

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

April 22, 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 Ophelia Ravencroft

Staff: Kevin Breen, City Manager
Derek Coffey, Deputy City Manager of Finance & Corporate Services
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
Stacey Baird, 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 **National Poetry Month - Poetry Reading**

Jennifer May Newhook

2.2 **Youth Week**

Proclamation

2.3 **Volunteer Week**

Proclamation

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2024-04-22/136

Moved By Deputy Mayor O'Leary

Seconded By Councillor Davis

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 **Minutes of April 9, 2025**

SJMC-R-2024-04-22/137

Moved By Councillor Bruce

Seconded By Councillor Hickman

That the minutes of April 9, 2025, 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. DEVELOPMENT APPLICATIONS

6.1 Crown Land Grant – Petty Harbour Road – CRW2500004

Councillor Ellsworth declared a conflict of interest and abstained from voting as he volunteers with the organization that owns the property.

Councillor Ridgeley encouraged the proponent to work with city staff, the province and Newfoundland Power in hopes of finding a solution to allow the application to proceed.

SJMC-R-2024-04-22/138

Moved By Councillor Ridgeley

Seconded By Deputy Mayor O'Leary

That Council reject the Crown Land Grant along Petty Harbour Road for a Cemetery Use, as the property is zoned Open Space Reserve (OR), which does not allow the proposed use, and the parcel of land has no frontage on a public street.

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)

6.2 Proposed Single Detached Dwelling in the Watershed – 5 King's Hill Road (Town of Portugal Cove – St. Phillip's) – INT2500021

Deputy Mayor O'Leary inquired whether there has been dialogue with the Town of Portugal Cove-St. Philip's, as they continue to refer applications within the water to the City, despite the regulations clearly not allowing this

type of development. The Deputy City Manager of Planning, Engineering, and Regulatory Services advised that the applications are forwarded to the City as the watershed falls under City jurisdiction.

SJMC-R-2024-04-22/139

Moved By Councillor Ridgeley

Seconded By Councillor Davis

That Council reject the proposed development for a Single Detached Dwelling at 5 King's Hill Road, Town of Portugal Cove St. Phillips, as the Lot is located within the Broad Cove Watershed and a new Dwelling is not permitted on the Lot as per Section 104(4) of the City of St. John's Act.

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)

6.3 Notices Published – 31 Malta Street – DEV2500039

SJMC-R-2024-04-22/140

Moved By Councillor Ridgeley

Seconded By Councillor Burton

That Council approve the Discretionary Use for a Service Shop at 31 Malta Street to allow a beauty salon.

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)

6.4 Notices Published – 55 Cashin Avenue - DEV2500034

SJMC-R-2024-04-22/141

Moved By Councillor Ridgeley

Seconded By Councillor Ellsworth

That Council approve the change of Non-Conforming Use for a Retail Use at 55 Cashin Avenue.

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)

6.5 Notices Published - 65 Empire Avenue – DEV2500026

SJMC-R-2024-04-22/142

Moved By Councillor Ridgeley

Seconded By Councillor Noseworthy

That Council approve the change of Non-Conforming Use for a Clinic Use at 65 Empire Avenue and parking relief for three (3) parking 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)

6.6 Proposed Demo and Rebuild for a Non-Conforming Use – 267 Thorburn Road – SUB2500012

SJMC-R-2024-04-22/143

Moved By Councillor Ridgeley

Seconded By Councillor Hickman

That Council approve the demolition and rebuilt of the Non-conforming Use at 267 Thorburn 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)**6.7 Notices Published – 5 Lunenburg Street – DEV2500024**

Councillor Bruce expressed support for small businesses, however, she noted that this business has been in operation without a permit and has already contributed to traffic concerns in the area. Given the business' success, she advised that a commercial location would be more appropriate.

SJMC-R-2024-04-22/144

Moved By Councillor Ridgeley

Seconded By Councillor Bruce

That Council approve the Discretionary Use application for a Home Occupation at 5 Lunenburg Street for retail sales.

For (1): Deputy Mayor O'Leary

Against (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Noseworthy, Councillor Davis, and Councillor Ridgeley

MOTION LOST (1 to 8)**7. RATIFICATION OF EPOLLS****8. COMMITTEE REPORTS****8.1 Committee of the Whole Report - April 15, 2025****1. Wetlands Map Amendment – Southlands (SL1)**

SJMC-R-2025-04-22/145

Moved By Councillor Burton

Seconded By Councillor Ellsworth

That Council consider a map amendment to the Envision St. John's Development Regulations to update Appendix C, Map 4 to reflect the full extent of the Southlands SL1 wetland.

Further, that the proposed amendment be advertised in accordance with the 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)

2. 725 Southlands Boulevard – REZ2500005

SJMC-R-2025-04-22/146

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council consider an amendment to the Envision St. John's Development Regulations to replace maps in Appendix D in the Planned Mixed Development 1 (PDM 1) Zone to reflect the new proposed development plan. Further, that the application be publicly advertised for review and comment.

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. 146 Casey Street – REZ2500004

SJMC-R-2025-04-22/147

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council consider rezoning 146 Casey Street from the Residential Downtown (RD) Zone to the Apartment Downtown (AD) Zone for a proposed Apartment Building.

Further, that Council approve the attached land use report (LUR) terms of reference for 146 Casey Street and upon receiving a satisfactory LUR, that the application be advertised and referred to a public meeting chaired by an independent facilitator.

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. 222 LeMarchant Road

SJMC-R-2025-04-22/148

Moved By Councillor Burton

Seconded By Councillor Davis

That Council consider a text amendment to the Envision St. John's Development Regulations to add "Dwelling Unit – 1st Storey" as a discretionary use in the Commercial Office Hotel (COH) Zone.

Further, that the application be publicly advertised (notification only) in accordance with the 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)

5. REZ2500003 – 500 Kenmount Road (Huntsman Place)

SJMC-R-2025-04-22/149

Moved By Councillor Burton

Seconded By Councillor Bruce

That Council reject the application to rezone a portion of land at 500 Kenmount Road (Huntsman Place) as the proposed development is premature and is beyond the current limits of servicing.

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)

6. 500 Kenmount Road – MPA2500002

SJMC-R-2025-04-22/150

Moved By Councillor Burton

Seconded By Councillor Davis

That Council consider rezoning land above the 190-metre contour elevation at 500 Kenmount Road from the Residential 1 (R1) Zone to the Comprehensive Development Area 9 (CDA 9) Zone to ensure the zoning reflects the current limits of servicing.

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 Design Manual – Updates

SJMC-R-2025-04-22/151

Moved By Councillor Ridgeley

Seconded By Councillor Ellsworth

That Council approve updates to the Development Design Manual as proposed herein.

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. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

9.1 Development Permits List April 3 - 16, 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 April 9 and April 16

SJMC-R-2024-04-22/152

Moved By Councillor Ellsworth

Seconded By Councillor Bruce

That the weekly payment vouchers for the weeks ending April 9 and April 16, 2025, in the amount of \$17,315,693.65, 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)

12. TENDERS/RFPS

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

Deputy Mayor O'Leary presented a petition from residents of Margaret Place who are opposed to the apartment complex and townhouse proposal for the area.

14. NEW BUSINESS

14.1 Anti-Racism Working Group – Appointment of New Members

SJMC-R-2025-04-22/153

Moved By Councillor Burton

Seconded By Councillor Ellsworth

That Council approve of the following appointments to the City's Anti-Racism Working Group:

- Wendy Ihama, Society of Black Graduate Students, MUN
- Hanaa Mohamed Mekawy, Sexuality and Gender Advocacy Resource Centre, MUN
- Janneka Power, Individual Representative
- Ibukunoluwa Fowowe, Individual Representative

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. OTHER BUSINESS

15.1 SERC – 2025 Spring Events 2

SJMC-R-2024-04-22/154

Moved By Councillor Bruce

Seconded By Councillor Noseworthy

That Council approve the road closures associated with the Battle of the Atlantic Parade and Ceremony on Sunday May 4.

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. ACTION ITEMS RAISED BY COUNCIL

17. ADJOURNMENT

There being no further business, the meeting adjourned at 4:19 p.m.

MAYOR

CITY CLERK