



**PUBLIC COUNCIL MEETING MINUTES**  
**June 16, 2015**

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on June 16, 2015 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms  
Deputy Mayor Jim Locke  
Councillor Lucy Stoyles  
Councillor Dave Aker  
Councillor Paula Tessier  
Councillor Andrew Ledwell

STAFF PRESENT

Michele Peach, Chief Administrative Officer  
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

MEMBER ABSENT

Councillor John Walsh

**Mayor Simms chaired the meeting.**

15-06-352     Adoption of Agenda

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-06-353     Adoption of Minutes

Motion – Councillor Stoyles/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on May 19, 2015 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

15-06-354     Waterford River Clean Up Blitz

Council noted that the Waterford River Clean Up Blitz was a success with over 150 bags of litter collected by approximately 40 volunteers. It was suggested that consideration be given to extending the collection area to the areas that flow into the river. Appreciation was extended to all involved.

15-06-355     Community Garden

Council noted that the Community Garden information session was well attended and positive feedback received. Further details will be made available as the project moves forward.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

15-06-356     Recreation Month

Mayor Simms signed a proclamation declaring June as Recreation month in the City of Mount Pearl. The Mayor's "Big City Step Out" walk, held in support of Recreation month, was recognized with the hope that the event will grow in participation.

15-06-357     Brain Injury Awareness Month

Mayor Simms signed a proclamation declaring June as Brain Injury Awareness month in the City of Mount Pearl. Mr. Tom Lush and Ms. Marina White, members of the NL Brain Injury Association, were welcomed. Mr. Lush provided some information on the purpose of the month and the events planned.

15-06-358     Crime Stoppers – Musical Ride

Tina Legge and Wayne Follett of Crime Stoppers were in attendance and provided information on the RCMP Musical Ride being held in Mount Pearl on August 22 and 23. Further details are available on the Crime Stoppers website ([www.nlcrimestoppers.com](http://www.nlcrimestoppers.com)).

CORRESPONDENCE

None presented.

## COMMITTEE REPORTS

### COMMUNITY SERVICES COMMITTEE

15-06-359     Outdoor Court Improvements Tender TP-05-014

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT approval be granted to award the outdoor court improvements contract to the lowest qualified bidder, Maritime Tennis Court Builders & Refinishers, in the amount of \$52,771.00, including HST.

Discussion: Council was advised that netting will not be placed around the tennis complex fence adjacent to Ruth Avenue/First Street.

Question called. Motion carried unanimously.

15-06-360     Arena Board of Management  
Third Installment – 2015 Operating Grant

Motion – Deputy Mayor Locke/Councillor Stoyles

RESOLVED THAT approval be granted to release the third installment of the 2015 operating grant for the Arena Board of Management in the amount of \$45,000.00.

Question called. Motion carried unanimously.

15-06-361     THRIVE – Street Reach

Information was presented on the THRIVE Street Reach Program recently started in Mount Pearl.

15-06-362     Canada Day Celebrations

Information was presented on the Canada Day Celebrations taking place Wednesday, July 1, from 1:00 to 4:00 pm at St. David's field.

15-06-363     City Days Events

Information was presented on the City Day events taking place July 17 – 19. Details will also be posted to the City's website.

15-06-364 Out of the Box - Traffic Box Project

The City and the Association for the Arts in Mount Pearl (AAMP) are currently accepting proposals from artists for the “Out of the Box” traffic box art program. For further information please call 748-1010 or email [gfraser@mountpearl.ca](mailto:gfraser@mountpearl.ca).

Discussion ensued regarding graffiti on utility boxes and mailboxes. It was requested that inspections be undertaken and the corporate community provided a timeframe to have the graffiti removed. Discussion also included the possibility of the City removing the graffiti with the associated costs being charged to the corporate entity (i.e. utility company, Canada Post).

15-06-365 Power’s Pond Family Activities  
Expanded Programs

The Power’s Pond Family Canoe/Kayak Summer Program commences June 28. This year’s expanded program will run on Mondays, Wednesdays and Thursdays, from 6:00 pm to 8:00 pm and on Sundays from 1:00 pm to 8:00 pm (weather permitting).

CORPORATE SERVICES COMMITTEE

15-06-366 Request for Tax Consideration

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to exempt 2015 business tax, in accordance with the policy for charitable organizations, for the following:

Name	Address	Type	Annual Amount
School Milk Foundation Newfoundland and Labrador	27 Sagona Avenue	Business 100%	\$2,931.72

Question called. Motion carried unanimously.

15-06-367 Advertising Request

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to place a ¼ page black and white advertisement, at a cost of \$261.06 (plus tax), in the Royal Canadian Legion Newfoundland and Labrador Command *Military Service Recognition Book*, as done in previous years.

Question called. Motion carried unanimously.

15-06-368 Atlantic Planners Institute Conference (APIC) – Sponsorship

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT approval be granted to provide a bronze sponsorship, in the amount of \$500.00, supporting the Atlantic Planners Institute Conference being held October 4-6, 2015 in St. John's.

Discussion: It was noted that members of the Planning and Development Department will be attending this event to help meet their continuing professional development requirements of the Canadian Institute of Planners (CIP).

Question called. Motion carried unanimously.

15-06-369 Invoices for Approval

Motion – Councillor Aker/Councillor Tessier

RESOLVED THAT the following invoices be approved for payment:

1.	Bae-Newplan Group (2013 Street Upgrading - ended Dec 31/14)	\$ 5,639.14
2.	City of St. John's (Regional Fire Jan-Apr/15)	\$1,608,297.32
3.	City of St. John's (Robin Hood Bay Landfill May/15)	\$ 57,755.49
4.	Econolite Canada Inc. (Traffic Lights)	\$ 11,890.82
5.	Econolite Canada Inc. (Traffic Lights)	\$ 17,928.41
6.	Fireside Catering (Focus on Youth Catered Dinner )	\$ 10,240.00
7.	FYB Holdings Ltd. (Repairs to Traffic Lights)	\$ 14,309.42
8.	Hitech Communications (AVL May Rental Fee)	\$ 6,162.85
9.	Kelloway Construction Ltd. (Cleaning Summit Centre Apr/15)	\$ 10,414.06
10.	Larochelle Equipment (Hydraulic Post, Salt Chain, Support Pivot)	\$ 5,814.63
11.	Lateral Innovations (Picture Grabbers for Autoarm Trucks)	\$ 7,062.50

12.	Newfoundland HVAC (Installation of Thermostats at Reid Center)	\$ 7,925.01
13.	The Telegram (Mount Pearl Matters)	\$ 5,563.27
14.	Onx Enterprise Solutions (Monitors, Printers & Desktops)	\$ 5,284.67
15.	Stewart McKelvey (Legal Fees)	\$ 21,531.11
	Total	\$1,795,818.70

Question called. Motion carried unanimously.

15-06-370 Municipal Assessment Agency  
Clar Simmons Scholarship Award

Information was presented on the Clar Simmons Scholarship Award offered by the Municipal Assessment Agency. Details will be provided to staff.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-06-371 Request for Change Order Approval – St. David’s Park Redevelopment

Motion – Deputy Mayor Locke/Councillor Ledwell

RESOLVED THAT the following change order for the St. David’s Park Redevelopment Project be approved:

Title	Details	Amount (HST Included)
RCO#06	Item #1 – Garbage enclosure design.  Item #2 – Cenotaph area enhancement and connections to artifacts. Deliverables include two conceptual plans, revised cost estimates, construction schedules and 3D renderings. One meeting with City staff to review revisions and one review meeting with Council prior to proceeding with detailed design.	\$29,264.74
	Total (HST Included)	\$29,264.74

Question called. Motion carried unanimously.

15-06-372     Project Updates

Information was provided on various ongoing projects such as street upgrading and maintenance; bulk garbage collection, parks and playfields; water and sewer; fleet maintenance and Park Place upgrades. Discussion ensued regarding the Park Place kitchen and accountability with respect to its condition following a rental.

PLANNING AND DEVELOPMENT COMMITTEE

15-06-373     Proposed Mount Pearl Development Regulations 2010 Amendment No. 45, 2015 (Heritage Use Zone Amendment)

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the Mount Pearl Development Regulations 2010 Amendment No. 45, 2015 (Heritage Use Zone Amendment) be adopted and submitted to the Department of Municipal and Intergovernmental Affairs for registration.

Question called. Motion carried unanimously.

15-06-374     Request for Waiving of Permit Fees for Student Businesses Youth Ventures

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT, in conjunction with a request from Youth Ventures, approval be granted to waive the business permit fee for student summer businesses.

Question called. Motion carried unanimously.

15-06-375     Tucker Acura  
Proposed New Building and Site Development  
913-915 Topsail Road

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT, in accordance with Regulation 4.5, approval be granted for the re-development of the property at 915 Topsail Road for a proposed automotive dealership with service bays and associated site improvements, and a development permit be issued subject to the following conditions:

1. City of Mount Pearl Development Regulations 2010
2. St. John's Regional Fire Department conditions and written approval prior to issuance of building permit.
3. Signing of a joint access and parking lot agreement.
4. Service NL conditions.
5. Engineering Services conditions.
6. Finance Division conditions.

7. Inspection Services conditions.
8. Planning Services conditions.

Question called. Motion carried unanimously.

15-06-376 Proposed Residential Subdivision Development (58 Lots – 29 Double Dwellings)  
Cardinal Properties Ltd.  
Pearlview – Phase 7

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the subdivision application by Cardinal Properties Ltd. proposing to develop Phase 7 of Pearlview Subdivision including the development of 58 lots (29 double dwelling lots) be approved and a conditional development permit and subdivision agreement be issued under Regulation 6.47 subject to the following conditions:

1. Newfoundland Power requirements;
2. St. John's Regional Fire Department's requirements;
3. Canada Post requirements;
4. Engineering Services requirements;
5. Inspection Services requirements;
6. Finance Division requirements;
7. Planning & Development Department requirements;
8. Mount Pearl Development Regulations including RHD and OS Land Use Zone requirements;
9. the development meeting Kenmount Hill Infill Comprehensive Development Scheme, 2007 goals, objectives and policies;
10. receipt of Department of Environment & Conservation Certificate of Approval; and
11. signing of a Subdivision Development Agreement.

Discussion: It was noted that the location of community mailboxes would be identified prior to houses being built.

Question called. Motion carried unanimously.

15-06-377 Proposed Multi-Unit Condominium Apartment Building  
Request for Proposed Mount Pearl Municipal Plan 2010 (Re-designation) and  
Mount Pearl Development Regulations 2010 (Rezoning) Amendment  
Gibraltar Development Ltd.  
16-24 Glendale Avenue

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the public consultation process related to a request from LAT49 on behalf of Gibraltar Development Ltd. to amend the Mount Pearl Municipal Plan and Development Regulations to accommodate a proposal for a 2½ to 3-storey 60-unit condominium apartment building at 16 - 24 Glendale



Avenue proceed AND FURTHER THAT the Land Use Impact Assessment Report be released and posted on the City's website.

Question called. Motion carried unanimously.

15-06-378 Proposed Mount Pearl Development Regulations 2010 Amendment No 46, 2015  
34 Glencoe Drive Amendment

This item is related to a request from Inmarsat Solutions Canada Inc. to purchase City-owned land to the rear of the company's offices located at 34 Glencoe Drive. The company wishes to consolidate all its offices in the region at that location and is, therefore, looking at expanding the existing building and the accompanying parking lot. The land is necessary to provide enough space for the proposed parking lot expansion. The area of the land being considered is 2,947 m<sup>2</sup> (31,725 ft<sup>2</sup>) in area.

In order to accommodate this request, an amendment is required to rezone the subject property from Open Space (OS) to Industrial - Light (IL).

It was noted that the subject property will not negatively impact the natural gateway into the business park, will not affect the nearby watercourse and will result in an economic benefit to the City.

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT the proposed Mount Pearl Development Regulations 2010 Amendment No. 46, 2015 (rezoning 2,947 m<sup>2</sup> (31,725 ft<sup>2</sup>) land to the rear of 34 Glencoe Drive from Open Space (OS) to Industrial - Light (IL)) be adopted and documentation submitted to the Department of Municipal and Intergovernmental Affairs for registration.

Question called. Motion carried unanimously.

15-06-379 Atlantic Chamber of Commerce Inc.  
Incoming President

For the information of the public, Ms. Deborah Feltham of Mount Pearl is the incoming President of the Atlantic Chamber of Commerce Inc. A letter of congratulations will be forwarded from the Mayor's office.

15-06-380 Canada Post Community Mailboxes  
Status Report

For the information of the public, Canada Post has now finalized and provided its list of locations for community mailboxes in Mount Pearl and installations should commence shortly.

Councillor Stoyles raised concerns regarding the community mailboxes and issues residents have had with the existing structures, i.e. snowclearing, frozen

locks, and difficulty in reaching Canada Post officials. She does not support the initiative and indicated she would like to see the previously referenced list of locations.

It was acknowledged that while Council would prefer the continuation of door-to-door delivery, the matter is of federal authority and Canada Post is moving forward with the transition. It was also indicated that the community mailbox format, while not perfect, has functioned well for residents for a number of years.

15-06-381 Helicopter Simulator and Training Technology  
Canadian Aviation Electronics Ltd. (CAE) Facility in Beclin Business Park

For the information of the public, CAE has opened a brand new world-class helicopter simulator in the Beclin Business Park. The specialized training center will develop local expertise in a very technical business and will create jobs and help train pilots locally. A letter of congratulations will be forwarded from the Mayor's office.

15-06-382 Notice of Motion

Councillor Ledwell advised that in accordance with Section 39 of the City of Mount Pearl Act, 1988, and, in accordance with Council's public notification policy, he will, at a regular meeting of Council, move an amendment to the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Amend the text of the Mount Pearl Development Regulations as follows:
  - a) In Section 11, USE ZONE SCHEDULES, within Section 11.6 Residential High Density (RHD):
    - in section 11.6.3 - Development Standards, under Double Dwellings, in subsection (a) Minimum Lot Area, replace the standard of "275 m<sup>2</sup> dwelling unit" with the standard "270 m<sup>2</sup> per dwelling unit".

The purpose of this proposed amendment is to correct the minimum lot area for a double dwelling that corresponds with a minimum lot frontage of 9 m by a lot depth of 30 m per dwelling unit.

15-06-383 Development Permit

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT development permits issued for the period of May 19 – June 12, 2015 be approved as presented.

Question called. Motion carried unanimously.

15-06-384     Building Permits

Motion – Councillor Ledwell/Councillor Tessier

RESOLVED THAT building permits issued for the period of May 19 – June 12, 2015, showing a total construction value of \$1,245,150.00, be approved as presented.

Question called. Motion carried unanimously.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

15-06-385     Regional Water Services Committee

The most recent report shows that the water level for Bay Bulls Big Pond is dropping.

Residents were reminded of the City's Water Conservation Program (further details are available on the City's website).

Information was presented on the leak detection equipment, noting that 25 water leaks have been identified this year, which is a combination of main lines and private services. Eight have been repaired thus far. The water wasted annually from these 25 leaks is about 400 million litres. The IPW Director provided further details on the successful use of the new equipment.

15-06-386     Community Garden

The public information session, held on May 27, regarding community gardens was well attended. Presentations were made by City staff and the Food Security Network and feedback was gathered for further consideration by Council. This year's Green Team will provide assistance in the establishment of the garden.

TRANSPORTATION & PUBLIC SAFETY

15-06-387     Note to Motorists  
Caution City Parks & Facilities

A reminder to motorists; children are out of school and will be using streets and parks, please be mindful of the exits surrounding the city parks and facilities.

15-06-388     Park Patrol

Park Patrol is in place and will be monitoring the trails, parks and facilities throughout the summer months. If residents witness any incidents or have any concerns, please contact the City at 748-1000.

15-06-389     Old Placentia Road Closures  
                  During Play ON – June 11-14

Appreciation was extended to the residents and business owners for their patience with the road closures this past weekend, June 11 – 14, due to the Play On 4-on-4 Hockey.

Discussion: Councillor Stoyles raised concerns with the event, noting the complaints she received from the community (businesses, churches and residents). She indicated that while she supported the event, she did not support its location.

Other members of Council also commented on the event, noting the positive feedback from residents, participants and neighbouring businesses. It was acknowledged that while the traffic detour may have been inconvenient; at no time was there a danger to the public.

It was noted that the Community Services Committee will be reviewing the event, consider the issues raised, and provide a subsequent report to Council.

NEW BUSINESS

15-06-390     Traffic Lights – Lindbergh/Ruth/Michener

Deputy Mayor Locke raised concerns regarding the above noted intersection, in particular, the simultaneous green traffic light and pedestrian walk signals. He noted that motorists do not always yield to the pedestrian and suggested consideration be given to an “all red” signalization when the walk signal is activated. It was requested that the Transportation & Safety Committee review the issue.

15-06-391     Congratulations – Reg White

Members of council extended congratulations to Reg White on being chosen a National Volunteer of the Year for Habitat for Humanity.

Mayor Simms noted that the City is pursuing the possibility of providing land for a Habitat for Humanity house.

15-06-392     Feedback from FCM Conference

Deputy Mayor Locke provided some information on subjects he learned about at the FCM Conference; one being the use of recycled rubber for sidewalks (referred to Infrastructure & Public Works) and the other related to a tree planting program (referred to Planning & Development). It was noted that it was possible to determine the City’s tree canopy using GIS. He suggested that consideration be given to implementing a similar program.

Councillor Stoyles advised of a new product for ice control. Information will be forwarded to Infrastructure & Public Works.

15-06-393 Helen Hodder – Kinette Club

Councillor Stoyles extended congratulations to Helen Hodder who won the Carmel Prior Public Speaking Award which will see her proceed to the National Convention in Manitoba. It was requested that a letter of congratulations be forwarded to Ms. Hodder from the Mayor's office.

15-06-394 Condolences

Councillor Stoyles extended condolences to Richard and Deidre Levandier on the passing of Deidre's mother.

15-06-395 Northeast Avalon Joint Council

Councillor Stoyles advised that the NEAJC will be meeting on June 18 in St. John's. She noted that the Minister of Municipal & Intergovernmental Affairs was invited to attend.

15-06-396 Summer Day Camp Registration

In response to Councillor Stoyles, it was noted that all who registered for the Summer Day Camp Program were accommodated.

15-06-397 Seniors Independence Group

Councillor Tessier extended congratulations to the Seniors Independence Group on a successful year.

15-06-398 Campia Gymnastics

Councillor Tessier extended congratulations to Campia Gymnastics on a successful year.

15-06-399 Coffee Matters

Councillor Tessier advised that Coffee Matters has opened a location in Mount Pearl and extended congratulations to the owners.

15-06-400 Masonic Park Arts Project

Councillor Tessier advised of the Masonic Park Arts Project organized by Lorna Yard for the residents of the Masonic Park Nursing Home. It was requested that a letter of appreciation be forwarded to Ms. Yard from the Mayor's office.

15-06-401     Green Space (Trees)

Councillor Aker suggested that some of the funds from the sale of property (34 Glencoe Drive) be used to purchase trees thereby replenishing the City's tree canopy.

15-06-402     Hockey NL

Councillor Aker extended congratulations to the Hockey NL Executive, in particular the Mount Pearl residents elected at their recent AGM.

15-06-403     St. Peter's Junior High

Councillor Ledwell extended congratulations to the St. Peter's Junior High social action team who participated in the Adopt a Village – "Brick by Brick" program to raise funds (\$10,000) to build a school in an underdeveloped country. It was requested that a letter of congratulations be forwarded from the Mayor's office.

15-06-404     20 Minute Makeover

Councillor Ledwell extended appreciation to all who participated in the 20 Minute Makeover campaign.

15-06-405     Knights of Columbus – Father J.B. Kent Council

Councillor Ledwell extended congratulations to the Knights of Columbus on a successful year and to incoming president Matt White for a successful term of office.

15-06-406     Lions Club

Councillor Ledwell extended congratulations to the Lions Club on a successful year and to incoming president Ken Wiseman for a successful term of office.

15-06-407     Congratulations – Governor General Awards

Mayor Simms extended congratulations to residents Melissa Thomas who received the Governor General's Caring Canadian Award and to Brian Peach who received the Governor General's Academic Excellence Award.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:45 pm on a motion by Councillor Ledwell and seconded by Councillor Stoyles.

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Chairperson

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Deputy City Clerk