

# ST. JOHN'S

## **Minutes of Regular Meeting - City Council**

**Council Chamber, 4th Floor, City Hall**

**May 13, 2019, 4:30 p.m.**

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

Regrets: Councillor Debbie Hanlon  
Councillor Hope Jamieson

Staff: Kevin Breen, City Manager  
Derek Coffey, Deputy City Manager of Finance & Administration  
Tanya Haywood, Deputy City Manager of Community Services  
Cheryl Mullett, City Solicitor  
Elaine Henley, City Clerk  
Ken O'Brien, Chief Municipal Planner  
Karen Chafe, Supervisor - Office of the City Clerk

### **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.”**

Background from these minutes is found in the corresponding linked Agenda

**2. PROCLAMATIONS/PRESENTATIONS****2.1 Cystic Fibrosis Awareness Month****3. APPROVAL OF THE AGENDA****3.1 Approval of Agenda - May 13, 2019****SJMC-R-2019-05-13/95****Moved By** Councillor Collins**Seconded By** Councillor Froude

That the agenda be adopted as presented with the following two additions:

- Decision Note dated May 8, 2019 re: Request for Quotations Windsor Lake WTP Building Extension for Lime System Upgrade;
- Departmental Approval Request Bid # 2019053 - Radio Maintenance Contract

**CARRIED UNANIMOUSLY****4. ADOPTION OF THE MINUTES****4.1 Adoption of Minutes - May 6, 2019****SJMC-R-2019-05-13/96****Moved By** Councillor Hickman**Seconded By** Deputy Mayor O'Leary

That the minutes of the Regular Meeting of May 6, 2019 be adopted as presented.

**CARRIED UNANIMOUSLY****5. BUSINESS ARISING FROM THE MINUTES****5.1 Decision Note dated April 29, 2019 re: Request for Demolition of Dwelling, Subdivision of Lot and Building Line Setback - PER-DEV 1900010 - 32 Rostellan Place (DEFERRED FROM MAY 1st MEETING)****SJMC-R-2019-05-13/97****Moved By** Councillor Burton**Seconded By** Councillor Hickman

That Council approve the 44 metre Building Line setback for the two lots to accommodate the proposed redevelopment of the property.

**CARRIED UNANIMOUSLY**

**5.2 Decision Note dated May 7, 2019 re: Application to Rezone Land to the Institutional (INST) Zone for the Development of the Francophone School Site - REZ1900001 - 100 Danny Drive - Applicant 10718 NFLD Inc.**

**SJMC-R-2019-05-13/98**

**Moved By** Councillor Burton

**Seconded By** Deputy Mayor O'Leary

That Council adopt St. John's Development Regulations Amendment Number 695, 2019, which will rezone land in the area of 100 Danny Drive from the Comprehensive Development Area - Southlands (CDA Southlands) Zone to the Institutional (INST) Zone to accommodate the proposed francophone school site. This amendment must now be referred to the Department of Municipal Affairs and Environment with a request for Provincial Registration in accordance with the provisions of the Urban and Rural Planning Act.

**CARRIED UNANIMOUSLY**

**5.3 Decision Note dated May 7, 2019 re: Application to Rezone Land to the Planned Mixed Development 2 (PMD2) Zone for the Development of Phase 2 of the Galway Master Planned Community - REZ1900007 - 100 Danny Drive - Applicant 10718 NFLD Inc.**

**SJMC-R-2019-05-13/99**

**Moved By** Councillor Burton

**Seconded By** Councillor Collins

That Council adopt St. John's Development Regulations Amendment Number 696, 2019, which will rezone land in the area of 100 Danny Drive from the Comprehensive Development Area - Southlands (CDA Southlands) Zone to the Planned Mixed Development 2 (PMD-2) Zone for the purpose of developing the proposed mixed density, residential subdivision. The attached amendment must now be referred to the Department of Municipal Affairs and Environment with a request for

Provincial Registration in accordance with the provisions of the Urban and Rural Planning Act.

Further, that the application to rezone land to the Institutional Zone for the proposed francophone school site be considered simultaneously with this application.

**CARRIED UNANIMOUSLY**

**5.4 Application to Rezone Land to Residential Medium Density (R2) Zone for Development of two Single Detached Dwellings - 364 Blackhead Road**

**SJMC-R-2019-05-13/100**

**Moved By** Councillor Burton

**Seconded By** Councillor Collins

That Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 146, 2018 and St. John's Development Regulations Amendment Number 677, 2018, as adopted. These amendments would redesignate and rezone land at 364 Blackhead Road from the Industrial General (IG) and Open Space Reserve (OR) Zones to the Residential Medium Density (R2) and Open Space Reserve (OR) Zones, to allow the development of two single detached dwellings. The amendments must now be referred to the Department of Municipal Affairs and Environment, with a request for Provincial Registration in accordance with the provisions of the Urban and Rural Planning Act.

Final registration of the City of St. John's amendments is dependent on the Minister's decision to approve St. John's Urban Region Regional Plan Amendment Number 2, 2018. A copy of the Commissioner's report has also been sent to the Minister for consideration.

**CARRIED UNANIMOUSLY**

**6. NOTICES PUBLISHED**

**6.1 Extension of Non-Conforming Use application re: Christine's Place for an addition to the existing lounge at 210 Lemarchant Road**

**SJMC-R-2019-05-13/101****Moved By** Councillor Burton**Seconded By** Councillor Collins

That Council approve the application subject to all applicable City requirements.

**CARRIED UNANIMOUSLY****6.2 Discretionary Use Application for Light Industrial Use at 5 Sea Rose Avenue****SJMC-R-2019-05-13/102****Moved By** Councillor Stapleton**Seconded By** Deputy Mayor O'Leary

That Council approve the application subject to all applicable City requirements.

**CARRIED UNANIMOUSLY****8. COMMITTEE REPORTS****8.1 Committee of the Whole Report - May 1, 2019****1. Information Note dated March 25, 2019 re: Committee Engagement of Public Projects****SJMC-R-2019-05-13/103****Moved By** Councillor Korab**Seconded By** Councillor Burton

That the Inclusion Advisory Committee be consulted prior to final implementation, given the potential impact of the Rawlins Cross Pilot Project, particularly as it relates to pedestrian traffic flow and safety.

**CARRIED UNANIMOUSLY****2. Built Heritage Experts Panel Report - April 18, 2019****1. Decision Note dated April 17, 2019 re: Streamlining Maintenance Applications for Designated Heritage Buildings**

**SJMC-R-2019-05-13/104****Moved By** Councillor Burton**Seconded By** Deputy Mayor O'Leary

That minor maintenance applications for designated heritage buildings be evaluated by staff and sent directly to a Council meeting for Council's approval.

Further, that any applications that would alter the building or character defining elements of the building will follow the existing process of being referred to the BHEP for a recommendation to Council.

**CARRIED UNANIMOUSLY**

3. **Decision Note dated April 23, 2019 re: Mobile Vending Leased Space - Churchill Square**

**SJMC-R-2019-05-13/105****Moved By** Councillor Hickman**Seconded By** Mayor Breen

That Council grant the request of the Association of New Canadians and allow an additional mobile vendor to operate out of Churchill Square as proposed.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Stapleton, Councillor Korab, and Councillor Collins

Abstain (1): Councillor Froude

**CARRIED UNANIMOUSLY (8 to 0)**

4. **Decision Note dated May 1, 2019 re: Parking at Canada Post Community Mailboxes**

**SJMC-R-2019-05-13/106****Moved By** Councillor Froude**Seconded By** Councillor Burton

That Council maintain status quo with respect to parking near community mailboxes with the exception of Clancey Drive, Larkhall Street, Terra Nova Road where a "15 minute parking only" sign will be erected.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Stapleton, Councillor Korab, Councillor Froude, and Councillor Collins

Against (1): Councillor Hickman

**CARRIED WITH DISSENT (8 to 1)**

**8.2 Development Committee Report - May 7, 2019**

**1. Decision Note dated May 13, 2019 re: Parking Relief - INT1900043 - 135 Harbour Drive**

**SJMC-R-2019-05-13/107**

**Moved By** Councillor Burton

**Seconded By** Deputy Mayor O'Leary

That Council approve the recommendation of the Development Committee to grant parking relief as requested.

**CARRIED UNANIMOUSLY**

**2. Decision Note dated May 7, 2019 re: DEV1900078 - Request 10% Variance on Lot Area - 61 Merrymeeting Road**

**SJMC-R-2019-05-13/108**

**Moved By** Councillor Burton

**Seconded By** Councillor Collins

That Council approve the recommendation of the Development Committee to approve the 10% lot variance as requested.

**CARRIED UNANIMOUSLY**

**3. Decision Note dated May 7, 2019 re: Request for Parking Relief - 108 Pennywell Road - DEV1800219**

**SJMC-R-2019-05-13/109**

**Moved By** Councillor Burton

**Seconded By** Deputy Mayor O'Leary

That Council approve the recommendation of the Development Committee to approve the parking relief for 94 spaces to allow a total of 102 spaces on the site.

**CARRIED UNANIMOUSLY**

**10. DEVELOPMENT PERMITS LIST****10.1 Development Permits List - May 2-8, 2019**

Council considered as information the Development Permits List for the week of May 2 - 8, 2019.

**11. BUILDING PERMITS LIST****11.1 Building Permits List - May 2-8, 2019**

**SJMC-R-2019-05-13/110**

**Moved By** Councillor Stapleton

**Seconded By** Councillor Korab

That the Building Permits List for the week of May 2 - 8, 2019 be approved as presented.

**CARRIED UNANIMOUSLY**

**12. REQUISITIONS, PAYROLLS AND ACCOUNTS****12.1 Weekly Payment Vouchers - week ending May 8, 2019**

**SJMC-R-2019-05-13/111**

**Moved By** Councillor Stapleton

**Seconded By** Councillor Korab

That the weekly payment vouchers in the amount of \$5,526,790.41 for the week ending May 8, 2019 be approved as presented.

**CARRIED UNANIMOUSLY**

**13. TENDERS/RFPS****13.1 Bid Approval Note 2019044 - Supply of Uniforms**

**SJMC-R-2019-05-13/112**

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That Council award this open call to the lowest bidder that meets specifications, Chandler, as per the Public Procurement Act in the amount of \$37,659.86 including HST per year.

**CARRIED UNANIMOUSLY**



**13.2 Bid Approval Note -2019107 - Supply & Delivery of 1 New Forklift, 2019 or Newer to RHB**

**SJMC-R-2019-05-13/113**

**Moved By** Councillor Froude

**Seconded By** Councillor Hickman

That Council award this open call to the lowest bidder that meets specifications, Atlantic Trailer and Equipment Ltd., as per the Public Procurement Act, in the amount of \$101,711.75 including HST.

**CARRIED UNANIMOUSLY**

**13.3 Decision Note dated May 8, 2019 re: Request for Quotations - Windsor Lake WTP Building Extension for Lime System Upgrade**

**SJMC-R-2019-05-13/114**

**Moved By** Councillor Froude

**Seconded By** Councillor Collins

That Council approve the recommendation to award the engineering consulting services to R.V. Anderson Associates Limited in the amount of \$1,284,844.98 (HST included).

**CARRIED UNANIMOUSLY**

**13.4 Departmental Approval Request Bid # 2019053 - Radio Maintenance Contract**

**SJMC-R-2019-05-13/115**

**Moved By** Councillor Froude

**Seconded By** Councillor Stapleton

That Council approve the recommendation to award this RFP to MacKay Marine in the amount of \$118,200 based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

**CARRIED UNANIMOUSLY**

**14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS**

**14.1 Notice of Motion - St. John's Ticketing Amendment By-Law**

Deputy Mayor O'Leary gave the following Notice of Motion on behalf of Councillor Hanlon:

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to enact amendments to the St. John's Ticketing Amendment By-Law to reflect the changes made by the Province in the Accessible Parking Regulations.

Dated at St. John's, NL this 13th day of May, 2019.

**15. OTHER BUSINESS**

**15.1 May Economic Update**

Deputy Mayor O'Leary presented the Economic Update for the month of May.

**15.2 Decision Note dated May 13, 2019 re: Linegar Avenue - Street Design**

This matter was dealt with at the start of the meeting given the presence of residents in the gallery.

**SJMC-R-2019-05-13/116**

**Moved By** Councillor Collins

**Seconded By** Councillor Lane

That Council approve the following:

- Removal of the boulevard between Hennessey Place and Warford Road at a cost of \$28,000;
- Widening of the Warford Road/Linegar Avenue intersection by increasing the curb return radii to 10m at a cost of \$15,000 plus undetermined property acquisition costs.

For (6): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, Councillor Hickman, Councillor Korab, and Councillor Collins

Against (3): Councillor Burton, Councillor Stapleton, and Councillor Froude

**CARRIED WITH DISSENT (6 to 3)**

**15.3 Round Table for Members of Council**

Deputy Mayor O'Leary:

- Requested an update from Councillor Froude on the status of covers for the concrete bins in the City.
- Referenced the lack of accessibility in the Downtown area and suggested that this matter be referred to the Inclusion and Accessibility Advisory Committee for review.

**16. ADJOURNMENT**

There being no further business, the meeting adjourned at 5:50 pm.

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MAYOR

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CITY CLERK