



TOWN OF PORTUGAL COVE-ST. PHILIP'S

October 7, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Town Manager	Chris Milley
	Town Clerk	Judy Squires
	Director of Economic Development	Jeff Lawlor

Mayor Tucker called the meeting to order and welcomed the gallery of 13 persons in attendance. Regrets received from Deputy Mayor Will who is away.

ADOPTION OF AGENDA

Motion:	Facey/Hanlon
2014-328	Resolved that the Agenda dated October 7, 2014 , be adopted as circulated.
Carried	Unanimously

ADOPTION OF MINUTES

Motion:	Hanlon/Butler
2014-329	Resolved that the minutes of September 23, 2014 , be adopted.
Carried	Unanimously

BUSINESS ARISING

The Town Manager commented on the following items included in his written report to Council:
Action Items - 8 new items. 7 items have been completed and 25 remain in progress.
EDA Conference held in Calgary 2014 he attended with Director of Economic Development
Fire Department Annual Banquet and presentation of awards – Councillors who attended also commented on the very successful and enjoyable event. Councillor Facey expressed thanks on behalf of the VFD and noted there were a lot of good comments about the evening.
Fire Prevention Week – varied events from October 5th – 12th. The theme this year is “Working Smoke Alarms Save Lives – Test Yours Every Month”.

In response to questions arising, the Town Manager noted all the documentation regarding the Town Plan has been submitted to the Department of Municipal Affairs and it is hoped that it will be registered and gazetted before the end of this week.

COMMITTEE REPORTS

Planning & Development Report of September 30, 2014 presented by Councillor Collins

1. 209-213 Old Broad Cove Road

Motion: Collins/Bartlett
2014-330 Resolved that the application to subdivide property and construct a single dwelling (backlot) at Civic # 209-213 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

2. 46-50A Old Cart Road

Motion: Collins/Hanlon
2014-331 Resolved that the application to construct a double dwelling at Civic # 46-50A Old Cart Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 13 Emylia Place

Motion: Collins/Butler
2014-332 Resolved that the application to construct a dwelling extension at Civic # 13 Emylia Place be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. 42-44 Round Pond Road

Motion: Collins/Bartlett
2014-333 Resolved that the application to construct a dwelling extension at Civic # 42-44 Round Pond Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. 369-371 Dogberry Hill Road

Motion: Collins/Bartlett
2014-334 Resolved that the application to construct an accessory building at Civic # 369-371 Dogberry Hill Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

6. 34-38 Marian Place

Motion: Collins/Facey
2014-335 Resolved that the application to construct an accessory building at Civic # 34-38 Marian Place be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

7. 276-278 Bauline Line Extension

Motion: Collins/Bartlett
2014-336 Resolved that the application to construct an accessory building at Civic # 276-278 Bauline Line Extension be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

8. and 9. Correspondence items

The Committee discussed the following correspondence as per Appendix A: Tabled Report:

- Department of Municipal and Intergovernmental Affairs – Development Regulations Amendment No. 53, 2013 (Skinners Road), and;
- Chesley-Van Heights Residential Subdivision – Public Open Space and Crown Land.

10. 773 Indian Meal Line (2 items)

Motion: Collins/Butler
2014-337 Resolved that Council reject the Municipal Recommendation Form for Crown land at Civic # 773 Indian Meal Line for the proposed construction of a dwelling as the proposed residential development is located within 300m of existing active non-conforming quarry operations.
Carried Unanimously

Motion: Collins/Bartlett
2014-338 Resolved that Council reject the Municipal Recommendation Form for Crown land at Civic # 773 Indian Meal Line for the proposed construction of an equipment storage building as the proposal is contrary to the Town's Municipal Plan and Development Regulations, specifically Development Standard 38 (Accessory Buildings).
Carried Unanimously

11. Sidewalk – Summerwood Place/Dogberry Hill Road Extension (2 items)

Motion: Collins/Facey
2014-339 Resolved that Council rescind Motion # 2013-378 so that the requirement for sidewalk along Summerwood Place can be altered.
Carried Unanimously

Motion: Collins/Butler
2014-340 Resolved that sidewalk be required from the intersection of Summerwood Place and Dogberry Hill Road Extension along the odd side of Summerwood Place to the upper side of an intersection with a future right-of-way. The Developer must provide cash to the Town in the value of the required sidewalk not installed (as per the Final Engineering Drawings).
Carried Unanimously

12. 942-944 St. Thomas Line – Removal Order

Motion: Collins/Butler
2014-341 Resolved that the Town contact the Town's solicitor requesting that they forward correspondence to the Property Owner of Civic # 942-944 St. Thomas Line requesting that the Removal Order be complied with. If the Property Owner does not comply with the Removal Order following the solicitor's letter, Staff is to forward documentation to the Town's solicitor so that a court injunction to perform the work required as per the Removal Order may be initiated.
Carried Unanimously

Recreation /Lifestyle Committee Report – September 30, 2014 presented by Cllr. Facey

1. Community Garden

The Recreation Director met with Ms. Jane Aucoin on September 24th to discuss the Community Garden project. To date there has been a couple of meetings to determine an expression of interest. The interest is positive and now it has to be determined the next steps to keep the project moving. Ms. Aucoin has a written submission for the budget consultations that will be forwarded to the Finance Department. Advertising will be placed in the next Town Newsletter highlighting what has to be coordinated. The Recreation Department hopes that this project will continue because there will be many positive spin offs.

2. National Seniors Day

The Recreation Department hosted National Seniors Day activities at the Recreation Centre on Wednesday, October 1st. In attendance were MHA, Minister David Brazil, and Mayor Moses Tucker to sign the proclamation for the National event. Also in attendance was MHA Dale Kirby, Deputy Mayor Gavin Will, Councillor Norm Collins, and approximately 50 seniors form the community. They enjoyed an afternoon of entertainment by Blackie O’Leary as well as snacks and refreshments. Everyone seemed to have a great time and many of them thanked the Town for organizing the event.

3. CNA (College of North Atlantic)– Student Placement

The Recreation Department will be receiving a Community Recreation Leadership student for 4 weeks starting on Oct 14th. This will give the student the opportunity to work with recreation leaders, volunteers, community groups and organizations and give them the chance to apply the knowledge they received at the college. We look forward to Ms. Courtney Horwood starting with the Recreation Department.

4. Voisey’s Brook Park – Revised Plans

The Recreation Committee discussed the revised plans (attached) that were forwarded from Grand Concourse Authority for Voisey’s Brook Park. These improvements will assist with a better layout of the park and maximized the usage of our current assets.

Motion: Facey/Hanlon

2014-342 Resolved that Council accept the revised plans for Voisey’s Brook Park as given by Grand Concourse.

Carried Unanimously

5. Killick Coast Games

The Recreation Director advised the committee that the funding for the Killick Coast Games Program from the Department of Tourism, Culture, and Recreation has been eliminated. However there is still an opportunity to receive funding for the games through the revised Community Grants Program. There were also discussions held on calling for an expression of interest for a Killick Coast Games Committee. This committee would also look for funds through sponsorships and partnerships. The Town will be hosting the Killick Coast Games in the summer of 2015.

6. Killick Coast Winter Classic

The Recreation Department has been invited to participate in the Killick Coast Winter Classic hosted by Mr. Todd Churchill. The event would engage us as the Home Team and would consist of people that work or volunteer for the Town. We would then encourage other communities in the Killick Coast region to do the same. It would be similar to the Twin Cities Winter Classic that Mr. Churchill hosted between Mount Pearl and St. John's. The Recreation Department will follow up with Mr. Churchill and get our team organized.

7. Lifestyle Centre Meeting

The Recreation Committee will be setting a date to start discussions on the Lifestyle Centre. Once a date is set, council will be notified.

Public Works Committee Report – October 1 , 2014 presented by Councillor Bartlett

1. Recycling Truck Crusher Door

Committee was updated on the status of the recycling crusher door. The kit has been ordered from Saunders Equipment Ltd.

2. Structural Assessments – Spurrells Road Bridge and Millers Road Bridge

Committee was presented with a quote from Tiller Engineering to provide Structural Bridge Inspections on Spurrells Road Bridge and Millers Road Bridge for a cost of \$6,500 + HST.

Motion: Bartlett/Hanlon

2014-343 Resolved that the inspection of Spurrells Road Bridge and Millers Road Bridge be carried out by Tiller Engineering for a cost of \$6,500 + HST.

Carried Unanimously

3. Building Assessment – Rainbow Gully & Voisey's Brook

Committee was presented with a quote to provide a consultant proposal for a Water Infiltration Assessment at Rainbow Gully and Voisey's Brook Community Centers. Committee recommended that a service and maintenance check be performed as a first step to ensure the issue is not a result of a minor deficiency which could easily be identified and resolved at a lower cost.

4. Property Cleanup – Winsor Heights

Committee was given information on a vacant property which residents have expressed concern over. The property owner was asked to remove the debris, however it was only pushed back into the woods. Planning and Development have asked Public Works to look into this and determine if something can be done to assist this elderly resident. Committee agreed that Public Works should investigate.

5. Construction Update – Shoulder Repair, Sanitary Project – Thorburn Road, Dogberry Hill Bridge

Committee was given an update. Shoulder repair work and Sanitary Project – Thorburn Road will be completed October 2; Dogberry Hill Bridge work scheduled to be completed in two weeks.

Note: Councillors noted that there was good feedback in particular on road shoulder work.

Economic Development, Marketing & Communications Report – no meeting held/no report

Protective Services Committee Report – September 30, 2014, presented by Councillor Hanlon

1. Neighbourhood Watch Group Information Meeting

The volunteers of the Neighbourhood Watch group are holding a meeting on Thursday October 2, 2014 at 7:30pm at the Town Hall. Councillor Hanlon will attend the meeting and bring a report back to the Committee.

Note: Councillor Hanlon provided an update on the meeting noting that only 15 people attended and he noted that some areas of the town are very active in this program. RNC officer Nixon gave a presentation to the group. Councillor Hanlon also suggested that information concerning the Neighbourhood Watch Group be put in the Tickle Newsletter and the NWG group contact the Safe PCSP group.

Admin. and Finance Committee Report – September 30 2014 presented by Councillor Butler

1. Accounts for Payment

Motion: Butler/Collins
2014-344 Resolved that Council pay Accounts in the amount of:
\$302,582.57
Carried Unanimously

2. Donation request – War Memorial Refurbishment Project

Motion: Butler/Bartlett
2014-345 Resolved that the Town donate to the War Memorial Refurbishment Project the amount of \$1250.00 to cover the cost of a bench and that the plaque be engraved with the Town Name and logo in memory of residents of the Town who served.
Carried Unanimously

Note: Mayor Tucker explained the details of the project soliciting financial donations towards the cost of a bench and/or engraved granite paver stones and suggested that an article be placed in the Tickle Newsletter promoting this worthy cause. Councillor Bartlett also noted this project is being promoted in schools as well.

Discussion items:

3. Canada Building Fund

The Director of Financial Operations advised that the deadline for application is October 31st and projects need to be identified with rationalization and costing. Committee discussed various options for submission and requested that the Director obtain the costings on suggested projects using a consulting service where necessary.

Note: This information will be brought back to the next committee meeting for the approval to submit.

4. Update on Expropriation of school land

As previously reported, Altus Group are in the process of appraising the land for the school and road right of way. In addition, senior staff have been requested for their input in providing the legal consultant with additional information in order to prepare the claim for compensation which is due by November 28th.

5. Tax Sales

The Accounts Receivable Technician reported to committee that the Tax Sale process is being implemented on several properties with outstanding taxes and that further information will be brought to a future committee meeting when the necessary approvals are required in the process.

CORRESPONDENCE

(a) **Urban Summit/Easter Seals – Thank you letter** - for info

NEW/GENERAL/ UNFINISHED

Fire Department requests presented by Councillor Hanlon, chair of Protective Services Committee as follows:

1. Replacement of 1996 Ford Pickup

Councillor Hanlon read the recommendation/report prepared by co-chiefs Hollett and Murphy and presented the following:

Motion: Hanlon/Facey

2014-346 Resolved that the Town approve the purchase of a 2014 Ford F250 Regular cab XL 4X4 (F2B/900A) for the amount of \$ 24,569.00 plus taxes from Ford Canada/Avalon Ford and it is furthermore noted that this purchase is in accordance with the standing offer provisions of the provincial Government Purchasing Agency. In addition, approval includes lighting and module, including installation costing approximately \$12,000 for a total project cost in the range of \$45,000.00

Carried Unanimously

2. Disposal of Antique Fire Truck

Councillor Hanlon read the recommendation/report prepared by co-chief's Hollett and Murphy and presented the following:

Motion: Hanlon/Collins

2014-347 Resolved that (the Town) turn ownership of the 1942 Bickle Segrave pumper over to Mr. Peter Young and to proceed with the delivery of same to Mr. Young's premises.

Carried Unanimously

ADJOURNMENT

Motion: Facey/Collins
2014-348 Resolved that this meeting be adjourned. Time 8:25 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

Attachments: (1) Appendix A: Tabled Report (Planning & Development)

**Appendix A: Tabled Report
September 30th, 2014**

Applications:

- Item # 1: **Civic # 209-213 Old Broad Cove Road**
Subdivide Property & Construct Single Dwelling (Backlot)
Zoning: Residential Infill & Rural (RI & RUR) - Semi-Serviced

The Committee recommends that the application for Civic # 209-213 Old Broad Cove Road be granted approval in principle, permitting the subdivision of property and construction of a single dwelling. Approval in principle is subject to approval from the Department of Natural Resources. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Plan Policy 3.4.2.1 (v) (Backlot Development) and Schedule C: Residential Infill.

- Item # 2: **Civic # 46-50A Old Cart Road**
Double Dwelling (Backlot)
Zoning: Residential Medium Density (RMD) - Serviced

The Committee recommends that the application for Civic # 46-50A Old Cart Road be granted approval in principle, permitting the construction of a double dwelling. Approval in principle is subject to public advertisement regarding the proposed discretionary use. Approval in principle is also subject to the acquisition of title to a 12.2 m right-of-way. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Plan Policy 3.4.2.1 (v) (Backlot Development), General Regulation 32 (Notice of Application), Use Zones Regulation 90 (Discretionary Uses) and Schedule C: Residential Medium Density.

- Item # 3: **Civic # 13 Emylia Place**
Dwelling Extension (Attached Garage)
Zoning: Residential Rural (RR) - Unserviced

The Committee recommends that the application for Civic # 13 Emylia Place be granted approval in principle, permitting the construction of a dwelling extension (attached garage). Approval in principle is subject to the removal or relocation of an existing accessory building on the property which is located in front of the building line setback prior to the issuance of a Building Permit.

The Administrator recommended that this application be rejected.

Item # 4:

**Civic # 42-44 Round Pond Road
Dwelling Extension
Zoning: Residential Infill (RI) - Unserviced**

The Committee recommends that the application for Civic # 42-44 Round Pond Road be granted approval in principle, permitting the construction of a dwelling extension. Approval in principle is subject to approval from the Department of Natural Resources. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Schedule C: Residential Infill.

The Administrator recommended that this application be granted approval in principle.

Item # 5:

**Civic # 369-371 Dogberry Hill Road
Accessory Building
Zoning: Residential Medium Density (RMD) - Serviced**

The Committee recommends that the application to construct an accessory building at Civic # 369-371 Dogberry Hill Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Development Standard 38 (2b) (Accessory Buildings).

The Administrator recommended that this application be rejected.

Item # 6:

**Civic # 34-38 Marian Place
Accessory Building
Zoning: Residential Medium Density (RMD) - Unserviced**

The Committee recommends that the application for Civic # 34-38 Marian Place be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a notice to area residents regarding the accessory building size. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Development Standard 38 (Accessory Buildings).

**Item # 7: Civic # 276-278 Bauline Line Extension
Accessory Building
Zoning: Residential Infill (RI) - Unserviced**

The Committee recommends that the application for Civic # 276-278 Bauline Line Extension be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a notice to area residents regarding the accessory building size and variance in lot area. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically General Regulation 11 (Variances), General Regulation 12 (Notice of Variance), General Regulation 32 (Notice of Application) and Development Standard 38 (Accessory Buildings).

Correspondence:

Item # 8: Department of Municipal & Intergovernmental Affairs - Development Regulations Amendment No. 53, 2013 (Skinners Road)

The Planning Department is in receipt of correspondence from the Department advising that the above noted amendment has been registered. Notice of Registration for this amendment was published in the Newfoundland and Labrador Gazette on September 26th, 2014 and in the Telegram on September 27th, 2014.

Item Submitted for Information.

Item # 9: Chesley-Van Heights Residential Subdivision - Public Open Space and Crown Land

The Planning Department is in receipt of correspondence and engineering drawings from the Developer of the Chesley-Van Heights Residential Subdivision regarding Public Open Space within Stage V of the development and the future acquisition of Crown land to develop Stage VI.

The Committee advises that the required Public Open Space detailed in the August 16th, 2011 Motion of Council remain. The Developer is to revise the Engineering Drawings to reflect the Public Open Space approved by Council. The Committee also advises Planning Staff to correspond with the Developer stating that they will not review any proposals for Stage VI of this development prior to the acquisition of property and submission of a Building and Development Application for the construction of a Residential Subdivision Development.