

Clarington

Council

Agenda

Date: Monday, May 1, 2017

Time: 7:00 PM

Place: Council Chambers, 2nd Floor
Municipal Administrative Centre
40 Temperance Street
Bowmanville, Ontario



Inquiries & Accommodations: For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending, please contact: Cindy Fleming, Administrative Assistant to the Clerk, at 905-623-3379, ext. 2101 or by email at cflaming@clarington.net.

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Copies of Reports are available at www.clarington.net

1 Call to Order

2 Moment of Reflection

3 Declaration of Interest

4 Announcements

5 Adoption of Minutes of Previous Meeting(s)

5.1 Council Minutes Minutes of a regular meeting of Council April 10, 2017 Page 5

6 Presentations

6.1 Roger Anderson, Chair, Regional Municipality of Durham – Annual Address

7 Delegations

There are no Delegations scheduled for this meeting as of the time of publication.

8 Communications – Receive for Information

There are no Communications to be received for information as of the time of publication.

9 Communications – Direction

9.1 Jonathan Rodger, Zelinka Priamo Ltd. – Comments on behalf of CP REIT Ontario Properties Limited and Loblaw Properties Limited - Valiant Property Management – Proposed Lowe's

(Motion to refer correspondence to Item 3 of the Planning and Development Committee Report to Council)

10 Committee Reports

10.1 Advisory Committee Reports

10.1.1 SWNA Minutes of the Samuel Wilmot Nature Area Management Page 19
Minutes Advisory Committee dated April 11, 2017

Date: May 1, 2017

Time: 7:00 PM

Place: Council Chambers

10.1.2	Agricultural Advisory Minutes	Minutes of the Agricultural Advisory Committee of Clarington dated April 13, 2017	Page 22
10.1.3	Accessibility Advisory Minutes	Minutes of the Accessibility Advisory Committee dated April 5, 2017	Page 26
10.1.4	Heritage Committee Minutes	Minutes of the Clarington Heritage Committee dated March 21 and April 18, 2017	Page 30
10.2	General Government Committee	General Government Committee Report of April 18, 2017	Page 44
10.3	Planning & Development Committee	Planning and Development Committee Report of April 24, 2017	Page 53

11 Staff Reports

12 Business Arising from Procedural Notice of Motion

13 Unfinished Business

13.1	Resolution # C-087-17	Report ESD-002-17 - Emergency and Fire Services – Governing By-law Update, Automatic Aid Agreement Update (Referred to Council by the General Government Committee on April 18, 2017)	Page 55
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14 By-laws

14.1	2017-033	Being a By-law Governing the Emergency and Fire Services, and the Provision of Mutual Aid and Automatic Response, and to Repeal By-law 2010-077 (Item 13.1 of Unfinished Business)	
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Date: May 1, 2017

Time: 7:00 PM

Place: Council Chambers

- 14.2 2017-037 Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (Valiant Property Management) (Item 3 of the Planning & Development Committee Report)
- 14.3 2017-041 Being a By-law to assume certain streets within the Municipality of Clarington as public highways in the Municipality of Clarington (Item 5 of the General Government Committee Report)
- 14.4 2017-042 Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington [Averton Homes (Bowmanville) Limited] (Item 2 of the Planning & Development Committee Report)

15 Procedural Notices of Motion

16 Other Business

17 Confirming By-Law

18 Adjournment

Minutes of a regular meeting of Council held on April 10, 2017, at 7:00 PM, in the Council Chambers

Present Were: Mayor A. Foster, Councillor S. Cooke, Councillor R. Hooper, Councillor J. Neal, Councillor W. Partner, Councillor C. Traill (attended until 10:25 PM), Councillor W. Woo

Staff Present: C. Clifford, A. Allison, T. Calhoun, T. Cannella, J. Caruana, D. Crome, L. Gordon, F. Horvath, M. Marano, A. Greentree, C. Fleming

1 Call to Order

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

2 Moment of Reflection

Prior to the start of the meeting Mayor Foster acknowledged the 100th Anniversary of the Battle of Vimy Ridge and the sacrifices made by the Canadian soldiers and paid tribute to former Mayor Diane Hamre who passed away last week, expressing condolences to her family and to the community in the loss of a great community leader.

Councillor Traill led the meeting in a moment of reflection.

3 Declaration of Interest

Councillor Neal indicated that he would be declaring an interest with respect to Item 3 of the Planning and Development Committee Report.

4 Announcements

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

Resolution #C-080-17

Moved by Councillor Neal, seconded by Councillor Hooper

That the Rules of Procedure be suspended to permit Michael Fry to address Council concerning Unfinished Business Item 13.6 - Applications by Bowmanville Village Inc. for proposed Draft Plan of Subdivision and Zoning By-law Amendment.

Carried

5 Adoption of Minutes of Previous Meeting

Resolution #C-081-17

Moved by Councillor Traill, seconded by Councillor Partner

That the minutes of a regular meeting of March 20, 2017, be approved.

Carried

6 Presentations

There were no Presentations scheduled for this meeting.

7 Delegations

- 7.1 Libby Racansky addressed Council concerning Item 1(e) of the General Government Committee Report – Highway 407 East Phase 2 Design and Construction Report #5. Through use of a PowerPoint presentation, Ms. Racansky highlighted the degradation of roads due to the design and construction of Highway 407/418 including flooding and runoff, environmental impacts, particularly on the Black Creek, and water table issues. She stated runoff is eroding the reconstructed Hancock Road and bridge structures and water is collecting on Nash Road because the size of the culvert is not appropriate. Ms. Racansky noted that the Highway 407 East Phase 2 Design and Construction Report #5 is available for public viewing and comment until April 24, 2017, and felt it was incumbent upon Council to write to the Ministry of Transportation requesting financial assistance to protect local infrastructure and residents from additional financial pressure. Ms. Racansky expressed concern that the sides of the highway may become littered with debris should they not be revegetated. She compared the normal aquifer system in Southern Ontario to the local aquifer system and requested Council to engage the services of a hydrogeologist to protect wells in the area.

Resolution #C-082-17

Moved by Councillor Partner, seconded by Councillor Traill

That the Rules of Procedure be suspended to allow the delegation of Libby Racansky to be extended for two minutes.

Carried

Ms. Racansky urged Members of Council to petition the Provincial Government for assistance. She expressed concern that flooding may cause West Nile Virus, lime disease, etc. and will affect the habitat of wildlife.

Ms. Racansky responded to questions from Members of Council.

Resolution #C-083-17

Moved by Councillor Neal, seconded by Councillor Cooke

That the delegation of Libby Racansky be referred to Item 1(e) of the General Government Committee Report.

Carried

7.2 Andy Brown addressed Council concerning Unfinished Business Item 13.6 – Report PSD-026-17 applications by Bowmanville Village Inc. for proposed Draft Plan of Subdivision and Zoning By-law Amendment. Mr. Brown stated his main issue is the overlook and loss of privacy for residents on Buttonshaw Street. Through use of a PowerPoint presentation, Mr. Brown compared various deck elevations, indicating those that would be acceptable to those that would be unacceptable. He felt that outdoor amenities should be on the ground level below the top of the privacy fence. Mr. Brown referred to an infill development in Toronto in which residents opposed a three storey townhouse development. He indicated that the developer has agreed that along the back there would not be any balconies or decks facing existing residences. In addition, trees were being planted along the rear of the developer's property. Mr. Brown suggested this approach be made a condition of the Bowmanville Village Inc. development proposal. He stated that he had reviewed a memorandum from the Director of Planning Services suggesting that vouchers be given to residents to purchase trees to plant in their own yards. Mr. Brown feels that this gesture was more of the status quo and felt that Clarington has an opportunity to make the developers care more about the existing residents by planting trees on their land and making these boundary trees that cannot be cut down by either side without permission of the other. Mr. Brown urged Council to take more of a stance for the protection of the existing Buttonshaw Street residents in protecting their privacy as much as possible.

Mr. Brown responded to questions from Members of Council.

7.3 Michael Fry addressed Council concerning Unfinished Business Item 13.6 – Report PSD-026-17 applications by Bowmanville Village Inc. for proposed Draft Plan of Subdivision and Zoning By-law Amendment. Mr. Fry indicated that he supports the staff report and the memo dated April 10, 2017, from the Director of Planning Services and would be pleased to answer any questions from Members of Council.

In response to questions, Mr. Fry indicated he could not speak to the preservation of specific elm trees but noted a significant portion of land would be dedicated to the Municipality; and further, that he would be happy to work with Council in consideration of naming a street after a long-time resident, in line with Council's approved street-naming policy. He also indicated that a 3D mock-up sketch could be designed.

8 Communications – Receive for information

There were no Communications to be received for information.

9 Communications – Direction

There were no Communications for direction.

10 Committee Reports

10.1 Advisory Committee Reports

10.1.1 Minutes of the Newcastle Memorial Arena Management Board dated February 14, 2017

Resolution #C-084-17

Moved by Councillor Partner, seconded by Councillor Traill

That Advisory Committee Report Item 10.1.1 be received for information.
Carried

10.2 General Government Committee Report of March 27, 2017

Resolution #C-085-17

Moved by Councillor Neal, seconded by Councillor Hooper

That the recommendations contained in the General Government Committee Report of March 27, 2017 be approved, on consent, with the exception of items #1(e) and #5.
Carried

Item 1(e) – Dave Keys, Environmental Manager, Blackbird Constructors 407 General Partnership – Highway 407 East Phase 2 Design and Construction Report #5

Resolution #C-086-17

Moved by Councillor Cooke, seconded by Councillor Woo

That correspondence from Dave Keys, Environmental Manager, Blackbird Constructors 407 General Partnership – Highway 407 East Phase 2 Design and Construction Report #5 be received for information.

Carried

Item 5 – Emergency and Fire Services – Governing By-law Update, Automatic Aid Agreement Update

Resolution #C-087-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That Report ESD-002-17 be received;

That the updated Emergency and Fire Services Governing By-law (Attachment 1 to Report ESD-002-17) be approved;

That the Mayor and Clerk be authorized to execute the Automatic Aid Agreement with Port Hope, Attachment 2 to Report ESD-002-17, as amended as follows:

to strike the words “and one rescue van” from item 2.2 of the Agreement; and
to replace the words “seven men” with the words “five firefighters” in item 3; and

That By-law 2010-077 and By-law 2001-172 be repealed.

Tabled
(See following motion)

Resolution #C-088-17

Moved by Councillor Partner, seconded by Councillor Cooke

That the foregoing Resolution #C-087-17 be tabled until the General Government Committee meeting of April 18, 2017.

Carried

10.3 Planning & Development Committee Report of April 3, 2017

Resolution #C-089-17

Moved by Councillor Woo, seconded by Councillor Traill

That the recommendations contained in the Planning & Development Committee Report of April 3, 2017 be approved, on consent, with the exception of items #3, #4, and #6.

Carried

Councillor Neal declared an interest in accordance with the *Municipal Conflict of Interest Act*, with respect to Item 3 of the Planning and Development Committee Report, as it relates to his law practice and left the Council Chambers during discussion and voting on this matter.

Item 3 – An Application by Newcastle Lodge for Senior and Family Dwellings to Construct a Six Storey, Mixed-Use Building Addition on King Avenue East, Newcastle

Resolution #C-090-17

Moved by Councillor Woo, seconded by Councillor Partner

That Report PSD-022-17 be received;

That the applications to amend the Clarington Official Plan and Zoning By-law 84-63, submitted by Newcastle Lodge for Senior & Family Dwellings to construct a six storey, mixed-use building addition continue to be processed and that a subsequent report be prepared; and

That all interested parties listed in Report PSD-022-17 and any delegations be advised of Council's decision.

Carried

Councillor Neal returned to the meeting.

Item 4 – Claret Investments Limited & 1361189 Ontario Limited - Application to Amend the Zoning By-law to facilitate the Creation of 15 Single Detached Lots on Lands Located on Harry Gay Drive, Courtice

Resolution #C-091-17

Moved by Councillor Neal, seconded by Councillor Cooke

That Report PSD-024-17 be received;

That the application for rezoning ZBA2016-0016, submitted by WDM Consultants be approved and that the Zoning By-law Amendment contained in Attachment 1 to Report PSD-024-17 be passed;

That a by-law to remove the (H) Holding Symbol be forwarded to Council once the road within Block 14 has been constructed, Block 13 has been dedicated to the Municipality in an acceptable condition and all the requirements of the Clarington Official Plan are satisfied;

That the Region of Durham Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PSD-024-17 and Council's decision; and

That all interested parties listed in Report PSD-024-17 and any delegations be advised of Council's decision.

Carried

Item 6 – Information on Parking and Patios

Resolution #C-092-17

Moved by Councillor Traill, seconded by Councillor Cooke

That Planning Staff report back on the feasibility of implementing a pilot project to permit restaurants in downtown Bowmanville and in the Village of Newcastle business areas to use on-street parking spaces as a patio for patrons to eat and drink outdoors; and

That staff consult with the Bowmanville BIA and the Newcastle BIA and restaurant owners in drafting the above report, as well as other interested departments such as By-law Enforcement and Emergency and Fire Services.

Carried later in the meeting
(See following motion)

Resolution #C-093-17

Moved by Councillor Partner, seconded by Councillor Traill

That the Rules of Procedure be suspended to allow Members of Council to speak to Resolution #C-092-17 a second time.

Carried

The foregoing Resolution #C-092-17 was then put to a vote and carried.

Resolution #C-094-17

Moved by Councillor Partner, seconded by Councillor Hooper

That Council recess for ten minutes.

Carried

The meeting reconvened at 9:06 PM.

11 Staff Reports

There were no Staff Reports considered under this Section of the Agenda.

12 Business Arising from Procedural Notice of Motion

There was no Business Arising from Procedural Notice of Motion considered under this Section of the Agenda.

13 Unfinished Business

- 13.1 Report EGD-12-17 - Liberty Crossings Neighbourhood Dust Control Status Update (Referred to Council by the General Government Committee on March 27, 2017)

Resolution #C-095-17

Moved by Councillor Neal, seconded by Councillor Hooper

That Report EGD-012-17 be received for information.
Carried

- 13.2 Resolution #GG-158-17 - Report CLD-006-17, Municipal Elections - Methods of Elections (Tabled to Council by the General Government Committee on March 27, 2017)

Resolution #C-096-17

Moved by Councillor Traill, seconded by Councillor Neal

That Resolution #GG-158-17 be lifted from the table.
Carried

Council now had the following Resolution #GG-158-17 before them:

That Report CLD-006-17 be received;

That the Council of the Municipality of Clarington endorse Internet and Telephone Voting for Advance Polls and Voting Day (Option 2) as the preferred method of voting for the Municipality of Clarington, beginning with the 2018 Municipal Elections; and

That Attachment 2 of Report CLD-006-17, the draft by-law to authorize the use of internet and telephone voting, and to repeal By-law 2013-038 (which authorizes the use of vote tabulators, special ballots, and accessible equipment for Municipal Elections), be approved.

Lost on the following recorded vote:

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

Resolution #C-097-17

Moved by Councillor Neal, seconded by Councillor Hooper

That Report CLD-006-17 be received for information.

Carried

13.3 Resolutions #GG-163-17 and #GG-164-17 Report CLD-008-17, Senior of the Year Nominations (Tabled to Council by the General Government Committee on March 27, 2017)

Resolution #C-098-17

Moved by Councillor Neal, seconded by Councillor Hooper

That Resolutions #GG-163-17 and #GG-164-17 be lifted from the table.

Carried

Council now had the following Resolutions #GG-163-17 and #GG-164-17 before them:

Resolution #GG-163-17

That Report CLD-008-17 be received;

That one individual be selected as Clarington's nominee for the 2017 Senior of the Year Award;

That all interested parties listed in Report CLD-008-17 and any delegations be advised of Council's decision.

Resolution #GG-164-17

That the foregoing Resolution #GG-163-17 be amended to add:

That Mr. Jim Boate be added as a nominee for the 2017 Senior of the Year Award.

Resolution #C-099-17

Moved by Councillor Partner, seconded by Councillor Woo

That the foregoing Resolution #GG-164-17 be amended to add:

That Ms. Jeany Barrett be added as a nominee for the 2017 Senior of the Year Award.

Carried

Resolution #GG-164-17 was then put to a vote and carried as amended.

Resolution #GG-163-17 was then put to a vote and carried as amended.

Ms. Jeany Barrett was nominated as the Municipality of Clarington's 2017 Senior of the Year in accordance with the voting process outlined in the Council Appointments to Boards and Committees Policy.

- 13.4 Resolution #PD-060-17 - Report PSD-025-17 – An Application by Bloomfield Farms to amend Sign By-law 2009-123 to permit an electronic message board sign on an agricultural property located at 3745 Highway 2, Newcastle (Referred to Council by the Planning & Development Committee on April 3, 2017)

Resolution #C-100-17

Moved by Councillor Partner, seconded by Councillor Woo

That the application by Nancy Mallette to amend Sign By-law 2009-123 to permit an electronic message board sign at 3745 Highway 2, Newcastle be approved;

That the By-law contained as Attachment 3 to the Memo from the Director of Planning Services on the application by Bloom Field Farms dated April 10, 2017 be passed; and

That the applicant be notified.

Carried

- 13.5 Report PSD-021-17 - Application by Valiant Property Management Lowe's Home Improvement (Referred to Council by the Planning & Development Committee on April 3, 2017)

Resolution #C-101-17

Moved by Councillor Woo, seconded by Councillor Traill

That Report PSD-021-17 regarding the application by Valiant Property Management for a Lowe's Home Improvement Store (Item 13.5 of the Agenda) and the proposed by-law (Item 14.6 of the Agenda) be referred to the Planning and Development Committee meeting of April 24, 2017; and

That the applicant and all interested parties be notified.

Carried

- 13.6 Report PSD-026-17 - Applications by Bowmanville Village Inc. for proposed Draft Plan of Subdivision and Zoning By-law Amendment (Referred to Council by the Planning & Development Committee on April 3, 2017)

Resolution #C-102-17

Moved by Councillor Hooper, seconded by Councillor Woo

That Report PSD-026-17 be received;

That Staff be directed to take the steps necessary to seek approval from the Ontario Municipal Board for Draft Plan of Subdivision (S-C-2014-0002) and Zoning By-law Amendment (ZBA 2014-0023), generally as set out in Attachments 1 and 2 to Report PSD-026-17, respectively with amendments to incorporate the response of staff contained in the memo of the Director of Planning Services dated April 10, 2017; and

That all interested parties listed in Report PSD-026-17 and any delegations be advised of Council's decision.

Carried later in the meeting
(See following motion)

Resolution #C-103-17

Moved by Councillor Neal, seconded by Councillor Partner

That in accordance with 239(2) of the *Municipal Act, 2001*, as amended, the meeting be closed for the purpose of discussing a matter that deals with advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Councillor Traill left the meeting.

The meeting reconvened in open session at 10:51 pm.

The Mayor advised that one item was discussed in "closed" session in accordance with Section 239(2) of the *Municipal Act, 2001*, as amended, and no resolutions were passed.

Resolution #C-104-17

Moved by Councillor Neal, seconded by Councillor Hooper

That the Rules of Procedure be suspended to extend the meeting until 11:15 PM.

Carried

Resolution #C-105-17

Moved by Councillor Neal, seconded by Councillor Hooper

That the foregoing Resolution #C-102-17 be amended to include a restriction to the maximum deck depth of up to 10 feet from the backs of the houses that would be facing Buttonshaw Street, on Lots 1 to 19.

Lost on the following recorded vote:

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

The foregoing Resolution #C-102-17 was then put to a vote and carried on the following recorded vote:

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

14 By-laws

By-law 2017-033 was withdrawn from the Agenda due to the tabling of Item 5 of the General Government Committee Report.

By-law 2017-034 was withdrawn from the Agenda due to Report CLD-008-17 being received for information.

By-law 2017-037 was withdrawn from the Agenda due to the referral of Unfinished Business Item 13.5 to the Planning and Development Committee meeting of April 24, 2017.

Resolution #C-106-17

Moved by Councillor Hooper, seconded by Councillor Cooke

That leave be granted to introduce By-laws 2017-032, 2017-035, 2017-036, 2017-038 and 2017-039

- 14.1 2017-032 Being a By-law to establish, lay out and dedicate certain lands as public highways in the Municipality of Clarington, and to assume certain streets within the Municipality of Clarington as public highways in the Municipality of Clarington (Item 4 of the General Government Committee Report)
- 14.4 2017-035 Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (Claret Investments Limited & 1361189 Ontario Limited) (Item 4 of the Planning & Development Committee Report)
- 14.5 2017-036 Being a By-law to authorize the closure and conveyance of a road allowance (Approved by Council on February 6, 2017)
- 14.7 2017-038 Being a By-law to adopt the estimates of all sums required during the year, to strike rates and levy taxes for municipal purposes for the year 2017 and to provide for the collection thereof (Approved by Council on February 6, 2017); and
- 14.8 2017-039 Being a By-law to amend By-law 2009-0123, the Sign By-law for the Corporation of the Municipality of Clarington (Unfinished Business 13.4); and

That the said by-laws be approved.

Carried

15 Procedural Notices of Motion

There was no Procedural Notice of Motion considered under this Section of the Agenda.

16 Other Business

17 Confirming By-law

Resolution #C-107-17

Moved by Councillor Hooper, seconded by Councillor Neal

That leave be granted to introduce By-law 2017-040, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 10th day of April, 2017; and

That the said by-law be approved.

Carried

18 Adjournment

Resolution #C-108-17

Moved by Councillor Partner, seconded by Councillor Woo

That the meeting adjourn at 11:08 PM.

Carried

Mayor

Municipal Clerk



Draft minutes – Not yet approved by Committee

**NOTES OF MEETING OF
SAMUEL WILMOT NATURE AREA
MANAGEMENT ADVISORY COMMITTEE
HELD TUESDAY APRIL 11, 2017
7:00 PM**

Present: Melanie McArthur Tom Hossie
 Jim Cleland Paul Davidson
 Kate Potter Leo Blindenbach

Regrets: Brian Reid Patrick Bothwell
 Suzanne Land Councillor Corinna Trail

Staff Present: Peter Windolf

1. AGENDA

MOVED: by Leo Blindenbach **SECONDED** by Paul Davidson
THAT: the agenda for April 11, 2017 be accepted

CARRIED

2. MINUTES OF PREVIOUS MEETING

Approval of Minutes

MOVED: by Paul Davidson **SECONDED** by Melanie McArthur
THAT: the minutes of March 14, 2017 be approved.

CARRIED

3. ITEMS/UPDATES

Come Fly with Me-Monarch Butterfly Event

One of the actions selected by the SWNA committee as part of the *Mayors Monarch Pledge* was to “Launch a public communication effort to encourage citizens to plant monarch gardens at their homes or in their neighborhoods.”

To help promote that effort the SWNA Committee hosted a Monarch Butterfly presentation on Sunday April 9 led by SWNA committee member Dr. Tom Hossie. The event was very successful with over 80 people in attendance. The presentation included information about the current plight of monarch butterflies and what the community can do to enhance their habitat. Milkweed seed packets with planting instructions were offered to attendees at no cost. Future SWNA committee activities were also promoted at the event including the April 29 site clean-up and September 10 monarch tagging event.

Milkweed seed and plant distribution

Brian Reid collected approximately 3000 milkweed seeds from the SWNA last fall. He has planted 200 seeds in trays for transplantation later this year at the SWNA. Additional planting trays have been donated by Rekkers Garden Centre and some of those trays have been provided to local schools for seed propagation. Ten classes at Duke of Cambridge School and four classes at Newcastle Public School are currently propagating milkweed seeds. Seeds will also be offered to the public at the Newcastle Horticultural Society plant sale on May 13.

Donations have been received from the Bowmanville Rotary and Newcastle Lions to purchase approximately 200 milkweed seedlings later this spring.

Milkweed Planting Date-May 27

The committee decided that Saturday May 27 would be the best date to plant the milkweed at the SWNA. The planting event will follow the Official Opening of the Trail also planned for May 27. The exact location of the planting will be determined at the May meeting which will be held on site.

Trail Official Opening

The construction of the woodland trail that links the Waterfront Trail to the existing trail along the north side of the sewage treatment plant will be completed in May with the paving of the trail.

The date for the official opening is Saturday May 27 at 10:00AM. A notice to Councillors will be e-mailed in May.

SWNA Facebook accounts

Apparently more than one SWNA Facebook page exists. A search for the SWNA on Facebook may direct users to another Facebook page, not the official page administered by the municipality. The committee agreed that this could be misleading and confusing for people trying to find information about SWNA activities and events. The administrator of the other SWNA Facebook has not been confirmed but if we are able to contact the person responsible we will ask that the other page be linked to the official Facebook page.

4. OTHER BUSINESS

The annual spring clean-up of the Port of Newcastle and SWNA is scheduled for Saturday April 29 at 10:00AM-Noon. The meeting location will be the Toronto Street parking lot.

Brian Reid and Leo Blindenbach will be installing the new bird and butterfly houses over the next week or two.

5. MOTION TO ADJOURN

MOVED: by Paul Davidson **SECONDED** by Tom Hossie
THAT: the meeting be adjourned.

CARRIED

Adjournment 8:00 PM

Next Meeting: Tuesday May 9, **6:30 PM ON-SITE**.
Please meet at the Toronto Street Parking lot

Notes prepared by: P.Windolf



Agricultural Advisory Committee of Clarington Meeting

Thursday, April 13, 2017

Members Present: John Cartwright Brenda Metcalf
 Eric Bowman Tom Barrie
 Henry Zekveld Ted Watson
 Richard Rekker Les Caswell
 Councillor Wendy Partner

Regrets: Jennifer Knox, Don Rickard, Elgin Greenham

Guests: Mitch Morawetz, Planning Services Department

Staff: Faye Langmaid, Planning Services

Brenda welcomed all to the meeting, with introductions.

Adoption of Agenda

017-09 *Moved by Tom Barrie, seconded by John Cartwright*

“That the Agenda for April 13, 2017 be adopted”

Carried

Approval of Minutes

017-10 *Moved by Les Caswell, seconded by Eric Bowman*

“That the minutes of the March 9, 2017 meeting be approved as amended”

Carried

Tour: Richard Rekker (the tour occurred prior to the start of the meeting)

Richard Rekker provided a tour of the wholesale aspects of the greenhouse business and answered questions as we proceeded through the various greenhouses. Along the way Richard showed us the soil mixing area, heating units, potting area, how the sun shades and air ventilation system works, the recycling area for plastics and water and conveyors used to move the produce. When we gathered in the lunch room for our meeting, Richard spoke about the move to the new facility on RR42.

Mitch Morawetz provided some overview remarks on the site plan process, zoning and the zoning by-law review. To date Greenhouses have been part of the coverage of land on farms. When Greenhouse operations have expanded they typically go to Committee

of Adjustment. Rather than 5% coverage most greenhouses in Clarington are at 30-40% coverage. This lead into the discussion of the Zoning By-law Review and on-farm diversified uses.

Business Arising

Zoning By-law Review

There are questions that the committee should respond to such as:

1. Are the proposed permitted uses appropriate? Are any of the uses listed concerning, if so, why? Are there any uses we should add?
2. At what scale do the proposed permitted uses become inappropriate, possibly requiring a greater level of control (e.g. zoning by-law amendment, site plan control)? Considerations of scale could include size, height, location, lot area, floor area, scale of goods or materials, parking, signage, etc.
3. Do you have any comments respecting the regulation of this type of on-farm diversified use?

As a follow-up to the presentation at the March meeting, Staff have prepared a chart on on-farm diversified uses, home based occupations, home industry uses, value-added, agri-tourism and retail uses. The chart will be circulated to members for their feedback individually. Results will be discussed at the June meeting.

Norfolk County Community Improvement Plan (CIP):

The Norfolk County CIP is mainly geared to agri-tourism support. The types of grants available are similar to the CIP grants in the Bowmanville, Orono, Newcastle downtowns. The grants can be for architectural design, facilities improvement (value-added and processing), property improvement (landscaping, signage), building renovation. New construction is not eligible.

Program website: <http://www.norfolkbusiness.ca/incentives-supports/business-incentives/>

Program brochure: <http://www.norfolkbusiness.ca/wp-content/uploads/2015/10/Business-Incentives-Brochure3.pdf>

Norfolk County does not have a grant program similar to the GRCA Clean Water Healthy Land Stewardship Grants. Nor do they have a reduced tax rate (20%) like Durham/Clarington.

Correspondence and Committee Reports

There were no Council items or referrals. There have been a number of items e-mailed out over the month, Field and Forum will be circulated.

Durham Agriculture Advisory Committee:

- 2017 DAAC Farm Tour September 20 at Picov Downs in Ajax, different stations will be set up for educational displays/talks.
- Janet Horner was guest at last DAAC meeting about Asset Mapping.

Durham Region Federation of Agriculture:

- No meeting since last month.

Clarington Board of Trade:

- CBOT Annual General Meeting April 19 at Clarington Beech Centre from 5:30 p.m. to 8:30 p.m.
- Agriculture Familiarization Tour April 28 at Werrcroft Farm from 9:30 a.m. to 11:00 a.m. RSVP to bonnie@cbot.ca
- Agriculture Familiarization Tour May 17 at Link Greenhouses from 11:00 a.m. to 12:30 a.m. RSVP to bonnie@cbot.ca

Farm Connections

- Durham Farm Connections Grade 3 Annual Event was held at Luther Vipond Memorial Arena, Brooklin April 4-6. Number of students was down due to some accommodation issues and rules from School Board.
- Open house had 800 people

New Business

Biosolids EBR posting – There has been a posting on the Environment Bill of Rights about the transport of Biosolids. Staff have reviewed and discussed with Conservation Authorities. The Municipality will not be commenting. Source Water Protection legislation, Nutrient Management Act and the Emergency Response Plans/protocols in place address the issues raised in the EBR posting.

Soil Classification – DRFA has passed a motion asking for the province to advance the timing on the updating of the soils mapping for Durham. They would like additional support for this request. A letter will be drafted and circulated for comment.

Ontario Farmland Trust – Tom Barrie recently attended a session provided by this group. The concept is to keep farmland in protected for the long term by registering an agreement on title that removed development rights. This may be a good topic for a future agenda. <https://ontariofarmlandtrust.ca/>

Farmer's Parade – Wrap-up meeting has been held with Clarington and Police. There are improvements that can be made for future years that the group will be working on.

Bee City Initiative – Students that contacted Councillor Partner has not responded to the request to meet with Clarington Staff or attend a meeting of the committee.

Future Agendas

Zoning By-law Team will be back at the June meeting for discussion.

Durham Climate Change Adaptation Plan, Hida Manns and Brian Kelly have been invited to either July or August meeting.

John will be inviting Barry and Mark Bragg to speak about their operation and value-added initiatives.

Participation House, Jenni Knox to follow-up.

Eric Bowman moved to Adjourn.

Next Meeting, Thursday, May 10, 7:00 p.m. Blackbird Constructors and Ministry of Transportation and Ron Albright will be in attendance as well.

Lisa Backus - Clarington Official Plan Amendment 107 – Approved Environmental Protection Area policies

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DRAFT

Clarington Accessibility Advisory Committee

April 5, 2017, 6:30 P.M.

Meeting Room 1A

Present: André O'Bumsawin
Tim Van Leeuwen
Maureen Reed
Sally Barrie
Jacquie Watchorn
Shea-Lea Latchford

Also Present: Jeannette Whynot – Accessibility Coordinator

Regrets: Councillor Partner

Meeting was called to order at 6:27pm.

1. Adoption of Minutes

Moved by André O'Bumsawin seconded by Maureen Reed

That the minutes of the meeting of March 1, 2017 be approved.

Carried

2. Presentation

No presentations

3. Business Arising From Minutes

(a) Multi-Year Accessibility Plan

The Accessibility Coordinator advised Committee members that the multi-year plan survey was moving forward as planned and that it was currently being reviewed by municipal staff for comments. It is expected that the survey will be available beginning in May for 4-6 weeks.

The Committee was informed that the survey will be shared through Municipal social media and the Municipal website. The Committee was also informed that an advertisement for the survey will be placed in the summer edition of the recreation and leisure guide. The Coordinator asked Committee members to email her suggestions of community organizations that should be directly contacted.

(b) ServiceOntario Bowmanville Update

The Committee discussed the March 23rd article in the Clarington This Week newspaper where the accessibility issues of ServiceOntario Bowmanville were highlighted. Committee members congratulated Maureen Reed on her contributions to the article on behalf of the Committee.

The Accessibility Coordinator advised the Committee that over the last week she received a number of complaints from residents regarding the lack of accessibility at the Bowmanville ServiceOntario location. The Committee was informed that this week a “ramp” was installed and that it did not meet the barrier-free guidelines of the Ontario Building Code, nor was it installed with the proper permits. As such, the ramp was inspected by Municipal staff and would be receiving an Order to comply by the end of the week.

The Committee was shown pictures of the ramp that was installed and agreed that it was an unacceptable attempt at providing accessibility. The Committee agreed that it looked too steep, lacked safety features and did not have enough landing space for a mobility device to turn at the bottom of the ramp.

The Committee discussed possible next steps they could take but agreed to wait until the next meeting to see if the Order resulted in any positive changes. Committee members each expressed their frustration and concern about the lack of improvement at the Bowmanville ServiceOntario Centre.

(c) National Access Awareness Week

As a follow-up to the March 1, 2017 meeting, the Committee worked together to develop their delegation presentation to Council for the May 29th in honour of National Access Awareness Week.

André O’Bumsawin agreed to speak to Council on behalf of the Committee at the delegation. Committee members were encouraged to attend if they are able to.

The Accessibility Coordinator advised the Committee that two requests were submitted to the Mayor’s Office for consideration. One requested a flag raising in honour of National Access Awareness Week and the other requested that National Access Awareness Week be proclaimed. The Committee will be updated on the status of those requests at the next meeting.

(d) Snow Removal + Accessibility

In Councillor Partner’s absence, the Accessibility Coordinator provided the Committee with an update on her discussion with the Operations Department regarding the snow clearing concerns raised by Tim Van Leeuwen at the last meeting.

The Operations Department will discuss the feedback/concerns raised by the Committee in May when they review their 2016/2017 winter performance. After this meeting the Operations Department will provide the Committee with an update and upon request will attend a meeting in person to further discuss snow removal plans.

4. New Business

(a) Maple Fest Schedule

Committee members discussed their availability to attend Maple Fest on Saturday May 6th. Schedule will be confirmed at the May 3rd meeting.

(b) Durham Regional Transit Specialized Service Update

The Accessibility Coordinator provided Committee members with a copy of a recent report to (Regional) Council written by Durham Regional Transit (DRT). The Committee was given a brief overview of the changes DRT has made and were shown a copy of the updated application form.

5. Regional Update

(a) Regional Updates

André O'Bumsawin advised the Committee that at the last Regional AAC meeting he attended there was a guest speaker who spoke on the importance of accessible housing. A discussion on the importance of accessible housing took place.

André O'Bumsawin also discussed a DRT presentation on the design of their new bus stop signs. The Committee was told of the changes that were suggested and were shown a sample of their first draft.

6. Other Business

Jacqui Watchorn brought forward a discussion on the lack of emergency phones at transit stops. She explained that this is common place in other municipalities and cities and questioned why there were none in Durham.

7. Date of Next Meeting

Wednesday May 3, 2017 at 6:30 PM.

8. Adjournment

Moved by Jacqui Watchorn seconded by Maureen Reed

That the meeting adjourn.

Carried

The meeting concluded at 7:41pm.

Chair

Secretary

CLARINGTON HERITAGE COMMITTEE

Minutes of Meeting March 21, 2017

MEMBERS PRESENT: Todd Taylor, Tracey Ali, Victor Suppan, Councillor Hooper, Filip Aleksanderek, Katharine Warren (7:25), Steve Conway (7:10), Paul Davidson, Robert Malone

REGRETS: Peter Vogel

STAFF: Brandon Weiler

DECLARATION OF PECUNIARY INTEREST

None declared.

ADOPTION OF AGENDA

17.11 Moved by T. Ali, seconded by R. Malone

THAT the agenda for March 21, 2017 be adopted.

“CARRIED”

ADOPTION OF MINUTES

17.12 Moved by P. Davidson, seconded by T. Taylor

THAT the minutes of the Meeting of February 21, 2017 be accepted.

“CARRIED”

DELEGATIONS AND PRESENTATIONS

BUSINESS ARISING

Jury Lands Foundation (Camp 30) – B. Weiler reported that DTAH is continuing to progress on the Community Vision and Urban Design Study. The committee will be notified when the public meeting will occur.

The foundation continues to attend community events to promote and educate the public about the history and the efforts to adaptively reuse the lands and buildings.

Goodyear Property – No news to report

Hollingshead Property – No news to report

REPORTS FROM OTHER COMMITTEES

Bowmanville Community Improvement Program – The Orono Community Improvement liaison group have invited the Bowmanville and Newcastle liaison groups to a meeting April 5th to brainstorm ideas for the CIP review.

Orono Community Improvement Program – No meeting to report

Newcastle Community Improvement Program – No meeting to report

Architectural Conservancy Ontario, Clarington Branch – The next meeting will be March 27, 7pm at the Clarington Museum. The Planning for Doors Open, in the Kendel area on June 10, 2017, is well under way.

Newcastle Village & District Historical Society – R. Malone reported that the Annual General Meeting will be on April 11, 2017. Nancy Trimble will be the keynote speaker. The Board has filled one of its two vacancies. The Board is currently working on a new website design and awaiting a response on their grant application to digitize the records and information the society has.

Museum – No news to report

Heritage Conservation District – No news to report

CORRESPONDENCE AND COUNCIL REFERRALS

Property Standards By-law Amendment Report – B. Weiler reported that Council has approved the proposed amendments to the Property Standards By-law to include heritage specific provisions. The heritage specific provisions will allow the municipality to recognize the significance and heritage features of designated buildings when addressing any property standards issues.

PROJECT REPORTS

Subcommittee Reports:

Municipal Inventory and Register Committee – T. Taylor reported that at the last subcommittee meeting (minutes attached) the subcommittee completed evaluating two properties for heritage value using the Heritage Building Evaluation System.

T. Taylor reviewed the first property 1738 Bloor Road, known as The Christopher Courtice House. The evaluation was distributed to the committee members. The evaluation demonstrated the building was a Group 1 building and recommended that the property be added to the Municipal Register. The committee engaged in a

discussion regarding the features of the property and how they were evaluated before coming to consensus that the property should be added to the Municipal Register.

17.13 Moved by R. Malone, seconded by S. Conway

THAT the Clarington Heritage Committee recommend to Council that the property located at 1738 Bloor Road obtained a Group 1 score when evaluated and should be included on the Municipal Inventory.

“CARRIED”

T. Taylor presented the second property, 153 King Avenue East. An application for a Zoning By-law Amendment has been submitted for this property that would remove the existing buildings to allow for a six storey addition to the existing seniors residence located at 165 King Avenue East. A delegation from the consultant who prepared the Heritage Impact Assessment occurred at the February 2017 meeting. At the February meeting the subcommittee was asked to evaluate the property and provide the findings to the committee at the March meeting.

The committee had some serious concerns with the Heritage Impact Assessment submitted with the application and felt that it contained inconsistencies and that many elements of heritage value were not recognized within the report. The committee asked staff to relay this information to Council.

The evaluation was distributed to the committee members. The evaluation categorized the property as Group 1. The sub-committee recommended that the property be added to the Municipal Register. The committee engaged in a discussion regarding the features of the property and how they were evaluated.

The committee recognized that the proposed addition for seniors housing was a need in the community; however, their mandate is to evaluate properties for heritage value and provide that information to Council so Council is informed when making a decision. The committee passed two motions:

17.14 Moved by K. Warren, seconded by S. Conway

THAT the Clarington Heritage Committee recommend to Council that the property located at 153 King Avenue East obtained a Group 1 score when evaluated and should be added on the Municipal Register.

“CARRIED”

17.15 Moved by S. Conway, seconded by F. Aleksanderek

THAT the Clarington Heritage Committee recommend to Council that should Council approve the Zoning By-law Amendment and the house be demolished that plaques recognizing both the Regency Cottage and the Influence of the early British Military Settlers and the Historic Nature of the East District within Newcastle Village be prominently displayed to capture this historic and significant architecture within the community

“CARRIED”

V. Suppan reported that F. Aleksanderek has joined the subcommittee.

Public Outreach and Education Committee – K. Warren reported that the committee has been exploring the idea of putting together a presentation that could be given at local schools. The group is working to put together a proposal to see if schools would be interested in such a program.

NEW BUSINESS

407 Community Vision Plan – V. Suppan provided the committee with some background on the work the previous committees had engaged in during the planning process for the 407. As part of the 407 plan a community value plan was approved that addressed landscaping/screening features, gateway features, bridge aesthetics, resorting wetlands and trees plantings and incorporating local heritage themes.

MTO and Blackbird Construction recently held a public open house at Solina Community Hall. V. Suppan provided MTO and Blackbird with comments regarding the information presented at that open house. There was not a lot of information regarding plans for gateway features or incorporating local heritage themes. The committee requested that Blackbird be invited to a future committee meeting to address the committees concerns regarding the community value plan.

Heritage Conferences – V. Suppan asked members to consider attending the Ontario Heritage Conference or the National Trust Conference this year. Both are in Ottawa. Early bird registration for the Ontario Heritage Conference is end of April.

Next meeting: April 18, 2017, 7:00 p.m., at Clarington Municipal Offices in Room 1C

Attachment 1: Municipal Inventory and Register Subcommittee Meeting Minutes

Meeting Date: March 9, 2017

Separately, the group evaluated 1738 Bloor Street, Courtice & 153 King Avenue East, Newcastle prior to the meeting.

Property 1 – 1738 Bloor Street, Courtice aka “Lower Alsworth” or “Christopher Courtice” House (In Municipal Inventory – Listed as Primary)

- 1) Evaluated the building and consensus scored it at 67 which is a Group 1 score following the CHC Heritage Building Evaluation System.
- 2) The building is historically significant to Courtice as a local early settlement (1860's) and the last surviving building related to the Courtice family.
- 3) The building is architecturally significant as an early example of a Gothic Revival Farmhouse with notable use of buff brick, center gable, bargeboard and returned eaves.
- 4) The Municipal Inventory and Registry Sub-committee consensus recommendation is to add this building to the municipal registry.
- 5) The sub-committee also recommends encouraging retention of the building and preserve it if possible.

Property 2 – 153 King Street East, Newcastle Village (In Municipal Inventory – Listed as Primary)

- 1) Evaluated the building and consensus scored it at 66 which is a Group 1 score following the CHC Heritage Building Evaluation System.
- 2) The building has historic significance both as part of the historic grouping within a Heritage District and as an early British Military Settlement.
- 3) The building is architecturally significant as a wood frame Regency cottage built in 1853.
- 4) The Municipal Inventory and Registry Sub-committee consensus recommendation is to have it added to the Municipal Registry.
- 4) An effort should be made to preserve the building if possible.
- 5) Alternative uses for the building should be considered.
- 6) If the building is determined to be demolished in lieu of this recommendation, then the Municipal Inventory and Registry Subcommittee recommends that plaques

recognizing both the Regency Cottage + the Influence of the early British Military Settlers and the Historic Nature of the East District within Newcastle Village be prominently displayed to capture this historic and significant architecture within the community.

Other business:

The sub-committee noted that Filip Aleksanderek recently joined the Clarington Heritage Committee as a new member but had not expressed at this time his interest in joining either the Outreach or Inventory subcommittee. The Municipal Inventory and Registry sub-committee would like to extend an invitation to Filip to join us as an alternate evaluator and join us at a future meeting to observe a Building Evaluation. We suggest an alternate member as the current sub-committee made up of 3 members allows clear consensus on recommendations. An alternate allows for vacation & illness coverage allowing the sub-committee to proceed with its work. The sub-committee through the Chair could also chose to rotate designate (consensus voting members) and alternate attendees for future meetings as the chair sees fit to do so.

Lastly the sub-committee plans to evaluate the Goodyear Facility & 3436 Skelding Road in Clarke at our next meeting.

Next Meeting date TBD April 2017.

CLARINGTON HERITAGE COMMITTEE

Minutes of Meeting April 18, 2017

MEMBERS PRESENT: Todd Taylor, Tracey Ali (Left at 8:00), Victor Suppan, Councillor Hooper, Filip Aleksanderek, Katharine Warren, Peter Vogel, Paul Davidson, Robert Malone (7:10)

REGRETS: Steve Conway

STAFF: Brandon Weiler

DECLARATION OF PECUNIARY INTEREST

None declared.

ADOPTION OF AGENDA

17.16 Moved by T. Taylor, seconded by K. Warren

THAT the agenda for April 18, 2017 be adopted.

“CARRIED”

ADOPTION OF MINUTES

17.17 Moved by K. Warren, seconded by T. Taylor

THAT the minutes of the Meeting of March 21, 2017 be accepted.

“CARRIED”

DELEGATIONS AND PRESENTATIONS

Christie and Todd Kauffman regarding 1640 Concession Road 9 (former Enfield Church) – In 2016 the former Enfield United church was converted to a single detached dwelling. Subsequently, the Kauffman’s purchased the property. They are having problems with the windows and wainscoting due to the alterations made during the renovations.

The Kauffman’s presented pictures and videos depicting some of the damage to the windows and wainscoting. The pictures and videos show the severe window condensation, water leakage and ice forming around and on the windows. The Kauffman’s indicated that they have contacted a number of window and other professionals to assist them with finding a solution. The Kauffman’s are still exploring

possible solutions to the problem at this time. The committee asked questions and engaged in a discussion about the windows and water damage experienced.

The stain glass windows are a designated feature and would require an alteration permit. The committee provided the Kauffman's with some suggestions and asked them to return when they have decided on a course of action.

The designation by-law recognizes sponge grain wainscoting. Again, the Kauffman's provided pictures to indicate that the sponge grain appearance of the wainscoting is no longer present. It is unclear when the sponge grain appearance of the wainscoting was removed. The Kauffman's were seeking approval to paint the wainscoting an off white or cream colour and add a farm style baseboard.

17.18 Moved by T. Taylor, seconded by K. Warren

THAT the committee recommend approval for the alteration of the sponge grained wainscoting to be painted an off white or cream colour as the sponge grained wainscoting was removed at some point in time.

"CARRIED"

BUSINESS ARISING

Jury Lands Foundation (Camp 30) – B. Weiler reported that DTAH is continuing to progress on the Community Vision and Urban Design Study. The committee will be notified when the public meeting will occur.

The foundation continues to attend community events to promote and educate the public about the history and the efforts to adaptively reuse the lands and buildings.

Goodyear Property – No news to report

Hollingshead Property – No news to report

REPORTS FROM OTHER COMMITTEES

Bowmanville Community Improvement Program – The Orono, Bowmanville and Newcastle liaison groups meeting on April 5th was rescheduled to May 4.

Orono Community Improvement Program – No meeting to report

Newcastle Community Improvement Program – No meeting to report

Architectural Conservancy Ontario, Clarington Branch – The next meeting will be May 29, 7pm at the Clarington Museum.

Newcastle Village & District Historical Society – R. Malone reported that the society is anticipating the outcome of their federal grant application by the end of May. Sunday June 25 the society will host an event for Canada’s 150 celebration. The event will highlight many of the long standing families in the Newcastle area.

Museum – No news to report

Heritage Conservation District – No news to report

CORRESPONDENCE AND COUNCIL REFERRALS

PROJECT REPORTS

Subcommittee Reports:

Municipal Inventory and Register Committee – T. Taylor reported that at the last subcommittee meeting (minutes attached) the subcommittee completed evaluation of two properties for heritage value using the Heritage Building Evaluation System. A summary of the evaluations was distributed to the committee prior to the meeting.

T. Taylor reviewed the first property 45 Raynes Avenue, the former Goodyear property, specifically the main building complex which contains the original two buildings on the site. The evaluation was distributed to the committee members. The evaluation demonstrated the building was a Group 1 building and recommended that the property be added to the Municipal Register. The committee engaged in a discussion regarding the features of the property and how they were evaluated before making a motion that the property be added to the Municipal Register.

17.19 Moved by P. Davidson, seconded by F. Aleksanderek

THAT the Clarington Heritage Committee recommend to Council that the main building complex at the property located at 45 Raynes Avenue obtained a Group 1 score when evaluated and should be included on the Municipal Inventory.

“CARRIED”

T. Taylor presented the second property, 3436 Skelding Road. The evaluation was distributed to the committee members. The evaluation demonstrated the building was a Group 2 building, mainly due to its current state of repair, and recommended that the property be added to the Municipal Register. The committee engaged in a discussion regarding the features of the property and how they were evaluated before making a motion that the property be added to the Municipal Register.

17.20 Moved by V. Suppan, seconded by T. Taylor

THAT the Clarington Heritage Committee recommend to Council that the property located at 3436 Skelding Road obtained a Group 2 score when evaluated and should be included on the Municipal Inventory.

“CARRIED”

The committee discussed the process for ensuring the evaluations are retained by the Municipality in case they are needed in the future by current or future committees. Committee members would prefer distribution of the summary of the evaluations prior to the meeting in order to provide background information and help expedite the process at the meetings.

17.21 Moved by K. Warren, seconded by B. Malone

THAT the Clarington Heritage Committee request that the Clarington Heritage Committee Staff liaison keep a digital copy of the evaluations performed by the committee.

“CARRIED”

17.22 Moved by P. Davidson, seconded by K. Warren

THAT the Municipal Inventory and Register Committee send summaries of all evaluations to the Clarington Heritage Committee staff liaison a week in advance of committee meetings and that summaries of evaluations be sent out with the agenda.

“CARRIED”

Public Outreach and Education Committee – K. Warren reported that the committee will be reaching out to the Kawartha District School Board to identify opportunities for the committee to present about heritage construction or local building history at local schools. The group is working on a proposal to see if schools would be interested in such a program.

The committee will report about the calendar sales at the May meeting.

NEW BUSINESS

25 Bennet Road Demolition – B. Weiler informed the committee that the municipal owned building will be demolished. The building is not on the municipal inventory but has been discussed by previous committees. V. Suppan attended the property to view the property.

73 Temperance Street – B. Weiler informed the committee that the owners of this designated property have contacted staff about needed repairs to the front porch. Staff

is still determining if the works will be a repair or alteration. If the works are determined to be an alteration the owners will appear before the committee at a future meeting.

407 Community Vision Plan – B. Weiler indicated that representatives from Black Bird Construction have agreed to attend the May meeting to discuss the Community Value Plan. It was requested that the presentation be rescheduled to June.

Next meeting: May 16, 2017, 7:00 p.m., at Clarington Municipal Offices in Room 1C

DRAFT

Attachment 1: Municipal Inventory and Register Subcommittee Meeting Minutes

Meeting Date: April 5, 2017

Attendees: Katharine Warren, Vic Suppan, Filip Aleksanderek, Todd Taylor

The Municipal Inventory and Registry Sub-committee welcomed Filip Aleksanderek as a new member.

This note provides a general overview of the meeting and is to be captured in the draft CHC meeting minutes after the meeting of April 18 2017.

Property 1 – 45 Raynes Avenue, Bowmanville, Continental Tire previously the Goodyear Factory.

- 1) Evaluated the “Goodyear Factory” and consensus scored it at 72 which is a Group 1 score following the CHC Heritage Building Evaluation System.
- 2) This evaluation is also a concluding action required to complete the Heritage Value Assessment that resulted from the motion put forward at the December 20, 2016 Clarington Heritage Committee (CHC) Meeting.
- 3) The Goodyear Factory is historically significant as it is one of the first plants to actively recruit women for hire prior to a wartime shortage of men available for industrial employment and the demand for women to fill the job void vacated by men when they left for war. This was the first Goodyear factory ever built outside of the USA and also included the first production of Pneumatic Tires made in Canada. The Goodyear Factory in Bowmanville made significant contributions to automotive production in Oshawa with tires made for the McLaughlin Buick and also for its contribution to wartime vehicle production. The factory employed 900 people during peak production in 1917.
- 4) The Goodyear factory significantly contributed to housing developments in Bowmanville with 50 semi-detached family homes on Carlisle Avenue and the Balmoral Hotel for single workers. The factory was also significant in bringing the railroad to the center of town during this period.
- 5) The Factory is architecturally significant in its use of Heavy Wood Floors and Wood Structural Supporting Beams in the Administration Building.
- 6) The Municipal Inventory and Registry Sub-committee consensus recommendation is to add this property to the Municipal Registry.
- 7) An effort should be made to preserve the historical attributes of the factory and site if possible.

8) Alternative uses for the historical attributes of the Goodyear Factory and site should be considered.

9) If the factory or portions of the property are to be demolished, then the Municipal Inventory and Registry Subcommittee recommends that a Heritage Impact Study be commenced and every effort possible be made to preserve the historical significance of the site and/or repurpose the Goodyear Factory to incorporate the historical aspects into the new development. An example to point to would be the way Clarington captured the historical significance of the Massey Factory within the downtown core of Newcastle.

Property 2 – 3436 Skelding Road, Clarke Township (In Municipal Heritage Inventory – Listed as Primary)

1) Evaluated the building and consensus scored it at 55 which is a Group 2 score following the CHC Heritage Building Evaluation System.

2) The building is historically significant to Clarke as a local early settlement (1860's) and its significance is demonstrated on the front cover of the Heritage Buildings of Clarke Township book published in 1993 and the details described within it.

3) The physical neglect and deterioration of the building (Current Condition) is a significant factor in determining the evaluation as Group 2 instead of a Group 1 evaluation score.

4) The Municipal Inventory and Registry Sub-committee consensus recommendation is to add this building to the Municipal Registry and to have a Heritage Impact Study done prior to any proposed future demolition or re-development.

5) The sub-committee also recommends encouraging retention and preservation of the building where possible.

6) Once added to the Municipal Registry, heritage property standards by-laws may need to be enforced due to the current condition of the building.

7) If a decision to demolish the building is made in the future, historical documentation is desired for archival purposes.

Other business:

The Municipal Inventory and Registry sub-committee would like to get confirmation from Clarington Heritage Planning that the consensus evaluation result forms submitted by the sub-committee at the CHC meetings in support of the recommendations and motions to add Clarington Heritage Buildings to the Municipal Register where appropriate are electronically copied and stored by Clarington Heritage Planning Department for future reference. It is very important to the sub-committee that the level

of effort put into consensus evaluation scores form part of the official inventory record of a Clarington Heritage Property and be easily retrievable and referenced as needed. The sub-committee will leave it to the Clarington Heritage Planning Department to decide where the record will reside but we would like a report back through the CHC on how this important request is being addressed. An index is also being kept of the properties evaluated and it is available for the record if desired. The sub-committee feels that future Heritage Impact Studies requested by Clarington would be better served if the parties are aware of the general consensus of the Heritage Committee on the merits of a property prior to their review and presentation of their study findings to the CHC. A recent HIS presentation fell well short of CHC expectations and did not fully assess the historical significance of the property identified during heritage evaluation.

By recommendation of CHC members to submit property evaluation information in advance of the CHC meeting so members can better prepare and improve awareness of the Heritage Properties being reviewed in a particular CHC meeting the sub-committee recommends that a scan of the consensus evaluations be provided to the Clarington Heritage Planner prior to the CHC meeting for general distribution to its members. The sub-committee indicated that the CHC members now have a good understanding of the evaluation process and the level of detail involved in putting forward a Clarington Heritage evaluation and recommendation. Allowing review of the information in advance of the meeting would make the meeting run more efficiently and allow additional time for any questions and focus more time on other important heritage matters. Evaluation packages would still be brought to the meeting to answer specific questions on the night of the CHC meeting and to be provided to the Heritage Planning Department. The distribution would typically include two properties with the corresponding consensus evaluation and a one page backgrounder on each property where available and best efforts would be made to get this information out a few days prior to the CHC meeting.

Lastly, the sub-committee will be evaluating 2 Clarington Heritage properties designated as Primary at our next meeting.

Meeting date TBD May 2017.

Report to Council Meeting of May 1, 2017

Subject: General Government Committee Meeting of Tuesday, April 18, 2017

Recommendations:**1. Receive for Information**

- (a) 7.1 Tim Burke, Evergreen Power Ltd. and Krista Klawitter, Newcastle Family Chiropractic, Regarding Access to 3985 Concession Road 3 for a Single Family Dwelling
- (b) 8.1 Minutes of the Kawartha Conservation dated February 22, 2017
- (c) 8.2 Minutes of the Central Lake Ontario Conservation Authority dated March 21, 2017
- (d) 8.3 Minutes of the Newcastle Downtown Business Improvement Area Association dated March 27, 2017
- (e) 8.4 Minutes of the Bowmanville Business Improvement Area Association dated February 7, 2017
- (f) 8.5 Minutes of the Ganaraska Region Conservation Authority dated March 16, 2017
- (g) FND-007-17 Annual Leasing Report for 2016
- (h) FND-008-17 Annual Commodity Hedging - 2016

2. Rhonda Houston, Clarington Cycling Club Regarding a Request to Name a Section of the Waterfront Trail After Jim Boate

That the delegation of Rhonda Houston be received with thanks;

That the Clarington Cycling Club be thanked for their offer to pay for signs; and

That the request, from the Clarington Cycling Club, to name a specific section of the Waterfront Trail "Jim Boate Hill", be endorsed.

- 3.** Brian Kelly, Manager of Sustainability, Office of the CAO, Region of Durham and Hida Manns, Durham Environmental Advisory Committee, Regarding the Durham Community Climate Adaptation Plan

That the Municipality of Clarington approve, in principle, the Durham Community Climate Adaption Plan 2016; and

That the Interim CAO be directed to continue to have dialog with the Region of Durham regarding the staff resources available from the Municipality of Clarington to the Plan.

- 4.** Sheila Hall, Executive Director, Clarington Board of Trade, Regarding an Economic Development Update

That the delegation of Sheila Hall, Executive Director, Clarington Board of Trade, regarding an Economic Development Update, be received with thanks; and

That the staff of the Clarington Board of Trade be thanked for their efforts.

- 5.** Rose Garden Subdivision Phase 2, Bowmanville, Plan 40M-2457 'Certificate of Acceptance' and 'Assumption By-law', Final Works Including Roads and Other Related Works

That Report EGD-011-17 be received;

That the Director of Engineering Services be authorized to issue a 'Certificate of Acceptance' for the Final Works, which includes final stage roads and other related Works, constructed within Plan 40M-2457;

That Council approve the by-law attached to Report EGD-011-17 (Attachment 2 to Report EGD-011-17) assuming certain streets within Plan 40M-2457 as public highways; and

That all interested parties listed in Report EGD-011-17 be advised of Council's decision.

- 6.** 2017 Community Grant Requests

That Report CSD-004-17 be received;

That Council consider all submitted grant requests; and

That all interested parties listed in Report CSD-004-17 and any delegations be advised of Council's decision by the Department.

7. Brownsdale Community Centre

That Grant Application #17-01 from the Brownsdale Community Centre, be approved in the amount of \$3000.00.

8. Kendal Community Centre

That Grant Application #17-02 from the Kendal Community Centre, be approved in the amount of \$3000.00.

9. Orono Town Hall

That Grant Application #17-03 from the Orono Town Hall, be approved in the amount of \$3000.00.

10. Solina Community Centre

That Grant Application #17-04 from the Solina Community Centre, be approved in the amount of \$3000.00.

11. Tyrone Community Centre

That Grant Application #17-05 from the Tyrone Community Centre, be approved in the amount of \$3000.00.

12. Newtonville Community Hall

That Grant Application #17-06 from the Newtonville Community Hall, be approved in the amount of \$3000.00.

13. Hampton Community Association

That Grant Application #17-07 from the Hampton Community Association, be approved in the amount of \$3000.00.

- 14.** Liberty Allotment Gardens
Bowmanville Allotment Gardens
Orono Horticultural Society
Bowmanville Horticultural Society
Newcastle Horticultural Society

That Grant Application #17-08 from the Liberty Allotment Gardens, be approved in the amount of \$500.00;

That Grant Application #17-09 from the Bowmanville Allotment Gardens, be approved in the amount of \$500.00;

That Grant Application #17-10 from the Orono Horticultural Society, be approved in the amount of \$500.00;

That Grant Application #17-11 from the Bowmanville Horticultural Society, be approved in the amount of \$500.00; and

That Grant Application #17-31 from the Newcastle Horticultural Society, be approved in the amount of \$500.00.

- 15.** Orono Agricultural Society

That Grant Application #17-12 from the Orono Agricultural Society, be approved in the amount of \$2500.00.

- 16.** Lakeshore New Horizons Band

That Grant Application #17-13 from the Lakeshore New Horizons Band, be approved in the amount of \$750.00.

- 17.** Clarington Concert Band

That Grant Application #17-14 from the Clarington Concert Band, be approved in the amount of \$1000.00.

- 18.** Newcastle Art Show

That Grant Application #17-15 from the Newcastle Art Show, be approved in the amount of \$2500.00.

- 19. Newcastle Village and District Historical Society**
That Grant Application #17-16 from the Newcastle Village and District Historical Society, be approved in the amount of \$1500.00.
- 20. Architectural Conservancy of Ontario – Clarington Branch**
That Grant Application #17-17 from the Architectural Conservancy of Ontario – Clarington Branch Society, be approved in the amount of \$3000.00.
- 21. The Gathering Place**
That Grant Application #17-18 from The Gathering Place, be approved in the amount of \$2000.00.
- 22. Feed the Need Durham**
That Grant Application #17-19 from Feed the Need Durham, be approved in the amount of \$3000.00.
- 23. Autism Home Base Durham**
That Grant Application #17-20 from Autism Home Base Durham, be approved in the amount of \$2500.00.
- 24. Big Brothers Big Sisters of Clarington**
That Grant Application #17-21 from Big Brothers Big Sisters of Clarington, be approved in the amount of \$2500.00.
- 25. Distress Centre Durham**
That Grant Application #17-22 from Distress Centre Durham, be approved in the amount of \$1000.00.
- 26. Grandview Children’s Foundation**
That Grant Application #17-23 from the Grandview Children’s Foundation, be approved in the amount of \$3000.00.

27. Bowmanville District Navy League

That Grant Application #17-24 from the Bowmanville District Navy League, be approved in the amount of \$2000.00.

28. Bowmanville Tennis Club

That Grant Application #17-25 from the Bowmanville Tennis Club, be approved in the amount of \$2000.00.

29. Soper Valley Model Railroad Association

That Grant Application #17-26 from the Soper Valley Model Railroad Association, be approved in the amount of \$1000.00.

30. Clarington Face Farmers

That Grant Application #17-27 from the Clarington Face Farmers, be denied.

31. Darlington Soccer Club

That Grant Application #17-28 from the Darlington Soccer Club, be approved in the amount of \$1500.00.

32. Clarington Minor Football Association

That Grant Application #17-29 from the Clarington Minor Football Association, be approved in the amount of \$1500.00.

33. Oshawa Camaros Baton Club

That Grant Application #17-30 from the Oshawa Camaros Baton Club, be approved in the amount of \$1000.00.

34. Community Grant Policy

That the Community Grant Policy be amended such that all organizations would be required to provide financial background information for Community Grant Requests, for amounts of \$3000 or greater, not \$3001 or greater.

35. Smoking on Municipal Property

That Report CLD-002-17 be received;

That Council prohibit smoking within 9 metres of any entrance to any Municipal building within the Municipality of Clarington;

That the 9 metre smoking prohibition be communicated to the general public and patrons of the buildings and facilities;

That the organizers of special events be advised of the smoking prohibitions contained in the Smoke-Free Ontario Act, in particular those dealing with smoking in reserved seating areas of entertainment venues; and

That all interested parties listed in Report CLD-002-17 and any delegations be advised of Council's decision.

36. Access Permit and Ditching Services

That Nick Carchidi Excavating Limited with a total bid amount of \$159,362.52 (Net HST Rebate) being the lowest responsible bidder meeting all terms, conditions and specifications of Tender CL2016-28 be awarded the contract for Access Permit and Ditching Services as required by the Operations Department;

That funds required for this project in the amount of \$167,503.32 (Net of HST Rebate) which includes the construction cost of \$159,362.52 (Net of HST Rebate) and consulting costs of \$8,140.80 (Net of HST Rebate) be drawn from the following account:

Ditch/Shoulder Maintenance	100-36-380-10240-7112	\$167,503.32
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That the Purchasing Manager be authorized to extend the contract for up to four additional one year terms pending satisfactory service, available funds, and subject to yearly rate increase based on the Consumer Price Index, All Items, Ontario, most recent issue;

That all interested parties listed in Report COD-005-17 and any delegations be advised of Council's decision by the Purchasing Division.

37. 2017 Surface Asphalt

That Report COD-006-17 be received;

That Coco Paving Inc. with a total bid amount of \$283,857.38 (Net HST Rebate) being the lowest responsible bidder meeting all terms, conditions and specifications of Tender CL2017-6 be awarded the contract for the 2017 Surface Asphalt as required by the Engineering Services Department;

That the funds required for this project in the amount of \$321,000.00 (Net HST Rebate) which includes the construction cost of \$283,857.38 (Net HST Rebate) and other related costs such as materials testing and contingencies of \$37,142.62 (Net HST Rebate) be funded by the Municipality as follows:

Green Road Surface Asphalt	110-32-330-83356-7401	\$176,000.00
Given Road Surface Asphalt	110-32-330-83371-7401	\$ 43,000.00
Wilmot St Surface Asphalt	110-32-330-83373-7401	\$ 38,000.00
Fourth St Surface Asphalt	110-32-330-83236-7401	\$ 64,000.00; and

That all interested parties listed in Report COD-006-17 and any delegations be advised of Council’s decision by the Purchasing Division.

38. Pavement Rehabilitation

That Report COD-007-17 be received;

That Coco Paving Inc. with a total bid amount of \$1,818,857.38 (Net HST Rebate) being the lowest responsible bidder meeting all terms, conditions and specifications of Tender CL2017-8 be awarded the contract for the 2017 Pavement Rehabilitation as required by the Engineering Services Department;

That the funds required for this project in the amount of \$2,070,000.00 (Net HST Rebate) which includes the construction cost of \$1,818,857.38 (Net HST Rebate) costs such as inspection and contract administration, material testing, permit fees and contingencies of \$251,142.62 (Net HST Rebate) be funded by the Municipality as follows:

Pavement Rehabilitation	110-32-330-83212-7401	\$1,920,000.00
Rural Road Rehabilitation Program	110-32-330-83680-7401	\$ 150,000.00;
and		

That all interested parties listed in Report COD-007-17 and any delegations be advised of Council's decision by the Purchasing Division.

Report to Council Meeting of May 1, 2017

Subject: Planning & Development Committee Meeting of Monday, April 24, 2017

Recommendations:

1. An Application by 821012 & 821013 Ontario Ltd. (William Tonno Construction Ltd.) for 335 Residential Units, Brookhill Boulevard, Bowmanville, ON

That Report PSD-027-17 be received;

That the revised applications for proposed draft Plan of Subdivision and Zoning By-law Amendment submitted by 821012 & 821013 Ontario Ltd. (William Tonno Construction Ltd.) continue to be processed and that a subsequent report be prepared; and

That all interested parties listed in Report PSD-027-17 and any delegations be advised of Council's decision.

2. Application by Averton Homes (Bowmanville) Limited to Permit Increased Porch and Building Heights on Lots in Draft Approved Plan of Subdivision 18T-95030, Mearns Avenue in Bowmanville

That Report PSD-028-17 be received;

That the application for an amendment to Zoning By-law 84-63, submitted by Averton Homes (Bowmanville) Limited to permit increased porch heights to 1.2 metres for dwellings within Phase 1 of Draft Approved Plan of Subdivision 18T-95030 be approved as contained in Attachment 1 to Report PSD-028-17; and

That all interested parties listed in Report PSD-028-17 and any delegations be advised of Council's decision.

3. An Application by Valiant Property Management Lowe's Home Improvement Store

That Report PSD-021-17 and Addendum to Report PSD-021-17 be received;

That Official Plan Amendment Number 110 and a related Zoning By-law Amendment to permit a Lowe's home improvement store in the former Target building, be approved as contained in Attachment 3 and Attachment 4 to Addendum to Report PSD-021-17;

That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Addendum to Report PSD-021-17 and Council's decision; and

That all interested parties listed in Addendum to Report PSD-021-17 and any delegations be advised of Council's decision.

Excerpt of the April 10, 2017

Council Minutes

Item 5 – Emergency and Fire Services – Governing By-law Update, Automatic Aid Agreement Update

Resolution #C-087-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That Report ESD-002-17 be received;

That the updated Emergency and Fire Services Governing By-law (Attachment 1 to Report ESD-002-17) be approved;

That the Mayor and Clerk be authorized to execute the Automatic Aid Agreement with Port Hope, Attachment 2 to Report ESD-002-17, as amended as follows:

to strike the words “and one rescue van” from item 2.2 of the Agreement; and

to replace the words “seven men” with the words “five firefighters” in item 3; and

That By-law 2010-077 and By-law 2001-172 be repealed.

Tabled

(See following motion)

Resolution #C-088-17

Moved by Councillor Partner, seconded by Councillor Cooke

That the foregoing Resolution #C-087-17 be tabled until the General Government Committee meeting of April 18, 2017.

Carried



Emergency Services Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To:	General Government Committee		
Date of Meeting:	March 27, 2017		
Report Number:	ESD-002-17	Resolution:	
File Number:		By-law Number:	
Report Subject:	Emergency and Fire Services - Governing By-Law Update, Automatic Aid Agreement Update		

Recommendations:

1. That Report ESD-002-17 be received;
2. That the updated Emergency and Fire Services Governing By-law (Attachment 1 to Report ESD-002-17) be forwarded to Council for approval;
3. That the Mayor and Clerk be authorized to execute the Automatic Aid Agreement with Port Hope, Attachment 2 to Report ESD-002-17; and
4. That By-law 2010-077 and By-law 2001-172 be repealed.

Report Overview

To update the Emergency and Fire Services Governing By-law and Automatic Aid Agreement.

1. Background

In 2010, the Emergency and Fire Services Governing By-law was updated through Report ESD-008-10 and By-law 2010-077 was passed. In reviewing the current By-law 2010-007 recently, staff believe a further update is required.

As well, in 2001, the Emergency and Fire Services Automatic Aid Agreement – 401 East with Port Hope, By-law 2001-172 was passed. The Agreement has been reviewed and a few minor adjustments are required.

2. Proposal

It is proposed that the Emergency and Fire Services Governing By-law (Attachment 1) be updated as follows:

- Additions to Part 1 Definitions:
 - Clarington Emergency and Fire Services
 - Hazardous Materials Awareness Level
 - Hazardous Materials Operations Level
 - Rope Rescue Level I
 - Water and Ice Rescue Level II.
- Updates to Appendix “A” Core Services, Section 1 Fire Suppression and Emergency Response:
 - 1.4 of Section 1 has been revised to exclude Confined Space from the list of highly technical and specialized rescue services
 - 1.6 of Section 1 industry training standards has been revised to NFPA 1001 Standard for Firefighter Professional Standards, and International Association of Fire Chiefs/National Fire Protection Association “Fundamentals of Fire Fighter Skills”.

It is proposed that the Automatic Aid Agreement (Attachment 2) be updated as follows:

- 4.1 and 4.2 of the Agreement has been revised to identify that in the event of a fire in the assisting Municipality necessitating their return, the said equipment shall be returned forthwith, and the Corporation of the assisting Municipality shall incur no liability whatsoever.

3. Concurrence

This report has been reviewed by the Municipal Solicitor who concurs with the recommendations.


4. Recommendation

It is respectfully recommended that the proposed updates to the Emergency and Fire Services Governing By-law outlined in Attachment 1 and the proposed update to the Emergency and Fire Services Automatic Aid Agreement outlined in Attachment 2 to this Report be approved.

5. Strategic Plan Application

Not applicable.

Submitted by:


Gord Weir,
Director of Emergency and Fire Services

Reviewed by:


Curry Clifford, MPA, CMO
Interim CAO

Staff Contact: Gord Weir, Director of Emergency and Fire Services, 905-623-5126 ext. 2802
or gweir@clarington.net

Attachments:

Attachment 1 - Updated Emergency and Fire Services Governing By-law

Attachment 2 – Updated Automatic Aid Agreement

There are no interested parties to be notified of Council's decision.

The Corporation of the Municipality of Clarington

By-Law 2017-XXX

Being a By-law Governing the Emergency and Fire Services, and the Provision of Mutual Aid and Automatic Response, and to Repeal By-law 2010-077.

Whereas the *Fire Protection and Prevention Act 1997*, S.O. 1997, c. 4, as amended, (FPPA) requires every municipality to establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention and to provide such other Fire Protection Services as it determines may be necessary in accordance with its needs and circumstances;

Whereas the FPPA permits a municipality, in discharging these responsibilities, to establish a Fire Department;

Whereas the FPPA permits a Council of a municipality to establish, maintain and operate a Fire Department for all or any part of the municipality; and

Whereas the FPPA requires a Fire Department to provide fire suppression services and permits the Fire Department to provide Prevention and other Fire Protection Services in the municipality.

Whereas the Council of the Municipality of Clarington deems it necessary to update the provisions in the existing By-law 2010-077;

Now Therefore the Council of the Corporation of the Municipality of Clarington enacts as follows:

Part 1
Definitions

- 1.1 In this by-law, unless the context otherwise requires,
- a) “approved” means approved by Council;
 - b) “Automatic Aid” means a municipality agrees where possible to the provision of an initial or supplemental response to fires, rescues, and emergencies that may occur in a part of another municipality where a fire department in the municipality is capable of responding more quickly than any fire department situated in the other municipality with services invoiced as or if appropriate;
 - c) “CAO” means the Chief Administrative Officer appointed by Council to act as Chief Administrative Officer for the Corporation;

- d) “CEFS” means Clarington Emergency and Fire Services;
- e) “Chief” means the person appointed by the Council or designate to act as Fire Chief for the Corporation and is ultimately responsible to Council as defined in the FPPA;
- f) “confined space” means a fully or partially enclosed space in accordance with Health and Safety regulations;
- g) “Corporation” means The Corporation of the Municipality of Clarington;
- h) “Council” means the Council of the Corporation;
- i) “Deputy Fire Chief(s)” means the person(s) with that title who may act on behalf of the Fire Chief in the case of any absence of the Fire Chief or a vacancy in the office of the Fire Chief. (If the title changes the responsibility will reside with the person taking on the duties);
- j) “Division” means a Division of the Fire Department;
- k) “emergency” defined to include an unforeseen event that involves imminent danger to the life, health and safety of any person and includes medical assistance or non-fire emergency such as a storm, flood or another Act of God;
- l) “Emergency Response Plan” means an emergency plan formulated under the prevailing *Emergency Management and Civil Protection Act* or any other related Act which specifies procedures to be taken for the safety or evacuation of persons in an emergency area, provide for obtaining and distributing materials, equipment and supplies during an emergency and provide for such other matters as are considered necessary or advisable for the implementation of the emergency plan during an emergency;
- m) “Fire Department” means the Municipality of Clarington Emergency & Fire Services;
- n) “firefighter” means a fire chief and any other person employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes a volunteer firefighter;
- o) “FPPA” means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c 4, as may be amended from time to time, or any successor legislation, and any regulation made thereunder;
- p) “Fire Protection Services” includes fire suppression, fire prevention, fire safety education, communications, training of persons involved in the

provision of Fire Protection Services, rescue and emergency services and the delivery of all those services;

- q) “Hazardous Materials Awareness Level” means the responder shall be that person who responds to hazardous material incidents for the purpose of recognizing the presence of the hazardous material, calling for trained personnel, and securing the area;
- r) “Hazardous Materials Operations Level” means the responder shall be that person who responds to hazardous material incidents for the purpose of protecting nearby persons, the environment, or property from the effects of the release. Operations level responders use personal protective equipment, perform product control, and perform victim rescue;
- s) “high angle” means an environment in which the load is predominately supported by a rope rescue system;
- t) “HUSAR” means Heavy Urban Search and Rescue;
- u) “Member” means any person employed in or appointed to the Fire Department and assigned to undertake Fire Protection Services;
- v) “Mutual Aid” means where the Council has made an agreement or plan with another municipality or Region, or at the discretion of the Chief as provided for herein, for the provision of any personnel, service, equipment or material during an emergency;
- w) “Rope Rescue Level 1” means the responder shall be that person who responds to rope rescue incidents and completes an assignment while being lowered from a rope rescue system in a high-angle environment, given a rope rescue system, life safety harnesses, so that risks to the victims and rescuers are minimized;
- x) “tiered response” means the process of dispatching police, fire and ambulance to what is determined to be a life threatening situation. Tiered response endeavors to send the closest appropriate emergency response agency, based on time, to render assistance at the scene of an emergency incident until the primary response agency can arrive; and
- y) “volunteer firefighter” means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

- z) “Water and Ice Rescue Level II” means the responder shall be that person who responds to situations with water rescue personal protective equipment, vessels, swim/rescue aids as required, so that the specified objective is reached, all performance parameters are achieved, movement is controlled, hazards are assessed, distress signals are communicated, and rapid intervention for the rescuer has been staged for deployment.

Part 2 Establishment

- 2.1 The Fire Department was established by By-law #84-68 and 94-172 which was repealed in By-law # 2007-134 for the purpose of updating references to reflect current terminology and practice. Despite repeal of past By-laws, the Fire Department will continue with services and organization as has been and as may be amended and approved by Council from time to time.
- 2.2 The Fire Department is continued under this By-law to provide Fire Protection Services and any other service as approved by Council for the Corporation and shall be known as the Clarington Emergency & Fire Services. (Department name may be amended by Council from time to time).

Part 3 Core Services

- 3.1 For the purposes of this By-law core services provided by the Fire Department will be as per Appendix “A” forming part of this By-law.
- 3.2 Nothing in this By-law will restrict the Fire Department to providing only core services or limit the provisions of Fire Protection services, as set out/covered under appointing by-law, as approved by Council.

Part 4 Property/Apparatus Use

- 4.1 No person shall supply any apparatus, equipment, or other property of the Fire Department for any personal or private use.
- 4.2 No person shall willfully damage or render ineffective or inoperative any apparatus, equipment or other property belonging to or used by the Fire Department.

**Part 5
Fire Suppression**

- 5.1 The Fire Department may suppress any fire or suspected other hazardous condition by extinguishing it or by other reasonable action and, for this purpose, may enter private property, if necessary or deemed necessary to do so.
- 5.2 The Fire Department may pull down or demolish any building or structure, with the assistance of the municipal or other equipment and services available; when considered necessary to prevent the spread of fire, or other hazardous situation.

**Part 5
Mutual and Automatic Aid Response Outside the Limits of the Municipality
(Automatic and Mutual Aid Agreements)**

A) Aid to the Municipality of Clarington (requested by the Municipality)

- 6.1 The Fire Department may request other municipalities to provide mutual aid and other qualified persons to assist in,
- a) extinguishing fires;
 - b) pulling down or demolishing any structure;
 - c) crowd and traffic control;
 - d) suppression of fires or other hazardous conditions in other reasonable ways; or
 - e) determining the origin, cause or circumstances of any fire or explosion, if it is deemed necessary to retain a private contractor, rent/lease heavy equipment or specialized equipment, specialized services, and associated persons then those costs may be billed to the property owner and collected by the Municipality by means as determined in this by-law.

B) By the Municipality of Clarington to others (response outside the limits)

- 6.2 The Fire Department shall respond where possible, to a call with respect to a fire or emergency outside the territorial limits of the Corporation with respect to a fire or emergency including non-fire emergencies under the following conditions:
- a) In the opinion of the Fire Chief or designate of the Fire Department, conditions threaten property outside the territorial limits of the Corporation that is owned or occupied by the Corporation;

- b) In a municipality with which an approved automatic aid or mutual aid agreement has been entered into to provide Fire Protection Service or other emergency assistance, including Oshawa and Port Hope prevailing By-laws as established;
- c) At the discretion of the Fire Chief, to a municipality participating in any regional or Municipal mutual aid plan established by a Fire Co-ordinator appointed by the Fire Marshal or any similar reciprocal plan or program, or as determined necessary by the Fire Chief;
- d) As directed by the Province under *Emergency Management Act* and *Civil Protection Act* or any other prevailing government directive, or legislation as determined appropriate by the Fire Chief;
- e) Coverage/ability when asked to respond and when requesting response from Municipalities with no formal program or plan is at the discretion of the Fire Chief, or designate;
- f) The Fire Department is not required to respond to requests by private companies; non government; or incorrect assigned calls;
- g) On property beyond the territorial limits of the Corporation where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate fire department is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate, provided it does not compromise our own Municipal level of service or commitments with the right to withdraw at any time to service home Municipality's needs; and
- h) Any other existing response agreements will continue to operate on Automatic and Mutual Aid response. Agreements may be amended and approved by Council from time to time.

Part 6

Mutual Aid or Automatic Aid or Other Related Expenses

- 7.1 If as a result of Fire and Emergency Services (i) response to an emergency including a motor vehicle incident, (ii) under a Mutual or Automatic Aid agreement or (iii) carrying out any of its duties or functions the Fire Chief or Deputy Fire Chief determines that it is necessary to incur additional expenses, retain a private contractor, rent special equipment not normally carried on a fire apparatus or use more materials than are carried on a fire apparatus in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, control and eliminate an emergency, carry out or prevent damage to equipment owned by the Corporation or otherwise carry out the duties and functions of Fire

and Emergency Services, the owner of the property requiring or causing the need for any additional service shall be charged, if appropriate, the costs to provide the additional service including all applicable taxes. Property shall mean personal and real property.

- 7.2 Cost recovery under Automatic and Mutual Aid response agreement will be as per the Province's direction unless otherwise specified. To the extent reasonably possible materials/supplies will be replaced or cost recovered excluding cost of manpower and excluding something out of the ordinary unless determined appropriate to recover. The cost recovery provision should be incorporated into Automatic and Mutual Aid agreements, where possible.

Part 7 Interference

- 8.1 No person shall impede or interfere with or hinder the Fire Department in the performance of its duties.
- 8.2 No person present at a fire shall refuse to leave the immediate vicinity when required to do so by the Fire Department.
- 8.3 During a fire and for the time after it has been extinguished that is required to remove the apparatus and equipment of the Fire Department and render the location and vicinity safe from fire, no person, either on foot or with a vehicle of any kind, shall enter or remain upon or within;
- a) the portion of any street or lane upon which the site of the fire abuts or upon any street or lane for a distance of fifteen (15) metres on each side of the property damaged by fire; or
 - b) any additional street or lane or part of a street or lane or any additional limits in the vicinity of the fire as may be prescribed by the Fire Chief or the next ranking officer present at the fire.
- 8.4 The provisions of section 8.3 shall not apply to a resident of any street or lane or within any prescribed additional limit or any person so authorized to enter or remain by an officer of the Fire Department or by a police officer.
- 8.5 No person shall prevent, obstruct or interfere in any manner whatsoever with the communication of a fire alarm to the Fire Department or with the Fire Department responding to a fire alarm that has been activated.

**Part 8
Offences**

- 9.1 Every person who contravenes any provisions of this By-law is guilty of an offence and on conviction is liable to the penalty established by the *Provincial Offences Act*, or any other prevailing by-law or legislation, as may be amended or replaced from time to time, inclusive of costs.

**Part 8
Conflict**

- 10.1 Where this By-law may conflict with any other By-law of the Corporation, this By-law shall supersede and prevail over that By-law to the extent of the conflict.

**Part 9
Severability**

- 11.1 If any section or part of this By-law is found to be illegal or beyond the power of the Corporation, such section or part of item shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent therefrom and to be enacted as such.

**Part 10
Enforcement and Enactment**

Effective Date of By-law

- 12.1 This By-law comes into effect the day it is passed by Council.

Repeal of Existing By-law

- 12.2 By-law 2010-077 and 2001-172 is hereby repealed.

Passed this day of , 2017

Adrian Foster, Mayor

Anne Greentree, Municipal Clerk

Appendix "A" Core Services

1. Fire Suppression And Emergency Response

- 1.1 Fire suppression services shall be delivered in both an offensive and defensive mode and shall include search and rescue operations, forcible entry, ventilation, protecting exposures, salvage and overhaul as appropriate.
- 1.2 Emergency pre-hospital care responses and medical acts such as defibrillation, standard first aid, CPR, EPIPEN Assistance and the Emergency Medical Responder Program shall be maintained to Base Hospital protocols as agreed.
- 1.3 Special rescue services shall include performing extrication using hand tools, air bags and heavy hydraulic tools as required. Full time firefighters will be trained in level 1 Basic Rope Rescue Techniques as determined by the Fire Chief. Water/ice rescue services shall be provided by those firefighters who are competently trained to perform the requested level of service as determined by the Fire Chief (up to level II if so trained).
- 1.4 Highly technical and specialized rescue services such as Trench Rescue, HUSAR and Structural Collapse shall not be provided by Clarington Emergency & Fire Services. Awareness training in these areas may be provided where possible.
- 1.5 Defensive hazardous material emergency response shall be conducted to the operations level by the fulltime firefighters and awareness level by the volunteer firefighters. In addition to operations level response, the capability for rescue and emergency decontamination shall be maintained where resources permit.
- 1.6 The NFPA 1001 Standard for Firefighter Professional Standards, International Association of Fire Chiefs/National Fire Protection Association "Fundamentals of Fire Fighter Skills" and other related industry training standards and reference materials may be used as reference guides for CEFS training as approved by the Fire Chief. All training will comply with the Occupational Health and Safety Act and any other applicable provincial legislation.
- 1.7 Confined Space services shall be provided by those firefighters who are competently trained to perform the requested level of service as determined by the Fire Chief (up to Operational Level if so trained).

2. Fire Prevention

- 2.1 Inspections arising from complaint, request, retrofit, or self initiated and fire investigations shall be provided in accordance with the FPPA and policies of the fire prevention division.
- 2.2 New construction inspections and plan reviews of buildings under construction in matters respective of fire protection systems within buildings shall be conducted in accordance with the applicable By-law and operating procedures.
- 2.3 The N.F.P.A. Standard for Fire Prevention Officers shall be used as a reference guide for fire prevention training.

3. Fire Safety Education

- 3.1 Distribution of fire and life safety information and public education programs shall be administered in accordance with the FPPA and policies of the departments Fire Prevention & Public Safety Division.
- 3.2 A residential Smoke Alarm awareness program shall be ongoing.
- 3.3 The department shall maintain at least one public fire and life safety educator certified to the Ontario Fire Service Standard.

4. Emergency Dispatching and Communications

- 4.1 The N.F.P.A. Public Safety Telecommunications Standard shall be used as a reference guide for emergency dispatching and communications and shall provide the following minimum services;
- 4.2 Provide emergency call taking and dispatching of emergency vehicles.
- 4.3 May provide after hour's emergency and non-emergency call taking for Operations, By-law Services, and other agencies as required.

This Agreement made this day of

Between:

The Corporation of the Municipality of Port Hope
(hereinafter called the “Corporation”)

Of The First Part

-and-

The Corporation of the Municipality of Clarington
(hereinafter called the “Corporation”)

Of The Second Part

Whereas the Corporation of the First Part is the owner of certain firefighting equipment and maintains a fire department;

And Whereas the Corporation of the First Part and Second Part wish to provide assistance in the matter of fire protection in the Corporation of the other Part;

Now This Agreement witnesseth that in consideration of the mutual covenants and conditions herein contained the Corporations hereto have agreed as follows: provided, however, that it is expressly understood and agreed as a condition precedent to this Agreement, that the Corporation of the First Part and Second Part shall be under no legal liability to the other Corporation or any Third Party for failure of its equipment or failure to respond to, or arrive at the scene of a fire within the other municipality, and that the Corporation of the First Part and Second Part shall save the Corporation of the other Part harmless from all claims, losses, clean-up liability and damages arising therefrom;

Now Therefore the Corporation of the First Part and the Corporation of the Second Part hereby agree as follows:

1. The Corporation of the First Part and the Corporation of the Second Part agrees to provide fire protection services which shall be deemed to include:
 - 1.1 Firefighting;
 - 1.2 Hazardous material incidents (awareness level only);
 - 1.3 Search and rescue;
 - 1.4 First Aid and Ambulance Assistance.

2. The Corporation of the First part and the Corporation of the Second Part agree as follows:
 - 2.1 The Corporation of the First Part agrees to provide a triple combination fire truck (pumper) with at least 500 gallons of water and one blocker (if required), and one rescue van equipped with the equipment to perform normal extrication calls and First Aid equipment to perform normal first aid in emergencies. The Corporation of the First Part shall provide this service to the west bound lane of the Queen's Highway 401 from the County Road 28 interchange, exit 464 westerly to Newtonville Road, exit 448. The Corporation of the First Part agrees also to respond to any occurrences that should take place on the return trip back to their own municipality. The Corporation of the First Part agrees to perform these services for the remuneration received from the Province of Ontario for responses on Provincial Highways.
 - 2.2 The Corporation of the Second Part agrees to provide a triple combination fire truck (pumper) with at least 500 gallons of water and one blocker (if required), and one rescue van equipped with the equipment to perform normal extrication calls and First Aid equipment to perform normal first aid in emergencies. The Corporation of the Second Part shall provide this service to the east bound lane of the Queen's Highway 401 from Newtonville Road, exit 448 easterly to the Wesleyville Road interchange, exit 456. The Corporation of the Second Part agrees also to respond to any occurrences that should take place on the return trip back to their own municipality. The Corporation of the Second Part agrees to perform these services for the remuneration received from the Province of Ontario for responses on Provincial Highways.
3. The Corporation of the First Part and Second Part agrees to provide a minimum of seven men with the aforesaid firefighting equipment.
4. The Corporation of the First part and the Corporation of the Second Part agree as follows:
 - 4.1 The Corporation of the Second Part agrees that in the event of a fire in the Municipality of Port Hope necessitating the return of the firefighting to Port Hope, that he said equipment shall be returned forthwith, and the Corporation of the Second Part shall incur no liability whatsoever.
 - 4.2 The Corporation of the First Part agrees that in the event of a fire in the Municipality of Clarington necessitating the return of the firefighting to Clarington, that he said equipment shall be returned forthwith, and the Corporation of the First Part shall incur no liability whatsoever.

5. All members of either Fire Department, while answering, attending or returning from any incident in either municipality shall be under the sole supervision, direction and control of the Senior Officer of their respective fire department present at such incident.
6. The term of this Agreement shall remain in force and effect from the 10th day of April and from year to year thereafter until replaced by a new Agreement. It is understood and agreed that either Party can request termination of this Agreement at any time by giving six months' notice in writing to the other Party.

In Witness Whereof the Corporation Seals of the parties are hereto affixed under the hands of their proper officers.

Signed Sealed and Delivered
In The Presence Of:

The Corporation of the
Municipality of Port Hope

Mayor

Clerk

The Corporation of the
Municipality of Clarington

Mayor

Clerk



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL

April 28, 2017

The Municipality of Clarington
40 Temperance Street
Bowmanville, ON
L1C 3A6

Attention: Ms. Anne Greentree, Municipal Clerk

Dear Ms. Greentree:

**Re: Council Meeting on May 1, 2017, Item 10.3
Preliminary Comments on Behalf of CP REIT Ontario Properties
Limited and Loblaw Properties Limited
Valiant Property Management – Proposed Lowe’s
COPA 2017-0003, ZBA 2017-0006 and SPA 2017-0010
2383 Highway No. 2
Clarington (Bowmanville), Ontario**

Our File: CHO/BOW/15-01

As you are aware, we are the planning consultants for CP REIT Ontario Properties Limited (“CP REIT”) and Loblaw Properties Limited (“Loblaws”), the land owner and lease holder, respectively, for the lands known municipally as 2375 Highway No. 2 in Bowmanville, Ontario.

On March 10, 2017 CP REIT and Loblaws were made aware of the Notice of Public Meeting for the above-noted applications by Valiant Property Management to redevelop the former Target store to a Lowe’s Home Improvement store with a garden centre.

On behalf of CP REIT and Loblaws, we reviewed the Staff Report No. PSD-021-17 dated April 3, 2017 and the draft Official Plan Amendment and Zoning By-law contained therein and provided the enclosed comments dated April 3, 2017, which included a request for clarification as to whether a minor variance (if required) to facilitate any future expansions/additions to the existing Loblaws store and/or future infill development on the CP REIT lands can proceed during the “two-year time-out for minor variances” under Bill 73 if the privately initiated Valiant Property Limited ZBA is approved by Council, as the CP REIT lands are within the same General Commercial Exception (C1-14) zone as the Valiant Property Management lands.

While the Staff Report Addendum to PSD-021-17 dated April 24, 2017 did not address our request for clarification, based on discussions with Staff it is our understanding that due to the privately initiated Zoning By-law Amendment for the Valiant lands, any minor variance application (if required) for the CP REIT lands during the two-year time-out period will need to go to Council to proceed.


Accordingly, on behalf of CP REIT, we request that should Council approve the Official Plan Amendment and Zoning By-law Amendment applications for Valiant Property Management, that an associated resolution be passed to the effect that should a minor

variance application be required for the CP REIT Ontario Properties Limited lands known municipally as 2375 Highway No. 2 in Bowmanville, Ontario, during the two-year time-out period, no further Council resolution is required for the application to proceed.

We request that our office be provided with notice of any and all future considerations of the application and/or decisions related thereto.

Yours very truly,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
Senior Associate

cc. Ms. Nicole Zambri, Municipality of Clarington (via email)
CP REIT Ontario Properties Limited (via email)
Loblaw Properties Limited (via email)



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL

April 3, 2017

The Municipality of Clarington
40 Temperance Street
Bowmanville, ON
L1C 3A6

Attention: Ms. Anne Greentree, Municipal Clerk

Dear Ms. Greentree:

Re: Preliminary Comments on Behalf of CP REIT Ontario Properties Limited and Loblaw Properties Limited Valiant Property Management – Proposed Lowe’s COPA 2017-0003, ZBA 2017-0006 and SPA 2017-0010 2383 Highway No. 2 Clarington (Bowmanville), Ontario

Our File: CHO/BOW/15-01

We are the planning consultants for CP REIT Ontario Properties Limited (“CP REIT”) and Loblaw Properties Limited (“Loblaws”), the land owner and lease holder, respectively, for the lands known municipally as 2375 Highway No. 2 in Bowmanville, Ontario.

On March 10, 2017 CP REIT and Loblaws were made aware of the Notice of Public Meeting for the above-noted applications by Valiant Property Management to redevelop the former Target store to a Lowe’s Home Improvement store with a garden centre.

On behalf of CP REIT and Loblaws, we have reviewed the Staff Report No. PSD-021-17 dated April 3, 2017 and the draft Official Plan Amendment and Zoning By-law contained therein, and have the following preliminary comments as outlined below and may provide further comments as required.

Our preliminary comments are as follows:

- CP REIT and Loblaws have no objection to the proposed Home Improvement Centre use;
- CP REIT and Loblaws are currently reviewing the impacts of the proposed Lowe’s in the context of the existing reciprocal operating agreement as well as to how truck access will impact the overall road network and internal site traffic. Accordingly we reserve the opportunity to provide comments once the review is complete;
- We request a copy of the Traffic Review submitted by the applicant; and
- We request clarification as to whether a minor variance (if required) to facilitate any future expansions/additions to the existing Loblaws store and/or future infill development on the CP REIT lands can proceed during the “two-year time-out for minor variances” under Bill 73 if the privately initiated Valiant Property Limited ZBA is approved by Council, as the CP REIT lands are within the same General

Commercial Exception (C1-14) zone as the Valiant Property Management lands. We note that Council can permit a minor variance application during the 2 year time-out.

We would appreciate if this letter and the expression of interest from our clients are put on record at the Public Meeting on Monday April 3, 2017 and that our office be provided with notice of any and all future considerations of the application and/or decisions related thereto.

Yours very truly,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
Senior Associate

cc. Ms. Nicole Zambri, Municipality of Clarington (via email)
CP REIT Ontario Properties Limited (via email)
Loblaw Properties Limited (via email)

April 28, 2017

Doc. Ref: EC8_13.3.5_00024

Clerks Department
Municipality of Clarington
40 Temperance Street
Bowmanville, ON L1C 3A6

Dear Clerks Department:

Re: Highway 407 East Phase 2 Noise By-law Exemption Request

Blackbird Constructors 407 General Partnership (BBC), is a joint-venture between Ferrovia Agroman Canada and Dufferin Construction Company, a division of CRH Canada Group Inc., are the designers and builders of the Highway 407 Phase 2 Project.

This letter is to request the Municipality of Clarington to grant a Noise Bylaw Exemption pursuant to bylaw 2007-071, to allow the construction contractor to expedite the work and minimizes the duration of traffic disruptions for users of Taunton Road, Solina Road, and surrounding local roads. The request for noise bylaw exemption:

- Located in the vicinity of Taunton Road and Highway 418; and
- Located along the future Highway 418 from Solina Road to south of Taunton Road.

Please note that due to the schedule and scope of the project, we are seeking an exemption for the hours of operation specified in the By-law to enable construction to be undertaken during night time (24 hour schedule) from May 8, 2017 to August 31, 2017. The exact period for construction is unknown at this time and is weather dependent.

The contractor will be excavating material in the vicinity of Structure E-26 (approximately 1.3 km northeast of Highway 418 and Solina Road) and transporting the material to approximately one (1) kilometer north and south of the structure for placement in fills. The contractor intends to move the material using a fleet of rock trucks. The contractor will be required to maintain equipment in good working order. This work will be taking place within the project lands at nights.

We trust our submission is satisfactory and respectfully request the exemption to the City's noise by-law for the subject works to be considered at the next committee meeting. If you require additional information, please do not hesitate to contact the undersigned.

Sincerely,



Gabriel Medel-Carratala, Design-Build Director
Blackbird Constructors 407 General Partnership