

ST. JOHN'S

Regular Meeting - City Council Agenda

March 16, 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
 - 4.1. Adoption of Minutes - March 8, 2021 3
5. BUSINESS ARISING FROM THE MINUTES
6. DEVELOPMENT APPLICATIONS
 - 6.1. Proposed Change of Occupancy for Non-Conforming Use Broad Cove Watershed 1082-1088 Town of Thorburn Road 10
7. COMMITTEE REPORTS
8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)
 - 8.1. Development Permits List March 4 - 10, 2021 14
9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)
 - 9.1. Building Permits List for the week of March 10, 2021 15
10. REQUISITIONS, PAYROLLS AND ACCOUNTS
 - 10.1. Weekly Payment Vouchers for the Week Ending March 10, 2021 17

- 11. TENDERS/RFPS
- 12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS
- 13. OTHER BUSINESS
 - 13.1. Sale of City land adjacent to 104 Linegar Avenue 18
- 14. ACTION ITEMS RAISED BY COUNCIL
- 15. ADJOURNMENT

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

March 8, 2021, 3:00 p.m.

Present: Mayor Danny Breen
Councillor Sandy Hickman
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins
Councillor Shawn Skinner

Regrets: Councillor Maggie Burton

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
Susan Bonnell, Manager - Communications & Office Services
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Maureen Harvey, 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-2021-03-08/92

Moved By Councillor Korab

Seconded By Councillor Hickman

That the Agenda be adopted as presented.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

4. **ADOPTION OF THE MINUTES**
- 4.1 **Adoption of Minutes - March 1, 2021**

SJMC-R-2021-03-08/93

Moved By Councillor Skinner

Seconded By Councillor Stapleton

That the minutes of March 1, 2021 be adopted as presented.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**
6. **DEVELOPMENT APPLICATIONS**

6.1 Notices Published - Discretionary Use for a Clinic and Parking Relief
22 O’Leary Avenue
DEV2100014

SJMC-R-2021-03-08/94

Moved By Councillor Froude

Seconded By Councillor Collins

That the application for a Clinic at 22 O’Leary Avenue be approved subject to all applicable requirements and parking relief being granted for 10 parking spaces.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

7. COMMITTEE REPORTS

7.1 Committee of the Whole Report - February 24, 2021

1. 2021 Capital out of Revenue (Revised DN)

SJMC-R-2021-03-08/95

Moved By Councillor Skinner

Seconded By Councillor Froude

That Council approve the 2021 Capital out of Revenue Listing and Parks Reserve Project.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

2. Riverhead Wastewater Treatment Facility Capital Replacement
Reserve Fund Purchase – Replacement Compactor

Ratification of E-Poll

SJMC-R-2021-03-08/96

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council approve access to funding from the Riverhead WWTF Capital Replacement Reserve Fund to support the purchase of this equipment.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

3. City-Owned Vacant Land for Affordable Housing

SJMC-R-2021-03-08/97

Moved By Councillor Skinner

Seconded By Councillor Stapleton

That Council approve the following:

1. Publicly identifying the parcels of land that have been identified as potential sites for affordable housing developments in advance of planned developments on those sites;
2. Developing a public engagement plan to inform and engage residents, businesses, and other stakeholder groups in the areas surrounding the identified parcels of land; and
3. Seeking funding to complete work on these parcels in advance of planned projects (i.e. environmental assessment, geotechnical analysis, etc.)

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

4. Poet Laureate Term Extension

SJMC-R-2021-03-08/98

Moved By Councillor Hanlon

Seconded By Councillor Hickman

That Council extend Mary Dalton's term as Poet Laureate to include the calendar years 2021 and 2022, as referenced in the Poet Laureate Terms of Reference.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

5. Strategic Plan 2020 Annual Report and 2021 Action Plan

SJMC-R-2021-03-08/99

Moved By Councillor Skinner

Seconded By Councillor Froude

That Council approve the draft 2021 action plan and accept the 2020 report of progress against directions outlined in Our City, Our Future.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

9.1 Building Permits List March 8, 2021

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending March 3, 2021

SJMC-R-2021-03-08/100

Moved By Councillor Korab

Seconded By Councillor Skinner

That Council approve the weekly payment vouchers list for the period ending March 3, 2021 in the amount of \$ 7,009,971.70

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

11. TENDERS/RFPS

11.1 Emergency Replacement of the Filter 3 Underdrain at the Bay Bulls Big Pond Water Treatment Plant

Ratification of E-Poll

SJMC-R-2021-03-08/101

Moved By Councillor Hickman

Seconded By Councillor Collins

That Council ratify an e-poll awarding the contract for emergency replacement of the Filter 3 Underdrain at Bay Bulls Big Pond Water Treatment Plant, without open call, to Anthratech Western Inc. (AWI), for \$262,990.00 (excluding HST) as per the Public Procurement Act.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

13. OTHER BUSINESS

14. ACTION ITEMS RAISED BY COUNCIL

15. ADJOURNMENT

There being no further business, the meeting adjourned at 3:35 pm

MAYOR

CITY CLERK

1082-1088 Thorburn Road



DECISION/DIRECTION NOTE

Title: Proposed Change of Occupancy for Non-Conforming Use
Broad Cove Watershed
1082-1088 Thorburn Road
Town of

Date Prepared: March 10, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: N/A

Decision/Direction Required:

To seek approval for Change of Occupancy from Office Use to Retail Use (convenience store) in the Watershed within the Town of Portugal Cove – St. Philip's.

Discussion – Background and Current Status:

A request has been submitted by the Town of Portugal Cove-St. Philip's for the Change of Non-Conforming Use from the current Office use to a Retail Use (convenience store). The property is partially located in the Broad Cove Watershed. The business will occupy the existing building, and no extension to the building or parking lot has been proposed or will be permitted under this application.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Town of Portugal Cove – St. Philip's
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: Section 104, City of St. John's Act
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.

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10. Other Implications: Not applicable.

Recommendation:

That Council approve the change of Occupancy from an Office Use to Retail Use (convenience store) within the Watershed in the Town of Portugal Cove-St. Philip's, subject to the condition that no building or parking lot extension will be permitted under this application.

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 Application - Change of Occupancy in the
Watershed - 1082-1088 Thorburn Road - INT2100020.docx

Attachments: - Aerial Map - 1082-1088 Thorburn Rd.pdf

Final Approval Date: Mar 10, 2021

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

Lindsay Lyghtle Brushett - Mar 10, 2021 - 1:17 PM

Jason Sinyard - Mar 10, 2021 - 2:21 PM

**Development Permits List
For the Period of March 4 to March 10, 2021**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Lot Reconfiguration	289 & 291 Pennywell Road	2	Approved	21-03-06
RES		Subdivide to create 1 additional lot	99 Quidi Vidi Village Road	2	Approved	21-03-09

* 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 March 15, 2021 Regular Meeting

Permits Issued: 2021/03/04 to 2021/03/10

BUILDING PERMITS ISSUED

Residential

Location	Permit Type	Structure Type
118 Queen's Rd	Renovations	Townhousing
2 Dover Pl	Renovations	Single Detached Dwelling
205 Logy Bay Rd	Change of Occupancy	Home Office
21 Cedar Hill Pl	New Construction	Townhousing
23 Cedar Hill Pl	New Construction	Townhousing
25 Cedar Hill Pl	New Construction	Townhousing
27 Cedar Hill Pl	New Construction	Townhousing
3 Colonial St	Renovations	Townhousing
31 New Cove Rd	Renovations	Single Detached Dwelling
34 Henry Larsen St	Fence	Fence
79 Diamond Marsh Dr	New Construction	Single Detached Dwelling
97 Cornwall Ave	Site Work	Driveway

This Week: \$874,961.00

Commercial

Location	Permit Type	Structure Type
10 Tailwind Dr	Sign	Eating Establishment
139 Torbay Rd	Sign	Eating Establishment
394 Kenmount Rd	Change of Occupancy/Renovations	Service Shop
394 Kenmount Rd	Sign	Retail Store
48 Kenmount Rd	Sign	Retail Store
500 Topsail Rd	Sign	Eating Establishment
74 O'leary Ave	Change of Occupancy	Service Shop
92 Thorburn Rd	Sign	Eating Establishment

This Week: \$190,000.00

Government/Institutional

Location	Permit Type	Structure Type
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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: \$1,064,961.00

REPAIR PERMITS ISSUED: \$5,000.00

NO REJECTIONS

YEAR TO DATE COMPARISONS			
March 15, 2021			
TYPE	2020	2021	% Variance (+/-)
Residential	\$3,431,316.90	\$4,754,993.62	39
Commercial	\$12,617,639.43	\$5,240,805.44	-58
Government/Institutional	\$18,000.00	\$712,041.00	3856
Industrial	\$0.00	\$4,000,000.00	0
Repairs	\$75,000.00	\$270,000.00	260
TOTAL	\$16,141,956.33	\$14,977,840.06	-7
Housing Units (1 & 2 Family Dwelling)	4	13	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending March 10, 2021

Payroll

Public Works	\$ 547,913.89
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Bi-Weekly Casual	\$ 4,707.31
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Accounts Payable	\$ 5,950,641.93
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(A detailed breakdown available [here](#))

Total:	\$ 6,503,263.13
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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: Sale of City land adjacent to 104 Linegar Avenue

Date Prepared: March 10, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Wally Collins

Ward: Ward 5

Decision/Direction Required:

Decision on the sale of City land adjacent to 104 Linegar Avenue, as shown in red on the attached diagram.

Discussion – Background and Current Status:

The owner of 104 Linegar Avenue has approached the City requesting to purchase the parcel of land next to her property to accommodate the side yard requirements for a proposed garage. This request was circulated amongst the required City departments with no objections noted.

The purchase price has been established at a rate of \$4.00 per square foot, plus HST and administrative fees. The exact area requested will be confirmed by a survey which will be provided by the property owner.

Key Considerations/Implications:

1. Budget/Financial Implications:
 - a. City to received \$4.00 per square foot for the sale of the land, plus administrative fees.
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans:
 - a. An Effective City
4. Legal or Policy Implications:
 - a. A Deed of Conveyance will have to be prepared.
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 sale of City land adjacent to 104 Linegar Avenue, as shown in red on the diagram below.

Prepared by: Andrew Woodland, Legal Counsel

Approved by: Cheryl Mullett, City Solicitor



Report Approval Details

Document Title:	104 Linegar Avenue.docx
Attachments:	
Final Approval Date:	Mar 11, 2021

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

Cheryl Mullett - Mar 11, 2021 - 9:42 AM