

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

February 24, 2021, 9:30 a.m.

Present:

- Mayor Danny Breen
- Councillor Maggie Burton
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Wally Collins
- Councillor Shawn Skinner

Regrets:

- Deputy Mayor Sheilagh O'Leary

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

Others David Crowe, Manager - Roads
 Judy Tobin, Manager - Housing
 David Day, Manager of Emergency Preparedness
 Leslie White, Facilities Supervisor and Acting Supervisor -
 Citizen Services
 Lisa Bennett, Tenant Relations Officer
 York Construction Development Team: Ron Fougere, Mark
 Gale, Peter Batson, and Paul Boundridge.
 Gerard Doran, Consultant

1. **Call to Order**

2. **Approval of the Agenda**

Recommendation

Moved By Councillor Korab

Seconded By Councillor Skinner

That the agenda be adopted as presented.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

3. **Adoption of the Minutes**

3.1 **Adoption of Minutes - January 27, 2021**

Recommendation

Moved By Councillor Burton

Seconded By Councillor Froude

That the minutes of the Committee of the Whole meeting held on January 27, 2021 be adopted as presented.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)**4. Presentations/Delegations****4.1 Noise Exposure Forecast Zones (130 Aberdeen Avenue, MPA1900006)**

The City has received an application to rezone land at 130 Aberdeen Avenue from the Commercial Regional (CR) Zone to the Apartment Medium Density (A2) and Residential High Density (R3) Zones for the purpose of a residential subdivision with a mix of housing types. This application is being reviewed by staff and will be brought to Council for consideration soon. A number of revisions were required on the initial submission.

From Section 11.2 of the St. John's Development Regulations, any development in the vicinity of the St. John's Airport is subject to the St. John's Urban Region Regional Plan (SJURRP) concerning Noise Exposure Forecast (NEF) Zones and Bird Hazard Zones. The City uses the policies in the Regional Plan for these applications. The NEF system is used by Transport Canada to evaluate the extent of noise impacts and depends on factors such as the number of air traffic movements, type of aircraft in use, the runways used, the slide and approach paths, and other factors. The higher the NEF number, the louder the noise and thus the greater the noise impacts. The aim is to ensure that land uses which are sensitive to noise (such as residential uses where people could be awakened at night by aircraft noise) are kept away from the airport.

The Airport Authority promotes the important economic role of the airport, including its ability to operate 24 hours a day. There are many airports where overnight operations are not allowed due to the presence of residential areas close by. With the geographic location of St. John's at the extreme east of Canada, the airlines start their day very early in order to move westward across the provinces. Also, many flights may end their run in St. John's well after midnight. Years ago, the Airport Authority advised the City that any threat to 24-hour operation could create challenges for accommodating the needs of the airlines.

The Regional Plan recognizes that aircraft and helicopter movements are noisy and aims to minimize adverse impacts. The Plan sets minimum requirements for development using the NEF. New residential uses are

limited to areas outside of the 35 NEF Zone (that means NEF numbers lower than 35) and recommends that any residential development between the 30 and 35 NEF Zone have sufficient sound insulation. It has been noted that the Regional Plan's NEF Zones are from 1996 and have not been updated since. Using these lines, the proposed rezoning and development at 130 Aberdeen Avenue would fall between the 25 and 30 NEF Zones and thus would be permitted under the St. John's Development Regulations and the Regional Plan. Relevant sections of the Regional Plan are attached for Council's reference.

However, as part of the standard review for applications near the airport, the application was referred to the Airport Authority for comment. The Airport Authority were not concerned about building elevations in the proposed development (taller buildings may pose a problem on the approach to a runway) but expressed concern about their noise maps. According to their most recent NEF data (attached), the proposed development is bisected by the 30 NEF contour and they believe that new residential development is not suitable above the 30 NEF contour. They recommended that the developer rearrange the site plan to keep residential uses on the low side of the 30 NEF contour. This information is different from the Regional Plan, where the NEF map is different and where the policy allows new residential between the 30 and 35 NEF Zones. In follow-up correspondence, the Airport Authority maintained their initial recommendation against new residential development between the 30 and 35 NEF Zones, which would be more restrictive than the Regional Plan and the City's Development Regulations. The noise from the airport would be a source of complaints from people living nearby. In isolated cases where the 30 NEF contour might bisect a residential lot, they could consider recommending a dwelling, but did not support general residential development above the 30 NEF Zone. With respect to maps, the Airport Authority recently reviewed the NEF contours and strongly cautioned against using old NEF contours. This information was passed along to the applicant.

Further information can be found in the attached information note.

4.2 Presentation with York Construction and Fougere Menchenton Architecture

The York Construction Development Team consisting of Ron Fougere, Mark Gale, Peter Batson, and Paul Boundridge were in attendance to

present to Council about the potential development, Hawkesbury Estates. The presentation is amended to the agenda.

This residential development of 357 units in the east end is located in a residential area surrounded by commercial development off of White Rose and Aberdeen Avenue. This site is envisioned to be a walkable, healthy neighborhood and provides the ability to access commercial retail within a walkable distance. The development is a mixed-use housing development which would consist of:

- 24 single family units
- 72 semi-detached units
- 4 buildings of apartments consisting of 135 units
- 1 building of 80 condominium units
- 10 buildings of Four-Plex (40 units) and 2 buildings of Three-Plex (6 units) which are intended to be 55+ living.

The noise exposure forecast (NEF) contours are determined to be different within four different versions of the NEF mapping created by Transport Canada. The developers feel that the 2012 ultimate mapping projections, currently used by the City, do not align with the actual projections the airport has predicted 7 years in advance. Some versions of the mapping indicate a percentage of the development will be located within the 30 NEF Contour Boundary. The Airport Authority have recommended no new residential above 30 and sound insulation was not part of their recommendation. There is no indication of a schedule for updating NEF lines.

The Developers are confident that good construction and design will provide sustainable housing and noise mitigating sound transmission within the development. Future occupants of the development must be made aware of the potential noise possibility through an appropriate notice clause.

Council advised they will need further information and understanding of NEF lines and the mapping surrounding the airport. City staff will prepare the required maps for Council to review.

5. Finance & Administration - Councillor Shawn Skinner

5.1 2021 Capital out of Revenue

The Deputy City Manager of Finance and Administration presented an overview of the 2021 Capital Out of Revenue Listing and Parks Reserve Projects. An additional project regarding the land purchased for the future Goulds fire station in the amount of \$250,000 will be added to this list and will be recirculated to Council before the Regular meeting.

During discussion, it was advised that the basketball court in Airport Heights requested by Councillor Stapleton was not included in the list but is currently under investigation by staff and options will be reviewed and reported back to Council.

Recommendation

Moved By Councillor Skinner

Seconded By Councillor Hickman

That Council approve the 2021 Capital out of Revenue Listing and Parks Reserve Project.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

6. Public Works - Councillor Sandy Hickman

6.1 January 17th Snowmagedon Event Debrief

David Day, Manager of Emergency Preparedness provided a debrief of the January 17, 2020 Snomagedon event as per the attached information note.

The debrief completed by the Emergency and Safety Services Division identified four actionable items to be reviewed and followed up.

1. Crisis Communication Plan – review of current document to include but not limited to:

- a. Media briefings – method of delivery including use of technology.
- b. Define roles and responsibilities of other emergency partners during a SOE.

- c. Investigate assignment of Communications/PR Officer to Public Works during major events and/or winter season.
2. Establish process to acquire engineering subject matter experts during emergency events such as the avalanche in the Battery.
3. Declaration of State of Emergency – review to include but not limited to:
 - a. Process of declaration and process for granting exemptions.
 - b. Enforcement of the State of Emergency.
 - c. Process to coordinate with neighboring municipalities.
4. Emergency Coordination Center Operational Guideline – review to include but not limited to:
 - a. Awareness of planning cycle and communication of coordination center activation level to staff/departments.
 - b. Virtual operation of the Emergency Coordination Center.

Council communicated their appreciation to staff and community for their actions during the state of emergency. During discussion, councillors expressed concern about the challenge of coordination with provincial partners during the state of emergency and the importance of provincial and municipal coordination. Municipalities must be fully informed as to what the provincial partners' roles are during an emergency of this magnitude. It should be clear how people will access lifesaving medications and appointments and there should be a better process to decide on exemptions and clearer parameters are needed for when this occurs again.

During the state of emergency, unnecessary confusion was created by individual municipalities doing different things. During discussion, the following was noteworthy:

- Council feels that municipal borders are transparent and there should have been collective decisions made. A regional plan should be communicated in times of crisis.
- There should be space at the table for front line community agencies who provide communications and services through their organizations for vulnerable populations. During times of crisis those agencies must provide information to the people they service.

- People are encouraged to prepare for at least 72 hours in an emergency, but consideration must be made for those who do not have the resources and the ability to be prepared for these situations.
- There should be a permanent committee or agency which includes the municipalities and appropriate agencies that would address concerns in an emergency.

In response to questions regarding the timeline of the noted actionable items, Mr. Day advised that activity on these items have begun and should conclude before the end of the fiscal year. Some state of emergency issues are tied to the City Act and will be longer term but there are best practices that can be achieved in the interim. The City of St. John's will take the steps needed and will call on other municipalities to do the same.

6.2 Riverhead Wastewater Treatment Facility Capital Replacement Reserve Fund Purchase – Replacement Compactor

Recommendation

Moved By Councillor Hickman

Seconded By Councillor Burton

That Council approve access to funding from the Riverhead WWTF Capital Replacement Reserve Fund to support the purchase of this equipment.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

7. Community Services - Councillor Jamie Korab

8. Special Events - Councillor Shawn Skinner

9. Housing - Deputy Mayor Sheilagh O'Leary

9.1 City-Owned Vacant Land for Affordable Housing

Council approved the expropriation of several parcels of land to eliminate any potential claim prior to the commencement of non-profit projects on these sites. Council also directed that these parcels be reserved for non-

profit housing initiatives/projects or partnerships. The parcels of land identified were:

- 245 Forest Road - Ward 2
- 245 Freshwater Road (at Terra Nova Road) - Ward 4
- 80-90 Empire Avenue - Ward 4
- 375 Waterford Bridge Road - Ward 5
- 28 Eric Street - Ward 2

During discussion, the following was noted:

- It was questioned if the parking requirements of the community market on Freshwater Road have been considered. This has been identified as an issue and is currently under review. 245 Freshwater Road may be removed from this list.
- 375 Waterford Bridge Road is located next to Bowring Park and has previously received negative commentary because of the location in relation to the park, green space, and treed area. Consideration must be made for these concerns.
- Staff must consider the footprint for 80-90 Empire Avenue and priority given to protection of the greenbelt and Kelly's Brook Trail.

The City has learned lessons during the engagement surrounding Eric Street and the public engagement required surrounding these possible parcels of land. The addresses of these parcels had not been released publicly previously and there are currently no planned projects for these sites. However, in light of the lessons learned for advanced engagement around the Eric Street Project and with additional funding potentially on the horizon (i.e. there is national advocacy for a relaunch of the Rapid Housing Initiative), early stakeholder engagement may increase support for a development on these sites. It would also allow City staff to identify stakeholder concerns, address these concerns in advance of a proposed development, outline the development process for stakeholders, and offer opportunities for stakeholders to provide input on what they would like to see in the area. Of note, each of these parcels require rezoning and would require public consultation prior to development.

It was further advised that this is a preliminary review of these potential parcels of land and staff will bring back considerations to Council on each

of the parcels of land outlined in the note. Staff will continue to search for potential land for affordable housing development.

Recommendation

Moved By Councillor Skinner

Seconded By Councillor Burton

That Council approve the following:

1. Publicly identifying the parcels of land that have been identified as potential sites for affordable housing developments in advance of planned developments on those sites;
2. Developing a public engagement plan to inform and engage residents, businesses, and other stakeholder groups in the areas surrounding the identified parcels of land; and
3. Seeking funding to complete work on these parcels in advance of planned projects (i.e. environmental assessment, geotechnical analysis, etc.)

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

10. Economic Development - Mayor Danny Breen

11. Tourism and Culture - Councillor Debbie Hanlon

11.1 Arts and Culture Advisory Committee Report - January 19, 2021

1. Poet Laureate Term Extension

Recommendation

Moved By Councillor Hanlon

Seconded By Councillor Burton

That Council extend Mary Dalton's term as Poet Laureate to include the calendar years 2021 and 2022, as referenced in the Poet Laureate Terms of Reference.

For (9): Mayor Breen, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (9 to 0)

12. Governance & Strategic Priorities - Mayor Danny Breen

12.1 Strategic Plan 2020 Annual Report and 2021 Action Plan

Council was presented with the 2020 Annual Report on the City's 10-year strategic plan, Our City Our Future. While the organization was challenged in 2020 by both severe winter weather and the COVID-19 pandemic, actions on strategic priorities continued. In total, 26 initiatives were completed in 2020; 17 initiatives are currently reporting "on track;" 5 are showing as "behind;" and 29 are listed as "overdue."

The annual report also includes details on the projects underway to improve organizational efficiency. Continuous improvement (CI) projects aim to improve turnaround times, achieve cost, or time savings and add value for City residents and businesses. Leslie White, Facilities Supervisor gave a brief overview of the Continuous Improvement project regarding aquatics scheduling for Facilities in the Recreation Division and Lisa Bennett, Tenant Relations Officer gave a brief overview of the Continuous Improvement project regarding streamlining tenant move in and move out processes within the housing department.

Staff is prioritizing overdue projects while introducing new projects to be implemented in 2021. A recommendation will go forward to Council at the Regular meeting.

13. Planning & Development - Councillor Maggie Burton

14. Transportation and Regulatory Services & Sustainability - Councillor Ian Froude

15. Other Business

16. Adjournment

There being no further business the meeting adjourned at 11:42 am.

Mayor