

# **ST. JOHN'S**

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## **Minutes of Regular Meeting - City Council**

**Council Chamber, 4th Floor, City Hall**

**April 5, 2021, 3:00 p.m.**

**Present:** Mayor Danny Breen  
Deputy Mayor Sheilagh O'Leary  
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  
Susan Bonnell, Manager - Communications & Office Services  
Elaine Henley, City Clerk  
Ken O'Brien, Chief Municipal Planner  
Maureen Harvey, Legislative Assistant

**Others:** Linda Bishop - Senior Legal Counsel  
Brian Head, Manager of Parks and Open Space

### **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**

2.1 **National Poetry Month - Poet Laureate Mary Dalton**

Poet Laureate Mary Dalton entertained Council and the public with some poetry in recognition of National Poetry Month.

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2021-04-05/138

**Moved By** Councillor Collins

**Seconded By** Councillor Hanlon

That the Agenda be adopted as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, 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 - March 29, 2021**

SJMC-R-2021-04-05/139

**Moved By** Councillor Skinner

**Seconded By** Councillor Stapleton

That the minutes of March 29, 2021 be adopted as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, 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**

**5.1 Notice of Motion re: Bike Master Plan**

SJMC-R-2021-04-05/140

**Moved By** Councillor Froude

**Seconded By** Councillor Korab

Whereas the Bike Master Plan was adopted by Council on June 10, 2019;

Whereas in this plan the Rennie's River and Virginia River Trails are proposed to be shared-use pathways as part of the backbone network in the Bike Master Plan;

Whereas there have been many diverse perspectives shared on the future of these trails;

Whereas it is important to ensure all stakeholders and the public are engaged so that any plan is made in consideration of the needs and wants of the community:

That Council direct staff to undertake a comprehensive public engagement process regarding the potential future use of the Rennie's River Trail and the Virginia River Trail as shared-use paths; and that consideration be given to potential alternative routes that achieve the north-south connectivity required for an effective network. Included within this process could be further consideration on the ranking of the priority projects identified in the Bike Master Plan.

And that this engagement process be initiated at a point in time when the proposed projects on the Rennie's River Trail and the Virginia River Trail are being seriously considered.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**6. DEVELOPMENT APPLICATIONS**

**6.1 Discretionary Use**  
**657 Topsail Road**  
**DEV2100018**

SJMC-R-2021-04-05/141

**Moved By** Councillor Korab

**Seconded By** Councillor Hanlon

That Council approve the Discretionary Use application submitted by Jungle Jim's for an Outdoor Eating Area at 657 Topsail Road, subject to all applicable requirements and approve parking relief for one (1) parking space.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**6.2 Establish Building Line Setback – 118 Ennis Avenue – DEV2100035**

SJMC-R-2021-04-05/142

**Moved By** Councillor Stapleton

**Seconded By** Councillor Skinner

That Council approve the 6.0 meter Building Line setback at 118 Ennis Avenue to accommodate the construction of a Single Detached Dwelling.

**MOTION CARRIED**

**6.3 Discretionary Use - 200 Pleasant Street - DEV2100197**

Discretionary Use 200 Pleasant Street DEV2100197

SJMC-R-2021-04-05/143

**Moved By** Councillor Skinner

**Seconded By** Councillor Collins

That Council approve the application for a Discretionary Use (Converted Building) to convert a Clinic into a 2-bedroom Dwelling Unit at 200 Pleasant Street, subject to all applicable requirements.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**7. COMMITTEE REPORTS**

**7.1 Committee of the Whole Report of March 24, 2021**

**1. 142 Old Pennywell Road, REZ2000012**

SJMC-R-2021-04-05/144

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That Council consider rezoning the property at 142 Old Pennywell Road from the Residential Low Density (R1) to the Residential Medium Density (R2) Zone to allow three Townhouses; and advertise the application for public review and comment.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**2. Driveways in Floodplains**

SJMC-R-2021-04-05/145

**Moved By** Councillor Collins

**Seconded By** Councillor Hickman

That Council consider the attached amendment to the St. John's Development Regulations which would allow driveways, wharves and stages in a floodplain at the discretion of Council and advertise the amendment for public review and comment.

Further, that Council refer the proposed amendment to the City's Environment and Sustainability Experts Panel for review.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**3. Draft Heritage By-Law for Public Consultation**

SJMC-R-2021-04-05/146

**Moved By** Councillor Korab

**Seconded By** Councillor Skinner

That Council advertise the draft Heritage By-Law for public review and comment, refer the draft Heritage By-Law to a virtual Public Meeting chaired by an independent facilitator, and refer the draft Heritage By-Law to the Built Heritage Experts Panel.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**4. Kelly's Brook Shared-Use Path - WWH**

SJMC-R-2021-04-05/147

**Moved By** Councillor Froude

**Seconded By** Councillor Korab

That Council approve the following key decisions as this project moves into detailed design:

- a) use of an asphalt surface treatment for the length of Kelly's Brook Shared-Use Path
- b) pursue the Graves Street alignment option (subject to feasibility and property impact)
- c) pursue the alignment option that passes behind the Community

Market (subject to feasibility and property impact)

d) use a one-way configuration for the Empire Avenue section

e) include illumination in the plan with a balanced approach that is sensitive to adjacent uses and minimizes dim areas immediately adjacent the trail during normal use hours

f) include and consider accessibility in the provision of amenities such as recycling and waste receptacles, benches, pet waste stations, shade and wind-break planting, way-finding signs, shared-use guideline signs, and bike racks

g) continue to consult with the Inclusion Advisory Committee and other stakeholders as needed during the detailed design process

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**5. Traffic Calming Policy - Update on Review**

SJMC-R-2021-04-05/148

**Moved By** Councillor Froude

**Seconded By** Councillor Hickman

That Council approve the 12 policy update areas noted above to proceed to public engagement prior to staff making final policy update recommendations.

For (9): Mayor Breen, Deputy Mayor O'Leary, 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 March 25 - March 31, 2021**

Council considered the Development Permits List for information

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

**9.1 Building Permits List for the week of March 31, 2021**

Council considered the Building Permits List for information.

**10. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**10.1 Weekly Payment Vouchers for the Week Ending March 31, 2021**

SJMC-R-2021-04-05/149

**Moved By** Councillor Stapleton

**Seconded By** Councillor Skinner

That the weekly payment vouchers in the amount of \$ 4,142,822.46 be approved as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**11. TENDERS/RFPS**

**11.1 2021019 - Kenmount Road Trunk Storm Sewer Phase 3**

SJMC-R-2021-04-05/150

**Moved By** Councillor Hickman

**Seconded By** Deputy Mayor O'Leary

That Council award this open call to the lowest bidder meeting specifications, Weirs Construction Limited, for \$4,323,698.36 (excluding HST) as per the Public Procurement Act.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**11.2 2021003 – Traffic Control Services**



SJMC-R-2021-04-05/151

**Moved By** Councillor Hickman

**Seconded By** Councillor Hanlon

That Council award open call 2021003 – Traffic Control Services to Eastern Safety Services, Safety First Contracting Limited, and Hi-Vis Traffic Control Inc. as per the Public Procurement Act. Right of first refusal is given to the supplier with the lowest price. Subsequent suppliers are contacted in order or ranking until the request can be filled.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

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

**12.1 Resolution to Support a Healthy Ecosystem for Local Journalism**

SJMC-R-2021-04-05/152

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Skinner

That Council endorse the resolution as attached.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**12.2 Parking of Vehicles on Residential Yards**

Councillor Froude gave notice of his intention to introduce a motion at the next Regular Meeting of Council to amend the Residential Property Standards By-Law to clarify that the parking of vehicles on the front yard of a residential property is prohibited.

**13. OTHER BUSINESS**

**13.1 St. John's Sports & Entertainment Ltd. – Board of Directors**

SJMC-R-2021-04-05/153

**Moved By** Councillor Korab

**Seconded By** Councillor Hickman

That Council appoint Stephen Dinn and Glenn Normore to the Board of Directors of the St. John's Sports & Entertainment Ltd.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**13.2 Closure Order for Dwelling at 434 Allandale Road**

SJMC-R-2021-04-05/154

**Moved By** Councillor Froude

**Seconded By** Councillor Skinner

That Council consider the dwelling to be a nuisance under section 375 of the City of St. John's Act and issue an order to vacate.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (9 to 0)**

**13.3 68 Queen's Road (Townhouses), Adoption MPA1900002**

SJMC-R-2021-04-05/155

**Moved By** Councillor Skinner

**Seconded By** Councillor Hickman

1) That Council adopt the attached resolutions for St. John's Municipal Plan Amendment Number 154, 2021 and St. John's Development Regulations Amendment Number 706, 2021. The proposed date for the public hearing is Wednesday, May 5, 2021, at 7 p.m.

2) That the City, together with the owners of heritage buildings in the district, neighbourhood residents, Parks Canada, and other stakeholders,

develop a management plan for the Ecclesiastical District National Historic Site as future neighbourhood planning work of the Planning Division.

3) That the City ensure that demolition of the Cathedral Parish Hall will follow the recommendations of the Provincial Archeology Office, and the applicant salvage as much of the useable building fabric as possible, as indicated in the Land Use Assessment Report.

4) That Council request that the applicant add interpretive elements to the site design and document the structure before it is demolished.

For (9): Mayor Breen, Deputy Mayor O'Leary, 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**

**14.1 Elimination of Violence Against Women**

Deputy Mayor O'Leary requested that Council reinforce the position taken on November 30, 2020 as addressed in the resolution regarding the elimination of violence against women.

**14.2 Parking Availability - Middle Pond**

Councillor Hickman requested staff investigate parking availability near Middle Pond where the East Coast Trail leads to the Spout. Currently parking is taking place along the roadside and is deemed to be unsafe and is resulting in parking tickets for motorists.

**15. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:15 pm.

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MAYOR

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CITY CLERK