



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 December 19, 2022 at 7:00 p.m. Council Chambers, City Hall.

CITY CLERK

Page

1 CALL MEETING TO ORDER

2 APPROVALS

2.1 Approval of Agenda

3 - 5 2.2 Approval of Minutes [December 5, 2022]

3 BUSINESS ARISING FROM MINUTES

3.1 Business Arising From Minutes

4 CEDP

7 - 10 4.1 Asphalt Patching 2022-07 - Change Order No. 1

11 - 14 4.2 Blackwood's Hill Bridge Replacement CO # 2

15 - 22 4.3 Blackwood's Hill Bridge Replacement - CO # 3

23 - 27 4.4 Change Order for City Hall Art Project

5 Council Meetings

29 - 35 5.1 Council Meeting Structure

6 MUNICIPAL PLAN AND DEVELOPMENT REGULATION AMENDMENT

37 - 46 6.1 Commercial Vehicle Parking in Residential Zones

7 ADJOURNMENT

The meeting adjourned at

MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
COUNCIL CHAMBERS, CITY HALL
MONDAY, 5 DECEMBER, 2022 AT 7:00 PM

PRESENT:

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

22-195 Approval of Agenda

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

22-196 Approval of Minutes (Regular Meeting November 21, 2022)

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is RESOLVED to approve the Minutes of the Regular Council Meeting of November 21, 2022. MOTION CARRIED.

22-197 Business Arising From Minutes

Deputy Mayor L. Chaisson wanted to remind residents of the Winter Parking Ban that came into effect on December 1st.

22-198 Winter Carnival Grant Request

On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is RESOLVED to approve the grant request of the additional cash funding \$13,600 for the 50th Corner Brook Winter Carnival.

On motion by Councillor C. Pender, seconded by Councillor P. Gill, it is RESOLVED to amend the main motion to approve an additional \$2500 for the Winter Carnival's cultural event, for a total grant amount of \$16,100 for the 50th Corner Brook Winter Carnival. There was unanimous consent to amend the motion.

MOTION CARRIED.

22-199 Approval to initiate Section 14 : MP/DR AMENDMENT No. 22-01 : Rezoning of Former Presentation School Lands

On motion by Councillor P. Gill, seconded by Councillor B. Griffin, it is RESOLVED to authorize staff to carry out a public consultation process, as per section 14 of the Urban and Rural Planning Act, 2000 (URPA) in order to seek public input and receive information with respect to the proposed City of Corner

Brook Amendment No. 22-01 to permit redevelopment of 21 Mount Bernard Avenue into a 24 unit 'apartment building'. MOTION CARRIED.

22-200 Crown Land Application - North Side of Lower Humber Valley

On motion by Councillor P. Keeping, seconded by Councillor P. Gill, it is RESOLVED to approve the application to utilize Crown Land located on the north side of the lower Humber Valley for the purpose of constructing hiking/biking trails subject to the applicant maintaining the trails once constructed. MOTION CARRIED.

22-201 To present the 2023 Budget for the City of Corner Brook

On motion by Councillor C. Pender, seconded by Deputy Mayor L. Chaisson, it is RESOLVED that the City of Corner Brook, in accordance with the City of Corner Brook Act, approve the attached tax rates for the 2023 taxation year.

On motion by Councillor C. Pender, seconded by Councillor P. Gill, it is FURTHER RESOLVED that the City of Corner Brook in accordance with The City of Corner Brook Act, approve the attached Schedule of Rates & Fees, to take effect January 1, 2023.

On motion by Councillor C. Pender, seconded by Councillor P. Griffin, it is FURTHER RESOLVED that the City of Corner Brook, in accordance with The City of Corner Brook Act, 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 2023.

On motion by Councillor C. Pender, seconded by Councillor B. Granter, it is FURTHER RESOLVED that the City of Corner Brook approve the salary adjustment to non unionized staff to be effected over the 2023 and 2024 tax years.

On motion by Councillor C. Pender, seconded by Councillor V. Gill, it is FURTHER RESOLVED that the City of Corner Brook, in accordance with the City of Corner Brook Act, approve the 2022 Budget with operating Revenues and Expenditures totally \$37,414,835.

MOTION CARRIED on all items.

ADJOURNMENT

The meeting adjourned at 7:39 p.m.

City Clerk

Mayor



Request for Decision (RFD)

Subject: Asphalt Patching 2022-07 - Change Order No. 1

To: Darren Charters
Meeting: Regular Meeting - 19 Dec 2022
Department: Engineering
Staff Contact: Melody Roberts,
Topic Overview:
Attachments: [Asphalt Patching 2022-07 CO No. 1](#)

BACKGROUND INFORMATION:

The Asphalt Patching Program for was a separate contract from the larger Asphalt Paving Program for 2022. This was done to complete patching for water breaks, service installation, etc. in a more timely manner. At the request of Public Works, additional quantities were added to the contract.

The majority of the cost is for an extra 2100 m2 of patching but also includes additional quantities for manhole adjustments and asphalt cutting.

The additional work added to the contract amounts to a total cost of \$240, 771.48 (HST Included) .

PROPOSED RESOLUTION:

Be it resolved that the City of Corner Brook Council approve Chane Order No. 1 for Marine Contractors Inc. in the amount of \$240, 771.48 (HST Included) for the Asphalt Patching Contract no. 2022-07.

Director of Community, Engineering, Development & Planning	Approved - 15 Dec 2022
Office Assistant 111	Approved - 15 Dec 2022

City Manager

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

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March 2022

PROJECT NAME: City of Corner Brook Asphalt Patching - Contract No 2022-07 **DATE:** Dec 6, 2022

MI PROJECT NO: NIL **CHANGE ORDER NUMBER:** 1

CONTRACTOR: Marine Contractors Inc

.1 NOTICE

A change to the Contract is contemplated as indicated herein.

.2 PROCEDURE

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

.3 DESCRIPTION OF CHANGE

1. Extra patching - 2103.65m² @ \$90/m² = \$189,328.50
2. Extra cutting - 801.9m @ \$20/m = \$16,038.00
3. Extra manhole adjust 4 @ \$1500 Ea. = \$6000.00
4. Valve box adjust 2 unused @ \$1000 Ea. = \$-2000.00

Total change order amount \$209,366.50 + HST

.4 EFFECT OF CHANGE ON CONTRACT

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

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

WORKING DAYS: _____ REVISED COMPLETION DATE: _____

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

☐ No Change

☒ Addition to Contract including HST payable by the Owner \$ 240,771.48

☐ Deduction from Contract including HST payable by the Owner \$ _____

Contractor: Eugene Smead
(Signature)

Transportation and Infrastructure

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

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March 2022

Authorized Contract Amount (A)	\$	342,700.00
Change Order Limit (greater of 10% or \$15,000)	\$	
Previous Change Orders (B)	\$	
This Change Order (C)	\$	240,771.48
New Approved Contract Amount (A+B+C)	\$	538,471.48

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

.5 AUTHORIZATION TO PROCEED

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

DATE: _____ Consultant: _____
DATE: _____ Municipality /Owner: _____
DATE: _____ Regional Engineer: _____
(Regional Engineer's signature is assumed to be approval based on the available project funds only – no new funds are contemplated)

.6 CANCELLATION OF CONTEMPLATED CHANGE

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

DATE: _____ Consultant: _____

.7 NOTIFICATION TO BONDING AND INSURANCE COMPANIES

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

.8 ENCLOSED DOCUMENTS

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

A copy of this document signed by the Owner and Consultant, _____

Transportation and Infrastructure

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

Transportation and Infrastructure



Request for Decision (RFD)

Subject: Blackwood's Hill Bridge Replacement CO # 2

To: Darren Charters
Meeting: Regular Meeting - 19 Dec 2022
Department: Engineering
Staff Contact: Melody Roberts,
Topic Overview:
Attachments: [Various Items CO2](#)

BACKGROUND INFORMATION:

This project involved the replacement of two large culverts under Blackwood's Hill and the removal of the old bridge that had become a safety hazard. During the construction process, items were required to be added to the contract. These items include additional paving, changes to the headwall railing and the upsizing some of the storm water collection infrastructure. The total cost of these changes amounts to \$22,896.50 (HST Inc.)

PROPOSED RESOLUTION:

Be it resolved that the City of Corner Brook Council approve the Change Order No. 2 for Rock Construction Ltd. in the amount of \$22,896.50 (HST Included) for the Blackwood's Hill Bridge Replacement Contract No. 2022-11.

FINANCIAL IMPACT:

Contract Budget - \$1,610,000.00
 Original Contract Amount - \$1,133,727.97

Budget Code: 17-MYCW-22-00035

Finance Type: Funding

Director of Community, Engineering, Development & Planning Approved - 15 Dec 2022
 Office Assistant 111 Approved - 15 Dec 2022

City Manager

**Division of Municipal Infrastructure
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March 2022

PROJECT NAME: Blackwoods Hill Bridge Replacement **DATE:** Nov. 7th ,2022
MI PROJECT NO: 17-MYCW-22-00035 **CHANGE ORDER NUMBER:** 2
CONTRACTOR: Rock Construction Ltd

.1 NOTICE

A change to the Contract is contemplated as indicated herein.

.2 PROCEDURE

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

.3 DESCRIPTION OF CHANGE

Additional Items to the contract required due to changes in the field , unforeseen items encountered during the project , missed items at time of tendering etc .

1. Supply and Install Sign Base, not included in quantities, 2@ \$125= \$250
2. Increase Catch basin Sizing from 1200mm to 1500mm, revised due to pipe size , 2 @ \$885= \$1,770
- 3.Changes to Head wall Safety Railing. Intermediate rail added , LS @ , 1,500
4. Asphalt Patching: not included in quantities : 149sm @ 110/sm (incl markup)= \$16,390

.4 EFFECT OF CHANGE ON CONTRACT

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

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

WORKING DAYS: _____ REVISED COMPLETION DATE: _____

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

☐ No Change

☒ Addition to Contract including HST payable by the Owner \$ 22,896.50

☐ Deduction from Contract including HST payable by the Owner \$ _____

Contractor: Robert T Stapleton
 (Signature)

Transportation and Infrastructure

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March 2022

Authorized Contract Amount (A)	\$	\$1,133,727.97
Change Order Limit (greater of 10% or \$15,000)	\$	113,372.80
Previous Change Orders (B)	\$	7,958.00
This Change Order (C)	\$	22,896.50
New Approved Contract Amount (A+B+C)	\$	1,164,582.47

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

.5 AUTHORIZATION TO PROCEED

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

DATE: Nov ,2022 Consultant: Dan Hynes
DATE: _____ Municipality /Owner: _____
DATE: _____ Regional Engineer: _____
(Regional Engineer's signature is assumed to be approval based on the available project funds only – no new funds are contemplated)

.6 CANCELLATION OF CONTEMPLATED CHANGE

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

DATE: _____ Consultant: _____

.7 NOTIFICATION TO BONDING AND INSURANCE COMPANIES

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

.8 ENCLOSED DOCUMENTS

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

A copy of this document signed by the Owner and Consultant, _____

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

Transportation and Infrastructure



Request for Decision (RFD)

Subject: Blackwood's Hill Bridge Replacement - CO # 3

To: Darren Charters
Meeting: Regular Meeting - 19 Dec 2022
Department: Engineering
Staff Contact: Melody Roberts,
Topic Overview:
Attachments: [20221212155747285](#)

BACKGROUND INFORMATION:

This project involved the replacement of two large culverts under Blackwood's Hill and the removal of the old bridge that had become a safety hazard.

During the construction process, increased quantities for unit price items were required to reflect actual field conditions. Additional quantities were required for sidewalk restoration, rock excavation, granular materials, pipe, asphalt and concrete removal.

For full breakdown of variances in unit price quantities, please see the attached variance report attached.

PROPOSED RESOLUTION:

Be it resolved that the City of Corner Brook Council approve Change Order No. 3 for Rock Construction Ltd. in the amount of \$121,605.44 (HST included) for Blackwood's Hill Bridge Replacement 2022-11.

FINANCIAL IMPACT:

Contract Budget - \$1,610,000.00
 Original Contract Amount - \$1,133,727.97
Budget Code: 17-MYCW-22-00035
Finance Type: Funding

Director of Community, Engineering, Development & Planning Approved - 15 Dec 2022
 Office Assistant 111 Approved - 15 Dec 2022

City Manager

**Division of Municipal Infrastructure
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March 2022

PROJECT NAME: Blackwoods Hill Bridge Replacement **DATE:** Nov7th ,2022
MI PROJECT NO: 17-MYCW-22-00035 **CHANGE ORDER NUMBER:** 3
CONTRACTOR: Rock Construction Ltd

.1 NOTICE

A change to the Contract is contemplated as indicated herein.

.2 PROCEDURE

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

.3 DESCRIPTION OF CHANGE

Quantity changes as per attached variance report .

.4 EFFECT OF CHANGE ON CONTRACT

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

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

WORKING DAYS: _____ REVISED COMPLETION DATE: _____

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

☐ No Change

☒ Addition to Contract including HST payable by the Owner \$ 121,605.44

☐ Deduction from Contract including HST payable by the Owner \$ _____

Contractor: Robert T Stapleton

Digitally signed by Robert T Stapleton
DN: cn=Robert T Stapleton, o=City of Toronto, ou=City of Toronto, email=robert.stapleton@cityoftoronto.ca, c=CA
Date: 2022.11.07 15:04:41

(Signature)

Transportation and Infrastructure

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March 2022

Authorized Contract Amount (A)	\$	\$1,133,727.97
Change Order Limit (greater of 10% or \$15,000)	\$	113,372.80
Previous Change Orders (B)	\$	30,854.50
This Change Order (C)	\$	121,605.44
New Approved Contract Amount (A+B+C)	\$	1,286,187.91

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

.5 AUTHORIZATION TO PROCEED

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

DATE: Nov 7 2022 Consultant: Dan Hynes
DATE: _____ Municipality /Owner: _____
DATE: _____ Regional Engineer: _____
(Regional Engineer's signature is assumed to be approval based on the available project funds only – no new funds are contemplated)

.6 CANCELLATION OF CONTEMPLATED CHANGE

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

DATE: _____ Consultant: _____

.7 NOTIFICATION TO BONDING AND INSURANCE COMPANIES

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

.8 ENCLOSED DOCUMENTS

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

A copy of this document signed by the Owner and Consultant, _____

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

Transportation and Infrastructure

Division of Municipal Infrastructure
Form 20 - Variance Report

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2022 March

Project Name: Blackwoods Hill Bridge Replacement	MI Project #: 17-MYCW-22-00035
Owner: City of Corner Brook	Contractor: Rock Construction
Date: Nov 2022	Request No:

REQUEST FOR ADDITIONAL WORK AND/OR VARIANCE IN QUANTITIES

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES			UNIT PRICE	\$ VALUE OF REVISED TOTAL
			ORIGINAL	VARIANCE + , - , or 0	REVISED TOTAL		
1005	1. Maintain Existing Water System	Lump-Sum	1	0	1	\$1,250.00	\$1,250.00
1005	2. Maintain Existing Sewer System	Lump-Sum	1	0	1	\$1,500.00	\$1,500.00
1010	1. Mobilization & Demobilization	Lump-Sum	1	0	1	\$47,500.00	\$47,500.00
1020	1. Pole Relocation/Shoring/Bracing	Lump-Sum	1	-1	0	\$20,000.00	
1500	6. Salvage and Reinstall Concrete Stamp Blackwoods Hill	Lump-Sum	1	0	1	\$2,000.00	\$2,000.00
1560	1. Silt Fence	Meter	100	0	100	\$50.00	\$5,000.00
1570	1. Flagpersons Wages	Hour	2000	0	2000	\$35.00	\$70,000.00
1570	2. Traffic Control	Lump-Sum	1	0	1	\$5,000.00	\$5,000.00
1580	1. Project Sign (drawing 04010)	Lump-Sum	1	0	1	\$2,000.00	\$2,000.00
1710	2. Ditching (Rock Lined 300mm minus)	Meter	5	0	5	\$15.00	\$75.00
1710	9. Supply & Placing Topsoil	Square Meter	800	40	840	\$5.00	\$4,200.00
1710	12. Supply & Placement of Sods	Square Meter	800	40	840	\$6.00	\$5,040.00
2070	4. Removal of Concrete Sidewalk	Square Meter	31	23	54	\$10.00	\$540.00
2070	5. Removal of Curb & Gutter	Meter	52	102	154	\$8.00	\$1,232.00
2070	6. Removal of Catch Basins, 3m Depth	Each	2	0	2	\$1,000.00	\$2,000.00
2070	9. Removal of Sanitary Sewers	Meter	11	0	11	\$250.00	\$2,750.00
2070	10. Removal of Water Lines	Meter	33	0	33	\$125.00	\$4,125.00
2070	11. Removal of Culverts	Meter	76	0	76	\$450.00	\$34,200.00
2070	12. Removal of Storm Sewer Pipe(900mm)	Meter	24	0	24	\$275.00	\$6,600.00
2070	13. Removal of Bridges	Each	1	0	1	\$8,000.00	\$8,000.00
2070	14. Removal of Mass Concrete	Cubic Meter	20	40	60	\$145.00	\$8,700.00
2070	16. Removal of water line tee	Other	1	-1	0	\$120.00	
2215	1. Mass Rock Excavation	Cubic Meter	33	-33	0	\$5.00	
2223	1.1 Main Trench Excavation - Rock	Cubic Meter	495	562	1057	\$5.00	\$5,285.00
2223	1.2 Main Trench Excavation - Common	Cubic Meter	4400	-400	4000	\$1.00	\$4,000.00
2223	3. Imported Common Backfill	Cubic Meter	1800	-53.87	1746.13	\$42.00	\$73,337.46
2223	5.1 Granular Pipe Bedding - Type 1	Cubic Meter	50	22	72	\$60.00	\$4,320.00
2223	5.2 Granular Pipe Bedding - Class B	Cubic Meter	470	128	598	\$58.00	\$34,684.00
2223	8.1 Supply & Placement of Marking Tape - Plastic	Meter	44	0	44	\$3.00	\$132.00
2223	8.2 Supply & Placement of Marking Tape - Metal	Meter	33	0	33	\$5.00	\$165.00
2233	1. Class "A" Granular Base	Cubic Meter	145	394.4	539.4	\$62.00	\$33,442.80
2233	2. Class "B" Granular Sub-Base	Cubic Meter	181	218	399	\$58.00	\$23,142.00
2270	1. Rip-Rap Hand Laid Dry Wall	Cubic Meter	0.6	0	0.6	\$125.00	\$75.00
2271	1. Supply & Placement of Armour Stone	Cubic Meter	34	287.5	321.5	\$120.00	\$38,580.00
2282	1. Standard Type Guide Rail	Meter	52	23	75	\$250.00	\$18,750.00
2282	5. Sloped & Buried Guide Rail Section	Each	1	0	1	\$1,250.00	\$1,250.00
2284	6. Handrail (Aluminum Schedule 40,)	Meter	18	0	18	\$700.00	\$12,600.00
2434	1. Supply & Placement of Pipe Culvert (2700)	Meter	126	0	126	\$3,400.00	\$428,400.00
2434	2. Supply & Placement of Pipe Culvert (600mm HDPE)	Meter	17	-2	15	\$125.00	\$1,875.00
2434	3. Supply & Placement of Storm Sewer (900mm HDPE)	Meter	43	0	43	\$650.00	\$27,950.00
2434	3. Supply & Placement of Concrete Head Wall and Wingwall	Cubic Meter	36	0	36	\$1,350.00	\$48,600.00
2528	1. Supply & Place Granular Base Material	Cubic Meter	13	9	22	\$50.00	\$1,100.00
2528	2. Concrete Walks (1.35m) (150mm)	Meter	31	13	44	\$125.00	\$5,500.00
2528	5. Curb & Gutter	Meter	52	113	165	\$95.00	\$15,675.00
2547	1. Supply & Placement of Asphalt Tack Coat	Square Meter	110	608	718	\$2.00	\$1,436.00
2552	1.1 Asphaltic Concrete - Base Course	Metric Ton/Tonn	66	21.96	87.96	\$115.00	\$10,115.40

2552	1.2 Asphaltic Concrete - Surface Course	Metric Ton/Tonne	66	21.96	87.96	\$120.00	\$10,555.20
2574	1. Removal of Asphalt Pavement	Square Meter	529	206	735	\$5.00	\$3,675.00
2574	5. Cutting of Asphalt Pavement	Meter	100	0	100	\$6.00	\$600.00
2575	1. Cold Planing	Square Meter	78	12	90	\$6.50	\$585.00
2601	1.1 Supply & Placement of Pre-Cast Maintenance Holes 1200	Each	1	0	1	\$5,000.41	\$5,000.41
2601	1.4 Supply & Placement of Pre-Cast Maintenance Hole 1200	Each	2	0	2	\$6,000.00	\$12,000.00
2702	1.1 Supply & Placement of Sanitary Sewer - Main Line	Meter	11	0	11	\$200.00	\$2,200.00
2702	6. CC T.V. Camera Inspection Services	Meter	40	0	40	\$6.00	\$240.00
2702	8. Locate and Connect to Existing Sewer Mains	Each	2	0	2	\$2,500.00	\$5,000.00
2713	1. Supply & Installation of Water Main (D.I.) (200mm)	Meter	11	9	20	\$200.00	\$4,000.00
2713	1. Supply & Installation of Water Main (D.I.) (350mm)	Meter	11	11	22	\$350.00	\$7,700.00
2713	3.4 Supply & Installation of Filling (200mm)	Each	1	-1	0	\$55.00	
2713	3.10 Supply & Installation of Filling (350mm)	Each	2	2	4	\$125.00	\$500.00
2713	3.10 Supply & Installation of Filling (200mm)	Each	2	4	6	\$78.00	\$468.00
2713	6. Supply & Placement of Joint Restraints (350mm)	Each	6	4	10	\$650.00	\$6,500.00
2713	6. Supply & Placement of Joint Restraints (200mm)	Each	8	8	16	\$500.00	\$8,000.00
2713	10. Supply & Install Valves Including Valve Boxes (350mm)	Each	1	0	1	\$12,444.00	\$12,444.00
2713	10. Supply & Install Valves Including Valve Boxes (200mm)	Each	2	0	2	\$4,500.00	\$9,000.00
2713	14. Swabbing of Water Lines (350mm)	Meter	11	-11	0	\$15.00	
2713	14. Swabbing of Water Lines (200mm)	Meter	11	-11	0	\$12.00	
2713	15. Locating & Connecting to Existing System	Each	4	0	4	\$250.00	\$1,000.00
REVISED VALUE OF TENDER							\$1,091,594.27
ORIGINAL VALUE OF TENDER							\$985,850.41
VALUE OF ADDITIONAL WORK AND/OR VARIANCES							\$105,743.86

Transportation and Infrastructure

Division of Municipal Infrastructure

Form 20 - Variance Report

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2022 March

EXPLANATION WHY ADDITIONAL WORK IS REQUIRED OR QUANTITY VARIANCES ARE EXPECTED	
1005	1. Maintain Existing Water System 0 No Change
1005	2. Maintain Existing Sewer System 0 No Change
1010	1. Mobilization & Demobilization 0 No Change
1020	1. Pole Relocation/Shoring/Bracing -1 Item not required
1500	6. Salvage and Reinstall Concrete Stamp Blackwood's Hill Bridge 0 No Change
1560	1. Silt Fence 0 No Change
1570	1. Flagpersons Wages 0 No Change
1570	2. Traffic Control 0 No Change
1580	1. Project Sign (drawing 04010) 0 No Change
1710	2. Ditching (Rock Lined 300mm minus) 0 No Change
1710	9. Supply & Placing Topsoil 40 additional area disrupted for temp road etc requiring extra material
1710	12. Supply & Placement of Sods 40 as above
2070	4. Removal of Concrete Sidewalk 23 additional sidewalk removed to tie in grades , condition etc
2070	5. Removal of Curb & Gutter 102 additional curb & gutter removed to tie in area and condition etc
2070	6. Removal of Catch Basins, 3m Depth 0 No Change
2070	9. Removal of Sanitary Sewers 0 No Change
2070	10. Removal of Water Lines 0 No Change
2070	11. Removal of Culverts 0 No Change
2070	12. Removal of Storm Sewer Pipe(900mm) 0 No Change
2070	13. Removal of Bridges 0 No Change
2070	14. Removal of Mass Concrete 40 additional concrete removed from old bridge location
2070	16. Removal of water line tee -1 full quantity not required
2215	1. Mass Rock Excavation -33 full quantity not required
2223	1.1 Main Trench Excavation - Rock 562 additional rock excavation required for pipe installation
2223	1.2 Main Trench Excavation - Common -400 full quantity not required
2223	3. Imported Common Backfill -53.87 full quantity not required
2223	5.1 Granular Pipe Bedding - Type 1 22 additional bedding required for pipe installation

2223	5.2 Granular Pipe Bedding - Class B	128 additional bedding required for pipe installation
2223	8.1 Supply & Placement of Marking Tape - Plastic	0 No Change
2223	8.2 Supply & Placement of Marking Tape - Metal	0 No Change
2233	1. Class "A" Granular Base	394.4 additional material required for grades and alignment reason
2233	2. Class "B" Granular Sub-Base	218 additional material required for grades and alignment reason
2270	1. Rip-Rap Hand Laid Dry Wall	0 No Change
2271	1. Supply & Placement of Armour Stone	287.5 additional armour stone placed to protect area from erosion
2282	1. Standard Type Guide Rail	23 Additional guardrail required around headwall
2282	5. Sloped & Buried Guide Rail Section	0 No Change
2284	6. Handrail (Aluminum Schedule 40,)	0 No Change
2434	1. Supply & Placement of Pipe Culvert (2700)	0 No Change
2434	2. Supply & Placement of Pipe Culvert (600mm HDPE)	-2 full quantity not required
2434	3. Supply & Placement of Storm Sewer (900mm HDPE)	0 No Change
2434	3. Supply & Placement of Concrete Head Wall and Wingwalls	0 No Change
2528	1. Supply & Place Granular Base Material	9 additional material required due to extra curb and sidewalk removed
2528	2. Concrete Walks (1.35m) (150mm)	13 additional material required due to extra curb and sidewalk removed
2528	5. Curb & Gutter	113 additional material required due to extra curb and sidewalk removed
2547	1. Supply & Placement of Asphalt Tack Coat	608 additional material required due to extra asphalt removed
2552	1.1 Asphaltic Concrete - Base Course	21.96 additional material required due to extra asphalt removed
2552	1.2 Asphaltic Concrete - Surface Course	21.96 additional material required due to extra asphalt removed
2574	1. Removal of Asphalt Pavement	206 additional material removed for tie in , grades and alignment
2574	5. Cutting of Asphalt Pavement	0 No Change
2575	1. Cold Planing	12 additional material required due to extra asphalt removed
2601	1.1 Supply & Placement of Pre-Cast Maintenance Holes 1200mm,	0 No Change
2601	1.4 Supply & Placement of Pre-Cast Maintenance Hole 1200mm,	0 No Change
2702	1.1 Supply & Placement of Sanitary Sewer - Main Line	0 No Change
2702	6. CC T.V. Camera Inspection Services	0 No Change
2702	8. Locate and Connect to Existing Sewer Mains	0 No Change
2713	1. Supply & Installation of Water Main (D.I.) (200mm)	9 additional pipe required due to changes in field
2713	1. Supply & Installation of Water Main (D.I.) (350mm)	11 additional pipe required due to changes in field
2713	3.4 Supply & Installation of Fitting (200mm)	-1 full quantity not required
2713	3.10 Supply & Installation of Fitting (350mm)	2 additional fittings required for valve installation
2713	3.10 Supply & Installation of Fitting (200mm)	4 additional fittings required for valve installation
2713	6. Supply & Placement of Joint Restraints (350mm)	4 quantity under estimated
2713	6. Supply & Placement of Joint Restraints (200mm)	8 quantity under estimated
2713	10. Supply & Install Valves Including Valve Boxes (350mm)	0 No Change
2713	10. Supply & Install Valves Including Valve Boxes (200mm)	0 No Change
2713	14. Swabbing of Water Lines (350mm)	-11 full quantity not required
2713	14. Swabbing of Water Lines (200mm)	-11 full quantity not required
2713	15. Locating & Connecting to Existing System	0 No Change
FOR CONSULTANT USE		FOR MI USE
RESIDENT SUPERVISOR: Bob Myles		PROJECT REPRESENTATIVE:
PROJECT MANAGER: Dan Hynes		REGIONAL ENGINEER:
DATE: Dec , 2022		DATE:

Transportation and Infrastructure



Request for Decision (RFD)

Subject: Change Order for City Hall Art Project – Urve Manual

To: Rodney Cumby
Meeting: Regular Meeting - 19 Dec 2022
Department: Community Services
Staff Contact: Darren Charters, Director of Community, Engineering, Development & Planning
Topic Overview: Change Order for City Hall Art Project – Urve Manual
Attachments: [Schedule A](#)
[Ammendment Atrium Agreement](#)

BACKGROUND INFORMATION:

Council approval is required for a change order to amend the agreement with Urve Manuel (The Glass Station) for the City Hall Atrium Art work project.

Urve Manuel has now completed the installation of the two art pieces in the atrium of City Hall titled Wood and Bog and River to Sea. Since the original agreement was discussed a number of months ago, the price of materials (steel) has increased significantly and a request was made for a change order to reflect the increased cost of materials.

PROPOSED RESOLUTION:

Be it resolved that the Council of the City of Corner Brook approve the change order for the increased material costs for the Atrium Art project at a cost of \$8,288.50 HST Inc.

FINANCIAL IMPACT:

Budget Code: 01-700-2500-68400

Finance Type: Budget

Legal Review: Yes

LEGAL REVIEW:

Form of agreement prepared by in house council.

RECOMMENDATION:

It is the opinion of staff that the City of Corner Brook Council approve the change order and amend the agreement with Urve Manuel, to increase the flat fee payable by **eight thousand two hundred**

sixty - eight and fifty cents (\$8288.50 HST Inc.), for a total contract price of fifty-eight thousand, two hundred and thirteen (\$58,213 HST Inc.).

ALTERNATIVE IMPLICATIONS:

As a result, staff recommends Option 1 and that the following motion be supported:

Options:

1. That the Council of the City of Corner Brook approve the change order for the increased material costs for the Atrium Art project at a cost of \$8,288.50 HST Inc.
2. That the Council of the City of Corner Brook not approve the change order for the increased material costs for the Atrium Art project at a cost of \$8,288.50 HST Inc.
3. That the Council of the City of Corner Brook give other direction to Staff.

Director of Community, Engineering, Development & Planning Approved - 14 Dec 2022

Office Assistant 111 Approved - 14 Dec 2022

City Manager

Proposed Budget

Urve Manuel

Glass Materials	\$6400.00
Glass Fabrication	\$4500.00
Metal	\$6420 + \$3500*
Metal Fabrication 97 hrs shop time	\$9700.00
Transport of completed metal/glass	
To Rocky Harbour	\$1900.00
To Corner Brook fr RHr	\$2000.00
Installation	
Drilling, patching, tools, materials	
	\$3700.00
Artist Fee	\$8 000.00
Extraneous/Just-in-case	\$4500.00
Subtotal	\$50 620.00
HST	\$7593.00
Total	\$58 213.00

THIS AGREEMENT made in duplicate the 24th day of October, 2022

BETWEEN: **City of Corner Brook**, a body corporate duly continued pursuant to the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended (hereinafter referred to as "the City") Of the First Part

Urve Manuel, a resident of [REDACTED] in the Province of Newfoundland and Labrador (hereinafter referred to as the "Proponent") Of the Second Part

WHEREAS the parties entered into an agreement an art installation on the 23rd of September, 2022;

AND WHEREAS the cost of the art installation has increased due to circumstances unforeseen to either party;

AND WHEREAS the City required a resolution of Corner Brook City Council prior to paying any increased cost;

NOW THEREFORE in consideration of the mutual promises contained herein, the receipt and sufficiency of which are hereby acknowledged, with said consideration binding the Parties, the Parties agree as follows:

The Agreement dated September 23rd 2002 between the City and the Proponent shall be revised as follows:

1. Clause 1 shall be amended by changing the flat fee from "\$49,944.50" to "58,213.00";
2. Schedule "A" shall be removed and replaced with the Schedule "A" annexed hereto; and
3. Clause 4 shall be amended from a total completion date of "September 30th, 2022" to a total completion date of "October 31st, 2022"

All other terms, covenants, provisos and stipulations in the aforementioned Lease are hereby confirmed in full force and effect.

SIGNED, SEALED & DELIVERED on behalf of the Landlord this day of , 2022.

CITY OF CORNER BROOK

Witness

Mayor

Witness

City Clerk

SIGNED, SEALED & DELIVERED by the Proponent this 20th day of October, 2022.

Witness

Urve Manuel



Request for Decision (RFD)

Subject: Council Meeting Structure

To: Rodney Cumby
Meeting: Regular Meeting - 19 Dec 2022
Department: City Manager
Staff Contact: Rodney Cumby, City Manager
Topic Overview: Standing Committee Structure vs Committee of the Whole Structure
Attachments: [Standing Committee Review IR](#)
[Committee of the Whole Draft Terms of Reference December 2022](#)

BACKGROUND INFORMATION:

As per motion 22-036 at the Committee of the Whole Meeting of April 11, 2022 the Standing Committee's meeting structure was re-established. Since this change in structure, staff have received feedback that it would be the preference of some councillors to return to Committee of the Whole structure. A major issue that has been identified with the current committee structure is the fluctuating schedule that has made it difficult for media and council to attend. With the proposed Committee of the Whole structure we would typically have two public council meetings a month, one being our Regular Council Meeting and the other being the Committee of the Whole Council Meeting. These meetings would be public meetings and would typically occur on the 1st and 3rd Monday of the month, depending on any civic or statutory holidays. A more specific schedule will be brought forward for council at the next public meeting.

The Committee of the Whole will also provide an opportunity for the City Manager to address all of Council in camera to provide updates on ongoing confidential matters.

As previously reported, staff have identified that the Committee of the Whole structure is the predominant model used by municipalities across the country and the shift to this model is becoming increasingly accepted as the preferred model. The Committee of the Whole model is much more adaptable from the departmental structure and it allows for interdepartmental perspectives in the decision making process. This model also provides for all of council to be equally informed on all matters in a transparent environment, compared to departmental knowledge being the responsibility of an individual Councillor. When the Committee of the Whole structure was adopted in 2020, the primary purpose was to ensure that all council members were receiving the same information and were involved in discussion and debate for all items, regardless of the department. A further detailed summary of the advantages of the Committee of the Whole format versus the departmental structure is outlined in the attached Information Report of 14 March 2022.

TOPIC LEADS

The Committee of the Whole will have updates from assigned council topic leads for the following departments:

- Capital Works & Engineering – Councillor Pender
- Development, Planning & Community Services – Councillor Griffin
- Finance & Administration – Councillor Gill
- Public Works, Water & Wastewater – Deputy Mayor Chaisson
- Protective Services – Councillor Granter
- Recreation & Tourism – Councillor Keeping

TERMS OF REFERENCE

The previous Committee of the Whole Structure had been in place for close to two years and had been operating with an informal terms of reference. Attached is a draft Terms of Reference for Council's consideration and approval.

PROPOSED RESOLUTION:

Be it **RESOLVED** to re-establish the Committee of the Whole structure and approve the terms of reference as presented.

RECOMMENDATION:

It is staff's recommendation to re-establish the Committee of the Whole Structure. It is staff's opinion that this model is a far more efficient structure which allows for stream-lined decision making in a timely matter while better utilizing staff resources.

ALTERNATIVE IMPLICATIONS:

1. Council can approve to re-establish Committee of the Whole Structure and the terms of reference as presented.
2. Council can approve to re-establish Committee of the Whole Structure and make recommendations that council would like to be considered to be applied to the Committee of the Whole Terms of Reference that has been brought forward.
3. Council can continue with the current Standing Committee structure.

Office Assistant 111

Approved - 15 Dec 2022

City Manager

Information Report (IR)



Subject: Standing Committee Review

To: Council and Mayor

From: Rodney Cumby, City Manager

Meeting Date: March 14, 2022

Topic Overview: Council has directed staff to undertake a review of the Standing Committee Structure as per Council resolution 22-031(28 Feb 202)

BACKGROUND INFORMATION:

In accordance with the City of Corner Brook Act, Council has the authority to appoint standing or special committees. Over the years Council has utilized various standing committee structure. Dating back to the late 1990 and up to 2017, standing committees were structured based upon the corporate departmental structure; however, as the departments evolved over time the standing committee model did not entirely align with the departmental structure resulting in the work of some divisions being spread across various standing committees. Subsequently, in 2018 the Standing Committee structure was changed to re-align standing committees with service areas as follows:

- Transportation and Public Works
- Development and Planning
- Public Safety
- Community Service
- Finance and Administration

Additionally, Council authorized establishing several advisory committees as a mechanism for community engagement and improving the relationship between the City and its stakeholders. The standing committee were public meeting held at noon which were livestreamed on facebook and posted to the City's website. This structure remained in place until 2020.

The current committee structure which was adopted in 2020 includes:

- Committee of the Whole
- Finance And Administration Standing Committee
- Advisory Committees:
 - Accessibility and Inclusiveness Community Committee
 - Community Partners Committee
 - Youth Advisory Committee
- Special Committee
 - Regional Aquatic Center
- External Committees

- Western Regional Waste Management
- Rotary Arts
- Port Corporation
- Deer Lake Airport Authority

This committee structure was arrived at after conducting comparator research of other municipalities.

Purpose:

Council has directed staff to undertake a review of the Standing Committee Structure as per Council resolution 22-031 issued on 28 February 2022. Currently, Council has two Standing Committee; Committee of the Whole and Finance and Administration. Additionally, Council has Advisory Committees, External Committees and one Special Committee (ad hoc). A historical background on the Standing Committee structure from 1997 to present can be found in Appendix 1. It is staff's understanding that Council is requesting a review of the Standing Committee Structure and that the Advisory Committees, Special Ad Hoc Committee and External Committee models are acceptable.

In conducting the review of the current Standing Committee structure staff conducted an internal assessment of how well the existing Committee structure is functioning, how it impacts decision making and if there are opportunities to improve the format and reporting such that the Committee of the Whole Meeting structure is more informative, provides an opportunity for deliberations and decision making where appropriate. In addition to the internal assessment comparator research of other municipalities Standing Committee structure was conducted. See Appendix "2"

In regards to the internal assessment of Standing Committee Structure the advantages identified from the Committee of the Whole format versus the traditional committee structure include:

- Full Council participation on all matters at the committee level hence all of Council is simultaneously informed and involved on matters coming before the committee
- Committee of the Whole format consolidates standing areas of jurisdiction into one meeting; hence this results in fewer meetings which allows staff more time to work on operational matters. Agenda and meeting preparations consumes significant staff time both pre and post meeting. Additionally, significant staff time is expended attending meetings.
- Reduced duplication of debate and discussion between committees and Council
- Streamlined decision making resulting in more timely decisions
- Predictable meeting schedule (Committee of the Whole is scheduled for Monday's whereas previous structure was dependent on chairperson's schedule)
- Improved transparency as the Committee of the Whole Agenda is a public meeting. This public format ensures that City information is proactively shared with the community.
- Less likely that Council members will have a bias for one specific department
- Allows items to be publically deliberated before making a formal decision at the Public Council meeting
- More flexible to align with corporate restructuring.

Based upon discussions brought forth to the Public Council meeting staff understand that some members of Council are dissatisfied with the existing standing committee structure. As a staff we do support the existing structure for the reasons outlined above, but recognize that improvement must be made. Specifically, staff recommends the following:

- Improvements to the flow of information coming to the meeting to ensure it is comprehensive to allow for informative deliberations and better decision making.

- Feature priority agenda item from various services areas which will allow for detailed Council discussion, debate and provide direction for consideration at the Public Council meeting.

In order to continue to made improvements to the Committee of the Whole model staff will require further feedback from Council on how the structure can improve in order to ensure Council and the public are better informed of City initiatives.

Based upon our research, the Committee of the Whole structure is the predominant model used by municipalities across the country. This model is much more adaptable from the silo departmental structure and allows for interdepartmental perspectives in the decision making process. While many municipalities in Newfoundland continue to use the departmental Standing Committee structure, St. John's moved to the Committee Whole model in 2018 and Mt. Pearl uses a hybrid of Departmental Standing Committee and Committee of the Whole

Procedural Considerations

As per Council's directive of 28 February 2022 staff were also asked to review the Terms of Reference of Standing Committee and proposed amendments to the Committee's guidelines. This portion of the Council directive is still under review.

As a staff we are very receptive to finding solutions to ensure our Standing Committee structure is operating efficiently and effectively taking into consideration our administrative resources and the importance of the governance structure in the decision making process. In striving to achieve the objectives of Council as part of this review I will work with the senior management team to develop a system to ensure summary reports are circulated weekly to Council through our Council Circulation Package process. We will also conduct a review of RFD and Information Report Template to assess if changes are required to ensure Council is obtaining all the information necessary to assist in the decision making process.



City Manager

City of Corner Brook

Committee of the Whole

Terms of Reference

Purpose

Committee of the Whole Meetings are intended to enhance transparency, maintain decorum and provide councilors with a forum to speak publically on issues. The purpose of the Committee of the Whole is to allow all of Council to consider and discuss matters in a public, but slightly less formal environment than a Regular Meeting. The Committee of the Whole will be designated for reporting from the specific business units below from the designated Council topic lead and providing an opportunity for council discussion and questions regarding departmental initiatives and operations. However Council will still have the ability to make decisions on items that are deemed time sensitive or necessary to address at a Committee of the Whole Meeting.

The Committee of the Whole will consider and provide recommendations to Council and staff on initiatives ongoing in the various business units:

- Capital Works & Engineering
- Development, Planning & Community Services
- Finance & Administration
- Public Works, Water & Wastewater
- Protective Services
- Recreation & Tourism

Councillors will be designated as topic leads on each of these specific business units which will be appointed annually. As lead, councillors will be required to meet monthly with the Director(s) involved in that area along with the Mayor and City Manager, to be briefed on matters that should be brought forward to the subsequent Committee of the Whole. This “briefing” is an evolution from the traditional standing committee meetings, and should allow for greater flexibility in meeting times and less administrative burden, while allowing councillors to gain a more thorough understanding of the topics they bring forward to the public.

In addition to these business units, councillors involved in Advisory Committees may submit information reports as necessary based on the activity of their committee.

Committee of the Whole Meetings will occur once monthly in chambers and will be public meetings. These meetings will typically occur two weeks following a regular council meeting, with the exception of any statutory or civic holiday. Councillors will be expected to exercise standard decorum for the meeting, e.g. wait to be recognized by the chair before speaking, speaking to items no more than two times, unless responding to questions, etc. These meetings will be open to the public and broadcast via

media and/or the City's social media. Any confidential items that require discussion will be saved for an in camera session immediately following the public session.

Composition and Terms

1. Committee of the Whole Meeting will be held monthly
2. The Committee is comprised of all members of City Council
3. A member of Council will be designated "Lead" for a specific business unit.
4. The topic leads will be appointed annually.

General Responsibilities:

1. The City Manager will provide overall strategic support to the Committee and is responsible for all reports coming before the Committee
2. The senior management team will provide subject matter advice and recommendations to the Committee
3. The City Clerk' staff is responsible for preparing agenda, minutes and providing administrative support to the Committee

DRAFT



Request for Decision (RFD)

Subject: Commercial Vehicle Parking in Residential Zones

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

BACKGROUND INFORMATION:

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

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

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

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

PROPOSED RESOLUTION:

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

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

Legal Review: Yes

LEGAL REVIEW:

Complete

RECOMMENDATION:

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

ALTERNATIVE IMPLICATIONS:

Options:

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

Director of Community, Engineering, Development & Planning	Approved - 15 Dec 2022
Office Assistant 111	Approved - 15 Dec 2022

City Manager

Commercial Motor Vehicle Regulation Input

Email from Resident:

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

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

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

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

Sorry for the rant btw.

Email from Resident:

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

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

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

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

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

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

Telephone conversation from Resident:

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

Draft regulation

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

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

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

Definitions:

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

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

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

- (c) motor vehicles being used in the installation, repair or maintenance of a power or communications utility;
- (d) ambulances responding to a call or transporting a patient; or
- (e) motor vehicles lawfully parked in a metered parking space.

6. Where any person contravenes any of the provisions of these Regulations:

- (a) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment or both in accordance with s.438 of the City of Corner Brook Act; and
- (b) such person may be issued a violation notice pursuant to section 280.1 of the City of Corner Brook Act.

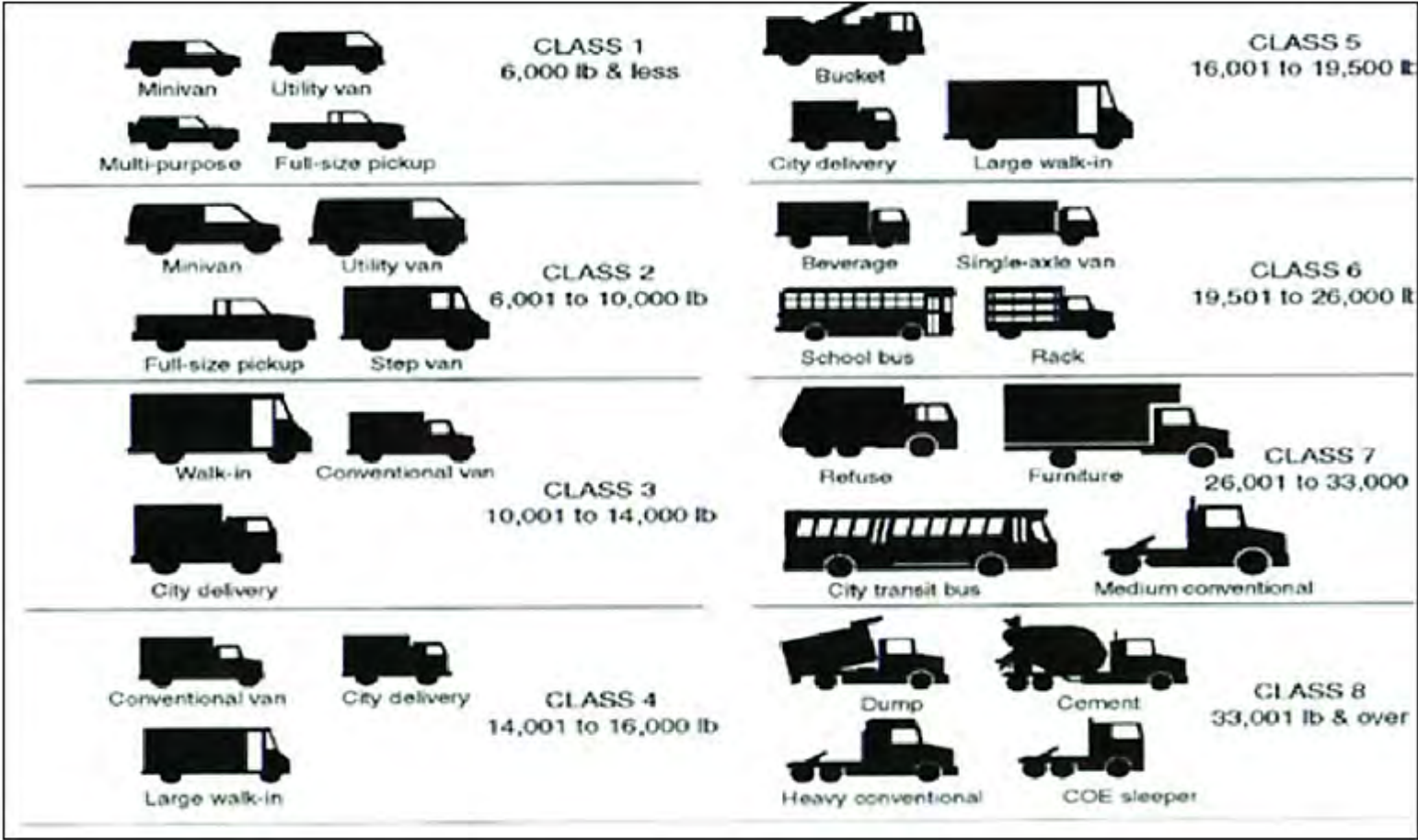
7. Inspectors are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the City of Corner Brook Act for any contravention or failure to comply with these Regulations.

8. These regulations shall come into force as of the date enacted by Council and The Corner Brook Commercial Motor Vehicle Regulation, passed in or about 1976, and all amendments thereto, is hereby repealed upon the coming into force of these Regulations.

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

Appendix "A" Designated Routes

Draft



Truck classifications by gross vehicle weight.