



PUBLIC COUNCIL MEETING MINUTES
March 10, 2015

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on March 10, 2015 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor John Walsh
Councillor Dave Aker
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

MEMBERS ABSENT

Councillor Lucy Stoyles
Councillor Paula Tessier

Mayor Simms chaired the meeting.

15-03-122 Adoption of Agenda

Motion – Councillor Ledwell/Deputy Mayor Locke

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

15-03-123 Adoption of Minutes

Motion – Councillor Walsh/Councillor Aker

RESOLVED THAT the minutes of the public meeting held on February 24, 2015 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING/ ACTION REPORT

No business arose from the previous minutes. The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

15-03-124 World Plumbing Day

Mayor Simms signed a proclamation declaring March 11, 2015 as World Plumbing Day in the City of Mount Pearl.

John Ozon, President, Canadian Institute of Plumbing & Heating NL Region, was in attendance. He spoke of the need to raise awareness for proper plumbing systems while highlighting the importance of plumbing in helping the environment through water conservation, and the installation and maintenance of energy efficient plumbing.

It was noted that there are also communities in this province that do not have adequate drinking water.

CORRESPONDENCE

15-03-125 Department of Municipal & Intergovernmental Affairs

A letter was presented from the Honourable Keith Hutchings, Minister of Municipal & Intergovernmental Affairs, advising that the Department would consider Council's request to revise the definition of "building height" from the Development Regulations (NLR 3/01). The Department will consult with other municipalities to determine if the City's concerns with the definition are shared. Should the consultation confirm the City's concerns, the definition will be revised to bring clarity to its interpretation. Council advised that the Department is welcome to hold a consultation in Mount Pearl and staff would provide assistance as required.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE

15-03-126 Student Summer Day Camp Employment

For the information of the public, the summer employment application for day camp counselors and coordinators is available on the City's website and available for pick up at City Hall and the Summit Centre. Closing date for applications is April 10.

15-03-127 Swim for Hope Relay March 27, 2015

For the information of the public, the 19th Annual Swim for Hope, in support of the Dr. H. Bliss Murphy Cancer Care Foundation, is on Friday, March 27. Further details are available at www.swimforhope.ca.

15-03-128 Summit Centre
Memberships & Food Service

For the information of the public, food service, operated by Fireside Café, is now open at the Summit Centre. It was also noted that memberships have shown a tremendous increase from January to February 2015.

15-03-129 Citizen of the Year

For the information of the public, the Citizen of the Year Ceremony is held during Volunteer Week by the Kinsmen Club of Mount Pearl in partnership with the City. This year's ceremony is on Saturday, April 11, 2015 at the Reid Community Centre. The deadline for nominations is March 13, 2015. Further information is available on the City's website.

15-03-130 Focus on Youth Awards

For the information of the public, the Focus on Youth 2014 Awards Program takes place on May 13, 2015. The deadline for nominations has been extended to March 20. Organizations and residents are encouraged to submit nominations in as many categories as possible. Further information is available on the City's website.

15-03-131 Mount Pearl Seniors Independence Group
50+ Age Community
2015 Fitness Program Subsidy

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT approval be granted to release the annual subsidy, in the amount of \$5,000, to the Seniors Independence Group, 50+ Age Community, to cover the Fitness Program for 2015, as part of the agreement with the City.

Question called. Motion carried unanimously.

CORPORATE SERVICES COMMITTEE

15-03-132 Tax Deferrals – Low Income Earners

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT approval of the following tax deferrals be approved in accordance with Council’s policy for low income earners:

Account #	Amount Deferred
3192	\$ 3,830.20
12600	\$ 1,406.74

Question called. Motion carried unanimously.

15-03-133 Request for Tax Consideration

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT approval be granted to exempt 2015 property taxes, in accordance with Council’s past practice, and 2015 business taxes in accordance with Council’s policy for charitable organizations, for the following:

Name	Address	Type	Annual Amount
Parkdale Manor	67 Park Avenue	Property (60%)	\$2,936.62
Columbus Centre Inc.	25 Moores Drive	Property (60%)	\$2,836.72
Knights of Columbus	7 Greenwood Crescent	Business and Property (100%)	\$11,283.75
Canadian Diabetes Association	860-866 Topsail Rd.	Business (100%)	\$1,648.92
Mount Pearl Paradise Chamber of Commerce	365 Old Placentia Road	Business (100%)	\$407.30
School Lunch Association	785 Topsail Road	Business (100%)	\$765.07
Skills Canada Newfoundland and Labrador	75 Barbour Drive	Business (100%)	\$927.69
Newfoundland and Labrador Employers Council	129 Glencoe Drive	Business (100%)	\$4,541.39
Visions Employment Inc.	58 Glencoe Drive	Business (100%)	\$4,739.16
The Salvation Army	18 Senate Crescent	Property (100%)	\$1,706.44

Masonic Park	117 Mount Carson Ave	Property (60%)	\$68,558.93
Masonic Park	115 Mount Carson Ave.	Property (60%)	\$10,801.44
Masonic Park	115 Mount Carson Ave	Business (100%)	\$26,253.50
CHANAL	75 Barbour Drive	Business (100%)	\$772.08
Metro Business Opportunities	961 Topsail Road	Business (100%)	\$2,802.47
VOCM Cares	1199 Topsail Road	Business (100%)	\$1,070.72
Community Food Sharing Association	1143-1149 Topsail Rd	Business (100%)	\$4,023.85
Heart and Stroke Foundation	1037 Topsail Road	Business (100%)	\$4,918.46
Safety Services Newfoundland and Labrador	1076 Topsail Road	Business (100%)	\$5,168.90
St. John Ambulance	8 Thomas Byrne Drive	Business (100%)	\$12,228.84

Question called. Motion carried unanimously.

15-03-134 Invoices for Approval

Motion – Councillor Aker/Deputy Mayor Locke

RESOLVED THAT the following invoices be approved for payment:

1.	Kelloway Construction (Renovations - Tennis Complex)	\$ 9,322.50
2.	Kelloway Construction (Building Cleaning)	\$ 16,761.63
3.	FYB Holdings Ltd. (Light maintenance and controller)	\$ 11,897.54
4.	ERSI Canada Ltd. (ArcGIS Renewal 2015-16)	\$ 9,504.43
5.	The Collison Clinic (Damage Claim)	\$ 5,774.98
6.	Grand Concourse Authority (Annual Member Contribution)	\$ 8,234.03
7.	City of St. John's (Robin Hood Bay Landfill Tipping Fees)	\$ 40,148.44

8.	Avalon Coal Salt & Oil (Road Salt)	\$ 282,168.81
9.	Modern Paving Limited (Progress Claim #4, Street Upgrading, July 26-Aug 30, 2014)	\$ 108,075.89
10.	Cansel (AutoCad Software Renewal)	\$ 6,825.20
11.	Receiver General for Canada (Radio Authorization Renewal)	\$ 6,256.00
12.	Control Pro (UIX Controller - Summit Centre)	\$ 5,876.00
13.	Transcontinental Print (Garbage Schedule Printing)	\$ 6,251.70
	Total	\$ 517,097.15

Question called. Motion carried unanimously.

INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

15-03-135 Request for Contract Extension - Landscape Maintenance

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to extend the landscape maintenance contract with Russell’s Landscaping for one year in accordance with the conditions of the existing contract.

Discussion: Russell’s Landscaping hourly charge is \$100 for a crew of 2 people and a truck, for an approximate annual cost of \$110,718.50 (HST included).

Question called. Motion carried unanimously.

15-03-136 Appointment of Consultant
Glendale Avenue – Existing Infrastructure

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT a proposal from SNC-Lavalin BAE-Newplan Group Limited to provide consulting services to study the capacity of existing infrastructure on Glendale Avenue, in relation to the proposed development at 16-24 Glendale Avenue, in the amount of \$19,500.00 (plus HST) with the optional cost of

\$2,500.00 per meter/month for additional meters as detailed in the proposal be approved.

Question called. Motion carried unanimously.

15-03-137 Contract Award – Supply and Delivery of a Water Leak Detection Correlator

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to award the contract for the supply and delivery of a water leak detection correlator to the lowest qualified bidder, Gutermann Leak Detection, in the amount of \$24,408.00 (HST included).

Question called. Motion carried unanimously.

15-03-138 Contract Award – Supply and Delivery of Ten (10) Correlating Radio Loggers

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT approval be granted to award the contract for the supply and delivery of ten (10) correlating radio loggers to the lowest qualified bidder, G & M Project Management, in the amount of \$20,022.24 (HST included).

Question called. Motion carried unanimously.

15-03-139 Winter Activity Report

An update on snowclearing operations, pothole repairs, hydrant clearing, equipment maintenance and salt usage was provided.

PLANNING AND DEVELOPMENT COMMITTEE

15-03-140 Municipal Recommendation Form for Crown Land Application
Prospect Development Limited
Kenmount Road

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT the Municipal Recommendation Form for a Crown Land Application by Prospect Development Limited for the lands located immediately to the north of their land holdings in the Moffatt Road Subdivision and fronts onto Kenmount Road be approved subject to the following conditions:

1. upon the acquisition of the property, Prospect Development Limited to be required to submit a development application to the City of Mount Pearl for the use or development of the subject property;
2. a copy of the consolidated survey to be forwarded to the City of Mount Pearl; and
3. an application to amend the lands above the 190 metre contour currently zoned as Rural be submitted to the City for review and approval prior to any development being able to be considered in this area.

Discussion: Clarification on the available Crown Land was provided, noting that the piece in question was the last significant piece available in this area, however, there were some remaining strips - one for which the City has applied to acquire.

Question called. Motion carried unanimously.

15-03-141 Business Operating Without a Permit
Dog-Grooming Home-Based Business – Application for Permit Refused
4 Diamond Place

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT approval be granted to initiate legal action against the property owner of 4 Diamond Place to cease and desist the business operating at this address.

Question called. Motion carried unanimously.

15-03-142 Proposed Mount Pearl Municipal Plan 2010 Amendment No. 14, 2015
Proposed Mount Pearl Development Regulations 2010 Amendment No. 43, 2015
(Kenmount Hill Amendment)

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT Mount Pearl Municipal Plan 2010 Amendment No. 14, 2015, and the Mount Pearl Development Regulations 2010 Amendment No. 43, 2015 be adopted AND FURTHER THAT pursuant to the Urban & Rural Planning Act, George Trainor be appointed Commissioner for the public hearing scheduled for April 7, at 7:00 pm, City Hall.

Discussion: The Mount Pearl Municipal Plan 2010 Amendment No. 14, 2015 and Development Regulations 2010 Amendment No. 43, 2015 in the area of Kenmount Hill above the 190 m contour demonstrates Council's interest in allowing the subject land to be developed for a range of urban uses, provided adequate municipal water and sewer services are able to accommodate the urbanization.

Councillor Walsh indicated his support of the amendments and that development above the 190 m contour be approved as was done for the Galway development.

Question called. Motion carried unanimously.

15-03-143 Proposed Outdoor Display Court
S & S Supply Limited
1281-1283 Topsail Road

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT an application by BRS Holdings to develop an outdoor display court within the existing front yard at 1281-1283 Topsail Road to accommodate the display of equipment by S & S Supply Limited be approved and a development permit issued subject to the following conditions:

1. Infrastructure and Public Works conditions;
2. Newfoundland Power's conditions and approval;
3. The display court shall:
 - a. be located solely on the subject property and not within the City's street right of way;
 - b. maintain a minimum three metre (3 m) setback from any property boundary or 5.88 m from the curb, whichever distance is greater from the property boundary;
 - c. not be located within the sight triangle of the driveway and street;
 - d. not be located within any easements;
 - e. not be located within three metres (3 m) of any service lateral;
 - f. maintain an appropriate distance from utility lines and guy wires;
 - g. maintain proper sight lines of the building from the street;
 - h. not exceed forty percent (40%) of the overall landscaped frontage measurement in length;
 - i. not be located within the front yard parking lot;
 - j. not reduce the minimum number of parking spaces required for the main uses on the lot;
 - k. be subject to the review and approval of a landscaping plan which includes tree, shrub and sod plantings as per Mount Pearl Landscaping Regulations and Guidelines;
 - l. maintain hard level surfacing (gravel shall not be permitted as a surfacing material) and continuous access with the parking lot;
 - m. have lighting which is focused on the equipment or vegetation and not into oncoming traffic or adjacent properties;
 - n. not have flashing lights; and,
 - o. not impede winter snow clearing operations.

4. That the crane arms or other types of extensions of equipment shall not extend into the air space beyond the boundary of the display area.
5. That equipment shall be placed within the display court in a manner so that no part of the equipment obstructs or blocks the view of signage from the street and neighbouring properties.
6. The City is not liable if equipment is damaged during routine maintenance operations.
7. The development meets the City of Mount Pearl Development Regulations 2010.

Question called. Motion carried unanimously.

15-03-144 Mount Pearl-Paradise Chamber of Commerce
Annual General Meeting (AGM)

Appreciation was extended to the Chamber of Commerce on a successful AGM and to Ms. Tammy Clarke, the outgoing President for her excellent work. Council looks forward to a successful working relationship with the new President, Ms. Dulcie Sharpe-Turpin and the new and returning board members as the Chamber continues to do exceptional work for the business community.

15-03-145 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 text of the Mount Pearl Development Regulations 2010 that, if enacted, will:

1. Amend Map 1 – Land Use Zoning Map, as follows:
 - rezone the northern portions of 22 and 24 Glendale Avenue from Rural to Residential - High Density (RHD) (5195 m² in total);
 - rezone the southern portions of 22 and 24 Glendale Avenue and the portion of Glendale Avenue adjacent to said properties out to the centerline of the road from Residential - Medium Density (RMD) to Residential - High Density (RHD) (2291 m² in total); and
 - rezone 16-20 Glendale Avenue and the portion of Glendale Avenue adjacent to said property out to the centerline of the road from

Commercial - General (CG) to Residential - High Density (RHD) (4613 m² in total).

The purpose of this amendment is to provide Council with the authority to consider an application for the proposed development of a condominium complex at 16-24 Glendale Avenue.

15-03-146 Development Permit List

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT development permits issued for the period of February 23 – March 7, 2015 be approved as presented.

Question called. Motion carried unanimously.

15-03-147 Building Permits

Motion – Councillor Ledwell/Councillor Walsh

RESOLVED THAT building permits issued for the period of February 23 – March 6, 2015, showing a total construction value of \$6,113,000.00, be approved as presented.

Question called. Motion carried unanimously

REGIONAL SERVICES & ENVIRONMENT COMMITTEE

No report.

TRANSPORTATION & PUBLIC SAFETY

15-03-148 Student Park Patrol Employment

For the information of the public, the summer employment application for Park Patrol is available on the City's website and available for pick up at City Hall and the Summit Centre. Closing date for applications is April 10th.

NEW BUSINESS

15-03-149 East Coast Swim Championship

Deputy Mayor Locke extended congratulations to members of the Marlins Swim Team who participated in the East Coast Championships held at the Summit Centre this past weekend. Appreciation was extended to all involved in hosting this event.

15-03-150 Fireside Café (Summit Centre)

Councillor Walsh extended best wishes to the owners of the Fireside Café which recently opened at the Summit Centre.

15-03-151 Citizen of the Year

Councillor Walsh encouraged members of the public to nominate individuals who have made a contribution to our community.

15-03-152 Mount Pearl Paradise Chamber of Commerce

Councillor Aker extended appreciation to outgoing President Tammy Clarke for her efforts during her term of office and congratulations to Dulcie Sharpe-Turpin as she commences her term.

15-03-153 Frosty Festival

Councillor Ledwell extended appreciation to all involved with the 2015 Frosty Festival and advised that there was a call out for individuals to join the Board of Directors. Further information is available on the Frosty Festival website www.frostyfestival.ca. The deadline for submissions is April 6, 2015.

15-03-154 2017 Brier Championships

Mayor Simms advised that a letter of support has been provided to Destination St. John's in their bid to host the 2017 Brier Championships.

15-03-155 FCM – Board Meeting

Mayor Simms advised that the Board of the Federation of Canadian Municipalities met for four days in Burnaby this week – most likely the final FCM Board meeting before the federal election. The Board approved the FCM election platform that outlines solutions to the greatest challenges facing the

country. Waste water regulations, affordable housing, climate change, and transit are all issues that will be raised leading up to the federal government election.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:25 pm on a motion by Councillor Ledwell and seconded by Councillor Aker.

Chairperson

Deputy City Clerk