



MINUTES
PUBLIC COUNCIL MEETING
June 5, 2017

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 5 2017, at 7:46 p.m.

Members Present

Mayor Ralph Tapper
Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Carol Ann Smith
Councillor Brian Whitty

Staff Present

Ross Houlihan, Communications
Bernie Manning, Director of Infrastructure and Public Works
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning and Development

Absent

Councillor Mary Thorne-Gosse
Councillor Craig Scott
Dawn Chaplin, CAO/Town Clerk

Gallery

There were a total of 3 people in attendance.

Adoption of Agenda

127-17 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Adoption of Minutes

128-17 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Minutes of the May 23, 2017, Public Council Meeting be adopted with the below changes:

- Page 5 – under Corporate and Community Services, change wording, “The following fifteen (8) invoices, ... to, “The following eight (8) invoices, ...
- Page 6 – Motion 122-17, remove Deputy Mayor Gallant as being against motion – this was a typo and all were in favour.
- Page 7 – Motion 125-17 – motion to read, “RESOLVED THAT the Town of Torbay strongly recommend that future councils budget resources ...”

Question called. Motion carried.

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

Against: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

129-17 Motion – Councillor Roche / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay hereby proclaim the month of June to be Recreation Month.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. There were none.

BUSINESS ARISING

The Business Arising Report, dated June 5, 2017, was discussed and accepted as presented.

- Items 3 and 19 – Purchase of cameras to aid in tracking down motorized vehicles and other criminal issues experienced in the Town.
 - Director of Infrastructure and Public Works advised that associated costs were high for what is required. The Harbour Authority are looking into under their domain.
 - It was noted that the issues the Harbour Authority were having pertaining to the gate are now resolved.
- Item 5 – Reallocation of remaining 2015-2024 Gas Tax Funds for development/enhancement of growing walkway and trail systems.
 - Deputy Clerk to ensure CAO has seen and reviewed circular.
- Item 6 – Letter of support to the Refugee Committee.
 - Mayor advised that he has made contact with the Regional Refugee Committee some time ago and will follow up.
- Item 9 – Jones Pond Trail
 - An update was requested. Mayor advised that the land owner still has objections pertaining to the trail in relation to his property. In process of tracking title back, and will provide a further update.
- Item 29 – Fire and Emergency Plan - desk top and mock exercise.
 - Progress and associated costs were questioned. Mayor to check with CAO.

CORRESPONDENCE

1. Northeast Avalon Joint Council – Request for support of the work of the Save our People Action Committee (SOPAC). *See motion below:*

130-17 Motion – Councillor Roche / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay support SOPAC and forward letter to the Minister of Transportation and Works.

Question called. Motion carried.

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

Against: 0

Abstained: 0

2. Newfoundland and Labrador Basketball Association – request for donation. *Referred to Corporate and Community Services Committee.*

COMMITTEE REPORTS

Planning and Development

Applications Approved

Under the Applications Approved Report, dated June 1, 2017, the following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay.

Application	Location	Proposal
C2017-036	207 Bauline Line	Renovations/Second Story Addition/Patio Deck
C2017-043	1721 Torbay Road	General Repairs
B2017-050	1 Motion Lane	General Repairs
C2017-051	15 Morris Avenue	Accessory Building
C2017-052	1839 Torbay Road	Extension to Single Family Dwelling
C2017-053	4 Captain Matthew Davis Drive	Accessory Building
C2017-054	8 Cherrywood Drive	Accessory Building
B2017-055	367 Indian Meal Line	Extension to Parking Lot
C2017-058	34 Easterbrook Drive	Accessory Building

Planning and Development Committee Motions

- Items Discussed
 - Amendments
 - Correspondence from property owner Barn Marsh Road requesting that the property be rezoned to accommodate a single building lot.

131-17 Motion – Councillor Smith / Councillor Whitty

RESOLVED THAT the Town of Torbay give the property owner at 10 Barn Marsh Road approval to rezone his property to accommodate a residential building lot. The property is to be rezoned from Rural to Residential Infill (RI). The applicant will pay for the cost of the amendment up front before any work is started on the amendment. An Amendment is also required to the St. John’s Urban Region Regional Plan.

As a friendly amendment, Council requested that wording in the above motion be included in last sentence - an amendment is also required to the St. John’s Urban Region Regional Plan.

After discussion, a vote was then held on the motion.

Question called. Motion carried.

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

Against: 0

Abstained: 0

- Development Regulations Amendment No. 1, 2017, amendment to Accessory Building Conditions.

132-17 Motion – Councillor Smith / Councillor Whitty

RESOLVED THAT the Town of Torbay adopt Development Regulations Amendment No. 1, 2017. The amendment will change the maximum floor area and height requirements for an Accessory Building for lots having an area of 1860 m² and over, to equal the floor area and height of the residential dwelling for the Residential Infill (RI) and the Residential Large Lot (RLL) Land Use Zone Tables only. This is the final step in the amendment process. The amendment will now be sent to Municipal Affairs for registration.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Building Applications for Approval

Application: C2017-061
Location: 5 Riverbank Place
Proposal: 4.6 m x 5.2 m (15' x 17') Accessory Building
Zoning: Residential Medium Density (RMD)

133-17 Motion – Councillor Smith / Councillor Whitty

RESOLVED THAT the Town of Torbay Approve Application C2017-061, under the Applications for Approval section of the Building Applications Report, dated June 1, 2017, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. The accessory building will be permitted to encroach into the Conservation (CON) land use zone by 3.5 meters.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Business Applications to be Deferred for Advertisement

Application: D2017-056
Location: 5 Eagle Ridge Drive
Proposal: Animal Grooming Business
Zoning: Residential Large Lot (RLL)

134-17 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Defer Application D2017-056, under the Applications to be Deferred for Advertisement section of the Business Applications Report, dated June 1, 2017, for advertisement as per Condition 10 of the RLL Land Use Zone and Regulations 10, 33, and 90 of the Torbay Development Regulations.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Application: D2017-059
Location: 1147 Torbay Road
Proposal: Addition of dog boarding/kenneling to existing business
Zoning: Mixed Development (MIX)

135-17 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Defer Application D2017-059, under the Applications to be Deferred for Advertisement section of the Business Applications Report, dated June 1, 2017, for advertisement as per Condition 4 of the MIX Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Executive Committee

No reports or motions.

Corporate and Community Services

No reports or motions.

Infrastructure, Public Works, Public Safety and Shared Services

- Infrastructure and Public Works Committee Motions Report.
 - MYCW – Community Centre Upgrade – RFQ
 - Motion was referred as Members of Committee were absent.

NOTICES OF MOTION

There were none.

NEW BUSINESS

Mayor Tapper

Mayor Tapper discussed the Stewardship Association of Municipalities Inc. (SAM) annual meeting, which the Town hosted this year on June 2nd and 3rd. He reported there was a great turn-out, and thanked staff for assistance and set up. Mayor advised that twenty-seven delegates attended from across Newfoundland and Labrador; and, SAM presently have thirty eight members. SAM presented Torbay with a plaque in recognition of contributions, in particular in hosting its bi-annual meeting.

The East Coast Trail held their Annual Fundraising Hike this past weekend on Saturday, June 3rd. Mayor congratulated everyone who participated and contributed. He thanked the Director of Infrastructure and Public Works who worked with the group in relation to their concerns pertaining to the scenic trail in Gallows Cove.

Mayor discussed concerns after the May 24th weekend pertaining to furniture and garbage left in a meadow in the Community. This matter did get good media publicity; and, within a few days organizers from a couple high schools took lead in the cleanup of the property. Mayor requested that if anyone notices anything suspicious in the Community, to report it immediately.

He congratulated Torbay resident Mr. Ross Traverse, who recently received his honorary doctor of laws degree for his contribution to gardening in Newfoundland and Labrador. Mr.

Traverse received his honorary degree on May 31st at the Spring Convocation Ceremony. Mayor to forward a letter of congrats.

Deputy Mayor Gallant

Deputy Mayor discussed the SAM Annual General Meeting held in Torbay this past weekend, thanking staff and volunteers for organizing the meetings. He also extended a special thank you and goodbye to Ms. Cathy Kleinwort, a long-time member of the organization. Ms. Kleinwort is leaving as she's moving out of province.

He requested that the Minutes of April 26, 2017, be brought forward for adoption. Mayor advised the minutes will be brought forward to next Council Meeting.

Deputy Mayor thanked everyone who attending the Jack Byrne Regional Sports and Entertainment Centre for Saturday night's event. He advised the Prodigal Sons were big headliners and did a fantastic job.

Councillor Roche

Councillor Roche questioned if the gravel road between Torbay Road and North Pond Road, in the vicinity of the drug store, could be re-surfaced with gravel. She advised that seniors use this road as a means to visit the drugstore, library, bank and Town Office.

Councillor Scott - Absent

Councillor Smith

Councillor Smith congratulated Infrastructure and Public Works Staff on the excellent set up at the new depot site this year for the Bulk Garbage Drop Off. It was noted that approximately nine-hundred Torbay residents visited the site to drop off their bulk garbage items.

Councillor Thorne-Gosse - Absent

Councillor Whitty

Councillor Whitty advised that he attended the SAM meetings this weekend past, and thanked staff for their organization and direction. He recognized Ms. Shirley Thorne for her contribution over the years. Mayor advised that this is the Town's 20th year as a member of SAM.

He advised that he met some of the Town's new Summer staff, advising their caliber is amazing.

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 is scheduled to take place on Monday, June 19, 2017, at 7:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

136-17 Motion – Councillor Smith / Councillor Whitty

RESOLVED THAT the meeting be adjourned at 8:38 p.m., as there was no further business.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Mayor

CAO/Town Clerk