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Council Minutes

Date: December 13, 2021
Time: 6:30 pm
Location: Council Members (in Chambers or MS Teams) | Members of the Public (MS Teams)

Members Present: Mayor A. Foster, Councillor G. Anderson, Councillor R. Hooper, Councillor J. Jones, Councillor J. Neal, Councillor M. Zwart

Regrets: Councillor C. Traill

Staff Present: A. Allison, G. Acorn, S. Brake, R. Maciver, M. Perini, T. Pinn, J. R. Windle, Gallagher, M. Chambers

Other Staff Present: A. Burke, C. Salazar, F. Langmaid

1. Call to Order

Mayor Foster called the meeting to order at 6:30 pm.

2. Moment of Reflection

Councillor Anderson led the meeting in a moment of reflection.

3. Land Acknowledgement Statement

Councillor Anderson recited the Land Acknowledgement Statement.

4. Declaration of Interest

There were no declarations of interest stated at the meeting.

5. Announcements

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

Suspend the Rules

Resolution # C-393-21

Moved by Councillor Neal

Seconded by Councillor Jones

That the Rules of Procedure be suspended to add Gord Robinson as a delegation to the agenda regarding Item 5.1, Report PDS-062-21, Zone Clarington - Second Draft (Rural) Zoning By-law, following Item 7.4 (Delegation of Bev Oda).

Carried

6. Adoption of Minutes of Previous Meeting

6.1 Minutes of a regular meeting of Council dated November 22, 2021

Resolution # C-394-21

Moved by Councillor Hooper

Seconded by Councillor Zwart

That the minutes of a regular meeting dated November 22, 2021, be approved.

Carried

7. Presentations / Delegations

7.1 Greg Gordon, Chair, Energy from Waste-Waste Management Advisory Committee (EFW-WMAC) , regarding the EFW-WMAC Annual Update

Greg Gordon, Chair, Energy from Waste-Waste Management Advisory Committee (EFW-WMAC), was present regarding the EFW-WMAC Annual Update. He noted the Committee has met four times in 2021 and discussed several key issues in including the Long-Term Waste Management Plan and the confirming the Committees Work Plan. Mr. Gordon provided an overview of the focus areas of the Committees Work Plan and main discussion topics. He added that, at each meeting, they discuss and request information related to emission control and monitoring. Mr. Gordon explained that they assist the Region of Durham with recycling initiatives and look for innovations for waste diversion and reduction. He continued by noting they will be working with the Region of Durham Public Works and submitting the Work Plan for adoption. Mr. Gordon noted that one of the recent topics for discussion was AMESA environmental cartridge monitoring and how to ensure continuous monitoring to keep the levels low. He explained that the Committee is working with the Region of Durham to ensure waste management is optimized and reduced. Mr. Gordon added that they will continue to focus on the innovation of waste management, the Provincial Environmental Audit and future waste reduction and monitoring of the Anaerobic Digester and Pre-Sort Facility. He concluded by thanking the Members of Council and answered questions.

Resolution # C-395-21

Moved by Councillor Hooper

Seconded by Councillor Zwart

That the presentation of Greg Gordon, Chair, Energy from Waste-Waste Management Advisory Committee (EFW-WMAC), regarding the EFW-WMAC Annual Update, be received with thanks.

Carried

7.2 Beth Meszaros regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes

Beth Meszaros was present regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes. She requested that in-person meetings be made part of the Public Meeting process for the Zone Clarington By-law review as these decisions will affect many residents of the Municipality of Clarington. Mr. Meszaros requested that there be instructions for how the public can view maps and stated that she believes a clear index would assist with understanding the process. She used her own property as an example which is shown rural agricultural on one map and conservation authority regulated on another. Ms. Meszaros added that the Clarington Official Plan mapping shows the property as a Natural Heritage Property. She continued by stating that not everyone has access to participate in a meeting online to be able to make comments, which makes the process unfair. Ms. Meszaros requested that the Members of Council become familiar with the draft zoning by-law and she feels this may be one of the most important decisions they will make. She asked for Staff to advise the members of the public that they can contact Staff at any time if they have questions. Ms. Meszaros concluded by asking for a motion to be passed to include in-person meetings as part of the public process for the Zoning By-law review.

7.3 Alan Herring regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes

Alan Herring was present regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes. He made a verbal presentation to accompany an electronic presentation. Mr. Herring reviewed Provincial aerial mapping, for his property, from 2019 which illustrates the table lines and show the edges of Wilmot Creek. He reviewed a map from the Region of Durham which showed his property as a natural heritage system with the exception of the pond. Mr. Herring added that there are three natural heritage systems shown in the mapping. He referred to a photo of the slope of the property and noted that it is not a natural heritage system which is what it has been designated by the Conservation Authority. Mr. Herring highlighted some definitions included in the Ontario Green Belt Plan 2017. He concluded by asking for the Members of Council to support Councillor Neal's proposed resolution which would result in a pull back of the process and feels there is too much confusion at this time. Mr. Herring answered questions from the Members of Council.

7.4 Bev Oda regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes

Bev Oda was present regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes. She noted that the first draft of the Zoning By-law review was presented in November 2018 and since that time there has been a great deal of frustration from the residents regarding the mapping, providing notice, and site visits. Ms. Oda believes that this current motion takes everything back to where it was in 2018. She feels that the site plan control is a cause for concern for the rural property owners. Ms. Oda added that currently there are site visits proposed but it is not to correct the mapping and there is no reference for any notification to be given. She believes that public consultation is required prior to moving forward with the process and reminded the Members of Council of the number of residents who previously attended the public meetings and the issue of public consultation and site visits needs to be addressed. Mr. Oda stated that, if this current motion passes, the past three years have been for nothing and we are essentially back to the beginning of the process. Ms. Oda added that the proposed changes are going beyond the minimal provincial requirements as noted in a letter previously sent by Minister Steve Clark. She added that she is requesting that any reports from staff be made easily understood by the public and addresses the needs of the residents. Ms. Oda noted that Minister Clark stated "that municipalities are permitted to go above the provincial standards and Clarington has made a policy decision to do that despite local opposition". She feels that going ahead with the public consultation process meets the needs of staff and not the rural property owners. Ms. Oda concluded by asking the Members of Council to support Councillor Neal's motion and she believes this is the first step to satisfy the rural property homeowner and show support to the residents.

7.5 Gord Robinson regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes

Gord Robinson was present regarding Item 5.1 Report PDS-062-21 Zone Clarington - Second Draft (Rural) Zoning By-law, of the November 30, 2021 Special Planning and Development Committee Minutes. He explained that he is here in support of Councillor Neal's proposed motion. Mr. Robinson noted that they are opposed to the Natural Heritage Designation and Environmentally Protected Zoning. He asked for the support from the Members of Council and that this be sent back to the Province for review. Mr. Robinson stated that this not only affects the Municipality of Clarington but all of the municipalities in Ontario. He continued by asking if the Members of Council fully understand the effect of the site control by-law on the rural property owners. Mr. Robinson concluded by asking the Members of Council to support Councillor Neal's motion and send it to the Province. He thanked the Members of Council and answered questions.

Alter the Agenda

Resolution # C-396-21

Moved by Councillor Neal
Seconded by Councillor Jones

That the Agenda be altered to consider Agenda Item 9.2.3, at this time.

Carried

9.2.3 - Minutes of the Special Planning and Development Committee meeting dated November 30, 2021

Suspend the Rules

Resolution # C-397-21

Moved by Councillor Neal
Seconded by Councillor Jones

That the Rules of Procedure be suspended to allow a motion in respect of a matter which requires the exercise of a legislative power by Council which is not within its jurisdiction (as per subsection 10.12.7 of the Procedural By-law).

Carried

Resolution # C-398-21

Moved by Councillor Neal
Seconded by Councillor Anderson

That the recommendations contained in the Special Planning and Development Committee Minutes of November 30, 2021, be approved with Item 5.1 being changed to the following:

Whereas rural property owners and farmers in Clarington and across the Province are affected by the natural heritage system mapping;

And Whereas the mapping of natural heritage systems conflicts between the Greenbelt Natural Heritage System, Conservation Authority mapping, official plan mapping, and zoning bylaw mapping;

And Whereas the over-reach of natural heritage system mapping often results in environmental protection designations which are not justified, and are not protecting natural heritage features, and which negatively affects thousands of rural property owners and farmers;

And Whereas municipalities which are engaged in official plan updates and zoning bylaw updates have no clear direction on natural heritage systems mapping from the Province;

And Whereas a thorough investigation into the designated natural heritage systems by the provincial ministries are desperately needed immediately to ensure appropriate mapping is done and the designations are indeed accurate;

Now therefore be it resolved that:

1. The Provincial Government be requested to issue a cease and desist order on all updates to Natural Heritage System designations in official plans and zoning bylaws, thereby pausing the updates until a review of same by the province can be completed.
2. Clarington not proceed further with any revisions to its natural heritage system in its zoning bylaw pending the provincial review.
3. A copy of this resolution be forwarded to:
 - a) The Minister of Municipal Affairs and Housing;
 - b) The Minister of the Environment, Parks and Conservation;
 - c) All Durham MPP's;
 - d) The Region of Durham and all Durham municipalities; and
 - e) AMO for distribution to all rural municipalities.

Yes (6): Mayor Foster, Councillor Anderson, Councillor Hooper, Councillor Jones, Councillor Neal, and Councillor Zwart

Absent (1): Councillor Traill

Carried on a recorded vote (6 to 0)

Later in the meeting (following Item 7.3), for clarity, Council confirmed that Staff are to continue to work on Zone Clarington initiative, with the exception of the Natural Heritage systems.

7.6 John Buckley, Aaron Gillard, & Michael Larkin , LARKIN + Land Use Planners Inc. & Nicholas Swerdfeger, Barry Bryan Associates, regarding Item 9.1, Report PDS-064-21 Applicant by LARKIN + Land Use Planners Inc, of the December 6, 2021 PDC Minutes

John Buckley, Aaron Gillard, and Michael Larkin, LARKIN + Land Use Planners Inc. and Nicholas Swerdfeger, Barry Bryan Associates, were present regarding Item 9.1, Report PDS-064-21 Applicant by LARKIN + Land Use Planners Inc, of the December 6, 2021 Planning and Development Committee Minutes. Mr. Gillard advised they were present to answer any questions or comments on the application. Mr. Gillard and Mr. Swerdfeger answered questions from the Members of Council.

Alter the Agenda

Resolution # C-399-.21

Moved by Councillor Hooper
Seconded by Councillor Neal

That the Agenda be altered to consider Item 9.1 of the Planning and Development Committee minutes of December 6, 2021, at this time.

Carried

Item 9.1 - An application by LARKIN and Land Use Planners to Permit Two 11 Storey Mixed-use Buildings at the South-West Corner of Green Road and Highway 2 in Bowmanville, a Recommendation Report for ZBA2021-0002

Resolution # C-400-21

Moved by Councillor Hooper
Seconded by Councillor Zwart

That Report PDS-064-21, and any related correspondence, be received; and

That the application to amend the Zoning By-law by LARKIN+ Land Use Planners Inc. be approved and that the Zoning By-law contained in Attachment 1 be passed;

That, once all requirements as identified in the Staff report are satisfied, the By-law authorizing the Removal of the (H) Holding Symbol be approved;

That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-064-21 and Council's decision; and

That all interested parties listed in Report PDS-064-21 and any delegations be advised of Council's decision.

Yes (4): Mayor Foster, Councillor Anderson, Councillor Jones, and Councillor Zwart

No (2): Councillor Hooper, and Councillor Neal

Absent (1): Councillor Traill

Carried on a recorded vote (4 to 2)

Recess

Resolution # C-401-21

Moved by Councillor Neal
Seconded by Councillor Hooper

That the Council recess for 10 minutes.

Carried

The meeting reconvened at 9:12 pm with Mayor Foster in the Chair.

8. Reports/Correspondence Related to Presentations/Delegations

9. Consideration of Minutes

9.1 Advisory Committee Minutes

9.1.1 Minutes of the Agricultural Advisory Committee dated November 11, 2021

9.1.2 Minutes of the Clarington Diversity Advisory Committee dated November 25, 2021

9.1.3 Minutes of the Clarington Heritage Committee dated November 16, 2021

Resolution # C-402-21

Moved by Councillor Jones

Seconded by Councillor Hooper

That Advisory Committee Report Items 9.1.1 to 9.1.4, be approved with the exception of Item 9.1.4.

Carried

9.1.4 Minutes of the Active Transportation and Safe Roads Advisory Committee dated October 21, 2021

Resolution # C-403-21

Moved by Councillor Jones

Seconded by Councillor Neal

That the minutes of the Active Transportation and Safe Roads Advisory Committee dated October 21, 2021 be approved.

Carried Later in the Meeting, see following motion

Recess

Resolution # C-404-21

Moved by Councillor Anderson

Seconded by Councillor Neal

That the Council recess for five minutes.

Carried

The meeting reconvened at 9:23 pm with Mayor Foster in the Chair.

The foregoing Resolution #C-403-21 was then put to a vote and carried.

9.2 Standing Committee Minutes

9.2.1 Minutes of the General Government Committee Meeting dated November 29, 2021

Resolution # C-405-21

Moved by Councillor Neal

Seconded by Councillor Hooper

That the recommendations contained in the General Government Committee Minutes of November 29, 2021 be approved on consent, with the exception of items 6.2, 8.1.1, 8.1.7 and 8.2.1.

Carried

Item 6.2 - PWD-030-21 Arborist Review of Red Oak Tree at 21 Beech Avenue

Resolution # C-406-21

Moved by Councillor Neal

Seconded by Councillor Hooper

That Report PWD-030-21 and any related communication items, be received;

That Council provide Staff with approval to carry out the tree preservation plans provided in the review completed by Del Cressman for the red oak tree at 21 Beech Avenue;

That the recommended tree preservation plan be funded from the Self-Insured Losses Reserve at an estimated year-one cost of \$12,000;

That the matter of designating the tree under the Ontario Heritage Act, be referred to the Clarington Heritage Committee for discussion; and

That all interested parties listed in Report PWD-030-21 and any delegations be advised of Council's decision.

Carried

Item 8.1.1 - Playground Inventory and Upgrade Recommendations

Resolution # C-407-21

Moved by Councillor Hooper

Seconded by Councillor Zwart

That Report PWD-031-21 and any related communication items, be received;

That Council accept the playground inventory and approve the upgrades and replacements to be implemented over the next five years as listed in Table 1; and

That all interested parties listed in Report PWD-031-21 and any delegations be advised of Council's decision.

Carried

Item 8.1.7 - Former Bowmanville Zoo Lands

Resolution # C-408-21

Moved by Councillor Neal

Seconded by Councillor Anderson

Whereas the Municipality of Clarington has recently acquired the lands of the former Bowmanville Zoo for future parkland and recreational development purposes;

And whereas the proposed adjacent Timber Trails residential development site will introduce new recreational amenities to the area that include a full-sized soccer field, basketball court, lookout area, walking trails, gazebo and a large playground feature;

And whereas in June of 2020, Council approved the Clarington Outdoor Recreation Needs Assessment (ORNA) for the Municipality that recommends an implementation plan to construct new facilities or upgrade existing amenities to accommodate outdoor recreational demands that are anticipated due to forecasted population growth over the next 15 years;

Now therefore be it resolved:

That Council direct Staff of the Public Works Department to undertake the preparation of a comprehensive Parks Master Plan for the Bowmanville Zoo lands that will include design concepts and cost estimates for any new recommended recreational facilities or amenities, including investigation into a possible skating trail as previously requested by Council;

That the Staff of the Public Works Department who will be preparing the Master Plan, in consultation with various stakeholders, be required to submit a report to Council on the matter prior to the end of October, 2022; and

That all interested parties be notified of Council's decision.

Carried

Item 8.2.1 - Going Green: Future Direction of the Recreation and Leisure Guide

Resolution # C-409-21

Moved by Councillor Anderson

Seconded by Councillor Zwart

That Report CSD-008-21 and any related communication items, be received;

That the Recreation and Leisure Guide no longer be produced;

That the necessary changes be made to the 2022 operating budget; and

That Council direct Staff to continue to develop targeted and sessionally updated Marketing Campaigns to promote registration in municipal programs and activities.

Yes (5): Mayor Foster, Councillor Anderson, Councillor Hooper, Councillor Jones, and Councillor Zwart

No (1): Councillor Neal

Absent (1): Councillor Traill

Carried on a recorded vote (5 to 1)

9.2.1.1 Memo from Trevor Pinn, Director of Financial Services/Treasurer regarding Item 8.1.3, Report PWD-033-21 Waterfront Trail - Hydro One Lease Agreement Renewal

Item 9.2.1.1 was considered as part of Item 8.1.3, Report PWD-033-21 Waterfront Trail - Hydro One Lease Agreement Renewal of the November 29, 2021 General Government Committee minutes.

9.2.1.2 Memo from Trevor Pinn, Director of Financial Services/Treasurer regarding Item 8.1.1 Report PWD-031-21 Playground Inventory and Upgrade Recommendations - 10-year History of Playground Replacement

Item 9.2.1.2 was considered as part of Item 8.1.1 - Report PWD-031-21, Playground Inventory and Upgrade Recommendations of the November 29, 2021 General Government Committee minutes.

9.2.1.3 Memo from George Acorn Director of Community Services regarding Item 8.4.3, Veterans Square - MAC – East Exterior Stairs and North Accessible Ramp

Item 9.2.1.3 was considered as part of Item 8.4.3, Veterans Square of the November 29, 2021 General Government Committee minutes.

9.2.1.4 Correspondence from Willie Woo regarding Item 8.4.3 - Veterans Square

Item 9.2.1.4 was considered as part of Item 8.4.3, Veterans Square of the November 29, 2021 General Government Committee minutes.

9.2.2 Audit and Accountability Minutes of November 30, 2021

Resolution # C-410-21

Moved by Councillor Neal

Seconded by Councillor Hooper

That the recommendations contained in the Audit and Accountability minutes of November 30, 2021, be approved on consent, with the exception of item 7.3.

Carried

Item 7.3 - 2022 Audit Plan

Resolution # C-411-21

Moved by Councillor Neal
Seconded by Councillor Jones

That Report IAS-005-21, 2022 Audit work plan be received; and

That there be an audit as to whether the proper procedures were followed in authorizing overtime included in the 2022 Audit Plan.

Carried

9.2.2.1 Memo from Trevor Pinn, Director of Financial Services/Treasurer regarding Item 7.2, Financial Update at September 30, 2021 – Overtime

Item 9.2.2.1 was considered as part of Item 7.2 - Financial Update at September 30, 2021 of the Audit and Accountability Minutes of November 30, 2021.

9.2.3 Minutes of the Special Planning and Development Committee Meeting dated November 30, 2021

Item 9.2.3 was considered earlier in the meeting immediately following the delegation of Gord Robinson.

9.2.3.1 Proposed Motion for Item 5.1 - Report PDS-062-21 Zone Clarington – Second Draft (Rural) Zoning By-Law

Item 9.2.3.1 was considered as part of Item 5.1 - Report PDS-062-21, Zone Clarington - Second Draft (Rural) Zoning By-law.

9.2.3.2. Memo from Ryan Windle, Director of Planning and Development Services regarding Item 5.1 - Responses to Committee Questions on Report PDS-062-21 Zone Clarington – Second Draft (Rural) Zoning By-law

Item 9.2.3.2 was considered as part of Item 5.1 - Report PDS-062-21, Zone Clarington - Second Draft (Rural) Zoning By-law.

9.2.4 Minutes of the Planning and Development Committee Meeting dated December 6, 2021

Resolution # C-412-21

Moved by Councillor Anderson
Seconded by Councillor Hooper

That the recommendations contained in the Planning and Development Committee Minutes of December 6, 2021 be approved on consent, with the exception of items 5.1.1, 13.2, 11.1 and 9.1 (which was considered earlier in the meeting).

Carried

Item 5.1.1 - Public Meeting to Initiate Farewell Heights Secondary Plan

Resolution # C-413-21

Moved by Councillor Neal

Seconded by Councillor Anderson

That Report PDS-063-21 and any related correspondence be received;

That Planning and Development Services staff be authorized to commence the preparation of the Farewell Heights Secondary Plan;

That Staff be authorized to finalize the draft Terms of Reference and issue a Request for Proposal to retain the necessary consultants through the current roster of Consulting Firms established for Secondary Plans;

That the Director of Planning and Development Services be authorized to execute the necessary cost recovery agreements with the Farewell Heights Landowners Group for the preparation of the Farewell Heights Secondary Plan;

That the cost recovery agreements with the Farewell Heights Landowners Group require payment of 100% of the costs of the preparation of the Secondary Plan, including consultants and municipal resources such as review time from various departments, project management and administration costs; and

That all interested parties for Report PDS-063-21 and any delegations be notified of Council's decision regarding this report to initiate the Farewell Heights Secondary Plan.

Carried

Item 11.1 - Jury Lands (Camp 30) and Recommended Amendment No 121 to the Clarington Official Plan (Referred from the October 18, 2021 Council Meeting)

Resolution # C-414-21

Moved by Councillor Neal

Seconded by Councillor Jones

That Report PDS-044-21 and any related communication items, be received;

That the Official Plan Amendment No. 121 (Attachment 1) be referred back to Staff for finalization based on any additional direction provided by Council and included in a future Council agenda with a confirming by-law;

That the Director of Planning and Development Services be authorized to finalize the form and content of OPA 121 and the Block Master Plan (Figure 1 of Attachment 1) resulting from Council's consideration, public participation, agency comments and technical considerations with the following amendment:

That the Block Master Plan be modified to designate Area 4 as "Low Density Residential"

That the Urban Design Guidelines by DTAH dated April 12, 2019, as accepted in November 2020 through Report PSD-051-20 be approved and used by Staff to guide development applications and the Municipal Wide Park development;

That Clarington accept the pre-dedication of the Municipal Wide Park with the understanding that any over-dedication of parkland will be resolved at the time of draft approval of subdivisions within Special Policy Area F;

That, upon adoption of OPA 121, the Official Plan Applications 2009-0006 and 2020-001 by LRSP Ltd. be refused and closed and any remaining monies from the application fees be returned;

That the Region of Durham Planning and Economic Development Department and the Municipal Property Assessment Corporation be forwarded a copy of Report PDS-044-21 and a copy of the finalized OPA 121; and

That all interested parties listed in Report PDS-044-21 and any delegations be advised of Council's decision.

Yes (2): Councillor Jones, and Councillor Neal

No (4): Mayor Foster, Councillor Anderson, Councillor Hooper, and Councillor Zwart

Absent (1): Councillor Traill

Motion Lost on a recorded vote (2 to 4)

Resolution # C-415-21

Moved by Councillor Zwart

Seconded by Councillor Hooper

That Report PDS-044-21 and any related communication items, be received;

That the Official Plan Amendment No. 121 (Attachment 1) be referred back to Staff for finalization based on any additional direction provided by Council and included in a future Council agenda with a confirming by-law;

That the Director of Planning and Development Services be authorized to finalize the form and content of OPA 121 and the Block Master Plan (Figure 1 of Attachment 1) resulting from Council's consideration, public participation, agency comments and technical considerations;

That the Urban Design Guidelines by DTAH dated April 12, 2019, as accepted in November 2020 through Report PSD-051-20 be approved and used by Staff to guide development applications and the Municipal Wide Park development;

That Clarington accept the pre-dedication of the Municipal Wide Park with the understanding that any over-dedication of parkland will be resolved at the time of draft approval of subdivisions within Special Policy Area F;

That, upon adoption of OPA 121, the Official Plan Applications 2009-0006 and 2020-001 by LRSP Ltd. be refused and closed and any remaining monies from the application fees be returned;

That the Region of Durham Planning and Economic Development Department and the Municipal Property Assessment Corporation be forwarded a copy of Report PDS-044-21 and a copy of the finalized OPA 121; and

That all interested parties listed in Report PDS-044-21 and any delegations be advised of Council's decision.

Yes (4): Mayor Foster, Councillor Anderson, Councillor Hooper, and Councillor Zwart

No (2): Councillor Jones, and Councillor Neal

Absent (1): Councillor Traill

Carried (4 to 2)

Item 13.2 - Camp 30 Option Agreement

Resolution # C-416-21

Moved by Councillor Neal

Seconded by Councillor Jones

That Item 13.2, Confidential Report LGS-032-21 - Camp 30 Option Agreement, be referred to the end of the Agenda to be considered during closed session.

Carried

9.2.4.1 Correspondence from Jim Abernethy regarding Item 13.1, Confidential Memo from Ryan Windle, Director of Planning and Development Services, Regarding Potential Property Acquisition - Specifically the Boat Launch

Item 9.2.4.1 was considered as part of Item 13.1, Confidential Memo from Ryan Windle, Director of Planning and Development Services, Regarding Potential Property Acquisition of the December 6, 2021 Planning and Development Committee minutes.

9.2.4.2 Memo from Ryan Windle, Director of Planning and Development Services regarding Item 5.1.1 - Farewell Heights Secondary Plan – Land Use Plan Map (Staff Report PDS-063-21)

Item 9.2.4.2 was considered as part of Item 5.1.1 - Report PDS-063-21, Farewell Heights Secondary Plan of the Planning and Development Committee minutes of December 6, 2021.

9.2.4.3 Memo from Ryan Windle, Director of Planning and Development Services regarding Item 9.1 - PDS-064-21 - Amenity Area Summary

Item 9.2.4.3 was considered as part of Item 9.1 -PDS-064-21 An application by LARKIN and Land Use Planners to Permit Two 11 Storey Mixed-use Buildings at the South-West Corner of Green Road and Highway 2 in Bowmanville, a Recommendation Report for ZBA2021-0002 of the Planning and Development Committee minutes of December 6, 2021.

9.2.4.4 Memo from Andy Allison regarding Item 13.1 - Boat Launch and Dredging

Item 9.2.4.4 was considered as part of Item 13.1, Confidential Memo from Ryan Windle, Director of Planning and Development Services, Regarding Potential Property Acquisition of the December 6, 2021 Planning and Development Committee minutes.

10. Communications

10.1 Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham regarding Termination of Mediation regarding the proposed siting of a Mixed Waste Pre-Sort and Anaerobic Digestion Facility (AD Facility) in Clarington

Resolution # C-417-21

Moved by Councillor Zwart

Seconded by Councillor Hooper

That the correspondence from Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham regarding Termination of Mediation regarding the proposed siting of a Mixed Waste Pre-Sort and Anaerobic Digestion Facility (AD Facility) in Clarington be referred to the Consideration of Confidential Agenda Item 14.2.

Carried

11. Staff Reports and Staff Memos

12. Business Arising from Procedural Notice of Motion (For Consideration at Subsequent Meeting)

13. Unfinished Business

Suspend the Rules

Resolution # C-418-21

Moved by Councillor Hooper

Seconded by Councillor Anderson

That the Rules of Procedure be suspended to extend the meeting until 11:30 pm.

Carried

14. Confidential Items

14.1 Confidential Memo from Andy Allison, Chief Administrative Officer regarding CAO Employment Contract Template

Item 14.1 was considered as part of closed session discussions related to the CAO Employment Contract Template.

14.2 Confidential Memo from Ryan Windle, Director, Planning and Development Services regarding Potential Alternate Site for AD/Pre-Sort

Item 14.2 was considered as part of closed session discussions related to the Potential Alternate Site for AD/Pre-Sort.

Closed Session

Resolution # C-419-21

Moved by Councillor Hooper
Seconded by Councillor Neal

That, in accordance with Section 239 (2) of the *Municipal Act, 2001*, as amended, the meeting be closed for the purpose of discussing four matters that deals with the following:

- a matter that deals with personal matters about an identifiable individual, including municipal or local board employees;
- a matter that deals with labour or employee negotiations
- a matter that deals with litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Rise and Report

The meeting resumed in open session at 11:50 pm.

Mayor Foster advised that four items were discussed in “closed” session in accordance with Section 239(2) of the *Municipal Act, 2001* and one resolution was passed to provide direction to staff.

15. By-laws

15.1 2021-081 – Being a By-law to license and regulate additional dwelling units in the Municipality of Clarington

15.2 2021-082 – Being a By-law to amend By-law 84-63 and By-law 2005-109

15.3 2021-086 – Being a By-law to Adopt Amendment No. 129 to the Clarington Official Plan

15.4 2021-095 - Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington

15.5 2021-096 - Being a By-law to adopt Amendment No. 121 to the Clarington Official Plan

Resolution # C-420-21

Moved by Councillor Neal

Seconded by Councillor Hooper

That leave be granted to introduce By-laws 2021-081, 2021-082, 2021-086, 2021-095 and 2021-096; and

That the said by-laws be approved.

Carried

16. Procedural Notices of Motion (For Consideration at Subsequent Meeting)

17. Questions to Department Heads / Request for Staff Report(s)

18. Confirming By-Law

Resolution # C-421-21

Moved by Councillor Hooper

Seconded by Councillor Zwart

That leave be granted to introduce By-law 2021-097, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 13th day of December, 2021; and

That the said by-law be approved.

Carried

19. Adjournment

Resolution # C-422-21

Moved by Councillor Hooper

Seconded by Councillor Zwart

That the meeting adjourn at 11:54 pm.

Carried