



## CITY OF CORNER BROOK

**Dear Sir\Madam:**

I have been directed by His Worship the Mayor to summon you to a Regular Meeting of the Corner Brook City Council, to be held on **March 13, 2023 at 7:00 p.m., Council Chambers, City Hall.**

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CITY CLERK

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	<b>1</b>	<b>CALL MEETING TO ORDER</b>
	<b>2</b>	<b>APPROVALS</b>
	2.1	Approval of Agenda
3 - 8	2.2	Approval of Minutes [Committee of the Whole Meeting February 27, 2023]
	<b>3</b>	<b>BUSINESS ARISING FROM MINUTES</b>
	3.1	Business Arising From Minutes
	<b>4</b>	<b>CORRESPONDENCE/PROCLAMATIONS/PETITIONS/</b>
9 - 12	4.1	Proclamations and Events
	<b>5</b>	<b>TENDERS</b>
13 - 14	5.1	UPDATE - Purchase of One (1) New Hybrid Gas/Electric SUV
15 - 18	5.2	O'Connell Drive Pedestrian Crossing Improvements 2023-01
19 - 20	5.3	Extrication Gear Purchase
	<b>6</b>	<b>MUNICIPAL PLAN AND DEVELOPMENT REGULATION AMENDMENT</b>
21 - 39	6.1	Corner Brook Municipal Plan Amendment No. 22-01 and Development Regulations Amendment No. 22-01
	<b>7</b>	<b>PLANNING AND DEVELOPMENT</b>
41 - 43	7.1	Rescind Stop Work Order - 18 Humber Road
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51 - 59	7.3	Crown Land Application - Great Canadian Trail
	<b>8</b>	<b>CHANGE ORDERS</b>
61 - 105	8.1	Regional Recreation Center - Change Order No. 23
107 - 116	8.2	Lewin Parkway Intersection Improvements - Change Order No. 3
	<b>9</b>	<b>REGULATION/POLICY</b>
117 - 118	9.1	Blame it on Broadway – Noise Regulation Exemption for Broadway Street Party
	9.2	Land Acknowledgement
119 - 132	9.3	Code of Conduct for Council
	<b>10</b>	<b>ADJOURNMENT</b>
		The meeting adjourned at

**MINUTES OF A COMMITTEE OF THE WHOLE OF  
THE COUNCIL OF THE CITY OF CORNER BROOK  
COUNCIL CHAMBERS, CITY HALL  
MONDAY, 27 FEBRUARY, 2023 AT 7:00 PM**

**PRESENT:**

Mayor	J. Parsons	R. Cumby, City Manager
Deputy Mayor	L. Chaisson	D. Charters, Director Community Engineering Development and Planning
Councillors:	V. Granter	T. Flynn, Director of Protective Services
	B. Griffin	D. Burden, Director of Public Works, Water and Waste Water Services
	P. Keeping	S. Maistry, Director of Finance and Administration
	C. Pender	K. Patten, Director of Recreation Services
		J. Smith, Acting City Clerk
		J. Baines, Sergeant-At-Arms

Absent with regrets: Councillor P. Gill

**COW23-16 Approval of Agenda**

On motion by Councillor V. Granter, seconded by Councillor P. Keeping, it is **RESOLVED** to dismiss the complaint in question made against Councillor B. Griffin by Councillor C. Pender. **MOTION CARRIED.**

**COW23-17 Approval of Minutes- Regular Meeting February 13, 2023**

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to approve the minutes of the Regular Meeting of February 13, 2023. **MOTION CARRIED.**

**COW23-18 Business Arising From Minutes**

No business arising from the minutes.

**COW23-19 Code of Conduct Complaint Decision**

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to dismiss the complaint in question made against Councillor B. Griffin by Councillor C. Pender. **MOTION CARRIED.**

**COW23-20 Online Reporting Portal and Voyent Update**

Deputy Mayor L. Chaisson provided a report on a new online reporting portal and an update on the City's Voyent system. The new online portal is now available on the City's website. In addition to calling 637-1666, residents can submit their issues and concerns through the online form and it will be triaged to the appropriate City staff. There are also three new categories added to the Voyent alert system for residents to sign up for notifications: City Events, Garbage Information and General Notices.

**COW23-21 Public Works Winter Summary**

Deputy Mayor L. Chaisson provided an update on the Public Works operations during January 1 to February 20 as follows:

- Plows have been out plowed snow for 30 days;
- City Blowers have been out widening streets for 12 days;
- Loaders with baskets have been pushing back snowbanks at intersections and cleaning up cul de sacs for 6 days;
- Sidewalk clearing - bobcat was out for 30 days;
- Salt Used - 1900 tonnes, Sand Used - 2000 tonnes;
- Winter Carnival - staff spent 10 days preparing and providing support to committee;
- Snow clearing and blowers are ongoing, pot holes - work is ongoing, expecting more work as the weather settles.

**COW23-22 Water and Wastewater Work Summary**

Deputy Mayor L. Chaisson provided a Water and Wastewater Work Summary from January 1 to February 17, 2023 as follows:

- received a total number of 115 complaints;
- recoverable works total cost \$7,351.34;
- there were 11 water and wastewater repairs;
- general maintenance - annual operational check on 3 pressure reducing stations (17 remaining) and completed 2 rounds of hydrant snow clearing;
- future maintenance - water leak repair (Keough's Lane and Brosnan Street), snow clearing for hydrants and access roads, upgrade system at depot, complete annual operational check on remaining pressure reducing stations and conduct leak detection (Curling area and east end of City);
- water treatment plant - 7800L of diesel used for generator during multiple power outages and general maintenance and repairs are ongoing.

**COW23-23 Protective Services Statistics for month of January 2023**

Councillor V. Granter provided an update on Protective Services statistics for the month of January 2023, as follows:

- Municipal Enforcement received 49 calls for service for by-law enforcement, taxi regulation, animal control and parking enforcement;
- Fire Department had a total of 35 incidents and the Fire Prevention Inspector conducted 1 commercial inspection, 1 mobile vendor inspection and 1 home oxygen inspection;
- PSAP received a total of 2944 transferred calls and 3607 non-transferred calls;
- Update on Ladder truck - work is still progressing, Western Steel is engaged to do welding and are waiting on approval of the welding work plan from the engineer, the truck is currently operational but will require final testing when the work is complete.



**COW23-24 Capital Project and Engineering Updates**

Councillor C. Pender provided a report on Capital Works and Engineering as follows:

- Regional Recreation Centre - rear pool masonry wall done and work is ongoing alongside the maintenance alley, interior masonry approximately 75% complete, structural steel 95% done, concrete decking complete on level 2, work ongoing for concrete slab on level 1 in daycare area;
- Citadel Drive PRV Upgrades - architectural work complete and project is 70% complete to date;
- Bell's Brook Culvert Phase 2 - expected to open March 3, 2023, curb and asphalt to be done in June 2023;
- Elizabeth Street Pump House Upgrade - 100% funding by province, work is ongoing and project is near completion;
- Great Trail Enhancement Phase 1 - tender recently awarded and contract is being prepared and construction expected to begin in Spring 2023;
- O'Connell Drive at Crestview Ave Pedestrian Crossing Improvements - design work is complete and tender is to close on February 22nd;
- Completed Projects - Retaining Wall Replacement, Johnson's Avenue Storm Sewer Improvements, Pittman's Lane Storm Sewer Improvements, Sidewalk Replacement 2022, Asphalt Patching 2022, Roundabout Tower Protection Wall, Asphalt Program 2022, Bell's Brook Culvert Phase 1, Blackwood's Hill Culvert Replacement;
- Future Projects - Deep Gulch Brook Storm Sewer Replacement (RFP recently issued), Great Trail Enhancement Phase 2 (waiting on funding agreement); Engineering Studies - Water System Audit (no funding option, possible phased approach) and Transportation Study (RFP for consultant to be released in spring 2023).

**COW23-25 Development, Planning and Community Services**

Councillor B Griffin provided an update on Development, Planning and Community services projects as follows:

**Development and Planning**

- construction work and permits have been issued on a variety of projects including the new Recreation Centre, Vet Clinic (Poplar Road), Glass Repairs Shop (O'Connell Drive), Robins Donuts (Herald Avenue), Physiotherapy Business (Herald Avenue), Western Star Building Conversion to Apartment building (West Street), 8 Unit Apartment Building (Dove's Road), New Western Motor Sports Location (Lundrigan Drive), 4 Unit Apartment Building (Armstrong Avenue), Sobeys Renovations, Canada Post Expansion (Maple Valley Road) and The Shoe Company (Plaza);
- various other potential projects are coming forward including a self-storage building (O'Connell Drive), Conversion of Old Church to 14 Unit Apartment Building (Phillip Drive), Gas Station and Fast Food

Restaurant (Grenfell Drive) and Cemetery Expansion (Mount Patricia);

- IMSP and Development Regulations - staff have completed their review of the draft plan and provided feedback to consultant, waiting on final document from consultant to provide for staff and council review.

### **Business Development**

- Downtown Urban Development Plan (DUDAP II) - waiting on feedback on draft proposal from ACOA and the province, then staff will submit formal application;
- YOLO Nomads Project - website is being created, work with consultant is ongoing;
- Facade Appeal Comprehensive Enhancement (FACE) Program - one application for \$10,000 and a blade sign application is approved, another application is in the process of being reviewed;
- Downtown Business Association (DBA) - staff are consulting with other downtown associations and local downtown businesses;
- Newfoundland and Labrador Organization of Women Entrepreneurs (NLOWE) - staff are developing a program to work parallel to this program and are consulting with NLOWE.

### **Sustainable Development**

- Local Food infrastructure Fund Community Greenhouse - received \$100,000 in total funding, partnered with WEC and other Community outreach groups, building process for 42ft Geodesic Dome Greenhouse to begin by June;
- Trans Canada Trail (The Great Canadian Trail) - working with Qalipu to ensure proper indigenous engagement and signage;
- STAR Trail Updates - working on finalizing the LTO's, construction to begin this year;
- 2 Billion Trees - working on data collection stage, planning to plant 10,000 trees over next 2 years;
- Community Gardens - partnership with WEC, received funding from MMSB for 4 additional composters and received a provincial grant of \$10,000 for another greenhouse at the Barry Place Community Garden.

## **COW23-26 Finance & Administration Update**

The Director of Finance and Administration provided an updated as follows:

- Detailed financial reports were provided for January 2023 highlighting the key categories for revenue and expenses against the City's budget;
- Deadline reminder - property taxes are due February 28, 2023 and Business Tax is due March 31, 2023;
- Grants have been approved for the following - The Cloud Factory (Snow Screening Display to take place in March), Vine Place

Community Centre (senior recreational events and transportation),  
Rotary Music Festival and CB Nuit Festival.

**COW23-27 Recreation and Tourism Update**

Councillor P. Keeping provided an update from Recreation and Tourism:

**Recreation**

- Civic centre rinks and studio are busy with regular programming and user groups;
- Pump for the hot water failed but was repaired within a couple of days but caused minimal disruption to regular ice users;
- Sprinkler head failed in the electrical room of the studio resulting in the closure of the building for 48 hours;
- U16 Female Provincial Volleyball Championships held 14 teams from across the province and U15 Male and Female Provincial Volleyball Championships consisting of 50 teams are coming up in March;
- Senior hockey is ongoing with the next game on Friday March 3rd and a make-up game is scheduled for March 10th from the game cancelled in February due to weather.

**Tourism**

- Jiggs and Wheels - Festival is taking place from July 28th to August 6th, Blame it on Broadway kick-off event happening on Friday July 28th with a "Bring Back the 80's" theme;
- Mill Whistler Road Train - call to be issued for drivers and tour guides for the 2023 season;
- Strategic Tourism for Areas and Regions (STAR) - implementation committee and subcommittees are meeting and reviewing terms of references, draft RFP's, trail LTO's, and the remaining recommendations from the STAR report.

**COW23-28 Confirmation of Order - 2023-02**

On motion by Councillor B. Griffin, seconded by Deputy Mayor L. Chaisson, it is **RESOLVED** in accordance with section 109(4) of the Urban and Rural Planning Act the following Stop Work Order #2023-02 is hereby confirmed by Council. **MOTION CARRIED.**

**COW23-29 Council Code of Conduct – Policy**

At the Regular Council Meeting of February 13, 2023 the following motion was brought forward and subsequently postponed. The motion is now being brought forward for decision.

On motion by Councillor P. Gill, seconded by Councillor B. Griffin, it is **RESOLVED** to rescind the current Code of Conduct Policy and replace it with the attached Code of Conduct Policy in accordance with the Municipal Conduct Act. **(Deputy Mayor L. Chaisson, Councillor V. Granter,**

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**Councillor P. Keeping and Councillor C. Pender voted against the motion).**

**MOTION DEFEATED.**

**COW23-30 Municipal Official Code of Conduct - Policy**

On motion by Councillor P. Keeping, seconded by Councillor C. Pender, it is **RESOLVED** to adopt the Municipal Officials Code of Conduct Policy as presented, in accordance with the Municipal Conduct Act. **MOTION CARRIED.**

**COW23-31 Building Age-Friendly Communities Grant**

On motion by Councillor P. Keeping, seconded by Deputy Mayor L. Chaisson, it is **RESOLVED** to approve the submission of the application for the Building Age-Friendly Communities Grant as presented. **MOTION CARRIED.**

ADJOURNMENT

The meeting adjourned at 8:19 p.m.

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City Clerk

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Mayor



# Information Report (IR)

**Subject:** Proclamations and Events

**To:** Rodney Cumby  
**Meeting:** Regular Meeting - 13 Mar 2023  
**Department:** City Manager  
**Staff Contact:** Gloria Manning, Administrative Assistant to the City Manager  
**Topic Overview:** The City of Corner Brook routinely receives requests from various organizations to recognize significant days, weeks, and months.  
**Attachments:** [Amyloidosis Awareness Month Proclamation](#)  
[LANL Proclamation World Lymphedema Day 2023](#)

## BACKGROUND INFORMATION:

The City of Corner Brook would like to recognize the following proclamations and events in the City of Corner Brook:

- **March 2023 was declared as Amyloidosis Awareness Month-** Amyloidosis is a group of diseases that occurs when an abnormal protein, known as amyloid, builds up in the tissues and organs of the body. Left untreated, the disease can result in organ failure and can be fatal.
- **March 6th, 2023 was declared as World Lymphedema Day-** lymphedema is a chronic and debilitating disease, characterized by an accumulation of lymphatic fluid that causes swelling of the arms, legs or other areas of the body and which can cause disfigurement, disabilities, discomfort, pain and distress and impair quality of life.

Legislative Assistant

Administrative Assistant to the City  
 Manager

Approved - 09 Mar 2023

Approved - 09 Mar 2023

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City Manager

WHEREAS, March is Amyloidosis Awareness Month, a month dedicated to raising awareness, funding research, and supporting those living with amyloidosis and their loved ones; and

WHEREAS, Amyloidosis is a group of diseases that occurs when an abnormal protein, known as amyloid, builds up in the tissues and organs of the body. Left untreated, the disease can result in organ failure and can be fatal; and

WHEREAS, Amyloidosis can mimic the signs and symptoms of more common medical conditions and the disease can be challenging to diagnose; and

WHEREAS, Amyloidosis often affects people who are older or middle aged; however, younger people have been diagnosed with this disease; and

WHEREAS, Some of the signs and symptoms of amyloidosis can include shortness of breath, weight loss, fatigue, swelling in the ankles and legs, numbness in the hands and feet, foamy urine, carpal tunnel syndrome, bruising around the eyes, and an enlarged tongue; and

WHEREAS, Early diagnosis can lead to better outcomes for both patients and their families; and

WHEREAS, Raising awareness about all the amyloidosis diseases, including hereditary and non-hereditary forms of the disease, can contribute to the building of healthier communities across Canada.

**Therefore:** I, \_\_\_\_\_, Mayor of the City/Town of

\_\_\_\_\_, do hereby proclaim the month of March, 2023 be observed as Amyloidosis Awareness Month.

Signed By:

Mayor \_\_\_\_\_

City/Town of \_\_\_\_\_

ATTENDU QUE mars est le Mois de la sensibilisation à l'amylose, un mois consacré à la sensibilisation, au financement de la recherche et au soutien des personnes atteintes d'amylose et de leurs proches; et

ATTENDU QUE l'amylose est un groupe de maladies qui se développe lorsqu'une protéine se replie de façon anormale, entraînant des dépôts d'amyloïde, s'accumulant dans les tissus et les organes du corps. Si elle n'est pas traitée, la maladie peut entraîner une défaillance d'organe et peut être fatale; et

ATTENDU QUE l'amylose peut imiter les signes et les symptômes de situations médicales plus courantes et que la maladie peut être difficile à diagnostiquer; et

ATTENDU QUE l'amylose touche souvent les personnes âgées ou d'âge moyen; cependant, des personnes plus jeunes ont reçu un diagnostic de cette maladie; et

ATTENDU QUE certains des signes et symptômes de l'amylose peuvent inclure l'essoufflement, la perte de poids, la fatigue, des œdèmes des chevilles et des jambes, l'engourdissement des mains et des pieds, l'urine mousseuse, le syndrome du canal carpien, les ecchymoses autour des yeux et une langue épaissie ;et

ATTENDU QUE le diagnostic précoce peut mener à de meilleurs résultats pour les patients et leurs familles; et

ATTENDU QUE la sensibilisation à tous les types d'amyloses, y compris les formes héréditaires et non héréditaires de la maladie, peut contribuer à l'édification de communautés plus saines partout au Canada.



P.O. Box 23091 Churchill Square St. John's NL A1B 4J9  
709-763-5125

[www.lymphnl.com](http://www.lymphnl.com) [www.facebook.com/lymphnl](https://www.facebook.com/lymphnl)

e mail: [lymphedemanl@gmail.com](mailto:lymphedemanl@gmail.com)

## Proclamation

### *World Lymphedema Day*

**March 6, 2023**

**Whereas**, lymphedema is a chronic and debilitating disease, characterized by an accumulation of lymphatic fluid that causes swelling of the arms, legs or other areas of the body and which can cause disfigurement, disabilities, discomfort, pain and distress and impair quality of life;

**Whereas**, patients with lymphedema may struggle with pain and swelling, may have recurring severe infection cause by lymphedema, and may experience financial and psychological strains due to the difficulties of managing their disease;

**Whereas**, while there are cases of primary lymphedema that are inherited, most cases are secondary that developed as a result of trauma, infection, surgery, radiation therapy or removal of lymph nodes, including cancer treatment;

**Whereas**, gaps in research, education and effective treatments exist, and more knowledge about lymphedema is needed to achieve timely diagnosis, management and care and to develop more effective treatments;

**Whereas**, lymphedema is estimated to affect 2.8% of the population, or 14,800 people in the Province of Newfoundland and Labrador;

**Whereas**, the Lymphedema Association of Newfoundland and Labrador is a registered charity, dedicated to ensuring all lymphedema patients have access to information, support and treatment, thereby promoting healthy and hopeful living with lymphedema;

**Whereas**, March 6 of each year is internationally recognized as *World Lymphedema Day* to raise awareness about this disease and the treatment options available;

**Therefore**, I, \_\_\_\_\_ of the \_\_\_\_\_, do hereby proclaim March 6, 2023 be observed as *World Lymphedema Day* in \_\_\_\_\_.





# Information Report (IR)

**Subject:** UPDATE - Purchase of One (1) New Hybrid Gas/Electric SUV

**To:** Rodney Cumby  
**Meeting:** Regular Meeting - 13 Mar 2023  
**Department:** Protective Services  
**Staff Contact:** Todd Flynn, Director of Protective Services  
**Topic Overview:** UPDATE - Purchase of One (1) New Hybrid Gas/Electric SUV

## BACKGROUND INFORMATION:

Fleet vehicles assigned to City departments normally need replacement after 10 years depending on their mechanical and appearance issues. As such, the Protective Services hybrid Toyota Prius is set to be retired from the fleet and needs replacement.

In the spring of 2022, a public tender was issued for the purchase of a hybrid gas/electric SUV. The tender to the local dealership of Western Toyota for the total of \$41,584.54, inclusive of all taxes. In the fall of 2022, we were advised that there was a delay and possible cancellation of the supply of this vehicle due to supply chain issues related to COVID.

We have since been advised that Western Toyota will supply this hybrid vehicle in May 2023.

## ENVIRONMENTAL IMPLICATIONS:

This motor vehicle is a hybrid gas/electric; it will self-generate its electricity and operate on that electricity, thus lessening fossil fuel consumption.

**Legal Review:** Yes

## LEGAL REVIEW:

The City's legal department reviewed and advised we could continue the purchase under the original tender.

Director of Protective Services	Approved - 09 Mar 2023
Administrative Assistant to the City Manager	Approved - 09 Mar 2023

\_\_\_\_\_  
City Manager





# Request for Decision (RFD)

**Subject:** O'Connell Drive Pedestrian Crossing Improvements 2023-01

**To:** Darren Charters

**Meeting:** Regular Meeting - 13 Mar 2023

**Department:** Engineering

**Staff Contact:** Melody Roberts,

**Topic Overview:**

**Attachments:** [MERX - O'Connell Dr. Pedestrian Crossing Improvements - ECO](#)

## BACKGROUND INFORMATION:

Tenders were invited for improvements to the O'Connell Drive pedestrian crosswalk. Work under this contract generally includes the removal of the existing pedestrian crossing traffic signals and associated equipment on O'Connell Drive between Crestview Avenue and French's Road. Supply and installation of new traffic signal equipment, including concrete controller foundation, traffic controller and cabinet, concrete traffic pole bases, traffic poles and arms, traffic signal heads, pedestrian signal heads, pedestrian push buttons, and steel bollards; curbing modifications to accommodate new pole locations, pedestrian ramps with tactile walking surface indicators, asphalt patching, and associated work. I

Installation of a new 30' service pole, traffic control junction box, and associated electrical installation.

Tenders closed for the O'Connell Drive Pedestrian Cross Improvement Contract No. 2023-01 on February 22, 2023 with Three (3) bids received from the following (15% HST included):

1. ECO Contracting Ltd.	\$201,012.24
2. West Coast Excavating & Equipment Co. Ltd.	\$312,012.25
3. Brook Construction (2007) Inc.	\$388,734.50

## PROPOSED RESOLUTION:

Be it resolved that the Corner Brook City Council approve the lowest bid of \$201,012.24 (HST Included) from ECO Contracting Ltd. for the O'Connell Drive Pedestrian Crossing Improvements Contract No. 2023-01.

## FINANCIAL IMPACT:

Pre-tender construction estimate - \$186,039.53 (HST Incl.)

Available funding for construction - \$205,000.00 (HST Incl.)

**Budget Code:** 17-MYCW-23-00109

**Finance Type:** Capital

Director of Community, Engineering, Development & Planning      Approved - 07 Mar 2023

Administrative Assistant to the City Manager      Approved - 08 Mar 2023

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City Manager

**Corner Brook - O'Connell Dr. Pedestrian Crossing Improvements - 17-MYCW-23-00109**  
 Total Awarded Value \$ 0.00

**Project 1**

**Mobilization & Demobilization (1010)**

Code	Description	UOM
1010	1. Mobilization & Demobilization (not greater than 5% of Sub-Total Before HST)	Lump-Sum

**Traffic Regulations (1570)**

Code	Description	UOM
1570	1. Flagpersons Wages	Hour

**Sign and Signpost Installations (1582)**

Code	Description	UOM
1582	1.1 Type A - 600 (Relocate RA-1 Stop Sign)	Each
1582	1.1 Type A - 600 (New WC-2R Crosswalk Ahead Warning Sign)	Each

**Sitework, Demolition & Removal of Structures (2070)**

Code	Description	UOM
2070	4. Removal of Concrete Sidewalk	Square Meter
2070	5. Removal of Curb & Gutter	Meter
2070	16. Removal of Traffic Signals and Pole Bases	Lump-Sum

**Landscaping, Seeding, Sodding & Tree Preservation (2104)**

Code	Description	UOM
2104	5. Supply & Placing Topsoil	Square Meter
2104	8. Supply & Placement of Sods	Square Meter

**Concrete Walk, Curb & Gutters (2528)**

Code	Description	UOM
2528	1. Supply & Place Granular Base Material	Cubic Meter
2528	2. Concrete Walks (100 mm thick)	Square Meter
2528	5. Curb & Gutter	Meter
2528	Tactile Walking Surface Indicators (610mm x 610 mm plate)	Each

**Reshaping & Patching Asphalt Pavement (2574)**

Code	Description	UOM
2574	1. Removal of Asphalt Pavement	Square Meter
2574	2. Patching of Asphalt Pavement (up to 100 mm thick)	Square Meter

**Cold Planing (2575)**

Code	Description	UOM
2575	1. Cold Planing	Square Meter

**Pavement Marking (2580)**

Code	Description	UOM
2580	1. Pavement Marking	Lump-Sum

**ECO Contracting Ltd.**

**Project 1**

**Mobilization & Demobilization (1010)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1010	1	5000	5000		2

Group Total : \$ 5000

**Traffic Regulations (1570)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1570	300	30	9000		2

Group Total : \$ 9000

**Sign and Signpost Installations (1582)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1582	1	625	625		1
1582	1	812.5	812.5		1

Group Total : \$ 1437.5

**Sitework, Demolition & Removal of Structures (2070)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2070	30	56.25	1687.5		2
2070	20	56.25	1125		2
2070	1	7125	7125		2

Group Total : \$ 9937.50

**Landscaping, Seeding, Sodding & Tree Preservation (2104)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2104	25	25	625		1
2104	25	50	1250		1

Group Total : \$ 1875

**Concrete Walk, Curb & Gutters (2528)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2528	19	93.75	1781.25		2
2528	30	148.75	4462.5		2
2528	20	257.5	5150		3
2528	4	625	2500		2

Group Total : \$ 13893.75

**Reshaping & Patching Asphalt Pavement (2574)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2574	50	18.75	937.5		2
2574	68	118.75	8075		1

Group Total : \$ 9012.50

**Cold Planing (2575)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2575	20	25	500		1

Group Total : \$ 500

**Pavement Marking (2580)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2580	1	1875	1875		1

Group Total : \$ 1875

**Maintenance Holes, Catch Basins, Ditch Inlets & Valve Cham**

Code	Description	UOM
2601	6. Remove and Replace Catch Basins	Each

**Traffic Signal Infrastructure (16540)**

Code	Description	UOM
16540	Supply & Install Concrete Traffic Pole Bases (760 mm dia.)	Each
16540	Supply & Install Traffic Signal Controller Base	Each
16540	Supply & Install Steel Bollards with Concrete Bases	Each
16540	Supply & Install Traffic Light Conduit Meter	
16540	Supply & Install 5.8m Traffic Pole	Each
16540	Supply & Install 6.1m Mast Arm	Each
16540	Supply & Install Traffic Controller and Cabinet with APS	Each
16540	Supply & Install 3-Section Arm-Mounted Signal Heads with Backboards and 2-Way Astro-Bracs	Each
16540	Supply & Install 3-Section Pole-Mounted Signal Heads	Each
16540	Supply & Install Pedestrian Heads with Countdown Timers	Each
16540	Supply & Install Pedestrian Push Buttons (IntelliCross APS) and Information Signs	Each
16540	Supply & Install 30' Electrical Service Pole Complete with Metered Service and Disconnect	Lump-Sum

**Harmonized Sales Tax (HST)**

Code	Description	UOM
HST	Harmonized Sales Tax (HST)	Lump-Sum

**Maintenance Holes, Catch Basins, Ditch Inlets & Valve Chambers (2601)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2601	2	2187.5	4375		1

**Group Total : \$ 4375.0**

**Traffic Signal Infrastructure (16540)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
16540	2	9950	19900		2
16540	1	7530	7530		2
16540	2	3000	6000		2
16540	28	268	7504		1
16540	2	3875	7750		1
16540	2	3875	7750		1
16540	1	33737	33737		1
16540	4	1838.25	7353		2
16540	2	2762.5	5525		2
16540	2	2429	4858		2
16540	2	3240	6480		3
16540	1	3500	3500		1

**Group Total : \$ 117887.00**

**Harmonized Sales Tax (HST)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
HST	1	26218.99	26218.99		1

**Group Total : \$ 26218.99**

**Project Total : \$ 201012.24**



# Request for Decision (RFD)

**Subject:** Extrication Gear Purchase

**To:** Rodney Cumby  
**Meeting:** Regular Meeting - 13 Mar 2023  
**Department:** Protective Services  
**Staff Contact:** Todd Flynn, Director of Protective Services  
**Topic Overview:** Extrication Gear Purchase

## BACKGROUND INFORMATION:

The Corner Brook Fire Department (CBFD) requires replacement of its backup extrication tools. Its current backup tool set is over 20 years old and is no longer reliable and hard to source replacement parts. In fact, the system pump has a temporary fix that is keeping it serviceable.

The CBFD have been researching product options and sought competitive quotes to supply a replacement tool set. These new tools are rechargeable battery powered as compared to our current gasoline powered hydraulic pump equipment. Only two suppliers met the CBFD product specifications that being Pentheon and Hurst. Of these two suppliers, Hurst is offering the lowest price, the preferred product, and immediate delivery.

Vendor	Model	Quote
Safety Source Fire	Pentheon	\$63,845.19
MES Code4 Fire & Rescue	Hurst	\$63,232.75

## PROPOSED RESOLUTION:

**Be it RESOLVED** that the council approve the purchase of the HURST model extrication tools from MES Code 4 Fire and Rescue for the price of \$63,232.75 (HST included), for use by the Corner Brook Fire Department.

## FINANCIAL IMPACT:

This purchase was budgeted at \$65,000 in the 2023 Capital out of Revenue budget.

**Finance Type:** Budget

**Other Type:** 2023 Capital out of Revenue budget

## GOVERNANCE IMPLICATIONS:

Bylaw/Regulations

**ENVIRONMENTAL IMPLICATIONS:**

As this tool is battery powered, it removes another fossil fuel burning tool from our operations.

**RECOMMENDATION:**

CBFD staff are recommending that the City purchase the HURST supplied by MES Code4 Fire & Rescue as providing the best value for its operations.

**ALTERNATIVE IMPLICATIONS:**

Options: (What are 3 key options, what are the implications with each?)

- 1. Approve current recommendation to purchase the HURST extrication tools;
- 2. Not approve the staff recommendation purchase the HURST extrication tools;
- 3. Direct staff to purchase another product and/or from another supplier.

Director of Protective Services

Approved - 09 Mar 2023

Administrative Assistant to the City  
Manager

Approved - 09 Mar 2023

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City Manager





# Request for Decision (RFD)

**Subject:** Corner Brook Municipal Plan Amendment No. 22-01 and Development Regulations Amendment No. 22-01

**To:** Deon Rumbolt

**Meeting:** Regular Meeting - 13 Mar 2023

**Department:** Development and Planning

**Staff Contact:** Christina Pye,

**Topic Overview:** Section 23 APPROVAL Amendment No. 22-01 - Proposed Rezoning – 21 Mount Bernard

**Attachments:** [Corner Brook - Development Regulations 2012 - Amendment No. 1. 2022 - For Release - R1](#)  
[Corner Brook - Municipal Plan 2012 - Amendment No.1 2022 For Release - R1](#)

## BACKGROUND INFORMATION:

### Background:

The Planning Department has received an application to rezone 21 Mount Bernard Ave from Community Service to Residential Low Density. The developer is proposing to reuse the vacant building, formerly Presentation School, to develop 24 unit apartment complex. Due to the nature of the Community Services Zone this development cannot be considered without a rezoning. This proposal requires Map Amendments to both the Integrated Municipal Sustainability Plan (IMSP) and Development Regulations (DR), as well as a text amendment the Development Regulations.

Rezoning this area from Community Service to Residential Low Density is proposed to achieve the best and highest use for these lands. The location is in very close proximity to Corner Brooks' downtown core and requires no major changes to the land, therefore, there should be little in terms of environmental impacts from its' redevelopment. The property has established parking and access, and is already connected to municipal water and sewer infrastructure which will further limit sprawl. By considering this amendment the City will increase density in its core, continue to diversify the housing stock within the City, and help promote the development of residential living quarters during the housing shortage within the City.

This is the final council reading of this amendment. Staff have completed the public consultation under section 14 under the URPA 2000 and no feedback was received. In accordance with section 15 of the Act, the Local Governance and Planning Division of the Department of Municipal and Provincial Affairs issued their release of the proposed amendments on January 25, 2023. Staff gave notice of adoption by advertisement inserted on the 22nd day of February, 2023 and the 1st day of March, 2023, in the West Coast Wire newspaper. No objections or representations with respect to this amendment were received within the time stipulated in the notice, staff cancelled the scheduled public hearing.

## PROPOSED RESOLUTION:

The Corner Brook City Council RESOLVES to:

- (1) Approve proposed map for Amendment No. 22-01 to the City of Corner Brook's Integrated Municipal Sustainability Plan 2012;
- (2) Approve proposed map and text Amendment No. 22-01 to the City of Corner Brook's 2012 Development Regulations;
- (3) Authorize staff to submit the proposed amendments to the provincial government for ministerial approval and registration; and
- (4) Authorize staff to give statutory notice of registration of the amendments following ministerial approval and registration under (3).

#### **FINANCIAL IMPACT:**

(1) NL Gazette publication and (1) newspaper publication (West Coast Wire)

#### **GOVERNANCE IMPLICATIONS:**

Legislation

Urban and Rural Planning Act

23, 24

#### **RECOMMENDATION:**

Staff Recommend Option 1 and the following Recommendation be supported:

- (1) That the City of Corner Brook approve the proposed amendments as outlined above;
- (2) That the City of Corner Brook refuse to approve the proposed amendments as outlined above; or
- (3) That the City of Corner Brook postpone approval of the proposed amendments, requesting additional information from staff.

#### **ALTERNATIVE IMPLICATIONS:**

1. Refuse approval of the proposed amendments; or
2. Postpone approval of the proposed amendments, with direction given to staff to work further with the proponent in revising the development proposal before bringing the item back to Council. At the discretion of staff, and if the proposal is substantially amended, this may entail re-conducting public consultation (section 14) and re-submitting the proposal to the provincial government for review/release (section 15)

Approval of the proposed amendments is the second and final affirmative decision of Council (the first being adoption) prior to submitting the documents to the provincial government for ministerial approval and registration. If Council is not supportive of the proposal as is, Council should not proceed with approval.

	Approved - 08 Mar 2023
Director of Community, Engineering, Development & Planning	Approved - 08 Mar 2023
Administrative Assistant to the City Manager	Approved - 08 Mar 2023

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City Manager

**CITY OF CORNER BROOK  
DEVELOPMENT REGULATIONS 2012**

**DEVELOPMENT REGULATIONS AMENDMENT No. 22-01**

**March, 2023**

**URBAN AND RURAL PLANNING ACT**  
**RESOLUTION TO ADOPT**  
**CORNER BROOK**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 22-01**

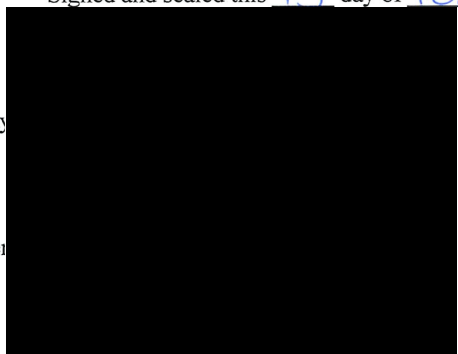
Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the City Council of Corner Brook adopts the Corner Brook Development Regulations Amendment No. 22-01.

Adopted by the City Council of Corner Brook on the 13th day of February, 2023.

Signed and sealed this 15 day of February, 2023.

May

Clerk



(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 22-01 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:



(MCIP Seal)

**URBAN AND RURAL PLANNING ACT**

**RESOLUTION TO APPROVE**

**CORNER BROOK**

**DEVELOPMENT REGULATIONS AMENDMENT No. 22-01**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the City Council of Corner Brook

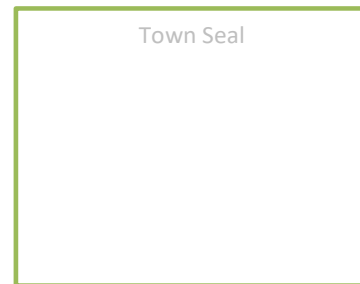
- a) adopted the Development Regulations Amendment No. 22-01 on the 13th day of February, 2023, and
- b) gave notice of the adoption of the Development Regulations Amendment No. 22-01 by Notice inserted on the 22<sup>nd</sup> day February, 2023 and on the 1<sup>st</sup> day of March, 2023 in the West Coast Wire.
- c) set the 9<sup>th</sup> day of March at 7 p.m. at the City Hall, 5 Park Street, Corner Brook, for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the City Council of Corner Brook approves the Development Regulations Amendment No. 22-01 on the 13<sup>th</sup> day of March, 2023.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_



**Canadian Institute of Planners Certification**

I certify that the attached Development Regulations Amendment No. 22-01 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:



**CITY OF CORNER BROOK**

**DEVELOPMENT REGULATIONS AMENDMENT No. 22-01**

**REZONING OF FORMER PRESENTATION SCHOOL LANDS AND  
SUPPORTING TEXT AMENDMENTS**

**Background**

The purpose of this amendment is to rezone land at 21 Mount Bernard Avenue from ‘Community Service (CS)’ to ‘Residential Low Density (RLD)’ and to amend text provisions to accommodate the proposed and future similar reuse/redevelopment applications. The Planning Department has received an application to re-develop the former Presentation School for residential use (24 unit ‘apartment building’). This amendment coincides with a map amendment to the City’s Development Regulations (see ‘Development Regulations Amendment No. 2022-01’).

The applicant is proposing to use the existing structure with no expansion to the footprint of the building. The site is fully serviced. The connection to the northern building (Xavier House) is proposed to be demolished. Much of the existing site infrastructure, such as parking and landscaping, is proposed to be retained to help meet the use zone development standards for the development.

Re-development, infill, and intensification are strongly supported in the Municipal Plan (see outline of policies in ‘Municipal Plan Amendment No. 22-01’). Policy 3.4.3 - 10 requires the authority to include provisions in the Development Regulations that give increased flexibility for “minor redevelopment, infill or building renovation projects that do not meet the more general regulations of the relevant zone as discretionary uses on a site-specific basis,” provided that specific conditions are met. Although there are intensification conditions in numerous use zones, none speak specifically to increased flexibility for renovating and reusing existing buildings for the purposes of intensification. This policy thus supports the following text amendment affording increased flexibility for the proposed redevelopment and reuse of an existing building (i.e. where development standards cannot be met by virtue of redevelopment site constraints, the proposal may be considered as a discretionary use).

Further, in order to accommodate the proposed and future similar reuse/redevelopments, condition 1 of regulation 131 (conditions of ‘Residential Low Density (RLD)’ use zone) is proposed to be repealed. This condition lacks specificity for application and may prejudice the future development of other lots in the RLD use zone. The condition is unclear as to what constitutes “each” RLD use zone (i.e. this provision is open to legal challenge as the condition does not specify if “each” use zone is defined by lot boundaries or the assemblage of lots across continuous properties zoned RLD). There are other similar conditions in other use zones. Where the City is currently conducting a review of its Municipal Plan and Development Regulations,



these other conditions will be reassessed as a part of that process and is outside of the scope of this individual amendment.

### **Public Consultation**

The proposed amendment(s) were advertised as per the URPA s. 14 to satisfy public consultation requirements. A Notice of Public Consultation was posted on the City's IMSP / Development Regulation Amendments web page, in the West Coast Wire on December 21<sup>st</sup>, 2022, and The City Twitter and Facebook Pages advising of Council's intent to pursue the proposed amendment(s). The notices requested written comments from the public that may support or oppose the amendment(s). The same was posted in the lobby at City Hall. The Public Consultation received no written comments or objections.

### **Provincial Release**

In accordance with Section 15 of the Act, City Staff forwarded the Amendment to the Provincial Department of Municipal Affairs and Environment for review. Where no agency or departmental interests were identified, the Amendment was released from the Local Governance and Land Use Planning Division on January 25, 2023.

### **Adoption by Council and Public Hearing**

In accordance with Section 16 of the Act, Council adopted the Amendment on February 13, 2023. In accordance with Section 17 of the Act, notice of adoption and tentative public hearing date (March 9, 2023) was published in a locally circulated newspaper (West Coast Wire) on February 22, 2023 and March 1, 2023.

Where no objections were received two (2) days before the tentative public hearing date, Council cancelled the public hearing in accordance with Section 20 and subsection 21(1) of the Act.

### **Approval by Council**

T.B.D.

### **Development Regulations Amendment No. 22-01**

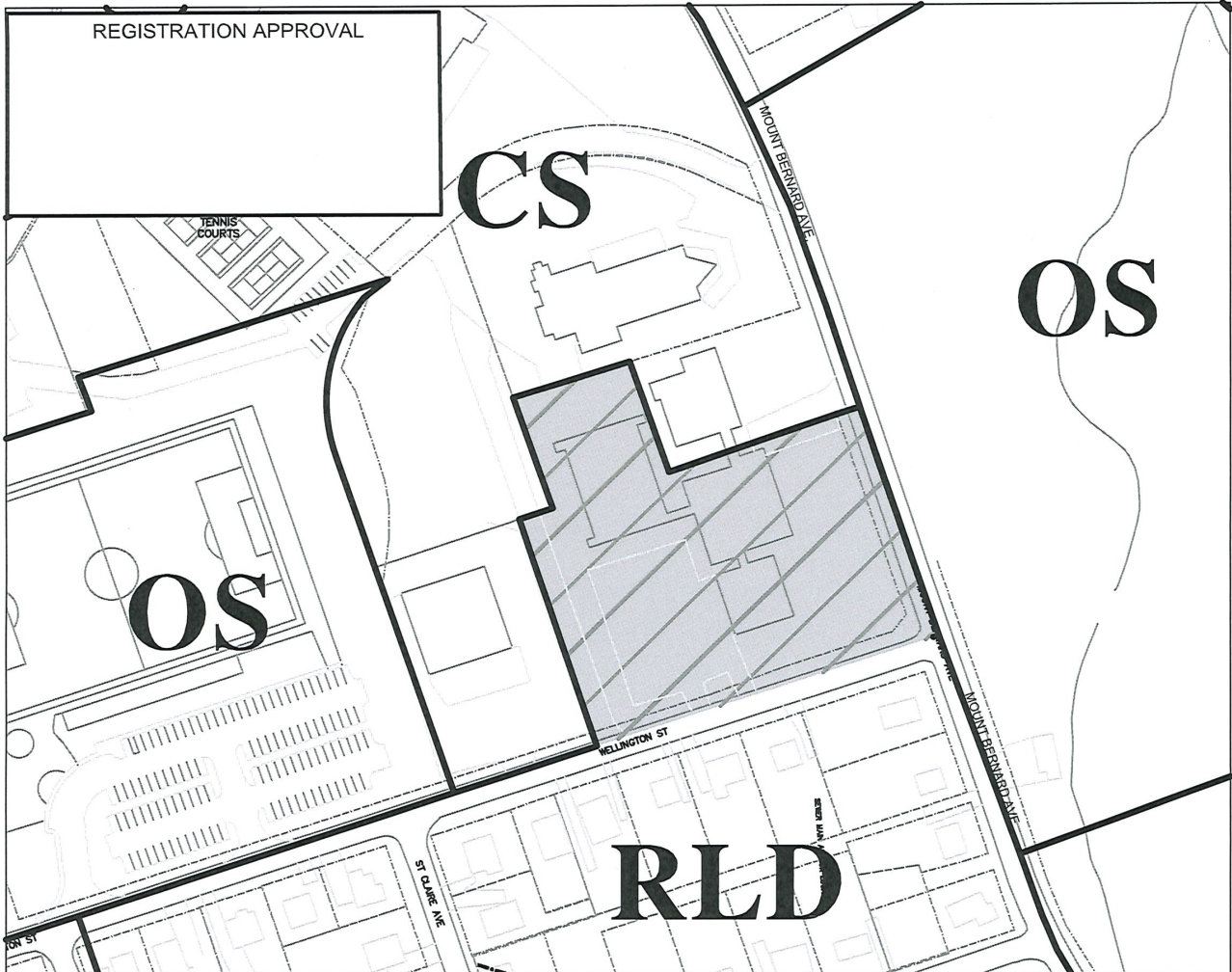
The Corner Brook Development Regulations are hereby amended by:

- (1) Rezoning land at 21 Mount Bernard Avenue from 'Community Service (CS)' to 'Residential Low Density (RLD)' as per attached 'Land Use Zoning Map C-2 – (Amendment No. 22-01);
- (2) Repealing condition 1 of regulation 131 ('Residential Low Density (RLD)' use zone provisions); and

(3) Adding the following regulation 100 under ‘Part II – General Development Standards’:

***100. Development Standards Exemption for the Reuse/Redevelopment of Existing Buildings***

*Despite any numerical development or subdivision standard in these regulations, including but not limited to required setbacks, yards, height restrictions, or minimum lot dimensions, the proposed redevelopment or reuse of an existing building with or without any associated subdivision may be considered as a discretionary use.*



Zone Title	Zone Symbol	Zone Title	Zone Symbol	Zone Title	Zone Symbol
Residential Special Density	RSD	Downtown Commercial	DTC	Community Service	CS
Residential Low Density	RLD	Downtown Smithville	DTS	Innovation District	ID
Residential Medium Density	RMD	General Commercial	GC	Open Space	OS
Residential High Density	RHD	Residential/Commercial Mix	RCM	Cemetery	C
Mobile/Mini Home Residential	MHR	Highway and Tourist Commercial	HTC	Environmental Protection	EP
Mosaic Residential	MR	Shopping Centre	SC	Environmental Conservation	EC
Comprehensive Residential Development Area	CRDA	Large Scale Commercial	LSC	Protected Water Supply Area	PWSA
Townsite Residential	TR	Waterfront Mixed Use	WMU	Rural	R
Townsite Commercial	TC	General Industrial	GI	Solid Waste/Scrap Yard	SW/SY
Downtown Residential	DTR	Light Industrial	LI	Mineral Working	MW
		Hazardous Industrial	HI	Special Management Area	SMA

**CITY OF CORNER BROOK**

PROJECT TITLE:  
**DEVELOPMENT REGULATIONS 2012**

DRAWING TITLE:  
**LAND USE ZONING  
MAP C-2 (AMENDMENT No. 22-01)**

<b>City of Corner Brook</b> Community Services Department Planning Division	DATE: NOVEMBER 2022	
	SCALE: 1:2000	

**DESCRIPTION**

LAND USE ZONING TO CHANGE FROM COMMUNITY SERVICE TO RESIDENTIAL LOW DENSITY

THIS MAP IS A GRAPHICAL REPRESENTATION OF THE CITY OF CORNER BROOK SHOWING THE APPROXIMATE LOCATION OF ROADS, BUILDINGS AND OTHER ELEMENTS. THIS MAP IS NOT A LAND SURVEY AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I hereby certify that this City of Corner Brook Development Regulations 2012, Map C-2 has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

M.C.I.P.

DATE Dec. 2, 2022



(M.C.I.P. SEAL)

**SEAL AND SIGNATURE**

Certified that this City of Corner Brook Development Regulations a Plan 2012, Map C2 is a correct copy of the Development Regulations 2012, Map C2 approved by the Council of the City of Corner Brook on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (month) (year)

MAYOR \_\_\_\_\_  
 CLERK \_\_\_\_\_  
 DATE \_\_\_\_\_

(COUNCIL SEAL)

**CITY OF CORNER BROOK**  
**INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012**  
**MUNICIPAL PLAN AMENDMENT NO. 22-01**  
**March, 2023**

**URBAN AND RURAL PLANNING ACT**  
**RESOLUTION TO ADOPT**  
**CORNER BROOK MUNICIPAL PLAN 2012**  
**AMENDMENT No. 22-01**

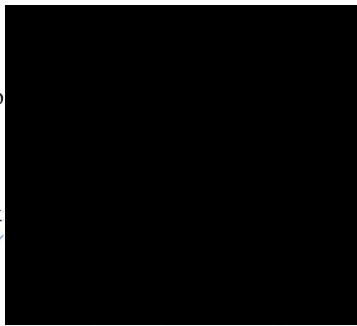
Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the City Council of Corner Brook adopts the Corner Brook Municipal Plan Amendment No. 22-01.

Adopted by the City Council of Corner Brook on the 13th day of February, 2023.

Signed and sealed this 15 day of February, 2023.

Mayor

Clerk

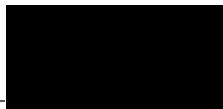


(Council Seal)

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Municipal Plan Amendment No. 22-01 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:



(MCIP Seal)

**URBAN AND RURAL PLANNING ACT**  
**RESOLUTION TO APPROVE**  
**CORNER BROOK MUNICIPAL PLAN 2012**  
**AMENDMENT No. 22-01**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the City Council of Corner Brook

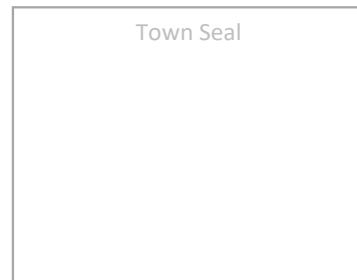
- a) adopted the Municipal Plan Amendment No. 22-01 on the 13th day of February, 2023, and
- b) gave notice of the adoption of the Municipal Plan Amendment 22-01 by Notice inserted on the 22<sup>nd</sup> day February, 2023 and the 1<sup>st</sup> day of March, 2023 in the West Coast Wire.
- c) set the 9<sup>th</sup> day of March at 7 p.m. at the City Hall, 5 Park Street, Corner Brook, for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the City Council of Corner Brook approves the Municipal Plan Amendment No. 22-01 on the 13<sup>th</sup> day of March, 2023.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Mayor: \_\_\_\_\_

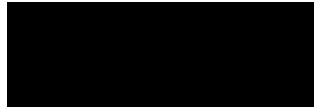
Clerk: \_\_\_\_\_



**Canadian Institute of Planners Certification**

I certify that the attached Municipal Plan Amendment No. 22-01 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:



**CITY OF CORNER BROOK MUNICIPAL PLAN 2012**  
**AMENDMENT No. 22-01**  
**RE-DESIGNATION OF FORMER PRESENTATION SCHOOL LANDS**

**Background**

The purpose of this amendment is to re-designate land at 21 Mount Bernard Avenue from ‘Community Service (CS)’ to ‘Residential (RES).’ The Planning Department has received an application to re-develop the former Presentation School for residential use (24 unit ‘apartment building’). This amendment coincides with a map and text amendment to the City’s Development Regulations (see ‘Development Regulations Amendment No. 2022-01’).

The applicant is proposing to use the existing structure with no expansion to the footprint of the building. The site is fully serviced. The connection to the northern building (Xavier House) is proposed to be demolished. Much of the existing site infrastructure, such as parking and landscaping, is proposed to be retained to help meet the use zone development standards for the development.

Re-development, infill, and intensification are strongly supported in the Municipal Plan. Although not formally defined in the Municipal Plan or Development Regulations, subsection 3.4.1 provides direction on what constitutes ‘intensification’ development:

*Intensification may include, but is not restricted to, the following: infill on vacant or under developed lots, redevelopment of an area by replacing underutilized or underperforming structures with new structures or uses, higher-density development than existing today, conversion of existing buildings to allow for new or more intensive uses and creation of subsidiary apartments or other multi-unit housing within existing buildings. [Emphasis added]*

Under this broad qualification, the proposed development constitutes ‘intensification’. This form of development capitalizes on existing public services and infrastructure. Further, the proposed development is within close proximity to the downtown, which allows for reduced private vehicle dependence and helps facilitate active modes of transportation such as walking and cycling. Relevant policies of the Municipal Plan that support the application include:

*3.3.3 - 01. The Authority shall support and encourage more compact development, including intensification in areas that are deemed appropriate by this Plan and the Authority.*

*3.4.3 - 01. The Authority shall support and promote more efficient use of land and resources by encouraging intensification within the Municipal Services Area in locations deemed appropriate by this Plan and the Authority.*

*3.4.3 - 03. The Authority shall value and encourage residential intensification as a means of improving housing affordability and choice*



*3.4.3 - 04. In general, intensification shall be encouraged or considered within appropriate residential and commercial areas where the proposed development is at a higher density than adjacent uses provided that there is no adverse impact on the adjacent uses and the character and quality of the surrounding context.*

*3.4.3 - 07. Intensification may only occur where there are existing or planned municipal services to support it and where there is no undue impact on existing servicing capacity, as demonstrated to the satisfaction of the Authority.*

Although policies 3.4.3 - 05 and 06 appear prima facie unsupportive of intensification and re-development associated with the 'Residential Low Density (RLD)' use zone, these provisions are interpreted to restrict intensification within existing use zones. In this case, a new RES designation and RLD use zone is proposed to be created; thus policies 05 and 06 do not apply. The RES designation and RLD use zone are proposed in this case to minimize the potential future uses on site and provide some harmonization with other RLD use zones in the area, south of Wellington Street (e.g. the 'boarding house residential' use is permitted in the RMD use zone but prohibited in the RLD use zone).

Further, policy 3.4.3 - 10 requires the authority to include provisions in the Development Regulations that give increased flexibility for "minor redevelopment, infill or building renovation projects that do not meet the more general regulations of the relevant zone as discretionary uses on a site-specific basis," provided that specific conditions are met. Although there are intensification conditions in numerous use zones, none speak specifically to increased flexibility for renovating and reusing existing buildings for the purposes of intensification. This policy thus supports the associated text amendment to the development regulations (see 'Development Regulations Amendment No. 22-01') affording increased flexibility for the proposed redevelopment and reuse of an existing building (i.e. where development standards cannot be met by virtue of redevelopment site constraints, the proposal may be considered as a discretionary use)

#### **Public Consultation**

The proposed amendment(s) were advertised as per the URPA s. 14 to satisfy public consultation requirements. A Notice of Public Consultation was posted on the City's IMSP / Development Regulation Amendments web page, in the West Coast Wire on December 21<sup>st</sup>, 2022, and The City Twitter and Facebook Pages advising of Council's intent to pursue the proposed amendment(s). The notices requested written comments from the public that may support or oppose the amendment(s). The same was posted in the lobby at City Hall. The Public Consultation received no written comments or objections.

#### **Provincial Release**

In accordance with Section 15 of the Act, City Staff forwarded the Amendment to the Provincial Department of Municipal Affairs and Environment for review. Where no agency or departmental interests were identified, the Amendment was released from the Local Governance and Land Use Planning Division on January 25, 2023.

**Adoption by Council and Public Hearing**

In accordance with Section 16 of the Act, Council adopted the Amendment on February 13, 2023. In accordance with Section 17 of the Act, notice of adoption and tentative public hearing date (March 9, 2023) was published in a locally circulated newspaper (West Coast Wire) on February 22, 2023 and March 1, 2023.

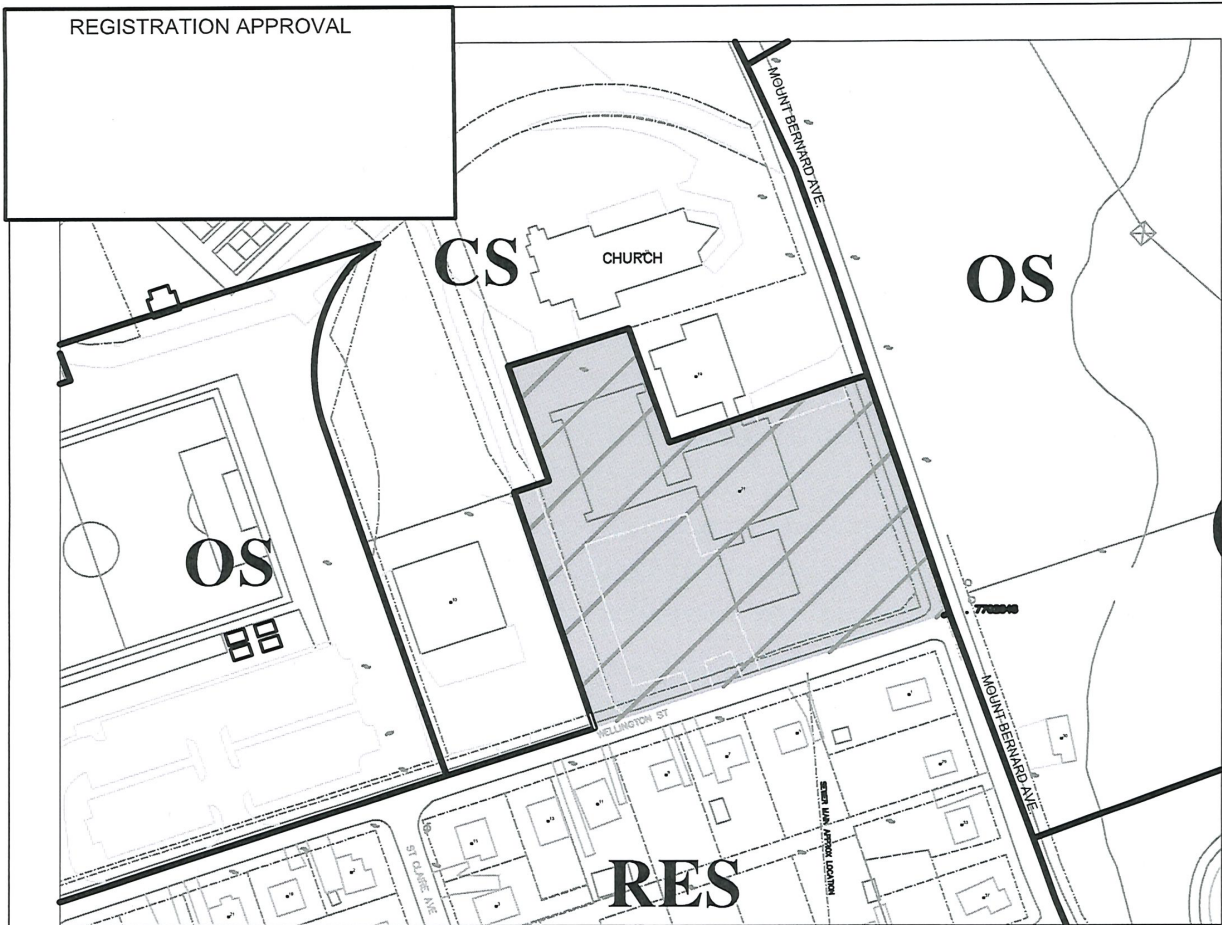
Where no objections were received two (2) days before the tentative public hearing date, Council cancelled the public hearing in accordance with Section 20 and subsection 21(1) of the Act.

**Approval by Council**

T.B.D.

**Municipal Plan Amendment No. 22-01**

The Corner Brook Integrated Municipal Sustainability Plan is hereby amended by re-designating land at 21 Mount Bernard Avenue from 'Community Service (CS)' to 'Residential (RES)' as per attached 'Generalized Future Land Use Map A – Amendment No. 22-01.'



LEGEND		DESIGNATION BOUNDARY	CHANGE FROM CS TO RES
<b>Land Use Designations</b>			
Residential	<b>RES</b>	Large Scale Commercial	<b>LSC</b>
Comprehensive Residential Development Area	<b>CRDA</b>	Waterfront Mixed Use	<b>WMU</b>
Townsite Heritage Conservation District	<b>THCD</b>	General Industrial	<b>GI</b>
Downtown	<b>DT</b>	Light Industrial	<b>LI</b>
General Commercial	<b>GC</b>	Hazardous Industrial	<b>HI</b>
Residential/Commercial Mix	<b>RCM</b>	Community Service	<b>CS</b>
Highway and Tourist Commercial	<b>HTC</b>	Innovation District	<b>ID</b>
Shopping Centre	<b>SC</b>	Open Space	<b>OS</b>
		Cemetery	<b>C</b>
		Environmental Protection	<b>EP</b>
		Environmental Conservation	<b>EC</b>
		Protected Water Supply Area	<b>PWSA</b>
		Rural	<b>R</b>
		Solid Waste/Scrap Yard	<b>SW/SY</b>
		Mineral Working	<b>MW</b>
		Special Management Area	<b>SMA</b>

**CITY OF CORNER BROOK**

PROJECT TITLE:  
**INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012**

DRAWING TITLE:  
**GENERALIZED FUTURE LAND USE MAP A AMENDMENT NO. 22-01**



**City of Corner Brook**  
Community Services Department  
Planning Division

DATE: NOV 2022

SCALE: 1:2000



**DESCRIPTION**

LAND USE DESIGNATION TO CHANGE FROM COMMUNITY SERVICE TO RESIDENTIAL

THIS MAP IS A GRAPHICAL REPRESENTATION OF THE CITY OF CORNER BROOK SHOWING THE APPROXIMATE LOCATION OF ROADS, BUILDINGS AND OTHER ELEMENTS. THIS MAP IS NOT A LAND SURVEY AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I hereby certify that this City of Corner Brook Integrated Municipal Sustainability Plan 2012, Map A has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

M.C.I.P. \_\_\_\_\_  
DATE Dec. 2, 2022



(M.C.I.P. SEAL)

**SEAL AND SIGNATURE**

Certified that this City of Corner Brook Integrated Municipal Sustainability Plan 2012, Map A is a correct copy of the Integrated Municipal Sustainability Plan 2012, Map A approved by the Council of the City of Corner Brook on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(month) (year)

MAYOR \_\_\_\_\_

CLERK \_\_\_\_\_

DATE \_\_\_\_\_

(COUNCIL SEAL)





# Request for Decision (RFD)

**Subject:** Rescind Stop Work Order - 18 Humber Road

**To:** Deon Rumbolt  
**Meeting:** Regular Meeting - 13 Mar 2023  
**Department:** Development and Planning  
**Staff Contact:** Charlotte Patterson, Development Inspector  
**Topic Overview:**  
**Attachments:** [Order 2023-02 Redacted](#)

## BACKGROUND INFORMATION:

Since the previous meeting of Council the following Stop Work Order has been rescinded by the Department of Community, Engineering, Development & Planning and therefore must be confirmed by Council pursuant to Section 102(3) of the Urban and Rural Planning Act:

Order #	Date of Issue	Civic Address/Location	Violation/Section	Order
2023-02	February 23, 2023	18 Humber Road	Section 8 of the City of Corner Brook Development Regulations	Stop Work Order

Since the issuance of Order #2023-02, the proponent has complied with the Stop Work Order and permits are ready to be issued, therefore, Order #2023-02 can now be rescinded under Section 102(3) of the Urban and Rural Planning Act 2000.

## PROPOSED RESOLUTION:

In accordance with Section 102(3) of the Urban and Rural Planning Act the following Stop Work Order is hereby rescinded by Council, Order #2023-02.

## RECOMMENDATION:

Staff is recommending that this Stop Work Order be rescinded by the Council of the City of Corner Brook.

## ALTERNATIVE IMPLICATIONS:

1. That the Council of the City of Corner Brook rescind Order #2023-02 pursuant to Section 102(3) of the Urban and Rural Planning Act as compliance has been achieved.
2. That the Council of the City of Corner Brook not rescind Order #2023-02 pursuant to Section 102(3) of the Urban and Rural Planning Act.
3. That the Council of the City of Corner Brook give other direction to Staff.

Approved - 07 Mar 2023

Director of Community, Engineering, Development & Planning      Approved - 07 Mar 2023

Administrative Assistant to the City Manager      Approved - 08 Mar 2023

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City Manager

2023-02



**STOP WORK ORDER**

To: [Redacted]

**WHEREAS** you are identified as the owner of the property located at 18 Humber Road, Corner Brook, NL; (hereinafter called “the Property”)

**WHEREAS** the City of Corner Brook has concluded that you are carrying out development by completing interior renovations on the Property, and interior demolition has also occurred;

**AND WHEREAS** no permit has been issued for the interior renovations on the Property as required by Section 8 of the City of Corner Brook Development Regulations;

**YOU ARE HEREBY ORDERED** under Section 102 of the Urban and Rural Planning Act to stop all work immediately and obtain the required permit(s) for any work on the Property.

Under Section 106 of the Urban and Rural Planning Act, 2000 any person who contravenes an order made under the act is liable, upon summary conviction, to a fine of not less than \$500 and not more than \$1000 for the first offence, or in default of payment a period of imprisonment not exceeding three months, and a fine of not less than \$2000 and not more than \$5000 for a subsequent offence, or in default of payment a period of imprisonment not exceeding six months.

Under Section 102 (5) of the Urban and Rural Planning Act, 2000 where a person to whom an order is directed under this section does not comply with the order or part of it, the council, regional authority, authorized administrator or minister may take the action that it considers necessary to carry out the order and any costs, expenses or charges incurred by the council, regional authority, authorized administrator or minister in carrying out the order are recoverable against the person against whom the order was made as a debt owed to the council, regional authority, authorized administrator or the Crown.

You have the right to appeal this Order within fourteen (14) days of its receipt by completing and submitting the attached appeal form, the appeal fee of \$230 (\$200+HST) and supporting documentation to:

West Newfoundland Regional Appeal Board  
4th Floor (West Block)  
Confederation Building  
P.O. Box 8700  
St. John's, NL A1B 4J6

Dated at the City of Corner Brook, this 23<sup>rd</sup> day of February, 2023 A.D.

[Redacted Signature]  
City Clerk  
City of Corner Brook  
[Redacted]









# Request for Decision (RFD)

**Subject:** Discretionary Use - 191 O'Connell Drive - Four (4) Unit Apartment Building

**To:** Deon Rumbolt  
**Meeting:** Regular Meeting - 13 Mar 2023  
**Department:** Development and Planning  
**Staff Contact:** James King,  
**Topic Overview:**  
**Attachments:** [Memo - Discretionary Use - 191 O'Connell Drive](#)  
[Application - 191 O'Connell Drive](#)  
[Figure 1 - Map - 191 O'Connell Drive](#)

## BACKGROUND INFORMATION:

The City of Corner Brook has received an application to convert the building located 191 O'Connell Drive into a four (4) unit apartment building. This building is located in a General Commercial Zone and is currently a mixed use building with two (2) approved residential units as well as commercial space. An apartment building classification of use is a "Discretionary Use" of the City of Corner Brook Development Regulations for the aforementioned zone. A notice was delivered to the residents in the immediate area of 191 O'Connell Drive as well as placed on the City's website indicating this request. As a result of this notice, no submissions were received. A site inspection by City staff has revealed that there is sufficient parking at this location to accommodate four (4) residential units.

## PROPOSED RESOLUTION:

Be it **RESOLVED** that the Council of the City of Corner Brook approve the application to convert the building located at 191 O'Connell Drive to a four (4) unit apartment building in accordance with Regulation 11 - Discretionary Powers of Authority.

## GOVERNANCE IMPLICATIONS:

Bylaw/Regulations  
 City of Corner Brook Development Regulations  
 11

## RECOMMENDATION:

Staff recommends option 1

## ALTERNATIVE IMPLICATIONS:

1. That Council approve the application to convert the building located at 191 O'Connell Drive to a four (4) unit apartment building in accordance with Regulation 11 - Discretionary Powers of Authority.
2. That Council not approve the application to convert the building located at 191 O'Connell Drive to a four (4) unit apartment building in accordance with Regulation 11 - Discretionary Powers of Authority.

3. That the Council of the City of Corner Brook provides other direction to staff.

	Approved - 07 Mar 2023
Director of Community, Engineering, Development & Planning	Approved - 07 Mar 2023
Administrative Assistant to the City Manager	Approved - 08 Mar 2023

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City Manager

## MEMO

**To:** Manager of Development & Planning  
**Fr:** Development Inspector I  
**Subject:** **Discretionary Use – 191 O’Connell Drive – Four (4) Unit  
Apartment Building**  
**Date:** February 16, 2023

---

The City of Corner Brook has received an application to convert the building located 191 O’Connell Drive into a four (4) unit apartment building. This building is located in a General Commercial Zone and is currently a mixed use building with two (2) approved residential units as well as commercial space.

An apartment building classification of use is a “Discretionary Use” of the City of Corner Brook Development Regulations for the aforementioned zone. A notice was delivered to the residents in the immediate area of 191 O’Connell Drive as well as placed on the City’s website indicating the above mentioned request. As a result of this notice, no submissions were received.

A site inspection by City staff has revealed that there is sufficient parking at this location to accommodate four (4) residential units.

After review of the application and the results to the notice to occupants, it is recommended that the Council of the City of Corner Brook approve this application.

Should you require further information, please contact me at your convenience.

Signed: \_\_\_\_\_  
James King, CET, CPT

### CITY OF CORNER BROOK

BUILDING INSPECTION OFFICE, COMMUNITY SERVICES, CITY HALL, 637-1500  
BUILDING PERMIT / DEVELOPMENT APPLICATION

<b>RESERVED FOR OFFICE USE</b>	
PROPERTY ID _____	PERMIT NUMBER _____

<b>OWNER / APPLICANT:</b> [REDACTED]	DATE: [REDACTED]
ADDRESS: [REDACTED]	EMAIL: [REDACTED]
CITY: [REDACTED]	PROVINCE: [REDACTED]
POSTAL CODE: [REDACTED]	TELEPHONE: [REDACTED]
PROPERTY LOCATION: <b>191 O'CONNELL DRIVE</b>	
BUILDER:	
ADDRESS:	
CITY:	PROVINCE:
POSTAL CODE:	TELEPHONE:

<b>BUILDING PERMIT APPLICATION</b> (Please check appropriate box)		
<b>BUILDING TYPE</b>	<b>CONSTRUCTION TYPE</b>	<b>PATIO / DECK</b> <input type="checkbox"/>
ASSEMBLY <input type="checkbox"/>	ERECT (NEW) <input type="checkbox"/>	CARPORT / GARAGE <input type="checkbox"/>
INSTITUTIONAL <input type="checkbox"/>	REPAIR <input type="checkbox"/>	ACCESSORY BUILDING <input type="checkbox"/>
RESIDENTIAL <input type="checkbox"/>	EXTEND <input type="checkbox"/>	APARTMENT <input type="checkbox"/>
BUSINESS / SERVICE <input type="checkbox"/>	ALTERATION <input type="checkbox"/>	RETAINING WALL <input type="checkbox"/>
MERCANTILE <input type="checkbox"/>	SIGN <input type="checkbox"/>	DRIVEWAY <input type="checkbox"/>
INDUSTRIAL <input type="checkbox"/>	POOL <input type="checkbox"/>	OTHER <input type="checkbox"/>

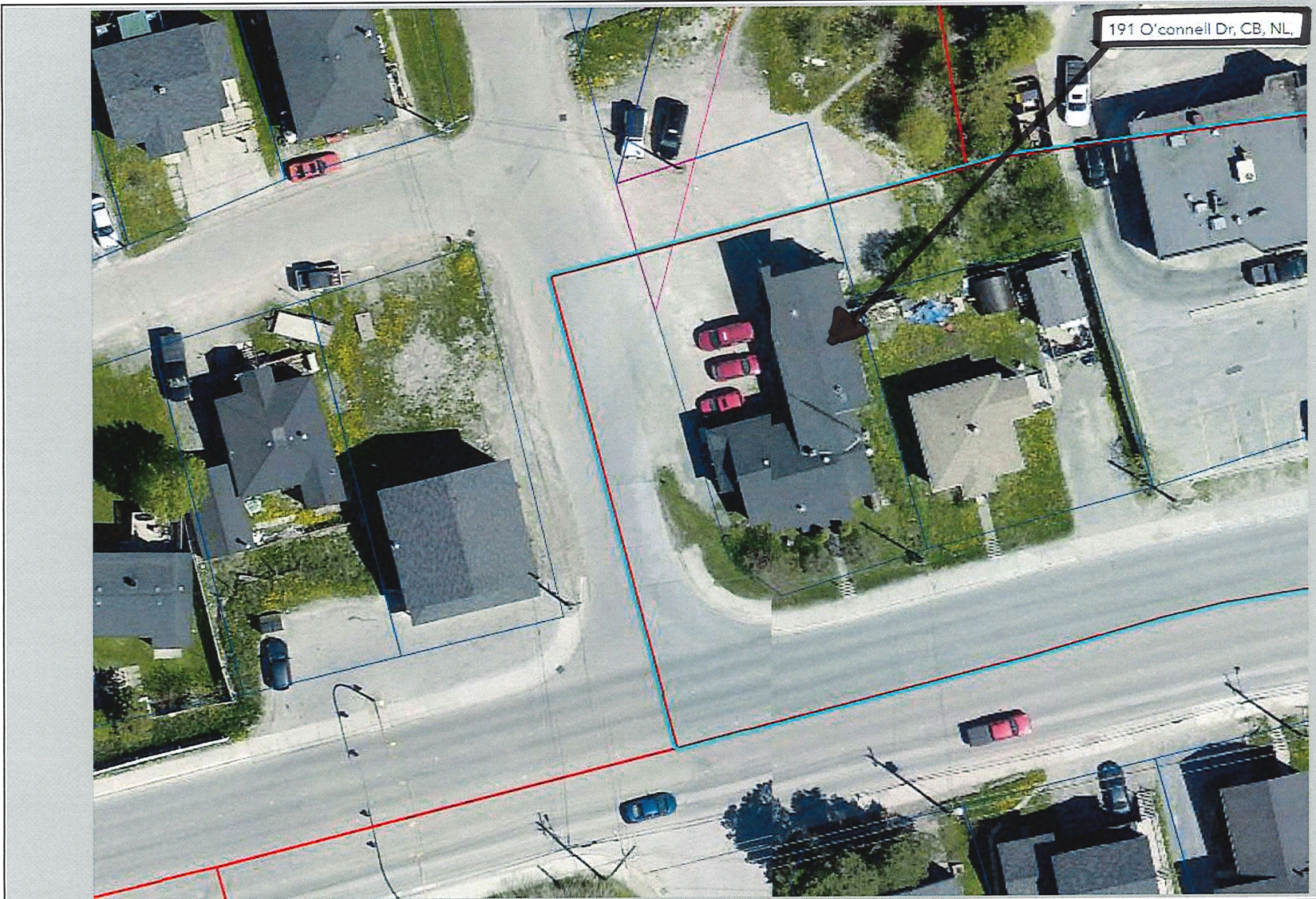
<b>DEVELOPMENT APPLICATION</b> (Please check appropriate box)		<b>SITE DEVELOPMENT</b> <input type="checkbox"/>
<b>DEVELOPMENT TYPE</b>		HOME BASED BUSINESS <input type="checkbox"/>
RESIDENTIAL DEMOLITION <input type="checkbox"/>	COMMERCIAL DEMOLITION <input type="checkbox"/>	NEW BUSINESS <input type="checkbox"/>
SUBDIVISION / CONSOLIDATION OF PROPERTY <input type="checkbox"/>	NEW BUILDING (RESIDENTIAL / COMMERCIAL) <input type="checkbox"/>	CHANGE OF USE <input checked="" type="checkbox"/>
		RELOCATION OF BUILDING <input type="checkbox"/>
		OTHER <input type="checkbox"/>


<b>DESCRIPTION OF WORK:</b>
<i>Convert Existing Building From 2 Residential 2 Commercial To 4 Residential</i>
ESTIMATED CONSTRUCTION VALUE - (MATERIALS & LABOUR) \$ _____

<b>DECLARATION:</b>	
I hereby apply for permission to carry out the development herein. I declare that all the information given by me in connection with this application is true and correct to the best of my belief and that the development described, if permitted, will be carried out in accordance with all applicable laws and regulations of the Province of Newfoundland and Labrador and the City of Corner Brook.	
<b>NOTE:</b>	
Where the Applicant and Property Owner are not the same, the signature of the Property Owner may be required before the application can be processed.	
SIGNED BY: [REDACTED]	APPLICANT: [REDACTED]
PROPERTY OWNER: [REDACTED]	WITNESS: _____

**THIS APPLICATION IS NOT VALID UNTIL COMPLETED AND SIGNED  
SEE REVERSE FOR FEES AND CONDITIONS**






**City of Corner Brook**  
 Community Services Department  
 Planning Division  
 5 Park St. Corner Brook, NL (PO Box 1080)  
 Corner Brook, NL, Canada, A2H 6E1  
 709-637-1666 city.hall@cornerbrook.com

<b>PROJECT:</b> Discretionary Use
<b>TITLE:</b> 191 O'Connell Drive
THIS IMAGE IS A GRAPHICAL REPRESENTATION AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.

**NOTES:**

<b>LOCATION:</b> 191 O'Connell Drive	
<b>PREPARED BY:</b> J. King	
<b>DEPARTMENT:</b> Development & Planning	
<b>DATE:</b> 2023-02-22	
<b>PAGE:</b> 1	<b>OF</b> 1
<b>VERSION:</b> 1	







# Request for Decision (RFD)

**Subject:** Crown Land Application - Great Canadian Trail

**To:** Deon Rumbolt

**Meeting:** Regular Meeting - 13 Mar 2023

**Department:** Development and Planning

**Staff Contact:** James King,

**Topic Overview:**

**Attachments:** [Figure 1 - Great Canadian Trail - Map 1, Map 2, Map 3 & Map 4](#)  
[Memo - Discretionary Use - Great Canadian Trail](#)  
[Application - Great Canadian Trail](#)

## BACKGROUND INFORMATION:

The City of Corner Brook has received an application to utilize Crown Land for the purpose of constructing, upgrading and maintaining the Great Canadian Trail that follows the old railbed within the City of Corner Brook.

The proposed recreational trail goes through various zones, all of which permit recreational space. This application was referred to internal City departments and there were no issues other than ensuring access for emergency vehicles(s) in the event of an emergency along the trail such as a fire or injury.

## PROPOSED RESOLUTION:

It is RESOLVED to approve the application to utilize Crown Land located on the old railbed within the City of Corner Brook for the purpose of constructing, upgrading and maintaining the Great Canadian Trail.

## GOVERNANCE IMPLICATIONS:

Bylaw/Regulations

Other

City of Corner Brook Crown Land Acquisition Policy

## RECOMMENDATION:

Staff recommends Option #1.

## ALTERNATIVE IMPLICATIONS:

1. That Council approve the application to utilize Crown Land located on the old railbed within the City of Corner Brook for the purpose of constructing, upgrading and maintaining the Great Canadian Trail.

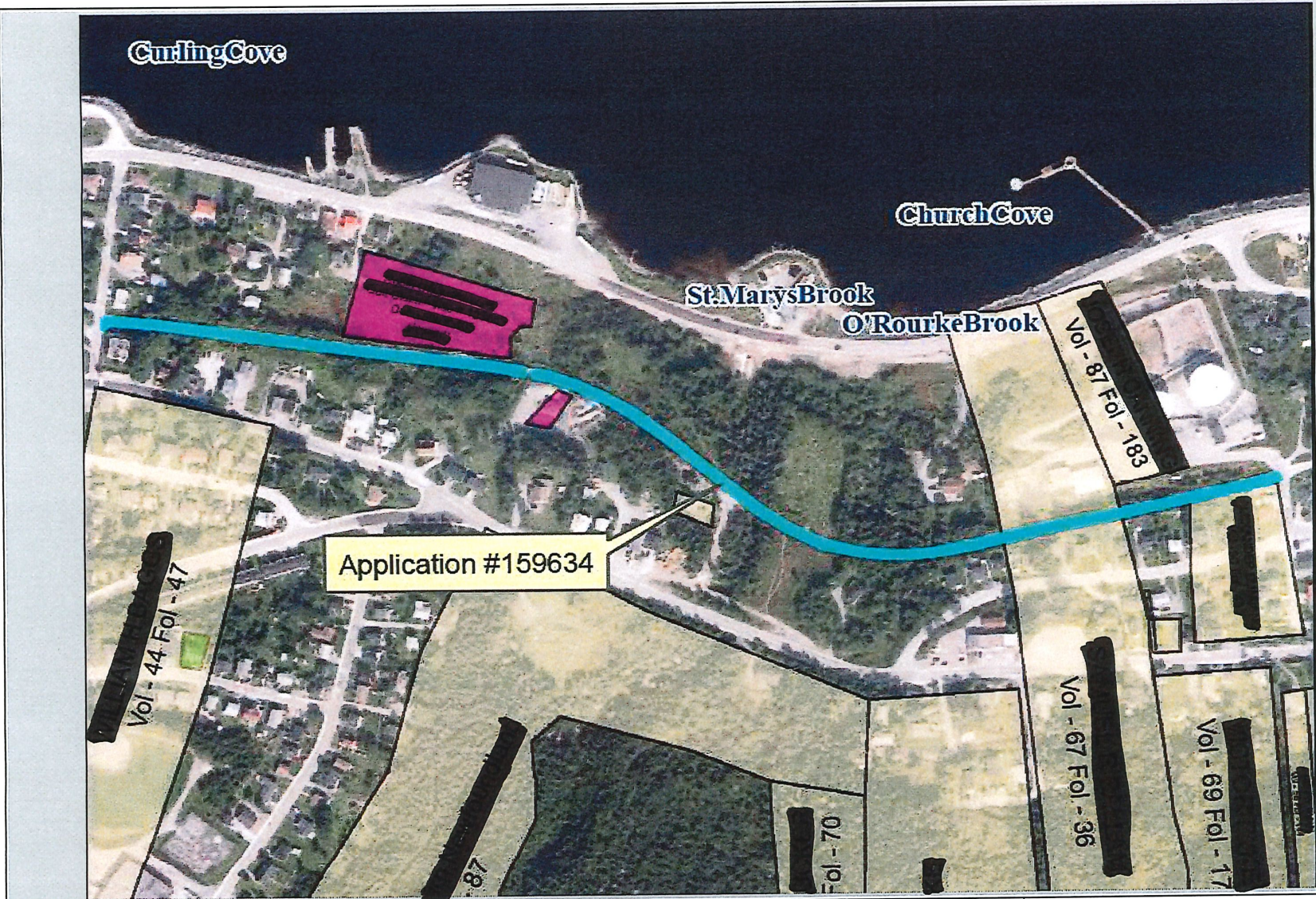
- 2. That Council not approve the application to utilize Crown Land located on the old railbed within the City of Corner Brook for the purpose of constructing, upgrading and maintaining the Great Canadian Trail.
- 3. That the Council of the City of Corner Brook provides other direction to staff.

	Approved - 08 Mar 2023
Director of Community, Engineering, Development & Planning	Approved - 08 Mar 2023
Administrative Assistant to the City Manager	Approved - 08 Mar 2023

---

City Manager





**City of Corner Brook**  
Community Services Department  
Planning Division

5 Park St, Corner Brook, NL (PO Box 1080)  
Corner Brook, NL, Canada, A2H 6E1  
709-637-1666 city.hall@cornerbrook.com

PROJECT: Great Canadian Trail

TITLE: Map 2

THIS IMAGE IS A GRAPHICAL REPRESENTATION AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.

NOTES:

LOCATION: Old railbed within the City of Corner Brook

PREPARED BY: J. King

DEPARTMENT: Development & Planning


DATE: 2023-03-07

PAGE: 2 OF 4

VERSION: 1





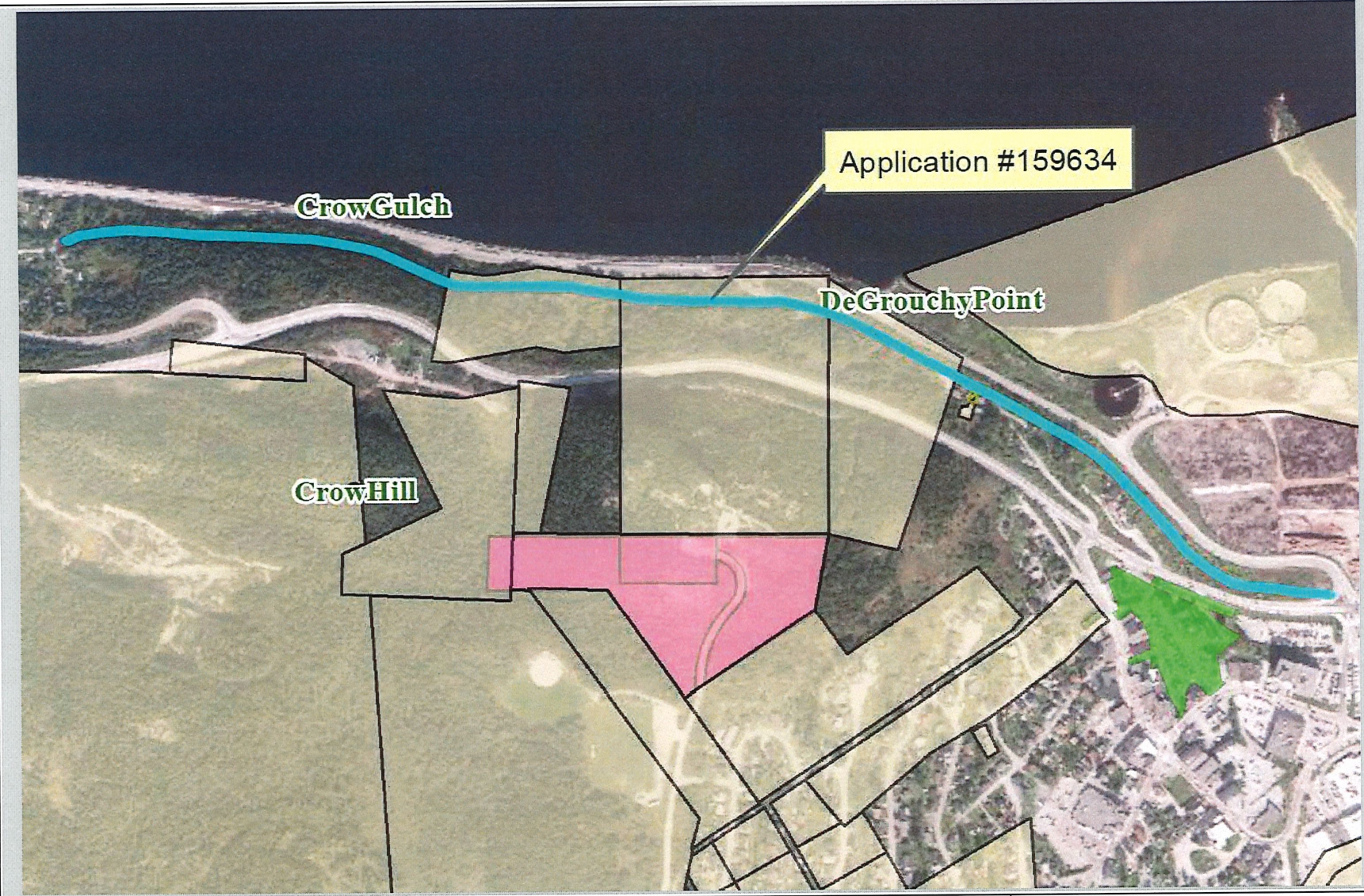

**City of Corner Brook**  
 Community Services Department  
 Planning Division  
 5 Park St, Corner Brook, NL (PO Box 1080)  
 Corner Brook, NL, Canada, A2H 6E1  
 709-637-1666 city.hall@cornerbrook.com


**PROJECT:** Great Canadian Trail  
**TITLE:** Map 1  
 THIS IMAGE IS A GRAPHICAL REPRESENTATION AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.

**NOTES:**

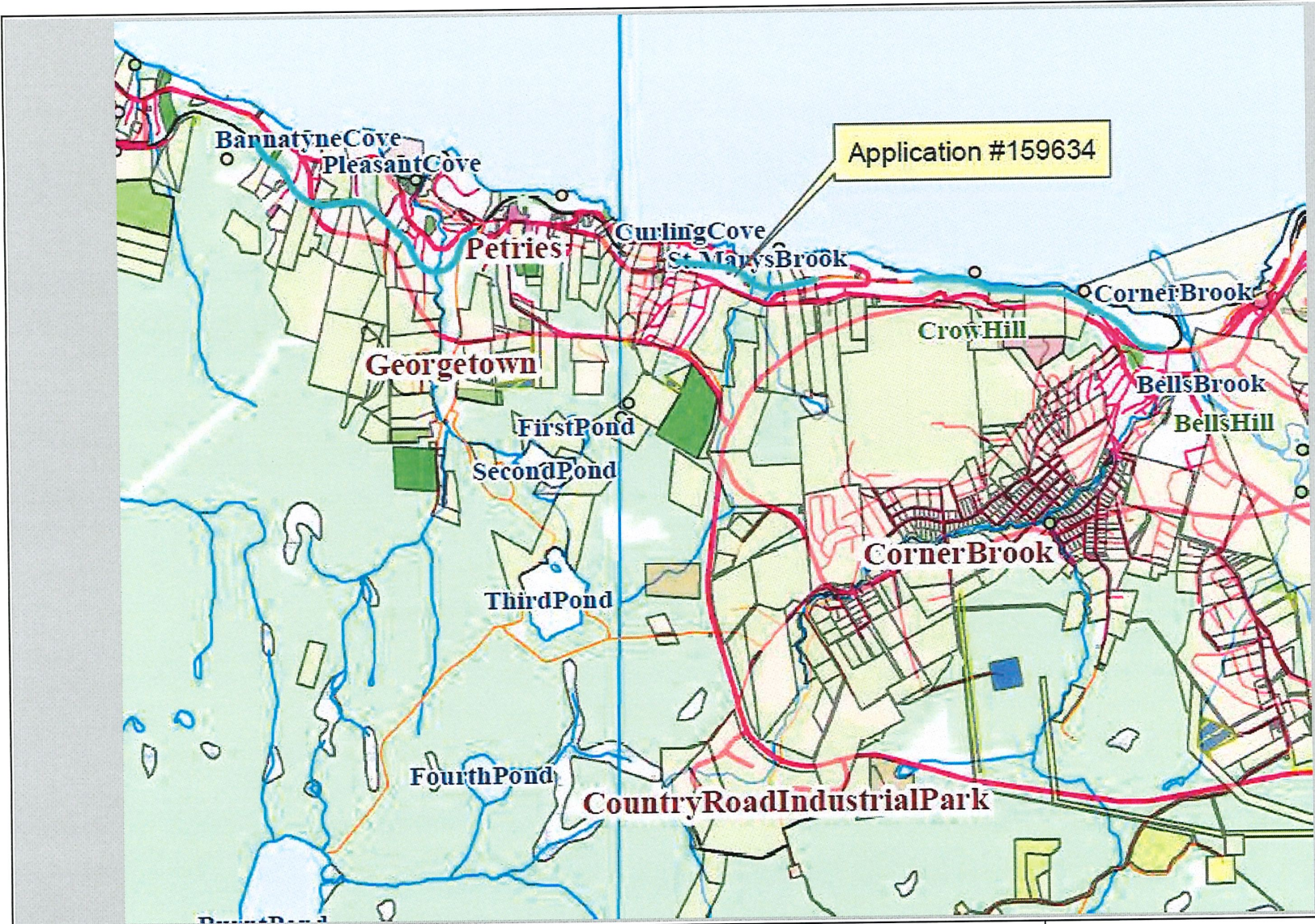
<b>LOCATION:</b> Old railbed within the City of Corner Brook	
<b>PREPARED BY:</b> J. King	
<b>DEPARTMENT:</b> Development & Planning	
<b>DATE:</b> 2023-03-07	
<b>PAGE:</b> 1	<b>OF</b> 4
<b>VERSION:</b> 1	





 <b>City of Corner Brook</b> Community Services Department Planning Division	<b>PROJECT:</b> Great Canadian Trail	<b>NOTES:</b>	<b>LOCATION:</b> Old railbed within the City of Corner Brook	
	<b>TITLE:</b> Map 3		<b>PREPARED BY:</b> J. King	
5 Park St, Corner Brook, NL (PO Box 1080) Corner Brook, NL, Canada, A2H 6E1 709-537-1666 city.hall@cornerbrook.com	THIS IMAGE IS A GRAPHICAL REPRESENTATION AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.		<b>DEPARTMENT:</b> Development & Planning	
			<b>DATE:</b> 2023-03-07	
			<b>PAGE:</b> 3	<b>OF:</b> 4





**City of Corner Brook**  
Community Services Department  
Planning Division

5 Park St, Corner Brook, NL (PO Box 1080)  
Corner Brook, NL, Canada, A2H 6E1  
709-637-1666 city.hall@cornerbrook.com

PROJECT: Great Canadian Trail

TITLE: Map 4

THIS IMAGE IS A GRAPHICAL REPRESENTATION AND IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS.

NOTES:

LOCATION: Old railbed within the City of Corner Brook

PREPARED BY: J. King

DEPARTMENT: Development & Planning

DATE: 2023-03-07

PAGE: 4 OF 4

VERSION: 1

## MEMO

**To:** Manager of Development & Planning  
**Fr:** Development Inspector I  
**Subject:** **Crown Land Application – Great Canadian Trail**  
**Date:** March 8, 2023

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The City of Corner Brook has received an application to utilize Crown Land for the purpose of constructing, upgrading and maintaining the Great Canadian Trail that follows the old railbed within the City of Corner Brook.

The proposed recreational trail goes through various zones, all of which permit recreational space. This application was referred to internal City departments and there were no issues other than ensuring access for emergency vehicles(s) in the event of an emergency along the trail such as a fire or injury. Also, a gated access of some sort may be an option to consider.

After review of the application, it is recommended that the Council of the City of Corner Brook approve this application.

Should you require further information, please contact me at your convenience.

Signed: \_\_\_\_\_  
James King, CET, CPT

**King, James**

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**From:** ONLINE PERMIT SUBMISSION <noreply@cornerbrook.com>  
**Sent:** March 7, 2023 2:33 PM  
**To:** Barker, Shelley  
**Subject:** Online Permit Submission

**Date**

03/07/2023

**Owner Name**

[REDACTED]

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**Owner / Applicant Address**

[REDACTED]

**Property Address**

Griffin Dr/Pier Rd/Hilliards Rd/Leggos Ave/St. Aidens Rd/ Star St/Barry Pl  
Corner Brook, Newfoundland and Labrador A2H 6E1  
Canada  
[Map It](#)

**Builder Address**

Newfoundland and Labrador  
Canada  
[Map It](#)

**Construction Type (Please check appropriate box)**

- OTHER

**Development Type (Please check appropriate box)**

- OTHER

**Description of Work**

Crown Land Application for the Great Canadian Trails within the City of Corner Brook

**Estimated Construction Value (MATERIALS & LABOUR)**

\$ 1.00 CAD

**DECLARATION**



I agree to terms in the declaration  
DECLARATION

I hereby apply for permission to carry out the development herein. I declare that all the information given by me in connection with this application is true and correct to the best of my belief and that the development described, if permitted, will be carried out in accordance with all applicable laws and regulations of the Province of Newfoundland and Labrador and the City of Corner Brook.

NOTE:  
Where the Applicant and Property Owner are not the same, the signature of the Property Owner may be required before the application can be processed.

**Consent**



I agree to the privacy policy stated below.

The City of Corner Brook uses this web form to collect your information in order to better administer programs and services that citizens use and rely on. The City of Corner Brook committed to protecting the privacy of individuals who chose to utilize these services.

This information is collected in compliance with the Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015) and will only be used by authorized staff to fulfill the purpose for which it was originally collected, or for a use consistent with that purpose unless you expressly consent otherwise. This information is not disclosed to other public bodies or individuals except as authorized by ATIPPA, 2015.

**DISCLAIMER:** The Information contained in this transmission and any attachments may contain privileged and confidential information and may be legally privileged. It is intended only for the use of the person (s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication is strictly prohibited. Views or opinions expressed in this e-mail message are those of the author only.









# Request for Decision (RFD)

**Subject:** Regional Recreation Center - Change Order No. 23

**To:** Darren Charters

**Meeting:** Regular Meeting - 13 Mar 2023

**Department:** Engineering

**Staff Contact:** Melody Roberts,

**Topic Overview:**

**Attachments:** [CB2021-10 Change Order #023 - Fireproofing of Existing Level 2 Structure.pdf](#)  
[Unsigned Redacted](#)

## BACKGROUND INFORMATION:

For costs associated with applying a spray cementitious coating to achieve the required fire rating of the existing Level 2 structure to rectify the existing deficient condition. Refer to details in correspondence of RFI #PRE-28.

## PROPOSED RESOLUTION:

Be it resolved that the Corner Brook City Council approve Change Order No. 23 for the Regional Recreation Center in the amount of \$134,391.55 (HST Included) for Pomerleau Inc.

## FINANCIAL IMPACT:

Contract Budget - \$24,700,000.00

Contract Amount \$ 22,091,500.00

Previous Change Orders: \$ 1,263,933.18

This Change Order \$134,391.55

New approved Contract Amount - \$23,489,824.73

**Budget Code:** 17-CCR-21-00005

**Finance Type:** Capital

Director of Community, Engineering, Development & Planning Approved - 06 Mar 2023

Administrative Assistant to the City Manager Approved - 08 Mar 2023

\_\_\_\_\_  
City Manager



**Division of Municipal Infrastructure  
Form 5 – Contract Change Order Notice**

Page 1 of 3

March 2022

**PROJECT NAME:** Corner Brook Regional Recreation Centre      **DATE:** 2023-02-27  
**MI PROJECT NO:** 17-CCR-21-0005      **CHANGE ORDER NUMBER:** 023  
**CONTRACTOR:** Pomerleau Inc.

.1 NOTICE

A change to the Contract is contemplated as indicated herein.

.2 PROCEDURE

The Contractor shall stipulate the effect of the contemplated change of the contract amount in Item 4 below. Where the change increases the amount of the contract, a complete cost breakdown will be returned with each copy of the document. The Contractor shall return three signed copies of this document to the Engineer for approval. Should it be decided to proceed with the work, an approved copy will be returned to the Contractor. Work shall not proceed until the written authorization is received.

.3 DESCRIPTION OF CHANGE

For costs associated with applying a spray cementitious coating to achieve the code required fire rating of the existing Level 2 structure to rectify the existing deficient condition. Refer to details in correspondence of RFI #PRE-28 (attached).

.4 EFFECT OF CHANGE ON CONTRACT

This change order      WILL      or      WILL NOT (circle one) affect the approved completion date.

If the completion date will be affected, the requested increase in time to the approved completion date is:

WORKING DAYS: \_\_\_\_\_ REVISED COMPLETION DATE: \_\_\_\_\_

The change described in Item 3 above will affect the current contract amount as follows:

No Change

Addition to Contract including HST payable by the Owner \$ 134,391.55

Deduction from Contract including HST payable by the Owner \$ \_\_\_\_\_

Contractor: [REDACTED]  
(Signature)

Transportation and Infrastructure

**Division of Municipal Infrastructure  
Form 5 – Contract Change Order Notice**

**Page 2 of 3**

**March 2022**

Authorized Contract Amount (A)	\$	22,091,500.00
<b>Change Order Limit (greater of 10% or \$15,000)</b>	\$	2,209,150.00
Previous Change Orders (B)	\$	1,263,933.18
<b>This Change Order (C)</b>	\$	134,391.55
New Approved Contract Amount (A+B+C)	\$	23,489,824.73

Enter Motion # approving CO (required) \_\_\_\_\_  
OR, Delegation of Authority (attached) \_\_\_\_\_

**.5 AUTHORIZATION TO PROCEED**

The Contractor is authorized to proceed with the changes for the amounts stated in Item 4 above.

DATE: 2023-02-27 Consultant: \_\_\_\_\_

DATE: \_\_\_\_\_ Municipality / Owner: \_\_\_\_\_

DATE: \_\_\_\_\_ Regional Engineer: \_\_\_\_\_

(Regional Engineer's signature is assumed to be approval based on the available project funds only – no new funds are contemplated)

**.6 CANCELLATION OF CONTEMPLATED CHANGE**

It has been decided not to proceed with this change which is hereby cancelled.

DATE: \_\_\_\_\_ Consultant: \_\_\_\_\_

**.7 NOTIFICATION TO BONDING AND INSURANCE COMPANIES**

The Bonding Company and Insurance Company shall each be immediately notified by the Contractor of this change to the contract by being issued copies of the Change Order.

**.8 ENCLOSED DOCUMENTS**

**Please attach all back up as supplied by the Contractor for the value of this change order. List below the attachments provided:**

A copy of this document signed by the Owner and Consultant, Contractor change order cost and supporting emails.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**Division of Municipal Infrastructure  
Form 5 – Contract Change Order Notice**

**Page 3 of 3**

**March 2022**

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Note: Upon Regional Engineer approval, the document will be forwarded to Project Representative for processing in MSIS at which time a copy of the documents containing the Regional Engineer's signature will be returned to the Consultant for distribution to all applicable parties.

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Transportation and Infrastructure

 **CHANGE ORDER**

<b>Owner:</b>	<u>City of Corner Brook</u>	<b>Change Order No.:</b>	<u>023</u>
<b>Project:</b>	<u>Corner Brook Regional Recreation Centre</u>	<b>SNCL Project No.:</b>	<u>677762</u>
<b>Project No.:</b>	<u>CB2021-10</u>	<b>Phase:</b>	<u>N/A</u>
<b>Contractor:</b>	<u>Pomerleau Inc.</u>	<b>Date:</b>	<u>2023-02-27</u>

**SCOPE:**

For costs associated with applying a spray cementitious coating to achieve the code required fire rating of the existing Level 2 structure to rectify the existing deficient condition. Refer to details in correspondence of RFI #PRE-28 (attached).

**SCHEDULE:**

**COMMENTS:**

<b><u>ORIGINAL CONTRACT VALUE.....</u></b>	<u>\$ 19,210,000.00</u>
<b><u>CURRENT CHANGE ORDER VALUE.....</u></b>	<u>\$ 116,862.22</u>
<b><u>CUMULATIVE CHANGE ORDER VALUE.....</u></b>	<u>\$ 1,215,934.55</u>
<b><u>REVISED CONTRACT VALUE.....</u></b>	<u>\$ 20,425,934.55</u>

*\*\* All amounts identified above exclude HST*

Signatures below confirm review and recommendation for the related change order.

**APPROVED BY OWNER'S ADVISOR:  
SNC-Lavalin Inc.**

\_\_\_\_\_  
P.Eng.

Title: Project Manager

Date: February 27, 2023

	<b>CONTEMPLATED CHANGE ORDER REVIEW</b>
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PROJECT #	PHASE	SNC REF #	CONTRACTOR REF#
CB2021-10	N/A	CCO #007	EC-0008

Document Control Date Received: January 10, 2023

SNCL Document Control Number: 677762-0001-SLI-C-CCO-000-0007\_1

**Discipline Review Checklist**

Discipline	Review Required	Reviewed By	Date
Civil	<input type="checkbox"/>		
Structural	<input type="checkbox"/>		
Architectural	<input checked="" type="checkbox"/>	Peter Connell	February 10, 2023
Mechanical	<input type="checkbox"/>		
Electrical	<input type="checkbox"/>		
<b>PM Review</b>	<input checked="" type="checkbox"/>	Steven Greeley	February 13, 2023

SNCL recommendation to Owner for approval

Rejected - revise and re-submit subject to comments

Comments

This review does not relieve the Vendor/Contractor of any responsibility for errors or omissions on its part or from full compliance with contractual or other obligations.

---

SNC-Lavalin Inc.



























































































# Request for Decision (RFD)

**Subject:** Lewin Parkway Intersection Improvements - Change Order No. 3

**To:** Darren Charters

**Meeting:** Regular Meeting - 13 Mar 2023

**Department:** Engineering

**Staff Contact:** Melody Roberts,

**Topic Overview:**

**Attachments:** [Lewin Parkway Intersection Improvements - CO 3 - unsigned Redacted](#)

## BACKGROUND INFORMATION:

Due to a delay in the delivery of the new poles, supply and install adapter plates designed by the Engineer was required to accommodate the temporary installation of existing poles on new bases.

## PROPOSED RESOLUTION:

Be it resolved that the Corner Brook City Council approve Change Order No. 3 for the Lewin Parkway Intersection Improvements in the amount of \$20,677.00 (HST Included)

## FINANCIAL IMPACT:

Project Budget - \$1,050,000.00

Contract Amount - \$915,297.65

**Budget Code:** 17-MYCW-22-00034

**Finance Type:** Funding

Director of Community, Engineering, Development & Planning      Approved - 22 Feb 2023

Administrative Assistant to the City Manager      Approved - 08 Mar 2023

---

City Manager

Division of Municipal Infrastructure  
Form 5 – Contract Change Order Notice

Page 1 of 2

March 2022

PROJECT NAME: Lewin Parkway Intersection Improvements  
MI PROJECT NUMBER: 17-MYCW-22-00034  
CONTRACTOR: [Redacted] West Coast Excavating & Equipment Co. Ltd.  
CHANGE ORDER NUMBER: 3  
DATE: December 15, 2022

.1 **NOTICE**

A change to the Contract is contemplated as indicated herein.

.2 **PROCEDURE**

The Contractor shall stipulate the effect of the contemplated change of the contract amount in Item 4 below. Where the change increases the amount of the contract, a complete cost breakdown will be returned with each copy of the document. The Contractor shall return three signed copies of this document to the Engineer for approval. Should it be decided to proceed with the work, an approved copy will be returned to the Contractor. Work shall not proceed until the written authorization is received.

.3 **DESCRIPTION OF CHANGE**

Due to delay in delivery of new poles, supply and install adapter plates designed by engineer to accommodate temporary installation of exiting poles on new bases.

- 5 pole and mast arm adapter plates @ \$2,900 each = \$14,500 + HST
- 3 pedestal pole base plates @ \$900 each = \$2,700 + HST
- 24 bolt assemblies (for reassembling poles) @ \$32.50 each = \$780.00 + HST

.4 **EFFECT OF CHANGE ON CONTRACT**

This change order  WILL or  WILL NOT (check one) affect the approved completion date.

If the completion date will be affected, the requested increase in time to the approved completion date is:

WORKING DAYS: \_\_\_\_\_ REVISED COMPLETION DATE \_\_\_\_\_

The change described in Item 3 above will affect the current contract amount as follows:

- No Change
- Addition to Contract including HST payable by the Owner: \$ 20,677.00
- Deduction from Contract including HST payable by the Owner: \$ -

Contractor: [Redacted Signature] (Signature)

Transportation and Infrastructure



**Division of Municipal Infrastructure  
Form 5 – Contract Change Order Notice**

Page 2 of 2

March 2022


Authorized Contract Amount, including HST (A)	\$	915,297.65
<b>Change Order Limit, including HST (greater of 10% or \$15,000)</b>	<b>\$</b>	<b>91,529.77</b>
Previous Change Orders, including HST (B)	\$	8,644.19
<b>This Change Order, including HST (C)</b>	<b>\$</b>	<b>20,677.00</b>
New Approved Contract Amount, including HST (A+B+C)	\$	944,618.84

Enter Motion # approving CO (required) \_\_\_\_\_

OR, Delegation of Authority (attached) \_\_\_\_\_

**.5 AUTHORIZATION TO PROCEED**

The Contractor is authorized to proceed with the changes for the amounts stated in Item 4 above.

DATE: January 18, 2023 Consultant: 

DATE: \_\_\_\_\_ Municipality /Owner: \_\_\_\_\_

DATE: \_\_\_\_\_ Regional Engineer: \_\_\_\_\_

(Regional Engineer's signature is assumed to be approval based on the available project funds only – no new funds are contemplated)

**.6 CANCELLATION OF CONTEMPLATED CHANGE**

It has been decided not to proceed with this change which is hereby cancelled.

DATE: \_\_\_\_\_ Consultant: \_\_\_\_\_

**.7 NOTIFICATION TO BONDING AND INSURANCE COMPANIES**

The Bonding Company and Insurance Company shall each be immediately notified by the Contractor of this change to the contract by being issued copies of the Change Order.

**.8 ENCLOSED DOCUMENTS**

Please attach all back up as supplied by the Contractor for the value of this change order.  
List below the attachments provided:

1. A copy of this document signed by the Owner and Consultant
2. Quote for pole and mast arm adapter plates
3. Quote for pedestal pole base plates
4. Quote for bolt assemblies (for reassembling poles)

Note: Upon Regional Engineer approval, the document will be forwarded to Project Representative for processing in MSIS at which time a copy of the documents containing the Regional Engineer's signature will be returned to the Consultant for distribution to all applicable parties.

**Transportation and Infrastructure**



















# Request for Decision (RFD)

**Subject:** Blame it on Broadway – Noise Regulation Exemption for Broadway Street Party

**To:** Rodney Cumby  
**Meeting:** Regular Meeting - 13 Mar 2023  
**Department:** Recreation  
**Staff Contact:** Kim Patten, Director of Recreation  
**Topic Overview:** Blame it on Broadway – Noise Regulation Exemption for Broadway Street Party

## BACKGROUND INFORMATION:

The City of Corner Brook is enacting a temporary exemption to The City of Corner Brook Noise Regulations to conduct a public street party. The street party will be held at night when noise restrictions come into effect between 2200 and 0700. The regulations stipulates in section 3(c) "No person shall play or operate any radio, stereophonic equipment, or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in any manner which unreasonably disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons on the same property on in the neighborhood or vicinity"

The City of Corner Brook is enacting a temporary exemption to carry out a street celebration between the hours of 1900, Friday July 28th- 0100, Saturday, July 29th 2023. The street party will be held on Broadway and will start with outdoor music at 19:00 and conclude at 1:00. The City of Corner Brook Noise Regulations includes time frames when noise generating activities are prohibited, a temporary exemption to these regulations will be required.

## PROPOSED RESOLUTION:

**BeitRESOLVEDthat the CounciloftheCity of CornerBrook** Grant the enactment to the City of Corner Brook Noise Regulations in support of the 2023 Jigs and Wheels Festival to carry out a street party on Broadway. The bylaw exemption will be in effect from 2200, Friday July 28th – 0100, Saturday, July 29th 2023 for the Broadway area.

## GOVERNANCE IMPLICATIONS:

Bylaw/Regulations  
 Other  
 Noise Bylaw  
 3(c)

## RECOMMENDATION:

Staff recommends option one, That Council grant the enactment to The City of Corner Brook Noise Regulations in support of the 2023 Jigs and Wheels Festival to carry out a street party on Broadway between the hours of 19:00, Friday July 28th - 0100, Saturday, July 29th 2023.

#### **ALTERNATIVE IMPLICATIONS:**

1. That Council grant the enactment to The City of Corner Brook Noise Regulations in support of the 2023 Jigs and Wheels Festival to carry out a street party on Broadway between the hours of 1900, Friday July 28th – 0100, Saturday, July 29th 2023
2. That Council decline the enactment of a temporary exemption of The City of Corner Brook Noise Regulations in support of the 2023 Jigs and Wheels Festival to carry out a street party on Broadway between the hours of 19:00, Friday July 28th – 0100, Saturday, July 29th 2023
3. That the Council of the City of Corner Brook give other direction to Staff.

Director of Recreation

Approved - 22 Feb 2023

Administrative Assistant to the City  
Manager

Denied - 22 Feb 2023

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City Manager



# Information Report (IR)

**Subject:** Code of Conduct for Council

**To:** Rodney Cumby

**Meeting:** Regular Meeting - 13 Mar 2023

**Department:** City Manager

**Staff Contact:** Jessica Smith, Legislative Assistant

**Topic Overview:** The following is an update on the Code of Conduct Policy process.

**Attachments:** [Municipal-Councillor-Code-of-Conduct-Template](#) [Legal Comment](#)

## BACKGROUND INFORMATION:

In accordance with the Municipal Conduct Act, all municipalities were required to have a Code of Conduct for Council and Municipal Officials enacted that meets the legislative requirements prescribed in the Act by March 1st. Staff drafted a Code of Conduct for Council and brought it forward at the Regular Council Meeting on February 13th and it was subsequently postponed to the next Council meeting, the Committee of the Whole Meeting on February 27th. The motion was brought forward again at this meeting and was subsequently defeated. The Code of Conduct for Municipal Officials was adopted at the Committee of the Whole Meeting on February 27th. The Code of Conduct for Council that was brought forward was a revision of the City's current Code of Conduct Policy that incorporated the necessary requirements legislated by the Act. Staff have received no feedback on the Code of Conduct Policy that was brought forward and are looking for further direction of Council as to how they would like to proceed and have outlined the following options:

1. Council can outline the issues with the code of conduct that was provided and defeated in order for staff to make appropriate changes for council to consider. An amended version of the Code of Conduct Policy for Council can then come forward for decision.
2. The same Code of Conduct can be brought back with a motion to reconsider. The Rules of Procedure state that " when a motion has been resolved in the negative, it shall not be again brought before the Council, except with the consent of two-thirds of the whole Council, until two months have elapsed and, if again resolved in the negative, shall not be again brought before the Council until the expiry of the civic year.". Therefore in order for this motion to come forward again for approval, unless otherwise amended, there would need to be a two-thirds vote to reconsider the motion or a two month lapse before bringing the motion back to Council.
3. The province supplied a template to assist municipalities in their development of a Code of Conduct. The template was legally reviewed by staff and comments have been provided on specific sections in the template, which has been attached, and therefore It is the recommendation of staff not to adopt the template. However if Council wishes to adopt the template, there are some fundamental

changes that would need to be made to the template in order for it to be applicable to the City of Corner Brook and the City's Act and staff would recommend further review based on the comments provided.

Legislative Assistant

Approved - 10 Mar 2023

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City Manager

## CODE OF CONDUCT TEMPLATE - COUNCILLORS

This is a sample template and intended for use by municipalities to develop a Code of Conduct. The contents of this template may be adopted entirely or modified by a municipality, provided the Code of Conduct satisfies the requirements of the **Municipal Conduct Act and Regulations**.

“Councillor” includes Mayor, Deputy Mayor, and Councillor.

City/Town of \_\_\_\_\_

### 1. Introduction

The purpose of this Code of Conduct is to establish standards of conduct for councillors. Part III of the **Municipal Conduct Act, 2022** (the Act), requires that municipalities establish a Code of Conduct to govern the conduct of members of council, and sets out minimum requirements for the Code of Conduct.

Councillors are expected to conduct themselves ethically and professionally, and in accordance with this Code of Conduct. The principles underlying the Code of Conduct are integrity, honesty, impartiality, responsibility, and accountability.

### 2. Application

This Code of Conduct applies to councillors acting in their official capacity as councillors, as well as a councillor's off duty conduct that is sufficiently connected to the office of councillor or that could reasonably discredit the reputation of the Municipality.

Interpretation: For the purpose of this policy, Chief Administrative Officer or CAO refers to the person appointed to the position of Manager under the Municipalities Act, 1999. In the event a municipality has not established the position of a town manager, the duties of the CAO under this Code of Conduct shall be performed by the Town Clerk.

### 3. Standards of Conduct:

#### Standards of Professional Behaviour

3.1.1. Councillors must abide by the Council's Rules of Procedure.

3.1.2. Councillors must work in the best interest of the municipality without regard for their personal interests.

“without regard for their personal interests”. The term “personal interests” is not defined anywhere and as such could expose councilors to a broad interpretation. It should refer instead to “Private Interests” which is clearly defined in the Municipal Conduct Act s.2(r)

3.1.3. Councillors must act competently and diligently and perform at a level expected of those working in the public interest.

The use of term “competently” at a “level expected” is concerning. Whose expectation determines the level of competency. This is a very vague and could expose councilors who are less educated than others. We need to be very careful in placing competency limits on elected officials. There is no requirement for an elected official to have a particular IQ or reading/writing ability etc

3.1.4. Councillors must be respectful of the presiding officer, their colleagues, staff, and members of the public at all times, including during council meetings and proceedings of the municipality.

The broadness of “respectful” behaviour is concerning. I would want to delineate what is considered to not be respectful so councilors are aware of what behavior they must avoid, particularly since this provision has been drafted so that it applies to their contact with “members of the public at all times”. I would want to narrow that to only while they are conducting City business in an official capacity as a municipal councilor. I do not think we should be investigating conduct of councilors in their personal lives. We also need to be cognizant of not restricting council chambers debate so that it infringes on their freedom of expression. This provision states they must be respectful during council meetings to each other. The Supreme Court of Canada considers freedom of expression to be the linchpin of democracy and is loath to limit speech in political rings. While municipal councils do not have absolute privilege as elected officials do in parliament, they do have qualified privilege while debating in chambers (ie as long as statement is made in good faith believing it to be true and they are not alleging a criminal act). Councilors must be able to have open, frank and passionate debate which by its nature could often be considered disrespectful. We should not be requiring a particular level of oration skills of elected officials. Candidates can come from anywhere with any ability and if they are voted in by the public must be able to express themselves however they are able.

- 3.1.5.** Councillors must be prepared for meetings, aware of agendas, informed of issues, and contribute to debate in a manner that is meaningful, candid, honest, respectful, and equitable.

This again limits freedom of expression so I would reiterate the concerns stated in 3.1.4 above. This section takes it even further though, placing a positive duty on councilors to “contribute to debate”. This may negatively impact those who are more introverted in personality or who may not have a particular view that they wish to express publicly on a particular matter, or perhaps they simply do not have anything to add to the debate as they feel others have adequately addressed an issue. I do not think councilors should be disciplined for not contributing to debate at council meetings. This section also has the word “equitable” in terms of the manner of conduct in meetings which is concerning. Not sure what the intention is there. Does that mean the female councilors should be given more time to speak since they have been traditionally disadvantaged? The term “equal” would be considered to require all councilors the same floor time but “equitable” means groups who have been historically disadvantaged or suffered systemic discrimination should receive the benefit of affirmative action of some sort.

- 3.1.6.** Councillors must act in a manner which supports respectful, transparent, and informed debate.

same concerns as the above

- 3.1.7.** Councillors must use language which is inclusive, respectful, and refrain from using language which could be interpreted as abusive or disrespectful.

same concerns as the above

- 3.1.8.** Councillors must, in private and public, conduct themselves in a manner which does not bring disrepute to themselves, their position, the Council, or the municipality.

again, this provision attempts to control councilors private lives

- 3.1.9.** Councillors must not make decisions, take positions, or make statements which are unreasonable, unjust, arbitrary, oppressive, or discriminatory.

This provision is very concerning in its attempt to limit not only decisions a government can make, but also positions and statements individual councilors can take on a matter, particularly the restriction that it not be “unreasonable”. This provision flies in the face of democracy. Only the courts should determine if a council decision is unjust, arbitrary or oppressive, not the City manager or an investigator hired on a code of conduct complaint. The vague reference to “discriminatory” is also too broad. The very nature of council

decisions is that by granting a benefit or relief to some may discriminate against others. Discrimination is only a problem if it is discrimination contrary to the Human Rights Code or Charter of Rights and Freedoms and cannot be upheld as a reasonable limit in a free and democratic society under s.1 of the Charter of Rights and Freedoms. That is a complex assessment that should be left to the courts.

### **3.2. Use of Influence**

- 3.2.1.** Councillors must only use the influence of their position for the exercise of their official duties.
- 3.2.2.** Councillors must not use their authority or influence in a manner that could reasonably be perceived as threatening, coercing, or improperly influencing the actions of a municipal official or in a manner which interferes with the municipal official's responsibilities.
- 3.2.3.** Councillors are prohibited from accepting gifts, favours, or free or discounted services from any individual, vendor, contractor or others which could reasonably be perceived to show undue favour, bias, or disadvantage to any individual or organization or could reasonably be perceived to place the councillor in a conflict of interest.
- 3.2.4.** Councillors must not communicate on behalf of the Municipality unless authorized by council or by virtue of a position or role the councillor has been authorized to undertake by council.

### **3.3. Misuse of Public Assets and Fraud**

- 3.3.1.** Councillors must report all expenses promptly, accurately, provide adequate detail, and shall maintain all receipts, invoices, and other relevant financial records and details when claiming expenses.
- 3.3.2.** Councillors must ensure that the business of the municipality is conducted efficiently and must avoid waste, abuse, and extravagance in the provision and use of municipal resources.

This entire section is concerning for 2 reasons. First of all council must have complete discretion in adopting its annual budget to spend as it sees fit. They answer to the public at election time regarding expenditures that are perceived as extravagant or wasteful. Secondly the term efficiently is vague and could cause difficulties if council takes longer than another party desires to make a decision on something. If council wants to impose timelines on themselves or staff they should do so with specific guidelines in relation to the different



types of decisions/business to be completed after consultation with the applicable staff of the various departments.

**3.3.3.** Councillors must not request, use, or permit the use of municipal-owned vehicles, land, equipment, materials, or other property for personal convenience or profit, except where such privileges are granted to the general public.

### **3.4. Confidentiality**

**3.4.1.** Councillors must not disclose confidential information obtained in the course of their duties, except as required by law or as authorized by the Municipality to do so.

**3.4.2.** Councillors must not use confidential information or official information which is not in the public domain for personal or private gain, the private gain of others, or a corporation.

**3.4.3.** The collection, protection, access, use, disclosure, and disposal of personal information may only occur in compliance with the **Access to Information and Protection of Privacy Act, 2015** (ATIPPA, 2015).

**3.4.4.** Confidential information means: information in the custody and/or control of the municipality that is prohibited from disclosure pursuant to legislation or court order or any other information regarding to the business of the municipality generally considered to be of a confidential nature, including, but not limited to:

- a) Any matter that falls under the exceptions to disclosure identified in the **Access to Information and Protection of Privacy Act**, whether or not a request for access has been made.
- b) Personal information the disclosure of which would constitute an unreasonable invasion of privacy.
- c) Potential acquisitions or disposition of real property.
- d) Information which would reveal the substance of deliberation of a privileged meeting.
- e) Pending contracts including tenders, requests for proposals (RFPs), and records related to potential procurement.

- f) Draft documents and legal instruments including reports, policies, bylaws and resolutions that have not been the subject matter of deliberation in a meeting open to the public.
- g) Employment and collective bargaining matters.
- h) Legal matters.
- i) Law enforcement matters.

### 3.5. Social Media

**3.5.1.** Councillors must not engage in conduct on personal or official social media platforms which would bring the integrity of themselves, the council, or the Municipality into disrepute.

again placing controls on an elected officials personal lives

**3.5.2.** Councillors must, where possible, conduct municipal business through official accounts and devices and avoid conducting council business on personal devices or through personal accounts.

### 3.6. Harassment and bullying

**3.6.1.** The obligations in this section are not intended to fulfill the requirement on a municipality as an employer to implement and maintain a harassment prevention plan, under section 24.1 of the **Occupational Health and Safety Regulations**.

**3.6.2.** Councillors must not engage in harassment or bullying.

**3.6.3.** All members of Council shall treat members of the public, one another, staff, and volunteers appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination, bullying and harassment.

Again I think the reference to their dealings with the public should be limited to when they are participating in official engagements as part of their duties as a municipal councilor. We do not want to investigate their personal lives

**3.6.4.** Harassment is defined as any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome. Harassment may

be intended or unintended. Harassment may include, but may not be limited to:

- a) Abuse of authority – harassment that occurs through a use of authority serving no legitimate work purpose.
- b) Discriminatory harassment – harassment that is based on actual or perceived prohibited grounds of discrimination as outlined in the **Human Rights Act, 2010**, such as race, colour, nationality, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income, or political opinion.
- c) Sexual harassment – harassment which is gender-based or of a sexual nature.
- d) Bullying – a repeated pattern of mistreatment aimed at a specific person or group.

### **3.7. Legislative Compliance**

**3.7.1.** A councillor must reasonably comply with all obligations imposed on councillors by legislation, regulation, and municipal policy and procedures, including but not limited to:

- a) **Municipalities Act, 1999**
- b) **Municipal Conduct Act**
- c) **Municipal Elections Act**
- d) **Public Procurement Act**
- e) **Urban and Rural Planning Act, 2000**
- f) **Access to Information and Protection of Privacy Act, 2015**
- g) **Occupational Health and Safety Act**
- h) **Human Rights Act, 2010, and,**
- i) **Any accompanying regulations**

There is a much longer list of applicable legislation. You can pull it from the other draft Code that I edited. At a minimum the reference to Municipalities Act should be changed to reference the City of Corner Brook Act

### **3.8. No Adverse Actions or Reprisals**

**3.8.1.** Council or councillors must take no action, and must to the best of their ability, ensure no action is taken, which would be reasonably perceived as a reprisal against any person acting in good faith who brings forward a complaint or information which leads to a complaint.

**3.9. Allegations in Bad Faith**

**3.9.1.** A councillor or municipal official shall not file a complaint under this policy which is retributive, made in bad faith, or with malicious intent. A complaint will not be deemed to be retributive, made in bad faith, or malicious solely because it is ultimately determined to be unfounded.

**3.10. Investigation**

**3.10.1** A councillor shall not hinder, obstruct, attempt to obstruct, interfere with, threaten, harass or fail to cooperate with a person conducting an investigation under the Act and regulations, and this Code of Conduct.

## Part 2

### Code of Conduct Complaint and Investigation Process

#### Receiving a Complaint

1. A complaint filed under this Code of Conduct shall be filed with the Chief Administrative Officer (CAO).
2. Where the complainant is the CAO, the complaint shall be filed with the Mayor. Where the Mayor is the respondent, the complaint shall be filed with the Deputy Mayor. Where the CAO reasonably believes that neither the Mayor nor Deputy Mayor could act impartially and fairly, the CAO may consult with the Department of Municipal and Provincial Affairs (The Department).
3. Where the complainant is the CAO, the following process will still apply, but the Mayor or Deputy Mayor will act as CAO for the purpose of administering the complaint.
4. The complaint shall be in writing.
5. Notwithstanding section 4, a complaint may be made by other means where the complainant has a limited ability to read or write English or has a disability or condition that impairs their ability to make a complaint.
6. A complaint shall include the following:
  - The complainant's name
  - The names of the person or persons the complaint is about
  - A summary of the complaint, and any steps taken to resolve it
  - The date that the breach of the code occurred, if known
  - A description of how the complaint can be resolved, if applicable
7. Notwithstanding section 6, a CAO may accept a complaint confidentially where, in the opinion of the CAO, it is reasonable to do so, taking into account the public interest.

**It is very dangerous to allow complaints to be filed confidentially. I strongly advise against allowing that. The Respondent should always be given a copy of the complaint and opportunity to give full answer and defence and complainants should be advised that if they file a complaint it will be provided to the Respondent.**

8. A complainant may withdraw their complaint in writing or by other means as per section 5. Notwithstanding, the CAO or investigator may continue investigating where it is reasonable to do so, taking into account the public interest.
9. Where a complaint is received alleging criminal behaviour, or at any point it becomes apparent that criminal behaviour may have occurred, the CAO shall immediately contact law enforcement, and notify the Department through the Minister's Office.
10. A person may file a complaint within 6 months of becoming aware of a Code of Conduct violation. The CAO may accept complaints outside of that timeframe in instances of harassment, bullying, financial impropriety, or where it is reasonable to do so, taking into account the public interest.

#### **Informal Resolution**

11. Where the CAO determines the complaint to be interpersonal in nature, or relates to a disagreement, the CAO may ask the parties if they wish to resolve the complaint through mediation, or Alternative Dispute Resolution (ADR).
12. ADR must not be used where there is a significant power imbalance between the complainant and respondent, where there is a reasonable apprehension of harm, where the allegations involve issues of financial impropriety, sexual harassment, violence, criminality, where either party does not consent, or where other circumstances would prevent the success of ADR.
13. Informal resolution efforts shall be concluded within 20 business days, and may be extended for additional business days with consent of both parties and approval of council.

#### **Referral to Council - Resolution or Agreement of Facts**

14. As per sections 14 (2) of the Act, where a complaint is successfully resolved or not resolved but complainants agree on the facts, the CAO shall provide Council with a report.
15. As per sections 14(4) and (5) of the Act, Council shall review the report at a privileged meeting of Council. Following the review of the report, Council shall open the meeting to the public and shall, by resolution, dismiss the complaint or make a determination that the councillor contravened the Code of Conduct.
16. Where the council determines that a councillor has contravened the Code of Conduct, the council may impose penalties in accordance with section 15.

### Formal Investigation

17. Where the complaint is not resolved or the facts are not agreed on, the CAO may investigate or appoint an investigator. There shall be 40 business days to conclude an investigation from the date the informal resolution period has expired. Upon request of the CAO, council may approve up to an additional 40 business days for the completion of an investigation.
18. The investigator will notify the respondent within five business days of the failure of informal resolution and provide a copy of the complaint.
- this is too far along the process to be providing a copy of the complaint. The Respondent should be entitled to receive a copy of the complaint within a clear specified period of time after it has been received.
19. The respondent may provide a written response to the CAO no later than 10 business days after receipt of a copy of the complaint.
20. The investigator will prepare a written report for council.
21. The report shall at a minimum outline the investigative process, facts, analysis, test (an assessment of the facts relative to the Code of Conduct), conclusion, and recommendations. The following format is flexible but may be of assistance.
- Introduction
  - Investigative Process
  - Background
  - Events before the incident
  - The incident(s)
  - Events after the incident
  - Evidence
  - Analysis
  - Decision
  - Recommendation(s)
22. Council shall review the report at a privileged meeting, and shall within 20 business days, dismiss the complaint or find that a councillor contravened the code at a public meeting.
23. If council finds a councillor contravened the code, council may, by resolution, take an action as set out in Section 15 (Penalties) of the **Municipal Conduct Act**.

