

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

February 24, 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 Wally Collins

Regrets:

- Councillor Ian Froude

Staff:

- Kevin Breen, City Manager
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Lynnnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, Legislative Assistant

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-2020-02-24/73

Moved By Councillor Jamieson

Seconded By Councillor Hanlon

That the Agenda be adopted as presented.

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

MOTION CARRIED (10 to 0)

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Regular Minutes - February 17, 2020**

SJMC-R-2020-02-24/74

Moved By Councillor Collins

Seconded By Councillor Stapleton

That the minutes of February 17, 2020 be adopted as presented.

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

MOTION CARRIED (10 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

- 5.1 **Permit Fee Amendments to Residential Parking Area By-Law**

Councillor Hickman brought forward a motion to amend the St. John's Residential Parking Area By-Law to address outdated provisions relating to fees for residential parking permits.

SJMC-R-2020-02-24/75**Moved By** Councillor Hickman**Seconded By** Councillor Hanlon

That Council adopt the attached Residential Parking Area (Amendment No. 1-, 2020) By-Law so as to remove the outdated fees and substitute a general fee provision instead.

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

MOTION CARRIED (10 to 0)

6. NOTICES PUBLISHED**6.1 83 Duckworth St. - Commercial Central Mixed (CCM) Zone - Ward 2**Application

A Discretionary Use application has been submitted by Brewdock Bar & Eatery for a Lounge and Eating Establishment with an outdoor Lounge and Eating Establishment at 83 Duckworth Street.

Description

The hours of operation for the indoor area will be noon to midnight daily (12 p.m. to 12 a.m.) and noon (12 p.m.) to 11 p.m. for the outdoor area. As well, speakers and lighting will be situated in the Outdoor Area.

19 Submissions Received

Councillor Jamieson moved a motion that the application submitted by Brewdock Bar & Eatery for a Lounge and Eating Establishment with an outdoor Lounge and Eating Establishment at 83 Duckworth Street be referred to a public meeting. Following discussion Councillor Jamieson withdrew this motion in favor of the following motion.

SJMC-R-2020-02-24/76**Moved By** Councillor Jamieson**Seconded By** Councillor Burton

That this application be deferred to allow for the Ward Councillor to meet with residents and the proponent.

For (7): Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Stapleton, Councillor Jamieson, and Councillor Collins

Against (3): Mayor Breen, Councillor Hanlon, and Councillor Korab

MOTION CARRIED (7 to 3)

6.2 201-203 Blackmarsh Rd. - Commercial Neighbourhood (CN) Zone - Ward 3

Application

A Discretionary Use application has been submitted by Big R II Restaurant for a Lounge at 201-203 Blackmarsh Road.

Description

The proposed Lounge will have a floor area of 30m² and will be maintained within the existing building. Hours of operation will be 12 p.m. – 12 a.m. daily.

2 Submissions Received

SJMC-R-2020-02-24/77

Moved By Councillor Korab

Seconded By Deputy Mayor O'Leary

That Council approve the application submitted by Big R II Restaurant for a Lounge at 201-203 Blackmarsh Road subject to all applicable City requirements.

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

MOTION CARRIED (10 to 0)

6.3 109 Winslow St. - Residential Low Density (R1) Zone - Ward 3

Application

A Discretionary Use application has been submitted for a Home Occupation for Yana Wellness at 109 Winslow Street.

Description

The business is a holistic healing program for mental health and addictions using such practices as Emotional Freedom Technique (EFT) Tapping, Reiki, Cognitive Based Therapy and Dialectical Based Therapy. Clients will be seen from 12 - 4 p.m. daily with 1 client per session and 15-

30 minutes between sessions. The applicant will be the sole employee.
On-site parking is not provided.

8 Submissions Received

SJMC-R-2020-02-24/78

Moved By Councillor Korab

Seconded By Councillor Hanlon

That Council defer the application subject to applicant providing additional information.

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

MOTION CARRIED (10 to 0)

6.4 91 Shoal Bay Rd. - Rural Residential Infill/Rural (RRI/R) Zone - Ward 4

Application

A Discretionary Use application has been submitted by P & R Holdings Incorporated requesting permission to construct a building at the rear of 91 Shoal Bay Road for Heavy Equipment Storage.

Description

The proposed building will be 223m² and will store paving equipment such as dump trucks, loaders, pavers etc.

3 Submissions Received

SJMC-R-2020-02-24/79

Moved By Councillor Collins

Seconded By Councillor Hickman

That Council approve the application submitted by P & R Holdings Incorporated requesting permission to construct a building at the rear of 91 Shoal Bay Road for Heavy Equipment Storage subject to all applicable City requirements.

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

MOTION CARRIED (10 to 0)

7. COMMITTEE REPORTS**7.1 Committee of the Whole Report - February 12, 2020****1. Approval of a Professional Development Allowance for Members of Council****SJMC-R-2020-02-24/80****Moved By** Councillor Lane**Seconded By** Councillor Hanlon

That Council approve a professional development allowance of \$1,000 per Councillor per year and an associated policy be developed to guide the fund and provide clarity on usage.

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

MOTION CARRIED (10 to 0)

2. Riverhead Capital Reserve Fund Expense - Procurement of Replacement Deep Well Bar Screen**SJMC-R-2020-02-24/81****Moved By** Councillor Lane**Seconded By** Councillor Hanlon

That as the deep well bar screen is essential for reliable and continuous operation of the Riverhead Wastewater Treatment Facility, funding be made available through the Capital Reserve Fund for purchase of this equipment. The total estimated cost to supply and deliver a new deep well bar screen is \$233,000.00 USD (Taxes Extra).

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

MOTION CARRIED (10 to 0)

3. Windsor Lake Water Treatment Plant Capital Reserve Fund - Replacement of High Zone Pumping Station Emergency Diesel Generator

SJMC-R-2020-02-24/82**Moved By** Councillor Lane**Seconded By** Councillor Stapleton

That as the High Zone Pumping Station emergency diesel generator is an essential piece of equipment which is necessary to provide redundancy of power availability for the continuous supply of treated water to the Airport Heights service area, funding be made available through the Capital Reserve Fund to support the purchase and installation of this equipment. The total estimated cost to replace this equipment, including engineering design and installation, is \$500,000.00 + HST.

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

MOTION CARRIED (10 to 0)**4. Water Street Heated Sidewalks (Snow Melt System) Study****SJMC-R-2020-02-24/83****Moved By** Councillor Hickman**Seconded By** Councillor Hanlon

That Council not install heated sidewalks in Water Street given the additional capital and operating costs, the required changes to other snow clearing on the adjacent street, and the uncertainty of success.

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

MOTION CARRIED (10 to 0)**5. Affordable Housing Catalyst Grant Allocations 2020****SJMC-R-2020-02-24/84****Moved By** Deputy Mayor O'Leary**Seconded By** Councillor Jamieson

That Council accept the recommended 2020 Housing Catalyst Grant allocations as presented.

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

MOTION CARRIED (10 to 0)

6. Text Amendment to Enable Heritage Use as a Discretionary Use in the Institutional (INST) and Institutional Downtown (INST-D) Zones - REZ1900014 - 42 Bannerman Street

SJMC-R-2020-02-24/85

Moved By Councillor Burton

Seconded By Councillor Hickman

That Council consider the application for a text amendment to the Development Regulations to enable Heritage Use as a Discretionary Use. Further, that the Text Amendment and Discretionary Use be advertised for public review and comment, following which time, the application will be referred to a regular meeting of Council for consideration of adoption.

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

MOTION CARRIED (10 to 0)

7. Text Amendment to allow a Residential Accessory Dwelling Unit within a Floatplane Hanger in the Rural Zone - REZ1900017 - 360 Paddy's Pond Road

SJMC-R-2020-02-24/86

Moved By Councillor Burton

Seconded By Councillor Collins

That Council refuse the application for a text amendment to allow a Residential Accessory Dwelling Unit within a Floatplane Hanger in the Rural Zone at 360 Paddy's Pond Road. The proposal does not meet the intent of the Crown Land Grant requirements, as well, the City does not allow Floatplane Hangers to be used for residential occupancy and the Lot does not have frontage on a Public Street.

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

MOTION CARRIED (10 to 0)

7.2 Special Events Advisory Committee Report - February 19, 2020

1. Maroni - Film Shoot - March 2, 2020

SJMC-R-2020-02-24/87

Moved By Councillor Jamieson

Seconded By Councillor Korab

That Council approve the required road closure of Sea Rose Avenue for the Maroni Film Shoot on March 2, 2020 subject to the conditions set out by the Special Events Advisory Committee.

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

MOTION CARRIED (10 to 0)

2. Churchill Park Music Festival - September 4 - 6, 2020

Mighty Quinton Concerts is proposing to hold an outdoor music concert at Churchill Park. Council has previously approved (CD#R2019-08/05/20) the following dates be held for the 2-day concert event: Friday/Saturday August 21/22 and 28/29, 2020

SJMC-R-2020-02-24/88

Moved By Councillor Jamieson

Seconded By Councillor Hanlon

That further to CD#R2019-08/05/20, Council approve Mighty Quinton Concerts additional requests subject to the conditions set out by the Special Events Advisory Committee:

Additional Request #1

Approval for a hold to be placed on the following dates:
Friday/Saturday/Sunday September 4 to 6, 2020

It is important to note that of the 3 September dates requested, only 2 will be utilized for the event (either Friday/Saturday or Saturday/Sunday). Once given approval Mr. Quinton will look to secure acts and determine the exact 2020 date.

Additional Request #2

Mighty Quinton Concerts is requesting approval to hold a 2-day concert event on 2 of the weekend dates noted above. This would result in 4 days of music over 2 weekends. Previous approval was provided for a 2-day, one weekend concert event.

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

MOTION CARRIED (10 to 0)

7.3 Development Committee Report - February 18, 2020

1. Crown Land Grant for Extension of Private Property - 144 Donovan's Road - CRW2000001

SJMC-R-2020-02-24/89

Moved By Councillor Burton

Seconded By Councillor Collins

That Council approve the Crown Land Grant at 144 Donovan's Road, the purpose of which is extension of private property.

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

MOTION CARRIED (10 to 0)

2. Crown Land License for Boathouse and Wharf - Barrow's Road - CRW2000003

SJMC-R-2020-02-24/90

Moved By Councillor Burton

Seconded By Councillor Jamieson

That Council approve the Crown Land License on Barrow's Road to occupy a Boathouse and Wharf.

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

MOTION CARRIED (10 to 0)

3. Crown Land License for Newfoundland Power Easement - Trans-Canada Highway - CRW2000005

SJMC-R-2020-02-24/91

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council approve the Crown Land License on the Trans-Canada Highway, the purpose of which is an easement.

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

MOTION CARRIED (10 to 0)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

8.1 Development Permits List for the week of February 13-19, 2020

9. BUILDING PERMITS LIST

9.1 Building Permits List for the period February 13-19, 2020

SJMC-R-2020-02-24/92

Moved By Councillor Korab

Seconded By Councillor Hickman

That the Building Permits List for the period February 13 - 19, 2020 be approved as presented.

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

MOTION CARRIED (10 to 0)

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for the Week Ending February 19, 2020**SJMC-R-2020-02-24/93****Moved By** Deputy Mayor O'Leary**Seconded By** Councillor Jamieson

That Council approve the Weekly Payment Vouchers for the week ending February 19, 2020 in the amount of \$8,904,252.57.

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

MOTION CARRIED (10 to 0)**11. TENDERS/RFPS****11.1 Request for Proposals (RFP) 2020012 - Engineering Design, Consulting and Field Inspection Services****SJMC-R-2020-02-24/94****Moved By** Councillor Lane**Seconded By** Councillor Stapleton

That Council award this RFP to Tract Consulting Inc. in the amount of \$215,000.00 based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)**11.2 Council Approval Request - Snow Blowback Operations - Clovelly Trails - E-POLL****SJMC-R-2020-02-24/95****Moved By** Councillor Lane**Seconded By** Councillor Stapleton

That Council award this contract to Weir's Construction, the lowest bidder meeting specifications, in the amount of \$138,203.00 as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

11.3 Council Approval Request - Snow Blowback Operations - Wedgewood Park - E-POLL

SJMC-R-2020-02-24/96

Moved By Councillor Lane

Seconded By Councillor Stapleton

That Council award this contract to Parsons Paving, the lowest bidder meeting specifications, in the amount of \$167,160.00 as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

11.4 Bid Approval Note - Street Widening and Snow Blowback Operations - East Meadows - E-POLL

SJMC-R-2020-02-24/97

Moved By Councillor Lane

Seconded By Councillor Stapleton

That Council award this contract to Weir's Construction, the lowest bidder meeting specifications, in the amount of \$114,000.00 as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

11.5 Bid Approval Note - Street Widening and Snow Blowback Operations - Kensington Estates - E-POLL

SJMC-R-2020-02-24/98**Moved By** Councillor Lane**Seconded By** Councillor Stapleton

That Council award this contract to Weir's Construction, the lowest bidder meeting specifications, in the amount of \$84,000.00 as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)**11.6 Bid Approval Note - Snow Blowback Operations for Airport Heights****SJMC-R-2020-02-24/99****Moved By** Councillor Lane**Seconded By** Councillor Stapleton

That Council award this contract to Parsons Paving, the lowest bidder meeting specifications, in the amount of \$326,000.00 as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)**12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS****13. OTHER BUSINESS****13.1 Shea Heights Community Centre Board of Directors – New Board Appointments****SJMC-R-2020-02-24/100****Moved By** Councillor Collins**Seconded By** Deputy Mayor O'Leary

That Council approve the following appointments to the Shea Heights Board of Directors:

1. **Jessica Wilkins, Angela Kavanagh, and Madison Snelgrove** be appointed to the Shea Heights Community Centre Board of Directors to fill vacancies within the “at large” category of the Board structure.
2. **Ron Ellsworth** be appointed to the Shea Heights Community Centre Board of Directors to fill the vacancy within the “resource member” category of the Board structure.

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

MOTION CARRIED (10 to 0)

13.2 725 Southlands Boulevard (Donegal Run) - REZ1800020

SJMC-R-2020-02-24/101

Moved By Councillor Burton

Seconded By Councillor Collins

That Council adopt St. John's Development Regulations Amendment Number 705, 2020, which allows the proposed land use change from Single Unit Dwellings to Townhouses and Semi-Detached Dwellings on Donegal Run in the Galway neighbourhood by amending the Appendix Maps of the PMD-1 Zone. Further, that the adopted amendment be referred to the Department of Municipal Affairs and Environment with a request for Provincial Registration in accordance with the *Urban and Rural Planning Act*.

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

MOTION CARRIED (10 to 0)

13.3 Permit for Roof Top Sign

SJMC-R-2020-02-24/102

Moved By Councillor Burton

Seconded By Councillor Collins

That Council approve the installation of the new roof top sign to replace an existing roof top sign at Civic number 419 Main Road (Keith's Diner).

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

MOTION CARRIED (10 to 0)

14. ADJOURNMENT

There being no further business, the meeting adjourned at 5:38 pm.

MAYOR

CITY CLERK