



***MINUTES***  
PUBLIC COUNCIL MEETING  
April 26, 2017

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on April 26, 2017, at 7:45 p.m.

**Members Present**

Mayor Ralph Tapper  
Deputy Mayor Geoff Gallant  
Councillor Peggy Roche  
Councillor Craig Scott  
Councillor Carol Ann Smith  
Councillor Mary 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  
Ross Houlihan, Communications

**Gallery**

There were a total of 8 people in attendance.

**Adoption of Agenda**

091-17      Motion – Councillor Smith / Councillor Scott

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

Question called. Motion carried.

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

Against: 0

Abstained: 0

**Adoption of Minutes**

092-17      Motion – Councillor Roche / Councillor Scott

**RESOLVED THAT** the Minutes of the April 10, 2017, Public Council Meeting be adopted as presented.

Question called. Motion carried.

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

Against: 0

Abstained: 0

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

- Federation of Canadian Municipalities (FCM) – Participation to the Annual Conference
  - See motion below:

093-17      Motion – Councillor Roche / Councillor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay endorse the following to participate to FCM's Annual Conference and Trade Show, starting June 1<sup>st</sup> to June 4<sup>th</sup>, 2017.

- Councillor Craig Scott

Council discussed the annual conference and benefits of attending in the way of training. Deputy Mayor discussed the upcoming municipal elections advising that he felt funds for council training should be expended after the election in September; and, suggested sending a staff person only for this convention. Councillor Thorne-Gosse put forward a notice of motion that funding be included in the next Town budget for two Members of Council to attend this convention.

After discussion, Council then voted on the motion.

Question called. Motion carried.

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

Against: 1 (Deputy Mayor Gallant)

Abstained: 0

- Canadian Mental Health Association (CMHA) – Mental Health Week
  - CMHA's Chief Executive Officer (CEO) was in attendance and highlighted events taking place over the week to support and promote mental health.
  - See motion below:

094-17      Motion – Councillor Whitty / Councillor Scott

**RESOLVED THAT** the Town of Torbay hereby proclaim the week of May 1 to 7, 2017, as CMHA Mental Health Week, and encourage all citizens to join and Get Loud for mental health.

Council discussed mental health and related training programs. It was requested that the Town look into programs and training for staff to complete, and designate a staff person to offer this training in future.

CMHA's CEO discussed that the organization will be celebrating its 100<sup>th</sup> Anniversary next year, and is the longest community based organization in the Country with mandate for mental health. He discussed funding for CMHA, and programs and training pertaining to mental health and suicide prevention. He also discussed the Ride Don't Hide event taking place on June 25<sup>th</sup>, advising the bike ride starts from Victoria to St. John's, and he encouraged municipalities to participate and register a team.

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

Question called. Motion carried.

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

Against: 0

Abstained: 0

➤ Municipal Awareness Day

- See motion below:

095-17      Motion – Deputy Mayor Gallant / Councillor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay proclaim May 10, 2017 as Municipal Awareness Day in municipalities of Newfoundland and Labrador in recognition of the vital role of municipal government and in recognition of whose efforts support it.

Question called. Motion carried.

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

Against: 0

Abstained: 0

At this point, Deputy Mayor Gallant called Point of Order, indicating that Councillor Thorne-Gosse had previously mentioned she wished to put a motion forward that the Town have green lights installed in relation to Mental Health Week. Mayor Tapper indicated point of order well taken - see below motion:

096-17      Motion – Councillor Thorne-Gosse / Councillor Roche

**RESOLVED THAT** the Town of Torbay have green lights placed on each Town building to promote and show support for Mental Health Week.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. The below had comments:

- Resident of Lynch's Lane
  - Resident thanked the Town for having no parking signs in place on Lynch's Lane. She discussed area residents' frustration with issues pertaining to speeding, loud vehicles, and late night activity. She advised she spoke to the RNC, and they did have unmarked cars in the area of the high school. She indicated that there wouldn't be issues if everyone kept the noise and speeds down, and requested suggestions to deal with these issues from Council and the Commissionaires.

➤ Commissionaires Presentation

- Mayor Tapper welcomed and introduced the Commissionaires to the Council Chambers.
  - The Commissionaires introduced themselves, provided background information and discussed the work and supports they will be providing to help resolve issues in the Community.
  - Council discussed issues of speeding in the Community especially on roads in the vicinity of the high school, and a couple of individuals were noted as driving over speed limits. Deputy Mayor called Point of Order, advising it wasn't appropriate to make insinuations against a couple of people during discussions in Council Chambers. Council continued to discuss the dangers of speeding in the Town and possible solutions with the Commissionaires.
  - Council thanked the Commissionaires for attending tonight's Council Meeting and doing presentation to provide information to all.

**BUSINESS ARISING**

The Business Arising Report, dated April 26, 2017, was and accepted as presented.

**CORRESPONDENCE**

None.

**COMMITTEE REPORTS**

**Planning and Development**

- Planning and Development Committee Motions Report.
  - Development Items
    - Proposal from Barrox Holdings Ltd. to develop 37 unserviced building lots at Eagle Nest Ridge, Phase 5.
      - See below motion:

097-17      Motion – Councillor Scott / Councillor Whitty

**RESOLVED THAT** the Town of Torbay give Barrox Holdings Approval in Principal so they can proceed with engineering and design work on the proposed 37 lot unserviced subdivision – Eagle Nest Ridge Phase 5 as outlined on Mae Design Limited’s drawing number SK-1, Project No. 2013-207. 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:

- Open space for this development shall be the proposed walking trails as identified on the drawing provided along with cash in lieu to make up the 10% requirement. The money collected can be used to develop the trails in the area.
- A complete drainage plan shall be provided.

Question called. Motion carried.

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

Against: 0

Abstained: 0

- Proposal to have 6.97 hectares of land rezoned to facilitate the completion of Phase 7 Forest Landing.
  - See below motion:

098-17      Motion – Councillor Scott / Councillor Whitty

**RESOLVED THAT** the Town of Torbay give Marathon Holdings Inc. approval to rezone the parcel of property as described on the proposal drawing by Mae Design Limited project no 2014-023. The property is to be rezoned from Rural to Residential

Large Lot (RLL). The applicant will pay for the cost of the amendment up front before any work is started on the amendment.

Question called. Motion carried.

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

Against: 0

Abstained: 0

### Applications Approved

Under the Applications Approved Report, dated April 20, 2017, 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>
C2017-024	4 Clara's Place	Single Family Dwelling
C2017-025	23 Lynch's Lane	Outdoor Classroom Structure – <i>Note: Council agreed to hold pending resident notification.</i>
D2017-027	981 Torbay Road	Office Space for Engineering/Project Management Business along with a Workshop/Warehouse Space
C2017-028	2 Indian Meal Line	Accessory Building
B2017-029	2 Indian Meal Line	General Repairs

In relation to Application C2017-025, Council agreed to hold pending notification to area residents.

### Building Applications for Approval

Application: MV2017-004

Location: 44 Lower Street (to be 6 Mill Lane)

Proposal: Variance on building line setback

Zoning: Residential Medium Density (RMD)

099-17 Motion – Councillor Scott / Councillor Whitty

**RESOLVED THAT** the Town of Torbay Approve Application MV2017-004, under the Applications for Approval section of the Building Application Report, dated April 21, 2017, 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, Smith, Scott, Thorne-Gosse and Whitty)

Against: 0

Abstained: 0

Application: C2017-023  
Location: 49 Gallows Cove Road  
Proposal: Single Family Dwelling  
Zoning: Residential Infill (RI)

100-17 Motion – Councillor Scott / Councillor Whitty

**RESOLVED THAT** the Town of Torbay Approve Application C2017-023, under the Applications for Approval section of the Building Application Report, dated April 21, 2017, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. Provincial Government Services Centre, Operations Division Certificate of Approval is required for lot layout, well and septic system prior to release of a Building Permit.
3. The applicant will be responsible for the upgrading/extension of Gallows Cove Road to the end of the new lot. The upgrade shall be completed as per the infrastructure and public Works Department.
4. Applicant to deed a portion of the property to the Town for the right of way of the newly extended road if required.
5. Applicant is responsible for all cost (legal, engineering, and construction) for the proposed road upgrade/extension.

Question called. Motion carried.

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

Against: 0

Abstained: 0

### **Executive Committee**

No reports or motions.

**Corporate and Community Services**

Corporate Services

The following eleven (11) invoices, totalling \$139,550.94 were presented for approval:

101-17      Motion – Councillor Thorne-Gosse / Councillor Roche

**RESOLVED THAT** the Town of Torbay approve payment of invoices, totalling \$139,550.94, as presented.

<b>Invoice Number</b>	<b>Vendor and Detail</b>	<b>Amount</b>
1.	Architecture49 Inc. (Community Wellness Centre Design Build Project)	\$11,079.62
2.	Cobra Framing (Interior Work for the Upper Three Corner Clubhouse – Paint, Plastering and Insulation)	\$26,509.80
3.	East Coast Trail Association (2017 Donation)	\$5,000.00
4.	Kent Building Supplies (Upper Three Corner Clubhouse Interior Finish Supplies)	\$10,365.10
5.	Municipal Assessment Agency (Second Quarter 2017 Assessment Fees)	\$26,523.00
6.	Receiver General for Canada (Payroll Deductions for April 1-15, 2017)	\$21,787.63
7.	Stewart McKelvey Stirling Scales (Legal Advice – New Museum Purchase and Sale Agreement)	\$8,342.10
8.	Torbay Folk Arts Council Inc. (2017 Donation)	\$5,000.00
9.	Torbay Volunteer Fire Department (Various Department Expenses)	\$6,302.57
10.	Trio Benefits (Group Benefits for April 2017)	\$6,366.23
11.	Wm. Tapper Limited (Diesel and Gasoline Expense for Town Fleet for March 2017)	\$12,274.89



Question called. Motion carried.

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

Against: 0

Abstained: 0

Councillor Thorne-Gosse provided an update on a Time in Torbay Festival Committee events, advising she will forward information to all.

Torbay Heritage Advisory Committee (THAC) Motions Report

- See below motion:

102-17      Motion – Councillor Roche / Councillor Scott

**RESOLVED THAT** the Town of Torbay adopt “Torbay History House and Museum” as the new name for the Torbay Museum to be located at 16 Convent Lane, Torbay, NL.

Question called. Motion carried.

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

Against: 0

Abstained: 0

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

No report or motions.

**NOTICES OF MOTION**

None.

**NEW BUSINESS**

***Mayor Tapper*** - Pass

***Deputy Mayor Gallant***

Deputy Mayor thanked staff for their hard work and dedication, advising it doesn't go unnoticed, and to keep up the good work.

***Councillor Roche***

Councillor Roche discussed the Eastern Regional Service Board and regional cooperation between communities. Their representative discussed the Federation of Canadian Municipalities (FCM) bank that communities can apply and avail of for funding. She asked Councillor Scott to bring back information from the FCM Convention on this funding and bank.

***Councillor Scott***

Councillor Scott advised that the Canadian Blood Services will be holding their last clinic in Torbay on May 2<sup>nd</sup>. They will not be holding any further clinics in Torbay and surrounding communities due to low attendance. Residents can, however, still give blood at their location on Wicklow Street in St. John's.

***Councillor Smith***

Councillor Smith noted Volunteer Week, April 23<sup>rd</sup> to 29<sup>th</sup>, advising that volunteers are most valuable to delivery of events we offer in our Town. She extended a thank you to all volunteers in our Community.

She wished a happy Administrative Professionals Day to staff.

***Councillor Thorne-Gosse***

Councillor Thorne-Gosse noted the new school is now opened and congratulated all who lobbied and made it happen. She advised that there are some issues concerning the road and crosswalks, but these will be resolved shortly.

***Councillor Whitty***

Councillor Whitty discussed internet/cell/cable service providers questioning if they should be paying a utilities tax to the Town. He has information, which he will forward to CAO.

**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, May 8, 2017, at 7:30 p.m., Council Chambers, Torbay Town Hall.

**ADJOURNMENT**

103-17      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the meeting be adjourned at 9:39 p.m., as there was no further business.

Question called. Motion carried.

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

Against: 0

Abstained: 0

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*Mayor*

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*CAO/Town Clerk*