



TOWN OF PORTUGAL COVE-ST. PHILIP'S

October 6, 2015

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Deputy Mayor	Gavin Will (Acting Mayor)
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
	Town Manager	Chris Milley
	Director of Financial Operations	Tony Pollard
	Planning & Dev. Coordinator	Les Spurrell
	Town Clerk	Judy Squires

Deputy Mayor Will called the meeting to order and welcomed the gallery of 10 persons in attendance, and noted regrets on behalf of Mayor Tucker, Councillors Facey and Hanlon.

ADOPTION OF AGENDA

Motion:	Bartlett/Collins
2015-353	Resolved that the Agenda dated October 6, 2015 , be adopted as circulated.
Carried	Unanimously

ADOPTION OF MINUTES

Motion:	Bartlett/Butler
2015-354	Resolved that the minutes of September 22, 2015 be adopted as circulated.
Carried	Unanimously

BUSINESS ARISING Town Manager's Report: Action items updated with 9 new, 9 completed and 12 remaining. Skinners Road project delayed due to requirement of adding pressure boosting feature, moving ahead but delayed. (DM Will noted the province wanted to see the design for this before going to tender.) A letter will go to residents. Also, along with Tract Consulting, met last week with local transportation engineering consulting firm to learn about what they can offer in the way of road design/networking options when it comes to Placebuilder and other Town projects.

COMMITTEE REPORTS

Planning & Development Report of September 29, 2015 – presented by Councillor Collins

1. 256 Witch Hazel Road

Motion: Collins/Butler
2015-355 Resolved that the application to rezone property at Civic # 256 Witch Hazel Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

2. 6 Blue Bell Bend

Motion: Collins/Bartlett
2015-356 Resolved that the application to construct an accessory building at Civic # 6 Bluebell Bend be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 654-656 Indian Meal Line

Motion: Collins/Butler
2015-357 Resolved that the application to construct an accessory building at Civic # 654-656 Indian Meal Line be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. 348-352 Old Broad Cove Road

Motion: Collins/Bartlett
2015-358 Resolved that the application to construct an accessory building at Civic # 348-352 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. 20 Western Gully Road

Motion: Collins/Butler
2015-359 Resolved that the application to construct an accessory building at Civic # 20 Western Gully Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

6. 640 Indian Meal Line

Motion: Collins/Bartlett
2015-360 Resolved that the application to establish a professional business (horse riding lessons and recreational therapy programs) as a home occupation at Civic # 640 Indian Meal Line be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

7. 72-76 Round Pond Road

Motion: Collins/Butler
2015-361 Resolved that the application to establish an agriculture business (indoor herb cultivation) as a home occupation at Civic # 72-76 Round Pond Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

8. 1027 Thorburn Road

Motion: Collins/Bartlett
2015-362 Resolved that the application for the construction of a patio/deck and to perform property repairs at Civic # 1027 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

9. 2 Hammond Estates

Motion: Collins/Butler
2015-363 Resolved that Council refuse the Municipal Recommendation Form for Crown land located to the rear of Civic # 2 Hammond Estates for the purpose of expanding an existing residential property as the land requested is a recognized right-of-way.
Carried Unanimously

10. Stage V Chesley-Van Heights

Motion: Collins/Bartlett
2015-364 Resolved that the request to amend the Chesley-Van Heights Stage V Residential Subdivision Agreement to increase the number of unserviced lots from 13 to 14 be granted in accordance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government.
Carried Unanimously

11. Notice of Appeal Hearing

The Planning Department is in receipt of a notice from the Eastern Newfoundland Regional Appeal Board that an appeal against Council's decision to grant approval in principle to a residential subdivision at Civic # 12-16B Mercers Road will be heard by the Board at 10:45 am on Thursday, October 1st, 2015 at the Ramada Hotel, Kenmount Road, St. John's. Item Submitted for Information.

12. Permit Stats - thirty five (35) permits issued from September 11th to September 24th, 2015.

Recreation & Community Services Committee – no meeting held/no report

Councillor Bartlett noted the following update:
October 1st was National Seniors Day. The Mayor visited with the Seniors at the Recreation Centre to sign the proclamation before they headed out for their boat tour with the Recreation Department. The Boat Tour was a success and there was a sighting of a Whale. Congrats to Mike Stone on the organizing of his first event!

Mayor Tucker and Councillor Facey along with his family; Sarah, Henry, Molly and Zoe gathered at the Town Hall and signed the proclamation to kick off National Breastfeeding week from October 1st to 7th. Expecting Mother....Tracy Simmons was also in attendance to show her support.

Public Works Committee Report of September 30, 2015 - presented by Councillor Bartlett

1. Street Lighting Standards

A review of the Town's current street lighting standards was completed with recommendations for possible amendments presented to Committee. Due to the cost implications associated with

increasing street lighting, Committee opted to maintain the current approach to street lighting which entails lighting placement as follows:

- Every 4th pole;
- At intersections;
- At bend in road; and,
- Bulb cul de sac.

Note: As an additional information note, Councillor Bartlett, noted that the cost of providing this service is \$48.30 per light for 322 lights (approx. \$160,000 per year).

2. Millers Road Bridge – Phase 2 Tender Update

The Tender for Millers Road Bridge – Phase 2 closed on October 2nd. Information will be forwarded to Council following the tender closing date with a recommendation as to next steps forward.

3. Parking Issues on Portugal Cove Road

Committee was advised that several complaints have been received from residents with respect to vehicles parking on the road shoulders of Portugal Cove Road between the areas from Legion Road to the Canada Post Office. These vehicles are blocking driveways causing blind spots for those exiting onto the roadway. Residents asked for Council's support in writing a letter to the Minister of Transportation & Works in support of erecting "no parking" signs on both sides of Portugal Cove Road.

Motion: Bartlett/Collins
2015-365 Resolved that Council write a letter to the Minister of Transportation & Works on behalf of the residents in the area to have "no parking" signs erected.
Carried Unanimously

Note: Councillor Collins commented that the request came from residents concerned with safety issues especially as there is a day care in the area.

Other items discussed:

Updates to the Garbage Regulations were discussed.

Economic Development, Marketing & Communications Report for September 30, 2015 – presented by Councillor Butler

1. Metrobus Proposal

Mayor Moses Tucker, Deputy Mayor Will, Councillor Facey and the Director of Economic Development met with Minister Brazil regarding Metrobus in PCSP on Wednesday, September 30th. The results of the survey were discussed and a proposal is being developed to the Department of Transportation and Works to fund a pilot project that can help alleviate

transportation concerns related to construction at the Ferry Terminal. The proposal will be completed by Friday, October 2nd.

Note: The Deputy Mayor noted the letter went out on Monday, October 5th.

2. Business Group

A number of business owners in PCSP have contacted the Director of Economic Development to discuss the formation of a business group. A meeting is scheduled for October 2nd.

Note: The Deputy Mayor updated that a core group met and their needs were recognized.

3. Budget Consultations

Currently there have been no requests to make presentations to Council. If no one registers than the first public meeting, scheduled for Wednesday, October 7th will be cancelled.

4. Demographics Survey

The municipalities of PCSP, Torbay, Mount Pearl, Paradise and CBS were invited by the City of St. John's to take part in a demographics survey. With the absence of the long form census our communities are missing some vital demographic information. The City is proposing that a 25 page telephone survey be conducted in the region and that each municipality will receive an individual report. The project costs \$65,000 and would be conducted by the provincial statistics agency. St. John's will cover over 50% of the cost of project with the remaining municipalities splitting the rest at a cost of \$5,500 each. A second phase will be completed next year by the Harris Centre that will interpret the data. Details of that piece of work are still being developed, but a similar financial commitment is expected.

Motion: Butler/Bartlett
2015-366 Resolved that the Town of Portugal Cove – St. Philip's take part in a Demographics survey with the City of St. John's at a cost of \$5,500.
Carried Unanimously

5. Advisory Committee on the Environment (ACE)

Rita Anderson met with the committee to express her interest in joining ACE.

Motion: Butler/Bartlett
2015-367 Resolved that Rita Anderson be appointed to the Advisory Committee on the Environment.
Carried Unanimously

ACE has requested that a sign be posted at Neary's Pond to discourage feeding of ducks as it negatively impacts the fish spawning in the area. This request is being forwarded to the Public Works committee.

Note: In reference to ACE, the Town Manager noted that a meeting is being arranged to take place in the next two weeks between Councils for our Town and Torbay along with the ACE committees for both towns to discuss the water run-off concerns/issues in the Forest Landing Subdivision.

6. Heritage Committee

The Heritage Coordinator has obtained a number of artifacts from the old St. Philip's Anglican Church and have placed them in storage. The items include a pulpit, pew and chandelier.

7. Town Centre Feasibility RFP *Placebuilder*

The Town Centre Feasibility study will now be completed in conjunction with a larger land-use plan for strategic areas in the community. A project manager is expected to be named at the end of October to initiate the project with completion expected in mid-2016.

8. API Conference *Placebuilder*

Councillor Joe Butler will accompany Neil Dawe of Tract Consulting during the Atlantic Planners Institute Conference in St. John's for a session about Placebuilder. Their presentation will be on Monday, October, 5th.

Note: Councillor Butler noted that those in attendance were impressed with the presentation.

Protective Services Committee Report for September 29, 2015 – read by Deputy Mayor Will

1. Commercial Vehicle Parking Regulations

The Committee discussed the draft regulation prepared by the Town Manager, a copy will be circulated to all Committee members prior to the next Council meeting. A Notice of Motion will be brought forward.

2. Open Air Fire Regulations, 2015

The Committee discussed feedback from the burning season. An amendment will be made to the existing regulations and brought to Council for approval. A Notice of Motion will be brought forward.

Note: The Town Manager clarified that the amended regulations are being sent to the Minister for review prior to the Notice of Motion coming forward.

3. Park Signage

Signage has been installed in both Voisey's Brook Park and Rainbow Gully Park to make patrons aware of their responsibility to clean up after their pets. Signage for security surveillance is scheduled to be installed shortly.

Admin. and Finance Committee Report of September 29, 2015 - presented by Clr. Butler

1. Accounts for Payment

Motion: Butler/Collins
2015-368 Resolved that the accounts be approved for payment in the amount of \$25,102.87 for Regular accounts and \$8,202.48 for Capital Accounts for a total of \$33,305.35
Carried Unanimously

2. Carried forward items discussed:

Water Metering:

The Town Manager provided a verbal update on his continuing work on the metering project. He noted that he will be bringing forward financial information on moving this project from a pilot project to install water meters in a 100 homes, to a full project for installation in the approximate 1100 serviced homes in the Town. Once this information is presented, Council will need to decide on which way to proceed and if it is decided to go full project, an RFP will need to be prepared.

Note: The Town Manager noted the project is on hold pending Council's decision. The Deputy Mayor also noted to include this in the budget consultation process.

Budget:

The Director of Financial Operations discussed budget allocations, projections and variances for the 2015 year and anticipated implications and capital expenditures for 2016. Work on the budget is ongoing with staff preparing Departmental presentations to Council on October 13th.

CORRESPONDENCE None for this meeting

NEW/GENERAL/ UNFINISHED BUSINESS

From Public Works Committee presented by Councillor Bartlett

The tender for Phase 2 of Millers Road Bridge construction closed on October 2, 2015. Bids were received from Art Miller Services and Horseshoe Hill Construction. The tender contained two components. The first component is for the core work of Phase 2 (Items 1 to 4 in tender document) which includes the placement of permanent concrete bridge footings and asphalt ramps and associated asphalt blending with existing road conditions. The second component consists of optional items (Items 5 to 8 in tender document) requested by Council which includes the extension of the bridge width and addition of pedestrian walkway.

Approval is being requested to award the contract to the lowest, qualified bidder, Art Miller Services, for core work (Items 1 to 4 in the tender document) as well as the extension of the bridge width on both sides (Item 6 in the tender document) and the addition of a pedestrian walkway (item 7) one side for a total amount of \$103,630+HST.

Motion: Bartlett/Collins
2015-369 Resolved that the Town provide approval for the award of Phase 2 of Millers Road Bridge construction to Art Miller Services at a cost of \$103,630. plus HST
Carried Unanimously

Note: It was further clarified by Council Bartlett that this allows a pedestrian walkway on one side only.

NOTICE OF MOTION

From the Protective Services Committee – read by Deputy Mayor Will

The Protective Services Committee is giving notice that a motion to adopt the Commercial Vehicle Parking Regulations, 2015, will be brought forward to the Council meeting of October 20, 2015. The draft regulations will be circulated to all of Council for their review and consideration prior to the October 20th meeting.

ADJOURNMENT

Motion: Collins/Butler
2015-370 Resolved that this meeting be adjourned. 8:10 p.m.
Carried Unanimously

Deputy Mayor Gavin Will, Acting Mayor

Judy Squires, Town Clerk

Attachment: Appendix A of Planning & Development Report

**Appendix A: Tabled Report
September 29th, 2015**

Applications:

Item # 1: Civic # 256 Witch Hazel Road

Rezoning

Zoning: Residential Low Density & Agriculture (RLD & AG) - Unserviced

The Committee recommends that the application for Civic # 256 Witch Hazel Road be refused as the proposal is contrary to a Motion of Council from November 18th, 2014 (Motion # 2014-386) in which Council will only consider applications for rezoning that will integrate or round-out existing developed areas.

Item # 2: Civic # 6 Bluebell Bend

Accessory Building

Zoning: Residential Medium Density (RMD) - Unserviced

The Committee recommends that the application for Civic # 6 Bluebell Bend 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 (3e) (Accessory Buildings) and Schedule C: Residential Medium Density Condition # 1 (Accessory Buildings).

Item # 3: Civic # 654-656 Indian Meal Line

Accessory Building

Zoning: Mixed Use & Residential Rural (MIX & RR) - Unserviced

The Committee recommends that the application for Civic # 654-656 Indian Meal Line be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a 0.8 % variance on the minimum lot area required to construct an accessory building with a footprint of 70 m² which will decrease the minimum lot area from 1,861m² to 1,860 m², and a 9.2 % variance on the maximum floor area which will increase the maximum floor area from 70 m² to 76.4 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 Medium Density Condition # 1 (Accessory Buildings).

Item # 4: Civic # 348-352 Old Broad Cove Road

Accessory Building

Zoning: Mixed Use & Agriculture (MIX & AG) - Unserviced

The Committee recommends that the application for Civic # 348-352 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 (3e) (Accessory Buildings) and Schedule C: Mixed Use Condition # 1 (Accessory Buildings).

Item # 5: Civic # 20 Western Gully Road

Accessory Building

Zoning: Residential Medium Density (RMD) - Serviced

The Committee recommends that the application for Civic # 20 Western Gully Road be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to approval from the Department of Fisheries and Oceans. 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), Schedule C: Residential Medium Density Condition # 1 (Accessory Buildings), and Schedule E: Environmental Protection Overlay.

Item # 6: Civic # 640 Indian Meal Line

Business (Professional)

Zoning: Mixed Use & Residential Rural (MIX-RR) -Unserviced

The Committee recommends that the application for Civic # 640 Indian Meal Line be granted approval in principle, permitting the establishment of a professional business (horse riding lessons & recreational therapy programs) 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: Mixed Use Condition # 4 and Schedule C: Residential Rural Condition # 6 (Home Occupations (Home Based Businesses) - Child Care, General Service, Light Industry, Medical and Professional, Nursing Home, Office and Personal Service), and Schedule D: Off-Street Parking Requirements.

Item # 7: Civic # 72-76 Round Pond Road

Business (Agriculture)

Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 72-76 Round Pond Road be granted approval in principle, permitting the establishment of an agriculture business (indoor herb cultivation) 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 Low Density Condition # 2 (Agriculture), and Schedule D: Off-Street Parking Requirements.

Item # 8: Civic # 1027 Thorburn Road

Patio/Deck & Property Repairs

Zoning: Protected Watershed (PW) - Unserviced

The Committee recommends that the application for Civic # 1027 Thorburn Road be granted approval in principle, permitting property repairs and the construction of a patio/deck. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government, specifically, Schedule C: Protected Watershed Condition # 1 (Development Approval).

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