

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

January 13, 2020, 4:30 p.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Maggie Burton
Councillor Dave Lane
Councillor Sandy Hickman
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Hope Jamieson
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins

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
Cheryl Mullett, City Solicitor
Ken O'Brien, Chief Municipal Planner
Elaine Henley, City Clerk
Shanna Fitzgerald, Legislative Assistant

Others: Brian Head, Manager of Parks & Open Spaces - Public Works

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 **Adoption of Agenda**

SJMC-R-2020-01-13/1

Moved By Councillor Collins

Seconded By Councillor Hanlon

That the Agenda be adopted as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Minutes - December 16, 2019**

SJMC-R-2020-01-13/2

Moved By Councillor Jamieson

Seconded By Councillor Stapleton

That the minutes of the Regular Meeting held December 16, 2019 be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

6. **NOTICES PUBLISHED**

- 6.1 **Notices Published January 6, 2020**

1. **21 Adams Avenue - Institutional (INST) Zone - Ward 2**

An application has been submitted requesting permission to allow Office Use at 21 Adams Avenue.

The existing building is in the Institutional (INST) Zone where Office Use is Discretionary. The proposed business is a non-profit community-based organization that employs approximately 33 employees and will occupy a floor area of approximately 723 square meters. Hours of operation will be Monday to Friday 8 a.m. - 5 p.m. with on-site parking.

No submissions received

SJMC-R-2020-01-13/3

Moved By Councillor Jamieson

Seconded By Deputy Mayor O'Leary

That the application submitted requesting permission to allow Office Use at 21 Adams Avenue be approved subject to all applicable City requirements.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

2. 48 Kenmount Road - Commercial Regional (CR) Zone - Ward 4

A Discretionary Use application has been submitted by Cineplex Entertaining LP. requesting permission to operate a Lounge at 48 Kenmount Road.

The Lounge will take place in the existing cinema area and will operate as per the regularly scheduled movie times (starting 11:30 a.m. on weekdays, 10:30 a.m. on weekends ending 15 minutes after the last posted movie of the day). The sale and consumption of alcohol will strictly follow all Provincial laws and regulations.

2 submissions received

SJMC-R-2020-01-13/4

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That this matter be deferred to a future meeting of Council.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Froude, and Councillor Collins

Against (2): Councillor Hickman, and Councillor Korab

MOTION CARRIED (9 to 2)

3. 63 O'Leary Avenue - Commercial Industrial (CI) Zone - Ward 4

A Discretionary Use application has been submitted by Rogers Communication Inc. requesting to construct a telecommunications tower located at 63 O'Leary Avenue.

In accordance with the obligations under the Radio Communication Act and Industry Canada's Tower Siting Procedure CPC-2-0-03, the City of St. John's hereby notifies property owners in the vicinity of 63 O'Leary Avenue of Rogers intention to construct a telecommunications tower system consisting of:

- A 40-meter self-supporting telecommunication tower (including antennas and a lightning rod.
- A tower base measuring 6 meters on either side.
- An equipment shelter located at the base of the proposed tower surrounded by a security fence with a locked gate access point.
- Installation of 6 LTE (4G) antennas measuring approximately 2.09 m x 50 cm x 20.6 cm and 18 radio units measuring approximately 35 cm x 42 cm x 20 cm as close as possible to the top of the proposed tower.

No submissions received.

SJMC-R-2020-01-13/5

Moved By Councillor Froude

Seconded By Councillor Hanlon

That the application submitted by Rogers Communication Inc. requesting to construct a telecommunications tower located at 63 O'Leary Avenue be approved subject to all applicable City requirements.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

6.2 Notices Published January 13, 2020

1. 61 Radio Range Road - Commercial Neighbourhood (CN) Zone - Ward 1

An application for an Extension to a Non-Conforming Use has been submitted to the City requesting permission to add an extension to the dwelling at 61 Radio Range Road.

The existing dwelling has a total floor area of 100.9 m². The extension will first involve the removal of 8m² of floor area, then an addition of 17.8m² will be added for an overall extension of 9.9m². The proposed dwelling would then have a total floor area of 110.8m².

1 submission received.

SJMC-R-2020-01-13/6

Moved By Councillor Stapleton

Seconded By Councillor Collins

That the application submitted to the City requesting permission to add an extension to the dwelling at 61 Radio Range Road be approved subject to all applicable City requirements.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

7. COMMITTEE REPORTS

7.1 Development Committee Report - December 17, 2019

1. Request for Building Line Setback - DEV 1900230 - 18 Long Pond Road

SJMC-R-2020-01-13/7

Moved By Councillor Burton

Seconded By Councillor Hickman

That Council approve the 20.58 metre Building Line setback for 18 Long Pond Road.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

2. Crown Land Lease - CRW1900021 - 2540 Trans-Canada Highway

SJMC-R-2020-01-13/8

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council approve the Crown Land Lease at 2540 Trans-Canada Highway.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

7.2 Development Committee Report - January 7, 2020

1. Request for Parking Relief and to Set the Parking for Proposed Service Shop - INT1900122 - 10-12 Pippy Place

SJMC-R-2020-01-13/9

Moved By Councillor Burton

Seconded By Councillor Hanlon

That Council approve the parking relief for the 3 required spaces and set the parking requirement for the shoe repair business at 5 spaces. Future occupancies of the vacant suites must also submit for review and request of parking relief.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

7.3 Committee of the Whole Report - December 11, 2019

1. Decision Note dated December 3, 2019 re: Cash Handling and Petty Cash Policy

SJMC-R-2020-01-13/10**Moved By** Councillor Lane**Seconded By** Councillor Korab

That Council approve the Cash Handling and Petty Cash Policy and rescind the current related policy (04-11-02 Acceptable Forms of Payment).

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**2. Decision Note dated December 4, 2019 re: Procurement Policy****SJMC-R-2020-01-13/11****Moved By** Councillor Lane**Seconded By** Councillor Hanlon

That Council approve the Procurement Policy and rescind the current related policy (04-06-01 Purchasing Policies and Procedures Manual).

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**3. Decision Note dated December 3, 2019 re: Sponsorship Policy**

Attached draft policy has been updated based on discussion in Committee of the Whole on December 11, 2019

SJMC-R-2020-01-13/12**Moved By** Councillor Lane**Seconded By** Councillor Hickman

That the Council approve the Sponsorship Policy and rescind the current related policy (05-01-14 Promotion of Charitable Causes and Commercial Products/Services on City Property) as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Collins

Against (2): Councillor Burton, and Councillor Froude

MOTION CARRIED (9 to 2)

4. **Decision Note dated December 4, 2019 re: Fraud Policy**

SJMC-R-2020-01-13/13

Moved By Councillor Lane

Seconded By Councillor Burton

That Council approve the Fraud Policy as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

5. **Decision Note dated December 4, 2019 re: Respectful Workplace Policy**

Attached draft policy has been updated based on discussion in Committee of the Whole on December 11, 2019

SJMC-R-2020-01-13/14

Moved By Councillor Lane

Seconded By Deputy Mayor O'Leary

That the draft Respectful Workplace Policy be approved as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

6. **Decision Note dated December 2, 2019 re: Bowring Park Bridge Replacement Alternative**

SJMC-R-2020-01-13/15

Moved By Councillor Froude

Seconded By Councillor Korab

That the following be undertaken with respect to Bowring Park Bridge:

- The decommissioned Whale's Back Bridge be removed.
- The Whale's Back Bridge be replaced with two (2) observation decks.
- The observation deck project, at a cost of \$43,000 be referred to the 2020 Capital Works program, for consideration by Council.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

7. Decision Note dated December 3, 2019 re: Application to Amend Land Use within the Planned Mixed Development 1 (PMD1) Zone for development of Townhouses/Semi-Detached Dwellings in the Galway Residential Area; REZ 1800020; 725 Southlands Boulevard

SJMC-R-2020-01-13/16

Moved By Councillor Burton

Seconded By Councillor Collins

That Council consider the proposed change in land use from Single Unit Dwellings to Townhouses and Semi-Detached Dwellings along Donegal Run within the Planned Mixed Development 1 (PMD-1) Zone. It is further agreed that the application be advertised for public review and comment. Following advertisement, the proposed amendment would be referred to a Regular Meeting of Council for consideration of adoption.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

8.1 Development Permits List for the period December 12, 2019 to January 1, 2020

Council considered for information the above noted Development Permits List.

9. BUILDING PERMITS LIST**9.1 Building Permits List for period December 12 - December 31, 2019****SJMC-R-2020-01-13/17****Moved By** Councillor Jamieson**Seconded By** Councillor Froude

That Council approve the Building Permits List for the period December 12, 2019 - December 31, 2019.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**9.2 Building Permits List for period January 2 - January 8, 2020****SJMC-R-2020-01-13/18****Moved By** Councillor Hickman**Seconded By** Councillor Lane

That Council approve the Building Permits List for the period January 2 - January 8, 2020.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**10. REQUISITIONS, PAYROLLS AND ACCOUNTS****10.1 Weekly Payment Vouchers - Week Ending December 18, 2019****SJMC-R-2020-01-13/19****Moved By** Councillor Froude**Seconded By** Councillor Jamieson

That Council approve the Weekly Payment Vouchers for the week ending December 18, 2019 in the amount of \$2,412,885.96.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

10.2 Weekly Payment Vouchers - Week Ending December 31, 2019

SJMC-R-2020-01-13/20

Moved By Councillor Stapleton

Seconded By Deputy Mayor O'Leary

That Council approve the Weekly Payment Vouchers for the week ending December 31, 2019 in the amount of \$6,233,008.55.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

10.3 Weekly Payment Vouchers - Week Ending January 8, 2020

SJMC-R-2020-01-13/21

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That Council approve the Weekly Payment Vouchers for the week ending January 8, 2020 in the amount of \$6,064,806.13.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

11. TENDERS/RFPS

11.1 E-Poll re: Snow Clearing and Ice Control Churchill Square

SJMC-R-2020-01-13/22

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council ratify the results of the e-poll of December 18, 2019 awarding Bid Approval Note 2019260 for Snow Clearing and Ice Control Churchill Square to JAT Excavating Inc., as per the Public Procurement Act in the amount of \$114,000 HST not included.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

11.2 Request for Proposals - 2019246 - Wide Area Network Connection Services

SJMC-R-2020-01-13/23

Moved By Councillor Froude

Seconded By Councillor Lane

That Council approve RFP 2019246 for WAN Connection Services to Roger's Communications in the amount of \$107,900 based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

11.3 Bid Approval Note - 2019248 - Supply and Delivery of Annual Flowers

SJMC-R-2020-01-13/24

Moved By Councillor Froude

Seconded By Councillor Collins

That Council approve Bid Approval Note 2019248 for the Supply and Delivery of Annual Flowers to Stanley Flowers Ltd, in the amount of \$68,710.20 (HST included), the lowest bidder meeting specifications as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

13. OTHER BUSINESS

13.1 E-Poll re: Mobile Vending on the Parking Lot of Holy Heart High School

SJMC-R-2020-01-13/25

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council ratify the approval of mobile vending on the parking lot of Holy Heart High School for a Christmas tree chipping event on January 5, 2020 from 10 am to 2 pm

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

13.2 Travel Authorization – Hospitality NL Conference & Trade Show – Councillor Hanlon

SJMC-R-2020-01-13/26

Moved By Councillor Jamieson

Seconded By Councillor Stapleton

That Council approve costs associated with Councillor Hanlon's travel at the HNL Conference and Trade Show being held in Corner Brook from February 25-27, 2020.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

13.3 Travel Authorization – Councillor Hanlon – Seatrade Conference – Miami, Florida

SJMC-R-2020-01-13/27

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That Council approve costs associated with Councillor Hanlon's travel to the Seatrade Cruise Global Conference to be held in Miami Beach, Florida from April 21-23, 2020.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

14. ADJOURNMENT

There being no further business, the meeting adjourned at 5:17 pm.

MAYOR

CITY CLERK