



TOWN OF PORTUGAL COVE-ST. PHILIP'S

June 30, 2015

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Acting Mayor	Deputy Mayor Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Aaron Facey
		Johnny Hanlon
	Town Manager	Chris Milley
	Director of Financial Operations	Tony Pollard
	Director of Ec. Dev./Marketing/Comm.	Jeff Lawlor
	Planning Technician	Ashley MacKinnon
	Town Clerk	Judy Squires

Deputy Mayor Will called the meeting to order and welcomed the gallery of 20 persons in attendance. Noted regrets from Mayor Tucker and Councillor Collins.

ADOPTION OF AGENDA

Motion: Facey/Bartlett
2015-209 Resolved that the Agenda dated **June 30, 2015**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Hanlon/Butler
2015-210 Resolved that the minutes of **June 16, 2015** be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

No Town Manager's report for tonight's meeting. Update report/action item list will be available for next Council meeting.

COMMITTEE REPORTS

Planning & Development Report of June 23rd – presented by Councillor Butler

1. 24 Western Gully Road

Motion: Butler/Bartlett
2015-211 Resolved that the application to construct a dwelling extension at Civic # 24 Western Gully Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

2. 841 Thorburn Road

Motion: Butler/Facey
2015-212 Resolved that the application to construct an accessory building at Civic # 841 Thorburn Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

3. 13-17 Legion Road - item not presented and deferred to next committee meeting pending further info

4. 22 West Point Road

Motion: Butler/Bartlett
2015-213 Resolved that the application to construct a patio/deck and swimming pool at Civic # 22 West Point Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

5. 271 Dogberry Hill Road

Motion: Butler/Bartlett
2015-214 Resolved that the application to perform backfilling at Civic # 271 Dogberry Hill Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

6. 1790 Portugal Cove Road

Motion: Butler/Hanlon
2015-215 Resolved that the application to construct a dwelling extension at Civic # 1790 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

7. 138-178 Witch Hazel Road

The Planning Department is in receipt of a request to process a Municipal Recommendation Form for Crown Land measuring approximately 36.5 ac (14.7 ha) located at Civic # 138-178 Witch Hazel Road for agricultural purposes (greenhouses). The land applied for is within the Agriculture Land Use Zone.

Motion: Butler/Facey
2015-216 Resolved that Council approve the Municipal Recommendation Form for Crown land at Civic # 138-178 Witch Hazel Road for agricultural purposes (greenhouses).
Carried Unanimously

8. 536 Old Broad Cove Road

Part A

Motion: Butler/Hanlon
2015-217 Resolved that Motion # 2015-201, the rejection of an application to construct an accessory building at Civic # 536 Old Broad Cove Road, be rescinded in light of further information received by the Town regarding the application.

Carried Unanimously

Part B

Motion: Butler/Bartlett
2015-218 Resolved that the application to construct an accessory building at Civic # 536 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

9. Permit Stats - There were twenty (20) permits issued from June 5th to June 18th, 2015.

Added item:

10. P&D Policy meetings

Councillor Butler advised that at the last committee meeting it was discussed and agreed that the first P & D meeting of every quarter would be devoted to Policy only and no other items.

Recreation/Lifestyle Committee Report – June 23rd presented by Councillor Facey

1. Before and After School Program

Residents met with the Recreation Committee to discuss a Before and After School Program for students at Beachy Cove Elementary. Committee gave feedback on options to pursue with the school to try and engage the School Board and/or Beachy Cove Elementary Administration.

2. Naming of Voisey's Brook Softball Field

Residents have contacted Councillor Hanlon to recommend the renaming of Voisey's Brook Softball Pitch. Committee has directed the Recreation Director to meet with the Director of EDMC to discuss steps to engage residents in the naming of the recreation facilities. Staff will follow up at the next meeting.

3. Canada Day and Regatta Events

The Recreation Staff reviewed the detailed schedule of events for the Regatta Day Festival, including the Canada Day Celebrations. The Mayor and some of the Councilors participated in Regatta events over the weekend. These events included the Community Breakfast and the Opening of the Dog Park. Events will continue to take place throughout the week with the Festival wrapping up on Saturday with the Dory races and the Music Festival.

4. Donation Requests

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

Boys U12 Provincial Soccer Team

- Motion: Facey/Bartlett
2015-219 Resolved that the Town waive the rental fee for the Recreation Centre for a fund-raiser dance that took place on Thursday, June 25th for the Boys U12 Provincial Soccer Team. Players from the community include Taj Exley and Brandon Toope whom will be travelling to Ottawa in July for competition.
- Carried Unanimously

Men's Ultragraphic Slo-pitch Team

- Motion: Facey/Hanlon
2015-220 Resolved that the Town discount the rental fee of the Voisey's Brook Softball Field for \$200.00 for the weekend of June 19th for the Men's Ultragraphic team as a fund-raiser for slo-pitch Nationals. Be advised that the \$100 fee for the hut will be applied.
- Carried Unanimously

PCSP Ladies Intermediate Soccer Team

- Motion: Facey/Hanlon
2015-221 Resolved that the Town discount the fee for the rental of the Voisey's Brook Soccer Pitch PCSP Ladies Intermediate Soccer Team to \$5.00 per player for the 2015 season. This will be for this season only as this is their first year playing.
- Carried Unanimously

5. Minor Soccer

The Recreation Committee discussed the relocation of the Minor Soccer U6 and U8 House League Program from Rainbow Gully Park to Voisey's Brook Park. The Recreation Director responded to all concerned residents that emailed Councilors expressing concerns. Committee agreed that this decision is under the direction of the Minor Soccer Association and we would not interfere with their operations.

6. Correspondence

The Recreation Committee received correspondence from the Community of Lawn thanking the Town for donating the soccer nets to their Recreation Committee. They also sent along a Tim's card which was used to provide refreshments at the meeting tonight. Please find letter attached.

Public Works Committee Report of June 25th - presented by Councillor Bartlett

1. Water Connection Application – Belbins Road

Staff provided Committee with documentation related to an application to subdivide property and construct a single dwelling on Belbins Road which was approved in Principal at the May 5 2015 Council Meeting. On May 13 2015 an application for Water and Sewer was received at Public Works - a Field Assessment was conducted and as there are no services in front of the lot, the application was declined. A meeting was held with the property owner on June 18 2015 (at their request) to discuss the application. The property owner was advised that the lot is unserviceable and extending services to this property would be the property owner's responsibility and expense. Committee reviewed the documentation related to the Water and

Sewer application and agreed with the outcome of the Field Assessment. Property owner is to provide a servicing plan to the Town for consideration.

2. Permanent Speed Humps

Staff advised Committee that no responses were received to the request for quotes for the installation of permanent speed humps. Feedback from the various paving companies was that the scope of work was not large enough. Staff will look at the option of including other identified asphalt repairs into the request to increase the scope. Staff will also determine if there are any Master Standing Agreements through the Government Purchasing Agency for Asphalt Tendering. Placement of the temporary speed bumps might be necessary if this work cannot be completed in a timely manner.

3. Driver Feedback Signs

Committee was advised that permissions have now been granted by Transportation and Works to install five new Driver Feedback Signs on provincially-owned roadways - two on Portugal Cove Road, two on Thorburn Road and one on Old Broad Cove Road. At time of the Committee meeting, Staff were waiting for the permit; it was received June 26 2015. Public Works will schedule the installation of these five signs and an additional one on Dogberry Hill Road in the coming weeks.

4. Other Items Discussed

- Review of illegal dumping on Dogberry Hill Road Extension was discussed. Staff are in the process of determining whether the dumped materials are within the Town's road reservation or on private land. The outcome of this will impact who is responsible for the clean-up.
Note: Councillor Facey suggested residents contact Public Works if any info to report.
- The new organizational structure in Public Works is working very well, providing a more focused approach in the areas of Facilities, Water and Wastewater, and Streets, Fleet and Waste Management. However, limited resources in some areas is challenging and causing delays in completion of roads related work. Going into 2016 this will need to be reviewed.
- A garbage box will be put in place in the Blast Hole Pond area and added to the regular maintenance schedule; a no dumping sign will be installed as well.

Economic Development, Marketing & Communications Report – June 24th presented by Councillor Butler

1. Canada 150 Infrastructure Program Funding

The CIP 150 application was submitted on June 12th for the Rainbow Gully Field expansion. There are no updates on expected timelines for response.

2. BusFest

The inaugural event went off successfully with the Portugal Cove run being well received. The very presence of the bus created great visibility for MetroBus and the potential of a service being provided here in PCSP. Deputy Mayor Gavin Will is scheduling follow up meetings to engage the Province, MetroBus and Happy City about future opportunities.

3. Stewardship Association of Municipalities Signing

On Friday, June 19th Ministers Crummell and Brazil joined Council, Staff and guests for the official signing the Stewardship agreement. With its signing PCSP has one of the largest protected areas in the Province.

4. Urban Municipalities Committee (UMC) Meeting– Port aux Basques

Councillor Collins and the Director of Economic Development will be attending the meeting on June 25 – 27th. This is one of two special meetings per year that is focused on the Economic Development Accord signed by all twenty municipalities as a part of the UMC.

5. “You name it” contest winner

Olivia Young, a grade 3 student at Beachy Cove Elementary, was announced as the contest winner. Her tagline “Be Green, Think Clean” inspired what will be our new branding for our Waste Management fleet and marketing to be launched later this year. Her class was given a pizza party and Olivia received some town prizes and will be featured in the next Tickle Newsletter.

6. Green Team

The Town has been successful in our Green Team application. The group will start on Monday July 6th. The project is entitled “Waste Diversion from Landfill as a Means to a Greener Future in PCSP”. They will be working closely with Public Works staff and the Advisory Committee on the Environment to assess our current programs, host 5 events focused on public education and will develop marketing materials to support our efforts to provide quality recycling and garbage collection.

7. Website RFP

The Town received 8 proposals from a variety of firms to develop a new municipal website. All proposals were reviewed in depth and analyzed in response to the evaluation criteria identified in the RFP.

Motion: Butler/Facey

2015-222 Resolved that Waterwerks Communications be awarded the development of a new municipal website at a cost of \$17,200 plus HST. The project is partially funded by the Department of Foreign Affairs and International Trade and is budgeted for this year.

Carried Unanimously

8. Advisory Committee on the Environment (ACE)

The committee met with resident Pia Banzhaf regarding her interest in joining ACE.

Motion: Butler/Bartlett

2015-223 Resolved that Pia Banzhaf be appointed to the Advisory Committee on the Environment.

Carried Unanimously

9. Heritage Committee

The Heritage Committee had their last meeting prior to breaking for the summer on Thursday, May 28th. They have formally submitted Heritage Guidelines that will be sent to Planning and Development Committee for review.

Protective Services Committee Report for June 23rd – presented by Councillor Hanlon

1. FES Updates

- Engine 1, which is now out of service, will have the recently installed LED lighting removed and the original lighting re-installed prior to the truck retirement.
- A second group has been trained on the new truck.
- VFD will participate in the Legion's parade on June 28th
- June 30th is the Mock Firefighter Challenge in partnership with the Recreation Department.
- July 1st, Canada Day events kick off at noon. The new truck ceremony with Minister Brazil will be part of the Flag Raising event that day.
- The Chiefs raised concerns with the recent inspection of the renovated Beachy Cove Café building regarding the scope of the inspection on this particular building. Staff are investigating.
- The Mayor has received a request for the old truck and will be contacting FES the details.

2. Draft Noise Regulations

A copy of the draft Noise Regulations were circulated to all members of Council. Further to the previous Notice of Motion regarding the PCSP Noise Regulations, 2015, the following motion is being put forward:

Motion: Hanlon/Facey
2015-224 Resolved that Council adopt the PCSP Noise Regulations, 2015 and that in accordance with Section 413 (2) forward the adopted Regulations to the Minister of Municipal and Intergovernmental Affairs.
Carried Unanimously

Note: Councillor Butler advised that there was lots of citizen input for this document.

3. ACE Recommendations

Copies of the Advisory Committee on the Environment recommendations in regards to pesticide use were reviewed by the Committee. Staff are investigating best practices on this issue.

4. SJRFD Fire Station

Information on the possibility of the St. John's Regional Fire Dept. placing a fire station in the Airport Heights area was brought to the Committee. Further information will be brought forward as it becomes available.

Admin. and Finance Committee Report of June 23, 2015 - presented by Councillor Facey

1. Accounts for Payment

Motion: Facey/Hanlon
2015-225 Resolved that Council pay Regular Accounts in the amount of \$104,726.23
Carried Unanimously

2. Auditor's letter

The Committee reviewed the auditor's letter which accompanied the 2014 Audit adopted at the Council meeting of June 2, 2015, and the Director of Financial Operations provided background on the auditor's comments for consideration.

3. Tax account discussion

The Director of Financial Operations presented a resident's request for reimbursement of taxes paid and the Town's response to the resident to deny the request. The Committee reviewed the matter and agreed that the Town reiterate the response to the resident.

4. Community Sustainability Partnership

Committee reviewed the correspondence tabled at the June 16th Council meeting and, for informational purposes, the Director of Financial Operations explained some of the initiatives and the criteria required.

5. Strategic Plan

Tentative dates and times for July have been circulated to Council and Senior Staff to attend 4 sessions with KPMG to participate in the process of developing a strategic plan for the Town. Updates will be provided.

6. Carried forward items

The Town Manager updated committee on several ongoing items noting the following:
Water metering project – a work plan flowchart will be presented to Committee at next meeting
Gas Tax – still waiting on costing for West Point and Spurrells

7. Request re Water issue for 7 Bauline Line Ext.

Council's previous commitment of June 18, 2013 (Motion #2013-225) was to cost share the water installation at 30% for the Town's share with the resident paying 70%. The Town Manager advised that arrangements are now being made by residents on behalf of the property owner to cover the cost of installation of both water and sewer services to this property and an application has been received with a request from the applicant that the Town waive the cost of the connection fees for both services. Committee reconsidered this item and recommends the following:

Motion: Facey/Hanlon
2015-226 Resolved that Council exempt the water connection fee of \$1250 and the sewer connection fee of \$1250 for the property located at 7 Bauline Line Ext.
Carried Unanimously

Note: For accounting purposes, the invoices will be issued for both connections and amounts then removed by exemption.

Note: The Town Manager advised at the Council meeting that the applicants are still considering the option of the original offer, however Council decided to continue with the vote on the above recommendation to provide both options and re-visit, if necessary, once the applicants have decided.

Councillor Collins left the committee meeting prior to item 8 being discussed.

8. Purchase of land – Maggies Place

Committee of the Whole met on June 17, 2015, and discussed the purchase of land at Maggies Place which is intended (potentially) to be used for the future construction of a new municipal depot. Further to that, this committee discussed and agreed that the Town commit to pursuing an RFP to develop a plan for the whole parcel of land as soon the sale is successfully finalized.

Motion: Facey/Hanlon
2015-227 Resolved that the Town proceed with an Offer of Purchase in the amount of \$800,000.00 prepared by Town’s legal counsel to the owner of 2-80 Maggies Place for approximately 14 acres of land.
Carried Unanimously

CORRESPONDENCE – None for this meeting

NEW/GENERAL/ UNFINISHED - None for this meeting

AGENDA ITEMS/ NOTICE OF MOTION - None for this meeting

ADJOURNMENT

Motion: Hanlon/Facey
2015-228 Resolved that this meeting be adjourned. Time 8:25p.m.
Carried Unanimously

Deputy Mayor Gavin Will, Acting Mayor

Judy Squires, Town Clerk

Attached: Appendix A

**Appendix A: Tabled Report
June 23rd, 2015**

Applications:

Item # 1: Civic # 24 Western Gully Road

Dwelling Extension

Zoning: Residential Medium Density (RMD) - Fully-Serviced

The Committee recommends that the application to construct a dwelling extension at Civic # 24 Western Gully Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations as the proposed development would be increasing the existing non-conformity and does not comply with the development standards which is contrary to Development Regulation 49 (3f) and (3g) (Non-Conforming Use) and Schedule C: Residential Medium Density.

Administrator recommended that this application be rejected.

Item # 2: Civic # 841 Thorburn Road

Accessory Building

Zoning: Protected Watershed (PW) - Unserviced

The Committee recommends that the application to construct an accessory building at Civic # 841 Thorburn Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulation as the development was completed without a permit from the Town as required by General Regulation 7 (Permit Required), the development is located within the Protected Watershed zone which is contrary to Plan Policy PW-6 (Protected Watershed), the lot does not contain a main building which is contrary to Development Regulation 39 (Accessory Buildings) and Schedule C: Protected Watershed and the application was rejected by the City of St. John's as required by Schedule C: Protected Watershed.

Administrator recommended that this application be rejected.

Item # 3: Civic # 13-17 Legion Road

Subdivide Property

Zoning: Residential Low Density & Mixed Use (RLD & MIX) - Serviced

The Committee recommends that the application for Civic # 13-17 Legion Road be granted approval in principle, permitting the subdivision of property. Approval in principle is subject to a 10.0 % variance on the frontage for one (1) of the proposed lots which will decrease the minimum frontage from 23 m to 20.7 m in accordance with General Regulations 11 (Variances) and 12 (Notice of Variance). 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), and Schedule C: Residential Low Density.

Item # 4: Civic # 22 West Point Road
Patio\Deck & Swimming Pool
Zoning: Traditional Community (TC) - Serviced

The Committee recommends that the application to construct a patio/deck and swimming pool at Civic # 22 West Point Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulation as the development was completed without a permit from the Town as required by General Regulation 7 (Permit Required), the development is located within an area identified as having steep slopes which is contrary to Plan Policy GE-7 (Protection of Environmentally Sensitive Areas), Development Regulation 64 (Site Suitability) and Schedule E: Environmental Protection Overlay and the property will now exceed the maximum lot coverage as per Schedule C: Traditional Community.

Administrator recommended that this application be rejected.

Item # 5: Civic # 271-273 Dogberry Hill Road
Backfilling
Zoning: Residential Medium Density (RMD) - Unserviced

The Committee recommends that the application for Civic # 271-273 Dogberry Hill Road be granted approval in principle, permitting backfilling. 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 49 (Non-Conforming Use).

Administrator recommended that this application be granted approval in principle.

Item # 6: Civic # 1790 Portugal Cove Road
Dwelling Extension
Zoning: Traditional Community (TC) - Serviced

The Committee recommends that the application for Civic # 1790 Portugal Cove Road be granted approval in principle, permitting a dwelling extension. 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 49 (Non-Conforming Use).

Administrator recommended that this application be granted approval in principle.

Discussion: Item # 8: Civic # 536 Old Broad Cove Road - Accessory Building

- B. The Committee recommends that the application for Civic # 536 Old Broad Cove Road be granted approval in principle, permitting the construction of an accessory building. 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 39 (3c) (Accessory Buildings).