

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

December 5, 2022, 3:00 p.m.

Present: Deputy Mayor Sheilagh O'Leary
Councillor Ron Ellsworth
Councillor Sandy Hickman
Councillor Jill Bruce
Councillor Ophelia Ravencroft
Councillor Jamie Korab
Councillor Ian Froude
Councillor Carl Ridgeley

Regrets: Mayor Danny Breen
Councillor Maggie Burton
Councillor Debbie Hanlon

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
Karen Chafe, City Clerk
Jennifer Squires, Legislative Assistant

Others: Bobby Fedder, Lawyer/Solicitor

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**

As Mayor Breen was absent, Deputy Mayor O'Leary acted as chair and called the meeting to order.

2. **PROCLAMATIONS/PRESENTATIONS**

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2022-12-05/547

Moved By Councillor Ravencroft

Seconded By Councillor Bruce

That the Agenda be adopted as presented.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - November 28, 2022**

SJMC-R-2022-12-05/548

Moved By Councillor Hickman

Seconded By Councillor Ellsworth

That the minutes of November 28, 2022, be accepted as presented.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

5.1 **Amendment to Paid Parking Regulations**

By-law amendment to Paid Parking Regulations to add a provision related to payment for use of electric vehicle charging stations on Saturdays, Sundays, or any other defined as a holiday within the meaning of the Shops Closing Act, RSNL 1990, C. S-15.

SJMC-R-2022-12-05/549

Moved By Councillor Bruce

Seconded By Councillor Ellsworth

That Council adopt the following By-Law amendment relating to Paid Parking Regulations to add a provision related to payment for use of electric vehicle charging stations on Saturdays, Sundays, or any other defined as a holiday within the meaning of the Shops Closing Act, RSNL 1990, C. S-15.

1. This By-Law may be cited as the St. John's Paid Parking Regulations (Amendment No. 1 – 2022).
2. Subsection 2(d) of the St. John's Paid Parking Regulations is repealed and the following is substituted:

 "2(d) "motor vehicle" shall have the same meaning as in the Highway Traffic Act, RSNL 1990, c. H-3, as amended and shall include electric vehicles."
3. Section 2 of the St. John's Paid Parking Regulations is amended by adding the following definitions and renumbering the subsections accordingly:

 (1) "electric vehicle" means a vehicle that is propelled by one or more electric motors, using electrical energy stored in rechargeable batteries, or another energy storage device, and is capable of being plugged into an electric vehicle charging station, including, but not limited to, plug-in battery electric cars, fuel cell battery electric vehicles, and plug-in hybrid vehicles.

(2)“electric vehicle charging station” means the vehicle charging equipment, inclusive of the electric vehicle charging station pillar, electronic/physical parts, head, and any other relevant equipment used for the purposes of charging electric vehicles.

(3)“electric vehicle parking area” means a street, portion of a street, parking lot, or parking facility that is for parking electric vehicles, and which is controlled and regulated by parking meter(s), pay by phone app, pay station(s), and/or electric vehicle charging stations;

(4)“electric vehicle parking space” means a single space that is for parking an electric vehicle, and which is controlled and regulated by parking meter, pay by phone app, pay station(s), and/or electric vehicle charging station(s).

4. Section 7 of the St. John’s Paid Parking Regulations is repealed.
5. Section 13 of the St. John’s Paid Parking Regulations is repealed and the following is substituted:
6. Notwithstanding the foregoing, payment for parking shall not be required on Saturday or Sunday or on any other day defined as a holiday within the meaning of the Shops' Closing Act, RSNL 1990, c. S-15, as amended; payment for parking does not include any payment required for the use of an electric vehicle charging station.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

5.2 Amendment to Ticketing Amendment By-Law

Amendment to Ticketing Amendment By-Law to add a provision related to the parking of vehicles that are not physically connected to electric vehicle charging stations in parking spaces designated for the charging of electric vehicles.

SJMC-R-2022-12-05/550

Moved By Councillor Bruce

Seconded By Councillor Ellsworth

That Council adopt the Ticketing Amendment By-Law to add the following provision related to the parking of vehicles that are not physically connected to electric vehicle charging stations in parking spaces designated for the charging of electric vehicles.

1. This By-Law may be cited as the St. John's Ticketing Amendment Bylaw (Amendment No. 1 – 2022).

2. The following is added as Section 14 of the St. John's Ticketing Amendment Bylaw:

14. (1) A person shall not park a vehicle so that the vehicle is parked in a space designated for the charging of electric vehicles unless that vehicle is physically connected to the electric charging station.

(2) Any person who violates or contravenes this section is guilty of an offence and is liable to a minimum fine of sixty dollars (\$60.00).

(3) An offence under this section may be prosecuted by means of a traffic ticket under the provisions of the Provincial Offences Act."

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

6. DEVELOPMENT APPLICATIONS

6.1 Extension of Non-Conforming Commercial Use in the Watershed - 758 Thorburn Road - DEV2200152

SJMC-R-2022-12-05/551

Moved By Councillor Korab

Seconded By Councillor Ravencroft

That Council reject the proposed application for an extension to a Commercial Garage (Non-conforming Use) at 758 Thorburn Road, as per the recommendation of the City Manager in accordance with Section 104(4)(d) City of St. John's Act.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

6.2 Request for Parking Relief – 55 Kiwanis Street – INT2200067

Councillor Ravencroft questioned the amount of parking required for the proposed clinic. The Deputy City Manager of Planning, Engineering, & Regulatory Services clarified that the parking was determined by the square footage of the business.

SJMC-R-2022-12-05/552

Moved By Councillor Korab

Seconded By Councillor Hickman

That Council approve parking relief for 6 parking spaces at 55 Kiwanis for a Clinic Use.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

6.3 Notices Published – 101 Pennywell Road – DEV2200151

SJMC-R-2022-12-05/553

Moved By Councillor Korab

Seconded By Councillor Ravencroft

That Council approve the application for a Home Occupation at 101 Pennywell Road for the inspection and virtual technical support for Electric Scooters, along with incidental retail sales.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

6.4 Notices Published – 174 Forest Road - DEV2200148

SJMC-R-2022-12-05/554

Moved By Councillor Korab

Seconded By Councillor Bruce

That Council approve the Discretionary Use application for a Home Occupation at 174 Forest Road to produce small batch chocolates.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

7. RATIFICATION OF EPOLLS

8. COMMITTEE REPORTS

9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

9.1 Development Permits List November 24 - 30, 2022

Council considered the Development Permits List for information.

10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

10.1 Week ending - December 1, 2022

Council considered the Building Permit List for information.

11. REQUISITIONS, PAYROLLS AND ACCOUNTS

11.1 Weekly Payment Vouchers for the Week Ending November 30, 2022

SJMC-R-2022-12-05/555

Moved By Councillor Ellsworth

Seconded By Councillor Hickman

That the weekly payment vouchers for the week ending November 30, 2022, in the amount of \$14,768,988.95 be approved as presented.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

12. TENDERS/RFPS

12.1 RFP 2022194 Engineering Services for Adding a Sixth Southlands Pump at the Ruby Line Pump Station

SJMC-R-2022-12-05/556

Moved By Councillor Hickman

Seconded By Councillor Bruce

That Council award this RFP to Stantec Consulting Ltd. in the amount of \$153,377.80 (HST included) based on the evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

12.2 2022221 - Supply & Delivery of Larue Parts

Deputy Mayor O'Leary asked for clarification on what the parts were. The Deputy City Manager of Public Works explained that Larue was a brand name for snow blowers used by the City and that the call would ensure that parts were available to fix snow blowers for the upcoming winter season.

SJMC-R-2022-12-05/557

Moved By Councillor Ellsworth

Seconded By Councillor Ravencroft

That Council approve for award this limited call to the sole source provider, Provall Parts Limited, for \$51,844.47 a year (HST not incl.) as per the Public Procurement Act.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

14. OTHER BUSINESS

14.1 Membership – St. John's Transportation Commission

SJMC-R-2022-12-05/558

Moved By Councillor Froude

Seconded By Councillor Ellsworth

That Council appoint James Greey and Debbie Ryan to replace Paul Walsh and Kirsten Morry and that Commissioners Lynn Zurel and Tolulope Akerele be renewed for a second two-year term as well as to confirm Councillor Maggie Burton for a second term.

Further, that Commissioner Lynn Zurel be appointed as Chairperson during her second two-year term.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

14.2 Support for Municipalities Newfoundland and Labrador 2023 Annual Conference – St. John's – October 25-28, 2023 – St. John's Convention Centre

SJMC-R-2022-12-05/559

Moved By Councillor Ellsworth

Seconded By Councillor Ridgeley

That Council support the 73rd Municipalities Newfoundland and Labrador Annual Conference and Trade Show through the sponsorship of a luncheon during the event as requested.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

14.3 SERC – Film Shoot Road Closure 6

SJMC-R-2022-12-05/560

Moved By Councillor Bruce

Seconded By Councillor Ravencroft

That Council approve the requested road closures associated with the filming of the television series SurrealEstate.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

14.4 SERC – New Year's Eve Events

SJMC-R-2022-12-05/561

Moved By Councillor Ravencroft

Seconded By Councillor Ellsworth

That Council approve the road closures associated with the City of St. John's New Year's Eve Fireworks, and road closure and noise by-law extension associated with the George Street Association New Year's Eve Event.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

14.5 Built Heritage Experts Panel – Selection of Chair

SJMC-R-2022-12-05/562

Moved By Councillor Froude

Seconded By Councillor Bruce

That Council approve of the appointment of John Hancock as Chair of the Built Heritage Experts Panel.

For (8): Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (8 to 0)

15. ACTION ITEMS RAISED BY COUNCIL

16. ADJOURNMENT

There being no further business, the meeting adjourned at 3:30 p.m.

MAYOR

CITY CLERK

