

Regular Meeting #12 July 13, 2021

A Regular Meeting of Council convened at 7:03 p.m. in the presence of Mayor French, Councillors (with the exception of Councillor Bursey), Chief Administrative Officer, Brian Crawley, Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Planning and Development, Corrie Davis, Director of Economic Development, Jennifer Lake, Fire Chief John Heffernan, and Communications Manager, Carla Hodder.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for July 13, 2021

Resolution #21-250

Deputy Mayor Murphy/Councillor Hillier

Be it so resolved that the agenda of the meeting of July 13, 2021 be adopted as presented.

- carried unanimously

b. Adoption of the Meeting Minutes of June 15, 2021 and June 29, 2021

Resolution #21-251

Councillor Tilley/Councillor Bent

Be it so resolved that the minutes of the meeting of June 15, 2021 and June 29, 2021 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

Nil

**4. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE
(Chair, Councillor Gerard Tilley)**

Presentation of recommendations of meeting held on July 6, 2021

1. Ratification of PO #2021-0418 – Topsail Lift Station

**Resolution #21-252
Councillor Tilley/Councillor Butler**

Be it so resolved, that approval be given to Sansom Equipment Limited to ratify PO #2021-0418 in the amount of \$16,219.34, plus HST. Funds to be taken from account 01-401-1000-7405.

- carried unanimously

2. Approval to Award – Anchorage Road Paving and 2021 Sidewalk Program

**Resolution #21-253
Councillor Tilley/Councillor Youden**

Be it so resolved that approval be given to award Anchorage Road Paving and 2021 Sidewalk Program to Farrells Excavation Limited for the bid price of \$1,091,593.23 including HST. Funds to be taken from the capital project accounts.

- carried unanimously

3. Approval to Award – 2021 Street Rehabilitation Program

**Resolution #21-254
Councillor Tilley/Councillor Bent**

Be it so resolved that approval be given to award 2021 Street Rehabilitation Program to Modern Paving Limited for the bid price of \$415,890.60 including HST. Funds to be taken from the capital project account.

- carried unanimously

4. Approval to Award – Coastal Assessment Long Pond

Resolution #21-255
Councillor Tilley/Councillor Hillier

Be it so resolved that approval is given to award the Coastal Assessment – Long Pond Breakwater to CBCL Limited at a cost of \$144,000.00 plus HST. Funds are available in the project account.

- carried unanimously

5. Engineering and Public Works Committee Meeting

Resolution #21-256
Councillor Tilley/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of July 6, 2021, be accepted as presented.

- carried unanimously

Councillor Tilley reminded residents to visit the Town's website to see a list of Town construction projects, road work locations and traffic disruptions.

Councillor Tilley advised that the bulk waste drop off program is available to residents July 17 and 24 at 43 Gateway Drive. Further details are on the Town's website or by calling the Town Hall.

Councillor Tilley stated that due to maintenance and upgrade work required on the Town's water infrastructure residents may experience water disruptions throughout the day Monday, July 19, 2021. All areas of Conception Bay South may experience pressure fluctuations, but locations at higher elevations are most susceptible to water loss. Further details are on the Town's website and further communications will be advertised throughout this week.

Councillor Tilley provided an update on water system repairs June 5-8 as follows:

- A focused review was completed following the water system breaks and repairs last month.
- The initial break occurred on the Town's transmission line which appears to have been caused by poor soil conditions surrounding the pipe. This repair disrupted many parts of the Town's water system, however once repaired the

- system returned to normal operations for 48 hours. Key infrastructure and pressures were checked following the repair and in consultation with the Regional Water System, all water flows returned to normal.
- Approximately, 48-72 hours after the repair, three leak locations were identified at different locations throughout the Town. These were isolated locations and had little impact to residents. It is not uncommon, that when there is a water disruption that effects the system significantly, as was the case with the transmission main repair, that other weak or corrosive pipe locations fail. This was confirmed once the locations were repaired and removed pipes were inspected. All three locations were surrounded with unsuitable material which corroded pipe. These three leak locations that appeared suddenly were installed between 1978 – 1983.
 - Many years ago the Town adjusted its regulations to reduce the risk of poor soil materials corroding infrastructure, however pipe installed in the 80s and 90s will likely fail in the 30-50 years range if exposed to corrosive environments over a long period of time.
 - It is important to note, the Town's water consumption over Jan – April 2021 was down approximately 10% over the same time in 2020. Reviewing historical and current data, consumption rates indicate the Town's water system is operating well with minimal unaccounted for water.
 - The Town continues to invest in infrastructure maintenance and upgrades. The Town is undertaking a project that includes installing 5 district water meters and upgrading key pressure reducing valves which will further allow efficient operations, system analysis and earlier detection of water loss, leaks or pressure fluctuations. The last piece of this project will occur Monday.

5. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Junior Bursey)

Presentation of recommendations of meeting held on July 5, 2021

1. Approval to Award Limited Call for Bids – Tractor with Front Snowblower and Rear Mowing Attachments.

Resolution #21-257
Councillor Davis/Councillor Bent

Be it so resolved that approval be given to award Limited Call for Bids for the purchase and delivery of one (1) 2021 or newer tractor, with front snowblower and rear mower attachments to NL Kubota Limited at a cost of \$77,776.00 plus HST. Monies are available for this expense in the Departments Operating Budget.

- carried unanimously

2. Canadian Inclusivity Squash Program: Canada Healthy Communities Initiative

Resolution #21-258
Councillor Davis/Councillor Butler

Be it so resolved that approval be given to provide a total combined contribution, in-kind and monetary, of \$7500 to the Canadian Inclusivity Squash Program in support of their grant application to the Canada Healthy Communities Initiative Program.

- carried unanimously

3. Approval for Limited Call for Bids: Tractor Pulled Ice Resurfacer

Resolution #21-259
Councillor Davis/Councillor Hillier

Be it so resolved that approval be given for a Limited Call for Bids for the purchase of one 2021 or newer Tractor Pulled Ice Resurfacer. Funds are available in the Departments Operating Budget for this purchase.

- carried unanimously

4. Recreation and Leisure Services Committee

Resolution #21-260
Councillor Davis/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of July 6, 2021 be accepted as presented.

- carried unanimously

6. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor Richard Murphy)

Transferred from Committee of the Whole Meeting #12

1. Conception Bay South Municipal Election Vote by Mail Regulations

**Resolution #21-261
Deputy Mayor Murphy /Councillor Youden**

Be it so resolved that the Conception Bay South Municipal Election Vote by Mail Regulations be adopted as presented.

**CONCEPTION BAY SOUTH MUNICIPAL ELECTION VOTE BY MAIL REGULATIONS
PUBLISHED BY AUTHORITY**

Pursuant to the powers conferred by Sections 26 and 34 of the *Municipal Elections Act, SNL2001*, Chapter M-20.2, the Town of Conception Bay South has made the following Regulations.

1. TITLE

These Regulations shall be cited as the "Conception Bay South Municipal Election Vote By Mail Regulations".

2. WARDS

The Town of Conception Bay South is divided into four (4) wards.

3. The Returning Officer shall:

- (i) appoint, in writing, election officials as may be required to conduct the municipal election;
- (ii) establish and maintain a secure repository into which the Return Envelopes and the Ballot Envelopes shall be placed until the time specified for the counting of ballots;
- (iii) establish and maintain until 8 pm on any advanced poll day and election day a polling station for the deposit of Return Envelopes and Ballot Envelopes;
- (iv) establish and maintain an Elections Office for corrections and additions to or deletions from the Voter's List.

4. The Returning Officer may provide, in addition to the polling station required in section 3 (ii), a minimum of one (1) additional polling station for the deposit of Return Envelopes and Ballot Envelopes in each ward. Such additional polling station sites shall be accessible only between 8 am and 8 pm on election day and shall be supervised by election officials as determined by the Returning Officer.
5.
 - (i) The procedures for the conduct of the municipal election are specified in Appendix A, hereto annexed, which forms part of these Regulations.
 - (ii) Notwithstanding the foregoing, the Returning Officer, may, with prior Ministerial approval, vary the procedures from time to time as deemed appropriate to ensure the efficiency and integrity of the municipal election.
 - (iii) Persons appointed by the Returning Officer as election officers shall carry out their duties as specified in the procedures contained in Appendix A.
6. A Voter Kit shall be mailed to each eligible voter. In order to receive a Voter Kit, such eligible voter must register to receive one. The Voter Kit shall contain the following:
 - (i) Voting Instruction Sheet;
 - (ii) Voter Declaration Form;
 - (iii) Ballot;
 - (iv) Return envelope;
 - (v) Ballot envelope; and
 - (vi) Any further enclosures the Returning Officer may deem necessary or appropriate.
7. Each voter has the responsibility to complete their ballot in accordance with all applicable legislation and return it to the Returning Officer by mail or personal delivery by 8 pm on election day. Notwithstanding Section 33.3 of the Municipal Elections Act, ballots received after this time will not be counted.
8. Section 26 and 34 of the Municipal Elections Act, SNL 2001, Chapter M-20.2 shall apply. Section 27 shall have no application to a municipal election in the Town of Conception Bay South.
9. With the exception of the ballot form, other forms used to administer a municipal election, as prescribed by the Minister of Municipal and Provincial Affairs, will be used.
10. The Town of Conception Bay South shall enter into any/all contracts necessary to conduct the election in accordance with these Regulations, including but not limited to, with the Canada Post Corporation.

11. Any person who contravenes these Regulations shall be guilty of an offence and liable upon conviction to a penalty as provided in the Municipal Elections Act, SNL2001, Chapter M-20.2.

12. **COMPLIANCE WITH OTHER ACTS**

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other Regulation of the Town of Conception Bay South or any Statute or Regulation of the Province of Newfoundland and Labrador. If any such Regulation contained herein conflicts with a provincial or federal statute, the provincial or federal statute shall prevail.

The invalidity of any particular provision of these Regulations shall not affect any other clause or subclause of these Regulations, but these Regulations shall be construed as if such invalid clause or subclause were omitted.

13. **EFFECTIVE DATE**

These Regulations shall come into force on the 14th day of July, 2021.

APPENDIX A VOTE BY MAIL PROCEDURES TOWN OF CONCEPTION BAY SOUTH

1. The official Voter Kit will be sent to all voters on the Voter's List, who are registered to receive one, no later than 10 days after the close of the nomination period.
2. Immediately upon receipt of the Voter Kit, a voter may send their Return Envelope and Ballot Envelope by mail in accordance with the final deadline – as determined by Canada Post – which will ensure delivery to the Town of Conception Bay South by 8 pm on election day. Ballots received after 8 pm on election day, regardless of postmark, will be considered spoiled and will not be counted.
3. Voters will also have the option to:
 - drop their Return Envelope and Ballot Envelope into a secured Drop Box situated outside Town Hall 24 hours a day up to 8 pm on election day. Notwithstanding Section 33.3 of the Municipal Elections Act, ballots received after this time will be considered spoiled and will not be counted.
 - Drop their Return Envelope and Ballot Envelope into the appropriate polling station for their ward between 8 am and 8 pm on election day.

4. Voters who do not need to be sworn in may drop their Return Envelope and Ballot Envelope into their Ward Polling Station between 8 AM and 8 PM on election day. The Returning Officer shall determine the number of Polling Stations that may be set up for election day.
5. To ensure prompt delivery of all Return Envelopes to the appropriate location, a separate postal box shall be secured by the Town solely for municipal election purposes and shall remain separate from any and all other postal addresses utilized by the Town of Conception Bay South.
6. The Returning Officer shall put in place personnel for the tracking of which voters have returned their Ballot Envelopes.
7. The Returning Officer may use any currently available electronic and/or manual processes to separate the Voter Declaration Form from the Ballot Envelope and match the Voter Declaration Form to the Voter List.
8. The separated Ballot Envelopes and Voter Declaration Forms shall be held in a secure location.
9. All Voter Kits will be imprinted with "RETURN TO SENDER IF UNDELIVERED TO ADDRESSEE". Upon receipt of these returned non-delivered kits, adjustments will be made to the Voters List to advise that the Voter Kit has been returned to the election office. All returned Voter Kits in this category will be held in a secure location.
10. The Returning Officer may use any currently available electronic and/or manual process to conduct the counting of ballots.
11. The areas designated as counting areas on election day shall be closed to all personnel other than those necessary for the conduct of the count of ballots. Security personnel shall be posted at each counting area to ensure restricted entry and secrecy of the results is maintained until 8 pm on election day. Counting of the ballots shall be in accordance with Section 51 of the Municipal Elections Act.
12. A final Canada Post pick up will take place at 8 pm on election day, under the direction and control of the Returning Officer, and the Return Envelopes obtained at that time shall be brought directly to the Town Hall for distribution to the appropriate counting areas.
13. All Return Envelopes received at Canada Post after 8 pm on election day shall be date and time stamped by Canada Post and returned to the Town of Conception Bay South where they will be retained in a secure location in accordance with the Municipal Elections Act. Regardless of postmark, these ballots will be considered spoiled and will not be counted.

14. The following procedure will be used in the Polling Stations:
 - a. The Polling Stations shall open at 8 am and close at 8 pm on election day. In accordance with Section 33(2) of the Municipal Elections Act, a delay in the opening of the poll may impact the time of closing.
 - b. The Deputy Returning Officer will be empowered to swear in voters who are not on the Voters List and who complete the appropriate form and provide the required identification.
15. Eligible voters not included on the Voter List can complete the appropriate documentation online or in person (8:30 a.m. to 4:30 p.m., Monday to Friday, at Town Hall) after which a voter kit will be provided up to the day immediately preceding election day.
16. Secure transport of ballot boxes from Polling Stations to Town Hall will be conducted under the supervision of the Returning Officer and will take place on a continuing basis until 8 pm on election day or until all completed kits and ballots deposited by 8 pm on election day are collected.
17. All Return Envelopes from the Polling Stations will be sorted and tabulated at Town Hall.
18. All completed application forms taken at the Polling Stations will be transported to Town Hall on a continual basis along with the sealed ballot boxes. Upon arrival at Town Hall, the application forms will be provided to election officials for verification purposes.
19. Candidates and/or their agent authorized in writing are permitted to remain in the polling station during voting hours and during the counting of the ballots. Authorized agents are subject to the following rules:
 - a. Agents will conduct themselves in a professional manner.
 - b. Agents will address all questions to the Returning Officer or Deputy Returning Officer and will comply with their directions.
 - c. Agents will be provided with an access pass and must wear it all times while in the Polling Station or in the counting area.
 - d. Agents may not handle any ballots or election materials.
 - e. Agents must acknowledge, in writing, their agreement to observe the above noted rules.
 - f. Failure to observe the above stated rules shall result in the agent being removed from the Polling Station and/or counting area.

- carried unanimously

Presentation of recommendations of meeting held on July 6, 2021

1. Accounts Payable Cheque Register

Resolution #21-262

Deputy Mayor Murphy/Councillor Davis

Be it so resolved that approval be given to pay Accounts Payable cheques totaling \$692,793.55.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #21-263

Deputy Mayor Murphy/Councillor Butler

Be it so resolved that approval be given to ratify manual cheques previously released totaling \$61,719.56

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #21-264

Deputy Mayor Murphy/Councillor Hillier

Be it so resolved that approval be given to ratify direct payments previously released totaling \$274,976.36.

- carried unanimously

4. Capital Invoices

Resolution #21-265
Deputy Mayor Murphy/Councillor Youden

Be it so resolved that approval be given to pay capital invoices totaling \$498,761.97 as listed:

Project	Vendor	Invoice Number	Amount
Library	SNC Lavalin	1551909	\$11,781.46
2020 Street Upgrading	Harbourside	2127	\$4,236.00
2020 Street Upgrading	Capital Precast	P24175	\$1,909.00
Barachois Repairs	R.J.G. Construction	LPD21-009-PC05	\$111,595.49
Anchorage Road Upgrading	SNC Lavalin	1551908	\$4,376.47
Pedestrian Crossing Manuels River	Harbourside	2115	\$3,441.38
Community Park	Dexter	Progress Claim 4	\$11,500.00
Tilleys Road South Phase 3	SNC Lavalin	1551888	\$5,059.68
Worsley & Laurel Intersection Upgrade	Dexter	562647	\$13,811.50
WWTP Air Vent	Cahill	Claim 3	\$4,248.51
WWTP Air Vent	Cahill	Claim 4	\$9,715.63
Trailway Repair: Warfords to Doyles Realignment	Grand Concourse Authority	21045	\$60,005.09
Sanitary Sewer Study – Sewer Model Software	Carahsoft Technology	28507051	\$31,669.68
RFMS Roof Repair	Northbrook	183	\$3,714.50
District Water Meters	Dexter	Claim 2	\$198,316.35
District Water Meters	SNC Lavalin	1554414	\$2,558.18
Rec and Cultural Master Plan	Tract Consulting	CBS-20146- 04	\$2,364.40

2021 Traffic Calming RRFB	Construction Signs	43557	\$13,455.00
Billy Brook Storm Water Study	SNC Lavalin	1552150	\$5,003.65
Total Capital Invoices:			\$498,761.97

- carried unanimously

5. 2020 – 2023 Multi Year Capital Works Funding Application

Resolution #21-266

Deputy Mayor Murphy/Councillor Bent

Be it so resolved that the town make application under the 2020-2023 Multi Year Capital Works Funding Program for projects as listed:

Project Description	Estimated Cost	GST Rebate	Provincial	Municipal
Phase 48 Water and Sewer	\$3,000,000	\$279,496	\$1,904,353	\$816,151
Steadywater Brook Stormwater Upgrades	\$1,000,000	\$93,165	\$453,417	\$453,418
Route 60 @ Perrins Road & @ Manuels Pedestrian Traffic Lights	\$450,000	\$41,924	\$204,038	\$204,038
Phase 47 Surface Course	\$700,000	\$65,216	\$317,392	\$317,392
Street Paving & Upgrades	\$5,700,000	\$531,042	\$2,584,479	\$2,584,479
Long Pond Coastal Assessment Study	\$187,100	\$17,431	\$118,769	\$50,901
Totals:	\$11,037,100	\$1,028,274	\$5,582,448	\$4,426,379

- carried unanimously

6. 2020-2023 Multi Year Capital Works Funding Approval

Resolution #21-267
Deputy Mayor Murphy/Councillor Bent

Be it so resolved that The Town accept cost shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated June 25, 2021, for the following projects. The Town agrees to provide the municipal share of \$4,426,379, for a total project value of \$11,037,100.

Project Description	Estimated Cost	GST Rebate	Provincial	Municipal
Phase 48 Water and Sewer	\$3,000,000	\$279,496	\$1,904,353	\$816,151
Steadywater Brook Stormwater Upgrades	\$1,000,000	\$93,165	\$453,417	\$453,418
Route 60 @ Perrins Road & @ Manuels Pedestrian Traffic Lights	\$450,000	\$41,924	\$204,038	\$204,038
Phase 47 Surface Course	\$700,000	\$65,216	\$317,392	\$317,392
Street Paving & Upgrades	\$5,700,000	\$531,042	\$2,584,479	\$2,584,479
Long Pond Coastal Assessment Study	\$187,100	\$17,431	\$118,769	\$50,901
Totals:	\$11,037,100	\$1,028,274	\$5,582,448	\$4,426,379

- carried unanimously

7. Tax and Other Receivables Adjustments

Resolution #21-268
Deputy Mayor Murphy/Councillor Butler

Be it so resolved that approval be given to adjust tax and other receivables accounts as follows:

HIGHW001	\$3,610.80
GMPLT001	\$3,376.75
LEDRR002	\$1,028.18
INTER004	\$413.92
C.B..001	\$540.37

11645001	\$783.74
KRUGE001	\$7,185.84
JENNS003	\$1,498.50
DAWEG020	\$48,375.95
NEWFO026	\$4,184.20

- carried unanimously

8. Municipal General Insurance

Resolution #21-269 **Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that approval be given to renew the town's general insurance policy for one-year from July 1, 2021 to June 30, 2022 at a cost of \$221,782.20 all taxes included. This is a budgeted item and funds are available in account 01-102-1000-7110.

- carried unanimously

9. Tax Agreement

Resolution #21-270 **Deputy Mayor Murphy/Councillor Hillier**

Be it so resolved that approval be given to ratify the tax agreement with Omni Marine Services Ltd.

- 7 yeas
- 1 abstention
(French)
- motion carried

Mayor French declared a conflict of interest with this item as he owns property on Terminal Road. He vacated the meeting at 7:24 p.m. and returned at 7:25 p.m.

10. Personnel - Public Works Supervisor

Resolution #21-271
Deputy Mayor Murphy/Councillor Butler

Be it so resolved that approval be given to appoint Jason Abbott to the position of Public Works Supervisor as per the terms and conditions of the employment contract.

- carried unanimously

11. Financial and Administrative Services Committee Report

Resolution #21-272
Deputy Mayor Murphy/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of July 6, 2021 be accepted as presented.

- carried unanimously

**7. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM
(Chair, Councillor Cheryl Davis)**

Presentation of recommendations of meeting held on July 6, 2021

1. Northeast Avalon Wayfinding Signage Project – Phase II

Funding for this regional project has been secured from ACOA at 50% and the Department of Industry, Energy and Trade at 25% with the balance of the project funds provided by eleven participating municipalities at 25%. The cost to the Town is approximately \$3,118.

Resolution #21-273
Councillor Davis/Councillor Butler

Be it so resolved that approval be given to award the Northeast Avalon Regional Wayfinding Signage Project – Phase II to Tract Consulting Inc. at a cost of \$80,178 inclusive of HST. Funds are available in Account Number 01-502-1000-7713.

- 7 yeas
- 1 abstention
(Youden)

- motion carried

Councillor Youden declared a conflict of interest with this item as it involves his employer. He vacated the meeting at 7:27 p.m. and returned at 7:28 p.m.

2. Downtown CBS

As per section 8 of the Conception Bay South Business Improvement Area Regulations, Council must appoint persons to the Board of Management to fill vacancies.

Resolution #21-274
Councillor Davis/Councillor Bent

Be it so resolved that approval be given to appoint Matthew Lawrence, Owner and Operator of EDUCO, as a Director to Downtown Conception Bay South Board of Management.

- carried unanimously

3. Economic Development and Tourism Committee Meeting Report

Resolution #21-275
Councillor Davis/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee meeting of July 6, 2021 be accepted as presented.

- carried unanimously

8. NEW BUSINESS

Deputy Mayor Murphy

wished Councillor Bent luck in his campaign for the position of Mayor.

Councillor Youden

stated that he is excited to see the library progressing.

expressed congratulations to Councillor Bent for announcing he will run for the position of Mayor.

Councillor Bent

stated that the 9th annual Ride for Riley will take place on Saturday at the Villa Nova Parish Hall parking lot. He stated that a small group will be riding but that everyone can purchase tickets online to support the Jack Hand Foundation.

commented on the upgrading of the crosswalk at Manuels River. He stated that the Town is awaiting materials but, in the meantime, have installed bright signage to warn drivers.

thanked those wishing him well in his campaign. He stated that it has been a privilege to have served this past six years. He also encouraged others to step up and run in the municipal election.

Councillor Butler

stated that the trail counts reached 164,218 to the end of June. She reminded users to remember trail etiquette

commented on the Urban Forest Expansion initiative. She stated that over 300 requests have been received. She thanked Hickeys Greenhouse and Home Hardware for their support.

expressed congratulations to Councillor Bent

wished all residents an enjoyable summer and be requested all to be mindful of covid restrictions.

Councillor Davis

stated that on June 19, 2021 the Town hosted a modified version of the 3-hour challenge community clean up. The event sponsor again this year was Tim Hortons. This year the event did not include a community rally in order to adhere to Public Health guidelines. Special thanks to the 621 people that participated and our 8 community sponsors in making our community a cleaner place to live.

Mayor French

requested all drivers to please slow down. He stated that speed is a major problem within our town and extremely dangerous.

**9. RECOMMENDATIONS OF PLANNING AND DEVELOPMENT COMMITTEE
(Chair, Councillor Rex Hillier)**

Presentation of recommendations of meetings held on July 6, 2021

1. 40 Foxtrap Access Road – Request for Re-Zoning

**Resolution #21-276
Councillor Hillier/Councillor Butler**

Be it so resolved that, under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, Conception Bay South Municipal Plan Amendment No. 19, 2021 and Conception Bay South Development Regulations Amendment No. 36, 2021 be adopted.

AND FURTHER:

Be it so resolved that, under authority of Section 19 of the *Urban and Rural Planning Act, 2000* Mr. Stephen B. Jewczyk, FCIP be appointed as commissioner to hold a public hearing and complete a report respecting Municipal Plan Amendment No. 19 and Development Regulations Amendment No. 36, 2021.

AND FURTHER:

Be it so resolved that, under authority of Section 18 of the *Urban and Rural Planning Act, 2000* and the directive of the Department of Municipal and Provincial Affairs, a public hearing period for the receipt of written submissions by the Commissioner is set from July 21 to August 20, 2021 respecting Municipal Plan Amendment No. 19, and Development Regulations Amendment No. 36, 2021.

- 7 yeas
- 1 abstention
(Murphy)
- motion carried

Deputy Mayor Murphy declared a conflict of interest with this item as it is owned by family members. He vacated the meeting at 7:41 p.m. and returned at 7:44 p.m.

2. 7 Conception Bay Highway – Development Regulations Amendment

Resolution #21-277
Councillor Hillier/Councillor Youden

Be it so resolved that under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, Amendment No. 37, 2021 to the Conception Bay South Development Regulations be adopted.

- carried unanimously

3. 120 Conception Bay Highway – Proposed Sign

Resolution #21-278
Councillor Hillier/Councillor Bent

Be it so resolved that Application No. COM-21-075 received on April 10, 2021 to replace the existing North Atlantic Petroleum free standing sign at 120 Conception Bay Highway with a new 6.7m high free standing sign and a sign face area of no more than 15.25m², be approved on condition that the existing portable sign related to this business be removed from the property.

- carried unanimously

4. 30 Flats Road – Building Line Setback

Resolution #21-279
Councillor Hillier/Councillor Bent

Be it so resolved that, in accordance with section 5(8)(2) of the Town's Development Regulations, Application No. 21-159, received on June 9, 2021 for development of a single dwelling at 30 Flats Road with a building line setback of 7m, be approved.

- carried unanimously

5. Request to Purchase Town land – Seal Cove Road

Resolution #21-280
Councillor Hillier/Councillor Youden

Be it so resolved that, in accordance with Section 202.2(3) of the Municipalities Act, 1999, that the Town provide public notice of its intention to sell, or otherwise dispose of approximately 4900m² of town land to the rear of 412-424 Seal Cove Road.

- carried unanimously

6. 73 Cherry Lane – Single Dwelling

Resolution #21-281
Councillor Hillier/Councillor Bent

Be it so resolved that, subject to payment of processing fees and deposits, the Town undertake consultation related to proposed re-zoning at 73 Cherry Lane to accommodate development of a single dwelling.

- carried unanimously

7. 39 Cables Road – Placement of Fill

Resolution #21-282
Councillor Hillier/Councillor Youden

Be it so resolved that, in accordance with Policy 5.8.3 of the Town's Municipal Plan and Section 5.34(3) of the Town's Development Regulations, Application No. 21-163 received on June 10, 2021 seeking to infill land at 39 Cables Road be refused given that lands within the Open Space Conservation Zone are meant to be left in a relatively natural state to protect waterways and wetlands and that filling in or alteration of wetlands is prohibited.

- carried unanimously

8. 9 Cambridge Crescent – Accessory Building

Resolution #21-283
Councillor Hillier/Councillor Youden

Be it so resolved that, in accordance with Section 5.3.1(2) of the Town's Development Regulations, Application No. 21-135 received on June 18, 2021 for an accessory building in the front yard at 9 Cambridge Crescent be refused given that the accessory building can be located in the side or rear yard, that the accessory building is not screened from the street by way of slope or vegetation, and that the accessory building is not balanced with the main building on the property with respect to exterior finish, roof line and pitch

- carried unanimously

9. Planning and Development Committee Meeting Report

Resolution #21-284
Councillor Hillier/Councillor Youden

Be it so resolved that the decisions and recommendations made at the Planning and Development Committee meetings on July 6, 2021, be accepted as presented.

- carried unanimously

Transferred from Committee of the Whole #12

1. 10 Kinglet Way, Variances

Resolution #21-285
Councillor Hillier/Councillor Butler

Be it so resolved that, in accordance section 3.12 of the Town's Development Regulations, Application No. 21-171, received on June 14, 2021 to vary the building line setback to 9m, the side yard to 2.7m and the rear yard depth to 11.7m for a single dwelling at 10 Kinglet Way, be approved.

- carried unanimously

10. OTHER COMMITTEE REPORTS

Nil

11. ADJOURNMENT

The meeting adjourned at 7:52 p.m.

Resolution #21-286
Councillor Davis/Councillor Youden

Be it so resolved that the meeting adjourn.

- carried unanimously

Terry French
Mayor

Richard Murphy
Deputy Mayor

Gail Pomroy
Town Clerk