



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 November 21, 2022 at 7:00 p.m. Council Chambers, City Hall.

CITY CLERK

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MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
COUNCIL CHAMBERS, CITY HALL
MONDAY, 17 OCTOBER, 2022 AT 7:00 PM

PRESENT:		
Mayor	J. Parsons	D. Charters, Director Community Engineering Development and Planning T. Flynn, Director of Protective Services, Acting City Manager S. Maistry, Director of Finance and Administration M. Redmond, City Clerk B. Tibbo, Seargent-At-Arms <i>Director of Public Works Water and Wastewater- vacant</i>
Deputy Mayor	L. Chaisson	
Councillors:	P. Gill V. Granter B. Griffin P. Keeping C. Pender	
Absent with Regrets: R. Cumby City Manager		

CALL MEETING TO ORDER: The meeting was called to order at 7:00 p.m.

22-161 Approval of Agenda

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

22-162 Approval of Minutes - Regular Council Meeting - 20 September 2022

On motion by Councillor C. Pender, seconded by Councillor V. Granter, it is RESOLVED to approve the Minutes of the Regular Council Meeting of September 20, 2022. MOTION CARRIED.

22-163 Ratification of Decisions

On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is RESOLVED to ratify Minute CC22-027 - Approval of Agenda.

On motion by Councillor V. Granter seconded by Councillor P. Gill it is RESOLVED to ratify Minute CC22-029 - Purchase and Sale Agreement - Land behind Sunnyslope Drive and Cossitt Place.

MOTION CARRIED ON ALL MOTIONS.

22-164 Business Arising From Minutes

Transit Route to Long Term Care: The Director of Community Engineering Development and Planning provided details on the transit program for providing transit service to the Long Term Care facility.

Truth and Reconciliation Day: Councillor Gill commented on Truth and Reconciliation Day in the City of Corner Brook along with the program put in place to welcome cruise ship passengers to the City.

22-165 Proclamations and Events

Mayor Parsons announced recognition of the following proclamations:

- Prostate Cancer Awareness Month
- World Breastfeeding Week
- Child Abuse Prevention Month
- Small Business Week

22-166 Code of Conduct Policy

Councillor Griffin commented on the Code of Conduct Policy and the new Code of Conduct Act and regulations. He stated he has concerns with the existing policy and is hopeful the new policy will find better ways to address Code of Conduct violations.

22-167 Consultant Fee Request - O'Connell Drive Pedestrian Crossing Improvements

On motion by Councillor P. Gill, seconded by Councillor L. Chaisson, it is RESOLVED to accept the proposal submitted by Englobe Corporation for the O'Connell Drive Pedestrian Crossing improvements in the amount of \$31,818.61 HST included. MOTION CARRIED.

22-168 Regional Recreation Center - Change Order No. 10

Councillor Gill and Pender declared themselves in Conflict of Interest on this agenda item as they are employed by Grenfell Campus. They did not participate in deliberations or voting on this agenda item.

On motion by Councillor P. Keeping, seconded by Councillor V. Granter, it is RESOLVED to approve Change Order # 10 between the City of Corner Brook and Pomerleau Inc. for an increase of \$108,836.78 HST included for the Corner Brook Recreation Center. MOTION CARRIED.

22-169 Transit Smart Card System - Payment in Motion

On motion by Councillor P. Keeping, seconded by Councillor B. Griffin, it is RESOLVED to approve the supply and installation of the smart card system at a cost of \$123,855 (HST included). MOTION CARRIED.

22-170 71 Philip Drive (Discretionary Use / Proposed Apartment Building).

On motion by Councillor B. Griffin, seconded by Councillor P. Gill, it is RESOLVED that Council in its authority approve the application for the proposed apartment building at 71 Philip Drive Corner Brook, NL. MOTION CARRIED.

22-171 Commercial Vehicle Permit - 19 Carmen Avenue

On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is RESOLVED to deny the application to park a commercial vehicle in a residential zone on the property located at 19 Carmen Avenue. MOTION POSTPONED.

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is RESOLVED to postpone the motion to the next Public Meeting. (Mayor Parsons and Councillor Gill voted against the motion). MOTION CARRIED.

22-172 Discretionary Use - 19 Carmen Avenue - Home Based Business Office
On motion by Councillor V. Granter, seconded by Councillor C. Pender it is RESOLVED to approve the application to operate a home-based business office from the dwelling located at 19 Carmen Avenue in accordance with Regulation 11 - Discretionary Power of Authority. MOTION POSPTONED to the next Public Meeting.

22-173 Confirmation of Order - 61 Valley Road
On motion by Councillor L. Chaisson, seconded by Councillor C. Pender, it is RESOLVED in accordance with Section 109(4) of the Urban and Rural Planning the following Order is hereby confirmed by Council Order #2022-05. MOTION CARRIED.

22-174 Request to purchase City land off Mayfair Avenue
On motion by Councillor C. Pender, seconded by Councillor P. Gill, it is RESOLVED to approve execution of the purchase and sale agreement between the City of Corner Brook and the Bay of Islands Radio Inc. for the City land located off Mayfair Avenue. MOTION CARRIED.

22-175 Election of Deputy Mayor
An election was conducted for the Deputy Mayor position. Linda Chaisson was declared Deputy Mayor by acclamation.

ADJOURNMENT

The meeting adjourned at 8:31 p.m.

City Clerk

Mayor



Request for Decision (RFD)

Subject: Ratification of Decisions

To: Rodney Cumby
Meeting: Regular Meeting - 17 Oct 2022
Department: City Manager
Staff Contact: Jessica Smith, Legislative Assistant
Topic Overview:

BACKGROUND INFORMATION:

In accordance with section 41 (3) of the City of Corner Brook Act, "*Where a decision is made by the councilors at a privileged meeting, the decision, in order to be valid, shall be ratified at a public meeting of the council.*", the following minutes are being brought forward for ratification:

Council in Committee Meeting - October 26, 2022

CC22-037 - Waiver of 24 Hour Notice Period - It is **RESOLVED** to waive the twenty-four hour notice period and approve the agenda for the Special Council in Committee Meeting to consider change orders to the Corner Brook Regional Recreation Centre

CC22-038 - Approval of Agenda - It is **RESOLVED** to approve the agenda as presented.

CC22-040 - Corner Brook Regional Recreation Centre - Change Order No. 11 - It is **RESOLVED** to approve change order #11 - Daycare Entrance Door in the amount of \$42,129.03 (HST included) for Pomerleau Inc. for the Corner Brook Regional Recreation Centre.

CC22-041 - Corner Brook Regional Recreation Centre - Change Order No. 12 - It is **RESOLVED** to approve change order #12 - (Unsuitable Material) in the amount of \$71,478.80 (HST included) for Pomerleau Inc. for the Corner Brook Regional Recreation Centre.

CC22-042 - Corner Brook Regional Recreation Centre - Change Order No. 14 - It is **RESOLVED** to approve change order #14 (Wall Demolition) in the amount of \$300,958.38 (HST included) for Pomerleau for the Regional Recreation Centre.

Council in Committee Meeting - October 27, 2022

C22-043 - Notice to Waive 24 Hour Period - It is **RESOLVED** to waive the twenty-four hour notice period for the Special Council in Committee Meeting to address the following matter: Director of Public Works, Water and Wastewater Position - Appointment.

C22-044 - Approval of Agenda - It is **RESOLVED** to approve the agenda as circulated.

C22-045 - Preferred Candidate - it is **RESOLVED** to appoint the "preferred candidate" as the Director of Public Works, Water & Wastewater based upon the terms and conditions of the employment contract for all Directors

Council in Committee Meeting - November 7, 2022

CC22-046 - Approval of Agenda and Waiver of Twenty Four (24) Hour Time Limit - It is **RESOLVED** to approve the agenda as circulated and to waive the 24 hour time notice to address the following matter: Director of Recreation - Appointment.

CC22-048 - Director of Recreation Appointment - It is **RESOLVED** to appoint the preferred candidate as the Director of Recreation based upon the terms and conditions of the employment contract for all Directors.

PROPOSED RESOLUTION:

It is **RESOLVED** to ratify minute CC22-037- Waiver of 24 Hour Notice Period

It is **RESOLVED** to ratify minute CC22-038 - Approval of Agenda

It is **RESOLVED** to ratify minute CC22-040 - Corner Brook Regional Recreation Center - Change Order No. 11

It is **RESOLVED** to ratify minute CC22-041 - Corner Brook Regional Recreation Center - Change Order No. 12

It is **RESOLVED** to ratify minute CC22-042 - Corner Brook Regional Recreation Center - Change Order No. 14

It is **RESOLVED** to ratify minute CC22-043 - Notice to waive 24 Hour Period

It is **RESOLVED** to ratify minute CC22-044 - Approval of Agenda

It is **RESOLVED** to ratify minute CC22-045 - Preferred Candidate - Public Works, Water and Wastewater

It is **RESOLVED** to ratify minute CC22-046 - Approval of Agenda and Waiver of Twenty Four (24) Hour Time Limit

It is **RESOLVED** to ratify minute CC22-048 - Director of Recreation Appointment

GOVERNANCE IMPLICATIONS:

Legislation

City of Corner Brook Act

41(3)

City Clerk

Office Assistant 111

Approved - 16 Nov 2022

Approved - 16 Nov 2022

City Manager



Information Report (IR)

Subject: Proclamations and Events

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: City Manager
Staff Contact: Jessica Smith, Legislative Assistant
Topic Overview: The following is a listing of proclamations which are being brought forward for recognition.
Attachments: [Remembrance Week 2022 Redacted](#)
[Rett Syndrome Redacted](#)
[Chron's and Colitis Proclamation 2022_signed](#)
[Project Red Ribbon Proclamation Sample](#)

BACKGROUND INFORMATION:

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

- **October 2022** was declared as **Rett Syndrome Awareness Month**;
- **November 1st-11th, 2022** was declared as **Remembrance Period**;
- **November 2022** was declared as **Chron's and Colitis Awareness Month**; and
- **MADD Canada's Project Red Ribbon** was declared and runs from **November 1 until January 2, 2023**

in the City of Corner Brook.

City Clerk
 Office Assistant 111

Approved - 16 Nov 2022
 Approved - 16 Nov 2022

City Manager



The Royal Canadian Legion Poppy/Remembrance Proclamation



Whereas the purposes and objects of the Legion, as contained in the "ACT TO INCORPORATE", the Royal Canadian Legion, Chapter 84 of the Statutes of Canada 1948, as amended by Chapter 86 of the Statutes of Canada 1951; Chapter 72 of the Statutes of Canada 1959; Chapter 83 of the Statutes of Canada 1961; Chapter 112 of the Statutes of Canada 1975; Chapter 47 of the Statutes of Canada 1977 - 1978 and by the Statutes of Canada 1980 - 1981, include:

- e) perpetuate the memory and deeds of the fallen and those who die in the future;
- f) to promote and care for memorials to their valour and sacrifice... to keep an annual Memorial Day, to preserve the records and memorials of their service and to see that such service shall not be forgotten by the nation;
- g) to educate public opinion regarding national duties to the dead;
- h) to foster loyalty among the public and educations in the principles of patriotism, duty and unstinted public service; AND

Whereas every person who has been initiated into membership in the Royal Canadian Legion has sworn to uphold and advance the aims and objectives of the Legion; AND

Whereas the Provincial Poppy/Remembrance Committee has recommended that the observance of a "REMEMBRANCE PERIOD" immediately prior to November 11th would do a great deal to encourage greater interests on the part of the public; AND

Whereas by decree of caucus, the Government of Newfoundland & Labrador fully support the Legion's efforts to promote Remembrance by flying the Legion's "Flag of Remembrance" from November 1st to the 11th November each year;

Know Ye that we, by and with the approval of the Provincial Command of The Royal Canadian Legion do designate the eleven days commencing November 1st and ending November 11th as:

"Remembrance Period"

And we do recommend to all loyal members of The Royal Canadian Legion and to all other citizens of the Province of Newfoundland Labrador:

1. Remembrance Period is a time for each one of us to reflect and recall to mind the sacrifices made by our Veterans to ensure the peace we now enjoy.
2. The Poppy is the symbol of Remembrance, Peace and Hope for the future.

Dated at Corner Brook

This 28th day of October

Two thousand Twenty two



PROCLAMATION

October as Rett Syndrome Awareness Month

WHEREAS Rett syndrome is a rare genetic neurological disorder that occurs almost exclusively in girls and leads to severe impairments, affecting nearly every aspect of the individual's life. Rett syndrome occurs worldwide in 1 of every 10,000 female births and is even rarer in boys, but not impossible. Rett syndrome is usually recognized in children between 6-18 months of age as they begin to miss developmental milestones or lose abilities they had once gained;

AND WHEREAS throughout their lives these courageous individuals will need total care and constant support from their family; they will combat many medical challenges. They may have seizures, osteoporosis, scoliosis, breath holding, hyperventilation, nutritional problems and so much more. Apraxia, which is the inability to motor plan, is one of the most challenging aspects of Rett Syndrome along with loss of speech;

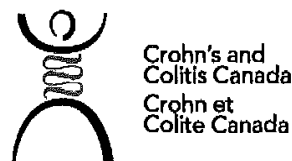
AND WHEREAS in 1999 it was discovered that Rett Syndrome is primarily caused by a sporadic mutation in the MECP2 gene on the X chromosome, and since this discovery there are many research projects taking place across Ontario and Canada;

AND WHEREAS as there is no Canadian Rett Syndrome Association, the Ontario Rett Syndrome Association (O.R.S.A.) has members from many provinces across Canada and through donations and fundraising efforts have been able to fund finances the Canadian Rett Syndrome Registry, has funded over \$600,000 in Canadian Rett syndrome research, and support three Rett clinics in Ontario. The Rett syndrome clinics located at the Children's Hospital of Eastern Ontario, Ottawa, Holland Bloorview Kids Rehabilitation Hospital, Toronto and Thames Valley Children's Centre, London, provide direct critical support to the families and their loved one on care and management issues.

NOW THEREFORE, I, **Jim Parsons, Mayor of the City of Corner Brook, DO HEREBY PROCLAIM October 2022 as RETT SYNDROME AWARENESS MONTH** in the City of Corner Brook. I urge all citizens to make an effort this month to learn more Rett Syndrome, fight stigma, light Canada purple and wear a purple ribbon to show support.


 Mayor

Dated Oct. 27, 2022



PROCLAMATION

I, JIM PARSONS, Mayor of THE CITY OF CORNER BROOK

Do hereby proclaim the month of

November 2022

As

Crohn's and Colitis Awareness Month

WHEREAS: Crohn's and Colitis Canada is a national, volunteer-based non-profit organization supporting the over 270,000 Canadians living with inflammatory bowel disease (IBD), a chronic autoimmune disease that causes the body to attach healthy tissue, leading to inflammation of part of or all of the digestive system; and

WHEREAS: People living with IBD routinely endure abdominal pain, cramping, fatigue, internal bleeding, and frequent and urgent bowel movements – in some cases over 20 times a day. While more than five million people globally live with IBD, Canada has one of the highest prevalence rates in the world, with the Atlantic provinces having the highest rates in the country. By 2030, experts predict the number of Canadians living with IBD to exceed 400,000 – one per cent of the population. Currently there is no cure; and

WHEREAS: Every November, Canada celebrates Crohn's and Colitis Awareness Month. As part of this initiative, landmarks across Canada are illuminated red in a show of support for everyone impacted by IBD; and

WHEREAS: To learn more about Crohn's and Colitis Canada and the work the organization does, please visit crohnsandcolitis.ca

THEREFORE, I, Jim Parsons, Mayor of the City of Corner Brook, do hereby proclaim this month of November 2022 be "Crohn's and Colitis Awareness Month" in the City Corner Brook


Mayor Jim Parsons

crohnsandcolitis.ca | crohnetcolite.ca

Crohn's and Colitis Canada, 60 St. Clair Avenue East, Suite 600, Toronto ON M4T 1N5

Our registered charity number is 11883 1486 RR 0001



PROCLAMATION

Project Red Ribbon Day: November 21, 2022

WHEREAS, Project Red Ribbon is a commitment made by Canadians to drive safe and sober. It is a highly visible, community public awareness campaign which depends on volunteer participation to promote the message that deaths and injuries resulting from impaired driving are needless tragedies and totally preventable;

WHEREAS, Each year from the beginning of November until the first Monday after New Year's, MADD Canada volunteers across the country distribute red ribbons and ask Canadians to display a ribbon on their vehicle and/or key chain, or on a personal item like their purse, briefcase or backpack;

WHEREAS, the MADD Canada red ribbon is a powerful symbol. By displaying the ribbon, you are making a personal commitment to drive sober. A red ribbon is also used to pay tribute to the thousands of Canadians who have lost their lives or who have been injured as a result of impaired driving. The red ribbon also reinforces the message to drive sober throughout the holidays and throughout the year;

THEREFORE, I Jim Parsons the Mayor of the City of Corner Brook do hereby declare November 21 as Project Red Ribbon day in the City of Corner Brook.

Mayor Jim Parsons



Request for Decision (RFD)

Subject: Expression of Interest - Assessment Review Commissioner 2023

To: Rodney Cumby

Meeting: Regular Meeting - 21 Nov 2022

Department: Finance and Administration

Staff Contact: Sievendra Maistry, Director of Finance and Administration

Topic Overview:

BACKGROUND INFORMATION:

Pursuant to Section 31(1) of the *Assessment Act*, the City of Corner Brook is required to appoint a person to the position of Assessment Review Commissioner for 2023. The City has solicited expressions of interest in the position of Assessment Review Commissioner and one submission was received.

Mr. Waterman has held a number of positions in his career in which he was responsible for property acquisition and disposition. He has served on several panels and hearing in relation to statutes and regulations. He has served as the City's commissioner for the past nine years.

PROPOSED RESOLUTION:

It is RESOLVED to appoint Mr. Dennis Waterman as the Assessment Review Commissioner for 2023.

FINANCIAL IMPACT:

The cost is variable based on the number of hearings and prep that is required. The proposed rate for 2023 is \$650 per day and includes all administrative and secretary support. This rate is the same as 2022. It is proposed that \$10,000 be carried in the 2023 budget for this service.

Budget Code: 01-300-1050-65700

Finance Type: Budget

GOVERNANCE IMPLICATIONS:

Policy

Other

Assessment Act

Section 31(1)

RECOMMENDATION:

It is staff recommendation to appointment Mr. Waterman as the Assessment Review Commissioner for the 2023 tax year.

ALTERNATIVE IMPLICATIONS:

1. Approve the appointment of Mr. Waterman as Assessment Review Commissioner
2. Reject the appointment, and advertise again

Director of Finance and
Administration
Office Assistant 111

Approved - 16 Nov 2022

Approved - 16 Nov 2022

City Manager



Request for Decision (RFD)

Subject: Snow Clearing Small Roads 2023

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: City Manager
Staff Contact: Dawn Marshall, Fleet Management Coordinator
Topic Overview: Snow Clearing Small Roads 2023

BACKGROUND INFORMATION:

Quotations were recently invited by the City of Corner Brook for Snow clearing Small Roads not including snow removal, salt/sand & ice control between January 1, 2023 to April 30, 2023 with a threshold of 5cm of snow between the hours of midnight & 7am. The deadline to submit quotes for this contract was November 4, 2023 & all compliant quotes were as follows;

Rico Construction Ltd.	40,000+HST
Ambstemel Trucking Ltd.	52,500+HST
Four Seasons Excavation	118,000+HST
Humber Arm Contracting	159,839.12+HST

PROPOSED RESOLUTION:

Be it **RESOLVED** that Corner Brook City Council accept staff's recommendation to accept the quotation from Rico Construction Ltd for the amount of \$40,000+HST

FINANCIAL IMPACT:

Public Works Snow Clearing Account

Budget Code: [REDACTED]

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications.

Legal Review: No

Office Assistant 111	Approved - 16 Nov 2022
Director of Public Works, Water and Wastewater	Approved - 16 Nov 2022

City Manager



Request for Decision (RFD)

Subject: Standing Offer - Hired Equipment Services, Contract 2022-29

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: City Manager
Staff Contact: Dawn Marshall, Fleet Management Coordinator
Topic Overview: Standing Offer - Hired Equipment Services, Contract 2022-29
Attachments: [Hired Equipment List - December 22, 2022 to May 21, 2023](#)

BACKGROUND INFORMATION:

Quotations were recently invited by the City of Corner Brook for the supply of equipment with operator, on demand, for a period of seven months (December 22, 2022 – May 21, 2023). Hourly rates were requested (with various attachments) for loaders with/without attachments, rubber tire backhoes with/without attachments, tandem trucks, excavators & mini excavators with/without attachments, tractors/dozers, graders, skid steer sidewalk sweepers/snowblowers, and boom trucks. The tender closed on November 2, 2022 and all compliant quotations are indicated in the attached document.

PROPOSED RESOLUTION:

Be it RESOLVED that Corner Brook City Council accept staff's recommendation to accept the quotations for Hired Equipment Services as stated in the attached document for a seven-month period (December 22nd, 2022 to May 21st, 2023) on a standing offer basis.

FINANCIAL IMPACT:

Various Public Works, Water, and Wastewater accounts on an as needed basis.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications.

Legal Review: No

RECOMMENDATION:

It is the recommendation of staff to accept the quotations for Hired Equipment Services as stated in the attached document for a seven month period (December 22nd, 2022 to May 21st, 2023) on a standing offer basis.

Office Assistant 111
 Director of Public Works, Water and Wastewater

Approved - 16 Nov 2022
 Approved - 16 Nov 2022

City Manager

**Hired Equipment
December 22, 2022 - May 21, 2023**

Loader with Blade			
Contractor	Model	Telephone Numbers	Rate
Sharon Wheeler	2022 914M CAT		\$59.59
Rico Construction	2008 IT14 CAT		\$65.00
Four Seasons Excavation Ltd.	2009 938 Cheng Cheng		\$80.00
Ambstemel Trucking Ltd.	2016 CAT 924K		\$110.00
Humber Arm Contracting Inc.	2004 John Deere 444J		\$114.95
Humber Arm Contracting Inc.	2011 544 John Deere		\$118.05
Humber Arm Contracting Inc.	2011 544 John Deere		\$118.05
Make Enterprises Ltd.	2008 930H CAT		\$120.00
Humber Arm Contracting Inc.	2012 624 John Deere		\$124.10
Humber Arm Contracting Inc.	2015 644 John Deere		\$134.05
Ron Flynn Transport Ltd.	2014 924H CAT		\$145.00
Dawe's Equipment	2019 Komatsu WA200		\$150.00

Loader with Wing and Blade			
Contractor	Model	Telephone Numbers	Rate
Humber Arm Contracting Inc.	2011 544 John Deere		\$194.60
Humber Arm Contracting Inc.	2011 544 John Deere		\$194.60

Hired Equipment December 22, 2022 - May 21, 2023			
Loader with Snow Basket			
Contractor	Model	Telephone Numbers	Rate
Sharon Wheeler	2022 914M CAT		\$66.00
Rico Construction	2008 IT14 CAT		\$68.00
Four Seasons Excavation Ltd.	938 Cheng Cheng		\$80.00
Ambstemel Trucking Ltd.	2016 CAT 924K		\$110.00
Humber Arm Contracting Inc.	2004 John Deere 444J		\$118.04
Make Enterprises Ltd.	2008 930H CAT		\$120.00
Humber Arm Contracting Inc.	2007 924G CAT		\$120.04
Humber Arm Contracting Inc.	2015 644 John Deere		\$120.04
Humber Arm Contracting Inc.	2011 544 John Deere		\$124.10
Humber Arm Contracting Inc.	2012 624 John Deere		\$134.05
Ron Flynn Transport Ltd.	2014 924H CAT		\$145.00
Dawe's Equipment	2019 Komatsu WA200		\$150.00

Loader with Snow Blower			
Contractor	Model	Telephone Numbers	Rate
Humber Arm Contracting Inc.	2015 644 John Deere		\$251.03

**Hired Equipment
December 22, 2022 - May 21, 2023**

Rubber Tire Backhoe			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2016 420F CAT		\$47.49
A-1 Transportation Ltd.	2013 3CX JCB		\$57.87
Rico Construction Ltd.	2014 CAT 420		\$60.00
Make Enterprises Ltd.	2013 B958 New Holland		\$63.00
Ambstemel Trucking Ltd.	2014 420F CAT		\$73.00
Ron Flynn Transport Ltd.	2018 420 IT CAT		\$75.00
Way's Haulage & Excavation	2017 CAT 420		\$95.00
Humber Arm Contracting Inc.	2010 420 D CAT		\$97.50
Way's Haulage & Excavation	2011 CAT 420		\$105.00
Dawe's Equipment	2012 JCB 3CX		\$110.00
Dawe's Equipment	2011 CAT 420		\$110.00

Rubber Tire Backhoe with Blade			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2016 420F CAT		\$47.49
Rico Construction Ltd.	2014 CAT 420		\$60.00
Make Enterprises Ltd.	2013 B958 New Holland		\$63.00
A-1 Transportation Ltd.	2013 3CX JCB		\$70.00
Ambstemel Trucking Ltd.	2014 420F CAT		\$73.00
Ron Flynn Transport Ltd.	2018 420 IT CAT		\$75.00
Humber Arm Contracting Inc.	2010 420 D CAT		\$97.50
Dawe's Equipment	2012 JCB 3CX		\$120.00
Dawe's Equipment	2011 CAT 420		\$120.00
Way's Haulage & Excavation	2017 CAT 420		\$125.00
Way's Haulage & Excavation	2011 CAT 420		\$130.00

Hired Equipment December 22, 2022 - May 21, 2023			
Rubber Tire Backhoe with Breaker Attachment			
Contractor	Model	Telephone Numbers	Rate
Ron Flynn Transport Ltd.	2018 420 IT CAT		\$49.44
Twin Mountain Contracting Ltd.	2016 420F CAT		\$60.49
Rico Construction Ltd	2014 CAT 420		\$65.00
A-1 Transportation Ltd.	2013 3CX JCB		\$70.00
Ambstemel Trucking Ltd.	2014 420F CAT		\$89.93
Way's Haulage & Excavation	2017 CAT 420		\$150.00
Humber Arm Contracting Inc.	2010 420 D CAT		\$150.63
Way's Haulage & Excavation	2011 CAT 420		\$155.00
Rubber Tire Backhoe with Snow Basket			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2016 420F CAT		\$47.49
Rico Construction Ltd	2014 CAT 420		\$60.00
Make Enterprises Ltd.	2013 B958 New Holland		\$63.00
A-1 Transportation Ltd.	2013 3CX JCB		\$70.00
Ambstemel Trucking Ltd.	2014 420F CAT		\$73.00
Ron Flynn Transport Ltd.	2018 420 IT CAT		\$75.00
Humber Arm Contracting Inc.	2010 420 D CAT		\$101.25
Way's Haulage & Excavation	2017 CAT 420		\$125.00
Way's Haulage & Excavation	2011 CAT 420		\$130.00
Dawe's Equipment	2012 JCB 3CX		\$130.00
Dawe's Equipment	2011 CAT 420		\$130.00

Hired Equipment December 22, 2022 - May 21, 2023			
Tandem Dump Truck			
Contractor	Model	Telephone Numbers	Rate
Ron Flynn Trucking	1994 Volvo		\$49.49
Rico Construction Ltd.	1990 T450 Kenworth		\$60.00
Rico Construction Ltd.	1993 T800 Kenworth		\$60.00
Rico Construction Ltd.	2023 Mack Granite		\$60.00
A-1 Transportation Ltd.	2009 VHD Volvo		\$62.67
Make Enterprises Ltd.	2006 7600 International		\$63.00
Ambstemel Trucking Ltd.	2002 Kenworth T800		\$67.00
Ambstemel Trucking Ltd.	2010 T-800 Kenworth		\$85.00
D&D Excavating and Trucking Ltd.	2000 Sterling		\$87.88
Way's Haulage & Excavation	1990 KW T450		\$95.00
Twin Mountain Contracting Ltd.	2014 KW T800		\$97.49
Way's Haulage & Excavation	1996 KW T800		\$105.00
Humber Arm Contracting Inc.	2011 9300 Western Star		\$114.90
Humber Arm Contracting Inc.	1988 9300 International		\$118.25
Humber Arm Contracting Inc.	1988 9300 International		\$119.90
Way's Haulage & Excavation	2003 KW W900		\$125.00
Humber Arm Contracting Inc.	2014 Western Star 9300		\$127.80
Humber Arm Contracting Inc.	2016 Western Star 9300		\$127.80

**Hired Equipment
December 22, 2022 - May 21, 2023**

Excavator			
Contractor	Model	Telephone Numbers	Rate
A-1 Transportation Ltd.	2000 315 CAT		\$82.00
D&D Excavating and Trucking Ltd.	1995 EX150 Hitachi		\$97.37
Ambstemel Trucking Ltd.	2011 CAT 314D		\$99.90
Rico Construction Ltd.	2022 Komatsu PC 130		\$100.00
Way's Haulage & Excavation	2019 8.5 Hitachi		\$115.00
Make Enterprises Ltd.	2006 160CLC John Deere		\$115.00
Way's Haulage & Excavation	2004 320 CAT		\$125.00
Twin Mountain Contracting Ltd.	2022 Hyundai HX130A		\$125.25
Humber Arm Contracting Inc.	2010 160 John Deere		\$138.99
Way's Haulage & Excavation	2001 320 CAT		\$145.00
Humber Arm Contracting Inc.	2011 200 John Deere		\$158.93
Humber Arm Contracting Inc.	2013 290 John Deere		\$194.78
Humber Arm Contracting Inc.	2010 John Deere 350		\$243.16

Excavator with Breaker Attachment			
Contractor	Model	Telephone Numbers	Rate
Way's Haulage & Excavation	2019 8.5 Hitachi		\$125.00
Ambstemel Trucking Ltd.	2011 CAT 314D		\$170.00
Twin Mountain Contracting Ltd.	2022 Hyundai HX130A		\$175.00
Way's Haulage & Excavation	2004 320 CAT		\$175.00
Humber Arm Contracting Inc.	2011 200 John Deere		\$193.74

Excavator with Grab Attachment			
Contractor	Model	Telephone Numbers	Rate
Make Enterprises Ltd.	2006 160CLC John Deere		\$115.00
Ambstemel Trucking Ltd.	2011 CAT 314D		\$120.00
Way's Haulage & Excavation	2004 320 CAT		\$130.00
Way's Haulage & Excavation	2019 8.5 Hitachi		\$130.00
Twin Mountain Contracting Ltd.	2022 Hyundai HX130A		\$135.25

Hired Equipment			
December 22, 2022 - May 21, 2023			
Humber Arm Contracting Inc.	2011 200 John Deere		\$198.60

Hired Equipment December 22, 2022 - May 21, 2023			
Mini Excavator			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2015 50G John Deere		\$43.49
Sharon Wheeler	2021 John Deere 50G		\$58.00
Ambstemel Trucking Ltd.	2016 304 CAT		\$58.44
Twin Mountain Contracting Ltd.	2012 75D John Deere		\$59.49
Rico Construction Ltd.	2018 305E CAT		\$60.00
Rico Construction Ltd.	2012 308E CAT		\$70.00
Humber Arm Contracting Inc.	2020 50D John Deere		\$84.24
Way's Haulage & Excavation	2019 Hitachi 85USB		\$125.00
Mini Excavator with Breaker Attachment			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2015 50G John Deere		\$64.00
Rico Construction Ltd.	2018 305E CAT		\$70.00
Ambstemel Trucking Ltd.	2016 304 CAT		\$80.00
Rico Construction Ltd.	2012 308E CAT		\$90.00
Twin Mountain Contracting Ltd.	2012 75D John Deere		\$94.92
Humber Arm Contracting Inc.	2020 50D John Deere		\$108.20
Way's Haulage & Excavation	2019 Hitachi 85USB		\$150.00

Hired Equipment			
December 22, 2022 - May 21, 2023			
Mini Excavator with Grab Attachment			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2015 50G John Deere		\$43.49
Twin Mountain Contracting Ltd.	2012 75D John Deere		\$59.49
Ambstemel Trucking Ltd.	2016 304 CAT		\$60.00
Rico Construction Ltd.	2018 305E CAT		\$60.00
Sharon Wheeler	2021 John Deere 50G		\$60.00
Rico Construction Ltd.	2012 308E CAT		\$70.00
Humber Arm Contracting Inc.	2020 50D John Deere		\$101.88
Way's Haulage & Excavation	2019 Hitachi 85USB		\$135.00
Tractor/Dozer			
Contractor	Model	Telephone Numbers	Rate
Humber Arm Contracting Inc.	2011 450J John Deere		\$113.50
Way's Haulage & Excavation	2000 CAT D6		\$175.00
Way's Haulage & Excavation	1998 CAT D8		\$250.00
Grader			
Contractor	Model	Telephone Numbers	Rate
Humber Arm Contracting Inc.	2014 672G John Deere		\$199.47

**Hired Equipment
December 22, 2022 - May 21, 2023**

Grader with Side Blade			
Contractor	Model	Telephone Numbers	Rate
Humber Arm Contracting Inc.	2014 672 John Deere	[REDACTED]	\$199.47

Sidewalk Snow Blower			
Contractor	Model	Telephone Numbers	Rate
Twin Mountain Contracting Ltd.	2016 John Deere 323D	[REDACTED]	\$142.99
Ron Flynn Transport Ltd.	2009 236B CAT	[REDACTED]	\$150.00

Boom Truck			
Contractor	Model	Telephone Numbers	Rate
Sparkes Transportation & Crane	2012 Frieghtliner	[REDACTED]	\$150.00



Request for Decision (RFD)

Subject: Change of Purchase for Vehicle

To: Rodney Cumby

Meeting: Regular Meeting - 21 Nov 2022

Department: Protective Services

Staff Contact: Todd Flynn, Director of Protective Services

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

BACKGROUND INFORMATION:

In the spring of 2022, a public tender was issued for the purchase of a Hybrid Electric vehicle of which a local vendor was awarded the tender. The vendor has since advised they are unable to supply this vehicle this year and volatility exists in their supply chain that is creating unusual and extended lead times in their ability to deliver this product.

As a result, Public Works have reached out to our local vehicle suppliers for a more readily available product, that being a gasoline powered SUV and have received three quotes:

1. Hickman Motors – 2023 Chev Equinox **AWD** \$37,746.45
2. Dennis GM – 2023 Chev Equinox **AWD** \$38,180.00
3. Western Kia – 2023 Kia Sportage **AWD** \$38,567.85

PROPOSED RESOLUTION:

Be it RESOLVED that Council approve the purchase of one SUV from Dennis GM for the price of \$38,180.00, HST included to be used by the Protective Services Department.

FINANCIAL IMPACT:

This item was budgeted for and approved in the 2022 Capital out of Revenue (COOR) budget.

GOVERNANCE IMPLICATIONS:

Legislation

Other

Newfoundland and Labrador Regulations 13/18 under the Public Procurement Act

14 (1.1)

Legal Review: Yes

RECOMMENDATION:

Staff recommend that the City accept the bid of \$38,180.00 (taxes included) by Dennis GM for the supply of one (1) NEW Gas SUV. Although Dennis GM is \$433.55 more than Hickman Motors, Dennis GM is a local City of Corner Brook vendor as per section 14(1.1) of the NL Procurement Regulations.

ALTERNATIVE IMPLICATIONS:

Options:

1. Purchase the gas SUV from Dennis GM;
2. Redirect staff to purchase a gas SUV from Hickman Motors;
3. Redirect staff to return to the market to tender another type of vehicle. The motor vehicle marketplace is very challenged at this time to supply vehicles, especially fully electric vehicles;
4. Reject the purchase of new vehicle. Notably, this will impede Municipal Enforcement operations and will likely result in the renting of vehicles to do the MEO work.

Director of Protective Services
Office Assistant 111

Approved - 17 Nov 2022
Approved - 18 Nov 2022

City Manager



Information Report (IR)

Subject: Public Notification System Update

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: Protective Services
Staff Contact: Todd Flynn, Director of Protective Services
Topic Overview: Public Notification System

BACKGROUND INFORMATION:

One of the findings of our 2018 Mock Emergency Response Exercise was the inability to notify our residents of impending danger in an efficient and effective manner. Protective Services has been working to close this finding by availing of a “Public Urgent Notification System”. This need was further emphasized by the recent Hurricane Fiona, and the question: “how does our City notify our residents of a need to evacuate, etc”.

The City has been using the “Voyent” Public Notification system for fire department staff notifications, and is now progressing to using the system for external notifications of water outages, road closures, and public tenders, while simultaneously effecting its use for emergency notifications. This system is now operational and City staff are diligently working to conduct most its external notifications via this tool.

Work is underway to by our communications officer to inform and encourage our residents to register for our notifications. A soft launch/cutover date is scheduled for December 1st, 2022 for outage notifications, road closures and tenders.

FINANCIAL IMPACT:

This system has already been budgeted and purchased under the fire department.

Legal Review: Yes

LEGAL REVIEW:

An information privacy review was conducted and no issues identified.

Director of Protective Services
 Office Assistant 111

Approved - 17 Nov 2022
 Approved - 17 Nov 2022

City Manager



Information Report (IR)

Subject: International Cities Partnership

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: Council
Staff Contact: Charles Pender, Councillor
Topic Overview: Study Visit Program St. Germain en Laye
Attachments: [ICP Notes Final](#)

BACKGROUND INFORMATION:

The City of Corner Brook partnered with the Town of Stephenville in an international exchange program - The international City Cooperation Program- Acting for a Green and Inclusive Recovery. This is a City-2-City Cooperation program between European Union (EU) and non-EU Cities in Canada that focuses on multiple current issues, ranging from Climate Change, Circular Economy to Immigration challenges and solutions. The program involved working meetings and one study visit abroad opportunity for participating cities. The program is fully funded by the European Union.

In August 2023 the cities of Stephenville and Corner Brook hosted participants from St. Germaine en Laye France to Newfoundland. During this visit, sessions were scheduled with our regional partners including Grenfell College, College of the North Atlantic, the Qalipu First Nations and the Province of Newfoundland and Labrador. In November 2023 St. Germaine en Laye welcomed representative of Corner Brook and Stephenville to their City.

Attached is a detailed report on the exchange program.

Legislative Assistant

Approved - 18 Nov 2022

City Manager

During the week of October 30- November 04, the City Manager, Mr. Cumby, myself, the Mayor of Stephenville, Mr. Tom Rose and the Town Manager for Stephenville, Mr. Colin Maddock travelled to the City of St. Germain en Laye, a city of 40 000 inhabitants situated just 20 km to the west of Paris, as part of an international exchange program administered and funded by the European Union.

This was the return visit to St. Germain en Laye, whose representatives visited Corner Brook and Stephenville in August of this year as part of the **International City Partnerships: Acting for Green and Inclusive Recovery. (AGIR)**

Saint Germain-en-Laye is a dynamic, environmentally friendly and prosperous. It is distinguished by a large number of expats and education institutions, among which the international high school, is a unique facility in France. Over the past 5 years the number of migrants and refugees has increased significantly, and the municipality has initiated several projects and measures for their inclusion, trying to enhance their competences and help them make a decent living.

Themes of Cooperation:

1. Interest to expand sustainability
2. Food as a cultural mechanism for cultural integration
3. Climate change sustainability
4. Boreal systems/Forestry
5. Labour and access to immigrants and economic migrants

What we saw:

Our days were filled with visits to local projects initiated by the City of St. Germaine en Laye with City Councillors and City Staff who shared the philosophy, practicality and programming of their initiatives with us.

The **AXIOM** Project: The City is divided into two sections, with the majority of immigrants living in social housing in one section of the city. In order to help integrate these new comers who come from 40 different cultures into the local community, the city worked with the housing provider to allocate 1 unit to help newcomers learn basic upkeep and maintenance of their unit with daily lessons in simple things like food preparation, changing a light bulb, painting or wallpapering a room, etc., all things that local people take for granted.

The city has also dedicated a learning / gathering space where volunteer ambassadors from the local immigrant community work with people from all cultures to bring them together to share space, provide activities for their children including robotics and literacy, and they even have developed community gardens for the local residents to grow their own food right in their own courtyard – all of which was provided by the city and local property owner.

This initiative is an inclusive project of the city and led by one of their Councillors, Paul Joly, who oversees the program with the support of the city and other agencies.

We also had a very rewarding and moving visit to the Normandy Landing Beaches and the Juno Beach Centre including a guided tour of the German Bunkers. On the way to Juno Beach we stopped to visit to the little town of Varaville where we were greeted by the Mayor and Councillors and a retired French General who explained to us the strategic importance of the town and the events on June 5/6, 1944

when Paratroopers from the 1st Canadian Parachute Battalion Landed ahead of the Normandy Invasion to secure the area and blow up 2 strategic bridges: La Dive and La Divette, to prevent a German counter attack. We were then invited by the Mayor to pay our respects at the local memorial that was erected by the town in honour of the Canadians who lost their lives in Varville where Mayor Rose and I laid a wreath on behalf of our 2 communities.

All of this to underline the importance and the value that the French still place on Canada's contribution to the Normand Invasion on D-Day and the liberation of France and Europe during World War 2.

We also visited the St Germain Forest which comprises 90 % of the surface area of the city of St. Germain en Laye. The forest is a key part of the city's sustainability plan as they work towards a Zero Carbon footprint. Waste from the forest, felled trees and branches from storms and natural events, are then processed and transported to the local District Energy system that uses 3 separate systems to provide heat and hot water to meet 60 % of the needs of public and private buildings/ apartments and houses in the city at a cost that is 30% less than other types of heat : there's a gas turbine for quick start up, a geothermal system that also provides water for domestic consumption, and then a biomass facility that burns waste wood, 42% of which comes from within a radius of 50 KM, and takes the heated water from the other systems and heats it further before sending it around the city. This system is extremely important to the City, especially today, as the cost of heating fuel has risen dramatically in the past year.

The city is also transforming a large Brown Field into usable land in a long term 30-year program as well as rehabilitating an old Hospital site in the heart of the city into an environmentally friendly, pedestrian friendly, self contained neighbourhood of apartments, commercial and recreation and leisure space for new and local residents.

Of note, in France, all cities must by law, ensure that at least 25% of all residential housing – including public and private – is social housing, so it is important that cities work with developers to ensure that they maintain this minimum or the city can face very stiff fines from the federal government.

We visited an innovative company that transforms food waste taken from supermarkets and school canteens into Biogas which is then used for residential and commercial consumption. This facility is located alongside a Waste to Energy facility that produces heat and electricity from local waste after the waste is sorted, with anything recyclable being first removed.

We also visited a new Design Institute for innovation which is the first in France to be included in a University, providing space and start ups, small businesses, and small companies to do research, learn and grow.

We visited a local space for Entrepreneurs provided by the city where newcomers, in particular, can get professional support and guidance in creating and transforming their business ideas into real businesses.

Micro -Folie is another project that allows the public to have digital access to France's largest cultural museums and works of art and seeks to bring that art to people all over France and the world using digital technology and 360-degree virtual reality.

Our last visit was to the local House of Europe where we met with representatives who work with newcomers, children and adults to promote inclusion and social adhesion through a number of programs and initiatives.

At the end of our visit, we focused on 3 key themes where we felt there was opportunity for further cooperation between our three communities with Education being the principal gateway through which we can create programs and best practices for improving outcomes in the areas of immigration, inclusion and sustainability.

In conclusion I see several opportunities for further cooperation in the areas of Education, Sustainability and Inclusion that should be of great interest to the City of Corner Brook and our residents going forward.

Finally, I would like to add that the representatives from the City of St. Germain en Laye went above and beyond anything that was required or expected. They anticipated, met and exceeded our every need, they provided us with overwhelming amounts of information and ideas on every site and program, they spent their own personal time to be available to us during the entire week to work, discuss and learn with us. The Deputy Mayor, Councillors, Mayor and Staff were extremely professional and most impressively, everywhere we went we were greeted in English, from the shops to restaurants to our site visits and presentations at every destination.

Background:

The International City Partnerships: Acting for Green and Inclusive Recovery is a project of the European Union and managed by the Directorate-General for Regional and Urban Policy (DG REGIO) of the European Commission.

The project is being implemented from October 2021 to March 2023 and originates in a pilot project of the European Parliament that seeks to contribute to the delivery of international commitments articulated in the 2030 Agenda for Sustainable Development and the UN New Urban Agenda.

The aim of the project is to contribute to the improvement of quality of life in participating cities, by promoting sustainable and integrated urban development, through the identification of innovative policies and programmes. In particular, the project seeks to develop policy and practice in four key priority themes of the Urban Agenda of the EU: circular economy, energy transition, air quality and inclusion of migrants and refugees.

The programme covers the following themes:

- EU-Canada on urban policy cooperation on inclusion of migrants and refugees – 4 EU cities with 4 Canadian Cities.
- EU-South Africa urban policy cooperation on integrating circular economy and nature-based solutions for their key benefits in terms of just energy transition – 4 EU cities with 4 South African Cities.
- EU-Asia urban policy cooperation (Singapore, Taiwan, South Korea) on circular economy (including energy transition) and air quality - 6 EU Cities with 6 cities in South Korea, Taiwan, and Singapore.

Stephenville, Corner Brook and St. Germain en Laye**Themes of Cooperation:**

1. Expanding Sustainability
2. Food as a cultural mechanism for cultural integration
3. Climate change sustainability
4. Boreal systems/Forestry
5. Labour and access to immigrants and economic migrants

For further information:

<https://c.ramboll.com/international-city-cooperation>



Information Report (IR)

Subject: Winter On-Street Parking Ban

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: Protective Services
Staff Contact: Todd Flynn, Director of Protective Services
Topic Overview: Winter On-Street Parking Ban

BACKGROUND INFORMATION:

Our Traffic Regulations match the provincial Snow Clearing Regulations in that from December 1st through to May 1st, you cannot legally park a car on a City street between the hours of 12:00 midnight to 8:00 am. The intent of this regulation is to facilitate unobstructed overnight snow clearing. Vehicles found on the City streets during this time will be subject to fines and towing.

The Overnight Winter Parking Ban will start **December 1st through to May 1st**; and the hours of no parking on City streets will be from **12:00 midnight to 8 in the morning**; and vehicles found in violation will be **ticketed and possibly towed**.

Director of Protective Services
 Office Assistant 111

Approved - 17 Nov 2022
 Approved - 17 Nov 2022

City Manager



Information Report (IR)

Subject: Notice of Motion - Commercial Motor Vehicle Regulation - Commercial Vehicle Parking in Residential Zones

To: Rodney Cumby
Meeting: Regular Meeting - 21 Nov 2022
Department: Development and Planning
Staff Contact: Darren Charters, Director of Community, Engineering, Development & Planning
Topic Overview: Commercial Vehicle Parking in Residential Zones
Attachments: [Commercial-Vehicle-Regulations-](#)

BACKGROUND INFORMATION:

In accordance with Section (39) of the City of Corner Brook Act, a notice of motion is required for the amendment, repeal and passing of bylaws / regulations of the City of Corner Brook.

Whereas Section 254 (b) of the City of Corner Brook Act Authorize Council to make regulations:

- with respect to controlling or prohibiting the parking of commercial vehicles on land adjacent to a building used for residential purposes.

Notice is hereby given that at the Public Council Meeting on December 19th, 2022, the following motion will be brought forward for consideration:

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 dated February 15, 2010 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.

Director of Community, Engineering, Approved - 17 Nov 2022
 Development & Planning
 Office Assistant 111 Approved - 18 Nov 2022

 City Manager

**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



Request for Decision (RFD)

Subject: Discretionary Use - 19 Carmen Avenue - Home Based Business Office

To: Deon Rumbolt

Meeting: Regular Meeting - 21 Nov 2022

Department: Development and Planning

Staff Contact: James King,

Topic Overview:

Attachments: [Application - 19 Carmen Avenue - Home Based Business Office](#)
[Memo - Home Based Business Office 19 Carmen Avenue Nov 2022](#)

BACKGROUND INFORMATION:

The City of Corner Brook has received an application to operate a home based business office from the dwelling located at 19 Carmen Avenue which is located in a Residential Medium Density Zone. A notice was delivered to residents in the immediate area of 19 Carmen Avenue and as a result of this notice, 1 email, 1 telephone message and 3 phone calls were received. One of these phone calls involved three people expressing their concerns and one of these three also forwarded the aforementioned email summarizing their concerns in writing. Of the correspondence, three people had no objection to the home based business office as proposed while the remaining three did oppose the business citing a worker for the business parking on the side of the road as an issue. Those opposed also indicated that by allowing the business may also promote the parking of a commercial vehicle on or near the premises even if no City approval is granted for the commercial vehicle. It is not proposed to have anybody visit the property.

PROPOSED RESOLUTION:

Be it RESOLVED that the Council of the City of Corner Brook approve the application to operate a home based business office from the dwelling located at 19 Carmen Avenue in accordance with Regulation 11 - Discretionary Powers of Authority.

GOVERNANCE IMPLICATIONS:

Bylaw/Regulations

City of Corner Brook Development Regulations

11

RECOMMENDATION:

Staff recommends option 1.

ALTERNATIVE IMPLICATIONS:

1. That Council approve the application to operate a home based business office from the dwelling located at 19 Carmen Avenue in accordance with Regulation 11 - Discretionary Powers of Authority.

- 2. That Council not approve the application to operate a home based business office from the dwelling located at 19 Carmen Avenue in accordance with Regulation 11 - Discretionary Powers of Authority.
- 3. That the Council of the City of Corner Brook provides other direction to staff.

	Approved - 14 Nov 2022
Director of Community, Engineering, Development & Planning	Approved - 16 Nov 2022
Legislative Assistant	Approved - 18 Nov 2022

City Manager

From: ONLINE PERMIT SUBMISSION <noreply@cornerbrook.com>
Sent: September 28, 2022 12:01 PM
To: Barker, Shelley
Subject: Online Permit Submission

Follow Up Flag: Follow up
Flag Status: Flagged

Date

09/28/2022

Owner Name

[REDACTED]

Phone Number

[REDACTED]

Email

[REDACTED]

Owner / Applicant Address

[REDACTED]

[Map It](#)

Property Address

[REDACTED]

[Map It](#)

Builder Address

Newfoundland and Labrador

Canada

[Map It](#)

Development Type (Please check appropriate box)

- HOME BASED BUSINESS

Description of Work

We are looking for approval to run our home based business.

Estimated Construction Value (MATERIALS & LABOUR)

\$ 0.00 CAD

DECLARATION

I agree to terms in the declaration.

MEMO

To: Manager of Development & Planning
Fr: Development Inspector I
Subject: **19 Carmen Avenue – Home Based Business Office**
Date: November 14, 2022

The City of Corner Brook has received an application to operate a home based business office from the dwelling located at 19 Carmen Avenue which is located in a Residential Medium Density Zone.

A home based business office is a "Discretionary Use" of the City of Corner Brook Development Regulations for this zone. A notice was delivered to the residents in the immediate area of 19 Carmen Avenue indicating the above mentioned request. As a result of this notice, 1 email, 1 telephone message and 3 phone calls were received. One of these phone calls involved three people expressing their concerns and one of these three also forwarded the aforementioned email summarizing their concerns in writing. Of the correspondence, three people had no objection to the home based business office as proposed while the remaining three did oppose the business citing a worker for the business parking on the side of the road as an issue. Those opposed also indicated that by allowing the business may also promote the parking of a commercial vehicle on or near the premises even if no City approval is granted for the commercial vehicle. It is not proposed to have anybody visit the property. Also, most items associated with the business will be stored in the commercial vehicle. While it was conveyed to the City that a small amount of seldom used items will be stored onsite they can be stored in the truck as well if required.

A site inspection by City staff has revealed that there is sufficient parking at this location for the existing single dwelling use with subsidiary apartment and the proposed home based business office.

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

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

Signed: _____
James King, CET, CPT



Request for Decision (RFD)

Subject: Commercial Vehicle Permit - 19 Carmen Avenue

To: Deon Rumbolt
Meeting: Regular Meeting - 21 Nov 2022

Department: Development and Planning

Staff Contact: James King,

Topic Overview:

Attachments: [19 Carmen Ave - Truck Location Photo - 4 Ton Bucket Truck](#)
[Memo - Commercial Vehicle Permit 19 Carmen Avenue - Nov 2022](#)
[Application - 19 Carmen Avenue - Commercial Vehicle Permit](#)

BACKGROUND INFORMATION:

The City of Corner Brook has received an application to park a commercial vehicle on the property located at 19 Carmen Avenue which is located in a Residential Medium Density Zone. The City of Corner Brook Commercial Vehicle Regulations prohibits the parking of commercial vehicles in residential areas. Upon receiving a written request Council may grant a permit to park a commercial vehicle on residential area as per section 4(c) of the referenced regulations.

A written request has been received to grant a permit to park a commercial vehicle on 19 Carmen Avenue which is located in a medium density zone and therefore a residential street. A notice was delivered to residents in the immediate area, a total of 6 residents are opposed to the issuing of a commercial vehicle permit for this location. The residents indicated that on street parking of the vehicle as well as traffic congestion may occur. Safety/sight distance issues, possible increased property taxes, and noise were also issues that the residents expressed.

Given that the by-law states that the parking of a commercial vehicle is not a permitted use and the number of objections received, staff are recommending refusal of this permit.

This matter was brought forward at the Regular Meeting of October 17, 2022 and a motion was made to postpone to the next public meeting as Council requested more information. Since that meeting, the requested information has been obtained and is included in the attached memo. The matter is now being brought forward for decision.

PROPOSED RESOLUTION:

Be it RESOLVED that the Council of the City of Corner Brook refuse the application to park a commercial vehicle in a residential zone on the property located located at 19 Carmen Avenue.

GOVERNANCE IMPLICATIONS:

Bylaw/Regulations
Other
Commercial Motor Vehicle Regulations
4 (c)

RECOMMENDATION:

Staff recommends option 2.

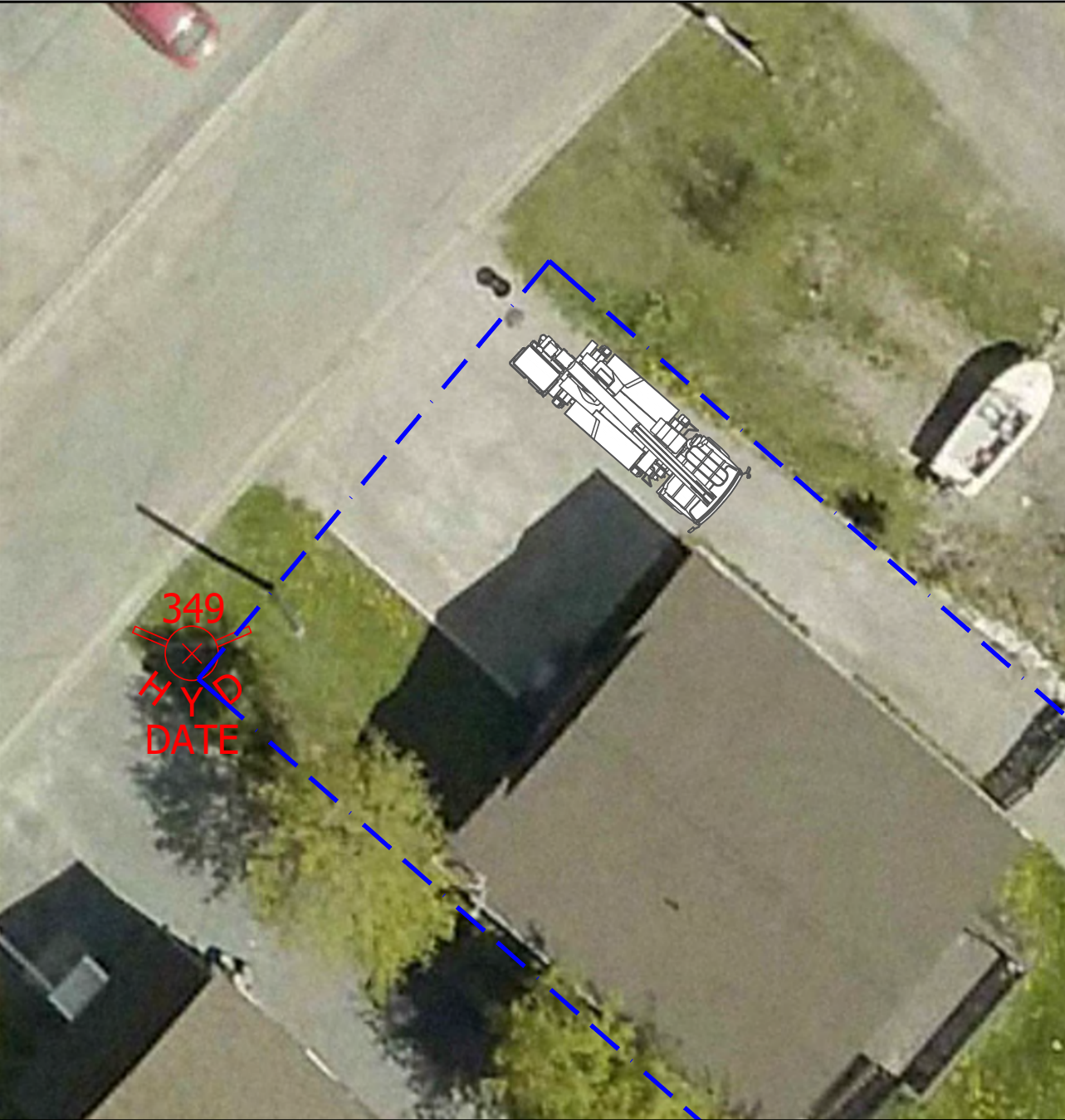
ALTERNATIVE IMPLICATIONS:

1. That Council approve the application to park a commercial vehicle in a residential zone on the property located located at 19 Carmen Avenue.
2. That Council not approve the application to park a commercial vehicle in a residential zone on the property located located at 19 Carmen Avenue.
3. That the Council of the City of Corner Brook provides other direction to staff.

Legislative Assistant

Approved - 18 Nov 2022

City Manager



Notes

*Do not scale from drawing

Address: 19 Carmen Ave	
Title: Commercial Vehicle Permit Application	
By: G. Noble	Date: 2022-11-01



MEMO

To: Manager of Development & Planning
Fr: Development Inspector I
Subject: **19 Carmen Avenue – Commercial Vehicle Permit Application**
Date: November 14, 2022

The City of Corner Brook has received an application to park a commercial vehicle on the property located at 19 Carmen Avenue which is located in a Residential Medium Density Zone.

A commercial vehicle permit is required to be obtained by a residential property owner to park a commercial vehicle in a residential area as required by Section 4 (c) of the City of Corner Brook Commercial Motor Vehicle Regulations. A notice was delivered to the residents in the immediate area of 19 Carmen Avenue indicating the above mentioned request. As a result of this notice, 1 email, 1 telephone message and 3 phone calls were received. One of these phone calls involved three people expressing their concerns and one of these three also forwarded the aforementioned email summarizing their concerns in writing. Of the correspondence, all six people were opposed to the issuance of a commercial parking permit for this location. The residents indicated that on street parking of the vehicle as well as traffic congestion may occur. Safety/sight distance issues, possible increased property taxes, and noise were also issues that the residents expressed.

It should be noted that the aforementioned commercial vehicle is a 4 ton bucket truck (please see attached photo) which measures 23 ft. long, 8 ft. wide and 11. 6 ft. high. Also, for your convenience please find attached a drawing outlining the proposed location of the truck on the lot.

A site inspection by City staff has revealed that there is sufficient parking at this location for the existing single dwelling use with subsidiary apartment and the proposed commercial vehicle.

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

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

Signed: _____
James King, CET, CPT

From: ONLINE PERMIT SUBMISSION <noreply@cornerbrook.com>
Sent: September 28, 2022 12:04 PM
To: Barker, Shelley
Subject: Online Permit Submission

Follow Up Flag: Follow up
Flag Status: Flagged

Date

09/28/2022

Owner Name

[REDACTED]

Phone Number

[REDACTED]

Email

[REDACTED]

Owner / Applicant Address

[REDACTED]
[REDACTED]
[REDACTED]

[Map It](#)

Property Address

[REDACTED]
[REDACTED]
[REDACTED]

[Map It](#)

Builder Address

Newfoundland and Labrador
Canada
[Map It](#)

Development Type (Please check appropriate box)

OTHER

Description of Work

Looking for parking permit for small commercial vehicle.

Estimated Construction Value (MATERIALS & LABOUR)

\$ 0.00 CAD

DECLARATION

I agree to terms in the declaration.



Request for Decision (RFD)

Subject: Request to Purchase City land located between 104 - 108 Bayview Heights (formerly 106 Bayview Heights)

To: Sievendra Maistry
Meeting: Regular Meeting - 21 Nov 2022
Department: Land Management
Staff Contact: Brandon Duffy, Land Management Supervisor
Topic Overview:
Attachments: [Bayview Heights Snip](#)
[106 Bayview drawing](#)
[106 Bayview Survey](#)

BACKGROUND INFORMATION:

Land Management was approached by the owner of 108 Bayview Heights and they requested to purchase the City land (formerly known as 106 Bayview Heights) located adjacent to their property at 108 Bayview Heights. This land was conveyed to the City via tax sale in 1985 and currently remains vacant. The land has an approximate size of 1,816 m² (19,540 ft²) and is considered a viable building block. Due to City policy the land must be sold publicly unless otherwise directed by Council.

If approved, this land will be sold publicly via a public tendering process (e.g. closed auction).

PROPOSED RESOLUTION:

It is RESOLVED to approve the sale of City land located on Bayview Heights via a public tendering process.

FINANCIAL IMPACT:

If approved, the City will gain revenue from the sale and from future taxation.

GOVERNANCE IMPLICATIONS:

Policy
 Other
 City of Corner Brook Policy
 07-08-05

Legal Review: No

RECOMMENDATION:

Staff recommends Council approve the sale of City land located between 102 & 108 Bayview Heights via a public tendering process

ALTERNATIVE IMPLICATIONS:

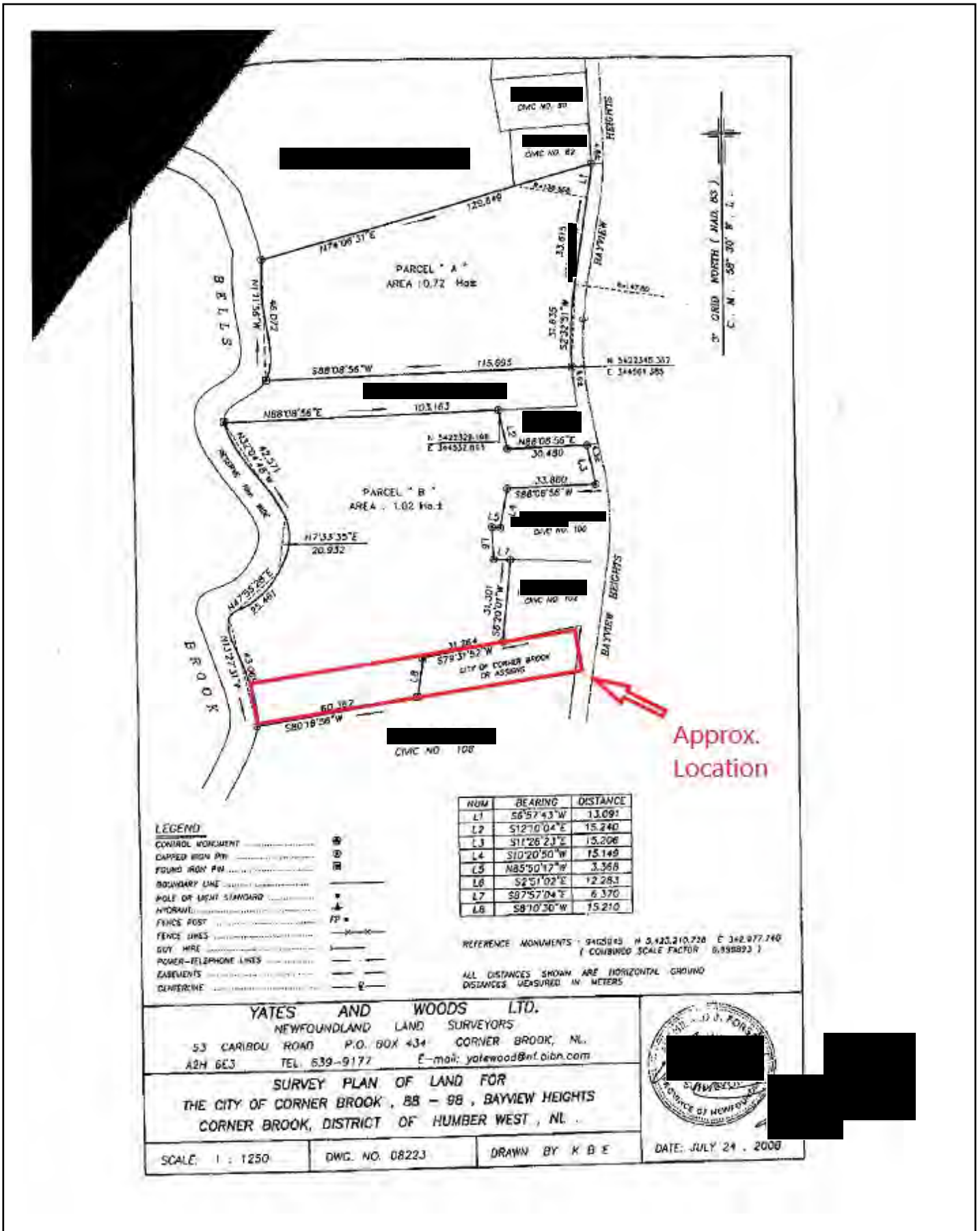
1. Sell the land privately
 - Advantage: Land will be developed and revenue from the sale/future taxation.
 - Disadvantage: City may lose control of the land and loss of potential revenue
2. Sell the land publicly via a public tendering process
 - Advantage: Land will be developed, sold publicly where anyone will have a chance to purchase, and revenue from the sale/future taxation
 - Disadvantage: City may lose control of the land or the land may not be sold and loss of potential revenue
3. Don't sell the land
 - Advantage: City will maintain control of the land for other possible developments in the future
 - Disadvantage: Land will not be developed, loss of potential revenue

Director of Finance and
Administration
Office Assistant 111

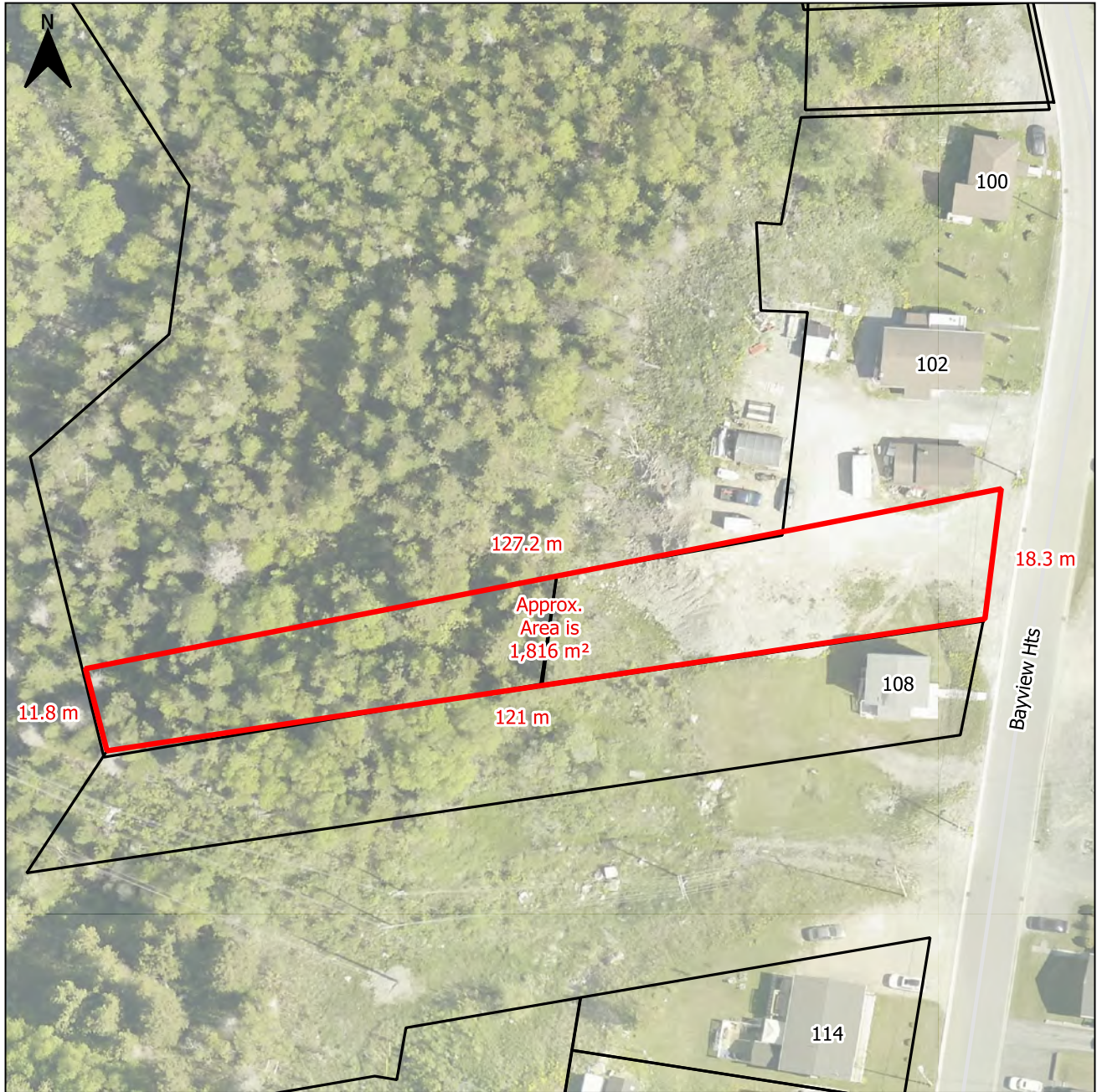
Approved - 15 Nov 2022




Approved - 16 Nov 2022

City Manager



Schedule "A"



<p>LEGEND</p> <p>Location of Land SurveyMaster July 2022</p> 	<p>NOTES</p> <ol style="list-style-type: none"> 1. Unless otherwise noted, all dimensions are in metres. 2. This map is a working copy and is not to be used as an official document. It is available for references purposes only and not to be reproduced without written approval from the City of Corner Brook. 3. 7.5 cm orthoimagery acquired in 2019. 4. Size and shape of parcel is approximate as no survey is available 				
		<p>Location of Land Near 108 Bayview Heights</p>			
DRAWN BY:	DATE: 03-07-2022	SCALE: 1:750	FIGURE: 1		
APPROVED BY: BDUFFY	COORD SYS: NAD 1983 MTM ZONE 3	ZONE: RHD/R	REVISION: 0		

Project Path: E:\Users\bduffy\Qgis\Map\QGIS_FreshMap.mxd

3 1 2 7 0 2 4 6 7

SCHEDULE "A"

DESCRIPTION OF LAND FOR THE CITY OF CORNER BROOK
CIVIC NO. 106, BAYVIEW HEIGHTS

All that piece or parcel of land lying west of Bayview Heights, in the City of Corner Brook, Province of Newfoundland, being further bounded and described as follows:

Beginning at a point on the westerly limit of Bayview Heights, the said point being found by running from hydrant no 316, north thirteen degrees fifty five minutes twenty six seconds west (N 13° 55' 26" W) thirty two decimal zero six (32.06) metres;

RUNNING THENCE by land of [redacted] h [redacted] y, south eighty one degrees twenty four minutes nine seconds west (S 81° 24' 09" W) sixty degrees nine six (60.96) metres;

THENCE RUNNING by land of [redacted] n [redacted] s, north seven degrees sixteen minutes forty five seconds east (N 7° 16' 45" E), fifteen decimal two one four (15.214) metres;

THENCE continuing by land of [redacted] n [redacted] s or [redacted] s and running by land of [redacted] n [redacted] s, north seventy eight degrees thirty eight minutes seven seconds east (N 78° 38' 07" E) sixty one decimal seven seven nine (61.779) metres;

THENCE RUNNING along the westerly limit of Bayview Heights, south six degrees fifty eight minutes twenty eight seconds west (S 6° 58' 28" W) eighteen decimal two eight eight (18.288) metres, more or less, to the point of beginning;

Containing an area of nine hundred eighty two (982) square metres, more or less, and being particularly shown on Yates and Woods Limited drawing no. 94259 dated November 11, 1994;

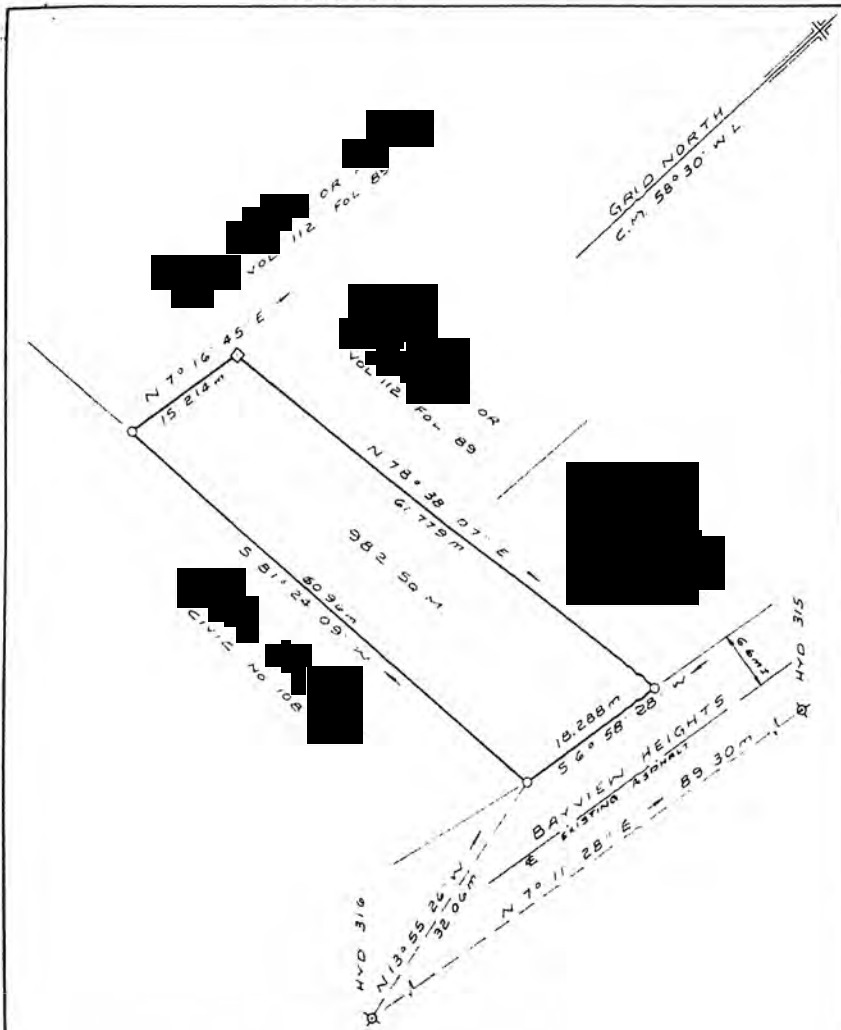
All bearings are Grid North referenced to the Modified Transverse Mercator Projection for Newfoundland with the central meridian at 58° 30' west longitude.

Yates & Woods Limited



3 1 2 7 0 2 4 6 0

SCHEDULE "B"



- LEGEND**
- CONTROL MONUMENT
 - PLACED IRON PIN
 - FOUND IRON PIN
 - POLE OR LIGHT STANDARD
 - HYDRANT
 - PROPERTY DEALT WITH
 - FENCE LINES
 - POWER-TELEPHONE LINES
 - EASEMENT

YATES & WOODS LTD.
 NEWFOUNDLAND LAND SURVEYOR'S
 25-27 BROADWAY, P. O. BOX 434
 CORNER BROOK, NFLD. A2H 6E3 TEL. 639-9177



SURVEY PLAN OF LAND FOR
 THE CITY OF CORNER BROOK, CIVIC No 106
 BAYVIEW HEIGHTS, CORNER BROOK.

SCALE 1:500 DWG NO 94259 DATE NOV 11, 1994.



Request for Decision (RFD)

Subject: Request to purchase City land behind 87 Valley View Drive

To: Sievendra Maistry
Meeting: Regular Meeting - 21 Nov 2022
Department: Finance and Administration
Staff Contact: Brandon Duffy, Land Management Supervisor
Topic Overview: To execute a purchase and sale agreement with the owners of 87 Valley View Drive
Attachments: [Land behind 87 Valley View Drive](#)
[Behind 87 Valley View Dr PSA draft](#)
[Rear of 87 Valley View Drawing](#)

BACKGROUND INFORMATION:

Land Management was approached by owner of 87 Valley View Drive and they requested to purchase City land located behind their property for the purpose of expanding their back yard. The land in question is apart of a larger parcel that the City obtained in 1981 and has been vacant and covered with natural vegetation since purchased. The parcel has an approximate size of 198m² (2,130.48 ft²) and the City has no plans to develop this land as of yet.

If approved, the some conditions of the sale would include:

1. If a survey is needed to complete the sale, then its the responsibility of the Buyer
2. The Buyer will apply to have the City land consolidated with his existing parcel.

PROPOSED RESOLUTION:

It is RESOLVED to approve the execution of the purchase and sale agreement between the City of Corner Brook and the owner of 87 Valley View Drive for City land located behind 87 Valley View Drive.

FINANCIAL IMPACT:

Price will be based on \$2.00/ft² which amounts to approximately \$4,300.

GOVERNANCE IMPLICATIONS:

Policy
 Other
 City of Corner Brook Policy
 07-08-05

Legal Review: No

RECOMMENDATION:

Staff recommends Council approve the sale of City land to the owner of 87 Valley View Drive for City land located behind his 87 Valley View Drive property.

ALTERNATIVE IMPLICATIONS:

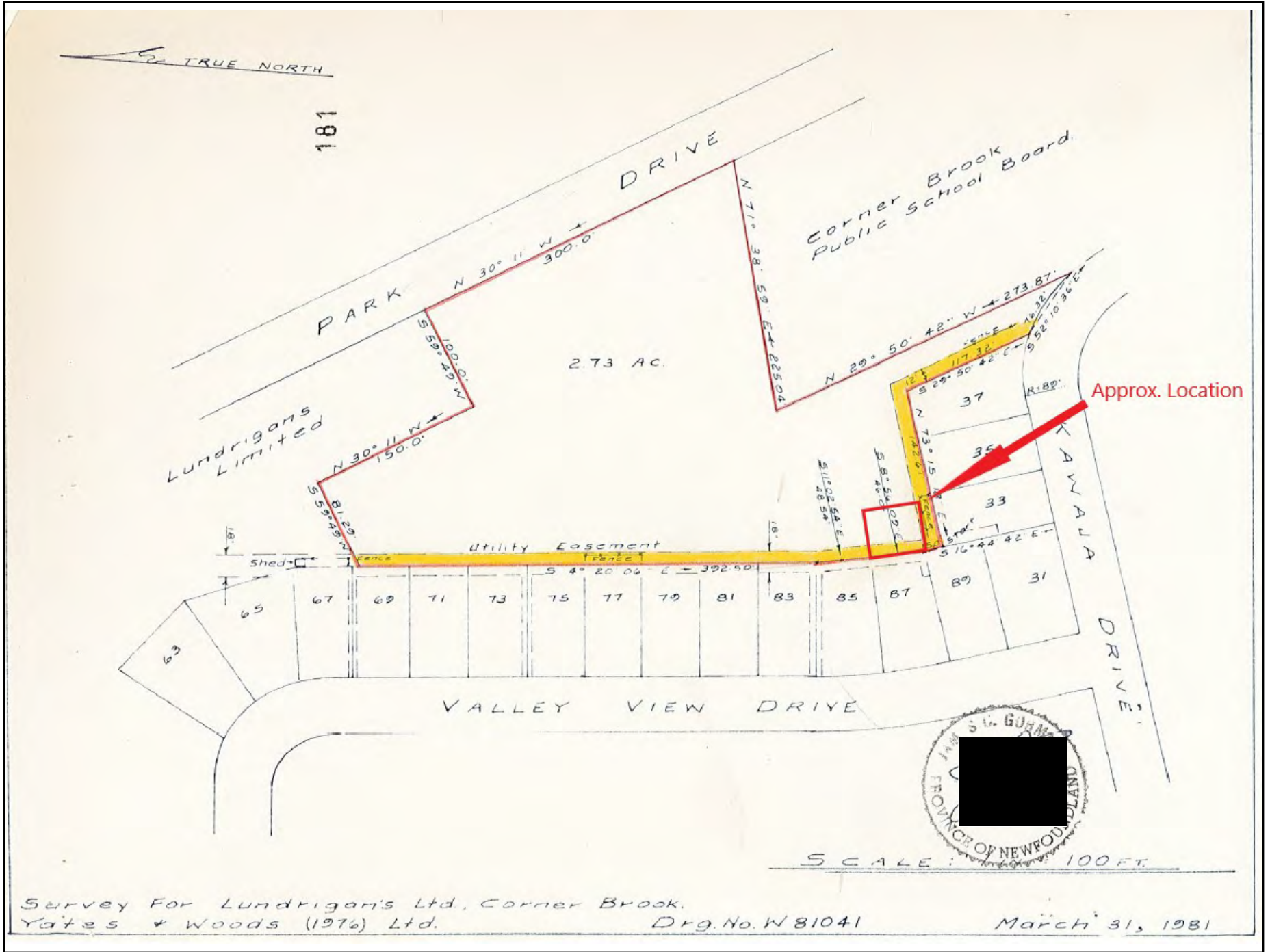
1. Sell the Land
 - Advantage: Land will be maintained and additional tax revenue
 - Disadvantage: City will lose control of the land and loss of potential revenue
2. Don't sell the land
 - Advantage: City will maintain control of the land for other possible developments in the future
 - Disadvantage: Land will not be developed

Director of Finance and
Administration
Office Assistant 111

Approved - 15 Nov 2022

Approved - 16 Nov 2022

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 November, 2022 .

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 Seller")

AND **RESIDENT**, a resident of the City of Corner Brook, Province of Newfoundland and Labrador (hereinafter referred to as "the Buyer ")

WHEREAS the Seller own property located near Valley View Drive 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 Seller desire to sell The Property and the Buyer wishes to purchase the property;

NOW THEREFORE IN CONSIDERATION of the sum of \$1.00 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 Seller hereby agree to sell and the Buyer agrees to purchase the Property located near Valley View Drive 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 Four Thousand Three Hundred Dollars (\$4,300.00) 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 Five Hundred dollars (\$500.00) payable to the Seller 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 23rd day of December, 2022 (hereinafter called the "closing" or "closing date").

TITLE SEARCH

4. The Seller 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 Seller, which the Seller 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 Seller.

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 Seller, 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 Seller on closing and the Seller will arrange registration of the original Deed which would then be delivered to the Buyer immediately upon the Seller 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 Seller 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 Seller 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 Seller's Community Services Department for consolidation with the Buyer's existing 87 Valley View Drive property. When consolidated the Buyer hereby agrees that the property will not be subdivided without written approval from the Seller

SURVEY

8. The Seller 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

9. 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

10. Any tender of documents to be delivered or money payable hereunder may be made upon the Seller 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

11. 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 Seller 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 Seller 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 Seller 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 Seller 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

- 12.
- c) 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 Seller from liability shall survive the Closing or other termination of this agreement.
 - d) All warranties, representations, indemnities, and "save harmless" provisions contained in this agreement shall survive closing unless otherwise stated in this agreement.

OVERDUE PAYMENTS

13. In the event that the Buyer does not pay any amounts owing to the Seller under the provisions of this Agreement within thirty (30) days of the Seller 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 Seller may commence legal action to collect the sums owing and the Buyer shall pay any and all costs and expenses the Seller incur, including but not limited to the cost of the Seller' 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 Seller first provide notice to the Buyer in accordance with this provision.

BINDING

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

NON-WAIVER

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

CUMULATIVE RIGHTS

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

NO COLLATERAL AGREEMENTS

17. 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

18. All Payments under this Agreement to be made to the Seller 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

19. 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

20. 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

21. 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:

e) In the case of notice to the Seller to:

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

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

Resident
87 Valley View Drive
Corner Brook, NL
A2H 6T5

g) 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

22. 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

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

HEADINGS

24. 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 _____, 2022.

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 _____, 2022.

SIGNED, SEALED & DELIVERED
in the presence of:




IN WITNESS WHEREOF I have
hereunto set my hand and seal

Witness

Name of Buyer

Schedule "A"



LEGEND Location of Land SurveyMaster July 2022				NOTES 1. Unless otherwise noted, all dimensions are in metres. 2. This map is a working copy and is not to be used as an official document. It is available for references purposes only and not to be reproduced without written approval from the City of Corner Brook. 3. 7.5 cm orthoimagery acquired in 2019. 4. Size and shape of parcel is approximate as no survey is available		 Location of Land Near 87 Valley View Drive			
		DRAWN BY: BDUFFY		DATE: 03-07-2022		SCALE: 1:250		FIGURE: 1	
		APPROVED BY: BDUFFY		COORD SYS: NAD 1983 MTM ZONE 3		ZONE: RMD		REVISION: 0	

Project Path: E:\Users\bduffy\OneDrive\GIS\FreshMaster_Map.qgz



Request for Decision (RFD)

Subject: Winter Carnival Grant Request

To: Rodney Cumby

Meeting: Regular Meeting - 21 Nov 2022

Department: City Manager

Staff Contact: Rodney Cumby, City Manager

Topic Overview: The Corner Brook Winter Carnival is requesting additional funding for the 50th Anniversary of Corner Brook Winter Carnival in February 2023.

BACKGROUND INFORMATION:

The Corner Brook Winter Carnival Committee submitted a grant application for the upcoming Winter Carnival. This event scheduled for February 2023 will mark the 50th-anniversary celebration of the Corner Brook Winter Carnival. In recognition of this significant milestone, the Carnival Committee is planning a major celebration and is seeking additional financial support from the City over and above what is normally allocated. Typically, the City of Corner Brook allocates \$10,000 toward the opening ceremony of Carnival. This year the Committee is requesting a grant \$36,445.

As per Grant Policy (11-04-04) an internal staff Committee comprised of representatives from the finance, tourism, and recreation division reviewed Carnival's grant submission and are recommending providing grant funding in the amount of \$23,600 to mark the 50th-anniversary celebration of the Corner Brook Winter Carnival

In assessing the grant application, the Grant Committee took into consideration:

- the program of activities the Carnival committee is planning to mark their 50th anniversary.
- the need to re-establish the Corner Brook Winter Carnival as our marquee winter festival especially considering its two-year hiatus due to the COVID-19 global pandemic; and
- the event's alignment with the overall strategy of our STAR initiative.

It is staff's recommendation that the approved grant funding be distributed over three events, including the Opening Ceremonies and two other major events that are still in the planning stages. In recognition of funding, the City will be requesting recognition as a major sponsor of all three events.

In addition, tourism staff is developing City events to coincide with Winter Carnival.

Grants allocations in excess of \$10,000 require Council approval

PROPOSED RESOLUTION:

RESOLVED to approve a total grant allocation of \$23,600 for the 50th Corner Brook Winter Carnival.

FINANCIAL IMPACT:

Annually \$10,000 is allocated for the Winter Carnival Operational grant. The remaining balance (\$13,600) would be allocated under the grant budget for special events/festivals. The City also provides \$6000 in in-kind support for the winter carnival which is budgeted under the Public Works department. This in-kind support is routinely allocated towards special events taking place in the City.

Finance Type: Budget

Other Type: Grants

GOVERNANCE IMPLICATIONS:

Policy

Grant Policy

RECOMMENDATION:

Approve a grant allocation of \$23, 600 for the 2023 Corner Brook Winter Carnival

ALTERNATIVE IMPLICATIONS:

Accept staff's recommendation. The additional funding over and above the normal grant allocation will help attract additional activities to mark the 50th anniversary of the Winter Carnival and help re-establish the Carnival as a marquee winter tourism offering in keeping with our STAR strategy

Amend the grant allocation. A reduction in the grant allocation could impede the Carnival's committee ability to plan a major celebration to mark this significant milestone on a signature event which has taken place in our community; especially given the challenges resulting from the pandemic. It is important that a decision on funding be made as soon as possible in order for the Carnival Committee to proceed with the planning of their events.

City Clerk
Office Assistant 111

Approved - 18 Nov 2022

Approved - 18 Nov 2022

City Manager