



TOWN OF PORTUGAL COVE-ST. PHILIP'S

November 18, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Town Manager	Chris Milley
	Director of Financial Operations	Tony Pollard
	Director of Ec. Development	Jeff Lawlor
	Planning & Dev. Co-ordinator	Les Spurrell
	Town Clerk	Judy Squires

Mayor Tucker called the meeting to order and welcomed the gallery of 14 persons in attendance.

ADOPTION OF AGENDA

Motion: Facey/Hanlon
2014-376 Resolved that the Agenda dated **November 18, 2014**, be adopted as presented.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Collins/Butler
2014-377 Resolved that the minutes of **November 4, 2014**, be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

The Town Manager's updated Action Item list was circulated to Council for review. He noted that he attended the Business Awards and Budget meetings during the week and had no other business to report at this time. In response to questions arising he will address the issues on Portugal Cove Road (near Breakwater Pharmacy) with the Dept. of Transportation and Works.

COMMITTEE REPORTS

Planning & Development Report of November 12, 2014 presented by Councillor Collins

1. 30-32 Johnathan Heights

Motion: Collins/Bartlett
2014-378 Resolved that the application to construct a single dwelling with subsidiary apartment at Civic # 30-32 Johnathan Heights be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

2. 34-36 Johnathan Heights

Motion: Collins/Will
2014-379 Resolved that the application to construct a single dwelling with subsidiary apartment at Civic # 34-36 Johnathan Heights be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 11-13 Western Heights

Motion: Collins/Bartlett
2014-380 Resolved that the application to construct a subsidiary apartment and dwelling extension at Civic # 11-13 Western Heights be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. 1199-1205 Thorburn Road

Motion: Collins/Butler
2014-381 Resolved that the application to construct an accessory building extension at Civic # 1199-1205 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. 330A Old Broad Cove Road

Motion: Collins/Facey
2014-382 Resolved that the application for Civic # 330A Old Broad Cove Road be granted approval in principle, permitting rezoning of property from Agriculture and Residential Development Scheme Area to Residential for potential development of a residential subdivision. Approval in principle is in accordance with a Motion of Council on June 17th, 2014 regarding rezoning of land for the purpose of subdivision developments which exempts “any lands required to be rezoned by Council to address local services and amenities.” The potential development requiring rezoning must provide, to Council’s satisfaction a minimum number of affordable 50+ housing units, an amenity which the Town currently does not have. 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.
Carried Unanimously

6. 638D Indian Meal Line

Motion: Collins/Butler

2014-383 Resolved that Council approve the Municipal Recommendation Form for Crown land at Civic # 638D Indian Meal Line for the purpose of potential residential subdivision development with the condition that the portion of land located within the Protected Watershed Zone be excluded.

Carried Unanimously

7. Adjustment to municipal boundary PCSP & Paradise

Motion: Collins/Bartlett

2014-384 Resolved that Council in conjunction with the Town Council of Paradise undertake an adjustment to the municipal boundary between the Town of Portugal Cove-St. Philip's and the Town of Paradise within the Country Gardens Residential Subdivision to correct the issue of residential properties in the area which are located within both the Town of Portugal Cove-St. Philip's boundary and the Town of Paradise. The process to undertake the boundary adjustment is to be cost shared with the Town of Paradise. The Committee also recommends that the Town's Solicitor be involved in this process.

Carried Unanimously

Note: it was clarified that currently several of the lots in the subdivision have some of their property in the Town of Paradise; this adjustment to the municipal boundary will follow the boundaries of the lots in questions so that they are located within the Town of PCSP only.

Items 8 & 9

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

- Eastern Newfoundland Regional Appeal Board – Notice of Appeal Hearing, and;
- Eastern Newfoundland Regional Appeal Board – Notice of Appeal.

10. 50-52 Knapps Road

Motion: Collins/Butler

2014-385 Resolved that Council 'lift' the Removal Order (Motion # 2014-356) that was issued against an accessory building that was constructed without a Permit from the Town at Civic # 50-52 Knapps Road on November 3rd, 2014.

Carried Unanimously

11. Applications for rezoning

Motion: Collins/Butler

2014-386 Resolved that Council shall, at their discretion, continue to only consider applications for rezoning that will integrate or round-out existing developed areas to eliminate dead-end roads that have been developed in a haphazard fashion by extending them into loop roads (sections of the municipality that lack street connectivity), or to address local services and amenities. Council shall also consider the compatibility of the proposed use with Council's Place Builder report once finalized.

Exempt from this Motion is the Residential Development Scheme Area Land Use Zone, which requires the completion of a comprehensive development scheme to Council's satisfaction.

Carried Unanimously

12, 28-33 Windsor Heights

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

- Civic # 29-33 Windsor Heights – Property Cleanup.

13. Permit Stats - sixteen (16) permits issued from October 25th to November 6th, 2014.

Recreation /Lifestyle Committee Report – November 13, 2014 presented by Clr. Facey

1. Jersey Day & Sports Day in Canada

The Committee reviewed the information for Jersey Day (Friday, November 28th at Beachy Cove Elementary and Learys Brook Junior High) and Sports Day in Canada (Saturday, November 29th at Rainbow Gully Field). The Recreation Department has invited all Council members to attend these activities.

2. Upcoming Christmas Events

The Committee reviewed the upcoming Christmas events. The information for the Christmas events is in the most recent edition of the Town’s Newsletter and posted on the website. A flyer will also be sent out to all residents next week.

3. Donation Requests

(a) The Committee discussed the request for a donation of the Recreation Centre rental fee for a fundraiser for Church By the Sea.

Motion: Facey/Hanlon
2014-387 Resolved that the request from Church By The Sea for the waiver of the Recreation Centre rental fee be denied.
Carried Unanimously

(b) The Committee discussed the request for a donation of the Recreation Centre rental fee for Kendra Bursey as part of the Miss Achievement Newfoundland and Labrador Scholarship Program for a fundraiser for the Ronald McDonald House.

Motion: Facey/Bartlett
2014-388 Resolved that the request from Kendra Bursey for the waiver of the Recreation Centre rental fee be denied.
Carried Unanimously

(c) The Committee discussed the request for a donation of the Recreation Centre rental fee for MAX Cheerleading. Three of the Town’s residents are members of this team.

Motion: Facey/Hanlon
2014-389 Resolved that the request from MAX Cheerleading for the waiver of Recreation Centre rental fee be approved.
Carried Unanimously

Note: In response to questions arising, Clr. Facey noted that as we are receiving a fair number of requests and the fees currently charged do not cover off the cost of services, the policy needs to be addressed for cost recovery with possible consideration for discounted donations instead of full donations.

Public Works Committee Report – November 12, 2014 presented by Councillor Bartlett

1. Loop Drive – Next Steps

Committee recommends holding a town-hall meeting with the residents of Loop Drive and surrounding area early in the New Year to ensure all concerns and feedback are considered before a final decision is made on the potential reversing of traffic direction on Loop Drive.

2. Water Service Application

Committee was presented with an application to connect to Town water services. The civic address is not a serviced lot, costs associated with extending and connecting to the water line is the responsibility of the property owner. A formal response will be provided to the property owner through the normal application process.

3. Depot Location Land Assessment

Committee was presented with a Land Suitability Assessment proposal from Tract Consulting for a lump sum amount of \$9,100 +HST. As per a previous motion of Council, Committee advised staff should move forward with the assessment of land for a future depot location, however, with a revised scope (thus lowering the cost), which will focus on determining the percentage of usable land.

Note: In response to questions arising, the Town Manager noted any land acquired would have the potential to accommodate other town facilities including the possibility of relocating the fire stations if it was required and feasible to do so.

4. Beachy Cove Road

Committee was presented with email correspondence from a resident on Beachy Cove Road in which assistance was requested to rectify the ongoing issues with flooding in the area. As this request relates to provincially maintained road and infrastructure, Committee asked staff to write a letter to the Department of Works Services and Transportation requesting their attention and resolution to this matter. Staff will also respond to the property owners to advise of this action.

5. Bauline Line Extension

Previous correspondence with a resident on Bauline Line Extension regarding connection to Town water services was referred to Committee. Committee was advised that staff has been in contact with the resident on numerous occasions and provided information related to the previous motion of Council and the next steps required. Staff is awaiting the response of the resident in this regard.

(NOTE: Councillor Collins & Mayor Tucker excused themselves from the remainder of the committee meeting to attend other functions.)

6. Dogberry Hill Road

Committee reviewed correspondence from a resident on Dogberry Hill Road. Staff will respond to the resident and also correspond with Canada Post regarding the concerns related to the mailbox location.

7. Street Lights – Jacob’s Landing & Winsor Heights

Staff were requested to investigate the addition of street lights on the cul de sac of Jacob’s Landing and near the mailboxes on Winsor Heights.

8. Traffic Issues

(a) Intersection Healy’s Pond Crescent & Thorburn Road – Concerns were raised related to the configuration of the intersection at Healey’s Pond Crescent & Thorburn Road. New traffic marking configurations will be implemented in Spring 2015 to aid in creating a 90 degree turn at the intersection.

(b) Speed Signs at Town Boundary – Committee has asked staff to make contact with the provincial Department of Transportation & Works regarding the relocation of speed signs at the town boundary on Portugal Cove Road to make the transition from the higher speed zone to a lower speed zone more visible.

(c) School Bus Signs – Tucker’s Hill - A request was brought forward for the installation of School Bus signs on Tucker’s Hill Road to provide motorists of advance warning of school bus stops. As this is a provincially maintained road, staff will make the request to the provincial department of Transportation & Works.

Economic Dev., Marketing & Communications Report – Nov. 17, 2014 presented by Cllr Butler

1. Budget 2015

The final public meeting will be taking place on Monday, November 24th. A draft budget summary will be mailed out to residents on Wednesday, November 18th with additional communications into Monday.

2. Placebuilder

Town staff met with the Department of Business, Tourism, Culture and Rural Development to update the department on the project. A meeting is being arranged with ACOA and the Province for funding in the coming weeks. Additionally, as Placebuilder is coming to a close dates are being considered for the final public meeting.

3. Best of PCSP Awards

Wednesday, November 12th the Town hosted the first ever Best of PCSP Awards and Business Summit. Both events were well attended (approximately 60 attendees) and have given us great momentum to expand the event in coming years. Congratulations to all the nominees and winners of the awards. And thank you to sponsors RBC Royal Bank, BDC, Steele Communications and special guests Minister David Brazil and Minister Darin King.

Best New Business

Nominees Jennifer's Groom Room and Murray Meadows Farm, Winner Breakwater Pharmacy

Developer of the Year

Nominees Mike O'Leary and Cal Ollerhead, Winner Dan Whelan

Employee of the Year

Nominees Hazel Newport of Tilt House Bakery, Shannon Barbour and Myles Whitaker of Murrays Garden Centre and Horticultural Services and Carrie-lee Morgan of Breakwater Pharmacy, Winner Lisa Hussey of Murray's Pond Country Club.

Business of the Year

Nominees Sharpe's Store, Tilt House Bakery and Winner Murray's Garden Centre and Horticultural Services.

4. Heritage Committee

Major Michael Pretty has submitted his bio to council and wishes to join the Heritage Committee. Michael will be invited to meet with the Economic Development, Marketing and Communications Committee at their next meeting.

5. Heritage Tourism Mobile App

The Heritage Programs and Services Coordinator are currently developing a mobile app for a self-guided walking tour of some heritage locations in Portugal Cove.

6. Community Profile

Final pictures are being taken and will be completed this Saturday, November 23rd weather pending. Upon completion of the budget and review of the business and community group listing final design will be completed.

7. Business Partnership

Council received a request for funding by Vessela Brakalova resident and owner of Vis-à-vis Graphics, for \$2500 to ship her art to an exhibit that she has been chosen to be displayed at in Florence, Italy.

Motion: Butler/Facey

2014-390 Resolved (that) the Town of Portugal Cove – St. Philip's enter into an agreement to fund Ms. Vessela Brakalova \$2,500 for shipping costs associated with her art that will be on display at the exhibition showcase, for the best in international art and contemporary mosaic art, at MUSIWA14 in Florence, Italy.

In return Vis-à-vis Graphics will design the cover in-kind for the new PCSP Visitor Map and all graphics associated with the map. The Visitor Map is a budgeted expenditure this year.

The funding is pending a successful contractual agreement between the Town and Vis-à-vis Graphics outlining the details and deliverables of the Visitor Map and proof of expenses.

Carried Unanimously

Note: Councillor Butler, on behalf of Council, extended congratulations to Ms. Brakalova for her acceptance at the exhibit noting that it is great to see a local artist and company on display on an international stage.

Protective Services Committee Report – November 14, 2014, presented by Councillor Hanlon

1. Fire & Emergency Services Updates

- There is a recruitment drive on for new members and it is being well advertised on the Town website and in local businesses. Deadline for applications is November 30, 2014.
- The Chiefs have established a new process and structure for the firefighter honorarium as a point-based system. This new system and the process will be presented to the membership in full detail at the next scheduled general meeting on November 27, 2014.
- Membership in terms of active and non-active members is currently under review.
- The VFD was proud to participate in the November 11th parade to the War Memorial and to lay a wreath on their behalf. The event was well attended.
- The new truck is going to be a little delayed and the potential new delivery date is February 2015. The Chiefs reviewed the latest drawings and may make some minor changes.
- Fit Testing for breathing apparatus has been scheduled for the morning of November 22nd and the evening of November 27th prior to the general meeting.
- The Holiday schedule has been mapped out with final checks performed on Dec. 15th, and the 21st to the 27th crew 1 checks, the 28th to the 3rd crew 2 checks, and the 4th to the 10th crew 3 checks. All back to normal on January 12th.

Note: the Mayor and Councillors individually expressed comments on the success of the November 11th parade and their appreciation for the VFD, Public Works Department and public participation, especially noting the involvement of children in the event and also the Legion for the for the great work on the War Memorial restoration project.

2. Municipal Enforcement

There will be some movement on Municipal Enforcement as a 2015 budget line item. Councillor Hanlon further noted that the requirements and level of need for the various departments will need to be addressed in the coming months in order to define the expectations for this position.

Admin. and Finance Committee Report – November 12, 2014 presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Facey
2014-391 Resolved that the accounts for payment be approved as follows:
Regular Accounts - \$ 25,962.74
Capital Accounts - \$ 777,458.91
Totaling \$ 811,804.59
Carried Unanimously

For the record: Councillor Facey left the Council chambers for the following item due to conflict of interest as he is a member of the VFD receiving honorarium benefits.

2. Fire Department Honorariums

Motion: Will/Butler
2014-392 Resolved that 2014 Fire Department honorariums totaling \$65,000.00 be approved for distribution.
Carried Unanimously

For the record: Councillor Facey returned to the chambers for the remainder of the Council meeting.

Councillor Facey asked to go on record on behalf of the VFD to express thanks to Council for approving the new payment structure which recognizes extra effort of the individual fire fighters.

3. Discussion items:

Various carried forward items such as gas tax, budget consultations, water metering, Placebuilder, and staff items were noted as being still in progress and staff provided updates.

4. 2015 Budget

Further to the meeting held on Monday, November 10th with Council to review the draft budget, the Director of Financial Operations provided committee with clarification and information in response to their queries. The next step in the process is to prepare the draft budget for presentation to the public at 7 p.m. on November 24th at Beachy Cove Elementary.

CORRESPONDENCE (a) Thank you card/letter from Victor Tucker and Family

Mayor Tucker passed along thanks to Council and Staff for their kind expressions of sympathy in the passing of former Town Clerk, Loretta Tucker.

NEW/GENERAL/ UNFINISHED

Deputy Mayor Will noted the passing this past weekend of **Rev. Mary Harris, Rector, United Church Parish** and requested that staff send condolences on behalf of the Town.

ADJOURNMENT

Motion: Will/Collins
2014- 393 Resolved that this meeting be adjourned. Time 8:30 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

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

**Appendix A: Tabled Report
November 12th, 2014**

Applications:

- Item # 1: **Civic # 30-32 Johnathan Heights**
Single Dwelling with Subsidiary Apartment
Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 30-32 Johnathan Heights be granted approval in principle, permitting the construction of a single dwelling with subsidiary apartment. Approval in principle is subject to a public advertisement in a local newspaper. 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 Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Low Density and Schedule D: Off-Street Parking Requirements.

- Item # 2: **Civic # 34-36 Johnathan Heights**
Single Dwelling with Subsidiary Apartment
Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 34-36 Johnathan Heights be granted approval in principle, permitting the construction of a single dwelling with subsidiary apartment. Approval in principle is subject to a public advertisement in a local newspaper. 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 Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Low Density and Schedule D: Off-Street Parking Requirements.

- Item # 3: **Civic # 11-13 Western Heights**
Subsidiary Apartment & Dwelling Extension
Zoning: Residential Medium Density (RMD) - Unserviced

The Committee recommends that the application for Civic # 34-36 Johnathan Heights be granted approval in principle, permitting the construction of a subsidiary apartment within an existing single dwelling and the construction of a dwelling extension (porch). Approval in principle is subject to a public advertisement in a local newspaper. 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 Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Medium Density and Schedule D: Off-Street Parking Requirements.

**Item # 4: Civic # 1199-1205 Thorburn Road
Accessory Building Extension
Zoning: Residential Medium Density (RMD) - Serviced**

The Committee recommends that the application for Civic # 1199-1205 Thorburn Road be granted approval in principle, permitting the construction of an accessory building extension. Approval in principle is subject to a notice to area residents regarding a variance in 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 General Regulation 11 (Variances), General Regulation 12 (Notice of Variance), General Regulation 32 (Notice of Application), Development Standard 39 (Accessory Buildings) and Schedule C: Residential Medium Density Condition # 1 (Accessory Buildings).

Administrator recommended that this application be granted approval in principle.

Correspondence:

Item # 8: Eastern Newfoundland Regional Appeal Board - Notice of Appeal Hearing

The Planning Department is in receipt of a notice from the Eastern Newfoundland Regional Appeal Board that the appeal against Councils decision to reject a single dwelling application at Civic # 890-898 St. Thomas Line will be heard on December 8th, 2014 at 10:15 am at the Fairfield Hotel, St. John's.

Item Submitted for Information.

Item # 9: Eastern Newfoundland Regional Appeal Board - Notice of Appeal

The Planning Department is in receipt of a notice from the Eastern Newfoundland Regional Appeal Board that an appeal has been filed against the issuance of a Stop Work Order regarding the operation of a business at Civic # 108-110 Windsor Heights.

Planning Staff will forward the information requested.

Discussion:

Item # 12: Civic # 29-33 Windsor Heights - Property Cleanup

Planning Staff discussed the cleanup of property at Civic # 29-33 Windsor Heights for which an Order was issued by the Town.

The Committee advises Staff to contact the Towns Solicitor requesting that they forward correspondence to the property owner regarding compliance with the Removal Order.