

# ST. JOHN'S

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

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

**February 13, 2023, 3:00 p.m.**

**Present:**

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Ron Ellsworth
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Jill Bruce
- Councillor Ophelia Ravencroft
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Carl Ridgeley

**Regrets:** Councillor Maggie Burton

**Staff:**

- 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
- Susan Bonnell, Manager, Communications & Office Services
- Ken O'Brien, Chief Municipal Planner
- Karen Chafe, City Clerk
- Kelly Maguire, Public Relations & Marketing Officer
- Christine Carter, Legislative Assistant
- Stacey Corbett, Legislative Assistant
- Hope Connolly, Administrative 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 We Believe - Support for Councillor Elizabeth Laurie, Town of Paradise**

**3. APPROVAL OF THE AGENDA**

**3.1 Adoption of Agenda**

SJMC-R-2023-02-13/61

**Moved By** Councillor Bruce

**Seconded By** Councillor Ravencroft

That the Agenda be adopted as presented with the addition of an update on basic income presented by Deputy Mayor O'Leary.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**4. ADOPTION OF THE MINUTES**

**4.1 Adoption of Minutes - February 6, 2023**

SJMC-R-2023-02-13/62

**Moved By** Councillor Hanlon

**Seconded By** Councillor Korab

That the minutes of February 6, 2023 are accepted as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**5. BUSINESS ARISING FROM THE MINUTES**

**5.1 Notice of Motion - Codes of Conduct for Councillors and Municipal Officials**

Notice of Motion to adopt the Codes of Conduct for Councillors and Municipal Officials

Councillor Ellsworth gave the following Notice of Motion:

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move for the adoption of the Code of Conduct for Municipal Officials and the Code of Conduct for Councillors as required under the Municipal Conduct Act.

DATED at St. John's, NL this 6th day of February, 2023.

**5.2 Councillor Code of Conduct By-Law**

This will be referred to the February 20th Regular Meeting of Council.

**5.3 Code of Conduct for Municipal Officials By-Law**

This will be referred to the February 20th Regular Meeting of Council.

**6. DEVELOPMENT APPLICATIONS**

**6.1 Request for Accessory Building Extension in the Floodplain Buffer and Variance – 36 Smithville Crescent – INT2300001**

Deputy Mayor O'Leary raised concerns with the flooding in the area. It was advised by the Deputy City Manager of Planning, Engineering and Regulatory Services that the accessory building will be in the floodplain buffer and not the floodplain and although new structures would not be approved to be built in the floodplain buffer, it was an existing structure that was destroyed by a fire.

SJMC-R-2023-02-13/63

**Moved By** Councillor Korab

**Seconded By** Councillor Froude

That Council approve the extension of the Accessory Building within the Floodplain Buffer and a 0.83% Variance to allow a reduced setback from the Lot Line at 36 Smithville Crescent.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**6.2 Crown Land Lease in the Agricultural Zone – Fowler's Road - CRW2300001**

SJMC-R-2023-02-13/64

**Moved By** Councillor Korab

**Seconded By** Councillor Ridgeley

That Council approve the proposed Crown Land Lease for 11.3 hectares of land on Fowler's Road, which will be subject to the submission of a Development Application should the Crown Land Lease be approved by the Provincial Department of Fisheries and Land Resources.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**6.3 Notices Published – 255 Bay Bulls Road - DEV2200172**

SJMC-R-2023-02-13/65

**Moved By** Councillor Korab

**Seconded By** Councillor Bruce

That Council approve an Expansion of Non-Conforming Use application for a Commercial Garage at 255 Bay Bulls Road to allow a body workshop with a paint booth.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**6.4 Notices Published – 33 Trinity Street - DEV2200173**

SJMC-R-2023-02-13/66

**Moved By** Councillor Korab

**Seconded By** Deputy Mayor O'Leary

That Council approve the Discretionary Use application for a Home Occupation at 33 Trinity Street for an Esthetics Spa.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**7. RATIFICATION OF EPOLLS**

**8. COMMITTEE REPORTS**

**9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)**

**9.1 Development Permits List January 26 to February 1, 2023**

**10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)**

**10.1 Building Permits List**

**11. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**11.1 Weekly Payment Voucher for Week Ending February 8, 2023**

SJMC-R-2023-02-13/67

**Moved By** Councillor Ellsworth

**Seconded By** Deputy Mayor O'Leary

That the weekly payment vouchers for the week ending February 1, 2023, in the amount of \$5,348,877.27 be approved as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**12. TENDERS/RFPS**

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

**13.1 Notice of Motion - Amendment to Heritage By-Law - Exemption from Heritage Design Standards for Registered Charities & Institutions**

Notice of Motion - Amendment to Heritage By-Law - Exemption from Heritage Design Standards for Registered Charities & Institutions

Councillor Froude gave the following Notice of Motion:

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move a motion to amend sub-section 10(3) of the St. John's Heritage By-Law so as to provide Council with the discretion to exempt registered charities from the Heritage Design Standards.

DATED at St. John's, NL this 13th day February, 2023.

**14. OTHER BUSINESS**

**14.1 Hospitality Newfoundland and Labrador 2023 Conference - Gander**

SJMC-R-2023-02-13/68

**Moved By** Councillor Ellsworth

**Seconded By** Deputy Mayor O'Leary

That Council approve the travel for Councillor Debbie Hanlon to attend the 2023 Hospitality Newfoundland and Labrador Conference in Gander from February 28th to March 2nd, 2023.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**14.2 Seatrade Cruise Global Conference**

SJMC-R-2023-02-13/69

**Moved By** Councillor Hickman

**Seconded By** Councillor Ellsworth

That Council approve the travel costs associated for Councillor Debbie Hanlon to attend the Seatrade Cruise Global Conference in Fort Lauderdale Florida from March 27 – March 31, 2023.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**14.3 Security Services – Bannerman and Bowring Parks**

SJMC-R-2023-02-13/70

**Moved By** Councillor Hickman

**Seconded By** Deputy Mayor O'Leary

That Council authorized the required funding to provide security at Bannerman and Bowring Parks at the cost of \$61,872.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**14.4 20 Janeway Place, MPA22200005**

SJMC-R-2023-02-13/71

**Moved By** Councillor Froude

**Seconded By** Councillor Ellsworth

That Council consider rezoning 20 Janeway Place from the Open Space (O) Zone to the Apartment 1 (A1) Zone to allow an apartment building

development, and that the application be advertised and referred to a public meeting chaired by an independent facilitator.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**14.5 Update from Deputy Mayor O'Leary on Basic Income**

Deputy Mayor O'Leary provided an update on the letter that was sent to the different levels of government supporting the concept of guaranteed livable basic income. Council received a letter from the Prime Minister's Office in response that described the efforts that the federal government has implemented to try and address the issue of affordability.

**15. ACTION ITEMS RAISED BY COUNCIL**

**16. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:43 p.m.

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MAYOR

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CITY CLERK