



## TOWN OF PORTUGAL COVE-ST. PHILIP'S

May 19, 2009

Public Council Meeting called to order at 7:30 pm.

**IN ATTENDANCE:** Mayor Norm Collins  
Deputy Mayor Keith Mercer  
Councillors: Steve Andrews  
Darrell Butler  
Bill Fagan  
Jon Seary  
Town Manager: Rodney Cumby  
Town Clerk: Judy Squires  
Director of Finance/Admin Terrilynn Smith  
Town Planner: Geralyn Lynch  
Development Control Officer Lindsay Lyghtle

**Also in Attendance:** Mayor welcomed gallery of 17 persons in attendance and introduced Development Control Officer, Lindsay Lyghtle, who recently joined the Town staff.

### ADOPTION OF AGENDA

Motion: Andrews/Seary  
09-115 Resolved that the Agenda dated **May 19, 2009**, be adopted.  
Carried  
Unanimously

### ADOPTION OF MINUTES

Motion: Andrews/Seary  
09-116 Resolved that the Minutes of the **Public Meeting of May 5, 2009**, be adopted with a change in Business Arising from 'a meeting regarding Parrott Place' to 'a meeting regarding 2 legal opinions and on all non-owned Town roads'.  
Carried  
Unanimously

**BUSINESS ARISING** Town Manager's Report – was presented and read by the Town Manager who responded to questions arising. It was noted that Stephanie Bourne, acting Director of Parks, Recreation & Community Services, has resigned and will be leaving on May 30<sup>th</sup>; and, the Accounting Technician position has been awarded to Tracy Duff.

**COMMITTEE REPORTS**

**Planning and Development Committee – May 11, 2009**

**1. 12 Country Garden Road**

**Application to subdivide property and construct a single dwelling**

**Zoning: RMD**

Motion: Andrews/Mercer

09-117

Resolved that the application for 12 Country Garden Road be **conditionally approved** permitting the subdivision of property and the construction of a single dwelling subject to written notice to neighbours ensuring that the development will not have any long term implications on adjacent land. Conditional approval shall be in accordance with Policy 3.4.2.1(v) Backlot Development, the Municipal Plan and Development Regulations, with specific reference to Schedule C: Residential Medium Density. This application shall be subject to all other regulatory government agencies

Carried  
Unanimously.

**2. Lot 12, Emberleys Road**

**Application to construct a single dwelling – Zoning: RI**

Motion: Andrews/Mercer

09-118

Resolved that Council **reject** the application to construct a single dwelling on Lot 12 Emberleys Road, as the proposal is contrary to the Municipal Plan and Development Regulations. The proposed development will reduce the existing right-of-way that was preserved to provide future access to undeveloped land; therefore making this proposal non-compliant with the intent of the Municipal Plan, Section 3.3 (ii) Subdivision Policies.

Carried  
For: Andrews, Collins, Mercer, Seary  
Against: Butler, Fagan

**3. 12 Parrott Place**

**Application to construct an accessory building dwelling – Zoning RI**

Motion: Andrews/Mercer

09-119

Resolved that the application for 12 Parrott Place be **conditionally approved** permitting the construction of an accessory building. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Regulation 38 (2b), Amendment 18 (2005) and Schedule C: Residential Infill. This application shall be subject to all other regulatory government agencies.

Carried  
Unanimously

**4. Civic# 1391 Thorburn Road**  
**Application to construct an accessory building.**  
**Zoning: Residential Medium Density (RMD)**

Motion: Andrews/Mercer  
09-120 Resolved that the application for Civic# 1391 Thorburn Road be **conditionally approved** permitting the construction of an accessory building and separate power service. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Amendment 18 (2005) and Schedule C: Residential Medium Density. Submission of an updated survey showing the consolidated parcels of land will be required. This application shall be subject to all other regulatory government agencies.

Carried  
Unanimously.

**5. 725-727 Indian Meal Line**  
**Application to construct an accessory building.**  
**Zoning: Residential Infill (RI)**

Motion: Andrews/Butler  
09-121 Resolved that the application for 725-727 Indian Meal Line be **conditionally approved** permitting the construction of an accessory building. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Amendment 18 (2005), Regulation 11 Variances and Schedule C: Residential Infill. This application shall be subject to all other regulatory government agencies. Notice of the Variance shall be given to all persons whose land is in the immediate vicinity.

Carried  
Unanimously

**6. 9-15 Murphys Lane**  
**Application to construct an accessory building extension.**  
**Zoning: Residential Infill (RI)**

Motion: Andrews/Butler  
09-122 Resolved that the application for 9-15 Murphys Lane be **conditionally approved** permitting the construction of an accessory building extension to a maximum of 61.6 sq. meters in size. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Amendment 18 (2005), Regulation 11 Variances and Schedule C: Residential Infill. This application shall be subject to all other regulatory government agencies. Notice of the Variance shall be given to all persons whose land is in the immediate vicinity.

Carried  
Unanimously

**7. 17 Hibbs Place**  
**Application to construct an accessory building.**  
**Zoning: Residential Infill (RI)**

Motion: Andrews/Mercer  
09-123 Resolved that Council **reject** the application to construct an accessory building at Civic# 17 Hibbs Place, as the proposal is contrary to the Municipal Plan and Development Regulations. The proposed development is out of character with the surrounding development and is not considered to be incidental or complementary to the main use, as defined in Schedule A. Rejection is subject to Development Regulations Amendment 18 (2005).

Carried  
For: Andrews, Collins, Mercer, Seary  
Against: Butler, Fagan

**8. 253 Olivers Pond Road**  
**Municipal recommendation form for Crown land.**  
**Zoning: Residential Rural (RR)**

Motion: Andrews/Mercer  
 09-124 Resolved that Council **defer** the application for Crown Land. An application for the land will be considered once the Town has completed its review of a proposed road network for the adjacent lands.

Carried  
 Unanimously Note: Councillor Andrews stated for the record that the committee is not opposed to this development, but there are other issues that need careful consideration prior to making a decision.

**9. PERMITS ISSUED:**

#	Issued Date	Civic	Street name	Permit Type
1	4/27/2009	147	Bauline Line Extension	General Repairs & Maintenance
2	4/28/2009	1717	Portugal Cove Road	Single Family Dwelling
3	4/28/2009	90	Tolt Road	Single Family Dwelling
4	4/28/2009	1811	Portugal Cove Road	Dwelling Extension
5	4/28/2009	21	Hardings Hill	General Repairs & Maintenance
6	4/29/2009	503	Old Broad Cove Road	General Repairs & Maintenance
7	4/29/2009	850-852	Indian Meal Line	General Repairs & Maintenance
8	4/30/2009	18	Mercers Road	Single Family Dwelling
9	4/30/2009	350	Beachy Cove Road	General Repairs & Maintenance
10	5/1/2009	20	Nearys Pond Road	General Repairs & Maintenance
11	5/5/2009	1236	Thorburn Road	Landscaping
12	5/5/2009	41	Bugden Drive	General Repairs & Maintenance
13	5/6/2009	778-786	St. Thomas Line	Occupancy Permit
14	5/6/2009	646	Indian Meal Line	Accessory Building
15	5/6/2009	111	Nearys Pond Road	Accessory Building
16	5/7/2009	600A	Indian Meal Line	Subdivision
17	5/7/2009	466	Dogberry Hill Road	Occupancy Permit

**Parks, Recreation & Community Services – no meeting/no report**

**Public Works Committee – no meeting/no report**

**Public Relations, Economic Development & Tourism Committee – no meeting/no report**

**Finance & Administration Committee – May 15, 2009**

**1. Accounts for payment**

Motion: Mercer/Seary  
 09-125 Resolved that Council approve the accounts for payment in the amount of \$20,787.58.

Carried  
 Unanimously.

**2. Correspondence from Town of Gander re Search & Rescue**

Town Manager to respond.

**3. Building Canada Fund – Press release of May 15, 2009**

Town will receive \$2,284,342 for upgrades on local roads as part of a joint Government of Canada and Province \$154 million dollar program for infrastructure projects. The Mayor noted that the list of roads will be a priority on the agenda for the next Public Works meeting and he also advised that the other roads being taken over by the Town from the Province will also be done this year.

**4. Renovations to Recreation Center – financial update**

Total Budget \$50,000, Projected Cost Budget \$40,000,  
Remaining Budget \$10,000

**5. Position of Parks, Recreation & Community Services Director**

Motion:  
09-126

Mercer/Andrews

Resolved that Council authorize the Town Manager to offer the position of Director of Parks, Recreation & Community Services Director to the 1<sup>st</sup> place candidate of the recently held interviews for this position when the references have been completed.

Carried

For: Andrews, Collins, Mercer, Seary  
Against: Butler, Fagan

**CORRESPONDENCE**

- a) **Stewart McKelvey** – Client Golf Day cancelled – For info
- b) **Nestle Waters Canada** – FCM & ban on bottled water – For info
- c) **Mayor’s March on Heart Disease & Stroke** – June 15-21 – info

**GENERAL/NEW/UNFINISHED BUSINESS**

- 1. **Letter from resident** – Councillor Butler stated he was asked by a resident to read a letter, the Mayor advised that the letter would not be read but would be referred to committee for review.
- 2. **Summer hours** – Councillor Andrews asked about summer hours for council meetings, the Mayor noted this item will be considered.
- 3. **PCSP Rainbow 50+ Club – Lancers dance group**  
Councillor Fagan (instructor for the group) announced that the group will hold its first official function at the Seniors Recognition event being held June 9<sup>th</sup> at the St. Lawrence Parish Hall.

**ADJOURNMENT**

Motion:  
09-127  
Carried  
Unanimously.

Andrews/Seary  
Resolved that this meeting be adjourned. Time 8:40 pm.

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Mayor Norm Collins

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Judy Squires, Town Clerk