



**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
September 20, 2016, held at the Recreation Center  
Regular Public Council Meeting 5:00 p.m.

<b>IN ATTENDANCE:</b>	Deputy Mayor	Gavin Will (Acting Mayor)
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Director of Financial Operations	Tony Pollard
	Director of Recreation/Community Ser.	Dawn Sharpe
	Planning Coordinator	Les Spurrell
	Town Clerk	Judy Squires

Deputy Mayor Will called the meeting to order and welcomed the gallery of 7 persons in attendance, noting regrets from Mayor Tucker who is attending a meeting of the NEAR Plan Oversight Committee.

**ADOPTION OF AGENDA**

Motion:	Collins/Facey
2016-324	Resolved that the Agenda dated <b>September 20, 2016</b> , be adopted as circulated.
Carried	Unanimously

**ADOPTION OF MINUTES**

Motion:	Bartlett/Hanlon
2016-325	Resolved that the minutes of <b>September 6, 2016</b> be adopted as circulated.
Carried	Unanimously

**BUSINESS ARISING**      The Town Manager noted he does not have a report for tonight however it will be available at the next meeting.

**COMMITTEE REPORTS**

**Planning & Development Report of September 13, 2016 – presented by Councilor Collins**

**1. Civic 1220-1222 Portugal Cove Road (accessory building)**

Motion: Collins/Butler  
2016-326 Resolved that the application for an accessory building at Civic # 1220-1222 Portugal Cove Road be rejected as per Appendix A: Tabled Report.  
Carried Unanimously

**2. Civic 640 Indian Meal Line (accessory building)**

Motion: Collins/Hanlon  
2016-327 Resolved that the application to construct a commercial accessory building at Civic # 640 Indian Meal Line be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**3. Civic 34-38 Patricia Drive (business)**

Motion: Collins/Facey  
2016-328 Resolved that the application to establish a home office for a professional business (industrial mechanical consulting) as a home occupation at Civic # 34-38 Patricia Drive be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

Note: In response to Clr. Butler's inquiry, the Planning Coordinator confirmed there is no 'industry' this is for an office only.

**4. Civic 34-38 Patricia Drive (accessory building)**

Motion: Collins/Bartlett  
2016-329 Resolved that the application to construct an accessory building at Civic # 34-38 Patricia Drive be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**5. Civic 890-912 Indian Meal Line (Municipal Recommendation Form from Town)** On August 4, 2016 the Town's Planning & Development Department Staff met with representatives from the Forestry and Agrifoods Agency regarding the potential release of Agricultural Leased land located adjacent to Voisey's Brook Park. During this meeting Town Staff expressed interest in obtaining the land once an existing Agricultural Lease is released.

Motion: Collins/Hanlon  
2016-330 Resolved that Council approve a Municipal Recommendation Form submitted by the Town for approximately 2 ha (5 ac) of Crown land at Civic # 890-912 Indian Meal Line (lands located adjacent to and at the entrance of the Voisey's Brook Park. The purpose of acquiring land is for consolidation with the Town existing park lands at Voisey's Brook.  
Carried For: Bartlett, Butler, Collins, Hanlon, Will  
Against: Facey

Note: In discussion on item 5 above, Councillor Facey voiced concerns regarding the following report item #6 which rejects a Municipal Recommendation Form on behalf of an individual wanting to acquire the same land for residential purposes. He felt the Town should wait for the land to be released before applying for it and put forward by Councillor Facey:

Motion: Facey/Butler

2016-330A Resolved that item 5 (approval of a Municipal Recommendation Form submitted by the Town for 890-912 Indian Meal Line) be deferred to Committee for further discussion.

Defeated For: Facey

Against: Bartlett, Butler, Collins, Hanlon, Will

Note: The majority of Councillors felt that the land would be best suited for use by the Town as it is next to the Voiseys Brook Park entrance and following the vote on the motion to defer, the vote was taken on the main motion as noted above.

#### **6. Civic 890-912 Indian Meal Line (Municipal Recommendation Form from resident)**

Motion: Collins/Hanlon

2016-331 Resolved that Council refuse the Municipal Recommendation Form for Crown land at Civic # 890-912 Indian Meal Line for the purpose of residential development (infill) as the Town wishes to consolidate this parcel of Crown land with Voisey's Brook Park. Town met with representatives from the Forestry and Agrifoods Agency on August 4, 2016 and expressed interest in obtaining the land once the Agricultural Lease is released.

Carried For: Bartlett, Butler, Collins, Hanlon, Will

Against: Facey

Note: It was the consensus of all Council that the word 'reject' be replaced by the word 'refuse'.

#### **7. Civic 15-19, 21-25, 27-33 & 15A-33A Long Marsh Road**

The Planning Department has been copied on correspondence from the Department of Municipal Affairs requesting additional information from the property owner of Civic numbers 15-19, 21-25, 27-33 & 15A-33A Long Marsh Road showing where permission to develop was refused and the land has become incapable of reasonably beneficial use.

Item Submitted for Information.

#### **8. State 1 Acceptance Alfreds Drung Extension Residential Subdivision**

Motion: Collins/Bartlett

2016-332 Resolved that Council grant final acceptance of roads and public open space, as per Section 4.6 (Services and Works Vesting in the Town), of Residential Subdivision Agreement for Stage I of the Alfred's Drung Extension Residential Subdivision (dated October 27, 2014) as per legal documentation submitted to the Town by the Developer.

Carried Unanimously

**9. 820B St. Thomas Line (hearing rescheduled)**

The Committee discussed an injunction hearing regarding a Removal Order for an accessory building at 820B St. Thomas Line constructed without a permit from the Town originally scheduled for September 14<sup>th</sup>, 2016. This hearing has been rescheduled by the Courts to October 24<sup>th</sup>, 2016.

Item Submitted for Information.

**10. Permit Stats:**

There were thirty one (31) permits issued from August 26<sup>th</sup> to September 8<sup>th</sup>, 2016.

Note: Following the report, Deputy Mayor Will also noted at the September 6<sup>th</sup> meeting the Mayor requested **discussion Longmarsh Road** (issue re crown land/right of ways). This will be referred to the next Planning & Development Committee for discussion.

**Recreation & Community Services Committee – September 13<sup>th</sup> presented by Clr. Facey**

**1. Bill Churchill Memorial Tournament and Naming Ceremony**

The Bill Churchill Memorial Tournament took place on September 10<sup>th</sup> and 11<sup>th</sup>. With 7 teams registered, it was a great success both on and off the field. The championship game was between two local teams, Family Drug Mart (Mike Evan’s team) vs Gordon’s Snack Bar (Ryan Abbott’s team). The winner of the 1<sup>st</sup> Annual Bill Churchill Memorial Tournament was Gordon’s Snack Bar.

The Naming Ceremony was rescheduled from September 9<sup>th</sup> to the 10<sup>th</sup> due to the weather. The ceremony took place inside Voisey’s Brook hut and there were a number of residents there to show their support to the Churchill Family. All three of Mr. Churchill’s children were present at the event and they commended the Town on what they did to show respect to their father. The representation of the dedication plaque was unveiled and we hope to have the original installed within the next month or so.

The Recreation Committee discussed options for the \$1700 proceeds raised from the Softball Tournament. The Committee would like to put the following recommendation forward:

Motion:	Facey/Hanlon
2016-333	Resolved that the Town establish a Bill Churchill Memorial Student Scholarship Fund; and furthermore funding for the scholarship will come from the proceeds of the Annual Bill Churchill Memorial Softball Tournament.
Carried	Unanimously

Note: Recreation Staff will develop guidelines for the scholarship funds and the first scholarships will be dispersed at the Bill Churchill Memorial Tournament September, 2017.

**2. Killick Coast Game**

Athletes from the Town of Portugal Cove – St. Philip’s represented their community well at the Killick Coast Games. Although our numbers were small for the opening and closing ceremonies, our results at the games were excellent. The following are the results;

- Junior Boys Softball- Gold Junior
- Mixed Soccer - Gold Junior Girls
- Basketball - (2) Gold Junior Boys
- Basketball - Silver Senior Ball
- Hockey - Bronze
- Junior Ball Hockey - Silver and Bronze

With approximately 82 participants, Council would like to thank all volunteers, coaches, and players for everything they did to make this such a success. Special Thanks to Nick Miller, Special Events Coordinator for a great job with the games!

**3. Rainbow Gully Field Expansion**

Tuckers Land Surveyors provided the Town with a plot plan of the current soccer pitch and is supplying a plot plan including the soccer expansion and the football expansion. The Committee would like to make the following recommendation:

Motion: Facey/Bartlett  
2016-334 Resolved that the Town contact Vigilant Management to develop a RFQ for the expansion of Rainbow Gully Turf Field. The RFQ would include 2 options; (1) expansion of the soccer area and (2) expansion for regulation size football field.  
Carried Unanimously

**4. Fitness Programs**

The fall fitness programs started on Monday, September 12<sup>th</sup>. The Yoga and Older Adult Fitness classes are almost full and the Zumba registration is slowly getting filled up. The Programs coordinator is in the process of purchasing some new equipment for the Older Adult Fitness class and we hope to have it for December. Once again the Town would like to thank the PCSP Lion’s Club for their donation to the Seniors Fitness Program.

**5. Budget**

Recreation Committee discussed the 2017 budget. Recreation Staff are currently working on the budget and if any member of Council has any items they would like the Recreation Department to consider, please let the Recreation Director know so that she can prepare the numbers for review.

**6. Community Grants**

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

Motion: Facey/Bartlett  
2016-335 Resolved that the Town waive the rental fee for the Recreation Centre for Friday, September 16<sup>th</sup> for a back to school fund-raiser dance for the MAX Cheerleading Competition in Mississauga, Ontario in May 2017.  
Carried Unanimously

**Public Works Committee Report for September 14, 2016 presented by Councillor Bartlett**

**1. Newbury Street Traffic Study Update**

A commitment was made to have a meeting with the residents of Newbury Street and surrounding streets (Blagdon Hill, Tauton Street and Stockton Place) for the purpose of providing information related to the recent traffic study completed. Communications staff joined the meeting to discuss next steps with respect to meeting approach and communications. Further information will be forthcoming to Council from the Communications Division.

**For the record:** Deputy Mayor Will left the Council Chambers prior to item 2 noting he is deemed in conflict of interest (resident of Nearys Pond Road) and Councillor Hanlon assumed the Chair of the Council meeting.

**2. Nearys Pond Road Rehabilitation & Drainage Update**

An update was provided on Nearys Pond Road Rehabilitation and Drainage project as provided by the Town Manager/Engineer. Seventy (70) per cent of the design work has been completed. Options for pedestrian pathways in the area have been explored, as requested by Council. Staff asked for direction as to whether to move forward with incorporating pedestrian pathways into the design and also advised the most recent cost estimates for the full project were indicating project costs to be higher (in the range of \$100,000 - \$150,000) than original estimates. However, true cost will not be known until tender bids are received, at which time Council will make the decision whether to proceed with the project.

Motion: Bartlett/Collins  
2016-336 Resolved that approval be given to move forward with tendering for the Nearys Pond Road Rehabilitation & Drainage project, including the incorporation of pedestrian pathways.  
Carried Unanimously

**For the record:** Deputy Mayor Will returned to the Council Chambers and resumed Chair of the meeting after the vote on item 2.

**3. Driver Feedback Signs**

A quote was received from Traffic Logix for the purchase of two new driver feedback signs. This is a 2016 budgeted item.

Motion: Bartlett/Facey  
2016-337 Resolved that the purchase of two new driver feedback signs at a cost of \$6,738.19 (HST included) be approved.  
Carried Unanimously

### **Discussion Items**

4. Loop Drive – Staff are in discussion with traffic engineers to obtain feedback on considerations related to the potential change in traffic flow on Loop Drive.
5. Regional Water Authority – Management fees charged by the Regional Water Authority were recently reviewed by the City of St. John's and the Town was advised the cost of its portion of the management fees will increase from \$5,000 to \$25,275 as of January 1, 2017. Increases were applied to all municipalities who are part of the regional service.
6. Tenders – Staff advised that tenders have been advertised for the rental of two loaders and the purchase of winter sand.

### **Economic Development, Marketing & Communications - no meeting held/no report**

### **Protective Services Committee – September 13, 2016 presented by Clr. Hanlon**

#### **1. FES Updates**

- The co-chiefs are currently reviewing the Fire Department budgetary needs will be meeting with the Director of Finance this week to review in more detail. The facilities are still under review with regards to asset management.
- The NEA training initiative is a go. The five courses are mostly hands on training and are scheduled to run through the last two weeks of October. Some funding will be made available from FES-NL.
- The issue of department vehicle speed has been dealt with at the latest general meeting. SOGs already exist for the use of personal vehicle response.
- Fire Prevention Week is coming in October and planning is well underway.
- The Annual Firefighter's Ball is scheduled for September 24<sup>th</sup>.

#### **2. Fire Hydrant Access**

There have been issues recently with private vehicles impeding access to fire hydrants, most recently the call on Western Gully Road. It is vital that residents are aware of the importance of access to these hydrants in an emergency situation and the grave circumstances that can result from preventing or impeding this access. The Chiefs are drafting an article on fire hydrant access for the November – December edition of the Tickle newsletter to emphasize this issue with the community.

#### **3. Loop Drive Traffic Concerns**

Residents that have received the request for feedback on Loop Drive Traffic Concerns have been responding with their input and the information is being compiled for Council to review.

**Admin. and Finance Committee Report of August 30, 2016 presented by Deputy Mayor Will**

**1. Accounts for Payment**

Motion: Butler/Facey  
2016-338 Resolved that Council approve payment of regular accounts in the amount of \$60,010.43 and capital accounts in the amount of \$51,725.05 for a total of \$111,735.48  
Carried Unanimously

**2. Donation**

Motion: Butler/Collins  
2016-339 Resolved that the Town donate \$100.00 towards the Eastern Night event at the 2016 MNL Convention.

WITHDRAWN

Council discussed and Councillor Butler put forward the following motion:

Motion: Butler/Facey  
2016-339A Resolved that the Town donate \$500.00 towards the Eastern Night event at the 2016 MNL Convention.  
Carried For: Bartlett/Butler/Collins/Facey/Hanlon  
Against: Will

**For the record:** The mover and seconder agreed to withdraw the original motion on this item.

**3. Water Metering**

Motion: Butler/Facey  
2016-340 Resolved that the Town proceed to tender for the Water Metering Project.  
Carried For: Bartlett/Butler/Collins/Facey/Will  
Against: Hanlon

**4. Zone Metering**

Motion: Butler/Facey  
2016-341 Resolved that that the Town engage the services of a consultant to investigate Zone Metering as part of the Town's leak detection program.  
Carried Unanimously

**For the record:**

Councillor Facey requested the wording of the motion be changed to exclude the word 'possible' from the original recommendation. Councillor Hanlon added that because of the wording (even with the change) he would have to vote against it and requested that the record show he is for the zone metering and that he would like to see that put in place first. Councillor Facey suggested changing the wording so that Councillor Hanlon could support it. It was agreed by all that the motion now read as written above.



**5. Bell Aliant cell site Lease Renewal**

Further to a legal review of the original and renewal lease, Committee puts forward the following for consideration:

- Motion: Butler/Facey  
2016-342 Resolved that the Town accept the renewal of the Bell Aliant cell site lease #J0219 for Skinners Road for ten years at \$7,560.00 per year subject to the recommended changes to the Lease Renewal as per the recommendations from solicitor John Taylor-Hood correspondence dated September 12, 2016.
- Carried Unanimously

**CORRESPONDENCE**

(A) **Wooden Boat Heritage 2016** – event to take place Tuesday October 4<sup>th</sup> to Thursday October 6<sup>th</sup> (days leading up to the MNL conference). More details available on website: [woodenboatheritage.ca](http://woodenboatheritage.ca)

**NEW BUSINESS**

1. Councillor Butler noted that a year ago PCSP put forward a motion to MNL against plastic bag issues and a recommendation is now made to the Minister of Environment to **ban single use plastic bags in Newfoundland**. The City of St. John’s and City of Corner Brook just put forward a notice of motion to support that process. A committee will be formed between Environment and MMSB to move forward with this issue.
2. Deputy Mayor Will informed that former **Councilor Harry French** passed away on September 19th. Mr. French was a Councilor of the Town of Portugal Cove (from 1981 – 1985). He is resting at Carnell’s, Freshwater Road, and the service will be held Friday Sept. 23, 2 pm at the St. Lawrence Anglican Church and in lieu of flowers donations can be made to St. Lawrence Anglican Church.

**ADJOURNMENT:**

- Motion: Facey/Hanlon  
2016-343 Resolved that this meeting be adjourned at 6:05 pm.  
Carried Unanimously

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Deputy Mayor Gavin Will, Acting Mayor

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Judy Squires, Town Clerk

**Appendix A: Tabled Report  
September 13<sup>th</sup>, 2016**

**Applications:**

Item # 1:

**Civic # 1220-1222 Portugal Cove Road  
Accessory Building  
Zoning: Residential Low Density & Agriculture (RLD & AG) - Unserviced**

**The Committee recommends that the application to construct an accessory building with a subsidiary apartment at Civic # 1220-1222 Portugal Cove Road be rejected as it does not comply with the Town's Municipal Plan & Development Regulations, specifically Development Regulation 60 (Subsidiary Apartments) and Schedule C: Residential Low Density Condition # 9 (Subsidiary Apartments) as the accessory building is proposed to contain a subsidiary apartment and subsidiary apartments must be located in a single unit residential dwelling.**

The Administrator recommended that this application be rejected.

Item # 2:

**Civic # 640 Indian Meal Line  
Commercial Accessory Building  
Zoning: Mixed Use & Residential Rural - Unserviced**

**The Committee recommends that the application for Civic # 640 Indian Meal Line be granted approval in principle, permitting the construction of a commercial accessory building (riding arena). 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: Mixed Use, and Schedule C: Residential Rural.**

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

Item # 3:

**Civic # 34-38 Patricia Drive  
Business (Home Office)  
Zoning: Residential Medium Density (RMD) - Unserviced**

**The Committee recommends that the application for Civic # 34-38 Patricia Drive be granted approval in principle, permitting the establishment of a home office for a**

professional business (industrial mechanical consulting) 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 (Land Uses), Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Medium Density, and Schedule D: Off-Street Parking Requirements.

Item # 4:

Civic # 1624-1626 Portugal Cove Road  
 Driveway Culvert  
 Zoning: Mixed Use (MIX) – Serviced

The Committee recommends that the application for Civic # 1624-1626 Portugal Cove Road be granted approval in principle, permitting the replacement of an existing driveway culvert. Approval in principle is subject to approval from the Department of Environment and Climate Change and the Department of Transportation and Works. 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 E: Environmental Protection Overlay.

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

**Permits Issued:**

Item # 10:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	16-353	08/26/2016	384-386	Dogberry Hill Road	Dwelling Renovations
2	16-354	08/26/2016	21	Country Garden Road	Accessory Building
3	16-355	08/26/2016	18	Franklyn Place	Accessory Building
	16-356				VOID
4	16-357	08/30/2016	20-30	Coadys Road	Geothermal Wells
5	16-358	08/30/2016	22	Mercers Road	Patio/Deck & Swimming Pool
6	16-359	08/30/2016	5-7	Hilltop Lane	Extend Driveway
7	16-360	09/01/2016	9	Eileen Place	Single Dwelling
8	16-361	09/01/2016	9	Brentwood Avenue	Site Preparation
9	16-362	09/01/2016	9	Brentwood Avenue	Connection to Water & Sewer
10	16-363	09/02/2016	1-5	Lees Place	Single Dwelling

11	16-364	09/02/2016	428-430	Dogberry Hill Road	Demolition
12	16-365	09/02/2016	428-430	Dogberry Hill Road	Accessory Building
13	16-366	09/06/2016	119-121	Dogberry Hill Road	Accessory Building
14	16-367	09/06/2016	26	Legion Road	Site Preparation
15	16-368	09/06/2016	26	Legion Road	Single Dwelling
16	16-369	09/06/2016	31	Beachy Cove Road	Accessory Building
17	16-370	09/06/2016	295-297	Bauline Line Extension	Accessory Building
18	16-371	09/07/2016	1532	Thorburn Road	Connection to Water & Sewer
19	16-372	09/07/2016	55-59	Windsor Heights	Site Preparation
20	16-373	09/07/2016	55-59	Windsor Heights	Test Holes
21	16-374	09/07/2016	55-59	Windsor Heights	Demolition
22	16-375	09/07/2016	21-25	Anglican Church Road	Subsidiary Apartment
23	16-376	09/07/2016	9	Brentwood Avenue	Single Dwelling
24	16-377	09/08/2016	313	Bennetts Road	Dwelling Extension
25	16-378	09/08/2016	98-100	Witch Hazel Road	Test Holes
26	16-379	09/08/2016	245-247	Olivers Pond Road	Test Holes
27	16-380	09/08/2016	52-72	Hogans Pond Road	Driveway Access
28	16-381	09/08/2016	5-7	Boulder Lane	Replace Patio/Deck
29	16-382	09/08/2016	21-25	Anglican Church Road	Occupancy
30	16-383	09/08/2016	14	Megan Ridge Drive	Single Dwelling
31	16-384	09/08/2016	2	Megan Ridge Drive	Single Dwelling