

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

November 16, 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 Ian Froude

Regrets: Councillor Carl Ridgeley

Staff: 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
Ken O'Brien, Chief Municipal Planner
Karen Chafe, City Clerk
Kelly Dyer, Communications & PR Officer
Jennifer Squires, Legislative Assistant

Others Ron Fougere, Fougere Menchenton Architecture
Bunty Sambhi, Fougere Menchenton Architecture
Randy Carew, Manager, Regulatory Services
Amer Afridi, Manager, Transportation Engineering
Bobby Fedder, Solicitor/Lawyer

1. **Call to Order**

2. **Approval of the Agenda**

Recommendation

Moved By Councillor Ellsworth

Seconded By Councillor Bruce

That the agenda be adopted as presented.

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

MOTION CARRIED (10 to 0)

3. **Adoption of the Minutes**

3.1 **Adoption of Minutes - October 19, 2022**

Recommendation

Moved By Deputy Mayor O'Leary

Seconded By Councillor Froude

That the minutes of October 19, 2022, be adopted as presented.

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

MOTION CARRIED (10 to 0)

4. **Presentations/Delegations**

4.1 **Ron Fougere, Fougere Menchenton Architecture Inc.**

to present on 180 Military Road (Item 13.1)

Ron Fougere and Bunty Sambhi of Fougere Menchenton Architecture Inc. were in attendance to discuss their application for renovations at 180 Military Road, a designated heritage building. The project entails a

massive restoration to the entire complex, with a focus on protecting the 170-year-old Motherhouse and creating a residential living space for the Presentation Sisters. The Sisters would like the space to eventually become part of a legacy project and as such sustainability and affordability are of great concern. In order to achieve sustainability, the applicant is recommending that the building be insulated from the outside and covered in metal siding. The Built Heritage Experts Panel (BHEP) has recommended that the proposed metal siding for the rear extension of the building be rejected as it does not adhere to the Heritage Design Standards of the Heritage By-Law. The applicant argues that the building in question was built in the 1960s and is covered in poured concrete and as such the proposed metal siding would be a suitable material. The metal siding fits the budget of the project and will increase the energy efficiency and sustainability of the building. Dedesignation of the extension has been proposed to permit the use of the siding but is not recommended by Staff or the BHEP.

Councillor Ravencroft advised that she would be abstaining on the issue due to a conflict of interest. Councillor Korab asked for clarification on the necessity of insulating the building from the outside and asked if Staff and the BHEP had received a copy of a specialist's report on the insulation of the extension. The applicant agreed with the specialist report that the extension must be heated from the exterior and metal siding was the best option available. The report had recently been sent to Staff for review. Councillor Froude asked what additional materials had been considered beyond the proposed metal siding to insulate the exterior of the building, and by what percentage efficiency would increase should insulation occur. The applicant advised six cladding options were considered and that due to the climate of the area, many materials, such as ceramic and porcelain, would be inappropriate. Once the renovations are complete, the facility is expected to operate 25% better than the national energy model.

Councillor Burton asked for additional explanation as to why the building could not be insulated from the inside. Should interior insulation be installed, it would require a realignment of the windows with the insulation line to mitigate the risk of moisture and mold. Additional changes to the heating and ventilation systems would also be required.

The delegation then retired from the meeting.

5. **Finance & Administration - Councillor Ron Ellsworth**
6. **Public Works - Councillor Sandy Hickman**

6.1 Regional Water Reserve Fund Purchase – Replacement Southlands Pump at the Ruby Line Pump Station

Recommendation

Moved By Councillor Ellsworth

Seconded By Deputy Mayor O'Leary

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 Froude

MOTION CARRIED (10 to 0)

7. **Community Services - Deputy Mayor Sheilagh O'Leary**

8. **Special Events - Councillor Debbie Hanlon**

9. **Housing - Councillor Ophelia Ravencroft**

10. **Economic Development, Tourism & Immigration - Mayor Danny Breen**

11. **Arts & Culture - Deputy Mayor Sheilagh O'Leary**

12. **Governance & Strategic Priorities - Mayor Danny Breen**

13. **Planning - Councillor Ian Froude**

13.1 Built Heritage Experts Panel Report of November 2, 2022 - Councillor Maggie Burton

1. **180 Military Road, Designated Heritage Building Renovations, REN2200495**

Councillor Burton asked that the application be referred back to the Built Heritage Experts Panel to permit members to consider the specialist's report recommending the use of metal siding. While Members of Council did agree with Councillor Burton's suggestion, it was questioned if the BHEP would be in a position to change their recommendation, as metal siding would be in contravention of the Heritage Design Standards. The Chief Municipal Planner advised that the BHEP would continue to recommend against the use of

metal siding on designated heritage buildings. The dedesignation of the extension would be an alternative way of dealing with the application. The Mayor noted the difficulty in balancing the importance of protecting buildings and maintaining a degree of flexibility when it comes to applications to ensure their preservation and sustainability moving forward. The Chief Municipal Planner advised that when requests for the removal of designations arise, the buildings are usually on the road to demolition. In this case the dedesignation would make the building more suitable for long term use.

Councillor Burton then made a motion to remove the municipal heritage designation of the extension of building. Deputy Mayor O'Leary, while supportive of the affordable housing component of the project, stated her discomfort with the use of metal siding. She requested that going forward similar applications be discussed by both the BHEP and the Environment & Sustainability Experts Panel (ESEP) so that Council is properly informed on best practices when it comes to sustainability. The Mayor recommended that Planning Staff request input from the ESEP as required. Councillor Froude noted his concern that the BHEP had not been provided an opportunity to review and digest the specialist's report on the application and stated that he would not support dedesignation at this time. Councillor Ellsworth remarked that some heritage properties are not constructed of materials that are conducive to energy efficiency and long-term preservation, and the City must make difficult decisions to balance the preservation of heritage properties while supporting affordable housing and the needs to the community.

The Chief Municipal Planner informed Council that if it was decided that removal of the designation would be considered, then Legal and Planning Staff would create a Notice of Motion concerning the amendment to the Heritage By-Law followed by a public consultation process. Councillor Burton added that the decision to dedesignate the property would not be made overnight and that there would be several opportunities for public feedback and discussion by Council on the application.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Ellsworth

That Council approve the removal of the municipal heritage designation from the rear extension of the building.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, and Councillor Korab

Against (1): Councillor Froude

Abstain (1): Councillor Ravencroft

MOTION CARRIED (8 to 1)

14. Development - Councillor Jamie Korab

15. Transportation and Regulatory Services - Councillor Maggie Burton

15.1 Ticketing Amendment By-Law Amendment

Legal Staff informed Council on the proposed amendments to the Ticketing and Paid Parking Regulations By-Laws concerning Electric Vehicles (EVs). Revisions have been made to the amendments since they originally came to Council and Staff are looking for feedback. Councillor Froude noted that it seemed as though the indicator for charging would be that the vehicle is plugged in and not if it is actively charging. Staff explained that vehicles would not be ticketed if physically connected to the charging station. It would be difficult and invasive for Parking Enforcement Staff to determine if a vehicle was charging and as such the language has been changed to "physically connected". The length of time a vehicle may be parked at a charger would be limited by the parking regulations of the area. The areas generally have two- or three-hour limit, and the same limit would apply to EVs. There will be adequate signage to reflect this information. Councillor Ellsworth felt that overparking would remain an issue at charging stations and acknowledged that this would remain an issue until those providing the stations can indicate when a vehicle is fully charged.

The City Solicitor advised that the amendments would return to Council and be voted upon at an upcoming Regular Meeting.

15.2 Paid Parking Regulations Amendment

15.3 Canada Drive Active Transportation and Safety Improvements

Councillor Burton voiced her concern that the City's Sustainable and Active Mobility Advisory Committee (SAMAC) had not been consulted on the recommendation for active transportation and safety improvements on Canada Drive. She further stated that the Decision Note was thin and lacking in rationale as to who informed the recommendation of a Shared Use Path (SUP) on the South Side of Canada Drive. She made a motion to have the issue referred to the upcoming SAMAC meeting on December 1, 2022, prior to Council making a final decision on the matter. Councillor Froude requested that additional rationale on the recommendation be provided when the Decision Note returns to Council. Councillor Korab asked if the referral to SAMAC would cause delay in construction or funding for the project. Staff advised that as the Decision Note was related to the design of the project, there would be no delay in the process. It was further noted that the proposal may change as design gets underway. Councillor Hickman requested additional detail on the difference between SUPs and Bike Lanes, as well as the applicable cross-sections, be provided when the Note returns to Council. He further asked if there was a snow clearing plan for the project. The South Side is priority 2 and the North Side is priority 4. This was taken into consideration when recommending the South Side for the SUP.

Recommendation

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That the recommendation be referred to the Sustainable and Active Mobility Advisory Committee for consideration.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Korab, and Councillor Froude

MOTION CARRIED (9 to 0)

15.4 Fee Structure for New One and Two Family Dwelling Construction

Councillor Froude asked if the fee structure would apply only to single detached homes and duplexes. The Manager of Regulatory Services responded that the structure would apply to only one- or two-family dwellings, which account for 10% of all applications. It was then asked if the current structure where the fees change after the first \$100,000 of a

project would still apply. These fees have been eliminated from one- and two-family dwellings but would still apply to other residential developments, renovations, and commercial projects. Councillor Froude requested that examples comparing the two fee structures be provided when the Decision Note comes to the Regular Meeting.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Froude

That Council adjust the current calculation scheme for all new one and two family dwelling constructions as proposed with an implementation date of January 1, 2023

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Korab, and Councillor Froude

MOTION CARRIED (9 to 0)

16. **Sustainability - Councillor Maggie Burton & Councillor Ian Froude**

17. **Other Business**

18. **Adjournment**

There being no further business the meeting adjourned at 10:50 a.m.

Mayor