

# ST. JOHN'S

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

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

**January 14, 2025, 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

### **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-2025-01-14/01

**Moved By** Councillor Bruce

**Seconded By** Councillor Noseworthy

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 of December 10, 2024**

SJMC-R-2025-01-14/02

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Davis

That the Minutes of December 10, 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. 51 Hazelwood Crescent – MPA2400012**

Mayor Breen requested that the rezoning at 51 Hazelwood Crescent be moved from the Committee of the Whole Report to accommodate Councillor Noseworthy's schedule.

Councillor Noseworthy informed Council that he had spoken with residents about their concerns on the proposed rezoning to the Apartment 1 (A1) Zone. Residents noted that traffic safety was a concern with the current design and that there have been several accidents in the area. As a result, he would no longer support the proposal. Members of Council advised that the current approval would require the developer to submit a Land Use Report (LUR) and engage with the neighbourhood, hear resident concerns, and consider changes to the proposal to address such concerns. The Commissioners Hearing would provide an additional opportunity for residents to engage with both the City and the developer on the proposed development. It was acknowledged that traffic safety was an issue, and that these concerns could be addressed by the developer or considered separately from the current application if required. Density is needed in the City, and the location is close to amenities and a school which would be a draw for those looking for a home.

SJMC-R-2025-01-14/03

**Moved By** Councillor Burton

**Seconded By** Councillor Ellsworth

That Council consider rezoning 51 Hazelwood Crescent from the Institutional (INST) Zone to the Apartment 1 (A1) Zone.

Further, upon receiving a satisfactory LUR, that the application be advertised for public input and feedback.

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

Against (1): Councillor Noseworthy

**MOTION CARRIED (8 to 1)**

7. **45-53 Blackmarsh Road – REZ2400022**

Mayor Breen requested that the rezoning at 45, 47, and 53 Blackmarsh Road be moved from the Committee of the Whole Report to accommodate Councillor Noseworthy's schedule.

SJMC-R-2025-01-14/04

**Moved By** Councillor Burton

**Seconded By** Councillor Ridgeley

That Council consider rezoning 45, 47, and 53 Blackmarsh Road from the Industrial Commercial (IC) Zone to the Commercial Mixed (CM) Zone.

Further, upon receiving a satisfactory site plan, that the application be advertised for public review and input.

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)**

8. **DEVELOPMENT APPLICATIONS**

8.1 **Proposed Accessory Building and Landscaping in the Floodplain Buffer – 16 Kensington Drive – INT2400091**

Deputy Mayor O'Leary inquired if the Environment and Sustainability Experts Panel's recommendation to conserve the trees near the floodplain and relocate the sports court and retaining wall were communicated to the property owner by Staff. The Deputy City Manager of Planning, Engineering, and Regulatory Services responded that he did not know if the recommendation had been communicated to the owner and advised that a number of trees on the property would be conserved, and new trees would be planted. As such, Staff did not see a significant impact on the number of trees on the property.

Councillor Davis asked if the Accessory Building would still be permitted in the Floodplain Buffer if it was a Secondary Suite. The Deputy City Manager replied that currently, Secondary Suites are considered the same as Accessory Buildings, and the Regulations have not been amended to address the issue of Secondary Suites in the Floodplain Buffer. If the

proposed building met the lot requirements, it would be permitted. The issue has not yet been encountered, and the Regulations can be updated to address the issue.

SJMC-R-2025-01-14/05

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O'Leary

That Council approve the residential Accessory Building and Landscaping in the Floodplain Buffer at 16 Kensington Drive, subject to meeting other applicable conditions of the St. John's Development Regulations.

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)**

## **8.2 Notices Published - 330 Lemarchant Road – DEV2400140**

Councillor Ellsworth asked if the hours of operation for the drive through for 7 a.m. to 10 p.m. daily were set by the City or the applicant. The Deputy City Manager of Planning, Engineering, and Regulatory Services was uncertain as to who set the hours. He further advised that the hours will be set in the agreement between the City and the applicant and as such the outcome would remain the same. As the current proposal would not use an external speaker/intercom system, a noise attenuation barrier/acoustic barrier/noise wall would not be required. Councillor Ellsworth requested information on the process should the applicant choose to add an intercom or speaker to the site. The Deputy City Manager responded that should the applicant wish to add an intercom or speaker, it would require an amendment to the current Development Application. The amendment would include details on noise attenuation. Councillor Ellsworth requested that this information be shared with the applicant to ensure they understand the process should they wish to move in a different direction.

SJMC-R-2025-01-14/06

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ellsworth

That Council approve the Discretionary Use for a drive through at 330 Lemarchant Road and not require the applicant to provide a noise attenuation barrier as no outdoor speaker(s) are proposed.

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)**

**8.3 Notices Published – 710 Torbay Road – DEV2400132**

SJMC-R-2025-01-14/07

**Moved By** Councillor Noseworthy

**Seconded By** Councillor Bruce

That Council approve the Discretionary Use for a Place of Assembly at 710 Torbay Road which will allow the existing greenhouse to be used for a rental event space.

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)**

**8.4 Set Zone Standards for Proposed Single Detached Dwelling – 661 Thorburn Road – DEV2200102**

SJMC-R-2025-01-14/08

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Davis

That Council approve the proposed Zone Standards in the Watershed Zone to allow the rebuild of a Single Detached Dwelling at 661 Thorburn Road as follows:

- Building Line – 38.95m;
- Side Yard – West: 3.18m; and
- Side Yard - East: 4.23m.

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)**

**8.5 Request for Parking Relief – 35 Gilbert Street – SUB2400064**

SJMC-R-2025-01-14/09

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Burton

That Council approve parking relief for five (5) parking spaces at 35 Gilbert Street to accommodate the proposed seven (7) Townhouse Lots.

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)**

**8.6 Notices Published - Pasture Land Road – DEV2400150, CRW2400002 and CRW2400009**

Deputy Mayor O'Leary noted her appreciation for remediation work on the site, which will include the spreading of preserved topsoil/mineral soil and organic layer/grubbing over the cleared area to allow natural revegetation/tree growth to occur. She asked if consideration could be given to the reintroduction of trees in a timely manner as a part of the remediation plan when considering quarry applications. The Deputy City Manager of Planning, Engineering, and Regulatory Services advised that a discussion with the Mineral Lands Division of the Province could be had concerning remediation.

SJMC-R-2025-01-14/10

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O'Leary

That Council approve the Discretionary Use application for the expansion of a Mineral Working Use (quarry) in the Forestry Zone and remediation of

land in the Watershed Zone, and approve the related Mineral Lands Division referral for a 2.7 hectare new quarry permit (expansion), and Crown Lands License to Occupy an area of land approximately 2,400 square metres for the realignment of the existing quarry access, which is located on Pasture Land Road.

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)**

**8.7 Request for Variance on Lot Frontage – 79 Old Petty Harbour Road**

SJMC-R-2025-01-14/11

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ellsworth

That Council approve a 7.33% Variance on Lot Frontage at 79 Old Petty Harbour Road to allow the subdivision and development of a Single Detached Dwelling.

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)**

**9. RATIFICATION OF EPOLLS**

**10. COMMITTEE REPORTS**

**10.1 Committee of the Whole Report - December 17, 2024**

**1. Funding for Fleet Renewal – Waste Collection**

Please note that this item was approved by Council via e-poll on December 17th.

SJMC-R-2025-01-14/12

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Bruce



That Council approve the use of \$2.5M of surplus previously allocated to lower future borrowing for the 2025 waste collection vehicle funding deficit.

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)**

**2. SJTC – Appointment Recommendation**

SJMC-R-2025-01-14/13

**Moved By** Councillor Ellsworth

**Seconded By** Deputy Mayor O'Leary

That Council approve the recommendation of the Selection Committee to appoint Paul Canning to the St. John's Transportation Commission.

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)**

**3. 19 King's Bridge Road - REZ2400024**

SJMC-R-2025-01-14/14

**Moved By** Councillor Burton

**Seconded By** Councillor Hickman

That Council consider rezoning 19 King's Bridge Road from the Commercial Neighbourhood (CN) Zone to the Residential Mixed (RM Zone) and consider adding Health and Wellness Centre as a permitted use to the Residential Mixed (RM) Zone.

Further, that the application be publicly advertised in accordance with the Envision St. John's Development Regulations.

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. 364 Groves Road – REZ2400025**

SJMC-R-2025-01-14/15

**Moved By** Councillor Burton

**Seconded By** Councillor Bruce

That Council reject the application to rezone land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone as it is beyond the limits of servicing and conflicts with Municipal Plan policies for unserviced development.

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)**

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

**11.1 Development Permits List December 5, 2024 to January 8, 2025**

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

**12.1 Building Permits List**

**13. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**13.1 Weekly Payment Vouchers for the Weeks Ending December 11 and December 18, 2024**

SJMC-R-2025-01-14/16

**Moved By** Councillor Ellsworth

**Seconded By** Deputy Mayor O'Leary

That the weekly payment vouchers for the weeks ending December 11 and December 18, 2024, in the amount of \$18,709,037.19 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)**

**13.2 Weekly Payment Vouchers for the Weeks Ending December 25, 2024, January 2, 2025, and January 8, 2025**

SJMC-R-2025-01-14/17

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Bruce

That the weekly payment vouchers for the weeks ending December 25, 2024, January 2, 2025, and January 8, 2025, in the amount of \$25,496,692.11, 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)**

**14. TENDERS/RFPS**

**14.1 Contracts Awarded - December 4, 2024 - January 8, 2025**

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

**15.1 Petition - 5 and 7 Little Street**

Councillor Davis presented a petition on behalf of residents of the Little Street area concerning the size of a proposed development at 5 and 7 Little Street. They are requesting that the size of the building be reconsidered to ensure there is adequate parking.

**16. NEW BUSINESS**

**16.1 The Shea Heights Community Centre Board of Directors – Terms of Reference**

As he is a volunteer member of the Shea Heights Community Centre Board of Directors, Councillor Ellsworth declared a conflict of interest on the matter and refrained from speaking or voting on the Terms of Reference.

SJMC-R-2025-01-14/18

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Davis

That Council review and approve the Terms of Reference as presented.

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)**

**16.2 Travel Authorization – Mayor Danny Breen – Big City Mayor's Caucus Meeting (BCMC) – Ottawa – February 2025**

SJMC-R-2025-01-14/19

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Ridgeley

That Council approve the travel costs associated with Mayor Danny Breen attending BCMC in Ottawa in February 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)**

**16.3 Travel Authorization – Mayor Danny Breen – CERAWeek – Houston Texas - March 10-14, 2025**

SJMC-R-2025-01-14/20

**Moved By** Councillor Bruce

**Seconded By** Councillor Burton

That Council approve the travel cost for Mayor Danny Breen to attend the CERA Week Conference in Houston Texas in March of 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)**

**16.4 34 New Cove Road – MPA2300005 - Adoption**

Members of Council voiced their support for the amendments concerning a proposed apartment building at 34 New Cove Road. Resident concerns on traffic, shadowing, and looming were acknowledged, but Council agreed that moving forward to a Commissioner's Hearing would be of benefit to allow residents to engage with the developer and discuss their concerns. The engagement will provide Council with a better understanding of resident concerns and the impacts of the proposal.

SJMC-R-2025-01-14/21

**Moved By** Councillor Burton

**Seconded By** Deputy Mayor O'Leary

That Council adopt the attached resolutions for Envision St. John's Municipal Plan Amendment Number 16, 2024 and Envision St. John's Development Regulations Amendment Number 48, 2024, related to a proposed Apartment Building at 34 New Cove Road, and appoint Cliff Johnston as commissioner for a public hearing on the amendments. The proposed hearing date is Wednesday, February 12, at 7 p.m. at St. John's City Hall.

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)**

**17. OTHER BUSINESS**

**18. ACTION ITEMS RAISED BY COUNCIL**

**18.1 Municipal World's Women of Influence in Local Government**

Mayor Breen recognized Deputy Mayor O'Leary as the recipient of Municipal World's Women of Influence in Local Government award. The award celebrates women who have demonstrated leadership, strength, and determination in local politics.

**19. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:06 p.m.

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MAYOR

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CITY CLERK