



**PUBLIC COUNCIL MEETING MINUTES  
December 1, 2015**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on December 1, 2015 at 4:15 pm.

MEMBERS PRESENT

Deputy Mayor Jim Locke  
Councillor Lucy Stoyles  
Councillor John Walsh  
Councillor Paula Tessier  
Councillor Dave Aker <sup>(1)</sup>  
Councillor Andrew Ledwell

STAFF PRESENT

Stephen Jewczyk, Director, Planning & Development  
Jason Silver, Director, Corporate Services  
Gerry Antle, Director, Infrastructure & Public Works  
Jason Collins, Director, Community Services  
Mona Lewis, Deputy City Clerk

MEMBERS ABSENT

Mayor Randy Simms

MEMBERS ABSENT

Michele Peach, Chief Administrative Officer

<sup>(1)</sup> Arrived when noted.

**Deputy Mayor Locke chaired the meeting.**

15-12-773 Adoption of Agenda

Motion – Councillor Stoyles/Councillor Ledwell

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-12-774 Adoption of Minutes

Motion – Councillor Walsh/Councillor Tessier

RESOLVED THAT the minutes of the public meeting held on November 17, 2015 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

### BUSINESS ARISING

15-12-775     Proposed Municipal Plan and Development Regulations Amendment  
(16-24 Glendale Avenue)

Deputy Mayor Locke advised that he also supported the application from LAT49 on behalf of Gibraltar Development Ltd. to amend the Mount Pearl Municipal Plan and Development Regulations to accommodate a proposal to redevelop property for the purposes of constructing a condominium apartment building at 16 – 24 Glendale Avenue as approved at the last council meeting.

15-12-776     Assessments – Municipal Assessment Agency

It was noted that anyone who filed an appeal of their property assessment with the Municipal Assessment Agency should be hearing from them soon as the Agency is currently following up on the appeals.

### ACTION REPORT

The action report was accepted as presented.

### PROCLAMATIONS/PRESENTATIONS

None presented.

### SAFETY MESSAGE

15-12-777     Safety Message

Councillor Ledwell reminded motorists to drive in response to the weather conditions and for their vehicle to have the proper tires as well as working wipers so vision is not impeded, etc.

### CORRESPONDENCE

None presented.

### COMMITTEE REPORTS

#### CORPORATE & COMMUNITY SERVICES COMMITTEE

15-12-778     Invoices for Approval

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Bae-Newplan Group (Professional Svcs Gymnastics Facility to Aug 26/15)	\$ 6,047.76
2.	Bae-Newplan Group (Professional Svcs Reid Ctr Upgrades ended Sept 23/15)	\$ 23,567.56
3.	City of St. John's (Robin Hood Bay Landfill Usage Oct/15)	\$ 46,514.42
4.	City of St. John's (Water Consumption for Oct/15)	\$ 293,394.72
5.	Dexter Construction Company Limited (Street Upgrading Pumphrey & Princeton Aug-Sept)	\$ 368,964.94
6.	E.C. Boone Limited (LED Sign Summit Centre)	\$ 26,575.75
7.	Everbridge (Mass Notification License Fee)	\$ 6,625.00
8.	Fougere Menchenton Architecture (Glendale Gardens Amendment)	\$ 13,882.05
9.	GCR Tire Centres (New Tires)	\$ 8,804.96
10.	Hitech Communications (Radio, AVL Monthly Fee & Radio Repair)	\$ 6,547.79
11.	Kelloway Construction Ltd (Cleaning of Summit Centre October/15)	\$ 10,414.06
12.	Modern Paving Limited (Progress Claim #4 2011 Street Upgrading)	\$ 622,478.34
13.	Newfoundland Design Associates Limited (Team Gushue Park Facility Improvements: Professional Svcs)	\$ 45,844.33
14.	Platinum Construction Co. Ltd. (Storm Water Mgmt/Remediation Project Pmt #4)	\$ 255,086.73
15.	Sport Systems Canada (Plastic Benchs for Aquatics Area)	\$ 15,352.46
16.	Tract Consulting Inc. (St David's Park Redevelopment Plan - 50%)	\$ 16,972.60
17.	Weir's Construction Ltd (PP#1 Team Gushue Park Facility Improvements)	\$ 363,006.96
18.	Weir's Construction Ltd (PP#4 Street Upgrading CP-3)	\$ 197,725.65

19.	Weir's Construction Ltd (PP#3 Street Upgrading CP-3)	\$ 283,512.04
		\$2,611,318.12

Question called. Motion carried unanimously.

**Councillor Aker arrived at 4:25 pm**

15-12-779 Mount Pearl Lions Club Santa Claus Parade, December 5, 2015

For the information of the public, the annual Lions Club Santa Claus Parade takes place on December 5 commencing at 10:00 AM. Further details are available on the City's website or by contacting the Lions Club at 368-6186. Appreciation was expressed to the Lions Club for their efforts. In addition to food items, cash collected goes to the Food Sharing Association. It was indicated that Scotia Bank will match the funds collected.

15-12-780 Christmas Tree Lighting Ceremony, December 5, 2015

For the information of the public, the annual Christmas Tree Lighting Ceremony takes place on December 5 at 6:30 pm, Centennial Park. Further details are available on the City's website.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-12-781 Snowclearing Regulations (Amended)

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the amended Snowclearing Regulations be approved as presented.

Discussion: It was noted that the changes were minor revisions, mostly housekeeping changes along with changes to Schedule A (Fines and Penalties) which were identified. Discussion ensued regarding what constituted a snow storm as referenced in Section 4 and in Schedule A. It was indicated that the purpose of not parking on the street during a storm was to not impede snowclearing equipment and after the storm to allow for cleanup.

Motion to Amend Original Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT Section 4 and Schedule A (Fines and Penalties) be amended as follows:

“No person shall park an unattended vehicle upon any highway within the City at any time during a storm (snow or ice) requiring City equipment to operate; and for 12 hours thereafter.”

Question called on amended motion. Motion carried unanimously.

Question called on original motion. Motion carried unanimously.

15-12-782 Project Updates

Information was provided on various ongoing street upgrading projects. It was noted that asphalt plants will likely close this week. Clarification on appropriate conditions for laying asphalt and concrete was provided.

15-12-783 Public Works

It was noted that the winter maintenance partial nightshift has begun and updates will be provided as conditions warrant.

PLANNING AND DEVELOPMENT COMMITTEE

15-12-784 English School District NL – Approval of Lease Agreement

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT approval be granted for the Mayor and CAO to execute an agreement with the English School District NL for a second access from the St. Peter's Junior High School property at 100 Munden Drive onto Munden Drive.

Discussion: It was confirmed that vehicles would continue to enter the property from the current access point and the second serves as an exit only.

Councillor Stoyles noted that she initially had objections to the restructuring of the school but would support the agreement as the proposed egress provides a safer environment.

Question called. Motion carried unanimously.

15-12-785 Use and Occupancy of City Property for Parking Purposes  
1 Dunn's Road

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT approval be granted to issue a development permit for the continuation of the use of the land for parking lot purposes at 1 Dunn's Road subject to the use complying with the development conditions and the property owner at 1 Dunn's Road entering into a lease agreement with the City.

Question called. Motion carried unanimously.

15-12-786     Green Rock Electric Vehicle Solutions (EVS)  
Location of Charging Stations

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the locations for the electric charging stations be revised from the initially planned locations to: one at City Hall, one at the Glacier, and two at the Reid Centre, in order to affect significant cost savings.

Discussion: It was noted that a “green zone” parking stall would be created to provide drivers access to the charging station. It was queried whether it was possible to determine the extent the charging stations were being used. (Follow up required with Green Rock.) It was further noted that the regulations would need to be amended to accommodate “no parking” in the green zone. Concern was expressed with creating a green zone stall in places where parking was limited, i.e. City Hall.

Question called. Motion carried unanimously.

15-12-787     Parkdale Ridge Condominium Board  
Correspondence Regarding Follow Up from Meeting

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT a request from the Parkdale Ridge Condominium Board to delete condition 9 (requirement for a privacy fence) of Development Permit DP07-053 be approved.

Discussion: It was noted that the privacy fence would affect individual condominium owners and for that reason Council supported the request to remove the condition.

*Condition 9: For those dwelling units that back onto the Newfoundland T’Railway, a privacy fence shall be constructed in accordance with the conditions and requirements of the Mount Pearl Engineering Department. The responsibility for the future repair and maintenance of the fence will be the responsibility of the property owners and the condominium corporation. Grading information is required to ensure that the privacy fence is situated on top of the slope of all lots backing onto the Newfoundland T’Railway to ensure that the fence provides the necessary privacy.*

Question called. Motion carried unanimously.

15-12-788     Mount Pearl Development Regulations 2010 Amendment No. 49, 2015  
(Corner Lot Landscaping Amendment)

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT Regulation 6.19.3 of the Mount Pearl Development Regulations 2010 Amendment No. 49, 2015 be adopted by adding the following to the end of item (b): *“Where a residential property abuts a publicly owned open space snow storage buffer immediately adjacent to a public road intersection, the entire front yard area, including the buffer located between the front lot line and the front wall of the dwelling, may be considered in the calculation of the 50% landscaped front yard requirement subject to the review and approval by Council”.*

Question called. Motion carried unanimously.

15-12-789     Consolidation of Land and Expansion of Parking Lot  
Inmarsat Solutions  
34 Glencoe Drive

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the proposed consolidation of property and parking lot expansion at 34 Glencoe Drive be approved and a development permit be issued subject to meeting the conditions of Newfoundland Power, Engineering Services Division, Planning and Inspection Services Division, and the Finance Division.

Question called. Motion carried unanimously.

15-12-790     Application for Home-Based Business  
47 Ashford Drive

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT an application to occupy a portion of the existing dwelling and lot at 47 Ashford Drive for a vehicle sales business be refused for the following reasons:

1. the proposal is not in accordance with RESIDENTIAL policy 6.2.1(iv) (a) of the Mount Pearl Municipal Plan;
2. the automobile dealership use that is not permitted in the RMD zone of the Mount Pearl Development Regulations; and
3. the proposal is not in accordance with Regulation 7.17.1 (e) and (f) of the Mount Pearl Development Regulations.

Question called. Motion carried unanimously.

15-12-791 Best in Business Awards  
Mount Pearl – Paradise Chamber of Commerce

For the information of the public, the Mount Pearl-Paradise Chamber of Commerce held their annual Best in Business Awards Gala on November 20. The awards program honours the best practices of small to large businesses in both municipalities. Congratulations were extended to all the nominees, award winners, partners and sponsors, as well as the organizers of the event.

15-12-792 Cardinal Properties Limited  
16, 18 and 20 Hemmer Jane Drive  
Residential Subdivision (3 Lots)  
Residential – Medium Density (RMD) Use Zone

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT an application from Cardinal Properties Limited to subdivide the parcel at 16-20 Hemmer Jane Drive, to create three (3) residential lots be approved and a subdivision development permit be issued subject to the following conditions:

1. Newfoundland Power's conditions;
2. Engineering Services Division's conditions;
3. Finance Division's conditions;
4. Mapping Services Division's conditions;
5. Planning Services Division's conditions; and
6. Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

15-12-793 Development Permits

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT the development permits issued for the period of November 16 – 27, 2015 be approved as presented.

Question called. Motion carried unanimously.

15-12-794 Building Permits

Motion – Councillor Walsh/Councillor Ledwell

RESOLVED THAT building permits issued for the period of November 16 - 27, 2015, showing a total construction value of \$402,500.00, be approved as presented.

Question called. Motion carried unanimously.



## NEW BUSINESS

### 15-12-795 Provincial Election

Members of Council extended congratulations to the newly elected members of the House of Assembly, in particular Premier Designate Dwight Ball and the City's MHA's Steve Kent and Paul Lane. Appreciation was extended to MHA Paul Davis for his efforts as he was also the City's MHA prior to the boundary change. Council also thanked candidates who put their names forward but were not successful in this election. Mayor Simms' bid to run in the election was also acknowledged and Council looked forward to welcoming him back.

### 15-12-796 Red Cross NL Humanitarian Awards

Councillor Stoyles extended congratulations to Jim Burton and Maïke van Niekerk on receiving the Red Cross NL Humanitarian Award and Red Cross NL Young Humanitarian Award respectively.

### 15-12-797 Condolences

Councillor Stoyles extended condolences to the family and friends of Bob Foster (wife, Barbara). She noted that Mr. Foster was the brother-in-law of Brenda Butt.

### 15-12-798 Condolences

Councillors Stoyles and Ledwell extended condolences to the family and friends of Phyllis Toope. They noted Ms. Toope had been a tremendous volunteer and gave much to the community including being involved with Frosty Festival.

### 15-12-799 Winter Driving Conditions/Christmas Season

Councillor Tessier reminded drivers to be mindful of the winter driving conditions and to have a plan in place to prevent drinking and driving during the upcoming Christmas season.

### 15-12-800 Mount Pearl Minor Hockey Association (MPMHA) – Food Drive

Councillors Aker and Ledwell extended appreciation to the MPMHA and other volunteers on a very successful food drive held this past weekend. It was noted that monetary donations were also collected which will be used to purchase additional items. Deputy Mayor Locke also acknowledged the efforts of Tanya and Dave Edney, organizers of the event.

### 15-12-801 St. Peter's Parish - Advent Festival of Lessons and Carols

Deputy Mayor Locke advised that St. Peter's Parish recently held an Advent Festival which was a lovely event. While there he visited their food bank and was overwhelmed by the generosity of residents. He reminded residents that

items donated shouldn't be expired as they cannot be distributed. He identified items that would be beneficial to receive.

15-12-802     Mount Pearl Senior High – Musical Production

Deputy Mayor Locke advised that Mount Pearl Senior High will be taking the Broadway musical, "You're A Good Man, Charlie Brown!" to the LSPU Hall stage on December 10-13.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:40 pm on a motion by Councillor Aker.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy City Clerk