

ST. JOHN'S

Report of the Committee of the Whole - City Council Council Chambers, 4th Floor, City Hall

July 13, 2022, 9:30 a.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Maggie Burton
Councillor Ron Ellsworth
Councillor Sandy Hickman
Councillor Debbie Hanlon
Councillor Jill Bruce
Councillor Ophelia Ravencroft
Councillor Jamie Korab
Councillor Carl Ridgeley

Regrets: Councillor Ian Froude

Staff: Kevin Breen, City Manager
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Lynnann Winsor, Deputy City Manager of Public Works
Linda Bishop, Senior Legal Counsel & Acting City Solicitor
Karen Chafe, City Clerk
Ken O'Brien, Chief Municipal Planner
Susan Bonnell, Manager - Communications & Office Services
Christine Carter, Legislative Assistant

Others: Kelly Maguire, Communications & Public Relations Officer

1. **Regional Water Reserve Fund Purchase – Replacement Southlands Pump**

Councillor Sandy Hickman advised that this replacement pump will be funded through the Regional Water Reserve Fund, as the existing pump has failed and must be replaced.

Deputy Mayor O'Leary questioned the longevity of this type of equipment and was advised by the Deputy City Manager of Public Works, Lynnann Winsor, that

these types of pumps generally last between 20-25 years depending on how they are used.

Recommendation

Moved By Councillor Hickman

Seconded By Councillor Ellsworth

That Council approve access to funding from the Regional Water Equipment Replacement Reserve Fund to support the purchase of this equipment.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (10 to 0)

2. Provision of Recycling Carts or Nets

Councillor Sandy Hickman referred Council to the information prepared regarding the options to provide recycling carts or nets to residents and asked that the Deputy City Manager of Public Works present the options to Council for discussion.

Ms. Winsor noted that in May of 2022, Staff brought forward some options for Council to consider in order to assist residents with securing blue bags on collection days. These options generated further discussion amongst Council and requested that some further analysis be completed by staff that may incorporate a "hybrid approach" that involved a combination of the options presented.

The previous note discussed the benefits and challenges of using carts or nets for curbside collection of blue bag recycling. The previous note also presented the option of amending the Sanitation Regulations to mandate the use of carts or nets. This note does not incorporate any amendments and assumes that use of carts or nets for blue bags is voluntary participation. This analysis is focused on if Council were to approve a program that incorporated the use of carts or nets, how could it be delivered and what would be the effect for residents of the City.

Three options were identified by Council as potential methodologies to provide residents access to carts or nets for curbside collection of blue bag recycling:

1. Applying an annual fee to all households that receive curbside collection to support and maintain programs such as provision of recycling carts or nets;
2. Allowing households to purchase carts or nets through the City directly at a reduced cost if one were to purchase from a retailer;

3. Partnering with retail to provide households access to carts or nets at a reduced cost from the retailer directly (ie. Coupons).

The Deputy City Manager of Public Works reviewed the pros and cons for each of the options presented.

Ms. Winsor provided Council with another option to consider. As this year was the first year of the mandatory recycling / clear bag program there were a number of “new” recyclers in the City and many people were trying to figure out the logistics of recycling during the first few months. The City was also in another wave of COVID and there were many operational issues during this time which resulted in delayed pick up of both garbage and recycling. Now that residents have had time to get used to these changes and the pandemic is ending the City could monitor this program for another year and revisit the issue next year. During this time the City could also increase communications with residents regarding collections including the curb it app, website and enhanced messaging on windy days.

The Deputy City Manager reiterated that all of the options presented in this note would require communications support to implement.

After a great deal of discussion by members of Council, it was agreed to support the Staff's recommendation to utilize some of the current communications tools in place to help support curbside collection and to continue to monitor the situation to give the new recycling program a full year and then to re-evaluate. Going back to the use of nets or other coverings was not supported by members of Council.

It was also agreed that the downtown core would need to be monitored and that Councillor Ravencroft and Deputy Mayor O'Leary could work together to engage with residents in the downtown to get their feedback on any issues they are experiencing regarding garbage and recyclables collection. Some feedback received from residents of the downtown has included the lack of storage space for a garbage bin on some properties, and that there is not automated garbage collection.

The City's recycling program will continue to be closely monitored and Staff will bring an updated report to Council after the program has been in place for a full year.

Recommendation

Moved By Councillor Hickman

Seconded By Councillor Ellsworth

All of the “hybrid” approaches presented have significant drawbacks specifically in program controls.

Given the current budget situation, staff recommend utilizing some of the communication tools already in use by the city to support curbside collection. Additionally, households are becoming more used to recycling. Staff can monitor collection activities and assess whether these measures alone may reduce situations where blue bags move on windy days.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (10 to 0)

3. 188 New Pennywell Road, REZ2200005

Councillor Burton presented the Decision Note regarding the request for rezoning of the property at 188 Pennywell Road.

The City has received an application from Nidus Development Inc. to rezone property at 188 New Pennywell Road to accommodate a Townhouse Cluster development. The applicant is proposing four Townhouse Clusters/buildings that will contain between 10 to 13 dwelling units in each cluster, for a total of between 40 and 52 units.

The subject property is zoned Residential 1 (R1) where a Townhouse Cluster is not allowed. A rezoning to the Residential 2 Cluster (R2C) would be required to accommodate the proposed development.

It is recommended that Council consider the amendment and set the terms of reference for a Land Use Report. Once the report meets Council's terms of reference, it is recommended to refer the application to a public meeting chaired by an independent facilitator.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Ravencroft

That Council consider a rezoning from the Residential 1 (R1) Zone to the Residential 2 Cluster (R2C) Zone at 188 New Pennywell Road and approve the attached draft terms of reference for a Land Use Report (LUR).

Further, upon receiving a satisfactory Land Use Report, that Council refer the application to a public meeting chaired by an independent facilitator for public input and feedback.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (10 to 0)

4. 4 Merrymeeting Road, MPA2200003

Councillor Burton referenced the Decision Note to consider a rezoning to allow two Apartment Buildings at 4 Merrymeeting Road (Mount St. Francis Monastery property, designated Heritage Building).

The City has received an application from Brookfield Plains Inc. for two Apartment Buildings, with a total of twenty-two (22) dwelling units at 4 Merrymeeting Road. The applicant is proposing to renovate the Heritage Building to accommodate six residential units and build a second 4-storey Apartment Building on the property that will house sixteen dwelling units.

The applicant has indicated that they will be requesting a 10% variance on the building height of the new Apartment Building. This will be reviewed and confirmed in the LUR and advertised for public comments prior to Council's consideration.

Should Council decide to consider the amendment, public consultation will be held following acceptance of a satisfactory Heritage and Land Use Report. In addition, as part of the LUR terms of reference, the applicant will be required to consult the neighbouring residents and property owners prior to submitting the first LUR submission. This will allow the applicant to consider concerns from the neighbourhood and try to mitigate any issues through the site design.

Mayor Breen added that this is the first application from the sale of church properties, and it is very positive to see that these very important heritage buildings are maintained, improved, and repurposed. This is an interesting and exciting project.

Deputy Mayor O'Leary noted that it is very important that public engagement happen on these applications coming from church lands as it will be very important for residents to have their say.

Recommendation

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council consider a rezoning from the Institutional (INST) Zone to the Apartment 1 (A1) Zone at 4 Merrymeeting Road and approve the attached draft terms of reference for a Heritage and Land Use Report (LUR).

Further, upon receiving a satisfactory Heritage and Land Use Report, that Council refer the application to a public meeting chaired by an independent facilitator for public input and feedback.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (10 to 0)

5. Driveways in the Residential Reduced Lot (RRL) Zone

Councillor Burton spoke to the Decision Note included in today's agenda regarding Driveways in the Residential Reduced Lot (RRL) Zone, which asks for Council to consider a text amendment to the St. John's Development Regulations to revise the maximum driveway width in the Residential Reduced Lot (RRL) Zone. This was prompted by a previous application to rezone land at 670 Kenmount Road.

Staff have reviewed the text amendment request and propose the following wording:

Residential Reduced Lot (RRL) Zone

(3) Notwithstanding Section 7.6, Driveways, together with Hard Landscaping as measured at the property boundary abutting the Street, shall not exceed 3.6 metres in width unless otherwise allowed in a snow storage plan.

The Public Works Department wanted to ensure that lots in the RRL Zone have enough area in the front yard closest to the street to accommodate snow storage. This has been incorporated into the proposed new regulation. It will allow space for snow storage closest to the street, while also allowing some hard landscaping (pathways) closest to the dwelling. Staff are reviewing internal processes to ensure that, after initial occupancy is approved, requests for driveway expansions are not allowed on lots that cannot meet snow storage requirements.

Councillor Burton added that if the text amendment is approved that Council will advertise the text amendment for public comment.

Deputy Mayor O'Leary questioned whether this amendment would eliminate the previous issues encountered in the Kenmount Terrace area of parking on lawns and impact that issue in the future. The Deputy City Manager of Planning, Engineering and Regulatory Services, Jason Sinyard, advised that if the residential lot is able to have a double wide driveway, it should eliminate the instances of parking on lawns, and have a positive impact in that regard.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Ellsworth

That Council consider a text amendment to revise Section 3 of the Residential Reduced Lot (RRL) Zone to allow consideration of driveways wider than 3.6 metres, subject to a snow storage plan. Further, that Council advertise the text amendment for public comment.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (10 to 0)