

ST. JOHN'S

Regular Meeting - City Council Agenda

December 7, 2020

3:00 p.m.

4th Floor City Hall

Pages

1. CALL TO ORDER
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 - 2.1. Golden Broom Awards
3. APPROVAL OF THE AGENDA
 - 3.1. Adoption of Agenda
4. ADOPTION OF THE MINUTES
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16.	ADJOURNMENT	

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

November 30, 2020, 3:00 p.m.

Present:

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Dave Lane
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Wally Collins
- Councillor Shawn Skinner

Staff:

- Kevin Breen, City Manager
- Derek Coffey, Deputy City Manager of Finance & Administration
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Lynnnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Susan Bonnell, Manager - Communications & Office Services
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, Legislative Assistant

Land Acknowledgement

The following statement was read into the record:

“We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John's is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and other peoples. We would also like to acknowledge with respect the diverse

histories and cultures of the Mi'kmaq, Innu, Inuit, and Southern Inuit of this Province.”

1. **CALL TO ORDER**
2. **PROCLAMATIONS/PRESENTATIONS**
3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2020-11-30/616

Moved By Councillor Froude

Seconded By Councillor Korab

That the agenda be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - November 23, 2020**

SJMC-R-2020-11-30/617

Moved By Deputy Mayor O'Leary

Seconded By Councillor Stapleton

That the minutes of the Regular meeting held on November 23, 2020 be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

5. BUSINESS ARISING FROM THE MINUTES**5.1 Quarry Permit Approval for 4329 Trans Canada Highway**

At the Regular Meeting of November 23, 2020 there was a Notice of Motion to rescind the April 27, 2020, decision of Council to approve a quarry permit for 4329 Trans Canada Highway.

SJMC-R-2020-11-30/618

Moved By Councillor Collins

Seconded By Councillor Hickman

That Council rescind its decision made at the Regular Meeting of April 27, 2020 (SJMC-R-2020-04-27/204) to approve the Discretionary Use Application of C. W. Parsons Limited to use a parcel of land at 4329 Trans Canada Highway as a quarry as the description of the parcel of land to be used has changed.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

6. NOTICES PUBLISHED**6.1 45 New Cove Road - Residential Low Density (R1) Zone - Ward 4**

A change of Non-Conforming Use application has been submitted for 45 New Cove Road requesting a change from the existing Office Use to a Dwelling unit.

The proposed Dwelling unit will have a floor area of approximately 69.7m². There are currently 2 Dwelling units in the Building. Parking is provided on-site.

2 submissions received

SJMC-R-2020-11-30/619

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council approve the change of Non-Conforming Use application for 45 New Cove Road, requesting a change from the existing Office Use to a Dwelling unit, subject to meeting all applicable requirements.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

7. COMMITTEE REPORTS

7.1 Development Committee Report

1. Request to Approve 3 Storey Single Detached Dwelling - 1 Ozark Place - INT2000097

SJMC-R-2020-11-30/620

Moved By Councillor Burton

Seconded By Councillor Collins

That Council approve the proposed 3 storey Single Detached Dwelling located at 1 Ozark Place.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Collins, and Councillor Skinner

Against (1): Councillor Froude

MOTION CARRIED (10 to 1)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

8.1 Development Permits List for the Period November 19 - 25, 2020

Council considered the above noted Development Permits List for information.

9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

9.1 Building Permits List for the Period November 19 - 25, 2020

Council considered the above noted Building Permits List for information.

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending November 25, 2020

SJMC-R-2020-11-30/621

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

That Council approve the Weekly Payment Vouchers for the week ending November 25, 2020 in the amount of \$5,299,370.37.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (10 to 0)

11. TENDERS/RFPS

11.1 2020164 - Supply and Delivery of Water Treatment Chemicals (Windsor Lake WTP)

SJMC-R-2020-11-30/622

Moved By Councillor Froude

Seconded By Councillor Collins

That Council award this open call to the lowest bidder meeting specifications, Univar Canada Inc., for \$245,065.00 (HST Included) as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

11.2 2020170 - Door Canopy Construction Riverhead Wastewater Treatment Facility

SJMC-R-2020-11-30/623

Moved By Councillor Froude

Seconded By Councillor Hickman

That Council award this open call to the sole bidder meeting specifications, RCS Construction Inc., for \$144,779.25 (HST Incl.) as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

11.3 2020151 - General Ground Maintenance Services - Robin Hood Bay Waste Management Facility

SJMC-R-2020-11-30/624

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council award this open call to the lowest bidder meeting specifications, Alyssa's Property Services Pro Inc., for \$639,078.00 (HST Incl.) as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

11.4 2020163 – Supply and Delivery of Larue Parts

SJMC-R-2020-11-30/625

Moved By Councillor Froude

Seconded By Councillor Lane

That Council award open call 2020163 – Supply and Delivery of Larue Parts, to the lowest and only bidder meeting the specifications, Provall Parts Limited for \$72,544.03 (including HST), as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

12.1 Resolution - 2025 Canada Games Commitment

Councillor Hickman brought forward the 2025 Canada Games Resolution.

SJMC-R-2020-11-30/626

Moved By Councillor Hickman

Seconded By Councillor Korab

That Council adopt the attached 2025 Canada Games Commitment Resolution.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

12.2 Resolution - International Day for the Elimination of Violence Against Women and 16 Days of Activism

Deputy Mayor O'Leary brought forward the International Day for the Elimination of Violence Against Women and the 16 Days of Activism Resolution.

SJMC-R-2020-11-30/627

Moved By Deputy Mayor O'Leary

Seconded By Councillor Skinner

That Council adopt the attached Resolution for International Day for the Elimination of Violence Against Women and the 16 Days of Activism.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

13. OTHER BUSINESS

13.1 Membership – Bike St. John's Advisory Committee

Councillor Lane brought forward a recommendation of a transition to active transportation for the Bike St. John's Advisory Committee.

Councillor Froude requested that in parallel, transportation staff could provide information on the value of an active transportation master plan and how it relates to the Bike Master Plan and the City's broader transportation plan.

SJMC-S-2020-11-30/628

Moved By Councillor Lane

Seconded By Councillor Hickman

That Council approve the extension of the members of the St. John's Bike St. John's Advisory Committee noted below until February 4, 2022 and advertise for membership to fill the vacancy:

- Carol Grouchy Public Member
- David Hood Public Member
- Stephen Hill Org. Member
- Tobias Laengle Org. Member

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

SJMC-R-2020-11-30/629

Moved By Councillor Lane

Seconded By Councillor Burton

That Council ask the Bike St. John's Advisory Committee to explore expanding its mandate to active transportation.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

13.2 SERC Road Closure - Hudson and Rex

Ratification of E-Poll conducted on November 25, 2020

SJMC-R-2020-11-30/630

Moved By Councillor Skinner

Seconded By Deputy Mayor O'Leary

That Council approve the requested road closure for the Hudson and Rex film shoot.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

13.3 SERC Road Closure – The Surrealtor

SJMC-R-2020-11-30/631

Moved By Councillor Skinner

Seconded By Councillor Stapleton

That Council approve the requested road closure for The Surrealtor film shoot.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

14. ACTION ITEMS RAISED BY COUNCIL

15. ADJOURNMENT

There being no further business, the meeting adjourned at 4:10 pm.

MAYOR

CITY CLERK

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on December 7, 2020.**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
4329 Trans Canada Highway Forestry (F) Zone Ward 5	Application A Discretionary Use Application has been submitted requesting permission to use a parcel of land at 4329 Trans Canada Highway near Pasture Land Road as a quarry for Mineral Workings Use. Description The proposed 1.81 hectares of Crown Land will be used for quarrying Borrow Material, Gravel, Rock, Sand, Stockpiled Material and Aggregate, which involves drilling, blasting, and crushing	7 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements.

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

Jason Sinyard, P. Eng, MBA
Deputy City Manager,
Planning, Engineering and Regulatory Services

From: CBS CLB Old Comrades Branch 2 <cbsclboldcomrades@gmail.com>
Sent: Monday, November 9, 2020 11:08 PM
To: Planning
Cc: [REDACTED]
Subject: (EXT) Project 4329 Trans Canada Highway; and Environmental Assessment Black Diamond Quarry
Attachments: 201109-5A - Environmental Assessment Foxtrap Access Road Quarry - Black Diamond Construction.pdf, 201109-1A Application - 4329 Trans Canada Highway City of St Johns.pdf, 201109-1B Pic - Application - 4329 Trans Canada Highway City of St Johns.pdf

City of St. John's Planning Department,

Earlier this evening we were made aware of a number of quarry proposals (four) in the vicinity of the TCH and the Foxtrap Access Road that are being reviewed for approval by the City of St. John's. In fact, the deadline for input into application 4329 Trans Canada Highway is scheduled for tomorrow morning (November 10, 2020) at 9:30am, and that the council decision date is set for November 23, 2020.

The proposal of most concern to us (CBS CLB Old Comrades Branch 2) is the proposal described in the attached Environmental Assessment submitted by Black Diamond Quarry. Even though our property and our access road are included in this assessment, we have NEVER been notified by anyone or any organization listed in the permit agencies table on page 22 of the EA document.

We find it odd that our locked gated roadway that we built and have maintained for many years is being assumed to be consumed by this project. We have operated a wilderness camp on the north side of Scout Pond and the eastern side of Trout Pond since the very early 1990's, and we occupy an area of some seven hectares. There is also a Scout camp facility adjacent to our property.

At this late hour we have not had the reasonable opportunity to develop a proper input to your review process. While we are aware that the review of application 4329 Trans Canada Highway (see attached documents) is tomorrow morning, we are not aware if a date has been set for the Black Diamond proposal noted in the attached environmental assessment document.

Please advise what our next step options are regarding these quarry proposals.

Best regards,

Ralph Fagan - Treasurer
CBS CLB Old Comrades Branch 2
[REDACTED]

CC: Executive Committee – CBS CLB Old Comrades Branch 2
Scouts – 1st Cowan Heights Unit

November 12, 2020

Files: 122-03

Ms. Lindsay Lyghtle Brushett, MCIP **Via e-mail to:** llyghtlebrushett@stjohns.ca
Supervisor – Planning & Development
Department of Planning, Engineering, & Regulatory Services
City of St. John's P. O. Box 908
St. John's, NL A1C 5M2

Dear Ms. Lyghtle Brushett:

REFERRAL – CITY OF ST. JOHN'S - DISCRETIONARY USE APPLICATION (PROPOSED QUARRY) - 4329 TRANS CANADA HIGHWAY

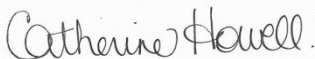
In response to your letter of October 28, 2020, regarding the above-noted proposed 1.81-hectare quarry near Pasture Land Road, the City of Mount Pearl thanks you for the opportunity to provide commentary.

The referral was discussed at the City of Mount Pearl Community Development Committee meeting of November 9, 2020.

The City of Mount Pearl has no general objections to the proposed quarry as it is proposed to be located approximately 15.5 kilometres from the City of Mount Pearl boundary. If approved the quarry should be conditioned to operate as per all applicable regulations of the Department of Natural Resources – Mineral Lands Division and Occupational Health and Safety requirements.

The City of Mount Pearl thanks the City of St. John's for the opportunity to participate in the public consultation referral process. Please contact me at 709-748-1023 or by e-mail at chowell@mountpearl.ca if you require anything further.

Kindest regards,



Catherine Howell
Manager of Development and Planning

cc Jason Collins, Director of Community Development
Mona Lewis, Deputy City Clerk

Department of Community Development

3 Centennial Street | Mount Pearl, NL | A1N 1G4 | T 709-748-1029 | F 709-748-1111 | www.mountpearl.ca

From: [CityClerk](#)
To: [REDACTED] [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 4329 Trans Canada Highway
Date: Thursday, November 5, 2020 11:52:50 AM

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

From: [REDACTED]
Sent: Thursday, November 5, 2020 11:32 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 4329 Trans Canada Highway

Good morning:

I am a member of Scouts Canada, which has several Scouting interests that operate in and around the Foxtrap Pastureland Road, and have been for a significant period of time. I also note there are other organizations, such as the CLB, and cabin owners in the area. Hopefully those other interested parties are aware and presenting commentary.

To say I'm not happy about this situation is a likely understatement. This will be the third such operation of this type operating from the same general location. And you are looking to, or have already approved, a similar operation on the north side of the TCH in close proximity. I was not aware of the first approval and only found out about the second location at close of receipt of comments by those affected. Apparently that too passed. It is very likely the general Scouting community was also unaware.

It is interesting to note that the land being occupied has already been cleared for operations so I guess any such comments to the contrary are in reality already too late. These clearings were thought to be sanctioned logging operations for environmental purposes, but alas proved to be something totally different. A question to be answered is how can land be cleared prior to any approval of operations by the City?

Scouting uses numerous locations in the area to conduct activities including, but not limited to, camping and hiking, with youth ranging in age from 5-18. Our access to nature based activities unencumbered by urban sprawl is important to Youth and Scouters alike. It gives youth the ability to learn more about our environment, nature and wildlife with more hands on involvement, leaving No Trace, and developing such skills as survival, leadership and teamwork, providing for well rounding personal growth and future leadership in our business and communities.

Given this use of the area, also leads to questions related to safety, given increased heavy equipment operations, blasting and noise pollution. How are these being addressed and in future?

There are a lot more "remote" areas where these operations can occur. I know economics plays a significant role in locations chosen, but why are such operations, unless grandfathered due to City expansion, allowed to

commence/operate within City boundaries? I think this is inappropriate.

Some may say precedent has been set with the allowing of the prior operations, however consideration needs to be given to the excessive concentration in this area.

I thank you for your consideration.

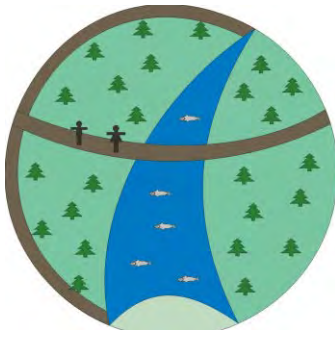
Respectfully submitted,

A black rectangular redaction box covering the signature area.

Sent from my iPhone

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.



Kelligrews Ecological Enhancement Program (KEEP)

P.O. Box 17173, Kelligrews
Conception Bay South, Newfoundland and Labrador
A1X 3H1

Email: kelligrewseep@yahoo.ca

phone: 834-4915

Website: <http://www.envision.ca/webs/keep/>

Honourable Derrick Bennett
Minister of Environment, Climate Change and Municipalities
Department of Environment, Climate Change and Municipalities
P.O. Box 8700
St. John's, NL
A1B 4J6

November 10, 2020

RE: Undertaking Registered Foxtrap Pasture Land Road Quarry
registration 2103.

Dear Minister Bennett:

The Kelligrews Ecological Enhancement Program (KEEP) has reviewed the proposal to develop a 1.81-hectare sand and rock quarry on Pasture Land Road registered Foxtrap Pasture Land Quarry registration 2103 submitted by the proponent C.W Parsons Limited. Minister Bennett, as a volunteer group we ask that you do not approve this quarry application or any others in this area for the near future. This will give your staff the necessary time to consult with other government departments, review the antiquated Quarry legislation, undertake an extensive review of old, new and existing quarries in the Northeast Avalon.

The next time you return to your district and return to the Avalon Peninsula you will notice that east of Butterpot Park are many, many quarries, some new, many in existence for many years. If you, at some point in time, visit the Town of Conception Bay South and return to St. John's via the Manuels Access Road you will see land stripped of all vegetation, trees that remain, being choked by tailings and other debris. All entry points to St. John's have this same visual scene. The vistas are alarming.

KEEP is very concerned about the number of quarries either proposed or approved for the area, which includes Incinerator Road, both sides of the Foxtrap Access Road at the interchange and Pasture Land Road.

KEEP has written letters to your Department, over many years, raising our concerns. In the last year the Dog Hills Quarry, reg. 2034, of 29.8 hectares was approved and the same company applied for another 14.7 hectares (Reg. 2083) in the same area. This is in the same area as the current proposed 1.81-hectare sand and rock quarry on Pasture Land Road (reg. 2103). All of the area is zoned Forestry. In addition, a recent ad in The Telegram refers to an application to the City of St. John's for a 25 hectare quarry off the Foxtrap Access Rd.

If one puts these together with the existing quarries, it is clear to see that the whole area is being stripped. Habitat is being lost and all our rivers are threatened as the headwaters for all the watersheds in CBS are on the north side of the TCH.

There are numerous environmental issues; the result of clear cutting or bulldozing so much forested land in the confined area described in this letter.

Clear cutting has been studied extensively, the result being a major contributor to carbon emissions worldwide. The secondary stripping of all other vegetation adds to the carbon issue. The carbon sinks disappear and nothing is done to replace them. Or even mitigate the damages.

Flooding downstream from these quarries is a very real concern with the expected increase in heavy rain and snow melt as our climate warms.

Animals are being forced out of their natural habitat and have become a major safety concern for motorists. Recreational users are being forced out of areas they have used for a long time. The government does not appear to have considered conflicting uses when approving these quarries.

Quarries receive very long leases, one, five and twenty years, and leases are extended without much investigation and in some cases even sold to others so once established, the area can remain stripped for more than 20 years. Even when the proponent states they will rehabilitate the area, the

majority do not do anything at all. There has been little to no enforcement to ensure that rehabilitation is completed.

There has been no effort taken to study the short and long term cumulative impacts of all these quarries in an area that was/is forested and was/is a habitat for diverse flora and fauna.

As you can see, we have a number of concerns related to extensive quarrying in the area and, as such, are opposed to the approval of the proposed project, registration 2103. We would appreciate your earliest and written response to this issue. We would, of course, be willing to meet with you and your staff at any time.

Respectfully yours;

Karen Morris
Kelligrews Ecological Enhancement Program



November 10, 2020

City of St. John's
P.O. Box 908
St. John's, NL A1C 5M2
Attn: Office of the City Clerk cityclerk@stjohns.ca

RE: Application 4329 Trans Canada Highway

Dear Sir or Madam

In reference to the above matter we are the solicitors for the 1st Cowan Heights Scout Group, 1st Mount Pearl Lions Scout Group and 1st Paradise Scout Group as it relates to their properties, 1st Cowan Heights Camp and Camp Morristown.

On May 1, 1968 Her Majesty the Queen granted almost 2 Acres to The Boy Scouts Association of Newfoundland and Labrador in trust for the First Curtis Boy Scout Troop via Crown Grant. Said land bounds Scout Pond, and is 0.4 kms in Pasture Land Road. The Application before you is between Little Pond and Dog Pond about 0.4 km in Pasture Land Road, the two properties are on the same road and the Applicant will have to pass by 1st Cowan Heights Camp every time they use the quarry. We also note that the CLB also have a property next to this Camp. In 1988 there was a conveyance whereby the Land Grant was conveyed from First Curtis Boy Scout Troop to First Cowan Heights Scout Group.

The 1st Cowan Heights Cabin, has been in existence since the 1970's. It is operated/managed by Scouting volunteers on behalf of the Group. Users of the camp include Scouting groups from St. John's through to Conception Bay South and surrounding area, and by several Guide groups over the years. The cabin is "off the grid" so rustic in nature, but does have cell access for emergencies and has the ability to connect to a generator, if necessary, with potable water having to be brought in by users. The intent is for users to gain a better insight to working without the modern days' conveniences, thereby building the ability to learn in such circumstances.

Over the years thousands of Scouts and non-Scouts have used the facility, more specifically the area surrounding for year-round hiking, nature observance, remote camping, wildlife observance while at all times "leaving no trace".

On October 3, 1972 Her Majesty the Queen granted 5.60 Acres to The Boy Scouts Association of Newfoundland and Labrador in trust for the First Morris Group Committee Boy Scouts (our client's predecessor) via Crown Grant. Said land bounds Ocean Pond, and Gulleyes and is 2.4 kms in Pasture Land Road. The Application before you is between Little Pond and Dog Pond about 0.4 km in Pasture Land Road, hence approximately 2 kms separating our clients property and the Subject Property. On July 28, 1987 an agreement was entered into where Camp Morristown became owned jointly by the Paradise and Mount Pearl Scouting Group.

Said property was named Camp Morristown back in the 1970's and currently includes a large bunkhouse, a large cookhouse, bathrooms, pond frontage with a sandy beach and a pond for kayaking, swimming, fishing, canoeing and other water activities, campfire area, picnic tables, cooking shelters, parking and a cleared field for pitching tents and/ or organised sports events and activities. There is an emergency phone, cell service in some areas and the washrooms and structures are wheelchair accessible. It is 15 minutes from the metro area.

Camp Morristown has been sustained by the work of volunteers for decades. In addition to the only Camp of its kind servicing the Avalon Peninsula and its Scouts, it has also been the camp for

Girl Guides, Cadet Groups, and other community groups including the YMCA. Over the summer the YMCA rents the facility for a Youth Summer camp, so there is daily traffic to the camp. The camp is decorated with mementos left over the decades by its users. It is also available for Corporate Retreats.

Those involved with 1st Cowan Heights Scout Group, 1st Mount Pearl Lions Scout Group and 1st Paradise Scout Group have used these Camps numerous times per year including for Family camp weekends in which scouts and their families spend the weekend together doing activities. The group has the mantra of “no child left behind.” That means registration is capped for families with more than three children, registration is subsidized and/ or covered by the group or community sponsor for those who face social and/ or economic barriers to an organised event. Also, the group fundraises and buys camping equipment to ensure those who do not have any, have access to the same. For many of the children Scouting is their only organised activity. For the majority in the Scouting community this is the only opportunity they have to enjoy the great outdoors and the activities therein.

We also advise you that there are other Crown Grants to Scouting groups and other Scout camps on Pasture Land Road including 6th St John’s Scout Group, Wesley Scout Group, Topsail Scout Group, MacDonald Drive Scout Group and Park Avenue Scout Group. None of the groups were notified of this Application and we believe there was a legal requirement to do so. We note that Application number 4329 is a discretionary use application that proposes to use 1.81 hectares of Crown Land for various types of quarrying. We note the application stated that those within 150 metres should be notified. We think that is incorrect in this case. We wish to express some potential concerns that rise from said application.

We understand that the quarry will involve drilling, blasting and crushing, transport of material over the road and mining of the area. Some of the potential concerns we have are as follows.

- Will the compass course, hiking trials and/or mountain bike trials be adversely affected by this proposed use?

- What will be the impact on the Summer Camp ran by the YMCA for the children who attend this camp daily, especially as it relates to vehicles, noise and pollution?
- These camps fall within the exclusion zone for blasting so how will blasting operations, be handled. Will the same only be permitted when the camps are not in use?
- Access to the camps are primarily by small passenger vehicles and the road has to be maintained to a condition that allows these vehicles to safely navigate without any undue stress or damages, or extra safety concerns. Will the increase in road traffic and/or the use of heavy equipment over the road, result in more wear and tear of a poorly serviced road and if so, who will be responsible to maintain the road?
- Will the transfer of mud, silt, and small gravel from the pit and dirt roads onto the paved portion of Foxtrap Access Road, the TCH access ramps, and the highway itself creates issues? Does that violate the Highway Traffic Act?
- Will the dust from the drilling, blasting, and crushing at the site as well as use of vehicles, impact the air quality and impact not only humans but others in their natural ecosystem found therein?
- Attached is a sound map showing that blasting therein will exceed permissive levels for the environment, and will impact many of the camps in the area. It is our belief that the uses as outlined above create noise pollution that is harmful to the natural ecosystem and humans who use the area, how will that be addressed?
- Is there any risk of fuel or other like contaminant from the quarry and/ or equipment going into the land/ wetlands and ponds in the area? The area is quite marshy and the ability for the same to spread can be quite concerning. Will it impact Surface water? Ground Water? What are the risks to the water quality? i
- We note the area is rife with squirrels, foxes, rabbits, fish and birds including nesting and migratory birds, as well as diverse vegetation. Will the uses as outlined above result in a loss of biodiversity, and/or cause harm or damage to the natural

ecosystem and what are the terrestrial, marine and human effects of this endeavour?

- Will the endeavour impact the natural light in the area and/ or create new greenhouse gas emissions?
- Are there cumulative environmental effects we should be aware of?
- What are the potential adverse and potential beneficial effects of this endeavor?
- We ask if there has been any environmental impact analysis or assessment on this and if so, request a copy of it, as well as the complete file. If there has not been, we ask for the same to be done by an independent qualified third party?
- Has the Applicant obtained the requisite approval from the Provincial and Federal Governments?
- Is approval required from Transport Canada because of the proximity to the Trans Canada Highway, Federal Department of Fisheries and Oceans. Department of Environment and Department of Natural Resources for Newfoundland and Labrador.
- What is the plan to minimise or mitigate identified risks?
- If approved, will the terms attached include criteria for environmental management, regular inspections, adequate buffer zones, protection resources, and have a community liaison assigned?

AS advised earlier there are other Crown Grants to Scouting groups and other Scout camps on Pasture Land Road including 6th St John's Scout Group, Wesley Scout Group, Topsail Scout Group, MacDonald Drive Scout Group and Park Avenue Scout Group. Due to the lack of notification and short time frame to address this matter, we have been unable to confirm the retention of the undersigned on behalf of these groups but have been instructed by our clients to contest on their behalf for now as well.

A review of Crown Lands mapping shows that much of the Land has been granted to special groups such as ourselves to be used for camps, or is agricultural, or is not allowed to be granted

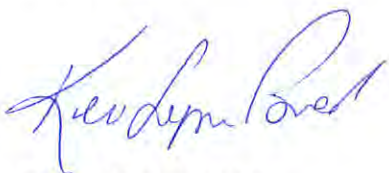
or has very limited use. If you go to this link <https://www.gov.nl.ca/landuseatlas/inquiry/?extent=-5899509.5092%2C6008442.3297%2C-5887871.9716%2C6016697.5287%2C102100> you can see the area and how it has been addressed. All of this is in line with the intent and purpose for the area to be either used for farming or camping and the application before you is contrary to the intent of all surrounding properties. It is also damaging to the surrounding properties. We ask for a complete copy of the Application and file as interested parties with standing so the matter can be canvassed more fully.

We submit until the above questions have been answered and there is an independent third-party reporting to address the same the City should not make a final decision on this matter.

There are also several non-Scouting properties owned by other non-profit organizations, as well as individuals, used in the same manner. It would appear there have been a number of applications seeking quarries in the area as of late and based on our discussions, the parties who should have been notified have not been, which means that any approval you may have granted were done contrary to law and policy. We also have concerns that the appropriate government approvals were not obtained. In light of that we also ask that you issue stop work orders for other quarries herein and revisit that process.

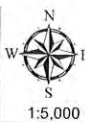
If you have any further questions, then please do not hesitate to contact the undersigned.

Thank you



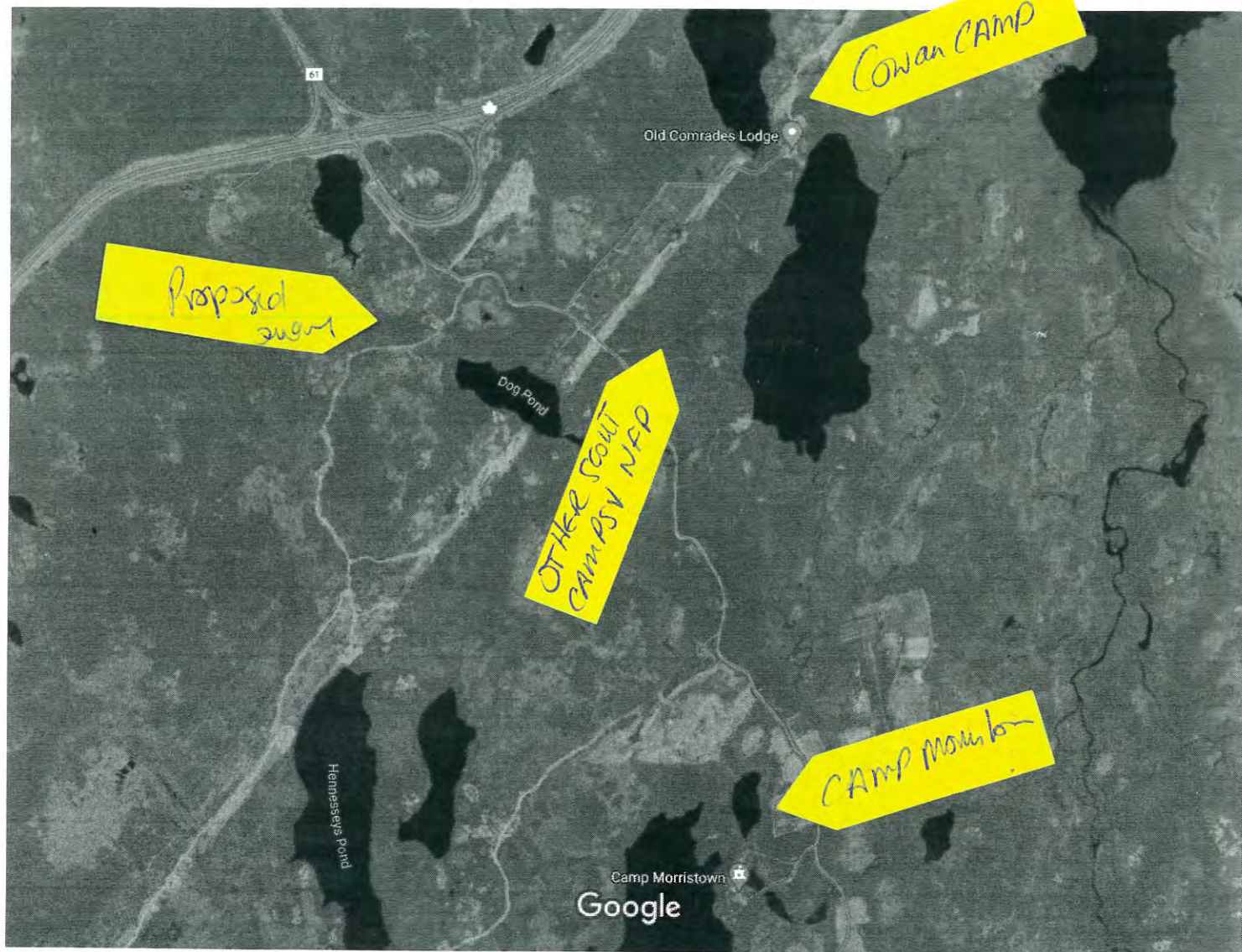
KERI-LYNN POWER



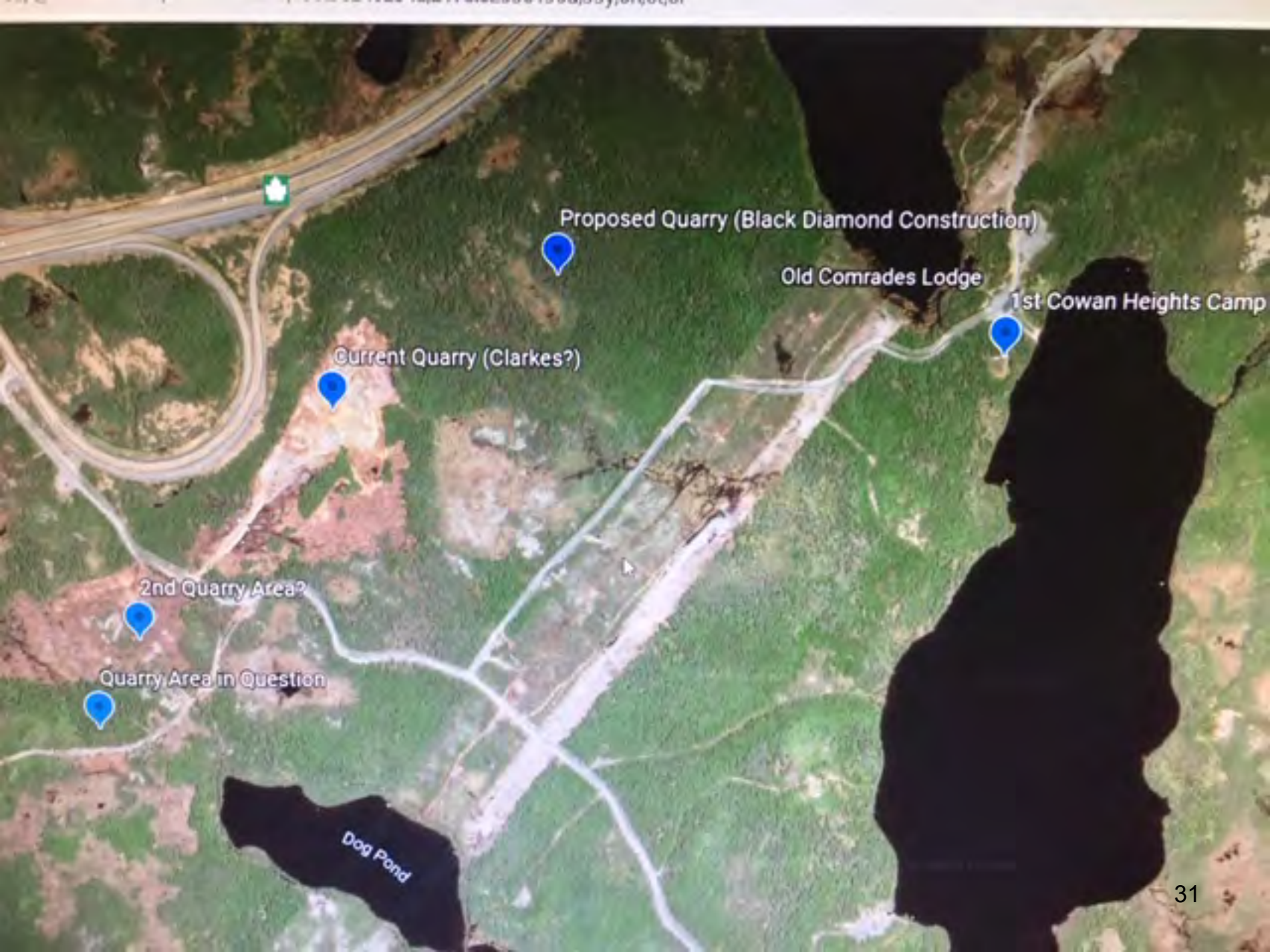


SUBJECT PROPERTY

Google Maps



Imagery ©2020 CNES / Airbus, Maxar Technologies, Map data ©2020 200 m



Cadastral Series

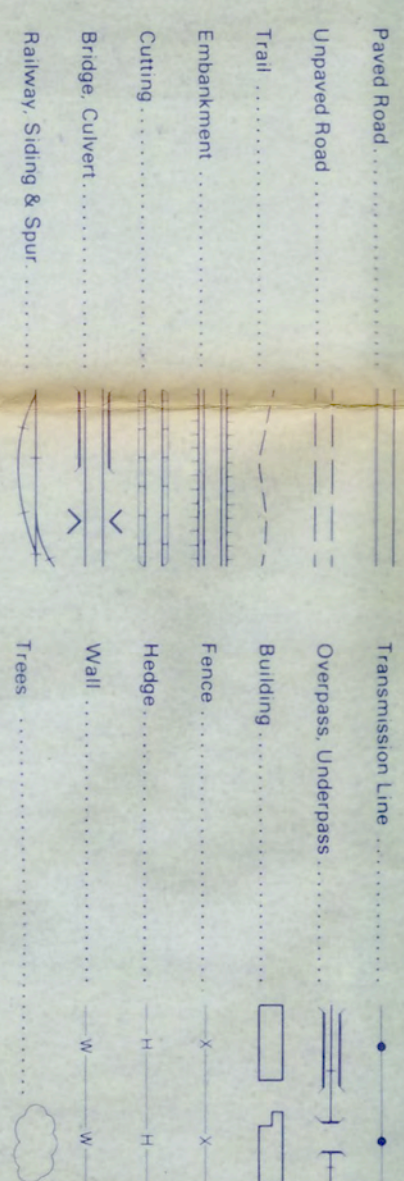
Newfoundland & Labrador
Forest Resources & Lands

1N7-352



NOTES
1. This map was prepared from surveys registered in the Crown Lands Registry. Since the Registry does not guarantee the accuracy of the information contained therein, the user assumes all responsibility for the use of the information. The user is advised to consult the Registry for more information.
2. The boundaries shown on this map are intended to be used as a guide only and do not constitute a legal description. For a legal description, the user should consult the Registry.
3. The user is advised to consult the Registry for more information.
4. The user is advised to consult the Registry for more information.

Avalon Peninsula



Scale 1:2500

Contour Interval 2 metres
Elevations in metres above Mean Sea Level
North American Datum 1927

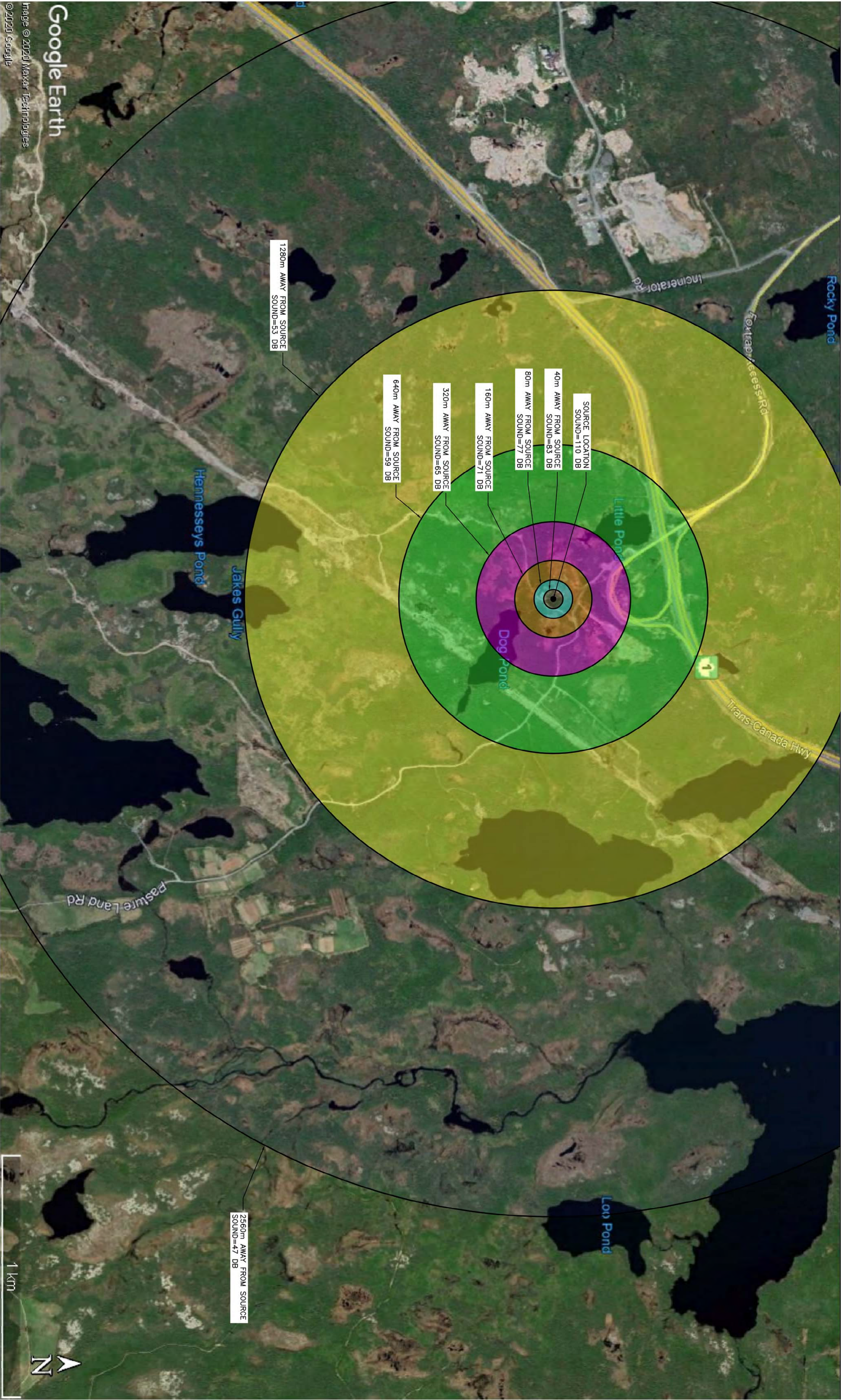
3. Transverse Mercator Projection
Scale Factor at Central Meridian 0.9993

Cadastral Information Copyright 1980

1N7-351	1N7-352	1N7-353
1N7-354	1N7-355	1N7-356
1N7-357	1N7-358	1N7-359
1N7-360	1N7-361	1N7-362

LEGEND
EXPOSED LENS
APPROXIMATE LOCATION OF BOUNDARIES
Note: In areas of tree cover, the approximate location of boundaries is indicated by a dashed line.

Copy of this map are available from
MAINTENANCE DIVISION, LANDS BRANCH
DEPT. OF FOREST RESOURCES & LANDS
HOWLEY BLVD., HIGHWAY 100
ST. JOHN'S, Nfld.





Cc:



[CityClerk](#)

[Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)

Subject:

RE: (EXT) Application - 4329 Trans Canada Highway

Date:

Thursday, November 5, 2020 11:41:10 AM

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley

City Clerk

t. 576-8202

c. 691-0451

From:



Sent: Thursday, November 5, 2020 9:31 AM

To: CityClerk <cityclerk@stjohns.ca>

Subject: (EXT) Application - 4329 Trans Canada Highway

I'm concerned about this discretionary use application which proposes that 1.81 hectares of Crown Land be "used for quarrying Borrow Material, Gravel, Rock, Sand, Stockpiled Material and Aggregate, which involves drilling, blasting and crushing".

The aerial view provided does not give a clear indication of the location of this piece of land; however, from the application title, I assume that it is within view of the Trans Canada Highway. As such, it will be an eye-sore for passing traffic, both tourist and local alike.

My main concern is environmental. Currently, the parcel of land is treed and near at least two bodies of water. Those trees will be destroyed and potential runoff from operations will enter at least one, possibly more, waterways. How will the trees be used? Is there a plan in place to restore the location to its natural state after cessation of operations? How long will operations be carried out?

Does the operator currently run a similar quarry or quarries elsewhere? What feedback has been obtained regarding that operation - any negative impacts on residents, wildlife, or habitat due to increased heavy traffic, drilling, blasting and crushing operations? Has that site been replanted to restore it to its natural state? Or has it just been left as a blight on the landscape?

I think that these, and similar or related, issues should be addressed before new land is approved for the proposed use, and I recommend that no new operations be permitted unless and until all former sites are restored. I recommend this not just for this particular proposal, but for all similar proposals regarding destructive land use.

Thank you,

ST. JOHN'S

Report of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

November 25, 2020, 9:00 a.m.

Present:

Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Maggie Burton
Councillor Dave Lane
Councillor Sandy Hickman
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins
Councillor Shawn Skinner

Staff:

Kevin Breen, City Manager
Derek Coffey, Deputy City Manager of Finance & Administration
Tanya Haywood, Deputy City Manager of Community Services
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Shanna Fitzgerald, Legislative Assistant
Kelly Maguire, Communications & PR Officer
Judy Tobin, Manager - Housing
Andrew Niblock, Director - Environment Services

Tourism and Culture - Councillor Debbie Hanlon

Art Procurement 2020

Recommendation

Moved By Councillor Hanlon

Seconded By Councillor Burton

That Council approve the Art Procurement Jury's recommendation as attached.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (11 to 0)

Mayor

DECISION/DIRECTION NOTE

Title: Art Procurement 2020

Date Prepared: November 19, 2019

Report To: Committee of the Whole

Councillor and Role: Councillor Debbie Hanlon, Tourism, Culture & Immigration

Ward: N/A

Decision/Direction Required: Approval of the 2020 Art Procurement jury's recommendation to Council regarding purchase of artwork submitted to the 2020 Art Procurement program.

Discussion – Background and Current Status: Following a four-year suspension of the City's Art Procurement program (from 2016-2019 inclusive), the program was reinstated during the budget process for 2020. The Art Procurement program considers submissions by individual artists and commercial art galleries for purchase by the City and subsequent inclusion in the Civic Art Collection. Pieces in the Civic Art Collection are on display throughout City Hall and other City buildings, in offices, boardrooms, public spaces, etc. These artworks are also regularly displayed in Wyatt Hall as a part of seasonal or themed exhibitions intended to share the collection with the general public and encourage engagement with the visual arts.

This year in response to the call for submissions, there were 217 pieces submitted for consideration, from 79 artists. Each artist can submit up to three pieces for consideration.

The jury for the Art Procurement program is comprised of subject matter experts in the area of visual art: practicing artists, art teachers, art writers, curators, and/or other persons knowledgeable in the area of visual art. This year's jury was made up of three such members, and also included non-voting City staff representation (Arts and Cultural Development Coordinator and City Archivist).

The jury met virtually on November 19, 2020 and selected twenty (20) pieces for purchase (please see attached list), totaling \$19,170. The annual budget for Art Procurement is \$20,000.

Upon approval, agreements will be signed between the City and the selected artists and/or the commercial gallery representing them, and the selected artworks will be delivered to the City Archives for cataloguing and inclusion in the Civic Art Collection.

Key Considerations/Implications:

ST. JOHN'S

1. Budget/Financial Implications: The 2020 budget includes \$20,000 for the purchase of artwork through the Art Procurement program. The jury has recommended the purchase of artwork totaling \$19,170.
2. Partners or Other Stakeholders: City staff worked with an external three-member jury to assess and select artworks to be recommended for purchase.
3. Alignment with Strategic Directions/Adopted Plans: Art Procurement addresses the City's strategic plan "Our City, Our Future," specifically "A Connected City:" "Increase and improve opportunities for residents to connect with each other and the City," and "Develop and deliver programs, services and public spaces that build safe, healthy and vibrant communities."

The Art Procurement program also reflects the directions in "Planning for a Creative Future: The City of St. John's Municipal Arts Plan," especially "Strategic Direction A: Financial Support of the Arts: Funding the Future."

4. Legal or Policy Implications: Selected artists and/or the commercial galleries representing them will enter into an agreement with the City indicating both the City's and the Artist's rights to use, copyright, etc.
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: The Call for Submissions was promoted through City channels, and EDCP staff will work with Communications staff to determine the most appropriate means through which an announcement concerning the selected pieces may be shared.
7. Human Resource Implications: N/A
8. Procurement Implications: Once approved, the artworks selected by the Jury will be acquired for inclusion in the Civic Art Collection.
9. Information Technology Implications: N/A
10. Other Implications: N/A

Recommendation:

That Council approve the Art Procurement Jury's recommendation as attached.

Prepared by: Théa Morash, Arts & Cultural Development Coordinator

Approved by:

Report Approval Details

Document Title:	Art Procurement 2020.docx
Attachments:	- 2020 Art Procurement Program - Artworks Recommended for Purchase.pdf
Final Approval Date:	Nov 20, 2020

This report and all of its attachments were approved and signed as outlined below:

Elizabeth Lawrence - Nov 20, 2020 - 4:05 PM

Tanya Haywood - Nov 20, 2020 - 5:36 PM

2020 Art Procurement Program - Artworks Recommended for Purchase.xlsx

Artist	Title	Cost
Aiden, Nicholas	Sunshine	\$ 750.00
Batten, Chris	Dad's G Hohner	\$ 470.00
Chan, Pepa	Garden of Unease	\$ 700.00
Eckert, Hazel	Soft Focus IMG_2075	\$ 1,425.00
Enstrom, Malin	berg I	\$ 1,800.00
Evans, Jackie	The Bagel Café	\$ 1,100.00
Glavine, Winnie	Looking Out	\$ 675.00
Hertel, Janice	East Coast Trail View	\$ 300.00
Horan, George	Brazilian Watercolour Suite #2	\$ 800.00
Jonasson, Hildur M H	End of an Era	\$ 1,200.00
Le Riche Beaumont, Ruby	The Old Barn	\$ 850.00
Leyton, Bonnie	Owl	\$ 600.00
MacCallum, John	Florida	\$ 800.00
O'Reilly, Jill	Northern Gannets	\$ 1,200.00
Payne, Steve	Groc & Conf	\$ 1,000.00
Pelley, Rhonda	VIII Of Cups	\$ 850.00
Pittman, Emily	Ten Historic Town Series 1	\$ 1,200.00
Rabinowitz, Toby	Whispering Horses	\$ 650.00
Song, Ginok	Remembrance	\$ 1,600.00
White, Nelson	Em	\$ 1,200.00
TOTAL		\$ 19,170.00

Development Permits List
For the Period of November 26 To December 2, 2020

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Crombie Developments Limited	Commercial Building & Site Work	40 Kenmount Road	4	Approved	20-11-26

*	Code Classification: RES - Residential INST - Institutional COM - Commercial IND - Industrial AG - Agriculture OT - Other
**	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.

Lindsay Lyghtle Brushett
Supervisor - Planning and Development

Permits List

Council's December 7, 2020 Regular Meeting

Permits Issued: 2020/11/26 to 2020/12/02

BUILDING PERMITS ISSUED

Residential

Location	Permit Type	Structure Type
11 Ballylee Cres	New Construction	Single Detached Dwelling
114 Hussey Dr	Site Work	Mobile Home
115 Diamond Marsh Dr	New Construction	Single Detached Dwelling
116 Logy Bay Rd	Site Work	Single Detached Dwelling
133 Blue Puttee Dr	Renovations	Single Detached Dwelling
179 Waterford Bridge Rd	Renovations	Single Detached Dwelling
2 Caravelle Pl	Fence	Fence
21 Frampton Ave	New Construction	Single Detached Dwelling
22 Firdale Dr	Deck	Patio Deck
23 Malka Dr	New Construction	Single Detached Dwelling
25 Malka Dr	New Construction	Single Detached Dwelling
32 Ballylee Cres	New Construction	Single Detached Dwelling
38 Spruce Grove Ave	Renovations	Single Detached Dwelling
44 Kincaid St	Deck	Patio Deck
45 Hawker Cres	Site Work	Single Detached Dwelling
46 Cabot St	Deck	Patio Deck
48-50 Forest Pond Rd	Renovations	Single Detached Dwelling
50 Richmond St	Fence	Fence
61 Mountbatten Dr	Renovations	Single Detached Dwelling
62 Carpasian Rd	Renovations	Single Detached Dwelling
70 Allandale Rd	Accessory Building	Accessory Building

This Week: \$1,591,350.06

Commercial

Location	Permit Type	Structure Type
121 Cuckhold's Cove Rd	New Construction	Other
202 Lemarchant Rd	Renovations	Clinic
40 Incinerator Rd	Renovations	Communications Use
430 Torbay Rd	Sign	Restaurant
48 Kenmount Rd	Change of Occupancy/Renovations	Retail Store

585 Torbay Rd	Change of Occupancy	Retail Store
673 Topsail Rd	Sign	Retail Store
673 Topsail Rd	Change of Occupancy	Restaurant
8-10 Rowan St	Change of Occupancy/Renovations	Eating Establishment

This Week: \$520,500.00

Government/Institutional

Location	Permit Type	Structure Type
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This Week: \$0.00

Industrial

Location	Permit Type	Structure Type
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This Week: \$0.00

Demolition

Location	Permit Type	Structure Type
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This Week: \$0.00

This Week's Total: \$2,111,850.06

REPAIR PERMITS ISSUED:

\$60,243.00

NO REJECTIONS

YEAR TO DATE COMPARISONS			
December 7, 2020			
TYPE	2019	2020	% Variance (+/-)
Residential	\$46,220,510.75	\$48,170,589.83	4
Commercial	\$174,434,734.16	\$134,995,077.71	-23
Government/Institutional	\$2,824,650.00	\$677,431.00	-76
Industrial	\$1,812,266.07	\$3,000.00	-100
Repairs	\$2,287,433.50	\$3,347,253.90	68
TOTAL	\$227,579,594.48	\$187,193,352.44	-18
Housing Units (1 & 2 Family Dwelling)	128	146	

Respectfully Submitted,

Jason Sinyard, P.Eng., MBA
Deputy City Manager
Planning, Engineering and Regulatory Services

MEMORANDUM

Weekly Payment Vouchers For The Week Ending December 2, 2020

Payroll

Public Works	\$ 520,855.22
Bi-Weekly Casual	\$ 34,713.89
Accounts Payable <i>(A detailed breakdown available here)</i>	\$ 1,914,119.85

Total: \$ 2,469,688.96

ST. JOHN'S

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

BID APPROVAL NOTE

Bid # and Name: 2020171 - Supply and Deliver Ozone Analyzers to Bay Bulls Big Pond Water Treatment Plant

Date Prepared: Monday, November 30, 2020

Report To: Regular Meeting

Councillor and Role: Councillor Ian Froude, Public Works & Sustainability

Ward: N/A

Department: Public Works

Division: Water & Wastewater

Quotes Obtained By: John Hamilton

Budget Code: 4123-55430

Source of Funding: Operating

Purpose:

The purpose of this open call is for the supply and delivery of ozone analyzers to the Bay Bulls Big Pond water treatment plant.

Results: ☐ As attached ☒ As noted below

Vendor Name	Bid Amount
Avensys Solutions	\$117, 588.65
Cahill Instrumentation & Technical Services (2011) Ltd.	\$165, 791.02

Expected Value: ☒ As above
☐ Value shown is an estimate only for a # year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: 10 months

Bid Exception: None

Recommendation:

That Council award this open call to the lowest bidder meeting specifications, Avensys Solutions, for \$117, 588.65 (HST incl.) as per the Public Procurement Act.

Attachments:

ST. JOHN'S

Report Approval Details

Document Title:	2020171 - Supply and Deliver Ozone Analyzers to Bay Bulls Big Pond Water Treatment Plant.docx
Attachments:	
Final Approval Date:	Nov 30, 2020

This report and all of its attachments were approved and signed as outlined below:

Rick Squires - Nov 30, 2020 - 8:59 AM

Derek Coffey - Nov 30, 2020 - 10:48 AM

BID APPROVAL NOTE

Bid # and Name: Patrick Street Sink Hole Repair
Date Prepared: Tuesday, December 1, 2020
Report To: Regular Meeting
Councillor and Role: Councillor Ian Froude, Public Works & Sustainability
Ward: N/A

Department: Public Works
Division: Water & Wastewater
Quotes Obtained By: Jason Phillips
Budget Code: 4131-52359
Source of Funding: Operating

Purpose:
Emergency repairs to sanitary sewer along Patrick Street.

Results: ☐ As attached ☒ As noted below

Vendor Name	Bid Amount
Precision Excavation Limited	\$136,813.48

Expected Value: ☒ As above
☐ Value shown is an estimate only for a # year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: N/A

Bid Exception: Contract Award Without Open Call

Recommendation:

That Council approve this procurement for emergency repair on Patrick Street by Precision Excavation Limited for \$136,813.48 (HST excluded) as per the Public Procurement Act. Due to the nature of this work it has been completed.

Attachments: Contract Award Without Open Call – Patrick Street Sewer

ST. JOHN'S

Report Approval Details

Document Title:	Patrick Street Sink Hole Repair.docx
Attachments:	- Contract Award Without Open Call - Patrick Street Sewer.pdf
Final Approval Date:	Dec 1, 2020

This report and all of its attachments were approved and signed as outlined below:

Rick Squires - Dec 1, 2020 - 9:32 AM

Derek Coffey - Dec 1, 2020 - 11:09 AM

TO: Government of Newfoundland and Labrador, Public Procurement Agency

**Report to Chief Procurement Officer, Public Procurement Agency
(Pursuant to Section 32 or *The Public Procurement Regulations*)
Version 1 – 2018-03-24**

**FROM: Government Funded Body
City of St. John's, P.O. Box 908, St. John's, NL A1C5M2**

Contract Description:

Contractor, Supplier or Lessor:

Name:

Address:

Country:

Contract Price
(exclusive of HST):

Contract # or PO #:

Date of Award:

Relevant Exception Clause (select only one):

Reason(s) Why an Open Call for Bids Was Not Invited:

Prepared by:

Date:

**Head of Public Body:
(DCM - Finance & Admin)**

Date:

Contract Award Without an Open Call for Bids

Relevant Exemption Clauses:

- 6(a)(ii): The commodity is of the nature that an open call for bids could reasonably be expected to compromise security (limited call for bids required)
- 6(a)(iii): The commodity is available from a public body
- 6(a)(iv): An emergency or a situation or urgency exists and the acquisition of the commodity cannot reasonably be made in time by an open call for bids
- 6(a)(v): There is only one source reasonably available for the commodity
- 6(a)(vi): A list of pre-qualified suppliers has been established using a request for qualifications and the public body is requesting quotations from all pre-qualified suppliers on the list
- 6(a)(vii): An acquisition of a commodity is for the purpose of resale or for incorporation into a product or resale
- 6(b): Set rates have been established by the Public Utilities Boards acting under the *Public Utilities Act* or another Act
- 19:
 - (1) The acquisition of a commodity is exempt from the requirements of the framework where the following requirements are satisfied:
 - (a) the minister responsible for economic development has recommended the exemption on the basis that the acquisition of the commodity is for the purpose of economic development;
 - (b) the exemption has been approved by the Lieutenant-Governor in Council; and
 - (c) the exemption is not precluded by an intergovernmental trade agreement.
 - (2) Where a public body acquires a commodity that is exempted under subsection (1), the public body shall report the acquisition to the chief procurement officer.