



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 **January 9, 2022at**7:00 p.m. Council Chambers, City Hall.****

CITY CLERK

Page

1	CALL MEETING TO ORDER
2	APPROVALS
	2.1 Approval of Agenda
3 - 5	2.2 Approval of Minutes [Regular Meeting - December 19, 2022]
3	BUSINESS ARISING FROM MINUTES
	3.1 Business Arising From Minutes
4	REPORTS
7 - 8	4.1 Council Meeting Schedule
5	MUNICIPAL PLAN AND DEVELOPMENT REGULATION AMENDMENT
9 - 18	5.1 Commercial Vehicle Parking in Residential Zones
6	ADJOURNMENT
	The meeting adjourned at

**MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
COUNCIL CHAMBERS, CITY HALL
MONDAY, 19 DECEMBER, 2022 AT 7:00 PM**

PRESENT:

Mayor	J. Parsons	R. Cumby, City Manager
Deputy Mayor	L. Chaisson	D. Charters, Director of Community Engineering Development and Planning
Councillors:	P. Gill	T. Flynn, Director of Protective Services
	V. Granter	S. Maistry, Director of Finance and Administration
	B. Griffin	D. Burden, Director of Public Works Water and Wastewater
	P. Keeping	<i>J. Smith, Legislative Assistant</i>
	C. Pender	<i>J. Baines, Seargent-At-Arms</i>

Absent with regrets: K. Patten, Director of Recreation and M. Redmond, City Clerk.

22-202 Approval of Agenda

On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is **RESOLVED** to approve the agenda as circulated. **MOTION CARRIED.**

22-203 Approval of Minutes [December 5, 2022]

On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is **RESOLVED** to approve the Minutes of the Regular Council Meeting of December 5th, 2022. **MOTION CARRIED.**

22-204 Business Arising From Minutes

Deputy Mayor Chaisson wanted to provide an update on an issue with the garbage schedule, where day 4 has 17 days with no garbage collection. Director of CEDP has been in contact with the contractor and there was an error in the schedule and they are working on a resolution and will provide an update to residents soon.

22-205 Asphalt Patching 2022-07 - Change Order No. 1

On motion by Councillor P. Gill, seconded by Councillor B. Griffin, it is **RESOLVED** to approve Change Order No. 2 for Rock Construction Ltd. in the amount of \$22,896.50 (HST included) for the Blackwood's Hill Bridge Replacement Contract 2022-11 **MOTION CARRIED.**

22-206 Blackwood's Hill Bridge Replacement CO # 2

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to approve Change Order No. 3 for Rock Construction Ltd. in the amount of \$121,605.44 (HST included) for Blackwood's Hill Bridge Replacement 2022-11. **MOTION CARRIED.**

22-207 Blackwood's Hill Bridge Replacement - CO # 3

On motion by Councillor C. Pender, seconded by Councillor V. Granter, it is **RESOLVED** to approve the change order for the increased material costs for the Atrium Art project at a cost of \$8,288.50 (HST included). **MOTION CARRIED.**

22-208 Change Order for City Hall Art Project

On motion by Councillor P. Keeping, seconded by Councillor P. Gill, it is **RESOLVED** to approve the change order for the increased material costs for the Atrium Art project at a cost of \$8,288.50 (HST included). **MOTION CARRIED.**

22-209 Council Meeting Structure

On motion by Deputy Mayor L. Chaisson, seconded by Councillor P. Gill, it is **RESOLVED** to re-establish the Committee of the Whole structure and approve the terms of reference as presented.

On motion by Councillor. P. Gill, seconded by Councillor B. Griffin, it is **RESOLVED** to amend the motion as follows:

“It is RESOLVED to re-establish the Committee of the Whole Structure and approve the terms of reference with the suggested edits addressed.”

Deputy Mayor L. Chaisson, Councillor V. Granter and Councillor C. Pender voted against amending the motion. **MOTION CARRIED.**

Voting occurred on the main motion as amended. Deputy Mayor L. Chaisson, Councillor C. Pender, Councillor V. Granter voted against the amended motion. **AMENDED MOTION CARRIED.**

22-210 Commercial Vehicle Parking in Residential Zones

On motion by Councillor P. Gill, seconded by Councillor V. Granter, it is **RESOLVED** to postpone the proposed motion until the next Council Meeting. **MOTION CARRIED.**

On motion by Councillor B. Griffin, seconded by Councillor P. Gill, it is **RESOLVED** to approve that pursuant to the powers vested in it under Section 203, 254, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15 as amended, Section 189 of the Highway Traffic Act, R.S.N.L. 1990, C. H-3, as amended, (a) delegation(s) of power by the Minister of Transportation and Works and all other powers it enabling, the Corner Brook

City Council hereby repeals the Commercial Motor Vehicle Regulations, 2008, replacing it with the Commercial Motor Vehicle Regulation 2022 as attached hereto. **MOTION POSTPONED.**

ADJOURNMENT

The meeting adjourned at 9:18 p.m.

City Clerk

Mayor



Information Report (IR)

Subject: Council Meeting Schedule

To: Rodney Cumby
Meeting: Regular Meeting - 09 Jan 2023
Department: City Manager
Staff Contact: Gloria Manning, Administrative Assistant to the City Manager
Topic Overview: The Council Meeting Schedule for January 2023 to June 2023 is below.

BACKGROUND INFORMATION:

Section 31 of the City of the Corner Brook Act requires that Council meet at least once a month for the dispatch of general business. Council meetings are in the form of a Regular Meeting and a Committee of the Whole Meeting, both of which are public meetings. A confirmed schedule will allow for improved communication to staff, council, the public and the media. The following is the proposed Council Meeting schedule for the period of January 2023 to June 2023, however the schedule is subject to change:

Meeting Date	Meeting Type
January 23, 2023	Committee of the Whole Meeting
February 13, 2023	Regular Meeting
February 27, 2023	Committee of the Whole Meeting
March 13, 2023	Regular Meeting
March 27, 2023	Committee of the Whole Meeting
April 17, 2023	Regular Meeting
May 1, 2023	Committee of the Whole Meeting
May 15, 2023	Regular Meeting
May 29, 2023	Committee of the Whole Meeting
June 12, 2023	Regular Meeting
June 26, 2023	Committee of the Whole Meeting

GOVERNANCE IMPLICATIONS:

Legislation
 City of Corner Brook Act
 31

RECOMMENDATION:

Administrative Assistant to the City
Manager

Approved - 04 Jan 2023

City Manager



Request for Decision (RFD)

Subject: Commercial Vehicle Parking in Residential Zones

To: Rodney Cumby
Meeting: Regular Meeting - 19 Dec 2022
Department: Development and Planning
Staff Contact: Darren Charters, Director of Community, Engineering, Development & Planning
Topic Overview: Commercial Vehicle Parking in Residential Zones
Attachments: [Input from Residents](#)
[Commercial-Motor-Vehicle-Regulations Draft nov-2022](#)
[Vehicle Classification by GVW](#)

BACKGROUND INFORMATION:

Staff regularly receive complaints regarding large commercial vehicles parking in residential neighbourhoods. Under the current Regulations, most commercial vehicles are not permitted to park overnight in residential zones, however, there is a provision in the Regulation whereby Council can approve a permit for any size vehicle to park in residential zones.

Most residents do not want large commercial vehicles parked in their neighbourhood due to noise issues, safety issues and the aesthetics of large commercial vehicles parking in residential areas. Also, from an infrastructure perspective, large commercial vehicles can cause significant damage to the roadway structure.

The proposed change to the Commercial Motor Vehicle Regulations are intended to restrict large vehicles over a Gross Vehicle Weight (GVW) over 4535kg (10,000lbs) from parking in residential zones. At the same time, the proposed changes would permit commercial vehicles under 4535kg (10,000lbs) to park in residential zones. This category of vehicles are most commonly used for small and home based businesses. (See attached for examples of vehicles that would be permitted under the proposed changes).

There were four (4) responses to the public consultation period for the proposed changes and are attached to this report.

PROPOSED RESOLUTION:

Be it resolved that pursuant to the powers vested in it under Section 203, 254, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended, Sections 189 of the Highway Traffic Act, R.S.N.L. 1990, c. H-3, as amended, (a) delegation(s) of power by the Minister of Transportation and Works and all other powers it enabling, the Corner Brook City Council hereby

repeals the Commercial Motor Vehicle Regulations, 2008, replacing it with the Commercial Motor Vehicle Regulation 2022 as attached hereto.

Legal Review: Yes

LEGAL REVIEW:

Complete

RECOMMENDATION:

This change to the Regulation is in line with what other municipalities in Atlantic Canada have in place with respect to commercial vehicles. As a result, staff recommend Option 1 and that the following resolution be supported by Council:

ALTERNATIVE IMPLICATIONS:

Options:

1. That the Council of the City of Corner Brook approve the proposed change to the Commercial Motor Vehicle Regulations.
2. That the Council of the City of Corner Brook not approve the proposed change to the Commercial Motor Vehicle Regulations.
3. That the Council of the City of Corner Brook give other direction to Staff.

Director of Community, Engineering, Approved - 15 Dec 2022
Development & Planning

Office Assistant 111 Approved - 15 Dec 2022

City Manager

Commercial Motor Vehicle Regulation Input

Email from Resident:

The only company that fits the bill here in corner brook is Marine contractors INC. I just don't understand why the city would create an ordinance that mostly affects it's own local businesses. It's gonna increase infrastructure projects costs in the future mostly due to logistics.

It is sometimes unsightly or even irritating to have heavy machinery outside for what may seem like forever but in most cases these machines make people's lives better even if they themselves cannot quantify the benefits of the work being done and it's taken for granted.

Marine is locally owned and operated and with a majority of its workforce originating from your very own community why put the squeeze on them and delivering nothing but logistical issues and increased costs. Leading to less growth and less jobs. Please come up with a better solution to deal with actual nuisances.

I can only think of one other scenario that may be mitigated and that was the attempted ATM theft that damaged Millbrook mall. Desperate people do desperate things and no matter who's equipment was available anything would have work to a desperate person it was more or less a side effect of drug abuse. Also maybe you could communicate with the businesses around here that operate machinery like marine, west coast excavating and Johnson's to see if some solution could be found so the theft of equipment would become a non issue.

Sorry for the rant btw.

Email from Resident:

I want to provide feedback as well as raise several concerns regarding the proposed amendments to the Commercial Motor Vehicle Regulations in the City of Corner Brook.

-If small business owners and/or employees of these businesses can no longer park their work vehicles in their OWN driveway, where are they expected to park? What solutions has council come up with to offer these tax paying citizens of Corner Brook? Will they be expected to rent a parking space that is not attached to or adjacent to a residence, in a commercial area of town? Will they then be expected to purchase another smaller vehicle to get to and from their rented parking space? What other solution does council suggest to help solve this transportation problem? Have council members taken this into consideration?

-Why are large fifth wheel trailers that are bigger than some delivery trucks allowed to be parked in driveways? Shouldn't they also be forced to park elsewhere if they are over the weight limits? My family cannot afford such a luxury as a travel trailer. Pretty soon we will not be able to afford to keep our small business afloat if we keep facing issues like this that cause more expenses for us.

-Many commercial vehicles do not have a place of business to park at because their vehicle IS their place of business. If this amendment is passed, every delivery truck in Corner Brook will be affected. That is a lot of voting citizens. Small business owners are already hanging on by a thread financially. This is more than an inconvenience to them, this could actually have a very big impact on their bottom line. Would you then suggest to these tax paying business owners to move to a nearby town where they would be allowed to park in their own driveway?

To be clear, I am referencing commercial vehicles that are parked in private driveways. Commercial vehicles parked on roads is a separate issue and should be dealt with separately. No one should have an issue with what is parked on personal property of tax paying citizens who are working ten hour days, six days a week and don't get any paid vacation. Council should focus on more important issues facing this city.

I look forward to hearing this debated in the next council meeting.

Telephone conversation from Resident:

He do not think that commercial vehicles should be prohibited. He said that a delivery vehicle should be allowed to park in their own driveway. He said the City can't prohibit business vehicles. He stated that a loader/snow clearing equipment for a small business should not be prohibited to park on property if there is enough space then they should be allowed to park.

Draft regulation

**CITY OF CORNER BROOK
COMMERCIAL MOTOR VEHICLE REGULATIONS**

PURSUANT to the powers vested in it under Section 203, 254, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended, Sections 189 of the Highway Traffic Act, R.S.N.L. 1990, c. H-3, as amended, (a) delegation(s) of power by the Minister of Works, Services and Transportation dated and all other powers it enabling, the Corner Brook City Council, in a session convened on the 19th day of December, 2022, hereby passes and enacts the following regulations.

1. These Regulations may be cited as the City of Corner Brook Commercial Motor Vehicle Regulations.

Definitions:

2. In these Regulations:
 - (a) "Bus" means a motor vehicle, designed or used for the transportation of passengers with a seating capacity of 8 or more in addition to the driver, but excluding those motor vehicles when used for personal transportation by the owner or with the owner's permission but does not include a school bus;
 - (b) "City" means the City of Corner Brook;
 - (c) "Commercial Vehicle" means any motor vehicle designed or primarily used for commercial purposes and shall include, but is not limited to, a bus, truck trailer or tractor, dump truck, grader and trailer, but does not include buses engaged under an agreement with the City to provide public transportation under s. 227 of the City of Corner Brook Act;
 - (d) "Council" means Corner Brook City Council;
 - (e) "Director" means the Director of Community, Engineering, Development and Planning;
 - (f) "Highway" means a place or way, including a structure forming part of the place or way, designed and intended for, or used by, the public for the passage of traffic or the parking of vehicles and includes all the space between the boundary lines of the place or way.

- (g) "Inspector" means any official or employee of the City or other person or persons designated by Council or the Director to enforce the provisions of this Regulation and includes a Municipal Enforcement officer within the meaning of s. 211 of the City of Comer Brook Act;
 - (h) "Motor Vehicle" means a motor vehicle as defined under the Highway Traffic Act, R.S.N.L. 1990, c. H-3 as amended;
 - (i) "Park" means to permit a motor vehicle, whether occupied or not, to stand, otherwise than temporarily, for the immediate purpose of, and while actually engaged in loading or unloading goods or taking up or setting down passengers;
 - (j) "Prohibited Route" means the roads and routes described in Appendix "A" to this Regulation;
 - (k) "Taxi" means a motor vehicle, other than a bus, used to transport passengers for gain or reward.
 - (l) "Trailer" means a vehicle which has no motive power of its own and which is attached to a truck, or truck tractor or other motor vehicle but does not include:
 - i. an implement of husbandry temporarily attached to another vehicle,
 - ii. a side car attached to a motor cycle, or
 - iii. a tow dolly designed to be used to tow another motor vehicle where one or more axles of the towed vehicle rest on the tow dolly; and
 - (m) "Truck Tractor" means a motor vehicle designed and used primarily for drawing another vehicle and not so constructed as to carry a load other than a part of the mass of the vehicle load so drawn.
3. (a) No person shall cause to operate, permit to operate, or operate a Commercial Vehicle other than a Taxi within the City upon a Prohibited Route or in accordance with subsection (b), (c) or (d);
- (b) Upon written request, the Director or Council may issue a permit to operate a Commercial Vehicle on a Prohibited Route upon such terms and conditions as the Director or Council may specify in the permit;


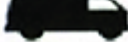




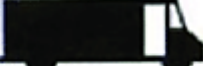
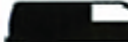
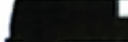




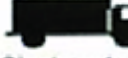



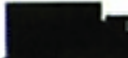

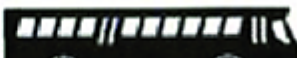
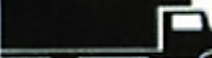

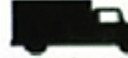






- (c) A person may operate a Commercial Vehicle in the City on a Prohibited Route, provided they are doing so to travel to a specified destination on the Prohibited Route for the conduct of business at that specified destination;
 - (d) Where a person is operating a Commercial Vehicle upon a Prohibited Route pursuant to subsection (c) proof of the conduct of business at the specified destination shall be produced upon request of the Inspector and the Prohibited Route shall not be used until reaching the intersection on the Prohibited Route nearest the specified destination;
4. (a) No person shall park or permit to be parked a Commercial Vehicle in any building used for residential purposes, on any land appurtenant to such building, in any accessory building on such land, or on any part of a Highway, road or street which fronts or is appurtenant to any such building, land or accessory building in any of the following zones as described in the City of Corner Brook Development Regulations as amended:
- 1. Residential Special Density;
 - 2. Residential Low Density;
 - 3. Residential Medium Density;
 - 4. Residential High Density;
 - 5. Mobile Home Residential; and
 - 6. Comprehensive Residential Development Area.
- (b) Notwithstanding the provisions of subsection 4(a), one Taxi may be parked or permitted to be parked in any building used for residential purposes, on any land appurtenant to such building, in any accessory building on such land, or on any part of a Highway which fronts or is appurtenant to any such building, land or accessory building in the said zones.
- (c) **Notwithstanding the provisions of subsection 4(a), one Commercial Vehicle with a maximum gross weight (M.G.W.) not to exceed 4,536 kilograms (10,000 lbs.) may be parked or permitted to be parked in any building used for residential purposes, on any land appurtenant to such building, in any accessory building on such land, or on any part of a Highway which fronts or is appurtenant to any such building, land or accessory building. The provisions of this subsection shall not apply to construction related Commercial Vehicles.**
5. The provisions of these Regulations shall not apply to:
- (a) motor vehicles owned by the City;
 - (b) motor vehicles of the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police or the Department of National Defense;

- (c) motor vehicles being used in the installation, repair or maintenance of a power or communications utility;
 - (d) ambulances responding to a call or transporting a patient; or
 - (e) motor vehicles lawfully parked in a metered parking space.
6. Where any person contravenes any of the provisions of these Regulations:
- (a) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment or both in accordance with s.438 of the City of Corner Brook Act; and
 - (b) such person may be issued a violation notice pursuant to section 280.1 of the City of Corner Brook Act.
7. Inspectors are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the City of Corner Brook Act for any contravention or failure to comply with these Regulations.
8. These regulations shall come into force as of the date enacted by Council and The Corner Brook Commercial Motor Vehicle Regulation, passed in or about 1976, and all amendments thereto, is hereby repealed upon the coming into force of these Regulations.

IN WITNESS WHEREOF these Regulations are sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of the Council by Mayor and City Clerk at Corner Brook, in the Province of Newfoundland and Labrador, this ____ day of _____, 2022.

Appendix "A" Designated Routes

Draft

 Minivan  Utility van  Multi-purpose  Full-size pickup	<p>CLASS 1 6,000 lb & less</p>	 Bucket  City delivery  Large walk-in	<p>CLASS 5 16,001 to 19,500 lb</p>
 Minivan  Utility van  Full-size pickup  Step van	<p>CLASS 2 6,001 to 10,000 lb</p>	 Beverage  School bus  Single-axle van  Rack	<p>CLASS 6 19,501 to 26,000 lb</p>
 Walk-in  Conventional van  City delivery	<p>CLASS 3 10,001 to 14,000 lb</p>	 Refuse  City transit bus  Furniture  Medium conventional	<p>CLASS 7 26,001 to 33,000 lb</p>
 Conventional van  City delivery  Large walk-in	<p>CLASS 4 14,001 to 16,000 lb</p>	 Dump  Heavy conventional  Cement  COE sleeper	<p>CLASS 8 33,001 lb & over</p>

Truck classifications by gross vehicle weight.