ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

July 20, 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 Ken O'Brien, Chief Municipal Planner Karen Chafe, Supervisor - Office of the City Clerk 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-2020-07-20/333
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 Regular Minutes - July 6, 2020

SJMC-R-2020-07-20/334
Moved By Councillor Froude
Seconded By Deputy Mayor O'Leary

That the minutes of the Regular meeting held July 6, 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

6. NOTICES PUBLISHED

6.1 389 Elizabeth Avenue - Commercial Neighbourhood (CN) Zone - Ward 4

A Discretionary Use application has been submitted by Guv'nor Pub and Eatery for an Outdoor Eating and Lounge Area at 389 Elizabeth Avenue.

The area will be approximately 55.7418 m^2 and be permanently located along Elizabeth Avenue. The hours for the Outdoor Area will be 11 a.m. – 8 p.m. weather permitting.

16 submissions received

Approved via E-Poll on July 14, 2020

SJMC-R-2020-07-20/335
Moved By Councillor Froude
Seconded By Councillor Burton

That Council approve the application submitted by Guv'nor Pub and Eatery for an Outdoor Eating and Lounge Area at 389 Elizabeth Avenue, subject to meeting all applicable regulatory 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 5 Beck's Cove - Commercial Central Retail (CCR) Zone - Ward 2

A Discretionary Use application has been submitted by Gypsy Tea Room for an Outdoor Eating and Lounge Area at 5 Beck's Cove, Murray Premises.

The outside area will be approximately 610 m^2 and be temporarily located in the parking lot on the Bishop's Cove side of the building. The hours for the Outdoor Area will be 11:30 a.m. – midnight. Outdoor speakers are proposed.

11 submissions received

Approved via E-Poll on July 14, 2020

SJMC-R-2020-07-20/336
Moved By Councillor Jamieson
Seconded By Deputy Mayor O'Leary

That Council approve the application submitted by Gypsy Tea Room for an Outdoor Eating and Lounge Area at 5 Beck's Cove, Murray Premises, subject to meeting all applicable regulatory 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 5 Blackmarsh Road - Residential Medium Density (R2) Zone - Ward 2

A Discretionary Use application has been submitted to convert the existing dwelling into a Multiple Dwelling with 3 units.

The proposed additional unit will be 75.52 m^2 and contained withing the existing structure. On-site parking will be provided.

1 submission received

SJMC-R-2020-07-20/337
Moved By Councillor Jamieson
Seconded By Councillor Lane

That Council approve the application to convert the existing dwelling into a Multiple Dwelling with 3 units at 5 Blackmarsh Road, subject to meeting all applicable regulatory 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 25 Allandale Road - Residential Low Density (R1) Zone - Ward 4

A Change of Non-Conforming Use application has been submitted requesting permission to change the occupancy of the entire building at 25 Allandale Road from Clinic Use to Office Use.

The hours of operation are five days a week 9 a.m. – 5 p.m. and will have six employees. The building has a floor area of approximately 224.8 m^2. On-site parking is provided

1 submission received

SJMC-R-2020-07-20/338
Moved By Councillor Froude
Seconded By Deputy Mayor O'Leary

That Council approve the application to change the occupancy of the entire building at 25 Allandale Road from Clinic Use to Office Use, subject to meeting all application regulatory 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 3 Cypress Street - Residential Low Density (R1) Zone - Ward 5

A Discretionary Use application has been submitted to operate a Home Occupation in a portion of the dwelling at 3 Cypress Street. The proposed business will offer Hair Salon services such as cutting, coloring & styling.

The proposed salon will have a floor area of 9.85 m^2. The salon will operate Monday & Wednesday 9:30 a.m.–5:30 p.m., Tuesday & Thursday 11 a.m.– 7 p.m., and Friday 9:30 a.m.–3:30 p.m. Bookings are by appointment only, one client per booking with 15-30 minutes between each session. The property owner is the sole employee. On-site parking is provided.

No submissions received

SJMC-R-2020-07-20/339
Moved By Councillor Collins
Seconded By Councillor Hanlon

That Council approve the application to operate a Home Occupation in a portion of the dwelling at 3 Cypress Street, subject to meeting all applicable regulatory 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 Building Line Setback for Reconstruction - DEV2000065 - 113 Rennie's Mill Road

SJMC-R-2020-07-20/340
Moved By Councillor Burton
Seconded By Councillor Froude

That Council approve a 6.73 metre Building Line Setback at 113 Rennie's Mill Road to accommodate the reconstruction of the Dwelling.

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 Accessory Building in the Floodplain Buffer - INT2000061 - 21 Bonnie Drive

SJMC-R-2020-07-20/341
Moved By Councillor Burton
Seconded By Deputy Mayor O'Leary

That Council approve the proposed 45 m^2 Accessory Building at the rear of 21 Bonnie Drive in accordance with Section 11.2.4(2) of the St. John's Development Regulations.

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. Request to Establish Building Line Setback - 60 Doyle's Road - DEV2000089

SJMC-R-2020-07-20/342
Moved By Councillor Burton
Seconded By Councillor Collins

That Council approve the 7.3 metres Building Line Setback at 60 Doyle's Road for a new Single-Detached Dwelling.

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. Crown Land Grant for Metal Recycling Yard Incinerator Road – west of Civic 200 - CRW2000009 (Crown Land reference #1040022/156759)

Councillor Lane retired from the meeting.

SJMC-R-2020-07-20/343
Moved By Councillor Burton
Seconded By Councillor Collins

That Council approve the Crown Land Grant for 3.13 hectares on Incinerator Road, west of 200 Incinerator Road, for a proposed metal recycling yard subject to the submission of a Development Application should the Crown Land grant be approved by the Provincial Department of Fisheries and Land Resources.

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. Crown Land Grant for Parking Area and Storage Adjacent 2800 Trans Canada Highway - CRW2000010 (Crown Land Reference #153300)

SJMC-R-2020-07-20/344
Moved By Councillor Burton
Seconded By Councillor Collins

That Council approve the proposed Crown Land Grant for the proposed parking and storage area adjacent to 2800 Trans Canada Highway subject to:
1. The submission of a Development Application should the Crown Land Grant be approved by the Provincial Department of Fisheries and Land Resources.
2. Survey which consolidates this new parcel of land with the property at 2800 Trans Canada Highway.

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. Request to Re-establish the Building Line - INT2000060 - 20 Lannon Street

SJMC-R-2020-07-20/345
Moved By Councillor Burton
Seconded By Councillor Collins

That Council approve the Building Line Setback at 4.92 metres for 20 Lannon Street with the condition that no obstructions in the front yard will extend beyond the established building line.

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)

7.2 Committee of the Whole Report - July 8, 2020

1. Galway Village Green Community Park

SJMC-R-2020-07-20/346
Moved By Councillor Burton
Seconded By Councillor Hanlon

That Council

- approve the attached concept plan for the Galway Village Green Community Park;
- commit to a phased approach to build the park based on available funds and Council's spending priorities in any given year;
- refer Phase 1 for consideration for funding from the Parks & Open Space Fund in 2021.

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. Parks and Open Spaces Reserve Capital Projects

SJMC-R-2020-07-20/347
Moved By Councillor Lane
Seconded By Councillor Froude

That Council defer the following capital projects:

- Bowring Park observation decks

- McNiven Place to Durness Trail
- Phase 1 of the Galway park

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-2020-07-20/348
Moved By Councillor Lane
Seconded By Councillor Burton

That the decision of funding for the Kelly's Brook Trail project as part of the Bike Master Plan be deferred to a future meeting of Council pending response from other levels of government on cost shared funding.

For (6): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Jamieson, and Councillor Froude
Against (5): Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, and Councillor Collins

MOTION CARRIED (6 to 5)

3. Stormwater Management Policy

SJMC-R-2020-07-20/349
Moved By Councillor Burton
Seconded By Councillor Froude

That this item be referred to the Environment 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)

4. Text Amendment to Section 9 - Off-Street Parking Requirements for Buildings with five (5) or more occupancies

SJMC-R-2020-07-20/350
Moved By Councillor Burton
Seconded By Deputy Mayor O'Leary

That the proposed text amendment to revise the parking requirement for existing Buildings with five (5) or more occupancies be considered under Section 9 Off-Street Parking Requirements.

Further, that the application be advertised for public review and comment. The application would then be referred to a regular meeting of Council for consideration of adoption.

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 Period of July 2 to July 15, 2020

9. BUILDING PERMITS LIST

9.1 Building Permits List for the week ending July 15, 2020

SJMC-R-2020-07-20/351
Moved By Councillor Korab
Seconded By Deputy Mayor O'Leary

That Council approve the Building Permits List for the week ending July 15, 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 July 8, 2020

SJMC-R-2020-07-20/352
Moved By Councillor Stapleton
Seconded By Councillor Hanlon

That Council approve the Weekly Payment Vouchers for the week ending July 8, 2020 in the amount of $6,553,798.29

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 July 15, 2020

SJMC-R-2020-07-20/353
Moved By Councillor Stapleton
Seconded By Deputy Mayor O'Leary

That Council approve the Weekly Payment Vouchers for the week ending July 15, 2020 in the amount of $1,709,997.53.

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 2020057 – Supply and Delivery of Work Coveralls

SJMC-R-2020-07-20/354
Moved By Councillor Froude
Seconded By Councillor Burton

That Council award open call 2020057 – Supply and Delivery of Work Coveralls, Section 2 Insulated Coveralls, to the lowest bidder meeting the specifications for this section, Source Atlantic Ltd. for $64,618.44 (including HST), 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)

11.2 2020100 – Diesel Pickup Trucks

SJMC-R-2020-07-20/355
Moved By Councillor Froude
Seconded By Councillor Hanlon

That Council award open call 2020100 – Three (3) Diesel Pickup Trucks to the lowest bidder meeting specification, Terra Nova Motors, for $149,486.50, 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)

11.3 2020097 – Snowblower Attachments

SJMC-R-2020-07-20/356
Moved By Councillor Froude
Seconded By Deputy Mayor O'Leary

That Council award bid number 2020097 – two (2) Snowblower Attachments to the lowest, and only bidder meeting specification, J. A. Larue Inc., as per the Public Procurement Act, for $312,450.40, HST included. 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)

11.4 2020093 - Lease- 2 Dozers - Robin Hood Bay

SJMC-R-2020-07-20/357
Moved By Councillor Froude
Seconded By Councillor Stapleton

That Council award bid number 2020093 - Lease – 2 Dozers – Robin Hood Bay, to the lowest, and only bidder meeting specification, Toromont Industries Limited, as per the Public Procurement Act, for $3,790,032.00 HST included.

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 Intermittent Overnight Construction – Kenmount Road Trunk Storm Sewer Phase 2 (Peet Street to Pippy Place)

Approved via E-Poll on July 9, 2020

SJMC-R-2020-07-20/358
Moved By Councillor Froude
Seconded By Councillor Hanlon

It is recommended that Council grant the Contractor permission to work outside the City’s noise bylaw hours, allowing the Contractor to work between 11:00pm and 7:00am for the Kenmount Road Trunk Storm Sewer Project. This work is anticipated to be sporadic, and therefore public notifications will be provided through the City’s website prior to any overnight work taking place.

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)

13.2 Request for Parking Relief - 389 Elizabeth Avenue - Commercial Neighbourhood (CN) Zone

Approved via E-Poll on July 14, 2020

SJMC-R-2020-07-20/359
Moved By Councillor Burton
Seconded By Councillor Hickman

That Council approve the parking relief of 2 parking spaces to accommodate the Outdoor Eating Area at 389 Elizabeth Avenue.

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)

13.3 Delegation of Authority – Light Duty Vehicles

SJMC-R-2020-07-20/360
Moved By Councillor Froude
Seconded By Deputy Mayor O'Leary

That Council delegate the City’s purchasing authority to the Public Procurement Agency for the purchase of light duty vehicles on an as and when required basis. This contract will be for a four (4) year period with an option to renew for an additional two (2) one (1) year periods.

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)

13.4 25 Sea Rose Avenue - Adoption REZ2000002

SJMC-R-2020-07-20/361
Moved By Councillor Burton
Seconded By Councillor Stapleton

That Council adopt St. John's Development Regulations Amendment Number 709, 2020, which will rezone land at 25 Sea Rose Avenue from the Commercial Regional (CR) Zone to the Commercial Office (CO) Zone.

Further, that Council require a noise analysis for the proposed development at the development approval stage, and consideration of the results of this study be incorporated into the overall design process.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins
Against (2): Deputy Mayor O'Leary, and Councillor Hickman

MOTION CARRIED (8 to 2)

14. ADJOURNMENT

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

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MAYOR

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CITY CLERK