



TOWN OF PORTUGAL COVE-ST. PHILIP'S

May 5, 2015

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Johnny Hanlon
	Town Manager/Engineer	Chris Milley
	Planning Coordinator	Les Spurrell
	Director of Public Works	Gail Tucker
	Town Clerk	Judy Squires

Mayor Tucker called the meeting to order, welcomed the gallery of 12 persons in attendance. Noted regrets from Councillor Facey.

ADOPTION OF AGENDA

Motion:	Hanlon/Bartlett
2015-126	Resolved that the Agenda dated May 5, 2015 , be adopted as circulated
Carried	Unanimously

ADOPTION OF MINUTES

Motion:	Collins/Hanlon
2015-127	Resolved that the minutes of April 21, 2015 be adopted as amended*
Carried	Unanimously
	*presenter of P & D report changed from Butler to Collins

BUSINESS ARISING - no Town Manager's report for tonight's meeting. Action list was circulated with 15 new items, 19 completed and 13 remaining in progress.

Further to question arising, the Town Manager will check for an update on the expected date of the Flood Plain Study.

COMMITTEE REPORTS

Planning & Development Report – April 28, 2015 presented by Councillor Collins:

1. 22-28 Belbins Road

A. Request to refine the Environmental Protection Map

Motion: Collins/Butler

2015-128 Resolved that the request to refine the Environmental Protection Map within Schedule C: Environmental Protection Overlay in the area of Civic # 22-28 Belbins Road be approved. Approval shall be in full compliance with the Town’s Municipal Plan and Development Regulations and all other regulatory bodies of government, specifically Schedule E: Environmental Protection Overlay.

Carried Unanimously

B. Subdivide property and construct single dwelling

Motion: Collins/Bartlett

2015-129 Resolved that the application to subdivide property and construct a single dwelling at Civic # 22-28 Belbins Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

2. 41-47 Meadow Heights

Motion: Collins/

Resolved that the application to subdivide property and construct a single dwelling at Civic # 41-47 Meadow Heights be rejected as per Appendix A: Tabled Report.

WITHDRAWN

Deputy Mayor Will requested, and it was agreed that this item be deferred back to committee for further consideration.

3. 137 Beachy Cove Road – residential subdivision

Item deferred to committee for further consideration.

4. 271A Bennetts Road

Motion: Collins/Will

2015-130 Resolved that the application to subdivide property at Civic # 271A Bennetts Road be rejected as per Appendix A: Tabled Report.

Carried Unanimously

5. 35-37 Goat Cove Lane

The Committee discussed the development of Civic # 35-37 Goat Cove Lane within the Goat Cove Lane Residential Subdivision. Discrepancies caused by an oversight of an existing development permit issued by the Town and a zoning amendment during the registration of the Town’s Municipal Plan and Development Regulations (2014-2024) were considered by the Committee in light of permitting the construction of a dwelling on this approved lot within the residential subdivision development. The Committee agreed that it is appropriate for Staff to process the application in compliance with the signed Residential Subdivision Agreement and to

bring forward to the Committee at a later meeting a recommended amendment to the Town's Municipal Plan and Development Regulations (2014-2024) to correct the discrepancies in this area. See Appendix A: Tabled Report.

6. 21 Megan Ridge Drive

Motion: Collins/Butler
 2015-131 Resolved that the application to construct an accessory building at Civic # 21 Megan Ridge Drive be granted approval in principle as per Appendix A: Tabled Report.
 Carried Unanimously

7. 42-44 West Point Road

Motion: Collins/Will
 2015-132 Resolved that the application to establish a home office at Civic # 42-44 West Point Road for performing general office work and accounting work associated with a distillery be granted approval in principle as per Appendix A: Tabled Report.
 Carried Unanimously

8. 8 Kimberley Gill Place

Motion: Collins/Butler
 2015-133 Resolved that the application to establish an office for a personal service business as a home occupation (roofing contracting) at Civic # 8 Kimberley Gill Place be granted approval in principle as per Appendix A: Tabled Report.
 Carried Unanimously

9. 197-199 Tolt Road

Motion: Collins/Bartlett
 2015-134 Resolved that the application to establish an office for a taxi stand business as a home occupation at Civic # 197-199 Tolt Road be granted approval in principle as per Appendix A: Tabled Report.
 Carried Unanimously

10. 1308 Thorburn Road

Motion: Collins/Bartlett
 2015-135 Resolved that the application to establish an office for a personal service business as a home occupation (salon company) at Civic # 1308 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.
 Carried Unanimously

11. 481-483 Old Broad Cove Road

Motion: Collins/Hanlon
 2015-136 Resolved that the application to establish an office for a personal service business as a home occupation (plumbing contracting) at Civic # 481-483 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.
 Carried Unanimously

12. Correspondence

The Planning Department is in receipt of correspondence from the Department of Municipal and Intergovernmental Affairs seeking comments on a potential revision to the definition of “building height” within the *Development Regulations*.

The Committee advises Staff to correspond with the Department advising that the Town has no concerns with the current definition of “building height”.

Prior to discussion of Item # 13 the Committee agreed that Mayor Tucker would not be in conflict of interest by being present during the discussion of Item # 13 (d).

13. Appeal Notices

The Planning Department is in receipt of notices from the Eastern Newfoundland Regional Appeal Board that appeals have been filed against the following decisions of Council:

- a) Issuance of a Removal Order against an accessory building at Civic # 13 Emylia Place which was constructed without a permit from the Town;
- b) Rejection of an application to construct a single dwelling at Civic # 1777 Portugal Cove Road;
- c) Rejection of an application to construct a single dwelling at Civic # 1779-1781 Portugal Cove Road, and;
- d) Approval in principle of an application to demolish a former place of worship at Civic # 20-30 Coadys Road.

Staff will forward the information requested to the Appeal Board.

14. 730 Indian Meal Line

The Planning Department is in receipt of correspondence from the resident of Civic # 730 Indian Meal Line expressing concerns regarding backfilling activity near their property which is originating “from a construction site in and around the airport”.

The Committee advises Staff to respond to the resident regarding the concerns presented and requests that this correspondence be tabled at Council’s meeting.

15. There were sixteen (16) permits issued from April 10th to April 23rd, 2015.

Recreation /Lifestyle Committee Report – April 28, 2015 presented by Councillor Hanlon:

1. Lifestyle Centre

The Recreation Department staff met prior to the Recreation Committee meeting to determine what spaces and programs would best suit the needs of the Recreation Department and the residents when designing the Lifestyle Centre. The recommendations were then presented to the committee for their input and discussion. The Recreation Committee will pursue the options to move forward to get a design concept for the facility. Information will be made available as this process develops.

2. Volunteer and Athletics Gala

The 1st Annual Volunteer and Athletics Gala was a huge success this year. Over 100 participants gathered at the St. Philip's Parish Hall on Thursday, April 16th to recognize a number of great volunteers and athletes of 2014-2015. This year's winners were:

Volunteer of the Year	Mr. Mac Miller
Senior of the Year	Mrs. Mary Thorne
Youth of the Year	Miss. Sarah Squires
Service Group of the Year	Beachy Cove District Girl Guides
Male Athlete of the Year	Mr. Aiden Drover Mattinen
Female Athlete of the Year	Miss. Rebecca Squires
Coach of the Year	Mr. Jeff Matthews
Team of the Year	PCSP Boys U12 Tier 1 Soccer Team
Provincial Volunteer Recognitions	Mr. Fred Thompson

Staff and Council would like to thank St. Philip's Ladies Auxiliary and the Community Sector Council (Pam Corrigan and Lori Johnson) for their contribution to the event. We would also like to thank Kate MacEachern Cpl (retired) with Long Way Home for making an appearance at our event during her visit to Newfoundland and Labrador.

A huge thank you to Dr. Andrew Furey for his presentation on Team Broken Earth. It was inspiring to see how volunteers make a difference all out the world. Special thanks to the Awards Committee; Lori Johnson with Community Sector Council, Michelle Hunt with Recreation Newfoundland and Labrador, and Fred Hutton with Steele Communications. We would also like to acknowledge Ritche Perez, the photographer for a great job in covering the event. Congratulations to all winners and those nominated.

3. Summer Program Registration

The Recreation Department has hired Miss. Megan Rodgers as Summer Program Coordinator for this year. Plans are well underway for this season's camps and staff are getting ready to conduct interviews over the next couple weeks. The Town has received approval for 4 positions with the Federal Government Summer Employment Program. However we will be filling approximately 10 positions for the camps. Registration will be taking place on Saturday, May 30th at 8:30a.m. Full details of registration will be advertised and distributed over the next couple of weeks. The Recreation Department looks forward to operating its Day Camp from Beachy Cove Elementary and the Kinderskills Program from Rainbow Gully. Staff is also exploring the opportunity to offer a couple sports camps for teens throughout the summer.

4. Summer Leagues

Registration for the Mixed Softball League, Minor Softball League, Men's Softball League, and a new Men's Intermediate Softball League (ages 17-21) will be taking place over the next couple of weeks. The Recreation Department is thrilled about the number of organized leagues now offered to the residents in the community. The relationships with these organizations are strong and will continue to grow as they are startup over the next couple of months.

5. Walk of Alzheimer's

Please find attached, information on the Alzheimer Society "Walk for Alzheimer's" fundraiser. Additional information is also included from First Link. If anyone would like any further information please contact the Recreation Department staff.

6. Donation requests:

After reviewing the Community Grant Applications the committee would like to put forward the following recommendations:

- Motion: Hanlon/Bartlett
2015-137 Resolved that the Town waive the rental fee of the Recreation Centre for Rachel and Julianne Moss to hold a fund-raiser for the Janeway Telethon.
- Carried Unanimously
- Motion: Hanlon/Bartlett
2015-138 Resolved that the Town charge a rate of \$30 per game (including lights) for Voisey's Brook Field, to the new Men's Intermediate Softball League for their start up season in 2015.
- Carried Unanimously

Public Works Committee Report – April 29, 2015 presented by Councillor Bartlett:

1. Millers Road Bridge Update

Committee was presented with the tender results as received from Tiller Engineering. Bids were submitted in the amounts of \$200,442 HST included; \$185,566 HST included; and \$149,725 HST included. Although the bids were higher than the initial cost estimates, Committee decided to proceed with the project given the current condition of the bridge, recognition that additional expenses would be incurred through engineering re-design and uncertainty as to what future tender bids would bring. The Town has received approval for this project through Gas Tax Funding.

- Motion: Bartlett/Collins
2015-139 Resolved that the tender for Millers Road Bridge be awarded to Horse Shoe Hill Construction at a cost of \$149,725.00 HST included.
- Carried For: Bartlett/Butler/Collins/Hanlon/Tucker
Against: Will

Prior to the vote, Deputy Mayor Will expressed his concerns regarding the tendered amounts in comparison with the original estimate by Tiller Engineering and requested the item be deferred back to committee. The Town Manager and other Councillors provided comments regarding the differing bids and the item was then voted on.

2. Road Maintenance Updates

Committee was updated on the spring / summer maintenance priority list being compiled by Public Works. Pothole patching has begun and will continue over the next few weeks. Seasonal equipment maintenance is ongoing and road sweeping is scheduled to begin mid-May.

3. Leak Detection

Phase 1 of the Leak Detection program, as previously approved by Council, has been completed. Noise listening of all hydrants throughout the Town has identified five zones where further investigation is required – these include select areas of Nearys Pond Road; Millers Road/ Conatti Place/Indian Meal Line/Portugal Cove Road; Beachy Cove Road; Tolt Road; and Ursula Crescent/Cross-Link Road/ Jenny-Lynn Drive/Dogberry Hill Road. Phase 2 will focus on correlation work to determine whether there are leaks in these areas. A quote of \$5,000 +HST has been received from Crosbie Industrial to complete Phase 2; this is a budgeted expenditure for 2015.

Motion: Bartlett/Collins

2015-140 Resolved that Crosbie Industrial be contracted to proceed with Phase 2 of the Leak Detection program at a cost of \$5,000 +HST.

Carried Unanimously

Note: Councillor Bartlett commented that the rating scale is from 1-10 and there were a couple of instances of findings for ratings of 7 and one for 10.

4. Ice Control Measures 2015-2016

Staff advised Committee that notification has been received from the provincial central purchasing agency that orders for ice control materials for the 2015-2016 winter season are due. The supplier has held it's pricing from the previous year at \$102.90/tonne +HST. The volume of 1,250 tonnes of salt required is consistent with the volume for the 2014-15 winter season.

Motion: Bartlett/Hanlon

2015-141 Resolved that the Town place an order for winter salt in the amount of 1,250 tonnes and unit price of \$102.90/tonne +HST as per the Ice Control Materials 2015-2016 contract arranged by the Government of Newfoundland and Labrador.

Carried Unanimously

5. Other Items Discussed

Items also discussed included renovations to the lower floor of Town Hall – costing and information is being gathered to proceed with the finalization of drawings in preparation for a tender; further information will be brought to a future Committee meeting for approval of expenditures. Gas tax funding has been approved for the storm sewer culvert work on West Point Road – staff will move forward with engaging the Town's engineering consultants on this project. Grant Smith, Facilities Lead, will be attending a training program in May with the Canadian Playground Safety Institute which will see him obtain a Playground Inspection Certification. Committee also requested staff undertake the construction of steps to connect the Town Hall parking lot with the Fire Hall parking lot.

Economic Development, Marketing & Communications Report – April 29, 2015 presented by Councillor Butler

1. Placebuilder

The draft of the report was submitted to council on April 14th. Feedback has been sent and the final version will be tabled at the next Council meeting.

2. Atlantic Green Forum and Design Charrette

The Town has officially been named the host community for the event. A committee is being headed up by Evan Murray of Murray's Garden Centre and Horticultural Services. It will take place in late October or early November.

3. My311 Services

The Town has been in development for a suite of products with My311 services that would integrate an intuitive search engine, a platform for resident communications and issues management. The search engine is operating while the others remain in development. Staff has recently been presented a more suitable and comprehensive product through an existing service provider, Town Suite, that builds on our existing financial management platform. There have been no costs incurred to the Town during development phase with My311.

Motion: Butler/Bartlett
 2015-142 Resolved that the Town end development with My311 services for resident communications and issues management capabilities.
 Carried Unanimously

The search engine will continue to operate; however, the Town will revisit the service with alternative options presented as a result of proposals for a new website.

4. Website Request for Proposals

The RFP for the development of a new website was reviewed by the committee. It will be advertised in the coming weeks with the closing date of Wednesday, June 3rd. This piece of work is required as service for the current website ending this year. The project is partially funded through Department of Foreign Affairs and International Trade.

5. Mondopad

The Town Council has been evaluating a used Mondopad for the last few weeks to determine its operational efficiencies in the office. Town staff and Council have utilized it in a number of functions and it has been viewed as a great tool for staff and council for meetings, presentations and remote meeting capabilities. The purchase of a Mondopad was budgeted for 2015.

Motion: Butler/Bartlett
 2015-143 Resolved (that the Town) purchase a 57' Mondopad, with adjustable mobile cart and RealCam Pan-Tilt-Zoom Camera Kit from Triware Technologies at a cost of \$9,397 plus HST.
 Carried Unanimously

Note: At the request of Deputy Mayor Will, the Town Manager will arrange to have a report provided to Council regarding the training available for staff for the Mondopad.

6. Advisory Committee on the Environment

James Blackmore, a resident of Portugal Cove – St. Philip's, has expressed interest in joining the committee. He will attend the next Economic Development Committee meeting on May 20th to meet with the committee.

Note: further to the Mayor's inquiry, this brings the membership to 7 and the maximum number is 9 members.

Protective Services Committee Report – April 28, 2015 – presented by Councillor Hanlon

1. FES Updates

- Chief Hollett introduced Miss Sarah Power, she is a High School Student who is Job Shadowing the Fire Chief as part of her curriculum.
- The new fire truck has arrived on site as of Monday morning and is currently running through operations to identify any potential issues. Chiefs will advise on any items needing action. Training on the new truck will commence over the next six (6) weeks and a group of core firefighters have been identified for this training, including a primary lead. The Fire Chiefs will assess and make recommendation on which station is the best fit for the truck to be based out of from an operational standpoint.
- New Support 1 is in service and possession of the old 1996 F 250 pickup truck has been taken by the Town of Woodstock as per the Municipalities Act, 1999 – Authority to Sell, Lease or Dispose of Municipal Property.
- The Chiefs offer their gratitude for Council's support in sending nine (9) members to Fire School the end of May.
- There was a cold water rescue call last evening, April 27th, all went well. Good job by the responding members.
- The Emergency Exercise Debrief meeting was held last week and went well. The resulting information will be compiled and incorporated into the Town's Emergency Plan. The Chief made note of the numerous congratulatory comments from a variety of organizations and municipalities. All in all a very positive and beneficial learning experience.
- As a result of the anticipated large gallery for the last Public Council meeting, the Fire Chief's investigated the legal maximum capacity of the Council Chambers and in accordance with Section 22 of the Fire Protection Services Act this legal capacity has been posted on site.
- The Fire Chiefs will be away on vacation over the next few weeks, a duty captain has been assigned.
- Burning Permits in accordance with the Town's new Open Air Fire Burning Regulations have already been issued, process is running well. These new regulations are posted on the Town website as well as a feedback survey, and there is an article in the upcoming edition of the newsletter.

2. Miller's Pond

Resident concerns regarding the recent algal blooms (2013 and 2014) in Miller's Pond have been brought to the Committee. The Committee agreed to contact the Advisory Committee on the Environment for their expertise on what organization or resource would be best to help the Town investigate and deal with this potential issue.

3. SafePCSP

The community group SafePCSP, in partnership with Cychotic Bikes, is holding a Safety Clinic & Bike Rodeo on Sunday May 3rd at Rainbow Gully Park. The group has also requested that May be proclaimed Pedestrian Safety Month in the Town of Portugal Cove – St. Philip's. Ms. Norma Reid of SafePCSP has been invited to the May 5th Council meeting to witness the proclamation.

Promotional Safety Items:

In keeping with the process discussed during budget preparation Safe PCSP had submitted a

proposal to the Committee including the purchase of several promotional safety items to coincide with events the group has planned and to help ensure the safety of our pedestrians, cyclists and runners. These items include 3000 printed reflective pedestrian safety disks, 500 reflective armbands, and 250 printed open road safety vests. The costs associated with these items will be shared with Cychotic Bike Shop and Leary's Brook Junior High, and the printed safety vests will be offered to residents for a small fee as a cost recovery measure.

Added items:

Councillor Hanlon provided an update on the Safe PCSP Bike Rodeo held at Rainbow Gully Park which he and Deputy Mayor Will attended with a turnout of 40 + attendees. Special thanks go out to Cychotic Bike Shop who provided numerous prizes and checked the safety of bikes.

Councillor Butler commented on the size of the new Fire Truck cab which can hold 5 Fire Fighters suited up and ready. It was also noted that there is also an extensive training process in place for fire fighters to learn to operate/drive the new vehicle.

Admin. and Finance Committee Report – April 29, 2015 – presented by Deputy Mayor Will:

1. Accounts for Payment

Motion: Will/Collins
 2015-144 Resolved that Council pay Regular Accounts in the amount of \$46,863.87 and Capital Accounts in the amount of \$516,751.26 for a total of \$563,615.13
 Carried Unanimously

2. Plotter/Scanner for Planning and Development

Motion: Will/Butler
 2015-145 Resolved that Council purchase a plotter/scanner from Cansel for the amount of \$8,000 plus HST.
 Carried Unanimously

3. Gas Tax Update

Discussions are still ongoing with Municipal and Intergovernmental Affairs and Government Purchasing Agency re. proceeding with KPMG to complete an asset management plan. Tender results for Millers Bridge came back over anticipated budget. PW to review and suggest how best to move forward.

4. Discussion Items

The following issues were also briefly discussed; status of the audited financial statements , policy on Council remote attendance ,effect of potential staff changes , facilities cleaning contracts , management policy manual , uses of Sharepoint , additional TownSuite modules e.g. Customer portal and recreation booking system and as well the time impact associated with requests under ATIPP. Water metering was also discussed.

CORRESPONDENCE

(a) Proclamation – Safe PCSP - read and signed by Mayor Tucker proclaiming May as Pedestrian Safety Month in PCSP

(b) Correspondence and information package received May 1st from Municipal Affairs advising May 6th being proclaimed by Minister Hutchings – for information.

NEW/GENERAL/UNFINISHED BUSINESS

1. Deputy Mayor Will presented information regarding a stamp for Canada Post series ‘Love your Pet – Responsible Pet Guardianship’. The stamp was released this week and was illustrated by Genevieve Simms who is the niece of several residents of our Town and who is currently a master’s student in Toronto doing an arts degree. Mayor Tucker noted congratulations and will have a note sent to her from the Town.

2. Deputy Mayor Will, on behalf of a resident, raised the issue of contractor garbage from construction sites in the area of Broad Cove River and inquired who was responsible for cleaning it up? The Town Manager suggested the matter be referred to Planning and Development for review. Councillor Collins noted that the City of Mount Pearl had a clean-up campaign for businesses and we may get some information from that program to use.

NOTICE OF MOTION - none for this meeting

ADJOURNMENT

Motion: Will/Hanlon
2015-146 Resolved that this meeting be adjourned. Time 8:40 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

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

**Appendix A: Tabled Report
April 28th, 2015**

Applications:

Item # 1:

**Civic # 22-28 Belbins Road
Subdivide Property & Construct Single Dwelling
Zoning: Traditional Community (TC) - Serviced**

- B. The Committee recommends that the application for Civic # 22-28 Belbins Road be granted approval in principle, permitting the subdivision of property and construction of a single dwelling. Approval in principle is subject to the relocation of an existing Newfoundland Power easement on this property to allow for the construction of the dwelling. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government.**

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

Item # 2:

**Civic # 41-47 Meadow Heights
Subdivide Property & Construct Single Dwelling (Backlot)
Zoning: Residential Infill (RI) - Semi-Serviced**

The Committee recommends that the application to subdivide property and construct a single dwelling at Civic # 41-47 Meadow Heights be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations at the time of application, as the proposed lot would not have frontage on a publicly maintained street as required by Plan Policy 3.3 (iv) (Infill Development), Plan Policy 3.3 (x) (Access to a Public Street), Development Regulation 46 (1) (Lot Area), Development Regulation 76 (Subdivision Subject to Zoning) and Schedule C: Residential Infill. A variance on the access road width required for a backlot development in accordance with Plan Policy 3.4.2.1 (v) (Backlot Development) would result in the driveway access not complying with Development Regulation 37 (2) (Accesses and Service Streets) and the existing single dwelling not meeting the minimum side yard standard as required by Plan Policy 3.3 (ix) (Building Setbacks) and Schedule C: Residential Infill.

The Administrator recommended that this application be rejected.

Item # 3:

Civic # 137 Beachy Cove Road

Residential Subdivision

Zoning: Residential Medium Density & Rural (RMD & RUR) - Serviced

The Committee recommends that the application to construct a residential subdivision at Civic # 137 Beachy Cove Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically the following:

- The proposed lots do not comply with the minimum lot area and frontage standards as required by Plan Policy GL-6 (General Layout Policies), Plan Policy SD-2 (Fully-Serviced Areas), Development Regulation 87 (Subdivision Subject to Zoning) and Schedule C: Residential Medium Density.
- The proposed street length exceeds the maximum allowable length as required by Plan Policy RES-17 and RES-18 (Street Design and Construction Standards), Development Regulation 59 (Street Construction Standards), Development Regulation 90 (c.i) (Subdivision Design Standards).
- The property is proposed to be subdivided in a manner that would prejudice future development which is contrary to Plan Policy SD-1 (Evaluating Proposals to Subdivide Land), Plan Policy RES-8 (Council Control of Land Development), Plan Policy RES-14 (Street Design and Construction Standards), Plan Policy 4.1 (3.1) (Subdivision Proposals and Agreements) and Development Regulation 90 (r) (Subdivision Design Standards).
- The property contains land which has been identified as an area having steep slopes in which development is contrary to Plan Policy SD-1 (Evaluating Proposals to Subdivide Land), Plan Policy SD-6 (d) (Council Decision), Schedule E: Environmental Protection Overlay, Development Regulation 64 (Site Suitability) and Development Regulation 83 (n) (Permit to Subdivide Subject to Considerations).
- The existing driveway access for Civic # 139 Beachy Cove Road would be within 10 m of the proposed road which does not comply with Development Regulation 38 (2) (Accesses and Service Streets).
- The proposal does not comply with a Motion of Council on November 18th, 2014 (Motion # 2014-386) regarding rezoning of land for residential subdivision development.
- Single Dwellings are not listed as a Permitted or Discretionary Use in Schedule C: Rural and as such this proposal is not in compliance with Development Regulation 103 (Uses Not Permitted).

The Administrator recommended that this application be rejected.

Item # 4:

Civic # 271A Bennetts Road

Subdivide Property

Zoning: Residential Medium Density & Residential Rural (RMD & RR) - Unserviced

The Committee recommends that the application to subdivide property at Civic # 271A Bennetts Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations as the proposed lot would not have frontage on a publicly maintained street as required by Plan Policy GLU-9 (Access to Public Streets and Roads), Development Regulation 46 (1) (Lot Area), Development Regulation 47 (Lot Frontage), Schedule C: General Provision 12 (c) (Environmental Protection) and Schedule C: Residential Medium Density. In addition, the subdivision of property would result in a lot which does not comply with Schedule C: Residential Rural with respect to minimum lot area.

The Administrator recommended that this application be rejected.

Item # 5:

Civic # 35-37 Goat Cove Lane

Single Dwelling

Zoning: Public Use, Residential Rural & Residential Development Scheme Area (PU, RR, RDSA) - Unserviced

The Committee reviewed an application to construct a single dwelling at Civic # 35-37 Goat Cove Lane which is located within the Residential Development Scheme Area zone. An amendment to the Town's Municipal Plan & Development Regulations was registered on July 2, 2002 to re-designate and rezone the subject area to Residential Coastal (RC) with included the creation of standards and conditions within the RC zone to allow for residential development. During the completion of the Town's Municipal Plan & Development Regulations (2014-2024) this amendment was overlooked. The Planning and Development Department have been conducting an on-going thorough review of the Municipal Plan & Development Regulations (2014-2024) to identify areas of the document requiring amendment and this area has been identified during that review.

The Committee reviewed this application in consideration of the following and agrees that as this lot is located within an on-going residential subdivision development it is appropriate that the application be processed by Staff in accordance with the standards and conditions within the RC zone of the Municipal Plan & Development Regulations at the time that the residential subdivision was permitted by the Town:

- This lot is part of the Goat Cove Lane Residential Subdivision (in which a permit and Subdivision Agreement were issued in June 2008) and the engineering

drawings referenced within the Subdivision Agreement identify a dwelling to be constructed at this location;

- The right-of-way (Goat Cove Lane) and one of the three dwellings have already been constructed;
- Council has not granted final acceptance of or been conveyed ownership of Goat Cove Lane;
- Site Development work in relation to the construction of a dwelling at this location had commenced prior to the registration of the Town's Municipal Plan & Development Regulations (2014-2024);
- The application complies with the standards and terms of condition contained within Schedule C: Residential Coastal of the Town's Municipal Plan & Development Regulation at the time the subdivision was permitted, and;
- An amendment to the Town's Municipal Plan & Development Regulations (2014-2024) will be completed to correct the discrepancies in this area.

Item # 6:

Civic # 21 Megan Ridge Drive

Accessory Building

Zoning: Residential Medium Density (RMD) – Serviced

The Committee recommends that the application for Civic # 21 Megan Ridge Drive be granted approval in principle, permitting the construction of an accessory building. Approval in principle is in accordance with General Regulation 11 (Variances) and 12 (Notice of Variance) which permits a 10.0 % variance on the size of the accessory building which will result in a building size of 61.6 m² as opposed to the maximum of 56 m². 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 11 (Variances), Development Regulation 12 (Notice of Variance), Development Regulation 39 (Accessory Buildings) and Schedule C: Residential Medium Density Condition # 1 (Accessory Buildings).

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

Item # 7:

Civic # 42-44 West Point Road

Business (Office)

Zoning: Traditional Community (TC) – Serviced

The Committee recommends that the application for Civic # 42-44 West Point Road be granted approval in principle, permitting the establishment of a home office for performing general office work and accounting work associated with a distillery. 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: Traditional Community and Schedule D: Off Street Parking Requirements.

Item # 8:

**Civic # 8 Kimberley Gill Place
Business (Office)
Zoning: Residential Medium Density (RMD) - Serviced**

The Committee recommends that the application for Civic # 8 Kimberley Gill Place be granted approval in principle, permitting the establishment of an office for a personal service business as a home occupation (roofing contracting). 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.

Item # 9:

**Civic # 197-199 Tolt Road
Business (Office)
Zoning: Residential Medium Density (RMD) - Unserviced**

The Committee recommends that the application for Civic # 197-199 Tolt Road be granted approval in principle, permitting the establishment of an office for a taxi stand business as a home occupation. 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.

Item # 10:

**Civic # 1308 Thorburn Road
Business (Office)
Zoning: Residential Medium Density (RMD) - Serviced**

The Committee recommends that the application for Civic # 1308 Thorburn Road be granted approval in principle, permitting the establishment of an office for a personal service business as a home occupation (salon company). 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.

Item # 11:

Civic # 481-483 Old Broad Cove Road

Business (Office)

Zoning: Mixed Use (MIX) -Unserviced

The Committee recommends that the application for Civic # 481-483 Old Broad Cove Road be granted approval in principle, permitting the establishment of an office for a personal service business as a home occupation (plumbing contracting). 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: Mixed Use and Schedule D: Off Street Parking Requirements.