

ST. JOHN'S

Regular Meeting - City Council Agenda

September 12, 2022

3:00 p.m.

4th Floor City Hall

Pages

1. CALL TO ORDER
2. PROCLAMATIONS/PRESENTATIONS
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ST. JOHN'S

Minutes of Regular Meeting - City Council Council Chamber, 4th Floor, City Hall

September 6, 2022, 3:00 p.m.

Present:

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Ron Ellsworth
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Jill Bruce
- Councillor Ophelia Ravencroft
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Carl Ridgeley

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
- Cheryl Mullett, City Solicitor
- Ken O'Brien, Chief Municipal Planner
- Karen Chafe, City Clerk
- Brian Head, Acting Deputy City Manager, Public Works
- Kelly Maguire, Public Relations & Marketing Officer
- Christine Carter, 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**

Mayor Danny Breen called the meeting to order at 3:00 pm.

2. **PROCLAMATIONS/PRESENTATIONS**

2.1 **Stewardship Association of Municipalities - Presentation of Scholarship Winners**

2.2 **Childhood Cancer Awareness Month**

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2022-09-06/386

Moved By Councillor Ravencroft

Seconded By Councillor Bruce

That the Agenda be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - August 23, 2022**

SJMC-R-2022-09-06/387

Moved By Councillor Hickman

Seconded By Councillor Ellsworth

That the minutes of August 23, 2022, be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

6. **DEVELOPMENT APPLICATIONS**

6.1 **Parking Relief for Recreational Use – 108 McNiven Place – INT2200046**

SJMC-R-2022-09-06/388

Moved By Councillor Korab

Seconded By Councillor Bruce

That Council approve parking relief for four (4) parking spaces at 108 McNiven Place (Dennis Lawlor Park) to allow construction of a public washroom building, which is part of the Recreation Use of the site.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

6.2 **Proposed Rebuild of a Dwelling in the Watershed – 661 - 665 Thorburn Road – DEV2200102**

Councillor Ellsworth voiced his concerns with any development in the watershed and asked if there is an existing livyer in that property at this time. Staff advised that there is currently an occupant in the dwelling.

Deputy Mayor O'Leary added her support for this, particularly the call for remediation of the property that has been clear cut.

SJMC-R-2022-09-06/389

Moved By Councillor Korab

Seconded By Deputy Mayor O'Leary

That Council approve the demolition and rebuild of the smaller dwelling at civic number 661-665 Thorburn Road, subject to the following conditions:

1. The floor area of the proposed new replacement dwelling will not be allowed to expand more than 50% of the existing dwelling;
2. The development must meet all requirements of the Department of Planning, Engineering and Regulatory Services; and
3. The area clear cut at the rear of the property must be reinstated before any Building Permits are issued.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

7. RATIFICATION OF EPOLLS

7.1 E-Poll – Pride Parade

SJMC-R-2022-09-06/390

Moved By Councillor Hanlon

Seconded By Councillor Ravencroft

That Council approve the revised date and associated road closures for the St. John's Pride Parade on September 25.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

7.2 2022081 - 2022 CIPP WATERMAIN LINING

Deputy Mayor O'Leary asked Staff about the process for this watermain work, and whether it is similar to the project on Water Street. The Deputy City Manager of Planning, Engineering and Regulatory Services explained that this work is similar to the Water Street upgrades but more similar to the work done in Rabbittown. Mr. Sinyard added that this process extends the life of the watermain and is a financially effective way to complete the work versus a full replacement. There are temporary above ground water lines used while the work is being completed which will be reconnected when the work is finished.

SJMC-R-2022-09-06/391

Moved By Councillor Hickman

Seconded By Councillor Froude

That Council approve for award this open call to the lowest and sole bidder, Fer-Pal Construction Ltd., for \$9,178,983.75 (HST Incl.) as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

8. COMMITTEE REPORTS

9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

10.1 Building Permits List

11. REQUISITIONS, PAYROLLS AND ACCOUNTS

11.1 Weekly Payment Vouchers for the Week Ending August 24, 2022

Weekly Payment Vouchers for the Week Ending August 24, 2022

SJMC-R-2022-09-06/392

Moved By Councillor Ellsworth

Seconded By Councillor Ravencroft

That the weekly payment vouchers for the week ending August 24, 2022, in the amount of \$5,524,828.56 be approved as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

11.2 Weekly Payment Vouchers for the Week Ending August 31, 2022

Weekly Payment Vouchers for the Week Ending August 31, 2022

SJMC-R-2022-09-06/393

Moved By Councillor Ellsworth

Seconded By Deputy Mayor O'Leary

That the weekly payment vouchers for the week ending August 31, 2022, in the amount of \$7,591,392.59 be approved as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

12. TENDERS/RFPS

12.1 2022163 - 2022 Asphalt Crack Seal Program

SJMC-R-2022-09-06/394

Moved By Councillor Hickman

Seconded By Councillor Ridgeley

That Council approve for award this open call to the lowest and sole bidder meeting specifications, Crown Contracting Inc., for \$281,175.00 (HST Incl.) as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

12.2 2022150 - Supply and Delivery of International Truck Parts

SJMC-R-2022-09-06/395

Moved By Councillor Ellsworth

Seconded By Councillor Hanlon

That Council approve for award this open call to lowest and sole bidder meeting specifications, Harvey & Company Ltd, for \$211,899.26 (HST not incl.) a year, as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

12.3 2022110 Bowring Park Ice Skating Surface

Councillor Froude asked about the costs as outlined in the Decision Note for the project. The Deputy City Manager of Planning, Engineering and Regulatory Services advised that the costs included in this are for the full project, and today's decision is just for the awarding of the Professional Consulting Services.

A question was also asked whether in the planning for this type of project if there is an analysis and comparison done to previous similar projects. Staff advised that previous projects are reviewed for this purpose.

SJMC-R-2022-09-06/396

Moved By Councillor Ridgeley

Seconded By Councillor Ellsworth

That Council award Professional Consulting Services as submitted by Mills & Wright Landscape Architecture proposal in response to our Negotiable Request for Proposal call. At this time, Phases 1 to 3 (\$296,932.88) will be completed, and Phases 4-7 will be contingent on fundraising efforts by the Bowring Park Foundation for the construction phase of the project. At this point in time, there is no set date for construction commencement. Funding for Phases 1-3 is covered by the approved COOR 2022 budget.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

12.4 2022162 - Denis Lawlor Park - Public Washrooms

SJMC-R-2022-09-06/397

Moved By Councillor Bruce

Seconded By Councillor Ravencroft

That Council approve for award this open call to the lowest bidder meeting specifications, J & T Construction Limited, for \$249,037.56 (HST Incl.) as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

Councillor Ridgeley presented Council with a petition from residents of Shea Heights that have safety concerns about the intersection of Linegar Avenue, Blackhead Road, and Jordan Place. Background information was included from the Royal Newfoundland Constabulary on accidents and other traffic complaints for the area, as well as traffic reports collected by the City. Staff was asked to review the information and to make recommendations.

14. OTHER BUSINESS

14.1 Youth Engagement Working Group Membership

SJMC-R-2022-09-06/398

Moved By Councillor Bruce

Seconded By Councillor Burton

That Council appoint Liam O'Neill and Samuel Bishop to the Youth Engagement Working Group.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

14.2 Arts & Culture Advisory Committee – Call for Members

SJMC-R-2022-09-06/399

Moved By Deputy Mayor O'Leary

Seconded By Councillor Hanlon

That Council appoint the following members to the Arts & Culture Advisory Committee as per Staff's recommendation:

- One vacancy representing a Cultural, Indigenous and Intangible Cultural Heritage organization: Agnès Mamet
- One vacancy representing a business-based public member

representative with a strong interest in arts, culture, and intangible cultural heritage: Amanda House

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

14.3 110 Hebron Way and 15 Verafin Way, Adoption, REZ2200002

SJMC-R-2022-09-06/400

Moved By Councillor Froude

Seconded By Councillor Bruce

That Council adopt Envision St. John's Development Regulations Number 15, 2022, to add a new Pedway definition, add conditions to Section 6 Specific Developments, and add Pedway as a Discretionary Use in these zones: Residential Mixed (RM); all Apartment Zones; all Commercial Zones; all Industrial Zones; and all Institutional Zones.

Further, that Council approve the Discretionary Use of an at-grade Pedway between buildings located at 110 Hebron Way and 15 Verafin Way.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

14.4 Driveways in the Residential Reduced Lot (RRL) Zone, Adoption

SJMC-R-2022-09-06/401

Moved By Councillor Froude

Seconded By Councillor Ellsworth

That Council adopt Envision St. John's Development Regulations Amendment Number 16, 2022, to allow consideration for Driveways and Hard Landscaping wider than 3.6 metres in the Residential Reduced Lot (RRL) Zone, subject to a snow storage plan.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

14.5 SERC – 2022 Fall Events 2

SJMC-R-2022-09-06/402

Moved By Councillor Hanlon

Seconded By Councillor Hickman

That Council approve the road closure requests for the Gower Street block party on September 18 (rain date September 24) and the CIBC Run for the Cure on October 2.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

14.6 130 Aberdeen Avenue, Approval, MPA1900006

Councillor Froude asked for clarification on the details surrounding the open space in the development and asked why the recommendation to exclude open space was given by the Parks Division.

Mr. Brian Head, Manager of Parks, and Open Spaces advised that the distance from existing services was within the 800-metre radius as per the parks and recreation master plan and it avoids a duplication of services within a given radius. Mr. Ken O'Brien, Chief Municipal Planner, also added that the open space proposed was very small, and it was found that it would not be useful open space for City purposes.

Deputy Mayor O'Leary was very encouraged to see the incorporation of the wetland studies and floodplains but had some concerns about the flight path for this new residential development. She added that she is pleased to see the recommendations from the Commissioner in the report.

Councillor Burton inquired as to whether the developer pays cash in-lieu to the City if there is no open space development within the proposed development area and if those funds could be earmarked for

improvements to existing recreation infrastructure in that area. Mr. Head advised that if open space is not required the City does look for payment in-lieu and noted that there are several amenities and trails in this area, and with funds available in the Open Space reserve upgrades can be done for those spaces in the area.

Councillor Froude asked what the current amenities are in the area, that is not the golf course or the walking trails. Mr. Head advised that there is park land, open space and a recreational area, as well as several playgrounds in the service radius.

SJMC-R-2022-09-06/403

Moved By Councillor Froude

Seconded By Councillor Hanlon

That Council:

- 1) approve the attached resolutions for Envision St. John's Municipal Plan Amendment Number 2, 2022 and Envision St. John's Development Regulations Number 3, 2022, as amended, regarding land at 130 Aberdeen Avenue;
- 2) require that a detailed assessment of the acoustic insulation requirements be completed at the development approval stage, and appropriate acoustic insulation features be incorporated into the buildings to mitigate noise impacts from aircraft;
- 3) ask the developer to inform perspective buyers, in writing, of the noise impacts associated with aircraft activity which may cause annoyance.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

14.7 2022 Sidewalk Infill Program List

Members of Council expressed their support for the program and the locations chosen this year as it will be very beneficial to those areas and the area residents.

14.8 Anti-Racism Working Group – Membership Approval

Councillor Burton expressed that she is pleased to see the members appointed and she hopes that Dr. Giwa, the members, and organizational

representatives have productive discussions on the Terms of Reference and looks forward to hearing from them after their meeting.

SJMC-R-2022-09-06/404

Moved By Councillor Hanlon

Seconded By Councillor Ellsworth

That Council approve the following eight individuals to sit on the Anti-Racism Working Group along with the Organizational Representatives. It is also recommended that Council request that the members of the ARWG meet to review the Terms of Reference to make the changes necessary to address the concerns brought forward by two of the organizational representatives as well as any others brought forward by ARWG members. The recommended changes will then be brought forward to Council for their approval.

Individuals:

Ayse Sule Akinturk
Bahar Haghighat
Michelle Debnath-Canning
Margarita Palmera

Residents with Lived Experience:

Tendai Mudunge
Rohit Madan
Qiao Lu
Hubert Yaw Antwi-Adjei

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (11 to 0)

15. ACTION ITEMS RAISED BY COUNCIL

Deputy Mayor O'Leary raised the issue of expropriation and whether the City is able to take vacant buildings and houses and convert them into affordable housing. The City Solicitor advised that the expropriation process is governed by legislation and is a statutory process. The role of the Legal Department would

involve working with other City Departments that would have earmarked potential sites for expropriation and then each site would be looked at individually, and whether the parameters of the Act had been met, and then advise on the process going forward.

Deputy Mayor O'Leary asked that this concept be referred to the Affordable Housing Working Group for their discussion.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 4:08 pm.

MAYOR

CITY CLERK

DECISION/DIRECTION NOTE

Title:	Proposed Rebuild of Dwelling and Accessory Building in the Watershed – 8A Ron's Road, Town of Portugal Cove-St. Philip's – INT2200042
Date Prepared:	September 7, 2022
Report To:	Regular Meeting of Council
Councillor and Role:	Councillor Jamie Korab, Development
Ward:	N/A

Decision/Direction Required:

Approval of demolition and rebuild of a Single Detached Dwelling and Accessory Building at 8A Ron's Road, in the Town of Portugal Cove-St. Philip's, which property is in the protected Broad Cove River Watershed.

Discussion – Background and Current Status:

An application has been submitted to the town of Portugal Cove-St. Philip's to demolish and rebuild a Single Detached Dwelling and Accessory Building at 8A Ron's Road, Portugal Cove-St. Philip's. As the subject property is located in the Broad Cove River Watershed, the application was referred to the City of St. John's by the Town of Portugal Cove-St. Philip's. The referral has been reviewed by appropriate City staff.

Section 104 (4)(c) of the City of St. John's Act provides that Council may permit the replacement of a building which is dilapidated 50% or more. A Building Inspector has determined that the Dwelling at 8A Ron's Road is more than 50% dilapidated.

Section 104(4)(b) provides that a private family dwelling in the watershed may be extended by ½ the cubic content of the existing dwelling.

Council has allowed the erection of Accessory Buildings for residential uses in the watershed to a maximum size of 29.7m² (16'x20').

The existing Dwelling has a floor area of 80.28m² and is proposed to be increased by 50% to 120.41m². The existing Accessory Building will be removed and replaced with a 29.7m² Accessory Building, which size is within the size normally approved by Council in a watershed.

ST. JOHN'S

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.

4. Alignment with Adopted Plans: City of St. John's Act.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: City of St. John's Act Section 104.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

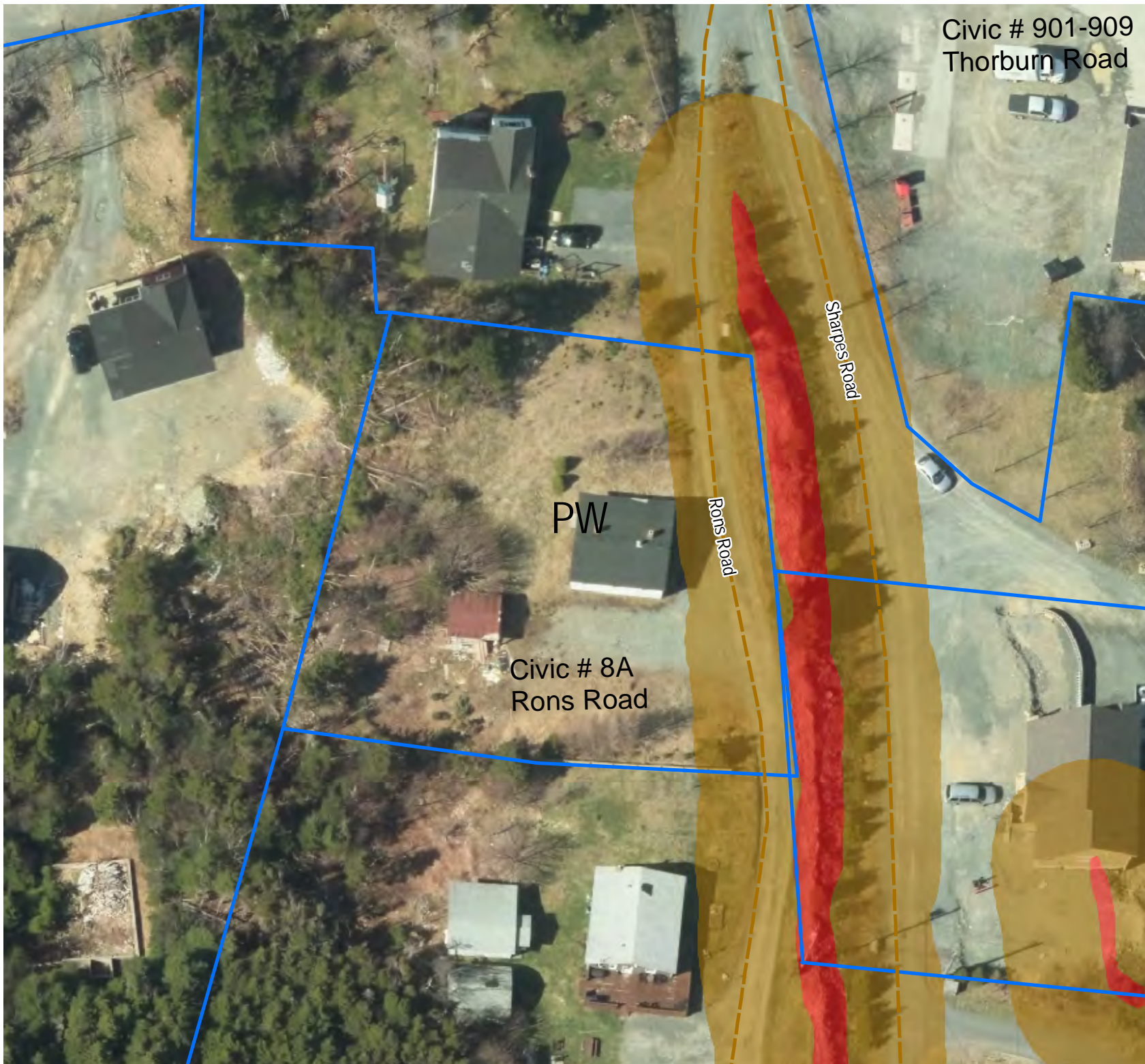
That Council approve the demolition and rebuild of both a Singled Detached Dwelling and Accessory Building at 8A Ron's Road in the Town of Portugal Cove St. Philip's protected Broad Cove Watershed to a maximum floor area of 120.41m² for the Dwelling, and a maximum floor area of 29.7m² for the Accessory Building.

Prepared by:

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

Approved by:

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

















Civic # 901-909
Thorburn Road

Property Map

Civic # 8A Rons Road

DISCLAIMER

The land use information contained on this Map is compiled from various sources. It may or may not accurately portray base mapping, property boundaries, measurements or other land use information.

-  Control Monument
-  2013 ADA Boundary
-  300m Agricultural Buffer
-  30 NEF Contour
-  75-130m Contour
-  15m Watercourse Buffer
-  30m Waterbody Buffer
-  1:20 Flood Risk Zone (Current)
-  1:100 Flood Risk Zone (Future)
-  Schedule E Wetland
-  Steep Slope 10m Buffer
-  Steep Slope > 25%
-  Land Use Zones
-  Municipal Boundary

1:525

0 5 10 Meters


**Portugal Cove
St. Philip's**
1119 Portugal Cove Road
Portugal Cove-St. Philip's
NL, A1M 1T6

709-895-8000 (t) 18
709-895-3780 (f)

DECISION/DIRECTION NOTE

Title: Notices Published - 441-443 Main Road – DEV22000117

Date Prepared: September 7, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 5

Decision/Direction Required:

A Discretionary Use application has been submitted for 441- 443 Main Road.

Discussion – Background and Current Status:

The application is a Home Occupation for a sewing studio with incidental retail sales. The Home Occupation is operated by the owner and has a floor area of 37.16 m². Hours of operation are Monday to Friday, 6 p.m. to 8 p.m., and Saturday and Sunday, 10 a.m. to 2 p.m. On-site parking is provided. The proposed application site is in the Residential 1 (R1) Zone.

Zero submissions were received.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighboring property owners.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.
4. Alignment with Adopted Plans: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Development Regulations Section 6.18 "Home Occupation", Section 10.5 "Discretionary Use" and Section 10 "Residential 1 (R1) Zone".

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7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public advertisement in accordance with Section 4.8 “Public Consultation” of the St. John’s Envision 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 twice 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.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council approve the Discretionary Use application at 441- 443 Main Road to allow a Home Occupation for a sewing studio with incidental retail.

Prepared by:

Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development
Planning, Engineering and Regulatory Services

Approved by:

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



SUBJECT PROPERTY

MAIN RD

INST

CN

433

437

443

R1

445

449

RR

451

O

CN

Development Permits List For September 1 to September 7, 2022

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Consolidate 2 & 4 Maxse Street	2-4 Maxse Street	2	Approved	01-09-22
AG	Pardy's Waste Management Inc.	Storage of Class B Compost	990 Power's Road	5	Approved	01-09-22
RES		Demo/Rebuild for Single Detached Dwelling	193 Thorburn Road	4	Approved	02-09-22

*** 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 & Development

Building Permits List

Council's September 12, 2022 Regular Meeting

Permits Issued: 2022/09/01 to 2022/09/07

Class: Residential

11 Chafe's Lane	Site Work	Single Detached Dwelling
12 Ballylee Cres	Site Work	Swimming Pool/Hot Tub
13 Stephano St	Accessory Building	Accessory Building
13 York St	Accessory Building	Accessory Building
14 Channel St	Fence	Fence
140 Highland Dr	Fence	Fence
179 Forest Rd	Fence	Fence
2 Redberry St	New Construction	Single Detached w/ apt.
24 B Empire Ave	Site Work	Retaining Walls
24 Rutledge Cres	Site Work	Driveway
29-31 York St	Renovations	Semi Detached Dwelling
33 Great Southern Dr	Renovations	Single Detached Dwelling
34 Frampton Ave	New Construction	Single Detached Dwelling
34 Gallipoli St	New Construction	Single Detached Dwelling
37 Gallipoli St	New Construction	Single Detached Dwelling
38 Rumboldt Pl	Deck	Patio Deck
39 Jasper St	Fence	Fence
4 Lester St	Renovations	Townhousing
42 Clifden Woods	Deck	Patio Deck
44 Bonaventure Ave	Renovations	Semi Detached Dwelling
53 Flower Hill	Renovations	Semi Detached Dwelling
53 Frampton Ave	Renovations	Single Detached Dwelling
63 Diamond Marsh Dr	Fence	Fence
65 Diamond Marsh Dr	Change of Occupancy	Home Office
68 Pepperwood Dr	Accessory Building	Accessory Building
7 Kent Pl	Extension	Single Detached Dwelling
71 Colonial St	Renovations	Townhousing
75 Terra Nova Rd	Site Work	Single Detached Dwelling
77 Terra Nova Rd	Renovations	Single Detached w/ apt.
80 Harrington Dr	Accessory Building	Accessory Building

This Week: \$1,389,895.84

Class: Commercial

235 Danny Dr	New Construction	Warehouse
303-305 Hamilton Ave	Sign	Service Shop
369 Duckworth St	Renovations	Tavern
50 Ropewalk Lane	Change of Occupancy/Renovations	Retail Store
50 White Rose Dr	Sign	Retail Store
58 Kenmount Rd	Accessory Building	Accessory Building
595 Kenmount Rd	Site Work	Car Sales Lot
63 O'leary Ave	Change of Occupancy/Renovations	Retail Store
98 Kenmount Rd	Renovations	Admin. Buildings,

This Week: \$16,864,662.00

Class: Government/Institutional

This Week: \$0.00

Class: Industrial

This Week: \$0.00

Class: Demolition

131 Patrick St	Demolition	Single Detached Dwelling
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This Week: \$10,000.00

This Week's Total: \$18,264,557.84

Repair Permits Issued 2022/09/01 to 2022/09/07: \$65,925.00

YEAR TO DATE COMPARISONS			
September 12, 2022			
TYPE	2021	2022	% VARIANCE (+/-)
Residential	\$39,117,398.66	\$55,690,359.66	42
Commercial	\$102,054,128.79	\$93,984,799.38	-8
Government/Institutional	\$1,500,499.00	\$1,275,188.00	-15
Industrial	\$4,164,500.00	\$351,000.00	-92
Repairs	\$3,538,226.43	\$1,162,984.44	-67
TOTAL	\$150,374,752.88	\$152,464,331.48	1
Housing Units (1 & 2 Family Dwelling)	120	177	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending September 7, 2022

Payroll

Public Works	\$ 841,479.52
Bi-Weekly Casual	\$ 104,155.38
Accounts Payable	\$ 2,151,608.38

(A detailed breakdown available [here](#))

Total: \$ 3,097,243.28

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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: 2022118 Light Duty Towing and Impound Service
Date Prepared: Wednesday, September 7, 2022
Report To: Regular Meeting
Councillor and Role: Councillor Ron Ellsworth, Finance & Administration
Ward: N/A

Department: Planning Eng & Regulatory Services
Division: Regulatory Services
Quotes Obtained By: Stephen Frew
Budget Code: 2141-52498, 3121-52476 & 3231-52498
Source of Funding: Operating

Purpose:

This open call is to provide Light Duty Towing and Impound Services for the City of St. John's. This will ensure that 24 hour a day, 365 days a year service is available for Fleet, Roads and Regulatory Services divisions on an as required basis.

Results: ☐ As attached ☒ As noted below

Vendor Name	Bid Amount
Perry Matthews Towing Inc.	\$93,500.00
Boss Towing	\$220,000.00

Expected Value: ☐ As above
☒ Value shown is an estimate only for a 1 year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: One (1) year with the possibility of two (2) one (1) year extensions.

Bid Exception: None

Recommendation:

That Council approve for award this open call to the lowest bidder meeting specifications, Perry Matthews Towing Inc. for \$93,500.00 (exclusive of HST), as per the Public Procurement Act.

Attachments:

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Report Approval Details

Document Title:	2022018 Light Duty Towing and Impound Service.docx
Attachments:	
Final Approval Date:	Sep 7, 2022

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

Rick Squires - Sep 7, 2022 - 11:57 AM

Derek Coffey - Sep 7, 2022 - 12:15 PM

DEPARTMENTAL APPROVAL REQUEST/RFP

Commodity/Bid #: 2022117 - Supply and Delivery of Oil, Lubricants. Windshield Wash and Diesel Exhaust Fluid

Date Prepared: Thursday, September 8, 2022

Report To: Regular Meeting

Councillor and Role: Councillor Ron Ellsworth, Finance & Administration

Ward: N/A

Department: Finance & Administration

Quotes Obtained By: Sherri Higgins

Budget Code: 0000-15101

Source of Funding: Operating

Purpose:

The purpose of this open call is for the Supply & Delivery of Oil, Lubricants. Windshield Wash and Diesel Exhaust Fluid for various City departments to be used on an as required basis.

Proposals Submitted By:

Vendor Name
Source Atlantic Ltd
Bluewater Newfoundland Ltd.
Provall Parts Limited
Shoreline Lubricants and Industrial Supply
OMB Parts & Industrial Ltd.
Crevier Lubrifiants Inc.
Harvey and Company Ltd
Grainger Canada
Western Petroleum

Expected Value: ☒ Value shown is an estimate only for a 1 year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: One year with two (2) possible one (1) year extensions.

Recommendation:

That Council approve for award this open call to the highest ranked bidder, Grainger Canada, for \$281,530.92 a year (HST not Incl.) as per the Public Procurement Act.

Attachments:

ST. JOHN'S

Report Approval Details

Document Title:	2022117 - Supply and Delivery of Oil, Lubricants. Windshield Wash and Diesel Exhaust Fluid.docx
Attachments:	
Final Approval Date:	Sep 8, 2022

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

Rick Squires - Sep 8, 2022 - 11:17 AM

Derek Coffey - Sep 8, 2022 - 12:25 PM

NOTICE OF MOTION

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to amend the St. John's Ticketing Amendment By-Law to add a provision related to the parking of vehicles that are not actively charging in parking spaces designated for the charging of electric vehicles.

DATED at St. John's, NL this day of , 2022.

COUNCILLOR

NOTICE OF MOTION

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to amend the St. John's Paid Parking Regulations to add a provision related to the vehicles that are parked in parking spaces designated as 'electric vehicle charging stations' and which have gone past the time paid for.

DATED at St. John's, NL this day of , 2022.

COUNCILLOR

DECISION/DIRECTION NOTE

Title: Demolition of Building – 46 Blackwood Place

Date Prepared: August 19, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Transportation & Regulatory Services

Ward: Ward 4

Decision/Direction Required:

For consideration of council to grant a Demolition Order of 46 Blackwood Place.

Discussion – Background and Current Status:

The building situated at 46 Blackwood Place (townhouse) sustained severe damage due to a fire which renders the building uninhabitable and is causing a potential safety concern.

Staff have been trying to work with the property owner on resolving the issues, but all attempts have been unsuccessful. The Court awarded a Court Order for staff of Inspection Services to entry the property to conduct an assessment which was completed on August 18, 2022. This assessment determined that the structure is damaged well beyond repair and demolition is the only option available.

Inspection Services Division has boarded up dwelling after the fire due to unauthorized access on at least three occasions.

In addition, repairs to the adjacent dwelling are unable to proceed due to the extent of damages at the subject property.

Key Considerations/Implications:

1. Budget/Financial Implications:

Should the City proceed with the order and if it is not complied with, a tender document will be developed for the demolition of the property. The cost associated with this demolition and associated repairs to the adjacent attached dwellings will be applied to the subject property.

2. Partners or Other Stakeholders:

3. Alignment with Strategic Directions: N/A

Choose an item.

Choose an item.

4. Alignment with Adopted Plans: N/A

5. Accessibility and Inclusion: N/A

6. Legal or Policy Implications: N/A

7. Privacy Implications: N/A

8. Engagement and Communications Considerations: N/A

9. Human Resource Implications: N/A

10. Procurement Implications: N/A

11. Information Technology Implications: N/A

12. Other Implications:

As the subject property forms part of row housing, the attached adjacent dwellings will require such repairs to make them weather tight and maybe even structurally sound. The extent of those repairs will not be known until the demolition is complete.

Recommendation:

That Council grant the Demolition Order for 46 Blackwood Place

Prepared by:

Randy Carew, CET – Manager – Regulatory Services

Signature: _____

Approved by:

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

Signature: _____

Report Approval Details

Document Title:	Demolition Order - 46 Blackwood Place .docx
Attachments:	
Final Approval Date:	Aug 22, 2022

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

Jason Sinyard - Aug 22, 2022 - 1:31 PM

DECISION/DIRECTION NOTE

Title: Sale of City Land at the front of 29 Tobin's Road

Date Prepared: September 6, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Ward 5

Ward: Ward 5

Decision/Direction Required:

Recommendation that Council approve the sale of land at the front of Tobin's Road, as shown in red on the attached diagram.

Discussion – Background and Current Status:

The owner of 29 Tobin's Road has approached the City to purchase land at the front of their property, upon which the former owners constructed a fence, as shown in the image below.

This request was circulated amongst the required City departments with no concerns with the sale.

The purchase price has been established at \$3.50 per square foot. The area in question is approximately 500 square feet, resulting in an approximate sale price of \$1,750.00, plus HST and an administrative fee. This takes into account that the property is zoned RR1. The purchaser will be responsible for providing a survey which will determine the exact square footage and we will adjust accordingly.

Key Considerations/Implications:

1. Budget/Financial Implications: City to receive approximately \$1,750.00 for the sale of the land, plus administrative fees
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions:

An Effective City: Ensure accountability and good governance through transparent and open decision making.

Choose an item.

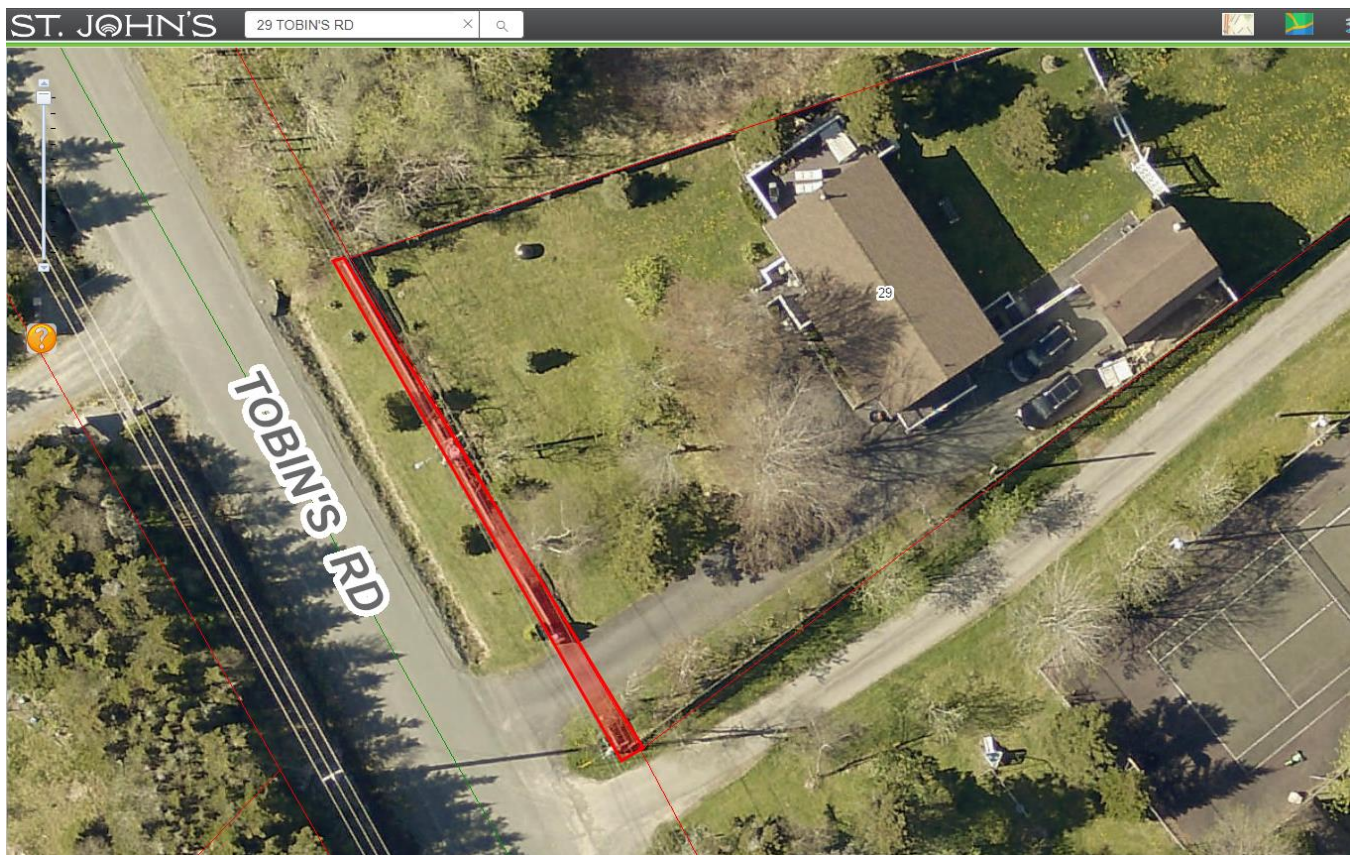
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4. Alignment with Adopted Plans: An Effective City
5. Accessibility and Inclusion: N/A
6. Legal or Policy Implications: A Deed of Conveyance will be prepared.
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: N/A
9. Human Resource Implications: N/A
10. Procurement Implications: N/A
11. Information Technology Implications: N/A
12. Other Implications: N/A

Recommendation:

That Council approve the sale of City owned land at the front of 29 Tobin's Road, as shown in red on the attached diagram

Prepared by: Linda S. Bishop, Q.C., Senior Legal Counsel
Approved by: Cheryl Mullett, City Solicitor



Report Approval Details

Document Title:	Sale of Land - front of 29 Tobin's Road.docx
Attachments:	
Final Approval Date:	Sep 7, 2022

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

Cheryl Mullett - Sep 7, 2022 - 11:11 AM

DECISION/DIRECTION NOTE

Title: Expropriation and sale of City claimed land between Lannon Street and Courtney Street

Date Prepared: September 8, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Ward 5

Ward: Ward 5

Decision/Direction Required:

Recommendation that Council approve the expropriation of the land between Lannon Street and Courtney Street to clarify title and to offer this land to the abutting property owners in equal parts, as shown in red on the attached diagram, subject to an easement for the underground infrastructure and existing Newfoundland Power easements.

Discussion – Background and Current Status:

The owner of 10 Lannon Street has approached the City to purchase land at the back of his property. During the investigation into the ownership of this land, it has been determined that the City is claiming this land under section 390 of the City of St. John's Act which provides that lands in an approved development plan become the property of the City. In order to clarify the title, it is recommended that the City expropriate this land prior to divesting of same to the abutting property owners.

This request was circulated amongst the required City departments with the only comment being that the city must retain an easement over the property for the underground infrastructure in the area.

The purchase price has been established at \$2.00 per square foot plus HST and administrative fees. This takes into account that the property is zoned R1 and will be subject to a City Easement and an existing Newfoundland Power Easement. The purchasers will be required to provide a survey which will show the exact square footage, and the purchase price will reflect same. The property owners will also be required to consolidate this land with their existing property once the purchase is completed. Should any of the abutting property owners not wish to purchase their allotted parcel, they will be required to vacate the City owned land.

Key Considerations/Implications:

1. Budget/Financial Implications: City to receive \$2.00 per square foot for the land of the land, plus administrative fees
2. Partners or Other Stakeholders: abutting property owners

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3. Alignment with Strategic Directions:

An Effective City: Ensure accountability and good governance through transparent and open decision making.

4. Alignment with Adopted Plans: an Effective City

5. Accessibility and Inclusion: N/A

6. Legal or Policy Implications: Notice of Expropriation and Deed of Conveyance will be prepared by the Legal Department.

7. Privacy Implications: N/A

8. Engagement and Communications Considerations: N/A

9. Human Resource Implications: N/A

10. Procurement Implications: N/A

11. Information Technology Implications: N/A

12. Other Implications: N/A

Recommendation:

That Council approve the expropriation of the land between Lannon Street and Courtney Street and offer this land to the abutting property owners in equal parts, as shown in red on the attached diagram, subject to an easement for the underground infrastructure and existing Newfoundland Power easements.

Prepared by: Linda Bishop, Q.C., Senior Legal Counsel

Approved by: Cheryl Mullett, City Solicitor



Report Approval Details

Document Title:	Expropriation and sale of City claimed land between Lannon Street and Courtney Street .docx
Attachments:	
Final Approval Date:	Sep 8, 2022

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

Cheryl Mullett - Sep 8, 2022 - 1:47 PM

DECISION/DIRECTION NOTE

Title: Sale of City land at the rear of 11 and 15 Exeter Avenue

Date Prepared: September 8, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Ian Froude, Planning

Ward: Ward 4

Decision/Direction Required:

Recommendation that Council approve the sale of land between 11 Beech Place and the rear of 11 and 15 Exeter Avenue, as shown in red on the attached diagram.

Discussion – Background and Current Status:

The owner of 15 Exeter Avenue has approached the City to obtain a Deed for land at the rear of his property that he has been encroaching upon for approximately 22 years. In 1999 he was in talks with the City to acquire this property, but it was never finalized. At that time, the City completed surveys and the property owner installed a fence and completed landscaping. He has been advised that he would have to purchase the property, at today's rate, as section 408 of the City of St. John's Act prohibits squatting against the City. He has also been advised that the property would have to be offered equally to the abutting property owners.

This property was initially a trail from Exeter to Linden Place, however, when Newfoundland and Labrador Housing sold their property on Linden Place, they failed to reserve out the right of way/trail, as such, it has since been taken in by property owners in the area.

This request was circulated amongst the required City departments and there are no objections noted to the sale.

The purchase price has been established at \$5.00 per square foot plus HST and administrative fees. This takes into account that the property is zoned R1 and is in line with the land sold last year on Beech Place. The purchasers will be required to provide a survey which will show the exact square footage, and the purchase price will reflect same. The property owners will also be required to consolidate this land with their existing property once the purchase is completed. Should any of the abutting property owners not wish to purchase their allotted parcel, they will be required to vacate the City owned land.

Key Considerations/Implications:

1. Budget/Financial Implications: The City to receive \$5.00 per square foot for the sale of this property, plus administrative fees.
2. Partners or Other Stakeholders: abutting property owners

ST. JOHN'S

3. Alignment with Strategic Directions:

An Effective City: Ensure accountability and good governance through transparent and open decision making.

4. Alignment with Adopted Plans: An Effective City

5. Accessibility and Inclusion: N/A

6. Legal or Policy Implications: Deed of Conveyance will be prepared by Legal Department.

7. Privacy Implications: N/A

8. Engagement and Communications Considerations: N/A

9. Human Resource Implications: N/A

10. Procurement Implications: N/A

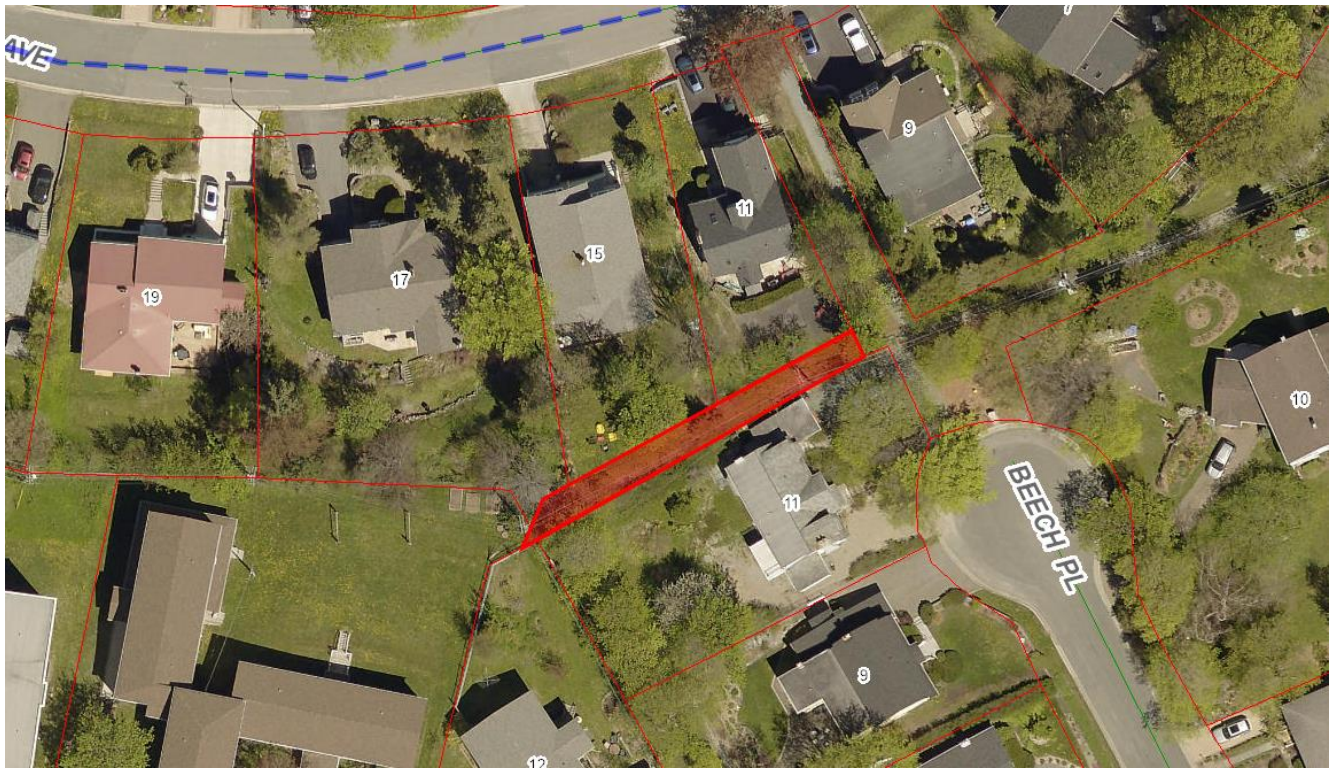
11. Information Technology Implications: N/A

12. Other Implications: N/A

Recommendation:

That Council approve the sale of land between 11 Beech Place and the rear of 11 and 15 Exeter Avenue, as shown in red on the attached diagram.

Prepared by: Linda Bishop, Q.C., Senior Legal Counsel
Approved by: Cheryl Mullett, City Solicitor



DECISION/DIRECTION NOTE

Title: Goulds Arena Interim Financing
Date Prepared: September 8, 2022
Report To: Regular Meeting of Council
Councillor and Role: Councillor Carl Ridgeley, Ward 5
Ward: Ward 5

Decision/Direction Required:

Discussion – Background and Current Status:

The Goulds Arena Association is requesting interim financing assistance to cover an expense incurred for recent capital improvements.

The arena installed a Low-E ceiling in July 2022. It was supplied and installed by Athletica Sports Systems at a cost of \$74,900 plus HST (\$86,135 inclusive of HST). Funding has been approved from ACOA under an energy efficiency program for just over \$50,000. In order for the payment to be made from ACOA, the project must be completed and paid for in full for reimbursement. Coming through two years of covid the Association is challenged from a cash flow perspective to meet both operational and capital needs at the same time.

The Association is requesting that the City provide interim financing to allow the project to be paid in full and when the funds are received from ACOA, the arena will repay the interim financing in full.

Key Considerations/Implications:

1. Budget/Financial Implications: This is simply interim financing and no net expense to the City.
2. Partners or Other Stakeholders: Goulds Arena Association and all tenants of the facility.
3. Alignment with Strategic Directions:

A Sustainable City: Be financially responsible and accountable.

A Connected City: Increase and improve opportunities for residents to connect with each other and the City.

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4. Alignment with Adopted Plans:
5. Accessibility and Inclusion:
6. Legal or Policy Implications: While the City generally avoids interim financing the unique and short-term nature of this proposal are worthy of consideration.
7. Privacy Implications:
8. Engagement and Communications Considerations:
9. Human Resource Implications:
10. Procurement Implications:
11. Information Technology Implications:
12. Other Implications:

Recommendation:

That Council approve interim Financing of \$50,000 for the Goulds Arena Association.

Prepared by: Derek Coffey, Deputy City Manager – Finance & Administration

Approved by:

Report Approval Details

Document Title:	Goulds Arena Advance.docx
Attachments:	
Final Approval Date:	Sep 9, 2022

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

No Signature - Task assigned to Kris Connors was completed by workflow administrator Christine Carter

Kris Connors - Sep 9, 2022 - 8:45 AM

Derek Coffey - Sep 9, 2022 - 8:47 AM