

Minutes of a regular meeting of Council held on October 31, 2016, at 7:00 PM, in the Council Chambers and reconvening on November 1, 2016, at 1:00 PM.

Present Were: Mayor A. Foster, Councillor S. Cooke, Councillor R. Hooper, Councillor J. Neal, Councillor C. Traill, Councillor W. Woo

Regrets: Councillor W. Partner

Staff Present: C. Clifford, A. Allison, T. Cannella, J. Caruana, D. Crome, F. Horvath, M. Marano, N. Taylor, G. Weir, J. Gallagher, C. Fleming

(See page 24 for attendance during the November 1, 2016 portion of the meeting.)

1 Call to Order

Mayor Foster called the meeting to order at 7:00 PM.

2 Moment of Reflection

Councillor Neal led the meeting in a moment of reflection.

3 Declaration of Interest

Councillor Hooper indicated that he would be declaring an interest with respect to Item 1 of the Special Planning & Development Committee Report of October 24, 2016.

Councillor Cooke indicated that he would be declaring an interest with respect to Item 16 of the General Government Committee Report.

Councillor Neal indicated that he would be declaring an interest with respect to Item 16 of the General Government Committee Report.

4 Announcements

Members of Council announced upcoming community events and matters of community interest.

Resolution #C-264-16

Moved by Councillor Neal, seconded by Councillor Traill

That John Passalacqua, Jeff Guthrie, Jake Murray and Ryan Guetter be permitted to address Council concerning Item 1 of the Special Planning & Development Committee Report - Report PSD-060-16 - Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review.

Carried

5 Adoption of Minutes of Previous Meeting

Resolution #C-265-16

Moved by Councillor Traill, seconded by Councillor Woo

That the minutes of a regular meeting of Council October 11, 2016, be approved.
Carried

Resolution #C-266-16

Moved by Councillor Traill, seconded by Councillor Woo

That the minutes of a special meeting of Council October 17, 2016, be approved.
Carried

6 Presentations

There were no Presentations scheduled for this meeting.

7 Delegations

Sheila Hall, Executive Director, Economic Development Officer, Clarington Board of Trade (CBOT) addressed Council concerning Unfinished Business item 13.2 - Addendum to Report CAO-004-16, Clarington Board of Trade Contract Renewal – Performance Measures. Ms. Hall relayed the Board's support for Report CAO-004-16. She stated that, in addition to the specific targets identified in the Staff Report, the Board is committed to providing regular updates on specific economic development updates to ensure the recommended targets are met. Ms. Hall outlined the various targets including reviewing the branding and communications, enhancing business attraction and retention efforts, enhancing and tracking real estate vacancy rates, implementing business expansion and retention efforts identified in the main street, initiating a Business Retention and Expansion Project Survey for manufacturing, enhancing the system for tracking business leads, a Clarington portal and centre for business growth. Ms. Hall confirmed that the Clarington Board of Trade will deliver a prosperous Clarington community.

Ms. Hall responded to questions from Members of Council.

Prior to the meeting, Carolyn Molinari, CM Planning, advised she would be unable to attend tonight's meeting.

Michael Fry, D. G. Biddle & Associates, addressed Council concerning Item 1 of the Special Planning & Development Committee Report - Report PSD-060-16 - Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 2411 and 2415 Baseline Road. Mr. Fry reiterated their position that the property is on a "Type A" arterial road and has been identified as a regional corridor. He stated that, as such, it is important that uses include residential as well as the commercial uses proposed by staff.

Mr. Fry responded to questions from Members of Council.

John Passalacqua was called but was not in attendance.

Jeff Guthrie addressed Council regarding Item 1 of the Special Planning & Development Committee Report - Report PSD-060-16 - Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 34 Martin Road. Mr. Guthrie expressed appreciation to Members of Council for suggesting staff attend the site and to staff for meeting on site, assessing the area, and concluding that it does not meet the designation of environmental protection.

Jeff Guthrie responded to questions from Members of Council.

Jake Murray was called but was not in attendance.

Ryan Guetter, Weston Consulting, addressed Council regarding Item 1 of the Special Planning & Development Committee Report - Report PSD-060-16 - Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review on behalf of the Bowmanville East Landowners Group (BELD). Mr. Guetter stated he submitted written correspondence today outlining proposed policy modifications which would enable a cooperative approach to the preparation and implementation of Secondary Plans in Clarington. Copies of correspondence dated October 31, 2016, and a red-line implementation framework document were distributed to Members of Council.

Ryan Guetter responded to questions from Members of Council.

Resolution #C-267-16

Moved by Councillor Neal, seconded by Councillor Cooke

That Council recess for ten minutes.

Carried

The meeting reconvened at 8:40 PM. All members of Council were in attendance except Councillor Cooke and Councillor Partner.

Resolution #C-268-16

Moved by Councillor Woo, seconded by Councillor Neal

That the Order of the Agenda be altered to consider Unfinished Business Item 13.2 - Addendum to Report CAO-004-16 at this time.

Carried

Councillor Cooke re-entered the meeting.

13 Unfinished Business

13.2 Addendum to Report CAO-004-16, Clarington Board of Trade Contract Renewal – Performance Measures

Resolution #C-269-16

Moved by Councillor Woo, seconded by Councillor Hooper

That Report CAO-004-16 and Addendum to Report CAO-004-16 be received;

That Council approve the renewal of the contract with the Clarington Board of Trade for the delivery of economic development services as recommended in Report CAO-004-16;

That the approach proposed for performance measures as set out in section 2.2 of this Addendum to Report CAO-004-16 be included in the 2017-2021 contract with the Clarington Board of Trade; and

That all interested parties listed in Report CAO-004-16 and any delegations be advised of Council's decision.

Carried later in the meeting

Sheila Hall was called forward to respond to questions from Members of Council.

The foregoing Resolution #C-269-16 was then put to a vote and carried on the following recorded vote:

Council Member	Yes	No	Declaration of Interest	Absent
Councillor Neal		√		
Councillor Partner				√
Councillor Traill		√		
Councillor Woo	√			
Councillor Cooke	√			
Councillor Hooper	√			
Mayor Foster	√			

8 Communications – Receive for information

There were no Communications to be received for information.

9 Communications – Direction

9.1 Melvin Ramcharitar, Blackbird Constructors 407 GP – Request for Noise Exemption

Resolution #C-270-16

Moved by Councillor Neal, seconded by Councillor Hooper

That the request from Blackbird Constructors 407 GP for an exemption to By-law 2007-071 to enable construction to be undertaken at the area east of Holt Road at Highway 407 and at the Highway 407 and Regional Road 57 intersection during night time 24 hour schedule from November to December 23, 2016, be approved, provided that Blackbird Constructors 407 GP agrees to attend a meeting forthwith with Municipal staff to review resident well-related issues which may be caused by 407/418 construction; and,

That Region of Durham staff, Ministry of the Environment and Climate Change (MOECC) and the Durham MPP be invited to attend the meeting.

Carried
(Rescinded later in the meeting)

10 Committee Reports

10.1 Advisory Committee Reports

- 10.1.1 Minutes of the Agricultural Advisory Committee of Clarington dated October 4, 2016
- 10.1.2 Minutes of the Clarington Museum and Archives Board dated September 15, October 5 and October 12, 2016
- 10.1.3 Minutes of the Bowmanville Santa Claus Parade dated September 13 (meeting notes) and September 27, 2016

Resolution #C-271-16

Moved by Councillor Cooke, seconded by Councillor Hooper

That Advisory Committee Report Items 10.1.1, 10.1.2 and 10.1.3, be received for information, with the exception of Item 10.1.1.

Carried

Resolution #C-272-16

Moved by Councillor Hooper, seconded by Councillor Cooke

That the Minutes of the Agricultural Advisory Committee of Clarington dated October 4, 2016, be received for information.

Carried

10.2 General Government Committee Report of October 17, 2016

Resolution #C-273-16

Moved by Councillor Cooke, seconded by Councillor Hooper

That the recommendations contained in the General Government Committee Report of October 17, 2016 be approved, on consent, with the exception of items #4, #5, and #16.

Carried

Item 4 - Lynn Dollin, President, Association of Municipalities of Ontario – Support for Closing the Municipal Fiscal Gap

Resolution #C-274-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the following Association of Municipalities of Ontario resolution, be endorsed by the Municipality of Clarington:

Whereas recent polling, conducted on behalf of the Association of Municipalities of Ontario indicates 76% of Ontarians are concerned or somewhat concerned property taxes will not cover the cost of infrastructure while maintaining municipal services, and 90% agree maintaining safe infrastructure is an important priority for their communities;

And Whereas infrastructure and transit are identified by Ontarians as the biggest problems facing their municipal government;

And Whereas a ten-year projection (2016-2025) of municipal expenditures against inflationary property tax and user fee increases, shows there to be an unfunded average annual need of \$3.6 billion to fix local infrastructure and provide for municipal operating needs;

And Whereas the \$3.6 billion average annual need would equate to annual increases of 4.6% (including inflation) to province-wide property tax revenue for the next ten years;

And Whereas this gap calculation also presumes all existing and multi-year planned federal and provincial transfers to municipal governments are fulfilled;

And Whereas if future federal and provincial transfers are unfulfilled beyond 2015 levels, it would require annual province-wide property tax revenue increases of up to 8.35% for ten years;

And Whereas Ontarians already pay the highest property taxes in the country;

And Whereas each municipal government in Ontario faces unique issues, the fiscal health and needs are a challenge which unites all municipal governments, regardless of size;

Now Therefore Be It Resolved that the Council of the Municipality of Clarington supports the Association of Municipalities of Ontario in its work to close the fiscal gap; so that all municipalities can benefit from predictable and sustainable revenue, to finance the pressing infrastructure and municipal service needs faced by all municipal governments.

Carried on the following recorded vote:

Council Member	Yes	No	Declaration of Interest	Absent
Councillor Neal		√		
Councillor Partner				√
Councillor Traill	√			
Councillor Woo				
Councillor Cooke		√		
Councillor Hooper	√			
Mayor Foster	√			

Item 5 - Gabriel Medel, Blackbird Constructors 407 GP – Highway 407 East Phase 2 Noise By-law Exemption Request

Resolution #C-275-16

Moved by Councillor Neal, seconded by Councillor Traill

That Item 5 of the General Government Committee Report be referred back to staff to report back on the results of the meeting with Blackbird Constructors 407 GP.

Lost

Resolution #C-276-16

Moved by Councillor Neal, seconded by Councillor Traill

That Item 5 of the General Government Committee Report be tabled to the General Government Committee meeting of November 7, 2016.

Lost

Resolution #C-277-16

Moved by Councillor Hooper, seconded by Councillor Woo

That the exemption for Blackbird Constructors 407 General Partnership, regarding the 407 East Phase 2 construction project, to the Municipality's Noise By-law, from mid-October to November 30, 2016, be approved.

Carried

Councillor Cooke declared an interest in accordance with the *Municipal Conflict of Interest Act*, with respect to Item 16 of the General Government Committee Report, as he is a member of the Rotary Club of Courtice and left the Council Chambers during discussion and voting on this matter.

Councillor Neal declared an interest in accordance with the *Municipal Conflict of Interest Act*, with respect to Item 16 of the General Government Committee Report, as he is a member of the Rotary Club of Courtice and left the Council Chambers during discussion and voting on this matter.

Item 16 - Sign Exemption Request for Rotary Club of Courtice

Resolution #C-278-16

Moved by Councillor Traill, seconded by Councillor Woo

Whereas the Municipality of Clarington Sign By-law 2009-123 allows for temporary signs for Community Groups to announce a community function or event sponsored by a non-profit organization;

And Whereas the Sign By-law allows signs for a Community Group on the property where the event will be held or, by Council policy, on municipally owned property; and

And Whereas the Courtice Rotary is requesting to place a sign on a privately owned property located on the south side of Bloor Street east of Townline Road leading up to the “Welsh Men’s Choir Concert” on November 19, 2016;

Now therefore be it resolved that, subject to the Courtice Rotary obtaining the owner’s consent, staff be directed to issue a sign permit for the Courtice Rotary for the two week period leading up to the event from November 4, 2016 to November 19, 2016 for the property on the south side of Bloor Street east of Townline Road as long as it remains undeveloped.

Carried

Councillor Cooke and Councillor Neal returned to the meeting.

Resolution #C-279-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the Order of the Agenda be altered to reconsider Resolution #C-270-16 previously considered earlier in the meeting.

Carried

9. Communications – Direction

9.1 Melvin Ramcharitar, Blackbird Constructors 407 GP – Request for Noise Exemption

Resolution #C-280-16

Moved by Councillor Neal, seconded by Councillor Cooke

That Resolution #C-270-16 be rescinded.

Carried

Resolution #C-281-16

Moved by Councillor Neal, seconded by Councillor Hooper

That the exemption to By-law 2007-071 only be granted upon confirmation of Blackbird 407’s attendance at a meeting with Municipal staff, Region of Durham staff, Ministry of the Environment and Climate Change (MOECC) and the Durham MPP, to review resident well-related issues which may be caused by the 407/418 construction.

Carried

10.3 Special Planning & Development Committee Report of October 24, 2016

Councillor Hooper declared an interest in accordance with the *Municipal Conflict of Interest Act*, with respect to Item 1 of the Special Planning & Development Committee Report, in any matter that may be specifically pertaining to the Wilmot Creek Development or Rice Developments Corp. as a member of his family leases property in Wilmot Creek.

Item 1 – Report PSD-060-16 Recommended Official Plan Amendment No. 107 (OPA 107) – Clarington Official Plan Review

Resolution #C-282-16

Moved by Councillor Woo, seconded by Councillor Traill

1. That Report PSD-060-16 be received;
2. That pursuant to:
 - a. The Provincial Policy Statement 2014;
 - b. The Provincial Greenbelt Plan (Greenbelt Plan);
 - c. The Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan);
 - d. Amendments 114 and 128 to the Durham Regional Official Plan;
 - e. The environmental policies and watershed studies of the Central Lake Ontario Conservation Authority, the Ganaraska Region Conservation Authority and the Ministry of Natural Resources; and
 - f. The Municipality's Official Plan Review process;

That Official Plan Amendment 107 (OPA 107), be adopted by Council to update the Clarington Official Plan and bring it into conformity with Provincial and Regional Planning documents noted above with further amendments as follows:

- a) That recommended amendment 467 as detailed on page 110 of Attachment 3 to Report PSD-060-16, regarding Special Policy Area D, be amended such that it reads as follows:

Special Policy Area D is located within Special Study Area 4 Courtice Employment Area. The *redevelopment* of the *site* may not take place until such time as sewer and water services are available. In the interim, the *existing* uses may continue.

- b) That the Municipality of Clarington create a policy to encourage the Region of Durham to locate Municipal Household Hazardous Waste Facilities in employment areas of the Municipality.
3. That the Director of Planning Services be authorized to finalize the form and content of OPA 107 resulting from Council's consideration, public participation, agency comments and technical considerations;
4. That OPA 107 be forwarded to the Region of Durham for approval;
5. That the Region of Durham be requested to initiate amendments to the Durham Regional Official Plan, as necessary to implement OPA 107;
6. That upon adoption by Council, the Clarington Official Plan be implemented by Staff as Council's Policy on all land use and planning matters and be implemented through the capital budgets; and
7. That all interested parties listed in Report PSD-060-16 and any delegations be advised of Council's decision by the Department.
Referred to the end of the Agenda later in the meeting and
Carried as amended later in the meeting
(See following motions)

Resolution #C-283-16

Moved by Councillor Neal, seconded by Councillor Hooper

That the foregoing Resolution #C-282-16 be amended to delete Part 2 (f) (b) and to add a new policy 3.7.20 to the Waste Management sub-section Section 3.7 as follows:

"3.7.20 The Municipality supports the establishment of a Regionally-owned waste transfer station in Clarington to provide equitable access to Clarington residents for the drop-off of municipal hazardous and special waste, and reusable and recyclable waste. The development of the Regionally-owned waste transfer station should be located in the Light Industrial or General Industrial designation and shall:

- a) be subject to site plan control for the development of the site and any future amendments;
- b) generally locate outdoor storage at the rear or interior side yard of the property to minimize visual impacts on surrounding land uses and provide appropriate screening, buffering and/or containment through the use of berms, landscaping, fencing or any other mitigative measures in accordance with Section 5 of the Plan;

- c) strictly prohibit the outdoor storage of hazardous waste or any non-hazardous waste that may have an adverse impact on the surrounding area or the environment;
- d) prepare, maintain and adhere to an Emergency Management Plan, approved by the Municipality prior to commencement of site operations; and
- e) ensure there is no adverse impact on the surrounding area, including traffic, litter, noise and dust.”

Carried

Resolution #C-284-16

Moved by Councillor Neal, seconded by Councillor Hooper

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f. c):

“to remove the Martin Road woodlot from the Natural Heritage System and that it not be identified as Environmental Protection Area on the Land Use Map.”

Carried

Resolution #C-285-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f. d):

“add the following to subsection (f) to the sub-list for 5.5.1 and renumber accordingly:

- f) promotes the reduction, reuse and recycling of waste, with particular attention to multi-residential housing forms, which meets applicable Provincial standards and has given consideration to the Region’s waste collection design and servicing requirements’.”

Carried

Resolution #C-286-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f. e):

“That with respect to Highway 2 Development as a Priority, that a policy be added to state that the Municipality encourages the Region of Durham to provide sanitary sewers along Highway 2 in Courtice, at the earliest possible opportunity.”

Carried

Resolution #C-287-16

Moved by Councillor Traill, seconded by Councillor Cooke

That the the foregoing Resolution #C-282-16 be amended to add the following as 2 f.f) as detailed in correspondence dated October 31, 2016 and accompanying implementation document from Weston Consulting, on behalf of the Bowmanville East Developers Group (BEDG) with respect to the Municipality of Clarington Official Plan Review "That a new Section 4.6 Secondary Plans be added as follows:

4.6.1 Secondary Plans, as shown on Map C, will be prepared by the Municipality, in accordance with Section 23 of this Plan, to provide for a detailed planning framework for these lands.

23.3 Secondary Plans

23.3.1 Secondary Plans shall conform to and implement the principles, goals, objectives, policies and land use designations of this Plan. Upon approval by the Region of Durham, the Secondary Plan shall be incorporated under Part VI of this Plan.

651. Existing Section 23.3.2 is hereby amended as follows:

23.3.2 The Municipality will prepare Secondary Plans with support from and in cooperation with area landowners. Secondary Plans may be initiated by the municipality or by an established landowners group upon submission of a request to Council. The process for preparing, adopting or amending Secondary Plans is subject to the procedures contained in this section and under Section 23.2 and other applicable policies of this Plan.

23.3.3 The Municipality shall work with landowners groups within each Secondary Plan area to advance Secondary Plans, and shall establish an implementation framework, in consultation with landowners, for the secondary plan process, which may include matters relating to advisory committees, working groups, funding of supporting studies, cost sharing principles and other financial considerations.

652. A new Section 23.3.3 is hereby added as follows:

23.3.4 During the review and update of an approved Secondary Plans, the Secondary Plans will be amended to conform to the policies of this Plan.

653. New Sections 23.3.4 through 23.3.10 are hereby added as follows:

- 23.3.5 Where there is a conflict or inconsistency between the parent Plan, the Secondary Plan will prevail, unless the conflict is associated with the density and intensification policies of the parent Plan, in this case, the parent Plan shall prevail.
- 23.3.6 Following receipt of a request by a landowners group to initiate a Secondary Plan or Staff's recommendation to proceed with a Secondary Plan, Council shall hold a public meeting inviting all landowners within the Secondary Plan Area to advise them of the proposed Secondary Plan study and the terms of reference.
- 23.3.7 Where private funding is provided in accordance with Section 23.13 by a landowner or a landowner's group, they must own a majority of the developable area within the Secondary Plan area prior to Council considering whether to proceed with a Secondary Plan.
- 23.3.8 Prior to development approvals within a Secondary Plan area, landowners may be required to enter into a developer's group agreement(s), or implement other alternative arrangements to ensure the equitable distribution of the cost of community infrastructure, facilities such as public schools, parks, roads, etc. within a Secondary Plan area. The agreements(s) shall distribute, in a fair and equitable manner, the costs of community infrastructure and facilities to ensure an orderly sequence of development, and shall address matters related to non-participating landowners.
- 23.3.9 Council shall approve the Terms of Reference, and, if applicable, cost sharing agreements and any other necessary agreements prior to the Secondary Plan study commencing.
- 23.3.10 Secondary Plans shall implement the policies of this Plan and the Durham Regional Official Plan policies for Secondary Plans, in particular:
- a) the growth management objectives of sequential development, full municipal water and sanitary systems, a minimum density of fifty residents and jobs per gross developable hectare, and a variety of housing types and densities;
 - b) the financial capacity of the Municipality to provide for the capital and operating costs of municipal services and facilities required to support the development;

- c) the provision of a diverse and compatible mix of land uses to support vibrant neighborhoods, and the use of urban design principles to create high quality public open spaces and achieve an appropriate level of connectivity and transition to adjacent areas;
- d) the design of a connected system of grid streets and an *active transportation* network as the key design element of the public realm with pedestrian connections to transit, community facilities, schools, and parks. Higher density housing will be strategically located along or within Priority Intensification Areas to create a transit supportive development pattern;
- e) the integration into the design of the site and buildings of this Plan's policies for Sustainable Design and Climate Change and related standards/guidelines adopted by the municipality including *green infrastructure* and low impact development measures;
- f) the protection and incorporation of *natural heritage* and *hydrologically sensitive features* including surface and ground water features, as well as the connections among these natural features in order to inform the location, type, and amount of development;
- g) residential neighbourhoods will be "designed with nature" to minimize grade changes, preserve mature trees and enhance open space linkages;
- h) the measures to mitigate the potential conflicts between the development and existing agricultural uses;
- i) level of visual interest achieved by incorporating different built forms, landscaping, open space and environmental and natural and *cultural heritage resources* and the creation of view corridors and vistas of significant natural areas and public buildings;
- j) the location of prominent public buildings, including schools and spaces on prominent sites with significant street frontage and oriented to the street;
- k) *cultural heritage resources* will provide the context for new development. New development will be compatible with and complementary to its context with regard to siting, height, scale and design. In new areas, heritage buildings will be incorporated in a sensitive manner;
- l) the principles of *Crime Prevention Through Environmental Design (CPTED)* will be used; and

- m) inclusive lifetime neighbourhoods where the built environment promotes a safe inclusive space with access to services and amenities and a range of housing choices to meet the needs of residents throughout all phases of their lifetime.

23.3.11 The following background studies and analyses are generally required in support of new Secondary Plans:

- a) A Subwatershed study including natural heritage, fisheries, hydrogeology, and hazard lands;
- b) A municipal-wide *financial impact analysis* of growth and development;
- c) A Landscape Analysis;
- d) A Planning Background Report
- e) A Master Drainage Plan;
- f) A Water and Wastewater Servicing Plan;
- g) A Transportation Master Plan;
- h) An assessment of potential impact on adjacent *agricultural* operations and recommendations for mitigation;
- i) A Sustainability Plan addressing Green Infrastructure and Net Zero development and building practices;
- j) A Commercial needs and impact analysis when a commercial uses are proposed;
- k) An Urban Design Report;
- l) A Cultural and built heritage assessment including archaeology;
and
- m) A housing needs analysis (including affordable housing).

693. Existing Section 23.13.1 is hereby amended as follows:

23.13.1 Where this Plan identifies Special Study Areas or requires studies or plans (including Secondary Plans) to be undertaken, it does not necessarily obligate the Municipality, the Region of Durham and any other governing agency to expend public funds to finance such reports, studies or plans. The Municipality shall determine whether or not it will commence the preparation of any such report, study or plan based on Municipal priorities, and available financial and staff resources.

This Plan, however, allows for and contemplates the possibility that funding for any required report, study or plan, pursuant to Section 23.3, may come from landowners who may be impacted provided such landowners enter into an agreement with the Municipality. Such agreement shall, amongst other matters, specify the scope of work to be undertaken, the means of procuring the work, ensure study objectivity, and cover project management and administrative costs incurred by the Municipality. Such agreements shall also address matters relating to non-participating landowners, and may allow for development charges credits. The decision to enter into any such agreement shall be at the discretion of the Council.

Motion Divided and
Referred later in the meeting

Resolution #C-288-16

Moved by Councillor Neal, seconded by Councillor Traill

That the foregoing Resolution #C-287-16 be divided to vote on each section separately.
Carried

Resolution #C-289-16

Moved by Councillor Traill, seconded by Councillor Neal

That the foregoing Resolution #C-282-16 be amended to add a new Section 4.6.1 as follows:

“4.6.1 Secondary Plans, as shown on Map C, will be prepared by the Municipality, in accordance with Section 23 of this Plan, to provide for a detailed planning framework for these lands.”

Lost

Resolution #C-290-16

Moved by Councillor Traill, seconded by Councillor Neal

That the foregoing Resolution #C-282-16 be amended to replace the existing Section 23.3.2 with the following:

“23.3.2 The Municipality will prepare Secondary Plans with support from and in cooperation with area landowners. Secondary Plans may be initiated by the municipality or by an established landowners group upon submission of a request to Council, provided that this shall not pose a financial risk to the municipality. The process for preparing, adopting or amending Secondary Plans is the subject to the procedures contained in this section and under Section 23.2 and other applicable policies of this Plan.

23.3.3 The Municipality shall work with landowners groups within each Secondary Plan area to advance Secondary Plans, and shall establish an implementation framework, in consultation with landowners, for the secondary plan process, which may include matters relating to advisory committees, working groups, funding of supporting studies, cost sharing principles and other financial considerations.”

Referred
(See following motion)

Resolution #C-291-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the Rules of Procedure be suspended to allow Members of Council to speak to Resolution #C-290-16 a second time.

Carried

Resolution #C-292-16

Moved by Councillor Cooke, seconded by Councillor Traill

That Council recess for ten minutes.

Carried

The meeting reconvened at 10:21 PM.

Resolution #C-293-16

Moved by Councillor Neal, seconded by Councillor Traill

That correspondence dated October 31, 2016 and accompanying implementation document from Weston Consulting, on behalf of the Bowmanville East Developers Group (BEDG) with respect to the Municipality of Clarington Official Plan Review, be referred back to staff.

Carried

Resolution #C-294-16

Moved by Councillor Traill, seconded by Councillor Cooke

That the foregoing Resolution #C-282-16 be amended to refer the proposed community park northeast of Concession Street and Mearns Avenue to the Engineering Services Department and the Community Services Department for potential resizing.

Withdrawn

Resolution #C-295-16

Moved by Councillor Cooke, seconded by Councillor Traill

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f.g):

“amend policies 10.6.6 and 10.6.7 (Amendment item 309) to remove the restriction of non-residential floor area as a percentage of ground floor but add a store size limit of 600 square meters of gross leasable area on Regional Corridors and 300 square meters of gross leasable area on Local Corridors.”

Carried

Resolution #C-296-16

Moved by Councillor Hooper, seconded by Councillor Cooke

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f.h):

“change the designation of the property at 2411 and 2415 Baseline Road to “Neighbourhood Centre” to allow for a mixed use development with a residential component.”

Lost

Resolution #C-297-16

Moved by Councillor Hooper, seconded by Councillor Traill

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f.h):

“extend the hamlet boundaries of Hampton to include the lands at 5075 Holt Road.”

Lost

Resolution #C-298-16

Moved by Councillor Woo, seconded by Councillor Traill

That the Rules of Procedure be suspended to allow Members of Council to speak to Resolution #C-282-16, being amendments to the main motion, a second time.

Carried

Resolution #C-299-16

Moved by Councillor Woo, seconded by Councillor Traill

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f.h):

“identify the property between 3334 to 3382 King Avenue West, Newcastle as a Neighbourhood Centre designation instead of a Local Corridor.”

Lost

Resolution #C-300-16

Moved by Councillor Neal, seconded by Councillor Woo

That the foregoing Resolution #C-282-16 be amended to add the following as 2 f.h):

“remove the words “where the predominant use of land is horticulture” in Section 13.5.7 and to replace with the following wording:

“13.5.7 Landscape industry uses, which consist of businesses associated with horticulture, are encouraged to locate on lands designated as Industrial. However, small scale landscape industry uses, may be permitted on lands designated as Rural through a site specific zoning by-law amendment, subject to the requirements of Section 13.5.2 and the following:”.

Carried

Resolution #C-301-16

Moved by Councillor Neal, seconded by Councillor Traill

That the foregoing Resolution #C-282-16, being the main motion as amended, be referred to the end of the Agenda for consideration.

Carried

10.4 Planning & Development Committee Report of October 24, 2016

Resolution #C-302-16

Moved by Councillor Woo, seconded by Councillor Traill

That the recommendation contained in the Planning & Development Committee Report of October 24, 2016 be approved, on consent.

Carried

11 Staff Reports

11.1 Report COD-022-16 Re-alignment of Concession Road 3 and 57 Intersection

Resolution #C-303-16

Moved by Councillor Neal, seconded by Councillor Hooper

That Report COD-022-16 be received;

That Coco Paving Inc. with a total bid amount of \$380,710.16 (net HST Rebate) for the Municipality of Clarington's requirements for the RR57 and Concession Road 3 interim intersection construction being the lowest responsible bidder meeting all terms, conditions and specifications of Tender CL2016-25 be awarded as required by the Engineering Services Department;

That the funds required for this project in the amount of \$454,300.00 (net HST Rebate) which includes the construction cost of \$380,710.16 (net HST Rebate) and other related costs such as inspection, contract administration, materials testing and contingencies of \$73,589.84 (net HST Rebate) and funded by both the Municipality and the Region of Durham as follows:

North Scugog Court	110-32-330-83358-7401	\$362,400.00
Region of Durham	100-00-000-00000-1010	\$ 91,900.00

That all interested parties listed in Report COD-022-16 and any delegations be advised of Council's decision by the Purchasing Division.

Carried

12 Business Arising from Procedural Notice of Motion

13 Unfinished Business (cont'd)

13.1 Sandra Kranc, City Clerk, City of Oshawa – Seeking Emergency Financial Assistance in Order to Continue to Support the Economic Participation of Those Furthest from the Labour Market in Durham Region

Resolution #C-304-16

Moved by Councillor Woo, seconded by Councillor Hooper

That the following City of Oshawa resolution be endorsed by the Municipality of Clarington:

Whereas the Durham Region Employment Network (D.R.E.N.) is a 'grass roots' organization that has built itself into an award-winning network. They are thirty-five community and employment sector organizations working together to ensure that employment is accessible to all in Durham Region; and,

Whereas their focus is to increase the economic participation of those furthest from the labour market and they are a regional network that has been working in our community for the 23 years but has not had Regional or City funding; and,

Whereas D.R.E.N. is co-located in the Canadian Mental Health Association Durham building which serves as a hub of services for persons with mental health disabilities; and,

Whereas they have provided economic development offices with data on available job seekers by industry and have organized large-scale recruitments for companies moving to the area and they are a recognized leader in bringing together people and resources to support persons with barriers to employment; and,

Whereas D.R.E.N. was recognized provincially by the Governor General of Ontario with the awarding of the David C. Onley Award for Leadership in Accessibility; and,

Whereas in 23 years D.R.E.N. has successfully managed over 50 projects and millions of dollars in project funding; however, project funding is precarious and with no core funding the impact of even the smallest delays can be disastrous; and,

Whereas their funds are so depleted from providing core services without project funding that they find themselves for the first time requesting emergency assistance in the amount of \$25,000 to keep their doors open;

Therefore let it be resolved that Council approve a one-time emergency bridging funding in the amount of \$1,600 and that it be funded from the contingency fund. This fund can easily support this request because it has capacity; and further,

That a request be sent to each area municipality in Durham Region to support a one-time emergency bridging funding in the amount of \$1,600; and,

That this request be sent to the Region of Durham where there will be a motion at Committee of the Whole on October 5, 2016. At that time Regional Councillors will be asked to support a one-time emergency funding of \$12,500. If approved at the Regional level, this request will bring the total contribution locally and Regionally to \$25,000, (as long as all municipalities participate). This funding is needed in order to keep D.R.E.N.'s doors open while they secure new funding sources.

and

That the Municipality of Clarington Council approve a one-time emergency bridge funding in the amount of \$1,600 for the Durham Region Employment Network (D.R.E.N.).

Carried

13.2 Addendum to Report CAO-004-16, Clarington Board of Trade Contract Renewal – Performance Measures

Item 13.2 was considered earlier in the meeting.

14 By-laws

Resolution #C-305-16

Moved by Councillor Hooper, seconded by Councillor Neal

That leave be granted to introduce By-laws 2016-085 to 2016-090

- 14.1 2016-085 Being a By-law to authorize an agreement between the Corporation of the Municipality of Clarington and the Province to enter into the Ontario Community Infrastructure Fund Formula-Based Component Agreement (Item 7 of the General Government Committee Report)
- 14.2 2016-086 Being a By-law to appoint Private Parking Enforcement Officers (Item 10 of the General Government Committee Report)
- 14.3 2016-087 Being a by-law to delegate authority to make decisions and hold meetings under sections 356, 357, 358 and 359 of the *Municipal Act, 2001* (Item 13 of the General Government Committee Report)
- 14.4 2016-088 Being a by-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (2103386 Ontario Limited) (Item 4 of the Planning & Development Committee Report)
- 14.5 2016-089 Being a by-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (Municipality of Clarington) (Item 5 of the Planning & Development Committee Report)
- 14.6 2016-090 Being a by-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (2084165 Ontario Limited);
and

That the said by-laws be approved.

Carried

15 Procedural Notices of Motion

16 Other Business

There was no other business considered under this Section of the Agenda.

Resolution #C-306-16

Moved by Councillor Hooper, seconded by Councillor Cooke

That Council recess for three minutes.

Carried

The meeting reconvened at 10:56 PM.

Resolution #C-307-16

Moved by Councillor Neal, seconded by Councillor Traill

That the meeting recess until 1:00 PM, November 1, 2016.

Carried

The meeting recessed at 10:58 PM and reconvened at 1:00 PM on Tuesday, November 1, 2016.

Present Were: Mayor A. Foster, Councillor S. Cooke, Councillor R. Hooper, Councillor J. Neal, Councillor C. Traill, Councillor W. Woo

Regrets: Councillor W. Partner

Staff present: C. Clifford, A. Allison, T. Cannella, attended at 1:06 PM, D. Crome, N. Taylor, A. Greentree, C. Fleming

The Director of Planning Services and the Municipal Solicitor highlighted recommended policy changes subsequent to discussions and suggestions from the Bowmanville East Landowners Group (BELD) and the Building Industry and Land Development Association (BILD).

Resolution #C-308-16

Moved by Councillor Neal, seconded by Councillor Woo

That the foregoing Resolution #C-282-16 be amended to incorporate the following policy changes as 2.f.f), as shown in bold to Section 4.6.1, 23.3.2, 23.3.5, 23.3.6, 23.3.7, 23.3.10, 23.12.7 and 23.13.1:

- “23.3.2 The Municipality will prepare Secondary Plans **in cooperation with area landowners, the Region, private and public agencies.** The process for preparing, adopting or amending Secondary Plans will be is subject to the procedures contained in this section and under Section 23.2 and other applicable policies of this Plan.
- 23.3.5 Any landowner or group of landowners who wish to fund the preparation of a Secondary Plan in order to advance to timing of the plan’s preparation shall provide the Municipality with proposed terms of reference. It shall address matters relating to the proposed scope of work, public consultation process, funding of supporting studies, cost sharing principles and other considerations described in Section 23.13.1. Within 90 days of receipt of proposed terms of reference, Council shall determine whether to proceed under Section 23.3.8.**
- 23.3.6 Where private funding is provided in accordance with Section 23.13 by a landowner or a landowner’s group, **generally** they must own 75% of the developable area within the Secondary Plan area prior to Council considering whether to initiate a Secondary Plan study.
- 23.3.7 Prior to the Municipality initiating **a privately-funded** Secondary Plan study, Council shall hold a public meeting inviting all landowners within the Secondary Plan Area to advise them of the proposed Secondary Plan study and the terms of reference.
- 23.3.10 The following background studies and analyses are generally required in support of new Secondary Plans:
- a) A Subwatershed study including natural heritage, fisheries, hydrogeology, and hazard lands;
 - b) A municipal-wide *financial impact analysis* of growth and development;
 - c) A Landscape Analysis;
 - d) A Planning Background Report
 - e) A Master Drainage Plan;

- f) A Water and Wastewater Servicing Plan;
- g) A Transportation Master Plan;
- h) An assessment of potential impact on adjacent *agricultural* operations and recommendations for mitigation;
- i) A Sustainability Plan addressing Green Infrastructure and Net Zero development and building practices;
- j) A Commercial needs and impact analysis when a commercial uses are proposed;
- k) An Urban Design Report;
- l) A Cultural and built heritage assessment including archaeology;
- m) A housing needs analysis (including affordable housing); and
- n) An integrated Environmental Assessment for municipal public works as may be appropriate.**

23.12.7 Prior to development approvals within a Secondary Plan area, landowners may be required to enter into a developer's group agreement(s), or implement other alternative arrangements to ensure the equitable distribution of the cost of community infrastructure, facilities such as public schools, parks, roads, etc. within a Secondary Plan area. The agreements(s) shall distribute, in a fair and equitable manner, the costs of community infrastructure and facilities to ensure an orderly sequence of development, and shall address matters related to non-participating landowners.

23.13.1 Where this Plan identifies Special Study Areas or requires studies or plans (including Secondary Plans) to be undertaken, it does not necessarily ~~imply that~~ obligate the Municipality, the Region of Durham and any other governing agency ~~will to~~ expend public funds to finance such reports, studies or plans. ~~Council~~ The Municipality shall ~~will~~ determine whether or not it will commence the preparation of any such report, study or plan based on Municipal priorities, and available financial and staff resources. ~~This Plan however, does not prohibit private funding or plan provided arrangements are made to the satisfaction of the Municipality to ensure study objectivity.~~

This Plan, however, allows for and contemplates the possibility that funding for any required report, study or plan, may come from landowners who may be impacted provided such landowners enter into an agreement with the Municipality. Such agreement shall, amongst other matters, specify the scope of work to be undertaken, the means of procuring the work, ensure study objectivity, and cover project management and administrative costs incurred by the Municipality. **Such agreements shall also address matters relating to non-participating landowners, and may allow for development charges credits.** The decision to enter into any such agreement shall be at the discretion of the Council.”

Carried

The foregoing Resolution #C-282-16 was then put to a vote and carried on the following recorded vote:

Council Member	Yes	No	Declaration of Interest	Absent
Councillor Woo	√			
Councillor Cooke	√			
Councillor Hooper	√			
Councillor Neal	√			
Councillor Partner				√
Councillor Traill	√			
Mayor Foster	√			

17 Confirming By-law

Resolution #C-309-16

Moved by Councillor Hooper, seconded by Councillor Cooke

That leave be granted to introduce By-law 2016-091, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 31st day of October, 2016 and reconvening on the 1st day of November, 2016; and

That the said by-law be approved.


Carried

18 Adjournment

Resolution #C-310-16

Moved by Councillor Neal, seconded by Councillor Hooper

That the meeting adjourn at 1:17 PM.



Mayor

Carried



Municipal Clerk