

Minutes of a regular meeting of Council held on May 23, 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, Councillor W. Woo

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

## 1 Call to Order

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

## 2 Moment of Reflection

Councillor Cooke led the meeting in a moment of reflection.

## 3 Declaration of Interest

Councillor Hooper indicated that he would be declaring an interest with respect to Item 11 of the General Government Committee Report.

## 4 Announcements

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

## 5 Adoption of Minutes of Previous Meeting

Resolution #C-128-17

Moved by Councillor Traill, seconded by Councillor Woo

That the minutes of a regular meeting of May 1, 2017, be approved.

Carried

## 6 Presentations

- 6.1 Members of Council viewed a short video highlighting Clarington's contribution to the United Way of Durham Region's 2016 Campaign in the amount of \$42,434.25. Robert Howard, Campaign & Communications Director and Lynn Martin, Campaign Manager, United Way of Durham Region, presented the "Exceptional Achievement in a Municipality" Award to Members of Council. The Municipality of Clarington has received this prestigious Award for the fourth consecutive year. Lynn Martin distributed United Way medallions commemorating Canada's 150<sup>th</sup> Anniversary to Members of Council.

- 6.2 Members of Council viewed a short video highlighting the 2017 “For the Love of Art” Mayor’s Gala. On behalf of the Visual Arts Centre, Lucy Stocco, Tribute Communities and Michael Angemeer, Veridian Corporation, were presented with raku pottery pieces designed by Ray Shivrattan in appreciation of their sponsorship of the event. David Rice, Rice Developments was not in attendance to receive his gift of appreciation. Mayor Foster also accepted a raku pottery piece designed by Ray Shivrattan. Mayor Foster presented cheques in the amount of \$21,024.12 to Craig Ryan, President, Sherri Helwig, Interim Executive Director/Curator, and Dionne Powlenzuk, Programming/Operations Associate, Visual Arts Centre of Clarington, and to Ann-Marie Harley, Chair, Gary Blake, Secretary and Brian Mountford, Treasurer, A Gift of Art.

## 7 Delegations

- 7.1 Prior to the meeting Peter AP Zakarow advised that he would not be in attendance at tonight’s meeting and submitted written comments with respect to Item 6 of the Planning & Development Committee Report – Report PSD-034-17 – Recommendation to Add Three Properties to the Municipal Register (282 Liberty Street North).

## 8 Communications – Receive for information

There were no Communications to be received for information.

## 9 Communications – Direction

- 9.1 Andrew Gumbinger – Request to Extend the Use of Temporary Living Quarters at 2830 Solina Road

Resolution #C-129-17

Moved by Councillor Cooke, seconded by Councillor Neal

That Andrew Gumbinger be granted a 6 month extension for the use of temporary living quarters at 2830 Solina Road subject to signing a further Letter of Undertaking.

Carried

- 9.2 Peter AP Zakarow – Statement on Decision to Include 282 Liberty Street North on the Local Heritage Register

Resolution #C-130-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That Correspondence from Peter AP Zakarow, with respect to the decision to include 282 Liberty Street North on the Local Heritage Register, be referred to Item 6 of the Planning & Development Committee Report.

Carried

## 10 Committee Reports

### 10.1 Advisory Committee Reports

10.1.1 Minutes of the Newcastle Memorial Arena Management Board dated April 11, 2017

10.1.2 Minutes of the Samuel Wilmot Nature Area Management Advisory Committee dated May 9, 2017

10.1.3 Minutes of the Agricultural Advisory Committee of Clarington dated May 11, 2017

10.1.4 Minutes of the Clarington Accessibility Advisory Committee dated May 3, 2017

Resolution #C-131-17

Moved by Councillor Neal, seconded by Councillor Hooper

That Advisory Committee Report Items 10.1.1 to 10.1.4, be received for information.

Carried

### 10.2 General Government Committee Report of May 8, 2017

Resolution #C-132-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That the recommendations contained in the General Government Committee Report of May 8, 2017, be approved, on consent, with the exception of items #10, #11, and #13.

Carried

Councillor Hooper declared an interest in accordance with the *Municipal Conflict of Interest Act*, with respect to Item 11 of the General Government Committee Report, as his band may be playing at the event, and he left the Council Chambers during discussion and voting on this matter.

**Item 11 – Canada Day Fireworks Display at Garnet B. Rickard Recreation Complex on July 1, 2017**

Resolution #C-133-17

Moved by Councillor Cooke, seconded by Councillor Neal

Whereas the Orono Agricultural Society informed the Mayor's Office that the Society will not be able to organize the annual Clarington fireworks display held at the Garnet B. Rickard Recreation Complex on July 1, 2017;

And Whereas the opportunity for the Celebrate Canada funding program through the Department of Canadian Heritage is unavailable;

And Whereas the Municipality of Clarington deems it desirable to continue with the tradition of a fireworks display on July 1, 2017;

And Whereas July 1, 2017 marks the 150th Anniversary of the Confederation of Canada;

Now therefore be it resolved that the Community Services Department be directed to co-ordinate the July 1, 2017 Canada Day Fireworks Celebration at the Garnet B. Rickard Recreation Complex;

That \$12,000 be allocated to the Community Services Department to cover the costs for the fireworks display, tenting and staging requirements; and

That the funds be charged to the General Capital Reserve, Account #100-00-000-00000-2917.

Carried

Councillor Hooper returned to the meeting.

**Item 10 – Cedar Crest Beach Flooding – Request for Report on Actions Taken**

Resolution #C-134-17

Moved by Councillor Traill, seconded by Councillor Woo

That the Director of Emergency & Fire Services report back with a full report outlining actions taken with respect to the flooding in Cedar Crest Beach Area from April 25, 2017 until the water levels return to normal or June 30, 2017, whichever comes first with reference to the provisions and applications of Emergency Services Emergency Plan.

Carried

## Item 13 – Emergency Planning - Information Session and Updating of By-law 99-161

Resolution #C-135-17

Moved by Councillor Neal, seconded by Councillor Cooke

That Staff arrange an information session for Councillors regarding emergency planning and emergency management; and

That Staff consider updates to By-law 99-161, including clear direction on the roles and responsibilities of members of Council.

Motion divided - Part 1 carried and Part 2 carried as amended later in the meeting (See following motions)

Resolution #C-136-17

Moved by Councillor Neal, seconded by Councillor Traill

That the foregoing Resolution #C-135-17 be divided to vote on each paragraph separately.

Carried

Part 1 of the foregoing Resolution #C-135-17 was then put to a vote and carried on the following recorded vote:

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

Resolution #C-137-17

Moved by Councillor Neal, seconded by Councillor Traill

That Part 2 of the foregoing Resolution #C-135-17 be amended to add at the end:

and that staff report back on what communications should be provided to Members of Council.

Carried later in the meeting (See following motions)

Resolution #C-138-17

Moved by Councillor Partner, seconded by Councillor Cooke

That Council recess for five minutes.

Carried

The meeting reconvened at 8:13 PM.

That the foregoing Resolution #C-137-17 was then put to a vote and carried.

Part 2 of the foregoing Resolution #C-135-17 was then put to a vote and carried as amended on the following recorded vote:

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

### 10.3 Planning & Development Committee Report of May 15, 2017

Resolution #C-139-17

Moved by Councillor Woo, seconded by Councillor Traill

That the recommendations contained in the Planning & Development Committee Report of May 15, 2017 be approved, on consent, with the exception of items #4, #6 and #8.

Carried

### Item 8 – Clarington Official Plan and Orono

Resolution #C-140-17

Moved by Councillor Partner, seconded by Councillor Woo

Whereas the proposed modifications to the adopted Clarington Official Plan include policy 7.3.12 and 7.3.13 to support the economic development in Orono including the preparation of an economic development strategy;

Whereas the Clarington Board of Trade has undertaken a Main Street Business Retention and Expansion (BR&E) and Planning Services is in the process of refreshing the Community Improvement Program (CIP) for downtowns in Clarington;

Whereas the Orono Industrial lands will offer new opportunities for economic development in the community;

Now therefore be it resolved that the Clarington Board of Trade, together with Municipality of Clarington Planning Department, the Region of Durham Planning and Economic Development Department, and the Orono BIA be requested to implement the Official Plan policies for Orono by undertaking an Economic Development Strategy and action plan for Orono and area subject to receiving 2017-2018 Provincial funding; and

That the Clarington Board of Trade and/or the Municipal staff be authorized to apply for a grant under the July to September intake of the provincial Rural Economic Development (RED) program and/or any other government program to fund the Economic Development Strategy.

Carried on the following recorded vote:

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

**Item 4 – An Application by Gyaltsan Property Management Inc. to Relocate a Previously Approved, Mixed-use Building and Increase the Height from Five Storeys to Six Storeys, 109 King Avenue East, Newcastle**

Resolution #C-141-17

Moved by Councillor Neal, seconded by Councillor Woo

That Report PSD-031-17 be received;

That Amendment 111 to the Clarington Official Plan, including amendments to the Newcastle Village Centre Secondary Plan, be approved to permit the development of a six storey, mixed-use building, as contained in Attachment 1 to Report PSD-031-17;

That the Zoning By-law Amendment application to permit the development of a six storey, mixed-use building, be approved and the By-Law as contained in Attachment 2 to Report PSD-031-17 be passed;

That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PSD-031-17 and Council’s decision; and

That all interested parties listed in Report PSD-031-17 and any delegations be advised of Council's decision.

Carried on the following recorded vote:

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

## **Item 6 – Recommendation to Add Three Properties to the Municipal Register**

Resolution #C-142-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That Report PSD-034-17 - Recommendation to Add Three Properties to the Municipal Register be tabled until the June 12, 2017, Council meeting.

Carried

## **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 PSD-033-17 - Sidewalk Patios, Parklets and Streateries**

Resolution #C-143-17

Moved by Councillor Traill, seconded by Councillor Neal

That Report PSD-033-17 be received;

That should a restaurant in the downtown area of Bowmanville or Newcastle wish to implement a parklet or streaterie pilot project in 2017, the application process developed by the Town of Newmarket and the Newcastle Village Centre Urban Design Guidelines be used;



That Council approve setting aside \$15,000 from the 2017 and prior year grants allocation for both Newcastle and Bowmanville to be used as incentive to assist a restaurant with implementing a parklet or streaterly in a similar manner to the existing grants;

That Planning Services develop Guidelines and Approval Procedures for the approval of privately-initiated sidewalk patios, parklets and streateries on municipal road allowances for the 2018 summer season;

That Council provide direction on the use of either the Silver Street sideyard or the King Street bus-stop as a 2017 municipal project for a streetscape enhancement, provided that the Bowmanville BIA agrees to maintain any vegetation;

That the funds for the Silver Street or King Street public domain pilot project be drawn from the 2017 Community Improvement Grants for Bowmanville; and

Council authorize staff to take all necessary actions to assist with the implementation for the summer 2017 season.

Carried as amended later in the meeting  
(See following motions)

Resolution #C-144-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That Council recess for five minutes.

Carried

The meeting reconvened at 8:46 PM.

Resolution #C-145-17

Moved by Councillor Hooper, seconded by Councillor Cooke

That Parts 5 and 6 of the foregoing Resolution #C-143-17 be deleted and replaced to read follows:

That Council authorize staff to undertake the King Street bus stop streetscape enhancement as a 2017 municipal project, provided that the Bowmanville BIA agrees to maintain any vegetation;

That the funds for the King Street municipal project be drawn from the 2017 Community Improvement Grants for Bowmanville.

Carried

The foregoing Resolution #C-143-17 was then put to a vote and carried as amended.

Resolution #C-146-17

Moved by Councillor Hooper, seconded by Councillor Cooke

That leave be granted to introduce By-laws 2017-044 to 2017-049

- 14.1 2017-044 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) Inc.] (Approved by Council on March 21, 2016)
- 14.2 2017-045 Being a By-law to authorize the Corporation of the Municipality of Clarington and the Province to enter into the Clean Water and Wastewater Fund Agreement Transfer Payment Agreement (Item 9 of the General Government Committee Report)
- 14.3 2017-046 Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (Brookfield Residential) (Item 3 of the Planning & Development Committee Report)
- 14.4 2017-047 Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (Gyaltsan Property Management Inc.) (Item 4 of the Planning & Development Committee Report)
- 14.5 2017-048 Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington (Lanarose Homes Ltd.) (Item 7 of the Planning & Development Committee Report)
- 14.6 2017-049 Being a By-law to exempt a certain portion of Registered Plan 40M-1714 from Part Lot Control; and

That the said by-laws be approved.

Carried

## 14 Procedural Notices of Motion

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

## 15 Other Business

Resolution #C-147-17

Moved by Councillor Neal, seconded by Councillor Cooke

That the Rules of Procedure be suspended to allow for the introduction of a motion concerning access to the four monitoring wells for the Clarington Transformer Station.

Carried

Resolution #C-148-17

Moved by Councillor Neal, seconded by Councillor Partner

Now Therefore be it resolved that:

Clarington endorses the work plan of Group 360 in regards to tritium testing; and

Clarington is requesting that Hydro One provide access to the 4 monitoring wells for tritium testing as part of its agreement with CLOCA.

Motion Withdrawn later in the meeting  
(See following motions)

Resolution #C-149-17

Moved by Councillor Neal, seconded by Councillor Cooke

That Council recess for five minutes.

Carried

The meeting reconvened at 9:26 PM.

The foregoing Resolution #C-148-17 was subsequently withdrawn.

Resolution #C-150-17

Moved by Councillor Neal, seconded by Councillor Cooke

That the remaining funds allocated by Council through #C-030-16 to G360, Dr. Clark and Dr. Gerber for tritium testing be permitted to also be used for the four monitoring wells provided satisfactory arrangements can be made with Hydro One and CLOCA.

Carried

## 17 Confirming By-law

Resolution #C-151-17

Moved by Councillor Hooper, seconded by Councillor Cooke

That leave be granted to introduce By-law 2017-050, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 23<sup>rd</sup> day of May, 2017; and

That the said by-law be approved.

Carried

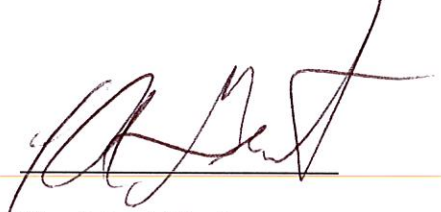
## 18 Adjournment

Resolution #C-152-17

Moved by Councillor Partner, seconded by Councillor Neal

That the meeting adjourn at 9:30 PM.

Carried

  
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Mayor  
\_\_\_\_\_  
Municipal Clerk