

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

October 21, 2019, 4:30 p.m.

Present:

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Hope Jamieson
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Wally Collins

Regrets:

- Councillor Dave Lane

Staff:

- Kevin Breen, City Manager
- Tanya Haywood, Deputy City Manager of Community Services
- Susan Bonnell, Manager - Communications & Office Services
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, Legislative Assistant

Others:

- David Crowe, Manager of Roads - Public Works
- Linda Bishop, Senior Legal Counsel

Land Acknowledgement

The following statement was read into the record:

“We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John’s is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi’kmaq, Innu, Inuit, and Southern Inuit of this Province.”

1. **CALL TO ORDER**

2. **PROCLAMATIONS/PRESENTATIONS**

2.1 **International Stuttering Awareness Day**

2.2 **Islamic History and Heritage Month - October**

3. **APPROVAL OF THE AGENDA**

3.1 **Agenda of October 21, 2019**

SJMC-R-2019-10-21/455

Moved By Councillor Collins

Seconded By Councillor Hanlon

That the Agenda be adopted with the addition of the following item referred from the Committee of the Whole meeting of October 16, 2019:

- Decision note dated October 1, 2019 re: Community Food Sharing Association Support

MOTION CARRIED

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of the Minutes of October 15, 2019**

SJMC-R-2019-10-21/456

Moved By Councillor Stapleton

Seconded By Deputy Mayor O'Leary

That the minutes of October 15, 2019 be adopted as presented.

MOTION CARRIED

5. **BUSINESS ARISING FROM THE MINUTES**

5.1 **Decision note dated October 10, 2019 re: Broker Contract and Insurance Renewal Terms 2019/2020**

SJMC-R-2019-10-21/457

Moved By Councillor Froude

Seconded By Councillor Hickman

That the City accept the terms as proposed for the broker services with Aon together with the insurance terms proposed via Amlin, QBE Fairfax and Aviva for the period 2019-2020.

MOTION CARRIED

5.2 Decision note dated October 10, 2019 re: Proposed Third Accessory Building in the Watershed - INT1900107 - 961-963 Thorburn Road, Town of Portugal Cove-St. Philips

Deferred from Regular Meeting of October 15, 2019

SJMC-R-2019-10-21/458

Moved By Councillor Burton

Seconded By Councillor Froude

That the application for the third Accessory Building (greenhouse) be rejected as the combined floor area of all accessory buildings exceeds the maximum size and number for Accessory Buildings within a protected watershed, as determined by Council.

MOTION CARRIED

5.3 Decision note dated October 16, 2019 re: Application to Rezone Land to the Commercial Neighbourhood Zone for a Lounge and Eating Establishment (Pub and Eatery) - MPA1800006 - 75 Airport Heights Drive

SJMC-R-2019-10-21/459

Moved By Councillor Burton

Seconded By Councillor Hanlon

That Council adopt-in-principle the resolutions for St. John's Municipal Plan Amendment 153, 2019 and St. John's Development Regulations Amendment 700, 2019. A map amendment to the Municipal Plan is required to re-designate the property from the Residential Low Density District to the Commercial General District. As well, this would rezone 75 Airport Heights Drive from the Commercial Local (CL) Zone to the Commercial Neighbourhood (CN) Zone, to allow consideration of a Lounge and Eating Establishment. It was further agreed that the resolutions be forwarded to the Department of Municipal Affairs and Environment with a request for provincial release, following which time, the amendment will be referred back to a future regular meeting of Council

for consideration of adoption and the appointment of a commissioner to conduct a Public Hearing, as required by the Urban and Rural Planning Act.

For (8): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

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

MOTION CARRIED (8 to 2)

6. NOTICES PUBLISHED

6.1 26 Halley Drive - Residential Low Density (R1) Zone - Ward 1

A Discretionary Use application has been submitted for a Home Occupation for an esthetician at 26 Halley Drive.

The proposed business will provide services such as nail & eyebrow design, makeup application, and hair removal services. The business will occupy a floor area of approximately 15 m² and will operate Monday to Saturday 9 a.m. – 9 p.m. with 4 clients per day. Business is owner operated and parking is available on site.

1 submission received

SJMC-R-2019-10-21/460

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

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

MOTION CARRIED

6.2 151 Freshwater Road - Institutional (INST) Zone - Ward 2

A Discretionary Use application has been submitted requesting permission to allow Office Use at 151 Freshwater Road (former Booth Memorial High School).

The existing building is located in the Institutional (INST) Zone. The proposed office will occupy a floor area of approximately 410 m² and will operate Monday to Friday 9 a.m. to 5 p.m. with approximately 12 employees.

3 submissions received

SJMC-R-2019-10-21/461

Moved By Councillor Jamieson

Seconded By Deputy Mayor O'Leary

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

MOTION CARRIED

6.3 35 Barrows Road - Industrial Quidi Vidi (IQ) Zone - Ward 2

A Discretionary Use application has been submitted by Quidi Vidi Brewery requesting approval for an Outdoor Eating and Lounge Area at 35 Barrows Road.

The floor area will be approximately 110 m² and will be located on the second level off the Tap Room. The proposed operating hours for the patio will be in line with the Tap Room.

4 submissions received

SJMC-R-2019-10-21/462

Moved By Councillor Jamieson

Seconded By Deputy Mayor O'Leary

That this application be referred to a public meeting.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Froude, and Councillor Collins

Against (2): Councillor Hickman, and Councillor Korab

MOTION CARRIED (8 to 2)

7. PUBLIC HEARINGS/MEETINGS

8. COMMITTEE REPORTS

8.1 Audit Committee Report - October 9, 2019

1. **Decision note dated September 3, 2019 re: Update to Three-year Audit Plan (2019 – 2021)**

SJMC-R-2019-10-21/463

Moved By Councillor Stapleton

Seconded By Councillor Collins

That the updated three-year audit plan is approved.

MOTION CARRIED

2. Decision note dated August 22, 2019 re: Review of Robin Hood Bay Waste Management Facility – Scale House Operations

SJMC-R-2019-10-21/464

Moved By Councillor Stapleton

Seconded By Councillor Burton

That the Review of Robin Hood Bay Waste Management Facility – Scale House Operations report and the associated action plans put forth by management be approved.

MOTION CARRIED

3. Decision note dated May 10, 2019 re: Salary Administration – Assignment #12-01

SJMC-R-2019-10-21/465

Moved By Councillor Stapleton

Seconded By Councillor Jamieson

That Council approve removal of the Salary Administration audit report from Internal Audit's follow-up list.

MOTION CARRIED

4. Decision note dated May 24, 2019 re: Inspection Services - Assignment #12-04

SJMC-R-2019-10-21/466

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

That Council approve removal of the Inspection Services audit report from Internal Audit's follow-up list.

MOTION CARRIED

5. **Decision note dated April 24, 2019 re: Receiving, Stores and Issuing - Assignment #13-02**

SJMC-R-2019-10-21/467

Moved By Councillor Stapleton

Seconded By Councillor Burton

That Council approve removal of the Receiving, Stores and Issuing audit report from Internal Audit's follow-up list.

MOTION CARRIED

8.2 Development Committee Report - October 15, 2019

1. **Decision note dated October 16, 2019 re: Proposed Commercial Parking Lot - Vigilant Management - DEV1900178 - 345 Water Street (Harbour Drive access)**

Councillor Burton expressed her concern about Council retaining discretion in future decisions about metered parking and seeking compensation. Discussion ensued and a consensus was made by Council that these matters continue to be dealt with individually on a go forward basis.

SJMC-R-2019-10-21/468

Moved By Councillor Burton

Seconded By Councillor Jamieson

That Council allow the removal of one metered parking space at 345 Water Street to accommodate access to the proposed 55 space commercial parking lot and in keeping with past examples, not seek compensation for the removal of one metered parking space.

MOTION CARRIED

9. RESOLUTIONS

10. DEVELOPMENT PERMITS LIST

- 10.1 **Development Permits List for the period October 10 to October 16, 2019**

Council considered for information the Development Permits List for the Period October 10-16, 2019.

11. BUILDING PERMITS LIST

11.1 Building Permits List for the period October 10 to October 16, 2019

SJMC-R-2019-10-21/469

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That the Building Permits List for the period October 10 - October 16, 2019 be approved as presented.

MOTION CARRIED

12. REQUISITIONS, PAYROLLS AND ACCOUNTS

12.1 Weekly Payment Vouchers for the Week Ending October 16, 2019

SJMC-R-2019-10-21/470

Moved By Councillor Korab

Seconded By Councillor Jamieson

That the weekly payment vouchers in the amount of \$3,958,313.66 for the week ending October 16, 2019 be approved as presented.

MOTION CARRIED

13. TENDERS/RFPS

13.1 Bid Approval Note - 20192184 - Supply and Delivery of Freightliner, Western Star, Sterling, and Cummins Parts

SJMC-R-2019-10-21/471

Moved By Councillor Froude

Seconded By Councillor Collins

That this open call, containing four sections which are each awarded item by item, be awarded to the lowest qualified bidders meeting specifications for the Supply and Delivery of Freightliner, Western Star, Sterling, and Cummins Parts, as per the Public Procurement Act.

MOTION CARRIED

13.2 Bid Approval Note - 2019213 - Instrumentation and Electrical Services Water and Waste Water

SJMC-R-2019-10-21/472

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That open call 2019213 be awarded to Pennecon Energy Technical Services \$391,182.62 (HST included), the lowest bidder meeting specifications as per the Public Procurement Act.

MOTION CARRIED

13.3 Bid Approval Note - TP119007878 - Supply of Appliances City Buildings

SJMC-R-2019-10-21/473

Moved By Councillor Froude

Seconded By Councillor Stapleton

That this open call TP119007878 be awarded to Charles R. Bell Limited as issued by the Province as per the Public Procurement Act.

MOTION CARRIED

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

15. OTHER BUSINESS

15.1 Heritage Designation of Cantilever Bridge in Bowring Park

SJMC-R-2019-10-21/474

Moved By Deputy Mayor O'Leary

Seconded By Councillor Jamieson

That Cantilever Bridge in Bowring Park, architecturally designed by world renowned engineer Ove Arup, be referred to Built Heritage Experts Panel and the Bowring Park Foundation for consideration for designation as a Heritage structure.

MOTION CARRIED

15.2 Decision note dated October 17, 2019 re: Travel – Councillor Jamie Korab/Sport Events Congress 2020

SJMC-R-2019-10-21/475

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That Council approve the travel and associated costs for Councillor Jamie Korab to attend the Sport Events Congress in Edmonton, Alberta from March 24 to 26, 2020.

MOTION CARRIED

15.3 Decision note dated October 1, 2019 re: Community Food Sharing Association Support

Item referred from Committee of the Whole Meeting of October 16, 2019

SJMC-R-2019-10-21/476

Moved By Councillor Froude

Seconded By Councillor Jamieson

That Council approve the following:

1. The City of St. John's discontinue the food drive efforts in 2019 and replace the City of St. John's Food Drive with a \$15,000 grant from the Community Grant Program.
2. The City of St. John's place food donation boxes at City owned community centres, recreational buildings and City Hall with proceeds forwarded to the Community Food Sharing Association facility.
3. Encourage the Community Food Sharing Association to apply for a grant under the 2020 Community Grant Program.

MOTION CARRIED

16. ADJOURNMENT

There being no further business, the meeting adjourned at 5:21 pm.

MAYOR

CITY CLERK