



MINUTES
PUBLIC COUNCIL MEETING
June 9, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 9, 2014 at 7:48 p.m.

Members Present

Mayor Ralph Tapper
Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Craig Scott
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 Services
Ann Picco, Executive Clerk
Brian Winter, Director of Planning

Regrets

Councillor Thomas Hall
Councillor Carol Ann Smith

Gallery

There were a total of 10 people in attendance.

Adoption of Agenda

270-14 Motion – Councillor Thorne Gosse / Deputy Mayor Gallant

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried unanimously.

Adoption of Minutes

271-14 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the Minutes of the May 26, 2014 Public Council Meeting be adopted as presented.

Question called. Motion carried unanimously.

272-14 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT the Minutes of the June 2, 2014, Special Public Council Meeting be adopted as presented.

Question called. Motion carried unanimously.

PROCLAMATIONS / PRESENTATIONS

None.

MAYOR'S REPORT

Mayor Tapper provided a report, dated May 22 – June 5, 2014, of his work and connections that he has made in the community over the past two weeks.

CORRESPONDENCE

1. Correspondence from resident regarding road conditions on Western Island Pond Drive. ***Referred to Public Works Committee.***
2. Minister of Canadian Heritage and Official Languages – approval of grant under Celebrate Canada Program. ***For information purposes.***
3. Correspondence from resident regarding pavement repair at Hickeys Place. ***Director of Public Works to review and provide options. Referred to Public Works Committee.***
4. Correspondence from resident regarding damage to driveway at 23 Piperstock Place. ***Referred to Public Works Committee.***
5. Correspondence from resident regarding Kinsmen Community Centre parking lot concerns. ***Mayor Tapper advised that the area needs to be secured and that the Town is looking at options. Director of Public Works to review options and costs.***

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated June 9, 2014, was discussed and accepted as presented.

COMMITTEE REPORTS

Economic Development

No reports or motions.

Finance & Administration

The Financial Report, dated May 26 – June 6, 2014, was accepted, as presented. Councillor Mary Thorne-Gosse read out payroll and accounts payable information as per the report:

Payroll for the period of May 26 – June 6, 2014, for 31 employees is \$70,406.25. This expenditure included overtime costs associated with Spring Clean Up.

For the period of May 26 – June 6, 2014, Accounts Payable invoices in the amount of \$200,201.95 were paid. These expenditures were within budget.

There are ten (10) Main Operating Invoices totalling \$168,873.54 for approval:

273-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Atlantic Industries Ltd., for Pipe for Tapper’s Cove Road Upgrades, in the amount of \$12,430.00.

Question called. Motion carried unanimously.

274-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Battlefield Equipment Rentals, for Generator (Accrual from 2013), in the amount of \$28,024.00.

Question called. Motion carried unanimously.

275-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to CIBC Mellon, for Pension Contribution May 2014, in the amount of \$18,658.12.

Question called. Motion carried unanimously.

276-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Credit Recovery Limited, for Collection Fees, in the amount of \$7,556.17.

Question called. Motion carried unanimously.

277-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to E.C. Boone, for On Site Promotional Signage (Accrual from 2013. Manufacture and Supply Only – Upper Three Corner and Motion Playground), in the amount of \$23,365.38.

Question called. Motion carried unanimously.

278-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to East Coast Trail Association, for 2014 Donation, in the amount of \$5,000.00.

Question called. Motion carried unanimously.

279-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll Contributions for May 16-31, 2014, in the amount of \$21,665.53.

Question called. Motion carried unanimously.

280-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to T2 Ventures Inc., for Garbage/Recycling Collection for May 2014, in the amount of \$40,014.00.

Question called. Motion carried unanimously.

281-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to TACK Marketing Inc., for Supply, manufacture and install of directional signage, in the amount of \$5,097.15.

Question called. Motion carried unanimously.

282-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Trio Benefits, for Group Benefits for June 2014, in the amount of \$7,063.19.

Question called. Motion carried unanimously.

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

283-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve for Architecture 49 Inc. to provide a Site Analysis Study for Proposed Community Centre, in the amount of \$21,440.00 plus HST.

Question called. Motion carried unanimously.

Council discussed the above motion - there are two sites behind the Town Hall, both great sites, but need to determine which is best.

Council discussed the Community Wide Groundwater Assessment. See motions below:

284-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay rescind Motion 243-14, Minutes of the Public Council Meeting dated May 26, 2014.

Question called. Motion carried unanimously.

285-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay rescind Motion 245-14, Minutes of the Public Council Meeting dated May 26, 2014.

Question called. Motion carried unanimously.

286-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay proceed with a tender call to complete a community wide groundwater assessment study. The terms of reference will be developed in conjunction with the Department of Environment and Conservation. No new subdivision development applications will be received until the assessment is completed. This study will not impact existing applications in process. Approximately four months from tender to award.

Question called. Motion carried unanimously.

Council discussed the above motion indicating the importance of completing this assessment for direction on how to proceed with development throughout the community.

Parks, Recreation and Community Services

Councillor Thorne-Gosse advised that Committee will be meeting on Wednesday, June 11th, in conjunction with TETC to revisit their Terms of Reference.

Planning, Land Use and Development

Deputy Mayor Gallant provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting, dated June 3, 2014.

Items discussed in the report included:

1. Amendments

a) Municipal Plan Amendment No. 21, 2014 and Development Regulations amendment No. 42, 2014, proposed new intermediate school site

- Moving forward with the amendment and hiring commissioner for Public Hearing scheduled in July, 2014. See below motions.

287-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay proceed with the next step of the amendment process, which is to Adopt Municipal Plan Amendment No 21, 2014, and Development Regulations Amendment No 42, 2014, and to schedule a public hearing. These amendments pertain to the rezoning of land for the proposed new intermediate school in the Watts Pond Area The property is to be rezoned from Residential Subdivision Area (RSA-S) to Public Buildings (PB), to accommodate the proposed new school. The public hearing for these amendments will be scheduled for early July, Director of Planning to confirm date and time.

Question called. Motion carried unanimously.

288-14 Motion – Deputy Mayor Gallant / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay appoint Mr. Tom Strickland as the commissioner for the public hearing to be held in July in relation to Municipal Plan Amendment No 21, 2014, and Development Regulations Amendment No 42, 2014.

Question called. Motion carried unanimously.

2. Development Proposals

a) Proposal from property owner 1205-1215 Torbay Road.

- Committee reviewed proposal, it was agreed that the proposed new building and medical clinic business would be a good additional to the Town.
- DOP will contact the property owner and ask him to submit an application for the landscaping product sales business.
- It's a business until turned into medical facility.

b) Proposal from property owner 41 Lower Street.

- Committee reviewed proposal, it was agreed that the overall concept could possibly work in the area. However, at this time the Town doesn't have any water capacity remaining to supply the proposal.
- Committee also had concerns over the amount of traffic that such a proposal would bring to the area. Lower Street is a very narrow road.

c) Proposal from property owner 21 Browns Lane.

- Committee reviewed the proposal for a duplex (double dwelling) on the above noted property. The property was previously approved for a single family dwelling.
- Everything ok and no issues.

- d) Crown Land application Mahons Lane.
 - The application will be dealt with in the crown land application report, dated June 6, 2014, Application CL2014-012.
 - e) Proposal from property owner 9 Riverdale Drive.
 - Committee reviewed the proposal to construct a third unit on the existing single family dwelling with a subsidiary apartment.
 - The application will be dealt with in the building application report application C2014-049
 - f) Proposal from property owner 116 Whittys Lane.
 - Committee reviewed the proposal it was agreed that the proposed location of the accessory building was contra to the Towns regulations.
 - The application will be dealt with in the Building Application Report, dated June 6, 2014, Application C2014-086.
 - g) Proposal from property owner Crowes Lane.
 - Committee reviewed the proposal for a 3 lot development of Crowes Lane. There was some concern of access to the property and the Director of Planning noted that the proposal only shows a right of way of 15.24 meters, the new requirement is 20 meters.
 - It was agreed that the DOP would meet with the applicant to discuss.
 - h) Proposal from property owner 3 Moore's Valley Road to construct 3 attached buildings with 2 units per building.
 - From December 3, 2013 Meeting, Committee reviewed proposal, Director of Planning gave overview of the application and regulations for the area; and, it was agreed that committee would require more information from the applicant prior to making a recommendation on the application.
 - Discussed site plan and road access, including turn visibility.
 - Meets regulations for the area.
 - The application will be dealt with in the Building Application Report, dated June 6, 2014, Application C2013-020.
 - i) Crown Land Application Middle Three Island Pond Area.
 - Director of Planning noted that the area in question is currently zoned both Agricultural (AG) and Rural (RUR). The proposal isn't permitted in either of those zones; therefore, an amendment would be required to accommodate the proposal.
 - Applicant to be contacted to advise of required amendment.
3. Correspondence
- a) Correspondence from the Town of Paradise.
 - b) Correspondence from the Town Logy Bay-Middle Cove-Outer Cove.
 - c) Correspondence from the Town Portugal Cove St. Phillips.

4. Plan Review Items

a) Open Space Regulations

- Two different options provided. Committee discussed whether to remove fair market value in the Town plan. Committee did not come to a consensus.

5. Other Items

a) Crown Land Freeze

- Through discussion with other Councillors, Mayor and CAO, a motion was drafted to address what was the original intent of the motion.
- Deputy Mayor Gallant put forward a motion - see motion below:

289-14 Motion – Deputy Mayor Gallant / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay freeze all crown land applications for a period of four months, effective June 9, 2014, in order to allow the Town to complete an assessment of all crown land remaining in the Town of Torbay.

Question called. Motion carried.

For Motion: Mayor Tapper, Deputy Mayor Gallant, and Councillor Thorne-Gosse.

Against Motion: Councillor Scott and Councillor Roche.

Council discussed the above motion, indicating that the Town needs to look at entire community to identify what's available in the way of crown land. It was noted that Crown land can be acquired for recreation purposes for residents, green space, open space, trails, etc., at a cost of \$1.00. A student can be hired to work with the Provincial Government to find out how much crown land is actually available in the community.

Council members referred to a recent Council development session at the Kinsmen Centre. Crown land was discussed and it was agreed this was the direction Council would go. It was agreed to put a hold on crown land applications so inventory could be completed – this decision was part of the consultant's documentation.

It was questioned if crown land amendments in process would be affected, as you cannot apply for crown land unless zoned properly. It was also questioned if the study could go longer than four months.

Councillor Scott made an amendment to the above motion, as discussed and as per motion in the Planning, Land Use and Development Committee Minutes, June 3, 2014. See amendment to motion below:

290-14 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the above motion, Motion 289-14, shall not pertain to any parcels of land that are currently being rezoned to accommodate residential development. In these areas open space will be acquired as required.

Question called. Motion defeated.

For Motion: Councillor Scott and Councillor Roche.

Against Motion: Mayor Tapper, Deputy Mayor Gallant, and Councillor Thorne-Gosse.

- b) Email letter from Mayor Tapper in relation to Development on Gosse’s and Rogers Lane.
 - Committee reviewed Mayor Tappers email, it was agreed that the DOP planning would have another look at the application to see if the lot can be approved with onsite services.SkimoP02
- c) Mayor Tapper asked to discuss the water issues around Peter’s Place and Indian Meal Line.
 - DOP noted that he and the Director of Public Works had met with the Developer onsite and that he was waiting on a call from the developer to let him know when they are finished with the drainage ditch. At which point the DOP well have the Town’s engineer visit the site to review the completed work.

6. PLUD Items for Correspondence and Action Report

- a) Table was attached for information.

Building Applications Approved

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

<i>Application Number</i>	<i>Location</i>	<i>Proposal</i>
C2014-098	17 Karon Drive	10’ x 14’ Accessory Building
C2014-099	19 Marine Drive	Deck addition
C2014-100	11 Wildberry Lane	Deck addition
B2014-101	71 Bauline Line	Replacing existing fence
C2014-105	6 Upton Place	12’ x 36’ Patio Deck
B2014-109	316 Indian Meal Line	General Repairs

Building Applications for Approval

Application: C2013-020
Location: 3 Moore's Valley Road
Proposal: Three Attached 55+ Condo Rentals (650 SF per unit, 6 units)
Zoning: Mixed Development (MIX)

291-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2013-020, under the Applications for Approval section of the Building Application Report, dated June 6, 2014, subject to the following conditions:

1. All normal conditions and requirements for commercial buildings within the Town of Torbay.
2. Approval from the following Government Agencies is required:
 - a. Government Services (Fire and Life Safety Division)
 - b. Government Services (Accessibility Division)

Question called. Motion carried unanimously.

Application: C2014-097
Location: 62 Karon Drive
Proposal: 20' x 28' Accessory Building
Zoning: Residential Large Lot (RLL)

292-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-097, under the Applications for Approval section of the Building Application Report, dated June 6, 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.

Question called. Motion carried unanimously.

Application: C2014-102
Location: 9 Byrne's Lane
Proposal: 18' x 24' Accessory Building
Zoning: Residential Infill (RI)

293-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-102, under the Applications for Approval section of the Building Application Report, dated June 6, 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.

Question called. Motion carried unanimously.

Application: C2014-104
Location: 86 Karon Drive
Proposal: 24' x 28' Accessory Building (with loft)
Zoning: Residential Large Lot (RLL)

294-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-104, under the Applications for Approval section of the Building Application Report, dated June 6, 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.

Question called. Motion carried unanimously.

Application: C2014-106
Location: 842 Torbay Road
Proposal: 40' x 60' & 14' x 34' Extensions to Commercial Building
Zoning: Mixed Development (MIX)

295-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-106, under the Applications for Approval section of the Building Application Report, dated June 6, 2014, subject to the following conditions:

1. All normal conditions and requirements for commercial buildings within the Town of Torbay
2. Approval from the following Government Agencies is required:
 - a. Government Services (Fire and Life Safety Division)
 - b. Government Services (Accessibility Division)
 - c. Government Services (Operations Division)

Question called. Motion carried unanimously.

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Application: C2014-107
Location: 3 Riverwood Place
Proposal: 30' x 40' Accessory Building
Zoning: Mixed Development (MIX)

296-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-107, under the Applications for Approval section of the Building Application Report, dated June 6, 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.

Question called. Motion carried unanimously.

Application: C2014-108
Location: 25 Woodfine's Lane
Proposal: 12' x 12' Porch Extension
Zoning: Residential Infill (RI)

297-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-108, under the Applications for Approval section of the Building Application Report, dated June 6, 2014, subject to the following condition:

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

Question called. Motion carried unanimously.

Application: C2014-110
Location: 13 Cherrywood Drive
Proposal: 20' x 20' Accessory Building
Zoning: Residential Large Lot (RLL)

298-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-110, under the Applications for Approval section of the Building Application Report, dated June 6, 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.

Question called. Motion carried unanimously.

Application: C2014-113
Location: 18 Camp Carey Road
Proposal: Single Family Dwelling
Zoning: Residential Infill (RI)

299-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2014-113, under the Applications for Approval section of the Building Application Report, dated June 6, 2014, subject to the following condition:

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

Question called. Motion carried unanimously.

Building Applications to be Deferred

Application: C2014-112
Location: 91 Bauline Line
Proposal: Extension to Single Family Dwelling
Zoning: Residential Infill (RI)

300-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2014-112, under the Applications to be Deferred section of the Building Application Report, dated June 6, 2014, for further review by the Planning Department and PLUD Committee.

Question called. Motion carried unanimously.

Building Applications to be Refused

Application: C2014-049
Location: 9 Riverdale Drive
Proposal: 32' x 25' extension to single family dwelling to accommodate apartment with wheelchair accessibility
Zoning: RMD (Residential Medium Density)

301-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Refuse Application C2014-049, under the Applications to be Refused section of the Building Application Report, dated June 6, 2014, for the following reason:

1. As per the Town's Regulations, the lot area for the subject property does not permit a third apartment.

Question called. Motion carried unanimously.

Application: C2014-086
Location: 116 Whitty's Lane
Proposal: 16' x 24' Accessory Building
Zoning: Residential Infill (RI)

302-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Refuse Application C2014-086, under the Applications to be refused section of the Building Application Report, dated June 6, 2014, for the following reason:

1. The proposal is contrary to the Town of Torbay's Development Standards with respect to the proposed location of the accessory building. *As per Regulation 38 (2) no accessory building shall be closer to the street line than the main dwelling.*

Question called. Motion carried unanimously.

Business Applications for Approval

303-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application D2014-059, under the Applications for Approval section of the Business Application Report, dated June 6, 2014.

The below application was advertised as per discretionary use regulations. There were no written responses received in response to the advertisement:

<i>Application Number</i>	<i>Location</i>	<i>Proposal</i>
D2014-059	18 Western Island Pond Drive	Home Office for electrical contractor, inspections, and consulting business

It is recommended that the above noted applications be approved subject to the following conditions:

1. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
2. There shall be no parking of commercial vehicles on the property.
3. The development shall comply with the Town of Torbay Parking Requirements.

Question called. Motion carried unanimously.

304-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application D2014-081, under the Applications for Approval section of the Business Application Report, dated June 6, 2014.

The below application was advertised as per discretionary use regulations. There were no written responses received in response to the advertisement:

<i>Application Number</i>	<i>Location</i>	<i>Proposal</i>
D2014-081	84 Pineridge Crescent	Home Office for Management Business and Project Management Services

It is recommended that the above noted applications be approved subject to the following conditions:

1. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
2. There shall be no parking of commercial vehicles on the property.
3. The development shall comply with the Town of Torbay Parking Requirements.

Question called. Motion carried unanimously.

305-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application D2014-092, under the Applications for Approval section of the Business Application Report, dated June 6, 2014.

The below application was advertised as per discretionary use regulations. There were no written responses received in response to the advertisement:

<i>Application Number</i>	<i>Location</i>	<i>Proposal</i>
D2014-092	23 Flora Drive	Home Office for Electrical Business

It is recommended that the above noted applications be approved subject to the following conditions:

1. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
2. There shall be no parking of commercial vehicles on the property.
3. The development shall comply with the Town of Torbay Parking Requirements.

Question called. Motion carried unanimously.

Business Applications to be Advertised

Application: D2014-112
Location: 91 Bauline Line
Proposal: In home daycare
Zoning: Residential Infill (RI)

306-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer for Advertisement Application D2014-112, under the Applications to be Advertised section of the Building Application Report, dated June 6, 2014, as per Condition 11 of the RI Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried unanimously.

Crown Land Applications

Application: CL2014-012
Location: Parcel of Land to the East of 27 Mahon's Lane
Proposal: Extension to existing parcel of land (approximately 1,700 sq. ft.)
Zoning: Residential Infill (RI)

307-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application CL2014-012, under the Crown Land Applications Report, dated June 6, 2014.

Question called. Motion carried unanimously.

Public Works

Councillor Scott provided an overview of items discussed under the Public Works Committee Meeting Minutes, dated June 6, 2014.

Items discussed in the report included:

- Depot Update
 - Land Acquisition – Final documents being prepared.
 - Project Proposal – Preliminary review waiting on departmental approval.
- MYCW (Road Work)
 - Work is ongoing on Convent Lane, North Pond road and other areas of Town. Asphalt has started.
- Bulk Garbage
 - Town bulk garbage program for Spring has been completed and was successful with the number of users up from 2013.

- Speed Calming
 - Town staff reviewing reports and forwarding to RNC for investigation.
- Residential Repairs
 - The Town has been receiving inquiries/complaints about roads and lawns torn up.
 - Staff to review winter operations with repairs to commence throughout the summer maintenance season.
- Open Space (airport)
 - Inquiry from TVFD regarding road access blocked off at Karon Drive. There have been numerous incidences of vehicle fires in the area and there's not enough room for a fire truck to pass. The Department has requested that the rocks/boulders be removed.
 - Staff to contact property owners of the open space adjacent to the Pineridge Neighbourhood and request better security measures for their property.
- Middle Three Island
 - Inquiry from cabin owners as to what levels of service, including snow removal, the Town will provide.
 - Staff will provide committee with a list of roads and services and offer a recommendation.
- Bridge Road
 - Town staff reviewing the flood plain and will provide recommendation to local properties.
- Lynch's Lane Servicing
 - Referred to PLUD.
- Maintenance
 - Staff have requested quotations on large scale asphaltting and repairs.
- Kinsmen Centre
 - Town Staff investigating alternative measures to control disturbances at the Kinsmen Centre.

308-14 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the Town of Torbay enter into a contract with Modern Paving Limited to pave 350 M of North Pond Road (to Reddy Drive intersection) at a cost of \$60,000.00 plus HST. This is not a budgeted item and will come from main operating account.

Question called. Motion carried unanimously.

In relation to the above motion, Director of Public Works advised that he had approached a construction company for price for road work in areas at Convent Lane and North Pond Road, as company were on site doing work on another project already underway. Therefore, the Town received a reasonable price and had to come up with funding for the work. He clarified that there are a lot of roads that could use upgrades in the community, however, the Town wouldn't get same amount of work done for the same price in other areas of the community, as contractor was already in area.

ADVISORY COMMITTEES

Environment

Deputy Mayor Gallant advised that the Environment Committee has held their first meeting. Attendance was good and everyone introduced themselves and discussed their concerns, including energy conservation, water, etc. He advised he gave an overview of some important topics. Will have the Minutes for the next Council Meeting. Deputy Mayor requested a staff resource if possible for minute taking purposes – to be discussed with CAO.

Heritage

- Minutes of the Torbay Heritage Advisory Committee (THAC) Meeting, dated April 23, 2014.
 - Councillor Roche noted that these Minutes were discussed at the last Council Meeting.
- Minutes of the Torbay Heritage Advisory Committee (THAC) Meeting, dated May 26, 2014.
 - Councillor Roche advised that the Minutes are included for information as part of the Council Package. She referenced page 2 of the Minutes. Main items discussed, included:
 - Heritage District
 - Mayor Tapper provided update on the drafting of a Heritage District for the Town as part of the Five Year Review.
 - Very important for any historical area in the Town and hoping to get this through the Town's plan. A draft is complete and planner included new policy regarding prohibiting the use of motorized vehicles in the Heritage District.
 - Newfoundland and Labrador Irish Connections
 - Torbay is participating in the Festival to be held in Newfoundland. Applications for host communities will be available this summer.
 - This year's festival is being held in Ireland.
 - 2013 Festival was held in St. John's.
 - Call for Mural Artist for Tapper
 - Call for Mural Artist has been advertised in the paper.
 - Mural will depict culture of the community, including fishing in Torbay.
- Minutes of the Torbay Beach Committee Meeting, dated May 8, 2014.
 - Committee Structure
 - Members were appointed.
 - Chairperson is Ethel Labrie
 - Secretary is Gail Woodfine and Kris Drodge
 - Treasurer will be appointed once Committee forms development plan and action items.

- ATV/Mechanical Vehicles and Damage to Beach Conservation Area
 - Discussed in great detail.
 - Signage is now up - Councillor Roche thanked Public Works Department for the installation of signage.
 - Mayor Tapper has been campaigning local media informing of damage and the need to protect the area.
 - Tertiary barrier – Director of Public Works advised barrier is now in place.
 - It was suggested to consult with local ATV users for their input regarding how to sufficiently barrier off conservation areas.
- Beach Ownership
 - Committee recommends investigating ownership of beach conservation area.
 - Beach Cleanup and Communications
 - Beach Cleanup takes place on June 8th and coincides with Ocean Day.
 - MHA will be contacted and informed of Beach Committee and actions taken.
 - Gaps have been filled on South side of bridge that has eroded.
 - Map to be constructed to identify land ownership and assist with discussions during meetings.
- Next meeting will be held on June 12th at 7:00 p.m. Committee will be brainstorming ideas on plans for beach.

Deputy Mayor Gallant advised that he attended the Beach Cleanup on June 8th, and noted that he did speak to a couple drivers who were driving their vehicles in the area. Both drivers indicated they were unaware that motorized vehicles were prohibited. They also noted that the signage was not visible or clear.

LIAISON COMMITTEES

Jack Byrne Arena

- Audited Financial Statements for the 2013 fiscal year.

Deputy Mayor Gallant advised financial statements were included in Council's packages for information. He noted it was a fantastic year and referenced net income on page 3 of the report.

Northeast Avalon Joint Council

Councillor Roche advised that the Minutes of the Northeast Avalon Joint Council Meeting, dated April 16, 2014, was included in Council's packages for information. She asked that if anyone had any questions to feel free to contact her.

Torbay Harbour Authority

Councillor Thorne-Gosse advised that members of the Torbay Harbour Authority would like to meet with Public Works to discuss work that needs to take place there. Tunes at Tappers Cove event is coming up and work has to be completed by then. Harbour Authority President will contact Director of Public Works to further discuss.

Torbay Volunteer Fire Department

Councillor Scott provided an overview of items discussed under the Torbay Volunteer Fire Department Meeting Notes, dated May 5, 2014.

Items discussed in the reports included:

- 8 emergency calls since last meeting.
- Complaints/concerns received of foam on hills behind Town Hall and beach area on June 8th was in relating to foam training by the Torbay Volunteer Fire Department. He further indicated that the foam is not harmful to the environment.

Urban Municipalities Committee

Mayor Tapper advised that UMC held a meeting on June 7th in Clarendville. Minister Kent attended the question and answer session on Saturday morning. Municipal ticketing was discussed. There is a pilot program relating to this issue going ahead later this year. Three cities and three towns are participating to see how it works out. The Minister discussed self-management – establishing new criteria for engineering and consultants to speed up projects for MYCW funding. He advised he's working to get changes made.

North East Avalon Regional (NEAR) Plan

No report.

Municipal Assessment Agency Inc. (MAA)

Councillor Roche advised she will have information included for next Council Meeting.

Stewardship Association of Municipalities Inc. (SAM)

No report.

Eastern Regional Service Board

- Eastern Regional Service Board Meeting Agenda Information, dated May 28, 2014.
- Eastern Regional Service Board Meeting Package, dated May 28, 2014.

Councillor Roche advised information was included in Council's packages and requested that if anyone had any questions to contact her. She noted that board contacts are referenced. Harold

Mullowney is Vice Chair – he is Mayor of Mayor of Witless bay and Chairperson of the Governance Board. Finance information is also included for information.

NEW BUSINESS

Mayor Tapper

Mayor Tapper congratulated the Torbay Coyotes and the Beachcombers for participating in the recent Tele Hike involving the East Coast Trail. The fundraiser was held on this past weekend. The Coyotes received first place, raising a total of \$7,142.00. Individual first place winner was Robbie Hicks, who raised \$2,207.00. The Beachcombers finished in 5th place. The overall amount raised for the East Coast Trail was \$180,000.00 and counting.

Deputy Mayor Gallant

Deputy Mayor Gallant discussed fair market value in relation to the Town plan. He advised that the Town is in year seven of the five year review, and Council are in process of making alterations to the plan – one important alteration being the recommendation to remove the fair market value from the green space regulations. He noted that he’s concerned about this for various reasons – the rational reasons given for this will not hold up under public scrutiny and Council does not have full information.

Mayor Tapper advised that there are a number of amendments under the five year review. A public hearing will be held, at which time the Deputy Mayor can voice his opinion, along with the public, as well.

Deputy Mayor requested that Council take extra time to look at the evidence, track record, and public options. Mayor Tapper advised that the Deputy Mayor was out of order, indicating that topics are not to be discussed / debated in Council’s New Business section, as per approved criteria in Rules of Order. Matter will come back to be voted on in Chambers when review is complete through public consultation, and can be discussed at that time. Deputy Mayor indicated that he was not out of order and that people need to know this matter is on the Agenda for June 20th and he implored people to come out.

Deputy Mayor called Point of Order, indicating he had a thank you mention, as well. He thanked all volunteers who assisted with the beach cleanup.

Councillor Hall - Absent

Councillor Roche - Pass

Councillor Scott - Pass

Councillor Smith - Absent

Councillor Thorne

Councillor Thorne-Gosse thanked all who helped out with the Great Torbay Pick Me Up. There were 250 plus bags picked up. Results and winners will be published on the Town's webpage and Facebook once confirmed.

She questioned if the crosswalk can be painted again on Torbay Road in the area of the Elementary school, as the summer program is being held at the school this year. Director of Public Works advised that this is a budgeted item and hoping to be completed by next week. Mayor requested that the digital sign be placed back in the area as well.

Mayor Tapper advised all that there's a Question and Answer session after the Council Meeting.

ADJOURNMENT

309-14 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the meeting be adjourned at 9:22 p.m., as there was no further business.

Question called. Motion carried unanimously.

Mayor

CAO/Town Clerk