

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

June 10, 2019, 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
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Ken O'Brien, Chief Municipal Planner
Karen Chafe, Acting City Clerk
Maureen Harvey, 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**

- 2.1 **Recreation Month**

3. **APPROVAL OF THE AGENDA**

- 3.1 **Agenda for June 10, 2019**

SJMC-R-06-10/152

Moved By Councillor Hanlon

Seconded By Deputy Mayor O'Leary

That the agenda be adopted with the addition of the following:

- RFP - 2019079 - Third Party Assessments for Para-Transit Eligibility.

CARRIED UNANIMOUSLY

4. **ADOPTION OF THE MINUTES**

- 4.1 **Minutes of June 4, 2019**

SJMC-R-06-10/153

Moved By Councillor Collins

Seconded By Councillor Stapleton

That the Regular Minutes of June 4, 2019 be adopted as presented.

CARRIED UNANIMOUSLY

5. **BUSINESS ARISING FROM THE MINUTES**

6. **NOTICES PUBLISHED**

- 6.1 **Discretionary Use Application by Rogers Communications Inc. for approval of site design for rooftop telecommunications site at 95 Bonaventure Avenue**

Deferred from May 21, 2019 Regular Agenda

SJMC-R-06-10/154

Moved By Councillor Burton

Seconded By Councillor Hanlon

Supporting Documentation for these minutes can be found here.

That the Discretionary Use Application submitted by Rogers Communications Inc. seeking approval of site design in relation to a rooftop telecommunications site at 95 Bonaventure Avenue be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

6.2 Discretionary Use Application for Outdoor Eating and Lounge Area at 720 Water St.

SJMC-R-06-10/155

Moved By Councillor Burton

Seconded By Councillor Hanlon

That the Discretionary Use application requesting approval for an Outdoor Eating and Lounge Area at 720 Water Street be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

7. PUBLIC HEARINGS/MEETINGS

7.1 Public Meeting re: 22 Whiteway St.

Decision Note dated June 4, 2019 re: St. John's Development Regulations Amendment 697, 2019; Rezoning from the Residential Low Density (R1) to the Residential Medium Density (R2) Zone; REZ1900003; 22 Whiteway Street

SJMC-R-06-10/156

Moved By Councillor Burton

Seconded By Councillor Froude

That Council adopt St. John's Development Regulations Amendment Number 697, 2019, which will rezone land at 22 Whiteway Street from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone. If the attached amendment is adopted by Council, it will then 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, 2000.

For (5): Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, and Councillor Froude

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

MOTION LOST (5 to 6)

8. COMMITTEE REPORTS

8.1 Committee of the Whole Report of May 29, 2019

1. Decision Note dated May 22, 2019 Re: 331 Water Street (at Bishop's Cove) Office and Retail Building, DEV 1900058

SJMC-R-06-10/157

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That the revised design for an office and retail development at 331 Water Street, as seen by the Built Heritage Experts Panel on May 15, 2019, be approved with the following conditions:

- add a cornice/articulation along the roofline on the masonry walls;
- add windowsills to the second storey windows on Water Street (similar to the surrounding buildings);
- Ensure first storey windows on Water Street align with adjacent buildings;
- The amount of brick shown on the drawings will remain brick in the final design.

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

CARRIED UNANIMOUSLY (11 to 0)

2. Decision Note dated May 29, 2019 re: Bike St. John's Master Plan - Final Report

Subsequent to Committee of the Whole meeting on May 29, 2019 the report has been finalized with modest formatting and

Supporting Documentation for these minutes can be found here.

typographical changes. The report can be found at
<https://www.engagestjohns.ca/6586/documents/17185>

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SJMC-R-06-10/158

Moved By Councillor Lane

Seconded By Councillor Hanlon

That Council adopt the Bike St. John's Master Plan and direct staff to undertake primary actions and ongoing actions. All infrastructure projects identified as a primary action referred to capital budget for consideration. Other actions are to be undertaken as direction is received and resources are allocated

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

CARRIED UNANIMOUSLY (11 to 0)

3. Decision Note dated May 21, 2019 re: Repeal of Policies

SJMC-R-06-10/159

Moved By Councillor Hickman

Seconded By Councillor Lane

That Council approve the repeal of Policy 09-09-02 Proof of Tour Operator Liability Insurance and Policy 07-01-01 Cancellation of Parking Tickets.

CARRIED UNANIMOUSLY

8.2 Development Committee Report of June 4, 2019

1. Decision Note dated June 4, 2019 re: 33 Kiwanis Street

SJMC-R-06-10/160

Moved By Councillor Burton

Seconded By Councillor Hanlon

Supporting Documentation for these minutes can be found here.

That the application for a 3 storey commercial Building at 33 Kiwanis Street be granted approval-in-principle subject to the following conditions:

- i. Compliance with the requirements of the Planning, Engineering & Regulatory Services Division.
- ii. The required building permits must be obtained from the City prior to the commencement of any development.
- iii. Payment of all applicable fees and assessments be made prior to final approval.

CARRIED UNANIMOUSLY

9. RESOLUTIONS

10. DEVELOPMENT PERMITS LIST

11. BUILDING PERMITS LIST

11.1 Permits List from May 30 to June 5, 2019

SJMC-R-06-10/161

Moved By Councillor Stapleton

Seconded By Deputy Mayor O'Leary

That the Building Permits List for the period May 30, 2019 to June 5, 2019 be adopted as presented.

CARRIED UNANIMOUSLY

12. REQUISITIONS, PAYROLLS AND ACCOUNTS

12.1 Weekly Payment Vouchers for the Week Ending June 5, 2019

SJMC-R-06-10/162

Moved By Councillor Stapleton

Seconded By Deputy Mayor O'Leary

That the Weekly Payment Vouchers for the week ending June 5, 2019 in the amount of \$4,917,699.89 be adopted as presented.

Supporting Documentation for these minutes can be found here.

CARRIED UNANIMOUSLY

13. TENDERS/RFPS

13.1 E-Poll for Bid Approval Note #2019119 - Crack Sealing

Council Approved as per E-Poll conducted on June 6, 2019

SJMC-R-06-10/163

Moved By Councillor Froude

Seconded By Councillor Stapleton

That Council ratify the E-poll conducted in relation to Bid Approval Note 2019119 for Crack Sealing in the amount of \$133,141.25 to Crown Contracting Inc., the lowest proponent meeting specifications as per the Public Procurement Act.

CARRIED UNANIMOUSLY

13.2 Request for Proposals - 2019079 - Third Party Assessments for Para-Transit Eligibility.

SJMC-R-06-10/164

Moved By Councillor Collins

Seconded By Councillor Froude

That Council approve the RFP 2019079 for Third Party Assessments for Para-Transit Eligibility in the amount of \$297,500 plus HST to Medisys Health Group Inc., based on an evaluation conducted by the City's evaluation team as per the Public Procurement Act.

CARRIED UNANIMOUSLY

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

15. OTHER BUSINESS

15.1 Decision Note dated May 27, 2019 re: Land Exchange - Outer Battery Road for Harbour Drive

SJMC-R-2019-06-10/165

Moved By Councillor Burton

Seconded By Councillor Hickman

Supporting Documentation for these minutes can be found here.

That Council approve the acceptance of the land swap with the St. John's Port Authority at Outer Battery Road and City property located at Harbour Drive as outlined in the above cited Decision Note.

CARRIED UNANIMOUSLY

15.2 Decision Note dated June 6, 2019 re: Sale of City Land - Air Rights in front of 53 Rowan Street

SJMC-R-06-10/166

Moved By Councillor Collins

Seconded By Councillor Lane

That Council approve the sale of the air rights over the front of 53 Rowan Street, subject to the purchaser meeting all development, planning and rezoning requirements as applicable.

CARRIED UNANIMOUSLY

15.3 Decision Note dated June 10, 2019 re: Assessment Rates for 2019

SJMC-R-06-10/167

Moved By Councillor Lane

Seconded By Councillor Hanlon

That Council approve the following assessment rates for 2019

- Watermain: \$ 189.00/m
- Sanitary Sewer: \$ 172.00/m
- Storm Sewer: \$ 112.00/m
- Water Service: \$1,229.00/EA
- Sanitary Service: \$1,268.00/EA
- Storm Service: \$1,268.00/EA
- Commercial Water Service: \$4,658.00/EA
- Commercial Sanitary Service: \$2,250.00/EA
- Commercial Storm Service: \$2,061.00/EA
- Street Improvement: \$ 101.00/M

Supporting Documentation for these minutes can be found here.

- New Street: Full Cost Recovery
- Sidewalk \$ 24.00/m
- Rural Street Upgrading \$ 86.00/m

CARRIED UNANIMOUSLY

15.4 Decision Note dated May 31, 2019 re: Council Summer Schedule

SJMC-R-06-10/168

Moved By Deputy Mayor O'Leary

Seconded By Councillor Stapleton

That Council adopt the following schedule for the weekly Regular and Special meetings of Council:

- Monday, July 8, 2019
- Monday, July 22, 2019
- Monday, August 5, 2019
- Monday, August 19, 2019

The weekly Regular and Special meetings will resume on Tuesday, September 3, 2019. Committee of the Whole meetings will proceed as usual on a bi-weekly basis during the summer as follows except for August 7th:

- Wednesday, July 10, 2019
- Wednesday, July 24, 2019
- Wednesday, August 21, 2019

CARRIED UNANIMOUSLY

15.5 June Economic Update

Deputy Mayor Sheilagh O'Leary presented the June Economic Update, a copy of which is available on the City's website.

15.6 Round Table of Council

- Deputy Mayor O'Leary

Supporting Documentation for these minutes can be found here.

- Lack of Lighting in Churchill Square: Constituents have been contacting the Deputy Mayor and Councillor Froude in this regard. There are 14 high pressure flood lights, seven of which are not functional. A boom truck is required to fix at a significant cost; however, pedestrian safety is priority. Staff was asked to investigate.

- Councillor Collins
 - Requested that Council consider the addition of a Metrobus to Southlands, particularly given the opening of Costco in the area. The matter will be referred to Metrobus for review and consideration.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 6:11 pm.

MAYOR

CITY CLERK