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General Government Committee

Minutes

Date: March 4, 2024
Time: 9:30 a.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 W. Woo

Regrets: Councillor M. Zwart

Absent: Councillor C. Traill

Staff Present: M. Dempster, J. Newman, L. Patenaude, R. Maciver, T. Pinn, C. Salazar, D. Speed, J. Gallagher, L. Reck

1. Call to Order

Councillor Rang called the meeting to order at 9:31 a.m.

Councillor Woo joined later in the meeting at 9:36 a.m.

2. Land Acknowledgement Statement

Councillor Elhajjeh led the meeting in the Land Acknowledgement Statement.

3. Declaration of Interest

There were no disclosures of interest stated at this meeting.

4. Announcements

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

Councillor Woo joined the meeting at 9:36 a.m.

5. Presentations/Delegations (10 Minute Time Limit)

5.1 Delegation by Sandra Kearns, Regarding a Request to Amend Kennel By-law 2013-25 and Noise By-law 2007-071 to Prevent Noise from Impacting Neighbouring Properties

Sandra Kearns was present regarding a request to amend the Kennel and Noise By-law to prevent noise from impacting neighboring properties. Using an electronic presentation, Sandra expressed concerns and contradictions between the two by-laws. S. Kearns stated no contradictions have been found in any area municipality's by-laws. Sandra displayed videos of the constant barking sounds from her property. S. Kearns expressed concerns regarding the Kennel By-law, including Section 2.3 and the number of dogs allowed, site drawings, and operation requirements. Sandra also expressed concerns regarding the Public Special Events By-law, Section 3.23. S. Kearns concluded by requesting the Committee undertake a review of the by-laws to prevent noise from impacting neighboring properties and provide clarity on the regulations and answered questions from Members of Committee.

Resolution # GG-013-24

Moved by Councillor Anderson
Seconded by Councillor Elhajjeh

That the Delegation of Sandra Kearns, Regarding Request to Amend Kennel By-law 2013-025 and Noise By-law 2007-071 to Prevent Noise from Impacting Neighboring Properties, be referred to Staff to report back on the review of the by-laws.

Carried

5.2 Presentation by Andrea Smith, Policy Advisor, Corporate Initiatives, Region of Durham, Regarding the Development of Durham Region's 2025 Strategic Plan

Andrea Smith, Policy Advisor, Corporate Initiatives, Region of Durham, was present regarding the Development of Durham Region's 2025 Strategic Plan. Using an electronic presentation, Andrea provided the background of Durham Region's Strategic Plan. A. Smith outlined the approaches to strategy development and the development timeline. Andrea provided an overview of the engagement activities created and noted additional engagement opportunities will continue until June. A. Smith stated they are raising awareness and encouraging engagement in their survey and answered questions from Members of Committee.

Resolution # GG-014-24

Moved by Mayor Foster
Seconded by Councillor Elhajjeh

That the Delegation by Andrea Smith, Policy Advisor, Corporate Initiatives, Region of Durham, Regarding the Development of Durham Region's 2025 Strategic Plan, be received with thanks.

Carried

5.3 Presentation by Inspector Stefanie Finateri, Officer-in-Charge, Durham Regional Police Service, Regarding a 2023 Annual Review

Inspector Stefanie Finateri, Officer-in-Charge, Durham Regional Police Services, was present regarding the 2023 Annual Review. Using an electronic presentation, Inspector Finateri provided an overview the 2023 East Division boundaries. Inspector S. Finateri explained the comparisons of roadway safety, street/compliance checks, calls for service, general occurrences, and stolen vehicles, between 2022 to 2023. Inspector Finateri provided an overview of their notice of community crime program, outlined the community initiative programs, and answered questions from Members of Committee.

Resolution # GG-015-24

Moved by Councillor Woo
Seconded by Councillor Anderson

That the Delegation by Inspector Stefanie Finateri, Officer-in-Charge, Durham Regional Police Service, Regarding a 2023 Annual Review, be received with thanks.

Carried

Recess

Resolution # GG-016-24

Moved by Mayor Foster
Seconded by Councillor Elhajjeh

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 10:56 a.m. with Councillor Rang in the Chair.

5.4 Presentation by Jocelyn Siciliano, Sahar Foroutani, and Stella Danos-Papaconstantinou, Region of Durham, Regarding Homelessness in Durham Region

Sahar Foroutani, Area Manager of Homeless System Team, Jocelyn Siciliano, Area Manager of Homeless Direct Delivery Team, and Stella Danos-Papaconstantinou, Commissioner of Social Services, Region of Durham, were present regarding a Homelessness Overview. Sahar provided an overview of the homelessness system including emergency shelters, supports, and services, homelessness prevention, and housing and related services. S. Foroutani explained the various situations of homelessness including unsheltered, emergency shelter, temporarily accommodated, and at risk of homelessness. Sahar provided an overview of the Housing First program, the coordinated access system, and the by-name list. Jocelyn outlined their homelessness outreach services (Mental Health Outreach Program, Primary Care Outreach Program, and Durham Region Outreach Workers) and additional community street outreach programs. J. Siciliano provided an overview of their key performance indicators, homeless help contact information and training opportunities. Sahar, Jocelyn, and Stella answered questions from Members of Committee.

Resolution # GG-017-24

Moved by Councillor Anderson
Seconded by Councillor Woo

That the Delegation by Sahar Foroutani, Area Manager of Homeless System Team, Jocelyn Siciliano, Area Manager of Homeless Direct Delivery Team, and Stella Danos-Papaconstantinou, Commissioner of Social Services, Region of Durham, Regarding a Homelessness Overview, be received with thanks.

Carried

5.5 Presentation by Rob Maciver, Deputy CAO/Solicitor, Regarding Report LGS-008-24, Municipal Regulations for Encampments

Rob Maciver, Deputy CAO/Solicitor, was present regarding Report LGS-008-24, Municipal Regulations for Encampments. Using an electronic presentation, Rob provided an overview of the changing social landscape and summarized the existing municipal regulation framework. R. Maciver provided an overview of recent legal rulings in Waterloo, City of Kingston, and Court Cases from British Columbia. Rob explained the new approach to encampment regulation, which will replace the current Parks By-law. R. Maciver displayed photos of different encampment sites and noted the by-law will outline where encampment sites are unsuitable. Rob added that unregulated encampment sites become more permanent, and large, etc. R. Maciver explained the new approach which includes providing a space for temporary shelter overnight, with rules of maximum areas and distance regulations. Rob explained that an encampment protocol for Municipal Law Enforcement will be created, and Staff will work in

close consultation with Durham Region and DRPS. R. Maciver answered questions from Members of Committee.

5.5.1 LGS-008-24 - Municipal Regulation of Encampments

Resolution # GG-018-24

Moved by Councillor Anderson
Seconded by Councillor Woo

That Report LGS-008-24, and any related delegations or communication items, be received;

That the By-law, included as Attachment 1 of Report LGS-008-24, to amend By-law 2006-126, a by-law to regulate public parks and open spaces in Clarington, be approved;

That the Legislative Services Department is directed to prepare an encampment response protocol for Municipal Law Enforcement Officers in consultation with the Region of Durham and the Durham Regional Police Services; and

That all interested parties listed in Report LGS-008-24, and any delegations, be advised of Council's decision.

Carried Later in the Meeting, see following motion

Suspend the Rules

Resolution # GG-019-24

Moved by Councillor Anderson
Seconded by Councillor Elhajjeh

That the Rules of Procedure be suspended to extend the meeting until the discussion of Item 5.1.1 is complete.

Carried

The foregoing Resolution #GG-018-24 was then put to a vote and carried.

The Committee recessed for their one hour scheduled break in accordance with the Procedural By- law.

The meeting reconvened at 1:07 p.m. with Councillor Rang in the Chair.

5.6 Delegation by Lynn Jeffs, Gems for Gems, Regarding Report PUB-003-23 Hope's Cradle

Lynn Jeffs, Gems for Gems, was present via electronic means regarding Report PUB-003-23 Hope's Cradle. Lynn explained the background of three cradles in Canada and why they are important. L. Jeffs stated that the Fire Chief and Council have supported the addition of Hope's Cradle in Fire Station #1. Lynn explained the process of Hope's Cradle and the stakeholders involved. L. Jeffs requested Committee to table the decision to the next General Government Committee Meeting so that Gems for Gems can prepare information to address concerns put forward by Children's Aid and DRPS. Lynn answered questions from Members of Committee.

Alter the Agenda

Resolution # GG-020-24

Moved by Mayor Foster
Seconded by Councillor Anderson

That the Agenda be altered to consider Report PUB-003-24, at this time.

Carried

6.3 PUB-003-24 - Hope's Cradle

Resolution # GG-021-24

Moved by Mayor Foster
Seconded by Councillor Anderson

That Report PUB-003-24, and any related delegations or communication items, be referred to the April 8, 2024, General Government Committee meeting;

That Clarington Council support, in principle, the opening of the Bowmanville Hope's Cradle;

That Staff engage in further discussion with the stakeholders; and

That all interested parties listed in PUB-003-24, and any delegations, be advised of Council's decision.

Carried

6. Consent Agenda

Resolution # GG-022-24

Moved by Mayor Foster
Seconded by Councillor Elhajjeh

That all items listed in Section 6, with the exception of Item 6.3 (previously considered), be approved on consent.

Carried

6.1 Correspondence from the Newcastle Memorial Arena Requesting Funds to Purchase a Scrubber

Resolution # GG-023-24

That Staff release the remaining funds in the Newcastle Operating Reserve Funds to the Newcastle Memorial Arena Board, to purchase a Scrubber.

6.2 Correspondence from the Region of Durham, Regarding a Request to the Province to Permanently Remove Tolls on Highway 407 Between Brock Road in Pickering and Highway 35/115 (Mayor Foster)

Resolution # GG-024-24

That the following resolution from the Region of Durham, regarding Request to the Province to Permanently Remove Tolls on Highway 407 Between Brock Road in Pickering and Highway 35/115, be endorsed by the Municipality of Clarington:

Whereas Highway 407 from Brock Road (Regional Road 1) in Pickering to Highway 35/115 is provincially owned and tolls are set by the province;

And whereas the province introduced legislation that if passed would ban tolls from provincially owned highways including all 400-series highways except for Highway 407 which is located almost exclusively in Durham Region;

And whereas if excluded from the proposed ban on tolls, Highway 407 would become the only tolled provincially owned highway in Ontario, resulting in unfair economic impacts to Durham Region residents and businesses;

And whereas the Province of Ontario has previously removed tolls on Highways 412 and 418 located within Durham, demonstrating the willingness to removing existing unfair tolls on provincially owned highways and should therefore include the provincial 407 as part of the proposed legislation;

And whereas the removal of tolls on the provincial Highway 407 would reduce the cost of living for Durham Region residents and drive economic growth, while ensuring fair and equitable treatment across all provincial 400-series highways;

Now therefore be it resolved that the Council of the Regional Municipality of Durham hereby requests that the Province of Ontario include the provincially owned portion of Highway 407 in any legislation banning tolls on provincially owned highways; and

That a copy of this resolution be sent to The Honourable Doug Ford, Premier of Ontario, the Honourable Prabmeet Sarkaria, Minister of Transportation, The Honourable Vijay Thanigasalam, Associate Minister of Transportation, all local Durham MPPs, and all Durham local area municipalities; the City of Kawartha Lakes, Peterborough County, Northumberland County, Cobourg, Belleville and their MPs and MPPs; the Ontario Trucking Association; and associations related to the farming community in Durham Region and Ontario.

6.4 PUB-004-24 - Emergency Management By-law Amendments

Resolution # GG-025-24

That Report PUB 004-24, and any related delegations or communication items, be received;

That By-Laws 2018-010, 2018-072, and 2022-28 containing Clarington's Emergency Management Plan be repealed, and that the By-law attached to Report PUB-004-24 as Attachment 2, containing Clarington's recommended Emergency Management Plan, be approved; and

That all interested parties listed in Report PUB 004-24, and any delegations, be advised of Council's decision.

6.5 PUB-005-24 - Bowmanville Dog Park Lighting Update

Resolution # GG-026-24

That Report PUB-005-24, and any related delegations or communication items, be received;

That Council direct Staff in the Infrastructure division to include a project for the installation of a hardwired lighting system for the Bowmanville Leash Free Park as part of the 2025-2027 capital budget request.

6.6 FSD-009-24 - 2023 Annual Council Remuneration Report

Resolution # GG-027-24

That Report FSD-009-24, be received for information.

6.7 FSD-010-24 - Shaw House Accessibility Upgrades – Additional Funding

Resolution # GG-028-24

That Report FSD-010-24, be received;

That additional funds in the amount of \$131,170 to complete the Shaw House Renovation project be allocated from the Community Services Building Refurbishment Reserve Fund be approved;

That \$193,830 of unexpended capital project funds be reallocated to the Shaw House Renovation project be approved; and

That all interested parties listed in Report FSD-010-24, and any delegations be advised of Council's decision.

6.8 LGS-006-24 - 2023 Annual Accessibility Update

Resolution # GG-029-24

That Report , and any related communication items, be received;

That the Report be placed on the Municipal website to meet the Accessibility for Ontarians with Disabilities Act (AODA) requirements; and

That all interested parties listed in Report be advised of Council's decision.

6.9 LGS-007-24 - Printing Services for External Organizations

Resolution # GG-030-24

That Report LGS-007-24, and any related delegations or communication items, be received;

That the Council Policy for Printing Services for Non-Profit Organizations, arising out of Report CLD-005-01, be repealed;

That the CAO be responsible for establishing a Management Directive for printing services for external organizations; and

That all interested parties listed in Report LGS-007-24, and any delegations, be advised of Council's decision.

6.10 LGS-009-24 - Assumption of Road Widening

Resolution # GG-031-24

That Report LGS-009-24, and any related delegations or communication items, be received; and

That the By-law attached to Report LGS-009-24, as attachment 1, be approved.

6.11 LGS-010-24 - Diversity in Clarington - 2023 Update on Diversity Initiatives and Clarington's Diversity Advisory Committee

Resolution # GG-032-24

That Report LGS-010-24 be received for information.

That all interested parties listed in Report LGS-010-24, and any delegations, be advised of Council's decision.

6.12 LGS-011-24 - Advisory Board and Committee's Terms of Reference Update

Resolution # GG-033-24

That Report LGS-011-24, and any related delegations or communication items, be received;

That Resolution #GPA-008-04, regarding the Protocol for Council – Appointed Advisory Committees, approved in 2004, be rescinded;

That Clarington's Task Force on Affordable Housing be discontinued and that the members be thanked for their contribution;

That the Tourism Advisory Committee be discontinued;

That the proposed new Terms of References for Clarington's Advisory Committees, as Attachments 1 through 7 to Report LGS-011-23, be approved;

That Staff be directed to advertise for the vacancies on the Accessibility Advisory Committee and Samuel Wilmot Nature Area Management Advisory Committee; and

That all interested parties listed in Report LGS-011-24, and any delegations be advised of Council's decision.

7. Items for Separate Discussion

7.1 LGS-012-24 - Appointments to the Bowmanville Santa Claus Parade Committee, Clarington Active Transportation and Safe Roads Advisory Committee, Diversity Advisory Committee, and Newcastle Village Community Hall Board

Resolution # GG-034-24

Moved by Mayor Foster

Seconded by Councillor Woo

That Report LGS-012-24, and any related delegations or communication items, be received;

That the resignations of Janet Lange, Jennifer Van Huss, Michelle Speirs, Brad Jakobsen, Henry Wildeboer, Nakul Roy, Mary Taylor, Meera MacDonald, Yasmin Shafi, Andaleeb Shafi, and Sharon Grant-Young, be received;

That the applicants for the Clarington Task Force on Affordable Housing vacancies, be notified of Council's decision to discontinue the Task Force;

That Staff be authorized to re-advertise for the remaining vacancy on the Newcastle Village Community Hall Board;

That the Committee consider the applications for appointments to the Bowmanville Santa Claus Parade Committee, Clarington Active Transportation and Safe Roads Advisory Committee, and Diversity Advisory Committee, and that the vote be conducted to appoint the citizen representatives, in accordance with the Appointment to Boards and Committees Policy; and

That all interested parties listed in Report LGS-012-24 and any delegations be advised of Council's decision.

Carried

Resolution # GG-035-24

Moved by Mayor Foster

Seconded by Councillor Woo

Bowmanville Santa Claus Parade Committee

That Cailley Hinbest, Dory Strikwerda, Ron Hooper, and Sajith Gnanasikhamani (Kevin), be appointed to the Bowmanville Santa Claus Parade Committee for a term ending December 31, 2026, or until a successor is appointed.

Carried

Clarington Active Transportation and Safe Roads Advisory Committee

That Deborah Dorion be appointed to the Clarington Active Transportation and Safe Roads Advisory Committee for a term ending December 31, 2026, or until a successor is appointed.

Clarington Diversity Advisory Committee

That Beverley Neblett, Rochelle Thomas, and Vincent Wong, be appointed to the Diversity Advisory Committee for a term ending December 31, 2024, or until a successor is appointed.

7.2 Correspondence from Ron Morissette, Contract Supervisor Works Construction, Region of Durham, Regarding a Request for Noise By-law Exemption

Resolution # GG-036-24

Moved by Mayor Foster

Seconded by Councillor Anderson

That the request to extend the Noise By-law Exemption, from Ben McWade, P. Eng, Acting Manager, Construction Management Services, Region of Durham, to July 30, 2024, be approved.

Carried

8. Unfinished Business

9. New Business

9.1 Request the Province to Undertake a Comprehensive Social and Economic Prosperity Review for Municipal Sustainability (Mayor Foster)

Resolution # GG-037-24

Moved by Mayor Foster

Seconded by Councillor Elhajjeh

Whereas current provincial-municipal fiscal arrangements are undermining Ontario's economic prosperity and quality of life;

And whereas nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year;

And whereas municipal revenues, such as property taxes, do not grow with the economy or inflation;

And whereas unprecedented population and housing growth will require significant investments in municipal infrastructure;

And whereas municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises;

And whereas inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity;

And whereas property taxpayers – including people on fixed incomes and small businesses – can't afford to subsidize income re-distribution programs for those most in need;

And whereas the province can, and should, invest more in the prosperity of communities;

And whereas municipalities and the provincial government have a strong history of collaboration;

Now therefore be it resolved that the Municipality of Clarington requests that the Province of Ontario commit to undertaking, with the Association of Municipalities of Ontario (AMO), a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario; and

That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, local MPPs, AMO and the Municipal Finance Officers' Association of Ontario (MFOA).

Carried

9.2 Request for Report to Change Procedural By-law Regarding Delegations (Mayor Foster)

Resolution # GG-038-24

Moved by Mayor Foster

Seconded by Councillor Elhajjeh

That the Municipal Clerk be directed to prepare a report for possible wording changes to the Procedural By-law, as follows:

1. Require all requests for delegations to be accompanied by a written submission, to be included in the Agenda, outlining their subject, their address, their reason for delegating, their desired action requested of Council, and any supporting documentation.
2. For matters which are more properly within the responsibility of staff, the Clerk shall notify the proposed delegate that the delegation shall not be listed on the agenda and shall direct the proposed delegate to the appropriate department. The delegation shall not be listed on an agenda until staff has had the opportunity to address the matter.
3. Not allow delegations who are there for the sole purpose of generating publicity for an event.
4. Not allow candidates, or nominees, for a political party.
5. Regarding decorum, add the following clause as follows:
 - a. "No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public or Council and Committee."
 - b. Members of the public shall be respectful of Council, staff, delegations and all attendees at the meeting by refraining from public outbursts, heckling, shouting, making comments, or behaviour intended to disrupt the debate, discussion and/or general proceedings.
 - c. Attendees shall not engage in conversations, display placards or props.

6. Change the time limit for delegations from ten minutes to five minutes, with a single extension of two minutes (as the exception only) by majority vote. Should there be more than one individual that registers to speak as a group, the group shall be allotted up to ten minutes to delegate.

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

Amendment

Resolution # GG-039-24

Moved by Councillor Elhajjeh

Seconded by Mayor Foster

That the foregoing Resolution #GG-038-24 be amended by replacing the words "single extension of two minutes (as the exception only)" with the words "single extension of up to five minutes" in paragraph 6.

Carried

Main Motion as Amended

Resolution # GG-040-24

Moved by Mayor Foster

Seconded by Councillor Elhajjeh

That the Municipal Clerk be directed to prepare a report for possible wording changes to the Procedural By-law, as follows:

1. Require all requests for delegations to be accompanied by a written submission, to be included in the Agenda, outlining their subject, their address, their reason for delegating, their desired action requested of Council, and any supporting documentation.
2. For matters which are more properly within the responsibility of staff, the Clerk shall notify the proposed delegate that the delegation shall not be listed on the agenda and shall direct the proposed delegate to the appropriate department. The delegation shall not be listed on an agenda until staff has had the opportunity to address the matter.
3. Not allow delegations who are there for the sole purpose of generating publicity for an event.
4. Not allow candidates, or nominees, for a political party.

5. Regarding decorum, add the following clause as follows:
 - a. "No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public or Council and Committee."
 - b. Members of the public shall be respectful of Council, staff, delegations and all attendees at the meeting by refraining from public outbursts, heckling, shouting, making comments, or behaviour intended to disrupt the debate, discussion and/or general proceedings.
 - c. Attendees shall not engage in conversations, display placards or props.
6. Change the time limit for delegations from ten minutes to five minutes, with a single extension of up to five minutes by majority vote. Should there be more than one individual that registers to speak as a group, the group shall be allotted up to ten minutes to delegate.

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

Carried

9.2.1 Correspondence from Libby Racansky, Expressing Concerns about Proposed Procedural By-law Changes

Item 9.2.1, Correspondence from Libby Racansky, Expressing Concerns about Proposed Procedural By-law Changes, was considered during Item 9.2.

9.3 Oath of Office (Councillor Anderson)

Resolution # GG-041-24

Moved by Councillor Anderson

Seconded by Councillor Woo

That Council approves the Clarington Diversity Advisory Committee's recommendation, in their February 2, 2024 minutes, regarding the Oath of Office for Members of Council;

That Council calls upon the Province of Ontario to make changes to the Oath of Office to include indigenous and treaty rights by changing the oath of office to the following, which has been endorsed by many Ontario municipalities:

"I will be faithful and bear true allegiance to His Majesty King Charles III and I will faithfully observe the laws of Canada including the Constitution, which recognizes and affirms the

Indigenous and treaty rights of First Nations, Inuit and Metis peoples."

That this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the local MPPs, the Durham Area Municipalities, the Clarington Diversity Committee, and any other interested parties.

Carried

10. Confidential Items

Suspend the Rules

Resolution # GG-042-24

Moved by Mayor Foster
Seconded by Councillor Woo

That the Rules of Procedure be suspended to add an additional item, Regarding the Hampton Hall Board, to the Agenda.

Carried

Closed Session

Resolution # GG-043-24

Moved by Mayor Foster
Seconded by Councillor Woo

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

10.1 Hampton Hall Board (Councillor Anderson)

Rise and Report

The meeting resumed in open session at 2:57 p.m.

Councillor Rang 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.

11. Adjournment

Resolution # GG-045-24

Moved by Councillor Elhajjeh
Seconded by Councillor Anderson

That the meeting adjourn at 2:58 p.m.

Carried