

**TOWN OF PARADISE
TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 3, 2015
TOWN HALL, PARADISE
8:00 P.M.**

PRESENT:	Chairperson	Dan Bobbett, Mayor
	Deputy Mayor	Paul Dinn
	Councillor	Vince Burton
	Councillor	Patrick Martin
	Councillor	Deborah Quilty
	Councillor	Sterling Willis
	Chief Admin. Officer	Rodney Cumby
	Director of Corporate Services	Terrilynn Smith
	Director of Public Works	Ron Fleming
	Director of Engineering Services	Vanessa Barry
	Director of Planning & Protective Services	Alton Glenn
	Director of Recreation & Leisure Services	Conrad Freake
	Executive Assistant	Lisa Niblock
	Assistant Town Clerk	Barb Butler

ABSENT: Councillor Elizabeth Laurie

1. The meeting was called to order by Chairperson Bobbett at 8:40 p.m.

2. **PROCLAMATION:**

Mayor Bobbett read and signed a proclamation proclaiming November 8, 2015 as World Town Planning Day.

Mr. Glenn, the Town's Director of Planning & Protective Services and the President of the Atlantic Planners Institute - NL Branch, spoke on the activities planned for World Town Planning Day.

He also informed the public that the Town of Paradise was the recipient this year of the Public Outreach and Communications Award from the Atlantic Planners Institute for the "Imagine Paradise" initiative.

3. ADOPTION OF THE MINUTES:

M15-352 Moved by Councillor Willis, seconded by Councillor Burton to adopt the Minutes of the October 20, 2015 Public Meeting.

Motion carried.

4. BUSINESS ARISING FROM THE MINUTES:

There was no business arising from the Minutes.

5. CORPORATE SERVICES DEPARTMENT:

1. Accounts for Payment

M15-353 Moved by Councillor Quilty, seconded by Deputy Mayor Dinn that invoices in the amount of \$939,921.18 be approved for payment as submitted by the Director of Corporate Services.

Motion carried.

6. PERMITS:

1. M15-354 Moved by Councillor Willis, seconded by Councillor Martin to approve application of Dennis Davis, C2015-802, to add one additional apartment to current 3-unit apartment building at 1762 Topsail Road subject to eighteen (18) conditions.

Motion carried.

2. M15-355 Moved by Councillor Martin, seconded by Councillor Burton to approve in principle application of Dan Whelan, S2015-033, to develop an 11-lot subdivision at Hide-away Creek - Phase 2 subject to ten (10) conditions.

Motion carried.

3. M15-356 Moved by Councillor Willis, seconded by Councillor Martin to refuse application of Scott & Ashleigh Matthews, D2015-954, to keep hens (chickens) for personal use at 4 Mullingar Drive in accordance with the provisions of Section 10 of the Town of Paradise Development Regulations, 2004 and the following reason:

Animal uses are not deemed permitted uses (as-of-right or discretionary) in the Residential Medium Density (RMD) Use zone.

Motion carried.

6. PERMITS:

4. **M15-357 Moved by Deputy Mayor Dinn, seconded by Councillor Willis to approve application of Jocelyn Kielly, C2015-924, to operate a home based business (Registered Massage Therapist Clinic) at 62 Stormont Street subject to no objections being received in response to the Notice of Discretionary Use and eleven (11) conditions.**

Motion carried.

5. **M15-358 Moved by Councillor Martin, seconded by Councillor Burton to refuse application of Kayla Loveless, C2015-881 & DU2015-348, to operate a home based business (Kayla Beauties – Hair Salon) at 55 St. Thomas Line as the application is deemed contrary to the provisions of Section 10 of the Town of Paradise Development Regulations, 2004 as the use is determined to be a “Discretionary Use”, Hair Salon Home Based Business – Personal Service Use, where clients will be visiting the location at 55 St. Thomas Line, and is determined to be contrary to Section 10 of the Town’s Development Regulations as the use may cause issues with regards to public safety and convenience related to traffic flow within the general vicinity and causing concerns related to the amenities of the surroundings.**

Motion carried.

6. **M15-359 Moved by Deputy Mayor Dinn, seconded by Councillor Willis to approve application of Ed Quilty, D2015-935, to develop a residential building lot at 1 Deborah Lynn Heights subject to approval of three variances and no objections being received in response to the Notice of Discretionary Use and sixteen (16) conditions.**

Motion carried.

7. **M15-360 Moved by Councillor Burton, seconded by Councillor Quilty to approve application of Crossroads Holdings Ltd./Richard Sheppard, D2015-939, to construct a new 57-unit hotel at 980 Kenmount Road subject to fifteen (15) conditions.**

Motion carried.

8. **M15-361 Moved by Deputy Mayor Dinn, seconded by Councillor Quilty to approve application of North Atlantic c/o Atlantic Planning Management, C2015-0157, to construct a Shell building at 986 Kenmount Road subject to eighteen (18) conditions.**

Motion carried.

6. PERMITS:

9. **M15-362 Moved by Councillor Burton, seconded by Deputy Mayor Dinn to refuse application of Natasha Paddock, B2015-399, to install a culvert to fill in a swale in rear yard at 3 Hillsdale Crescent for the following reasons:**

1. **The swale was required as per the approved grading plan of the Elizabeth Park Subdivision Phase 24A. Deviations to the grading plan should not be considered unless they are proven to be necessary from an engineering standpoint. The grading plan was required as a condition of the development approval issued for Elizabeth Park Subdivision Phase 24A.**

The application, therefore, is considered to be contrary to the Town of Paradise Development Regulations, 2004 in particular Section 6, which states:

Compliance with Regulations

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

2. **The application is also considered to be contrary to the Town of Paradise Development Regulations, 2004 in particular Section 10, which states:**

10. Discretionary Powers of Council

“(1) In considering an application for a permit or for approval in principle to carry out development, the Council shall take into account the policies expressed in the Municipal Plan and any further scheme, plan or regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of these Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in this Regulation, conditionally approve or refuse the application.”

Motion carried.

6. PERMITS:

10. M15-363 Moved by Deputy Mayor Dinn, seconded by Councillor Willis to approve application of Robert Pennell, D2015-576, to construct an office building at 11-17 McNamara Drive subject to twenty-three (23) conditions.

Motion carried.

11. M15-364 Moved by Councillor Martin, seconded by Deputy Mayor Dinn to approve application of David McCauley, C2015-934, to construct a fence at 18 Ellsworth Street past building line on property abutting Town's open space subject to five (5) conditions.

Motion carried.

7. COMMITTEE REPORTS:

1. M15-365 Moved by Councillor Willis, seconded by Deputy Mayor Dinn.

"BE IT RESOLVED that the Town of Paradise donate \$100 to support the 65th Annual Kiwanis Music Festival to be held from February 21 – March 3, 2016."

Motion carried.

2. M15-366 Moved by Councillor Martin, seconded by Deputy Mayor Dinn.

"BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Box 366 Stn Main, Paradise, concerning the excavation and filling at Civic #16-50 Lawlor's Road without a permit and therefore not in accordance with the Town of Paradise Development Regulations, 2004, be confirmed."

Motion carried.

3. M15-367 Moved by Councillor Martin, seconded by Councillor Quilty.

"BE IT RESOLVED that the Town of Paradise rescinds the Work Order issued on May 30, 2014 to Brendan & Brenda Hollohan pertaining to Civic #15 Vanellen Place."

Motion carried.

7. COMMITTEE REPORTS:

4. M15-368 Moved by Councillor Burton, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise accept funding from the Department of Business, Tourism, Culture and Rural Development in the amount of \$288,000.00 for the construction of a community stage and power supply for the multi-purpose site.”

Motion carried.

5. M15-369 Moved by Councillor Burton, seconded by Councillor Willis.

“BE IT RESOLVED that the Town of Paradise proceed with the construction of the power supply and community stage on the multi-purpose site at an approximate cost of \$960,000.00.”

Motion carried.

6. M15-370 Moved by Councillor Burton, seconded by Councillor Martin.

“BE IT RESOLVED that the Town of Paradise accept the request for sponsorship from the Heart and Stroke Foundation at the Paradise Double Ice Complex.”

Motion carried.

7. M15-371 Moved by Councillor Quilty, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise approve Change Order #1 – Additional Fill & Culvert Replacement in the amount of \$116,632.95 HST included for the 2015 Water & Sewer Project.”

Motion carried.

8. M15-372 Moved by Deputy Mayor Dinn, seconded by Councillor Willis.

“BE IT RESOLVED that the Town of Paradise approve Change Order #2 – Revised Storm Sewers on St. Thomas Line in the amount of \$25,194.48 HST included.”

Motion carried.

7. COMMITTEE REPORTS:

9. M15-373 Moved by Deputy Mayor Dinn, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise have Custom Automotive Ltd., 1094 Topsail Road, Mount Pearl provide for the necessary repairs to Unit #81, 2013 Chev Silverado pickup at the quoted price of \$3,730.35 HST included.”

Motion carried.

10. M15-374 Moved by Deputy Mayor Dinn, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise adopt the Strategic Plan for 2015-2018.”

Motion carried.

8. NEW/UNFINISHED BUSINESS:

1. Councillor Willis informed Council that he and the Economic Development Officer visited a number of new businesses in the Town of Paradise during Small Business Week. He encouraged Council to visit new and existing businesses as it builds strong relationships within our business community.

2. Councillor Willis stated that he will not be at the next Council Meeting on November 17th as he will be attending the Federation of Canadian Municipalities (FCM) meeting in Ottawa.

He invited Mayor & Council to attend the next Northeast Avalon Joint Council meeting to be held on November 24, 2015 in the City of Mount Pearl.

3. Councillor Burton commended Amanda Bobbett and her friends on the excellent job they did again this year in collecting food for the CBS/Paradise Food Bank on Halloween night. “Trick or Eat” is a youth-led national event that puts a new spin on the annual night of giving – Halloween.
4. Councillor Burton reported on the Atlantic Mayor’s Congress that he attended on behalf of the Mayor.
5. Councillor Quilty invited all Council to attend the November 11, 2015 Remembrance Day ceremony to be held at the Paradise Town Hall.

8. **NEW/UNFINISHED BUSINESS:**

6. Councillor Quilty, as Chair of the Finance Committee, reported that staff is preparing their budgets to present to the Finance Committee on November 16, 2015.
9. **M15-375 Moved by Councillor Burton, seconded by Councillor Quilty to adjourn the meeting at 9:05 p.m.**

Dan Bobbett, Mayor

Terrilynn Smith, Town Clerk