



***MINUTES***  
PUBLIC COUNCIL MEETING  
November 7, 2016

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on November 7, 2016, at 7:33 p.m.

**Members Present**

Mayor Ralph Tapper  
Councillor Peggy Roche  
Councillor Craig Scott  
Councillor Carol Ann Smith  
Councillor Mary Thorne-Gosse (*arrival 8:01 p.m.*)  
Councillor Brian Whitty

**Staff Present**

Bernie Manning, Director of Infrastructure and Public Works  
Kim Osmond, Office Clerk  
Ann Picco, Deputy Clerk/Acting Town Clerk  
Brian Winter, Director of Planning and Development

**Absent**

Deputy Mayor Geoff Gallant  
Dawn Chaplin, CAO/Town Clerk

**Gallery**

There were a total of 20 people in attendance.

380-16      Motion – Councillor Roche / Councillor Scott

**RESOLVED THAT** the in the absence of the Chief Administrative Officer/Town Clerk for the Public Council Meeting of Monday, November 7, 2016, that Deputy Clerk Ann Picco be appointed the Acting Town Clerk. Any operational matters are to be referred to the appropriate senior department staff member.

Question called. Motion carried.

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

Against 0

Abstained: 0

**Adoption of Agenda**

381-16        Motion – Councillor Smith / Councillor Scott

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

Question called. Motion carried.

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

Against 0

Abstained: 0

**Adoption of Minutes**

382-16        Motion – Councillor Roche / Councillor Whitty

**RESOLVED THAT** the Minutes of the October 24, 2016, Public Council Meeting be adopted as presented.

Question called. Motion carried.

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

Against 0

Abstained: 0

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

- Torbay Lions Club President questioned and discussed the below:
  - Meeting Space and Alternate Meeting Space
    - In relation to the Kinsmen Centre renovations, all community groups were contacted to discuss their needs for space.
    - The Town is hoping to have new building at Upper Three Corner Pond Park opened early in the New Year. The Director of Community Services is looking into how many groups can be moved to this space.
  - The possibility of using the Council Chambers to hold meetings was questioned.
    - It was requested that the Lions Club submit their request in writing to Council.
  - As the Lions Club is entering their second year, they are looking for ways to give back to the Community, to leave a Lion's legacy in the Town. They questioned if the Town had any plans or projects that the Club could be a part of.
    - It was discussed that a meeting can be scheduled to further discuss any ongoing and upcoming projects.

- The President asked Council if storage is in the Town's plan for groups to use in planning of community space.
  - Mayor Tapper asked that the Lions Club put their requests in writing to Council for further review and discussion.
- Resident of Ryan's Road
  - Resident raised concerns relating to road construction in the area of Morris Avenue, and as it pertains to his farming operation.
    - He discussed issues relating to:
      - Width of the road, in the way of trees and branches;
      - The turn in the road, including safety issues.
      - Silos, feed trucks and trucks with trailers visit on a regular basis to the farm, and operators find it difficult to make the turn. They are hesitant to return, which will affect their livelihood as a farm operation/business.
      - The telephone pole in the road, which should be removed before road is paved;
      - Distance of road between fences on either side of the road;
    - Mayor Tapper discussed that the Town relies on its engineers for our roads. The Town will have another look at the turn, and any trees/branches infringing on the road will be taken care of.

### **BUSINESS ARISING**

The Business Arising Report, dated November 7, 2016, was discussed and accepted as presented.

- Item 5 - Status of Trail off Marine Drive (Jones Pond Trail)
  - It was noted that this matter has been ongoing for some time. Council discussed they're hoping to have resolved by end of term in 2017 and if the Town's budget permits.
- Item 6 – Motion 347-16 – Town to follow up with RNC to avail of security cameras.
  - A meeting was held with the RNC last Wednesday with municipal leaders from the North East Avalon area to discuss issues relating to policing. Mayor questioned the Town's motion, No. 347-16, concerning security cameras – the RNC noted that they do not provide cameras for routine traffic surveillance, only if it's for an investigation. They further noted that even if the Town had cameras to observe speeding, a ticket cannot be issued for a moving violation – a ticket would have to be issued to the driver. Also, license plates are not mandatory on the front of cars in the Province. The Town's motion 347-16 will need to be rescinded.

- Item 7 – Town’s Emergency Plan
  - The Plan is almost complete, and Council hope to have passed through this Council before year end.

*Councillor Thorne-Gosse arrived to the Public Council Chambers at 8:01 p.m.*

### **CORRESPONDENCE**

None.

### **COMMITTEE REPORTS**

#### **Planning and Development**

Councillor Smith provided an overview of items discussed under the Planning and Development Committee Meeting, dated November 1, 2016.

#### Development Items

- a. Development Proposal for Phase 7A and 7B Forest Landing, 25 unserviced building lots.
  - See motion below:

383-16      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the Town of Torbay give Marathon Holdings Approval in Principal so they can proceed with engineering and design work on the proposed 10 lot unserviced subdivision - Forest Landing Phase 7A as outlined on Mae Design Limited’s drawing number C-1, Project No 2014-023. No permits will be issued until all conditions for developing within the Town of Torbay are met and a development agreement is signed. The following items will also form part of the Approval in Principal letter:

- Access to the pond shall be maintained,
- Access to the wood cutting area shall be maintained,
- Open space for this development shall be the proposed walking trails to the pond, along the rear of the lots on Cedarwood Drive, and the access to Edgewater Drive between lots 55 & 56. The trail shall be constructed to the “Grand Concourse standard”.
- A complete drainage plan shall be provided.

Question called. Motion carried.

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

Against 0

Abstained: 0

Other Items

b. Development Notifications Draft Policy

- See motion below:

384-16      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the Town of Torbay adopt the Development Notifications Policy as presented.

In relation to the motion, Council requested that the Policy be adopted with the addition that a time limit be provided to residents to give their input to the Town once a development is announced. It was consensus that this be added as a friendly amendment.

A vote was then held on the motion.

Question called. Motion carried.

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

Against 0

Abstained: 0

Building Applications Approved

Under the Building Application Approved Report, dated November 4, 2016, the following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

<b>Application</b>	<b>Location</b>	<b>Proposal</b>
DM2016-003	81 Indian Meal Line	Demolition of Single Family Dwelling
C2016-159	2 Victor Place	Accessory Building
D2016-160	1521 Torbay Road	General Business
C2016-162	439 Indian Meal Line	Accessory Building

Building Applications to be Advertised

**Application:** MV2016-019  
**Location:** 16 Weather Station Road  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Infill (RI)

385-16 Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the Town of Torbay Defer Application MV2016-019, under the Applications to be Advertised section of the Building Application Report, dated November 4, 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: 6 (Mayor Tapper, Councillors Roche, Smith, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

**Application:** MV2016-021  
**Location:** 6 Cedarwood Lane  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Large Lot (RLL)

386-16 Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the Town of Torbay Defer Application MV2016-021, under the Applications to be Advertised section of the Building Application Report, dated November 4, 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: 6 (Mayor Tapper, Councillors Roche, Smith, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

Executive Committee

No report or motions.

**Corporate and Community Services**

No reports or motions.

**Infrastructure, Public Works, Public Safety and Shared Services**

No reports or motions.

**NOTICES OF MOTION**

None.

**NEW BUSINESS**

***Mayor Tapper***

Mayor Tapper discussed the recent meeting with the RNC on October 2<sup>nd</sup> with municipal leaders from the North East Avalon area. They discussed their corporate plan for 2016-2017. The RNC informed every one of their projects and initiatives, including:

- Patrol vehicles in various areas watching for speeding vehicles and issuing tickets.
- They have a drone to assist them with ATV, dirt bike, and any off-road activities.
- RNC Officers attended the High School to discuss driving safety with students. They held a session with a driving simulator that the students could use. They noted they will continue to visit high schools.

A public meeting was held last Thursday evening on the Town's Municipal Plan Review. Mayor Tapper noted there were a few letters received and presented to the Commissioner. Council are hoping to have completed by the end of this year.

***Deputy Mayor Gallant*** - Absent

***Councillor Roche***

Councillor Roche advised that she received a call from resident of Ryan's Road relating to road construction in the area of Morris Avenue, and as it pertains to his farming operation. She thanked the Director of Public Works for his quick response and site visit the next morning.

She discussed the Minutes of the Eastern Regional Service Board, dated September 28<sup>th</sup>, and provided highlights of the meeting:

- The Board has recently hired for the position of Board Clerk and Outreach Coordinator. One hundred and seven applications were received, and the position is now filled.

***Councillor Scott***

Councillor Scott discussed the recent meeting with the RNC and issues of unwanted activity in the community. He encouraged residents to contact the RNC to report any issues, as these calls help them determine where to deploy resources. He noted that calls are confidential. Residents can also contact Council Members with any issues.

In relation to the above, Councillor Thorne-Gosse suggested that the RNC's telephone number be provided to residents in our upcoming Torbay Talks edition and in the upcoming Northeast Avalon Times paper.

Councillor Scott discussed the recent Community Market, advising that it was well attended. He advised that staff were there working hard, and thanked everyone involved for their good work.

***Councillor Smith*** - Pass

***Councillor Thorne-Gosse*** - Pass

***Councillor Whitty***

Councillor Whitty congratulated CAO Dawn Chaplin and Economic Development Officer Ross Houlihan on awards received at the recent EDAC Conference. Staff work as a team, and can achieve such things as our Torbay Talks.

He welcomed fellow Lions to the Chambers, indicating they're a great team and hoping to work with them to achieve their goals.

**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 no comments from the Gallery.

Mayor discussed the resident of Ryan's Road comments relating to road construction in the area of Morris Avenue, and as it pertains to his farming operation. He indicated he visited the area this past three mornings, and understands the resident's concerns including the safety concern at the intersection of Ryan's Road and Morris Avenue. He noted that the Town is going to try to put the best quality work there as possible. The Town is following the engineer's lead and the Director of Infrastructure and Public Works is monitoring.



**NEXT PUBLIC COUNCIL MEETING**

The next Public Council Meeting will take place on Monday, November 21, 2016, 7:30 p.m., Council Chambers, Torbay Town Hall.

**ADJOURNMENT**

387-16      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the meeting be adjourned at 8:24 p.m., as there was no further business.

Question called. Motion carried.

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

Against 0

Abstained: 0

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*Mayor*

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*CAO/Town Clerk*