

MINUTES

REGULAR MEETING - CITY COUNCIL

February 11, 2019 – 4:30 p.m. – Foran/Greene Room, 4th Floor, City Hall

Present	Mayor Danny Breen Deputy Mayor Sheilagh O’Leary Councillor Maggie Burton Councillor Dave Lane Councillor Sandy Hickman Councillor Debbie Hanlon Councillor Jamie Korab Councillor Ian Froude Councillor Wally Collins
Regrets	Councillor Hope Jamieson Councillor Deanne Stapleton
Others	Kevin Breen, City Manager Derek Coffey, Deputy City Manager of Finance & Administration Tanya Haywood, Deputy City Manager, Community Services Lynnann Winsor, Deputy City Manager, Public Works Jason Sinyard, Deputy City Manager, Planning, Engineering & Regulatory Services Linda Bishop, Acting City Solicitor Ken O’Brien, Chief Municipal Planner Elaine Henley, City Clerk Kenessa Cutler, Acting Legislative Assistant

Land Acknowledgement

The following statement was read by Mayor Breen

“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.”

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2019-02-11/72R

Moved – Councillor Collins; Seconded – Councillor Hanlon

That the agenda be adopted with the following additions:

- **Decision Note dated February 7, 2019 re: Air Rights over Buchanan Street**
- **Decision Note dated February 7, 2019 re: Sale of City Land – Air Rights in front of 430 Water Street**

- **Decision Note dated February 7, 2019 re: Sale of City Land – Hutchings Lane**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2019-02-11/73R

Moved – Deputy Mayor O’Leary; Seconded – Councillor Froude

That the minutes of February 4, 2019 be adopted as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

- a. St. John’s Municipal Plan Amendment Number 151, 2019 and St. John’s Development Regulations Amendment Number 688, 2019
Text Amendment to Enable Distillery as a Discretionary Use
MPA1800008 - 140 Harbour Drive
Applicant: Project Peat Inc./Wooden Walls Distilling
-

SJMC2019-02-11/74R

Moved – Councillor Burton; Seconded – Councillor Hanlon

That Council approve the attached resolutions for St. John’s Municipal Plan Amendment Number 151, 2019 and St. John’s Development Regulations Amendment Number 688, 2019, as adopted. The amendments will 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.

That Council also approve the Discretionary Use of 140 Harbour Drive for a Distillery in the Commercial Central Retail – Water Street West Zone, as advertised subject to Section 5.5.

CARRIED UNANIMOUSLY

- b. Information Note dated February 6, 2019 re: Interpreting Zone Lines behind 263 to 269A Blackmarsh Road (DEV1900006)
-

Council accepted the above listed as information.

NOTICES PUBLISHED

- a. A change of Non-Conforming Use Application has been submitted by Gaze Seed requesting permission to change the occupancy of **1 Campbell Avenue** to Retail Use for the purpose of selling seeds, bagged soils, garden tools, etc.
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SJMC2019-02-11/75R

Moved – Councillor Burton; Seconded – Councillor Lane

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

CARRIED UNANIMOUSLY

- b. A Discretionary Use application has been submitted by 62374 Newfoundland & Labrador Ltd. requesting approval to construct and operate a quick service restaurant with drive-thru at **263-269 Blackmarsh Road**.
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SJMC2019-02-11/76R

Moved – Councillor Burton; Seconded – Councillor Korab

That Council approve the above noted application subject to the purchase of a parcel of City owned land at the Anspach Street entrance to the site.

CARRIED UNANIMOUSLY

- c. Discretionary Use application has been submitted requesting permission to occupy a portion of the Accessory Building at **558 Thorburn Road** as an Online Retail Car Sales business.
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SJMC2019-02-11/77R

Moved – Councillor Burton; Seconded – Councillor Froude

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report – January 22, 2019

1. Request for Pump Station in the Watershed – INT1800128 - Southview Drive, Town of Paradise

SJMC2019-02-11/78R

Moved – Councillor Burton; Seconded – Councillor Hanlon

That Council approve the pump station with the following conditions:

- a) The installation of the pump station does not imply approval for the new

residential development within the City of St. John's portion of Southview Drive. Residential Use is neither a permitted nor a Discretionary Use in the Watershed (W) Zone.

- b) The pump station can only be used to service dwellings within the Town of Paradise. Should new dwellings be requested along Southview Drive within the Town of Paradise, they must be developed in accordance with the Watershed Agreement between the City of St. John's and the Town of Paradise.

CARRIED UNANIMOUSLY

2. Proposed Ceramics Studio (Change of Non-Conforming Use) - DEV1900002
8-10 Spencer Street

SJMC2019-02-11/79R

Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary

That Council approve the reassignment of the Development Agreement to the current applicant of the Ceramic Studio.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

Council considered, for information, the development permits list for the period January 31, 2019 to February 6, 2019.

BUILDING PERMITS LIST

Council considered the above noted for the period of January 31, 2019 to February 6, 2019.

SJMC2019-02-11/80R

Moved – Councillor Hickman; Seconded – Councillor Hanlon

That Council approve the above cited building permits list as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

Council considered the requisitions, payrolls and accounts for the week ending February 6, 2019.

SJMC2019-02-11/81R

Moved – Councillor Hickman; Seconded – Councillor Hanlon

That the requisitions, payrolls and accounts for the week ending February 6, 2019 in the amount of \$7,676,674.87 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS

Bid Approval Note 2019003 dated February 7, 2019 re: Lease of Mini Excavator

SJMC2019-02-11/82R

Moved – Councillor Froude; Seconded - Councillor Lane

That Council award this open call to the lowest bidder that meets specifications, Atlantic Powertrain, as per the Public Procurement Act.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Councillor Burton gave the following Notices of Motion to be debated at the next meeting of Council:

TAKE NOTICE that I will, at the next regular meeting of Council February 18th, bring forward the following motion:

To amend the St. John's Development Regulations to give Council discretion to waive parking requirements downtown to bring discretionary authority in line with the rest of the City of St. John's.

TAKE NOTICE that I will, at the next regular meeting of Council February 18th, bring forward the following motion:

That City staff study the City's current parking minimums and identify any opportunities to reduce or eliminate parking minimums in certain areas or for certain types of development; bringing forward a report of recommendations to Council in one year's time, no later than February 2020.

OTHER BUSINESS

Decision Note dated January 31, 2019 re: Robin Hood Bay (RHB) Equipment Reserve - Supply and Deliver One Compact Wheel Loader and One Skid Steer for RHB Material Recovery Facility

SJMC2019-02-11/83R

Moved – Councillor Froude; Seconded - Councillor Korab

That Council approve the recommendation that funding be made available through the RHB Equipment Reserve to support the supply and delivery of this equipment.

CARRIED UNANIMOUSLY

Decision Note dated February 7, 2019 re: Sale of City Land – Adjacent 94 Duckworth Street

SJMC2019-02-11/84R

Moved – Councillor Lane; Seconded - Councillor Hickman

That Council approve the sale of the property adjacent to 94 Duckworth Street for the negotiated price.

CARRIED UNANIMOUSLY

Decision Note dated February 7, 2019 re: Travel – Federation of Canadian Municipalities (FCM) 2019 Annual Conference and Trade Show – Quebec City, QC – May 30 to June 2, 2019

SJMC2019-02-11/85R

Moved – Councillor Hickman; Seconded - Councillor Collins

That Council approve Mayor Danny Breen and Councillors Ian Froude and Dave Lane to attend the FCM Annual Conference and Trade Show in Quebec City from May 30 to June 2, 2019.

CARRIED UNANIMOUSLY

February 2019 Economic Update

Council accepted the above listed update as information.

Decision Note dated February 7, 2019 re: Sale of City Land – Hutchings Lane

SJMC2019-02-11/86R

Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary

That Council approve entering into a Purchase and Sale Agreement for the sale of Hutchings Lane, between George Street West and Water Street, for the agreed upon price of \$45.00 per square foot subject to conditions, including development approval and re-zoning.

CARRIED UNANIMOUSLY

Decision Note dated February 7, 2019 re: Air Rights in front of 430 Water Street

SJMC2019-02-11/87R

Moved – Councillor Burton; Seconded – Councillor Hickman

That Council approve entering into a Purchase and Sale Agreement for the sale of the air rights over 430 Water Street for the agreed upon price of

\$25.00 per square foot subject to conditions, including, but not limited to, development approval and re-zoning.

CARRIED UNANIMOUSLY

Decision Note dated February 7, 2019 re: Sale of City Land – Air Rights over Buchanan Street

SJMC2019-02-11/88R

Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary

That Council approve entering into a Purchase and Sale Agreement for the sale of the air rights over Buchanan Street for the agreed upon price of \$25.00 per square foot subject to conditions, including development approval and re-zoning.

CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business, the meeting adjourned at 5:47 p.m.

MAYOR

CITY CLERK