



***MINUTES***  
PUBLIC COUNCIL MEETING  
January 5, 2015

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on January 5, 2015 at 7:32 p.m.

**Members Present**

Mayor Ralph Tapper  
Deputy Mayor Geoff Gallant  
Councillor Thomas Hall  
Councillor Peggy Roche  
Councillor Craig Scott  
Councillor Carol Ann Smith  
Councillor Mary Thorne-Gosse

**Staff Present**

Dawn Chaplin, CAO/Town Clerk  
Tina Auchinleck-Ryan, Director of Community Services  
Bernie Manning, Director of Public Works & Technical Service  
Ann Picco, Executive Clerk  
Brian Winter, Director of Planning

**Gallery**

There were a total of 9 people in attendance.

**Adoption of Agenda**

001-15      Motion – Councillor Smith / Deputy Mayor Gallant

**RESOLVED THAT** the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Roche, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

**Adoption of Minutes**

002-15      Motion – Councillor Smith / Deputy Mayor Gallant

**RESOLVED THAT** the Minutes of the December 8, 2014 Public Council Meeting be adopted, with the following changes:

- Page 11 – Motion 600-14 – remove Deputy Mayor’s name from For Motion, as he had left the Public Council Chambers due to conflict of interest.

- Page 18 – Under Public Works section, Correspondence, third bullet to read, “Consultant’s Report concerning flooding in vicinity of Flora Drive/Peter’s Place/Indian Meal Line.”

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Roche, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

### **PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION**

No Proclamations or Presentation.

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. There were none.

### **MAYOR’S REPORT**

No report.

### **CORRESPONDENCE**

1. Correspondence from business concerning rezoning of property off the Torbay ByPass Road for proposed land development. ***Referred to Planning, Land Use and Development Committee.***
2. Request for road gravel at Holy Trinity Parish Hall Parking Lot. ***Referred to Public Works Committee to bring forward recommendation.***
3. Department of Municipal and Intergovernmental Affairs – 2012-2014 Multi Year Capital Works Program (MYCW). ***For information purposes. CAO re-confirmed that this is approval from the Department of Municipal and Intergovernmental Affairs for reallocation of funding from the Sport Facility, Upper Three Corner Pond Park, to the Depot Project.***
4. Eating Disorder Foundation of NL – Flag Raising Request. ***February 1 – 7, 2015 is Eating Disorder Awareness Week in the Province and they are asking that the Town participate in a flag raising ceremony. Referred to Parks, Recreation and Community Services Committee.***
5. Memo/Motion from CAO concerning Committees of Council. ***Removed from Agenda – Committee Structure to remain same for this year.***

**CORRESPONDENCE & ACTION REPORT**

The Correspondence and Action Report, dated January 5, 2015, was accepted as presented.

**COMMITTEE REPORTS**

**Planning, Land Use and Development**

**Building Applications Approved**

The following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

<b><i>Application Number</i></b>	<b><i>Location</i></b>	<b><i>Proposal</i></b>
C2014-247	8 Woodbridge Lane	Single Family Dwelling
C2014-248	17 Woodbridge Lane	Single Family Dwelling
C2014-249	26 Woodbridge Lane	Single Family Dwelling
C2014-250	11 Woodbridge Lane	Single Family Dwelling
C2014-253	28 Woodbridge Lane	Single Family Dwelling
C2014-254	36 Woodbridge Lane	Single Family Dwelling
C2014-255	5 Bourne's Close	Single Family Dwelling

**Building Applications for Approval**

**Application:** C2014-206  
**Location:** 15 Barron's Lane  
**Proposal:** 30' x 30' Accessory Building  
**Zoning:** Residential Medium Density (RMD)

003-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-206, under the Applications for Approval section of the Building Application Report, dated January 2, 2014, under regulation 38(2) (b) and regulation 10 to allow the accessory building to be built in front of the building line of the residence due to the fact that the property owner has very limited choices for the location of an accessory building.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, and Smith)

Against Motion: 2 (Councillors Hall and Thorne-Gosse)

Abstained: 0

Council discussed the above motion and the circumstances surrounding the property, including:

- Geographical features, building set back, and access issues and limitations.
- The home was built approximately thirty plus years ago, at which time regulations were different and not in place.
- Each application is different and individual – Regulations 38 and 10 allows Council to make consideration using discretion in the best interesting of the applicant and the community.
- The property owner is meticulous over his grounds and the property is beautiful.
- There were no written responses from neighbours, and Council’s decision to approve in no way hinders or harms neighbours.
- Councillor Thorne-Gosse discussed that the application does not meet the Town’s current development regulations, and approving would be precedent setting. She advised that there is enough access along the side of current home to construct at the back.
- Councillor Hall discussed that discretion should only be used when there is undue hardship and inconvenience to the person, further indicating recommendation of the Town’s Planner.

**Application:** C2014-244  
**Location:** Portion of 16 Woodfine’s Lane  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Infill (RI)

004-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application C2014-244, under the Applications for Approval section of the Building Application Report, dated January 2, 2014, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Roche, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

**Application:** C2014-251  
**Location:** 11 Woodbridge Lane  
**Proposal:** 30’ x 50’ Accessory Building  
**Zoning:** Residential Large Lot (RLL)

005-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-251, under the Applications for Approval section of the Building Application Report, dated January 2, 2014, subject to the following conditions:

1. The use of the accessory building is restricted to residential accessory use.
2. All normal conditions and requirements for building within the Town of Torbay.
3. Subject to release of permit C2014-250 for single family dwelling.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Roche, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Building Applications to be Deferred

**Application:** C2014-246  
**Location:** Portion of 122-156 Quarry Road Extension  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Large Lot (RLL)

006-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Defer Application C2014-246, under the Applications to be Deferred section of the Building Application Report, dated January 2, 2014, for review by the Planning, Land Use and Development Committee.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, and Smith)

Against Motion: 2 (Councillors Hall and Thorne-Gosse)

Abstained: 0

**Application:** C2014-247  
**Location:** Portion of 122-156 Quarry Road Extension  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Large Lot (RLL)

007-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Defer Application C2014-247, under the Applications to be Deferred section of the Building Application Report, dated January 2, 2014, for review by the Planning, Land Use and Development Committee.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, and Smith)

Against Motion: 2 (Councillors Hall and Thorne-Gosse)

Abstained: 0

Mayor Tapper provided a history of the above two applications. Council questioned if they should refuse rather than refer to Committee. Committee Chair Deputy Mayor Gallant and CAO suggested that as per process and procedures to refer to Committee for proper discussion and recommendation. It was further noted that this is a new application and the applicants have paid their fees.

Mayor discussed applications and correspondence that Council refer on to Committees. He advised that these could be referred to Committee by CAO upon receipt, which could save time. He suggested that Council look into this to discuss further.

Business Applications to be Deferred for Advertisement

**Application:** D2014-252  
**Location:** 101 Patrick's Path  
**Proposal:** General Business (Beauty Salon)  
**Zoning:** Residential Medium Density (RMD)

008-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Defer Application D2014-252, under the Applications to be Deferred section of the Business Application Report, dated January 2, 2014, for advertisement as per Condition 11 of the RMD Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Roche, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Economic Development

Councillor Hall provided an overview of items discussed under the Economic Development Committee Meeting Minutes, dated December 10, 2014.

Items discussed in the report included:

- Updates
  - Town Centre Feasibility Project
    - As of last meeting, discussed that consultants had meeting on December 10<sup>th</sup> with area land/property owners. It was a productive meeting and the consultants suggested that they try to get together as a group with the land/home owners, so that when we contact them again it will be easier to inform all at the same time.

- Business Park Feasibility Update
  - Council were provided with report by consultants concerning water data. The Economic Development Committee still has to meet to discuss data before providing recommendation to Council.
- Torbay Community Market
  - Discussed pros and went very well. Challenges in relation to the ATM machine were discussed and suggestions will go forward.
- Online Business Directory
  - Directory will be launched in January.
  - It's an extra tool for local business and residents to shop locally.
- Torbay Community Profile
  - This is a project that the Economic Development Officer is working on to enhance Torbay's business profile within the Province.
- Correspondence & Action Report Items
  - A meeting will be arranged with Targa for breakdown on previous year's race and to decide going forward if the Town will be hosting next year.
- Any Other Business
  - Councillor Roche discussed a tourism app for Torbay. The Economic Development Officer is developing the Killick Coast Scenic Drive Project, in combination with other communities. The app may be something that could fit in with the project.
- Scheduling of the next meeting
  - Meeting is scheduled for Wednesday January 14<sup>th</sup> at 5:30 pm.

### **Finance & Administration**

No reports or motions.

### **Parks, Recreation and Community Services**

Councillor Thorne-Gosse provided an overview of items discussed under the Community Services Committee Meeting Minutes, dated December 16, 2014.

Items discussed in the report included:

- Elementary School
  - Councillor Hall provided a briefing on the Breakfast Program at Holy Trinity Elementary School.
    - Suggestion has been made to post this on the Torbay website as this would bring more awareness to the program. Councillor Thorne-Gosse also noted that she could have this posted on Torbay for Families.
- Western Island Trail
  - Director of Community Services advised that Minister has approved for land expropriation. Lawyer will send email to confirm start.

- Deputy Mayor Gallant questioned start and completion dates.
  - Director of Community Services advised that the next process will begin once official word from lawyer is received. With regards to completion date, she will go back to the Grand Concourse for information.
  - Item is to be added to next Committee Meeting Agenda.
- Age Friendly Grant
  - Councillor Hall gave an overview of the Age Friendly Committee.
  - There will be a survey in the New Year on community transportation.
  - Discussion on ways of collecting names. Suggested to look at community groups such as ACW, CWL, etc.
  - The Committee consists of Councillor Hall, Staff Person; Allison Power, Residents; Paula Burke, Genie Power, Judy Dawe and Torbay Community Health Nurse, Ms. Stacey.
  - Mayor noted that this is a sub-committee of the Parks, Recreation and Community Services Committee, and advised that it's great to see this Committee up and running.
- Winter Advertising
  - As an initiative to save costs the Town will be cutting down on print. As part of the year end Budget Brochure it is to be noted that Community Guides will be found on the Town's website. This will be advertised as much as possible. Any residents wishing to receive a hard copy of the guide may contact the Town Hall to be placed on the Town's mailing list.
  - Committee has suggested for 300 to be printed and Councillor Thorne- Gosse discussed that it go on non-glossy paper due to perception that glossy is more expensive. Director noted that cost difference is minimal.
  - Council discussed printing costs and paper costs.
    - Deputy Mayor questioned changing paper due to perception, not reality, and advised Council to make decision based on reality.
    - It was noted that that the Town is promoting recycling and re-use, however, recycled paper is more expensive. To assist with cost savings and going green, the Town should promote via electronic communications.
- Community Skates
  - Inquiries on how other communities are handling community skates, including charging at the gate and collection.
  - Director will be doing more investigation into the above for next meeting.
- Programs/Events
  - Director presented to Committee programs planned for February month and gave examples of the breakdowns involved. Programs that were presented for February were Snowshoe Hikes, Seniors Tea & Tour, Play My Way Special Event, Outdoor Adult Pub, Family Snowshoeing, Fire Pits with Weiner Roast, Games and Sliding if weather permits.
  - As part of Budget, Committee requested to ensure full cost breakdown for the programs so the cost per program can be determined.
    - Councillor Thorne-Gosse did note that Committee will bring programs back to council for review. Also discussing fees for events.



- Director noted that events are later in the month of February. The printer can have all completed by the end of January.
- Community Service Survey
  - Plans for the Community Services Survey are underway early in the New Year. Councillor Thorne-Gosse discussed having this go door to door.
- Signage
  - Discussed signage for the Town Entrance.
  - The old sign will be kept in place until new one developed and ready to be installed.

### **Public Works**

No reports or motions.

## **ADVISORY COMMITTEES**

### **Environment**

The Town of Torbay Environment Advisory Committee Draft Terms of Reference was included for Council's review.

- Council agreed to defer until next meeting to research if they have been previously adopted.

### **Heritage**

Councillor Roche advised she's hoping to get a meeting scheduled as soon as possible, and will advise.

## **LIAISON COMMITTEES**

### **Jack Byrne Arena**

No report.

### **Northeast Avalon Joint Council**

No report.

### **Torbay Harbour Authority**

No report.

**Torbay Volunteer Fire Department**

Councillor Smith extended a personal thank you to Members of the Department who responded to her home over the Christmas holidays due to a medical emergency. She advised their experience was second to none. They provide a great service to our Town – Eastern Health paramedics stepped back and let ours take the lead, which speaks to the level of confidence and trust that people have in them.

**Urban Municipalities Committee**

No report.

**North East Avalon Regional (NEAR) Plan**

No report.

**Municipal Assessment Agency Inc. (MAA)**

Memorandum – Update on the Board and the 2013-14 Annual Report was provided for information.

**Stewardship Association of Municipalities Inc. (SAM)**

No report.

**Eastern Regional Service Board**

Councillor Roche referred to a memo from the City of St. John's concerning operations at Robin Hood Bay (RHB) and the matter of illegal dumping.

- A question was raised in relation to hours of operation at RHB and changing to longer hours to avoid illegal dumping, which is happening in every community.
- Surveys were completed – City of St. John's and MMSB.
  - It was noted that operating hours are not a factor to stop illegal dumping. People will dump no matter what services communities offer, including hazardous waste, annual clean ups, etc.
- It was questioned the possibility of RHB changing or extending hours to include some evening hours, rather than only daytime, regular working hours. This may also help with limiting illegal dumping.
- Mayor noted that he receives calls concerning illegal dumping in the community. Public Works staff have to clean up endless amounts of garbage every year. There's still contractors dumping building material in areas throughout the Town. These types of activities cost the Town money as staff have to clean up. This is a topic of endless discussion in every community.

**Holy Trinity Elementary School Council**

No report.

**NEW BUSINESS**

**Mayor Tapper** - Pass

**Deputy Mayor Gallant**

Deputy Mayor Gallant discussed fireworks. He advised he received some comments online concerning this matter and suggestions from residents requesting they be banned or minimizing time they're allowed to be set off. Deputy Mayor discussed concerns including safety, children and pets, and the length of time people were setting them off – early evening on New Year's Eve to the next day.

He discussed online comments concerning garbage pickup and rescheduling over the holidays. He requested that the Town look at ways of better pushing information to our residents, including using the Green Communications system.

Deputy Mayor thanked all members of Council for the gift for their baby. He advised he's looking forward to working together with everyone in 2015.

**Councillor Hall** - Pass

**Councillor Roche** - Pass

**Councillor Scott** - Pass

**Councillor Smith** - Pass

**Councillor Thorne-Gosse**

Councillor Thorne-Gosse discussed fireworks. She advised that this New Years, they went on for some time, which caused concerns for residents with children and pets. She discussed that people put off fireworks all year round for any occasion. She questioned if it's possible for the Town to put off fireworks for New Years – earlier in the evening for children and then again later towards midnight or on New Year's Day. She discussed looking at having fireworks at different times of the year – for safety reasons and for respect for seniors and residents with small children and pets.

Mayor Tapper advised that Councillor Scott will bring this matter back to the Torbay Volunteer Fire Department for suggestions. He noted that there were fires in other communities, started by fireworks. We have to see what other towns are doing and he discussed challenges to enforce.

**QUESTION & ANSWER SESSION**

Mayor Tapper referred to the Gallery and asked if anyone had any questions concerning tonight's Council Meeting.

- Resident of Civic – 105 Indian Meal Line
  - Resident discussed fireworks, advising that on New Year's Eve they started at approximately 6:30 p.m. nonstop until after midnight. She advised the fireworks were incredible and there were several sets going off at the same time.
  - She discussed safety concerns, hardship on some pets, and the dangers of setting off fireworks, including the danger to homeowners and damage they can cause to homes.
  - She discussed the possibility of banning fireworks in the Community.

**ADJOURNMENT**

009-15      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the meeting be adjourned at 8:35 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Roche, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

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*Mayor*

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*CAO/Town Clerk*