



MINUTES
PUBLIC COUNCIL MEETING
June 8, 2015

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 8, 2015 at 6:04 p.m.

Members Present

Mayor Ralph Tapper
Councillor Peggy Roche
Councillor Craig Scott
Councillor Carol Ann Smith
Councillor Brian Whitty (*arrived 6:16 pm*)
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

Regrets

Deputy Mayor Geoff Gallant

Gallery

There were a total of 8 people in attendance.

Adoption of Agenda

232-15 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Adoption of Minutes

233-15 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Minutes of the May 25, 2015 Public Council Meeting be adopted, as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse)

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. The following had comments:

1. Resident of 1696 Torbay Road – Meeting on June 4, 2015, regarding land fill.
 - Resident discussed his landfill project, for a back yard that he would like to finalize.
 - He advised the project started 25 years ago, further discussing permit processes over the years.
 - He discussed work that contractors completed so far – contractors have hauled fill to his property, and have levelled it.
 - Another 100 loads of fill are required to finish the job. The last permit he received was for only three days and now expired. He’s hoping the Town will permit him to finish the work.
 - Mayor Tapper advised that this matter would be discussed under the Planning, Land Use and Development report.

2. Resident of 152 Indian Meal Line – Construction of accessory building.
 - Resident is seeking permission to have a horse on their property in the back yard for the Winter months.
 - They would like to erect an 8’ x 10’ building to house the animal, which is presently at pasture.
 - Resident advised that she’s aware she’s in a residential neighbourhood and that her neighbour disapproves. She indicates she’s not out to disrupt the neighbour or the community; she’s trying to help her daughter, as the animal is therapeutic for her.
 - If permit for accessory building does not get approved, they have a garage that they can alternate if need be.
 - Hay will be provided for the animal, and will only have on premises what’s required.

- They will arrange to have manure taken away. Right now, manure is removed every two to three days.
- It was noted that the application for permit is included in the Building Report, dated June 5, 2015, to be deferred.

MAYOR'S REPORT

Mayor Tapper provided a report, dated May 22 – June 4, 2015, of his work and connections that he has made in the community over the past couple of weeks.

Councillor Whitty arrived to the Public Council Chambers at 6:16 p.m.

CORRESPONDENCE

1. Minister of Canadian Heritage and Official Languages – approval of grant for project under the Celebrate Canada Program. ***For information purposes. Director of Community Services advised that the Town received approval of a grant in the amount of \$3,500.00, which will be applied to Canada Day events, July 1st – the Torbay July Drive Ceremony will take place at 11:00 a.m. with entertainment later at the Jack Byrne Arena. Celebrations will end with fireworks at 10:00 p.m.***
2. Newfoundland and Labrador Volleyball Association – request for support. ***Referred to Finance and Administration Committee.***
3. Correspondence from resident concerning funding for athlete travel. ***Referred to Finance and Administration Committee.***
4. Southern Labrador/Strait of Belle Isle Community Youth Network – Building Communities for Tomorrow Youth Conference. ***Mayor Tapper advised that they're looking for upwards of fifty youth to attend the conference, which will be held in conjunction with the next MNL Convention in Gander this Fall. Mayor suggested that the Town engage interest from high school and even university – he noted that the deadline is June 19th. CAO to determine where best to go with this. Councillor Scott discussed having a youth representative on Council, as per the new youth initiative brought in last year by Provincial Government. He suggested that Council look at and come up with a plan/policy to move in this direction.***
5. Department of Municipal and Intergovernmental Affairs – Community Sustainability Partnership. ***CAO clarified that this relates to the most recent provincial budget and fiscal framework. The Correspondence outlines mechanisms that the Provincial Government will put in place with all municipalities. It also references funding received over three year period. Further details to follow.***
6. Correspondence from resident of Civic 1696 Torbay Road concerning Meeting on June 4, 2015 regarding land fill. ***For information purposes – resident spoke under Question and Answer session above.***

7. Correspondence from resident of Civic 152 Indian Meal Line concerning construction of accessory building. *For information purposes – resident spoke under Question and Answer session above.*
8. Roman Catholic Episcopal Corporation of St. John's – designation of the Presbytery and grounds of Holy Trinity Parish as Municipal Heritage Site. *Mayor Tapper advised that correspondence is in response to the Town's letter to the Parish advising notice of Council's intent to designate the Presbytery and grounds of Holy Trinity Parish as a municipal heritage site. The R.C. Episcopal Corporation is looking for an extension to the Town's 30 day notice to provide a response to the Town. They refer to a meeting that the Town is having with Parish representatives to further discuss this matter. Mayor to meet with the Parish tomorrow, June 9th to further discuss and clarify information.*

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated June 8, 2015, was discussed and accepted as presented.

- Item 10 – water concerns – flooding in the area of Indian Meal Line and Peter's Place.
 - Director of Planning advised that update is in the Planning, Land Use and Development Committee Minutes, dated June 2, 2015.
 - Information was reviewed at the Planning, Land Use and Development Committee meeting Tuesday night past. It has been placed in file.
 - There is some dispute, by past and present engineers, over rate of flow for water coming down over the hill. Mayor asked that the Town come up with a solution before next heavy rainfall as area residents are concerned of flooding.

COMMITTEE REPORTS

Planning, Land Use and Development

Councillor Scott provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting Minutes, dated June 2, 2015.

Items discussed included:

1. Development Proposals
 - a) Proposal from property owner 44 Lower Street
 - This application will be dealt with in the Building Application report dated June 5, 2015, application number C2015-068.
 - b) Crown Land Application from a developer on Bauline Line for a potential second access point to a future phase of their development.
 - This application will, be dealt with in the Crown Land application report dated June 5, 2015, application number CL2015-016.

- c) Proposal from property owner 3 Riverview Place to construct an Accessory Building on the property.
- Director of Planning gave overview of the proposal and pointed out that the applicant doesn't have the required land area to build an accessory building as per size requested. However, he may have the possibility of obtaining more land from an adjacent property.
 - Director also noted that even with the extra land, the proposed accessory building is above the permitted size. There is a possibility to apply for a variance to increase the size up to 10% larger.
 - Rather than refuse application, Committee suggested that the Director of Planning meet with the property owner to give him possible options to move forward without rejection.

2. Correspondence

- a) Letter from property 1147 Torbay Road requesting that an amendment be made to the Town Plan to allow for the operation of a small scale dog boarding facility within the Mixed Development Zone.
- Committee reviewed, and after much discussion about the proposed use and how urine and feces should be handled, it was agreed that Committee would recommend that the proposed use be listed as a discretionary use in the mixed land use zone.
 - It was agreed that this could be added to the current plan review.
 - Committee also agreed that the Director should respond to the property owners request in writing and clearly indicate that the approval to consider the amendment should in no way be considered an approval to operate.
 - Director noted that when the new plan comes into effect, the property owner will have to apply for the permit to operate. The application would then have to go through the discretionary use procedure.
 - It was noted that they have their business – the over-night lodging is not yet approved by the Town.
- b) Email letter from the Town of Logy Bay Middle Cove Outer Cove in relation to Pineridge Valley Development.
- The Town is interested in completing a joint water study with Torbay.
 - Director of Planning gave an overview of the issues in the area and what was being proposed by the developer around the area of the Jack Byrne Arena.
 - Committee agreed that the area around the arena is all linked to the airport water issues and that they would not be receptive of an application to develop in the area unless the Department of Environment are in agreement.
 - Committee also agreed that if they were to agree with a regional water study that it would be providing the developer with false hope that a development would be approved in the area. Committee and Council are all in agreement that there shouldn't be any development in the area until the airport water issues are rectified or Town water services are available for the area.

- Committee agreed that it would put forward a motion to not participate in a regional water study for the area. Motion to follow.
- c) Letter from property owner 1696 Torbay Road requesting permission to backfill their property.
 - Director noted that the property owner was given a permit to level the site in 2014 with a short time frame to do so.
 - Committee agreed that the property owner was given ample time to level the site. Committee is not prepared to recommend that more fill be brought to the site. The property owner should seed the site and consider it finished.
 - Mayor questioned the possibility of allowing the property owner to clean up the area and finish with topsoil for final grooming. He asked Committee to consider and look into.
- d) Letter from property owner 38 Doyle's & Quigley's Lane in relation to their proposed development road construction.
 - Committee reviewed the letter provided. It was agreed that the Director should meet with the property owner to get some further information on about what they are requesting.
 - Committee also noted that the Town is not in the business of building roads for developments.
- e) Letter from potential property owner at 43A Lower Street concerning the proposed location of a new dwelling on that property.
 - Committee reviewed the letter provided, and it was agreed that the Town's regulations state that the maximum distance that a dwelling can be constructed from a publicly maintained road is 32 meters.
 - Committee is not willing to recommend a proposal that would be greater than the 32 meter maximum setback for this property.
- f) Letter from the Town of Portugal Cove St Phillips in relation to a proposed amendment to their Town Plan and the SJURRP.
 - Committee reviewed for information only.
- g) Email letter from Torbay Scouts group in relation to developing a parcel of property next to Middle Three Island Pond.
 - Committee reviewed the request, and agreed that the proposal to develop the site into a scouting camping area was a good idea for the site.
 - Director to contact the Scout leader and ask them to submit a formal application.
 - Committee also agreed that the Town should waive the application cost for the group.

3. Other Items

- a) Street name for new school road
 - Director of Planning to work on an appropriate name for the new street.
- b) Habitat Management Plan Public Meeting
 - Director informed Committee that a meeting date of June 18, 2015 was looking favorable. Just have to reconfirm with EHJV representatives.

- Director also informed Committee that with the approval of the rezoning of land for 162 Marine Drive (Conservation to Residential Large Lot), the proposed management unit for that area would have to change.
 - Director noted that he discussed it with the Mayor and it was suggested that maybe the management unit boundary should be from Torbay Road down to Lynch's Lane. Committee agreed that we should ask EHJV to make the necessary changes.
- c) Time Line of KMB Holding File along with a progress update
- Director presented a time line of the development file. Committee reviewed and it was agreed that it should be placed in the file for future reference if required.
 - Director provided an update on the file and it was noted that a letter has been sent to the developer seeking a final resolution.
 - Director also provided the Committee with an estimate from the Town's engineer to complete design work as required on existing drainage system. Committee agreed that it would review the estimate at the next Planning, Land Use and Development Committee meeting.
4. Planning, Land Use and Development Items for Correspondence and Action Report
- a) Table Attached for Council's information.

This motion below is in reference to Item 2 b) of the Planning and Land Use Development Committee Report dated June 2, 2015.

234-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay write the Town of Logy Bay Middle Cove Outer Cove to inform them that the Town is not prepared to participate in a regional water study for the area adjacent to the Jack Byrne Arena at this time. Due to the potential for draw down of the airport contamination into the existing developed area of Pine Ridge Creek and the surrounding areas.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion indicating that further development in Logy Bay Middle Cove Outer Cove could draw contamination into their community. Mayor Tapper to meet with their Mayor to further discuss this matter concerning airport contamination and development in the area. He will also advise the Town of upcoming public meeting on June 25th at the Jack Byrne Arena, as representatives from the Department of Environment and Conservation will be there to do a presentation and to answer any questions.

Building Applications Approved

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

Application Number	Location	Proposal
C2015-071	21 Nathaniel Drive	Single Family Dwelling
B2015-072	17 Forest River Road	Renovations (finish basement)
B2015-073	116 Evening's Path	General Repairs
B2015-075	9 Patrick's Path	General Repairs
C2015-077	42 Convent Lane	10' x 12' Accessory Building
C2015-079	344 Bauline Line	10' x 16' Accessory Building
C2015-082	392 Bauline Line	Fence
C2015-091	52 Patrick's Path	Replace existing accessory building with 14' x 18' Accessory Building

Building Applications for Approval

Application: B2015-046
 Location: 46 Lynch's Lane
 Proposal: 20' x 28' accessory building
 Zoning: Residential Medium Density (RMD)

235-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application B2015-046, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-068
Location: 44 Lower Street (new dwelling will front on Mill Lane)
Proposal: Single Family Dwelling
Zoning: Residential Medium Density (RMD)

236-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-068, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, subject to the following condition:

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

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

In relation to the above motion, Council discussed heritage regulations in the area as the present home is approximately 100 years old and adds to the character of heritage. Council discussed Heritage policies and defining the heritage district. Mayor requested that the Heritage Committee further discuss and bring forward as soon as possible.

Application: C2015-074
Location: 26 Forest River Road
Proposal: 24' x 30' accessory building
Zoning: Residential Large Lot (RLL)

237-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-074, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-078
Location: 21 Nathaniel Drive
Proposal: 24' x 24' accessory building
Zoning: Residential Large Lot (RLL)

238-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-078, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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 C2015-071 for Single Family Dwelling.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-081
Location: 256 Indian Meal Line
Proposal: Single Family Dwelling with Subsidiary Apartment
Zoning: Residential Infill/Highway Reserve (RI/HR)

239-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-081, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. The dwelling must be situated within the Residential Infill Land Use Zone (RI).

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-083
Location: 3 Skipper's Landing
Proposal: 24' x 36' accessory building
Zoning: Residential Large Lot (RLL)

240-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-083, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-084
Location: 1 Sallesnik Lane
Proposal: 22' x 22' accessory building
Zoning: Residential Large Lot (RLL)

241-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-084, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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 C2015-064 for Single Family Dwelling.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-085
Location: 395 Bauline Line
Proposal: 20' x 24' accessory building
Zoning: Residential Infill (RI)

242-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-085, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-087
Location: 4 Forest River Road
Proposal: 28' x 32' accessory building & addition of driveway access
Zoning: Residential Large Lot (RLL)

243-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-087, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, 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.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-090
Location: Portion of 70 Dunphy's Lane
Proposal: Single Family Dwelling
Zoning: Residential Infill (RI)

244-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-090, under the Applications for Approval section of the Building Application Report, dated June 5, 2015, subject to the following condition:

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

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Building Applications to be Deferred

Application: C2015-080
Location: 152 Indian Meal Line
Proposal: 8' x 16' extension to existing accessory building
Zoning: Residential Infill (RI)

245-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Defer Application C2015-080, under the Applications to be Deferred section of the Building Application Report, dated June 5, 2015, for review by the Planning, Land Use and Development Committee.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-089/MV2015-021
Location: 256 Indian Meal Line
Proposal: 1470 square foot accessory building
Zoning: Residential Infill/Highway Reserve (RI/HR)

246-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Defer Application C2015-089/MV2015-021, under the Applications to be Deferred section of the Building Application Report, dated June

5, 2015, pending public notification and consultation required in accordance with Regulation's 11, 12, and 33 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Business Applications for Approval

Application: D2015-032
Location: 26 Flora Drive
Proposal: Home office for holding company
Zoning: Residential Large Lot (RLL)

247-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application D2015-032, under the Applications for Approval section of the Business Application Report, dated June 5, 2015, subject to the following conditions:

1. All normal conditions and requirements for operating a business within the Town of Torbay.
2. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
3. There shall be no parking of commercial vehicles on the property.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: D2015-086
Location: 86 Bauline Line
Proposal: Convenience Store
Zoning: Commercial General (CG)

248-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application D2015-086 under the Applications for Approval section of the Business Application Report, dated June 5, 2015, subject to the following conditions:

1. All normal conditions and requirements for operating a business within the Town of Torbay.
2. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
3. The development shall comply with the Town of Torbay Parking Requirements.
4. Subject to approvals from Service NL.
5. Any renovation to the property requires a separate building permit.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Crown Applications for Approval

Application: CL2015-016
Location: 403A Bauline Line
Proposal: 30 to 40 metre wide corridor for road construction
Zoning: Residential Large Lot (RLL)

249-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application CL2015-016 under the Applications for Approval section of the Crown Land Application Report, dated June 5, 2015, to obtain crown land for a 30 to 40 metre wide corridor for road construction at the above noted location for future subdivision development.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

In relation to the above motion, it was clarified that the applicant's proposed secondary access is too close to other driveways. He came back with application to connect his subdivision with Pinch Creek, which will connect the two subdivisions. Committee discussed and didn't feel the need to grant application for whole piece of land. It was agreed to permit corridor to put road through. It was noted property is outside the crown land freeze.

Economic Development

Councillor Roche provided an overview of items discussed under the Economic Development Committee Meeting Minutes, dated May 28, 2015.

Items discussed included:

- Updates
 - Heavy Metal Screening Update
 - First analysis of the water samples collected through the groundwater pilot study, showed that the water quality is very good for almost all samples. There may be some households that have some high levels of contaminants that are not linked to the airport contamination, and may in fact be naturally occurring issues. These households will have their water re-tested. Individual results will be dispersed from Eastern Health in the first week of June. A report from the Department of Environment and Conservation will be made available to Town Council shortly as well.
 - Town Centre Update
 - A copy of the Draft Architectural Guidelines was presented to Committee. A copy is attached for Council's information. These guidelines will insure that developments have a consistent look and feel to the Town Centre and that they are appropriate to the area.
 - There was unanimous consensus from Committee to recommend a motion to council to adopt the Architectural Guidelines for the Town of Torbay Town Centre: Amherst Landing.
 - NL Irish Connections Festival
 - The Town twinning between Torbay and an Irish municipality governed by Waterford City & County Council has been approved by their Irish partners. A civil servant to Waterford City & County Council will soon be assigned to work with the Economic Development Officer to draw up the goals, aims and logistics of the Town twinning. School twinning is also making progress with details of the Irish school being connected to Holy Trinity High School coming this week.
 - Torbay Community Market
 - Market is due to take place on Saturday October 31st, which is also Halloween. There will be all kinds of activities. Discussions had been had with the Town's IT providers to discuss the needs of the event from the Town's e-services so vendors could register online. It's hoped that the required upgrades would be in place by Wednesday June 17th to begin online registrations for the 90+ vendors that will take part in the event.
 - School Enterprise Competition
 - The Economic Development Officer advised that the 12 competitors in the school enterprise competition would be facing judges at Holy Trinity High. The judges will hear a 10 minute presentation from the entrepreneur, then handle some questions on their business from the judging panel who will rate all the business ideas at the end of the presentation period. The results

of the enterprise competition would then be announced on the last day of term at the school awards day.

- It was noted that the competition was postponed from Wednesday June 3rd and will be rescheduled.
- Correspondence and Action Report Items
 - A request came in to Council recently from Youth Ventures. Their request was to have any taxes/fees waived for any youth in their program that applied to register their business with the Town of Torbay. In recent years no participants of the program had approached Council to register their business with Town Council, but Committee thought it still an important program to have to encourage more youth to start their own business.
 - There was unanimous consensus from Committee to recommend a motion to council to waive taxes and fees for participants in youth ventures registering their business in Torbay.

As per the above Economic Development report, there were two recommendations put forward by the Economic Development Committee, as follows:

- There was unanimous consensus from Committee to recommend a motion to Council to adopt the Architectural Guidelines for the Town of Torbay Town Centre: Amherst Landing.
 - Council discussed and agreed to refer the above recommendation to the next meeting for further review.
 - See motion below:

250-15 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Town of Torbay refer the adoption of the Architectural Guidelines for the Town of Torbay Town Centre: Amherst Landing until next meeting.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

- There was unanimous consensus from Committee to recommend a motion to Council to waive taxes and fees for participants in Youth Ventures registering their business in Torbay.
 - Council discussed and agreed to refer to Finance and Administration Committee.
 - See motion below:

251-15 Motion – Councillor Roche / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay refer recommendation to waive taxes and fees for participants in Youth Ventures registering their business in Torbay to the Finance and Administration Committee.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Partnership Updates, dated June 5, 2015 was included in Council's packages for information.

Finance & Administration

The Finance and Administration Report, dated May 25 – June 5, 2015, was accepted as presented. Deputy Mayor Gallant read out payroll and accounts payable information:

Payroll for the period of May 25 – June 5, 2015, for 30 employees totalled \$69,643.02.

For the period of May 25 – June 5, 2015, Accounts Payable invoices in the amount of \$80,132.25 were paid. These expenditures were within budget.

There were three (3) Main Operating Invoices, in the amount of \$32,928.11 for approval:

252-15 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power Inc., for Group Billing May 2015, in the amount of \$5,583.86.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

253-15 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Northeast Avalon Regional Arena, for Facility Rental – By-Election, in the amount of \$5,254.50.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

254-15 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll Remittance May 16-31, 2015, in the amount of \$22,089.75.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

There was one (1) Capital Invoices, in the amount of \$12,355.14 for approval:

255-15 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Design Associates, for Lime Feed System (2012-2014 Multi Year Capital Works Program), in the amount of \$12,355.14.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

A copy of the current income and expense reports were included for Council's information.

Parks, Recreation and Community Services

Councillor Thorne-Gosse provided an overview of items discussed under the Community Services Committee Meeting Minutes, dated May 27, 2015.

Items discussed included:

➤ Updates

• Dog Park

- Director of Community Services informed Committee that the dog park is complete and open to the public. Director is working with Grand Concourse on a sign for the dog park. This will be advertised through social media.
- The park's official opening will take place in the near future.
- Council discussed that a great job has been done on the park, it looks beautiful and people are using it. It's important that people be respectful and clean up after their dogs. Director advised that she's working on signage and bags will be provided as well.

- Western Island Trail
 - Director reported the Grand Concourse are currently working on the trail.
 - Beautification
 - Director informed Committee that Beautification is currently taking place and will continue throughout the summer.
 - Councillor Thorne-Gosse would like to see a plan in place for the garbage in the ditches. Director will follow up with Director of Public Works. Also, a request received to place extra garbage containers at the Kinsmen Centre.
 - Committee would like to see if the soil being moved from sites within the Town could be used for the island located at the by-pass. Director will speak with other directors to see how to make this happen as soon as possible.
 - Mayor Tapper noted that the Rock Garden Committee will be doing clean up along the road side.
 - Mayor Tapper also noted that the Heritage Committee will be recruiting volunteers for the cleanup of the Old RC Cemetery and this will take place on June 13th.
 - Plan B - Wellness Centre
 - Director informed Committee that A-49 has begun the work on Plan B. Also, that CAO, Director of Community Services and the Economic Development Officer met with ACOA on Friday regarding funding opportunities. The meeting went very well.
- Other
- Minor Softball
 - A public meeting for the formation of a Minor Softball Association was held on Saturday, May 30th at the Kinsmen Community Centre.
 - Inclusion
 - Work is being done to assist with seeking support for summer camp inclusive services and how the Town can assist. Director of Community Services will be reviewing applications for a staff person for inclusive services for summer camp.
 - Sponsors
 - Director informed Committee that the Economic Development Officer has been working on sponsors for Community Services Programing.
 - Thank You to Stewart McKelvey, whom will provide sponsorship towards Tunes in Tappers and thank you to Royal Bank for their sponsorship for Wellness Programs
 - Tunes in Tappers
 - Director informed Committee that if there is going to be Fish Stew it must come from a licensed venue.
 - Director to contact a licensed vendor in Torbay to provide options in the way of sausages and hotdogs and ask if they can provide fish stew.

- June is Recreation Month
 - The Family Fit Blitz went really well this past weekend.
 - Also discussed the Regional Fire Fighters Challenge.
 - Canada Day
 - Director informed Committee that the Town has received funding from Heritage Canada for the amount of \$3,500.00. The funding application was discussed and what is to be included in the application.
 - Fireworks will now be booked for Canada Day as per funding application.
 - Summer Students
 - Councillors questioned hiring process.
- Information
- Community Garden
 - Committee is currently working on plans for the garden.
 - Registration opened June 1st.
 - Mock Fire Fighter Challenge
 - Regional Fire Fighter Challenge on June 20th from 10:00am – 12:00pm.
 - Age Friendly
 - Over 120 responses. Councillor Whitty noted that the survey was well written and presented. Director of Community Services noted that the Age Friendly Committee would like to present their findings to Council.
 - Healthy Corner Stores
 - Funding available for privately owned stores. Sport Wellness Coordinator has made contact with one privately owned store with an application.
 - Summer Camp
 - Director of Community Services noted that registration is ongoing, and going well. She noted that the number of registrants are lower this year.
 - Pat Dawe Tournament
 - Director noted Barry Codner is looking after this event and that the Town would support the tournament. The tournament will be August 28, 29 and 30th.

Public Works

Councillor Smith provided an overview of items discussed under the Public Works Special Committee Meeting Minutes, dated May 28, 2015.

Items discussed included:

- Councillor Smith confirmed the purpose of the Special meeting of the Public Works Committee was to discuss the tender results for the municipal depot project and the gas tax road improvement project.
- Municipal Depot Tender
 - The tender results for the municipal depot project were presented to Committee. Five bids were received – all over the pre-tender estimate. Further discussion on how to move forward was discussed at the June 2nd's meeting.

- Gas Tax Road Improvements Tender
 - A letter was presented from Progressive Engineering and Consulting Inc. outlining the tender results. It was noted that a correction to the letter is required – the low bid is below tender, not above as noted in the letter presented.
 - The Town’s engineer is recommending tender award to the low bidder. A motion of Council is required to award.
 - Under pretender estimate, therefore there’s some money to allocate to other projects in Town.
 - For Council’s information there’s a document attached which indicates values for tender project.

Councillor Smith provided an overview of items discussed under the Public Works Committee Meeting Minutes, dated June 2, 2015.

Items discussed included:

- Updates
 - MYCW - 2012-2014 - Municipal Depot Design Project
 - The Director of Public Works advised that the public competition has closed and the consultant is currently reviewing all bid submissions. Will provide a recommendation once completed.
 - Capital Investment Plan – 2015
 - Multi-Purpose Building (UTC)
 - Design ongoing with staff.
 - Torbay Pedestrian Safety Review
 - Review is ongoing – will see equipment in Town as you’re travelling through. The consultant will conduct a public consultation once completed, and it will be reported.
 - Water alternative Study – no update.
 - Road Upgrading
 - The Director has informed Committee that the public competition is complete and four bidders submitted for the consideration and are listed in order and the consultant has recommended the low bid of Farrell’s Construction Ltd.
 - See motion below:

Mayor Tapper asked if any Councillor was in conflict.

Councillor Whitty left the Public Council Chambers at 7:36 p.m. as it was determined that he was in a conflict of interest.

256-15 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT Further to the approved priorities under the 2015-2024 Gas Tax Agreement, that the Town of Torbay award the 2015 road improvements and paving

contract for Twelve(12) roads listed in the budget to Farrell's Construction Ltd. in the amount of \$893,316.42. Total project cost, including construction, engineering and HST.

Listing of the twelve roads to be upgraded is as follows:

- Western Island Pond Drive
- North Pond Road
- Bridge Road
- Lower Street
- Salerno Place
- St. Nicholas Lane
- Moore's Valley Road
- Reardon's Lane
- Whitty's Lane
- Watt's Pond Road
- South Pond Road
- Cantwell Place

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse)

Against Motion: 0

Abstained: 0

It was requested that listing of roads be identified and included in the Minutes. CAO left the Public Council Chambers at 7:33 p.m. to proceed to her office to obtain list of roads. She returned at 7:34 p.m. and provided list to Councillor Smith to read aloud.

Director of Public Works noted that contractor will be notified after today and will present schedule. Work should happen over the Summer months.

Councillor Whitty returned to the Public Council Chambers at 7:38 p.m.

Council discussed pre-tendering for municipal depot. Queries have been placed with consultant as they're reviewing within next day or so. Public Works Committee to give recommendation to accept one of the companies or to retender; and, it was discussed a decision of Council is needed sooner vs. later. Councillor Smith advised that as soon as presented with information, will call a meeting as all agreed that time is of the essence.

- MYCW 2014 - 2017
 - Councillor Smith asked to defer to end of report so she can excuse herself from the Council Chambers due to conflict of interest.
- Recreational Facilities
 - No report.

- Correspondence & Action Report Items
 - THM
 - A request has been submitted to Environment and Conservation to provide the Town of Torbay staff with a graph of THM levels in recent history.
 - UTC Gate
 - Staff will monitor and review to ensure abuse of area is discontinued.
 - Council discussed locking of gate and proper use. Teams and people who use the facility should be cleaning up after themselves – leagues to be followed up with.

The below noted motions are required in order to proceed with the execution of the prime consultant agreement and a tender call. The Department of Municipal and Intergovernmental Affairs will not enable the Town to proceed with a tender call until resources are identified for the pre-tender estimate. This is the reason for the required motions listed below.

Councillor Smith left the Public Council Chambers at 7:46 p.m. as it was determined that she was in a conflict of interest.

257-15 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the Town of Torbay re-allocate the excess funds from the Gas Tax Road Improvement tender in the amount of \$119,277.94 to the Project Number 17-MYCW-15-00104 Street Improvements. This reallocation is subject to the approval of the Department of Municipal and Intergovernmental Affairs.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Roche, Scott, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed that the two main roads listed in MYCW is Mahon's Lane and Morris Avenue. The project for Mahon's Lane is really important and a cornerstone to bring forward in the future - moving forward with road as it should be, with curb, gutter and sidewalk. Sidewalks from Irving to the High School to be installed, which is the busiest road for pedestrians in Torbay. Depending on tendering, may be possible to get two roads done.

258-15 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT pending the outcome of the tender call for Project Number 17-MYCW-00104 Street Improvements, and further to the reallocation of funds from the gas tax agreement in the amount of \$119,277.94, that any additional funds required to complete the street improvement project based on the tender results, will come from the public works 2015 main operating budget. This will be reconfirmed via motion of council as part of the tender award.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Roche, Scott, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Councillor Smith returned to the Public Council Chambers at 7:51 p.m.

ADVISORY COMMITTEES

Environment

Mayor Tapper advised that Committee met last week. Minutes are not yet adopted.

Heritage

No report.

LIAISON COMMITTEES

Jack Byrne Arena

No report.

Northeast Avalon Joint Council

Councillor Roche advised that the Minutes of the Northeast Avalon Joint Council, dated April 8, 2015, were included in Council's packages for information.

- She discussed Open Air Fire Regulations, advising that the Town of Portugal Cove-St. Philip's submitted a copy of their regulations for information, which we can compare to Torbay's.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

Councillor Scott provided a verbal report on meeting of June 1, 2015:

- The Department is working on Emergency Plan.
- Thirteen emergency calls since last meeting.

- Passed on compliments on behalf of Council to the Fire Department for great work. They recently had a busy week with six calls including two structure fires; and, they had thirteen members out of town at fire school.
- Department recently were called to Flatrock for structure fire with car in garage. They did a great job as usual.

Urban Municipalities Committee

No report.

North East Avalon Regional (NEAR) Plan

No report.

Municipal Assessment Agency Inc. (MAA)

No report.

Stewardship Association of Municipalities Inc. (SAM)

No report.

Eastern Regional Service Board

Councillor Roche advised that the Minutes of the Eastern Regional Service Board, dated April 29, 2015, are in Council's packages for information.

- She discussed that the Board adopted new rules and regulations governing procedures of meetings.
- Ken Kelly, CAO, Eastern Waste Management, will be presenting to Northeast Avalon mayors in September.

Holy Trinity Elementary School Council

No report.

NEW BUSINESS

Mayor Tapper

Mayor Tapper discussed the recent Mayors' March softball tournament in Portugal Cove – St. Philip's on Saturday past. The Town of Torbay competed for the first time and took home the trophy. He thanked Councillor Scott for his help to get a team together. The Town will host a tournament next year.

The Torbay Environment and Trails Committee entered a team in the recent East Coast Trail Tely Hike. Their group, the Coyotes, took home first place for overall fundraising – for third year now in a row. Ms. Robbie Hicks took second place in individual fundraising category.

Bulk garbage clean up took place for two weekends in a row in May, with lots of participation from the community. Residents were on the streets and cleaning up, which is great to see.

Deputy Mayor Gallant - Absent

Councillor Roche

Councillor Roche congratulated Councillor Scott for getting a team together for the recent Mayor's March and she thanked all who participated.

She thanked and congratulated everyone who participated in the East Coast Trail Tely Hike.

Councillor Scott

Councillor Scott discussed the Mayors' March and thanked everyone who participated. He advised it was a great time had by all and thanked the Town of Portugal Cove – St. Philip's for hosting. Hopefully next year Torbay can host and get communities together.

Councillor Smith - Pass

Councillor Thorne-Gosse - Pass

Councillor Whitty - Pass

QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone had any questions or comments. There were none.

ADJOURNMENT

259-15 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 7:59 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk