

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

May 11, 2020, 3:00 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
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Karen Chafe, Supervisor - Office of the City Clerk
Maureen Harvey, Legislative Assistant
Susan Bonnell, Manager - Communications & Office Services

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-2020-05-11/219

Moved By Councillor Hanlon

Seconded By Deputy Mayor O'Leary

That the Agenda 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)

4. ADOPTION OF THE MINUTES

4.1 Adoption of Minutes of May 5, 2020

SJMC-R-2020-05-11/220

Moved By Councillor Hickman

Seconded By Councillor Collins

That the Regular Minutes of May 5, 2020 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

5.1 Notice of Motion - Heritage Designation By-Law - Cantilever Pedestrian Bridge - Bowring Park

Notice of Motion and Draft By-Law for heritage designation of the cantilever pedestrian bridge in Bowring Park.

Deputy Mayor O'Leary gave notice at the last Regular meeting of Council of her intention to move a motion to adopt a Heritage Designation By-Law for the following property so as to have the structure situated on this property designated as a Heritage Building:

- Cantilever (Ove Arup) Pedestrian Bridge, 100 Bowring Park Road

SJMC-R-2020-05-11/221

Moved By Deputy Mayor O'Leary

Seconded By Councillor Burton

That Council adopt a Heritage Designation By-Law for the following property so as to have the structure situated on this property designated as a Heritage Building:

- Cantilever (Ove Arup) Pedestrian Bridge, 100 Bowring Park 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)

6. NOTICES PUBLISHED

6.1 110 Cheeseman Drive

SJMC-R-2020-05-11/222

Moved By Councillor Collins

Seconded By Councillor Hanlon

That Council reject the application to establish a Day Care at 110 Cheeseman Drive as presented.

For (2): Councillor Hickman, and Councillor Collins

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

MOTION LOST (2 to 9)

Moved By Councillor Burton

Seconded By Councillor Jamieson

That the application to establish a daycare at 110 Cheeseman Drive be approved subject to all regulatory conditions being met.

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

Against (1): Councillor Collins

MOTION CARRIED (10 to 1)

6.2 91 Shoal Bay Road

SJMC-R-2020-05-11/223

Moved By Councillor Collins

Seconded By Councillor Hanlon

That the application re: 91 Shoal Bay Road be deferred pending further review.

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

Against (1): Councillor Froude

MOTION CARRIED (10 to 1)

7. COMMITTEE REPORTS

7.1 Development Committee Report

- 1. Request to Re-establish Building Line
270 Portugal Cove Road
DEV19000139
Commercial Office H**

SJMC-R-2020-05-11/224

Moved By Councillor Burton

Seconded By Councillor Stapleton

That Council approve the Building Line Setback at 5.27 metres for 270 Portugal Cove 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. **Request for Parking Relief**
Commercial School - Tutoring Center
65 White Rose Drive - Commercial Regional (CR) Zone
INT2000029

SJMC-R-2020-05-11/225

Moved By Councillor Burton

Seconded By Councillor Stapleton

That Council approve parking relief for 9 parking spaces. Future occupancies of the vacant suites must be submitted for review and the request of parking relief 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)

3. **Crown Land Grant for Heavy Equipment Storage**
91 Shoal Bay Road
Rural (R) Zone

SJMC-R-2020-05-11/226

Moved By Councillor Burton

Seconded By Councillor Collins

That Council defer the application for a Crown Land Grant at 91 Shoal Bay Road

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

Against (1): Councillor Froude

MOTION CARRIED (10 to 1)

8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

8.1 List for Period April 23 - May 6, 2020

9. BUILDING PERMITS LIST

9.1 Building Permits List for week ending May 6, 2020

SJMC-R-2020-05-11/227

Moved By Councillor Hanlon

Seconded By Councillor Burton

That Council approve the Building Permits List for the period of April 23, 2020 to May 6, 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 for the Week Ending April 29, 2020

SJMC-R-2020-05-11/228

Moved By Councillor Froude

Seconded By Deputy Mayor O'Leary

That Council approve the Weekly Payment Vouchers for the week ending April 29, 2020 in the amount of \$ 6,496,051.34

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 for the Week Ending May 6, 2020

SJMC-R-2020-05-11/229

Moved By Councillor Hanlon

Seconded By Councillor Froude

That Council approve the Weekly Payment Vouchers for the week ending May 6, 2020 in the amount of \$ 3,992,440.13

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 2020056 – 4 New Articulating Rubber Tire Sidewalk Plows

SJMC-R-2020-05-11/230

Moved By Councillor Froude

Seconded By Councillor Burton

That Council award open call 2020056 – 4 New Articulating Rubber Tire Sidewalk Plows to the lowest bidder meeting specification, Holder Tractor Inc., as per the Public Procurement Act, for \$726,352.54, HST excluded. The City reserves the right to order an additional 1, 2, or 3 units and/or attachments within 1 year of award of tender, at the same tendered price.

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 2020048 - Ready Mix Asphalt

SJMC-R-2020-05-11/231

Moved By Councillor Froude

Seconded By Councillor Collins

That Council accept the recommendation to award to all the bidders that meet minimum specifications. As this is an Order of Calling the City will have the option to go to the next highest vendor if the low bidder is unable to supply asphalt.

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 Review of Parking Requirements for Section 8 of the Envision St. John's Development Regulations

SJMC-R-2020-05-11/232

Moved By Councillor Froude

Seconded By Councillor Collins

That Council refer the review of parking requirements for Section 8 of the Envision St. John's Development Regulations to the Environmental and Sustainability Experts Panel.

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)

SJMC-R-2020-05-11/233

Moved By Councillor Burton

Seconded By Councillor Jamieson

That Council consider the proposed changes to the parking requirements of Section 8 for the draft Envision St. John's Development Regulations. Further, that the proposed changes be advertised when the Envision St. John's Municipal Plan and Development Regulations are advertised following adoption 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)

13.2 2020 Civic Improvement Assessment Rates

SJMC-R-2020-05-11/234

Moved By Councillor Lane

Seconded By Councillor Hanlon

That Council approve the assessment rates for 2020 as follows:

Assessment Rates for 2020

Watermain \$ 209/m

Sanitary Sewer \$ 190/m

Storm Sewer \$ 124/m

Water Service \$1,359/EA

Sanitary Service \$1,403/EA

Storm Service \$1,403/EA

Commercial Water Service \$5,152/EA

Commercial Sanitary Service \$2,488/EA

Commercial Storm Service \$2,280/EA

Street Improvement \$ 112/m

New Street \$ 473/m

Sidewalk \$ 27/m

Rural Street Upgrading \$ 95/m

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 Financial Support – Avalon Minor Hockey Association

SJMC-R-2020-05-11/235

Moved By Councillor Korab

Seconded By Councillor Lane

That Council agree to a loan guarantee of \$2.5M and a direct loan to AMHA of \$400K.

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)

13.4 1 Cliff's-Baird's Cove, MPA1900005

SJMC-R-2020-05-11/236

Moved By Councillor Burton

Seconded By Councillor Hickman

That Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 147, 2020 and St. John's Development Regulations Amendment Number 680, 2020, as adopted.

That Council approve the Discretionary Use of 1 Cliff's-Baird's Cove as a Hotel located on the 9th and/or higher Storeys of a Building in the A.P. Parking Garage Zone.

That Council approve the Discretionary Use of 1 Cliff's-Baird's Cove as ground floor Retail Store or Office in the A.P. Parking Garage Zone, as proposed in the November 2019 Land Use Assessment Report for 1 Cliff's-Baird's Cove.

That Council approve parking relief for 21 spaces for the proposed use of 1 Cliff's-Baird's Cove, as per Section 9.1.2(1) of the Development Regulations.

For (6): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, and Councillor Collins

Against (5): Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Jamieson, and Councillor Froude

MOTION CARRIED (6 to 5)

13.5 47 Blackmarsh Road – Cell Tower Replacement

SJMC-R-2020-05-11/237

Moved By Councillor Burton

Seconded By Councillor Korab

That Council support the replacement of the tower at 47 Blackmarsh Road and exempt it from the City's Siting Protocol.

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)

13.6 68 Queen's Road, Dormer Window Replacement

SJMC-R-2020-05-11/238

Moved By Councillor Burton

Seconded By Councillor Hanlon

That Council approve the dormer window replacement at 68 Queen's Road (Cathedral Parish Hall Residence), as proposed.

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)

13.7 2019 Wetlands Delineation Study

The DCM of PERS informed Council that if approved, it is hoped that most of Phase 2 will be completed this year or very early in 2021.

SJMC-R-2020-05-11/239**Moved By** Councillor Burton**Seconded By** Deputy Mayor O'Leary

That Council adopt the 2019 Wetlands Delineation Study by C-CORE along with the recommendation of option (3) to protect all wetlands identified in the report within watersheds, the Goulds EVA (Environmentally Valuable Area), floodplains and areas remote to development, and to conduct the phase 2 field assessment analysis on the remaining 17 areas (as noted in Figures 1 through 17) that would be under pressure from development over the next 10-20 years. In addition, require developers to conduct a phase 2 field assessment on the wetlands remote to development at such time as development applications are received in those areas. The field study shall be based on the Wetlands Ecosystem Services Protocol (WESP) for Newfoundland and Labrador and shall provide a detailed field-based delineation and functional assessment of each wetland.

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)**1. Wetlands Study Final Report****13.8 Go Round**

Deputy Mayor O'Leary asked that consideration be given to providing free wifi in the downtown core. Mayor Breen advised this is already under consideration.

Deputy Mayor O'Leary requested that the Seniors Advisory Committee be commissioned to review the report on Healthy Aging completed by Dr. Suzanne Brake in 2019 with particular emphasis on her recommendation that consideration be given to placing a moratorium on the development of future private long-term care facilities.

Mayor Danny Breen informed the public, that recognizing there will be no Regatta in 2020, Council is requesting approval from the Department of Municipal Affairs to declare the first Monday in August (August 3, 2020) as a civic holiday.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 4:39 pm,

MAYOR

CITY CLERK