

**Town of Logy Bay-Middle Cove-Outer Cove
Regular Council Meeting
June 3, 2019**

(1) CALL TO ORDER: 5:00pm

IN ATTENDANCE

Mayor Bert Hickey
Deputy Mayor James Cadigan
Councillor Dennis Hickey
Councillor Ashley Politi
Councillor Brian Roche
Councillor Paul Ryan

Cathy Follett, Finance Officer
Wayne Langille, Administrative Support Clerk
Adele Carruthers, Town Clerk/Manager

REGRETS

Councillor Bradley Power

(2) ADOPTION OF AGENDA/MINUTES

Moved P.Ryan/D.Hickey: Resolved that the agenda of a regular meeting held on June 3, 2019 be adopted with the addition of an application for a detached garage located at 3 Red Rocks Drive and the time on the agenda modified from 5:30pm to 5:00pm. In favour 6. Carried.

Moved A.Politi/P.Ryan: Resolved that the minutes of a council meeting held on May 13, 2019 be adopted as tabled. In favour 6. Carried.

(3) BUSINESS ARISING (NIL)

(4) CORRESPONDENCE

(a) Memo from the Town Planner re: Open Space Assessment Fee. It was a decision of Council to defer the memo to the Planning/Development Committee for a decision on the recreation fees and the number of lots in relation to a major or minor subdivision of land.

(5) APPLICATIONS

(a) 3 Red Rocks Drive re: Detached Garage. **Moved D.Hickey/J.Cadigan:** Resolved that Council approve the application for a garage as per the recommendation from the town planner. In favour 6. Carried.

(b) 57-61 Marine Drive re: Doorstep Grade Exemption. **Moved D.Hickey/J.Cadigan:** Resolved that Council approve the request for an exemption to condition # 3 of the development permit. In favour 6. Carried.

(c) 1-17 Waverley Place re: Single Family Dwellings – Two Lots. **Moved D.Hickey/P.Ryan:** Resolved that Council approve an application for two single family dwellings subject to the town planner recommendations, town development regulations and Service Newfoundland and Labrador approval. In favour 6. Carried.

(6) COMMITTEE REPORTS

(a) Administration and Finance May 29, 2019 Report. **Moved B.Roche/J.Cadigan:** Resolved that Council approve the report as tabled. In favour 6. Carried.

(b) Planning and Development re: East Coast Trail Association Memorandum of Understanding. **Moved D.Hickey/B.Roche:** Resolved that Council proceed with the signing of a Memorandum of Understanding with the East Coast Trail Association. In favour 6. Carried.

(c) Planning and Development re: Amendment Form Municipal Plan & Development Regulations Amendments & Rezoning. **Moved D.Hickey/P.Ryan:** Resolved that Council approve the Amendment Form Municipal Plan & Development Regulations Amendments & Rezoning as tabled. In favour 6. Carried.

(d) Planning and Development re: Request to Rezone a Portion of Property to Develop a Residential Lot 12 Cobbler Crescent. **Moved D.Hickey/J.Cadigan:** Resolved that Council reject the application to rezone land which is consistent with Council's motion not to consider subdivision development applications and rezonings until such time as a community wide ground water and traffic study are completed and the Municipal Plan and Development Regulations Review is submitted to the Department of Municipal Affairs and Environment for Ministerial Registration and associated documents such as the Municipal Engineering Residential Subdivision Standards and Subdivision Agreements. In favour 6. Carried.

(e) Planning and Development re: Proposed Town of Logy Bay-Middle Cove-Outer Cove Traffic Regulations. **Moved D.Hickey/A.Politi:** Resolved that Council adopt the Town of Logy Bay-Middle Cove-Outer Cove Traffic Regulations as tabled. In favour 6. Carried.

(f) Planning and Development re: Municipal Statement of Recognition 100th Anniversary of the founding of The Canadian Institute of Planners. **Moved D.Hickey/P.Ryan:** Resolved that Council recognize the Centenary of the Canadian Institute of Planners and extend our good wishes to its members on that occasion and support their continued contributions to municipal land use planning in the future. In favour 6. Carried.

(g) Planning and Development re: Town of Logy Bay-Middle Cove-Outer Cove Open Space and Trail Study. **Moved D.Hickey/B.Roche:** Resolved that Council approve the Town of Logy Bay-Middle Cove-Outer Cove Open Space and Trail Study and the Town proceed with an open call for bids. In favour 6. Carried.

(h) Public Works re: East Coast Trail Maintenance. **Moved B.Roche/J.Cadigan:** Resolved that Council release \$ 5000.00 to the East Coast Trail Association as allocated in the budget for trail maintenance. In favour 6. Carried.

(7) NEW/UNFINISHED BUSINESS

(a) Gas Tax re: Motions Required. **Moved P.Ryan/J.Cadigan:** Resolved that Council request that the approved amount for project number 144-2009-2785 (road upgrade) be reduced by \$ 128.56, to reflect the actual amount spent to \$ 231079.00. In favour 6. Carried. **Moved P.Ryan/A.Politi:** Resolved that Council request that the approved amount for project number 144-2011-1467 (water study) be reduced by \$ 6204.50, to reflect the actual amount spent to \$ 136797.00. In favour 6. Carried.

Councillor Roche left the meeting at 6:23pm

(8) NOTICE OF MOTION

Councillor Hickey gave notice that, subject to the public notification process of the Development Regulations, Council will, at a future meeting of Council, bring forward a motion to amend the text of the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations as follows:

In Schedule A Definitions, add the following definition:

GROSS FLOOR AREA means the total floor area of all floors in a building on the lot including basements and mezzanines but excluding any porches, verandas, sunrooms (unless habitable in all seasons of the year), mechanical penthouse, any floor areas used exclusively for parking area, or Amenity Space.

In Schedule C, Use Zone Tables, where reference is made to the conditions respecting Subsidiary Apartments, delete the clause:

The floor area of the subsidiary apartment shall not exceed fifty percent (50%) of the total floor area of the self-contained dwelling, or eighty (80) square meters, whichever is less;

and replace the clause with the following;

The floor area of the subsidiary apartment shall not exceed twenty five percent (25%) of the Gross Floor Area of the dwelling in which it is located, or eighty (80) square meters, whichever is less.

The purpose of the proposed amendment is to clarify the maximum size of the subsidiary apartment permitted in relation to the dwelling in which it is located.

(8) ADJOURNMENT

Moved J.Cadigan/D.Hickey: Resolved that the Council meeting be adjourned at 6:28pm. In favour 5. Carried.

Adele Carruthers
Town Manager/Clerk

Bert Hickey
Mayor