

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

July 8, 2019, 4:30 p.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Dave Lane
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins

Regrets: Councillor Maggie Burton
Councillor Sandy Hickman
Councillor Hope Jamieson

Staff: Kevin Breen, City Manager
Tanya Haywood, Deputy City Manager of Community 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

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 Agenda of July 8, 2019****SJMC-2019-07-08/198****Moved By** Councillor Collins**Seconded By** Councillor Hanlon

That the agenda dated July 8, 2019 be approved with the following additions:

- RFP - 2019123 2019 Watermain Condition Assessment (Churchill Square Area)
- Departmental Approval Request - RFP Independent Claims Adjusting Services
- Decision Note dated July 5, 2019 re: St. John's Local Board of Appeal

CARRIED UNANIMOUSLY**4. ADOPTION OF THE MINUTES****4.1 Minutes of Regular Council Meeting - June 25, 2019****SJMC-2019-07-08/199****Moved By** Councillor Froude**Seconded By** Councillor Stapleton

That the minutes of the meeting held June 25, 2019 be approved as presented.

CARRIED UNANIMOUSLY**5. BUSINESS ARISING FROM THE MINUTES****5.1 Response to Residents of Cedar Brae Crescent re: Unfair Taxation**

Council considered as information the above noted. Councillor Froude highlighted various points in the letter.

5.2 Reaffirmation of 2019 Heritage Grant Applications - conducted via e-Poll of June 26, 2019

SJMC-2019-07-08/200

Moved By Councillor Lane

Seconded By Deputy Mayor O'Leary

That Council approve the 2019 Heritage Grant Applications as presented and outlined in the above cited Decision Note.

CARRIED UNANIMOUSLY

6. NOTICES PUBLISHED

6.1 13 Beauford Place (Commercial Industrial (CI) Zone - Ward 1)

An extension to a Non-Conforming Use application has been submitted requesting permission to add an extension to the dwelling at **13 Beauford Place**.

The total proposed floor area of the extension is 73.2m², 23.2m² of which will be in the basement, and 49.53m² on the first floor. The existing dwelling has a floor area of 171.79m². (2 submissions received)

SJMC-2019-07-08/201

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

That Council approve the application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

6.2 5 Navigator Avenue (Airport Zone - Ward 1)

A Discretionary Use application has been submitted by MP Partnership Limited requesting approval to construct and operate an Eating Establishment with a drive-thru at **5 Navigator Avenue**.

The drive thru will service a restaurant with a floor area of 186m², and will operate Monday - Sunday, 3 a.m. – 11 p.m. On-site parking is provided. This application is advertised in accordance with Section 7.30 "Drive-Thru Facilities" of the St. John's Development Regulations. (No submissions received)

SJMC-2019-07-08/202

Moved By Councillor Stapleton

Seconded By Councillor Korab

That Council approve the application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

6.3 35 Beaumont Street (Residential Medium Density (RS) Zone - Ward 2)

A Discretionary Use application has been submitted requesting permission to occupy a portion of **35 Beaumont Street** as a Home Occupation for the preparation of baked goods.

The business will occupy a floor area of 27.8 m² (kitchen) and will offer a variety of breads and baked goods. Domestic kitchen equipment will be used, and all items will be sold off site by delivery with no customers visiting the site. The business will operate Monday - Friday, 9 a.m. –5 p.m. with the applicant being the sole employee. (No submissions received)

SJMC-2019-07-08/203

Moved By Councillor Stapleton

Seconded By Councillor Hanlon

That Council approve the application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

6.4 4157 Trans-Canada Hwy (Rural (R) Zone - Ward 5)

A Discretionary Use Application has been submitted by Black Diamond Construction Ltd. requesting permission to use **4157 Trans-Canada Highway** as a quarry for Mineral Workings Use.

The proposed 29.8 hectares of Crown Land will be used for quarrying aggregate, which involves drilling and blasting, crushing and pit run removal. (No submissions received)

SJMC-2019-07-08/204

Moved By Councillor Collins

Seconded By Councillor Froude

That Council approve the application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

7. PUBLIC HEARINGS/MEETINGS**8. COMMITTEE REPORTS****8.1 Committee of the Whole Report - June 26, 2019****1. Decision Note dated June 18, 2019 re: Reception for National Hockey Team of 1966 (Reunion)****SJMC-2019-07-08/205****Moved By** Councillor Lane**Seconded By** Councillor Collins

That Council approve the afternoon reception on September 11, 2019 in honor of Canada's National Hockey Team of 1966.

CARRIED UNANIMOUSLY**2. Decision Note dated June 12, 2019 re: Membership for Arts and Culture Advisory Committee****SJMC-2019-07-08/206****Moved By** Deputy Mayor O'Leary**Seconded By** Councillor Lane

That Council appoint the following members as per the selection review process already undertaken:

- One vacancy representing a Visual Art and Craft organization:
 - Daniel Rumbolt (VANL-CARFAC)
- Two vacancies representing Cultural, Indigenous and Intangible Cultural Heritage organizations:
 - Jenelle Duval (First Light)

CARRIED UNANIMOUSLY**3. Decision Note dated June 18, 2019 re: Dissolution of Downtown Advisory Committee****SJMC-2019-07-08/207****Moved By** Councillor Hanlon**Seconded By** Deputy Mayor O'Leary

That Council approve the dissolution of the Downtown Advisory Committee and confirm the renewed mandate of the previously established Joint Committee of Council and Downtown St. John's.

CARRIED UNANIMOUSLY

4. Decision Note dated June 12, 2019 re: Youth Engagement Strategy

SJMC-2019-07-08/208

Moved By Deputy Mayor O'Leary

Seconded By Councillor Lane

That Council support the proposed direction for the development of a youth engagement strategy as outlined in the above cited Decision Note.

CARRIED UNANIMOUSLY

5. BHEP Report - June 12, 2019 - Decision Note dated May 6, 2019 re: Metal Roofs and Solar Panels in the St. John's Heritage Areas

SJMC-2019-07-08/209

Moved By Councillor Lane

Seconded By Councillor Korab

That Council approve the recommendation of the Built Heritage Experts Panel as follows:

That the following apply to the use of modern roof materials in heritage areas:

- Shingle-style metal roofs for residential dwellings will be permitted subject to the material replicating heritage style. Non-residential buildings may be permitted other styles of metal roofs if the style replicates the existing roof style.
- Solar Panels will be permitted as long as they are not visible from the street.

CARRIED UNANIMOUSLY

6. **BHEP Report - June 12, 2019 - Decision Note dated June 10, 2019 re: 6 Cathedral Street, Masonic Temple Renovations - Exterior Renovations**

SJMC-2019-07-08/210

Moved By Councillor Lane

Seconded By Deputy Mayor O'Leary

That the Committee approve the following recommendation of the Built Heritage Experts Panel:

That Council approve the exterior renovations and installation of a fire exit stairway on the Masonic Temple, located at 6 Cathedral Street subject to the following:

- Replacement of glass on the north side, where the stairwell is proposed, should be done with non-wired type, fire-rated glass.
- The color of the proposed wooden stairway should match the existing brick work and stained in accordance with manufacturer's specifications.

CARRIED UNANIMOUSLY

7. **BHEP Report - June 12, 2019 - Decision Note dated June 18, 2019 re: Application to Develop a Multi-Purpose Annex, St. John's Designated Heritage Building, Anglican Cathedral of St. John the Baptist, 16 Church Hill, DEV 1900091**

SJMC-2019-07-08/211

Moved By Councillor Korab

Seconded By Councillor Collins

That the matter be deferred pending further consideration.

CARRIED UNANIMOUSLY

8. **Decision Note dated June 20, 2019 re: Update - Air Rights in front of 430 Water Street**

SJMC-2019-07-08/212

Moved By Councillor Lane

Seconded By Councillor Collins

That Council approve an easement for the lands impacted by the pillars, subject to development approval.

CARRIED UNANIMOUSLY

9. Decision Note dated June 17,2019 re: Funding of Dehumidification Units

SJMC-2019-07-08/213

Moved By Councillor Lane

Seconded By Councillor Korab

That \$3.03 M be reallocated from the current gas tax agreement to negate the borrowing requirement for the dehumidification project. A decision on whether to allocate future gas tax funding or borrow our 33% share for the Mews Center project can be made later.

CARRIED UNANIMOUSLY

8.2 Development Committee Report - June 25, 2019

SJMC-2019-07-08/214

Moved By Councillor Collins

Seconded By Councillor Stapleton

That Council approve the proposed landscape plan in accordance with Section 11.2.4 (3) of the St. John's Development Regulations.

CARRIED UNANIMOUSLY

9. RESOLUTIONS

10. DEVELOPMENT PERMITS LIST

10.1 Development Permits List for period June 20 to July 4, 2019

Council considered as information, the above noted Development Permits List for the period June 20 to July 4, 2019.

11. BUILDING PERMITS LIST**11.1 Building Permits List for period June 20 to July 3, 2019****SJMC-2019-07-08/215****Moved By** Councillor Hanlon**Seconded By** Councillor Collins

That the building permits list for the week June 20 to July 3, 2019 be approved as presented.

CARRIED UNANIMOUSLY**12. REQUISITIONS, PAYROLLS AND ACCOUNTS****12.1 Weekly Payment Vouchers - Week ending June 26, 2019****SJMC-2019-07-08/216****Moved By** Councillor Hanlon**Seconded By** Councillor Collins

That Council adopt the weekly payment vouchers for the week ending June 26, 2019 in the amount of \$4,048,434.69.

CARRIED UNANIMOUSLY**12.2 Weekly Payment Vouchers - Week ending July 3, 2019****SJMC-2019-07-08/217****Moved By** Councillor Hanlon**Seconded By** Councillor Collins

That Council approve the weekly payment vouchers for the week ending July 3, 2019 in the amount of \$2,875,617.79.

CARRIED UNANIMOUSLY**13. TENDERS/RFPS****13.1 Bid Approval Note #2019140 - Watermain Insertion Valves****SJMC-2019-07-08/218****Moved By** Councillor Froude**Seconded By** Councillor Hanlon

That Council award this open call to the only bidder meeting specifications Emco Waterworks in the amount \$127,292.19 (HST included), as per the Public Procurement Act.

CARRIED UNANIMOUSLY

13.2 Bid Approval Note #2019084 - Traffic Signal Equipment

SJMC-2019-07-08/219

Moved By Councillor Froude

Seconded By Councillor Hanlon

That Council approve the recommendation outlined in the above cited Bid Approval Note. This open call contains 24 items which are awarded individually. All bids received are attached and the lowest qualified bids are highlighted. It is recommended to award this RFQ to the lowest bidders meeting specifications as per the Public Procurement Act.

CARRIED UNANIMOUSLY

13.3 Bid Approval Note #2019153 - Two Current Production Sidewalk Plows with Blower and Blade

SJMC-2019-07-08/220

Moved By Councillor Froude

Seconded By Councillor Korab

That Council award this open call to the lowest bidder meeting specifications, Holder Tractors Inc. (Bid 2), as per the Public Procurement Act, for the amount of \$306,016.68, including HST. The City reserves the right to order an additional 1 unit within six months of award in the amount of \$153,008.34, including HST.

CARRIED UNANIMOUSLY

13.4 Bid Approval Note #2019146 - Combined Sewer Overflow Monitoring

SJMC-2019-07-08/221

Moved By Councillor Froude

Seconded By Councillor Stapleton

That Council award this open call to Cahill Instrumentation & Technical Services (2011) Ltd. in the amount of \$262,997.51 (HST included), as the lowest bidder meeting specifications as per the Public Procurement Act.

CARRIED UNANIMOUSLY

13.5 RFP - 2019123 2019 Watermain Condition Assessment (Churchill Square Area)

Lynnann Winsor left the meeting at 5:14 pm.

SJMC-2019-07-08/222

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That the RFP be awarded to Echologies, a division of Mueller Canada Ltd. in the amount of \$277,130.75 based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

CARRIED UNANIMOUSLY

13.6 Departmental Approval Request - RFP Independent Claims Adjusting Services

SJMC-2019-07-08/223

Moved By Councillor Froude

Seconded By Councillor Hanlon

That Council award the RFP to Crawford & Company (Canada) Inc. in the amount of \$110.00/hour based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

CARRIED UNANIMOUSLY

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

15. OTHER BUSINESS

15.1 Ratification of E-Poll re: Decision Note Dated June 28, 2019 re: Road Closure Approval (Graves St (weekend of June 29-30, 2019)

SJMC-2019-07-08/224

Moved By Deputy Mayor O'Leary

Seconded By Councillor Korab

That Council ratify the E-poll conducted on June 26, 2019 approving the road closure of Graves St. during the weekend of June 29-30, 2019.

CARRIED UNANIMOUSLY

15.2 Decision Note dated June 28,2019 re: Travel Authorization - Offshore Europe in September

SJMC-2019-07-08/225

Moved By Councillor Collins

Seconded By Councillor Lane

That Council approve the costs associated with sending the Mayor to the Offshore Europe Conference in September 2019.

CARRIED UNANIMOUSLY

15.3 Decision Note dated July 3, 2019 re: 288 Water Street - Yellow Belly Brewery Ltd.

SJMC-2019-07-08/226

Moved By Councillor Lane

Seconded By Councillor Hanlon

That Council approve the seasonal lease of the property outlined in red on the attached Schedule "A"

CARRIED UNANIMOUSLY

15.4 Economic Outlook 2019

Council considered as information the above noted Economic Outlook, 2019. Deputy Mayor O'Leary highlighted various sections of the report.

15.5 Decision Note dated July 5, 2019 re: St. John's Local Board of Appeal

SJMC-2019-07-08/227

Moved By Councillor Hanlon

Seconded By Councillor Stapleton

That Council appoint the following two applicants to the St. John's Local Board of Appeal:

- Cliff Johnston
- Bruce Blackwood

CARRIED UNANIMOUSLY

16. ADJOURNMENT

There being no further business, the meeting adjourned at 5:41 pm.

MAYOR

CITY CLERK