

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

April 27, 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
Tanya Haywood, Deputy City Manager of Community Services
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Lynnann 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
Susan Bonnell, Manager - Communications & Office Services

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-2020-04-27/197

Moved By Councillor Hanlon

Seconded By Councillor Lane

That the Agenda be adopted 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)

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Minutes - April 13, 2020**

SJMC-R-2020-04-27/198

Moved By Councillor Hickman

Seconded By Councillor Froude

That the minutes of the Regular Council Meeting held April 13, 2020 be adopted 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)

5. **BUSINESS ARISING FROM THE MINUTES**

- 5.1 **2020 Streets Rehabilitation Program List**

Councillor Froude presented the attached 2020 Streets Rehabilitation Program List to Council for information.

5.2 Strategic Plan 2020 Quarter 1 Progress Report

The City Manager gave a brief update on the above noted Strategic Plan 2020 Progress Report for Council's information. It was the consensus of Council that there should be no delay in the presentation of the City-wide Wetland Report and it will proceed directly to Council.

5.3 Transportation Changes in Response to COVID 19

At the Regular Council Meeting of April 13, 2020, Councillor Hickman presented information regarding the pedestrian movement during the current Covid 19 Pandemic and sought Council approval for changes.

Consideration was given to the potential for street reconfiguration and signal timing adjustments and in the interest of a timely decision Councillor Hickman brought forward the following motion.

SJMC-R-2020-04-27/199

Moved By Councillor Hickman

Seconded By Councillor Burton

That Council remove the requirement for public consultation to determine whether street alignment adjustments are required related to pedestrian movement during the current Covid 19 Pandemic. Further, for staff to return to Council with recommendations on these matters.

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**6.1 970 Portugal Cove Road - Forestry (F) - Ward 1****Application**

A Discretionary Use Application has been submitted by Pyramid Construction Ltd. requesting permission to recognize the buildings at 970 Portugal Cove Road related to the existing quarry for Mineral Workings Use.

Description

The buildings include the scale house with a floor area of 62.2m², asphalt

plant with a floor area of 34.8m² (operator's control room), and a lunchroom with a floor area of 22.8m².

No submissions received.

Deputy Mayor O'Leary requested that this item and further applications regarding quarries be referred to the staff of neighboring municipalities for their comment. It was noted that this item went through a public consultation process and there were no comments on this item.

SJMC-R-2020-04-27/200

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

That the application submitted by Pyramid Construction Ltd. requesting permission to recognize the buildings at 970 Portugal Cove Road related to the existing quarry for Mineral Workings Use 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 46 Bells Turn - Residential Low-Density (R1) Zone - Ward 4

Application

A Discretionary Use application has been submitted to operate a Home Occupation in a portion of the dwelling at 46 Bell's Turn. The proposed business will offer spa services such as facials and pedicures.

Description

The business will operate seven days a week between 12 noon and 7 p.m. The treatment times vary from 1.5 hours to 2 hours with one client per session by appointment only. The proposed business will occupy a floor area of approximately 11 m² and the operator will be the sole employee.

3 submissions received.

SJMC-R-2020-04-27/201

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That the application to operate a Home Occupation in a portion of the dwelling at 46 Bell's Turn 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)

6.3 430 Topsail Road - Commercial Regional (CR) Zone - Ward 3

Application

A Discretionary use application has been submitted by Golfdale Entertainment Corp. for a Lounge and Place of Amusement for Billards in a suite at 430 Topsail Road (Village Mall).

Description

The business hours of operation are noon to midnight daily and will occupy a floor area of 165m². There are 6 employees, typically 2 per shift.

No submissions received.

SJMC-R-2020-04-27/202

Moved By Councillor Korab

Seconded By Councillor Stapleton

That the application submitted by Golfdale Entertainment Corp. for a Lounge and Place of Amusement for Billards in a suite at 430 Topsail Road (Village Mall) 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)

6.4 40 Arctic Avenue - Pippy Park Zone - Ward 4

Application

A Discretionary Use Application has been submitted to the City of St. John's by Eastlink seeking approval to install six (6) antenna and add a

new 4.8m² equipment shelter on the roof of 40 Arctic Avenue (Earth Sciences Centre).

Description

In accordance with the City of St. John's Siting Protocol for Wireless Facilities, the City of St. John's hereby notifies property owners in the vicinity of 40 Arctic Avenue of Eastlink's intention to install an antenna system consisting of:

- Six (6) Tongyu Dual Band antennas and Three (3) Remote Radio Units. Two Sectors will be installed at each location on the East, West and South Sides of the building roof, and installed at an elevation of 17m (main roof slab).
- A 2m x 2.4m prefabricated equipment shelter to be installed on North side of building.

1 submission received.

SJMC-R-2020-04-27/203

Moved By Councillor Froude

Seconded By Councillor Korab

That the application submitted to the City of St. John's by Eastlink seeking approval to install six (6) antenna and add a new 4.8m² equipment shelter on the roof of 40 Arctic Avenue (Earth Sciences Centre) 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)

6.5 4329 Trans Canada Highway - Forestry (F) Zone - Ward 5

Application

A Discretionary Use Application has been submitted by C.W. Parsons Limited requesting permission to use a parcel of land at 4239 Trans Canada Highway near Pasture Land Road as a quarry for Mineral Workings Use.

Description

The proposed 2.74 hectares of Crown Land will be used for quarrying

Borrow Material, Gravel, Rock, Sand, Stockpiled Material and Aggregate, which involves drilling, blasting and crushing.

No submissions received.

Deputy Mayor O'Leary requested that this item and further applications regarding quarries be referred to the staff of neighboring municipalities for their comment. It was noted that this item went through a public consultation process and there were no comments on this item.

SJMC-R-2020-04-27/204

Moved By Councillor Collins

Seconded By Councillor Hanlon

That the application submitted by C.W. Parsons Limited requesting permission to use a parcel of land at 4239 Trans Canada Highway near Pasture Land Road as a quarry for Mineral Workings Use 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)

7. COMMITTEE REPORTS

7.1 Development Committee Report

1. Request for Accessory Building in the Rural Zone - INT2000030 - 161 Sugarloaf Road

SJMC-R-2020-04-27/205

Moved By Councillor Burton

Seconded By Councillor Jamieson

That Council approve the construction of a 64m² Accessory Building in the Rural Zone at 161 Sugarloaf Road, subject to the condition that the permit for the Accessory Building is not to be released until the dwelling extension has been completed.

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. Request for Building Line Setback for Front Extension -
INT2000031 - 14 Tunis Court**

SJMC-R-2020-04-27/206

Moved By Councillor Burton

Seconded By Councillor Froude

That Council approve 4.5 metre Building Line setback at 14 Tunis Court in order to accommodate the 1.6m x 2.2m extension on the front of the property for a porch.

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 26 - April 22, 2020

9. BUILDING PERMITS LIST

9.1 Building Permits List for the week ending April 22, 2020

SJMC-R-2020-04-27/207

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council approve the Building Permits List for the week ending April 22, 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)

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending April 15, 2020

SJMC-R-2020-04-27/208**Moved By** Councillor Lane**Seconded By** Councillor Stapleton

That Council approve the Weekly Payment Vouchers for the week ending April 15, 2020 in the amount of \$5,160,354.45.

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)

10.2 Weekly Payment Vouchers for the Week Ending April 22, 2020**SJMC-R-2020-04-27/209****Moved By** Councillor Korab**Seconded By** Deputy Mayor O'Leary

That Council approve the Weekly Payment Vouchers for the week ending April 22, 2020 in the amount of \$1,786,320.98.

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 2020047 - Miscellaneous Asphalt Repairs****SJMC-R-2020-04-27/210****Moved By** Councillor Froude**Seconded By** Councillor Collins

That Council accept the recommendation to award Open Call 2020047 Miscellaneous Asphalt Repairs to English's Paving Corporation in the sum of (\$345,598.00 HST included) the lowest bidder meeting specifications as per the Public Procurement Act.

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)

11.2 202000013 - Security Contract Services

SJMC-R-2020-04-27/211

Moved By Councillor Lane

Seconded By Councillor Hanlon

That Council award this RFP to Commissionaires of NL in the amount of \$564,090.32 +HST per year based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

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)

11.3 2020006 – Supply and Delivery of Fire Department Supplies and Equipment

SJMC-R-2020-04-27/212

Moved By Councillor Collins

Seconded By Councillor Lane

That Council award this open call 2020006 – Supply and Delivery of Fire Department Supplies and Equipment to the lowest bidders meeting the specifications, as per the Public Procurement Act. This open call contains 100 items, in 4 sections which are awarded by the each.

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)

11.4 2020046 - Roads Shouldering & Ditching - Various Locations City Wide

SJMC-R-2020-04-27/213

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council accepts the recommendation to award to the lowest bidder meeting specifications **Bursey Excavating & Development Inc.** for the sum of \$636,652.50 (HST Included) for open call 2020046 Roads Shouldering and Ditching – Various Locations City Wide, as per the Public Procurement Act.

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)

11.5 Street Widening - Corner Brook assistance following the January 17 blizzard

SJMC-R-2020-04-27/214

Moved By Councillor Froude

Seconded By Councillor Collins

THAT Council approve payment to the City of Corner Brook in the amount of \$101,683.51 for street widening/snowblower assistance provided following the January 17, 2020 blizzard.

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

12.1 Notice of Motion - Heritage Designation By-Law - Cantilever Pedestrian Bridge - Bowring Park

Notice of Motion and Draft By-Law for heritage designation of the cantilever pedestrian bridge in Bowring Park.

Deputy Mayor O'Leary gave notice that at the next Regular meeting of Council she will move a motion to adopt a Heritage Designation By-Law for the following property so as to have the structure situated on this property designated as a Heritage Building:

- Cantilever (Ove Arup) Pedestrian Bridge, 100 Bowring Park Road

12.2 Notice of Motion - Restrictions to City Parks

Councillor Froude gave the following Notice of Motion:

I give notice that at a future meeting of Council, I will put forward a motion that modifies the restrictions currently in place within many City Parks to then allow travel through the parks and open spaces via wheelchair, walking, running, and biking; while keeping playground structures, sports courts, and dog parks closed.

13. OTHER BUSINESS

13.1 Zero Cigarette Butt Campaign

Councillor Stapleton advised Council that this campaign has been delayed until next year due to Covid 19.

SJMC-R-2020-04-27/215

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That Council approve the installation of cigarette butt receptacles throughout Downtown by Clean St. John's as part of the Zero Cigarette Butt Campaign, including on decorative light poles.

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)

13.2 Litter Clean Up Process

Councillor Froude presented information to Council on the Litter Clean Up Process. The Covid 19 pandemic has forced the City of St. John's to change how it operates. The Downtown Litter Crew is in operation and City of St. John's and Grand Concourse Authority employees have begun litter cleanup and garbage collection along trails and roadsides.

Approximately 400 additional garbage bins will be installed throughout the City and additional staff with the Parks and Open Spaces Division begin next week with litter cleanup as a priority. The public are encouraged to participate by safely cleaning up their property.

Deputy Mayor O'Leary requested an update on garbage lids and street cleaners. The Deputy City Manager of Public Works advised that staff are purchasing covers for garbage bins and street cleaners will be in operation once temperatures are consistently above zero.

Councillor Stapleton advised that Clean St. John's are planning a social media campaign on community cleanups in the coming weeks.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 4:23 pm.

MAYOR

CITY CLERK