

# **ST. JOHN'S**

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

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

**September 3, 2024, 3:00 p.m.**

**Present:**

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Ron Ellsworth
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Jill Bruce
- Councillor Ophelia Ravencroft
- Councillor Tom Davis
- Councillor Carl Ridgeley

**Staff:**

- Derek Coffey, Acting City Manager
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Cheryl Mullett, City Solicitor
- Ken O'Brien, Chief Municipal Planner
- Jackie O'Brien, Manager of Communications
- Theresa Walsh, City Clerk
- Jennifer Squires, Legislative Assistant

**Others:**

- Edmundo Fausto, Manager, Sustainability

### **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-2024-09-03/417

**Moved By** Councillor Ravencroft

**Seconded By** Councillor Bruce

That the Agenda be adopted as presented.

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

**MOTION CARRIED (10 to 0)**

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - August 20, 2024**

SJMC-R-2024-09-03/418

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Davis

That the minutes of August 20, 2024, be adopted as presented.

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

**MOTION CARRIED (10 to 0)**

5. **BUSINESS ARISING FROM THE MINUTES**

6. **DEVELOPMENT APPLICATIONS**

6.1 **Proposed Residential Deck in the Wetland Buffer – 45 & 47 Leonard J. Cowley Street – INT2400070 & INT2400071**

SJMC-R-2024-09-03/419

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Hickman

That Council approve a residential Deck in the Wetland Buffer at 45 and 47 Leonard J. Cowley Street.

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

**MOTION CARRIED (10 to 0)**

**6.2 Crown Land Grant - 179 Northern Pond Road - CRW2400012**

SJMC-R-2024-09-03/420

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ravencroft

That Council approve the Crown Land Grant at 179 Northern Pond.

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

**MOTION CARRIED (10 to 0)**

**6.3 Notices Published – 520 Main Road – DEV2400098**

SJMC-R-2024-09-03/421

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O'Leary

That Council approve the Discretionary Use and change of Non-Conforming use application at 520 Main Road to allow a Home Occupation for an Electrical Contractor Business that will occupy the same floor area as the previous business (46.5m<sup>2</sup>) which is non-conforming in relation to the permitted size for a home occupation.

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

**MOTION CARRIED (10 to 0)**

**6.4 Notices Published – 7 Duke Street – DEV2400040**

SJMC-R-2024-09-03/422

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Hanlon

That Council approve the Discretionary Use application at 7 Duke Street to allow a Home Occupation for retail sales of prepackaged grocery items.

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

**MOTION CARRIED (10 to 0)**

**6.5 Request to Establish the Building Line Setback – 238 Portugal Cove Road – SUB2400046**

Councillor Bruce asked if Staff had any concerns with snow storage on the property. The Deputy City Manager of Planning, Engineering, & Regulatory Services responded that there were no concerns with the subdivision.

SJMC-R-2024-09-03/423

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Bruce

That Council approve a Building Line setback at 7.7m metre and 8.33 metre to accommodate the subdivide of 238 Portugal Cove Road into 2 Building Lots.

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

**MOTION CARRIED (10 to 0)**

**6.6 Accessory Building in the Watershed (Town of Portugal Cove- St. Phillip's) – 62 Kings Hill Road – INT2400069**

SJMC-R-2024-09-03/424

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ellsworth

That Council reject the proposed Accessory Building in the Watershed at 62 Kings Hill Road, Town of Portugal Cove-St. Philip's, as the proposed Accessory Building exceeds the allowable 45 square meters.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Davis, 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 August 15 - 28, 2024**

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

**10.1 Building Permits List**

**11. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**11.1 Weekly Payment Vouchers for the Weeks Ending August 21 and August 28, 2024**

SJMC-R-2024-09-03/425

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Ravencroft

That the weekly payment vouchers for the weeks ending August 21, 2024, and August 28, 2024, in the amount of \$11,077,174.17, be approved as presented.

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

**MOTION CARRIED (10 to 0)**

**12. TENDERS/RFPS**

**12.1 Contract Awards August 6, 2024 – August 28, 2024**

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

**14. NEW BUSINESS**

**14.1 Access to Information and Protection of Privacy Act, 2015 – Designation of “Head of the Public Body” and “Coordinator”**

SJMC-R-2024-09-03/426

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Ravencroft

It is recommended that the position of City Manager be designated as the Head of the Public Body and the position of Access and Privacy Analyst be designated as the Coordinator in accordance with the Act.

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

**MOTION CARRIED (10 to 0)**

**14.2 Demolition of Building – 4 Rowan Street**

Councillor Davis requested that the mature trees along the property be preserved where possible.

SJMC-R-2024-09-03/427

**Moved By** Councillor Hickman

**Seconded By** Councillor Davis

That Council grant the Demolition Order of 4 Rowan Street as requested.

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

**MOTION CARRIED (10 to 0)**

**14.3 188 New Pennywell Road – Adoption – REZ2200005**

Councillor Davis informed Council that due to the recent publication changes at The Telegram, the Public Hearing would now take place on Wednesday October 2, 2024. The change from a daily to a weekly publication has changed the cutoff date for advertising, which has resulted in the delay of the hearing for 188 New Pennywell Road. Members of Council questioned the effectiveness of advertising in The Telegram due to its limited availability. The City Solicitor advised that the advertising is required by the [Urban and Rural Planning Act](#), and Councillor Ravencroft further clarified that The City is required to advertise hearings twice in a newspaper circulated in the affected area and the first advertisement should be published at least 14 days before the date of the hearing. The current Friday publication schedule should not impact or delay future developments but should issues arise due to the limited availability of the paper, Staff will determine how to deal with managing the requirement in the most appropriate way.

Deputy Mayor O'Leary voiced concern that the change to a weekly publication would impact how the City engages with the community. Councillor Ellsworth responded that moving forward the only change would be the day of publication from Saturday to Friday. Councillor Davis suggested that e-polls be utilized where required to ensure that projects are not delayed due to advertising.

SJMC-R-2024-09-03/428

**Moved By** Councillor Davis

**Seconded By** Councillor Hickman

That Council adopt the attached resolutions for Envision St. John's Municipal Plan Amendment Number 14, 2024 and Envision St. John's Development Regulations Amendment Number 40, 2024, and appoint Cliff Johnston, MCIP, as commissioner for a public hearing on Wednesday, October 2, 2024, at 7 p.m. at St. John's City Hall.

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

**MOTION CARRIED (10 to 0)**

**14.4 242 Danny Drive – REZ2400018**

SJMC-R-2024-09-03/429

**Moved By** Councillor Davis

**Seconded By** Deputy Mayor O'Leary

That Council:

- (1) consider amending Section 6.10 of the Development Regulations to remove reference to commercial garage building height;
- (2) consider rezoning properties at 215 Danny Drive, 223 Danny Drive, 242 Danny Drive and 250 Beaumont Hamel Way from the Industrial General (IG) Zone to the Industrial Commercial (IC) Zone, and advertise the amendment for public review and comment; and
- (3) advertise the Retail Use as a discretionary use at 242 Danny Drive.

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

**MOTION CARRIED (10 to 0)**

**14.5 SERC - 2024 Fall Events 1**

SJMC-R-2024-09-03/430

**Moved By** Councillor Bruce

**Seconded By** Councillor Ridgeley

That Council approve road closures associated with the Uniformed Services Run/Provincial Marathon on September 8; Terry Fox Run on September 15; Battle of Britain Parade on September 15; and the Gower Street Churches block party on September 22 (inclement weather date of September 29), as well as a noise by-law extension for the George Street Back to School Bash on September 13.



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

**MOTION CARRIED (10 to 0)**

**14.6 Municipal Open House Event**

Councillor Bruce asked for the location of the City Archives. The City Clerk responded that the Archives are located at 15 Terra Nova Road, around the corner from the Farmer's Market.

Councillor Hickman later questioned which organization was responsible for the Doors Open program. The program was organized by NL Historic Trust.

**15. OTHER BUSINESS**

**16. ACTION ITEMS RAISED BY COUNCIL**

**17. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:46 p.m.

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MAYOR

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CITY CLERK