

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

April 5, 2021, 3:00 p.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Sandy Hickman
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins
Councillor Shawn Skinner

Regrets: Councillor Maggie Burton

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
Susan Bonnell, Manager - Communications & Office Services
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Maureen Harvey, Legislative Assistant

Others: Linda Bishop - Senior Legal Counsel
Brian Head, Manager of Parks and Open Space

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

2.1 National Poetry Month - Poet Laureate Mary Dalton

Poet Laureate Mary Dalton entertained Council and the public with some poetry in recognition of National Poetry Month.

3. APPROVAL OF THE AGENDA

3.1 Adoption of Agenda

SJMC-R-2021-04-05/138

Moved By Councillor Collins

Seconded By Councillor Hanlon

That the Agenda be adopted as presented.

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

MOTION CARRIED (9 to 0)

4. ADOPTION OF THE MINUTES

4.1 Adoption of Minutes - March 29, 2021

SJMC-R-2021-04-05/139

Moved By Councillor Skinner

Seconded By Councillor Stapleton

That the minutes of March 29, 2021 be adopted as presented.

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

MOTION CARRIED (9 to 0)

5. BUSINESS ARISING FROM THE MINUTES

5.1 Notice of Motion re: Bike Master Plan

SJMC-R-2021-04-05/140

Moved By Councillor Froude

Seconded By Councillor Korab

Whereas the Bike Master Plan was adopted by Council on June 10, 2019;

Whereas in this plan the Rennie's River and Virginia River Trails are proposed to be shared-use pathways as part of the backbone network in the Bike Master Plan;

Whereas there have been many diverse perspectives shared on the future of these trails;

Whereas it is important to ensure all stakeholders and the public are engaged so that any plan is made in consideration of the needs and wants of the community:

That Council direct staff to undertake a comprehensive public engagement process regarding the potential future use of the Rennie's River Trail and the Virginia River Trail as shared-use paths; and that consideration be given to potential alternative routes that achieve the north-south connectivity required for an effective network. Included within this process could be further consideration on the ranking of the priority projects identified in the Bike Master Plan.

And that this engagement process be initiated at a point in time when the proposed projects on the Rennie's River Trail and the Virginia River Trail are being seriously considered.

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

MOTION CARRIED (9 to 0)

6. DEVELOPMENT APPLICATIONS

6.1 Discretionary Use
657 Topsail Road
DEV2100018

SJMC-R-2021-04-05/141

Moved By Councillor Korab

Seconded By Councillor Hanlon

That Council approve the Discretionary Use application submitted by Jungle Jim's for an Outdoor Eating Area at 657 Topsail Road, subject to all applicable requirements and approve parking relief for one (1) parking space.

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

MOTION CARRIED (9 to 0)

6.2 Establish Building Line Setback – 118 Ennis Avenue – DEV2100035

SJMC-R-2021-04-05/142

Moved By Councillor Stapleton

Seconded By Councillor Skinner

That Council approve the 6.0 meter Building Line setback at 118 Ennis Avenue to accommodate the construction of a Single Detached Dwelling.

MOTION CARRIED

6.3 Discretionary Use - 200 Pleasant Street - DEV2100197

Discretionary Use 200 Pleasant Street DEV2100197

SJMC-R-2021-04-05/143

Moved By Councillor Skinner

Seconded By Councillor Collins

That Council approve the application for a Discretionary Use (Converted Building) to convert a Clinic into a 2-bedroom Dwelling Unit at 200 Pleasant Street, subject to all applicable requirements.

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

MOTION CARRIED (9 to 0)

7. COMMITTEE REPORTS

7.1 Committee of the Whole Report of March 24, 2021

1. 142 Old Pennywell Road, REZ2000012

SJMC-R-2021-04-05/144

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council consider rezoning the property at 142 Old Pennywell Road from the Residential Low Density (R1) to the Residential Medium Density (R2) Zone to allow three Townhouses; and advertise the application for public review and comment.

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

MOTION CARRIED (9 to 0)

2. Driveways in Floodplains

SJMC-R-2021-04-05/145

Moved By Councillor Collins

Seconded By Councillor Hickman

That Council consider the attached amendment to the St. John's Development Regulations which would allow driveways, wharves and stages in a floodplain at the discretion of Council and advertise the amendment for public review and comment.

Further, that Council refer the proposed amendment to the City's Environment and Sustainability Experts Panel for review.

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

MOTION CARRIED (9 to 0)

3. Draft Heritage By-Law for Public Consultation

SJMC-R-2021-04-05/146

Moved By Councillor Korab

Seconded By Councillor Skinner

That Council advertise the draft Heritage By-Law for public review and comment, refer the draft Heritage By-Law to a virtual Public Meeting chaired by an independent facilitator, and refer the draft Heritage By-Law to the Built Heritage Experts Panel.

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

MOTION CARRIED (9 to 0)

4. Kelly's Brook Shared-Use Path - WWH

SJMC-R-2021-04-05/147

Moved By Councillor Froude

Seconded By Councillor Korab

That Council approve the following key decisions as this project moves into detailed design:

- a) use of an asphalt surface treatment for the length of Kelly's Brook Shared-Use Path
- b) pursue the Graves Street alignment option (subject to feasibility and property impact)
- c) pursue the alignment option that passes behind the Community

Market (subject to feasibility and property impact)

d) use a one-way configuration for the Empire Avenue section

e) include illumination in the plan with a balanced approach that is sensitive to adjacent uses and minimizes dim areas immediately adjacent the trail during normal use hours

f) include and consider accessibility in the provision of amenities such as recycling and waste receptacles, benches, pet waste stations, shade and wind-break planting, way-finding signs, shared-use guideline signs, and bike racks

g) continue to consult with the Inclusion Advisory Committee and other stakeholders as needed during the detailed design process

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

MOTION CARRIED (9 to 0)

5. Traffic Calming Policy - Update on Review

SJMC-R-2021-04-05/148

Moved By Councillor Froude

Seconded By Councillor Hickman

That Council approve the 12 policy update areas noted above to proceed to public engagement prior to staff making final policy update recommendations.

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

MOTION CARRIED (9 to 0)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

8.1 Development Permits List March 25 - March 31, 2021

Council considered the Development Permits List for information

9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

9.1 Building Permits List for the week of March 31, 2021

Council considered the Building Permits List for information.

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending March 31, 2021

SJMC-R-2021-04-05/149

Moved By Councillor Stapleton

Seconded By Councillor Skinner

That the weekly payment vouchers in the amount of \$ 4,142,822.46 be approved as presented.

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

MOTION CARRIED (9 to 0)

11. TENDERS/RFPS

11.1 2021019 - Kenmount Road Trunk Storm Sewer Phase 3

SJMC-R-2021-04-05/150

Moved By Councillor Hickman

Seconded By Deputy Mayor O'Leary

That Council award this open call to the lowest bidder meeting specifications, Weirs Construction Limited, for \$4,323,698.36 (excluding HST) as per the Public Procurement Act.

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

MOTION CARRIED (9 to 0)

11.2 2021003 – Traffic Control Services

SJMC-R-2021-04-05/151

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council award open call 2021003 – Traffic Control Services to Eastern Safety Services, Safety First Contracting Limited, and Hi-Vis Traffic Control Inc. as per the Public Procurement Act. Right of first refusal is given to the supplier with the lowest price. Subsequent suppliers are contacted in order or ranking until the request can be filled.

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

MOTION CARRIED (9 to 0)

12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

12.1 Resolution to Support a Healthy Ecosystem for Local Journalism

SJMC-R-2021-04-05/152

Moved By Deputy Mayor O'Leary

Seconded By Councillor Skinner

That Council endorse the resolution as attached.

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

MOTION CARRIED (9 to 0)

12.2 Parking of Vehicles on Residential Yards

Councillor Froude gave notice of his intention to introduce a motion at the next Regular Meeting of Council to amend the Residential Property Standards By-Law to clarify that the parking of vehicles on the front yard of a residential property is prohibited.

13. OTHER BUSINESS

13.1 St. John's Sports & Entertainment Ltd. – Board of Directors

SJMC-R-2021-04-05/153

Moved By Councillor Korab

Seconded By Councillor Hickman

That Council appoint Stephen Dinn and Glenn Normore to the Board of Directors of the St. John's Sports & Entertainment Ltd.

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

MOTION CARRIED (9 to 0)

13.2 Closure Order for Dwelling at 434 Allandale Road

SJMC-R-2021-04-05/154

Moved By Councillor Froude

Seconded By Councillor Skinner

That Council consider the dwelling to be a nuisance under section 375 of the City of St. John's Act and issue an order to vacate.

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

MOTION CARRIED (9 to 0)

13.3 68 Queen's Road (Townhouses), Adoption MPA1900002

SJMC-R-2021-04-05/155

Moved By Councillor Skinner

Seconded By Councillor Hickman

1) That Council adopt the attached resolutions for St. John's Municipal Plan Amendment Number 154, 2021 and St. John's Development Regulations Amendment Number 706, 2021. The proposed date for the public hearing is Wednesday, May 5, 2021, at 7 p.m.

2) That the City, together with the owners of heritage buildings in the district, neighbourhood residents, Parks Canada, and other stakeholders,

develop a management plan for the Ecclesiastical District National Historic Site as future neighbourhood planning work of the Planning Division.

3) That the City ensure that demolition of the Cathedral Parish Hall will follow the recommendations of the Provincial Archeology Office, and the applicant salvage as much of the useable building fabric as possible, as indicated in the Land Use Assessment Report.

4) That Council request that the applicant add interpretive elements to the site design and document the structure before it is demolished.

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

MOTION CARRIED (9 to 0)

14. ACTION ITEMS RAISED BY COUNCIL

14.1 Elimination of Violence Against Women

Deputy Mayor O'Leary requested that Council reinforce the position taken on November 30, 2020 as addressed in the resolution regarding the elimination of violence against women.

14.2 Parking Availability - Middle Pond

Councillor Hickman requested staff investigate parking availability near Middle Pond where the East Coast Trail leads to the Spout. Currently parking is taking place along the roadside and is deemed to be unsafe and is resulting in parking tickets for motorists.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 4:15 pm.

MAYOR

CITY CLERK