd	Rn	Single Detached Dwelling	
18 Regina Pl	Rn	Single Detached Dwelling	
34 Rennie's Mill Rd	Rn	Fence	
57 Beothuck St	Sw	Single Detached Dwelling	
34 Spruce Grove Ave	Sw	Single Detached Dwelling	
51 Spruce Grove Ave	Sw	Single Detached Dwelling	
181 Cheeseman Dr	Sw	Single Detached Dwelling	
38 Connemara Pl	Sw	Single Detached Dwelling	
3 Nightingale Rd	Sw	Single Detached & Sub.Apt	
32 Pennywell Rd	Sw	Single Detached Dwelling	
54 Poplar Ave	Sw	Single Detached Dwelling	
			This Week \$ 4,198,356.00

**Class: Demolition**

Logy Bay Rd	Dm	Church	
			This Week \$ 6,000.00

This Week's Total: \$ 9,093,431.00

Repair Permits Issued: 2013/05/23 To 2013/05/29 \$ 141,800.00

10 Rosalind Street Lowback Rejected Due To Section 10.3.3 (1)(G) Of The St. John's Development Regulations.

Legend

- Co Change Of Occupancy
- Cr Chng Of Occ/Renovtns
- Ex Extension
- Nc New Construction
- Oc Occupant Change
- Rn Renovations
- Sw Site Work
- Ti Tenant Improvements
- Sn Sign
- Ms Mobile Sign
- Cc Chimney Construction
- Cd Chimney Demolition
- Dv Development File
- Ws Woodstove
- Dm Demolition

Year To Date Comparisons			
June 3, 2013			
Type	2012	2013	% Variance (+/-)
Commercial	\$129,300,000.00	\$45,700,100.00	-65
Industrial	\$3,600,100.00	\$28,000.00	-99
Government/Institutional	\$12,300,200.00	\$11,000,000.00	-11
Residential	\$71,000,100.00	\$57,700,300.00	-19
Repairs	\$1,700,400.00	\$1,400,200.00	-18
Housing Units (1 & 2 Family Dwellings)	251	163	
<b>Total</b>	<b>\$217,900,800.00</b>	<b>\$115,828,600.00</b>	<b>-47</b>

Respectfully Submitted,

David Blackmore, R.P.A.  
Deputy City Manager - Planning, Development & Engineering

**Payrolls and Accounts**

**SJMC2013-06-03/245R**

**It was moved by Councillor Colbert; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending May 30<sup>th</sup>, 2013 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending May 30 2013**

**Payroll**

<b>Public Works</b>	<b>\$ 404,858.41</b>
<b>Bi-Weekly Casual</b>	<b>\$ 19,741.77</b>
<b>Accounts Payable</b>	<b>\$ 2,584,164.42</b>
<b>Total:</b>	<b>\$ 3,008,764.60</b>

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

**Tenders**

- a. Tender – 2013 Streets Rehabilitation Program – Contract #2
- b. Tender – 2013 Watermain Improvements

**SJMC2013-06-03/246R**

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

- a. **Modern Heavy Civil Ltd. @ \$4,166,196.44**
- b. **Coady Construction & Excavating ltd. @ \$967,487.92**

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

**Notice of Motion**

**Councillor Tilley gave the following Notice of Motion:**

**TAKE NOTICE** that I will at the next Regular Meeting of the St. John's Municipal Council move to enact an amendment to the St. John's Sign By-Law so as to include provisions related to election signage.

DATED at St. John's, NL this 3<sup>rd</sup> day of June, 2013.

**2013 Summer Meeting Schedule**

Council considered a memorandum dated May 31<sup>st</sup>, 2013 from the Acting City Manager & City Clerk regarding the above noted.

**SJMC2013-06-03/247R**

**It was moved by Councillor Colbert; seconded by Councillor O'Leary: That the following Summer Schedule for Regular and/or Special Meetings of Council following the meeting of Tuesday, June 25<sup>th</sup>, 2013 be approved.**

Monday, July 8, 2013

Monday, July 22, 2013

Monday, August 5, 2013

Monday, August 19, 2013

Regular Meetings will resume on Tuesday, September 3, 2013.

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

**MacMorran Community Centre – Parking Lot Sink Holes**

Council considered a memorandum from Deputy City Manager, Public Works regarding the above noted.

**SJMC2013-06-03/248R**

**It was moved by Councillor Tilley; seconded by Councillor Colbert: That funding in the amount of \$305,000.00 from the unallocated 2013 capital fund be approved towards the replacement of the storm drainage pipe which runs under the MacMorran Community Centre Parking Lot.**

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

**Request for an Exemption – Noise By-Law , Elim Tabernacle 565 Kenmount Road**

Council considered a memorandum dated May 29, 2013 from Deputy City Manager, Planning, Development & Engineering regarding the above noted.

**SJMC2013-06-03/249R**

**It was moved by Councillor Colbert; seconded by Councillor Hickman: That a request from Elim Tabernacle, 565 Kenmount Road for exemption from the Noise By-Law on three occasions, July 28, August 25 and September 8, 6 pm to 7:15 p.m., be approved.**

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

**11 Mapleview Place**

Council considered a memorandum dated May 30, 2013 from the City Solicitor regarding the above noted.

**SJMC2013-06-03/250R**

**It was moved by Councillor Colbert; seconded by Councillor Collins: That the owners of 11 Mapleview Place be compensated in the amount of \$12,500.00 plus legal fees for the closing of the transaction, for land expropriated in 2010 for street widening.**

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

**Barrows Road/Stone's Road**

Council considered a memorandum dated May 30, 2013 from the City Solicitor regarding the above noted.

**SJMC2013-06-03/251R**

**It was moved by Councillor Colbert; seconded by Councillor O'Leary: That the owners of land expropriated by the City on Barrows Road @ Stone's Road in 2007 for construction of a sewage lift station, be compensated in the amount of \$21,587.00 plus legal fees for the closing of the transaction.**

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

**Economic Update, June 2013**

Councillor Tilley presented the June 2013 Economic Update.

**Councillor O’Leary**

Councillor O’Leary referenced an email from His Worship the Mayor in response to a resident’s concern with respect to a recent drive-by shooting in a St. John’s Subdivision. Councillor O’Leary stressed the importance of community and neighbourhoods working together to create a safer neighbourhood and encouraged everyone to learn about the neighbourhood Watch Program, that does not require you to take on the responsibilities of the police, but it is about alerting the police to help prevent crime in our communities.

**Councillor Hann**

Councillor Hann also referred to an email from His Worship the Mayor in response to a resident’s concern with to a drive-by shooting in a St. John’s Subdivision. He noted that he has been in contact with the RNC and an investigation is underway.

**Councillor Hickman**

Councillor Hickman tabled a petition the prayer of which reads as follows:

“We are signing this petition to protest the approval of the application to subdivide civic # 26 Rostellan Place into 2 bldg lots. We ask as taxpayers of Rostellan Place and Rostellan Street for your review of our concerns and of this application.

This street was developed in 1962 by Garland Clarke Ltd. and 11 lots of 100 feet were approved by Council. We four original families of this 11 lot subdivision understood at the time of purchase that our lot size was protected by the City’s approval of 100 foot lots. We who have purchased the



properties of other original landowners paid a premium to live on this street and this is reflected in the municipal taxes we pay.

In the early 1990's R1 zoning was modified to allow 15 meter lots. Unfortunately Council at the time did not consider the implication for our street. And until the submittal of this application it was not a problem. Approval of this application will alter the landscape of this unique street. Streets such as Rostellan add to the charm of St. John's, they give character to the City and enjoyment to the property owners who invest there and all others who avail of this beautiful neighborhood for walking or biking.

We question why this gem in the middle of the City not be afforded the same protection that is afforded those living in the downtown neighborhoods. We believe that Councillors have a responsibility to step in when zoning relations fail to protect the property rights of existing taxpayers.

**We have included pictures of the site in question as it is only by viewing the site in question can you fully appreciate the concerns of taxpayers on this street. The property to be subdivided is to the right or east side of the white house. It is the site of #26, the wood faced side split.**

We thank you in advance for your consideration of this petition.”

**Councillor Colbert**

Councillor Colbert alluded to the application by RDG Holdings Ltd. for a proposed townhouse development on Nunnery Hill/Holloway Street, which was deferred by Council at its Regular Meeting held on May 27, 2013 to allow staff an opportunity to review the concerns submitted. He asked that staff confirm whether or not #5 Kickham Place, which is located below the property owned by Fortis, is owned by the City. Councillor Colbert mentioned whether the City could swap its land on Kickham Place, possibly with land owned by Fortis, to open a view corridor.

Councillor Colbert asked that staff investigate whether the Drill Hall in Pleasantville, which is scheduled for demolition, can be useful for any purpose.

**Councillor Tilley**

Councillor Tilley advised that concern has been expressed to him that the medians on various streets throughout the City are being used by people to solicit money, which is creating a serious safety hazard. He asked that the matter be referred to the Police and Traffic Committee for comment.

**Acting Mayor Duff**

Acting Mayor Duff tabled a letter from Ms. Heather MacLellan concerning the proposed development on Nunnery Hill.

Acting Mayor Duff expressed the need for adequate dumpster storage and regular emptying, on all construction sites. She asked that City Inspectors monitor the situation during their regular site inspections.

**Adjournment**

There being no further business, the meeting adjourned at 5:55 pm

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**MAYOR**

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**CITY CLERK**