



TOWN OF PORTUGAL COVE-ST. PHILIP'S

June 16, 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
Town Manager	Rodney Cumby
Town Clerk	Judy Squires
Director External Operations	Roy Burry
Director of Finance/Admin	Terrilynn Smith
Dev. Control Officer	Lindsay Lyghtle

Also in Attendance: Mayor welcomed gallery of 22 persons in attendance

ADOPTION OF AGENDA

Motion: Andrews/Searly
09-137 Resolved that the Agenda dated June 16, 2009, be adopted.
Carried
Unanimously

ADOPTION OF MINUTES

Motion: Andrews/Butler
09-138 Resolved that the Minutes of the **Public Meeting of June 2, 2009**, be adopted with a correction to Gen/New Business item 3 to read 'contractor' instead of 'contract'.
Carried
Unanimously

BUSINESS ARISING Town Manager's Report - Town Manager presented and responded to questions arising. At the request of Councillor Fagan, the Planning & Development Dept. will review the issue of hobby farming in an Agricultural Zone.

COMMITTEE REPORTS

Planning and Development Committee – June 8, 2009

**1. 822 St. Thomas Line - Application to construct a single dwelling
Zoning: Residential Medium Density (RMD)**

Motion: Andrews/Mercer
09-139 Resolved that Council reject the application to subdivide and construct a single dwelling at Civic# 822 St. Thomas Line, as the proposal is contrary to the Municipal Plan and Development Regulations. The proposed development contravenes Policy 3.4.2.1(v) Back lot Development, which requires the owner to acquire title to a right-of-way with a minimum width of 12.2m.

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

**2. 9-15 Maggies Place
Application to subdivide and construct a single dwelling and accessory building. Zoning: Agriculture (AG) and Residential Infill (RI)**

Motion: Andrews/Mercer
09-140 Resolved that Council reject the application to subdivide and construct a single dwelling and accessory building at Civic# 9-15 Maggies Place, as the proposal is contrary to the Municipal Plan and Development Regulations. The proposed development contravenes Policy 3.4.7 Agricultural Uses, Subsection (I)(c) which requires that all development on Maggies Place shall front directly on a publically maintained road and be provided at the outset with full municipal services.

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

**3. 748 Old Broad Cove Road
Application to subdivide property Zoning: Residential Medium Density (RMD)**

Held for further consultation and deferred.

**4. Application to construct a single dwelling extension
Zoning: Residential Medium Density (RMD)**

Held for further consultation and deferred.

**5. 15 Netherwood Street
Application to construct single dwelling with side yard variance
Zoning: Residential Medium Density (RMD)**

Motion: Andrews/Seary
09-141 Resolved that the application for Civic# 15 Netherwood Street be conditionally approved, permitting the construction of a single dwelling with a variance of approx. 3% on the flanking street side yard. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Regulation 11 Variances and Schedule C: Residential Medium Density. 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. 126-134 Olivers Pond Road

Motion: Andrews/Seary
09-142 Resolved that The Committee recommends that Council **lift the stop work order and issue an occupancy permit** for Civic# 126-134 Olivers Pond Road, in accordance with the Municipal Plan and Development Regulations, and specific reference to Schedule C: Residential Rural. This application shall be subject to all other regulatory government agencies.

Carried
Unanimously

7. 727-775 Bauline Line Ext.

Zoning: Rural (RUR)

Dept. of Natural Resources – Agrifood Development Branch refused subdivision of land and construction of SFD. Held for further discussion and deferred.

8. 26 Hardings Hill – vacant house

Zoning – Heritage Community (HC)

Dept. of Government Services report received. Owner will be contacted to discuss options and residents who signed the petition will be contacted to meet and view the reports comments and pictures .

9. 12 Country Garden Road – Notice to area residents regarding conditional approval. Zoning – Residential Medium Density (RMD)

Addendum to report notes that item is deferred.

10. Development Regulation Amendment No. 27, 2009

Motion: Andrews/Seary
09-143 Resolved that Council adopt Development Regulations Amendment #37, 2009, which will allow office, medical and professional service, childcare and personal service uses to occur as a stand- alone business on a separate lot at Council’s discretion, and submit the adopted amendment to the Department of Municipal Affairs for registration.

Carried
Unanimously

11. 38 Beachy Cove Road – Municipal Recommendation form for Crown Land

Motion: Andrews/Seary
09-144 Resolved that Council conditionally approve the municipal recommendation form for Crown land for marine purposes at Civic# 38 Beachy Cove Road. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Schedule C: Heritage Community Subsection 10. This application shall be subject to all other regulatory government agencies.

Carried
Unanimously

12. St. John’s Urban Region Regional Plan Amendment No. 3, 2009, and Development Regulations Amendment No. 36, 2008

Motion: Andrews/Mercer
 09-145 Resolved that Council adopt St. John’s Urban Region Regional Plan Amendment No. 3, 2009 and Development Regulations Amendment No. 36, 2008 (as revised). Furthermore, it is recommended Council give public notice of the adoption and proceed with the appointment of a commissioner who will hold a public hearing into the matter, in accordance with Section 15 of the Urban and Rural Planning Act.

Carried
 Unanimously

**13. 15 Hussey Place – application to construct single dwelling
 Zoning: Agriculture (AG)**

Held and deferred.

14. 1604-1610 Portugal Cove Road – business development application and building extension Zoning – Mixed Used (MIX)

Motion: Andrews/Seary
 09-146 Resolved that the application for 1604-1610 Portugal Cove Road be conditionally approved permitting the development of a stand-alone office and storage for an electrical business (personal service). Conditional approval shall be in accordance with the Municipal Plan and Development Regulations with specific reference to Amendment 30 (2007) and Schedule C: Mixed Zone Use. Furthermore, this application shall also be subject to all other regulatory government agencies.

Carried
 Unanimously

PERMITS ISSUED:

#	Permit .	Issued Date	Civic	Street name	Permit Type
1	09-150	5/22/2009	820B	St. Thomas Line	Dwelling Extension
2	09-151	5/22/2009	3	Dogberry Hill Road Ext.	Occupancy Permit
3	09-152	5/25/2009	52-54	Churchills Road	Occupancy Permit
4	09-153	5/25/2009	69	Beachy Cove Road	General Repairs & Maintenance
5	09-154	5/26/2009	1711-1715	Portugal Cove Road	Dwelling Extension
6	09-155	5/26/2009	1804	Portugal Cove Road	General Repairs & Maintenance
7	09-156	6/1/2009	875	St. Thomas Line	Occupancy Permit
8	09-157	6/1/2009	235-265	Beachy Cove Road	Occupancy Permit
9	09-158	6/1/2009	11	Woodhaven Road	Single Family Dwelling
10	09-161	6/1/2009	48	Meadow Heights	Accessory Building
11	09-162	6/2/2009	14	Netherwood Place	Single Family Dwelling
12	09-165	6/2/2009	842-844	Indian Meal Line	Accessory Building

Parks, Recreation & Community Services – June 15, 2009

1. Recreation Center Renovations

Renovations on bathrooms and bar are 90% complete and the roof tenders are referred to Finance and Admin Committee.

2. Summer Staff/Grants:

In addition to the Grants awarded from the last minutes, the Town has been approved for 2 Level I, II, III grants. Also, the summer staff of 12 students has been hired.

3. Summer Camp Registration update

The kinder skills program is full with a waiting list. Day camp program is currently at 36 registered participations out of a possible 60 person program capacity.

4. Killick Coast Games

Due to provincial games occurring at the same time, PCSP has no teams registered for the Killick Coast Games and the committee will forward this feedback to the organizers of the Games.

5. Regatta Festival July 6-11th

Schedule for the regatta is almost complete.

6. Canada Day

Canada Day schedule is completed. Also noted that a \$5610 Federal Grant was received for this event (last year it was \$500).

7. Playground Tenders

Tender packages for playground equipment have been distributed and will be discussed at the next meeting.

Public Works Committee June 11, 2009

1. Certificate of Qualification

Mr. Bazil Hibbs, Waste Water Treatment Plant Operator, has received certification as Water Distribution Operator (Class 1) and both Mr. Hibbs and Mr. Burry have received certification as Waste Water Collection Operator (Class1). Letter of congratulations to be sent.

2. Traffic congestion wharf area – letter to Dept. of Transportation & Works

Motion:
09-147

Butler/Seary

Resolved that Council send a letter to Minister Taylor and the Dept. of Transportation and Works endorsing the proposed new traffic layout for the wharf area as presented to the committee by the Town's Public Works Dept.

Carried
Unanimously

3. Email from Councillor Fagan (requests/clarification) – 4 items

Councillor Fagan will be provided with clarification on items 1 & 2; and, items 3 & 4 will be dealt with as requested.

Public Relations, Economic Development & Tourism Committee

No meeting or report. Councillor Seary noted that the Request for Proposal for the Wind Energy Project is gone to the paper.

Finance & Administration Committee – June 11, 2009

1. Accounts for payment

Motion: Mercer/Seary
09-148 Resolved that Council approve the accounts for payment in the amount of \$37,434.46

Carried
Unanimously.

2. Recreation Center roof repairs

Motion: Mercer/Andrews
09-149 Resolved that Council offer the project of repairing the roof of the Recreation Center to the lowest bidder, Sky High Roofing Ltd. At a cost of \$9250.

Carried
Unanimously.

3. Purchasing Policy

Motion: Andrews/Mercer
09-150 Resolved that Council adopt the Purchasing Policy as is and forward it to the Policy Committee to include with all other policies.

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

4. 2008 Audited Financial Statements

Councillor Fagan made a request to abstain (would like to review responses to his questions regarding the audit).

Motion: Mercer/Andrews
09-151 Resolved that Councillor Fagan abstain from voting on the adoption of the 2008 Audited Financial Statements.

Carried. Andrews, Butler, Collins, Mercer, Seary

Motion: Mercer/Andrews
09-152 Resolved that Council adopt the **2008 Audited Financial Statements**.

Carried. Andrews, Butler, Collins, Mercer, Seary

5. Donation Request – Portugal Cove 1st Boy Scouts

Motion: Mercer/Seary
09-153 Resolved that Council donate \$50 to the Portugal Cove 1st Boy Scouts to support their upcoming jamboree.

Carried
Unanimously

6. Donation Request – PCSP Rowing Club

Deferred for next meeting.

7. Donation Request – Royal Canadian Legion Br.10

Motion:
09-154

Mercer/Andrews

Resolved that Council donate \$3000. to the Royal Canadian Legion Branch 10 to aid in the purchase of their new dishwasher.

Carried
Unanimously

CORRESPONDENCE

(a) Thank you letter from Rachel Kelly Moss for \$100 donation for Rachel's Special Janeway Project

Rachel has raised \$8416 to date.

(b) Thank you letter from Jeanette Holman-Price For support for JESSICA Campaign and information about upcoming Safety Week commencing on August 1st.

Mayor notes Town will keep in touch about the proclamation of Safety Week.

GENERAL/NEW/UNFINISHED BUSINESS

1. Mayor's March set for Thursday, June 18th 6:30 pm

2. 253 Olivers Pond Road – Crown land application

Councillor Fagan inquired as to the status of this item that had been deferred at the May 19/09 meeting and was informed a site visit was done today and it will go to the next Planning & Development Committee meeting.

3. Rotary Park, City of St. John's – recent news article about registration rule for summer day camp

In response to Councillor Fagan's comments regarding this issue, Mayor Collins advises that this item will be on the agenda the next time the Town meets with the City of St. John's to try and get this changed.

ADJOURNMENT

Motion: Andrews/Mercer

09-155 Resolved that this meeting be adjourned. Time 9:00 pm.

Carried
Unanimously.

Mayor Norm Collins

Judy Squires, Town Clerk