

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

June 23, 2020, 3:00 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
Derek Coffey, Deputy City Manager of Finance & Administration
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

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-2020-06-23/278

Moved By Councillor Collins

Seconded By Deputy Mayor O'Leary

That the Agenda be adopted with one addition:

- Bannerman Park Mobile Vending Space

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 Minutes - June 8, 2020

SJMC-R-2020-06-23/279

Moved By Councillor Hanlon

Seconded By Councillor Burton

That the minutes of the Regular Meeting held June 8, 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 68 Queen's Road, Revised LUAR Public Consultation, MPA1900002

SJMC-R-2020-06-23/280**Moved By** Councillor Burton**Seconded By** Councillor Hanlon

That Council advertise the proposed amendments and the revised Land Use Assessment Report (LUAR) for 68 Queen's Road as per Section 5.5 of the St. John's Development Regulations, once the staff review is completed. Further, that staff consider the public gathering requirements for alert level 2 with some consideration for in person consultation with a plan to return to Council.

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)**6. NOTICES PUBLISHED****6.1 419 Main Road - Residential Low Density (R1) Zone - Ward 5**

An extension to Non-conforming Use application has been submitted requesting permission to add an extension to the Eating Establishment at 419 Main Road.

The proposed floor area of the extension is 74.3m² to expand the kitchen and storage areas of the restaurant on the south side of the building. The existing building has a floor area of approximately 180m².

7 submissions received.

SJMC-R-2020-06-23/281**Moved By** Councillor Collins**Seconded By** Councillor Burton

That Council approve the application requesting permission to add an extension to the Eating Establishment at 419 Main Road subject to meeting all applicable regulatory requirements.

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)

6.2 556 Topsail Road - Residential Low density (R1) Zone - Ward 3

A change of Non-Conforming Use application has been submitted by Soft Touch Hair Salon requesting permission to change the occupancy of a vacant unit at 556 Topsail Road to a Hair Salon.

The proposed salon will have a floor area of 70.09 m². The salon will employ 3 hairstylists and 1 esthetician and operate Monday to Saturday 10 a.m.-8 p.m. On-site parking is provided.

1 submission received.

SJMC-R-2020-06-23/282

Moved By Councillor Korab

Seconded By Councillor Hanlon

That Council approve the application submitted by Soft Touch Hair Salon requesting permission to change the occupancy of a vacant unit at 556 Topsail Road to a Hair Salon subject to meeting all applicable regulatory requirements.

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)

6.3 673 Topsail Road - Commercial Highway (CH) Zone - Ward 3

A Discretionary Use application has been submitted by Saltwater Designs Inc. requesting approval to occupy a vacant unit in the building at Civic 673 Topsail Road as an Eating Establishment for a Café/Ice-Cream Shop.

The Eating Establishment will have floor area of 47.4 m², and will operate Monday to Saturday, 10:00 am – 6:00 pm and Sunday, 12:00 pm – 5:00 pm. On-site parking is provided.

4 submissions received.

SJMC-R-2020-06-23/283

Moved By Councillor Korab

Seconded By Councillor Stapleton

That Council approve the application submitted by Saltwater Designs Inc. requesting approval to occupy a vacant unit in the building at Civic 673

Topsail Road as an Eating Establishment for a Café/Ice-Cream Shop subject to meeting all applicable regulatory requirements.

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)

7. COMMITTEE REPORTS

7.1 Development Committee Report

1. Variance Request on Lot Area - SUB2000007 - 7 Scout's Place

SJMC-R-2020-06-23/284

Moved By Councillor Burton

Seconded By Councillor Collins

That Council approve the 2.5% Variance for Lot Area at 7 Scout's Place to allow development of the Lot subject to the conveyance of a 262.1m² area of land to the City for future road widening.

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)

2. Proposed Mineral Workings for Quarry Site - INT2000044 - Trans-Canada Highway

SJMC-R-2020-06-23/285

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council reject the proposed Discretionary Use for Mineral Workings quarry, as the property is located within the Thomas Pond Watershed, an identified future drinking water supply for the City.

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)

3. Request for Parking Relief for Retail Wholesale Use with an Ancillary School - 31 Peet Street

SJMC-R-2020-06-23/286

Moved By Councillor Burton

Seconded By Councillor Froude

That Council approve the parking relief for the 2 required parking spaces at 31 Peet Street. Future occupancies of vacant suites must be submitted for review and approval of parking relief by Council.

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. Proposed Subdivide for Two Additional Building Lots - 36 Cabot Avenue - SUB2000006

SJMC-R-2020-06-23/287

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council approve the subdivision of two additional Lots at 36 Cabot Avenue and to re-establish the Building Line for each Lot at 3.0 meters.

WITHDRAWN

SJMC-R-2020-06-23/288

Moved By Councillor Burton

Seconded By Councillor Jamieson

That Council defer this item and request further public advertisement to a wider radius.

For (7): Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, and Councillor Froude

Against (3): Mayor Breen, Councillor Korab, and Councillor Collins

MOTION CARRIED (7 to 3)

7.2 Built Heritage Experts Panel Report - May 27, 2020

1. 36 Cabot Avenue, SUB2000006 (BHEP)

SJMC-R-2020-06-23/289

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council defer this item and request further public advertisement.

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

Against (2): Councillor Korab, and Councillor Collins

MOTION CARRIED (8 to 2)

7.3 Committee of the Whole Report - June 10, 2020

1. Neighborhood Profiles - Connecting St. John's Neighborhoods

Approved via e-poll on June 16, 2020.

Councillor Jamieson requested that in Phase 2 of Neighborhood Profiles staff further review the neighborhood of Churchill Park as it relates to the inclusion of Georgetown.

SJMC-R-2020-06-23/290

Moved By Councillor Korab

Seconded By Councillor Hickman

That Council approve the launch of phase one of Neighbourhood Profiles – Connecting St John's.

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)

2. Affordable Housing Working Group Membership

SJMC-R-2020-06-23/291

Moved By Deputy Mayor O'Leary

Seconded By Councillor Hanlon

That Council appoint Curtis Mercer as the temporary representative for CHBA and reaffirm the membership of the following members to the Affordable Housing Working Group:

1. Gail Thornhill, Stella's Circle – extend until May 2022
2. Jill Snow, CMHC – extend until May 2022
3. Andrew Harvey, First Light NL – extend until May 2022
4. Ayon Shahed, Choices for Youth – extend until December 2020

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)

3. 69 Patrick Street, Exterior Renovation

SJMC-R-2020-06-23/292

Moved By Councillor Burton

Seconded By Councillor Hanlon

That Council approve the design for exterior renovations at 69 Patrick Street, as proposed.

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. 25 Sea Rose Avenue, REZ2000002

SJMC-R-2020-06-23/293

Moved By Councillor Burton

Seconded By Councillor Stapleton

That Council consider rezoning the property at 25 Sea Rose Avenue from the Commercial Regional (CR) Zone to the Commercial Office (CO) Zone. Further, that the application be advertised for public review and comment and that the applicant provide a shadow analysis prior to public notification.

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

Against (1): Councillor Hickman

MOTION CARRIED (9 to 1)

5. Quidi Vidi Village Traffic Complaints

Councillor Jamieson suggested that the recommendation from Committee of the Whole be revised, as follows:

SJMC-R-2020-06-23/294

Moved By Councillor Hickman

Seconded By Councillor Jamieson

That Council place the installation of temporary speed cushions in Quidi Vidi Village on the traffic calming priority list with further monitoring of the traffic and parking issues and survey of residents for possible permanent installation as part of the traffic calming process. Further, that a parking area north of Quidi Vidi Village be referred for further consideration.

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)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

8.1 Development Permits List for Period of June 4, 2020 to June 17, 2020

9. BUILDING PERMITS LIST

9.1 Building Permits List for week ending June 17, 2020

SJMC-R-2020-06-23/295

Moved By Councillor Hanlon

Seconded By Councillor Burton

That Council approve the Building Permits List for the week ending June 17, 2020.

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)

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending June 10, 2020

SJMC-R-2020-06-23/296

Moved By Deputy Mayor O'Leary

Seconded By Councillor Collins

That Council approve the Weekly Payment Vouchers for the week ending June 10, 2020 in the amount of \$4,972,259.92.

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)

10.2 Weekly Payment Vouchers for the Week Ending June 17, 2020

SJMC-R-2020-06-23/297

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

That Council approve the Weekly Payment Vouchers for the week ending June 17, 2020 in the amount of \$4,446,004.14.

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)

11. TENDERS/RFPS

11.1 2020088 – Two (2) Stake Body Trucks

SJMC-R-2020-06-23/298

Moved By Councillor Froude

Seconded By Councillor Hanlon

That Council award open call 2020088 – Two (2) Stake Body Trucks to the lowest bidder meeting specification, Royal Freightliner, for \$240,044.33, HST included, as per the Public Procurement Act. The City reserves the right to order an additional 1 or 2 units within 6 months of award of tender, at the same tendered price.

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)

11.2 2020084 - 2020 Bridge Rehab Contract #1

SJMC-R-2020-06-23/299

Moved By Councillor Froude

Seconded By Councillor Hickman

That Council award open call 2020084 2020 Bridge Rehab Contract #1 to the lowest qualified bidder Modern Paving Limited for the sum of \$473,455.00 (HST included) as per the Public Procurement Act.

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)

11.3 2020090 - 2020 Asphalt Crack Seal Program

SJMC-R-2020-06-23/300

Moved By Councillor Froude

Seconded By Councillor Stapleton

That Council award open call 2020090 Asphalt Crack Seal Program to the lowest, and sole bidder, meeting specifications, Crown Contracting Inc. for the sum of \$ 157,498.25 (HST included) as per the Public Procurement Act.

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)

11.4 Engineering Consulting Services

SJMC-R-2020-06-23/301

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

THAT Council award to CBCL Limited in the amount of \$1,078,251.50 based on the evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

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)

11.5 SCADA engineering professional support services for St. John's Water and Wastewater Facilities

SJMC-R-2020-06-23/302

Moved By Councillor Froude

Seconded By Councillor Jamieson

That Council award this work to JACOBS for the sum of (\$202,112.00 HST extra) the sole source provider of the SCADA information required, as per the Public Procurement Act.

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)

11.6 Purchase of Loaders

SJMC-R-2020-06-23/303

Moved By Councillor Froude

Seconded By Councillor Collins

That Council approve the end of lease option to purchase 10 loaders. These loaders present excellent value and will help replace older units.

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)

12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

13. OTHER BUSINESS

13.1 Bannerman Park Mobile Vending Space

SJMC-R-2020-06-23/304

Moved By Councillor Jamieson

Seconded By Councillor Hanlon

That Council direct staff to investigate putting a leased mobile vending space by Bannerman Park and bring back a recommendation to Council.

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)

14. ADJOURNMENT

There being no further business, the meeting adjourned at 4:31 pm.

MAYOR

CITY CLERK