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 Monday, January 13, 2020 at**7:00 p.m.**. **Council Chambers.**

CITY CLERK

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	1	**CALL MEETING TO ORDER**
	2	**APPROVALS**
	2.1	Approval of Agenda
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7 - 9	2.3	Confirmation of Minutes, December 9, 2019
	3	**BUSINESS ARISING FROM MINUTES**
	3.1	Business Arising From Minutes
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11	4.1	Tax Sale Memo
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	6	**MUNICIPAL PLAN AND DEVELOPMENT REGULATION AMENDMENT**
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9 LAND MANAGEMENT

91 - 103 9.1 Request to Purchase City Land Adjacent to 192 Wheeler's Road

10 ADJOURNMENT

MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
COUNCIL CHAMBERS, CITY HALL
MONDAY, 2 DECEMBER, 2019 AT 7:00 PM

PRESENT:

Mayor	J. Parsons	R. Cumby, City Manager
Deputy Mayor	B. Griffin	D. Park, Director of Finance & Administration
Councillors:	T. Buckle	D. Charters, Director Community Engineering Development and Planning
	J. Carey	T. Flynn, Director of Protective Services
	L. Chaisson	D. Burden, Director of Public Works, Water and Waste Water Services
	V. Granter	M. Redmond, City Clerk
	B. Staeben	B. Tibbo, Seargent-At-Arms

The meeting was called to order at 7:00 p.m.

19-213 **Approval of Agenda**

On motion by Councillor V. Granter, seconded by Councillor T. Buckle, it is **RESOLVED** to approve the agenda for the Regular Meeting of Council, December 2, 2019, as circulated with the following addition:

- Corner Brook Minor Hockey - Financial Update.

MOTION CARRIED.

19-214 **Approval of Minutes**

On motion by Deputy Mayor B. Griffin, seconded by Councillor J. Carey, it is **RESOLVED** to approve the Minutes of the Regular Council Meeting of November 4, 2019, as presented. **MOTION CARRIED.**

19-215 **Business Arising From Minutes**

No items were brought forward.

19-216 **Proclamations**

The following proclamations were recognized

- National Diabetes Awareness
- 16 Days of Activism Against Gender-Based Violence
- Transgender Day of Remembrance
- International Day of Persons with Disabilities

19-217 **Combined Sewer Separation Phase 3 - Amendment No. 20**

On motion by Councillor V. Granter, seconded by Councillor B. Staeben, it is **RESOLVED** that the Council of the City of Corner Brook approve the PCA Amendment No. 20 for the Combined Sewer Separation Phase 3 2017-22 for Newfoundland Design Civil Limited in the amount of $24,111.56 (HST included). **MOTION CARRIED.**

19-218 **East Valley Road Waterline Upgrade - Change Order 1**

On motion by Councillor L. Chaisson, seconded by Councillor T. Buckle, it is **RESOLVED** that the Council of the City of Corner Brook approve the contract Change Order No. 1 between the Owner (City of Corner Brook) and Contractor (Marine Contractors Inc.) for the East Valley Road Waterline Upgrade for an increase in Contract for $130,211.05 (HST Included). **MOTION CARRIED.**

19-219 **East Valley Road Waterline Upgrade - Change Order No. 2**

On motion by Deputy Mayor B. Griffin, seconded by Councillor L. Chaisson, it is **RESOLVED** to approve the contract Change Order No. 1 between the Owner (City of Corner Brook) and Contractor (Marine Contractors Inc.) for the East Valley Road Waterline Upgrade for a change in Contract for $-100,252.06 (HST Included). **MOTION CARRIED.**

19-220 **Standing Offer-Hired Equipment Services, Contract No. 2019-48**

On motion by Councillor T. Buckle, seconded by Councillor B. Staeben, it is **RESOLVED** to approve the quotations for Hired Equipment Services, Contract No. 2019-48 as stated in the attached document for a five month period (December 22, 2019 - May 21, 2020) on a standing offer basis. **MOTION CARRIED.**

19-221 **Adopt-a-Hydrant Contest 2019-20**

Details on the Adopt-a-Hydrant Program was presented. Residents were encouraged to participate.

19-222 **Winter Parking Ban**

Councillor T. Buckle read a prepared statement in regards to the Winter Parking Ban. There will be no on-street parking between the hours of 12:00 midnight and 8:00 a.m. Violators may be subject to a fine and the towing of their vehicles.

19-223 **2020 Tax Sale**

On motion by Councillor J. Carey, seconded by Councillor T. Buckle, it is **RESOLVED** that Council approve the advertising and sale of the following properties at a tax sale auction in accordance with section 162 of The City of Corner Brook Act.

Parcel ID	Property Address	Parcel ID	Property Address
214-236	Burtons Lane	046-663	27 Humber Road
214-237	Burtons Lane	047-855	O'Connell Drive
045-282	Farmdale Road	048-148	5 Peddles Lane

045-288	10 Farmdale Road	194-926	Petries Street
045-644	Gearyville Road	049-917	25 Tudor Street
045-649	Gearyville Road	050-244	41 Washington St

MOTION CARRIED.

19-224 **Corner Brook Minor Hockey - Financial Update**

There was some discussion regarding outstanding funds owed by Corner Brook Minor Hockey to the City of Corner Brook. Mayor Parson presented an overview of action undertaken by the City. He reported the minor hockey Association is working with the City to resolve this matter.

19-225 **Budget 2020**

On motion by Councillor B. Staeben, seconded by Councillor J. Carey, **it is RESOLVED** in accordance with the City of Corner Brook Act to approve the attached rates for the 2020 taxation year.

On motion by Councillor B. Staeben, seconded by Councillor T. Buckle **it is RESOLVED** in accordance with the City of Corner Brook Act to approve the attached Schedule of Rates & Fees, to take effect January 1, 2020. **MOTION CARRIED.**

On motion by Councillor B. Staeben, seconded by Deputy Mayor B. Griffin **it is RESOLVED** in accordance with the City of Corner Brook Act to approve an annual rate of interest of 10.5% to be levied on all past-due taxes and accounts receivable on a monthly basis in 2020. **MOTION CARRIED.**

On motion by Councillor B. Staeben, seconded by Deputy Mayor B. Griffin **it is RESOLVED** in accordance with the City of Corner Brook Act to approve the 2020 budget with operating revenues and expenditures totalling $36,558,400. **MOTION CARRIED.**

The meeting adjourned at 8:00 p.m.

City Clerk

Mayor

REQUEST FOR DECISION
CHIEF ADMINISTRATIVE OFFICER

SUBJECT: Confirmation of Minutes of Council in Committee Meeting of 13 January, 2020.

Description: In accordance with section 41 of the City of Corner Brook Act, the following motions are being brought forward for ratification.

It is resolved to ratify minute CC19-86 – Approval of Agenda

On motion by Councillor J. Carey, seconded by Councillor L. Chaisson, it is **RESOLVED** to approve the agenda for the Council in Committee meeting, December 9, 2019, with the following additions:

- Discretionary Use 42 Pinegrove Avenue
- Land Acquisition – 51 Lundrigan Drive
- Property - Adjacent to 192 Wheeler's Road
- Splash Pad Project

MOTION CARRIED.

It is resolved to ratify minute CC19-88 – Approval of Minutes

The minutes of the Council in Committee meetings held on:

- August 1st and 5th, 2019
- September 23rd & 30th, 2019
- October 21st & 28th, 2019

were accepted, as presented. **MOTION CARRIED**

It is resolved to ratify minute CC19-90- Road Train Purchase and Sale Agreement

On motion by Councillor T. Buckle, seconded by Councillor V. Granter, it is **RESOLVED** that the Council of the City of Corner Brook authorize staff to execute a purchase and sale agreement with Murphy Sailing Tours Limited to purchase the train engine, three (3) wagons and approximately $15,000 worth of spare parts for $75,000 HST Included. **MOTION CARRIED.**

It is resolved to ratify minute CC19-91 – World Council on City Data Agreement

On motion by Councillor T. Buckle, seconded by Deputy Mayor B. Griffin, it is **RESOLVED** that the Council of the City of Corner Brook enter into an agreement with World Council on City Data (WCCD) of Toronto, ON, for a period of three (3) years effective upon date of signing. **MOTION CARRIED.**

It is resolved to ratify minute CC19-92- Funding Request – Emergency Mobile Response Vehicle

Request for Funding - Salvation Army Emergency Mobile Response Vehicle

On motion by Deputy Mayor B. Griffin, seconded by Councillor B. Staeben, it is **RESOLVED** that the City of Corner Brook authorize funding of $5,000.00 to be disbursed upon the purchase of an Emergency Disaster Service vehicle designed to provide Emergency Response Food services to the residents of Corner Brook. **MOTION CARRIED.**

It is resolved to ratify minute CC19-93- Provisioning of Medical Service – Corner Brook Fire Department

On motion by Councillor B. Staeben, seconded by Councillor J. Carey, it is **RESOLVED** that the company known as ”Fit for Work” be selected as the service provider for the Corner Brook Fire Department for the conducting of medical examinations, as per the Request for Proposals titled ”Provision of Medical Services for the City of Corner Brook", and that payment of $738.50 plus HST is provided for each full medical examination conducted, for a 3 year term effective December 15, 2019 to December 15, 2022. **MOTION CARRIED.**

It is resolved to ratify minute CC19-94- Disposal of Used Zamboni

On motion by Councillor B. Staeben, seconded by Councillor L. Chaisson, it is **RESOLVED** that Corner Brook City Council sell the 1997 Zamboni to the Meadows Recreation Committee for the amount of $5,000.00 (taxes included). **MOTION CARRIED.**

It is resolved to ratify minute CC19-095- 42 Pinegrove Avenue - Discretionary Use

On motion by Councillor L. Chaisson, seconded by Deputy Mayor B. Griffin, it is **RESOLVED** that the Council of the City of Corner Brook approve the application to operate a home based business (hair/nail salon) from the dwelling located at 42 Pinegrove Avenue in accordance with Regulation 11 - Discretionary Powers of Authority. **MOTION CARRIED.**

It is resolved to ratify minute CC19-096- Land Acquisition – 51 Lundrigan Drive

On motion by Deputy Mayor B. Griffin, seconded by Councillor L. Chaisson, it is **RESOLVED** to authorize staff to enforce the terms of the purchase and sale agreement as it pertains to the property at 51 Lundrigan Drive and to take back the property. **MOTION CARRIED.**

It is resolved to ratify minute CC19-98 – Splash Pad Expenditure

Splash Pad

On motion by Councillor J. Carey, seconded by Councillor L Chaisson, it is **RESOLVED** to approve a revised budget of $328,142.76 related to the Splash Pad project **MOTION CARRIED**

It is resolved to ratify minute CC19-99- Corner Brook Port Corporation - Nomination for Appointment to Board of Directors

Mayor Parsons exited the meeting room during discussion and voting on this agenda item. Deputy Mayor Griffin chaired the remained of the meeting.

On motion by Councillor B. Staeben, seconded by Councillor V. Granter, it is **RESOLVED** to nominate Ms. Deanne Penney as the City of Corner Brook representative to the Corner Brook Port Corporation Board of Directors. **MOTION CARRIED.**

Council Briefing Note
Property Tax Sales

Mister Mayor, the City will hold a property tax sale on January 15, 2020. At this sale, there are six properties made available for sale. A total of eight properties are up for auction to be sold. Any properties that remain unsold on January 15 will go for auction on January 23rd. The properties to be sold are:

- Parcel ID: 045-282 Farmdale Road
- Parcel ID: 045-288 10 Farmdale Road
- Parcel ID: 046-663 27 Humber Road
- Parcel ID: 047-855 O'Connell Drive
- Parcel ID: 048-148 5 Peddles Lane
- Parcel ID: 194-926 25 Petries Street
- Parcel ID: 049-917 25 Tudor Street
- Parcel ID: 050-244 41 Washington Street

The Tax Sale will take place on Wednesday, January 15 at 10:00 AM in the Hutchings Room at City Hall.

The properties that are being listed for sale are properties that are seriously in arrears for taxes to the City of Corner Brook. The City only takes this action as a last resort on properties that are not the primary residence of the property owner.

The City will continue these efforts on additional properties where action is necessary to recover outstanding balances on delinquent accounts.

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: Capital Investment Plan - Gas Tax Agreement	
Report Information	
Department: Finance & Administration	**Attachments:** Capital Investment Plan – Gas Tax Revised
Prepared By: Dale Park	**Council Meeting Date:** January 13, 2020

Recommendation:

That Council approve the reduction of $8,966.33 from project # 60-2011-1513 and reallocation to 2019-2014 project # 60-2019-6743, and approve the revised 2019-2024 Capital Investment Plan as attached.

It is RESOLVED to reduce the approval amount for project #60-2011-1513 and reallocate to project # 60-2019-6743.

Be it FURTHER RESOLVED to approve the submission of the Revised Capital Investment Plan for the period 2019-2024 for $5,304,955.33 as attached.

Issue:

The City's Capital Investment Plan (CIP) requires an update for the new allocation identified in 2019 and a small reallocation related to 2011.

Background:

The CIP is required to be completed by a municipality to identify where they will be allocating their gas tax funds. Project 60-2011-1513 from 2011 has a remaining balance of $8,966.33 that must be reallocated to the current 2019-2024 CIP. In addition, there was $929,327 in incremental gas tax allocation approved in 2019 that was not covered under the previous CIP that must now be added.

Options:

1. In order to utilize the Gas Tax funding, Council needs to approve the reallocation of the funds, and the revised Capital Investment Plan.
2. If Council does not approve the revised CIP, the funding can not be utilized.

Legal Review:

None

Governance Implications:

None

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Budget/Financial Implications:

These funds are to be used for the asphalt paving program.

Environmental Implications:

None.

Prepared by: Dale Park	[redacted]
Director: Dale Park	[redacted]
City Manager: Rodney Cumby	[redacted]
Date: Dec 17/19	[redacted]

Additional Comments by City Manager:

CAPITAL INVESTMENT PLAN APPLICATION

- A electronic copy of this template is available at: http://www.mae.gov.nl.ca/for/gta.html

Contact Information:

Name of Municipality/Inuit Community Government: City of Corner Brook
Contact Name: Dale Park
Phone: 709-637-1563

Is this a Revised Project: Yes X
No

If yes, please indicate Project Number: 60-2019-6743

Identification of Proposed Project:

Project Title: Road and Asphalt Improvements

Eligible Project Category:
Tick **one** of the appropriate categories

- X **Local Roads and Bridges**
- ☐ **Highways**
- ☐ **Short-sea Shipping**
- ☐ **Short-line rail**
- ☐ **Brownfield Redevelopment**
- ☐ **Broadband Connectivity**
- ☐ **Public Transit**
- ☐ **Cultural Infrastructure**
- ☐ **Tourism Infrastructure**
- ☐ **Drinking Water**
- ☐ **Wastewater**
- ☐ **Solid Waste**
- ☐ **Community Energy Systems**
- ☐ **Sport Infrastructure**
- ☐ **Recreational Infrastructure**
- ☐ **Disaster Mitigation**
- ☐ **Capacity Building**

1) Description of the proposed project, including the project location.
(If other municipalities are involved in this project, please indicate the names of the municipalities. Provide the specific location (street name) of the project and a site map or plan, if available)

The City of Corner Brook is proposing to use the full gas tax allocation for 2019-2024 for Road and Asphalt Improvements. The City utilizing Paver pavement management system to identify the priority areas each year for its asphalt program. The specific locations cannot be identified at this time. The cost estimates for each section of road to be improved would be available each year once the tender for the work is awarded. The amended amount is a reallocation of $8,966.33 from project # 60-2011-1513, and $929,327 from the incremental allocation approved in 2019.

2) Proposed Project Financing

(A) Gas Tax Funding	(B) Municipal Funding	(C) Provincial Funding	(D) Other Federal Funding	(E) Other Funding	(A)+(B)+(C)+(D)+(E) Total Estimated Project Cost
$5,304,955.33					$5,304,955.33

- Does this project require signage, as per the Infrastructure Project sign Design and Installation Guidelines (http://www.mae.gov.nl.ca/for/gta.html.)

  Yes **X**

  No ☐

  If yes, please ensure the cost is included in the Total Estimated Project Cost and a quote is attached.

  - Will this project receive (or has the project received) funding from other provincial/federal programs? Y **N**
  - If yes, please indicate the name of the provincial/federal program(s), as well as the associated project number:

    The City is also anticipating completing other asphalt and paving programs separate from the Gas Tax allocation, however they would be funded separately under MYC or other approved funding programs.

  - What is the estimated starting date of the proposed project? June 2019
  - What is the estimated completion date of the proposed project? November 2024

3) How will this project provide a beneficial impact on your community?

   The improvements in the City paving and road infrastructure will result in more efficient transportation routes and lowering of greenhouse gases.

4) Does this project relate to infrastructure owned by the municipality/ICG? **Y** N

   If no, who owns the infrastructure? _____

REMINDER: Attach the cost estimate and resolution of council for your proposed project.

Submit completed application to:

Gas Tax Secretariat
Department of Municipal Affairs and Environment
Confederation Building, West Block
P.O. Box 8700
St. John's, NL
A1B 4J6

Facsimile: (709) 729-3605
E-mail: gastax@gov.nl.ca

Questions:
Please call 1-877-729-4393 or E-mail: gastax@gov.nl.ca

Park, Alicia

From: Gover, Ashley <AshleyGover@gov.nl.ca>
Sent: December 5, 2019 1:56 PM
To: Park, Dale
Subject: Gas Tax Project
Attachments: ATT00001.txt

Dale

According to the City's project list, Project #: 60-2011-1513 – Upgrade of Various Roads, there is $8,966.33 remaining to be spent but the project was reported as completed. If this project is completed can you please send me a resolution of council to reduce the approval amount by $8,966.33 for a revised approval amount of $2,970,458.72. This will free up the unspent funds and allow you to apply it towards another project.

Thank you,

Ashley Gover, CPA, CGA
Manager, Gas Tax Administration
Gas Tax Secretariat
Department of Municipal Affairs and Environment
4th Floor, West Block
P.O. Box 8700
St. John's, NL A1B 4J6

To: Corner Brook City Council
From: Todd Flynn, Director of Protective Services
Subject: **Protective Services Update for December 2019**
Date: January 9th, 2020

MEMORANDUM

Protective Services statistics for December 2019 are as follows:

Municipal Enforcement Officers received 63 calls for services as follows:

By-law Enforcement:
- 5 Untidy property investigations
- 1 Uncovered garbage; 0 Without Covering, 1 With Covering
- 4 Depositing snow in roadway
- 3 Impeding snow clearing
- 6 Rats
- Various other complaints

Taxi Regulation:
- 7 Taxi Driver Permits
- 1 Taxi Vehicle Permits

Animal Control:
9 Calls for Service were received that included:
- 1 Barking dog
- 7 Roaming animals
- 4 Violations issued

Parking Enforcement:
114 Parking related violations were issued that included:
- 93 Expired meters
- 4 Accessible Parking Regulations
- 6 No Parking / No Stopping
- Various other parking violations (Loading Zone, Wrong Direction, unattended vehicle etc.)

Corner Brook Fire Department Received 56 Calls for services that included:
- 4 Motor Vehicle Accidents- Multiple Injuries
- 13 Motor Vehicle Accidents- No Injuries
- 1 Motor Vehicle Accident Entrap
- 14 Alarm Bells (Commercial)/Alarm Ringing
- 4 Alarm Bells (Residential)/Alarm Ringing

- 5 Carbon Monoxide
- 1 Non-Emergency
- 1 Garbage Fire
- 1 Emergency Medical
- 1 Extra Service
- 2 Structure Fire Residential
- 4 Chimney Fire
- 1 Wire Down
- 1 Explosion
- 1 Order
- 1 Pole Fire

Corner Brook Fire Department also conducted Fire and Life Safety Inspections including:

- 7 Commercial Inspections
- 6 Re-Inspections
- 2 Home Oxygen Inspections

911 PSAP received 3259 calls for emergencies as follows:

- 728 - Ambulance
- 576 - Police
- 181 - Fire
- Other
  - 6 Crises
  - 1 Natural Resources
  - 1 RoCP
  - 11Testing
- 1755 - Non-Transferred

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: Adoption of proposed Municipal Plan and Development Regulations Amendments MP/DR19-03 – Zone Change - Comprehensive Residential Development Area (CRDA) to Residential Medium Density (RMD); 701 O'Connell Drive	
Report Information	
Department: Community, Engineering, Development and Planning	**Attachments:** Location Mapping
Prepared By: Deon Rumbolt	**Council Meeting Date:** January 13, 2020

Issue:
The principal purpose of proposed Municipal Plan Amendment MP19-03 and Development Regulations Amendment DR19-03 (henceforth the "Amendments") is to allow Council to consider approval of a single dwelling on the subject property, which is currently, split zoned 'Comprehensive Residential Development Area (CRDA)' and 'Residential Medium Density (RMD).' A single dwelling is a prohibited use in the CRDA future land use designation and use class. The proposed Amendments would re-designate and re-zone the CRDA portion of the subject property to RMD to allow the proposed development.

Background:
This is the second council reading of three readings, which are required to approve this amendment.

The owners are proposing to construct a single dwelling, as the area has recently been serviced with municipal water. The property also has access to municipal sanitary sewer service. There is an existing, provincially-approved and constructed access onto O'Connell Drive. The proposed use is a single dwelling, which is a permitted use in the RMD zone.

The CRDA portion of the lot is proposed to be re-designated and re-zoned to RMD. The proposal is supported by IMSP Policy 9.4.1, (Staging of Development – Residential) which addresses small CRDA designations and zones in proximity to existing streets and services.

Recommendation: Staff Recommend Option 1 and the following motions be supported:

Be it **RESOLVED** that the Council of the City of Corner Brook:

(1) Adopt proposed map amendments MP19-03 to the City of Corner Brook's Integrated Municipal Sustainability Plan 2012;

(2) Adopt proposed map amendments DR19-03 to the City of Corner Brook's 2012 Development Regulations;

(3) Set February 6, 2020, 7:00 p.m. in the Hutchings Room at City Hall for the tentative Public Hearing;

(4) Authorize staff to give statutory notice of adoption of the proposed amendments;

(5) Authorize staff to cancel the Public Hearing in the event that no objections are received, or no member of the public expresses intent to attend the Public Hearing, 48 hours prior to the tentative Public Hearing; and

(6) Appoint Gerard J. Martin, Q.C. to preside over the scheduled Public Hearing.

OPTIONS:

(1) That the City of Corner Brook adopt the proposed amendments as outlined above;

(2) That the City of Corner Brook refuse adoption of the proposed amendments as outlined above; or

(3) That the City of Corner Brook postpones adoption of the proposed amendments, requesting additional information from staff.

IMPLICATIONS OF RECOMMENDATION

The adoption of the proposed amendments would be indication that Corner Brook City Council supports the proposal as presented, with the intent to hear any objections and representations of the public prior to rendering a final decision on the proposal. If Council is not supportive with the proposal as is, and would like staff to provide additional information and/or revise the proposed amendments, Council is advised to do so at this stage in the process.

Financial implications of adoption include advertising the proposal twice in the newspaper and retaining commissioner services to preside over the Public Hearing. The cost of commissioner services are anticipated to be substantially reduced in the event the Public Hearing is cancelled 48 hours prior to the scheduled date/time.

FIRST COUNCIL READING:

At a regular meeting of Council held on August 26, 2019 and pursuant to section 14 of the *Urban and Rural Planning Act, 2000* (henceforth the "Act"), Council resolved to proceed with public consultation for the above-noted proposed amendments to the Municipal Plan and Development Regulations. The amendments were posted on the City's website on September

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

18, 2019. Members of the public were invited to inspect the proposal at City Hall; however, staff received no inquiries on the submission. In accordance with section 15 of the Act, the Local Governance and Planning Division of the Department of Municipal Affairs and Environment issued their release of the proposed amendments on October 23, 2019.

Legislative Authority: *Urban and Rural Planning Act, 2000*: sections 16, 17, 18, 19, and 21

Estimated Cost: (1) Two newspaper publications (Western Star), and (2) Commissioner services (variable)

Budget Line Item: Municipal Plan Amendments

Communication Strategy:
In accordance with section 17 of the Act, Notice of Adoption and Public Hearing must be advertised twice in a local newspaper (Western Star) prior to the Public Hearing. The first notice must be published no sooner than 14 days prior to the tentative Public Hearing; and the second notice must be posted any time between the first notice and the tentative date of the Public Hearing. As with the public consultation stage, the notices will request written comments/representations from the public that may support or oppose the proposed amendments. The same will be advertised on the City's Integrated Municipal Sustainability Plan / Development Regulations Amendments web page and posted in the lobby at City Hall.

If Council adopts and gives final approval of the proposed amendments, the next required public communication in the newspaper will include Notice of Registration in accordance with subsection 24(2) of the Act.

STANDING COMMITTEE COMMENTS: Implication:

BACKGROUND: Report/Document:

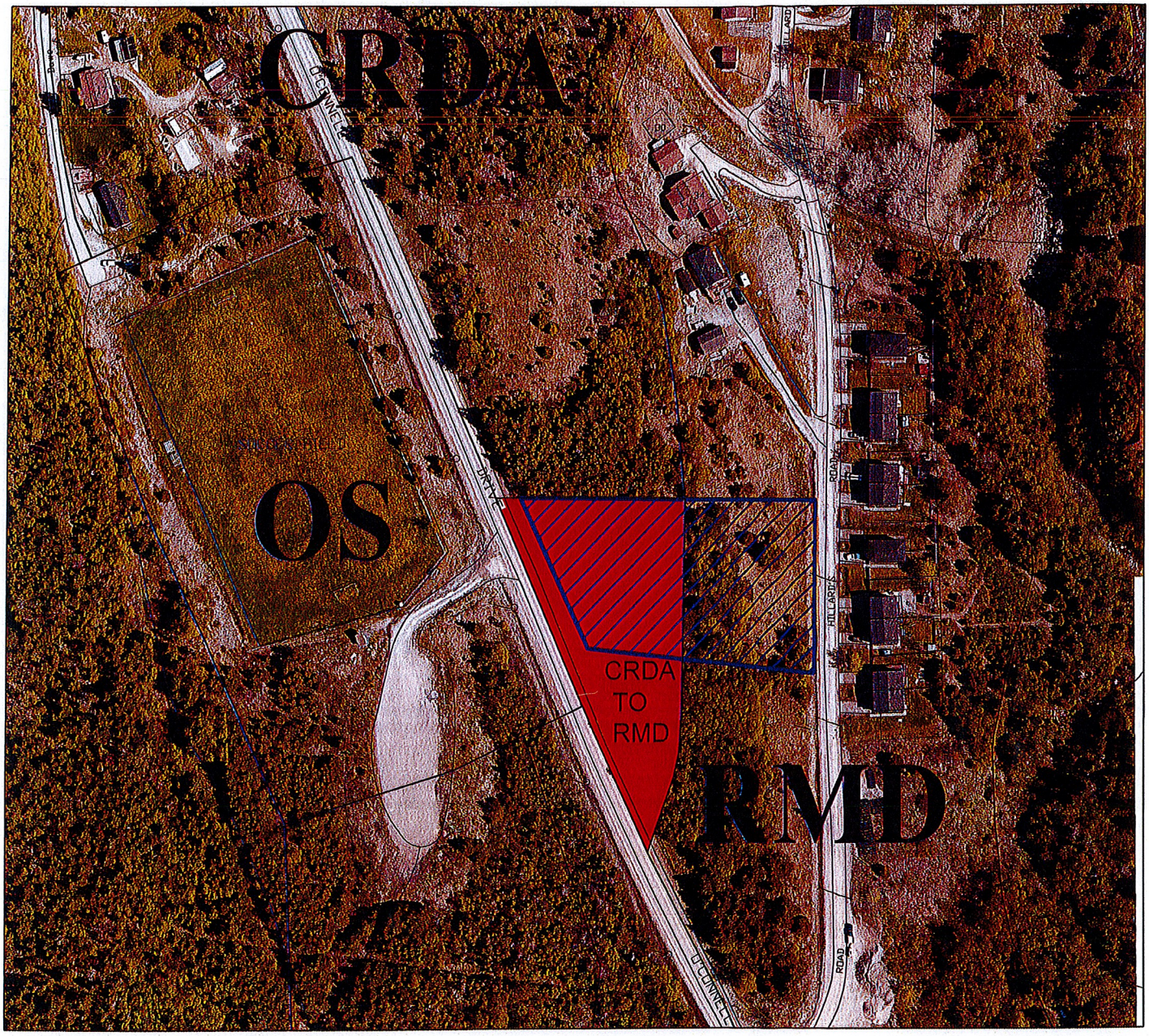
- Proposed Amendment MP19-03; and
- Proposed Amendment DR19-03.

Prepared by: Deon Rumbolt	[redacted]
Director: Darren Charters	
City Manager: Rodney Cumby	
Date: Jan 9, 2020	

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Additional Comments by City Manager:

CITY OF CORNER BROOK			
LAND USE DESIGNATION / ZONING AMENDMENTS	DR19-03 MP19-03	CURRENT DESIGNATION / ZONE: Comprehensive Residential Development Area	PROPOSED DESIGNATION / ZONE: RESIDENTIAL / RESIDENTIAL MEDIUM DENSITY
LOCATION: 701 O'Connell Drive			
AFFECTED MAPS: LAND USE ZONING MAP C-1 & C-5; GENERALIZED FUTURE LAND USE - MAPS A & B			



PROJECT:	AMENDMENT NOTES:
INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012 - PROPOSED LAND USE DESIGNATION AND LAND USE ZONING AMENDMENTS	These changes are proposed to accommodate residential development. LEGEND BLUE HATCH - PROPERTY BOUNDARY RED HATCH - CRDA TO RMD
City of Corner Brook Community Engineering Development & Planning Division DATE: September 2019 NOT TO SCALE	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 DESCRIPTION. .

Integrated Municipal Sustainability Plan 2012

Municipal Plan Amendment No. MP19-03

701 O'Connell Drive

January 2020

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

MUNICIPAL PLAN AMENDMENT NO. MP19-03

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the City of Corner Brook adopts Municipal Plan Amendment No. MP19-03 to the City of Corner Brook's Integrated Municipal Sustainability Plan 2012.

Adopted by the City Council of Corner Brook on the____day of_____, 2020.

SIGNED AND SEALED this_____day of_____, 2020.

Mayor: _____

City Clerk:_____ (Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

M.C.I.P. _____

Date: _____

(M.C.I.P. Seal)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

CITY OF CORNER BROOK

MUNICIPAL PLAN AMENDMENT MP19-03

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

a) Adopted Municipal Plan Amendment MP19-03 on the____day of_____, 2020;

b) Gave notice of the adoption of Municipal Plan Amendment MP19-03 by advertisement inserted on the _____day of _____ and the _____day of _____, 2020 in the Western Star newspaper; and

c) Set the____day of_____, 2020 at 7:00 p.m. at the Corner Brook City Hall for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of Corner Brook **approves** Municipal Plan Amendment MP19-03, as adopted, this _____day of_____, 2020.

SIGNED AND SEALED this_____day of_____, 2020.

Mayor: _____

Clerk:_____ (Council Seal)

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2. Purpose 3
3. Public Consultation 4
4. Provincial Release 4
5. Adoption by Council and Public Hearing 4
6. Approval by Council 4
7. Amendment Statement 4

1. Type

Municipal Plan Amendment No. MP19-03 to the City of Corner Brook's Integrated Municipal Sustainability Plan 2012 (henceforth the "Amendment") is a map amendment.

2. Purpose

The principal purpose of proposed Municipal Plan Amendment MP19-03 is to allow Council to consider approval of a single dwelling on the subject property, 701 O'Connell Drive, which is currently, split designated 'Comprehensive Residential Development Area (CRDA)' and 'Residential (RES)' (also see associated Development Regulations Amendment DR19-03).

A single dwelling is a prohibited use in the CRDA future land use. The proposed Amendments would re-designate and re-zone the CRDA portion of the subject property to RES and RMD to allow the proposed development.

The property owners are proposing to construct a single dwelling, as the area has recently been serviced with municipal water. The property also has access to municipal sanitary sewer service. There is an existing, provincially-approved and constructed access onto O'Connell Drive. The proposed use of a single dwelling is a permitted use in the RMD zone.

The CRDA portion of the lot is proposed to be re-designated to RES. The proposal is supported by IMSP Policy 9.4.1, (Staging of Development – Residential) which addresses small CRDA designations and zones in proximity to existing streets and services. This amendment includes some adjacent split designated city owned lands as well as a small

undevelopable parcel currently within the CRDA designation, as these parcels are all contiguous and benefit from the designation change to RES and the zone change to RMD. This change also impacts the integrity of the CRDA designated and zoned lands in this area creating 2 smaller CRDA zones/designations. Additional changes to this CRDA area will be forthcoming as we see potential development occurring in this area which will require future amendments.

3. Public Consultation

In accordance with section 14 of the Act, City staff conducted public consultation by advertising Amendments on the City's website September 18, 2019. Notice was also published in the Western Star newspaper on September 25, 2019. City staff provided the public with chance to inspect and provide comments on the Amendment. No concerns or objections were raised during the public consultation stage of the proposed amendment.

4. Provincial Release

October 23, 2019

5. Adoption by Council and Public Hearing

TBD

6. Approval by Council

TBD

7. Amendment Statement

The City of Corner Brook's Integrated Municipal Sustainability Plan 2012 is amended as follows:

The City of Corner Brook's Integrated Municipal Sustainability Plan 2012 – Generalized Future Land Use Maps A and B are amended by changing the land use designation of the affected area at 701 O'Connell Drive from Comprehensive Residential Development Area (CRDA) designation to Residential (RES) designation.

2012 Development Regulations

Development Regulations Amendment No. DR19-03

701 O'Connell Drive

September, 2019

URBAN AND RURAL PLANNING ACT, 2000

CITY OF CORNER BROOK

RESOLUTION TO ADOPT

DEVELOPMENT REGULATIONS AMENDMENT NO. DR19-03

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the City of Corner Brook adopts Development Regulations Amendment No. DR19-03 to the City of Corner Brook's 2012 Development Regulations.

Adopted by the City Council of Corner Brook on the _____day of _____, 2020.

SIGNED AND SEALED this _____ day of _____, 2020.

Mayor: _____

City Clerk: _____ (Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

M.C.I.P. _____

Date: _____

(M.C.I.P. Seal)

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
CITY OF CORNER BROOK
DEVELOPMENT REGULATIONS AMENDMENT DR19-03

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

a) Adopted Development Regulations Amendment DR19-03 on the 13th day of January, 2020;

b) Gave notice of the adoption of Development Regulations Amendment DR19-03 by advertisement inserted on the 22nd and 29th days of January, 2020 in the Western Star newspaper; and

c) Set the 6th day of February, 2020 at 7:00 p.m. at the Corner Brook City Hall for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of Corner Brook **approves** Development Regulations Amendment DR19-03, as adopted, this _____ day of _____, 2020.

SIGNED AND SEALED this _____ day of _____, 2020.

Mayor: _____

Clerk: _____ (Council Seal)

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1. Type 3
2. Purpose 3
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6. Amendment Statement 4

1. Type

Development Regulations Amendment No. DR19-03 to the City of Corner Brook's 2012 Development Regulations (henceforth the "Amendment") is a map amendment.

2. Purpose

The principal purpose of proposed Development Regulations Amendment DR19-03 is to allow Council to consider approval of a single dwelling on the subject property, 701 O'Connell Drive, which is currently, split zoned 'Comprehensive Residential Development Area (CRDA)' and 'Residential Medium Density (RMD)' (also see associated Municipal Plan Amendment MP19-03).

3. Public Consultation

In accordance with section 14 of the Act, City staff conducted public consultation by advertising the Amendment on the City's website on September 18, 2019. Notice was also published in the Western Star newspaper on September 25, 2019. City staff provided the public with opportunity to inspect and provide comments on the Amendment. No concerns or objections were raised during the public consultation stage of the proposed amendment.

4. Adoption by Council and Public Hearing

TBD

5. Approval by Council

TBD

6. Amendment Statement

The City of Corner Brook's 2012 Development Regulations – Land Use Map C1 is amended by changing the land use zone of the affected area at 701 O'Connell Drive from Comprehensive Residential Development Area (CRDA) to Residential Medium Density (RMD).

City of Corner Brook

PUBLIC CONSULTATION NOTICE

Please take notice that the Corner Brook City Council adopted proposed amendments MP19-03 and DR19-03 to the City's Integrated Municipal Sustainability Plan 2012 (i.e. the Municipal Plan) and 2012 Development Regulations respectively at a regular meeting of Council held on January 13, 2020.

Municipal Plan Amendment MP19-03 would allow Council to consider the approval of a land use re-designation from 'Comprehensive Residential Development Area (CRDA)' to 'Residential (RES)' designation. The Development Regulations Amendment DR19-03 would allow Council to consider the approval of a land use re-zoning from 'Comprehensive Residential Development Area (CRDA)' to 'Residential Medium Density (RMD)', to allow for the construction of a single dwelling at 701 O'Connell Drive. A single dwelling is a prohibited use in the CRDA future land use designation and zone. The proposed Amendments would re-designate and re-zone the CRDA portion of the subject property to RES and RMD to allow the proposed development. The proposed amendments are mapping changes.

If you would like to view the proposed amendments or receive more information on the proposal, please visit the City website here http://www.cornerbrook.com/imsp-development-regulation-admendments/ , call 637-1553 to speak with the Planner, or visit the Community, Engineering, Development and Planning Department during regular business hours , Monday to Friday between 8:30am and 4:30pm (see address below).

A public hearing to hear objections and representations on the proposal is scheduled for 7:00 p.m., February 6, 2020 in the Hutchings Room at City Hall (5 Park Street, Corner Brook). If you have objections to the proposal, please submit them in writing to the City Clerk at The City of Corner Brook, P.O. Box 1080, Corner Brook, NL A2H 6E1.

In accordance with subsection 21(1) of the *Urban and Rural Planning Act, 2000*, the public hearing may be cancelled if no objections are received, or no person expresses intent to attend the public hearing, 48 hours prior to the date/time of the scheduled public hearing (7:00p.m., February 4, 2020).

Marina Redmond
City Clerk

Recently Proposed Amendments

MP/DR 19-03 – CRDA to RMD

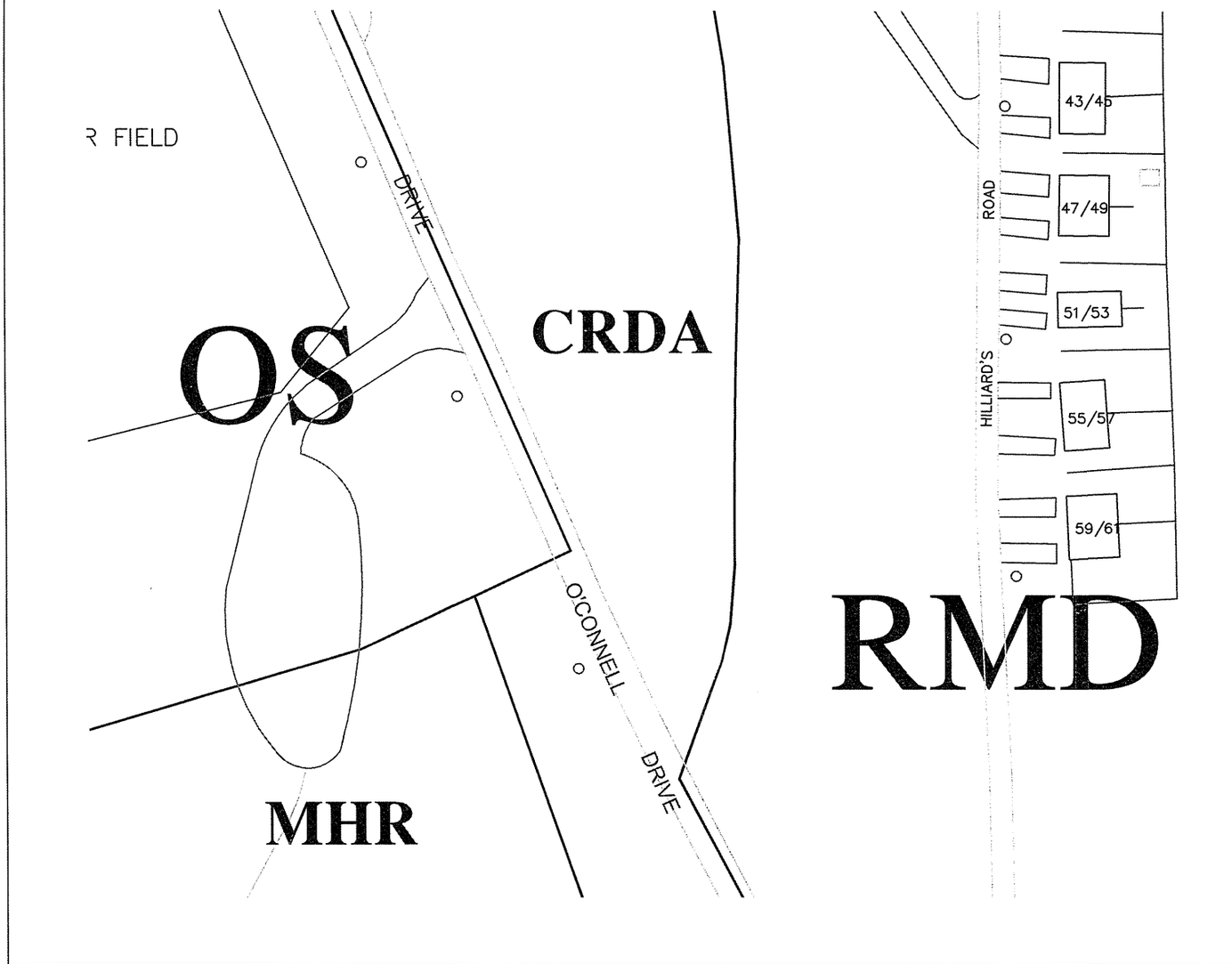
Proposed Amendment to Municipal Plan and Development Regulations to re-designate and re-zone from Comprehensive Residential Development Area (CRDA) to a Residential designation and Residential Medium Density (RMD) to permit a single dwelling.

Please take notice that the Corner Brook City Council adopted proposed amendments MP19-03 and DR19-03 to the City's Integrated Municipal Sustainability Plan 2012 (i.e. the Municipal Plan) and 2012 Development Regulations respectively at a regular meeting of Council held on January 13, 2020.

Municipal Plan Amendment MP19-03 would allow Council to consider the approval of a land use re-designation from 'Comprehensive Residential Development Area (CRDA)' to 'Residential (RES)' designation. The Development Regulations Amendment DR19-03 would allow Council to consider the approval of a land use re-zoning from 'Comprehensive Residential Development Area (CRDA)' to 'Residential Medium Density (RMD)', to allow for the construction of a single dwelling at 701 O'Connell Drive. A single dwelling is a prohibited use in the CRDA future land use designation and zone. The proposed Amendments would re-designate and re-zone the CRDA portion of the subject property to RES and RMD to allow the proposed development. The proposed amendments are mapping changes.

Public Notice (click to view)

Associated Documents: **MP/DR19-03: Mapping (click to view)**



LEGEND

ZONING BOUNDARY

Zone Title	Zone Symbol
Residential Medium Density	RMD
Mobile/Mini Home Residential	MHR
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

FOR DEVELOPMENT REGULATIONS 2012

DRAWING TITLE:

LAND USE ZONING MAP C1 (EXISTING)

City of Corner Brook
Community Services Department
Planning Division

DATE: October 2019

SCALE: 1:1250

DESCRIPTION

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 _____ has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

M.C.I.P _____

DATE _____ (M.C.I.P SEAL)

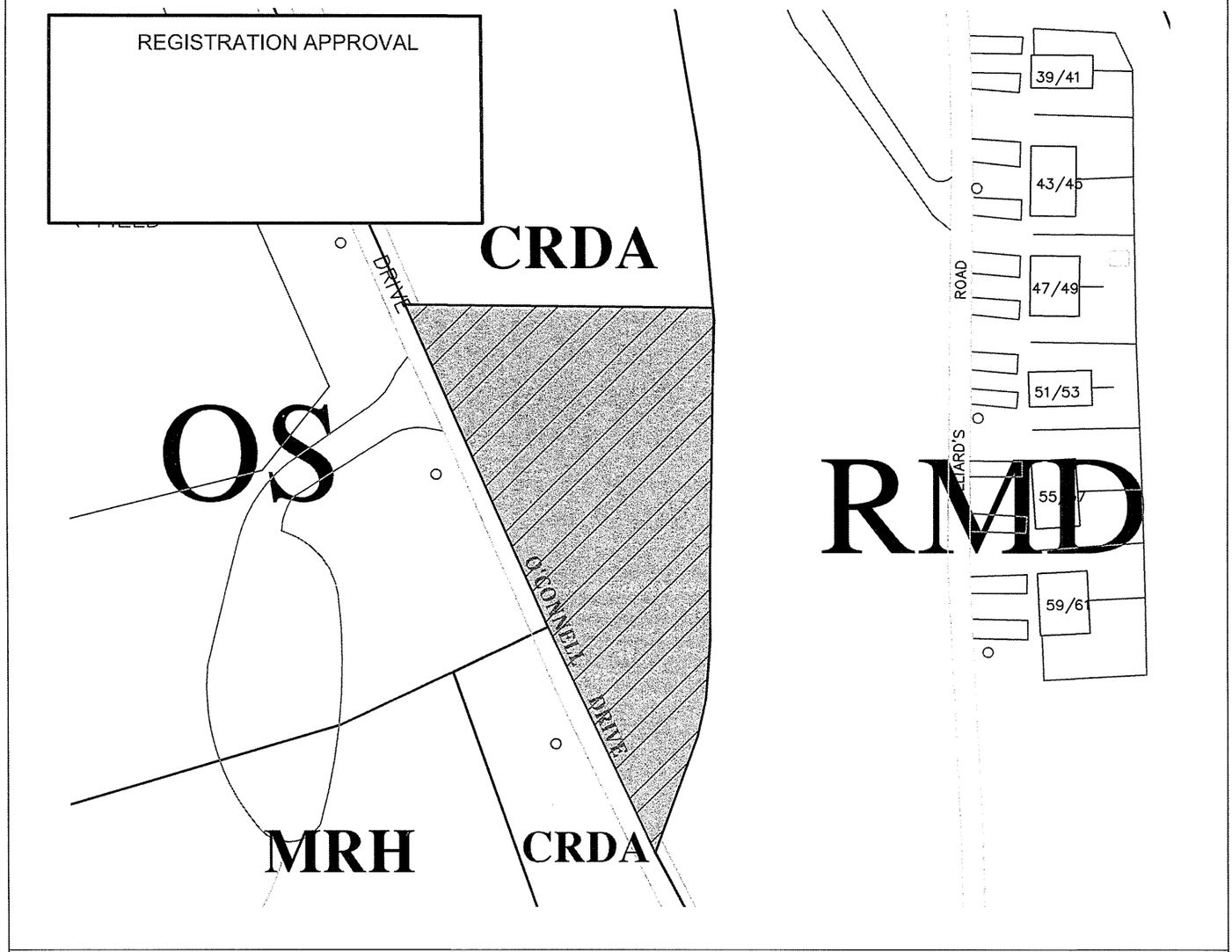
SEAL AND SIGNATURE

Certified that this City of Corner Brook Development Regulations 2012, Map _____ is a correct copy of the Development Regulations 2012, Map _____approved by the Council of the City of Corner Brook on the _____ day of _____, _____.
(month) (year)

MAYOR _____

CLERK _____ (COUNCIL SEAL)

DATE _____



LEGEND

CHANGE FROM CRDA to RMD

ZONING BOUNDARY

Zone Title	Zone Symbol
Residential Medium Density	RMD
Mobile/Mini Home Residential	MHR
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

FOR DEVELOPMENT REGULATIONS 2012

DRAWING TITLE:

LAND USE ZONING MAP C1 (PROPOSED AMENDMENT DR-19-03)

City of Corner Brook
Community Services Department
Planning Division

DATE: October 2019

SCALE: 1:1250

DESCRIPTION

Change land use zoning from Comprehensive Residential Development Area (CRDA) to Residential Medium Density

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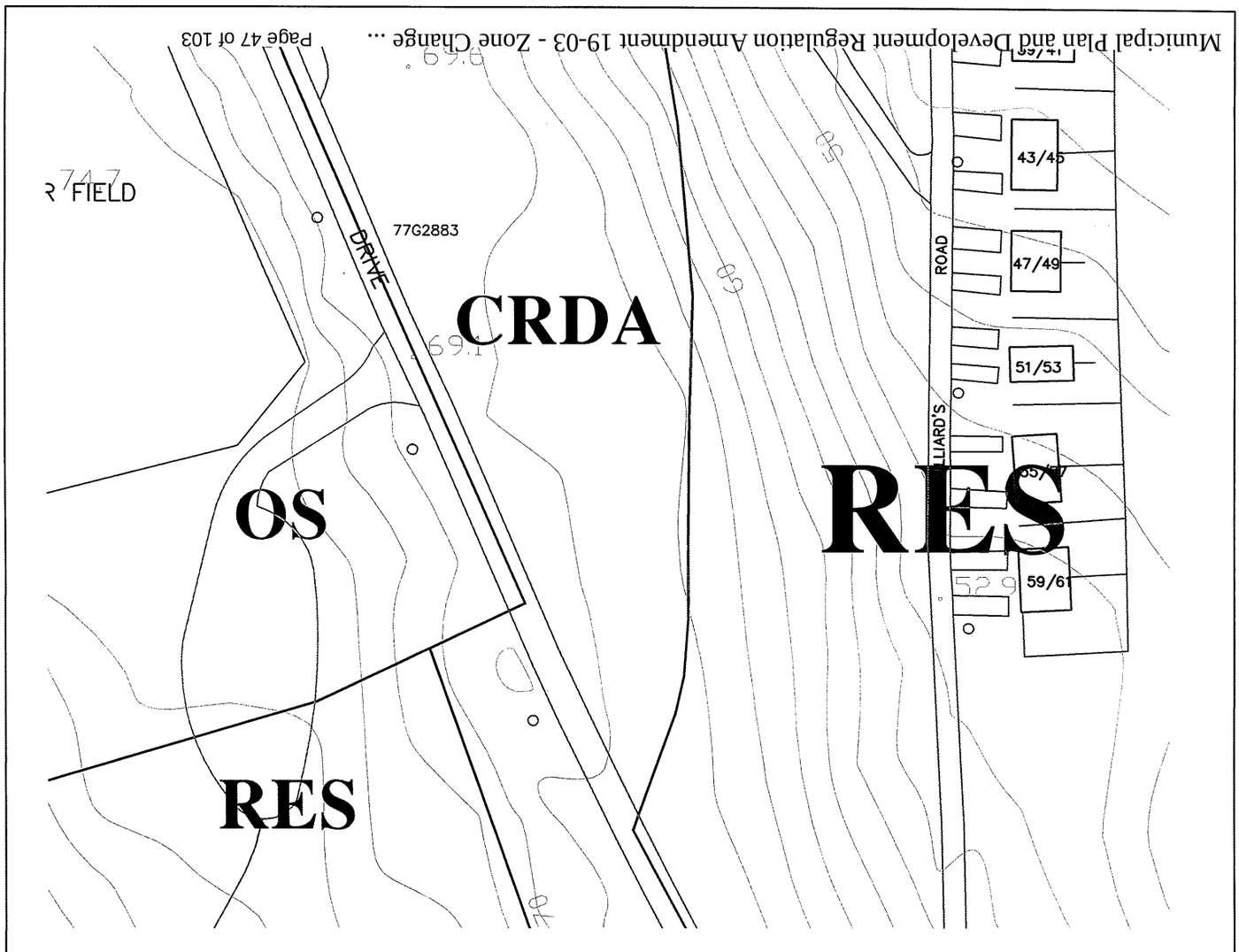
CLERK _____ (COUNCIL SEAL)

DATE _____



LEGEND

DESIGNATION BOUNDARY ————————

Land Use Designations

Residential	RES
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012

DRAWING TITLE:

GENERALIZED FUTURE LAND USE MAP A (EXISTING)

City of Corner Brook
Community Services Department
Planning Division

DATE: OCTOBER 2019

SCALE: 1:1250

N

DESCRIPTION

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

M.C.I.P _____

DATE _____ (M.C.I.P SEAL)

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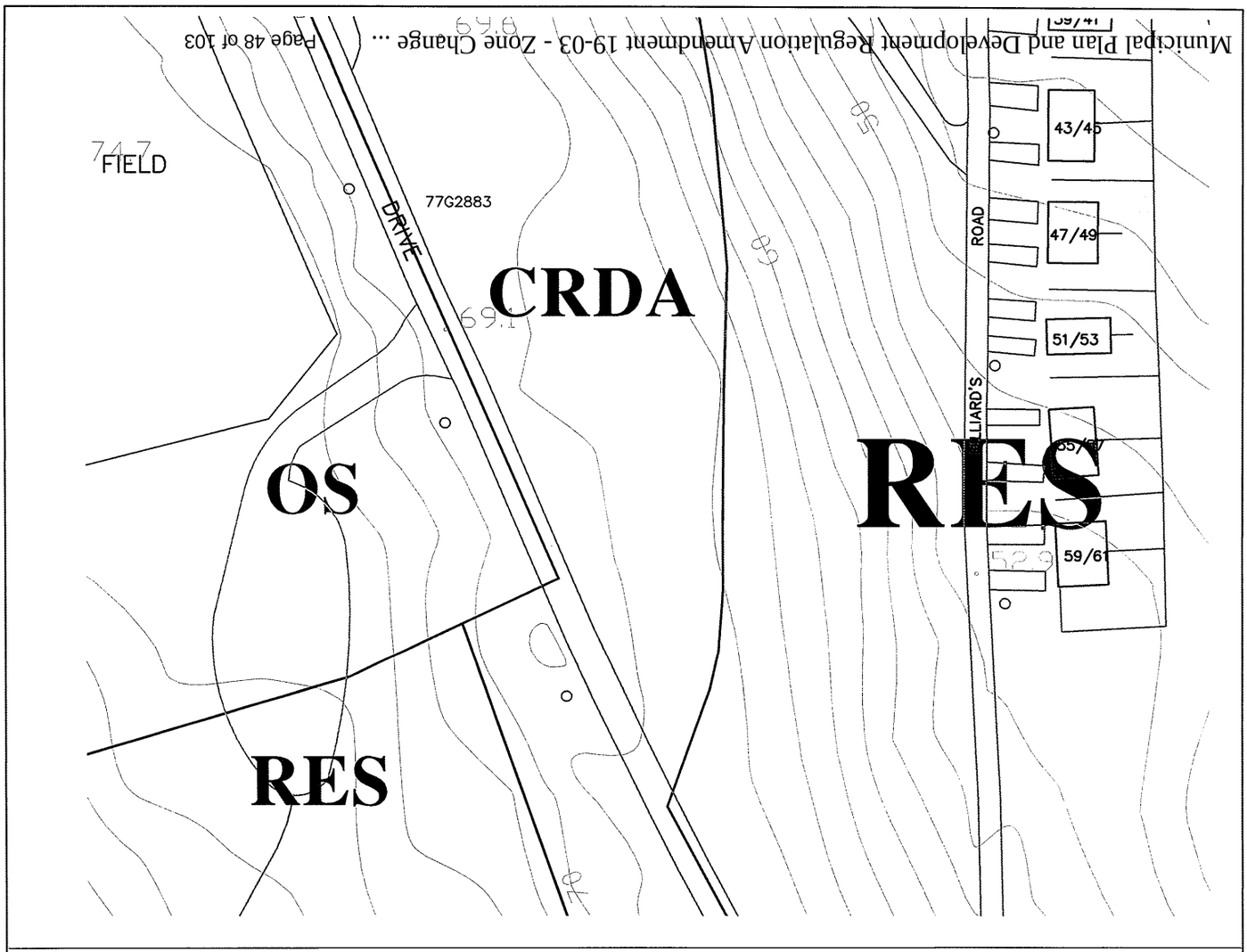
Certified that this City of Corner Brook Integrated Municipal Sustainability Plan 2012, Map _____ is a correct copy of the Integrated Municipal Sustainability Plan 2012, Map _____approved by the Council of the City of Corner Brook on the _____ day of _____, _____.
(month) (year)

MAYOR _____

CLERK _____ (COUNCIL SEAL)

DATE _____



LEGEND

DESIGNATION BOUNDARY ————————

Land Use Designations

Residential	RES
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012

DRAWING TITLE:

GENERALIZED FUTURE LAND USE MAP B (EXISTING)

City of Corner Brook
Community Services Department
Planning Division

DATE: OCTOBER 2019

SCALE: 1:1250

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(month) (year)

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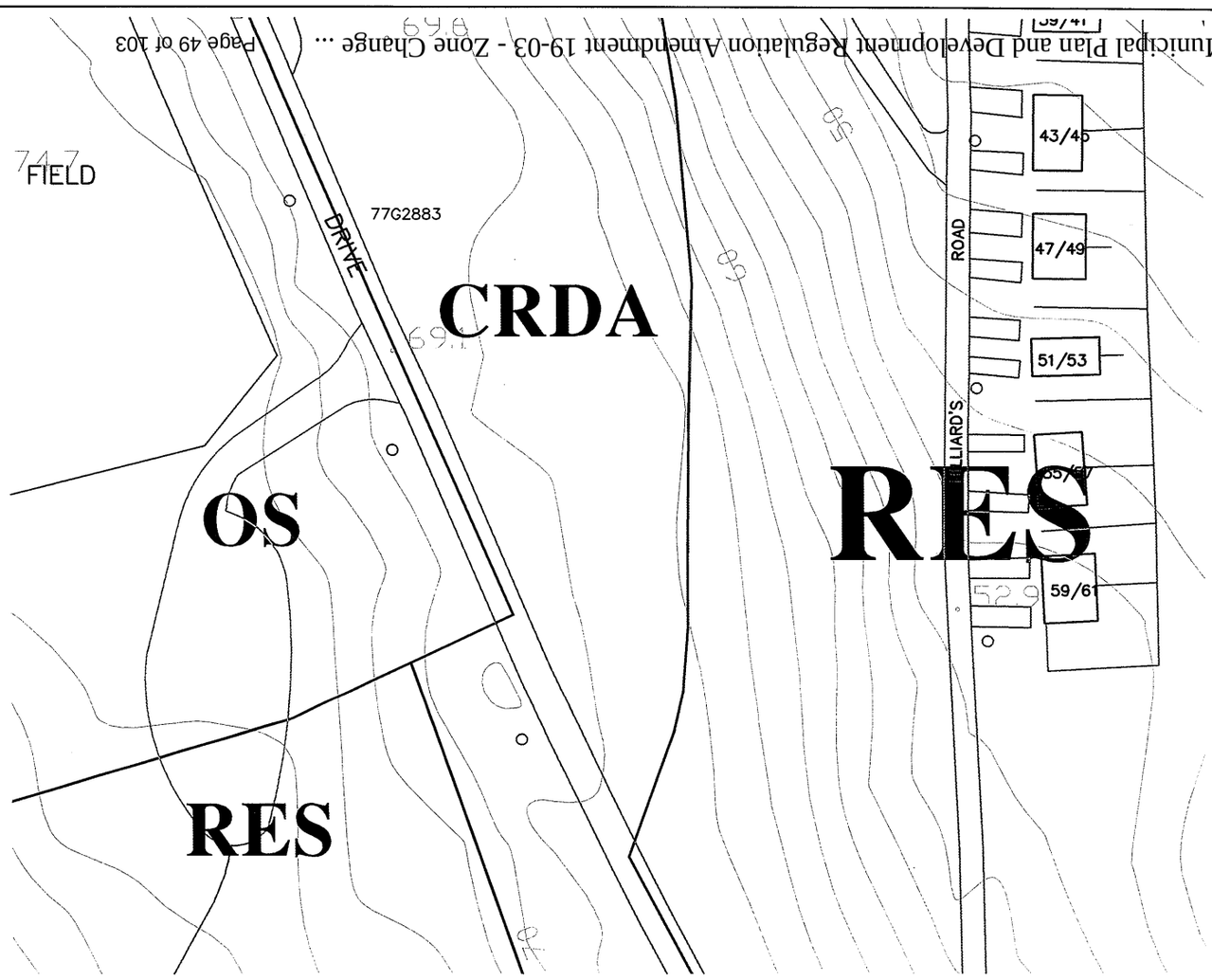
DATE _____



LEGEND

DESIGNATION BOUNDARY ————————

Land Use Designations

Residential	RES
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012

DRAWING TITLE:

GENERALIZED FUTURE LAND USE MAP B (EXISTING)

City of Corner Brook
Community Services Department
Planning Division

DATE: OCTOBER 2019

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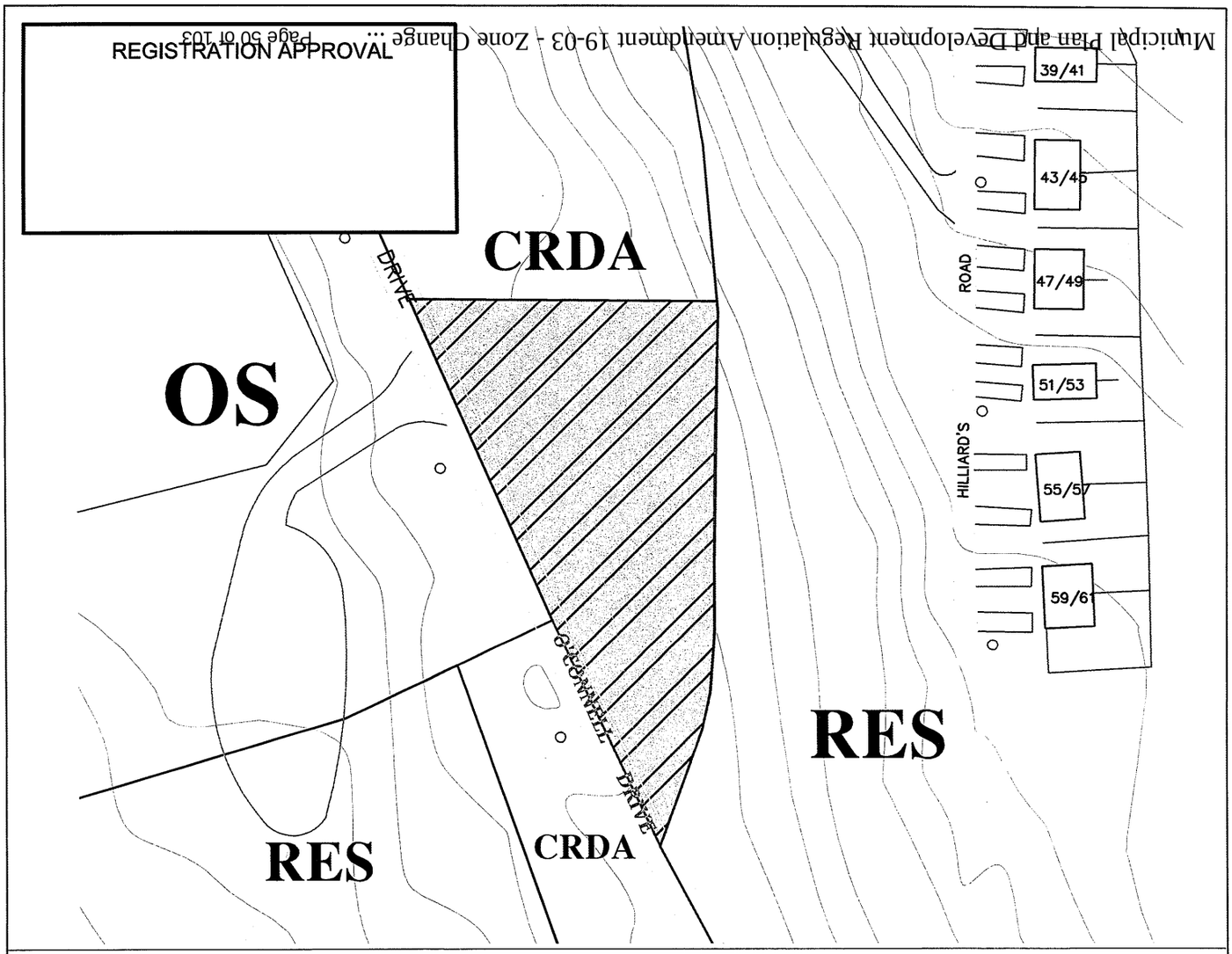
(month) (year)

MAYOR _____

CLERK _____ (COUNCIL SEAL)

DATE _____

REGISTRATION APPROVAL



LEGEND

DESIGNATION BOUNDARY

CHANGE FROM CRDA to RES

Land Use Designations

Residential	RES
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012

DRAWING TITLE:

GENERALIZED FUTURE LAND USE MAP A (PROPOSED AMENDMENT MP19-03)

City of Corner Brook
Community Services Department
Planning Division

DATE: OCTOBER 2019

SCALE: 1:1250

N

DESCRIPTION

Change land use designation from Comprehensive Residential Development Area to Residential

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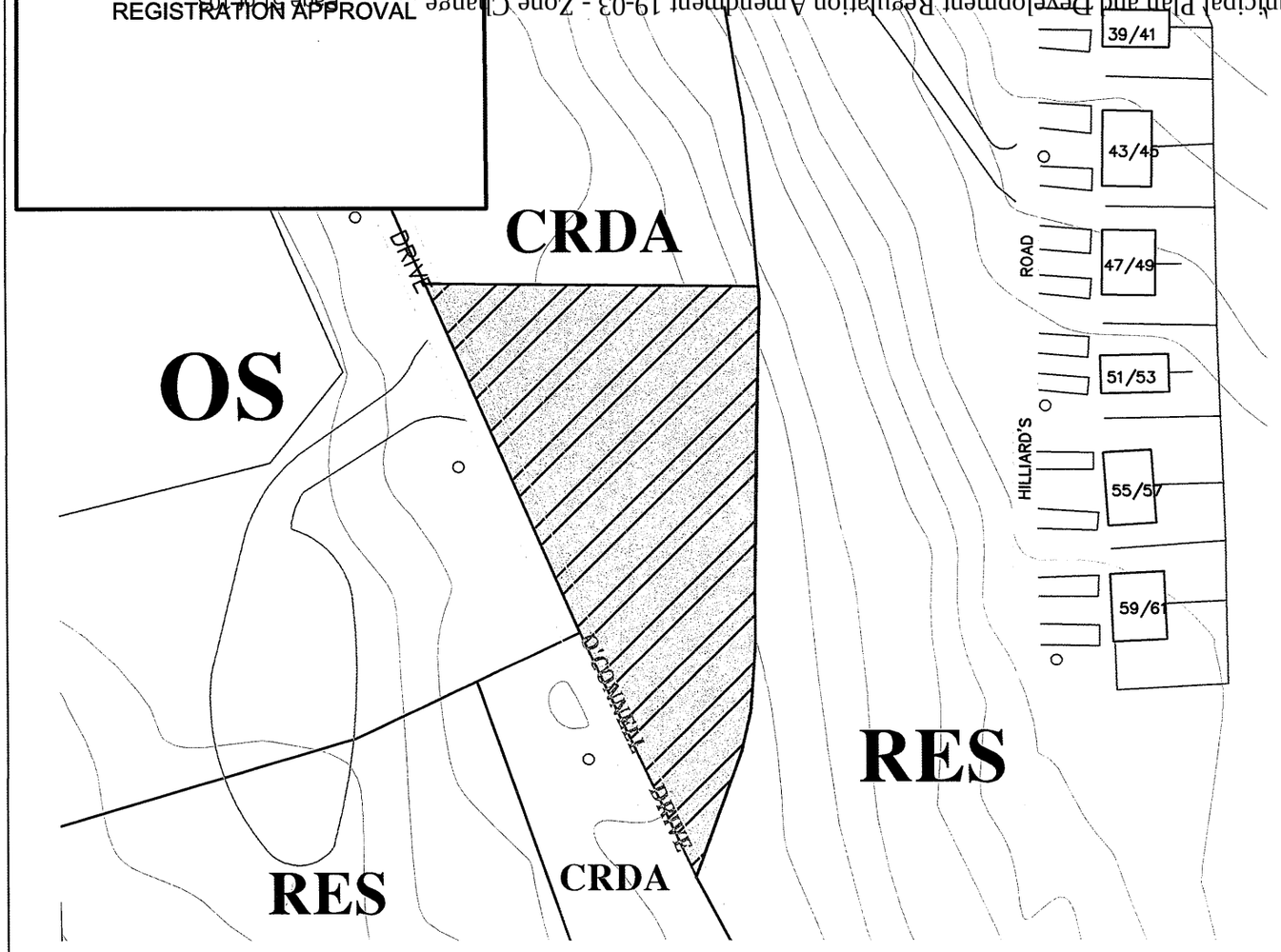
REGISTRATION APPROVAL



LEGEND

DESIGNATION BOUNDARY

CHANGE FROM CRDA to RES

Land Use Designations

Residential	RES
Comprehensive Residential Development Area	CRDA
Open Space	OS

CITY OF CORNER BROOK

PROJECT TITLE:

INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012

DRAWING TITLE:

GENERALIZED FUTURE LAND USE MAP B (PROPOSED AMENDMENT MP19-03)

City of Corner Brook
Community Services Department
Planning Division

DATE: OCTOBER 2019

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DESCRIPTION

Change land use designation from Comprehensive Residential Development Area to Residential

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M.C.I.P _____

DATE _____ (M.C.I.P SEAL)

SEAL AND SIGNATURE

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

MAYOR _____

CLERK _____ (COUNCIL SEAL)

DATE _____

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: Baker's Brook Quarry Expansion	
Report Information	
Department: CEDP	**Attachments: Environmental Assessment Report, Letter from Town of Hughes Brook**
Prepared By: J. King	**Council Meeting Date: January 13, 2020**

Issue: A motion of Council is required with respect to the Baker's Brook Quarry Expansion such that the Provincial permitting process may continue.

Background: The City of Corner Brook has received an Environmental Assessment Registration Document from the Department of Municipal Affairs and Environment (DMAE) for the expansion of the existing Baker's Brook Quarry, Wild Cove (see attached). The quarry is located in a Mineral Working Zone within City of Corner Brook boundaries and is in close proximity to the Town of Hughes Brook. This quarry has been in operation for a number of years and it is now proposed to expand the site by approximately 14.1 Ha. It is anticipated that small sections of the quarry would be developed to accommodate product demand and the full development of the quarry would occur over a 20-25 year span.

Ultimately, the Department of Natural Resources (DNR) is the agency that provides a permit for the operation of quarries in the Province. As a result of the large expansion request, the file was referred to DMAE and the applicant was required to complete and submit an Environmental Assessment Registration Document (EARD) for review. Along with a number of other agencies, the City of Corner Brook received a copy of the report and was asked for comments regarding the contents of the environmental report.

The City and Town of Hughes Brook have a number of concerns regarding the expansion of the existing quarry, however, staff are of the opinion that the majority of the environmental concerns are adequately addressed in the EARD that was submitted for review.

It should be noted that a development permit will also have to be granted to the proponent by the City through a separate approval process. Any outstanding issues related to the quarry expansion can be addressed through conditions attached to a development permit issued by the City.

Recommendation:

Staff has reviewed the Environmental Assessment Report and are satisfied that the mitigation strategies outlined in the report are sufficient to address environmental concerns, and as a result, staff recommend Option 1 and that the following motion be supported:

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Be it resolved that the Council of the City of Corner Brook provide a positive referral regarding the environmental mitigation strategies outlined in the Environmental Assessment Report for the expansion of the Baker's Brook quarry.

Options:

1. That the Council of the City of Corner Brook provide a positive referral regarding the environmental mitigation strategies outlined in the Environmental Assessment Report for the expansion of the Baker's Brook quarry.

2. That the Council of the City of Corner Brook not provide a positive referral regarding the environmental mitigation strategies outlined in the Environmental Assessment Report for the expansion of the Baker's Brook quarry.

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

Legal Review: N/A

Governance Implications: N/A

Budget/Financial Implications: N/A

Environmental Implications: The issues that have been identified may be mitigated by conforming to the measures outlined in the attached Environmental Assessment Registration Document.

Prepared by: J. King	[redacted]
Director: Darren Charters	
City Manager: Rodney Cumby	
Date: January 9, 2020	

Additional Comments by City Manager:

Town of Hughes Brook

Phone: (709) 783-2921
Fax: (709) 783-3039

46 Lidstone's Drive Hughes Brook, NL A2H 4A1

Email: info@hughesbrook.com

December 3rd, 2019

Minister Derrick Bragg
Dept of Municipal Affairs and Environment
PO Box 8700
St. John's, NL
A1B 4J6

RE: Proposed Undertaking for Baker's Brook Rock Quarry Expansion
File Ref No.: 2.2123.0203
Reg No.: 2056

Minister Bragg,
The Town of Hughes Brook reviewed the document that describes the undertaking of the Baker's Brook Rock Quarry Expansion, the Geographical Location is adjacent to Route 440 across from the Town of Hughes Brook.

The Town Council of Hughes Brook notified the Residents of the Town and held a public info session on November 26th, 2019, where residents were asked for any input(s). There were many concerns from that meeting:

- Dust and particulate – health issues
- Impact to Town's water supply
- Flying debris from blasting
- Residents not aware when blasting
- Houses being damaged – structural
- Wildlife impacted
- Salmon River impacted
- Landscapes
- Closest residential property is a mere 300 meters from the projected boundary and fully populated streets on Route 440 and Town of Hughes Brook
- Lowering of Property Values
- Safety Concerns – overloaded trucks --- no weight scales in area
- Extra trucks and weight transporting on the only Bridge connecting Route 440 to Corner Brook
- If Bridge is compromised – All Residents and Towns using Route 440 will be impacted

The Town Council of Hughes Brook would like to submit this letter stating some concerns on behalf of the Town Council of Hughes Brook and its Residents. Please see enclosed letter on behalf of 16 residents.

The Town and Residents were also concerned where this is short notice for the area involved, if the timeline for the Expansion could be extended and if the Town and residents could be notified by automatic emails concerning any movement/approvals regarding the issue(s).

Thank you for inviting The Town of Hughes Brooks to voice their concerns and hope you will consider them when making your decision about the future.

Sincerely,

Joy Taylor
Town Clerk
For
Mark Ellsworth
Mayor (A)
Town of Hughes Brook

Cc: MHA Eddie Joyce
City of Corner Brook

CORNER BROOK PULP AND PAPER LTD.
BAKERS BROOK AREA QUARRY PERMIT

Environmental Assessment Registration Document

Submitted by:
Corner Brook Pulp and Paper Ltd.
P.O. Box 2001
1 Mill Rd,
Corner Brook, NL
A2H 6J4

Prepared with the assistance of:
NCD Consulting Limited
34 Yellow Wood Drive
Paradise, NL
A1L 0X9

August 21, 2019

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1.0 NAME OF UNDERTAKING

Baker's Brook Quarry Expansion

- Quarry Permit Identification
  - File 711:12614 covering 14.1 ha

2.0 PROPONENT

2.1 Name of Corporate Body

Corner Brook Pulp and Paper Ltd. (CBPPL)

2.2 Address

P.O. Box 2001
1 Mill Rd,
Corner Brook, NL
A2H 6J4

2.3 Woodlands Manager

Mr. John MacLellan
Woodlands Manager, Woodlands Department
1 Mill Rd, Corner Brook, NL
A2H 6J4
Telephone: 709-637-3000
Email: John.Maclellan@kruger.com

2.4 Principal Contact Person

Mr. Faron Knott
Chief Forester, Woodlands Department
1 Mill Rd, Corner Brook, NL
A2H 6J4
Telephone: 709-637-3000
Email: Faron.Knott@kruger.com

3.0 THE UNDERTAKING

3.1 Nature of the Undertaking

The proposed project is a 14.1 ha quarry permit area (File 711:12614) that will be developed as a continuation of an existing and adjacent quarry, referred to as the Baker's Brook Quarry, located within the Fee Simple Mining Grant Act 5, George V, Chap. 4-5-6, 1915 and held by the proponent CBPPL.

3.2 Purpose/Rationale/Requirement for the Undertaking

The main purpose and rationale for the proposed 14.1 ha quarry area is to maximize rock resource extraction in a safe and sustainable manner. The resources will be utilized for the purpose of supplying civil construction material to the public and private sectors in the Corner Brook area and the surrounding communities.

4.0 DESCRIPTION OF THE UNDERTAKING

4.1 Geographic Location

The proposed project is located roughly 6.5 km due northeast of the City of Corner Brook on NTS Map Sheet 12A/13 (**Figures 1** to **3**). The quarry is within the municipal boundary of the City of Corner Brook; its eastern boundary is adjacent CBPPL's Fee Simple Mining Grant. The 14.1 ha application area is entirely located within the City of Corner Brooks Mineral Workings Zone as per the 2011-2021 Development Regulations where quarrying is a permitted land use. A Development Permit application for the quarry site has been submitted to the City for review.

Any sensitive receptors located near the proposed project area are shown on ***Figure 4*** and the closest receptor is a dwelling just over 300 meters from the project boundary.

4.2 Physical Features

4.2.1 Project Site Description

The proposed quarry permit area is located on a topographical high, the peak of which is west of the proposed quarry permit boundary. The quarry permit is generally bound to the north, by Highway 440 with an undisturbed buffer in place, formerly known as the North Shore Highway, and south and west by areas zoned Rural and Environmental Protection under the City of Corner Brook's Development Regulations (**Figure 2** and **3**). The primary physical feature of this project will be the quarry itself.

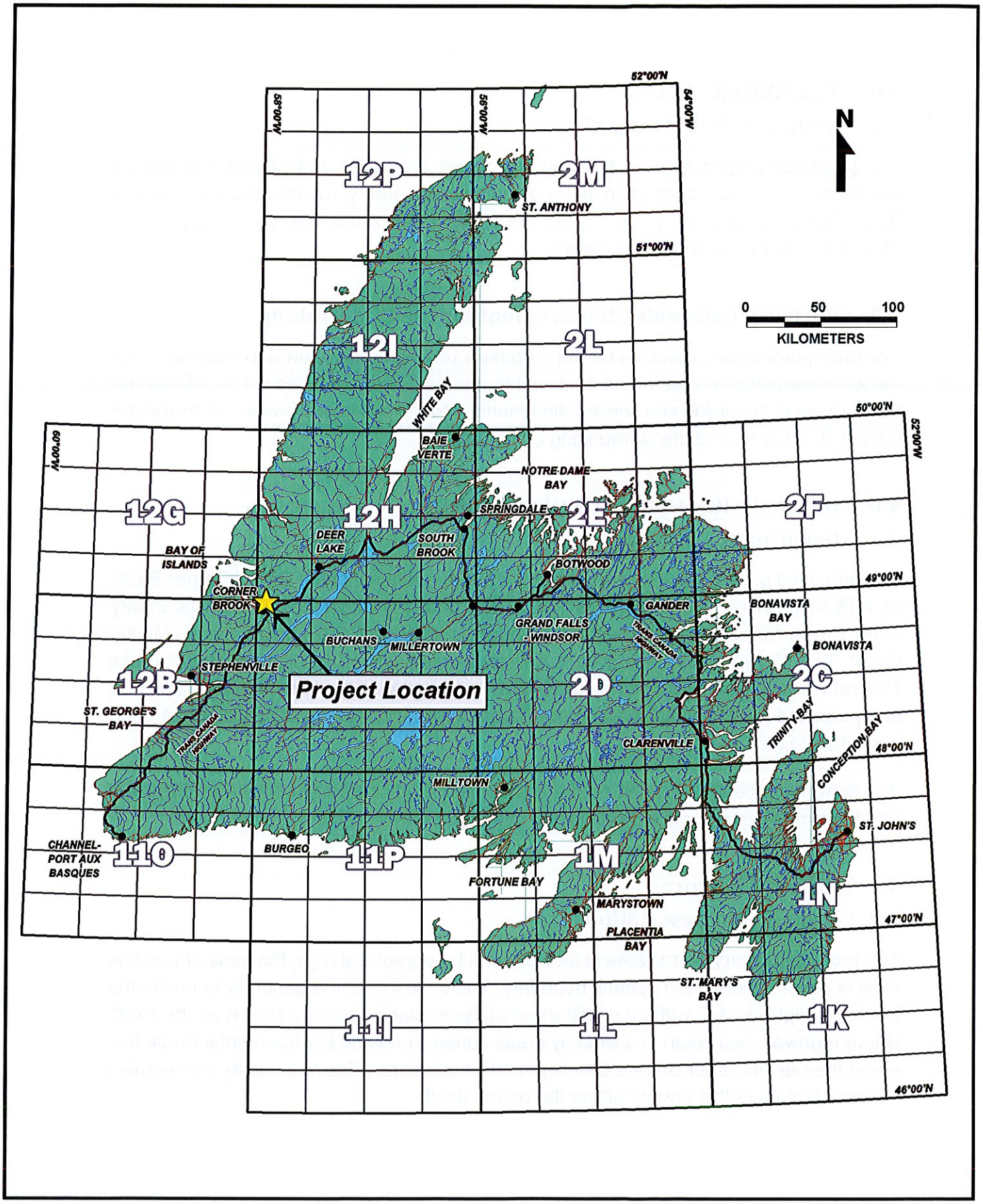


FIGURE 1: PROJECT LOCATION MAP (N.T.S. 12A/13)

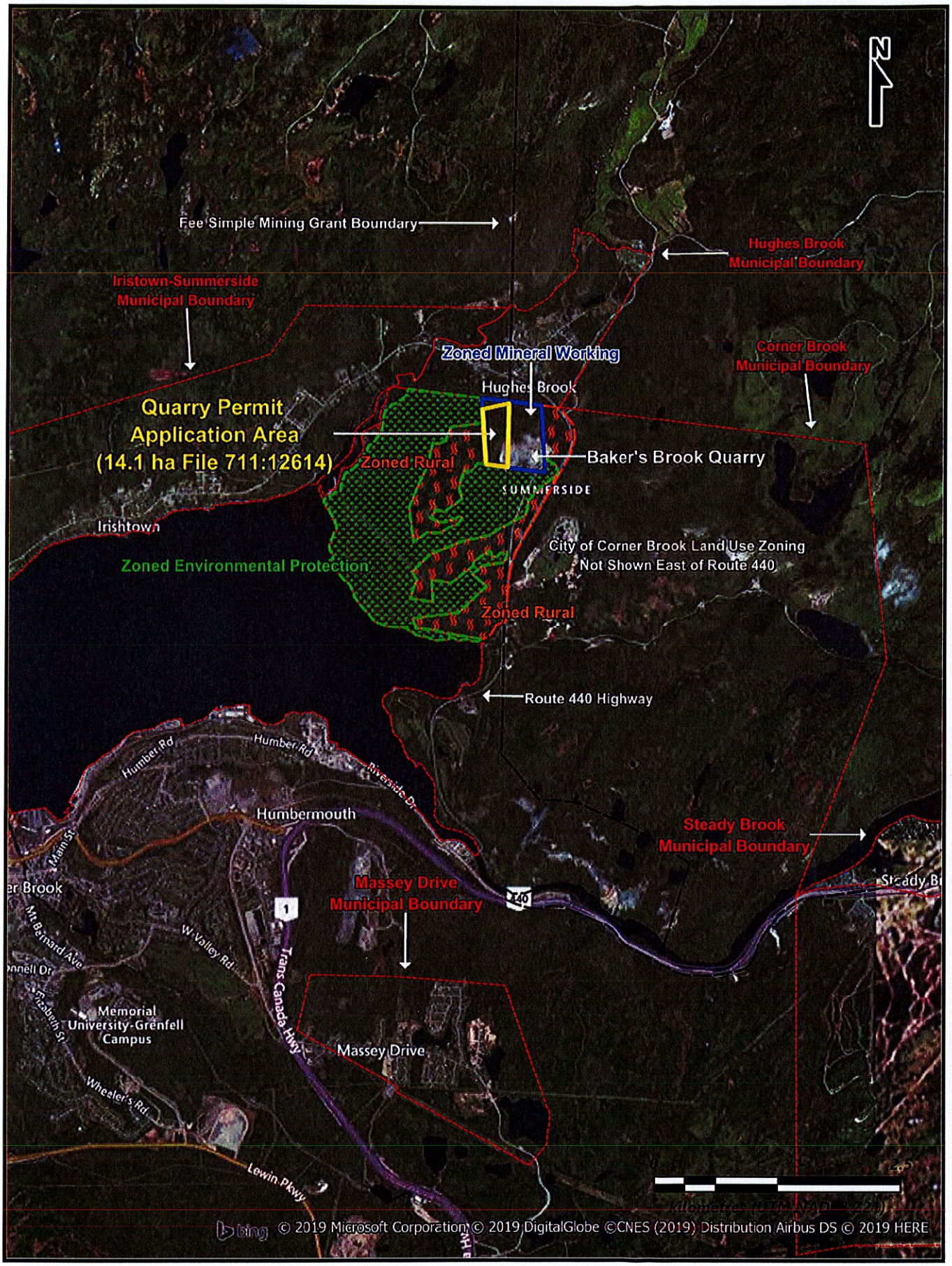


FIGURE 2: DETAILED PROJECT LOCATION MAP

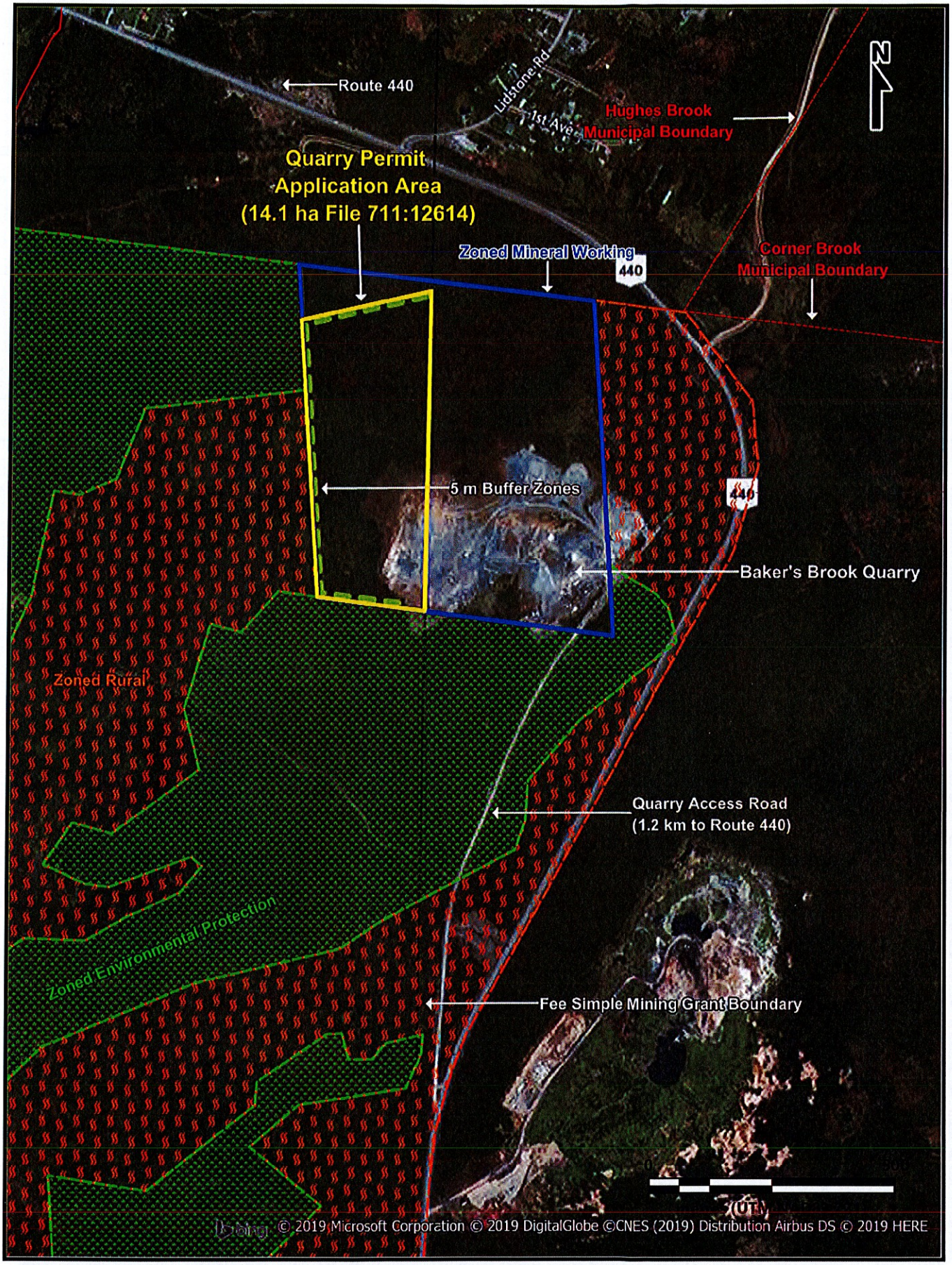


FIGURE 3: QUARRY PERMIT LOCATION MAP

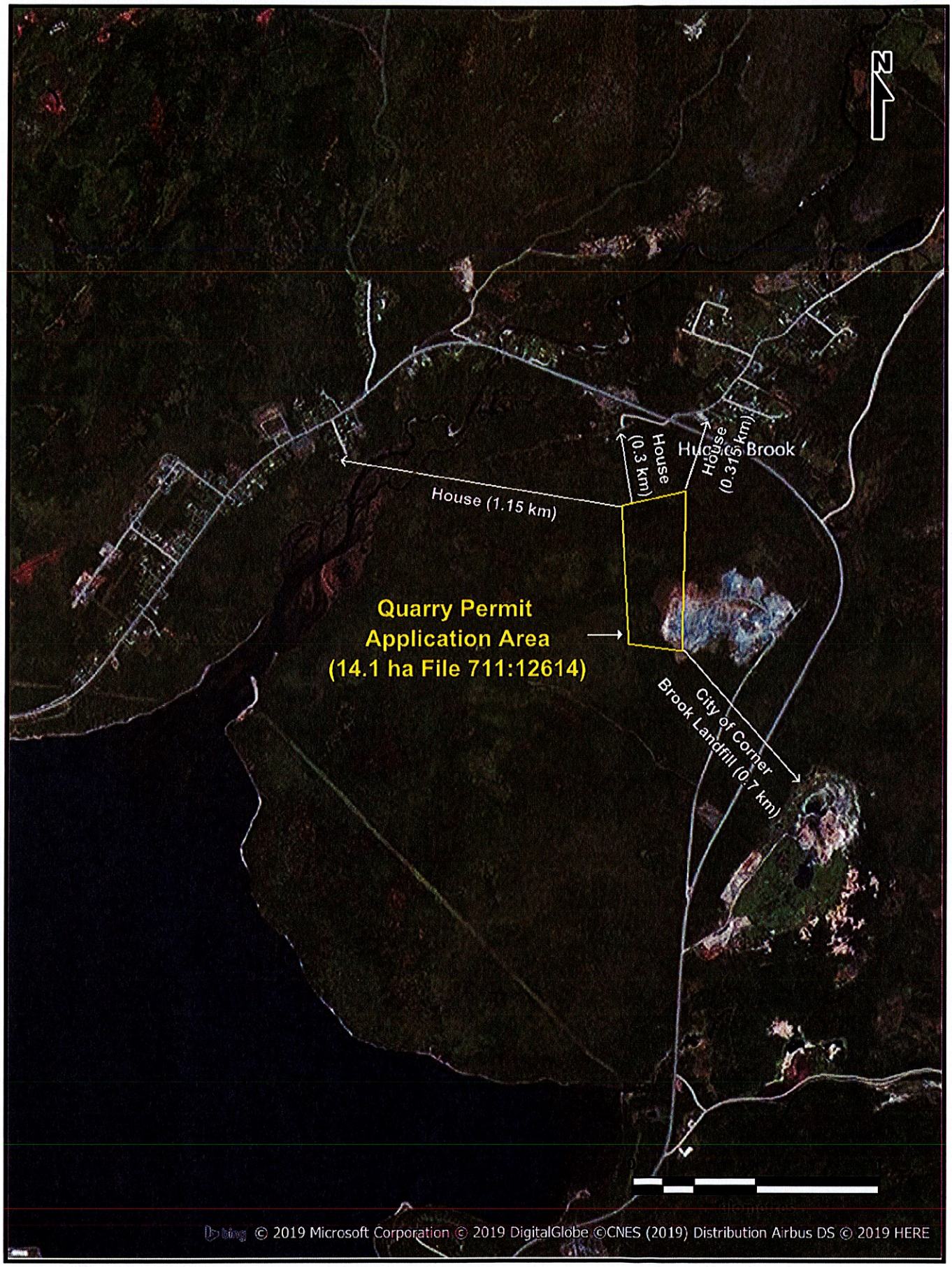


FIGURE 4: RECEPTORS LOCATION MAP

4.2.2 Existing Biophysical Environment

The proposed quarry site is located within the *Corner Brook subregion* of the *Western Newfoundland Forest Ecoregion.* This region is characterized by forested rolling hills and generally underlying marine derived bedrock, the climate is characterized by warm summers and cold winters with annual rainfall of 1,200 mm and annual snowfall of 2 – 4 m. Forests consist mostly of balsam fir with floor covering consisting of wood ferns. Elevation in the immediate area ranges from sea level to 250 m, with the proposed quarry site located at 200 m in elevation on the east side of an approximately 250 m high ridge.

Drainage of the area is in 2 different directions, the southern part of the permit area drains to the southeast into the existing quarry area. The nearest brook is, Wild Cove Brook located 1.6 km away from the quarry site, which itself drains into Wild Cove. The northern area drains to the north towards Hughes Brook located 600 m away, and also drains into Wild Cove. In this area a natural vegetated buffer will remain in place to filter any site drainage which will be minimal as no washing of produced aggregate will occur within the quarry permit application area.

4.3 Construction and Operation

The construction aspect of the proposed project will consist of clearing the site from trees and grubbing before proceeding to development of the quarry. Any organic material will be stockpiled for future reclamation work.

4.3.1 Site Access

Site access is already present and will not necessitate any further construction. Access to the site is via a 1.2 km gravel road extending from Route 440 directly to the quarry. This road is only utilized to access the site and is not accessible to the general public as a locked gate restricts entry, preventing potential safety issues and illegal dumping. The quarry access road is gated at the point where it meets Route 440 and is entirely within the Fee Simple Mining Grant Act 5, George V, Chap. 4-5-6, 1915; held by the proponent CBPPL.

4.3.2 Site Clearing

Any merchantable timber will be cleared either by handheld chainsaws or mechanical harvesting equipment and will be garnered under a commercial cutting permit issued by the Department of Fisheries and Land Resources. The wood will be sent to the Corner Brook Pulp and Paper mill in Corner Brook for use as pulp or hog fuel. Surficial soils, subsoils and grubbing will be stripped and windrowed to the permit boundary. This windrowed material will be used to construct perimeter berms as required and for future reclamation.

4.3.3 Quarry Development and Operation

The location of the 14.1 ha proposed quarry area, directly adjacent to the proponent's existing quarry, was chosen to maximize the resources available in the area in order to develop the overall site efficiently. Development of the quarry will expand from the proponent's existing quarry faces at the southeastern corner of the quarry permit, towards the west and north. Annual production from the site is anticipated to be approximately 10,000 m^3 per year but this can vary depending on contract requirements. Development activities to be undertaken will consist of the removal and stockpiling of organics to the perimeter of the site. Operational activities will consist of quarrying of rock resources by drilling, blasting and ripping. This will be performed by using heavy equipment such as excavators, front end loaders and dump trucks. Processing activities will include crushing and screening. Typical quarrying activities will take place between May and December of each year but will ultimately be dictated by the timing of seasonal spring melt and the onset of winter conditions. Should specific projects require resources from the quarry during the winter months then the site could become active during winter conditions.

Typical rock quarrying methods will be utilized at the site as have been since the area was initially developed. Blasting will be completed through a certified third-party subcontractor capable of producing the required rock size per blast. Quarry benches will be blasted on <10m lifts. The generally small-scale volume requirements will minimize noise and potential safety concerns during blasting. All blasting will adhere to the Government of Newfoundland and Labradors Occupational Health and Safety Regulations under the Occupational Health and Safety Act and more specifically Part XIX pertaining to General Blasting.

4.4 Potential Sources of Pollution During Construction and Operation

The construction and operational phases of the development will utilize equipment such as chainsaws, timber harvesting equipment, front end loaders and excavators. This equipment represents a potential source of noise disturbance, exhaust emissions, the potential release of petroleum hydrocarbons, dust, domestic waste, and general refuse. Also, construction and operational activities introduce the possibility of erosion and transport of fine-grained particles such as clay and silt to nearby water bodies.

Air pollution will be controlled by having all equipment on site fitted with the appropriate emission-control equipment, and dust will be kept at a minimum by avoiding development during extended dry conditions. Site clearing will primarily be completed in the spring of the year, at the beginning of the construction season, and will generally see about 0.5 ha cleared per year reducing the overall potential pollution impacts. As the site is adjacent

to the proponent's existing quarry, there will not be any additional equipment required since the equipment needed is the same as current development activities that have been ongoing for decades.

Noise levels are not anticipated to exceed previous maximum levels reached. Workers will have the proper hearing protection and the work site, as noted above, is a controlled work environment.

Domestic waste generated during construction will be collected and disposed of in accordance with the Environmental Protection Act 2002. There is no need for additional portable lavatories in the proposed quarry boundaries as these are already present within the neighboring quarry when required. Waste will be removed by an approved sewage service provider.

Fuel will not be stored on site but will be brought in as required by a petroleum product service company. The handling of petroleum products on site will comply with the Storage and Handling of Gasoline and Associated Products Regulations. Complete and regularly checked emergency spill kits will be available on site at all times for containment and cleanup of any hydrocarbon leaks. Any leaks or spills in excess of 70 liters will be reported immediately to the Environmental Emergency Telephone Line and will be cleaned up immediately.

The erosion and transport of fine-grained particles during construction and operational activities will be controlled by using appropriate mitigating measures such as erosion control ditches, check dams, hay bales, and silt fencing as required. Site runoff will ultimately be directed towards vegetated areas, acting as a filter for fine particles (See **Section 4.5** below).

4.5 Potential Resource Conflicts During Construction and Operation

Potential resource conflicts during operations could include the use of the area for recreational purposes. The area is not known to be used for such purposes, there are currently no dirt roads or ATV trails inside the permit boundaries.

Other aspects to be addressed with this undertaking are related to the visual aspect of the quarry on the surrounding residents and for individuals travelling on nearby highways, sediment erosion and control within the quarry, and any impact on wildlife. The project is located well beyond the required 30 m buffer from any water bodies that appear on the 1:50,000 NTS map sheet and sediment erosion is not considered a potential problem, however some design considerations are warranted as preventative measures. The

proposed project area is located within Newfoundland Marten critical/core habitat. The following design considerations and mitigation measures will be followed to address the aforementioned concerns:

- The quarry permit area would be below the height of the land to the west and to the south. Tree screens will be left in place to restrict the line of site from both directions. This will avoid any visual impacts to the residents of the City of Corner Brook located to the southwest of the project. Individuals travelling along Route 440 from the north would be slightly impacted as the highway extends from the northwest to the southeast. Route 440, at its closest point to the quarry boundary would be 250 m away, keeping the quarry site mostly hidden by undeveloped forested land in between. The site would be partially visible from the community of Hughes Brook. An existing tree buffer between the community and the quarry site would limit this impact and keep the site generally no more visible then the current development in the existing quarry area.
- Within the proposed 14.1 ha area, a 5 m wide buffer will be left within the northern, western and southern permit boundaries where no resources will be excavated (**see Figure 3**). Berms constructed from the windrowed organics will be placed within the 5 m buffer area and will serve as additional protection against sediment runoff.
- The pit floor will be kept lower than the perimeter berms where present as it progresses so as to contain precipitation water within the quarry site and contain any suspended solids in the quarry area.
- Should water runoff become a problem, erosion and sediment control measures in line with industry best management practices will be utilized. This will include silt fencing, check dams, hay bales and erosion control ditches to prevent suspended solid drainage from leaving the site. Also, a settling pond may be constructed, if required, to temporarily hold water within the quarry and allow for suspended sediment to deposit prior to water being released into vegetated areas. Because existing sloping is towards the main Baker's Brook Quarry from the quarry permit area, these erosion control measures may be applied within that quarry as required.
- Any encounter with wildlife shall follow regulations stated in the Wildlife Regulations under the *Wild Life Act (CC. 96-809)*. During site clearing, if a marten den is encountered, it will be protected from disturbance during the denning of female and young marten between early April to end of June, as stated by the *NL Endangered Species Act* and the federal *Species at Risk Act*.

4.6 Occupation

The occupations required for the proponent's site are listed below and classified as per the National Occupational Classification (2011):

Construction

- 1 Quarry Supervisor (8221)
- 1 Heavy Equipment Operator – Loader/Excavator (7521)
- 1 Heavy Equipment Operator – Tree Harvester (7521)

Operation

- 1 Quarry Supervisor (8221)
- 2 Heavy Equipment Operators – Loader, Excavator (7521)
- 3 Heavy Equipment Operators – Screening/Crusher (7521)
- Heavy Equipment Operator (Amount based on demand) – Tandem, Tandem-Tandem and/or Semi Dump Trailers (7521)

Operation of the quarry will require approximately 6 full time employees. These employees will be utilized to both clear the quarry site area during the construction phase and extract/process material during the operational phase. This dual role is possible based on the phased development of the site over numerous years which enables the quarry site to operate efficiently.

The noted required occupations for the site will be filled with current staff, no new employment will be created from the expansion of the existing quarry. Should there be a significant increase in the requirement for development/extraction due to a large-scale construction project in the region, an increase in the number of employees can be expected.

4.7 Reclamation and Closure

Upon completion of the project, the quarry will be rehabilitated within the Department of Natural Resources' quarry permit guidelines. Quarry faces will be resurfaced to implement 30-degree sloping. Subsequently, the previously windrowed and preserved organic material that was stripped during the construction phase will be re-spread to promote natural revegetation. Also, once the quarry reaches a development phase that will not require additional expansion, then progressive reclamation will begin to allow for revegetation of the site as quickly as possible.

5.0 APPROVAL OF THE UNDERTAKING

Table 1 contains a list of referral agencies, responses received, and possible permits required for the project, some of which are already in progress.

Table 1: Referral Agencies, Responses and Possible Permits Required

Department/Regulatory Agency	Status	Possible Required Approvals/Permits
Works, Services & Transportation (Deer Lake)	Conditional Approval	
Tourism, Culture, Industry and Innovation -Tourism	Approved	
Government Service Center (Corner Brook)	Conditional Approval	
Fisheries and Land Resources -Crown Lands	Approved	
Fisheries and Land Resources -Agriculture	Approved	
Fisheries and Land Resources -Fisheries and Aquaculture	Approved	
Fisheries and Land Resources -Natural Areas	Approved	
Fisheries and Land Resources -Wildlife	Conditional Approval	
Fisheries and Land Resources -Forestry	Approved	Operating Permit & Commercial Cutting Permit
Fisheries and Land Resources -Land Management	Approved	
Municipal Affairs and Environment -Water Resources Management Division	Conditional Approval	
Municipal Affairs and Environment -Environmental Assessment Division	Project Registration Required	Environmental Assessment Registration
Municipal Affairs and Environment -Provincial Planning	Approved	Development Permit (City of Corner Brook)
Natural Resources-Lands Division -Quarry Materials	Approved	Quarry Permit
Natural Resources-Energy	Approved	

6.0 SCHEDULE

The proposed schedule for this project is as follows:

Submission of Registration Document	August 2019
Review of Submission Document by Government	Sept./Oct. 2019
Commencement of Construction and Operations	Spring 2020

7.0 FUNDING

Funding for the construction and operation of project will be provided entirely by the proponent.

8.0 LIMITATIONS

This environmental registration document was prepared by NCD Consulting Ltd. in consultation with Corner Brook Pulp and Paper Ltd. for their use under the terms defined in a written contract between the two parties. The information included in this document was provided by the client and relates to the scope of this project exclusively. NCD Consulting Ltd. has worked with the client and utilized NCD's combined extensive knowledge in quarry development and potential environment related concerns to, as accurately as possible and with the information available, layout the development of the site in a safe and environmentally sustainable manner.

[redacted]

Oct 15, 2019

Name: Mr. John MacLellan
Position: Woodlands Manager,
Corner Brook Pulp and Paper Ltd.

Date

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: Signing officer policy #13-01-01	
Report Information	
Department: Finance & Administration	**Attachments: Draft policy**
Prepared By: Alicia Park	**Council Meeting Date:** November 4, 2019

Recommendation:

It is staff recommendation to approve the amended Signing Officer Policy #13-01-01 as attached.

It is RESOLVED to approve the amended Signing Officer Policy #13-01-01 as attached.

Issue:

The existing Signing Officer Policy refers to positions with titles that have been revised. The policy needs to reflect the current positions.

Background:

The titles for the Director and City Manager positions have been revised. The following changes were made:

- Chief Administrative Officer to City Manager
- Director of Corporate Services to Director of Finance & Administration
- Director of Community Services to Director of Community, Engineering, Development & Planning
- Director of Operation Services to Director of Public Works, Water, and Waste Water
- Addition of Director of Protective Services.

Options:

1. Approve the amended policy as presented.

2. Reject the amended policy as presented.

Governance Implications:

Policy and Regulation:

Budget/Financial Implications:

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Prepared by: Alicia Park	[redacted]
Director: Dale Park	[redacted]
City Manager: Rodney Cumby	[redacted]
Date: November 7/19	

Additional Comments by City Manager:

CITY OF CORNER BROOK

Policy Statement

Index	Council and Administration		Section	Legal	
Title	Signing Officer Policy		Policy Number	13-01-01	Authority: Council
Approval Date	23 Mar. 1984	Effective Date	23 Mar. 1984	Revision Date	

PURPOSE

POLICY STATEMENT

The following are appointed as signing officers for the City of Comer Brook:

Mayor
Deputy Mayor
City Manager
City Clerk
Director of Finance and Administration
Director of Protective Services
Director of Public Works, Water & Waste Water
Director of Community Engineering Development & Planning
Any other Director position approved or renamed by Council after July 1, 2019

DEFINITIONS

REFERENCE

Minute P-46 (Feb. 10/88)
Minute P-480 (Sept. 28/83)
Minute P-177 (June 18/86)
Minute P-112 (March 23/04)
Minute P-193 (June 28/95)

DETAILED ACTION REQUIRED

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Corner Brook.

_____

MAYOR

_____

CITY CLERK

CITY OF CORNER BROOK

Policy Statement

Index	Council and Administration		**Section**	Legal			
Title	Signing Officer Policy		**Policy Number**	13-01-01	**Authority**	Council	
Approval Date	23 Mar. 1984	**Effective Date**	23 Mar. 1984		**Revision Date**		

PURPOSE

POLICY STATEMENT

The following are appointed as signing officers for the City of Corner Brook:

The Mayor,
Deputy Mayor
Chief Administrative Officer
Director of Corporate Services
Director of Community Services
Director of Operational Services
City Clerk

DEFINITIONS

REFERENCE

Minute P-46 (Feb. 10/88)
Minute P-480 (Sept. 28/83)
Minute P-177 (June 18/86)
Minute P-112 (March 23/04)
Minute P-193 (June 28/95)

DETAILED ACTION REQUIRED

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Corner Brook.

[redacted]

MAYOR

[redacted]

CITY CLERK

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: NSF cheques and cheques accepted by cashier policy #11-05-03	
Report Information	
Department: Finance & Administration	**Attachments: Draft policy**
Prepared By: Alicia Park	**Council Meeting Date:** November 25, 2019

Recommendation:

It is staff recommendation to approve the amended NSF payments and cheques accepted by cashier Policy #11-05-03 as attached.

It is RESOLVED to approve the amended NSF Payments and Cheques Accepted by Cashier Policy #11-05-03 as attached.

Issue:

The existing Policy refers to NSF payment being just cheques however there are other payment options that the City offers that can result in NSF payments. The policy needs to reflect the current payment options.

Background:

NSF Cheques has been changed to NSF payments throughout the policy.

The Definition for NSF payment has been updated to include the various payments that the City will accept.

The fee for NSF payments has been updated to be a onetime fee of $ 25 for any NSF fee that the City encounters.

Options:

1. Approve the amended policy as presented.
2. Reject the amended policy as presented.

Governance Implications:

Policy and Regulation:

Budget/Financial Implications:

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Prepared by: Alicia Park	[redacted]
Director: Dale Park	[redacted]
City Manager: Rodney Cumby	[redacted]
Date: November 7/19	

Additional Comments by City Manager:

CITY OF CORNER BROOK

Policy Statement

Index	Finance & Administration	**Section**	Payments and Approvals		
Title	**NSF Payments and Cheques Accepted by Cashier**	**Policy Number**	11-05-03	**Authority**	Council
Approval Date		**Effective Date**	27 June 01	**Revision Date**	

Purpose:

To outline the fees for NSF payments.

- To establish guidelines regarding acceptance of payments by Cashiers in Treasury Services.

Definitions:

NSF Payments: Non-Sufficient Fund payments including payments made by cheques, postdated cheques and pre-authorized payments.

Policy Statement:

NSF payments will be subject to an administrative fee $25. After two NSF payments, future payments must be made in cash or by certified cheque.

Reference:

Approved: 01-100-4 (June 27, 2001)
Supercedes NSF Policy: 97-87- (July 02, 1997) CPS97-28
CPS97-32
CPS01-35 (b)
CC01-127.1
Memo: Chow to CAO (May 18, 2001)

Detailed Action Required:

Personal third-party cheques will be not accepted. Only Government or in-town company cheques may be accepted by the Cashier.

If a payment for a parking ticket is returned NSF, the individual will be notified in writing that they have seven days to pay the administrative fees and the outstanding ticket or the ticket will be sent to Court for the next Court date.

A list of those persons who have previously issued NSF payments will be provided to the Cashiers.

Any taxpayer who provided post-dated cheques in order to avoid water shut-off and the cheques are subsequently returned NSF, will be notified that the cheques will be returned and water will be shut off unless the cheque and administrative fees are covered within 7 days.

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Comer Brook.

_____
MAYOR

_____
CITY CLERK

CITY OF CORNER BROOK

Policy Statement

Index	Finance and Administration		Section	Payments and Approvals		
Title	NSF Cheques and Cheques Accepted by Cashier		Policy Number	11-05-03	Authority	Council
Approval Date	27 Jun 01	Effective Date	27 Jun 01		Revision Date	

Purpose:

- To outline the fees for NSF cheques.
- To establish guidelines regarding acceptance of cheques by Cashiers in Treasury Services.

Policy Statement:

NSF cheques will be subject to an administrative fee of $10 for the first occurrence and $25 for subsequent cheques, in addition to the fees charged by the bank. After two NSF cheques, payments must be made in cash or by certified cheque.

Reference:

Approved: 01-100-4 (June 27, 2001)
Supercedes NSF Policy: 97-87- (July 02, 1997)
CPS97-28
CPS97-32
CPS01-35 (b)
CC01-127.1
Memo: Chow to CAO (May 18, 2001)

Detailed Action Required:

Personal third-party cheques will be not accepted. Only Government or in-town company cheques may be accepted by the Cashier.

If a cheque for payment of a parking ticket is returned NSF, the individual will be notified in writing that they have seven days to pay the administrative fees and the cheque or the ticket will be sent to Court for the next Court date.

A list of those persons who have previously issued NSF cheques will be provided to the Cashiers.

Any taxpayer who provided post-dated cheques in order to avoid water shut-off and the cheques are subsequently returned NSF, will be notified that the cheques will be returned and water will be shut off unless the cheque and administrative fees are covered within 7 days.

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Corner Brook.

[redacted]

MAYOR

[redacted]

CITY CLERK

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: Water Shut Off on Unpaid Accounts Policy #11-03-21	
Report Information	
Department: Finance & Administration	**Attachments: Draft policy**
Prepared By: Alicia Park	**Council Meeting Date:** November 25, 2019

Recommendation:

It is staff recommendation to approve rescind the existing Discontinuance of Water Service/Unpaid Accounts Policy #06-01-17 as the policy is outdated, and approve the new Water Shut Off on Unpaid Accounts Policy #11-03-21

It is RESOLVED to approve the rescinding of the Discontinuance of Water Service/Unpaid Accounts Policy #06-01-17 and to approve the new policy for Water Shut Off on Unpaid Accounts Policy #11-03-21 as attached.

Issue:

The existing Discontinuance of Water Service/Unpaid Accounts Policy is outdated. The current policy involves the Public Works department and Engineering department. Currently the City Collector reviews the accounts in arrears with the Director. Water and Waste Water is involved for the actual shut off.

Background:

The new policy will allow staff to follow a much smoother process in determining the proper protocol for unpaid accounts and water shut off notices. The old policy was very long and would create much delay in having water shut off notices sent out to residents.

Options:

1. Rescind and approve the policies as presented.

2. Reject the policies as presented.

Governance Implications:

Policy and Regulation:

Budget/Financial Implications:

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Prepared by: Alicia Park	[redacted]
Director: Dale Park	[redacted]
City Manager: Rodney Cumby	[redacted]
Date: November 7/19	

Additional Comments by City Manager:

CITY OF CORNER BROOK

Policy Statement

Index	Finance & Administration	**Section**	Collections		
Title	Water Shut Off on Unpaid Accounts	**Policy Number (Index-Sector-No.)**	11-03-21	**Authority**	Council
Approval Date:		**Effective Date**		**Last Revision Date**	

***Purpose*:**
To state the City's policy on discontinuance of water service due to unpaid tax accounts.

***Policy Statement*:**
Shut-off notices to unpaid accounts will be issued on an ongoing basis for any accounts in arrears. The City Collector reviews all outstanding accounts to determine what accounts are not collectable.

***Detailed Action Required*:**
The City Collector will conduct a review of outstanding accounts regularly and determine which accounts are in arrears. The City Collector will issue a letter to the property owner, giving the individual 7 days from the signing date to make contact to pay the amount in arrears or set up a payment plan for the outstanding taxes. These letters are to be sent by registered mail. Letters are to be copied to the Director of Finance & Administration.

If the City Collector does not get a response to set up said payment plan, a second letter will be sent from the Director of Finance & Administration advising of the water shut off within 7 days. This letter will give no option to set up a payment plan. To avoid water shut off, the property owner will have to pay the outstanding arrears. This letter is to be hand delivered.

If arrears are not paid in full within 7 days of the second letter, the Superintendent of Water & Waste Water will be instructed to proceed with the water shut off.

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Corner Brook.

_____

MAYOR

_____

CITY CLERK

CITY OF CORNER BROOK

Index	Public Works		Section	Water and Sewer		
Title	Discontinuance of Water Service/Unpaid Accounts		Policy Number	06-01-17	Authority	Council
Approval Date	07 Aug 79	Effective Date	07 Aug 79		Revision Date	

PURPOSE

To state the City's policy on discontinuance of water service due to unpaid accounts.

POLICY STATEMENT

Shut-off notices to unpaid accounts will be issued each year not later than 30 June by Treasury Services. Copies of shut-off notices will be forwarded by Treasury Services to Engineering Services indicating the accounts that remain unpaid as of 31 July.

Within one week of 31 July, letters will be forwarded by Engineering Services to the unpaid accounts advising them that services will be disconnected if not paid within five days.

Following the expiration of five days, a listing of the outstanding accounts will be sent to the Water and Sewer Superintendent by Treasury Services with instructions to proceed with shut-offs at the earliest possible date.

Treasury Services will advise the Water and Sewer Superintendent on a daily basis the accounts that have been paid following final notice to properly facilitate the shut-offs.

All shut-off notices, in respect of outstanding accounts, will be held in the Water and Sewer Department until advised by Treasury Services that the accounts have been paid.

The accounts that remain unpaid should be reviewed periodically by the Water and Sewer Department to ensure that the services have not been connected by the owners.

These instances should be reported to Engineering Services and appropriate action taken immediately.

REFERENCE

Approved: August 7, 1979

IN WITNESS WHEREOF, the policy is sealed with the Common Seal of the City of Corner Brook.

[redacted]

MAYOR

[redacted]

CITY CLERK

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

Subject Matter: Request to purchase City Land Adjacent to 192 Wheelers Road	
Report Information	
Department: Land Management	**Attachments:** Draft purchase and sale agreement; Drawing No. SP-01; sketch, Redi-Rock Wall picture
Prepared By: Brandon Duffy	**Council Meeting Date:** December 2, 2019

Recommendation:

Staff recommends Council approve the purchase and sale agreement between the City of Corner Brook and GDR Enterprises Limited for land adjacent to 192 Wheelers Road

It is RESOLVED to approve the execution of the purchase and sale agreement between the City of Corner Brook and GDR Enterprises Limited for land adjacent to 192 Wheelers Road

Issue:

GDR Enterprises Limited has requested to purchase City land located adjacent to 192 Wheelers Road

Background:

- The land is approximately 4,570m^2 (49,173ft^2).
- This land will be used for the development and use of a parking lot
- Originally only 100 parking spaces were required by their tenant and this was accounted for when the building was build. Now the tenant has request 120 more additional spaces, thus the request to purchase City land.
- GDR do have the required area around 192 Wheelers Road to develop more parking but this would reduce the parking that is available for future development
- If this sale was to proceed, GDR would construct the parking lot according to drawing No SP-01 that was submitted by GDR and reviewed by staff.
- Some conditions would include:
    - GDR must maintain a buffer between the resident of Pratt St and the potential parking lot
    - Privacy wall would be installed to prevent headlight from vehicles lights shining in to the residents dwellings
    - Use must remain a parking lot

CORNER BROOK	**City of Corner Brook** **Request for Decision (RFD)**

- Reinstate the ditch located between the residents of Pratts St properties and the City property

Options:

1. Approve the purchase and sale agreement
    a. Land will be maintained and utilized
    b. Additional tax & sale revenue
    c. Quicker than the RFP process
2. Reject the purchase and sale agreement
    a. Land will be left as is
    b. The loss of potential tax & sale revenue
3. Issue a request for proposal (RFP) for interest in the purchase of the land.
    a. Give all parties an opportunity to express an interest in purchasing the land.

Governance Implications:

Policy #: 07-08-05

This policy allows for property that is non-viable or only having value to an adjacent property owner to be sold directly to that property owner upon approval of Council.

Budget/Financial Implications:

Approximately $49,000 (@$1.00/ft^2) if sold to GDR

Prepared by: Brandon Duffy	[redacted]
Director: Dale Park	[redacted]
City Manager: Rodney Cumby	[redacted]
Date:	November 21/19

Additional Comments by City Manager:

AGREEMENT OF PURCHASE AND SALE

THIS AGREEMENT made in duplicate at the City of Corner Brook in the Province of Newfoundland and Labrador this _____day of _____ , 2019.

BETWEEN **CITY OF CORNER BROOK**, a body corporate duly continued pursuant to the *City of Corner Brook Act*, RSNL 1990, c. C-15, as amended (hereinafter referred to as "the Sellers")

AND **GDR ENTERPRISE LIMITED,** a body corporate duly incorporated under the laws of Newfoundland and Labrador (hereinafter referred to as "the Buyer ")

WHEREAS the Sellers own property located on Lewin Parkway in the City of Corner Brook, Province of Newfoundland and Labrador, more particularly described in Schedule "A" annexed hereto (hereinafter referred to as "The Property");

AND WHEREAS the Sellers desire to sell The Property and the Buyer wishes to purchase the property;

NOW THEREFORE IN CONSIDERATION of the sum of $49,000.00 and other valuable consideration (the receipt and sufficiency of is hereby acknowledged by both parties hereto) now paid by each party to the other, the parties hereby agree as follows:

PROPERTY AND PURCHASE PRICE

1. The Sellers hereby agree to sell and the Buyer agrees to purchase the Property located on Lewin Parkway in the City of Corner Brook, Province Newfoundland & Labrador, more particularly described in Schedule "A" annexed hereto (hereinafter referred to as "The Property") at a purchase price of Forty Nine thousand dollars ($49,000.00) plus taxes in accordance with paragraph 6(a) and paragraph 6(b) regarding HST (hereinafter referred to as "the Purchase Price").

DEPOSIT

2. The Buyer submits with this offer the sum of Forty Nine hundred dollars ($,4,900.00) payable to the Sellers as a deposit to be held in trust, pending completion or other termination of this agreement and to be credited towards the purchase price on completion. The balance of the Purchase Price to be paid on Closing.

CLOSING

3. This agreement shall be completed on or before the _____ day of _____(hereinafter called the "closing" or "closing date").

TITLE SEARCH

4. The Sellers are to furnish the Buyer with a sketch of The Property which is the subject of this agreement within 5 days of signing this agreement, after receipt whereof the Buyer is allowed 30 days to investigate the title to The Property, which the Buyer shall do at its own expense. If within that time any valid objection to title is made in writing, to the Sellers, which the Sellers are unable or unwilling to remove, and which the Buyer will not waive, this agreement shall be null and void and the deposit herein shall be returned to the Buyer, without interest and without liability by the Buyer for any expenses incurred or damages sustained by the Sellers.

CONVEYANCE

5. The conveyance of The Property which is the subject of this agreement shall be by warranty deed, drawn

at the expense of the Sellers, to be delivered on payment of the Purchase Price to the Buyer's lawyer on the closing date. The Property is to be conveyed subject to any existing right of ways or easements located on and under The Property which shall include but not be limited to waterlines, sanitary and storm sewer systems. The Buyer agrees to register the Deed with the Registry of Deeds for Newfoundland and Labrador forthwith after closing and to pay any costs of registration. In the event that the Buyer does not retain a lawyer to represent the Buyer on this purchase the Buyer agrees that the cost of registration of the Deed will be added to the Purchase Price payable by the Buyer to the Sellers on closing and the Sellers will arrange registration of the original Deed which would then be delivered to the Buyer immediately upon the Sellers having received the Registered Deed from the Registry of Deeds.

ADJUSTMENTS AND HST

6.

a) All interest, rentals, taxes and rates on the premises, and assessments are to be adjusted to the date of closing. For further clarity, while The Sellers do not pay municipal taxes, The Buyer will pay municipal tax in the year of Closing based on the amount of municipal taxes that would have been levied against the property and business if The Buyer had owned the property on January 1st of the year of Closing. That sum would then be adjusted to the date of closing such that The Buyer would pay taxes prorated from the date of closing to the end of the year of Closing. The cost of municipal improvements, (including, but without limiting the generality of the phrase "municipal improvements", betterment charges and capital charges for utility or municipal services) completed as of the date of this agreement, are to be paid by the Sellers on or before the closing date unless otherwise stated.

b) Except as otherwise provided in this agreement, if this transaction is subject to the harmonized sales tax, hereinafter referred to as HST, such HST shall be added to the Purchase Price and will be remitted in accordance with the applicable legislation.

SUBDIVISION/CONSOLIDATION

7. The Property is being sold on the condition that the Buyer will apply to the Vendors Community Services Department for consolidation with the Buyer's existing Wheelers Road property. When consolidated the Buyer hereby agrees that the property will not be subdivided without written approval from the Sellers

CONDITIONS

8. The Buyer develops the land according the drawing submitted by Marine Contractors Inc. Project # 18-035 Drawing No. Sp-01 dated September 25, 2019 (or as approved by the Sellers)
9. The use shall remain as a parking lot

SURVEY

10. The Sellers shall only supply the Buyer with the survey and legal description of the Property which it has in its possession and should a new survey and legal description be required to complete the transaction, it shall be at the expense of the Buyer.

EASEMENTS/RIGHT OF WAYS

11. That the Property contain or may contain in the future various infrastructure, including storm sewers, waterlines, sanitary sewers, lift stations, back-up generators, fiber optic cables, power-lines and poles (hereinafter collectively referred to as "Infrastructure"), which Infrastructure shall remain and run with the Property

TENDER

12. Any tender of documents to be delivered or money payable hereunder may be made upon the Sellers or the Buyer or any party acting on their behalf. Money paid, shall be lawful money of Canada and paid by

solicitors trust cheque, or certified cheque (or their equivalent) drawn on a Chartered Canadian Bank, Trust Company or Credit Union.

AS IS WHERE IS/BUYER ACCEPT LIABILITY

13. The Buyer hereby agrees to accept The Property “as is” along with any contaminants therein or thereon and the Buyer agree to indemnify and hold the Sellers harmless in relation to any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings made, brought against, suffered by or imposed on the Sellers or the Property, whether foreseeable or not whatsoever arising from contaminants in or upon or originating from the Property, including but not limited to claims for loss, damage or injury (including injury resulting in death) to any person or property and any Orders or directives issued against the Seller(s) by the Government of Canada and/or Government of Newfoundland and Labrador and/or any requirements imposed on the Seller(s) by the Government of Canada and/or Government of Newfoundland and Labrador with respect to contamination on or in the Property.

    a) The Buyer acknowledges and agrees that the Property is being sold and The Buyer are purchasing The Property on an "as is" basis, and The Sellers shall have no liability or obligation with respect to the value, state or condition of The Property and any deficiencies in the Property or repairs, replacements or other work required with respect to the Property, environmental or otherwise.

    b) The Buyer acknowledges and agrees that the Sellers make no representations or warranties of any kind express or implied that the present use or the future intended use by The Buyer are or will be lawful or permitted or as to the suitability of The Property for development.

SURVIVE CLOSING

14.
    a) The termination of this Agreement shall not affect the liability of either party to this Agreement to the other with respect to any obligation under this indenture which has accrued but not been properly satisfied or discharged. The Buyer acknowledge and agree that the provisions in this agreement for indemnifying and saving harmless the Sellers from liability shall survive the Closing or other termination of this agreement.

    b) All warranties, representations, indemnities, and “save harmless” provisions contained in this agreement shall survive closing unless otherwise stated in this agreement.

OVERDUE PAYMENTS

15. In the event that the Buyer does not pay any amounts owing to the Sellers under the provisions of this Agreement within thirty (30) days of the Sellers having provided notice to the Buyer that the amount is due and owing, including but not limited to any amounts due and owing under any indemnity and save harmless provisions of this agreement, the Sellers may commence legal action to collect the sums owing and the Buyer shall pay any and all costs and expenses the Sellers incur, including but not limited to the cost of the Sellers’ legal representation on a solicitor-client basis and compound interest on any amounts due and owing at a rate of 5% per annum commencing on the date the Sellers first provide notice to the Buyer in accordance with this provision.

BINDING

16. This agreement shall enure to the benefit of and be binding upon the parties hereto, its heirs, executors, administrators, successors and assigns.

NON-WAIVER

17. No condonation, excusing or overlooking by the Sellers of any default, breach or non-observance of any of the Buyer's obligations under this Agreement at any time shall affect the Sellers' remedies or rights with respect to any subsequent (even if by way of continuation) default, breach or non-observance.

CUMULATIVE RIGHTS

18. All rights and remedies of the parties under this Agreement shall be cumulative and not alternative.

NO COLLATERAL AGREEMENTS

19. There are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this agreement other than as set out in this agreement, which constitutes the entire agreement between the parties, concerning the Property and which may be modified only by further written agreement under seal.

PAYMENTS

20. All Payments under this Agreement to be made to the Sellers shall be to the attention of the City Solicitor:

    City Hall
    5 Park St, Suite 3130
    P.O. Box 1080
    Corner Brook, NL
    A2H 6E1

SEVERABILITY

21. The invalidity or unenforceability of any provision of this Agreement will not affect the validity or enforceability of any other provision and any invalid provision will be severable.

JURISDICTION

22. This Agreement shall be construed and enforced in accordance with, and the rights of the Parties shall be governed by, the laws in effect in the Province of Newfoundland and Labrador, and the laws of Canada, as applicable. In the event any matter under this contract requires court action, the parties agree to attorn to the jurisdiction of the Supreme Court in the City of Corner Brook.

NOTICE

23. Any notice pursuant to any of the provisions of this Agreement shall be deemed to have been properly given if delivered in person, or mailed by prepaid registered post addressed:

    a) In the case of notice to the Sellers to:

    City Solicitor
    City of Corner Brook
    5 Park St., Suite 3130
    P.O. Box 1080
    Corner Brook NL
    A2H 6E1

    b) In the case of notice to the Buyer to:

    GDR ENTERPRISES LIMITED
    P.O. Box 62
    Pasadena, NL
    A0L 1K0

    c) Or to such other address and/or addressee as either party may notify the other of, and in the

case of mailing as aforesaid, such notice shall be deemed to have been received by the addressee, in the absence of a major interruption in postal services affecting the handling or delivery thereof, on the fifth (5th) business day, excluding Saturdays, next following the date of mailing.

DOCUMENTS

24. The Buyer will, at any time, and from time to time execute and deliver to the other any document or documents that the other reasonably requires to give effect to the terms of this Agreement

GENDER/NUMBERS

25. This agreement is to be read with all changes of gender or number required of the context.

HEADINGS

26. The headings contained in this Agreement are for convenience only and do not affect the meaning of any of the provisions of this Agreement.

DATED AT _____this ____ day of _____, 2019.

SIGNED, SEALED & DELIVERED
in the presence of:

IN WITNESS WHEREOF I have
hereunto set my hand and seal

_____
Witness

_____
Mayor or Deputy Mayor

_____
Witness

_____
City Clerk or City Manager

DATED AT_____this ____ day of _____, 2019.

SIGNED, SEALED & DELIVERED
in the presence of:

IN WITNESS WHEREOF I have
hereunto set my hand and seal

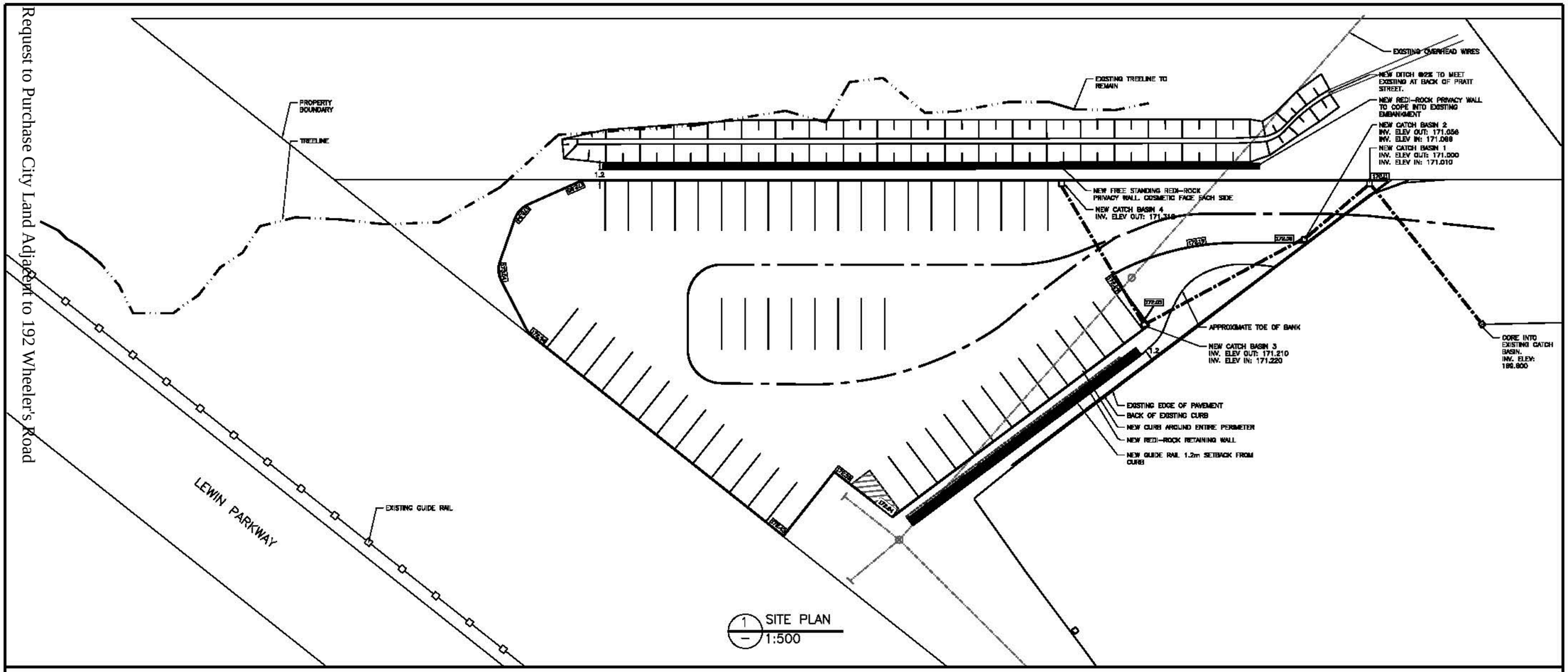
GDR ENTERPRISES LIMITED

_____
Witness

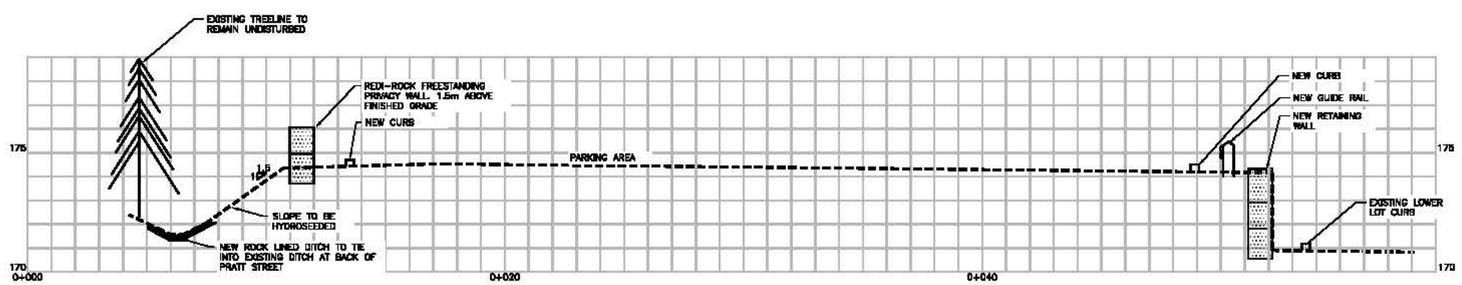
_____
Daryl Bennett

_____
Witness

_____
Glynn Pike



1 SITE PLAN
1:500



2 TYPICAL SECTION
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permit:

stamp:

designed by:

checked by:

approved by:

date:

NOTES:

NO.	REVISION	DATE

MARINE CONTRACTORS INC.
4 WHITE LAKES RD.
CORNER BROOK,
NEWFOUNDLAND, CANADA, A2H 6G1
TEL: (709) 634-2330, FAX: (709) 634-2334

CLIENT:

PROJECT:
WHEELERS ROAD GOVERNMENT LEASE BUILDING

DRAWING TITLE:
PROPOSED UPPER PARKING LOT

DRAWN BY: G.PARK	DATE: 09/25/2019
DEVELOPED BY: E.SAWARD	SCALE: AS SHOWN
PROJECT NO: 18-085	

DRAWING NO:	REV NO:
SP-01	0


Pratt St
44.4 Meters
78.83 Meters
78.75 Meters
13.35 Meters
105.74 Meters
Area
Area: 4570.49 Square Meters
Perimeter: 321.07 Meters
RCM
Lewin Pkwy
Lewin Pkwy
450
Newfoundland
100 ft
20 m