

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

March 30, 2020, 3:00 p.m.

Present:

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

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
- Lynnnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, 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-2020-03-30/156

Moved By Deputy Mayor O'Leary

Seconded By Councillor Burton

That the Agenda be adopted as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Regular Minutes - March 17, 2020**

SJMC-R-2020-03-30/157

Moved By Councillor Hanlon

Seconded By Councillor Hickman

That the Minutes of the Regular Meeting held March 17, 2020 be adopted as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

- 5.1 **Proposed Text Amendment for Adult Massage Parlours**

SJMC-R-2020-03-30/158**Moved By** Councillor Burton**Seconded By** Councillor Jamieson

THAT Council approve the proposed text amendment to allow Adult Massage Parlour as a permitted use in various commercial zones throughout the City. Further, that Council remove the moratorium on new development applications for Adult Massage Parlours.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

6. NOTICES PUBLISHED

6.1 239 Major's Path - Commercial Industrial (C1) Zone - Ward 1

Application

A Discretionary Use application has been submitted to occupy 239 Major's Path as a Chiropractic Clinic.

Description

The clinic will operate Mondays and Wednesdays 8:30 a.m. – 5:00 p.m., Tuesdays and Thursdays 12:00 p.m. – 7:00 p.m., and Fridays 8:30 a.m. – 1:00 p.m. The clinic will employ 3 employees.

1 submission received

SJMC-R-2020-03-30/159

Moved By Councillor Stapleton

Seconded By Councillor Burton

That the application to occupy 239 Major's Path as a Chiropractic Clinic be approved subject to all applicable City requirements.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

**6.2 42 Bannerman Street - Institutional (INST) Zone - Ward 2 -
REZ1900014**

Application

An application has been submitted by First Light St. John's Friendship Centre for text amendments to the St. John's Development Regulations.

Description

The City of St. John's is considering text amendments to the St. John's Development Regulations to update the definition of Heritage Use and to add Heritage Use as a Discretionary Use to both the Institutional (INST) Zone and Institutional Downtown (INST-D) Zone.

In conjunction with the above amendment, the City is also advertising Heritage Use at 42 Bannerman Street (a designated Heritage Building) as a Discretionary Use. The applicant has requested that Council consider food preparation (commercial and community-based) within the Heritage Use. The hours of operation will be 7a.m. to 11 p.m., 7 days a week.

11 submissions received

Councillor Jamieson moved the following amendment:

SJMC-R-2020-03-30/160

Moved By Councillor Jamieson

Seconded By Councillor Froude

That Council approve Heritage Use (food preparation) at 42 Bannerman Street as a Discretionary Use with the following conditions:

- Business can operate until 11:00 pm each night
- The exhaust fan must be max 70 dB and must shut off 9:00 pm each night
- Deliveries to be restricted to within the parking lot

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

Against (1): Councillor Hanlon

MOTION CARRIED (10 to 1)

SJMC-R-2020-03-30/161

Moved By Councillor Jamieson

Seconded By Councillor Froude

1. That Council adopt the attached resolution for St. John's Development Regulation Amendment Number 707, 2020.
2. That Council approve Heritage Use (food preparation) at 42 Bannerman Street as a Discretionary Use with the following conditions:
 - Business can operate until 11:00 pm each night
 - The exhaust fan must be max 70 dB and must shut off 9:00 pm each night
 - Deliveries to be restricted to within the parking lot
3. That Council exempt parking requirements for the Heritage Building, as per Section 9.1.2(4) of the St. John's Development Regulations.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

Against (1): Councillor Hanlon

MOTION CARRIED (10 to 1)

7. COMMITTEE REPORTS

7.1 Committee of the Whole Report - March 11, 2020

1. Environment and Sustainability Expert Panel Public Membership

SJMC-R-2020-03-30/162

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council approve the proposed composition of the Public Membership for the Environment and Sustainability Expert Panel:

Public Member and Expertise

Joel Finnis, PhD - Climate Science & Resilience

Dennis Knight, MSc, MCIP - Sustainable Urban Planning & Economic Growth

Kieran Hanley, MBA - Sustainable Economic Growth

Krista Langthorne, BA, SEBT - Resilience & Natural Resources

Pablo Navarro - Socio-cultural & Quality of Life

Joseph Daraio, PhD, PEng - Sustainable Urban Planning &

Resilience

Michel Wawrzkow, PEng, PGeo - Natural Environment & Resilience

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

2. Robin Hood Bay Landfill Gas Collection and Covering System Expansion 2020

SJMC-R-2020-03-30/163

Moved By Councillor Froude

Seconded By Councillor Hanlon

That Council approve proceeding with the next phase of the landfill gas collection and covering system expansion in 2020. Further, that Council approve accessing the Robin Hood Bay Operational Reserve and Closure Funds to fund this capital works project.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

3. Robin Hood Bay (RHB) Equipment Reserve

SJMC-R-2020-03-30/164

Moved By Councillor Froude

Seconded By Councillor Lane

That Council proceed with a purchase to supply and deliver new roll off bins for the Residential Drop-Off (RDO) facility and replace three site vehicles through the RHB Equipment Reserve with funding made available through the RHB Equipment Reserve.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

4. 2018 Traffic Pilot Projects

At the Committee of the Whole on March 11, 2020, Councillor Hickman withdrew the motion, to remove the pilot curb extensions and marked crosswalk at Ladysmith Drive and Kiwanis Street and monitor Ladysmith Drive for future warranted crosswalk improvements, and moved a new motion as follows:

SJMC-R-2020-03-30/165**Moved By** Councillor Hickman**Seconded By** Councillor Froude

That Council direct staff to initiate a permanent crosswalk and curb extensions at Ladysmith Drive and Kiwanis Street.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**SJMC-R-2020-03-30/166****Moved By** Councillor Hickman**Seconded By** Councillor Burton

That Council direct staff to:

- proceed with design and implementation of a permanent traffic circle configuration for Rawlins Cross;
- include the closed portion of Military, the existing parking lot, and the existing green space within the centre of Rawlins Cross in the scope for the public space design;

For (4): Councillor Burton, Councillor Lane, Councillor Hickman, and Councillor Froude

Against (7): Mayor Breen, Deputy Mayor O'Leary, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Collins

MOTION LOST (4 to 7)**SJMC-R-2020-03-30/167****Moved By** Councillor Hickman**Seconded By** Councillor Jamieson

That Council expand the Key 2 Access pilot project to include the two crosswalks at Rawlins Cross currently equipped with Rectangular Rapid Flashing Beacons (RRFBs).

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

7.2 Audit and Accountability Standing Committee Report - March 4, 2020

1. Three-year Audit Plan (2020 – 2022)

SJMC-R-2020-03-30/168

Moved By Councillor Stapleton

Seconded By Councillor Burton

That Council approve the three-year audit plan.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

2. Travel Authorization – IIA Canada National Conference

SJMC-R-2020-03-30/169

Moved By Councillor Stapleton

Seconded By Deputy Mayor O'Leary

That Council approve the travel request for the City Internal Auditor to attend the IIA Canada National Conference in Calgary, Alberta from September 13-16, 2020.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

7.3 Development Committee Report

1. **Request for Parking Relief - DEV2000031 - 147-149 Thorburn Road**

SJMC-R-2020-03-30/170

Moved By Councillor Burton

Seconded By Councillor Froude

That Council approve the parking relief for the 2 required spaces to allow the development of the 17 unit apartment building at 147-149 Thorburn Road.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

2. **Crown land Grant for Residential Dwelling - CRW2000007 - Hipditch Hill**

SJMC-R-2020-03-30/171

Moved By Councillor Burton

Seconded By Councillor Jamieson

That Council approve the Crown land Grant on Hipditch Hill, the purpose of which is a Residential Building Lot.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

8. **DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)**

8.1 **Development Permits List for the week of March 12-18, 2020**

9. **BUILDING PERMITS LIST**

9.1 **Building Permits List for the week ending March 25, 2020**

SJMC-R-2020-03-30/172

Moved By Councillor Collins

Seconded By Councillor Hickman

That the Building Permits List for the week ending March 25, 2020 be approved as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending March 25, 2020

SJMC-R-2020-03-30/173

Moved By Deputy Mayor O'Leary

Seconded By Councillor Jamieson

That Council approve the Weekly Payment Vouchers for the week ending March 25, 2020 in the amount of \$4,281,410.92.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

11. TENDERS/RFPS

11.1 2020020 - Paper Supply - Standing Offer Agreement

SJMC-R-2020-03-30/174

Moved By Councillor Froude

Seconded By Councillor Stapleton

THAT Council award this open call 202020 – Paper Supply to the lowest bidder meeting specification, Ariva - Division of Domtar Inc., as per the Public Procurement Act, for \$73,319.69, including HST.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

13. OTHER BUSINESS**13.1 St. John's Sports & Entertainment / Board of Directors (New Member)****SJMC-R-2020-03-30/175****Moved By** Councillor Korab**Seconded By** Councillor Jamieson

That Council appoint Christian Somerton to the Board of Directors of St. John's Sports & Entertainment.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

14. ITEMS TO BE RATIFIED**SJMC-R-2020-03-30/176****Moved By** Councillor Burton**Seconded By** Councillor Collins

That all items approved at the March 23, 2020 Special Meeting be ratified as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

14.1 Development Committee Report**1. 11 Ropewalk Lane -Temporary Bell Mobility Cell Tower Installation - INT20000022**

Approved at Special Meeting of March 23, 2020

2. Request for Parking Relief for Additional Occupancy - 17 Elizabeth Avenue - INT2000014

Approved at Special Meeting of March 23, 2020

3. 55 Duffett's Road - Crown Land Grant application for extension to private property - CRW1900010

Approved at Special Meeting of March 23, 2020

4. **55 Duffett's Road - Crown Land Grant for extension to private property - CRW1900011**

Approved at Special Meeting of March 23, 2020

14.2 **Building Permits List for week ending March 18, 2020**

Approved at Special Meeting of March 23, 2020

14.3 **Weekly Payment Vouchers for the Week Ending March 18, 2020**

Approved at Special Meeting of March 23, 2020

14.4 **Bid Approval Note - Microsoft Enterprise Agreement**

Approved at Special Meeting of March 23, 2020

15. **ADJOURNMENT**

There being no further business, the meeting adjourned at 4:55 pm.

MAYOR

CITY CLERK