

**Town of Logy Bay-Middle Cove-Outer Cove
Regular Council Meeting # 13
September 25, 2023**

(1) CALL TO ORDER: 6:30pm

IN ATTENDANCE

Mayor Denis Hickey
Councilor Robert Cadigan
Councillor Rosalyn Kinsella
Councillor Ashley Politi
Councillor Shannon Power
Councillor Martin Roff

Susan Arns, Town Clerk/Manager
Wayne Langille, Administrative Support Clerk

REGRETS

Deputy Mayor Brian Roche

(2) ADOPTION OF AGENDA

Motion 2023-13-01:S.Power/M.Roff: Resolved that the agenda of a regular meeting held on September 25, 2023 be adopted as tabled including an addition from Councillor Cadigan. In favour 6. Carried.

(3) PROCLAMATIONS/PRESENTATIONS/ELECTIONS

Mayor Hickey proclaimed October 8-14, 2023 as Fire Prevention Week

(4) MINUTES

Motion 2023-13-02:R.Kinsella/A.Politi: Resolved that the minutes of a Council meeting held on September 5, 2023 be deferred until the next regular meeting of Council scheduled for October 16, 2023. In favour 6. Carried.

(5) BUSINESS ARISING

(6) **CORRESPONDENCE**

(7) **COMMITTEES OF COUNCIL**

- (a) Corporate Services re: Committee Report Acceptance.

Motion 2023-13-03:M.Roff/S.Power: Resolved that the Town accept the Corporate Services report as tabled. In favour 6. Carried.

- (b) Planning & Development re: **Permits Issued:**

8 Cloyne Drive re: Single Family Dwelling
210-214 Middle Cove Road re: Pave Driveway
210-214 Middle Cove Road re: Fence
542-544 Marine Drive re: Shed
525-527 Logy Bay Road re: Single Family Dwelling
8-14 Klondyke Road re: Replace Deck

- (c) Planning & Development re: 0 Nugent's Road – Rezoning Request.

Motion 2023-13-04:S.Power/M.Roff: Resolved that Council refuse an application to rezone the property located at 0 Nugents Road from Public Use (PUB) to Residential (RR2) due to the possible future needs of St. Francis of Assisi School. In favour 6. Carried.

- (d) Planning & Development re: Middle Cove Beach - Mobile Food Truck Business.

Motion 2023-13-05:S.Power/A.Politi: Resolved that Council approve a business application to operate a food truck at Middle Cove Beach as per the regulations and conditions set out by Council. In favour 5. Councillor Cadigan Against. Carried. Councillor Cadigan stated the nuisance factor from select residents located near Middle Cove Beach being the noise from fireworks, motorcycles, vehicles on the parking lot and these residents do not agree that locating a food truck on Middle Cove Beach parking lot is not a desirable thing as it will just enhance the nuisance factor mainly being noise and extra garbage. Councillor Cadigan mentioned that most beaches do not permit food trucks on their parking lots. In addition, Councillor Cadigan has not seen many cases where a permit would be issued for something controversial with select residents when we received negative feedback and the town issued the permit prior to a vote at Council.

- (e) Planning & Development re: Fence. **Motion 2023-13-06:S.Power/R.Kinsella:**

Resolved that Council approve a fence, as per the details provided by way of application, at the property located at 209-213 Marine Drive, which falls along the scenic route, and will be subject to the Town's fence regulations. In favour 6. Carried.

- (f) Planning & Development re: Fence. **Motion 2023-13-07:S.Power/A.Politi:** Resolved that Council approve a fence, as per the details provided by way of application, at the property located at 209-213 Marine Drive, which falls along the scenic route, and will be subject to the Town's fence regulations. In favour 6. Carried.
- (g) Planning & Development re: Single Family Dwelling with Underground Tunnel. **Motion 2023-13-08:S.Power/R.Kinsella:** Resolved that Council approve a single family dwelling for 20 Ivy's way, using the established building setback (as per the regulations) of 37.257 metres. The dwelling will be subject to the remaining provisions of the Rural Residential Two (RR2) zone standards and conditions, as provided by the Municipal Plan and Development Regulations 2021. An underground tunnel, between the dwelling and garage, will be considered a connection and the garage will not be considered accessory. In favour 5. Councillor Cadigan Against. Carried.
- (h) Public Works re: Garbage & Recycling Collection and Disposal re: 2024. **Motion 2023-13-09:M.Roff/A.Politi:** Resolved that Council award Garbage and Recycling Collection / Disposal for 2024 to Around the Bay Disposal Inc. in the amount of One Hundred Seven Thousand, four hundred thirty-seven dollars, twenty cents plus HST (\$107,437.20 +HST). In favour 6. Carried.
- (i) Public Works re: Wexford Estates - Stage 3 (Cloyne Drive and St. Francis Road extensions) Road Rehabilitation – Acceptance. **Motion 2023-13-10:M.Roff/S.Power:** Resolved that Council accept Stage 1 construction works for Wexford Estates - Stage 3 (Cloyne Drive and St. Francis Road extensions) as all requirements from the subdivision agreement have been met and all identified deficiencies. In favour 6. Carried.
- (j) Safety/Emergency Planning re: Dirt Bikes. Councillor Power noted that two bikes were obeying the rules of the road on the September 25, 2023.

(8) NEW/UNFINISHED BUSINESS

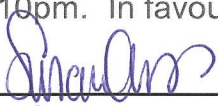
- (a) Memo from Councillor Cadigan re: Breach of my Rights as a Councillor. Information Only.

(9) NOTICE OF MOTION

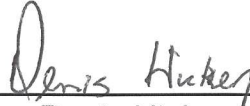
(10) ADJOURNMENT

(11) NEXT MEETING (October 16, 2023)

Motion 2023-13-11:R.Kinsella/M.Roff: Resolved that the Council meeting be adjourned at 7:10pm. In favour 6. Carried.



Susan Arns
Town Clerk/Manager



Denis Hickey
Mayor