

PUBLIC COUNCIL MEETING MINUTES

March 11, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 11, 2014 at 4:15 pm.

MEMBERS PRESENT

Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor Dave Aker
Councillor Andrew Ledwell

MEMBERS ABSENT

Mayor Randy Simms
Councillor John Walsh
Councillor Paula Tessier

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

Deputy Mayor Locke chaired the meeting.

14-03-141 Adoption of Agenda

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

14-03-142 Adoption of Minutes

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT the minutes of the public meeting held on February 25, 2014 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING

14-03-143 Tender – TP-14-004 Turf Maintenance Material

It was clarified that the turf maintenance material (fertilizer, lime and seed) was not associated with the Soccer Field but was to be used throughout the City.

ACTION REPORT

The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

14-03-144 Presentation – NL Housing & Homeless Network

Information was provided on the pancake breakfast fundraiser held by staff in support of the NL Housing & Homeless Network. Kim Mosher, representing City staff, and Sherry Fitzpatrick, representing CUPE Local 2099, presented to David Murphy, NL Housing & Homelessness Network, the amount of \$1,026 from the pancake (ticket sales) fundraiser event, and \$100 from the Mount Pearl Municipal Workers Union – CUPE Local 2099. These proceeds will go to groups fighting homelessness in Newfoundland and Labrador.

14-03-145 Proclamation – “Volunteer Week”

Deputy Mayor Locke signed a proclamation declaring April 6 – 12, 2014 as Volunteer Week in the City of Mount Pearl. Dr. Andrew Furey, Volunteer Week Honourary Chair, provided information on Volunteer Week. Also in attendance were, Jackie Dolomont, Vice Chair, Volunteer Week, VOCM Cares Foundation, Pam Corrigan, Community Sector Council NL and Trish Boyer, School Sports NL.

Council referenced the “Citizen of the Year” event held annually by the Kinsmen Club in conjunction with the City during Volunteer Week to recognize outstanding citizens in our community. (This year’s event will be held on April 5, 2014. Further details are available on the City’s website.)

14-03-146 Proclamation – Pride Day

Deputy Mayor Locke signed a proclamation declaring March 25, 2014 as Pride Day for O’Donel High, Mount Pearl Senior High, Mount Pearl Intermediate and St. Peter’s Junior High. Representatives of the teachers and students of the schools were in attendance and Ms. Donna Rice-Parsons (teacher) spoke on the event and its goal.

14-03-147 Proclamation – World Plumbing Day

Deputy Mayor Locke signed a proclamation declaring March 11, 2014 as World Plumbing Day in the City of Mount Pearl.

John Ozon, President, Canadian Institute of Plumbing & Heating NL Region, was in attendance and spoke on the event's purpose.

14-03-148 Proclamation – Nutrition Month

Deputy Mayor Locke signed a proclamation declaring March 2014 as Nutrition Month in the City of Mount Pearl.

14-03-149 Proclamation – Multiculturalism Week

Deputy Mayor Locke signed a proclamation declaring March 17 – 23, 2014 as Multiculturalism Week in the City of Mount Pearl.

CORRESPONDENCE

14-03-150 Service NL

Information was presented from Service NL in partnership with the Department of Municipal & Intergovernmental Affairs regarding the requirements for land development permitting along protected roads in the province.

The Protected Roads Zoning Regulations, under the Urban and Rural Planning Act, outline the requirements for obtaining a Development Permit to build on or otherwise develop land, whether Crown or privately owned, within the building control lines of a protected roads.

Roads in Mount Pearl include Pitts Memorial Drive and Trans-Canada Highway as it turns into the Outer Ring Road – the portion adjacent to the City. A development within 150 m of the municipal planning area would require two permits - one from the municipality and one from Service NL. The City's practice was clarified whereby applications for principal developments (rather than accessory buildings such as a shed) would be referred to the Service NL for review and permitting. The Province's primary concern is the impact that a major development would have on access points and even signage on the highway system.

14-03-151 MNL Release – Economic Development Accord

A release from Municipalities Newfoundland and Labrador (MNL) was presented announcing a collaborative approach to local economic development. This approach is founded on the concept of cooperation and the sharing of information to better serve municipalities in Newfoundland and Labrador that will help them create and grow jobs within their regions. Its mandate will be to provide an important professional network of economic development professionals to help assess effectiveness and guidance on how to do so. It was noted that a resolution outlining Council's endorsement of this initiative would be presented at an upcoming meeting.

COMMITTEE REPORTS

PLANNING AND DEVELOPMENT COMMITTEE

14-03-152 Proposed Development Regulations 2010 Amendment No. 30, 2014
11178 Newfoundland Limited
(Pearlview - Phase 7 Rezoning Amendment)

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the proposed Development Regulations 2010 Amendment No. 30, 2014, (Pearlview Phase 7 Rezoning Amendment), to rezone parcels in the Pearlview Subdivision Extension (Phase 7) consisting of approximately 2.69 hectares (6.64 acres) from RSU-3 to RHD, be adopted as presented and outlined in the Committee reported dated February 4, 2014.

Discussion: The purpose of the amendment is to allow for the development of double dwellings (58 semi-detached dwelling units and one single family unit). This application is a submission on behalf of two property owners, Cardinal Properties and Junction Development.

Councillor Stoyles noted that many of the representations received were similar to those received from neighbouring property owners when one of the applicants attempted to rezone Pearlview Phase 6 from RSU-3 to RMD and as a result, she did not support the amendment.

It was noted that unlike Pearlview Phase 6, which was located between two areas already developed and zoned RSU-3, the area being requested to be rezoned is immediately north of the area that is developed and under construction. The area is currently a green field site. The road network proposed in the rezoning is in accordance with the road network approved for the Kenmount Hill Infill Development Scheme. It was suggested that the proposal will not significantly increase the number of dwelling units in the area. In addition, the developer is attempting to respond to the housing market by constructing a form of affordable

housing that is currently not available in the Mount Pearl market. The increase of 16 units over the current zoning is not viewed as adding significantly to the traffic congestion.

Question called. Motion carried with Councillor Stoyles voting against the motion.

14-03-153 Proposed Mount Pearl Development Regulations 2010 Amendment No. 31, 2014
Add “Self-Service Storage Mall Use” to Use Zones: IL and CM
(Self-Service Storage Mall Use Amendment)

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the proposed Mount Pearl Development Regulations 2010 Amendment No. 31, 2014 (Self-Storage Mall Use Amendment) be adopted by Council and submitted to the Department of Municipal Affairs for registration.

Discussion: The purpose of this amendment is to regulate the development of self-service storage malls in the Commercial – Mixed and Industrial Light use zones in the City.

Question called. Motion carried unanimously.

14-03-154 Application for Subdivision and Double Dwelling
Two Semi-Detached Dwelling Units
50 Jersey Avenue

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT approval be granted to issue a development permit for the subdivision of the property at 50 Jersey Avenue to create two (2) lots and construct a Double Dwelling (two semi-detached dwelling units) subject to a building permit not being issued until the building and servicing plans are received and meet the approval of the City.

Discussion: It was noted that the developer has advised that one of the units will definitely be owner occupied; the other unit is not confirmed. The developer has indicated a need for two units to make the project reasonably affordable.

Question called. Motion carried unanimously.

14-03-155 Proposed Site Development (Exterior Storage Yard)
WLH Contracting Limited
12 Panther Place

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT the development application to undertake site development at 12 Panther Place to accommodate an exterior storage yard for the purpose of temporarily storing scaffolding equipment for a period of 8 months be approved and a development permit issued subject to the following conditions:

1. St. John's Regional Fire Department conditions;
2. City Inspector's conditions;
3. all slopes existing and proposed at 12 Panther Place shall be 2:1;
4. any debris shall be removed from 12 Panther Place;
5. a buffer at the rear of 12 Panther Place shall be installed, the type of buffer to be determined;
6. the manhole on site that has been covered over shall be located and the fill covering it shall be removed then properly re-graded around the manhole;
7. Engineering Services conditions; and
8. the development meeting Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

14-03-156 Stericycle Waste Transfer Facility
Environmental Undertaking – Department of Environment and Conservation
27 Clyde Avenue

Council was advised that, further to previous discussions and consideration of the above-note application, the City has now received a copy of the documentation regarding this environmental undertaking from the Provincial Government Department of Environment and Conservation. This documentation was anticipated as part of the external referral process, the document has been reviewed by staff, and the content is consistent with the application that was previously reviewed by staff and there are no concerns or unanticipated matters.

14-03-157 Presentation by Canadian Federation of Independent Business (CFIB)
Vaughn Hammond, Director, Provincial Affairs

An update was provided on a presentation by Mr. Vaughn Hammond, Director of Provincial Affairs, regarding the Canadian Federation of Independent Businesses (CFIB).

14-03-158 Notice of Motion
 Amendment – Mount Pearl Development Regulations 2010

Councillor Ledwell gave notice 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 land use zoning map of the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Amend Map 1 – Land Use Zoning Map, as follows:

Rezone the portion of land that is located at the south east corner of Topsail Road and Forsey Place, immediately east of Forsey Place, south of Topsail Road, west of the property at 913-915 Topsail Road, and immediately north of the property at 25 Forsey Place from Residential – High Density – Special (RHD-S) to Commercial Mixed (CM).

The purpose of this amendment is to provide Council with the authority to consider an application for the proposed consolidation of land, the demolition of the existing building and re-development of the property at 913-915 Topsail Road for a car dealership (Tucker Acura). The rezoning of the subject property is for the purpose of extending the Tucker Acura parking lot onto this property.

14-03-159 Development Permits

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT development permits issued for the period of February 24 – March 7, 2014 be accepted as presented.

Question called. Motion carried unanimously.

14-03-160 Building Permits

Motion – Councillor Ledwell/Councillor Aker

RESOLVED THAT building permits issued for the period of February 22 – March 7, 2014, showing a total construction value of \$694,000.00be approved as presented.

Question called. Motion carried unanimously.

COMMUNITY SERVICES COMMITTEE REPORT

14-03-161 Association for the Arts in Mount Pearl
2014 Annual Grant

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT approval be granted to release the 2014 operating grant, in the amount of \$2,500, to the Association for the Arts in Mount Pearl in accordance with their Memorandum of Understanding with the City.

Question called. Motion carried unanimously.

14-03-162 Admiralty House Communication Museum
1st Installment 2014 Operating Grant

Motion – Councillor Stoyles/Councillor Aker

RESOLVED THAT approval be granted to release the 1st installment of the Admiralty House Communication Museum's operating grant for 2014 in the amount of \$20,250.

Question called. Motion carried unanimously.

14-03-163 Mount Pearl Pool – Lifesaving Cup

Council was advised that the Mount Pearl Pool will be presented with the Lifesaving Cup on May 30, 2014 during the Lifesaving Society's AGM. The Lifesaving Cup is presented to a year round affiliate that has shown the largest increase in lifesaving programs from the previous year. The City's program has an increase in this category for 2013, offering courses with a total of 3,120 points. Congratulations were extended to the Susan Quigley and her team for a great job!

14-03-164 Summer Employment – Day Camp

Council was advised that applications for day camp staff will be accepted up to and including April 11, 2014. It was also noted that the park patrol program provides employment to post-secondary students.

14-03-165 Mount Pearl Marlins

Congratulations were extended to members of the Marlins Swim Team in recognition of their success at recent meets. The public was also advised of the Swim for Hope fundraiser scheduled for March 21.

CORPORATE SERVICES COMMITTEE

14-03-166 Request for Tax Consideration

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to exempt 2014 business taxes, in accordance with Council’s policy for charitable organizations, for the following:

Name	Address	Type	Annual Amt
Metro Business Opportunities	961 Topsail Road	Business (100%)	\$2,802.47
Visions Employment	58 Glencoe Drive	Business (100%)	\$4,739.16
SPCA	162 Park Avenue	Business (100%)	\$1,987.30
Canadian Hard of Hearing Association	1081 Topsail Road	Business (100%)	\$8,953.00
Heart & Stroke Foundation	1037 Topsail Road	Business (100%)	\$4,918.46
CHANAL	75 Barbour Drive	Business (100%)	\$442.70
Iris Kirby House		Business (100%)	\$1,771.56

Question called. Motion carried unanimously.

14-03-167 Advertising Request
Royal Canadian Legion Newfoundland and Labrador

Motion – Councillor Aker/Councillor Stoyles

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*, same as previous years.

Question called. Motion carried unanimously.

14-03-168 Sponsorship Request
Municipalities Newfoundland and Labrador (MNL)

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT approval be granted to provide a sponsorship of \$500 toward MNL Avalon Regional Meeting’s Meet & Greet being held on Friday March 21, 2014.

Question called. Motion carried unanimously.

14-03-169 Invoices for Approval

Motion – Councillor Aker/Councillor Stoyles

RESOLVED THAT the following invoices be approved for payment:

1.	Spartan Fitness (Fitness Equipment)	\$	5,424.00
2.	Hitech Communications (Two-way/AVL Radio Monthly Fee)	\$	6,222.68
3.	City of St. John's (Robin Hood Bay Landfill - Jan 2014)	\$	44,932.57
4.	Industry Canada (Radio Authorization Renewal)	\$	6,256.00
5.	William S. Kennedy Law Office (Legal Retainer Fees)	\$	12,500.00
6.	Toromont CAT (Equipment Parts)	\$	5,990.13
7.	Everbridge Inc. (Mass Notification License)	\$	7,155.00
8.	Data Fix (Voter List Management Service - Final Payment)	\$	5,989.00
	Total	\$	94,469.38

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

14-03-170 Winter Maintenance

An update on snow clearing operations (including an update on the trails that are groomed) was provided.

14-03-171 Multiplex Status

Council was advised that the Multiplex is approximately 93% financially complete.

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

14-03-172 Regional Water Services Committee

The most recent report shows that the water level for Bay Bulls Big Pond is dropping but the spring snow melt will help rebound - caution should be exercised and residents were reminded to remain vigilant in their water conservation efforts.

14-03-173 Northeast Avalon Joint Council

It was noted that the February 19 meeting of the NEAJC was cancelled due to weather conditions. The Council's next meeting is March 19 in Portugal Cove St. Philips. Minister Kent will be attending the April meeting (Colliers) and members are requested to submit questions for his consideration prior to that time.

14-03-174 Eastern Regional Services Board

The Committee was advised that the structure of the new Board is not yet finalized.

14-03-175 North Atlantic Oil Spill

An update on the 2010 North Atlantic oil spill was provided. North Atlantic is receptive to reimbursing the City but has requested further details and these are currently being compiled.

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

No report.

NEW BUSINESS

14-03-176 Recent Water Main Break

Councillor Stoyles commented on the recent water main break (Winston Avenue), noting that staff worked diligently to complete repairs in a timely manner.

14-03-177 Condolences – Cleary Family

Councillor Stoyles extended condolences to Come By Chance Mayor Joan Cleary and her family on the tragic passing of her son, A.J.

14-03-178 Condolences – Cuff Family

Councillor Stoyles extended condolences to Glen Cuff and his family on the passing of his wife, Terry.

14-03-179 O’Donel High School – Musical

Members of council extended congratulations to the cast, crew and volunteers involved with the O’Donel High School recent production of The Sound of Music.

14-03-180 Municipalities Newfoundland & Labrador (MNL) – Avalon Regional Meeting

Councillor Stoyles advised of the upcoming Avalon MNL regional meeting scheduled for March 21 - 22 at the Capital Hotel.

14-03-181 Citizen of the Year

Councillor Stoyles advised that information on the Citizen of the Year event and nomination process has been forwarded to the various community groups by the Kinsmen Association. Groups and individuals are encouraged to submit nominations.

14-03-182 Best Wishes – Councillor Walsh

Members of council extended best wishes to Councillor Walsh as he recuperates from a recent illness.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:00 pm on a motion by Councillor Stoyles and seconded by Councillor Aker.

Chairperson

Deputy City Clerk