

## **Regular Meeting #04 March 5, 2019**

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Mayor French, Councillors (with the exception of Councillor Tilley), Chief Administrative Officer, Brian Crawley, Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Planning and Development, Corrie Davis, Director of Recreation and Leisure Services, David Tibbo, Director of Engineering and Public Works, Jennifer Norris, Fire Chief John Heffernan, Director of Economic Development and Communications, Jennifer Lake and Communications Manager, Maggie Hynes.

---

### **1. ADOPTION OF AGENDAS AND MINUTES**

#### **a. Adoption of the Meeting Agenda for March 5, 2019**

**Resolution #19-068**  
**Councillor Bursey/Councillor Butler**

Be it so resolved that the agenda of the meeting of March 5, 2019 be adopted as presented.

- carried unanimously

#### **b. Adoption of the Meeting Minutes of February 19, 2019**

**Resolution #19-069**  
**Councillor Davis/Deputy Mayor Murphy**

Be it so resolved that the minutes of the meeting of February 19, 2019 be adopted as presented.

- carried unanimously

### **2. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

### 3. NEW BUSINESS

#### Councillor Davis

stated that we are very excited to share that Sportsnet announced the host communities for the 2019 Pinty's Grand Slam World Curling. As part of this announcement, it was released that the Town of Conception Bay South will once again be the host of the Pinty's Grand Slam of Curling Boost National from December 10-15. This was an excellent event for the Town last year and we are very excited to have the opportunity to host again. Information on full event ticket packages, volunteer recruitment and sponsorship opportunities will be announced in the coming weeks.

Last night, the Town hosted the annual Athlete and Coach of the Year and Sports Hall of Fame Banquet at Manuels River. I would like to congratulate not only the award winners and inductees from last night, but everyone who was nominated, as this alone is an honour in itself. Last night we awarded:

- Junior Male Athlete of the Year  
Keegan Stuckless
- Junior Female Athlete of the Year  
Lauren Rowe
- Senior Male Athlete of the Year  
Zachary Gosse
- Senior Female Athlete of the Year  
Hayley Dalton
- Coach of the Year  
Kyle Strong

she advised that we also inducted into the Sports Hall of Fame

- The late Reuben Eugene Warford as an Athlete / Builder
- Marion Ann Haines as a Builder

stated that last week, our 2019 Winterfest wrapped up, in what was a busy 10 days with lots of events and activities for all ages. Most of these activities would not have been possible without our event sponsors, as well as the many community volunteers who helped out this year. These include the volunteers from the Winterfest Committee, the CBS Lions Club, the Town's Youth Advisory Committee, St. John Ambulance, St. Edward's Elementary and so many more. Thank you so much for helping make Winterfest such a success.

**Councillor Hillier**

stated that as the Town reviews its Municipal Plan we want as much resident involvement as possible. He requested residents to visit the website, [www.cbs2030.com](http://www.cbs2030.com) to do an online survey which will be open until March 31<sup>st</sup>. There will also be two workshops on Monday March 11<sup>th</sup> at Worsley Park and on March 12<sup>th</sup> at the Parsons Field Clubhouse.

**Councillor Bent**

stated that on February 23, 2019 he had attended the Lions Club Charter Night. He noted that the Lions Club are celebrating their 40<sup>th</sup> anniversary in Conception Bay South. He stated that it was a great evening and extended his appreciation to the club for all they do in the community.

expressed congratulations and appreciation to staff and the Winterfest Committee for another successful Winterfest.

stated that he had attended the launch party for Ninepenney Brewing. He noted that craft brewing is a growing industry and a great way to bring visitors to our community. He extended congratulations to them on their opening.

expressed congratulations to resident Melanie Taylor on winning a gold medal at the 2019 Canada Winter Games.

congratulated Hayley Dalton for being named 2019 Senior Female Athlete of the Year.

expressed congratulations to local author Rod Etheridge for his launch of his book, 18 Souls, The Loss and Legacy of Cougar Flight 491.

### **Mayor French**

extended congratulations to Special Olympics figure skater, Melanie Taylor. Melanie won a gold medal in the Level II Singles figure skating competition at the 2019 Canada Winter Games. Melanie also had the honour of carrying the Newfoundland and Labrador flag at the closing ceremonies. Mayor French requested that Melanie be invited to an upcoming Council meeting.

attended the ribbon cutting of the Heritage Square Retirement Living facility. He stated that it is a remarkable facility and congratulated the owners.

stated that the 1<sup>st</sup> Hopewell Girl Guides recently came to the Town Hall for a tour. He thanked Councillor Davis for acting as their tour guide.

## **4. VISITORS, PRESENTATIONS AND PETITIONS**

Nil

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

Presentation of recommendations of meeting held on February 26, 2019

**1. 10 Belcarra Place, Kelligrews  
Land Use Impact Assessment Report**

**Resolution #19-070  
Councillor Hillier/Councillor Butler**

Be it so resolved that the recommendations of a Land Use Impact Assessment Report regarding proposed extension of an existing residential dwelling at 10 Belcarra Place, Kelligrews, be approved.

**AND FURTHER**

Be it so resolved that a variance to reduce the minimum rear yard requirement from 10m to 9m be approved for the property at 10 Belcarra Place, Kelligrews, in accordance with Section 3.12 of the Conception Bay South Development Regulations.

- carried unanimously

**2. Town Land  
139-143 Conception Bay Highway, Manuels**

**Resolution #19-071  
Councillor Hillier/Councillor Bursey**

Be it so resolved that the Town of Conception Bay South dispose of approximately 437m<sup>2</sup> of land and provide an access easement of approximately 90m<sup>2</sup> at 139-143 Conception Bay Highway, Manuels, to the owner of the adjacent real property at 131 Conception Bay Highway, given that the land is surplus to the Town's needs and that the land is of minimal value to another person, on the condition that the Town would receive a contribution to its Open Space trust fund to offset the loss of potential open space.

- carried unanimously

**3. Aerial Imagery**

**Resolution #19-072**  
**Councillor Hillier/Councillor Burse**

Be it so resolved that the Town seek funding assistance from the Municipal Assessment Agency for the acquisition of aerial imagery from Pictometry Canada Corporation in consideration that Pictometry Canada Corporation is the sole provider of patented orthogonal and oblique aerial imagery in Canada.

**AND FURTHER**

Be it so resolved that the Town accept the proposal from Pictometry Canada Corporation for the acquisition of aerial imagery in consideration that Pictometry Canada Corporation is the sole provider of patented orthogonal and oblique aerial imagery in Canada for total contract value of \$45,949.00 plus HST. Funds available from Account No. 01-501-1000- 8055.

- carried unanimously

**4. Planning and Development Committee Meeting Report**

**Resolution #19-073**  
**Councillor Hillier/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of February 26, 2019, be accepted as presented.

- carried unanimously

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

No meeting held

**7. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Cheryl Davis)**

Councillor Davis read the following statement:

Summer employment applications are now available for student jobs with the Town of Conception Bay South. A full listing of the available positions, as well as application forms, can be found by visiting the Town's website. The deadline for applications will be April 1, 2019. You can get more information from Town staff regarding available positions, as well as learn about other positions in Conception Bay South that are available at the Student Job Fair coming up on March 23. More information on this will be coming soon on our Town's social media.

Presentation of recommendations of meeting held on February 27, 2019

**1. Recreation and Leisure Services Committee**

**Resolution #19-074**  
**Councillor Davis/Councillor Butler**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of February 27, 2019 be accepted as presented.

- carried unanimously

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

Transferred from Committee of the Whole #04

**1. Award of Tender - 19-03 Fire Department Uniform Clothing**

**Resolution #19-075**  
**Deputy Mayor Murphy/Councillor Bursey**

Be it so resolved that approval be given to award Tender 19-03 – Fire Department Uniform Clothing as follows:

Martin et Levesque - \$27,915.10  
William L. Chafes and Son - \$5,540.70  
Total Cost: \$33,455.80

Funds are available in the Uniform Clothing Account # 01-205-1000-4115.

- carried unanimously

Presentation of recommendations of meeting held on February 26, 2019

**1. Accounts Payable Cheque Register**

**Resolution #19-076**

**Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that approval be given to pay cheques totaling \$24,956.77 as per the Accounts Payable Cheque Register Report.

- carried unanimously

**2. Ratification of Manual Cheques Previously Released**

**Resolution #19-077**

**Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$853,137.31.

- carried unanimously

**3. Capital Invoices**

**Resolution #19-078**

**Deputy Mayor Murphy/Councillor Bursey**

Be it so resolved that approval be given to pay capital cheques totaling \$167,986.43 as follows:

<b>Project</b>	<b>Vendor</b>	<b>Details</b>	<b>Amount</b>
Traffic Study Phase 3	Harbourside	Invoice #1345	\$14,374.95
Phase 46	Greatario	Progress Claim #7 (ROH) Revised	\$153,611.48
Total Capital Invoices			\$167,986.43

- carried unanimously



**4. Financial and Administrative Services Committee Report**

**Resolution #19-079**  
**Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of February 26, 2019 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF COMMUNICATIONS AND ECONOMIC DEVELOPMENT (Chair, Councillor Darrin Bent)**

Presentation of recommendations of meeting held on February 26, 2019

**1. Water Lot Lease Policy**

This policy is intended to provide guidance for the issuance of leases and set consistent rates for lease holders within the Long Pond Inner Harbour. The goal is that by 2023 all recreational water lot lease holders will be consistent in both rates and renewal dates.

**Resolution #19-080**  
**Councillor Bent/Councillor Youden**

Be it so resolved that the Water Lot Lease Policy be adopted as presented.

**AND FURTHER**

Be it so resolved that the 2019 Schedule of Rates and Fees be amended to include the following:

Water Lot Lease Rate - Inner Harbour, Long Pond  
Effective February 1, 2019 – January 30, 2020  
Water Lot Lease – \$2.03/m<sup>2</sup>  
Royal Newfoundland Yacht Club Water Lot Lease – \$1.00/m<sup>2</sup>

**Water Lot Lease Policy**

**PURPOSE:**

To define the terms and conditions for residents and entities that wish to secure a water lot lease outside the 1951 Original High-Water Mark within

the Waters of Long Pond under the jurisdiction of the Town of Conception Bay South and ensure all lease holders on are equal footing in terms of lease rates.

A Water Lot Lease allows attachment of a permanent structure or dock to privately owned land which includes both the shoreline and bed of the water within the defined leased area as identified on a legal survey provided by the lease holder.

**AUTHORITY:**

- Section 2(2) of the Municipalities Act, 1999
- Section 221 of the Municipalities Act, 1999
- Council Discretion

**PROCEDURE:**

1. Property owners with title to the lands immediately adjacent to the 1951 Original High-Water Mark can apply for a water lot lease. The area of the lease will not exceed the waterfront width of the associated upland and will normally be limited to the area required to accommodate the proposed structure.
2. Eligibility requirements to apply for a water lot lease:
  - The associated upland property owner name must be the same as the water lot lease holder's name. In the event the property is rented, the lease holder must reside at the property and have written permission from the property owner to hold the lease;
  - For water lot properties adjacent to Bishops Road, permission from Council must be granted as the Town is the owner of Bishops Road. For these properties, should permission be granted, lease holders must reside at the property directly across Bishops Road and/or have written permission from the property owner to hold the lease, unless otherwise approved by Council;
  - Approval in Principle to develop within the water lot leased area from the Town's Planning and Development Department, including any federal or provincial regulatory departments and agencies;
  - Legal Survey of Leased Area approved by the Town;
  - Provision of insurance as noted in the Lease Agreement.

3. Lease holders will be charged an annual fee for their water lot based on the size of the area in accordance with their survey. Invoices will be issued annually by the Town in accordance with the date of anniversary of the Lease Agreement.
4. The lease rate will be per the Schedule of Rates and Fees for all new leases and renewals, and will cumulatively increase annually on February 1 based on the Rate of Inflation Percent Change, Year over Year, Consumer Price Index, determined by the Newfoundland & Labrador Statistics Agency, Department of Finance  
([www.stats.gov.nl.ca/Statistics/Topics/cpi/PDF/CPI\\_Allitem\\_PrcChg.pdf](http://www.stats.gov.nl.ca/Statistics/Topics/cpi/PDF/CPI_Allitem_PrcChg.pdf))

Annual Rates will be calculated as follows:

Current Lease Rate x CPI % change for prior year x size of leased area  
(m<sup>2</sup>)

5. When a lease agreement is nearing expiration, and prior to renewal, the Town reserves the right to require an updated legal survey of the leased premises.
6. As a general rule, in order to maintain public access to the shoreline water lot leases will not extend above the 1951 Original High-Water Mark.
7. Applications will not be considered if:
  - a. the area has insufficient water levels to allow for a wharf/dock usage within the leased area;
  - b. the applicant does not own the upland parcel or acquire the appropriate permissions as outlined in this policy; or
  - c. Council deems the area will be reserved for public access.
8. Failure to provide annual insurance documentation or an updated survey at the request of the Town may affect the water lot lease.
9. Existing leases will continue as per the current lease agreement and will only be subject to this policy upon renewal.
10. A water lot lease from the Town of Conception Bay South does not provide a lease holder with a right to occupy any portion of any NL

Crown Reserve established under authority of the Lands Act (SNLI 991, CHAPTER 36).

11. Water lot leases holders requesting water and sewer services would follow the Town's water and sewer regulations and all other applicable regulations and policies.
12. There shall be no deviation from this policy unless expressed written consent has been given by the Town with full approval of Council.

- carried unanimously

**2. Business Improvement Association Budget 2019**

As per the Business Improvement Association Regulations, Council is required to approve the annual operating budget for the Association. The BIA Board adopted the budget as part of its regular board meeting on February 13, 2019.

**Resolution #19-081**  
**Councillor Bent/Councillor Butler**

Be it so resolved that Council approve the Business Improvement Association's 2019 Budget as presented.

- carried unanimously

**3. Invest Canada Community Initiatives – 2019**

The Town has been offered funding totaling \$12,250 from Global Affairs Canada – Invest Canada Community Initiatives (ICCI) to develop a strategic plan to attract foreign direct investment, as well as supporting collateral materials. The funding is on a 50-50 cost shared arrangement with the Town.

**Resolution #19-082**  
**Councillor Bent/Councillor Hillier**

Be it so resolved that approval be given to accept funding from Global Affairs Canada totaling \$12,250 to be used for the development of a foreign

direct investment strategy and collateral materials. Matching funds are available within the Economic Development operating budget.

- carried unanimously

**4. Communications and Economic Development Committee Meeting Report**

**Resolution #19-083**  
**Councillor Bent/Councillor Hillier**

Be it so resolved that the recommendations/decisions made at the Communications and Economic Development Committee meeting of February 26, 2019 be accepted as presented.

- carried unanimously

**10. OTHER COMMITTEE REPORTS**

Nil

**11. ADJOURNMENT**

The meeting adjourned at 7:29 p.m.

**Resolution #19-084**  
**Councillor Hillier/Councillor Davis**

Be it so resolved that the meeting adjourn.

- carried unanimously

---

Terry French  
Mayor

---

Gail Pomroy  
Town Clerk