



**TOWN OF PORTUGAL COVE-ST. PHILIP'S**

January 13, 2015

Regular Public Council Meeting 7:30 p.m.

<b>IN ATTENDANCE:</b>	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Johnny Hanlon
	Town Manager/Engineer	Chris Milley
	Director of Financial Operations	Tony Pollard
	Planning & Dev. Coordinator	Les Spurrell
	Director of Recreation & Comm. Ser.	Dawn Sharpe
	Director of Ec. Dev, Marketing & Comm.	Jeff Lawlor
	Director of Public Works	Gail Tucker
	Town Clerk	Judy Squires

Mayor Tucker called the meeting to order and welcomed the gallery of 17 persons in attendance.

**ADOPTION OF AGENDA**

Motion: Hanlon/Bartlett  
2015-001 Resolved that the Agenda dated **January 13, 2015**, be adopted as circulated.  
Carried Unanimously

**PRESENTATIONS**

(a) The Director of Recreation and Community Services along with Councillor Johnny Hanlon, on behalf of Council, congratulated all the 'Merry and Bright Festival of Light' winners and made presentations to those in attendance\*. The winners are as follows:

Jennifer and Ken Taylor*	Portugal Cove Road
Louise Codner*	Neary's Pond Road
Joy and Cory Pittman	Winsorian Place
Matthew and Janice Elliott*	Woodland Drive

**ADOPTION OF MINUTES**

Motion: Will/Hanlon  
2015-002 Resolved that the minutes of **December 16, 2014**, be adopted as circulated.  
Carried Unanimously

## BUSINESS ARISING

The Town Manager reported on the following items:

1. He attended the St. John's Urban Region Regional Plan Amendment No. 3 Public Hearing and presented our case regarding the conflicting mapping between the Town and regional maps and we are awaiting the commissioner's report for the outcome.
2. Data is being collected for the Canadian Infrastructure Report Card survey and it will be completed by the deadline date.
3. Key staff will be taking part in Emergency Management Training by FES NL in January and February and later in the year will take part in practical exercises.
4. Placebuilder update – Tract Consulting met with Council on January 8<sup>th</sup> and Staff on January 12<sup>th</sup> to set goals and timelines.
5. New School – the official announcement (and signage) took place on December 23<sup>rd</sup>. Work on clearing the land is expected to start soon and appropriate public information will be provided regarding trail closures etc.

## COMMITTEE REPORTS

### Planning & Development Report of January 6, 2015 presented by Councillor Collins:

#### **1. 20-30 Coadys Road – application to demolish**

The Committee reviewed the application to demolish an existing commercial building (former church) at Civic # 20-30 Coadys Road and requested that Item # 1 be held as meetings have been scheduled between Council and Bishop Peddle, Church by the Sea and the Town's Heritage Committee as per the Economic Development, Marketing & Communications Committee report presented to Council on December 16<sup>th</sup>, 2014.

#### **2. 109-113 Bennetts Road – accessory building**

Motion: Collins/Will  
2015-003 Resolved that the application to construct an accessory building extension at Civic # 109-113 Bennetts Road be rejected as per Appendix A: Tabled Report.  
Carried Unanimously

#### **3. 261-269 Bauline Line Extension - backfilling**

Motion: Collins/Butler  
2015-004 Resolved that the application to perform backfilling of land at Civic # 261-269 Bauline Line Extension be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

#### **4. 249-253 Bauline Line Extension - backfilling**

Motion: Collins/Bartlett  
2015-005 Resolved that the application to perform backfilling of land at Civic # 249-253 Bauline Line Extension be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**5. 17-19 Hilltop Lane – business application**

Motion: Collins/Will  
2015-006 Resolved that the application to establish an office/personal service business (construction contracting) as a home occupation at Civic # 17-19 Hilltop Lane be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**6. 1783-1795 Portugal Cove Road – Crown Land application**

Motion: Collins/Will  
2015-007 Resolved that Council approve the Municipal Recommendation Form for Crown land at Civic # 1783-1795 Portugal Cove Road for the purpose of residential development.  
Carried Unanimously

**7. 6 River Front Drive - apartment**

Motion: Collins/Bartlett  
2015-008 Resolved that the request to construct a subsidiary apartment within a single dwelling currently under construction at Civic # 6 River Front Drive be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**8. 890-898 St. Thomas Line – re appeal board decision**

The Planning Department is in receipt of a decision from the Eastern Newfoundland Regional Appeal Board which confirmed Council's decision to reject an application to construct a single dwelling at Civic # 890-898 St. Thomas Line.

**9. Quarry Permit Referral Letters**

The Committee advised Planning Staff to complete Quarry Permit Referral Letters from the Department of Natural Resources as per Appendix A: Tabled Report.

**10.** There were twenty six (26) **permits issued** from December 5<sup>th</sup> to December 30<sup>th</sup>, 2014.

**Recreation /Lifestyle Committee Report – January 9, 2015 presented by Councillor Hanlon:**

**1. Merry and Bright Festival of Lights**

Members of the Recreation Staff traveled throughout the community to judge all the decorated home on Wednesday, December 17th. There were many residents that took a lot of time and effort to get their homes ready for the holidays. Presentations will be made to the winning 4 homes that the Recreation Staff felt stood out from the rest. (Details under Presentations as noted above)

**2. Winter Carnival**

The 2015 PCSP Winter Carnival is scheduled for Friday, February 13<sup>th</sup> to Saturday, February 21<sup>st</sup>. Planning for the event is well underway and a full schedule will be available within the next couple of weeks. Events include Beachy Cove Elementary School Skate, Community Breakfast, Community Hike, Family Fun Day, Community Skate, Frosty Bingo, Family Movie Night, Youth Day and much more. Please note that Councillors are asked to volunteer for the Community Breakfast at the Royal Canadian Legion on Saturday, February 14<sup>th</sup>. Please let Recreation Staff know if you will be attending.

### **3. Save the Date Calendar of Events**

The Recreation Departments has compiled a list of all the programs and special events that are coordinated throughout 2015. Staff is now preparing a "Save the Date" calendar that will be delivered to all residents in the community. This will help to ensure that residents know the dates of community activities in advance and will also assist with the coordination of activities by our community groups.

### **4. Soccer Nets**

The Town of Lawn has started a new recreation committee in which they are trying to repair their old soccer field. They had inquired about the extra set of soccer frames in Rainbow Gully. After contacting the WORKS, where these frames were donated from, the Town will donate these frames to Lawn Recreation Committee.

### **5. RNL-30 Day Challenge**

Recreation Newfoundland and Labrador is launching a new champagne. During the month of April all Communities in the Province will be involved in the "30 Day Challenge". Municipalities will have the opportunity to connect with all the groups and organizations in its area and accumulate points towards winning prizes and titles. Compete details of this challenge will be forward to all Recreation Department and the Town will be sure to get actively involved.

### **6. Fitness Class Registration**

Fitness Class registration started on Monday, January 5<sup>th</sup>. To date one Yoga session full and the new Sunday slot is half full. The Adult Fitness is close to full and our Zumba classes are half full. Registration will continue to trickle in over the next until the start of classes on January 13<sup>th</sup>.

### **Public Works Committee Report – no meeting held, Councillor Bartlett presented updates:**

#### **1. Jacob's Landing Street Lighting**

The Town has received notice that two (2) street lights are scheduled for placement by Newfoundland Power on Jacob's Landing.

#### **2. Resident Correspondence – St. Thomas Line**

Correspondence was received in early 2014 from a resident on St. Thomas Line regarding a private well. The Public Works Committee Chair inquired on the status of the inquiry. Correspondence had been sent to the resident in May 2014 providing information on well maintenance and responsibility, as well as contact information for the appropriate provincial government department.

#### **3. Depot Relocation**

Work continues on the identification of land for the potential relocation of the Town's Public Works Depot. Arrangements have been made with Altus Group to undertake appraisals on two (2) pieces of land.

#### **4. Bridge Replacements – Miller's Road & Spurrell's Road**

Tiller Engineering has been engaged to undertake engineering design and project management services for the replacement of bridges at Miller's Road and Spurrell's Road.

## **5. Snow Clearing Operations**

Residents are reminded of the Town's on-street parking ban and asked to refrain from parking vehicles on the road between the hours of 12:00 midnight to 8:00 a.m., during a snowfall and within 12 hours after a snowfall has ceased. On-street parking during these times impedes the Town's snow clearing operations and could result in vehicles being towed and or ticketed.

Note:

In response to concerns expressed by DM Will and Councillor Hanlon in reference to the water buildup near the pharmacy on Portugal Cove Road, the Town Manager was asked to confirm that it was not a leak of the Town's water.

## **Economic Development, Marketing & Communications Report - January 7, 2015 – presented by Councillor Bartlett:**

### **1. 1894 St. Philip's Church**

Meetings have now been scheduled for council to meet with Bishop Geoff Peddle, The Church by the Sea and the Heritage Committee as requested at a previous Committee of the Whole meeting of council as to engage stakeholders before a decision is made.

### **2. Heritage Projects**

A review of the active and planned heritage projects for 2015 was completed. A total of 12 projects will be undertaken this year with specific projects to be updated regularly at the Economic Development Committee meetings.

### **3. Tax Bill and Communications**

Attached to the Tax bill this year will be a notification to residents to fill out a survey on the 2015 Budget. This will better inform council on the thoughts of the residents with regards to new priorities and the vision that they have set for 2015 and beyond.

### **4. Placebuilder**

A meeting with Council and Staff is scheduled for January 8<sup>th</sup> to finalize priorities. The next step will be a public meeting that will take place in February to release the draft plan.

### **5. Advisory Committee on the Environment (ACE)**

ACE Chair Bill Montevecchi has formally resigned. We would like to thank Bill for his hard work and dedication to environmental issues in the community and wish him the best. The Advisory Committee on the Environment met on January 6<sup>th</sup>. At this meeting ACE expressed their concerns as to how to best advise Council and their desire to work constructively and cooperatively with them. A meeting is being scheduled for mid-February between all council and ACE to have a dialogue on our priorities for 2015.

### **6. Sharepoint**

Training will begin the week of January 19<sup>th</sup> with staff and council on how to utilize the document management system.

## **7. Community Profile**

The Economic Development Committee was shown the new graphics for the Community Profile. At the next committee meeting the final draft and micro-site will be shared for final input. Print and website activation is scheduled for the end of the month.

## **8. FCM Sustainability Conference**

Councillor Butler and the Director of Economic Development proposed that they attend a FCM Sustainability Conference in London, Ontario from February 9-12. Councillor Butler attended last year and the agenda is focused on many priority areas the town has identified. The Director of Economic Development is already scheduled to be in Ottawa prior to this conference at EDAC Board meetings which is partially funded and currently budgeted for and Councillor Butler is planning on being in Toronto for personal business during this time frame. Therefore only accommodations and registration would be required.

Motion: Bartlett/Will  
2015-009 Resolved that the Director of Economic Development and Councillor Joe Butler attend the FCM Sustainability Conference in London, Ontario February 9-12.  
Carried Unanimously

### **Protective Services Committee Report December 30, – presented by Councillor Hanlon:**

#### **1. Fire & Emergency Services Going Forward**

The Committee met with the two Acting Fire Chiefs as requested, to discuss the going forward needs of the Fire Department. The Committee basically had a brainstorming session around the potential of a composite fire department and what that might look like for the Town. We will bring information back to the Committee and the whole of Council for decision making.

Note: Mayor Tucker briefed all in attendance of an incident at the Portugal Cove wharf on Friday evening, January 9<sup>th</sup>, wherein the Volunteer Fire Department were called to the scene of a fatal tragedy. Mayor and Council agreed that their prompt response and the risks they take in service to the community will be congratulated and communicated to them (by way of letter).

### **Admin. and Finance Committee Report – January 6, 2015 – presented by Deputy Mayor Will:**

#### **1. Accounts for Payment**

Motion: Will/Hanlon  
2015-010 Resolved that Council approve the accounts for payment as follows:  
Regular Accounts - \$ 126,435.94  
Capital Accounts - \$ 21,864.09  
Totaling \$ 148,300.03  
Carried Unanimously

#### **2. Donation – 50+ Club**

Motion: Will/Collins  
2015-011 Resolved that Council approve a donation of \$300 to cover the cost of music for the Rainbow 50+ 15<sup>th</sup> Anniversary Dinner being held on January 17<sup>th</sup> at the Recreation Center.  
Carried Unanimously

### 3. Status of Fire Department

Deputy Mayor Will brought forward this item which was also addressed by the Protective Services Committee in their meeting with the Fire Dept. co-chiefs. Committee agreed that once the required information is received, the Committee of the Whole will meet to discuss this issue and decide on how to move forward.

### 4. Public Works and Fire Department buildings

Further to discussions the Protective Services Committee and Fire Dept. co-chiefs held regarding the condition/state of the Portugal Cove Fire station, Committee agreed that the Town Manager move forward and arrange appraisal/assessments on potential locations for a new centralized Public Works Depot and Fire Department facility.

### 5. Other Discussion items:

**Gas Tax funding** – the Director of Financial Operations will bring forward some ideas to Council for consideration and in the meantime, he will write the Gas Tax Secretariat to request that the January 30<sup>th</sup> deadline be extended to March 30<sup>th</sup> to allow time to prepare plans for submission. He is also working on infrastructure and asset management plans and hopes to have more info for the next committee meeting. A low income strategy for taxpayers will also be looked at in the coming year.

**Water Metering** – the Town Manager is currently corresponding with a company regarding a pilot metering project and they are putting together a proposal expected by the first week of February for presentation to Council.

## CORRESPONDENCE

(a) Municipal Assessment Agency – correspondence regarding the Board of Directors and the Annual Report circulated to Council. The Mayor noted that the letter indicated that the rate per parcel remains at \$28 for 2015 Assessment services.

## NEW/GENERAL/UNFINISHED BUSINESS

### New Business from Planning & Development – presented by Councillor Collins:

#### **Re: Chesley-Van Heights Stage V – Public Open Space**

Further to the conditional approval (Motion) 2011-230 of August 16, 2011, it was determined that portions of the conditions were not feasible and as a result, the following is the revised condition:

Motion: Collins/Will

2015-012 Resolved that further to Motion # 2011-230, wherein Council required “a provision of 10% Public Open Space which shall include: land along a local stream within Stage V (1720 m<sup>2</sup> - 3.1 %), an access off Indian Meal Line to Town owned recreation land (1080 m<sup>2</sup> – 1.9 %), and the remaining 5% in monetary value”; that it be resolved that Council amend the above condition to read “acceptance of a payment (from the Developer) of a sum of money, the exact amount to be determined by the Town, equal to the entire value of such area or areas of land which would otherwise be required to be dedicated to the Town as 10% Public Open Space by the Developer as per Subdivision of Land Regulation 88 (Land for Public Open Space) of the Town’s Municipal Plan & Development Regulations (2014-2024)”.

Carried Unanimously

(See note next page...)

**Note for the Record:** As a result of questions arising concerning how the land value was determined, it was clarified by the Mayor and it is Council's understanding that the land value would be determined by an appraisal which would be done by a third party certified appraisal firm.

**ADJOURNMENT**

Motion: Collins/Hanlon  
2015-013 Resolved that this meeting be adjourned. Time 8:25 p.m.  
Carried Unanimously

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Moses Tucker, Mayor

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Judy Squires, Town Clerk

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



**Appendix A: Tabled Report**

**January 6<sup>th</sup>, 2015**

**Applications:**

**Item # 2: Civic # 109-113 Bennetts Road  
Accessory Building Extension  
Zoning: Protected Watershed (PW) - Unserviced**

**The Committee recommends that the application to construct an accessory building extension at Civic # 109-113 Bennetts Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Plan Policy PW-6 (Protected Watershed) and Development Standard 49 (3e) (Non-Conforming Use).**

The Administrator recommended that this application be rejected.

**Item # 3: Civic # 261-269 Bauline Line Extension  
Backfilling  
Zoning: Residential Infill (RI) - Unserviced**

**The Committee recommends that the application for Civic # 261-269 Bauline Line Extension be granted approval in principle, permitting backfilling of land. Approval in principle is subject to no work being performed within a 15m watercourse protection buffer. 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 70 (Soil Removal and Deposit and Site Grading).**

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

**Item # 4: Civic # 249-253 Bauline Line Extension  
Backfilling  
Zoning: Residential Infill (RI) - Unserviced**

**The Committee recommends that the application for Civic # 249-253 Bauline Line Extension be granted approval in principle, permitting backfilling of land. Approval in principle is subject to no work being performed within a 15m watercourse protection buffer. 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 70 (Soil Removal and Deposit and Site Grading).**

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

**Item # 5: Civic # 17-19 Hilltop Lane  
Business (Office/Personal Service)  
Zoning: Residential Medium Density (RMD) -Serviced**

The Committee recommends that the application for Civic # 17-19 Hilltop Lane be granted approval in principle, permitting the establishment of an office/personal service business (construction contracting) as a home occupation. 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 Plan Policy RES-4 (Residential Policies), Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Medium Density and Schedule D: Off Street Parking Requirements.

**Correspondence:**

**Item # 7: Civic # 6 River Front Drive - Subsidiary Apartment**

The Committee recommends that the request for Civic # 6 River Front Drive be granted approval in principle, permitting the construction of a subsidiary apartment within a dwelling currently under construction. 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 Standard 60 (Subsidiary Apartments), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Medium Density and Schedule D: Off Street Parking Requirements.

**Item # 9: Department of Natural Resources - Quarry Permit Referral Letters (2015)**

The Planning Department is in receipt of Referral Letters from the Department of Natural Resources for the following quarry operations:

- Gravel/rock operation located at the south side of Indian Meal Line;
- Horticultural peat operation located on Indian Meal Line;
- Horticultural peat operation located 4.2 km from Portugal Cove Road on Bauline Line;
- Horticultural peat operation located 900m E of Bauline Line Extension, and;
- Gravel/sand operation located at Civic # 606-650 Bauline Line.

The Committee advises Planning Staff to complete the Quarry Permit Referral Letters and return them to the Department of Natural Resources.