



**MINUTES**  
PUBLIC COUNCIL MEETING  
May 26, 2014

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on May 26, 2014 at 7:41 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**

Tina Auchinleck-Ryan, Director of Community Services  
Bernie Manning, Director of Public Works & Technical Services  
Ann Picco, Executive Clerk

**Regrets**

Dawn Chaplin, CAO/Town Clerk  
Brian Winter, Director of Planning

**Gallery**

There were a total of 9 people in attendance.

Mayor Tapper read aloud the Regular Public Council Meeting Protocol.

233-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** in the absence of the Chief Administrative Officer/Town Clerk for the period of May 26-29, 2014 that Executive Clerk Ann Picco be appointed the Acting Town Clerk.

Question called. Motion carried unanimously.

234-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** in the absence of the Chief Administrative Officer/Town Clerk for the period of May 26-29, 2014 that Executive Clerk Ann Picco be authorized to sign cheques on the main operating bank account.

Question called. Motion carried unanimously.

**Adoption of Agenda**

235-14 Motion – Councillor Smith / Councillor Thorne-Gosse

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

Question called. Motion carried unanimously.

**Adoption of Minutes**

236-14 Motion – Councillor Thorne-Gosse / Councillor Hall

**RESOLVED THAT** the Minutes of the May 12, 2014 Public Council Meeting be adopted as presented.

Question called. Motion carried unanimously.

**PROCLAMATIONS / PRESENTATIONS**

1. National Health and Fitness Day

Councillor Smith read aloud the National Health and Fitness Day Proclamation.

237-14 Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the Town of Torbay proclaim National Health & Fitness Day in our municipality, the Town of Torbay, as the first Saturday in June. In order to leverage the effect of our proclamation, we shall advise the Federation of Canadian Municipalities of our proclamation.

Question called. Motion carried unanimously.

**MAYOR'S REPORT**

Mayor Tapper provided a report, dated May 8 - 22, 2014, of his work and connections that he has made in the community over the past two weeks.

Highlights included:

- Council met with Deputy Mayor Ron Ellsworth, City of St. John's, and Chair of the St. John's Water Servicing Committee.
  - Discussed water servicing for the Town, including requirements and options.
  - Council to pursue to solve issue of lack of water servicing.
  - They are open to regional cooperation.

- Meeting with the St. John's Airport Authority.
  - Mayor, CAO and Economic Development Officer were in attendance.
  - Discussed test wells on the Airport property and options in relation to Torbay's Business Park.
  - The Town has their permission for drilling of test wells. The Town will be moving forward and getting research completed relating to water quantity and quality.
- A Charette session, 9:00 a.m. – 2:00 p.m., was held on Saturday past.
  - Council and Director of Community Services met with consultants regarding the plan for the proposed community centre.
  - Visited site to view location of facility. Consultant to do follow-up work.
  - Project is on schedule and hoping to have some good news pertaining to centre in the Fall.

### **CORRESPONDENCE**

1. Correspondence from resident concerning Peter's Place Speed Reduction. ***Mayor Tapper advised there is an unofficial committee looking at different issues pertaining to speeding and other issues of concern. The group will be meeting Monday evening, June 2<sup>nd</sup>, and is open to all Council Members. Referred to Public Works Committee.***
2. Correspondence from resident concerning Convent Lane Concerns. ***Correspondence relates to possible cell phone tower installation. No application received. Referred to Planning, Land Use and Development Committee.***
3. Correspondence from resident concerning Basketball Court. ***This is a handwritten letter from a grade 5 student concerning recreation facility at the Kinsmen Centre. Director of Community Services advised that the basketball, tennis courts and skate board park opened approximately 1.5 weeks ago. She advised that a piece of equipment is being worked on at the Skate board park. It was noted that security starts this weekend coming. Parks, Recreation and Community Services Committee to review opening facilities earlier next year or having facilities opened all the time.***
4. Swilers Basketball Club – request for donation. ***Dealt with under the Finance and Administration Committee Report, dated May 12 – 23, 2014.***
5. Allied Youth – request for support. ***Dealt with under the Finance and Administration Committee Report, dated May 12 – 23, 2014.***
6. U15 Boys Provincial Basketball Team – request for funding. ***Dealt with under the Finance and Administration Committee Report, dated May 12 – 23, 2014.***

### **CORRESPONDENCE & ACTION REPORT**

The Correspondence and Action Report, dated May 26, 2014, was discussed and accepted as presented.

- Item No. 1 – Harbour Authority / Tapper's Cove
  - Councillor Thorne-Gosse advised that another meeting needs to be held between the Harbour Authority and Public Works concerning work that the Harbour Authority needs completed.

- Gate needs to be in place – the road is now property of the Town’s.
- Culvert installation at parking area is the Authority’s jurisdiction.
- Need location suitable for upcoming Tunes at Tappers Cove event.
- Completion of Mural
  - High School students will not be completing due to safety issues.
  - Call for Submissions for Mural Artist will be going out soon.
  - Hoping to have in place before Tunes at Tappers Cove event.
- Item No. 3 – Property adjacent to the Anglican Parish of Pouch Cove/Torbay
  - Mayor Tapper advised that he spoke to estate representative.
  - Buildings will be demolished over next couple of weeks.
  - Property owners will follow up with the Director of Planning to establish options with the property.
- Item No. 5 – Green Rock E.V.S – Electric Vehicles
  - Deputy Mayor advised that this is complete.
- Item No. 8 – Deputy Mayor’s Walk for Diabetes
  - Deputy Mayor advised he will hold this event in June.
- Item No. 17 – Town water issues at 32 Lynch’s Lane
  - Councillor Smith advised that resident at Lynch’s Lane will be responded to.
- Item No. 25 – Signage at Beach Area and Lower Street and modification of wood bridge
  - Director of Public Works advised that signs will be installed this week. Mayor and Director of Public Works to discuss signs and locations.
  - Modification of bridge will take place this week.
- Item No. 42 – Graffiti on playground structures at Holy Trinity Elementary
  - Councillor Scott advised that he did track down the parent of the student whose name was mentioned on the playground structures; and, advised that he forwarded on pictures of the graffiti. He advised the parent to contact the school, as this is a form of bullying and directed at one student.
  - Director of Community Services followed up with the school, as well.
  - Mayor requested that School Council Liaison, Councillor Hall, bring this up at a next meeting.

## **COMMITTEE REPORTS**

### **Economic Development**

Councillor Hall provided an overview of items discussed under the Economic Development Committee Meeting Minutes, dated May 14, 2014.

Items discussed in the report included:

- Review of action items from previous meeting on April 16, 2014:
  - Targa
    - Green Communications to go out regarding routes and dates.

- Project Updates
  - Business Park Feasibility Update
    - Mayor Tapper provided update under the Mayor's Report regarding drilling of test wells.
  - Town Centre Feasibility Study
    - Economic Development Officer met with ACOA concerning funding. Announcement to take place in June and tendering to follow soon after.
  - MNL Economic Development Accord
    - Economic Development Officer is working on the Killick Coast Scenic Drive with other communities.
  - School Enterprise Project
    - Awaiting date to be confirmed.
- New Business Leads
  - Two more new businesses were assisted since the last committee meeting. Three existing new leads were assisted again.
- Any Other Business:
  - Glamping potential business opportunity. Owner is looking at potential sites.

### **Finance & Administration**

The Financial Report, dated May 12 - 23, 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 12 - 23, 2014, for 30 employees is \$60,115.93.

For the period of May 12 - 23, 2014, Accounts Payable invoices in the amount of \$78,753.92 were paid. These expenditures were within budget.

There are two (2) Main Operating Invoice totalling \$46,396.42 for approval:

238-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay approve payment to Newfoundland Power Co. Ltd., for Street lighting for May 2014, in the amount of \$17,476.82.

Question called. Motion carried unanimously.

239-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay approve payment to Receiver General for Canada, for Payroll Remittance May 1-15, 2014, in the amount of \$28,919.60.

Question called. Motion carried unanimously.

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

Finance and Administration Committee Meeting

The Finance and Administration Committee met on Monday, May, 19, 2014. In attendance were Chair Councillor Thorne-Gosse, Deputy Mayor Gallant, Mayor Tapper and CAO. The meeting was called to order at 5:00pm.

Items discussed were as follows:

Donations requests

Five donation requests were presented – Holy Trinity School Council, the 50 plus Group, Swilers Basketball Club, Allied Youth and the Newfoundland and Labrador Basketball Association. Each request was cross referenced to the town's donation policy and remaining available funds available in the budget. Committee is recommending two donations. See motions below:

240-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay provide Allied Youth with an in-kind donation of the Upper Three Corner Pond Softball Field for June 20-22, 2014.

Question called. Motion carried unanimously.

241-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay provide a \$100.00 donation to Tyler Philpott to aid in costs associated with participating in the National Under 15 Basketball championships.

Question called. Motion carried unanimously.

Emergency Plan Update

CAO confirmed that she met with Bill Collins of Fire and Emergency Services on May 7<sup>th</sup> to review the town's current emergency plan. A meeting will be held with Council in June to discuss the plan in further detail. Revisions to the plan will occur over the summer months. It is anticipated that a planning exercise will take place in September.

Renovations to the Kinsmen Centre

CAO provided an update on the Kinsmen Center building review in anticipation of relocating the library to the Centre. More details to be provided after a meeting with Newfoundland Design scheduled for May 20<sup>th</sup>.

Ball Field Lights at Upper Three Corner

CAO reviewed quotes received from the Supervisor of Outside Operations regarding the breaker, lights and poles at the softball field. Committee requested that the cost of the pole assessment be undertaken as soon as possible. This information will be required before a decision can be made on replacing the ball filed lights. Committee requested that the breakers be replaced at the facility. See motion below:

242-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the lamps, two ballasts, one lens and all breakers be replaced at the Upper Three Corner softball field at a cost of \$6284.00 plus HST.

Question called. Motion carried unanimously.

Community Wide Groundwater Assessment

CAO confirmed for Committee that funds exist within the current year's budget to complete the community wide groundwater assessment as discussed at Council's planning session on May 9<sup>th</sup> and 10<sup>th</sup>. A motion of Council is required to proceed – see below:

243-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

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

Question called. Motion carried unanimously.

Council discussed the above motion indicating it requires further clarification. Discussions included:

- Motion should pertain to subdivisions only. It was questioned if a house can be constructed on unserviced property with drilled well.
- Stopping development until terms of reference complete could take several months.
- Importance of groundwater assessment study was discussed by Council at a recent planning session. Development cannot move forward until water assessment is completed.
- Motion should have been reviewed and come through Planning, Land Use and Development Committee for clarification and wording purposes. It was requested that motion be referred to the Planning, Land Use and Development Committee.

An amendment was put forward by Councillor Thorne-Gosse, seconded by Deputy Mayor Gallant that the second sentence be removed and third sentence be modified to read – No new subdivision development applications will be received until the community wide groundwater assessment is completed. See motion below:

244-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay proceed with a tender call to complete a community wide groundwater water assessment study. No new subdivision development applications will be received until the community wide groundwater assessment is completed. This study will not impact existing development applications in process.



Question called. Motion defeated.

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

Council further discussed referring back to PLUD Committee for input on terms of reference and correct wording of motion. It was discussed to amend Motion 243-14 and remove the second and third sentences. See amendment to motion below:

245-14      Motion – Councillor Hall / Councillor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay proceed with a tender call to complete a community wide groundwater water assessment study. This study will not impact existing development applications in process.

Question called. Motion carried unanimously.

It was requested that the above also be referred to the Planning, Land Use and Development Committee for further review.

TETC Terms of Reference

It was agreed that the Parks, Recreation and Community Services Committee should meet with the Executive of Torbay Environment and Trails Committee in order to finalize the committee's terms of reference before seeking a motion of Council.

Budget

CAO advised that the draft 2013 financial statements will be ready to present to committee within the next 2-3 weeks. It was agreed that all members of Council would be extended the invitation to observe committee's meeting with the auditors. CAO reconfirmed that the financial statements must be adopted and submitted to the Department of Municipal Affairs by June 30<sup>th</sup> as per legislation.

Multiyear budgeting was discussed. CAO advised she is meeting with the City of St. John's on May 21<sup>st</sup> to seek an overview of their process. CAO will provide a report back to Council after the meeting with a series of recommendation.

CAO confirmed that the Town received 8 engineering proposals, 6 legal proposals and 2 auditing proposals as per the recent service provider proposal call. CAO reconfirmed that she will meet with staff to review and provide a recommendation back to Council by the end of June.

At this point in the meeting (7:03pm), Deputy Mayor excused himself from the meeting. CAO confirmed that she is meeting with a consulting firm on May 20<sup>th</sup> to discuss the municipal service delivery review. This review was committed as part of the 2014 budget process. CAO will provide an update after the meeting. Deputy Mayor returned at 7:09pm.

Professional Development

Committee discussed current professional development procedure. It was the consensus of Committee that professional development opportunities for Council and staff must be presented to



Finance and Administration Committee for review prior to commitment. CAO to review procedure with staff.

Truck Tenders

Committee requested CAO review the government standing offer for fleet vehicles with the Director of Public Works and Technical Services to confirm if there are any cost savings before presenting a recommendation.

Security Services Tender

The tender call for security services for the period of May 27-October 12, 2014 closed on May 21, 2014. Four tender packages were picked up and three bids were received. The Director of Public Works and Technical Services reviewed the tender bids and provided a recommendation. One bid was removed from the review due to an incomplete tender package and previous service issues (non-compliance). All bids were within the 2014 budget allocation. A motion of Council is required to award the tender. See motion below:

246-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay award tender 2014-008 Security Services, to Spectrum Investigation and Security Limited at a cost of \$29.60/hour.

Question called. Motion carried unanimously.

Truck Tenders

The Director of Public Works confirmed that the trucks in the government standing offer are base models, two wheel drive and would require additional upgrades in the amounts of \$7850 for the 1/2 ton truck and \$8850 for the 3/4 ton truck to match our tender specifications. The government standing offer plus upgrades costs more than the town's recent tender call. The most effective and efficient use of tax dollars is to proceed with awarding the town's tender call to the low bidders. Acquisitions of both trucks are part of the town's vehicle and equipment replacement strategy and are a budgeted item for 2014. Motions to awards are presented for Council's consideration. See motions below:

247-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay award tender 2014-006, supply of one new 2014 1/2 ton four wheel drive truck to the low bidder Terra Nova Motors Ltd. at a cost of \$29,411.00 plus HST. This is a budgeted item for 2014.

Question called. Motion carried unanimously.

248-14      Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

**RESOLVED THAT** the Town of Torbay award tender 2014-007, supply of one new 2014 3/4 ton four wheel drive truck to the low bidder Terra Nova Motors Ltd. at a cost of \$34,169.00 plus HST. This is a budgeted item for 2014.

Question called. Motion carried unanimously.

Mayor Tapper noted that the Agenda order would change for tonight's meeting and that the Public Works section would be discussed next, as Director of Public Works had to leave the Council Meeting early.

### **Public Works**

Councillor Scott provided an overview of items discussed under the Public Works Committee Meeting Minutes, dated May 20, 2014.

Items discussed in the report included:

- Depot Update
  - Land Acquisition
    - Final documents being prepared.
  - Project Proposal
    - Public RFP competition closed and review is ongoing with a recommendation to follow, hopefully this week.
- MYCW (Road Work)
  - Work is ongoing and asphalt will begin mid-June.
- Wastewater BAT Study
  - The wastewater studies have begun and look forward to completion September 2014.
- Commercial/Industrial Water Utilization
  - Staff to review commercial and industrial water utilization policy within recommendations to be provided to committee for the next budget process.
- Bulk Garbage
  - Program began this past weekend and will run again next weekend, 8:00 am to 8:00 pm Saturday and Sunday.
- Animal Control
  - Training
    - The Town's Animal Control Officer is currently completing the Provincial Inspector training that will allow enforcement of Animal Health and Protection Act.
  - Rodent Control
    - There have been some complaints around the community. Rats will not establish themselves in an area where there is no food or harborage. Residents should do their utmost and rodent proof your property by eliminating all food sources, eliminate water and eliminate rodent hiding places.
    - Composting was discussed and if it would attract rodents. Director of Public Works noted that compost is not food for rats if done correctly.
    - Garbage boxes were discussed – there's food in the boxes and it also serves as a place for rodents to hide. Garbage boxes are necessary, but if garbage is placed there on day of collection or night before, it will reduce the amount of food available for rodents.
    - It was requested that this information go out to residents by Green Communications as well.

- Traffic Calming
  - A lot of calls and emails are being received concerning speeding and related signage. Some action has been taken in areas of the Town. The portable sign is being used for collection of data, which is important to have before taking traffic calming measure.
  - Investigating alternative procedures such as PACE car program, which works well in neighbouring community.
  - Director of Public Works noted that he's hoping to get pilot program regarding solar powered residential signage.
  - Speed bumps will be deployed next week in areas of parks and recreation facilities.

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

Councillor Thorne-Gosse provided an overview of items discussed under the Recreation and Community Services Meeting, dated May 14, 2014.

Items discussed in the report included:

- Bravery Awards
  - Looking at designing some own initial guidelines and will bring back to Council.
- School Vandalism
  - Graffiti will be removed from playground equipment.
- Community / Wellness Centre
  - Charette was held on Saturday. Study is important in determining best location for the community centre.
- Security
  - New security is hired.
- Summer Camps
  - Spaces are still available.
- TETC Terms of Reference
  - Terms of reference have been forwarded to Chair and to S. Thorne and R. Hicks.
  - A meeting will be scheduled to review changes and discuss before motion comes back to council.

*Director of Public Works, Bernie Manning left the Public Council Chambers at 8:53 p.m.*

### **Planning, Land Use and Development**

Deputy Mayor Gallant provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting, dated May 20, 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.
    - Amendments relate to the new proposed intermediate school site.

- Amendments were advertised there were no written responses were received.
  - Committee agreed to move forward to the next step in the amendment process which is to send the amendments to Municipal Affairs for review.
2. Correspondence
- a) Correspondence from the Town of Paradise.
    - Committee had no issues with correspondence.
3. Plan Review Items
- a) Open Space Regulations
    - Committee reviewed current wording for open space in both the Town Plan and Development Regulations.
    - A draft revision to the wording was completed and it was agreed that the Director would send the draft to all of committee and the Mayor for consideration.
  - b) Heritage Community Zoning
    - Committee reviewed two draft zoning suggestions for the new proposed Heritage Zone.
    - Committee agreed that it would wait for review of the documents by the Heritage Committee prior to making any recommendations.

Mayor Tapper discussed open space and heritage zoning. He advised that the Heritage Committee met this afternoon and reviewed documents that were provided by the Planning, Land Use and Development Committee and Director of Planning. He asked that recommendation be brought forward at next Council Meeting. The next step is to have a public meeting, and he advised that he's hoping it will be scheduled before June 20<sup>th</sup>. He suggested proceeding with meeting even if Planning Consultant is unavailable to attend, as if delayed any longer public meeting could go into the Fall.

Councillor Smith discussed her concerns with proceeding with public meeting without the Town's planning in attendance, and requested that her comments be reflected in the minutes. She advised that the Town's planner has to be in attendance and not sure it would make sense to proceed without his presence.

4. Other Items
- a) Crown Land
    - Committee discussed the previous crown land freeze motion and what it felt was the initial intent of the motion. Intent was to place a hold on any crown lands that may be identified in the Open Space Master Plan as potential open space or trail areas.
    - Committee agreed that the Director of Planning would draft a motion for the next meeting specifying the areas that should be frozen from any possible crown land applications.

- b) Habitat for Humanity
    - Committee discussed the potential of partnering with Habitat for Humanity, it was agreed that it is a good opportunity and that the Town should work with them where possible.
    - Committee agreed that if Council is in agreement that the Town should write a letter to Habitat for Humanity to give their support and to indicate that the Town is actively looking to identify a possible build site.
5. PLUD Items for Correspondence and Action Report
- a) Table 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>
C2014-080	33 North Pond Road	8' x 12' Accessory Building
C2014-082	11 Easterbrook Drive	General repairs
C2014-085	1554 Torbay Road	14' x 16' Accessory Building
C2014-088	158 Indian Meal Line	Patio Deck
C2014-096	10 Captain Matthew Davis Drive	Patio Deck
DM2014-001	104 Patrick's Path	Demolition of Single Family Dwelling

Building Applications for Approval

Application: MV2014-006  
 Location: Portion of 14-22 Bauline Line  
 Proposal: Single Family Dwelling  
 Zoning: RMD (Residential Medium Density)

249-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application MV2014-006, under the Applications for Approval section of the Building Application Report, dated May 23, 2014, subject to the following condition:

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

Question called. Motion carried unanimously.

**MINUTES**  
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*Councillor Thorne-Gosse left the Public Council Chambers at 9:03 p.m., as it was determined that she was in a conflict of interest.*

Application: C2014-075  
Location: Portion of 96 Patrick's Path  
Proposal: Single Family Dwelling  
Zoning: Residential Medium Density (RMD)

250-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-075, under the Applications for Approval section of the Building Application Report, dated May 23, 2014, subject to the following condition:

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

Question called. Motion carried unanimously.

*Councillor Thorne-Gosse returned to the Public Council Chambers at 9:04 p.m.*

Application: C2014-077  
Location: 14 Flora Drive  
Proposal: 16' x 24' Accessory Building  
Zoning: Residential Large Lot (RLL)

251-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application C2014-077, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-078  
Location: 1400 Torbay Road  
Proposal: Extension to Single Family Dwelling (sunroom)  
Zoning: Mixed (Mixed Development)

252-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-078, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-079  
Location: 10 Edgewater Lane  
Proposal: 835 sq. Accessory Building  
Zoning: Residential Large Lot (RLL)

253-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application C2014-079, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-087  
Location: 10 Captain Matthew Davis Drive  
Proposal: 26' x 26' Accessory Building  
Zoning: Residential Large Lot (RLL)

254-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-087, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-090  
Location: 11 Captain Matthew Davis Drive  
Proposal: 30' x 24' Accessory Building  
Zoning: Residential Large Lot (RLL)

255-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application C2014-090, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-093  
Location: 14 Skipper's Landing  
Proposal: 30' x 30' Accessory Building  
Zoning: Residential Large Lot (RLL)

256-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-093, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-094  
Location: 2 Cherrywood Drive  
Proposal: Single Family Dwelling  
Zoning: Residential Large Lot (RLL)

257-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application C2014-094, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-095  
Location: Lot 16 Cherrywood Drive  
Proposal: Single Family Dwelling  
Zoning: Residential Large Lot (RLL)

258-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application C2014-095, under the Applications for Approval section of the Building Application Report, dated May 23, 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: C2014-074  
Location: 17 Skipper's Landing  
Proposal: 44' x 28' Accessory Building  
Zoning: Residential Large Lot (RLL)

259-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Defer Application C2014-074, under the Applications to be Deferred section of the Building Application Report, dated May 23, 2014, for review by the Planning and Land Use Committee.

Question called. Motion carried unanimously.

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

260-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Defer Application C2014-086, under the Applications to be Deferred section of the Building Application Report, dated May 23, 2014, for review by the Planning and Land Use Committee.

Question called. Motion carried unanimously.

*Business Applications for Approval*

Application: D2014-076  
Location: 1581 Torbay Road  
Proposal: Home Office for Chimney Inspections/Cleaning Business  
Zoning: Mixed Development (MIX)

261-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application D2014-076, under the Applications for Approval section of the Business Application Report, dated May 23, 2014, 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.

Application: D2014-089  
Location: 989 Torbay Road  
Proposal: General Business (Chiropractic Business)  
Zoning: Mixed Development (MIX)

262-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application D2014-089, under the Applications for Approval section of the Business Application Report, dated May 23, 2014, 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: D2014-081  
Location: 84 Pineridge Crescent  
Proposal: Home Office for Management Business and Project Management Services  
Zoning: Residential Large Lot (RLL)

263-14 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Defer for Advertisement Application D2014-081, under the Applications to be Advertised section of the Business Application Report, dated May 23, 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.

**MINUTES**  
**PUBLIC COUNCIL MEETING**  
**May 26, 2014**

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Application: D2014-092  
Location: 23 Flora Drive  
Proposal: Home Office for Electrical Business  
Zoning: Residential Large Lot (RLL)

264-14 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Defer for Advertisement Application D2014-092, under the Applications to be Advertised section of the Business Application Report, dated May 23, 2014, as per Condition 11 of the RI Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations.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.

*Councillor Smith left the Public Council Chambers at 9:12 p.m., as it was determined that she was in a conflict of interest.*

*Crown Land Applications Report*

Application: CL2014-012  
Location: Parcel of Land to the East of 27 Mahon’s Lane  
Proposal: Residential Development  
Zoning: Residential Infill (RI)

Deputy Mayor Gallant put forward a motion, seconded by Councillor Scott, to approve Application CL2014-012 to obtain crown land at the above noted location.

Council discussed the motion to approve Application CL2014-012 questioning land use and size. Deputy Mayor Gallant withdrew the motion – Councillor Scott, as seconder, agreed; and, was referred back to Committee for review and clarification.

*Councillor Smith returned to the Public Council Chambers at 9:18 p.m.*

**ADVISORY COMMITTEES**

**Environment**

Deputy Mayor Gallant advised that the first meeting is scheduled for 5:30 p.m. this Thursday, May 29<sup>th</sup>, here at the Town Hall.

**Heritage**

Councillor Roche advised that the Minutes of the Heritage Committee Meeting were provided in Council packages at last meeting, May 12<sup>th</sup>. The Heritage Committee will have Minutes for the

next meeting. She requested that if anyone has any ideas or suggestions to please forward on to her or Committee. Councillor Roche advised that a meeting was held today, May 26<sup>th</sup>, and the Liaison, Ethel Labrie, for the Beach Committee was in attendance.

*Beach Committee*

Councillor Roche congratulated the Beach Committee for their work – they’ve identified problem areas around the beach and have been proactive in their work and providing advice on matters. Committee have identified areas where ATVs are doing damage to the beach and conservation areas. Members have been busy - they have done walk-about, noting areas of concern.

Public Works Department will be assisting in installation of barrier and signs on the beach area.

They’re looking at investigating ownership of beach conservation area and looking into acquiring crown land in the area.

A beach clean-up is scheduled for June 8<sup>th</sup> – the event coincides with Ocean Day.

Mayor Tapper advised that on Saturday past, area residents took time to come together in the area of the studio/beach look-out. They unveiled a bench commemorating Mr. James Gosse, who passed away last year. Neighbours provided food and beverages. The bench is now in place facing the bight, and it’s a great spot for people to stop by.

**LIAISON COMMITTEES**

**Jack Byrne Arena**

Deputy Mayor Gallant provided an overview of items discussed under the Jack Byrne Arena Facility Status Report, dated May 9, 2014.

Items discussed in the report included:

- Upcoming Events
  - NL Cheerleading Competition took place May 24<sup>th</sup>
  - Wrestling, June 1<sup>st</sup>
  - Super Thrill Circus, June 27<sup>th</sup>
- Financial Status
  - Signed audited statements will be provided to towns in the coming week.
- Operations Update
  - The ice was removed May 5<sup>th</sup>. Regular maintenance will take place during the upcoming weeks. Ice making will begin July 2<sup>nd</sup>.
- Board Update
  - The Board held its annual general meeting on April 16<sup>th</sup>. The audited financial statements were presented to the board and will be sent to each municipality this week for adoption at your next council meeting. The Board has established a new audit committee – members of the board have been asked to indicate their interest

- in joining this committee in the coming weeks. One individual has already come forward.
- The board will meet next in June.

### **Northeast Avalon Joint Council**

Councillor Roche advised that a meeting was held on May 16th. Highlights/discussions of meeting included:

- Met at the Manuel's River Hibernia Center, CBS.
- Digital sign regulations.
- Seniors Resource Centre – invitation will be forwarded to present and provide overview on what they have to offer seniors in each municipality.
- Municipal Ticketing
  - MNL are getting updates from municipalities and are compiling a report.
- Update on NEAJC Strategic Plan.
- Looking at hiring summer students
  - Data compilation
  - Public relations work
- Bill 6
  - Unanimously not supporting, but working with Municipal Affairs for youth involvement.
- Cell phone towers.

The next meeting will be in the City of St. John's in June, and it's the last meeting until September. Hoping Minister of Municipal Affairs can attend the meeting in September.

### **Torbay Harbour Authority**

No report.

### **Torbay Volunteer Fire Department**

Councillor Scott provided highlights of Meeting dated May 19<sup>th</sup>:

- Civic Address Policy
  - Presently with Director of Planning.
- Application to FES for equipment. Hoping for reply in near future.
- Dry hydrants
- 9 calls since last meeting
- Received several vehicle fire calls in area by the Airport fence.
  - People are gaining access with vehicles through Karon Drive and burning vehicles. There are boulders in area and fire truck had to push them in order to get through. Members did use smaller truck to gain access.
    - This is a safety concern if responders cannot access as area is blocked off.
- Open Fire Regulations
  - To be confirmed with CAO when she returns.

- Torbay Sparks group visited Fire Hall Thursday night.
  - The Department has a new movie to educate children about fire safety and procedures when there's a fire in your house.
  - The children loved the fire trucks, but most were out on an emergency call.
  - Members interact with the many groups and children in the community and they have done an excellent job.

### **Urban Municipalities Committee**

Mayor Tapper reported that there's a meeting scheduled in Clarendville on June 7<sup>th</sup>.

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

Mayor Tapper advised that the North East Avalon Regional Plan Oversight Committee Meeting Minutes, dated April 14, 2014, were included for information.

The next meeting is scheduled for mid-June in Mount Pearl.

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

Councillor Roche advised that there's a meeting scheduled in Witless Bay next week, Thursday and Friday.

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

No report.

### **Eastern Regional Service Board**

Councillor Roche advised that a meeting is scheduled for next Wednesday evening.

Highlights of last meeting include:

- Remuneration, per diems, etc., compared to other communities
- Rules and regulations relating to garbage collections in local service areas and unincorporated areas.
- Enforcement of fees in unincorporated areas
  - Covered under the Municipalities Act and therefore can be enforced.

### **NEW BUSINESS**

***Mayor Tapper*** - Pass

***Deputy Mayor Gallant***

Deputy Mayor thanked the RNC and residents of Torbay regarding recent reports of suspicious person conducting door to door surveys. Residents reported to the Town and RNC. The RNC



listened, investigated and updated public. This is an excellent example of good policing. He advised if you're suspicious of someone who comes to your door, do not hesitate in calling the authorities. Follow best practices and don't let people in your home if you feel uncomfortable – it's ok to ask someone to leave.

He echoed Councillor Scott's comments, under the Torbay Volunteer Fire Department section, regarding boulders and access to Karon Drive. Something needs to be done about this issue.

Deputy Mayor discussed speed bumps, as residents are requesting them.

***Councillor Hall*** - Pass

***Councillor Roche*** - Pass

***Councillor Scott***

Councillor Scott discussed issues of concern at the Kinsmen Community Centre.

- Residents in the area are complaining about reckless driving taking place on the parking lot.
- Bringing some ideas to the Public Works Committee to look into.
- He advised that Council are looking into this matter as it is a safety concern - Town property is being damaged and this area is for children's use.

***Councillor Smith***

Councillor Smith advised she will not be in attendance at next Council meeting, as she's away on vacation.

***Councillor Thorne-Gosse***

Councillor Thorne-Gosse discussed the upcoming Great Torbay Pick-Me-Up.

- She discussed that information in the newsletter was not what was discussed.
- A green communications notification will be going out advising residents that gloves and garbage bags will be available on Saturday at site.
- If weather doesn't cooperate, will take place on follow day, Sunday.
- Want emphasis to get businesses interested in clean up around their property and to contact the schools to see what can be done as a group.
- The Town is entered in the Tidy Town's this year.
  - A lot of work is needed to be completed in order to get garbage picked up.
- It's everyone's responsibility. Residents and businesses are responsible for their properties.
- Should be looking for volunteers. Before end of week, we will be in contact with TETC.
- Contractors need to be keeping properties clean when new homes are being built.
- Expecting all Council Members out on Saturday.
- A meeting will be held with CAO and DCS to discuss other issues.

**ADJOURNMENT**

265-14      Motion – Councillor Smith / Councillor Hall

**RESOLVED THAT** the meeting be adjourned at 9:46 p.m., as there was no further business.

Question called. Motion carried unanimously.

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*Mayor*

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*CAO/Town Clerk*