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Council Minutes

Date: December 18, 2023
Time: 6:30 p.m.
Location: Council Chambers or Microsoft Teams
Municipal Administrative Centre
40 Temperance Street, 2nd Floor
Bowmanville, Ontario

Members Present: Mayor A. Foster, Councillor G. Anderson, Councillor S. Elhajjeh, Councillor L. Rang, Councillor C. Traill, Councillor W. Woo, Councillor M. Zwart

Staff Present: M. Dempster, J. Gallagher, G. Acorn, R. Maciver, L. Reck, L. Patenaude, M. Pick, C. Salazar, A. Tapp

1. Call to Order

Mayor Foster called the meeting to order at 6:31 p.m.

2. Moment of Reflection

Councillor Elhajjeh led the meeting in a moment of reflection.

3. Land Acknowledgement Statement

Councillor Elhajjeh recited the Land Acknowledgement Statement.

4. Declaration of Interest

There were no disclosures of interest stated at this meeting.

5. Announcements

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

6. Presentations / Delegations (10 minute time limit)

6.1 Frank Cerisano, CEO, Bowmanville Hospital Foundation, and Kirk Kemp, We Care, We Can Campaign Chair, To Thank Council for the Budget Allocation to the Bowmanville Hospital Foundation

Frank Cerisano, CEO, Bowmanville Hospital Foundation, and Kirk Kemp, We Care, We Can Campaign were present to thank Council for the increased budget allocation to the We Care, We Can Campaign, Bowmanville Hospital Foundation.

6.2 Greg Gordon, Chair, and Phil Haylock, Vice Chair, Energy from Waste - Waste Management Advisory Committee (EFW-WMAC), Regarding 2023 Annual EFW-WMAC Report

Greg Gordon, Chair, Energy from Waste - Waste Management Advisory Committee (EFW-WMAC) was present regarding the 2023 Annual EFW-WMAC Report. Greg outlined the current Committee membership and provided an overview of their 2023 accomplishments and projects, including the Green Bin Program expansion.

Resolution # C-157-23

Moved by Councillor Anderson
Seconded by Councillor Rang

That the Delegation of Greg Gordon, Chair, Energy from Waste - Waste Management Advisory Committee (EFW-WMAC), and Frank Cerisano, Bowmanville Hospital Foundation, and Kirk Kemp, We Can, We Care Campaign, be received with thanks.

Carried

6.3 Mike Dunn, Structural Pest Management of Ontario, Regarding Report CSD-003-23 Rodenticide Use in Municipal Facilities (Item 8.1 of the General Government Committee Minutes dated December 4, 2023)

Mike Dunn, Structural Pest Management of Ontario notified the Clerk's Division to withdraw the delegation.

6.4 Adrienne Butt, Regarding Report CSD-003-23 Rodenticide Use in Municipal Facilities (Item 8.1 of the General Government Committee Minutes dated December 4, 2023)

Adrienne Butt was present via electronic means regarding Report CSD-003-23 Rodenticide Use in Municipal Facilities. Adrienne Butt stated that rodenticides are not a solution to a long-term problem and are not preventative. A. Butt expressed concerns regarding the placement of rodenticides in the community and its effects on the environment. Adrienne questioned why alternative measures of pest control are not being considered and provided an overview of the effects of using rodenticides.

7. Consent Agenda

7.1 Council and Standing Committee Minutes

Resolution # C-158-23

Moved by Councillor Elhajjeh
Seconded by Councillor Rang

That all items listed in Section 7.1 be approved on consent, including Item 11.1, with the exception of Item 7.1.4.

Carried

7.1.1 Minutes of a Regular Meeting of Council dated October 30, 2023

7.1.2 Minutes of a Regular Meeting of Council dated November 20, 2023

7.1.3 Minutes of a Special Meeting of Council dated December 4, 2023

7.1.4 Minutes from the December 4, 2023, General Government Committee Meeting

Resolution # C-159-23

Moved by Councillor Zwart
Seconded by Councillor Woo

That Item 7.1.4 be approved, with the exception of Item 9.1 Backyard Chickens.

Carried

Item 9.1 - Backyard Chickens

Resolution # C-160-23

Moved by Councillor Zwart
Seconded by Councillor Rang

Whereas the Exotic Pet By-law 2012-045 does not allow for raising chickens on non-agriculturally zoned lands;

And whereas Committee deems it advisable to consider allowing Clarington residents in rural hamlets, rural clusters, and the Village of Orono, to keep backyard chickens, for the purpose of egg laying, on non-agriculturally zoned lands;

Now therefore be it resolved that Staff in the Legislative Services Department be directed to prepare a report regarding the keeping of backyard chickens for the purpose of egg laying which would include:

- a review of past reports and memos, delegations, stakeholder consultations, and other municipalities regarding the keeping of backyard chickens;
- input from the Agricultural Advisory Committee, Climate Change Response Coordinator, and Planning & Infrastructure Services Department; and
- options for general frameworks/approaches to allow for the keeping of backyard chickens for the purpose of egg laying; and

That the program be rolled out to larger urban lot properties in Clarington once the program has been successfully launched.

Carried

7.2 Advisory Committee and Local Board Minutes

Resolution # C-170-23

Moved by Councillor Rang
Seconded by Councillor Elhajjeh

That all items in Section 7.2, be approved on consent.

Carried

7.2.1 Minutes from the Agricultural Advisory Committee of Clarington dated November 9, 2023

7.2.2 Minutes from the Newcastle Arena Board dated November 14, 2023 and December 12, 2023

7.2.3 Minutes from the Newcastle Village Community Hall Board dated September 19, 2023

7.2.4 Minutes from the Diversity Advisory Committee dated November 9, 2023

7.3 Communications

7.3.1 Correspondence from Autism Home Base, Regarding Support for Adults with Autism Spectrum Disorder (ASD)

Resolution # C-171-23

Moved by Councillor Rang
Seconded by Councillor Elhajjeh

That the following resolution from the Town of Ajax, regarding Support for Adults with Autism Spectrum Disorder, be endorsed by the Municipality of Clarington:

Whereas the bulk of government funded programs for individuals with Autism Spectrum Disorder (ASD) end at age 18 in Ontario;

And whereas families supporting a loved one with ASD are often forced to make the difficult decision between expensive private day programs and leaving the workforce to provide care;

And whereas getting out of the home and connecting with others can alleviate social isolation, improve mental and physical health, and lead to an overall better quality of life;

And whereas Autism Home Base, based in Bowmanville and with weekly drop-ins at McLean Community Centre in Ajax, provides supports and services to 191 Durham Region families, or more than 450 participants, five days a week;

And whereas by supporting programs for adults with ASD, the Government of Ontario can achieve its goal of keeping patients healthy in their communities and out of hospitals, as noted in the Ministry of Health's 2022-2023 Strategic Plan;

Now therefore be it resolved that Clarington Council formally requests that the Government of Ontario provide core funding for organizations providing programs, care, and services for adults with ASD, including Autism Home Base, as part of the 2024 Provincial Budget; and

That a copy of this resolution be forwarded to Premier Doug Ford, Minister Health Sylvia Jones, Minister Finance Peter Bethlenfalvy, Minister Mental Health and Addictions Michael Tibollo, Ajax MPP Patrice Barnes, Todd McCarthy, MPP Durham, David Piccini, MPP Northumberland-Peterborough South, the Region of Durham, the lower tier Durham municipalities, local school boards, the Association of Municipalities of Ontario, and Autism Ontario.

Carried

7.4 Staff Reports and Staff Memos

7.4.1 PDS-069-23 Housing Pledge for 13,000 Units by 2031 – Units Issued and Starts Update, 2023

Resolution # C-172-23

Moved by Councillor Anderson
Seconded by Councillor Elhajjeh

That Report PDS-069-23, and any related delegations or communication items, be received;

That a copy of Report PDS-069-23 be forwarded to the Ministry of Municipal Affairs and Housing with final unit count as of December 31, 2023; and

That any funds allocated to the Municipality of Clarington for meeting the 2023 Housing Targets be directed to the Municipality's non-profit housing fund.

Amendment

Resolution # C-173-23

Moved by Councillor Anderson
Seconded by Councillor Elhajjeh

That the foregoing Resolution #C-172-23 be amended by replacing the third paragraph with the following:

"That any funds allocated to the Municipality of Clarington for meeting the 2023 Housing Targets be directed to the Municipality's Capital Works reserve for Infrastructure and Parks needs identified in the Recreation Parks and Culture Master Plan".

Carried

Main Motion as Amended

Resolution # C-174-23

Moved by Councillor Anderson
Seconded by Councillor Elhajjeh

That Report PDS-069-23 and any related delegations or communication items, be received;

That a copy of Report PDS-069-23 be forwarded to the Ministry of Municipal Affairs and Housing with final unit count as of December 31, 2023; and

That any funds allocated to the Municipality of Clarington for meeting the 2023 Housing Targets be directed to the Municipality's Capital Works reserve for Infrastructure and Parks needs identified in the Recreation Parks and Culture Master Plan.

Carried

7.5 By-laws

Resolution # C-175-23

Moved by Councillor Anderson
Seconded by Councillor Woo

That leave be granted to introduce By-laws 2023-070 to 2023-074; and

That the said by-laws be approved.

Carried

7.5.1 2023-070 - Being a by-law to repeal By-law 2005-022, the Notice By-law

7.5.2 2023-071 - Being a by-law to amend the Cemetery By-law 2022-055, to add Lakeview Cemetery to the list of active cemeteries

7.5.3 2023-072 - Being a by-law to amend By-law 2015-059 entitled "a By-law to Regulate Traffic and Parking on Highways, Private Property, and Municipal Property"

7.5.4 2023-073 - Being a by-law to amend By-law 2021-009 to expand the responsibilities of the Committee of Adjustment to include consent granting authority pursuant to the Planning Act, R.S.O. 1990, c.P.13, as amended

7.5.5 2023-074 - Being a by-law to amend Schedule E of the Fee By-law 2023-044

8. Items for Separate Discussion

8.1 Correspondence from Allison Hansen, Regarding Report CSD-003-23 Rodenticides Use in Municipal Facilities (Item 8.1 of the December 4, 2023 General Government Committee Minutes)

Resolution # C-176-23

Moved by Councillor Woo
Seconded by Councillor Anderson

That Allison Hansen be notified of Council's decision on CSD-003-23 Rodenticide Use in Municipal Facilities.

Carried

8.2 Khaled El-Rahi, M.Sc., P.Eng, FEC, GSC, D'Orazio Infrastructure Group, Regarding a Request for Noise By-law Exemption for Microtunneling Operation

Resolution # C-177-23

Moved by Councillor Rang
Seconded by Councillor Anderson

That the request for a Noise By-law Exemption for Microtunneling, from Khaled El-Rahi, M.Sc., P.Eng., FEC, GSD, D'Orazio Infrastructure Group, for the period of January 15, 2024, to February 9, 2024, 24 hours per day, five days per week, be approved.

Carried

9. Business Arising from Procedural Notice of Motion

10. Unfinished Business

11. Confidential Items (Distributed Under Separate Cover)

11.1 Closed Minutes from the Newcastle Village Community Hall Board dated September 19, 2023

Item 11.1 was considered earlier in the meeting with 7.2 Advisory Committee and Local Boards Minutes.

11.2 Confidential Memo-002-23 Elexicon Update

Closed Session

Resolution # C-178-23

Moved by Councillor Anderson
Seconded by Councillor Elhajjeh

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 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 8:19 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 two resolutions were passed to provide direction to Staff.

12. Confirming By-Law

Resolution # C-179-23

Moved by Councillor Rang
Seconded by Councillor Elhajjeh

That leave be granted to introduce By-law 2023-075, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 18th day of December, 2023; and

That the said by-law be approved.

Carried

13. Adjournment

Resolution # C-180-23

Moved by Councillor Anderson
Seconded by Councillor Woo

That the meeting adjourn at 8:22 p.m.

Carried