

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

November 26, 2024, 3:00 p.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Maggie Burton
Councillor Ron Ellsworth
Councillor Sandy Hickman
Councillor Jill Bruce
Councillor Greg Noseworthy
Councillor Tom Davis
Councillor Carl Ridgeley

Regrets: Councillor Debbie Hanlon
Councillor Ophelia Ravencroft

Staff: Derek Coffey, Acting City Manager
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
Theresa Walsh, City Clerk
Jackie O'Brien, Manager of Corporate Communications
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-2024-11-26/508

Moved By Councillor Davis

Seconded By Councillor Bruce

That the Agenda be adopted as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Minutes - November 12, 2024**

SJMC-R-2024-11-26/509

Moved By Deputy Mayor O'Leary

Seconded By Councillor Noseworthy

That the minutes of November 12, 2024, be adopted as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

5. **BUSINESS ARISING FROM THE MINUTES**

6. RATIFICATION OF THE COLLECTIVE AGREEMENT BETWEEN THE CITY OF ST. JOHN'S AND IAFF LOCAL 1075

SJMC-R-2024-11-26/510

Moved By Councillor Ellsworth

Seconded By Councillor Ridgeley

That Council ratify the Collective Agreement negotiated between the City of St. John's and IAFF Local 1075.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

7. DEVELOPMENT APPLICATIONS

7.1 Re-establish the Building Line Setback and Side Yard Variance – 9 Anderson Avenue – DEV2400147

Councillor Davis informed Council that there were ongoing issues concerning garbage and property maintenance with the property in question. He requested that Staff inspect the property to ensure there were no further violations.

SJMC-R-2024-11-26/511

Moved By Councillor Ridgeley

Seconded By Councillor Hickman

That Council approve a Building Line Setback at 3.6 metres and a Variance of 10% for a Side Yard Setback of 5.4 metres at 9 Anderson Avenue to accommodate a Four-Plex on a Corner Lot.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

7.2 Crown Land Referral – George's Pond Road – CRW2400017

Councillor Hickman voiced his support for the Crown Land License to Occupy land in the vicinity of George's Pond Road. He noted that in rejecting the application, the City would be turning down the potential for an interesting project to occupy the space. If additional infrastructure is required to support development, it could be years before the tax base could expand into the area. Deputy Mayor O'Leary agreed with Councillor Hickman, noting that there was merit in the potential for a project in the area and that it would be a detriment to shut the application down at such an early stage.

Members of Council stated the importance of moving forward with development in the right way, ensuring that infrastructure was in place before making decisions. It was agreed that approval of the License to Occupy would be premature at this time.

SJMC-R-2024-11-26/512

Moved By Councillor Ridgeley

Seconded By Councillor Davis

That Council reject the Crown Land License to Occupy land in the area of George's Pond Road as the proposal is premature at this time and is located in a Comprehensive Development Area (CDA) Zone.

For (7): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

Against (2): Deputy Mayor O'Leary and Councillor Hickman

MOTION CARRIED (7 to 2)

7.3 Notices Published – 5-7 Little Street – DEV2300074

Councillor Ridgeley made a motion to defer the application for two weeks to provide Staff an opportunity to speak to the proponent on the request for parking relief. Councillor Burton asked for the rationale behind the deferral, as additional information on parking and traffic would be provided at the Development Application stage. Councillor Davis responded that parking was a concern in the area, and that he would like Staff to speak to the applicant on the parking variance. Councillor Ellsworth noted that he was in support of the project but had similar concerns surrounding parking relief.

SJMC-R-2024-11-26/513

Moved By Councillor Ridgeley

Seconded By Councillor Davis

That Council defer the item to the Regular Meeting of December 10, 2024.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

Against (1): Councillor Burton

MOTION CARRIED (8 to 1)

8. **RATIFICATION OF EPOLLS**

9. **COMMITTEE REPORTS**

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

10.1 **Development Permits List November 7 - 20, 2024**

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

11.1 **Building Permits List**

12. **REQUISITIONS, PAYROLLS AND ACCOUNTS**

12.1 **Weekly Payment Vouchers for the Weeks Ending November 13 and November 20, 2024**

SJMC-R-2024-11-26/514

Moved By Deputy Mayor O'Leary

Seconded By Councillor Bruce

That the weekly payment vouchers for the weeks ending November 13 and November 20, 2024, in the amount of \$8,007,143.43 be approved as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

13. TENDERS/RFPS

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

14.1 Petition from residents in the area of Claddagh Road concerning 725 Southlands Boulevard

Councillor Ridgeley submitted a petition on behalf of residents near Claddagh Road in the Southlands Subdivision. The residents are opposed to all revisions that would change the Galway "Stage 1" Development Plan, specifically the inclusion of a five-storey personal care home on Claddagh Road. Councillor Ridgeley advised Council and the residents that he had spoken with the developer concerning the project, and an apartment building is intended for the site and not a personal care home.

15. NEW BUSINESS

15.1 Art Procurement Recommendations 2024

SJMC-R-2024-11-26/515

Moved By Councillor Hickman

Seconded By Councillor Burton

That Council approve the 2024 Art Procurement Jury's recommendations for purchase as attached.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

15.2 265 LeMarchant Road – DEV220040 – Discretionary Use and Heritage Report

Councillor Ellsworth referenced an interview with the developer where it was stated that it took over a year for the City to get to the approval stage of the process. He asked Staff to clarify the timeline for the application. Staff responded that the building was designated by Council in late 2021. The terms of reference for a Heritage Report for the application were set

in May of 2022. The final version of the Heritage Report, included in the Agenda for Council's consideration, was received in October 2024.

SJMC-R-2024-11-26/516

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council approve the discretionary-use application for a Heritage Use at 265 LeMarchant Road to allow 20 dwelling units and set the parking requirement at 20 parking spaces for a Heritage Use.

Further, that Council adopt the attached Heritage Report for 265 LeMarchant Road dated October 7, 2024.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

15.3 725 Southlands Boulevard (Galway) – Adoption – REZ2100009

Councillor Burton drew attention to information in the Decision Note concerning the requirement of an extension of Southlands Boulevard for future development applications. The Deputy City Manager of Planning, Engineering, and Regulatory Services advised that no new development applications would be approved until there was a plan in place for the completion of Southlands Boulevard. The proponents are working on a solution, but the condition will remain in place until the connection is made or there is a plan in place for the adequate completion of the Boulevard. It was clarified that Council would not be considering Development Approval at this time, but rather rezoning. Having the land rezoned will accelerate the Development Approval process for future development.

SJMC-R-2024-11-26/517

Moved By Councillor Burton

Seconded By Councillor Ridgeley

That Council

(1) adopt the attached Envision St. John's Development Regulations Amendment Number 31, 2024, to amend the frontage requirements in the Planned Mixed Development 1 (PMD1) Zone, add Personal Care Home

as a permitted use, change the parking requirements and replace Schedules A to D; and
2) as per Section 4.9(3) of the Development Regulations, accept this staff report in lieu of a land use report (LUR).

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

15.4 St. John's Climate Resilient Coastal Communities Partnership Project

SJMC-R-2024-11-26/518

Moved By Deputy Mayor O'Leary

Seconded By Councillor Ellsworth

That Council approves the financial contribution to the Atlantic Infrastructure Management (AIM) Network's St. John's Climate Resilient Coastal Communities Project from the sustainability budget 2024 and 2025.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION CARRIED (9 to 0)

15.5 Shea Heights Community Centre Board – New Appointments

Councillor Ellsworth declared a conflict of interest as he is a volunteer member of the Shea Heights Community Centre Board.

Councillor Noseworthy questioned how board member appointees were vetted. The Deputy City Manager of Community Services informed Council that the positions on the Board are dictated by the terms of reference. When a vacancy arises, the Board will reach out to the community for interested applicants. Applications are sent to and reviewed by the Board, who then make their recommendations to Council for appointment.

Successful appointees are often known to the Board, and all discussions would take place at the Board level. The Board has both City Staff and Council representation.

SJMC-R-2024-11-26/519

Moved By Councillor Ridgeley

Seconded By Councillor Burton

That Council approve the appointment of Theresa Minnett to the Shea Heights Community Centre Board to fill the “at large” category, and to approve the appointment of Gail O’Neill to fill the vacancy of “NL Housing tenant” category of the Board.

For (8): Mayor Breen, Deputy Mayor O’Leary, Councillor Burton, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

Abstain (1): Councillor Ellsworth

MOTION CARRIED (8 to 0)

16. OTHER BUSINESS

17. ACTION ITEMS RAISED BY COUNCIL

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17.1 Housing Cooperatives

Deputy Mayor O’Leary asked that additional consideration be given to housing cooperatives when discussing affordable housing and density.

17.2 Major’s Path Update

Councillor Bruce inquired how long roadwork on Major’s Path would continue. The Deputy City Manager responded that there was no firm cutoff for base asphalt and should there be no major delays the current project should clue up around the end of the month.

18. ADJOURNMENT

There being no further business, the meeting adjourned at 4:07 p.m.

MAYOR

CITY CLERK