

ST. JOHN'S

Regular Meeting - City Council Agenda

February 1, 2021

3:00 p.m.

4th Floor City Hall

Pages

1. CALL TO ORDER
2. PROCLAMATIONS/PRESENTATIONS
3. APPROVAL OF THE AGENDA
 - 3.1. Adoption of Agenda
4. ADOPTION OF THE MINUTES
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5. BUSINESS ARISING FROM THE MINUTES
6. DEVELOPMENT APPLICATIONS
 - 6.1. Request for Extension to Non-Conforming Use and Re-establish the Building Line Setback - 2 Beauford Place 8
 - 6.2. Request for Accessory Building Variance - 58 Arnold's Loop - INT2100002 13
7. COMMITTEE REPORTS
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9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)
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10. REQUISITIONS, PAYROLLS AND ACCOUNTS

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12.	NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS	
13.	OTHER BUSINESS	
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	Ratification of E-poll conducted January 27, 2021	
14.	ACTION ITEMS RAISED BY COUNCIL	
15.	ADJOURNMENT	

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

January 25, 2021, 3:00 p.m.

Present:

- Mayor Danny Breen
- Councillor Maggie Burton
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Wally Collins
- Councillor Shawn Skinner

Regrets: Deputy Mayor Sheilagh O'Leary

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
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Maureen Harvey, Legislative Assistant
- Kelly Maguire, Public Relations & Marketing Officer

Others: Linda Bishop, Senior Legal Counsel

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-2021-01-25/42

Moved By Councillor Skinner

Seconded By Councillor Stapleton

That the Agenda be adopted as presented.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - January 18, 2021**

SJMC-R-2021-01-25/43

Moved By Councillor Froude

Seconded By Councillor Hickman

That the minutes of January 18, 2021 be adopted as presented.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

6. **DEVELOPMENT APPLICATIONS**

7. **COMMITTEE REPORTS**

7.1 **Committee of the Whole Report - January 13, 2021**

1. **Occupational Health and Safety Program Manual**

SJMC-R-2021-01-25/44

Moved By Councillor Skinner

Seconded By Councillor Collins

That Council approve the attached Occupational Health and Safety Program manual and that Emergency and Safety Services division implement a mandatory awareness program for City of St. John's managers and supervisors.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

2. **Windsor Lake Water Treatment Plant Equipment Reserve Fund Replacement of High Zone Pumping Station Pump #3**

SJMC-R-2021-01-25/45

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council approve access to funding from the Windsor Lake WTP Equipment Reserve Fund to support the purchase of a replacement High Zone Pumping Station Pump #3 at the Windsor Lake Water Treatment Plant.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

8. **DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)**

8.1 **Development Permits List January 14 - January 20, 2021**

9. **BUILDING PERMITS LIST (FOR INFORMATION ONLY)**

9.1 **Building Permits List for week of January 20, 2021**

10. **REQUISITIONS, PAYROLLS AND ACCOUNTS**

10.1 **Weekly Payment Vouchers for Week Ending January 20, 2021**

SJMC-R-2021-01-25/46

Moved By Councillor Stapleton

Seconded By Councillor Korab

That the weekly payment vouchers for the week ending January 20, 2021 in the amount of \$ 9,991,360.17 be approved as presented.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

11. **TENDERS/RFPS**

12. **NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS**

13. **OTHER BUSINESS**

13.1 **3 Park Place, Adoption REZ2000005**

SJMC-R-2021-01-25/47

Moved By Councillor Burton

Seconded By Councillor Skinner

That Council adopt St. John's Development Regulations Amendment Number 715, 2021, which will expand Heritage Use to allow the development of a Dwelling Unit in a designated Carriage House.

Further, that Council approve the Discretionary Use of 3 Park Place as a Heritage Use (Carriage House).

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

14. ACTION ITEMS RAISED BY COUNCIL

15. ADJOURNMENT

There being no further business, the meeting adjourned at 3:18 pm

MAYOR

CITY CLERK

DECISION/DIRECTION NOTE

Title: Request for Extension to Non-Conforming Use and Re-establish the Building Line Setback
2 Beauford Place

Date Prepared: January 25, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 1

Decision/Direction Required:

To seek approval for a 6m² extension to a Non-Conforming Use and to establish the Building Line setback at 5.87 metres for 2 Beauford Place.

Discussion – Background and Current Status:

An application was submitted to construct a 6m² (8'x8') extension for a front porch on the Dwelling at 2 Beauford Place. The property is zoned Commercial Industrial (CI) and the existing Dwelling is considered to be a non-conforming use in the Zone. Under Section 7.12.5 of the Development Regulations, Extension of a Non-Conforming Use is subject to public notification and the application was advertised subject to Section 5.5 of the Development Regulations.

The CI Zone requires a minimum 20 metre Building Line setback, while the Dwelling at 2 Beauford Place is currently setback 7.7metres. To consider the proposed extension, the Building Line would need to be re-established at 5.87 metres. As per Section 8.3.1. of the Development Regulations, Council may re-established the Building Line for any existing street that they deem appropriate. The proposed setback is consistent with the pattern of development for other properties on the street.

Number of submissions received: 0

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighbouring property owners.
3. Alignment with Strategic Directions/Adopted Plans: St. John's Strategic Plan 2019-2029 - A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.

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4. Legal or Policy Implications: Section 10.27.5, Section 7.12.5, Section 8.3.1 and Section 5.5 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Public advertisement in accordance with Section 5.5 of the St. John's Development Regulations. The City has sent written notices to property owners within a minimum 150-metre radius of the application sites. Applications have been advertised in *The Telegram* newspaper at least once and are posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council approve the 6 m² front extension to a Non-Conforming Use and the 5.87 metre Building Line setback at 2 Beauford Place.

Prepared by:

Andrea Roberts P.Tech – Senior Development Officer
Planning, Engineering and Regulatory Services

Approved by:

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

Report Approval Details

Document Title:	Development Committee - Request for Extension and Building Line Setback - 2 Beauford Place - DEV2000204.docx
Attachments:	- Extension Sketch.pdf - Aerial Map 2 Beauford Place.pdf
Final Approval Date:	Jan 28, 2021

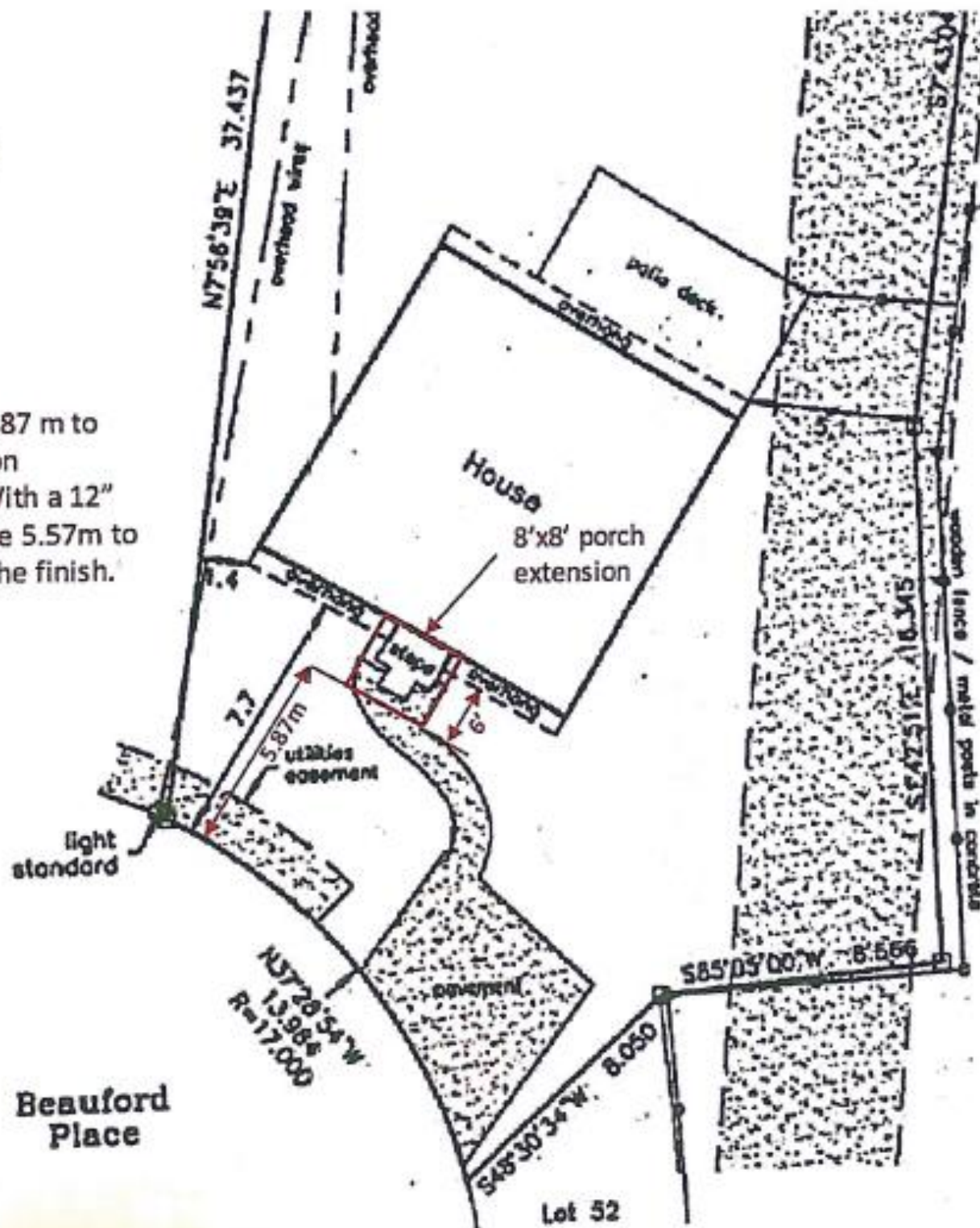
This report and all of its attachments were approved and signed as outlined below:

Lindsay Lyghtle Brushett - Jan 27, 2021 - 9:41 AM

Jason Sinyard - Jan 28, 2021 - 10:25 AM

Lot 50

Note: It is 5.87 m to the extension structure. With a 12" eve, it will be 5.57m to the end of the finish.



571-573 Torbay Road





SUBJECT PROPERTY



DISCLAIMER: This map is based on current information at the date of production.

DECISION/DIRECTION NOTE

Title: Request for Accessory Building Variance
58 Arnold's Loop
INT2100002

Date Prepared: January 26, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required:

To seek approval for a 10% variance for an Accessory Building at 58 Arnold's Loop.

Discussion – Background and Current Status:

An application has been submitted to construct an Accessory Building at 58 Arnold's Loop. The allowable Floor Area for an Accessory Building is calculated by the lesser of 10% of the Lot Area or 75% of the Building footprint of the residence, which permit a Floor Area of 47.81m² on the property. The Accessory Building is proposed to have a Floor Area of 52.6 m², which would require a 10% variance in order to be considered. Section 8.4 of the Development Regulations provides that up to a 10% variance pertaining to lot requirements may be considered.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: *St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Section 8.3.6(2)(i) and Section 8.4 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Abutting property owners have been notified.
7. Human Resource Implications: Not applicable.

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8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council approve a 10% variance to allow construction of a 52.6 m² Accessory Building at 58 Arnold's Loop.

Prepared by:

Ashley Murray, P. Tech – Development Officer II
Planning, Engineering and Regulatory Services

Approved by:

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

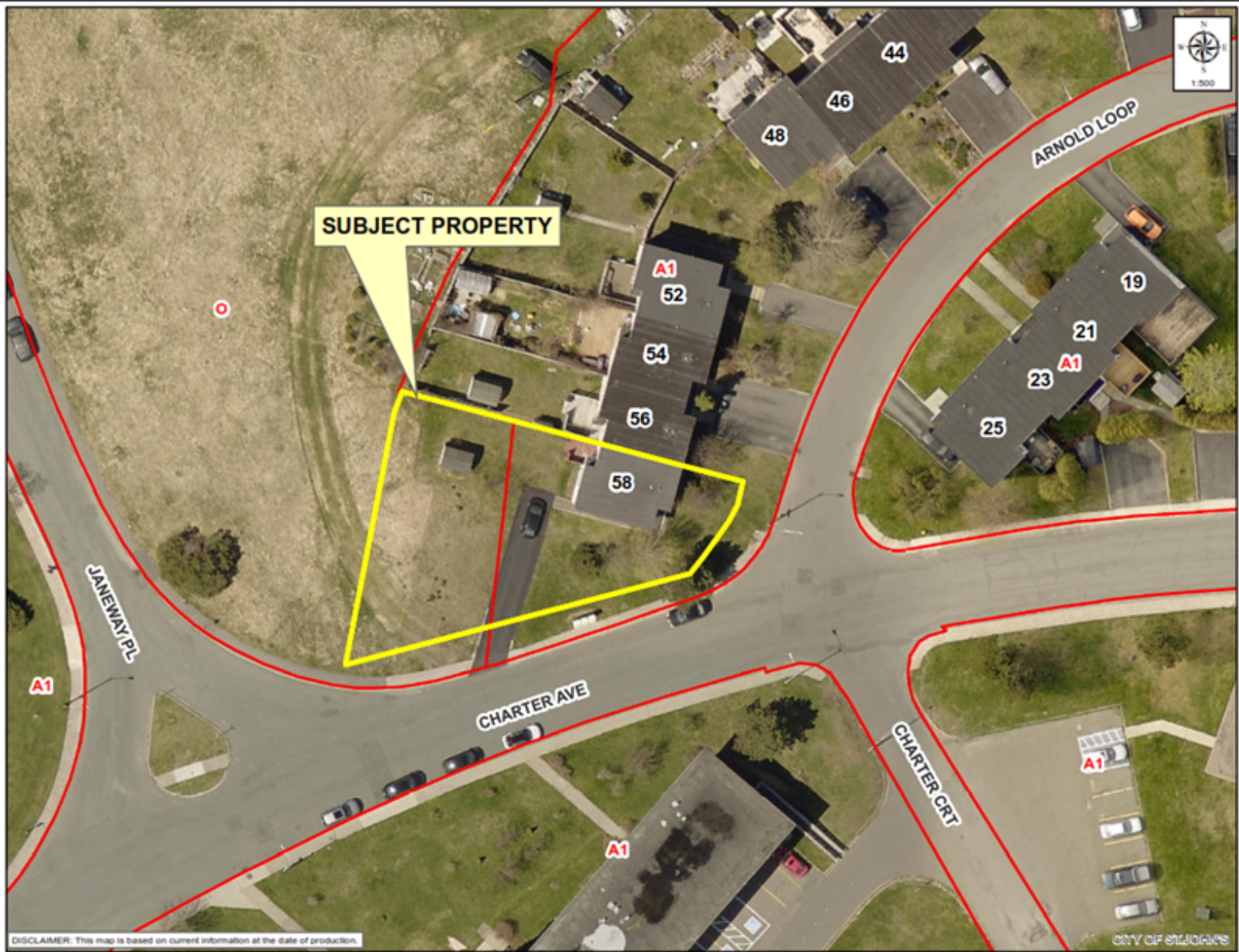
Report Approval Details

Document Title:	Development Committee- Request for Variance on Accessory Building Floor Area at 58 Arnold's Loop- INT2100002.docx
Attachments:	- Arnold'sLoop58.png
Final Approval Date:	Jan 28, 2021

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

Lindsay Lyghtle Brushett - Jan 27, 2021 - 9:48 AM

Jason Sinyard - Jan 28, 2021 - 10:25 AM



**Development Permits List
For the Period of January 21 To January 27, 2021**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	York Home Limited	Demo/Rebuild for Single Detached Dwelling	22 Poplar Avenue	4	Approved	21-01-27

*

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 February 1, 2021 Regular Meeting

Permits Issued: 2021/01/21 to 2021/01/27

BUILDING PERMITS ISSUED

Residential

Location	Permit Type	Structure Type
11 Briarwood Pl	Renovations	Single Detached Dwelling
137 Waterford Bridge Rd	Renovations	Single Detached Dwelling
15 Maxwell Pl	Renovations	Semi Detached Dwelling
17 Legacy Pl	Accessory Building	Accessory Building
17 Maxwell Pl	Renovations	Single Detached Dwelling
17 Melrose Pl	Renovations	Single Detached Dwelling
19 Maxwell Pl	Renovations	Semi Detached Dwelling
198 Buckmaster's Cir	Renovations	Townhousing
200 Buckmaster's Cir	Renovations	Townhousing
202 Buckmaster's Cir	Renovations	Townhousing
204 Buckmaster's Cir	Renovations	Townhousing
206 Buckmaster's Cir	Renovations	Townhousing
21 Maxwell Pl	Renovations	Semi Detached Dwelling
23 Smithville Cres	Renovations	Single Detached Dwelling
266-268 Main Rd	Renovations	Single Detached w/ apt.
43 Cashin Ave	Change of Occupancy/Renovations	Convenience Store
5 Carrick Dr	Renovations	Single Detached Dwelling
50 Hyde Park Dr	Deck	Patio Deck
60 Edmonton Pl	Renovations	Single Detached w/ apt.
8 Lawlor Pl	Renovations	Semi Detached Dwelling

This Week: \$760,609.60

Commercial

Location	Permit Type	Structure Type
115 George St W	Renovations	Hotel
245-247 Duckworth St	Change of Occupancy	Retail Store
48 Kenmount Rd	Change of Occupancy/Renovations	Retail Store
50 Bonaventure Ave	Change of Occupancy	Eating Establishment
50 Pippy Pl	Sign	Retail Store

This Week: \$163,650.00

Government/Institutional			
Location	Permit Type	Structure Type	
		This Week:	\$0.00

Industrial			
Location	Permit Type	Structure Type	
		This Week:	\$0.00

Demolition			
Location	Permit Type	Structure Type	
		This Week:	\$0.00

This Week's Total: \$924,259.60

REPAIR PERMITS ISSUED: **\$30,000.00**

NO REJECTIONS

YEAR TO DATE COMPARISONS			
February 1, 2021			
TYPE	2020	2021	% Variance (+/-)
Residential	\$1,062,320.90	\$2,267,149.62	113
Commercial	\$1,599,952.00	\$1,495,748.75	-7
Government/Institutional	\$0.00	\$0.00	0
Industrial	\$0.00	\$0.00	0
Repairs	\$0.00	\$247,000.00	0
TOTAL	\$2,662,272.90	\$4,009,898.37	51
Housing Units (1 & 2 Family Dwelling)	1	4	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending January 27, 2021

Payroll

Public Works	\$ 561,044.16
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Bi-Weekly Casual	\$ 34,592.99
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Accounts Payable	\$ 1,876,019.23
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(A detailed breakdown available [here](#))

Total:	\$ 2,471,656.38
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ST. JOHN'S

DEPARTMENT OF FINANCE

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

DECISION/DIRECTION NOTE

Title: Appointments – Seniors Advisory Committee

Date Prepared: January 21, 2021

Report To: Special Meeting of Council

Councillor and Role: Councillor Deanne Stapleton

Ward: N/A

Decision/Direction Required:

To obtain Council approval to fill current vacancies on Seniors Advisory Committee.

Discussion – Background and Current Status:

Section 3.1.1 of the Terms of Reference for the Seniors Advisory Committee provides for the following:

Public Members

The Committee will be comprised of no more than 5 residents who are at least 50 years of age or older, or their caregivers. Public members are volunteers and will receive no compensation for participation. Preference will be given to residents of St. John's.

Organizations

The Committee will be comprised of no more than 5 persons serving as organizational representatives who are connected to the interests of older persons in the community. Each organization may also appoint an alternate representative to attend committee meetings in the event that the primary member is unable to attend.

Currently there are vacancies for two public members and two organizational members.

Recent recruitment efforts resulted in several applications and it is recommended that the following persons be appointed.

- Gordon Kirby – public member
- Shirley Ryan – public member
- Sharron Callahan – public member (transferring from organizational member to public member)
- Mohammad Abdallah – organization member (representing non-profit organization – Compass Seniors' Services Inc.)

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It should be noted that Sharron Callahan will move from an organizational member (CARP) to a public member as CARP currently had two representatives representing the one organization.

Should Council accept the recommendation for these appointments there will still be one organizational member position available.

Key Considerations/Implications:

1. Budget/Financial Implications:
2. Partners or Other Stakeholders:
3. Alignment with Strategic Directions/Adopted Plans:
 - Neighbourhoods Build our City – Promote a safe and secure city, improve neighbourhood-level services, increase access to range/type of housing, develop parks and places for people
 - A Culture of Cooperation – Create effective City-community collaborations
 - A City for All Seasons – Support year-round active transportation, explore options for year-round active, leisure and recreation facilities and programs, promote active and healthy living, incorporate all weather planning in City building and open space development, support year-round tourism and industry activity
 - Responsive and Progressive – Create a culture of engagement, identify and deliver on projects, strategies, and programs
4. Legal or Policy Implications:
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: Solicitation for members took place through various media platforms
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

Recommendation:

That Council approve the following appointments to Seniors Advisory Committee effective immediately

- Gordon Kirby – public member
- Shirley Ryan – public member
- Sharron Callahan – public member (transferring from organizational member to public member)
- Mohammad Abdallah – organization member (representing non-profit organization – Compass Seniors' Services Inc.)

Prepared by: Maureen Harvey

Approved by: Elaine Henley

Report Approval Details

Document Title:	Appointments - Seniors Advisory Committee.docx
Attachments:	
Final Approval Date:	Jan 21, 2021

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

Karen Chafe - Jan 21, 2021 - 11:09 AM

Elaine Henley - Jan 21, 2021 - 12:12 PM

DECISION/DIRECTION NOTE

Title: E-Poll – Film Shoot Road Closure

Date Prepared: January 27, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Shawn Skinner, Special Events Regulatory Committee

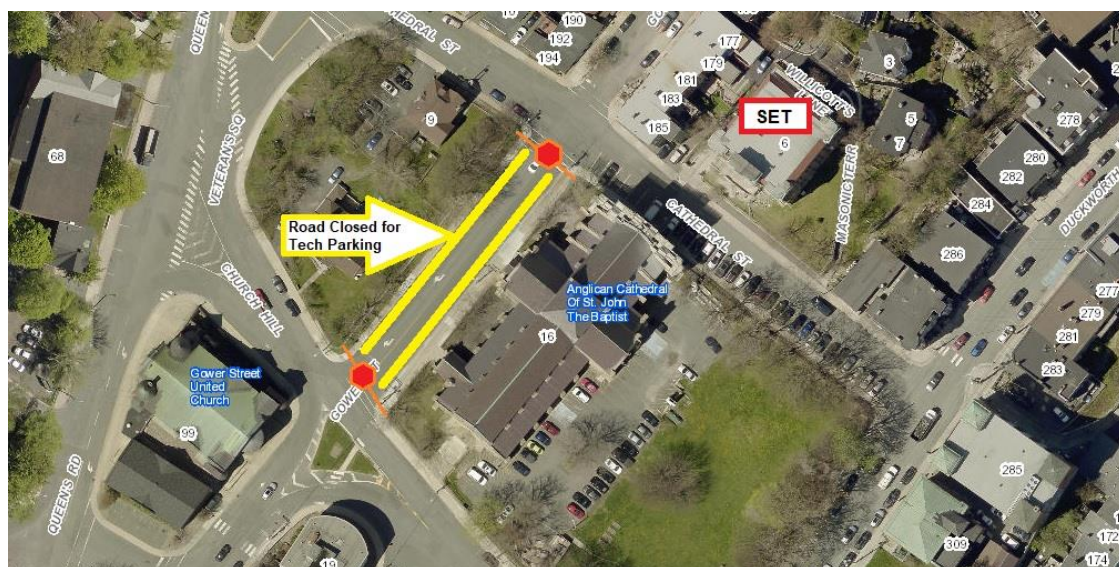
Ward: N/A

Decision/Direction Required: Council approval of road closure for the filming of Hudson and Rex.

Discussion – Background and Current Status: Hudson and Rex production is requesting road closure for the following date, time and location:

- Sunday January 31 at 6:00pm to Thursday February 4 at 9:00pm.
- Gower Street, between Church Hill and Cathedral Street.
- This request has been approved by Public Works with regards to snow clearing. The production team will take care of all snow clearing for this area during this time.
- This request has also been approved by the Anglican Church, and residents of the area will be notified.

Traffic control company has been secured for this road closure.



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Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

Recommendation:

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

Prepared by: Christa Norman, Special Projects Coordinator

Approved by: Jennifer Langmead, Supervisor – Tourism and Events

Report Approval Details

Document Title:	E-Poll - Road Closure - Film Shoot.docx
Attachments:	
Final Approval Date:	Jan 27, 2021

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

Jennifer Langmead - Jan 27, 2021 - 10:20 AM

Tanya Haywood - Jan 27, 2021 - 10:42 AM

Result of E-Poll – January 27, 2021

Film Shoot Road Closure

Hudson and Rex production is requesting road closure for the following date, time and location:

- Sunday January 31 at 6:00pm to Thursday February 4 at 9:00pm.
- Gower Street, between Church Hill and Cathedral Street.
- This request has been approved by Public Works with regards to snow clearing. The production team will take care of all snow clearing for this area during this time.
- This request has also been approved by the Anglican Church, and residents of the area will be notified.

Traffic control company has been secured for this road closure.

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

Councillor	Agree	Disagree	Did Not Vote
Mayor Breen	X		
Deputy Mayor O'Leary			X
Councillor Burton	X		
Councillor Hickman	X		
Councillor Hanlon			X
Councillor Stapleton	X		
Councillor Skinner	X		
Councillor Korab	X		
Councillor Froude	X		
Councillor Collins	X		