

# **ST. JOHN'S**

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## **Minutes of Regular Meeting - City Council**

**Council Chamber, 4th Floor, City Hall**

**May 11, 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  
Lynnann Winsor, Deputy City Manager of Public Works  
Cheryl Mullett, City Solicitor  
Elaine Henley, City Clerk  
Ken O'Brien, Chief Municipal Planner  
Karen Chafe, Supervisor - Office of the City Clerk  
Maureen Harvey, 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-2020-05-11/219**

**Moved By** Councillor Hanlon

**Seconded By** Deputy Mayor O'Leary

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 of May 5, 2020**

**SJMC-R-2020-05-11/220**

**Moved By** Councillor Hickman

**Seconded By** Councillor Collins

That the Regular Minutes of May 5, 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 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 at the last Regular meeting of Council of her intention to 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

**SJMC-R-2020-05-11/221**

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Burton

That Council 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

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**

**6.1 110 Cheeseman Drive**

**SJMC-R-2020-05-11/222**

**Moved By** Councillor Collins

**Seconded By** Councillor Hanlon

That Council reject the application to establish a Day Care at 110 Cheeseman Drive as presented.

For (2): Councillor Hickman, and Councillor Collins

Against (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Froude

**MOTION LOST (2 to 9)**

**Moved By** Councillor Burton

**Seconded By** Councillor Jamieson

That the application to establish a daycare at 110 Cheeseman Drive be approved subject to all regulatory conditions being met.

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

Against (1): Councillor Collins

**MOTION CARRIED (10 to 1)**

**6.2 91 Shoal Bay Road**

**SJMC-R-2020-05-11/223**

**Moved By** Councillor Collins

**Seconded By** Councillor Hanlon

That the application re: 91 Shoal Bay Road be deferred pending further review.

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

Against (1): Councillor Froude

**MOTION CARRIED (10 to 1)**

**7. COMMITTEE REPORTS**

**7.1 Development Committee Report**

- 1. Request to Re-establish Building Line  
270 Portugal Cove Road  
DEV19000139  
Commercial Office H**

**SJMC-R-2020-05-11/224**

**Moved By** Councillor Burton

**Seconded By** Councillor Stapleton

That Council approve the Building Line Setback at 5.27 metres for 270 Portugal Cove 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. **Request for Parking Relief**  
**Commercial School - Tutoring Center**  
**65 White Rose Drive - Commercial Regional (CR) Zone**  
**INT2000029**

**SJMC-R-2020-05-11/225**

**Moved By** Councillor Burton

**Seconded By** Councillor Stapleton

That Council approve parking relief for 9 parking spaces. Future occupancies of the vacant suites must be submitted for review and the request of parking relief by Council.

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. **Crown Land Grant for Heavy Equipment Storage**  
**91 Shoal Bay Road**  
**Rural (R) Zone**

**SJMC-R-2020-05-11/226**

**Moved By** Councillor Burton

**Seconded By** Councillor Collins

That Council defer the application for a Crown Land Grant at 91 Shoal Bay Road

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

Against (1): Councillor Froude

**MOTION CARRIED (10 to 1)**

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

**8.1 List for Period April 23 - May 6, 2020**

**9. BUILDING PERMITS LIST**

**9.1 Building Permits List for week ending May 6, 2020**

**SJMC-R-2020-05-11/227**

**Moved By** Councillor Hanlon

**Seconded By** Councillor Burton

That Council approve the Building Permits List for the period of April 23, 2020 to May 6, 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 29, 2020**

**SJMC-R-2020-05-11/228**

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That Council approve the Weekly Payment Vouchers for the week ending April 29, 2020 in the amount of \$ 6,496,051.34

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 May 6, 2020**

**SJMC-R-2020-05-11/229**

**Moved By** Councillor Hanlon

**Seconded By** Councillor Froude

That Council approve the Weekly Payment Vouchers for the week ending May 6, 2020 in the amount of \$ 3,992,440.13

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 2020056 – 4 New Articulating Rubber Tire Sidewalk Plows**

**SJMC-R-2020-05-11/230**

**Moved By** Councillor Froude

**Seconded By** Councillor Burton

That Council award open call 2020056 – 4 New Articulating Rubber Tire Sidewalk Plows to the lowest bidder meeting specification, Holder Tractor Inc., as per the Public Procurement Act, for \$726,352.54, HST excluded. The City reserves the right to order an additional 1, 2, or 3 units and/or attachments within 1 year of award of tender, at the same tendered price.

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 2020048 - Ready Mix Asphalt**

**SJMC-R-2020-05-11/231**

**Moved By** Councillor Froude

**Seconded By** Councillor Collins

That Council accept the recommendation to award to all the bidders that meet minimum specifications. As this is an Order of Calling the City will have the option to go to the next highest vendor if the low bidder is unable to supply asphalt.

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 Review of Parking Requirements for Section 8 of the Envision St. John's Development Regulations**

**SJMC-R-2020-05-11/232**

**Moved By** Councillor Froude

**Seconded By** Councillor Collins

That Council refer the review of parking requirements for Section 8 of the Envision St. John's Development Regulations to the Environmental and Sustainability Experts Panel.

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-2020-05-11/233**

**Moved By** Councillor Burton

**Seconded By** Councillor Jamieson



That Council consider the proposed changes to the parking requirements of Section 8 for the draft Envision St. John's Development Regulations. Further, that the proposed changes be advertised when the Envision St. John's Municipal Plan and Development Regulations are advertised following adoption by Council.

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 2020 Civic Improvement Assessment Rates**

**SJMC-R-2020-05-11/234**

**Moved By** Councillor Lane

**Seconded By** Councillor Hanlon

That Council approve the assessment rates for 2020 as follows:

Assessment Rates for 2020

Watermain \$ 209/m

Sanitary Sewer \$ 190/m

Storm Sewer \$ 124/m

Water Service \$1,359/EA

Sanitary Service \$1,403/EA

Storm Service \$1,403/EA

Commercial Water Service \$5,152/EA

Commercial Sanitary Service \$2,488/EA

Commercial Storm Service \$2,280/EA

Street Improvement \$ 112/m

New Street \$ 473/m

Sidewalk \$ 27/m

Rural Street Upgrading \$ 95/m

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)**

**13.3 Financial Support – Avalon Minor Hockey Association**

**SJMC-R-2020-05-11/235**

**Moved By** Councillor Korab

**Seconded By** Councillor Lane

That Council agree to a loan guarantee of \$2.5M and a direct loan to AMHA of \$400K.

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)**

**13.4 1 Cliff's-Baird's Cove, MPA1900005**

**SJMC-R-2020-05-11/236**

**Moved By** Councillor Burton

**Seconded By** Councillor Hickman

That Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 147, 2020 and St. John's Development Regulations Amendment Number 680, 2020, as adopted.

That Council approve the Discretionary Use of 1 Cliff's-Baird's Cove as a Hotel located on the 9th and/or higher Storeys of a Building in the A.P. Parking Garage Zone.

That Council approve the Discretionary Use of 1 Cliff's-Baird's Cove as ground floor Retail Store or Office in the A.P. Parking Garage Zone, as proposed in the November 2019 Land Use Assessment Report for 1 Cliff's-Baird's Cove.

That Council approve parking relief for 21 spaces for the proposed use of 1 Cliff's-Baird's Cove, as per Section 9.1.2(1) of the Development Regulations.

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

Against (5): Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Jamieson, and Councillor Froude

**MOTION CARRIED (6 to 5)**

**13.5 47 Blackmarsh Road – Cell Tower Replacement**

**SJMC-R-2020-05-11/237**

**Moved By** Councillor Burton

**Seconded By** Councillor Korab

That Council support the replacement of the tower at 47 Blackmarsh Road and exempt it from the City's Siting Protocol.

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)**

**13.6 68 Queen's Road, Dormer Window Replacement**

**SJMC-R-2020-05-11/238**

**Moved By** Councillor Burton

**Seconded By** Councillor Hanlon

That Council approve the dormer window replacement at 68 Queen's Road (Cathedral Parish Hall Residence), as proposed.

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)**

**13.7 2019 Wetlands Delineation Study**

The DCM of PERS informed Council that if approved, it is hoped that most of Phase 2 will be completed this year or very early in 2021.

**SJMC-R-2020-05-11/239****Moved By** Councillor Burton**Seconded By** Deputy Mayor O'Leary

That Council adopt the 2019 Wetlands Delineation Study by C-CORE along with the recommendation of option (3) to protect all wetlands identified in the report within watersheds, the Goulds EVA (Environmentally Valuable Area), floodplains and areas remote to development, and to conduct the phase 2 field assessment analysis on the remaining 17 areas (as noted in Figures 1 through 17) that would be under pressure from development over the next 10-20 years. In addition, require developers to conduct a phase 2 field assessment on the wetlands remote to development at such time as development applications are received in those areas. The field study shall be based on the Wetlands Ecosystem Services Protocol (WESP) for Newfoundland and Labrador and shall provide a detailed field-based delineation and functional assessment of each wetland.

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)****1. Wetlands Study Final Report****13.8 Go Round**

Deputy Mayor O'Leary asked that consideration be given to providing free wifi in the downtown core. Mayor Breen advised this is already under consideration.

Deputy Mayor O'Leary requested that the Seniors Advisory Committee be commissioned to review the report on Healthy Aging completed by Dr. Suzanne Brake in 2019 with particular emphasis on her recommendation that consideration be given to placing a moratorium on the development of future private long-term care facilities.

Mayor Danny Breen informed the public, that recognizing there will be no Regatta in 2020, Council is requesting approval from the Department of Municipal Affairs to declare the first Monday in August (August 3, 2020) as a civic holiday.

**14. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:39 pm,

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MAYOR

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CITY CLERK