



TOWN OF PORTUGAL COVE-ST. PHILIP'S

August 29, 2017

Regular Public Council Meeting 5:00 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Director of Financial Operations	Tony Pollard
	Director of Recreation/Comm. Service	Dawn Sharpe
	Director of Economic Development, Marketing and Communications	Jeff Lawlor
	Public Works Coordinator	Linda Newhook
	Planning Technician	Ashley MacKinnon
	Deputy Town Clerk	Claudine Murray

Mayor Tucker called the meeting to order and welcomed the gallery of 22 persons in attendance, as well as the special guests in attendance, including the Canada Games athletes and MHA David Brazil.

ADOPTION OF AGENDA

Motion: Hanlon/Will
2017-391 Resolved that the Agenda dated August 29, 2017, be adopted as circulated.
Carried Unanimously

DELEGATIONS/PRESENTATIONS

- The Mayor and MHA David Brazil presented the athletes from Portugal Cove-St. Philip's (who could not attend last Council meeting) who participated in the 2017 Canada Games with certificates of congratulations from both the Town and the Province.
- The Mayor proclaimed September 10-16, 2017 as Sexual Violence Awareness Week in Portugal Cove – St. Philip's.

ADOPTION OF MINUTES

Motion: Will/Bartlett
2017-392 Resolved that the minutes of August 15, 2017 be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

- Neary's Pond Road project is about half way through the project, curb and gutter is starting, end of September is the expected completion date
- Meadow Heights is still scheduled to complete near the end of November but the project has slowed due to excess rocks. Paving may be deferred to spring of 2018
- Dogberry Hill/Thorburn Road is complete except for sod replacement and two culvert deficiencies to be addressed
- Newberry Street as a whole is complete
- Portugal Cove Road walkway is complete except for the colored paving, which has been ordered
- Healeys Pond tenders are closing today
- Lights have been installed on the soccer and softball fields. The turf for the soccer field expansion is due in next week
- Chesley Van Heights trail connection work has started in Voisey's Park
- Audit service RFP closed last week and evaluation is ongoing
- Deputy Returning Officers and Poll Clerk training occurred last week and will be offered again on September 11th.
- Nomination day is Thursday September 31 at the Town Hall

COMMITTEE REPORTS

Planning & Development Report of August 22, 2017– presented by Councillor Collins

1. Civic # 390-396 Tolt Road – Accessory Building

Motion: Collins/Bartlett

2017-393 Resolved that the application to construct an accessory building at Civic # 390-396 Tolt Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

2. Civic # 74-78 Olivers Pond Road – Accessory Building & Demolition

Motion: Collins/Will

2017-394 Resolved that the application to construct an accessory building and demolish an existing accessory building at Civic # 74-78 Olivers Pond Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

3. Civic # 20-30 Coadys Road – Cemetery Extension

Motion: Collins/Facey

2017-395 Resolved that the application for a cemetery extension at Civic # 20-30 Coadys Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

The Mayor noted there is no need to apply to extend the cemetery across the road whereas the land has already been consecrated many years ago. Council decided the application gives peace of mind and to proceed with the motion.

4. Civic # 23-25 Hogans Pond Road – Finish Basement

Motion: Collins/Bartlett

2017-396 Resolved that the application to finish the basement of an existing single dwelling at Civic # 23-25 Hogans Pond Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

5. Oceans Edge Residential Subdivision – Final Acceptance

Motion: Collins/Will
2017-397 Resolved that Council grant final acceptance of roads, public open space, and infrastructure within Stage I of the Ocean's Edge Residential Subdivision as per Appendix A: Tabled Report.
Carried Unanimously

6. Permits Issued

There were twenty (20) permits issued from August 4th to August 17th, 2017 as per Appendix A: Tabled Report.

Rec. & Comm. Services Committee Report for August 24, 2017 - presented by Councillor Facey

1. Lifestyle Centre

Vigilant Management invited 5 Architects to submit proposals for the Lifestyle Centre concept design. The Recreation Committee were forwarded the evaluation commits for review. Recreation Director and Vigilant Management will interview 3 of the top Architects and bring back the results for committee to discuss.

2. Wild Island Adventures

The Recreation Committee discussed the Wild Island Adventures Academy and their request for usage of the Rainbow Gully Hut for their school program. Recreation Staff will discuss the conditions of an agreement, if one is set in place, and the rates that will be charged.

3. MS Bike: St. John's

The 5th Annual MS Bike is scheduled for Saturday, September 23rd. This one day event will see approximately 50 cyclist riding between Paradise and Torbay, including Portugal Cove – St. Philip's. A rest stop has been designated on Indian Meal Line. Recreation staff will contact the coordinator of the event to acknowledge that the Town supports their event in the community.

4. Chase the Ace

The Recreation Committee discussed an inquiry made by a group to host a Chase the Ace at the Recreation Centre to raise funds for the Lifestyle Centre. Further discussions will be had with the organization's representative and the Recreation Director. Details will be forwarded as they are presented.

5. Community Grants

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

Motion: Facey/Hanlon
2017-398 Resolved that Council donate the Voisey's Brook Softball Field to the Northeast Jr Eagles Hockey Team for \$200 as a fund-raiser.
Carried Unanimously

Public Works Committee Report for August 23, 2017 - presented by Councillor Bartlett

1. Town Depot – Concept Design & Delivery Model - Update

The draft Terms of Reference to undertake the concept design and delivery model for the proposed new Town Depot has been received from the Town's project manager, Vigilant Management, and is currently under review. Feedback is expected to be sent back to Vigilant by September 1, 2017. Once the document is finalized, it will be brought forward to Committee for review and approval.

2. Newbury Street Update

The coloured pedestrian pathway has been installed on Newbury Street, as well as the driving lane markings are under way. No parking signs are being installed in the area of the pedestrian pathway and the Town's enforcement officers will be notified to place this street on their list of patrols to ensure vehicles are not parking on the walkway and / or impeding driving lanes. Any infractions observed will be reported to the RNC.

3. Thorburn Road Crosswalk – School Entrance

Permission has been requested from the provincial Department of Transportation and Works to undertake the installation of a pedestrian crosswalk (asphalt markings only) and associated signage on Thorburn Road, east of the school entrance. Pending receipt of permission, this will be completed prior to school opening.

4. Water Loss Control Program

As per a previous motion of Council, the contract for the Water Loss Control Program was awarded to Hatch Engineering. A kick-off meeting was held on August 23, 2017. Data and drawings are being forwarded to the contractor to assist in their system modeling. A revised project schedule is being prepared by the contractor to reflect the inclusion of the wastewater system modelling.

Economic Development, Marketing & Communications Report for August 23, 2017 – presented by Councillor Butler

1. Regional Governance/ EngageNL

The Town received correspondence from the Department of Municipal Affairs and Environment regarding public engagement opportunities on potential regional government in Newfoundland and Labrador. We will be promoting the upcoming public consultations, with our region scheduled for 7:00 pm on September 6th at Roncolli Elementary. They are asking those wishing to attend to register on www.engagenl.ca.

2. Service Level Review

The surveys for businesses and staff will be completed on Tuesday, August 29th. The draft report identifying the 6 key service areas to be reviewed will be presented to Council prior to the next Committee meeting.

3. Maggies Place Development Plan

The draft plan prepared by Tract Consulting will be presented to Council the week of August 28th. Following this a meeting will be planned with the Landowners of Work Package II to review the draft plan and garner their input.

4. SAM Scholarship Presentation

Prior to the Council meeting on September 29th the Town will award Ashley Davies-Marsh a scholarship on behalf of the Stewardship Association of Municipalities. President of SAM Linda Bailet will be present for the presentation. In the fall of 2014, the Stewardship Association of Municipalities Inc. announced the creation of the "SAM Conservation Fund" in partnership with the TD Private Giving Foundation. A part of this fund has been dedicated to an annual scholarship to support post-secondary students who have demonstrated academic excellence and are interested in pursuing a career in the environmental sciences.

5. PCSP Gardening Competition

Murrays Horticultural will be on hand during the Council meeting of September 12th to present the awards to the winners of the 2017 Gardening Competition with Council.

6. Meet the Candidate Night

As part of the upcoming municipal elections, the Town will again host a "Meet the Candidates Night". It is scheduled for Wednesday, September 20th from 6:00pm to 8:00pm at the Recreation Centre.

Protective Services Committee – no meeting held

Admin. and Finance Committee Report of August 24, 2017 - presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Facey
2017-399 Resolved that Council approve payment of regular accounts in the amount of \$102,496.98 and capital accounts in the amount of \$106,612.94 for a total of \$209,109.92 as tabled.
Carried Unanimously

2. Tax Deferral Policy

A policy has been developed to assist residents with a low household income. The deferral of taxes will offer households making less than a combined total of \$20,000 a full deferral with no interest. The maximum household income amount eligible for a deferral rate will be \$40,000.

Motion: Will/Facey
2017-400 Resolved that Council approve the Low Income Tax Policy as tabled.
Carried Unanimously

It was noted upon Town approval, taxes can be deferred until homeowners are in a better financial situation or have a sale of property.

3. Meadow Heights Recovery rates

In combination with the adopted Water & Sewer Capital Works Recovery Policy, the recovery allocations for the Meadow Heights water and sewer project are recommended for approval by Council as follows:

Motion: Will/Facey
2017-401 Resolved that Council approve Meadow Heights water and sewer recovery cost at a rate of \$1.75 per m² with a stub improvement assessment of \$972.01 per stub and a main improvement assessment of \$37.02 per meter in accordance with the Water & Sewer Capital Works Recovery Policy.
Carried Unanimously

4. Provincial Surplus MYCW funds

It was thought that the province has some surplus funds left over from MYCW allocations provincially. It was suggested we touch base with DMAE to see if we could avail of any of the surplus that may remain. Further discussion with Department of Municipal Affairs and Environment is ongoing.

5. Approval Letter from DMAE

Correspondence from DMAE was received on August 22, 2017 granting approval to award the Household Water Meter Installation project to Neptune Technology Group (Canada) Ltd.

6. Staff Issue

A resolution to a long outstanding staffing issue has been put forward and the committee recommends that the settlement be accepted as proposed and recommended by legal counsel .

Motion: Will/Facey
2017-402 Resolved that Council accept the settlement offer proposed in the amount of \$28,000.
Carried Unanimously

7. Revised Capital investment Plans for Dogberry and Portugal Cove road walkability projects

The CIP's submitted for Gas Tax funding for the Dogberry and Portugal Cove walkway projects need to be updated. The Director of Financial Operations will revise the plans for Council approval and submission.

8. Change Order Portugal Cove walkway

A change order has been presented for the Portugal Cove walkway Project in the amount of \$79,649.35 including HST. The order has two parts one for the painting of the walkway , previously approved by council in the amount of \$55,770 and an amount for necessary excavation not considered originally , in the amount of \$13,490.30 both plus HST

Motion: Will/Facey
2017-403 Resolved that Council approve change order #1 on the amount of \$79,649.35 HST included.
Carried Unanimously

CORRESPONDENCE

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
August 17, 2017	Resident	Recreation facilities and Daycare	All Staff and Council
August 17, 2017	Team NL Darts	Thank you	All Staff and Council
August 22, 2017	Department of Municipal Affairs and Environment	Response to Proposal - Clean Water & Wastewater Fund – Household Water Meter Installation – Project No 17-CWWF-17-00034	Sent to AF Cmte
August 22, 2017	Department of Municipal Affairs and Environment	A circular on Regional Government Public Consultations from the Honourable Eddie Joyce, Minister of Municipal Affairs and Environment	Sent to EDMC Cmte
August 24, 2017	Town of Holyrood	Proposed St. John's Urban Region Regional Plan Amendment	Sent to PD Cmte

NEW/GENERAL/UNFINISHED BUSINESS**1. Municipal Plan Amendment – presented by Deputy Mayor Will**

Note: Councillor Collins left the meeting prior to discussion of Item # 1 and Deputy Mayor Will presented item #1

Motion: Will/Collins
 2017-404 Resolved that Council amend its Municipal Plan, and request an amendment to the St. John's Urban Region Regional Plan, to change the designations of land located between Neary's Pond Road and Old Broad Cove Road in relation to the establishment of a Residential Development scheme Area in the vicinity of Maddie's Place and as identified in the tabled mapping.
 Carried Unanimously

Councillor Collins returned to the meeting after discussion of Item # 1.

2. Access Row on Jera Street and Indian Meal Line

Deputy Mayor Will noted that additional communication could have been given to the land owners of the ROW on Indian Meal Line that Council is trying to acquire.

The Director of Recreation and Community Services will contact Inspiration Enterprises via email and let them know that negotiations are ongoing and Council has not made a final decision on the purchase.

3. Peter Young

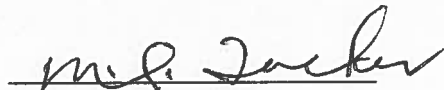
Mayor Tucker informed Council that Peter Young, the first Deputy Mayor of the Town of St. Philip's passed away. Council shared fond memories of Mr. Young.

4. Mayor Tucker

Deputy Mayor Will thanked Mayor Tucker for serving this past 4 years as Mayor of Portugal Cove – St. Philip's and for his 20 years of service with the Town.

ADJOURNMENT

Motion: Will/Collins
2017-405 Resolved that this meeting be adjourned. Time is 6:07pm.
Carried Unanimously


Moses Tucker, Mayor


Claudine Murray, Deputy Town Clerk

Appendix A – Planning and Development Committee Report
Appendix B – PCSP Municipal Plan Amendment Map
Appendix C – St. John's Urban Region Regional Plan Amendment Map

**Appendix A: Tabled Report
August 22nd, 2017**

Applications:

Item # 1:

Civic # 390-396 Tolt Road

Accessory Building

Zoning: Residential Medium Density (RMD) – Unserviced

The Committee recommends that the application for Civic # 390-396 Tolt 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.

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

Item # 2:

Civic # 74-78 Olivers Pond Road

Accessory Building & Demolition

Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 74-78 Olivers Pond Road be granted approval in principle, permitting the construction of an accessory building and demolition of an existing 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.

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

Item # 3:

Civic # 20-30 Coadys Road

Cemetery Extension

Zoning: Traditional Community (TC) – Unserviced

The Committee recommends that the application for Civic # 20-30 Coadys Road be granted approval in principle, permitting the extension of a cemetery. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government, specifically Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), and Schedule C: Traditional Community.

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

Item # 4:

Civic # 23-25 Hogans Pond Road

Finish Basement

Zoning: Residential Low Density & Residential Medium Density (RLD & RMD) – Unserviced

The Committee recommends that the application for Civic # 23-25 Hogans Pond Road be granted approval in principle, permitting the finishing of the basement within an existing dwelling. 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).

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

Discussion:

Item # 5:

Oceans Edge Residential Subdivision – Final Acceptance

The Committee recommends that Council grant final acceptance of roads, public open space, and infrastructure, as per Section 4.6 (Services and Works Vesting in the Town) of Residential Subdivision Agreement for Stage I of the Ocean's Edge Residential Subdivision (dated July 11th, 2012) as per legal documentation submitted to the Town by the Developer.

Permits Issued:

Item # 6:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	17-230	08/04/2017	32-34	Jera Street	Occupancy
2	17-231	08/08/2017	92-94	Beachy Cove Road	Demolition
3	17-232	08/08/2017	92-94	Beachy Cove Road	Accessory Building
4	17-233	08/08/2017	472	Dogberry Hill Road	Single Dwelling
5	17-234	08/08/2017	28-30	Jera Street	Accessory Building
6	17-235	08/10/2017	17-21	Hogans Pond Road	Single Dwelling
7	17-236	08/10/2017	171	Dogberry Hill Road	Weeping Tile Replacement
8	17-237	08/10/2017	631-639	Old Broad Cove Road	Demolition
9	17-238	08/10/2017	631-639	Old Broad Cove Road	Accessory Building
10	17-239	08/11/2017	32-34	Jera Street	Accessory Building
11	17-240	08/11/2017	119	Dogberry Hill Road	Well

12	17-241	08/11/2017	37-39	Anglican Cemetery Road	Occupancy
13	17-242	08/11/2017	16	Oceans Edge	Occupancy
14	17-243	08/14/2017	5-7	Woodland Drive	Accessory Building
15	17-244	08/14/2017	11	Willow Bend Close	Site Preparation
16	17-245	08/15/2017	152-154	Tuckers Hill Road	Dwelling Renovations
17	17-246	08/16/2017	11	Blagdon Hill	Occupancy
18	17-247	08/16/2017	11	Willow Bend Close	Single Dwelling
19	17-248	08/16/2017	40-46	Jera Street	Single Dwelling
20	17-249	08/16/2017	1312	Thorburn Road	Accessory Building

Town of Portugal Cove - St. Philips Municipal Plan Amendment No. __, 2017

- From "Agriculture" to "Residential Development Scheme Area"
- From "Agriculture" to "Mixed Use"
- From "Agriculture" to "Residential"
- From "Mixed Use" to "Residential Development Scheme Area"
- From "Residential" to "Mixed Use"
- From "Residential" to "Residential Development Scheme Area"
- From "Protected Watershed" to "Residential Development Scheme Area"
- From "Agriculture" to "Protected Watershed"

Dated at Portugal Cove-St. Philips
This __ day of __, 2017

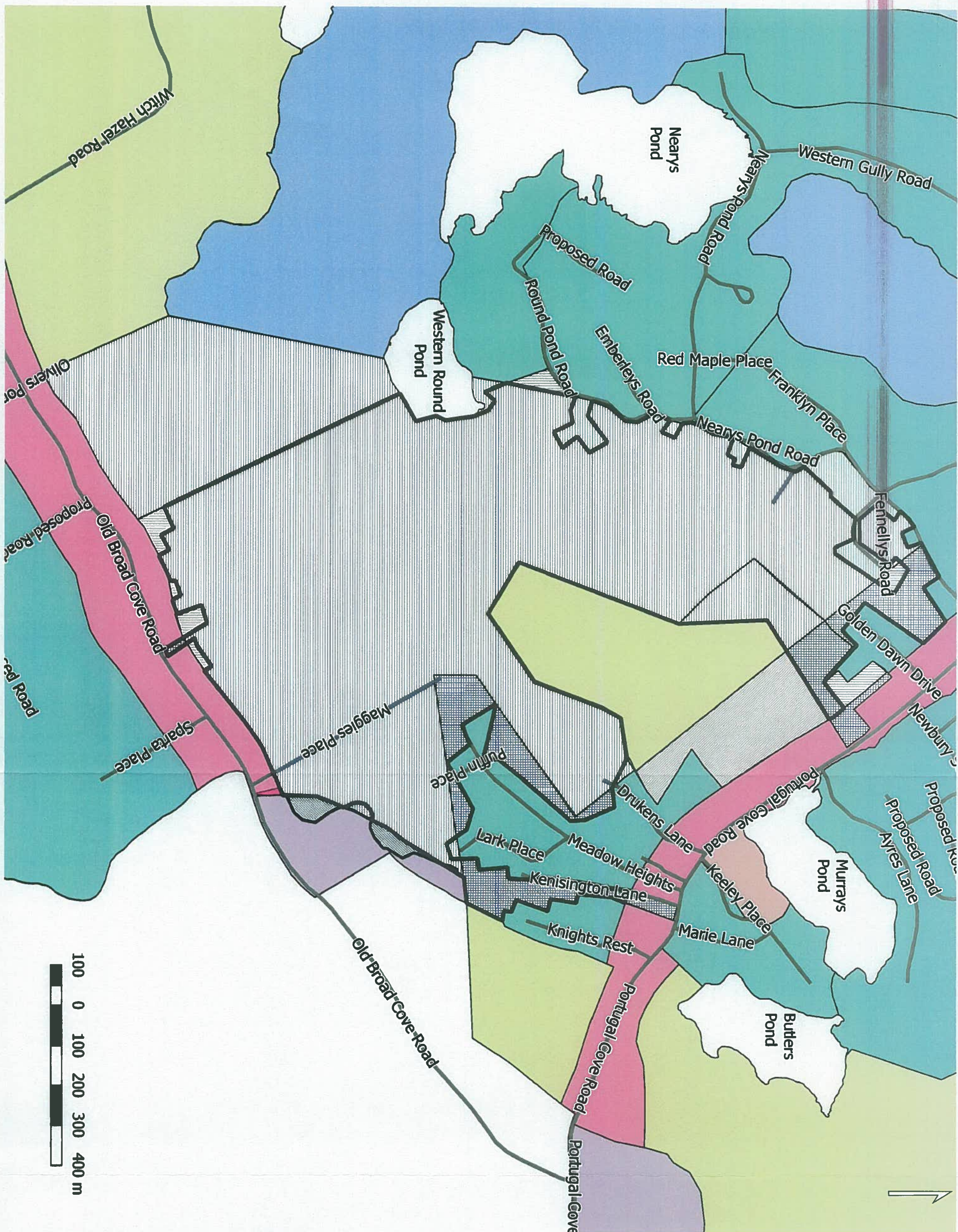
Mayor

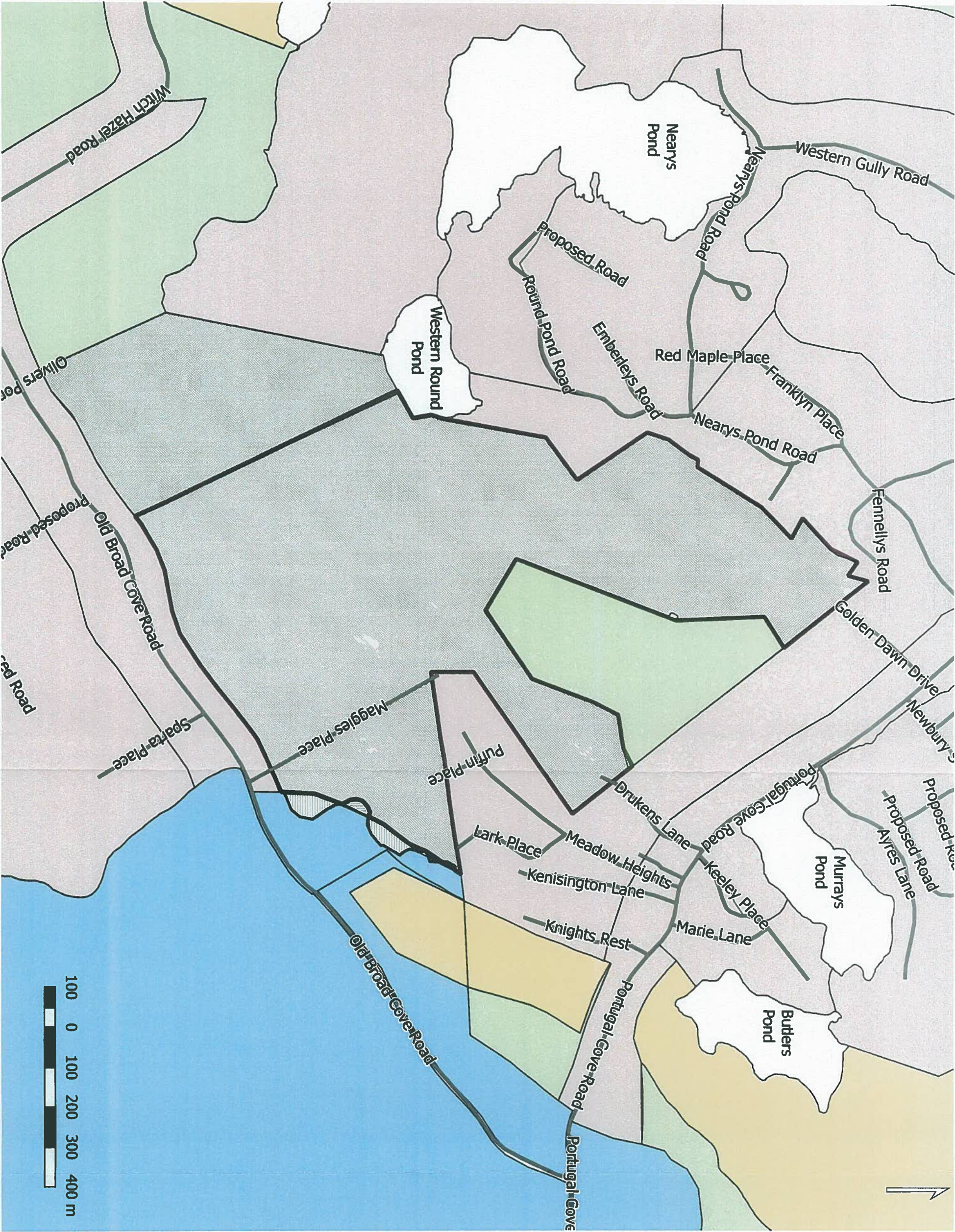
Town Manager

I CERTIFY THAT THE DEVELOPMENT REGULATIONS AMENDMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE URBAN AND RURAL PLANNING ACT, 2000.

Legend
Anna Myers, MCIP

- Future Land Use Zones
- Agriculture
- Mixed Use
- Protected Watershed
- Recreational Open Space
- Residential
- Residential Development Scheme Area





St. John's Urban Region Regional

Plan

Amendment No. __, 2017



From "Rural" to "Urban Development"



From "Rural" to "Watershed Protection"



From "Watershed Protection" to "Urban Development"

Dated at Portugal Cove-St. Philips
This __ day of __, 2017

Mayor

Town Manager

I CERTIFY THAT THE DEVELOPMENT
REGULATIONS AMENDMENT HAS BEEN
PREPARED IN ACCORDANCE WITH THE
REQUIREMENTS OF THE URBAN AND RURAL
PLANNING ACT, 2000.

Anna Myers, MCIP

SJURRP Designations

- Agriculture
- Rural
- Urban Development
- Watershed Protection