



MINUTES
PUBLIC COUNCIL MEETING
July 18, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on July 18, 2016, at 7:40 p.m.

Members Present

Mayor Ralph Tapper
Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Carol Ann Smith
Councillor Craig Scott
Councillor Thorne-Gosse
Councillor Brian Whitty

Staff Present

Dawn Chaplin, CAO/Town Clerk
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning and Development

Absent

Bernie Manning, Director of Infrastructure and Public Works

Gallery

There were a total of 4 people in attendance.

Adoption of Agenda

277-16 Motion – Councillor Whitty / Councillor Thorne-Gosse

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Adoption of Minutes

278-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Minutes of the July 4, 2016, Public Council Meeting be deferred for adoption.

Question called. Motion carried.

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

Against Motion: 1 (Deputy Mayor Gallant)

Abstained: 0

Council discussed the above motion, and agreed to defer the minutes for revision to more accurately reflect discussions and comments of Council provided in relation to Motion 266-16, adoption of the Mineral Working Conditions on page 5.

Deputy Mayor Gallant called Point of Order, advising the minutes reflect what transpired. Mayor advised Point of Order not well taken, indicating he was not present at last meeting and wished to hear Councillor's comments.

Council continued to discuss the minutes, format, detail and wording, with the below motion being put forward:

279-16 Motion – Councillor Smith / Councillor Thorne-Gosse

RESOLVED THAT in order to improve and enhance our service to the residents of Torbay, that Council proceed with implementation of refined Council Meeting Package, effective August 1, 2016. CAO will provide overview of guidelines to Council prior to implementation.

Question called. Motion carried.

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

Against Motion: 1 (Deputy Mayor Gallant)

Abstained: 0

Council discussed that they had a consultant come in and assist them in refining and streamlining processes, and it was agreed that this be implemented as soon as possible.

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:

- Resident of 48 Indian Meal Line
 - Resident discussed issues of flooding from Torbay Road to St. Nicholas Church, further indicating issues of build-up of sand, gravel and wood coming from Torbay Road to St. Nicholas Lane.
 - He advised that there is a catch basin half way down, intended to arrest some water, but the road is not sloped properly. The resident discussed two possible solutions for Council's consideration, including: curb and gutter, including pavement resurfacing, to prevent further washing out of the road; and, the drainage ditch needs to be reopened.
 - Information to be passed on to Infrastructure and Public Works. Mayor Tapper to contact resident to arrange meeting on Friday.

MAYOR'S REPORT

- Killick Coast Regional Government Pilot
 - Minutes of the Working Group Meeting, dated March 31, 2016.
 - Minutes of the Working Group Meeting, dated June 14, 2016.

Mayor Tapper provided highlights of the above minutes, advising that Municipalities Newfoundland and Labrador want to do a pilot project concerning regionalization between towns. Matter will come back to Council to see if we're in agreement to partake or not.

NOTICES OF MOTION

None.

CORRESPONDENCE

1. Department of Municipal Affairs – Appeal Fee Change. *For information purposes. This is notification of change in appeal fee, which came into effect on May 1st.*
2. Ronald McDonald House NL – Red Shoe Crew Walk for Families. *Referred to Corporate and Community Services Committee. This information will be posted in upcoming edition of Torbay Talks.*
3. Columbia Institute – Top Asks for Climate Action: Ramping Up Low Carbon Communities. *Referred to the Environment Advisory Committee.*
4. Stewardship Association of Municipalities (SAM) – Fall Meeting Invitation and Spring Annual General Meeting Minutes, dated June 19th. *A meeting is scheduled in Happy*

Valley-Gosse Bay September 23-24, 2016. Mayor Tapper asked that Council take into consideration.

5. Department of Municipal Affairs – Capital Investment Plan Approval. **For information purposes. This is formal letter of approval regarding a motion of Council back in May regarding allocation of gas tax funding for upgrade and improvement of Morris Avenue.**
6. Municipalities Newfoundland and Labrador (MNL) – Avalon Region Candidate Selection – Premier’s Forum on Local Government. **Towns from the Avalon Region can vote for four delegates to the Forum. See motion below:**

280-16 Motion – Councillor Smith / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay select three individuals and mark our “x” for the Town of Torbay opposite Joedy Wall, Town of Pouch Cove, Moses Tucker, Town of Portugal Cove-St. Philip’s, and Craig Scott, Town of Torbay.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated July 18, 2016, was accepted as presented.

COMMITTEE REPORTS

Planning and Development

The Minutes of the Planning and Development Committee Meeting, dated July 12, 2016, were included in Council’s packages for information. Councillor Smith commented on the below:

1. Development Proposals
 - b) Development Proposal for a 12 lot unserviced development an extension to Kennedy’s Brook Drive.
 - After much discussion Committee agreed to recommend the application for approval. See motion below:

281-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay give 10804 Newfoundland Ltd approval in principal so they can proceed with engineering and design work on the proposed 12 lot

unserviced subdivision as outlined on Mae Design Limited's drawing number C-2, project no 2008-0051. No permits will be issued until all conditions for developing within the Town of Torbay are met, and a development agreement is signed.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

- c) Proposal from Jack Byrne Regional Sports and Entertainment Center to construct a second ice surface at 7 Kennedy's Brook Road.
 - Council discussed the proposal and their concerns relating to the second ice pad construction, commenting on the below:
 - Communication between representatives and the Town.
 - Costs and funding.
 - Issues in the area as it relates to water.
 - Councillor Smith to bring back the Town's concerns to the Board, and to bring forward minutes of meetings to Council for review.

Councillor Scott asked Mayor if he could be excused and left the Public Council Chambers at 8:40 p.m. He returned to the Public Council Chambers at 8:42 p.m.

3. Other Items

- b) Updated copy of the Engineering Design Guidelines for Subdivisions.
 - Changes were listed for information. See motion below:

282-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay adopt the updated Engineering Design Guidelines for Subdivisions regulations dated July 2016 - pursuant to Section 413 of the Municipalities Act, Chapter M-24, S.N. 1999.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

- d) Town's Quarry site.
 - It was agreed that the Chair of Infrastructure and Public Works and Chair of the Planning and Development Committee would set a meeting with the Minister to try and determine what the next steps are. Committee is awaiting confirmation of meeting from the Department of Natural Resources. Mayor advised he would like to attend, as well.

- e) Street name for KMB Holdings Ltd Phase 2A &2B development.
 - The street name has already been cleared by the 911 Dispatch Systems. See motion below:

283-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay approve Valley Loop Drive as the street name for the new street currently being constructed in KMB Holdings Ltd.’s development Phase 2 of Scenic View Drive. This name has been approved through the 911 system.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

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>
C2016-097	17 Flora Drive	Fence & extension to patio deck
B2016-099	5 McGory Place	General Repairs
C2016-101	5 Mayflower Drive	Single Family Dwelling
C2016-102	5 McGory Place	14’ x 16’ Accessory Building
C2016-106	11 Bernice Drive	Patio Deck

Building Applications for Approval

Application: C2016-096
Location: 19 Doyle’s & Quigley’s Lane
Proposal: 20’ x 24’ accessory building
Zoning: Residential Large (RMD)

284-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-096, under the Applications for Approval section of the Building Application Report, dated July 15, 2016, 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 issuance of Building Permit C2016-063.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Application: C2016-098
Location: 17 Flora Drive
Proposal: 24' x 30' accessory building
Zoning: Residential Large (RLL)

285-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-098, under the Applications for Approval section of the Building Application Report, dated July 15, 2016, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2016-100
Location: 105 Quigley's Lane
Proposal: 8' x 24' Extension to Single Family Dwelling
Zoning: Residential Infill (RI)

286-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-100, under the Applications for Approval section of the Building Application Report, dated July 15, 2016, subject to the following condition:

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

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Application: C2016-103
Location: 144 Marine Drive
Proposal: 517 square foot accessory building
Zoning: Residential Medium Density (RMD)

287-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-103, under the Applications for Approval section of the Building Application Report, dated July 15, 2016, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2016-104
Location: 10 Wildberry Lane
Proposal: 20' x 30' accessory building
Zoning: Residential Large (RLL)

288-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-104, under the Applications for Approval section of the Building Application Report, dated July 15, 2016, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Application: C2016-105
Location: 94 Upper Evening's Path
Proposal: 16' x 24' accessory building
Zoning: Residential Infill (RI)

289-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-105, under the Applications for Approval section of the Building Application Report, dated July 15, 2016, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Building Applications to be Deferred

Application: C2016-035/MV2016-010
Location: 383 Indian Meal Line
Proposal: 2nd Building for Approved Auto Detailing Business
Zoning: Residential Infill (RI)

290-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2016-035/MV2016-010, under the Applications to be Deferred section of the Building Application Report, dated July 15, 2016, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Executive Committee

No report.

Corporate and Community Services

The Corporate Services Report, dated July 4 - 15, 2016, was accepted as presented.

Councillor Thorne-Gosse read out payroll and accounts payable information.

There were seven (7) Main Operating invoices totalling \$123,478.212 presented for approval:

291-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to BDO Canada LLP – 2015 Audit, in the amount of \$18,305.00.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

292-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to Cal LeGrow Insurance Limited - Recreation, in the amount of \$6,402.00.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

In relation to the above motion, CAO to seek clarification pertaining to umbrella coverage and advise Council.

293-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to GFL Environmental – Spring Bulk Garbage – Bin Rentals, in the amount of \$7,775.98.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

294-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to (Harbourside Transportation Consultants – Public Safety – Roundabout), in the amount of \$5,212.13.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

In relation to the above motion, Council requested further information and clarification. A motion was put forward by Councillor Thorne-Gosse, seconded by Councillor Roche, to defer until Council receives further information and details of what was included in Phase 2. After further discussion and questions relating to costs, the motion to defer was withdrawn and Council agreed to move forward with the motion.

295-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to Municipal Assessment Agency, in the amount of \$26,369.00.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

296-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power Inc. – Streetlighting June 2016, in the amount of \$17,860.10.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

297-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment to T2 Ventures Inc. – Garbage Contract June 2016, in the amount of \$41,533.00.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

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

Councillor Thorne-Gosse advised Corporate and Community Services Committee discussed and reviewed programs for the Fall. She asked all Council for their comments and reminded all to respond.

Infrastructure, Public Works, Public Safety and Shared Services

The Minutes of the Infrastructure and Public Works Committee Meeting, dated July 12, 2016, were included in Council's packages for information. Councillor Scott commented on the below:

➤ Updates

B. Capital Investment Plan - 2015

2) Torbay Pedestrian Safety Review

- Final adjustments have been made to Speed Calming and Speed Zone policy. See motions below:

298-16 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay adopt the Speed Calming Policy as prepared by Harbourside Engineering. This policy will provide town staff with the necessary information to deal efficiently with all traffic related complaints as presented to staff.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

In relation to the above motion, Council commented on the below:

- This is a policy that Town staff can use to implement speed calming measures in uniform manner. Flow chart is attached to show exact steps to be taken.
- A public meeting to take place before the end of this Summer.
- Requests/petitions from residents for speed bumps/humps.
- Signage in school zones.

299-16 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the Town of Torbay adopt the Speed Zone Policy as prepared by Harbourside Engineering. This policy will provide town staff with the necessary information to set and adjust speed zone limits based on engineering standards.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Council discussed the above motion, commenting on the below:

- This is a guideline for staff. The Planning and Development Department may use this when developing new subdivisions, which can be placed in the design.

4) Wastewater Review

- The Wastewater Study has been submitted to the Department of Municipal Affairs for federal funding and direction moving forward.
- CAO to seek further clarification from the Director and advise Council.

➤ Recreational Facilities

1. Trails and walkways

- Council discussed that Upper Three Corner Pond Trail is complete. Western Island Pond Extension is completed. Work is ongoing for the trail across from the playground on Western Island Pond and Barkwood as well.

2. Kinsmen Centre Upgrade

- Project schedule is attached for information showing next steps in process.
- The Town will be developing an RFP.
- CAO advised that Municipal Affairs confirmed today that the consultant submitted documents to them.

➤ Correspondence & Action Report Items

- Residents are requesting updates as to when their properties on Mahon's Lane will be reinstated. CAO advised that she has replied to residents who had contacted her. She will check and confirm on other requests.

ADVISORY COMMITTEES

Environment

No report.

Heritage

No report.

LIAISON COMMITTEES

Holy Trinity Elementary School Council

No report.

Holy Trinity High School Council

No report.

Jack Byrne Regional Sports and Entertainment Centre

No report.

Northeast Avalon Joint Council

No report.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

No report.

Urban Municipalities Committee

No report.

NEW BUSINESS

Mayor Tapper

Mayor Tapper congratulated all involved with the Time in Torbay events. He reported that over 140 family suppers were sold. This event was an undertaking by a new group of volunteers in our Community, and all events were well organized. Town staff were also in attendance and involved, and he extended thanks to the Committee and to staff.

Deputy Mayor Gallant

Deputy Mayor Gallant thanked the Time in Torbay Committee and residents of the Town for a great festival and turn out.

Councillor Roche - Pass

Councillor Scott

Councillor Scott echoed Mayor Tapper's comments above regarding the Time in Torbay, advising that he had an opportunity over the weekend to talk to members of the Committee. The volunteers did an excellent job and the events were well advertised. He extended a thank you to the Torbay Volunteer Fire Department, who were involved in, and in attendance at, the events. They were there to provide first aid and they put in long hours.

He congratulated Torbay Volunteer Fire Department Firefighters Karen Greeley and Dale Pittman on their recent hire to the St. John's Fire Department. Their contribution to Torbay is well recognized, and he thanked them for their service to the Department. Mayor Tapper to forward a letter to them - CAO to forward him a copy of a media/news article.

Councillor Smith

Councillor Smith congratulated the Committee for the Time in Torbay. The history of their being formed is a good story for other communities to take and replicate. They learned a lot and worked together to the end. She echoed Councillor Scott's comments regarding the Torbay Volunteer Fire Department, thanking them for their volunteering and assistance. Councillor Smith congratulated the Torbay Lions Club, noting that it was the Club's first coming out in doing an event in the Community. She thanked the Committee for the opportunity to take part. It was a lot of learning for the Club and a lot of hours. It was a great way to come together, a nice evening and a great meal. She thanked all involved.

Councillor Thorne-Gosse

Councillor Thorne-Gosse thanked the Members of the Torbay Volunteer Fire Department and the Lions Club for their participation in the Time of Torbay events. The volunteers were enthusiastic and there were positive comments on social media. She discussed that the Town needs volunteers for Town events to be successful, as they bring family and friends together. She advised that she also spoke with the Lions Club Members, noting it's great to see our volunteers coming back. Councillor Thorne-Gosse strongly recommended that we do what we can to support volunteering in the Community.

Councillor Whitty

Councillor Whitty discussed the Time in Torbay events, indicating there were a lot of young people involved, and noted that volunteers are our future.

He advised that he attended a meeting of the Library Board some time ago, and they would like to have a Council liaison. Mayor requested that a formal recommendation be submitted to Council. Councillor Whitty noted that they had a reading tent at the Time in Torbay events, of which a lot of residents attended with their children.

QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting. There were none.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting will take place on Monday, August 1, 2016, 7:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

300-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 9:40 p.m., as there was no further business.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk