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## Council Minutes

**Date:** May 2, 2022  
**Time:** 6:30 p.m.  
**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 C. Traill, Councillor M. Zwart

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

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### 1. Call to Order

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

### 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

Mayor Foster declared a direct interest in Item 8.1 - Frank Cerisano, Chief Executive Officer, Bowmanville Hospital Foundation, Regarding Request for Signage for Bowmanville Hospital Foundation and Item 8.1.1 - Memo-020-22 Communications Item 8.1, Request of Bowmanville Hospital Foundation for Mobile Sign Locations on Public Properties for the We Care, We Can Awareness Campaign.

### 5. Announcements

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

**6. Adoption of Minutes of Previous Meeting**

**6.1 Minutes of a regular meeting of Council dated April 4, 2022**

Resolution # C-101-22

Moved by Councillor Anderson  
Seconded by Councillor Hooper

That the minutes of a regular meeting dated April 4, 2022, be approved.

**Carried**

**7. Presentations / Delegations**

**Suspend the Rules**

Resolution # C-102-22

Moved by Councillor Anderson  
Seconded by Councillor Jones

That the Rules of Procedure be suspended to add Ievgeniia Mangones, as a delegation to the Agenda regarding the Durham Ukrainian Relief Committee.

**Carried**

**7.1 Ievgeniia Mangones, UCC Durham Region Branch, regarding the Durham Ukrainian Relief Committee**

Ievgeniia Mangones, UCC Durham Region Branch, was present regarding the Durham Ukrainian Relief Committee. Ievgeniia made a verbal presentation to accompany an electronic presentation. I. Mangones provided details on the situation in Ukraine and explained that there are many Ukrainian "newcomers" who are settling in Durham Region and require assistance to integrate quickly and safely. Ievgeniia highlighted the current structure and various branches of the Relief Committee and how they are assisting the newcomers. I. Mangones advised the Members of Council that they have created a website and provided an overview which included how to volunteer and donate. Ievgeniia highlighted the needs of the Committee. I. Mangones concluded by thanking the Members of Council for their support and answered questions.

Resolution # C-103-22

Moved by Councillor Anderson  
Seconded by Councillor Hooper

That the delegation of Ievgeniia Mangones, UCC Durham Region Branch, regarding the Durham Ukrainian Relief Committee, be referred to staff to determine how the Municipality of Clarington can assist and to investigate possible ways to coordinate with the Region of Durham.

**Carried**

**8. Reports/Correspondence Related to Presentations/Delegations**

**9. Consideration of Minutes**

**9.1 Advisory Committee Minutes**

**9.1.2 Minutes of the Clarington Tourism Advisory Committee dated October 21, 2021 and March 15, 2022**

**9.1.3 Minutes of the Samuel Wilmot Nature Area Management Advisory Committee (SWNAMAC) dated March 8, 2022**

**9.1.4 Minutes of the Agricultural Advisory Committee of Clarington dated April 14, 2022**

Resolution # C-104-22

Moved by Councillor Hooper  
Seconded by Councillor Zwart

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

**Carried**

**9.1.1 Minutes of the Accessibility Advisory Committee dated March 2 and April 6, 2022**

Resolution # C-105-22

Moved by Councillor Zwart  
Seconded by Councillor Hooper

That the Minutes of the Accessibility Advisory Committee dated March 2 and April 6, 2022, be approved.

**Carried**

## **9.2 Standing Committee Minutes**

### **9.2.1 Minutes of the Audit and Accountability Committee dated April 7, 2022**

Resolution # C-106-22

Moved by Councillor Zwart  
Seconded by Councillor Hooper

That the recommendations contained in the Audit and Accountability Minutes dated April 7, 2022, be approved on consent.

**Carried**

#### **9.2.1.1 Memo-021-22 - Questions Arising from April 7, 2022 Audit and Accountability Committee Meeting**

This matter was considered during item 9.2.1 of the Minutes of the Audit and Accountability Committee dated April 7, 2022.

### **9.2.2 Minutes of the General Government Committee Meeting dated April 11, 2022**

Resolution # C-107-22

Moved by Councillor Anderson  
Seconded by Councillor Zwart

That the recommendations contained in the General Government Committee Minutes of April 11, 2022, be approved on consent.

**Carried**

### **9.2.3 Minutes of the Planning and Development Committee Meeting dated April 25, 2022**

Resolution # C-108-22

Moved by Councillor Anderson  
Seconded by Councillor Neal

That the recommendations contained in the Planning and Development Committee Minutes of April 25, 2022 be approved on consent, with the exception of items 8.1 8.1.1, 9.1 and 9.3.

**Carried**

Mayor Foster declared a direct interest in Item 8.1 - Frank Cerisano, Chief Executive Officer, Bowmanville Hospital Foundation, Regarding Request for Signage for Bowmanville Hospital Foundation and Item 8.1.1 - Memo-020-22 Communications Item 8.1, Request of Bowmanville Hospital Foundation for Mobile Sign Locations on Public Properties for the We Care, We Can Awareness Campaign as a member of his family is doing work for the Foundation.

Councillor Anderson assumed the chair and Mayor Foster refrained from discussion and voting on the matter.

**Item 8.1 - Frank Cerisano, Chief Executive Officer, Bowmanville Hospital Foundation, Regarding Request for Signage for Bowmanville Hospital Foundation**

**Item 8.1.1 Memo-020-22 Communications Item 8.1, Request of Bowmanville Hospital Foundation for Mobile Sign Locations on Public Properties for the We Care, We Can Awareness Campaign**

Resolution # C-109-22

Moved by Councillor Neal

Seconded by Councillor Hooper

The request of the Bowmanville Hospital Foundation We Care, We Can Awareness Month Campaign to locate mobile signs on the following publicly owned lands be approved for the following locations:

**Bowmanville:**

Liberty & Baseline – at Tourism property

King St between the CP Rail and Bowmanville Ave.

**Newcastle:**

King Avenue (north side) between Massey Drive and Given Road

Newcastle Public Library (Joseph Atkinson Parkette)

Fire Hall Property

**Courtice:**

Corner of Highway 2 and Trulls Rd. (north side) Trulls Road Parkette

**Community Services Facilities:**

Courtice Community Complex

Garnet B. Rickard Recreation Complex

Diane Hamre Complex

South Courtice Arena;

That the approval be in accordance with the following provisions:

- Mobile signs must maintain a minimum 1 metre setback from any road allowance and cannot be located within any portion of a visibility triangle;
- A visibility triangle is defined as the triangular space area of land abutting a road allowance or driveway that is required to be kept free of obstructions that could impede the vision of a pedestrian or the driver of a motor vehicle exiting onto or driving on the street. The visibility triangle adjacent to the street shall be the area enclosed by each of the street lines measured to a point 7.5 metres back from the intersection of the street lines, and a diagonal line drawn between these two points. The visibility triangle for a driveway shall be the area enclosed by the line along the limits of the driveway measured to a point 3.0 metres back from the intersection of the street lines and the limits of the driveway, and a diagonal line drawn between these two points;
- The maximum size of a mobile sign is 3.0 square metres; and
- Mobile signs are not allowed to have fluorescent lettering or backgrounds;

That the permits and fees be waived for this request;

That the approval be for the duration of six weeks, May 15 to June 30, 2022; and

That the application and permit fee required under By-law 2009-123 for the mobile sign to be placed on the lawn of the Bowmanville Hospital property (Liberty St. S between Prince St. and Queen St.) also be waived.

## **Carried**

Mayor Foster returned to the meeting and assumed the chair.

### **Item 9.1 - PDS-020-22 Agreement for Small Sewer Systems Inspection by Durham Region Health Department**

Resolution # C-110-22

Moved by Councillor Traill

Seconded by Councillor Hooper

That Report PDS-020-22, and any related delegations or communication items, be received for information.

That the Mayor and Clerk be authorized to execute, on behalf of the Corporation of the Municipality of Clarington, an agreement with the Regional Municipality of Durham, allowing for the ongoing administration of the Building Code Act and the Ontario Building Code, as it relates to the enforcement of small capacity sewage systems; and

That a copy of report PDS-020-22 and Council's resolution be forwarded to the Regional Municipality of Durham.

**Carried**

**Item 9.3 - FSD-020-22 Clarington Waterfront Strategy Report**

Resolution # C-111-22

Moved by Councillor Neal  
Seconded by Councillor Jones

That Staff be directed to cancel the Request for Proposal (RFP) referenced in Report FSD-020-22; and

That Staff be directed to re-issue and the RFP for the Waterfront Strategy Report consultant services to focus on the Bowmanville Harbour.

**Referred**

Resolution # C-112-22

Moved by Councillor Neal  
Seconded by Councillor Anderson

That the foregoing Resolution #C-111-22, be Referred to Staff to report back to the May 16, 2022, Planning and Development Committee meeting to include, in the Terms of Reference, a special focus on the Bowmanville Waterfront and report on the additional resources needed in order to accomplish this.

**Carried**

**9.2.3.1 Memo-023-22 - Terms of Reference for Waterfront Strategy**

This matter was considered during item 9.3 of the Minutes of the Planning and Development Committee dated April 25, 2022.

**9.2.3.2 Memo-024-22 - Correction to Report PDS-020-22 Execution of Agreement with Durham Health Admin and Enforcement of Sewage Systems, Memo-024-22**

This matter was considered during item 9.1 of the Minutes of the Planning and Development Committee dated April 25, 2022.

**9.2.3.3 Memo-026-22 - Ability of the Municipality to Cancel/Amend an Issued RFP**

This matter was considered during item 9.3 of the Minutes of the Planning and Development Committee dated April 25, 2022.

**10. Communications**

**10.1 ADR Chambers Ombuds Office for the Municipality of Clarington - Annual Report 2021**

Resolution # C-113-22

Moved by Councillor Traill  
Seconded by Councillor Hooper

That Item 10.1, ADR Chambers Ombuds Office for the Municipality of Clarington - Annual Report 2021, be received for information.

**Carried**

**11. Staff Reports and Staff Memos**

**12. Business Arising from Procedural Notice of Motion**

**13. Unfinished Business**

**13.1 Future Connection for the Farewell Creek Trail (Referred from the April 4, 2022 Council Meeting)**

The following Resolution #C-092-22 referred from the April 4, 2022 Council Meeting was before Council, and was withdrawn by the mover:

That Staff be directed to complete the future connection for the Farewell Creek trail near Darlington Blvd. in 2022.

Resolution # C-114-22

Moved by Councillor Neal  
Seconded by Councillor Jones

Whereas, construction of the Phase 2A section of the Farewell Creek recreational trail in Courtice is currently on-going;

And Whereas the construction access to the trail from 43 Darlington Boulevard will in the future become an important connection to the Farewell Creek recreational trail system for the residents of west Courtice;

And Whereas it can be expected that the construction access will be regularly used by residents following the completion of the Phase 2A Farewell Creek recreational trail;



Now therefore it be resolved:

1. That, as an interim trail improvement measure, Staff of the Public Works Department be directed to upgrade the construction access with the completion of the Phase 2A trail work using a crushed stone surface at an estimated cost of \$5,000.
2. That the final completion of this trail connection be included in the final site plan design for any development of the abutting residential land, and proceed at the same time as the development of the residential land.
3. That Staff proceed with the design for the final Phase 2B section of the Farewell Trail system with an anticipated 2023-2024 construction / funding reimbursement cycle.
4. That all interested parties be notified of Council's decision.

**Carried**

**15. By-laws**

- 15.1 2022-024 - Being a By-law to establish lay out and dedicate certain lands as public highways in the Municipality of Clarington to assume certain streets within Clarington as public highways in Clarington and to name them**
- 15.2 2022-025 - Being a By-law to establish lay out and dedicate certain lands as public highways in the Municipality of Clarington to assume certain streets within Clarington as public highways in Clarington and to name them**

Resolution # C-115-22

Moved by Councillor Hooper  
Seconded by Councillor Zwart

That leave be granted to introduce By-laws 2022-024 and 2022-025; and

That the said by-laws be approved.

**Carried**

**16. Procedural Notices of Motion**

**17. Questions to Department Heads / Request for Staff Report**

## 17.1 Electric Kick Scooters

Councillor Neal inquired about the Region of Durham recently adopting a resolution regarding electric kick scooters and raised concerns over the scooters in the downtown areas of the Municipality.

Resolution # C-116-22

Moved by Councillor Neal  
Seconded by Councillor Jones

That Staff report back on the Electric Kick Scooters referenced in the Durham of Region report (Durham Region Report 2022-COW-9) and corresponding by-law.

**Carried**

## 14. Confidential Items

### Closed Session

Resolution # C-117-22

Moved by Councillor Neal  
Seconded by Councillor Jones

That, in accordance with Section 239 (2) of the *Municipal Act, 2001*, as amended, the meeting be closed for the purpose of discussing a matter that deals with personal matters about an identifiable individual, including municipal or local board employees.

**Carried**

### Rise and Report

The meeting resumed in open session at 8:32 p.m.

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

## 18. Confirming By-Law

Resolution # C-118-22

Moved by Councillor Neal  
Seconded by Councillor Hooper

That leave be granted to introduce By-law 2022-026, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 2nd day of May, 2022; and

That the said by-law be approved.

**Carried**

**19. Adjournment**

Resolution # C-119-20

Moved by Councillor Hooper  
Seconded by Councillor Neal

That the meeting adjourn at 8:36 p.m.

**Carried**