



Public Council Meeting
Tuesday, March 6, 2018 at 7:00 pm
Location: Council Chambers

1. Call of Meeting to order
2. Adoption of Agenda for March 6, 2018
3. Delegations/Presentations
 - Nutrition Month Proclamation 2018
4. Adoption of Minutes of February 20, 2017
5. Business Arising from Minutes
6. Committee Meeting Reports
 - a) Planning & Development Committee – Councillor Harding
 - 1) Civic # 115-129 Bennett's Road – Single Dwelling
 - 2) Civic # 1539A Portugal Cove Road – Subdivide Property and Construct Single Dwelling and Accessory Building
 - 3) Civic # 27 Bickerstaffe Road – Extension to Existing Street and Construction of Single Dwelling and Accessory Building
 - 4) Civics # 933 & 935-947 St. Thomas Line – Accessory Building
 - 5) Civic # 137 Beachy Cove Road – Request to Amend Residential Subdivision Concept
 - 6) Civic # 332-346 Old Broad Cove Road – Zoning of Property
 - 7) Eastern Newfoundland Regional Appeal Board – Notice of Appeal
 - 8) Municipal Plan Amendment No. 4, 2018 and Development Regulations Amendment No. 5, 2018 (Single Dwellings off Traditional Right-of-Ways)
 - 9) Civic # 24-26 King's Hill Road – Condition of Buildings
 - 10) Civic # 24 Keeley Lane – Development Without Permits
 - 23) Permits issued from February 9th to February 22nd, 2018
 - b) Recreation/Community Services - Councillor Stewart Sharpe
 - 1) Eat Great Participate
 - 2) Bauline Line Trail Way
 - 3) Recreation Newfoundland and Labrador Conference
 - 4) Atlantic Recreation and Facilities Conference
 - 5) Winter Carnival
 - 6) Community Grants

c) Public Works - Councillor Bartlett

- 1) Animal Control – Partnership with Town of Torbay
- 2) Correspondence – 42 Knapps Road – Animal Control Regulations
- 3) Traffic Calming Reviews – Public Meetings
- 4) Bradburys Road - Road Reservation
- 5) Commercial Advertising Signage
- 6) Portugal Cove Road Cross Culvert (Old Cart Road/Drovers Heights)
- 7) Tilt House Bakery driveway egress
- 8) Garbage Collection - Rons Road & Sharpes Road
- 9) Correspondence Eastern Regional Service Board

d) Economic Development, Marketing, Communications and Tourism - Councillor Neary

- No meeting held

e) Protective Services - Councillor Hanlon

- 1) Commissionaires – Municipal Enforcement
- 2) FES Updates
- 3) Traffic Regulation

f) Administration and Finance – Deputy Mayor Laham

- 1) Accounts for Payment
- 2) Carried Forward-Correspondence: Youth Parliament
- 3) Carried Forward Correspondence: Request for refund
- 4) Correspondence: Affordable Water as a Priority for Residents & responses
- 5) Information Management
- 6) Appeals Hearing Commissioner Appointment
- 7) Recruitment of Public Works Director
- 8) Correspondence: Public Procurement Act (replaces Public Tender Act)

7. Correspondence

8. New/General/Unfinished Business

9. Agenda items/Notice of Motions etc.

- Adopt the Town of Portugal Cove-St. Philip's Traffic Regulations (2018)

10. Adjournment



DELEGATIONS / PRESENTATIONS



MINUTES



TOWN OF PORTUGAL COVE-ST. PHILIP'S

February 20, 2018

Regular Public Council Meeting 7:00 p.m.

IN ATTENDANCE

Mayor
Councillors

Carol McDonald
Dave Bartlett
Darryl J. Harding
Johnny Hanlon
Tina Neary
Madonna Stewart Sharpe

Town Manager/Engineer
Director of Financial Operations /Town Clerk
Director of Public Works
Director of Recreation & Community Services
Planning and Development Coordinator
Deputy Town Clerk

Chris Milley
Tony Pollard
Gail Tucker
Dawn Sharpe
Les Spurrell
Claudine Murray

Mayor McDonald called the meeting to order, welcomed the gallery of 17 persons in attendance offering regrets from Deputy Mayor Laham.

ADOPTION OF AGENDA

Motion Stewart Sharpe/Hanlon
2018-043 Resolved that the agenda dated February 20, 2018, be adopted as corrected.
Carried Unanimously

DELEGATIONS/PRESENTATIONS

1. Tito, the St. John Ambulance Therapy dog, was introduced to Council and staff by his handler, Cindy Pike and Roberta Hewitt, a representative of the program.
2. WINTER CARINCAL PROCLAMATION

ADOPTION OF MINUTES

Motion Bartlett/Neary
2018-044 Resolved that the minutes of January 23, 2018 be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

- Nothing for this meeting

COMMITTEE REPORTSPlanning & Development Committee Report of February 15, 2018 – presented by Councillor Harding**1. Civic # 370A Dogberry Hill Road – Residential Subdivision**

Motion: Harding/Hanlon

2018-045 Resolved that the application to subdivide property and construct a 14 lot fully-serviced residential subdivision at Civic # 370A Dogberry Hill Road be granted approval in principle as per Appendix A: Tabled Report.

Carried For: Mayor McDonald, Councillors: Harding, Hanlon, Stewart Sharpe, and Neary
Against: Councillor Bartlett

Note: After speaking with residents of the area, Councillor Bartlett will vote against the motion because multiple residents are not in favor of this subdivision.

Councillor Harding noted that Harbourside Transportation completed a traffic study and viewed the project as having no negative impact on the area.

2. Civic # 7-13 North Point Road – Single Dwelling and Accessory Building Relocation

Motion: Harding/Hanlon

2018-046 Resolved that the application to relocate an existing accessory building and construct a single dwelling at Civic # 7-13 North Point Road be rejected as per Appendix A: Tabled Report.

Carried Unanimously

3. Civic # 1824 Portugal Cove Road – Site Remediation

Motion: Harding/Bartlett

2018-047 Resolved that the application to complete site remediation activity at Civic # 1824 Portugal Cove Road be granted approval as per Appendix A: Tabled Report.

Carried Unanimously

4. Civic # 12 Kittiwake Place – Accessory Building

Motion: Harding/Hanlon

2018-048 Resolved that the application to construct an accessory building at Civic # 12 Kittiwake Place be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

5. Civic # 220 Dogberry Hill Road – Meeting with the Committee

On December 12th, 2017 the Committee met with Developers and discussed three potential concept plans for an unserviced residential subdivision at Civic # 220 Dogberry Hill Road or Civics # 220 and 244 Dogberry Hill Road.

The Committee advised that the Committee of the Whole had reviewed the concept plans submitted. The Committee advises Staff to correspond with the property owner regarding the compliance of their proposals with the Town's Municipal Plan & Development Regulations.

6. Civic # 258-260 Witch Hazel Road –Meeting with the Committee

On December 12th, 2017 the Committee met with Developers and discussed three potential concept plans for an unserviced or semi-serviced residential subdivision at Civics # 256 and 270-282 Witch Hazel Road.

The Committee advised that the Committee of the Whole had reviewed the concept plans submitted. The Committee advises Staff to correspond with the property owner advising that any proposal submitted for consideration must provide future access for future development of the backlands and that municipal infrastructure must be installed at the developer's expense for any development within 500 m of existing Town infrastructure.

7. Civic # 150A Bennett's Road – Request for Civic Number Change and Takeover of Private Road

Motion: Harding/Stewart Sharpe
2018-049 Resolved that an existing Road Reservation located at Civic # 152 Bennett's Road be assigned the name "Walt's Road". The assignment of this street name will not result the Town maintaining or providing any services (snow clearing/ice control, garbage/recycling collection, etc.) through the Road Reservation or properties fronting on the Road Reservation. It is also resolved that all existing parcels adjoining this Road Reservation have their civic addresses reassigned from Bennett's Road to Walt's Road in accordance with the Town's Civic Numbering Policy.

Carried Unanimously

8. Civic # 12 Coady's Road – Condition of Building at Civic # 5-11 Belbin's Road

The Planning Department is in receipt of correspondence expressing structural and health concerns regarding an existing dwelling currently being occupied at Civic # 5-11 Belbin's Road. The resident has requested that the Town complete structural, electrical, and safety inspections of the dwelling.

The Committee advised Staff to respond to the correspondence advising of the applicable provincial government agencies to contact regarding their concerns.

9. Civic # 19 Hanlon's Road – Complaint Regarding Development at Civic # 18-22 Hanlon's Road

The Planning Department is in receipt of correspondence regarding storage and transportation of granular material related to the development of a single dwelling at Civic # 18-22 Hanlon's Road.

The Committee advises Staff to correspond with the property owner of Civic # 18-22 Hanlon's Road advising of the complaint received, and request that they mitigate dust originating from their property while it is under development.

10. Department of Fisheries and Land Resources – Crown Land Application Referral (Civic #355-357 Beachy Cove Road)

Motion: Harding/Neary

2018-050 Resolved that Council correspond with the Department of Fisheries and Land Resources advising that the Town recommends approval of the application for Crown Land at Civic # 335-357 Beachy Cove Road.

Carried Unanimously

11. Department of Fisheries and Land Resources – Crown Land Application Referral (Civic # 163 Witch Hazel Road)

Motion: Harding/Stewart Sharpe

2018-051 Resolved that Council correspond with the Department of Fisheries and Land Resources advising that the Town recommends approval of the application for Crown Land at Civic # 163 Witch Hazel Road subject to the omission of an existing road reservation from Witch Hazel Road to Beachy Cove Ponds to maintain public access to the waterbody in accordance with Plan Policy GLU-5 (Public Access to Watercourses) of the Town's Municipal Plan.

Carried Unanimously

12. Civic # 769-771 St. Thomas Line – Zoning of Property

The Planning Department is in receipt of correspondence regarding the current zoning of Residential Development Scheme Area (RDSA) of infill properties. The Committee advises Staff to respond to the correspondence advising that Council is aware of the zoning in the area and it is proposed to be amended during a comprehensive review of the Town's Municipal Plan & Development Regulations.

13. Eastern Newfoundland Regional Appeal Board – Notice of Appeal

The Planning Department is in receipt of correspondence advising that an appeal has been filed regarding Council's decision to reject an application to establish a convenience store business at Civic # 1082-1088 Thorburn Road.

Staff will forward the information requested to the Board.

14. Civic # 69-75 Tolt Road – Safety Concerns Regarding Rodent Traps

The Committee discussed a complaint regarding rodent traps located on their property that they suspect have been placed by their neighbour.

The Committee advises Staff to correspond with the property owner of Civic # 77-81 Tolt Road advising of the complaint received and that any traps placed must be within their private property.

15. Items # 15 through 29 are other items that were discussed at the Committee's meeting.

Detailed information regarding these items can be found in Appendix A: Tabled Report.

30. Permits Issued

There were four (4) permits issued from January 26th to February 8th, 2018 as per Appendix A: Tabled Report.

Recreation & Community Services Committee report for February 14, 2018 – presented by Councillor Stewart Sharpe

1. Eat Great Participate

Eat Great Participate is a NL government funded program that promotes healthy eating to youth and increases access to healthy food and beverage choices in Recreation, Sport and Community facilities. Ms. Jennifer O'Brien presented to the Recreation Committee about how municipalities can get involved with this organization and what they can do at a community level. Ms. O'Brien explained that the next step the Town can do to get residents engaged, is a Healthy Eating Policy. Committee has agreed to take action and feels this would be a great initiative. The Recreation Director will bring a draft of the Healthy Eating Policy to the next committee meeting.

2. Grand Concourse Voisey's Brook Trail Signage

Grand Concourse Authority prepared a quote for the construction and installation of the signage for Voisey's Brook Trails. The cost of the quote is \$16890.77 tax included. Payment for these signs are included in the Voisey's Brook Trail Project in the budget. The Committee would like to put forward the following recommendation:

MOTION 2018-052 Stewart Sharpe/Neary
Resolved that the Town have Grand Concourse Authority construct and install the wayfinding signs for Voisey's Brook Trails in the amount of \$16890.77, tax included, as allocated in the budget.

Carried Unanimously

Note: These are four wayfinding signs paired with mapping and are accessible for all.

3. Mental Health Week

2018 marks 100 years of mental health community services provided by the Canadian Mental Health Association and May 6th to 12th marks Mental Health Week. The Town of Portugal Cove – St. Philip's will be taking part in the "Light Up in Green" campaign to show our support for mental health. On Monday evening, May 7th we will invite all residents to attend a special raising of a flag ceremony and vigil that will be in honour of all those that have lost their lives to mental health. We will also encourage residents to "Light up their Homes" in green to show their support for mental health. Full details of this event will be available over the next couple of weeks. The Recreation Department is looking forward to taking part in this new event.

4. Pink Shirt Day

February 28th marks Pink Shirt Day in Canada. Bullying is a major problem in our schools, workplaces, homes, and online. In the month of February, Pink Shirt Day aims to raise awareness of these issues, as well as raise funds to support programs that foster children's healthy self-esteem. Recreation Staff have activities planned at Beachy Cove Elementary and Brookside Intermediate. Follow twitter on February 28th for details. Please note that since February 28th falls on committee week, Council is asked to wear pink on Tuesday February 20th to show support.

5. Community Grants

After reviewing the Community Grant Application, the Committee would like to put forward the following recommendation:

MOTION Stewart Sharpe/Bartlett
2018-053 Resolved that the Town donate the rental of the Recreation Centre to the Donna's Doves as a fund-raiser for CIBC Run for the Cure on Sunday, September 30th free of charge.
 Carried Unanimously

Public Works Committee Report for February 14, 2018 – presented by Councillor Bartlett

1. Driver Feedback Signs

Data was retrieved from the driver feedback signs located on Newbury Street, Thorburn Road, Old Broad Cove Road and Portugal Cove Road southbound. The summary report attached was presented to Committee.

2. Long Marsh Road Servicing

As follow-up to the last Public Works Committee meeting, the as-built drawing of water and sewer servicing for properties located on Long Marsh Road was provided to Committee.

3. Commercial Advertising Signage

Committee requested information regarding policies, regulations and/or penalties associated with the miscellaneous placement of commercial advertising signage throughout the Town. Staff advised that, to their knowledge, no Town policies exist preventing the placement of such signage. At the request of Council in the past, resources were allocated for the removal of such signs on a periodic basis. Committee requested a policy be developed to address this issue and to accommodate a request from the Chamber of Commerce that any signs permitted within the Town be exclusive to those that are based in the community. Staff advised they would follow-up with the Town's Planning & Development and Economic Development departments on this item prior to the development of such a policy.

4. Bradburys Road

Road Reservation – Committee requested detail on the actual width of the road reservation on Bradburys Road and whether any changes had been made to this reservation historically. Staff indicated they would review Town files and bring any available information back to the next Committee meeting.

Economic Development, Marketing, Communications & Tourism Committee report for February 14, 2018 by Councillor Neary

1. Advisory Committee Updates

The committee discussed the Advisory Committees Policy. Staff will draft some amendments to ensure the committees can operate as effectively as possible. Some items discussed were committee sizes, personal leave and rules on appointments. A draft will be presented at the next committee meeting.

2. Chamber of Commerce

The committee was updated on the taskforce meeting and joint projects with the Chamber. The business directory promotion will be starting the week of February 19th. All businesses will receive an email encouraging them to register. The directory will be available digitally and in print and is planned to be completed before the summer. Town signs were also discussed. The Director of Economic Development will pass along their recommendations regarding sign regulations to Public Works

and Planning and Development. The gateway and wayfinding project was also discussed and their input will be considered and discussed with funding partners.

3. Heritage Day Proclamation

The Heritage Day proclamation will be signed by Mayor McDonald on Monday, February 19th and shared via social media

4. Strategic Plan

The town will undertake a strategic planning process that will commence in March and finish in September. A working group will be formed with representation from the community groups in PCSP. The working group, Council and staff will together create a 5 year strategic plan for the community.

5. Public Engagement on Development Regulations

The public meeting for a discussion on development regulations will take place Monday, February 26th at 7:00 at Murrays Fishing and Country Club. Residents will have received a flyer on the meeting and highlighting the proposed amendment to Regulation 10. Prior to the meeting Council will be meeting with the advisory meetings to discuss.

6. Traffic Meetings

Traffic calming meetings for Olivers Pond Road, Western Gully Road and Country Gardens will now take place in early March with letters going to residents once a date is finalized.

7. Council Email Policy and Resident Communications Tracking

These items will be brought forward for the next committee meeting

Protective Services Committee report for February 13, 2018 – presented by Councillor Hanlon

1. Commissionaires – Municipal Enforcement

The Committee reviewed the report as provided by the Municipal Enforcement Officer. This report has been tabled as Appendix A.

2. FES Updates - activity since last Committee meeting:

Responses: 6

- 2 Medical calls
- 1 Wire down
- 1 Brush fire
- 2 Residential alarm bells

Training:

- First Aid / AED Recertification
- Ropes & Knots

Other Activity: Recent donation made to the local food bank of non-perishable food goods and \$100.00. The non-perishable food and funds were acquired from several events where donations were accepted. The \$100.00 is from the Fire Department bank account.

The Chiefs have received a number of applications over the past few months and are now reviewing them for possible new recruits.

The Department has reviewed the possibility of acquiring ASIST training for Department members and have provided their recommendation and rationale, tabled as Appendix B. The Committee will engage the Advisory Committee on the Environment (ACE) for another article on FireSmart in the spring.

The Committee reviewed the information and research provided by the Chiefs regarding bonfires on local beaches and will provide this to ACE as well. This information has been tabled as Appendix C.

3. Calian Emergency Management Solutions

The Committee discussed the Town's current emergency management systems and agreed that current needs were sufficiently met.

A review of the Town's Emergency Management Plan has been placed on the carry forward list and the suggestion was made for another emergency training exercise similar to the successful exercise carried out in 2015.

Admin. and Finance Committee Report of February 13, 2018 - presented by Councillor Stewart Sharpe

1. Accounts for Payment

Motion 2018-054	Stewart Sharpe/Bartlett Resolved that Council approve payment of regular accounts in the amount of \$42,914.19 and capital accounts in the amount of \$15,099.23 for a total of \$58,013.42, as tabled.
Carried	Unanimously

2. Information Technology Agreement

Committee reviewed Triware Technologies annual support program documentation for PCSP and will accept the automatic renewal agreement for service, as tabled.

3. Gas Tax Projects update

Upon final review of projects finished under gas tax funding the following motion are recommended to close out projects under the current round of gas tax funding.

Motion Stewart Sharpe/Hanlon
2018-055 Resolved that the final cost for Project 205-2016-6094 "Town Connectivity Plan" be adjusted to \$779,090.50
Carried Unanimously

Motion Stewart Sharpe/Hanlon
2018-056 Resolved that the final cost for Project 205-2017-6291 "Portugal Cove Road Pedestrian Walkway" be adjusted to \$151,434.05.
Carried Unanimously

4. Tax Structure

Motion Stewart Sharpe/Harding
2018-057 Resolved that the Town of Portugal Cove-St. Philip's approve and adopt the revised 2018 Tax Structure and Schedule of Fees effective January 1, 2018 and to be advertised accordingly.
Carried Unanimously

5. Drover Heights W/S project

The province has indicated that the Town can utilize Multi-Year Capital Works funding towards the project. Revised costing and levy analysis will be forthcoming soon to determine how we move forward.

6. Request for tax relief

The committee reviewed correspondence requesting a tax rate reduction for Ballicatter After School non-profit program. The Town will follow up with the program's Board.

7. Council Software

The Committee is recommending Council avail of iCompass Technology software to assist with time saving options, reporting consistency and records management with regards to Council records.

Motion Stewart Sharpe/Harding
2018-058 Resolved that Council sign a Meeting Manager Pro software agreement with iCompass Technology for a total amount of \$6,000 annually, plus HST.
Carried Unanimously

8. Access to Information and Protection of Privacy 2017 report

The committee reviewed a report detailing the number of ATIPPA requests received in 2017, the number of questions answered and the time spent on requests from staff: the Town received 130 requests containing 350 questions and spent 804.5 hours to fulfil the access requests.

9. Conflict of Interest

The committee reviewed the list of records to be forwarded for legal opinion in reaction to January 24, 2018 correspondence from Municipal Affairs and Environment regarding duties of Council in conflict of interest matters.

10. Resident request

A request from a resident to be exempt from water and sewer taxes on his vacant lot was reviewed and based on our regulations and the *Municipalities Act*, the request was denied. The Mayor will return his call.

CORRESPONDENCE

Council Correspondence for February 5 to 16, 2018

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
2/5/2018	Resident	Stop Signs on Old Broad Cove Road	PW Cmte
2/12/2018	CWTA	Cell Phone Recycling Program	EDMCT cmte
2/12/2018	CMHA	100th Anniversary	RC Cmte
2/13/2018	Heritage Foundation of Newfoundland and Labrador	National Heritage Day	EDMCT cmte
2/13/2018	Students	Thank you letters for Mayor visit	Mayor
2/14/2018	Resident	Objection PCSP Municipal Plan and Development Regulation	PD Cmte
2/15/2018	Resident	Conflict of Interest	Council
2/15/2018	Resident	Conflict of Interest	Council
2/16/2018	Crime Stoppers NL	Nominations Now Open for Police and Peace Officer of the Year 2018	To go before PS Cmte

The Mayor described her visit to Beachy Cove Elementary where she read a chapter from the "Whispering Tree" article from the newspaper to Madam Courage's grade 4 class and the sweet letters she received following her visit.

NEW/GENERAL/UNFINISHED BUSINESS

The Mayor described Council's Winter Carnival breakfast success and that the leftovers were brought to the Gathering Place.

The Mayor awarded members of the Legion their Years of Service pins and would like to recognize Mike Jackman for receiving his 60 year pin.

The Mayor advised that she, Director of Public Works and resident, Mr. Pat Pender visited the RNC for a meeting with the Chief of Police on Thursday February 15, 2018. The meeting was in regards to speeding in the Town. The RNC said they will work with us to do whatever they can do. The Mayor has already seen a presence of police in the Town in the days following the meeting.

AGENDA ITEMS/NOTICE OF MOTION

ADJOURNMENT

Resolved that there is no further business and this meeting is adjourned. Time is 7:47 pm.

Carol McDonald, Mayor

Claudine Murray, Deputy Town Clerk



BUSINESS ARISING



PLANNING & DEVELOPMENT

Planning and Development Committee Report

March 1st, 2018

In Attendance: Councillor Darryl Harding (Chairperson)
Deputy Mayor Jeff Laham
Councillor Johnny Hanlon
Les Spurrell, Planning and Development Coordinator
Holly Duffett, Planning Technologist

Also in Attendance: Chris Milley, Town Manager/Engineer

1. Civic # 115-129 Bennett's Road – Single Dwelling

Motion: The Committee recommends that the application to construct a single dwelling at Civic # 115-129 Bennett's Road be rejected as per Appendix A: Tabled Report.

2. Civic # 1539A Portugal Cove Road – Subdivide Property and Construct Single Dwelling and Accessory Building

Motion: The Committee recommends that the application to subdivide property and construct a single dwelling and accessory building at Civic # 1539A Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

3. Civic # 27 Bickerstaffe Road – Extension to Existing Street and Construction of a Single Dwelling and Accessory Building

Motion: The Committee recommends that the application to extend Bickerstaffe Road and construct a single dwelling and accessory building at Civic # 27 Bickerstaffe Road be granted approval in principle as per Appendix A: Tabled Report.

4. Civics # 933 & 935-947 St. Thomas Line – Accessory Building

Motion: The Committee recommends that the application to construct an accessory building at Civics # 933 & 935-947 St. Thomas Line be rejected as per Appendix A: Tabled Report.

5. Civic # 137 Beachy Cove Road – Request to Amend Residential Subdivision Concept

Motion: The Committee recommends that Motion # 2016-252 be amended to reflect a 14 lot fully serviced subdivision as opposed to a 10 lot fully serviced subdivision as per Appendix A: Tabled Report.

6. Civic # 332-346 Old Broad Cove Road – Zoning of Property

The Planning Department is in receipt of correspondence regarding the zoning of this property and its effect on the development potential.

The Committee advises Staff to respond to the correspondence advising that in accordance with the Municipal Plan and Development Regulations 2014-2024, Council wishes to complete a comprehensive review of land zoned Agriculture for the most appropriate, beneficial, and feasible future land uses prior to completing an amendment to rezone the area.

7. Eastern Newfoundland Regional Appeal Board – Notice of Appeal

The Planning Department is in receipt of correspondence advising that an appeal has been filed regarding Council's decision to reject an application to construct a fully-serviced residential subdivision at Civic # 12-16B Mercers Road.

Staff will forward the information requested to the Board during the time frame specified by the Secretary of the Board.

8. Municipal Plan Amendment No. 4, 2018 and Development Regulations Amendment No. 5, 2018 (Single Dwellings off Traditional Right-of-Ways)

Motion: The Committee recommends that the consultation results and draft planning documents for Municipal Plan Amendment No. 4, 2018, and Development Regulations Amendment No. 5, 2018 (Single Dwellings off Traditional Right-of-Ways) be forwarded to the Department of Municipal Affairs for Provincial Review and release as per Section 15 (Review of Plan) of the Urban and Rural Planning Act, 2000.

The Committee advises Staff to respond to the correspondence received.

9. Civic # 24-26 King's Hill Road – Condition of Buildings

Motion: The Committee recommends that Council place a Removal Order on a dwelling and accessory building at Civic # 24-26 Kings Hill Road due to safety concerns regarding the condition of the structures.

10.24 Keeley Lane – Development Without Permits

Motion: The Committee recommends that Council place a Removal Order on development activity completed outside and within 10 meters of the high water mark of Butler's Pond at Civic # 24 Keeley Lane which was completed without Permits from the Town. This Order will also require that the area developed be reinstated.

Items # 11 through 22 are other items that were discussed at the Committee's meeting. Detailed information regarding these items can be found in Appendix A: Tabled Report.

23. Permits Issued

There were nine (9) permits issued from February 9th to February 22nd, 2018 as per Appendix A: Tabled Report.



Tabled items at end of
Council Package for:

PLANNING & DEVELOPMENT



RECREATION & COMMUNITY SERVICES

RECREATION & COMMUNITY SERVICES

Wednesday, February 28th @ 4:30p.m.

In Attendance: Chairperson, Councilor Madonna Stewart-Sharpe
Councilor Tina Neary
Councilor Johnny Hanlon

Staff: Dawn Sharpe, Director of Recreation and Community Services

1. Eat Great Participate

The Director of Recreation and Community has taken the information that was presented by East Great Participate and developed a Healthy Eating Policy. Attached is the document to review. After reviewing the policy, the Committee would like to put forward the following recommendation:

MOTION: Committee recommends that the Town adopted the Health Eating policy as per attached.

2. Bauline Line Trail Way

The Recreation Committee expressed interest in a piece of property located off Bauline Line. The Recreation Director will work with the Planning Department to find out the owner of the property and to see if this area would be good for a walking trail.

3. Recreation Newfoundland and Labrador Conference

Recreation staff expressed interest in attending the Recreation Newfoundland and Labrador Conference from May 9th to 12th in Gander. This conference combines education sessions, workshops, and networking opportunities between many of the recreation staff and volunteers in the province. The Recreation Committee would like to put forward the following recommendation:

MOTION: Committee recommends that the Recreation Staff attend the Recreation NL Conference in Gander, NL from May 9th to 12th as allocated in the budget.

4. Atlantic Recreation and Facilities Conference

The Atlantic Recreation and Facilities Conference will be taking place in Prince Edward Island from May 29th to June 1st. The Recreation Direction Dawn Sharpe and the Special Events Coordinator, Nicole Clark has expressed interest in attending the event. The agenda for the conference has been sent to the Recreation Committee to determine is a Council representative would like to attend. The Recreation Committee would like to make the following recommendation:

MOTION: Committee recommends that the Recreation Direction Dawn Sharpe and the Special Events Coordinator, Nicole Clark attend the Atlantic Recreation and Facilities Conference in PEI from May 29th to June 1st as allocated in the budget.

5. Winter Carnival

Although the weather was not favorable for the Winter Carnival, it was an overall success. The Recreation Department would like to take the opportunity that thank all those individuals, groups and organizations that took part in the week-long festival. The Recreation Department is always looking to improve their special events. If a resident would like to email or contact us via telephone with any suggestions that would be greatly appreciated.

6. Community Grants

After reviewing the Community Grant Application, the Committee would like to put forward the following recommendation:

MOTION: Committee recommends that the Town donate \$100 to Joseph Martin to support his travels to PEI with the Newfoundland and Labrador Soccer Association U13 Provincial Team.



Tabled items at end of
Council Package for:

RECREATION & COMMUNITY SERVICES



PUBLIC WORKS



Public Works Committee
February 28, 2018, 4:30pm

In attendance: Councillor Dave Bartlett, Chair
Deputy Mayor Jeff Laham
Councillor Darryl Harding
Mayor Carol McDonald
Staff: Gail Tucker, Director of Public Works
Linda Newhook, Public Works Coordinator

1. Animal Control – Partnership with Town of Torbay

Correspondence was received from the Town of Torbay providing confirmation of rates and proposed hours for animal control services in 2018. Committee requested additional information on the proposed approach. Item is referred to Council of Whole for discussion.

2. Correspondence – 42 Knapps Road – Animal Control Regulations

Committee reviewed correspondence received from 42 Knapps Road requesting the Town revisit its Animal Control Regulations to include a limit on the number of animals, specifically dogs, which a homeowner is permitted to have. Committee asked that staff respond to the correspondence to advise Council would not be taking any action in that direction at this time.

Discussion Items

- 3. Traffic Calming Reviews – Public Meetings:** Staff inquired whether Committee would like to discuss the traffic calming reviews with the Town's consultants, Harbourside Transportation, prior to the public meetings. Staff will inquire with Harbourside on their availability.
- 4. Bradburys Road - Road Reservation:** As follow-up to the last Public Works Committee meeting, staff advised that to their knowledge there has been no change to the road reservation of Bradburys Road. Staff provided information from historical files and from the Public Works perspective on issues being raised in this area.
- 5. Commercial Advertising Signage:** Staff advised that after conferring with the Planning & Development Department, the establishment of the commercial advertising signage within the Town is governed by the Town's Development Regulations. The Town Manager is investigating whether penalties, for those contravening the regulations with the miscellaneous placement of signs within the road reservation, can be addressed through traffic regulations currently being developed.
- 6. Portugal Cove Road Cross Culvert (Old Cart Road/Drovers Heights):** Committee inquired on the status of this issue. Staff advised a letter has been sent to the Minister of Transportation and Works requesting a remedy of this issue. No response had been received to date. Committee inquired as to whether staff can undertake alterations to the concrete block in the ditch. Staff advised that such direction would need to come from



Council as the infrastructure is not owned by the Town but is under the responsibility of the provincial Department of Transportation and Works.

7. **Tilt House Bakery driveway egress:** Request was made to have the exit from Tilt House Bakery to Portugal Cove Road assessed for sight lines as concerns were raised regarding the safe exiting of vehicular traffic at this location.
8. **Garbage Collection - Rons Road & Sharpes Road:** Committee inquired whether garbage was being collected from the private lanes known as Rons Road and Sharpes Road. Staff advised there are a few areas throughout Town where garbage is collected on private lanes, contrary to Town policy, and that these areas had been “grandfathered in” under previous Public Works administration. Staff advised that these areas have been flagged for addressing through updates to the Town’s solid waste management regulations with appropriate notice given to those impacted. Committee requested a list of areas where garbage and recycling is being collected from private lanes.
9. **Correspondence Eastern Regional Service Board:** Committee was provided with correspondence from the Eastern Regional Service Board regarding fees charged for waste collection services. No action is required as this was an informational piece of correspondence.



Tabled items at end of
Council Package for:

PUBLIC WORKS



PROTECTIVE SERVICES



Protective Services Committee

Thursday, March 1, 2018

4:00PM

IN ATTENDANCE: Councilor Johnny Hanlon, Committee Chair
Councilor Tina Neary
Councilor Dave Bartlett
Heather Coughlan, Employee & Public Relations Administrator
Fred Hollett, Co-Chief – Volunteer Fire Department
Peter Morey, Commissionaires NL (Items #1 & 3)

1. Commissionaires – Municipal Enforcement

The Committee reviewed the report as provided by the Municipal Enforcement Officer. This report has been tabled as Appendix A.

2. FES Updates - activity since last Committee meeting:

Responses: 6

- 3 Medical calls
- 3 Residential alarm bells

Training:

- Feb. 19th – Cold water/ice rescue practical & pet oxygen familiarization
- Feb. 26th – vehicle/fuel tanker familiarization

Other Activity:

FD conducted a general meeting on Feb. 22nd; Co-chiefs cooked supper for all members.

Recruit training was to start up on Feb. 27th but was cancelled due to weather, start up now set for March 5th. 10 recruits in total.

The FD will be conducting Vulnerable Sector checks for all FD members. This was brought forward a while ago and it was the consensus of the chiefs, officer, and members, that this is a prudent action in the interest of the FD and the Town. There are a number of occasions through a year when FD members interact with children and other vulnerable persons.

Wildfire Community preparedness day – Co-chiefs have completed application to FireSmart Canada for \$500.00 grant to conduct an awareness campaign for the community, and will submit.

The Committee reviewed the draft application package compiled by the Co-chiefs for the new pumper truck to be submitted to the Province. The Committee have given direction to submit the application once it is finalized.

3. Traffic Regulations

All members of the Committee have reviewed the PCSP Traffic regulations. Once the revisions have been made the final version will be circulated to all of Council. A notice of motion with regards to these regulations will be presented at the next Council meeting on March 6th, 2018.

Protective Services Committee
APPENDIX A: TABLED MEO REPORT

Protective Services Committee:

MEO Report for February 14 – 28. 2018

- Rainbow Gully Park, stepped up lunch time patrols for illegal activity
- Investigating 2 barking dogs complaints after 11 pm, 3 roaming dog complaints
- Traffic monitoring of Blagdon Hill and Newbury Street ongoing
- Van that was towed from Town property on White Ash Drive, owner showed up looking for it
- 95 Snow Clearing Warning Tickets were issued to date, after 12 am. RNC were called twice to issue tickets to repeat offenders
- Traffic Regulations ongoing



ADMINISTRATION & FINANCE



Administration & Finance Committee
March 1, 2018

In attendance: Chairperson, Deputy Mayor Laham
Councillor Stewart Sharpe
Councillor Harding
Staff: Chris Milley, Town Manager /Engineer
Claudine Murray, Deputy Town Clerk

1. Accounts for Payment

MOTION: Committee recommends Council approve payment of regular accounts in the amount of \$104,281.86, and capital accounts in the amount of \$833,349.99, for a total of \$937,631.85.

2. Carried Forward-Correspondence: Youth Parliament

MOTION: Committee recommends Council donate \$250 to Newfoundland and Labrador Youth Parliament (NLYP) in support of youth traveling to St. John's to learn about politics and debate in the House of Commons.

3. Carried Forward Correspondence: Request for refund

The committee reviewed correspondence requesting a refund of development fees from a resident. Based on the established Tax Structure Rates committee cannot recommend approval. The Town will follow up with the resident.

4. Correspondence: Affordable Water as a Priority for Residents & responses

The committee reviewed correspondence we were copied on from Department of Municipal Affairs and Environment on January 31, 2018 to a resident of PCSP regarding the Drover Heights Water and Sewer project.

5. Information Management

The committee discussed the process of receiving correspondence, meeting as Committee of the Whole and accessing records. Staff will review any policies that need to be updated.

6. MMA Appeals Hearing Commissioner

The Municipal Assessment Hearings will take place in PCSP on April 10th, 2018. Appellants will be notified in the next two weeks.

MOTION: Committee recommends that Mr. Tom Strickland of Business Logistics be appointed as the Property Assessment Review Commissioner for the Town of Portugal Cove-St. Philip's for the year 2018.

7. Recruitment of Public Works Director

Director of Public Works has resigned from the Town and the committee discussed hiring a replacement. The Town Manager will begin the process.

8. Correspondence: Public Procurement Act (replaces Public Tender Act)

The committee reviewed correspondence from the Government Purchasing Agency regarding the newly published Public Procurement Act, which will replace the Public Tender Act. This item is for information only.



Tabled items at end of
Council Package for:

Administration & Finance



CORRESPONDENCE

Council Correspondence for February 19 to March 2, 2018

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
2/20/2018	Town of Torbay	2018 Animal Control Services rates	PW Cmte
2/21/2018	Resident	Drains on Indian Meal Line	PW Cmte
2/23/2018	Resident	Rezoning of Land	P&D
3/1/2018	Government of NL	Public Procurement Act to replace Public Tender Act	A&F Cmte
3/1/2018	Resident	Opposition to Cannabis Dispensary	P&D
2/20/2018	Town of Torbay	2018 Animal Control Services rates	PW Cmte



**NEW/GENERAL/
UNFINISHED
BUSINESS**



AGENDA ITEMS/ NOTICE OF MOTIONS

NOTICE OF MOTION – as presented by Councilor Johnny Hanlon

The Town has requested the ability to extend ticketing services to the Municipal Enforcement Officer. To coincide with this service, and in accordance with Section 189 and 190 of the Highway Traffic Act, we have developed a set of draft Municipal Traffic Regulations. As per Council's public engagement commitment, these draft regulations will be posted to the Town's website for residents to review and provide feedback on prior to their adoption.

Therefore, the Protective Services Committee is giving notice that a motion to adopt the Town of Portugal Cove-St. Philip's Traffic Regulations (2018) will be brought forward to the Council meeting of March 20, 2018. The draft regulations have been circulated to all of Council for their review and consideration prior to the March 20th meeting.

In accordance with Section 413 (2) of the Municipalities Act, 1999, the adopted regulations shall then be forwarded to the Minister of Municipal Affairs.



Tabled items

PLANNING & DEVELOPMENT

**Appendix A: Tabled Report
March 1st, 2018**

Applications:

Item # 1:

**Civic # 115-129 Bennett's Road
Single Dwelling
Zoning: Protected Watershed (PW) – Unserviced**

The Committee recommends that the application to construct a single dwelling at Civic # 115-129 Bennett's Road be rejected as the proposal is contrary to the Town's Municipal Plan and Development Regulations 2014-2024 as the proposed dwelling would be located within the Protected Watershed Zone which does not allow for the construction of single dwellings which does not comply with Plan Policy PW-6 (Protected Watershed Policies), Development Regulation 103 (Uses Not Permitted), and Schedule C: Protected Watershed.

The Administrator recommended that this application be rejected.

Item # 2:

**Civic # 1539A Portugal Cove Road
Subdivide Property and Construct Single Dwelling and Accessory Building
Zoning: Mixed Use (MIX) – Serviced**

During processing of this application it was identified that the parcel is proposed to be re-designated from Mixed Use to Residential Development Scheme Area in Municipal Plan Amendment No. 2, 2017. The Committee advised Staff to adjust the mapping during the next review of the amendment to exclude this parcel from the rezoning.

The Committee recommends that the application for Civic # 1539A Portugal Cove Road be granted approval in principle, permitting the subdivision of property and construction of a single dwelling and accessory building. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, Subdivision Design and Construction Standards, and all other regulatory bodies of government, specifically Plan Policy GL-1 and GL-5 (General Layout Policies), Plan Policy GLU-9 (Access to Public Streets and Roads), Plan Policy MIX-1 (Land Uses), Development Regulation 39 (Accessory Buildings), Development Regulation 47 (Lot Frontage), Schedule C: Mixed Use.

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

Item # 3:

Civic # 27 Bickerstaffe Road

Extension to Existing Street and Construction of a Single Dwelling and Accessory Building

Zoning: Residential Medium Density (RMD) – Unserviced

The Committee recommends that the application for Civic # 27 Bickerstaffe Road be granted approval in principle, permitting the extension of Bickerstaffe Road and the construction of a single dwelling and accessory building. Approval in principle is subject to approval from Fisheries and Oceans Canada and the Department of Municipal Affairs and Environment. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, Subdivision Design and Construction Standards, and all other regulatory bodies of government, specifically Plan Policy GLU-4 (Public Streets and Roads), Plan Policy RES-14 and RES-18 (Street Design and Construction Standards), Plan Policy RES-19 (Watercourse and Wetland Protection) Development Regulation 11 (Variances), Development Regulation 12 (Notice of Variance), Development Regulation 39 (Accessory Buildings), Development Regulation 59 (Street Construction Standards), Development Regulation 90 (Subdivision Design Standards), Schedule C: Residential Medium Density, and Schedule E: Environmental Protection Overlay Condition # 2 (Watercourses).

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

Item # 4:

Civics # 933 & 935-947 St. Thomas Line

Accessory Building

Zoning: Traditional Community (TC) – Unserviced

The Committee recommends that the application to construct an accessory building at Civics # 933 & 935-947 St. Thomas Line be rejected as the proposal is contrary to the Town's Municipal Plan and Development Regulations 2014-2024 as the proposed building would be located within an area identified as steep slopes in which development is not permitted in accordance with Schedule E: Environmental Protection Overlay, and the proposed accessory building would be located on a separate parcel from the single dwelling which it is accessory to which does not comply with Development Regulation 39 (Accessory Buildings) and Schedule C: Traditional Community, and there is currently a Stop Work Order in effect regarding backfilling activity at Civic # 635-947 St. Thomas line which the accessory building is proposed to be built upon.

The Administrator recommended that this application be rejected.

Correspondence:

Item # 5:

**Civic # 137 Beachy Cove Road – Request to Amend Residential Subdivision Concept
Subdivide Property and Construct Single Dwelling and Accessory Building
Zoning: Mixed Use (MIX) – Serviced**

The Committee recommends that further to Motion # 2016-252, wherein Council conditionally approved “a ten lot fully serviced residential subdivision” with a 10.0% variance on the maximum cul-de-sac length; that it be resolved that Council amend the above Motion to read “a 14 lot fully serviced residential subdivision” and remove the conditions regarding the variance. This amendment is subject to the legal conveyance to the Town of the access to the Public Open Space to be conveyed.

The Administrator recommended that this request be granted subject to legal conveyance to the Town of the access to the Public Open Space.

Other Items Discussed:

Item # 11:

Civic # 1614-1616 Portugal Cove Road – Application for Business

The Committee reviewed an application to change the use of an existing building from residential to commercial to establish a convenience store (specialty shop – humidity control products) at Civic # 1614-1616 Portugal Cove Road.

The Committee requests that this application be held pending submission of a parking plan (with road access identified) for review.

Item # 12:

Tuckamore Residential Properties Inc. – Request to meet with the Committee

On February 15th, 2018 the Committee met with a property owner to discuss previous applications for residential subdivisions at Civic # 12-16B Mercers Road and Civic # 432 Old Broad Cove Road that had been rejected by Council.

The Committee requests that this item be held pending review by the Committee of the Whole.

Item # 13:

Civic # 201A Beachy Cove Road – Meeting with the Committee

On January 16th, 2018 the Committee met with a property owner and discussed potentially moving the Traditional Community zoning line to include this property.

The Committee requests that this item be held pending further discussion.

Item # 14:

Civic # 1933-1945 Portugal Cove Road – Request to Change Road Name

The Planning Department received a request from a business owner at Civic # 1933-1945 Portugal Cove Road to have the name of Portugal Cove Road from the intersection with Beachy Cove Road to the ferry terminal changed.

On January 30th, 2018 the Committee advised Staff to respond to the correspondence advising that as Portugal Cove Road is a provincial highway, the Town is unable to change the name and that the business owner would need to forward the request to the Department of Transportation and Works.

The business owner has advised that they have contacted the Department of Transportation and Works who advised them that a request to rename the section of road would have more bearing if received from the Town as opposed to a private individual.

The Committee advises Staff to contact the Heritage Committee for potential street name suggestions that the Town could forward to the Department of Transportation and Works.

Item # 15:

Civic # 31-51 Hogan's Pond Road – Wetland Delineation

The Planning Department is in receipt of a report from Stantec Consulting Inc. regarding the delineation of a wetland (in accordance with Schedule E: Environmental Protection Overlay Condition # 6) for the potential construction of single dwellings.

The Committee advises Staff to forward the report received and current regulations related to development within wetlands to the Advisory Committee for the Environment for their review and comment (at their earliest convenience).

Item # 16:

Residential Development Scheme Review (Old Broad Cove Road East)

The Committee discussed a draft of the Residential Development Scheme for the Old Broad Cove Road East area (formerly Maggies Place).

The Committee requests that a meeting be scheduled for Monday, March 26th, 2018 to discuss the proposed Comprehensive Development Scheme. The Committee advises Staff to forward information regarding this meeting to all members of Council.

Item # 17:

Steep Slope Regulations

The Committee discussed regulations regarding development within steep slope areas identified within Schedule E: Environmental Protection Overlay.

The Committee requests that this item be held pending meetings with the Committee of the Whole and the Advisory Committee on the Environment regarding proposed changes to the Regulations.

Item # 18:

Civics # 167-169A & 167-169B Beachy Cove Road – Information Regarding Right-of-Way

The Committee discussed a right-of-way across Civic # 167-169A Beachy Cove Road used to access Civic # 167-169B Beachy Cove Road and past development activity at Civic # 167-169B Beachy Cove Road.

The Committee requests that this item be held pending a meeting between the Committee and the property owners.

Item # 19:

Civic # 244-254 Tolt Road and Civic # 69 Bradbury's Road – Property Boundaries

The Committee discussed a common boundary line between the two properties and the location of a fence in relation to the boundaries.

The Committee advises Staff that a meeting has been scheduled with the property owner of Civic # 69 Bradbury's Road during the next Committee meeting. The Committee also advised Staff to contact a Newfoundland Legal Property Surveyor to obtain a quote to perform work related to identify any discrepancies in the surveys for these properties for discussion at the next Committee meeting.

Item # 20:

Crown Land Application Referral for Civic # 163 Witch Hazel Road

The Committee discussed a Crown Land Application Referral that was recommended for approval at the February 20th, 2018 Council meeting subject to the omission of an existing road reservation from Witch Hazel Road to Beachy Cove Ponds to maintain public access to the waterbody in accordance with Plan Policy GLU-5 (Public Access to Watercourses) of the Town's Municipal Plan.

The applicant has contacted the Committee questioning the inclusion of the condition of the approval as they claim there are other accesses to Beachy Cove Ponds in the area and that this road reservation is not necessary. The Committee advises this item be held pending Staff researching other public right-of-ways in the area that provide access to the ponds.

Item # 21:

Right-of-Way Near Civic # 32 Bauline Line Extension

The Committee discussed a right-of-way located near Civic # 32 Bauline Line Extension.

The Committee advised that potential uses of this right-of-way had been previously reviewed by the Recreation and Community Services Committee. That Department will contact the Planning and Development Department for any survey information available regarding the right-of-way.

Item # 22:

Public Meetings Regarding Proposed Amendment to Development Regulations 10 (Discretionary Powers of Council)

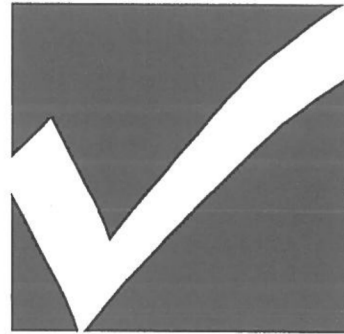
The Committee discussed the results of public meetings held regarding a proposed amendment to Development Regulation 10 (Discretionary Powers of Council).

Item Submitted for Information.

Permits Issued:

Item # 23:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	18-013	02/12/2018	40-46	Jera Street	Accessory Building
2	18-014	02/13/2018	1	Prince George Drive	Accessory Building
3	18-015	02/13/2018	105-107	Skinners Road	Test Holes
4	18-016	02/14/2018	593-595	Old Broad Cove Road	Accessory Building
5	18-017	02/15/2018	1180	Thorburn Road	Occupancy
6	18-018	02/15/2018	13	Megan Ridge Drive	Business
7	18-019	02/20/2018	22	Megan Ridge Drive	Single Dwelling
8	18-020	02/22/2018	51-53	Neary's Pond Road	Occupancy
9	18-021	02/22/2018	3	Neary's Pond Road	Single Dwelling



TOWN OF PORTUGAL COVE-ST-PHILIP'S

FEB 14 2018

February 11, 2018

RECEIVED

Town of Portugal Cove-St. Philip's
1119 Thorburn Road
Portugal Cove-St. Philip's, NL
A1M 1T6



Attn : Mayor and Councilors

RE : Portugal Cove-St. Philip's Municipal Plan and Development Regulation
Civic # 322-346 Old Broad Cove Road
Property of [REDACTED]

Dear Councilors:

I perceive that there may be willingness by Council to possibility correct the injustice I feel that has been done to me in my efforts to develop the above noted land.

The land was originally zoned as an Agriculture Buffer for Farmland that has been ultimately developed. I fought and won to have the Provincial Agriculture Department rezone land in 1984 and then was granted a Permit to Build. The permit not used and without my knowledge the land somehow reverted back to an agricultural zoning.

I am now requesting that the agricultural zoning be change and development allowed to proceed.

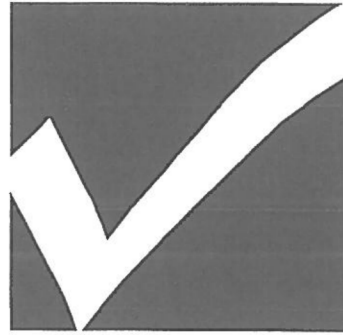
I have attached my previous letter that goes into greater detail as to what transpired and how I have been wronged.

Yours truly,

[REDACTED]

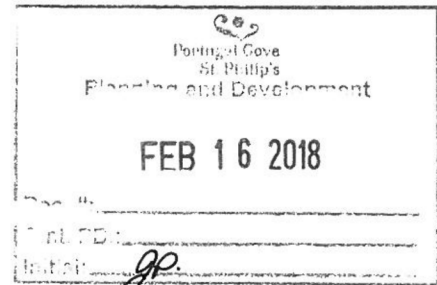
[REDACTED]

copy



August 4, 2014

**Town of Portugal Cove-St. Philip's
1119 Thorburn Road
Portugal Cove-St. Philip's, NL
A1M 1T6**



**Attn : Judy Squires
Town Clerk**

**RE : Objection
Portugal Cove-St. Philip's Municipal Plan and Development Regulation
As It Relates to Proposed 11 Lot Subdivision
Civic # 322-346 Old Broad Cove Road
Property of [Redacted]**

Dear Sir:

Attached is the plan of the subdivision that I presented on July 7, 2011 that had been rejected because of the Provincial Government's Agricultural Zoning. At that time I was informed the government was in the process of releasing a large amount of agricultural zoned land throughout the region and that council would look favorably on the development once the land was released.

I was delighted to hear that the land had been released by government but after enquiring about bringing my proposed subdivision for approval, I was told the Town would have to also rezone it. I was left with the impression that this would be done.

Only last week did I see the notice concerning any objection to the plan. After viewing the new master plan and seeing my land was not rezoned, I was very frustrated.

It is a known fact, that my land was zoned Agricultural to buffer the Duffett Pig Farm operation that was destroyed by fire, and at that time the Duffett property was not zoned as Agricultural and was subsequently developed as residential.

It is also a known fact that the Town of Portugal Cove-St. Philip's issued me a building permit on this land after it was released from agriculture at an appeal hearing chaired by Janet Henley Andrews. At this hearing officers of the Provincial Department of Agriculture were called in and they informed the committee that my land was indeed zoned as Agriculture only to act as a buffer for the Duffett Pig Farm, and stated that the Duffett land was indeed not in an Agricultural Zone and that my land had never been farmed and was not suitable for farming. The committee's decision was that I had been done an injustice and the agriculture zoning should be removed.

After this decision, approval for a well and septic system by the Department of Health was obtained and the Town granted me a permit to build. I then proceed to clear land, install a road, well and septic system but because of circumstances I never did get around to building.

So in 2011 when the proposal to develop the land into 11 one acre lots was presented to the Town I was surprised to discovered, the land had reverted back to Agriculture. So the injustice continues.

I have owned this land for over 35 years and paid taxes on land that I was expecting to develop.

As a side note, I own a large piece of land around the Beachy Cove Ponds that would make an excellent nature park for the Town. I would be willing to donate this land as part of a development agreement.

I would like to register this letter as my objection to the adoption of this **Municipal Plan and Development Regulation** as it is presently proposed and want my land removed from the Town's Agricultural Zone.

I respectfully await for your response.

Yours truly,

[REDACTED]

[REDACTED]



15-006-054-036
EASTERN NEWFOUNDLAND REGIONAL APPEAL BOARD

BETWEEN	TRAK Developers In. c/o [REDACTED]	APPELLANT
AND	Town of Portugal Cove-St. Philip's	RESPONDENT
RESPECTING	Refusal to permit subdivision of property and construction of residential subdivision at 12-16B Mercers Road	

Dear Town:

This is to inform you that an appeal was registered with the Eastern Newfoundland Regional Appeal Board on March 31, 2017. Enclosed is a copy of the appellant's submission appeal initiated against the Town.

The Board is bound by section 42 of the *Urban and Rural Planning Act, 2000* (the "Act"), which outlines matters that the Board can hear. The Board may determine that an appeal is invalid if the matter is outside its jurisdiction. Therefore, please indicate below in the appropriate box what the decision being appealed is with respect to:

- ☐ an application to undertake a development;
- ☐ a revocation of an approval or a permit to undertake a development;
- ☐ the issuance of a stop work order; and
- ☐ a decision permitted under this or another Act to be appealed to the board.

The following information is required within **15 days** of receipt of this letter. In providing the documentation, **please check the items and return this check list along with your submission.** The information being collected for the purposes of determining and administering an appeal in accordance with Section 42(8) of the *Urban and Rural Planning Act, 2000* and the *Development Regulations (CNLR 3/01)*. **To distinguish the authority's documents, please page number the submission.**

- ☐ a letter outlining the chronological order of events that lead to the decision being appealed omitting other personal information,
- ☐ a copy of the Authority's development decision letter
- ☐ a copy of all council minutes only relating to the matter
- ☐ a location plan and zoning map indicating the proposed site and/or pictures
- ☐ a copy of the development application and any supporting information provided by the appellant/developer; do not include letters of support or objections but a statement that council considered such input if applicable
- ☐ a copy of any comments, approvals or recommendations made by any other Government department or public body
- ☐ any other relevant correspondence together with a statement outlining any further action taken by the Authority
- ☐ a list of persons (include mailing addresses) whom the Authority considers particularly affected by this decision and who should be notified

When an appeal is filed under section 42 of the *Act*, in accordance with section 45(1) of the *Act*, all work related to the development under appeal shall not proceed. Section 45(1) states:

45(1) Where an appeal is made under section 42, the development with respect to the appeal, work related to that development or an order that is under appeal shall not proceed or be carried out, pending a decision of the board.

Please take note of section 8 of the *Minister's Development Regulations, 2000*, which states:

8. (1) Immediately upon notice of the registration of an appeal the appropriate authority shall ensure that any development upon the property that is the subject of the appeal ceases.

(2) Sections 102 and 104 of the Act apply to an authority acting under subsection (1).

(3) Upon receipt of a notification of the registration of an appeal with respect to an order under section 102 of the Act, an authority shall not carry out work related to the matter being appealed.

The authority should ensure that this requirement is enforced and inform any other party that is affected.

Yours truly,

Robert Cotter, Secretary
Newfoundland Regional Appeal Board

Copy to: appellant(s).

Complete appeal package is available through the Town

Ashley Mackinnon

From: Les Spurrell
Sent: February-13-18 12:58 PM
To: Ashley Mackinnon
Subject: FW: Municipal Plan Amendment #4

Copied.

Les Spurrell
Planning & Development
Coordinator
T: 709.895.8000
F: 709.895.3780



1119 Thorburn Road
Portugal Cove-St. Philip's
A1M 1T6

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From: Les Spurrell
Sent: Tuesday, February 13, 2018 12:57 PM
To: [REDACTED]
Cc: Julie Pomeroy
Subject: RE: Municipal Plan Amendment #4

Dear [REDACTED]:

Thank you for taking time to contact us with your concerns regarding the proposed amendments to the Town's Municipal Plan and Development Regulations.

Your email correspondence will be forwarded to the Planning and Development Committee of Council and Council for review and consideration.

Again, thank you for the feedback, as a result of the Public Notice.

Regards,
Les

Les Spurrell
Planning & Development
Coordinator
T: 709.895.8000
F: 709.895.3780



1119 Thorburn Road
Portugal Cove-St. Philip's
A1M 1T6

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From: [REDACTED]
Sent: Tuesday, February 13, 2018 12:16 PM
To: Les Spurrell
Cc: Julie Pomeroy
Subject: Municipal Plan Amendment #4

Mr. Les Spurrell

Thank you for meeting with me yesterday.

I have reviewed the information on the proposed amendment provided on the town website and while I don't want to complicate the process for amending the existing Town Plan, I do have a number of concerns about the proposed amendment.

My property is located in the "traditional community" of St. Philip's. There are at least 2 traditional right-of-ways in this area – Sammy Butler's Road and the old Tucker's Hill Road. The proposed amendment, as I read it, would permit building single dwellings on land situated along these traditional pathways. Sammy Butler's Road and the old Tucker's Hill Road are both above

my property and the removal of vegetation for development on either of these traditional pathways would affect the water shed. I currently have a problem with water flow during heavy rainfall or run-off from melting snow and I am concerned that this problem would be increased if development were permitted in the area.

As you know my land extends [REDACTED] and blocks or partially blocks access to land owned by three individuals. The definition of "Traditional Right-of-Way" states that it "means a defined route across **private** or public land". This definition adds to my concern in that I may have to incur legal expenses to defend my property rights against another property owner who might claim access rights to his/her land under the proposed amendment. While, I am sure drafters of the amendment does not intend this, it does open the way to a possible challenge.

As stated, I don't wish to complicate the amendment process, but I do ask that the impact of this amendment be fully assessed by competent specialists before it is inscribed in law in the Town Municipal Plan. I also think that both the Heritage Committee and the Environment Committee be asked to assess the proposed change and officially communicate their conclusions to Council before proceeding further.

[REDACTED]

[Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer](#)

Mr. Les Spurrell,
Planning and Development Coordinator
Town of Portugal Cove-St. Philip's
1119 Thorburn Road Portugal Cove-St. Philip's, NL A1M 1T6
February 16, 2018

Portugal Cove St. Philip's Planning and Development	
FEB 16 2018	
Rec. #:	_____
Amt. PD.:	_____
Initial:	JS.

**Re: Municipal Plan Amendment #4
And Development Regulation Amendment #5**

Dear Mr. Spurrell:

Municipal Plan Amendment #4 and Development Regulations Amendment #5 have particular interest to me as I live in one of the Traditional Zones within our community. Previous Municipal Plans have been based on the natural precious assets of our community such as prominent natural geographical features, view-scape and view planes. It is of utmost importance that Council focus on the size and scale of developments in the Traditional Community so that new developments fit into the natural landscape and view planes. Once altered or destroyed, they are gone forever and cannot be enjoyed by future generations.

I understand the rationale behind the Town wishing to find a constructive approach to permit the building of single family homes on land held for generations by families in the community, but which do not conform completely with the current Municipal Plan and Development Regulations. Given the nature of the Traditional Community Zones which were the first real settlements of the current Town, it is appropriate to find solutions that would conform with the building lot scenarios that existed in past generations. Nevertheless, while the impetus of the amendments is directed towards single family dwellings and single households, I feel there might be another option open to consideration in addition to the proposed Amendments.

So, my comments are as follows:

1. In the documents posted, it states "The Council is aware of traditional rights-of-ways that access backlands". However, in correspondence with the Planning Department, I have been advised that the Town does not have a list of these rights-of-ways at its disposal. Therefore, rather than just do an amendment and await applicants, I would suggest that the Town put out a call within the Traditional Community Zones for individuals owning land on traditional rights-of-ways to come forward to identify these rights-of-ways so that the

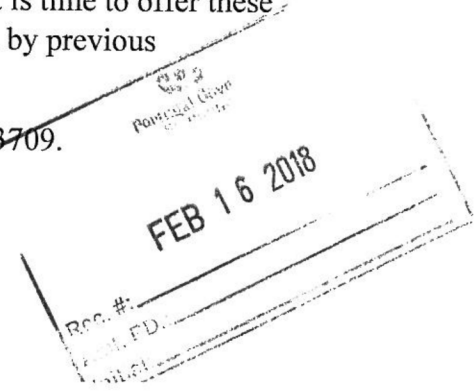
Town can determine the potential scope of this change in its regulations. This call for input should have a specific timeline and rights-of-ways not identified during this timeline should not be grandfathered in to the proposed changes. Once the rights-of-ways have been identified, Council could deal with all of them as a Development Scheme Area. It should determine now what development would be appropriate along those rights-of-ways given the other constraints imposed by the existing regulations. The advantage is that land owners would be aware of what is approved for their lands and the approvals could be passed along to future generations.

Should Council continue along the current amendment process, I offer the following comments:

- 1 I believe that Council should mandate that these amendments should be specifically tied to the currently defined Traditional Community Zones. The Traditional Community Zone should not be open for enlargement to suit requests from families living outside the zone.
- 2 Council should stipulate in the Amendments that any application under these regulations should be a **"one of"** meaning that you cannot apply for approval for one dwelling now and later come back with a request to subdivide and request a second dwelling attached to the same right-of way. This should be added to Regulation (13) (a). I have attached a diagram indicating a scenario where this regulation could be used improperly to permit the construction of a three-house subdivision on a right-of-way, thus contravening the stated intent of the amendment, namely that it is to be for one lot and one dwelling.
- 3 In (13) (b), it should be noted that unless the right-of-way has been granted by a private agreement through surveys, a public right-of-way remains public property and cannot be transferred with any change of ownership of the build lot and subsequent dwelling.
- 4 I feel that Council has to be especially cognizant of the orientation of the building on the property and its impact on neighbouring properties which potentially have been there for many generations. Building size, scale, roof slopes, etc. relative to existing houses should be a significant consideration in the initial application. Furthermore, before any approval in principle is granted, Council should hold a meeting with all neighbouring property owners to take input from current residents with respect to the impact of the new development on their properties.

I trust that Council will review my comments in a constructive light. There are families who have been disadvantaged for many years by previous Municipal Plans. It is time to offer these residents solutions in order that they can enjoy the properties left to them by previous generations of family members.

Should you wish to discuss this matter further, please contact me at 895-3709.

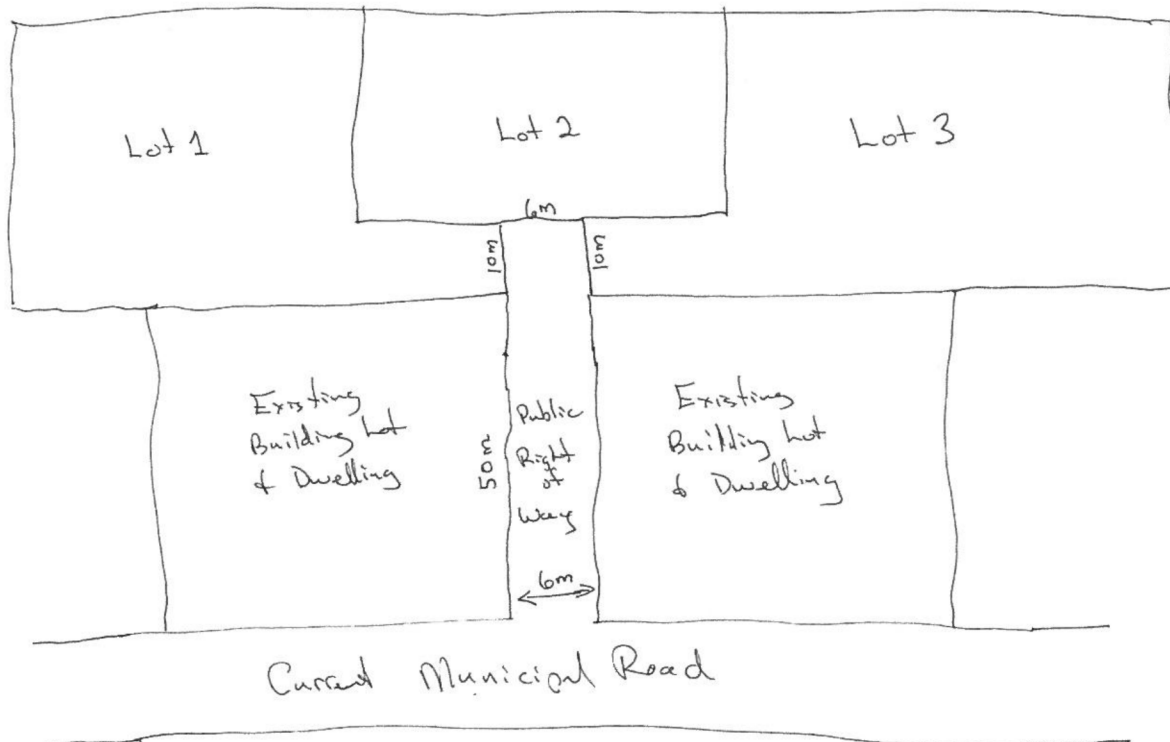


Sincerely,

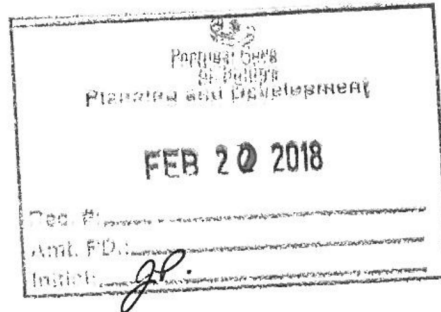
Attachment:

Cc: Councillor Darryl Harding,

Chairperson, Planning and Development Committee



Les Spurrell
Planning and Development Coordinator
Town of Portugal Cove-St. Philip's
1119 Thorburn Road
Portugal Cove-St. Philip's, NL
A1M 1T6



Dear Mr. Spurrell:

I am writing in opposition to the proposed Portugal Cove-St. Philip's Municipal Plan Amendment No. 4, 2018.

The 2014-2024 Municipal Plan for the Town of Portugal Cove specifically mandates that a building lot cannot be approved unless it has the minimum required frontage onto a publicly maintained road. Specifically, I draw your attention to Policy GLU-9 (Access to Public Streets and Roads), which states:

Council shall require that all future building lots have appropriate lot frontage to abut and have vehicular access from a public street or road.

The proposed amendment, which violates Policy GLU-9, refers to the prohibition against so-called back lot developments. It would add a new policy, named TC-5, which exempts the requirement—stated in the Town Plan—that a lot be fronted on a Town road within Traditional Community land zones. The proposed amendment states:

Where a vacant lot exists which is of sufficient size but does not have the required frontage on a public road, development may be permitted at the discretion of Council...

The proposed amendment is not congruent with the Municipal Plan Policy GLU-9. It would also violate Council's legal requirement that land development be "controlled and used only in accordance with the Portugal Cove-St. Philip's Municipal Plan." Specifically, the Plan states:

Pursuant to Section 35 of the Urban and Rural Planning Act, Council has adopted the Portugal Cove-St. Philip's Land Use Zoning, Subdivision and Advertisement Regulations (referred to as the Development Regulations) in order to implement the goals, objectives and land use policies of the Municipal Plan. The Development Regulations control the subdivision and development of all land within the Portugal Cove-St. Philip's Planning Area.

As for Council's responsibilities, the Municipal Plan states:

In accordance with Section 35 of the Urban and Rural Planning Act, the Development Regulations have been established to ensure that land is controlled and used only in accordance with the Portugal Cove-St. Philip's Municipal Plan.

The Portugal Cove-St. Philip's Municipal Plan (2014-2024) is a legal document which is binding upon all persons and organizations, including the Council.

In addition to violating the Town Plan, the proposed amendment would allow— within the Traditional Community land zones—recognition of so-called public and privately held right-of-ways that supposedly existed prior to amalgamation of the Town of Portugal Cove-St. Philip's in 1992.

Public right of ways are already recognized and protected by the Town, when they provide access to back lands that exist within the community. The Town does not designate access roads as public right-of-ways if they fail to offer unimpeded and contiguous access to back lands.

As for private right-of-ways, these do not provide access to the public and are not recognized in the Municipal Plan. The potential for land use conflicts is particularly worrisome in this instance because to date residents have relied on the date of the Town's incorporation, February 1992, as the starting point for recognition of right-of-ways—and public ones, at that.

The proposed amendment could result in approval of lots in locations where residents had a reasonable expectation that development would not occur. It could also result in the loss of portions of coastal trails.

Thank you for the opportunity to comment on this proposed amendment.

[REDACTED]





Tabled items

Recreation & Community Services

Town of Portugal Cove-St. Philip's

Healthy Eating Policy

Pursuant to the authority vested in the Town Council of Portugal Cove- St. Philip's the Town Council has adopted this policy on the 6th day of March, 2018

1.0 TITLE

- 1.1 This document shall be known and cited as the *Healthy Eating Policy*.

2.0 DEFINITIONS

- 2.1 “**Council**” shall mean the Town Council of Portugal Cove – St. Philip's.
- 2.2 “**Town**” shall mean the Town of Portugal Cove – St. Philip's.
- 2.3 “**Healthy Eating**” means eating a variety of foods that give you the nutrients you need to maintain your health, feel good, and have energy.

3.0 POLICY STATEMENT:

- 3.1 The purpose of this policy is to increase access to healthy food and beverage choices at all community recreation and sport programs as well as in our community facilities.
- 3.2 Many community members are interested in choosing healthier foods and beverages, being physically active, staying tobacco-free, caring for the environment and supporting local products.
- 3.3 What we eat and our level of physical activity can be positively influenced by healthy and supportive policies where we live, learn, work, play and commute.
- 3.4 Foods and beverages in Canada's Food Guide, particularly vegetables and fruit, provide energy and nutrients needed to prevent chronic disease, and maintain a healthy lifestyle and positive body image. A recreation, sport and community environment supportive of healthy food and beverage choices helps create and maintain healthy communities.
- 3.5 Adopting healthy behaviors early in life is important for good health. Offering healthy food and beverage choices is important in striving for a healthy community and sets a good example for children and youth.

4.0 APPLICATION:

- 4.1 This policy shall apply to all Town affiliated program, special events, and facilities.

5.0 POLICY PROCEDURE:

- 5.1 All Town planned and implemented programs, special events, and facilities will promote and offer healthy alternatives to its patrons.

8.0 DATE EFFECTIVE/RESOLUTION

- 8.1 Date effective: _____ Motion #: _____



Tabled items

PUBLIC WORKS

To: Town of Portugal Cove-St. Philips

Re: Animal Control Regulations

Dear Madam Mayor:

The Town of Portugal Cove-St. Philips needs to re-visit the Animal Control Regulations to include a limit on the number of animals, ie. dogs, that a homeowner is permitted on his/her property. Currently, there are no stipulations under this heading. The Town of Paradise has set a limit of three dogs per homeowner.

Our interest and concern in this matter stems from the fact that our next-door neighbour has five dogs which, at times, prove a nuisance by their barking and howling. We further feel that our property value has been adversely affected by the presence of these animals. Surely, a limit should be included in the Town's regulations regarding the keeping of animals, whether dogs or any other animals.

As citizens and property owners of the Municipality of Portugal Cove-St. Philips, we fervently feel that the Animal Control Regulations reflect an amendment governing the number of animals permitted on civic property within the Town limits.

Regards,

s.40, ATIPPA, 2015

A large black rectangular redaction box covers the signature and any text that might have been present below the name.

From: Bradley Power <BPower@ersbnl.ca>
Sent: Wednesday, February 14, 2018 5:12 PM
To: Eastern Regional Service Board
Cc: Bradley Power
Subject: Important Message from the Eastern Regional Service Board

Importance: High

Good afternoon. I have been asked to distribute the following message on behalf of Ed Grant, Chairperson of the Eastern Regional Service Board:

The ERSB has launched a new website, www.fairwaste.ca, to communicate our message about fairness regarding the fees we charge for waste collection in light of recent social media and traditional .

The Board has established the policy that all properties in the region will receive waste collection services. This is reflected in the Newfoundland and Labrador Waste Management Strategy that was released in 2002. The strategy says "the basis of operations in any region will include...household collection (curbside)."

By bringing an efficient and cost effective service to all properties we have incurred costs. The Board has chosen to allocate those costs fairly and equally to all those that benefit from the service. So, the \$180 that is charged to the properties that the Board collects from weekly all pay the same regardless of use, occupancy, or ability of the Board to get to the property in winter months (which is out of the control of the Board).

The seasonal fee that people are talking about will result in the full time fee having to increase in order to make up the difference. Our estimate is that a seasonal fee would increase the full time fee from \$180 to \$195. This \$195 fee would be charged to the full time or residents in the area, which will include seniors on fixed income, low income families and those in receipt of income support from various agencies.

The whole issue of subsidization is a concern. From previous discussions, we know that any subsidization principal can have serious long term financial impacts on our region.

The approach of the Board is the fairest means of allocating the cost and ensuring that our focus is on the delivery of the services.

Feel free to share this website and I hope that the material helps inform you of the complexity of this issue.

If you do have any questions or suggestions please feel free to reach out to discuss.

Thank you,

BRADLEY POWER

EASTERN REGIONAL SERVICE BOARD

Board Clerk | Outreach Coordinator

255 Majors Path, Suite 3, St. John's, NL A1A 0L5

O. 709-579-8889 | M. 709-697-2633 | F. 709-579-5392 | bpower@ersbnl.ca | www.easternregionalserviceboard.com



****Please consider the environment before printing this e-mail****



Tabled items

Administration & Finance

Accounts for Payment - February 27, 2018

REGULAR ACCOUNTS:

RW 201712-4	12/31/2017	City of St. John's Water consumption Dec17	\$	32,349.48
RW 201801-4	2/22/2018	City of St. John's Water consumption Jan18	\$	37,984.38
NL-00848727	12/31/2017	Micmac Safety Source 3 flame fighter bunker suits	\$	8,073.00
924951	2/15/2018	Nortrax 544K Rental Feb16-Mar15	\$	7,475.00
929173	2/22/2018	Nortrax 544K Rental Feb23-Mar22	\$	8,050.00
929169	2/22/2018	Nortrax 624K Rental Feb23-Mar22	\$	10,350.00
TOTAL REGULAR ACCOUNTS:			\$	<u>104,281.86</u>

CAPITAL ACCOUNTS:

90644192	12/31/2017	Hatch Corporation Water Loss program	\$	40,231.60
173065.01F	1/23/2018	Powers Brown Architecture Lifestyle center	\$	23,172.50
Claim#4Meadow	12/20/2017	Pyramid Construction Meadow Heights Sanitary Sewer Servicing Claim #4	\$	624,707.08
Claim#5Meadow	2/13/2018	Pyramid Construction Meadow Heights Sanitary Sewer Servicing Claim #5	\$	19,033.65
Claim#6Meadow(HB)	2/13/2018	Pyramid Construction Meadow Heights Sanitary Sewer Servicing Claim #6 (Holdback)	\$	126,205.16
TOTAL CAPITAL ACCOUNTS:			\$	<u>833,349.99</u>
GRAND TOTAL:			\$	937,631.85

Town of Portugal Cove-St.Philips
BNK1 - BNS CURRENT ACCT
 Cheques from 000001 to 047058 dated between 02/12/2018 and 02/26/2018

CHEQUE REGISTER

Printed: 2:40:59PM 02/26/2018

Page 1 of 3

Number	Issued		Amount	SC	Status	Status Date
047009	02/13/2018	Royal Canadian Legion	1,500.00	A/P	OUT-STD	02/13/2018
	2018-006	Annual support of Seniors party	1,500.00			
047010	02/15/2018	Atlantic Cash & Carry	361.26	A/P	OUT-STD	02/15/2018
	34701130281362	Winter carnival supplies	301.21			
	34701140281556	mom n tot supplies	60.05			
047011	02/15/2018	Corporate Express	274.01	A/P	OUT-STD	02/15/2018
	46689175	ink, waste basket,clips,post it, markers	274.01			
047012	02/15/2018	Executive Coffee	135.75	A/P	OUT-STD	02/15/2018
	0000192403	coffee,creamers,tea	135.75			
047013	02/15/2018	Frederick Hollett	1,437.50	A/P	OUT-STD	02/15/2018
	Feb4-10	FD Consultations Feb4-10	1,437.50			
047014	02/15/2018	Orkin Canada Corporation	747.27	A/P	OUT-STD	02/15/2018
	340260	Pest control-town office	747.27			
047015	02/15/2018	Richard Murphy	1,581.25	A/P	OUT-STD	02/15/2018
	Feb5-11	FD Consultation Feb5-11	1,581.25			
047016	02/15/2018	SaltWire Network Inc.	850.77	A/P	OUT-STD	02/15/2018
	TM00008291	ad-1614-1616 Portugal Cove Road	309.12			
	TM0008353	dev regulations amendment No4&5	541.65			
047017	02/15/2018	Telus Going Mobile Wireless	273.25	A/P	OUT-STD	02/15/2018
	FRESHIN43483	IPAD for Geo referencing	273.25			
047018	02/15/2018	Wajax Industrial Components	87.35	A/P	*VOID*	02/15/2018
	Void Reason: incorrect signing					
	RIN004581373	2 bearings, 2 seals-unit #49	87.35			
047019	02/15/2018	Wolseley Canada Inc.	1,045.41	A/P	*VOID*	02/15/2018
	Void Reason: Wrong amount					
	6349953	2 hose bid guages	276.00			
	6349954	bonnet, hydrant guage	173.90			
	6349955	bonnet & operating nut hydrant, hydrant gu	448.69			
	6374820	WW pipe, curb stop box & Key - replace inv	-146.82*			
047021	02/21/2018	Bernadine Lawlor	1,012.50	A/P	OUT-STD	02/21/2018
	Jan-Feb18	rec center cleaning Jan-Feb	1,012.50			
047022	02/21/2018	Pyramid Construction	769,945.89	A/P	OUT-STD	02/21/2018
	Claim#4Meadow	Claim#4 Meadow Hgts Sanitary Sewer	624,707.08			
	Claim#5Meadow	Claim#5 Meadow Hgts Sanitary Sewer	19,033.65			
	Claim#6Meadow(HB)	Claim#6 Meadow Hgts - Holdback release	126,205.16			
047023	02/21/2018	Yvonne King	1,012.50	A/P	OUT-STD	02/21/2018
	Jan-Feb18	rec center cleaning Jan-Feb	1,012.50			
047024	02/23/2018	Atlantic Safety Centre	684.25	A/P	OUT-STD	02/23/2018
	17886	Chainsaw safety training-pw	684.25			
047025	02/23/2018	Automotive Supplies (1985) Ltd	389.85	A/P	OUT-STD	02/23/2018
	158615	Unit #34 battery & brake pad separator	205.85			
	168678	10 wiper blades for inventory	184.00			
047026	02/23/2018	Big Erics Inc.	94.30	A/P	OUT-STD	02/23/2018
	78766	paper towel & javax	94.30			
047027	02/23/2018	Canadian Linen & Uniform Service	151.86	A/P	OUT-STD	02/23/2018
	6500314162	mat rental	75.93			
	6500315361	mat rental	75.93			

* - Partial payment was made on Invoice

** - Name on Check was modified

Town of Portugal Cove-St.Philips
BNK1 - BNS CURRENT ACCT
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CHEQUE REGISTER

Printed: 2:40:59PM 02/26/2018

Page 2 of 3

Number	Issued		Amount	SC	Status	Status Date
047028	02/23/2018	Complete Transport Services	1,217.55	A/P	OUT-STD	02/23/2018
	40211	Repairs to Engine 2	856.36			
	40273	test & replace battery, engine light check an	361.19			
047029	02/23/2018	Corporate Express	268.29	A/P	OUT-STD	02/23/2018
	46528682	refund	-101.06			
	46754686	paper, ink	369.35			
047030	02/23/2018	East Coast Hydraulics	89.52	A/P	OUT-STD	02/23/2018
	0000741769	3 hydraulic hoses - unit #36	89.52			
047031	02/23/2018	EXP. Services Inc.	1,171.85	A/P	OUT-STD	02/23/2018
	421527	healeys pond intersection review	1,171.85			
047032	02/23/2018	Frederick Hollett	1,437.50	A/P	OUT-STD	02/23/2018
	Feb11-17	FD Consultations Fev11-17	1,437.50			
047033	02/23/2018	Heather Coughlan	79.92	A/P	OUT-STD	02/23/2018
	Feb18	Cell Feb18	39.96			
	Jan18	Cell Jan18	39.96			
047034	02/23/2018	Home Depot	114.67	A/P	OUT-STD	02/23/2018
	5460480	misc. screws & wall anchors	114.67			
047035	02/23/2018	Image 4 Printing & Design Inc.	1,216.70	A/P	OUT-STD	02/23/2018
	18444	town development regulations public input r	1,022.35			
	18448	printing business directory rack cards	194.35			
047036	02/23/2018	Irving Oil Limited	1,468.14	A/P	OUT-STD	02/23/2018
	252401	Gas	1,468.14			
047037	02/23/2018	Kathryn Nicole Kelly	240.00	A/P	OUT-STD	02/23/2018
	Jan/Feb18	tutoring Jan/Feb18	240.00			
047038	02/23/2018	Kent Building Supplies	498.70	A/P	OUT-STD	02/23/2018
	15541171	Ice melter	288.28			
	1730229	2pcs 2x4 pressure treated 8f - for crime stop	14.26			
	1730388	paint, plywood, hose reel - WW van	196.16			
047039	02/23/2018	KPennell	480.00	A/P	OUT-STD	02/23/2018
	Jan15-Feb9	Tutoring Jan15-Feb9	480.00			
047040	02/23/2018	Lindsey Hynes	880.00	A/P	OUT-STD	02/23/2018
	Jan-Mar18	Zumba Jan-Mar	880.00			
047041	02/23/2018	McLoughlan Supplies Ltd.	254.91	A/P	OUT-STD	02/23/2018
	1026576	Emergency light for St. P FD, ballast & light	254.91			
047042	02/23/2018	Murray's Garden Centre &	160.43	A/P	OUT-STD	02/23/2018
	m157	killick coast mayors meeting	160.43			
047043	02/23/2018	Neopost Canada	173.99	A/P	OUT-STD	02/23/2018
	6183435	postage meter lease	173.99			
047044	02/23/2018	Northeast Avalon Times	1,725.00	A/P	OUT-STD	02/23/2018
	6040	dis use ad,community awards ad,tax structu	1,725.00			
047045	02/23/2018	Pinnacle Office Solutions	273.50	A/P	OUT-STD	02/23/2018
	131234	copier maint	273.50			
047046	02/23/2018	Purolator Inc.	73.09	A/P	OUT-STD	02/23/2018
	437079658	shipping charge-ws maint supplies	73.09			
047047	02/23/2018	Receiver General for Canada	2,082.00	A/P	OUT-STD	02/23/2018
	20180044786	Radio authorization renewal FD	2,082.00			
047048	02/23/2018	Richard Murphy	1,437.50	A/P	OUT-STD	02/23/2018
	Feb12-18	FD Consultations Feb12-18	1,437.50			

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Town of Portugal Cove-St.Philips

BNK1 - BNS CURRENT ACCT

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CHEQUE REGISTER

Printed: 2:40:59PM 02/26/2018

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Number	Issued		Amount	SC	Status	Status Date
047049	02/23/2018	Rogers Payment Centre	106.35	A/P	OUT-STD	02/23/2018
	Feb18	cable - FD	106.35			
047050	02/23/2018	SaltWire Network Inc.	835.78	A/P	OUT-STD	02/23/2018
	TM00008468	communications coordinator job ad	375.37			
	TM00008503	communications coordinator job ad	460.41			
047051	02/23/2018	Saunders Equipment Ltd.	972.27	A/P	OUT-STD	02/23/2018
	0000070812	right hand roller, left hand side roller-equip m	972.27			
047052	02/23/2018	St. John Ambulance	1,000.00	A/P	OUT-STD	02/23/2018
	I-NL-021162	therapy dog sponsorship	1,000.00			
047053	02/23/2018	Telus	2,049.65	A/P	OUT-STD	02/23/2018
	Feb2018	Cells Feb18	2,049.65			
047054	02/23/2018	Triware Technologies Inc.	3,083.44	A/P	OUT-STD	02/23/2018
	182973-	computer support	3,083.44			
047055	02/23/2018	Wajax Industrial Components	87.35	A/P	OUT-STD	02/23/2018
	RIN004581373	2 bearings, 2 seals-unit #49	87.35			
047056	02/23/2018	Wolseley Canada Inc.	1,067.43	A/P	OUT-STD	02/23/2018
	6349953	2 hose bid guages	276.00			
	6349954	bonnet, hydrant guage	173.90			
	6349955	bonnet & operating nut hydrant, hydrant guage	448.69			
	6374820-	WW pipe, curb stop box & Key - replace inv	168.84			
047057	02/23/2018	Dance ticket refunds	80.00	G/L	OUT-STD	02/23/2018
Cheque Totals Issued:			805,077.74			
Void:			1,132.76			
Total Cheques Generated:			806,210.50			
Total # of Cheques Listed:			48			

* - Partial payment was made on Invoice

** - Name on Check was modified

From: Curtis Knee [<mailto:curtisnvknee@gmail.com>]
Sent: Saturday, January 13, 2018 5:44 PM
Subject: Funding for Newfoundland and Labrador Youth Parliament

Good Evening,

My name is Curtis Knee, Director of Finance for Newfoundland and Labrador Youth Parliament (NLYP). For the last 54 years, our organization has had youth from every corner of our province come to St. John's for one week to debate in the House of Assembly, meet the political leaders of our province, learn about topics such as political engagement and public policy, and create friendships that will last a life time. Our organization would simply not exist without the financial contributions from the Province of Newfoundland and Labrador and donations from other valuable stakeholders that are committed to youth engagement and involvement in the political process.

I'm emailing your municipality today asking if you would be able to financially contribute to our organization so that we can continue to serve the youth of our beautiful province. So that we can give them the tools that they need to become not just leaders in the communities that they live in, but leaders that will bring our province into the new horizon that is upon us. Any donation, regardless of size will be greatly appreciated and your financial contribution will be noted in a speech that I will present at our session.

I look forward to hearing back from you,

Thank you in advance,

Curtis Knee
Director of Finance
Newfoundland and Labrador Youth Parliament
(709)-330-0542

Claudine Murray

From: Curtis Knee <curtisnvknee@gmail.com>
Sent: Tuesday, January 30, 2018 5:03 PM
To: Claudine Murray
Subject: RE: Youth parliment
Attachments: NLYP Budget 2017-2018.xlsx - Sheet1.pdf

Good Afternoon,

Our organization operates under a board of directors that is elected once a year at our AGM, It consists of 10 people. The purpose of our organization is to engage youth in the areas of political engagement and community leadership.

Attached is our budget,

Hope to hear from you soon,

Curtis

Sent from Mail for Windows 10

From: Claudine Murray
Sent: January 30, 2018 10:03 AM
To: Curtis Knee
Subject: RE: Youth parliment

Yes your budget would be of interest and a TOR if available. More info on what you do, what you expect and the purpose of your company. Also, knowing if you operate under a Board and info regarding that BOD would be of interest.

Thank you so much.

P.S. If you revied an email from Tony Pollard, you can add comments to him with this response.

Kind Regards,
Claudine

From: Curtis Knee [<mailto:curtisnvknee@gmail.com>]
Sent: Tuesday, January 30, 2018 11:20 AM
To: Claudine Murray
Subject: Re: Youth parliment

Good Morning,

There are 42 youth involved in our session this year. Would a copy of our budget be useful to you guys??

Curtis

On Tue, Jan 30, 2018 at 9:51 AM, Claudine Murray <Claudine.Murray@pcsp.ca> wrote:

Hi Curtis,

We received a request for financial support for your program but the Admin & Finance committee would like additional information on the Terms of Reference or any other pertinent information such as the number of youth travelling.

The committee is meeting today at 3:30 if possible to get an answer by then.

Claudine Murray

Deputy Town Clerk

T: 709.895.8000 ext 223

F: 709.895.3780



1119 Thorburn Road

Portugal Cove-St. Philip's NL A1M 1T6

Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer

Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer

Budget 2017-2018	Projected	Actuals
Grants		
HMC Grant	\$10,000.00	
GTYO Grant	\$2,000.00	
Community Foundation NL Grant	\$0.00	
Subtotal	\$12,000.00	
Other Revenue		
Registration Fees Collected	\$1,500.00	
Fundraising Initiatives	\$1,000.00	
Subtotal	\$2,500.00	
Total Revenue Received	\$14,500.00	
Program Materials		
Website Maintenance	-\$100.00	
Printing Costs	-\$200.00	
Subtotal	-\$300.00	
Facilities		
Hotel Rooms	-\$7,500.00	
Final Banquet Space	\$0.00	
Subtotal	-\$7,500.00	
Administrative Costs		
Insurance	-\$750.00	
Mailbox Renewal	-\$180.00	
Banking Fees for the Year	-\$20.00	
Subtotal	-\$950.00	
Travel		
Labrador Travel	-\$2,000.00	
Island Travel	-\$500.00	
St. John's Travel	-\$1,500.00	
Subtotal	-\$4,000.00	
Food		
Catering	-\$500.00	
Lunch - Orientation Day	-\$150.00	
Breakfast Food	\$0.00	
Snacks	\$0.00	
Subtotal	-\$650.00	
Social Events		
Wednesday Night Activity	-\$500.00	

Other Social Event	\$0.00	
Subtotal	-\$500.00	
Unforeseen Expenses	-\$400.00	
Total Expenses	-\$14,300.00	
Net Revenue	\$200.00	
Bank Account Balance	\$4,493.84	

January 31, 2018

Dear committee members,

We have been living at [REDACTED] for almost 40 years. Since our family is grown and we are now retired and living on a fixed income, we needed to downsize. So last year we subdivided our land and sold our house and a large portion of land to a young professional family. We built a smaller house on the lesser portion of land from the subdivide.

We were shocked to learn the cost of fees the town charged us to build our modest home!

We realize the town has to charge fees for permits to excavate, build and occupy new homes in order to have funds to operate the town, but we strongly disagree with being charged a \$700.00 recreation assessment fee, and a \$1000.00 infrastructure fee.

As senior citizens of this town, who have paid yearly taxes for as long as the town council has existed, we feel we should not be charged these additional fees.

Not only have we paid taxes all those years, but we are also responsible for introducing another young family into the community to carry on paying taxes on our former property. We will also be paying yearly taxes on our present property as long as we live here, and continue to provide our own water and sewer services.

Surely we have paid, and continue to pay, enough taxes over all these years to cover that \$700.00 recreation fee and \$1000.00 infrastructure fee many times over.

We hope you agree we should be reimbursed for the \$1700.00 paid to the town as a condition for occupying our house, on the same land on which we have been living for almost forty years.

Sincerely,

[REDACTED]
cc Honourable Carol McDonald, Mayor



Government of Newfoundland and Labrador
Department of Municipal Affairs and Environment
Office of the Minister

JAN 31 2018

COR/2017/05036-01

Dear [REDACTED]:

I am writing in response to your recent correspondence dated November 9, 17 and 27, 2017, as well as your e-mail dated January 3, 2018. As Minister responsible for municipal infrastructure, please accept this response on behalf of the Premier as well as the Government of Newfoundland and Labrador.

Regarding the Drover Heights Water and Sewer project, I note that per such funding agreements, the ultimate funding recipient in this agreement is the Town of Portugal Cove-St. Philip's. As such, the Town is responsible for making the necessary financial arrangements to pay its municipal share of this cost-shared project. As indicated in previous correspondence, there are a variety of ways that a Town can choose to cover these costs. Implementing charges for the costs of developing or expanding municipal services, including water and sewer, is one such option provided under the *Municipalities Act, 1999* Part VI: Assessments and Levies. While I appreciate that you do not agree with the Town's current operational policy for determining the value of this assessment, I encourage you to communicate with the recently-elected Council on any issues you may have with this policy or its application.

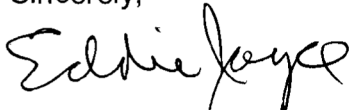
With respect to ATIPP request MAE/70/2017, I note that the response indicated that the Town's 2014-17 Multi-Year Capital Works (MYCW) funding had been fully allocated. As such, any potential surplus funding would only result if the allocated budget exceeds the actual costs for these projects. The Town would have the most up-to-date information on any anticipated savings within these projects' budgets.

I assure you that clean and safe drinking water is a key priority for our government. We continue to demonstrate leadership on this issue through preferential cost-share ratios for water and wastewater projects, our \$100 million Multi-Year Municipal Infrastructure Plan, and provincial investments to leverage federal funding for water and wastewater projects, including the Clean Water and Wastewater Fund (CWWF). We have been working with all levels of government to advance drinking water projects across the province, and I have been pleased to see the progress that we've made over the past two years.

That said, I recognize that Drover Heights water and sewer project's cost-sharing arrangement is somewhat unique, with a higher-than-usual municipal share. This is because the Town chose to make an additional investment in this project, beyond the remaining allocation that was available under the federal CWWF program at the time it was approved. While I understand your concerns with the Town's share of this project, I am pleased that the Department was able to offer the flexibility needed to help deliver these high-priority services in the context of the funding available.

The Department of Municipal Affairs and Environment will continue to work with the Town of Portugal Cove-St. Philip's to advance its ongoing projects, and I look forward to making real progress on these and many other important municipal infrastructure projects across Newfoundland and Labrador in 2018 and beyond.

Sincerely,



EDDIE JOYCE, MHA

District of Humber-Bay of Islands
Minister of Municipal Affairs and Environment

/jl

cc: Hon. Premier Dwight Ball
Hon. Dr. John Haggie, Minister of Health and Community Services
Hon. Lisa Dempster, Minister of Children, Seniors and Social Development
Hon. Andrew Parsons, Minister of Justice and Public Safety
Mr. David Brazil, MHA
Mr. Nick Whalen, MP
Ms. Carol McDonald, Mayor
Dr. Suzanne Brake, Seniors' Advocate
Ms. Heather Tizzard, Assistant Deputy Minister
Mr. Ian Duffett, P. Eng., Director
Mr. Inayat Rehman, P. Eng., Regional Engineer

MEMORANDUM

To: All Deputy Ministers
All Heads of Agencies, Boards and Commissions
All Cities, Towns and Local Service Districts

From: Sean Dutton, Chief Procurement Officer (interim)

Date: February 28, 2018

Re: Public Procurement Framework

The Public Procurement Act ("the Act") received Royal Assent on December 14, 2016, and on February 22, 2018, the Public Procurement Regulations were published in the Newfoundland and Labrador Gazette. The Act and Regulations can be found online at:

<http://www.assembly.nl.ca/Legislation/sr/statutes/p41-001.htm>

http://www.servicenl.gov.nl.ca/prINTER/gazette/extraordinary_issues/2018/NLG180222_EXTRA.pdf

The Act is to replace the Public Tender Act, Government Purchasing Agency Act and Intergovernmental Joint Purchasing Act and the new framework will guide procurement by all public bodies in Newfoundland and Labrador, including your own. Most of the Act is to be proclaimed effective March 24, 2018. The exception is sections 12 and 13, regarding supplier debriefing, complaints and supplier performance, which would come into force six months later to allow time for training on these new processes.

The Act and Regulations make a number of reforms, including introducing the concept of best value in procurement; application to most professional services which were exempted from the Public Tender Act, increased thresholds for an open call for bids; the elimination of the requirement for Cabinet authority in order to issue a Request for Proposals instead of an Invitation to Tender, refinement of the exceptions when an open call for bids will not be required; and new reporting requirements.

Our staff will be arranging training sessions over the coming weeks for public bodies and I encourage you to have your officials who are responsible for and engaged in procurement take part in them. In order to facilitate the training process, please forward a list of these officials, along with their contact information, to Ms. Dale Williams,

Director of Audit, Information and Training, at WilliamsDH@gov.nl.ca. Ms. Williams may also be contacted at 709-729-3346 if you or your staff have any questions.

We look forward to working with you to ensure compliance with the new Public Procurement Framework.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sean Dutton".

SEAN DUTTON

Chief Procurement Officer (interim)