



**MINUTES**  
**Regular Public Council Meeting**  
**Monday, August 27, 2018 Multi-Purpose Building, Upper**  
**Three Corner Pond Park, Bauline Line**

Minutes of the Regular Meeting of Council held in the Multi-Purpose Building, Upper Three Corner Pond Park, Bauline Line, Town Hall, on Monday, August 27, 2018, at 6:37 p.m.

**COUNCIL PRESENT:** Trina Appleby, Deputy Mayor  
 Geoff Gallant, Councillor  
 Justin Martin, Councillor  
 Tony Pollard, Councillor  
 Peggy Roche, Councillor  
 Mary Thorne-Gosse, Councillor

**COUNCIL ABSENT:** Craig Scott, Mayor

**STAFF PRESENT:** Dawn Chaplin, Chief Administrative Officer  
 Craig Drover, Director of Finance  
 Ann Picco, Deputy Clerk  
 Brian Winter, Director of Planning

**STAFF ABSENT:** Bernie Manning, Director of Infrastructure and Public Works

**GALLERY PRESENT:** There were a total of 20 people in attendance

**1. Agenda/Minutes**

- a) Adoption of Agenda.

**RES-196-2018**

Moved by Geoff Gallant, Seconded by Mary Thorne-Gosse

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

|                                 | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|---------------------------------|------------|----------------|------------------|
| Trina Appleby                   | x          |                |                  |
| <b>Geoff Gallant (Moved By)</b> | x          |                |                  |
| Justin Martin                   | x          |                |                  |

|  |   |   |   |
|--|---|---|---|
| Tony Pollard                           | x |   |   |
| Peggy Roche                            | x |   |   |
| <b>Mary Thorne-Gosse (Seconded By)</b> | x |   |   |
|  | 6 | 0 | 0 |

Question called: CARRIED.

- b) Adoption of Public Council Meeting Minutes, dated August 13,2018.

**RES-197-2018**

Moved by Justin Martin, Seconded by Geoff Gallant

*RESOLVED THAT the Minutes of the August 13, 2018, Public Council Meeting be adopted as presented.*

|                                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|------------------------------------|------------|----------------|------------------|
| Trina Appleby                      | x          |                |                  |
| <b>Geoff Gallant (Seconded By)</b> | x          |                |                  |
| <b>Justin Martin (Moved By)</b>    | x          |                |                  |
| Tony Pollard                       | x          |                |                  |
| Peggy Roche                        | x          |                |                  |
| Mary Thorne-Gosse                  | x          |                |                  |
|                                    | 6          | 0              | 0                |

Question called: CARRIED.

**2. Proclamations/Presentations/Question & Answer Session**

- a) Presentations

Residents of Coppertop Place concerning proposed development application.

Residents of Coppertop Place presented regarding proposal from property owner to construct a ten-unit adult living apartment complex at Civic 10 Coppertop Place, as follows:

- Residents discussed their opposition to the proposed development.
- There are two forms of a petition circulating, both paper and digital, with 280 signatures, 88% being Torbay residents.
- Maps were presented - 1995, 2001 and 2017, showing change in conservation line. Residents questioned change in the conservation zone.

- An application was presented in 1988 to Council for ten lots on Marine Drive. It was later revised to seven lots subject to various government department approvals.
- In relation to Coppertop Place, residents had to sign a covenant in 1996, which stated that the purchaser shall not be permitted to lease or rent dwelling house portion. Resident felt proposed ten unit development was in direct contradiction.
- Residents provided a presentation to Council noting twenty-two points/impacts of the development to be considered by the Town.
- The cul-de-sac is where area residents' children play. It's also where the snow is placed in the Wintertime.

Deputy Mayor thanked residents for attending and presenting. Committee will review all information. She encouraged area residents to forward any questions they have on to the Director of Planning so he can research and follow up to queries.

### 3. Mayor's Report

a) Deputy Mayor Appleby discussed the below:

- Recent Killick Coast Games
  - The Games ran from August 18th to 23rd, with over 450 athletes participating between the ages of 11 and 17.
  - It was the first time having a wheelchair basketball demo and scrimmages, and feedback was very positive.
  - Congratulations to the following Communities that won:
    - Logy Bay-Middle Cove-Outer Cove - Jack Byrne Trophy was presented for the most overall points.
    - Pouch Cove, Bauline and Flatrock - Torbay Mayors Cup was presented for most spirited.
  - Deputy Mayor congratulated all who participated and supported the Games.
- The Town lost a member of the Community, and former staff member, Mrs. Mary Thorne.
  - She worked with the Town in the position of Town Clerk for twenty-nine years - November 4, 1974 - December 31, 2003.
  - On behalf of Council, Deputy Mayor discussed appreciation of Mrs. Thorne's contribution to the Town, and offered sincere condolences to her family wishing them strength in their time of sorrow.

### 4. Business Arising

a) The Business Arising Report, dated August 27, 2018, was discussed and accepted as presented:

- Item 2 - Jones Pond Trail
  - An update was requested. It was advised that additional documentation from residents and clarification on surveys received is taking longer than expected.
- Item 3 - Acquisition of Gully Land
  - An update was requested. It was noted that this matter is presently with legal. The Director of Planning and CAO to further discuss and bring back to next Committee.

**5. Correspondence**

- a) Department of Municipal Affairs and Environment - Ban on Plastic Shopping Bags.
- For information. This is an update on plans to move forward.
- b) Municipalities Newfoundland and Labrador - MNL AGM 2018 and Nomination Form
- See motion below.

**RES-198-2018**

Moved by Peggy Roche, Seconded by Geoff Gallant

*RESOLVED THAT the Town of Torbay nominate Deputy Mayor Trina Appleby for the position of Avalon Director.*

|                                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|------------------------------------|------------|----------------|------------------|
| Trina Appleby                      | x          |                |                  |
| <b>Geoff Gallant (Seconded By)</b> | x          |                |                  |
| Justin Martin                      | x          |                |                  |
| Tony Pollard                       | x          |                |                  |
| <b>Peggy Roche (Moved By)</b>      | x          |                |                  |
| Mary Thorne-Gosse                  | x          |                |                  |
|                                    | 6          | 0              | 0                |

Question called: CARRIED.

- c) Department of Municipal Affairs and Environment - Updated Climate Change Projections for NL
- Referred to the Planning and Land Use Development Committee. Also referred to the Torbay Environment Advisory Committee.

## 6. Committees of Council

### 6.1. Committee of the Whole

6.1.1. No report.

### 6.2. Planning and Land Use Development

#### 6.2.1. Applications Approved

Building Applications Approved Report, dated August 24, 2018

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>                    |
|--------------------|----------------------|------------------------------------|
| C2018-102          | 390 Indian Meal Line | Accessory Building Extension       |
| C2018-103          | 1651 Torbay Road     | Accessory Building                 |
| C2018-104          | 18 Whitty's Lane     | Accessory Building                 |
| B2018-105          | 1345 Torbay Road     | Renovations to Commercial Property |

#### 6.2.2. Building Applications

Building Applications Report, dated August 24 2018

Building Applications for Approval

- See motions below.

#### **RES-199-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*Application: C2018-094*

*Location: 54-58 Whitty's Lane*

*Proposal: Remove Existing Dwelling and Construct Double Dwelling (Duplex)*

*Zoning: Residential Infill (RI)*

*RESOLVED THAT the Town of Torbay approve Application C2018-094, under the Applications for Approval section of the Building Application Report, dated*

August 24, 2018, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. If there is blasting or rock busting occurring on the property it will be the applicants responsibility to notify area residents prior to it occurring.

|                                     | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|-------------------------------------|------------|----------------|------------------|
| Trina Appleby                       | x          |                |                  |
| Geoff Gallant                       | x          |                |                  |
| <b>Justin Martin (Seconded By)</b>  | x          |                |                  |
| Tony Pollard                        | x          |                |                  |
| Peggy Roche                         | x          |                |                  |
| <b>Mary Thorne-Gosse (Moved By)</b> | x          |                |                  |
|                                     | 6          | 0              | 0                |

Question called: CARRIED.

#### **RES-200-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*Application: MV2018-007/C2018-086*

*Location: 171 Marine Drive*

*Proposal: Variance to Accessory Building Size*

*Zoning: Residential Medium Density (RMD)*

*RESOLVED THAT the Town of Torbay approve Application MV2018-007/C2018-086, under the Applications for Approval section of the Building Application Report, dated August 24, 2018, 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.

|                                     | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|-------------------------------------|------------|----------------|------------------|
| Trina Appleby                       | x          |                |                  |
| Geoff Gallant                       | x          |                |                  |
| <b>Justin Martin (Seconded By)</b>  | x          |                |                  |
| Tony Pollard                        | x          |                |                  |
| Peggy Roche                         | x          |                |                  |
| <b>Mary Thorne-Gosse (Moved By)</b> | x          |                |                  |
|                                     | 6          | 0              | 0                |

Question called: CARRIED.

### 6.2.3. Planning and Development

Minutes of the Planning and Development Committee Meeting, dated August 21, 2018

Items discussed included:

#### 3. Amendments

##### a) Items for a possible regulations amendment.

- o Accessory building requirements to prevent buses, semi-trailers, freight containers or other vehicle body types from being used as accessory buildings.
- o Address unserviced development in the Residential Medium Density (RMD) land use zone.
- o Make sure Parking Regulations match with zones, i.e. apartments in RMD and RI
- o       Revise Traditional Agriculture to include small hobby farms  
Traditional agricultural uses such as root cellars may be permitted as stand-alone structures, at the discretion of Council, provided it can be clearly demonstrated that the root cellar is ancillary to an existing small-scale hobby and/or subsistence agricultural use. The height of traditional root cellars shall be no more than 2 meters with a floor area of no more than 12 sq. m.

Other agricultural uses such as bee keeping which involves the raising of bees for honey may be permitted at the discretion of Council.

Other agricultural uses such as keeping of 6 or less chickens may be permitted at the discretion of Council on lots with an area of 1860 sq. meters or more.

##### o Revise the definition of Accessory Buildings

Note that greenhouses with an area of 12 sq. m or less will not be included in the area calculation for accessory building sizes.

Remove pet shelters, root cellars, carports, swimming pools, gazebos and antennae from the listing

- o Item “d)” in the Accessory Buildings requirements for all zones should have “corner” replaced with “point”
- o Address accessory buildings in flanking street when the dwelling is set

more than 15 meters back.

See motion below.

**RES-201-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*RESOLVED THAT the Town of Torbay proceed with a regulations amendment to address the items noted above.*

|                                     | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|-------------------------------------|------------|----------------|------------------|
| Trina Appleby                       | x          |                |                  |
| Geoff Gallant                       | x          |                |                  |
| <b>Justin Martin (Seconded By)</b>  | x          |                |                  |
| Tony Pollard                        | x          |                |                  |
| Peggy Roche                         | x          |                |                  |
| <b>Mary Thorne-Gosse (Moved By)</b> | x          |                |                  |
|                                     | 6          | 0              | 0                |

Question called: CARRIED.

6.3. Community Services & Economic Development

6.3.1. Community Services

Killick Coast Games 2018 Report

Over 450 athletes ages 11 – 17 participated in the 2018 Killick Coast Games from Saturday, August 18th – August 23rd, in the following sports; soccer, softball, ball hockey, basketball and cross country running. A demo for Wheelchair basketball was held along with scrimmages in wheelchair basketball thanks to the support of Mr. Gary Power, President of Wheelchair Sports Association NL.

Thank yous and shout outs:

- the athletes
- the parents, guardians, grandparents for getting the athletes to and from the games
- the Committee for support
- the Canteen Volunteers/support
- MHA Parsons, Mayor Scott and Mayor Wall for the many games umpired



- all Councils and staff support of the Killick Coast Community
- the Provincial Government for monetary support to assist with running the games and the Federal Government for monetary support for staff
- the Public Works Staff for assisting throughout the week
- the Community Services Team of full time staff, Killick Coast staff and Summer staff for energy and enthusiasm throughout the week

Jack Byrne Trophy – was presented by Bridget Byrne Awarded to the team with the most overall points

- Congratulations to the to the Town of Logy Bay- Middle Cove- Outer Cove

Torbay Mayors Cup - was presented by Mayor Scott to the most spirited team throughout the games

- Congratulations to the PBF – Town of Pouch Cove, Town of Bauline and Town of Flatrock who displayed tremendous spirit throughout the week.

Dianne Whelan Sportsmanship awards

- congratulations to all winners and a listing of the names will be found in the next North East Times.

Deputy Mayor commented that there was support for the Games from all levels of government. This event is a great example of regional cooperation and what can be done when communities work together.

### 6.3.2. Economic Development

#### Economic Development and Communications Update

Items discussed included:

##### 1. Community Profile

The Community Profile document is back from the printers. As per the budget, 100 copies were printed. A distribution list is being confirmed (ie government, industry associations, developers, etc). An electronic copy of the profile will be placed on the Town's website as well.

##### 2. Investment Readiness of the Northeast Avalon

Further to the update provided to Council on July 4, 2018, the CAO is in receipt of a draft discussion paper regarding the development of an investment attraction network for the Northeast Avalon Urban Municipalities. A meeting is proposed for September 5th to discuss next steps involving purpose, roles and

responsibilities and training. An update will be provided after the initial partnership meeting.

### 3. Development of Tourism Sites - Torbay Beach

As per email notification to Council, the process has commenced to relocate the monument to the Beach. There was a delay due to the humid weather and this impacted the ability of the concrete to cure. In addition, some rock has to be removed from site. The contractor is now working six days a week and is adding extra resources to the project, to make up some time. The current timeline has the project being completed by September 7, 2018. CAO has requested a revised project schedule and will provide to Council upon receipt. Invoices with work to date have been submitted to the funding agencies.

### 4. Beach Advisory Committee

CAO is meeting with Mr. Jim Eustace, Chair of the Beach Committee on August 24, 2018 to discuss the Beach Lookout, trail work and other matters related to Torbay Beach area. CAO will provide an update thereafter.

### 5. Torbay History House and Museum

CAO spoke to the Manager of Economic Development on August 16, 2018 to discuss the sustainability plan for the History House. In addition, the CAO spoke to the Director of Regional Development at Tourism, Culture, Industry and Innovation regarding funding on August 22, 2018 to discuss eligible costs and percent support.

Both levels of government confirmed in writing that unused funds from the Beach Project, can be transferred to the History House and be utilized for renovation and restoration. It was agreed that the Manager, CAO and the consultant would meet to discuss funding options in further detail. A meeting has been confirmed for September 4, 2018.

CAO advised both levels of Government on the status of the Beach Project and timelines for completion.

Council discussed the below:

- Funds from the beach project can be used towards the History House. It was questioned if there was a project manager. It was noted in proposal to go out to RFP for project manager for the History House.
- Tract Consulting is the project manager for the beach project.
- A meeting will be scheduled with ACOA after August 4th for review regarding the History House and will bring back projections to Council after this meeting. Project will also be discussed as part of budget meetings.
- It was questioned if a meeting with the Beach Committee has taken

place. A meeting has taken place with the Chair. Chair has met with the Supervisor of Infrastructure and Public Works regarding site enhancements. The Committee are pleased with the work Council has undertaken with the mural and Lower Street trail lookout. A recommendation will come forth to utilize funding. They're in process of putting a plan together to come back to Council.

- It was requested that names of Committee Members be forwarded to Council. CAO to confirm with Chair.

#### 6.4. Finance

##### 6.4.1. Corporate Services

Items discussed included:

1. Invoice approval, cheque register, income/expense and invoiced versus received report review.

##### 6.4.2. Finance Report

###### Payroll

Payroll, remuneration and honorariums for the period of August 11th to 24th, 2018 for 44 employees totaled \$87,600.85.

###### Accounts Payable

For the period of August 11th to 24th, 2018 invoices in the amount \$168,925.88 were processed.

###### Invoices for Approval

The following four (4) invoices are presented for approval:

###### **RES-202-2018**

Moved by Tony Pollard, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay approve payment of invoices, as presented.*

| <b>Invoice #</b> | <b>Vendor and Detail</b>               | <b>Amount</b> |
|------------------|--|---------------|
| 1607317          | TAPCO – Speed Cushions and Accessories | \$26,471.06   |

|          |      |  |                           |
|----------|------|--|---------------------------|
| 90678615 |      | <i>Stewart McKelvy Stirling Scales – Legal Advice</i>  | \$6,270.53                |
| AUG 2018 | 1-15 | <i>Receiver General of Canada – Payroll Remittance</i> | \$26,471.06               |
| 28483    |      | <i>Commissionaires – Municipal Enforcement</i>         | \$5,152.00                |
|          |      | <b><u>Total:</u></b>                                   | <b><u>\$69,146.97</u></b> |

|                                  | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|----------------------------------|------------|----------------|------------------|
| Trina Appleby                    | x          |                |                  |
| Geoff Gallant                    | x          |                |                  |
| Justin Martin                    | x          |                |                  |
| <b>Tony Pollard (Moved By)</b>   | x          |                |                  |
| <b>Peggy Roche (Seconded By)</b> | x          |                |                  |
| Mary Thorne-Gosse                | x          |                |                  |
|                                  | 6          | 0              | 0                |

Question called: CARRIED.

#### 6.4.3. Memo from CAO - Tender Update

##### 3. SUV Tender.

A letter was included from Vigilant outlining the process. Eleven packages were requested and three bids were received. All bids were non-compliant. There will be a new tender called once the specifications for a Hybrid vehicle can be discussed and confirmed with Council. The Director of Finance has the initial research completed.

See below motion.

Before question was called and a vote held on the motion, Council discussed the below:

- It was suggested to make contact with other providers to see if they're interested in submitting.
- Council agreed with being environmentally friendly and discussed long term benefits to the Town.

After discussion, question was called and Council voted on the motion.

#### **RES-203-2018**

Moved by Tony Pollard, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay cancel the tender entitled Supply and*

*Delivery of one (1) latest model 4-door sport utility vehicle (SUV) 4WD or AWD due to bid noncompliance. A new tender will be issued for one hybrid all-wheel drive passenger vehicle, once the specification is reviewed and discussed with Council.*

|                                  | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|----------------------------------|------------|----------------|------------------|
| Trina Appleby                    | x          |                |                  |
| Geoff Gallant                    | x          |                |                  |
| Justin Martin                    | x          |                |                  |
| <b>Tony Pollard (Moved By)</b>   | x          |                |                  |
| <b>Peggy Roche (Seconded By)</b> | x          |                |                  |
| Mary Thorne-Gosse                | x          |                |                  |
|                                  | 6          | 0              | 0                |

Question called: CARRIED.

#### 6.4.4. Multi-Year Roadworks Tender

Tender Number 1870-2 - Multi-Year for Roadwork - Asphalt patching, repairs, and extension was issued on July 28, 2018 and closed on August 27, 2018.

The tender packaged was advertised on the Town's website, the Telegram, and the NLCA. There were thirteen (13) bid takers.

See motion below:

#### **RES-204-2018**

Moved by Tony Pollard, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay accept the results of Tender 1870-2 for Multi-Year Unit Price for Roadwork – Asphalt Patching, Repairs and Extension bid from Mercer's Paving Inc. for the amount of \$15,867.70.*

|                                  | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|----------------------------------|------------|----------------|------------------|
| Trina Appleby                    | x          |                |                  |
| Geoff Gallant                    | x          |                |                  |
| Justin Martin                    | x          |                |                  |
| <b>Tony Pollard (Moved By)</b>   | x          |                |                  |
| <b>Peggy Roche (Seconded By)</b> | x          |                |                  |
| Mary Thorne-Gosse                | x          |                |                  |
|                                  | 6          | 0              | 0                |

Question called: CARRIED.

6.5. Human Resources and Administration

6.5.1. Human Resources and Administration Reports

Human Resources and Administration Committee Update

1. Performance Evaluations

The CAO and HR consultant met with members of the Senior Management Team on August 20, 2018 to review their performance evaluations . The remaining meetings are in process of being scheduled.

2. Strategic Plan

CAO will have the strategic plan placed on the Town's website for public review. CAO will also commence the review as it pertains to initiative timelines, in conjunction with the Directors, and include as part of the 2019 goal setting process.

3. Compensation and Benefits

CAO and the HR consultant discussed next steps in finalizing this work and the associated policies. A recommendation will be forthcoming before the end of September.

4. Next Committee Meeting

As CAO was on annual leave from August 13-17, 2018, there was no Committee meeting. CAO will confirm the next meeting date with Committee members to get the schedule back on track.

Council further discussed the below:

- It was requested that confirmation of next Committee meeting date be made known to Councillors as they may wish to attend as observers.

6.6. Protective Services and Public Safety

6.6.1. Protective Services and Public Safety Committee

Protective Services and Public Safety Committee Update

1. Torbay Road Sidewalk Plan

Further to the discussion at the last Protective Services and Public Safety Committee Meeting, held on August 8, 2018 and the correspondence from the Department of Transportation and Works, which was provided to Council as part of the Committee report at the August 13, 2018 Council meeting, CAO met with Harbourside Consultants on August 22, 2018 to discuss a phased approach to sidewalk implementation along Torbay Road. Survey work has already been completed. Harbourside will review the topographic survey and make a recommendation on phases and associated costs within the next week.

It should be noted that as per the sidewalk plan, there are four (4) proposed crosswalks along Torbay Road: Convent Lane, in front of the Town Hall, Lower Street, and Dodd's Lane.

2. Roundabout on Torbay Road in vicinity of Marine Drive/Convent Lane  
CAO discussed this matter at the August 22, 2018 meeting with Harbourside. It was agreed that Harbourside would follow up with the Department of Transportation and Works to confirm the level of resident engagement the Town has seen as part of its pedestrian safety study, policies and implementation plans. Harbourside will conduct traffic counts in mid-September to compare to last year's counts and advise the Department regarding same. Further discussion will take place with the Department regarding the roundabout and additional design requirements. Harbourside will provide an update to the CAO once they have spoken to the Department.

3. Crosswalk on Torbay Road in vicinity of Convent Lane/Marine Drive  
Further to the motion of Council to support design and installation of a crosswalk along Torbay Road in the vicinity of Convent Lane and Marine, CAO discussed this matter with Harbourside at their meeting on August 22, 2018. This crosswalk is proposed as part of the sidewalk plan from Mahon's Lane to Juniper Ridge (Update Item One). Harbourside agreed to review the site and provide a cost estimate to the CAO within the next seven days.

4. Residential Speed Calming Requests  
Next steps regarding the speed calming requests for Indian Meal Line, Karon Drive and North Pond Road will be discussed at the next Committee meeting, with a recommendation back to Council.

Council further discussed the below:

- Council requested copy of the speed calming plan for Patrick's Path - for the end of Patrick's Path.
  - CAO advised that Harbourside are on site today and coming back tomorrow. Original design was for larger vehicles turning.
  - It was noted that there is limited space for turning and there are safety concerns. There is a pole put in the middle of the road and asphalt has been taken away. It was questioned if the contractor

- put in bump signs.
- CAO noted the contractor started the work. The remaining signs installed by staff. Some signs were removed, the counter has to be removed and signs reinstalled at other locations. Work is in process. It was determined in conjunction with the Union that this was work to be completed by Town staff.
- CAO to circulate information to Council regarding specifics.
- It was requested that Council keep Item 2 regarding the roundabout a priority due to concerns of safety in this area for pedestrians and students.

## 6.7. Public Works and Infrastructure

### 6.7.1. Public Works Committee Reports

Minutes of the Public Works Committee Meeting, dated August 22, 2018

Items discussed included:

MYCW 2017-202:  
Community Center Project

- See below motion.

Before question was called and a vote held on the motion, Council discussed the below:

- Extra costs and change orders for design build project.
- It was suggested to have a project manager involved from start of any future design build projects.
- It was noted that change orders are expected to ensure the Town obtains everything needed for the building.

After discussion, question was called and Council voted on the motion.

Councillor Gallant called Point of Order, noting wording in motion indicated PCO #3 - should read PCO #17. Point of Order well taken - Mayor requested motion reflect same.

CAO advised that the Project Manager is in process of confirming a date for site visit for Council regarding status of Community Centre. Once structure is enclosed, then another site visit will be scheduled.

Roads Division:



A chart for the proposed roads to completed over the next 2 years of our standing offer agreement was included for information.

Animal Control Division:

A table was included for information of some the Animal control Officers patrols. Going forward details outlining any major issues through the month will be included.

**RES-205-2018**

Moved by Mary Thorne-Gosse, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay approve the PCO # 17 – This pertains to the adjustment from the original work associated with Operable Wall panels. The wall change is in the amount Four Thousand Two Hundred and Seventy Three and Twenty Nine Cents (\$4,273.29).*

|                                     | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|-------------------------------------|------------|----------------|------------------|
| Trina Appleby                       | x          |                |                  |
| Geoff Gallant                       | x          |                |                  |
| Justin Martin                       | x          |                |                  |
| Tony Pollard                        | x          |                |                  |
| <b>Peggy Roche (Seconded By)</b>    | x          |                |                  |
| <b>Mary Thorne-Gosse (Moved By)</b> | x          |                |                  |
|                                     | 6          | 0              | 0                |

Question called: CARRIED.

**7. Liaison Committees**

a) Jack Byrne Regional Sports and Entertainment Centre

- No report.

b) Northeast Avalon Joint Council

- A meeting is scheduled in September.

c) Torbay Harbour Authority

- It was noted that work has started on the expansion of the road to allow parking, which is being completed by Town resources.

d) Torbay Volunteer Fire Department

- A meeting is scheduled for next Monday.

e) Urban Municipalities Committee

- Torbay hosted the UMC Meeting on August 16th and 17th. Feedback from attendees was positive.
- It was noted there was a great turnout, with over 40 people attending. Meetings topics and presentations were informative.

**8. Notices of Motion**

- a) There were none.

**9. New Business**

- a) Mayor Scott - Absent

- b) Deputy Mayor Appleby

Deputy Mayor Appleby expressed condolences to the family of Mrs. Mary Thorne. Councils past and present attended the funeral service and it was nice to see so much support for her family.

She congratulated and thanked the Torbay Lions Club on their recent event - back to school materials for children. It was a great achievement and well received.

Deputy Mayor congratulated and thanked all who participated in the Killick Coast Games.

She welcomed all in the Gallery and thanked those who participated in this evening's meeting and on being engaged in their community.

Deputy Mayor advised that kids are back to school next week and requested that everyone keep safety a priority and drive slowly in school zones.

- c) Councillor Gallant

Councillor Gallant extended condolences to the family of Mrs. Mary Thorne.

He welcomed Members of the new Torbay Environment Advisory Committee.

d) Councillor Martin

Councillor Martin extended condolences to the family of Mrs. Mary Thorne, hoping they can find peace and comfort during this difficult time.

He welcomed Members of the Torbay Environment Advisory Committee, advising he's looking forward to working with everyone.

e) Councillor Pollard

Councillor Pollard extended condolences to the family of Mrs. Mary Thorne.

He advised Torbay did a great job hosting this year's Killick Coast Games. He noted there were some incidences throughout the games that staff and Council had to take care of and all did a great job handling with over 450 participants.

Councillor Pollard thanked the Torbay Environment Advisory Committee for attending tonight's Meeting, advising his appreciation for all volunteers.

He thanked all residents in the Gallery for participating and presenting at this evening's Meeting.

Councillor Pollard noted there is upcoming training scheduled regarding asset management, seven modules at the Gardiner Centre.

f) Councillor Roche

Councillor Roche recognized Mrs. Mary Thorne and her work with the Town. She advised that Mrs. Thorne dedicated her life to her family and children and was an over all good person.

She thanked Members of the Torbay Environment Advisory Committee for coming to meet with Council this evening, and wished them all good luck.

g) Councillor Thorne-Gosse

Councillor Thorne-Gosse extended condolences to the family of Mrs. Mary Thorne, recognizing her work with the Town.

She thanked everyone involved with the Killick Coast Games. She advised there were incidents and some hard decisions to make, but it was a wonderful learning experience for all young people involved.

Councillor Thorne-Gosse thanked Members of the Torbay Environment Advisory Committee.

She thanked all in the Gallery for attending, indicating the importance to receive feedback from the public for next budget process.

## 10. Question & Answer Session

a) Deputy Mayor referred to the Gallery and asked if anyone had comments on tonight's Council Meeting. The following had comments:

- Resident and former Council Member:
  - Resident congratulated Council on a productive meeting.
  - He advised it's nice to see the Community Centre started and underway.
  - He noted there is a nice turnout at this evenings meeting, which goes to show how interested residents are in their Town.
- Resident of Coppertop Place
  - Resident questioned the conservation zone, asking why line was moved. She advised the Director of Planning speculated it may have been moved to accommodate Coppertop and homes at the end of the street. She advised there are no homes at the end of the street and questioned what residents do next.
- Resident in the Gallery requested clarification of Beach Committee
  - CAO advised she met with the Chair to review current projects and plans. Chair to update Members of the Committee.

At this point, Deputy Mayor requested that questions from the Gallery be directed to her as Chair.

- Resident of Coppertop Place
  - Resident questioned the maps in the residents' presentation - and moving of the conservation line. He questioned if line moved to facilitate developer.

In relation to the proposed development application at Coppertop Place, Deputy Mayor advised that Council paid close attention to every single point in residents' presentation this evening. She discussed the importance that residents bring as much information as they can to Council so that Council can make the best informed decision. All information provided will be reviewed before a decision is made. She requested that residents direct their questions by email and correspond with staff. All information will be discussed at Committee to ensure process is followed. They will then make recommendation to Council for discussion and vote. She noted it's unfortunate we can't have answers to questions of past councils, but will provide what information we can.

At this point, Councillor Gallant advised the Gallery that recording is not permitted in Chambers.

- Resident in the Gallery
  - Resident questioned conservation lands, advising of a similar situation at 65 Marine Drive. Two residential lots were approved at the Council Meeting of July 30th.
  - She discussed a recent interview that the Mayor had with VOCCM regarding 65 Marine Drive conservation land. She advised that the Eastern Habitat Joint Ventures (EHJV) were not consulted on these lots, same situation as Coppertop Place. Management units require input of EHJV and landowners must be provided with restrictions which they must abide by. Letters of approval were provided with normal conditions, and no recognition of conservation land and restrictions. Resident referred to a real estate ad on the property.
  - Deputy Mayor requested the Director of Planning look into and follow up with Council.
  
- Resident in the Gallery
  - Resident questioned procedures for changing conservation boundaries. He questioned if there is a legal binding document that lays out exactly where the boundary is in the Coppertop Place area.
  - The Director of Planning noted that this information is on the Town's website.
  
- Resident of Coppertop Place
  - Resident noted the proposed development at Coppertop Place is a safety issue as the street is short. She requested that Council consider all safety aspects.

Deputy Mayor asked that all questions be referred to the Director of Planning for his review and response. She asked that residents provide all information and documentation that they have to Committee for review so Council can make the best

informed decision. Deputy Mayor requested residents continue their communication with Council and staff.

**11. Next Public Council Meeting**

- a) The next Public Council Meeting is scheduled to take place on Monday, September 10, 2018, at 6:30 p.m., Multi-Purpose Building, Upper Three Corner Pond Park, Bauline Line.

**12. Adjournment**

- a) Adjournment of Meeting.

**RES-206-2018**

Moved by Justin Martin, Seconded by Geoff Gallant

*RESOLVED THAT the meeting be adjourned at 8:33 p.m., as there was no further business.*

|                                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|------------------------------------|------------|----------------|------------------|
| Trina Appleby                      | x          |                |                  |
| <b>Geoff Gallant (Seconded By)</b> | x          |                |                  |
| <b>Justin Martin (Moved By)</b>    | x          |                |                  |
| Tony Pollard                       | x          |                |                  |
| Peggy Roche                        | x          |                |                  |
| Mary Thorne-Gosse                  | x          |                |                  |
|                                    | 6          | 0              | 0                |

Question called: CARRIED.

\_\_\_\_\_  
CAO/Town Clerk

\_\_\_\_\_  
Mayor