

**TOWN OF PARADISE  
TOWN COUNCIL MEETING  
TUESDAY, NOVEMBER 19, 2013  
TOWN HALL, PARADISE  
7:30 P.M.**

PRESENT:	Chairperson	Paul Dinn, Deputy Mayor
	Councillor	Elizabeth Laurie
	Councillor	Patrick Martin
	Councillor	Deborah Quilty
	Councillor	Sterling Willis
	Chief Admin. Officer	Rodney Cumby
	Director of Corporate Services	Terrilynn Smith
	Director of Public Works & Engineering	Ron Fleming
	Manager of Development Services	Lorelei Dean
	Executive Assistant	Marie Pretty
	Assistant Town Clerk	Barb Butler

ABSENT:	Mayor	Dan Bobbett ( <i>Town Business</i> )
	Councillor	Vince Burton ( <i>Town Business</i> )
	Director of Planning & Protective Services	Alton Glenn ( <i>Town Business</i> )
	Director of Recreation & Leisure Services	Conrad Freake

1. The meeting was called to order by Chairperson Dinn at 8:15 p.m.

2. **ADOPTION OF THE MINUTES:**

**M13-318 Moved by Councillor Quilty, seconded by Councillor Laurie to adopt the Minutes of the November 5, 2013 Public Meeting.**

**Motion carried.**

3. **BUSINESS ARISING FROM THE MINUTES:**

Item 8.(5), Councillor Willis asked the CAO to follow up on a letter received some time ago regarding historic documents of Paradise that may be available from the Provincial Government.

**4. CORPORATE SERVICES DEPARTMENT:**

1. Accounts for Payment

**M13-319 Moved by Councillor Quilty, seconded by Councillor Willis that invoices in the amount of \$706,117.23 be approved for payment as submitted by the Director of Corporate Services.**

**Motion carried.**

**5. PERMITS:**

1. **M13-320 Moved by Councillor Laurie, seconded by Councillor Martin to refuse application of Barry McCarthy, DA13-1022, to construct a single family dwelling at 140-156 Lanark Drive subject to the following reasons:**

1. The proposed lot is located beyond the extents of the publicly maintained section of Lanark Drive. Further the lot is not currently serviced with the municipal services (water, sewer & storm) nor does it form part of an approved Comprehensive Development Plan. The proposed lot therefore is in contravention of Regulation 9 of the Town of Paradise Development Regulations, 2004. Regulation 9 states:

*“Neither a permit nor approval in principle shall be issued for development within the Planning Area when, in the opinion of the Council, it is premature by reason of lacking adequate road access, power, drainage, sanitary facilities, or domestic water supply, or being beyond the natural development of the area at the time of application unless the applicant contracts to pay the full costs of construction of services deemed necessary by the Council and such cost shall attach to an upon the property in respect of which it is imposed.”*

2. The proposed development is not in accordance with the Town of Paradise Municipal Plan & Development Regulations, 2004, specifically section 6 of the General Regulations: Compliance with Regulations, which states:

*“Development shall be carried out in accordance with the Municipal Plan, these Regulations, and the conditions stated in a Permit to Develop”.*

3. The proposed lot does not front onto a publicly maintained street. (Contravention of Regulation 50 of the Town of Paradise Development Regulations.)

**Motion carried.**

2. **M13-321 Moved by Councillor Willis, seconded by Councillor Quilty to approve application of Karwood Contracting, DA13-1154, to construct a veterinary clinic at 49 Karwood Drive, subject to sixteen (16) conditions.**

**Motion carried.**

**5. PERMITS:**

3. M13-322 Moved by Councillor Laurie, seconded by Councillor Martin to approve application of Phillip Duke, DA13-0910, to construct a wharf in Three Island Pond at 35 Ellington Close subject to eight (8) conditions.

Motion carried.

4. M13-323 Moved by Councillor Martin, seconded by Councillor Quilty to refuse application of Anthony Mercer, DA13-0864, to enclose a stairwell in a major side yard at 29 Stephanie Avenue subject to the following reasons:

1. The Residential Medium Density (RMD) Use Zone requires a 2.4 m major side yard. The proposed enclosed stairwell, however, will reduce the major side yard to 1.8 m.
2. The proposed enclosed stairwell does not meet the provisions of Regulation 4 under Schedule C of the Town of Paradise Development Regulations, 2004 which states that “No person shall erect a building or accessory building that would obstruct any yard requirements (side yard, rear yard etc.) except as in conformity with the following”:
  - “Open steps, including entrance wells and platforms, not projecting more than 50 % into any side yard provide the side yard width is a minimum of 2.4 m.”

Motion carried.

5. M13-324 Moved by Councillor Willis, seconded by Councillor Laurie to approve application of Steve Bown, DA13-1216, to construct a 97 square meter garage to a height of 5.5 meters at 4 Summit Drive subject to seven (7) conditions.

Motion carried.

6. M13-325 Moved by Councillor Martin, seconded by Councillor Laurie to approve application of 65158 Newfoundland & Labrador Ltd., DA13-1205, for a temporary right of way over crown road reservation to facilitate a connection of Beaugart Avenue and Seascape Drive for Phase 8, Paradise Ridge Subdivision subject to three (3) conditions.

**Note: Councillor Quilty voted against above Motion.**

Motion carried.

5. **PERMITS:**

7. M13-326 Moved by Councillor Laurie, seconded by Councillor Willis to approve application of John Sharp, DA13-0070, for acquisition of Crown Land at the rear of 1611 Topsail Road for the purpose of increasing the lot area to allow for construction of a single family dwelling and to comply with the Town's regulations subject to seven (7) conditions.

Motion carried.

6. **COMMITTEE REPORTS:**

1. M13-327 Moved by Councillor Quilty, seconded by Councillor Laurie.

**"BE IT RESOLVED that the Town of Paradise have MegaDome NL, a division of StratCan Industries Inc., 509 Marine Drive, Town of Logy Bay/Middle Cove/Outer Cove provide for the supply and installation of one (1) New Salt Storage Building – Fabric Structure for the bid price of \$303,755.30 HST included."**

Motion carried.

2. M13-328 Moved by Councillor Quilty, seconded by Councillor Willis.

**"BE IT RESOLVED that the Town of Paradise approve Change Order #4 in the amount of \$19,979.54 HST included for Topsail Road Upgrading Phase 2 pending approval by the Department of Municipal Affairs."**

Motion carried.

3. M13-329 Moved by Councillor Laurie, seconded by Councillor Martin.

**"BE IT RESOLVED that the construction of the commercial garage at 208 Paradise Road be completed in accordance with the requirements outlined by the Town's Engineering and Planning Departments and the City of St. John's. This includes, but is not limited to, the requirement for an asphalt driveway."**

Motion carried.

4. M13-330 Moved by Councillor Laurie, seconded by Councillor Willis.

**"BE IT RESOLVED that the request from the property owner at 7 Pinehill Place for a tolerance in relation to the location of fence structures within the Town's road right of way be granted."**

Motion carried.

**6. COMMITTEE REPORTS:**

5. M13-331 Moved by Councillor Laurie, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise incur the cost of \$30,000 + HST to make both ice surfaces at the new Double Ice Surface Arena inclusive to Sledge Hockey.”**

**Motion carried.**

6. M13-332 Moved by Councillor Laurie, seconded by Councillor Quilty.

**“BE IT RESOLVED that the Town of Paradise nominate Peggy Roche for the position of Urban Regional Director for the Municipal Assessment Agency.”**

**Motion carried.**

7. M13-333 Moved by Councillor Martin, seconded by Councillor Laurie.

**“BE IT RESOLVED that the request of the property owner at 1525-1527 Topsail Road for a zoning amendment to re-zone the property from Commercial Local to Commercial/Light Industrial be refused.”**

**Motion carried.**

8. M13-334 Moved by Councillor Martin, seconded by Councillor Laurie.

**“BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Clarke’s Trucking and Excavating, Civic #163 Paradise Road, concerning the expansion of a heavy equipment yard and the installation of a culvert on the property located at Civic #163-165 Paradise Road without a permit and therefore not in accordance with the Town of Paradise Development Regulations, 2004, be confirmed.”**

**Motion carried.**

9. M13-335 Moved by Councillor Willis, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise nominate Deborah Quilty for the position of Avalon Regional Director for the Municipal Assessment Agency.”**

**Motion carried.**

**6. COMMITTEE REPORTS:**

10. M13-336 **Moved by Councillor Willis, seconded Councillor Martin.**

**“BE IT RESOLVED that the Town of Paradise support Tri-Com AAA Challenger Construction Cobras Pee Wee Team by donating \$50 per player from Paradise to a maximum of \$200.”**

**Motion carried.**

**7. NEW/UNFINISHED BUSINESS:**

1. Councillor Laurie attended the Newfoundland & Labrador Organization of Women Entrepreneurs (NLOWE) 2013 Entrepreneur of the Year Awards on October 30, 2013. She asked that a letter of congratulations from Council be sent to Amanda Burton of Paradise who won the Youth Entrepreneur of the Year Award for her home based business “Recipe for Health”.
2. Councillor Laurie congratulated the Town of Paradise for being the recipient of the 2013 Torngat Municipal Achievement Award for Innovation in Regional Cooperation. This award was presented at the 2013 Municipalities Newfoundland and Labrador Annual Convention that was recently held in St. John’s.
3. Councillor Laurie listed the following upcoming Christmas events: Kin Club of Paradise Annual Children’s Photo Shoot with Santa - November 23th; Annual Tree Lighting - November 24th; Paradise Guides Brunch with Santa - December 1st and Annual Paradise Christmas Parade - December 8th.
4. Councillor Willis invited all Council to attend the Northeast Avalon Joint Council Meeting that the Town of Paradise is hosting on November 20, 2013 at 7:30 p.m.
5. Councillor Willis reported on the meeting Council had on November 12th with the RNC.
6. Councillor Quilty asked that Council lobby the Province for a satellite police station in the Town of Paradise and write a letter to the Police Chief informing him of this.
7. Councillor Quilty asked the Manager of Development Services for a copy of the plan for the Kenmount Road extension.

**7. NEW/UNFINISHED BUSINESS:**

8. Councillor Quilty stated that the Town of Paradise will be looking into how other Municipalities handle the problem of litter and garbage around Canada Post mailboxes.
  9. Councillor Willis reported on the well attended Remembrance Day Service at the Paradise Town Hall.
  10. Deputy Mayor Dinn stated that a meeting is scheduled with the developer of the Dawe's Road development.
  11. Deputy Mayor Dinn asked the CAO to follow up on the concerns with the hydro dam at Three Island Pond Road/Topsail Pond Road.
  12. Councillor Willis asked that all Councillors be provided with a copy of the Town's Noise Bylaw.
  13. Councillor Quilty asked if a date has been set for the meeting with Minister Kent and the MHA's. The CAO responded that he is still working on scheduling a date.
- 8. M13-337 Moved by Councillor Quilty, seconded by Councillor Willis to adjourn the meeting at 8:41 p.m.**

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Dan Bobbett, Mayor

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Terrilynn Smith, Town Clerk