Town of Logy Bay-Middle Cove-Outer Cove
Regular Council Meeting # 12
October 13, 2020

(1) CALL TO ORDER: 5:30pm

IN ATTENDANCE

Mayor Bert Hickey
Councillor Denis Hickey
Councillor Ashley Politi
Councillor Bradley Power
Councillor Brian Roche
Councillor Paul Ryan

Janine Walsh, Town Clerk/Manager
Cathy Follett, Finance Officer
Wayne Langille, Administrative Support Clerk

REGRETS

Deputy Mayor James Cadigan

(2) ADOPTION OF AGENDA

Motion 2020-12-01:B.Power/P.Ryan: Resolved that the agenda of a regular meeting held on October 13, 2020 be adopted as tabled. In favour 6. Carried.

(3) PROCLAMATIONS/PRESENTIONS

(4) MINUTES

Motion 2020-12-02:P.Ryan/D.Hickey: Resolved that the minutes of a council meeting held on September 21, 2020 be adopted as tabled. In favour 6. Carried.

Motion 2020-12-03:A.Politi/D.Hickey: Resolved that the minutes of a special council meeting held on October 1, 2020 be adopted as tabled. In favour 6. Carried.

(5) BUSINESS ARISING

(6) CORRESPONDENCE

(a) Letter from David Burton, Canadian Heritage re: Funding Approval. Information Only.

(b) Memo from Randy Murphy, East Coast Trail Association re: Trail Raiser. Council may submit a team for the trail raiser and advertise on social media to the public if they would like to join our team.

(7) COMMITTEES OF COUNCIL

(a) Administration/Finance re: Committee Report.
Motion 2020-12-04:B.Roche/D.Hickey: Resolved that Council approve the report as tabled. In favour 6. Carried.

(b) Administration/Finance re: Donation Request.
Motion 2020-12-05:B.Roche/A.Politi: Resolved that Council donate $ 340.00 to St. Francis of Assisi School in support of the Terry Fox Run. In favour 6. Carried.

(c) Planning/Development re: 2-44 Marine Lab Road re: Ministerial Consent.
Motion 2020-12-06:B.Roche/A.Politi: Resolved that Council recommend requesting the Minister of Environment, Climate Change and Municipalities to consent to initiate the regional plan amendment process. In favour 5. Councillor Power Against. Carried.

(d) Planning/Development re: 125-129 Doran's Lane – Garage. **Motion 2020-12-07:D.Hickey/P.Ryan**: Resolved that Council approve the existing garage and a 0.49 metre tolerance of one of the side yards. In favour 6. Carried.

(e) Planning/Development re: 171-173 Middle Cove Road – Single Family Dwelling.
Motion 2020-12-08:D.Hickey/B.Roche: Resolved that Council recommends that pursuant to Regulation 10 of the development regulations, the development application to demolish, relocate and construct a single family at 171-173 Middle Cove Road be conditionally approved and a development permit be issued subject to the following conditions: (1) the relocated single detached dwelling is situated on the lot and be setback from the property boundaries as per the attached site plan tabled at Council; (2) the well and septic tank system to be approved by Service NL; (3) the right of way to the subject property shall be clarified prior to the issuance of a building permit for the demolition and relocation of the existing dwelling to ensure that there is continued and permanent right-of-way access though the property that fronts onto Middle Cove Road for the current and future property owners; (4) all other relevant town polices and regulations applicable to residential development to be adhered to. In favour 6. Carried.

(f) Planning/Development re: 203-205 Lower Road – Single Family Dwelling. **Motion 2020-12-09:D.Hickey/P.Ryan**: Council recommends that the development of this portion of the property is approved as part of the development that currently exists to the rear of this area at 203 – 205 Lower Road subject to the following conditions: (1) The residential lot and the single detached dwelling to be developed in accordance with the RMD use zone development standards; (2) The dwelling to be located a minimum setback distance of 15 m from the buried watercourse towards the rear of the lot; (3) The well and septic tank system to be approved by Service NL; (4) All other relevant Town policies and regulations applicable to residential development to be adhered to. In favour 6. Carried.

(g) 57-59 Barnes Road - Two Lot Subdivision. **Motion 2020-12-10:D.Hickey/A.Politi**: Pursuant to Regulation 10, Council Recommends conditionally approved the proposed subdivision application for two-lot subdivision and cul de sac at 57-59 Barnes Road and that a development permit be issued subject to the following conditions: (1) the proposed subdivision development is approved as per the survey submitted; (2) the open space dedication is not applied to this subdivision; (3) the cul de sac road is to be designed and constructed in accordance with Schedule F Rural Development Standards of the Development Regulations; (4) a road name will be required to be approved by Council which is reflected of the area and both lots and the one lot with the existing dwelling will be required to be oriented onto the cul de sac and have their civic address off the new cul de sac; (5) a grading plan is to be prepared for the subdivision in accordance with zero net runoff principles to ensure that all surface water is captured on the lots and not directed onto adjacent properties; (6) the development of the individual lots to adhere to the grading plan; the grading plan will be required prior to the issuance of building permits for individual lots; (7) the property owner/developer shall enter into a subdivision development agreement with the Town prior to any construction commencing on the property; (8) once engineering plans are approved by the Town and the road is constructed to the satisfaction of the Town, building permit applications are to be submitted and the applications approved prior to the construction of the dwellings for each of the lots; (9) the well and septic tank systems for each individual shall be designed and constructed in accordance with the requirements of Service NL. (10) the use of open looped groundwater sourced heat pumps is not permitted within this subdivision. (11) All other relevant Town policies and regulations applicable to residential development to be adhered to. In favour 6. Carried.

(h) 163-181 Outer Cove Road – Seven Lot Subdivision.

Motion 2020-12-11:D.Hickey/ P.Ryan: Pursuant to Regulation 10, the Council recommends conditionally approval for the proposed subdivision application for a seven-lot subdivision and open space area at 163-181 Outer Cove Road and that a development permit be issued subject to the following conditions: (1) the proposed subdivision development is approved as per the submitted survey; (2) lots 1,3,4,5 and 6 are approved for residential development purposes. The lot or residual property at the southwestern portion of the property which has no frontage onto a publicly maintained street is not approved for development; (3) The wetland area to be transferred to the Town and Council accept the lot on which the wetland exists as the open space dedication requirement for the subdivision; (4) a grading plan is to be prepared for the subdivision in accordance with zero net runoff principles to ensure that all surface water is captured on the lots and not directed onto adjacent properties. The development of the individual lots to adhere to the grading plan. The grading plan will be required prior to the issuance of building permits for individual lots; (5) the well and septic tank systems for each individual lot shall be designed and constructed in accordance with the requirements of Service NL with consideration of the existing stream running through the rear of the properties on Pine Line and the wetland adjacent to Outer Cove Road; (6) the use of open looped groundwater sourced heat pumps is not permitted within this subdivision; (7) All other relevant Town policies and regulations applicable to residential development to be adhered to. In favour 6. Carried.

(i) Orders (NIL)

(j) Permits Issued:

175-179 Lower Road re: Dwelling Extension
48-54 O'Neill's Road re: Replace Windows
556-562 Logy Bay Road re: Commercial Extension
15-25 Snow's Lane re: Shed
8 Sandalwood Drive re: Pave Driveway
147-151 Lower Road re: Replace Siding
7 Kennedy's Brook Drive re: Autocross Motorsport Event
125-129 Doran's Lane re: Pool Shed
125-129 Doran's Lane re: Pool
113-115 Pine Line re: Replace Decks
45-53 Lower Road re: Replace Windows
369-371 Marine Drive re: Replace Siding
369-371 Marine Drive re: Fence
80 Devereaux Lane re: Greenhouse
7 Kennedy's Brook Drive re: Autocross Motor Event

(k) Public Works re: Driveway Culvert re: Policy.
Motion 2020-12-12:P.Ryan/B.Power: Resolved that Council approve the Driveway Culvert Policy as tabled. In favour 6. Carried.

(l) Public Works re: Big Meadow Drive Ownership & Mortgage Release.
Motion 2020-12-13:P.Ryan/B.Power: Resolved that Council accept ownership of a portion of Big Meadow Drive from JBRC Enterprises Ltd. and release the mortgage that was held on lot 4a as a security. In favour 6. Carried.

(m) Public Works re: Ditching & Shouldering 2020 Contract.
Motion 2020-12-14:P.Ryan/B.Power: Resolved that Council award the road maintenance ditching & shouldering contract 2020 to JAT Excavating Limited in the amount of $ 44905.10 (plus HST). In favour 6. Carried.

(n) Public Works re: Outer Cove Bridge Graffiti Removal.
Motion 2020-12-15:P.Ryan/B.Power: Resolved that Council proceed with the removal the graffiti at Outer Cove Bridge in the amount of $ 850.00 (plus HST). In favour 6. Carried.

(o) Public Works re: Soleno Storm Pipes Town Inventory.
Motion 2020-12-16:P.Ryan/B.Power: Resolved that Council proceed with the purchase of HDPE culverts for Town Inventory at EMCO's quoted price of $ 3017.64 + HST. In favour 6. Carried.

(p) Recreation/Committee Events re: Softball/Soccer Field Rentals.
Motion 2020-12-17:A.Politi/B.Roche: Resolved that the suspension of rentals for the town soccer and softball field to outside groups and organizations is still in effect. At the discretion of the Recreation/Community Events Committee of Council, softball/soccer field rentals can/may be approved, if the groups or participating individuals are affiliated with KPSA. All requests must be made through the Community Program Coordinator and Outreach Officer and scheduling must be made during regular town business hours at a minimum of 24 hours' notice. All requests will be subject to availability. In favour 6. Carried.

(q) Safety/Emergency Planning re: Town Hall/Justina Centre Exterior Door Automated Controller System. **Motion 2020-12-18:A.Politi/B.Roche**: Resolved that Council accept the proposal from ADT by Telus for the supply and installation of exterior door automated controller system, complete with keypad and fobs for both the Justina Centre (2 doors) and Town Hall (main door) for the quoted price of $ 8895.00 (plus HST). In favour 6. Carried.

(r) Safety/Emergency Planning re: Safe Driving & Parking Policy.
Motion 2020-12-19:A.Politi/B.Roche: Resolved that Council approve the Safe Driving and Parking Policy as tabled. In favour 6. Carried.

(s) Jack Byrne Regional Sport and Entertainment Centre re: Minor Hockey Ice Time. Councillor Ryan will address the concern of minor hockey ice time with the Jack Byrne Regional Board.

(t) Logy Bay Middle Cove Outer Cove Development Association re: Local Lookout. Town staff will add the refurbished Grotto at St. Francis of Assisi Church to the next edition of the Local Lookout.

(8) NEW/UNFINISHED BUSINESS

(9) NOTICE OF MOTION

(a) Councillor Bradley Power will make a motion at a future meeting of Council as follows: "Resolved that the Town proceed to acquire land on Snow's Lane and Logy Bay Road for the purpose of lane improvements and install right turning lane on Snow's Lane and widen and lengthen the left turning lane on Logy Bay Road through the acquisition of property."

(b) Notice is hereby given that, subject to the public notification process of the Urban and Rural Planning Act, the Planning and Development Committee will, at a future meeting of Council, bring forward a motion to rezone property at 2-44 Marine Lab Road from Open Space Recreation to Residential Low Density, Rural and Open Space/Conservation.

(10) ADJOURNMENT

Motion 2020-12-20:P.Ryan/B.Roche: Resolved that the Council meeting be adjourned at 6:36pm. In favour 6. Carried.

Janine Walsh
Town Clerk/Manager

Bert Hickey
Mayor