

**TOWN OF PARADISE  
PUBLIC COUNCIL MEETING  
TUESDAY, JUNE 19, 2018  
TOWN HALL, PARADISE  
8:00 P.M.**

PRESENT:	Chairperson	Dan Bobbett, Mayor
	Deputy Mayor	Elizabeth Laurie
	Councillor	Paul Dinn
	Councillor	Allan English
	Councillor	Patrick Martin
	Councillor	Deborah Quilty
	Councillor	Sterling Willis
	Chief Admin. Officer	Lisa Niblock
	Director of Corporate Services	Terrilynn Smith
	Director of Planning & Protective Services	Alton Glenn
	Director of Infrastructure & Public Works	Garry Spencer
	Director of Recreation & Leisure Services	Conrad Freake
	Acting Assistant Town Clerk	Melanie Bartlett

ABSENT:

1. The meeting was called to order by Chairperson Bobbett at 8:05 p.m.

2. **ADOPTION OF THE MINUTES:**

1. **M18-180 Moved by Deputy Mayor Laurie, seconded by Councillor Martin to adopt the Minutes of the June 5, 2018 Committee of the Whole Meeting.**

**Motion carried**

Note: Councillor Dinn and Councillor English abstained from the voting on the minutes as they were both not in attendance at the June 5, 2018 meeting.

Vote: For – Councillor Martin, Councillor Willis, Councillor Quilty, Mayor Bobbett and Deputy Mayor Laurie.

Abstained: Councillor Dinn and Councillor English.

2. **M18-181 Moved by Deputy Mayor Laurie, seconded by Councillor Quilty to adopt the Minutes of the June 5, 2018 Public Meeting.**

**Motion carried.**

3. **BUSINESS ARISING FROM THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING FOR JUNE 5, 2018:**

Councillor English stated that in the minutes of June 5, 2018 Committee of the Whole Meeting page 13 section 7 item #5 the initial cost of the St. Thomas Line/Paradise Road/ Ashlen Crescent roundabout is estimated at \$880,000. The cost has jumped to \$1.9 million. He asked if the cost includes the engineering fees which would include the land acquisitions, pole removal, and surveys. Mayor Bobbett stated that the Town has allotted \$500,000 for the area for the land acquisitions. Councillor English stated the Town should look into an alternate solution, installing traffic lights rather than the roundabout. Mayor Bobbett stated there is an alignment issue with Ashlen and Paradise Road. Mayor Bobbett also stated that there is approximately \$500,000 for Infrastructure work underneath the ground, storm sewers etc. which will be factored in.

Note: Councillor Quilty left chambers due to potential conflict of interest.

Councillor English commented on # 1 Clearview Heights and noted that in his opinion the Town should seek legal advice to determine the level of potential exposure.

4. **BUSINESS ARISING FROM THE MINUTES OF THE PUBLIC MEETING FOR JUNE 5, 2018:**

Councillor Willis asked for an update on the letter that was written supporting the ban on single use bags. CAO Niblock stated that the letter was written last year.

Councillor Willis stated page 8 item # 8 should have read FCM represents more than 90% of the population of Canada.

5. **PERMITS:**

1. **M18-182 Moved by Councillor Martin, seconded by Councillor Dinn to approve application, S2018-006 for approval for Development of (6) infill lots fronting St. Thomas Line at 118-120 St. Thomas Line following nine (9) conditions.**

**Motion carried.**

2. **M18-183 Moved by Councillor Willis, seconded by Councillor Martin to refuse application, DA14-870 for approval to convert current billboard sign to a changeable message board 10’x20’ sign face area and 7.6m in height at 1325-1331 St. Thomas Line.**

**Motion carried.**

3. **M18-184 Moved by Councillor Quilty, seconded by Deputy Mayor Laurie to approve application, D2018-113 for Approval in Principle - Automotive Sales and General Garage at 1519 Topsail Road subject to eight (8) conditions.**

**Motion carried.**

4. **M18-185 Moved by Councillor Quilty, seconded by Deputy Mayor Laurie.**

**“BE IT RESOLVED that the Town Council of Paradise approve the Land Use Assessment Report submitted on behalf of ALRE Developments for the redevelopment project at 1641 Topsail Road.**

**This approval is contingent upon the following: resubmission of the landscape plan portion of the LUAR to include design elements as proposed by DFO Restoration Biologist; inclusion of an extension of walking trail to western extents of property; accommodation for screening of loading areas; confirmation of the number of bicycles able to be accommodated on bicycle racks.”**

**Motion carried.**

Vote: For – Councillor Willis, Councillor Martin, Councillor English, Councillor Quilty, Deputy Mayor Laurie and Mayor Bobbett.

Against: Councillor Dinn.

Councillor Dinn stated the reason he voted against the report is due to some concerns he has with the report. He would like to see more definitive language in the report that says either needs this or it doesn’t as appose to it appears to be. He also has concerns with the environmental buffers in terms of the flood plains around Neil’s Pond. He stated that 90% of the report is good. He states that it is not a game changer in terms of the project going ahead but he thinks the report should have more definitive language.

Councillor Dinn also stated that in regards to the Terms of Reference related to the report it should be in a form that can be reproduced for public information and review. He asked if the report will be put onto the Town’s website. Mayor Bobbett

stated that the report has been adopted in the Public Meeting and can be made available.

5. **M18-186 Moved by Deputy Mayor Laurie, seconded by Councillor Willis to approve application, C2018-129 for a Commercial Retail Development (7 Buildings) at 1641 Topsail Road.**

**Motion carried.**

Councillor Martin commented that the property site is very well maintained and it's moving in a positive direction. He stated its going to be a good project for the Town and for economic growth and jobs.

6. **M18-187 Moved by Deputy Mayor Laurie, seconded by Councillor Dinn to approve application B2018-165, for approval to construct a new accessory 83.6m<sup>2</sup> accessory building 6 meters in height, total floor area of all accessory buildings is 108.8m<sup>2</sup> at 1718 Topsail Road subject to no objects being received from the Discretionary Use Notice and fourteen (14) conditions.**

**Motion carried.**

7. **M18-188 Moved by Deputy Mayor Laurie, seconded by Councillor Quilty to approve application, C2018-028 to add two (2) additional apartments to current four (4) unit apartment building at 1762 Topsail Road.**

**Motion carried.**

Vote: For – Councillor Dinn, Councillor Martin, Councillor English, Councillor Quilty, Deputy Mayor Laurie and Mayor Bobbett.

Against – Councillor Willis.

Councillor Dinn commented that there has been some improvements made. He also states the two adjacent properties will be demolished and redone. One of the conditions of the approval is to clean up the property that is there. He stated that some of the comments from residents in the area are well founded and he believes that looking at what is going there and the change in terms of the curb appeal. He suggested for the Town to make sure the properties are maintained. He also stated the issues with the properties have been an issue for several years.

Councillor Willis stated the reason he voted against the motion was due to dilapidated conditions of the property. The Town has received complaints from residents in the area and Town has had the Enforcement Officers enforce the cleanup of the property in the past. He stated that on several occasions the Town has had to go onto the property to clean it up.

6. **COMMITTEE REPORTS:**

**FINANCE COMMITTEE:**

1. Accounts for Payment

**M18-189 Moved by Councillor Dinn, seconded by Deputy Mayor Laurie that invoices in the amount of \$670,902.15 be approved for payment as submitted by the Director of Corporate Services.**

**Motion carried.**

**PLANNING COMMITTEE**

1. M18-190 Moved by Councillor Quilty, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise confirm the order issued on June 13, 2018 concerning garbage, miscellaneous debris and property maintenance located at Civic #18 Juniper Drive be confirmed.”**

**Motion carried.**

2. M18-191 Moved by Councillor Quilty, seconded by Councillor Willis.

**“BE IT RESOLVED that the Town of Paradise confirm the order issued on June 6, 2018 concerning an unauthorized apartment at 29 Reardon Avenue that was constructed without a permit and therefore not in accordance with the Town of Paradise Development Regulations, 2016 be confirmed.”**

**Motion carried.**

3. M18-192 Moved by Councillor Quilty, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise obtain quotes related to work to stabilize an area on the properties at 10 and 12 Squires Road and send the quotes to Council for direction.”**

4. M18-193 Moved by Councillor Quilty, seconded by Deputy Mayor Laurie.

**“BE IT RESOLVED that the Town of Paradise retain Karwood Engineering to undertake the project management and production of a landscape design for a linear park on Silver Birch Crescent for the price of \$9,450.00 plus hst. All work to conform with the Public Procurement Act and the Town of Paradise Purchasing Policy.”**

**Motion carried.**

5. M18-194 Moved by Councillor Quilty, seconded by Councillor Willis.

**“BE IT RESOLVED that Paradise Town Council allows the drilling of test holes and preliminary survey work to take place on the portion of Paradise Park fronting McNamara Dive.”**

**Motion carried.**

Vote: For – Councillor Martin, Councillor Willis, Councillor Quilty, Deputy Mayor Laurie and Mayor Bobbett.

Against – Councillor Dinn and Councillor English.

Councillor Dinn explained why he voted against the motion. He stated it has nothing to do with the Rotary coming to the community, he fully supports the Rotary. His concerns are with the location and the drilling of test holes and surveys in advance of conveying a piece of land. He doesn't want to set any expectations for the Rotary that the land will be available. He also stated that the Town has been addressed by a number of recreation groups in the last couple of months and the Town has indicated to them that the Town is working on a recreation master plan for the community and most of the decisions have been deferred until the plan has been finalized. The location of test holes and survey is a location within the boundaries of Paradise Park.

Deputy Mayor Laurie stated that she is in favor of allowing Rotary to go ahead and get the data of the location. This location may not be suitable once they do the test holes, they can then explore other options in the Town rather than waiting months down the road to get answer when the plan is done. Deputy Mayor Laurie also stated that she has spoken with Rotary and made it clear to them that this doesn't mean that the Town would guarantee that land.

Councillor English is in agreement with Councillor Dinn.

Councillor Quilty stated that she agrees with Councillor Dinn and Deputy Mayor Laurie. She states that the Town did not make any commitment to the Rotary until the test holes have been done and the results from the test holes come back. There was no indication to the Rotary that this would be the actual site for the particular property.

6. M18-195 Moved by Councillor Quilty, seconded by Councillor Willis.

**“BE IT RESOLVED that the application (DA14-870) to install a changeable message board on current billboard located at # 1325-1331 Topsail Road be refused.”**

**Motion carried.**

## **INFRASTRUCTURE & PUBLIC WORKS COMMITTEE**

1. M18-196 Moved by Councillor Willis, seconded by Deputy Mayor Laurie.

**“BE IT RESOLVED that the Town of Paradise include a new 300mm watermain from Lanark Drive to Paradise road via Dina Place in the Lanark Drive Sanitary Sewer Upgrades Project.”**

**Motion carried.**

2. M18-197 Moved by Councillor Willis, seconded by Councillor Dinn.

**“BE IT RESOLVED that the Town of Paradise approve Change Order no. 12 for the St. Thomas Line Wastewater Treatment Plant Upgrades project in the amount of \$13,349.11 plus HST.”**

**Motion carried.**

## **RECREATION COMMITTEE**

1. M18-198 Moved by Deputy Mayor Laurie, seconded by Councillor Quilty.

**“BE IT RESOLVED that the Town of Paradise award survey work to be completed at the Adams Pond Trail to William Doyle & Associates at the cost of \$10,810 HST included.”**

**Motion carried.**

2. M18-199 Moved by Deputy Mayor Laurie, seconded by Councillor Dinn.

**“BE IT RESOLVED that the Town of Paradise award Bus Services 2018 for Summer Day Camp to Lewis Bus Services Ltd. at a cost of \$24,150 HST included.”**

**Motion carried.**

3. M18-200 Moved by Deputy Mayor Laurie, seconded by Councillor Willis.

**“BE IT RESOLVED that the Town of Paradise approve purchase of additional Chlorine Controller from Bubba’s Tubs and Pools at a cost of \$5,750 HST included for the Paradise Park Splashpad.”**

**Motion carried.**

Deputy Mayor Laurie stated that the Town has had some issues with the chlorine controller in the past and the Town is exploring whether the existing chlorine controller will be covered under warranty. This additional Chlorine Controller will be used as a backup.

**7. NEW/UNFINISHED BUSINESS:**

1. Deputy Mayor Laurie informed Council that the Town's Municipal Enforcement Officers in partnership with the RNC focused on illegal use of ATV's and dirt bikes in the Town. She stated there was a post on the Town's facebook page which brought in a lot of comments from residents. She suggested for the residents to take part in the recreation plan open house which will be on Tuesday June 26, 2018. The open house will be a chance for residents to give their feedback on how they would like to see recreation occur in the Town.
2. Councillor Quilty informed Council that she had represented the Town on behalf of Councillor Martin at the last North East Avalon Joint Council Meeting. She stated that an annual BBQ and Social will be held on June 29, 2018, all Council members and their spouses are invited to attend.
3. Councillor Quilty noted that she represented the Town at the opening of the Beavery Olympics. She is happy to report that Paradise has the largest enrollment of beavers in Canada.
4. Councillor Quilty noted that Canada Day is July 1, 2018 with the memorial service going ahead at 11:00am.
5. Councillor English informed Council that he was contacted by a resident with respect to flooding, water issues on Paddy Kay Drive. He stated that there is a swale or french drain that is running behind the properties of 34 & 36 PaddyKay Drive and water running from Clearview Heights on to the properties. He would like for Town Staff to have a look into the issue to see if there is a possible solution. Mayor Bobbett asked for Councillor Willis to have this addressed at the next Infrastructure and Public Works Committee meeting.
6. Councillor English informed Council that residents of Stapleton's Road area have expressed concerns of flooding on one side of the road. He asked if an Engineer could have a look into this. Mayor Bobbett stated that the Town's Engineer is looking into the problem. He suggested that some of the water could be diverted to the other side where all the exposure is apparently on that particular side of the road.
7. Councillor English congratulated Councillor Dinn on his involvement with the Great Cycle Challenge. He stated Councillor Dinn had ridden approximately 296.8 km and the funds will be donated to the Sick Kids Foundation.

8. Councillor Dinn noted that he had attended the Elizabeth Park Elementary open house art gallery. He suggested that the Town should acquire some of the work created and place it on the walls in the recreation center. CAO Niblock informed Council that the Town was approached by the school to have the art work displayed. It will be added to the next Recreation Committee Meeting for discussion.
  
8. **M18-201 Moved by Deputy Mayor Laurie, seconded by Councillor Quilty to adjourn the meeting at 8:48p.m.**

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Dan Bobbett, Mayor

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Terrilynn Smith, Town Clerk

**TOWN OF PARADISE  
COMMITTEE OF THE WHOLE  
TUESDAY, JUNE 19, 2018  
TOWN HALL, PARADISE  
6:00 P.M.**

PRESENT:	Chairperson	Dan Bobbett, Mayor
	Deputy Mayor	Elizabeth Laurie
	Councillor	Paul Dinn
	Councillor	Allan English
	Councillor	Patrick Martin
	Councillor	Deborah Quilty
	Councillor	Sterling Willis
	Chief Admin. Officer	Lisa Niblock
	Director of Corporate Services	Terrilynn Smith
	Director of Planning & Protective Services	Alton Glenn
	Director of Infrastructure & Public Works	Garry Spencer
	Director of Recreation & Leisure Services	Conrad Freake
	Acting Assistant Town Clerk	Melanie Bartlett

ABSENT:

1. The meeting was called to order by Chairperson Bobbett at 6:00 p.m.

2. **DELEGATION:**

The owners of 1 Clearview Heights addressed Council about their concerns of the construction of the Roundabout at the intersection of Clearview Heights and Topsail Road and its effect on the value of their home and their ability to sell.

3. **FINANCE COMMITTEE:**

1. Accounts for payment

Council recommended that accounts in the amount of \$670,902.15 be approved at the June 19, 2018 Public Meeting.

#### 4. **PERMITS:**

1. 118-120 St. St. Thomas Line S2018-006  
Application for Development of (6) infill lots fronting St. Thomas Line.

Council recommended to approve the application with the following conditions:

1. The development must comply with the standards of the RLD (Residential Low Density) use zone, Paradise Development Regulations, 2016.

Minimum Lot Area	580 m <sup>2</sup>
Minimum Frontage	18.0 m
Minimum Building Line Setback	7.6 m
Maximum Building Line Setback	15.0 m
Minimum Side Yard	1.2/2.4 m
Minimum Flanking Side Yard	7.6 m
Minimum Rear Yard	9.0 m
Maximum Height	8.0 m
Maximum Lot Coverage	45%

2. To obtain Development Approval, the Developer must submit the following:
  - a) Two sets of engineered subdivision plans bearing the signature, date and permit stamp of a professional engineer licensed to practice in Newfoundland and Labrador.
  - b) Proof of ownership and/or purchase agreement(s) for the land to be developed.
3. This approval is "In Principle" Only. Development Approval is required before an excavation permit will be issued. Absolutely no site work or land clearing is permitted on any of the proposed subdivision. Further conditions may apply upon issuance of the required Development Approval.
4. Issuance of this "Approval in Principle" in no way is binding on the Town of Paradise to issue a Development Approval for the proposed development.
5. The issue of this permit does not exempt the permit holder from obtaining any other permits or approvals required by law.
6. This permit does not authorize the occupancy or use of Crown Land or other lands without a lease, grant, or other permission of either the Crown Division, Department of Government Services and Lands, or the rightful owner.
7. All development on properties serviced by municipal water and sewer lines will be subject to the following fees, as adopted by Council, at the time the Development Approval is issued:
  - a. Park outfitting fees
  - b. Lot infrastructure improvement fees
  - c. Municipal water and sewer connection fees
8. The Town of Paradise, as per the Town of Paradise Development Regulations, 2016 requires an Open Space dedication of 10% of gross land area to be developed.
9. The Town of Paradise reserves the right to add additional conditions to any future Development Approval issued subsequent to this "Approval in Principle".

2. 1325-1331 Topsail Road DA14-870  
Application for approval to convert current billboard sign to a changeable message board 10x20' sign face area and 7.6m in height.

Council recommended to refuse the application to convert current billboard sign to a changeable message board 10'x20' sign face area and 7.6m in height at 1325-1331 Topsail Road as the application is contrary to Section 3.1 of the Town of Paradise Development Regulations 2016, which states:

*Compliance with Regulations*

*“Development shall be carried out and maintained within the Planning Area in accordance with the Municipal Plan, these Regulations, the conditions stated in a Development Approval and/or Building Permit, and any other by-law or regulation enacted by Council.”*

Councillor Dinn asked about the current dimensions of the sign and how it relates to the proposed sign. Director Glenn stated the sign that is being proposed is 18.6 m<sup>2</sup> and stated that the height of the current sign is approximately 7.58m.

3. 1519 Topsail Road D2018-113  
Application for Approval in Principle – Automotive Sales and General Garage.

Council recommended to approve the application with the following conditions:

1. The development must comply with the standards of the Commercial Main Street use zone, Paradise Development Regulations, 2016.

*Note: Complete set of standards for use zone available upon request.*

2. Prior to the Development Approval and/or Building Permit being issued, the following information must be submitted:
  - a. A legal survey and property description of the lot. The lot must meet the minimum standards outlined in condition #1.
  - b. Proof of ownership of the amount of land as shown on the application.
  - c. Two (2) complete sets of engineered site plans designed by a professional engineer licensed to practice in Newfoundland and Labrador. Plans must include detail for
  - d. Two complete sets of architectural plans prepared by a professional architect licensed to practice in Newfoundland and Labrador. Building plans must meet the standards of the current National Building Code.
3. A building permit will not be issued until such time as a Development Approval has been granted and all requirements of the Development Approval have been met. The construction of

the proposed building must conform to the National Building Code of Canada at the time a building permit is issued.

4. This application is "Approval in Principle" only. A separate application must be submitted for Development Approval. The applicant is advised that the Town of Paradise reserves the right to add additional conditions to any future Development Approval issued subsequent to this "Approval in Principle".
5. The issue of this permit does not exempt the permit holder from obtaining any other permits or approvals required by law.
6. This permit does not authorize the occupancy or use of Crown Land or other lands without a lease, grant, or other permission of either the Crown Division, Department of Government Services and Lands, or the rightful owner.
7. Parking to be determined by Council as per Section 8.3 of the Town of Paradise Development Regulations, 2016, but must be sufficient for customers and staff requirements.
8. No work to be undertaken under this Approval in Principle.

Councillor Dinn stated that one objection was received from a resident stating that he had applied for a similar application about a year ago for the same location and was denied. Councillor Dinn asked for clarification if there is a record of the application submitted from the resident. Councillor Quilty responded and stated that she had raised the issue at the Planning Committee meeting and advised there was no official application filed with respect to the property.

4. 1582 Topsail Road C2018-250  
Application for Development Approval – extension to Post Office 44'x 60'.

Council recommended to proceed to advertisement only and return to Council with conditions following review.

5. 1641 Topsail Road C2018-129  
Application for Commercial Retail Development (7 buildings).

Director Glenn informed Council that the application is in tandem with the Land Use Assessment Report. He suggested moving forward as recommended from the Public Meeting.

The application is for a major commercial retail development consisting of a planned commercial design for seven buildings. The development will be completed in two phases. The property is zoned Commercial General in which the proposed commercial development and the use types proposed with the development are considered permitted uses. The application required the submission of a Land Use Assessment Report for approval.

Council Dinn stated that Council should address the Land Use Assessment Report first before any decision is made on the application.

All Council members agreed.

6. 1718 Topsail Road B2018-165  
Application for approval to construct a new accessory 83.6m<sup>2</sup> accessory building  
6 meters in height. Total floor area of all accessory buildings is 108.8m<sup>2</sup>.

Council recommended to proceed to advertise and approve the application with the following conditions subject to no objections being received:

1. The development to meet the standards of the Residential Mixed (RM) use zone, Town of Paradise Development Regulations, 2016. *Note: A complete set of standards is available upon request.*
2. Any construction or building alteration must conform to the current National Building Code of Canada, and any ancillary code.
3. All work shall be carried out in accordance with the requirements of the Regulations, the terms of this permit and all other rules and regulations of the Town of Paradise.
4. The issue of this permit does not exempt the applicant from obtaining any other permits or approvals required by law.
5. Any placard issued by the Town of Paradise relating to the work authorized by this or any other permit must be displayed in full public view on the site.
6. An accessory building shall not be located: within 1.2 meters from any property boundary; 2.0 meters from the main building; and, not within any easement area.
7. Accessory structure not permitted to be used for any business purpose.
8. Accessory buildings are permitted provided the buildings are clearly incidental and complimentary to the main buildings' character, size and use.
9. The accessory building must be located on the lot on which the main building is located.
10. Accessory buildings shall not be used for human habitation.
11. The maximum lot coverage for all accessory buildings is 108.8 m<sup>2</sup> and a maximum height of 6.0 meters (to peak).
12. Accessory buildings shall not be used for commercial or industrial uses on a residential property.
13. Repairs to vehicles, other than minor vehicle maintenance, are prohibited in accessory buildings.
14. With the exception of greenhouses, the exterior cladding of the accessory building shall match or coordinate with the exterior siding of the main dwelling on the lot and shall be residential in character.

7. 1762 Topsail Road C2018-028  
Application to add two (2) additional apartments to current four (4) unit apartment building.

Council recommended for approval subject to the following conditions:

1. The development must comply with the standards of the Residential Mixed (RM) Use zone in the Town of Paradise Development Regulations, 2016.

Minimum Building Line setback	7.6 m
Maximum Building Line setback	15.0 m (Existing)
Minimum Rearyard width	9.0 m
Minimum Sideyard width	3.0 m
Maximum Height	9.0 m
Minimum Frontage	25.0m(Existing 16.0m)
Minimum Lot Area	140.0 m2 Per Dwelling unit

*Note: A complete set of standards is available upon request.*

2. All construction including the existing 4 units must be completed or upgrades in accordance with the **current National Building Code of Canada**.
3. A Building Permit must be obtained prior to the start of any construction/development.
4. Prior to the issuance of a building/renovation permit, the applicant must submit the following:
- 4.1 Proof of ownership and/or lease agreement of the amount of land/building as shown on the application.
- 4.2 Two sets of building plans that meet the standards of the current National Building Code.
- 4.3 A legal survey and property description of the land shown on the application.
5. Any placard issued by the Town of Paradise relating to the work authorized by this or any other permit must be displayed in full public view on the site.
6. This permit does not authorize the use or occupancy of Crown Land or other lands without a lease or grant from the Crown or permission of the owner.
7. All work shall be carried in accordance with the requirements of the Paradise Development Regulations, the terms of this permit, and all other rules and regulations of the Town of Paradise.
8. The issue of this permit does not exempt the applicant from obtaining any other permits or approvals required by law.
9. Nine (9) on-site parking spaces conforming to the minimum 18 square metre size as outlined in the Town of Paradise Development Regulations, 2016 must be provided, marked and maintained on-site.
10. An Occupancy permit for each apartment will require a deposit of \$1000.00 to be remitted by the applicant. The deposit will be returned to the applicant upon issuance of an Occupancy Permits for all units and final inspection of landscaping.
11. Landscaping of all sloped areas is required as per the Town of Paradise Landscaping Policy. 150 mm of topsoil and seed, sod or hydro-seed must be placed to stabilize all sloped areas.

12. The property is to be maintained in accordance with the Town of Paradise Occupancy and Maintenance Regulations.
13. The accessory building must have siding installed prior to the Town issuing Occupancy permits for the two new apartment units.

Councillor Dinn stated that there have been numerous complaints regarding the condition of the property. He asked if the Town can get the sites cleaned up before the application is approved or put it as a condition on the application. Director Glenn stated that the condition Councillor Dinn is requesting is noted in conditions (12 & 13) above.

Councillor Willis asked if the people who own the buildings are the same owners who are doing the development. Director Glenn confirmed that it is the same owners of the buildings. Councillor Willis stated that the Town has been having issues with the property for several years. Mayor Bobbett stated that owners of the buildings have been doing internal renovations on the buildings. Councillor Willis stated that Town staff had to go onto the property and clean it up on several occasions.

## 5. **PLANNING COMMITTEE:**

### 1. Order Confirmed – 18 Juniper Drive

Council recommended confirming the order issued on June 13, 2018 concerning garbage, miscellaneous debris and property maintenance located at Civic # 18 Juniper Drive.

### 2. Order confirmed – 29 Reardon Avenue

Council recommended confirming the order issued on June 6, 2018 concerning an unauthorized apartment at 29 Reardon Avenue that was constructed without a permit and therefore not in accordance with the Town of Paradise Development Regulations, 2016.

### 3. 10 Squires Road

A stop work order was issued in October 2014 concerning the excavation of the side of the hill between 10 Squires Road and 12 Squires Road without the benefit of an Excavation Permit. The owner attempted to stabilize the side of the hill with loose fill materials. However, the Town requested that the services of a Professional Engineer be obtained to properly design and stabilize the embankment.

A "Work Order" was issued to the owner requesting that an "engineered design" for repairs to the embankment be submitted to the Town for approval within fourteen

(14) days of receipt of the order. The Town has not received any cooperation from the owner.

Council recommended that the Town obtain quotes related to work to stabilize an area on the properties at 10 and 12 Squires Road and send the quotes to Council for direction.

Councillor English asked if there is a requirement for the home owners to provide some sort of assurance that any damage occurs that the Town will be exonerated from any liability. Mayor Bobbett stated that the order will confirm that if the owners don't comply within 14 days then the Town has the right to move forward where the Town will do the work and charge the resident for the work completed. Councillor English asked if there is a release that the home owner would be required to provide to limit the Town's exposure in the event there is any damage if Town staff is required to enter onto the property to complete the work. CAO Niblock stated the Town is recommending getting quotes to get the work done, the Town is not recommending doing the work themselves. She also stated that any open legal files that the Town is dealing with we will continue to work with legal on a regular basis on how to proceed.

#### 4. Land Use Assessment Report – ACAN Site Redevelopment

The new Town of Paradise Municipal Plan provides Council with the ability to require preparation of a Land Use Assessment Report (LUAR) to assist in the review of development proposals. Paradise Town Council directed that an LUAR be required for the former ACAN site redevelopment project at 1641 Topsail Road. A Terms of Reference was drafted and submitted to and approved by Council. The developer retained the requisite specialists required by the Terms of Reference.

Staff and the applicant's representatives have continued to meet since the beginning of the project. Some of the comments/recommendations made in the report have already been accommodated through the submission of revised plans by the applicant.

The Terms of Reference required the LUAR to consist of the following: A Traffic Impact Study prepared by a certified Transportation Engineer. A Landscape Plan prepared by a certified Landscape Architect, and a Land Use Assessment prepared by a certified Land Use Planner.

Director Glenn stated that the traffic generated by the proposed commercial development does not have a significant impact on the study intersections. He also stated that the landscaping is a little problematic due to fact that the submission for the stream was not submitted.

The Planning Committee recommends approval of the Land Use Assessment Report pending a satisfactory submission for the changes to the stream.

Director Glenn stated that the main land use which shows that in most instances the assessment report is conformance with what the Town wants to see inside the Terms of Reference.

Council recommended that the Town of Paradise approve the Land Use Assessment Report submitted on behalf of ALRE Developments for the redevelopment project at 1641 Topsail Road.

This approval is contingent upon the following:

- resubmission of the landscape plan portion of the LUAR to include design elements as proposed by DFO Restoration Biologist
- inclusion of an extension of walking trail to western extents of property
- accommodation for screening of loading areas
- confirmation of the number of bicycles able to be accommodated on bicycle racks

Councillor Dinn informed Council that he has some concerns with the consistency of some of the wording in the Land Use Assessment Report. CAO Niblock asked if Council would like clarification on the items that were brought forward. Councillor Quilty stated the report was reviewed by the Planning Committee and the recommendation was to send to Council for their review and to make sure that all Council members were aware of what was happening with the report with the recommendation that Council would approve and proceed with the application.

Councillor English asked that in respect to the exit and entry points if the exit onto McNamara Drive is intended to be turning left and right. He stated that exiting onto McNamara Drive will probably be problematic in some respects going left. He asked if there is any consideration in making the exit a right only exit. Director Glenn stated that he doesn't believe it will be a right exit only. The developer is looking at a way to get traffic coming down McNamara Drive to turn into the development. Councillor English is concerned with someone coming out onto McNamara Drive and attempting to turn left, the proximity of the entrance and to the roundabout entrance appears to be very close. CAO Niblock stated that exit will be in line with Burnaby Street.

Councillor Willis commented and stated that he has no concerns with the entrance of the new development. Councillor English stated that Burnaby is residential area and that the development is a significant commercial development.

##### 5. Market Ridge Land Exchange and Linear Park

Council received a submission from Karwood Engineering proposing a means of facilitating the completion of outfitting of an area of Town-owned land within the Market Ridge development area.

Council has previously recommended that the Town hire a landscape design firm to design the linear strip of land along Silver Birch Crescent, incorporating an accessible walkway and specific plant species.

The correspondence from Karwood proposes undertaking the survey work and related duties of managing the landscape design company for a fee of \$4450.00. They have obtained a quote of \$5000.00 (Murray's Landscaping) to undertake the design work. The actual outfitting of the site would be determined by a construction cost estimate to be produced by Murray's.

The proposal is in compliance with the new Public Procurement Act. It is recommended that if Karwood is going to be project manager for the actual outfitting work itself, that they would have to provide the Town with an estimate of the work (similar to a pre tender estimate) and the Town would re-evaluate against the thresholds to see if tendering is required. If not, they should be required to obtain a minimum of 3 quotes for the work as is required under the Town's Purchasing Policy. It is recommended that the Town evaluate the design for approval once it is completed.

The Planning Committee recommends that the proposal would allow the outfitting of the space to be undertaken in a timely manner and completed this summer.

Council recommends that the Town of Paradise retain Karwood Engineering to undertake the project management and production of a landscape design for a linear park on Silver Birch Crescent for the price of \$9450.00 plus HST. All work to conform with the Public Procurement Act and the Town of Paradise Purchasing Policy.

6. Paradise Lakewynds Subdivision – Request to Maintain fill onsite

Paradise Lakewynds is a residential subdivision development located on the Southwest side of Adams Pond.

The Developer of Lakewynds Subdivision contacted the Town with a request that he be permitted to maintain the fill material at the site until it could be utilized in Phase 2. The Developer stated that he would be willing to landscape the fill. Phase 1 is behind schedule for completion. While it is not at 80% build out, the development is beyond the two years outlined in the agreement.

The Planning Committee is recommending that even though the two year completion date has expired, that extending the deadline for completion should be not be open ended. As the developer has indicated the intention to begin the sidewalk and asphalt topcoat during the spring of 2019, it is suggested that the Town impose a deadline for the work regardless of build-out.

While the request to maintain the fill is not unreasonable, approval should be conditional upon the following:

1. Require assurances from the Developer, in writing, that he will meet the remaining requirements of the signed Development Agreement for Phase 1 and that the work will commence prior to June 1, 2019 and be completed prior to August 30,

2019. This would allow the entire summer to complete the sidewalks and topcoat asphalt. If the Developer fails to commence the work by June 1, 2019, Council could consider carrying out the work using the subdivision security. This would be conveyed to Developer in writing at Council's direction.

2. The Open Space to be immediately conveyed to the Town.

3. Require the Developer to reduce the elevation of the fill. The Developer suggested landscaping which would help to reduce dust and this should be done once the fill has been brought to a more acceptable height.

4. If Phase 2 is not commenced by August 30, 2019, the fill material is to be levelled to a more acceptable height and landscaped prior to September 30, 2019.

Note: Councillor Quilty left Chambers due to potential conflict of interest.

Councillor Willis asked if the Town allows grubbing to be used as backfill. Director Glenn stated that anything related to backfill will be subject to a backfill inspection. He also asked if Town staff would have a look at the site to make sure that it is not grubbing that is being used. Mayor Bobbett stated that part of the cleanup process is to go in and have a look at the site. Councillor Willis asked if the location of the backfill is part of the development. Mayor Bobbett stated the backfill is in phase 2 of the development.

Councillor Dinn suggested that condition #3 outlined above should be worded to indicate that the debris on site that is not considered appropriate fill be removed and what fill is left to be reduced to a specific elevation. Mayor Bobbett asked if there is a specific elevation that the Town can compare to other developments. Director Glenn responded and stated there is no specific number it depends on what's reasonable. Councillor Dinn stated the Town needs to be more specific on what is required for elevation.

Council recommended bringing back to Planning Committee for further review.

7. Rotary Request for test holes and preliminary survey work

Council has been reviewing a request from Rotary in relation to establishing a building to act as a Rotary meeting location on Town owned property. The Town initially entertained a request for the property located at 19 McNamara Drive, but a number of difficulties with that property were identified.

Property within Paradise Park on the opposite side of McNamara Drive was then identified as a potential site. The Town received a request to undertake some preliminary survey work and dig test holes to ascertain the potential suitability of the site.

The Planning Committee recommended that it be made clear that granting permission to carry out this work does not mean that approval will be given for the proposed project. Also it was suggested that an email poll of Council be carried out to move the matter forward. The email poll was conducted and Council voted in favor.

Council recommend that the Town of Paradise allow the drilling of test holes and preliminary survey work to take place on the portion of Paradise Park fronting McNamara Drive as per the email poll conducted.

## **6. Emergency and Protective Services Committee:**

### **1. 1478 Topsail Road – Noise Complaint**

The Town is in receipt of a noise complaint related to dogs barking coming from the Backyard University located at 1478 Topsail Road. The matter was investigated and it was determined the noise appears only when the rear door of the facility is open.

The Emergency and Protective Services Committee recommends having the complainant contact Municipal Enforcement upon the next occurrence so a site visit can be conducted.

Councillor English stated that the Town will monitor the matter and if there is further complaints the complainant will notify the Town and the Town will send out an MEO to witness what is occurring and deal with the matter accordingly.

Councillor Dinn asked what conditions were put into place when the application was approved. Mayor Bobbett stated that staff can go back and review the conditions of the application. Director Glenn stated that the dogs are inside all the time, limited to daytime hours. The dogs are not being walked in the yard.

Councillor Quilty stated the business does not have air conditioning or a ventilation system installed. She also stated that the conditions that were approved in the development agreement stated that there was no requirement for one. She asked if the Town could look at the Nuisance Regulations or other Town regulations as apposed to what's in their development agreement.

Councillor Dinn stated that when the development was approved as it was a self-contained unit and space. He stated it defeats the purpose when the side of the building has to be opened up. He is unsure if the building is air conditioned or if the air quality is maintained. He stated the business is located in a residential area the intent was to be a self in closed indoor operation.

7. **ECONOMIC DEVELOPMENT COMMITTEE:**

There were no reports for the meeting.

8. **COMMUNICATIONS COMMITTEE:**

There were no reports for the meeting.

9. **INFRASTRUCTURE & PUBLIC WORKS COMMITTEE:**

1. 47 Sunvalley Drive – Property Repairs

During construction on Sunvalley Drive in 2017, a number of properties were disturbed to tie into the new street alignment. Amongst those was the property at 47 Sunvalley Drive. The driveway patching went back about one-third of the way in to the dwelling. The front of the property was tied in at a 2H:1V slope with topsoil and sod (still to be done) as per the Town's Landscaping in New Development Policy. Survey shots on the driveway indicated less than one percent change between existing and new slopes.

The resident at 47 Sunvalley Drive has contacted the Town indicating he is not satisfied with his driveway and his front lawn. The resident feels that the front lawn now has a steeper slope and the slope of the driveway is greater than before.

Surveys show that there is less than once percent difference between pre- and post-construction grades of the driveway. Town staff and Infrastructure and Public Works Committee Members, have made site visits to evaluate the driveway conditions and all have commented that it appears to be satisfactory. This has been communicated to the resident, however he is still unsatisfied and insists both driveway and lawn grades be re-evaluated and repaired.

Committee has discussed this on several occasions and does not recommend any further work at 47 Sunvalley Drive, outside of installing sods on disturbed areas.

Councillor English stated that he has visited the property and had spoken with the resident regarding the issues surrounding the home owner's property. He stated there is definitely a change in the driveway which is very noticeable the home owner indicated there was a continuous slope and now there is another continuation of the slope of the angle of the driveway as it goes towards the house. Councillor English is not recommending changing the driveway, but the lawn will need to be changed. Councillor English indicated that the home owner would like to have his property returned to the condition that it was prior to the work being done. The home owner's main concern is his lawn he would like to have his lawn changed back to what it was originally. Councillor English stated there is a quote of \$30,000 to have the work completed. If the lawn itself was changed shouldn't cost any more than \$5000. Fifty feet of lawn would have to be dropped down and sloped and re-sodded and the resident commented to the Councillor English with respect to the work that that is

being done at 6 Sunvalley where the Town took the driveway from the door to the street and brought it down and redone the driveway and paved it. Councillor English stated that the Town could just level the lawn or slope the lawn in an appropriate manner that would be suitable to the home owner. Councillor English doesn't recommend re-doing the driveway he believes that the resident has a legitimate concern, Councillor English suggested for Council to address the issue.

Councillor Dinn stated that he has also visited the home owner's property. He stated that there is a pivot point in the driveway but the lawn itself has a major slope that will need to be corrected.

Mayor Bobbett asked if it could be sent back to Planning Committee to review the lawn piece only. Councillor Dinn suggested looking at the driveway as well.

Deputy Mayor Laurie stated that she visited the property as well. She does agree that there is a pivot point. She asked if there are any shots of the property prior to the work being done. Deputy Mayor Laurie stated that she would be in favor of doing the lawn part only. She also stated that even though there is a pivot there now doesn't mean that the Town staff created the pivot. Director Spencer stated that there have been aerial shots of the property before and after the driveway was done, it was less than 1% in difference.

Council recommended sending back to Infrastructure and Public Works Committee for further review.

## 2. Water System Supply Study – Watermain on Lanark Drive Extension

The Water System Master Plan prepared by CBCL recommended no additional development above the 160m contour. The Town has received interest in several developments above the 160m contour and requested CBCL to evaluate the Town's water supply with respect to these upcoming developments.

CBCL has recommended installation of a 300mm watermain from Lanark Drive (near Marble Avenue) to Paradise Road via Dina Place which could improve pressure issues for these developments. This work could be done in conjunction with the sanitary sewer upgrades at Lanark Drive, which is expected to be done in 2018. The same easement can be used for both mains; the only deviation would be the connection with Paradise Road. The watermain will have to connect via Dina Place or Adam's Pond Road.

The Town has requested for Progressive Engineering to prepare a cost estimate for this work. There are significant cost savings to be had in doing this work now. This work is not in the 2018 Budget.

The Infrastructure and Public Works Committee recommends moving forward with obtaining a budgetary cost for this watermain and to include this work in the Lanark Drive Sanitary Sewer Upgrades project.

Council recommends that the Town of Paradise include a new 300mm watermain from Lanark Drive to Paradise Road via Dina Place in the Lanark Drive Sanitary Sewer Upgrades project.

3. St. Thomas Line Wasterwater Treatment Plant Upgrades – Change Order No. 12

The Town's Consultant, CBCL, has issued three Contemplated Change Notices (CCNs) to the Town for various additional work for the Treatment Plant Upgrades project.

Council recommended that the Town of Paradise approve Change Order no. 12 for the St. Thomas Line Wastewater Treatment Plant Upgrades project in the amount of \$13,349.11 plus HST.

4. 2018 Construction

Council reviewed and discussed the 2018 Construction projects.

Councillor English asked about the 2018 Water and Sewer tender. He asked why the tender is going out so late. Director Spencer responded and informed Council that the Tender is almost near completion.

10. **RECREATION COMMITTEE:**

1. Adams Pond Trail Survey Work

At a recent Council meeting the Adams Pond Trail development was approved. In order to move forward with the trail development a survey is required based on the recently acquired Crown Lands Deed. Three vendors provided quotes to complete the survey.

Council recommended that the Town of Paradise award survey work to be completed at the Adams Pond Trail to William Doyle & Associates at a cost of \$10,810 HST included.

Councillor Quilty stated that she may be in potential conflict of interest. Council discussed and agreed that Councillor Quilty was not in conflict.

Vote: Not in conflict – Councillor English, Councillor Dinn, Councillor Martin, Councillor Willis, Deputy Mayor Laurie and Mayor Bobbett.

2. Bus Services 2018 Day Camp Tender

A Public Tender for Bus Services for the 2018 Day Camp closed on May 16th.

Council recommended that the Town of Paradise award Bus Services 2018 for Summer Day Camp to Lewis Bus Services Ltd. at a cost of \$24,150 HST included.

3. Paradise Park Splash Pad Chlorine Controller – Email Poll of Council

There have been ongoing discussions with the vendor on repair of the chlorine controller under warranty. Considering the Splash Pad is scheduled to open soon consideration should be given to the purchase of a new controller while at the same time repair or replacement of the existing controller is followed up on. This will allow for a backup controller to be available for any future break downs. This decision was conducted through the Email Polling & Voting Policy.

The Recreation Committee discussed this at the June 11th Recreation Committee meeting and it was agreed to do an email poll of council to expedite this process so we are ready for the season.

Council recommended that the Town of Paradise approve the purchase of an additional Chlorine Controller from Bubba's Tubs and pools at a cost of \$5,750 HST Included for the Paradise Park Splashpad.

Mayor Bobbett asked if the Chlorine Controller is under warranty. Director Freake stated that it should still be under warranty as it was identified within the one year warranty period.

11. **CORRESPONDENCE:**

1. Rovers Search and Rescue

The Town was contacted by the Rovers Search and Rescue and was asked to help source funding for the procurement of an Unmanned Aerial Vehicle (UAV) equipped with an infrared camera for the Rovers Ground Search and Rescue team.

Councillor Quilty suggested bringing the request to the next Finance Committee meeting for further discussion

**12. OTHER BUSINESS:**

1. Councillor Dinn inquired about the parcel of land on 99B Ortega Drive. He stated that the home owner had sent in information regarding the parcel of land. The home owner is wondering why the request is gone back to Planning and why a staff member hasn't responded back to him. Mayor Bobbett stated that it was discussed at the last Council meeting and was sent back to Planning to see if there is anything further that the Town is able to do for the resident. Councillor Quilty followed up with the resident after the last Council meeting with respect to whether or not he could actually acquire some property. There is nothing new to report back to the resident until it is discussed further at the Planning Committee. CAO Niblock asked if the information received has been forwarded to staff. Councillor Quilty stated that she will send CAO Niblock a copy of the information. Director Glenn stated that at the last Council meeting Council agreed that the home owner could not have a permit under the current circumstances. He also stated that he will follow up with the resident following the confirmation of the minutes from the Council meeting and the next Planning Committee meeting. Councillor English informed Council that he had spoken with the resident and informed the resident that when the minutes are posted he should review the minutes of the Committee of the Whole from the last meeting which will give him more clarification of what was discussed.
  
2. Councillor Willis stated that he has received several calls regarding the property on 7 Grandview Avenue. CAO Niblock stated that she has received calls as well. She stated that she has sent an email to the Foreman of Municipal Enforcement to inform him of the issues surrounding the property and requested to have the area patrolled. She also stated that RNC were patrolling the area. There are indications that somebody is possibly living in the house when they shouldn't be. CAO Niblock stated the Town will need to find out from the RNC to see what is required and look at the order that is placed on the house. Mayor Bobbett suggested to reevaluate and see what other steps can be taken to move forward. Councillor Willis asked if the permit that was given to repair the house is still valid and asked if the taxes are up to date. Mayor Bobbett asked Director Glenn to have this looked into.
  
3. Deputy Mayor Laurie asked what Council's direction is on the delegation that was presented. Mayor Bobbett stated that the Town will need to get more information on the actual distance from the house to the roundabout. Mayor Bobbett stated that the items that were presented by the residents will be brought to the Infrastructure and Public Works Committee for further review and discussion. Councillor English stated that the Town should acquire a legal opinion on the matter. Deputy Mayor Laurie asked what is involved in doing an impact study. Councillor Dinn stated that it's difficult to do an impact study on one piece of property. An impact study will need to be done for the area. CAO Niblock stated

that it would be the responsibility of the home owner to get an impact study if necessary.

4. Councillor Martin asked about the property across from the Double Ice Complex. He asked if there is confirmation of what type of building is going there. Mayor Bobbett stated that the building will be used for office space.
5. Councillor Martin stated that he had received a call from a resident at 22 Burnaby Street regarding the piece of land that is directly across from Sobeys next to the mailboxes. He asked if the Town has any plans for the property. The resident is asking if the Town is interested in selling the property. Mayor Bobbett suggested for the inquiry to be followed up by planning. CAO Niblock stated that the property would have to go out for public bid if the Town has any intentions of selling.
6. Councillor Dinn had a call from residents on Cormorant Street regarding a house that had been splattered with tar which happened about a year or two ago. The resident is looking for some means of getting the siding cleaned or repaired. Councillor Dinn stated that the resident had told him that a contractor or subcontractor who was doing work in the area at the time had parked their vehicle next to the house and it blew tar on the resident's house. The residents have been in contact with the Town asking for guidance on how to get the siding replaced. Mayor Bobbett stated that the Town will need to get clarification on if it was contractor equipment or Town's equipment. Town staff will follow up.
7. Councillor Dinn informed Council that he had spoken with a resident regarding some work that was done in his area and now his driveway has a split where the work was done. The home owner is looking for the Town to get this repaired. Mayor Bobbett suggested for the request to be brought to the Infrastructure and Public Works Committee for further discussion.
8. Councillor Dinn inquired about a section of Howard Avenue where there is a gutter with rock and grates that have been causing issues for the residents of the area. He asked why it was not closed in to stop the repeating problem. He would like to know why the Town didn't put in a pipe to avoid the problems. Mayor Bobbett stated that the recommendation from engineering was to put in a box culvert. He stated that Director Spencer is looking into the issue and has been talking to the resident as well. Town staff is reviewing the situation. Councillor English stated that the issue has been ongoing for several years. He also stated that Town's engineer and engineering consultants recommended leaving the section open because the problem was on Picco Drive due to the fact that Picco Drive does not have culverts. There is an open ditch and if the short section of Howard was closed in, the problem would move up the street and there would be



**BILLS FOR PAYMENT**

19-Jun-18

SUPPLIER	INVOICE	AMOUNT	DESCRIPTION
City of St. John's	17383	38,262.37	Garbage.
City of St. John's	RF 2018-10	458,906.57	Fire dept Budget Share (June & July)
East Coast Trail Association	13-Jun-18	16,700.00	East Coast Trail.
Martin Surveys & Land Services Inc.	2429	22,885.00	Master Plan Revisions.
Newfoundland Exchequer	31-May-18	12,366.46	Health & Post-Secondary Education Tax
Precision Excavating	2016-041.2	68,823.48	Topsail Road Retaining Wall Replacement
Progressive Engineering & Consulting Inc.	2018-007-2	39,849.34	Paradise Road Upcoming Phase 3
Spectrum Investigation & Security (1998) Limited	IN28745	6,231.21	Security Services (February 2018).
Spectrum Investigation & Security (1998) Limited	IN28937	6,877.72	Security Services (May 2018).

Be it resolved that invoices in the amount of **\$670,902.15**  
 be approved for payment, as submitted by the Director of Corporate Services.