

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

October 7, 2019, 4:30 p.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Maggie Burton
Councillor Dave Lane
Councillor Sandy Hickman
Councillor Deanne Stapleton
Councillor Jamie Korab
Councillor Wally Collins

Regrets: Councillor Debbie Hanlon
Councillor Hope Jamieson
Councillor Ian Froude

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
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Shanna Fitzgerald, Legislative Assistant

Others: Brian Head, Manager of Parks & Open Spaces - Public Works

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 Presentation of Royal Canadian Humane Association Canada Bravery Award to Mike Stapleton

2.2 VOCM Cares/Metrobus Food Sharing - October 4 - 14, 2019

2.3 Disability Employment Awareness Month – October

3. APPROVAL OF THE AGENDA

3.1 Agenda of October 7, 2019

SJMC-R-2019-10-07/420

Moved By Councillor Korab

Seconded By Councillor Stapleton

That the agenda be adopted as presented.

MOTION CARRIED

4. ADOPTION OF THE MINUTES

4.1 Adoption of the Minutes of September 30, 2019

SJMC-R-2019-10-07/421

Moved By Councillor Collins

Seconded By Councillor Hickman

That the minutes of September 30, 2019 be adopted as presented.

MOTION CARRIED

5. BUSINESS ARISING FROM THE MINUTES

5.1 Decision Note dated September 24, 2019 re: St. John's Development Regulations Amendment Number 701, 2019, Text Amendment to the Commercial Central Retail (CCR) Zone for a maximum building height of 18 metres, REZ 1900013, 331 Water St.

Approved via E-poll on September 30, 2019

SJMC-R-2019-10-07/422**Moved By** Councillor Burton**Seconded By** Deputy Mayor O'Leary

That Council adopt St. John's Development Regulations Amendment Number 701, 2019, which will increase the maximum allowed height from 15 metres to 18 metres in the Commercial Central Retail (CCR) Zone. If the attached amendment is adopted by Council, it will then be referred to the Department of Municipal Affairs and Environment with a request for Provincial Registration in accordance with the provisions of the Urban and Rural Planning Act.

MOTION CARRIED

5.2 Decision Note dated September 16, 2019 re: Proposed Residential Dwelling, Residential Battery (RB) Zone, DEV 1900148, 52 Outer Battery Road

SJMC-R-2019-10-07/423**Moved By** Councillor Burton**Seconded By** Councillor Stapleton

That this item is deferred to a future meeting of Council.

MOTION CARRIED

6. NOTICES PUBLISHED

6.1 25-27 Stavanger Drive - Commercial Regional (CR) Zone - Ward 1

A Discretionary Use application has been submitted requesting approval to operate a Place of Amusement for a Golf Simulator at 25-27 Stavanger Drive.

The business will have a floor area of 306 m² and will operate seven days a week from 10 a.m. – 11 p.m. The applicant is also applying for a Recreations Facility Liquor License. The business will employ 1 full time and 2 part time employees and will have 4 simulators which can be used by a maximum of 4 users. On-site parking is provided.

No submissions received.

SJMC-R-2019-10-07/424

Moved By Councillor Stapleton

Seconded By Councillor Korab

That the application be approved subject to all applicable City requirements.

MOTION CARRIED

6.2 21 Anthony Ave - Residential Low Density (R1) Zone - Ward 3

A Discretionary Use application has been submitted by Twin Rinks to develop the existing lot of 21 Anthony Avenue, which is location in the Residential Low Density (R1) Zone, as a Parking Lot.

The parking area will be approximately 800 m2 and will provide parking for approximately 26 vehicles. The parking area will be used in conjunction with the existing arena and will satisfy Section 7.13 of the St. John's Development Regulations.

1 submission received.

SJMC-R-2019-10-07/425

Moved By Councillor Korab

Seconded By Councillor Collins

That the application be approved subject to all applicable City requirements.

MOTION CARRIED

6.3 46 Kenmount Road - Commercial Highway (CH) Zone - Ward 4

A Discretionary Use application has been submitted by Crombie REIT requesting approval to construct and operate a second Eating Establishment with Drive-Thru at 46 Kenmount Road.

The drive thru will service a national fast food franchise with floor area of 250.8m2, and will operate Monday to Friday, 6 – 12 a.m., Saturday and Sunday 7 - 12 a.m. The application is advertised in accordance with Section 7.30 "Drive-Thru Facilities" of the St. John's Development Regulations. On-site parking is provided.

1 submission received.

Previously, staff was directed to complete a jurisdictional review of other Canadian municipalities to analyze various approaches to drive-thrus. Results will come back to Council in the coming months. This information will be submitted to Committees such as Seniors, Environmental and Sustainability, Inclusion, Food Policy etc. for review and will be forwarded to the City Business Round Table.

SJMC-R-2019-10-07/426

Moved By Councillor Lane

Seconded By Councillor Korab

That the application be approved subject to all applicable City requirements.

For (6): Mayor Breen, Councillor Lane, Councillor Hickman, Councillor Stapleton, Councillor Korab, and Councillor Collins

Against (2): Deputy Mayor O'Leary, and Councillor Burton

MOTION CARRIED (6 to 2)

7. PUBLIC HEARINGS/MEETINGS

8. COMMITTEE REPORTS

8.1 Development Committee Items Referred from October 1, 2019

1. **Decision note dated October 1, 2019 re: Crown Land Grant for Residential Building Lot - Residential Low Density (R 1) Zone - CRW1900017 - 34A Maxwell Place**

SJMC-R-2019-10-07/427

Moved By Councillor Burton

Seconded By Councillor Collins

That Council approved the proposed Grant as Residential Dwelling is permitted within the R1 Zone and the proposed lot will meet all minimum zone requirements.

MOTION CARRIED

2. **Decision note dated October 1, 2019 re: Crown Land Grant for Residential Building Lot - Residential Low Density (R1) Zone - CRW1900019 - 40 Maxwell Place**

SJMC-R-2019-10-07/428

Moved By Councillor Burton

Seconded By Councillor Collins

That Council approved the proposed Grant as Residential Dwelling is permitted within the R1 Zone and the proposed lot will meet all minimum zone requirements.

MOTION CARRIED

3. **Decision note dated October 1, 2019 re: Crown Land Grant to Extend Commercial Property - CRW1900014 - 148 East White Hills Road**

SJMC-R-2019-10-07/429

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That the Crown Land Grant be approved, with the following conditions:

1. Conveyance of a 1.5 metre strip of land to the City should the Crown Land grant be approved by the Department of Fisheries and Land Resources;
2. Final approval is subject to the submission of a Development application and subject to all Planning, Engineering & Regulatory Services requirements.

MOTION CARRIED

4. **Decision note dated October 1, 2019 re: NL Power Pole in Floodplain Buffer - Residential Low Density (R1) Zone - INT1900067 - Wicklow Street**

SJMC-R-2019-10-07/430

Moved By Councillor Burton

Seconded By Councillor Hickman

That Council allow Newfoundland Power to replace the utility power poles within the floodplain buffer.

MOTION CARRIED

8.2 Special Events Advisory Committee Report of October 3, 2019

1. Event: 'Rex' Season 2

Dates: October 21 and October 22, 2019

Detail: Film Shoot

SJMC-R-2019-10-07/431

Moved By Councillor Korab

Seconded By Councillor Stapleton

That Council approve the road closures for the filming of Rex Season 2 as requested.

MOTION CARRIED

9. RESOLUTIONS

10. DEVELOPMENT PERMITS LIST

11. BUILDING PERMITS LIST

11.1 Building Permits List for the period September 26 to October 2, 2019

SJMC-R-2019-10-07/432

Moved By Councillor Hickman

Seconded By Councillor Burton

That the Building Permits List for the period September 26 - October 2, 2019 be approved as presented.

MOTION CARRIED

12. REQUISITIONS, PAYROLLS AND ACCOUNTS

12.1 Weekly Payment Vouchers for the Week Ending October 2, 2019

SJMC-R-2019-10-07/433

Moved By Councillor Lane

Seconded By Deputy Mayor O'Leary

That the weekly payment vouchers in the amount of \$7,296,700.29 for the week ending October 2, 2019 be approved as presented.

MOTION CARRIED

13. TENDERS/RFPS

13.1 Bid Approval Note - Emergency Replacement of Filter 6 Underdrain at BBBP

Approved via E-poll on October 2, 2019

SJMC-R-2019-10-07/434

Moved By Councillor Collins

Seconded By Councillor Hickman

That Council award this emergency contract award without open call to Anthratech Western Inc. (AWi) in the amount of \$385,880.00 (HST Extra) to allow for the replacement of the filter #6 underdrain immediately.

MOTION CARRIED

13.2 Bid Approval Note - 2019055 - Waste Collection Services

SJMC-R-2019-10-07/435

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That this open call is awarded to the lowest bidder that meets specifications, GFL Environmental Inc., as per the Public Procurement Act, for \$170,611.40 excluding HST.

MOTION CARRIED

13.3 Bid Approval Note - 2019206 - Snow Clearing

SJMC-R-2019-10-07/436

Moved By Councillor Korab

Seconded By Deputy Mayor O'Leary

That this open call be awarded to the lowest bidder that meets specifications, Gerald O'Driscoll, as per the Public Procurement Act for \$173,034.75 HST included.

MOTION CARRIED

13.4 Bid Approval Note - 2019210 - Supply and Install Flooring at St. John's Recreational Centre

SJMC-R-2019-10-07/437

Moved By Councillor Korab

Seconded By Councillor Burton

That this open call 2019210 Supply and Install Flooring at the St. John's Recreation Centre be awarded to Baker Flooring (\$126,750.70 HST Included) the lowest submission meeting specifications as per the Public Procurement Act.

MOTION CARRIED

13.5 Request for Proposals (RFP) - 2019181 - Uniforms

SJMC-R-2019-10-07/438

Moved By Councillor Lane

Seconded By Councillor Hickman

That this RFP is awarded as per the attached summary report provided by Purchasing based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

MOTION CARRIED

13.6 Bid Approval Note - 2019101 - Mat Rentals

SJMC-R-2019-10-07/439

Moved By Councillor Lane

Seconded By Councillor Burton

That open call 2019101 Mat Rentals be awarded to Canadian Linen and Uniform Service Co. (\$40,285.29 HST Included) per year the lowest bidder meeting specifications as per The Public Procurement Act.

MOTION CARRIED

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

15. OTHER BUSINESS

16. ADJOURNMENT

There being no further business, the meeting adjourned at 5:20 pm.

MAYOR

CITY CLERK