

# ST. JOHN'S

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## Minutes of Regular Meeting - City Council

### Virtual

January 28, 2025, 3:00 p.m.

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

Regrets: Councillor Ron Ellsworth  
Councillor Debbie Hanlon

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, 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**

2.1 **Firefighter Cancer Awareness Month**

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2025-01-28/22

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Davis

That the Agenda be adopted as presented.

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

**MOTION CARRIED (8 to 0)**

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - January 14, 2025**

SJMC-R-2025-01-28/23

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Davis

That the minutes of January 14, 2025, be adopted as presented.

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

**MOTION CARRIED (8 to 0)**

5. **BUSINESS ARISING FROM THE MINUTES**

**6. DEVELOPMENT APPLICATIONS**

**6.1 Notices Published – 60 O’Leary Avenue - DEV2400162**

SJMC-R-2025-01-28/24

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O’Leary

That Council approve the Discretionary Use at 60 O’Leary Avenue for Retail Use.

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

**MOTION CARRIED (8 to 0)**

**6.2 Notices Published – Incinerator Road - DEV2400165 & CRW2400018**

Deputy Mayor O’Leary requested that City Staff continue to discuss remediation efforts for quarries with the Province. She advised that the implementation or reintegration of trees would help with the remediation process.

SJMC-R-2025-01-28/25

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O’Leary

That Council approve the Discretionary Use application for extension to an existing quarry (Mineral Working Use) in the Industrial General (IG) Zone and approve the related Crown Land Grant for approximately 6.39 hectares, which is located on Incinerator Road.

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

**MOTION CARRIED (8 to 0)**

**6.3 Request for Variance on Backyard Suite Area - 125 Penney Crescent - DEV2400170**

Councillor Bruce informed Council that she had spoken with a concerned resident on the proposed variance to permit a Backyard Suite at 125 Penney Crescent. She noted that normally the request would not come to Council, but as a variance is required, Council's consideration must be given to the application. The Suite will be located in the same area of an existing shed on the property and will actually be moving closer to the street and further from the neighbouring property line.

SJMC-R-2025-01-28/26

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Bruce

That Council approve the Variance of 0.5% on Backyard Suite Area, which will result in a Backyard Suite having an Area of 60.2m<sup>2</sup> at 125 Penney Crescent.

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

**MOTION CARRIED (8 to 0)**

**6.4 Request for Lot Area Variance – 50 Shoal Bay Road – INT2500004**

SJMC-R-2025-01-28/27

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O'Leary

That Council approve a Variance of 6.12% on Lot Area for 50 Shoal Bay Road.

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

**MOTION CARRIED (8 to 0)**

**6.5 Change to Non-Conforming Building – 117 Newtown Road – DEV2400007**

SJMC-R-2025-01-28/28

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Burton

That Council approve the interior changes to the existing non-conforming building to allow a Four-Plex at 117 Newtown Road.

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

**MOTION CARRIED (8 to 0)**

**6.6 Proposed Variance and Request to Establish the Building Line – 130 Diamond Marsh Drive – SUB2400069**

Councillor Ridgley spoke to residents in the area of Diamond Marsh Drive and alleviated their concerns stemming from a notice sent about the proposed variance. He noted the importance of clarity when sending notices from the City.

SJMC-R-2025-01-28/29

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Noseworthy

That Council approve a 10% Variance to allow a Rear Yard setback of 5.4 metres and establish the Building Line at 5.12m for 130 Diamond Marsh Drive to allow a Single Detached Dwelling.

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

**MOTION CARRIED (8 to 0)**

**6.7 Notices Published – 5-7 Little Street – DEV2300074**

Members of Council remarked that many residents voiced concerns on parking, infrastructure, and the overall size of the proposed development for 5-7 Little Street. Councillor Burton acknowledged these concerns, but also noted the importance of increasing density throughout the City, especially in serviced areas that are close to amenities and with access to public transit. She was in support of the application as proposed. Councillors echoed the concerns of residents and recommended that the developer consider reducing the size of the building or increasing the number of parking spaces available.

SJMC-R-2025-01-28/30

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Burton

That Council approve the revised Land Use Report (LUR) at 5-7 Little Street for a proposed

Apartment Building, parking relief for 16 parking spaces and grant Approval-in-Principle subject to the following conditions prior to Final Approval:

1. Meet all requirements of the St. John's Municipal Plan and Development Regulations;
2. Meet all requirements of the Development Design Manual; and
3. Detailed site and servicing plans submitted and approved.

For (2): Councillor Burton, and Councillor Ravencroft

Against (7): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

**MOTION LOST (2 to 7)**

**7. RATIFICATION OF EPOLLS****8. COMMITTEE REPORTS****8.1 Committee of the Whole Report - January 21, 2025**

1. **2025 Capital out of Revenue and Parks & Open Spaces Reserve Project Approval**

Councillor Noseworthy requested that consideration be given to allocating uncommitted funds to support the installation of pickleball courts at City facilities.

SJMC-R-2025-01-28/31

**Moved By** Councillor Bruce

**Seconded By** Deputy Mayor O'Leary

That Council approve the recommended 2025 Capital out of Revenue listing and the Parks & Open Spaces reserve projects.

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

**MOTION CARRIED (9 to 0)**

**2. Canada Games 2025 Employee Volunteer Policy**

Councillor Hickman encouraged businesses and other levels of government to consider implementing similar policies to allow employees to volunteer with the Canada Games.

SJMC-R-2025-01-28/32

**Moved By** Councillor Bruce

**Seconded By** Councillor Hickman

That Council approve the Canada Games 2025 Volunteerism Policy

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

**MOTION CARRIED (9 to 0)**

**3. 424 Kenmount Road – MPA2400013**

SJMC-R-2025-01-28/33

**Moved By** Councillor Burton

**Seconded By** Councillor Noseworthy

That Council consider rezoning land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone and approve the attached terms of reference for a Land Use Report (LUR).

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

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

**MOTION CARRIED (9 to 0)**

**4. 46 Hazelwood Crescent – REZ2400026**

Councillor Davis asked if the applicant could tear down the existing building and rebuild something larger should the rezoning be approved. The Chief Municipal Planner responded that the rezoning would enable the owner to build anything that is permitted in the A1 Zone. Councillor Ridgeley asked if conditions could be placed on the property to mitigate issues that may arise. Staff replied that conditions could not be placed on existing zones, but a new zone could be created with conditions built in should Council wish to do so. Councillor Burton advised that it would be beneficial to move forward to the consultation process in order to discuss possibilities for the site. Councillor Noseworthy again noted the concerns of residents in the area and stated that he would not be in support of the application unless traffic and speeding concerns were addressed by the developer and the City.

SJMC-R-2025-01-28/34

**Moved By** Councillor Burton

**Seconded By** Councillor Davis

That Council consider rezoning property at 46 Hazelwood Crescent from the Residential 1 (R1) Zone to the Apartment 1 (A1) Zone to enable a Cluster Development with two Apartment Buildings, and approve the attached draft terms of reference for a land use report (LUR).



Further, upon receiving a satisfactory land use report, that Council refer the application to a public meeting chaired by an independent facilitator.

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

Against (1): Councillor Noseworthy

**MOTION CARRIED (8 to 1)**

**5. 21A Angel Place – DEV2400112 – New Dwelling**

SJMC-R-2025-01-28/35

**Moved By** Councillor Burton

**Seconded By** Councillor Noseworthy

That Council accept this staff report on 21A Angel Place as the Heritage Report for a proposed Townhouse in Heritage Area 3, as per Section 8(3) of the St. John's Heritage By-Law.

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

**MOTION CARRIED (9 to 0)**

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

**9.1 Development Permits List January 9 - 22, 2025**

**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 January 15 and January 22, 2025**

SJMC-R-2025-01-28/36

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Bruce

That the weekly payment vouchers for the weeks ending January 15 and January 22, 2025, in the amount of \$14,126,042.91 be approved as presented.

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

**MOTION CARRIED (8 to 0)**

**12. TENDERS/RFPS**

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

**13.1 Resolution - Political Literacy**

Deputy Mayor O'Leary informed Council that she had received three letters of support for the resolution. She will provide the letters to the City Clerk.

SJMC-R-2025-01-28/37

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Davis

That the resolution be approved as presented.

For (7): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (7 to 0)**

**14. NEW BUSINESS**

**14.1 Sale of City land at the rear of 15 Tonbridge Place**

SJMC-R-2025-01-28/38

**Moved By** Councillor Noseworthy

**Seconded By** Councillor Davis

That Council approve the sale of City land at the rear of 15 Tonbridge Place, as outline in blue on the attached diagram.

For (7): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (7 to 0)**

**14.2 Sale of City land at the rear of 9 Collins Place**

Councillor Noseworthy requested that the City Solicitor provide additional information on the easement located at the rear of the property. The City Solicitor advised that the utility easement allows companies (Bell or Newfoundland Power) to access infrastructure located on the property for maintenance. The easement is registered as a matter of public record and the homeowner is prohibited from constructing or building over the easement area with the exception of an easily movable section of fencing. The owner is also not permitted to excavate, fill in, or change the grade of the area by more than 20cm without the prior consent of Newfoundland Power or Bell.

SJMC-R-2025-01-28/39

**Moved By** Councillor Noseworthy

**Seconded By** Deputy Mayor O'Leary

That Council approve the sale of City land at the rear of 9 Collins Place, as outline in red on the attached diagram.

For (7): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (7 to 0)**

**15. OTHER BUSINESS**

**16. ACTION ITEMS RAISED BY COUNCIL**

**16.1 Pest Control for New Development**

Councillor Davis asked if there were requirements in place for pest control for new developments. The Deputy City Manager of Planning, Engineering, and Regulatory Services responded that a rodent control plan is required for developers.

**17. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:17 p.m.

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MAYOR

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CITY CLERK