



TOWN OF PORTUGAL COVE-ST. PHILIP'S

July 30, 2015

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Aaron Facey
		Johnny Hanlon
	Director of Financial Operations	Tony Pollard
	Director of Recreation & Comm. Serv.	Dawn Sharpe
	Planning Coordinator	Les Spurrell
	Town Clerk	Judy Squires

Mayor Tucker called the meeting to order and welcomed the gallery of 9 persons in attendance noting regrets from Councillors Butler and Collins.

ADOPTION OF AGENDA

Motion:	Will/Hanlon
2015-255	Resolved that the Agenda dated July 30, 2015 , be adopted as circulated.
Carried	Unanimously

ADOPTION OF MINUTES

Motion:	Facey/Bartlett
2015-256	Resolved that the minutes of July 14, 2015 be adopted as circulated.
Carried	Unanimously

BUSINESS ARISING No report for this meeting as the Town Manager is on vacation.

COMMITTEE REPORTS

Planning & Development Report of July 21, 2015 – presented by Deputy Mayor Will

1. 111-113 Kings Hill Road

Motion: Will/Facey
2015-257 Resolved that the application to construct a single dwelling and demolish a single dwelling at Civic # 111-113 Kings Hill Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

2. 833-837 St. Thomas Line

Motion: Will/Bartlett
2015-258 Resolved that the application to construct a single dwelling with subsidiary apartment at Civic # 833-837 St. Thomas Line be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 92-94 Witch Hazel Road

As the Committee could not reach a consensus on a recommendation for the application to construct a single dwelling at Civic # 92-94 Witch Hazel Road, the Committee requests that this application be brought forward for discussion and decision at Council’s meeting. Details regarding this application are contained within Appendix A: Tabled Report.

The Committee reviewed correspondence received as a result of the public advertisement for this application and advises Staff to respond to the property owner. The Committee requests that this correspondence be tabled at Council’s meeting.

Note: Council discussed this application and the release of lands in the agricultural zone and put forward the following:

Motion: Will/Hanlon
2015-259 Resolved that the application to construct a single dwelling at Civic #92-94 Witch Hazel Road be granted approval in principle. Approval in principle shall be in full compliance with the Town’s Municipal Plan & Development Regulations and all other regulatory bodies of government requirements as outlined in Appendix A: Tabled Report.
Carried Unanimously

4. 107-109 Kings Hill

Motion: Will/Bartlett
2015-260 Resolved that the application to construct an accessory building at Civic # 107-109 Kings Hill Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. 167-169 Western Gully Road

Motion: Will/Hanlon
2015-261 Resolved that the application to construct an accessory building at Civic # 167-169 Western Gully Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

6. 144-148 Beachy Cove Road

Motion: Will/Facey
2015-262 Resolved that the application to construct an accessory building at Civic # 144-148 Beachy Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

7. 1642 Portugal Cove Road

Motion: Will/Bartlett
2015-263 Resolved that the application to construct an accessory building at Civic # 1642 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

8. Gravel/Rock Quarry off Bauline Line Extension

As the Committee could not reach a consensus on a recommendation for the application to establish a mineral working operation (gravel rock quarry) off Bauline Line Extension, the Committee requests that this application be brought forward for discussion and decision at Council's meeting. Details regarding this application are contained within Appendix A: Tabled Report.

The Committee reviewed correspondence received from the Advisory Committee on the Environment and advises Staff to respond acknowledging receipt of the correspondence. The Committee requests that this correspondence be tabled at Council's meeting.

Note: Council discussed this item and put forward the following:

Motion: Facey/Bartlett
2015-264 Resolved that the application to establish a gravel/rock quarry operation off Civic # 533 Bauline Line Extension be granted approval in principle. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government requirements as outlined in Appendix A: Tabled Report.

Carried For: Bartlett/Facey/Hanlon/Tucker
Against: Will
Note: while it was not available at the meeting, Council requested a civic # be determined and inserted in the motion.

9. Correspondence from Dept. of Natural Resources - Quarry Permit Referral Letter

The Planning Department is in receipt of a Referral Letter from the Department of Natural Resources for a new gravel/rock quarry operation located off Bauline Line Extension by Chris Squires Enterprises Ltd.

The Committee advised Staff to complete the Quarry Permit Referral Letter as per Council's decision on the application submitted and return it to the Department of Natural Resources.

10. Correspondence re dumping on Nice Lane

The Planning Department is in receipt of correspondence from resident regarding dumping occurring behind their property (possibly at Civic # 12-14 Nice Lane).

The Committee advised Staff to correspond with the owner of the property experiencing the dumping activity and to also respond to the correspondence received. The Committee requests that this correspondence be tabled at Council's meeting.

11. Notice from Eastern Regional Appeal Board re appeal (137 Beachy Cove Road)

The Planning Department is in receipt of a notice from the Eastern Newfoundland Regional Appeal Board that an appeal has been filed against Council's decision of June 2nd, 2015 to reject an application to construct a residential subdivision at Civic # 137 Beachy Cove Road.

Item Submitted for Information. Staff will forward the information requested to the Board.

12. Home Occupation business applications

Motion: Will/Hanlon
2015-265 Resolved that Motion # 2015-247, delegating Council's discretion to the Town Manager to grant approval in principle to home occupations (home-based businesses), be rescinded.
Carried Unanimously

Motion: Will/Bartlett
2015-266 Resolved that in order to expedite the processing of applications for offices as home occupations, Council delegate their discretion to grant approval in principle to these applications to the Town Manager only when the following conditions have been met:
a) the business will have one employee who is a resident of the dwelling;
b) non-residents of the dwelling will not visit the dwelling in relation to the business;
c) a discretionary use advertisement has been published in a newspaper circulating in the area in accordance with Development Regulation 33 (Notice of Application) and Development Regulation 102 (Discretionary Uses) and the Town has not received any written correspondence in response to this advertisement, and;
d) the proposal complies with the Town's Municipal Plan and Development Regulations and all other regulatory bodies of government.

Carried Unanimously

Note: For clarification, this refers to businesses not having any in and out traffic.

Councillor Facey requested and it was agreed that even though this is approved as submitted, that committee review it further for an amendment to extend the scope of business covered by this process.

13. 29-33 Windsor Heights

Motion: Will/Hanlon
2015-267 Resolved that documentation be forwarded to the Town's solicitor so that legal action to remove all general household and construction-related debris, refuse, litter, and garbage from Civic # 29-33 Windsor Heights can be initiated as the property is in contravention of the Removal Order.

Carried Unanimously

Motion: Will/Hanlon
2015-268 Resolved that Council issue a Removal Order for an existing dwelling and accessory building, as well as accumulated household and construction debris, refuse, litter, and garbage located on the property at Civic # 131-137 Bennetts Road.

Carried Unanimously

Motion: Will/Bartlett
2015-269 Resolved that Council issue a Removal Order for accumulated household and construction debris, refuse, litter, and garbage, as well as vehicles, trailer or objects which are in a wrecked, discarded or abandoned condition located on the property at Civic # 392-394 Old Broad Cove Road.

Carried Unanimously

14. 22 West Point Road: Deferred to New Business item 8 (c)

15. Permit Stats: There were seventeen (17) permits issued from July 3rd to July 16th, 2015.

Recreation /Community Services Committee Report of July 21, 2015 – presented by Councillor Facey

1. Voisey's Brook Soccer Pitch

Recreation Committee will be meeting with the Presidents of Football NL and PCSP Minor Soccer over the next few weeks to discuss the possibility of making Voisey's Brook Soccer Pitch a multi-sport facility. Feedback will be brought to committee when available.

2. Recreation Staff

The Recreation Department is pleased to welcome the newest members its staff. Mr. Mike Stone has accepted the full time position of Programs and Special Events Coordinator and started with the department on Monday, July 20th. Mr. Nick Miller has accepted the Maternity Placement position of Programs and Special Events Coordinator. Welcome to our Team!

3. East Coast Trails Notice

A notice was circulated to staff and Council from the East Coast Trails Association. They will be conducting training on Saturday, July 25th on a section of Goat Cove Path between 10am and 2:30p.m. Work carried out will be relatively light involving the pruning of branches and shrubs that are obscuring the trail tread way. This notification was also placed on the Town's website and Facebook page.

4. Killick Coast Games

Athletes, coaches, staff, and volunteers will be involved in a full schedule of activities from Sunday, July 26th to Thursday, July 30th. Opening ceremonies are taking place on Monday, July 27th at 4:30p.m. with Government officials and Councillors in attendance. This year's Killick Coast Games patron representing the Town of Portugal Cove – St. Philip's is Mr. Derick Mercer. Mr. Mercer has been very active in the field of sports his whole life. He dedicated many hours to coaching Minor Softball both in our community and in the City of St. John's. Mr. Mercer will certainly enjoy this year's games with approximately 500 youth registered. Best of luck to everyone!

Note: The Director of Recreation noted that Minister Brazil presented \$10,000 to the Killick Coast Games on behalf of the province.

5. St. John's Triathlon

The Annual St. John's Triathlon will be taking place on Sunday, August 9th, starting at the Rotary Sunshine Park. Please find attached correspondence from the organizing committee, with their request and important information. The Recreation Department will respond to the Race Directors as per their correspondence request.

Note: The Director of Recreation noted that she received an email that the road closures were approved.

6. Portugal Cove – St. Philip's End of Summer Regatta

The Portugal Cove – St. Philip's End of Summer Regatta Committee sent a list of request to the Recreation Department as per every season. The Town will certainly try and accommodate these requests to the best of our abilities. This Regatta is a great attraction to our community and we certainly will see a large increase in traffic on the Portugal Cove wharf for the event. The Regatta Committee has meant with the Mayor of Bell Island and the Minister of Transportation and Works to ensure that the communication regarding the event has improved. The committee has ensured that they are addressing the congestion issues and the Recreation Department will follow up with them before the Regatta.

Public Works Committee Report of July 22, 2015 - presented by Councillor Bartlett

1. Millers Road Bridge Update

Staff provided Committee with an update on the project schedule. On-site work is ongoing and the erection of the structure is scheduled for July 28, 2015. Updates are being posted to the Town's website and Facebook page and distributed via email to those residents who have registered their addresses. The Fire Department has also been updated to ensure timely updates on project execution to allow for appropriate preparation of emergency services.

2. Hydrant Maintenance

Committee was provided with an update on the Town's hydrant maintenance program. Follow-up with the Fire Department to discuss the plans has taken place.

3. Blue Green Algae

A report has been received from the Department of Environment indicating that no toxins are present at Millers Pond from the samples collected on July 8, 2015. Provincial officials have indicated follow-up testing will take place in the coming weeks.

Other Items Discussed

- Traffic Concerns and Road Conditions – Dogberry Hill Road Area: Residential concerns regarding road conditions and traffic concerns in the Dogberry Hill Road area were discussed. Committee indicated that the plan for an overall review of this area, given the addition of the new school off Thorburn Road, should address many of these concerns.
- Newbury Street: Residential concerns regarding traffic levels and speeds on Newbury Street and Blagdon Hill were discussed. A small portion of Newbury Street is owned by the Town with the majority of the area still under the ownership of the developer. Until such time as the infrastructure is conveyed to the Town, traffic calming measures (by the Town) cannot be considered or implemented.
(Note: In reference to this item, Council asked that Newbury Street be placed on the P & D agenda in reference to ownership/developers, the Planning Coordinator will report back to committee/Council on this issue)
- Manager, Water & Wastewater: Committee was updated that interviews took place during the week of July 20-24, 2015 with a total of six candidates interviewed. It is anticipated that this position will be filled within the coming month.
- Leak Detection: The final step of correlation work in the Town's leak detection program has been completed. The report is under review by staff and a work plan to schedule repair work underway.

Note for the record: Deputy Mayor Will requested that he go on record stating that he fully supports the construction of sidewalks in the 1.6 km radius around the school and will not stop until it happens.

Economic Development, Marketing & Communications– no meeting held, update report provided and presented by Councillor Bartlett as follows:

1. Canada 150 Infrastructure Program Funding

Our account manager for the funding program has indicated that decisions are not imminent regarding the proposals. How the program is going to be administered in Newfoundland and Labrador is still evolving based on the large amount of interest and three-year range for proposals.

2. Sharepoint

The Sharepoint system has been created. Information is still being uploaded to the site. There have been technical errors as we worked through the uploading of information and the additional time requirements of having all committee and council minutes from the beginning of this council has increased the timelines. Staff are working on getting the information completed.

3. Remote Access and Mondopad

We have remote access now with the Mondopad and the Director of Economic Development has received training. We have not yet had a full trial run but if requested in advance we would be able to execute a remote session. The new Mondopad is still being integrated into our system and we are still working through internet issues for that area of the building, but have made progress with the internet drops being installed and individual log-on profiles created for all staff.

4. Green Team Update

The Green Team are into their 3rd week now. For the first two weeks they had an orientation to the Town, created two surveys for residents and businesses, reviewed our new draft waste management regulations, researched waste management in other jurisdictions, arranged for 5 community outreach opportunities, with four being executed so far (one with our day camp, two at kinderskills and the other at a Murray's Horticultural event). They are now going on garbage runs compiling statistics and have started going door to door with the surveys. They have reached out to MMSB about a Waste Audit and are awaiting the lead staff to come back from vacation this week to try and coordinate. Both the Public Works and Economic Development Departments have been overseeing their activities. Their plan is on schedule and they will finish up in a little over a month.

Note: Deputy Mayor Will suggested that the Green Team have a booth at the End of Summer Regatta to promote recycling etc. The Recreation Director will pass the info along to them.

5. Website Development

Waterwerks Communications have initiated the discovery phase meeting with directors and staff during the last week. Timelines are on schedule for an end of year website launch. The committee will be updated in progress when the wireframe (web map) is proposed. This should be mid to late-August.

6. Water metering Communications

Communications for the water metering project will be completed the first week of August. The public information session will take place in September.

7. Tickle Swim for Mental Health

The swim will take place on August 18th pending weather. There are a record number of participants this year with 18 planned to be involved. PCSP will host a reception after the swim (or prior to the swim depending on winds).

Protective Services Committee Report for July 21, 2015 – presented by Councillor Hanlon

1. FES Updates

- St. John's Regional Fire Department has no immediate plans to place a fire station in Airport Heights.
- The high vol hose and fittings have been ordered and some are on hand already.
- Fire 1 is having some minor work done to make it more practical.
- Rescue 1 is going out for Motor Vehicle Inspection.

2. Fire Hydrant Maintenance Program

The Fire Chiefs have identified a definite need for a more aggressive maintenance program for the Town's fire hydrants. Based on their observations, the Chiefs have sent their recommendations to the Public Works Department and have offered assistance and guidance with implementation.

3. Security Patrol Costing

The Committee is waiting on one last quote to review, should be on hand tomorrow morning. Recommendations will be made at the next Council meeting.

4. Civic Number Sign Business

The Committee reviewed information from a local business that produces civic number signs and discussed the possibility of having civic number signs made available to residents from the Town as a part of the 2016 budget.

5. Encouraging Residents to Report Activity

With the recent dumping issues and vandalism activities, the Committee discussed placement of security cameras in a variety of locations. This service may be provided by the contractors being sourced currently for security patrols. Residents are asked to report any suspicious activity to the RNC non-emergency number 729-8000 or to call the Town with any information that may be of assistance.

Note: Councillor Facey requested to have the above info put on the Town's website

Admin. and Finance Committee Report of July 21, 2015 - presented by Deputy Mayor Will

1. Update re water metering project

Committee met with Ashley Smith of Vigilant Management to review the proposed plans for launching the project. Councillors discussed ways to implement same and provided their thoughts and suggestions. Based on the committee's input, Vigilant will proceed to finalize the plan and meet with the Director of Economic Development and Communications regarding plans to communicate the project to concerned residents.

2. Discussion on levies for water and/or sewer upgrades

Committee discussed the water project for Skinners Road and the financial impact on property owners for the levy and a subsequent connection fee. It was agreed that there would not be any connection fees applicable for properties serviced by this project.

The options available for implementing the levy and potential repayment plans were also discussed. As the project completion date is tentatively October/November, Committee agreed to move forward so that property owners receive as much notification as possible regarding the cost of levy. Once finalized, the details of the invoicing and repayment plans will come forward to the next Committee meeting for approval.

Motion: Will/Hanlon
2015-270 Resolved that the Council implement a levy for the Skinners Road water project #17-MYCW-15-002 based on per meter frontage rates as determined by the Town's share of the cost of the project; furthermore, that there will not be any connection fee applicable to the properties levied and the Town will implement a repayment plan option for the levy.
Carried Unanimously

3. Update on Maggie's Place

The Town Manager advised Committee that he will be investigating whether or not the City of St. John's watershed boundary for this area will have any impact any plans the Town would have on the parcel of land being considered for purchase. Once the information becomes available he will report back to Council on the status.

Note: Councillor Hanlon requested that this issue be dealt with promptly as there is a deadline in place and the Mayor responded noting we are seeking information from the City.

4. Accounts for Payment

Motion: Will/Facey
2015-271 Resolved that the Town pay the accounts in the amount of \$13,673.00 for Regular Accounts and \$529,471.84 for Capital Accounts for a total of \$543,144.84
Carried Unanimously

CORRESPONDENCE

- (a) William Fagan re Rainbow Gully Artificial Turf Soccer Field
- (b) MIGA – revision of project # for 2014-2017 Multi Year Capital Works
- (c) MIGA – Circular #03439 additional information regarding selling, leasing or disposing of municipal property

NEW/GENERAL/ UNFINISHED

- (a) **Watershed boundaries update** (dealt with under Admin Finance item 3)

(b) From Protective Services – re security patrol: presented by Councillor Hanlon

Further to three quotes received from GardaWorld, Securitas and Commissionaires for approximately 32 patrols per week, the following recommendation is put forward:

Motion: Hanlon/Facey
2015-272 Resolved that the Town enter to an agreement with GardaWorld at the rate of \$26.00 per hour to provide security patrol services for the Town.
Carried Unanimously

(c) From Planning & Development – re appeal 22 West Point Road item 14 from report

In light of receipt of a notice (tabled) from the Eastern Newfoundland Regional Appeal Board that an appeal has been filed against Council's decision of June 30th, 2015 to reject an

application to construct a swimming pool and patio/deck at Civic # 22 West Point Road, and that Section 45 (1) of the Urban and Rural Planning Act, 2000 and Section 8.1 of its Development Regulations, and Section 27 (1) of the Town's Development Regulations require that any development upon the property, which is subject to the appeal, shall be prohibited pending a decision of the Appeal Board.

Therefore, Item # 14 was removed from the Planning & Development pending the result of this appeal. Staff will forward the information requested to the Board.

ADJOURNMENT

Motion: Will/Hanlon
2015-273 Resolved that this meeting be adjourned. Time 9:00p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

**Appendix A: Tabled Report
July 21st, 2015**

Applications:

Item # 1:

**Civic # 111-113 Kings Hill Road
Construct Single Dwelling & Demolish Single Dwelling
Zoning: Residential Low Density (RLD) - Unserviced**

The Committee recommends that the application for Civic # 111-113 Kings Hill Road be granted approval in principle, permitting the construction of a single dwelling and demolition of a single dwelling once construction of the new dwelling is complete.

Item # 2:

**Civic # 833-837 St. Thomas Line
Single Dwelling with Subsidiary Apartment
Zoning: Residential Medium Density (RMD) - Unserviced**

The Committee recommends that the application for Civic # 833-837 St. Thomas Line be granted approval in principle, permitting the construction of a single dwelling with subsidiary apartment. 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-1 (Land Uses), Development Regulation 33 (Notice of Application), Development Regulation 60 (Subsidiary Apartments), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Medium Density, and Schedule C: Off-Street Parking Requirements.

Item # 3:

**Civic # 92-94 Witch Hazel Road
Single Dwelling
Zoning: Agriculture (AG) - Unserviced**

Technical Information:

Applicant proposes to construct a single dwelling on property measuring 4,048 m² (1.0 ac).

Areas of Consideration:

- Does not comply with Section 3.4.8 (Agriculture) of the Town's Municipal Plan which states that the overall intent of this Municipal Plan is to protect agricultural lands from conflicting uses of land and to provide existing farm operations with the assurance that they can continue to operate through the agricultural designation and companion land use zoning;
- Complies with Plan Policy AG-3 (Land Uses) which states that as discretionary uses on Town controlled lands, Council may also consider varied potential alternative land uses including single dwellings;
- Does not comply with Plan Policy AG-4 (Land Uses) which states that Council supports the land use management approach to not permit development within the Agricultural designation unless such development is directly connected with, or complimentary to, agriculture or the proposed use will not adversely affect the existing or potential use of land for agricultural purposes;
- Does not comply with Plan Policy AG-5 (Land Uses) which states that discretionary uses for Town controlled agricultural land in the AG Zone, as defined by Schedule C of the Development Regulations shall be considered by Council on the basis of their proposed intensity of use, their potential impact upon the agricultural land base, existing farm operations and adjacent land uses, and other localized influences;
- Does not comply with Plan Policy AG-7 (Separation of Non-Farm Developments and Agricultural Operations) which states that Council shall attempt to minimize the potential for land use conflicts from non-farm land uses being developed in close proximity to existing agricultural operations, particularly livestock and poultry confinement operations;
- Does not comply with Plan Policy AG-11 (Non-Farm Dwellings) which states that on Town controlled Agricultural designated lands, non-farm dwellings may be considered as a discretionary use on the basis of any of the following criterion:
 - A single dwelling being a subsidiary use to a commercial agricultural operation, horse boarding stable, or kennel;
 - Limiting any potential single dwelling development to infilling or properties with existing public road lot frontage;
 - The proposed use will not have an adverse impact on existing or future agricultural operations;
 - Submission of specific site detail on the discretionary use proposal including property size and location, existing and current land uses, and existing and proposed drainage; and,
 - Where deemed requires, a professional soils or agriculture specialist report and recommendations being submitted by the applicant to the Town for review;
- There is a future street access located adjacent to the property;
- Must comply with Development Standard 38 (2) (Accesses and Service Streets) which states that no driveway or other entryway to a parcel of land shall be closer than ten (10) metres (32.8 feet) to the street line of any street intersection;
- Complies with Development Regulation 68 (Line of Vision at Intersections);

- Single dwelling is listed as a Discretionary Use within Schedule C: Agriculture;
- A public advertisement was published in a local newspaper in accordance with Development Regulation 33 (Notice of Application) and Development Regulation 102 (Discretionary Uses). The Planning Department has received one (1) piece of correspondence in response to this notice;
- Complies with Schedule C: Agriculture Condition # 2 (a) (Buffer Areas);
- Does not comply with Schedule C: Condition # 5 (C) (Dwellings not Subsidiary to a Main Use) which states that at Council's discretion, a single dwelling, unrelated to a commercial agricultural operation, horse boarding stable, or kennel, may be permitted on Town controlled lands:
 - Only if Council is satisfied that it will not have an adverse impact on existing agricultural operations or future agricultural development of the surrounding area,
 - Only if the proposed lot fronts directly on an existing public street, and
 - Only if it meets the same standards for single dwellings as specified for the Residential Rural zone;
- Complies with Schedule C: Residential Rural with respect to the development standards, and;
- **Administrator recommends that this application be rejected.**

Item # 4:

**Civic # 107-109 Kings Hill Road
Accessory Building
Zoning: Residential Low Density (RLD) - Unserviced**

The Committee recommends that the application for Civic # 107-109 Kings Hill 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 (Accessory Buildings) and Schedule C: Residential Low Density Condition.

Administrator recommended that this application be granted approval in principle.

Item # 5:

**Civic # 167-169 Western Gully Road
Accessory Building
Zoning: Residential Low Density (RLD) - Unserviced**

The Committee recommends that the application for Civic # 167-169 Western Gully Road be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a 10.0 % variance on the size of the proposed accessory building which will increase the maximum building size from 70

m² to 77 m² 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), Development Regulation 39 (Accessory Buildings), and Schedule C: Residential Low Density.

Administrator recommended that this application be granted approval in principle.

Item # 6:

**Civic # 144-148 Beachy Cove Road
Accessory Building
Zoning: Residential Medium Density (RMD) - Unserviced**

The Committee recommends that the application for Civic # 144-148 Beachy 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 (Accessory Buildings) and Schedule C: Residential Medium Density.

Administrator recommended that this application be granted approval in principle.

Item # 7:

**Civic # 1642 Portugal Cove Road
Accessory Building
Zoning: Mixed Use (MIX) - Serviced**

The Committee recommends that the application for Civic # 1642 Portugal 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 (Accessory Buildings) and Schedule C: Mixed Use.

Item # 8:

**Bauline Line Extension
Mineral Working (Quarry)
Zoning: Rural (RUR) - Unserviced**

Technical Information:

Applicant proposes to establish a new mineral working operation (gravel rock quarry). The proposed quarry will be approximately 8 ha (19.8 ac) in area and will be located approximately 4.25 km (2.6 mi) north of Portugal Cove Road along Bauline Line

Extension and approximately 500 m (1,640 ft) SW of Piccos Pond. The operation will be setback approximately 500 m (1,640 ft) from Bauline Line Extension along an existing access road which must be extended an additional 100 m (328 ft) to access the proposed site. The end use for the material extracted from the site will be used as general fill for housing and subdivision development purposes.

Areas of Consideration:

- The current proposal for the new quarry extends into the Protected Watershed (PW) land use zone as identified on the Land Use Zoning Map. The applicant has agreed to modify the boundaries of the proposed quarry to exclude this area and will provide revised mapping to show compliance with this request;
- Complies with Plan Policy RUR-2 (Land Uses) which states that varied discretionary uses such as mineral workings, resource based general and light industry, outdoor tourism, animal and antenna uses, cemeteries, veterinary, and wind turbines may be considered by Council within the RUR designated areas;
- Plan Policy RUR-5 (Environmentally Sensitive and Scenic Areas) states that Council shall not permit land and resource use activities that in Council's opinion may adversely affect areas that are environmentally sensitive or that are not conducive to development for aesthetic reasons. Examples of unsuitable lands for development may include areas of steep or unstable slopes, coastal features, geologically unstable areas, visible hillsides, wetlands, watercourses and ravines. In such locations, protection and preservation measures rather than development will take priority;
- Complies with Plan Policy RUR-8 (Aggregate Extraction) which states that Council shall require that the extraction of aggregate resources be carried out in a manner so as to protect existing land uses and environmental and scenic resources throughout the Planning Area. To this end, minimum separation distances and buffering requirements will be implemented between pits and quarries and nearby uses such as residential areas, public highways and streets, and watercourses; the details of these requirements are outlined within the Rural zone discussion of the Town's Development Regulations;
- Plan Policy RUR-9 (Aggregate Extraction) states that Council shall require proposals for new aggregate operations to be assessed for potential impacts on environmental and scenic resources and existing nearby land uses, and where impacts are identified, the proponent shall adequately address remedial management strategies to the satisfaction of Council;
- Complies with Plan Policy RUR-10 (Aggregate Extraction) which states that Council shall establish standards in the Development Regulations aimed at reducing the potential impacts of aggregate operations on surrounding built-up areas and environmentally sensitive areas, and may:
 - a) Restrict aggregate development in locations that are normally exposed to public view such as near high traffic roads and residential areas;
 - b) Establish minimum separation distances from existing and proposed residential areas, roads, and other built-up areas;

- c) Establish minimum setbacks from watercourses, wetlands, steep slopes, and other environmentally sensitive areas;
 - d) Establish restrictions on operating schedules; and
 - e) Establish conditions for site management, upkeep, and site reclamation and rehabilitation;
- Mineral Working is listed as a Discretionary Use under Schedule C: Rural;
 - Complies with Schedule C: Rural Condition # 3 (Mineral Working Uses);
 - A portion of the proposed quarry contains an area identified as having steep slopes within Schedule E: Environmental Protection Overlay;
 - Does not comply with Schedule E: Environmental Protection Overlay Condition # 4 (Steep Slopes) states that no buildings, structures or placement or removal of fill will be permitted on any lands designated as Restricted by the St. John's Urban Region Regional Plan, or within ten (10.0) metres of the top or bottom of slopes that exceed twenty-five percent (25) over a distance of five (5.0) or more metres;
 - Requires approval and acceptance of a plan for site reclamation and rehabilitation;
 - Copies of approval from all government agencies required prior to the issuance of any permits;
 - Requires approval from the Department of Natural Resources;
 - Requires approval from the Department of Environment and Conservation, and;
 - A public advertisement was published in a local newspaper in accordance with Development Regulation 33 (Notice of Application) and Development Regulation 102 (Discretionary Uses).