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## Council Minutes

**Date:** September 23, 2024  
**Time:** 6:30 p.m.  
**Location:** Council Chambers or Electronic Participation  
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, R. Maciver, T. Pinn, L. Reck, J. Gallagher, M. Chambers

**Other Staff Present:** L. Backus, P. Da Silva, J. MacLean, J. O'Meara, B. Rice, K. Richardson, A. Tapp, M. Westover

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**1. Call to Order**

Mayor Foster called the meeting to order at 6:33 p.m.

**2. Moment of Reflection**

Councillor Rang led the meeting in a moment of reflection.

**3. Land Acknowledgement Statement**

Councillor Rang 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

### 6.1 Recognition of Dylan Weatherdon for Achievements at the Canadian Taekwondo National Championship Tournament

Mayor Foster noted that Dylan has been taking Taekwondo for six years and recently began competing at the high-performance international level. Mayor Foster added that after completing in Provincials twice, Dylan qualified for the national tournament. The Canadian Taekwondo National Championship Tournament took place on July 7, 2024, in Winnipeg, Manitoba. After four thrilling and challenging matches, winning 2 fights and losing 2 fights, Dylan brought home the bronze medal with pride. Mayor Foster thanked Dylan for representing Clarington and a certificate was presented.

### 6.2 John McDermott, McDermott & Associates Limited, regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan

John McDermott, McDermott & Associates Limited, was present regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan. John was present on behalf of the property owners and supports deferring the matter. J. McDermott explained that there are concerns being brought forward and the deferring would provide more time to discuss with staff.

### 6.3 Andrew Rice regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan

Andrew Rice was present regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan. Andrew supports referring the Report and, is looking forward to further discussion with staff, and thanked the Members of Council.

### 6.4 Bill Grainger regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan

Bill Grainger was present regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan. Bill noted concerns with the soil testing data and requested that this information be made available to the public. B. Grainger added that people should know what will be released into the air, ground, and water when the building is demolished. Bill requested that an independent soil testing company should be hired by the Municipality as not all testing is the same and the public should be made aware of the results. B. Grainger asked where the trucks are taking the soil from the demolition site and what is being done with that soil. Bill asked why the demolition has come to an abrupt stop. B. Grainger supports housing in that area but has concerns with the lack of notification, chemicals going into the soil, and the Bowmanville Creek, and increased traffic. Bill answered questions from the Members of Council.

**6.5 Aralia Grainger regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan**

Aralia Grainger was present regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan. Aralia is concerned for the animals, the Bowmanville Creek, and fish due to the potential chemicals and pollution in the air and the water as a result of the demolition of the Goodyear Plant. A. Grainger does not support a new modern building, is concerned with the noise and for the residents of the nearby senior's residence. Aralia is concerned with the increased traffic and how the closure of Queen Street could impact the Bowmanville hospital and the impact on the downtown businesses. Aralia feels the soil testing needs to be made public to address concerns related to contamination of the soil. A. Grainger answered questions from the Members of Council.

**6.6 Kathi Moyer regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan**

Kathi Moyer notified the Clerk's Division prior to the meeting to withdraw the delegation.

**6.7 Ryan Guetter, Weston Consulting, regarding Report PDS-033-24 - Bowmanville East Urban Center Secondary Plan**

Ryan Guetter, Weston Consulting notified the Clerk's Division prior to the meeting to withdraw the delegation.

**7. Consent Agenda**

**7.1 Council and Standing Committee Minutes**

**7.1.1 Minutes from the regular meeting of Council dated June 24, 2024**

Resolution # C-081-24

Moved by Councillor Anderson  
Seconded by Councillor Elhajjeh

That the minutes from the regular meeting of Council dated June 24, 2024, be adopted.

**Carried**

## **7.1.2 Minutes from the General Government Committee Meeting dated September 9, 2024**

Resolution # C-082-24

Moved by Councillor Anderson  
Seconded by Councillor Elhajjeh

That the minutes from the General Government Committee meeting dates dated September 9, 2024, be approved, with the exception of Items 6.6, 5.4, and 7.1.

**Carried**

### **7.1.2.1 Item 6.6 - LGS-032-24 - Exotic Pet By-law – Backyard Chickens**

Resolution # C-083-24

Moved by Councillor Zwart  
Seconded by Councillor Woo

Whereas the Exotic Pet By-law 2012-045 prohibits livestock, including chickens, on land that is not in an Agricultural Zone;

And whereas Council wishes to allow 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:

1. That Report LGS-032-24 be received;
2. That Staff be directed to prepare a by-law, for the October 28, 2024, Council agenda, to amend the Exotic Pet By-law 2012-045 to permit backyard chickens for the purpose of egg laying within rural hamlets, rural clusters, and within the boundaries of the Village of Orono;
3. That the amendment include the regulations set out in Section 6.3 of Report LGS-032-24;
4. That, if unmanageable enforcement issues result, Staff shall report the matter to Council and may include a recommendation to repeal the amendment;
5. That all interested parties listed in Report LGS-032-24, and any delegations be advised of Council's decision.

**Carried**

**Item 5.4 - Delegation by Judith Hanson, CEO, Autism Home Base Durham Inc., Regarding Request for Funding Through External Agencies Budget**

Resolution # C-084-24

Moved by Councillor Rang

Seconded by Councillor Elhajjeh

That the Delegation of Judith Hanson, CEO, Autism Home Base Durham Inc. regarding a Request for Funding Through External Agencies Budget, be received with thanks.

**Carried**

**Item 7.1 - LGS-030-24 - Appointments to the Ganaraska Forest Recreational User Committee and Property Standards Committee**

Resolution # C-085-24

Moved by Councillor Woo

Seconded by Councillor Zwart

That Report LGS-030-24, and any related delegations or communication items, be received;

That the resignation of Marven Whidden, from the Ganaraska Forest Recreational User Committee and Property Standards Committee, be received;

That the Committee consider the applications for appointments to the Ganaraska Forest Recreational User Committee and Property Standards 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-030-24, and any delegations be advised of Council's decision.

**Carried as Amended, see following motions**

Resolution # C-086-24

Moved by Councillor Woo

Seconded by Councillor Rang

That the foregoing Resolution #C-085-24 be amended by adding the following after paragraph two:

"That a note of condolence be sent to the family of Marven Whidden, from the Chair of the Property Standards Committee."

**Carried**

The foregoing Resolution #C-084-24 was then put a vote and carried as amended.

## **Main Motion as Amended**

Resolution # C-087-24

That Report LGS-030-24, and any related delegations or communication items, be received;

That the resignation of Marven Whidden, from the Ganaraska Forest Recreational User Committee and Property Standards Committee, be received;

That a note of condolence be sent to the family of Marven Whidden, from the Chair of the Property Standards Committee;

That the Committee consider the applications for appointments to the Ganaraska Forest Recreational User Committee and Property Standards 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-030-24, and any delegations be advised of Council's decision.

### **7.1.3 Minutes from the Special General Government Committee meeting dated September 16, 2024**

Resolution # C-088-24

Moved by Councillor Traill

Seconded by Councillor Woo

That the minutes from the Special General Government Committee meeting dated September 16, 2024, adopted, with the exception of Item 7.2.

**Carried**

### **Item 7.2 - PUB-012-24 - Camp 30 Cafeteria Building and Jury Lands Foundation Grant Application**

Resolution # C-089-24

Moved by Councillor Traill

Seconded by Councillor Woo

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

That Council endorse, in principle, the Jury Lands Foundation's Legacy Grant application and direct Jury Lands Foundation to provide the completed Legacy Fund application for review for the September 23 Council meeting;

That the Deputy CAO/Solicitor is authorized to execute a ten-year lease with the Jury Lands Foundation for the portion of the Camp 30 property owned by the Municipality, with the form and content substantially in accordance with the draft document provided to the Jury Lands Foundation on August 16, 2024;

That Council consider the financial investment required to stabilize the cafeteria building as part of future plans for the Jury Lands; and any decision be deferred to October 28, 2024, Council Meeting, alongside the Parks, Recreation, and Culture Master Plan (PRCMP); and

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

Yes (7): Mayor Foster, Councillor Anderson, Councillor Elhajjeh, Councillor Rang, Councillor Traill, Councillor Woo, and Councillor Zwart

**Carried as amended on a Recorded Vote Later in the Meeting, See following Motions (7 to 0)**

Resolution # C-090-24

Moved by Councillor Traill  
Seconded by Councillor Woo

That the foregoing Resolution #C-089-24 be amended by replacing paragraph two with the following:

"That Council endorse the Jury Lands Foundation's Legacy Grant application."

**Carried**

The foregoing Resolution #C-089-24 was then put a vote and carried as amended on a recorded vote.

**Main Motion as Amended**

Resolution # C-091-24

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

That Council endorse the Jury Lands Foundation's Legacy Grant application;

That the Deputy CAO/Solicitor is authorized to execute a ten-year lease with the Jury Lands Foundation for the portion of the Camp 30 property owned by the Municipality, with the form and content substantially in accordance with the draft document provided to the Jury Lands Foundation on August 16, 2024;

That Council consider the financial investment required to stabilize the cafeteria building as part of future plans for the Jury Lands; and any decision be deferred to October 28, 2024, Council Meeting, alongside the Parks, Recreation, and Culture Master Plan (PRCMP); and

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

### **7.1.3.1 Completed Jury Lands Legacy Fund Application**

This matter was considered during the discussion of Item 7.2 of Special General Government Committee Minutes.

### **7.1.4 Minutes from the Planning and Development Committee meeting dated September 16, 2024**

Resolution # C-092-24

Moved by Councillor Woo  
Seconded by Councillor Anderson

That the minutes from the Planning and Development Committee meeting dated September 16, 2024, be adopted with the exception of Items 6.1 and 10.1.1.

**Carried**

#### **Item 6.1 PDS-033-24 - Bowmanville East Urban Centre Secondary Plan Recommendation Report**

Resolution # C-093-24

Moved by Councillor Anderson  
Seconded by Councillor Rang

That PDS-033-24 - Bowmanville East Urban Centre Secondary Plan Recommendation Report be referred to November 18, 2024, Council Meeting.

**Carried**

#### **Item 10.1.1 - PDS-035-24 - Zoning By-law Amendment Application to Facilitate the Severance of a Surplus Farm Dwelling on Concession Road 6 in Darlington**

Resolution # C-094-24

Moved by Councillor Woo  
Seconded by Councillor Elhajjeh

That Report PDS-035-24 and any related communication items, be received;

That the By-law to amend Zoning By-law 84-63 attached to Report PDS-035-24, as Attachment 1, be approved; and

That all interested parties listed in Report PDS-035-24, and any delegations, be advised of Council's decision.

Yes (7): Mayor Foster, Councillor Anderson, Councillor Elhajjeh, Councillor Rang, Councillor Traill, Councillor Woo, and Councillor Zwart

**Carried on a recorded vote (7 to 0)**



**7.1.4.1 Correspondence from Lee English, BLG, regarding Report PDS-034-24, Addition to the Municipal Register, and Heritage Designation as a Condition of Approval of Development Applications of Redevelopment at 98 Concession Street East, Bowmanville**

This matter was considered during Item 7.1.4.

**7.2 Advisory Committee and Local Board Minutes**

Resolution # C-095-24

Moved by Councillor Zwart  
Seconded by Councillor Woo

That all Items listed in Section 7.2, be approved on consent in accordance with the agenda, with the exception of Items 7.2.9 and 7.2.6.

**Carried**

**7.2.1 Minutes from the Samuel Wilmot Nature Area Management Advisory Committee meeting dated May 21 and June 18, 2024**

That the minutes from the Samuel Wilmot Nature Area Management Advisory Committee meeting dated May 21 and June 18, 2024, be received for information.

**7.2.2 Minutes from the Newcastle Memorial Arena Board meeting dated June 4, July 9, August 13, and September 10, 2024**

That the minutes from the Newcastle Memorial Arena Board meeting dated June 4, July 9, August 13, and September 10, 2024, be received for information.

**7.2.3 Minutes from the Clarington Heritage Committee meeting dated June 18, 2024**

That the minutes from the Clarington Heritage Committee meeting dated June 18, 2024, be received for information.

**7.2.4 Minutes from the Tyrone Community Hall Board meeting dated June 19, 2024**

That the minutes from the Tyrone Community Hall Board meeting dated June 19, 2024, be received for information.

**7.2.5 Minutes from the Clarington Diversity Advisory Committee Special meeting dated August 12, 2024**

That the minutes from the Clarington Diversity Advisory Committee Special meeting dated August 12, 2024, be received for information.

**7.2.7 Minutes from the Solina Hall Board meeting dated August 16, 2024**

That the minutes from the Solina Hall Board meeting dated August 16, 2024, be received for information.

**7.2.8 Minutes from the Active Transportation and Safe Roads Advisory Committee meeting dated August 29, 2024**

That the minutes from the Active Transportation and Safe Roads Advisory Committee meeting dated August 29, 2024, be received for information.

**7.2.10 Minutes from the Clarington Accessibility Advisory Committee meeting dated June 19, 2024**

That the minutes from the Clarington Accessibility Advisory Committee meeting dated June 19, 2024, be received for information.

**7.2.6 Minutes from the Bowmanville Santa Claus Parade Committee meeting dated August 14, 2024**

Resolution # C-096-24

Moved by Councillor Rang  
Seconded by Councillor Zwart

That the minutes from the Bowmanville Santa Claus Parade Committee meeting dated August 14, 2024, be received for information.

**Carried**

Resolution # C-097-24

Moved by Councillor Rang  
Seconded by Councillor Zwart

Whereas Section 5.8 of the Bowmanville Santa Claus Parade Committee Terms of Reference states that “If a member is absent for three consecutive meetings, the Committee, by resolution, may request that Council remove the Member, including a Member of Council, from the Committee;” and

Whereas Bowmanville Santa Claus Parade Committee member Sajith Gnanasikhamani, (Kevin) has been absent for three consecutive meetings;

Therefore be it resolved that S. Gnanasikhamani, (Kevin) be removed from the Bowmanville Santa Claus Parade Committee and the vacancy be filled.

**Carried**

## **7.2.9 Minutes from the Clarington Diversity Advisory Committee meeting dated September 12, 2024**

Resolution # C-098-24

Moved by Councillor Rang  
Seconded by Councillor Woo

That the minutes from the Clarington Diversity Advisory Committee meeting dated September 12, 2024, be received for information.

**Carried**

### **7.2.9.1 Motion regarding an Additional Rainbow Crosswalk**

Resolution # C-099-24

Moved by Councillor Rang  
Seconded by Councillor Woo

Whereas The Clarington Diversity Advisory Committee (CDAC) has recommended an additional Rainbow Crosswalk be implemented in Clarington in 2025;

Therefore be it resolved that Council endorses the recommendation of the CDAC and directs staff to explore the cost and process for installing an additional rainbow crosswalk in 2025 and report back to Council; and

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

**Carried**

### **7.2.9.2 Motion regarding Removal of a Committee Member**

Resolution # C-100-24

Moved by Councillor Anderson  
Seconded by Councillor Rang

Whereas Section 5.9 of the Clarington Diversity Advisory Committee (CDAC) Terms of Reference states that "If a member is absent for three consecutive meetings, the Committee, by resolution, may request that Council remove the Member, including a Member of Council, from the Committee;" and

Whereas CDAC member A. Ruddock has been absent for three consecutive meetings without any communication with the CDAC Staff Liaison or Chair; and

Whereas the CDAC has passed a motion to request Council to remove A. Ruddock from the committee

Therefore be it resolved that A. Ruddock be removed from the Clarington Diversity Advisory Committee and the vacancy be advertised, and

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

**Carried**

## 7.3 Communications

## 7.4 Staff Reports and Staff Memos

## 7.5 By-laws

Resolution # C-101-24

Moved by Councillor Rang

Seconded by Councillor Elhajjeh

That leave be granted to introduce By-laws 2024-040 to 2024-041; and

That the said by-laws be approved.

**Carried**

**7.5.1 2024-040 - Being a by-law to designate the property known for municipal purposes as 127 Church Street North Orono Municipality of Clarington as a property of historic or architectural value or interest under the Ontario Heritage Act RSO 1990 Chapter O.18**

**7.5.2 2024-041 - Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington**

## 8. Items for Separate Discussion

## 9. Business Arising from Procedural Notice of Motion

## 10. Unfinished Business

### 10.1 Delegation of Authority By-law (Report LGS-026-24)

Resolution # C-102-24

Moved by Councillor Anderson

Seconded by Councillor Woo

That Report LGS-026-24, and any related delegations or communication items, be received;

That the draft Delegation of Authority By-law, attached to Report LGS-026-24, as Attachment 2, excluding the columns titled "Recommended Action" and "Notes", be approved; and

That the following be rescinded and replaced with the delegation of authority within the draft by-law:

1. The Council approval of Resolution #GG-077-23 from March 20, 2023, regarding the authority to enter into Defibrillator Program Agreements;

2. The Council approval of Resolution #GG-201-23, from December 4, 2023, regarding the authority to execute any future amendments to the trail Licence Agreement required to accommodate the operational needs of either Ontario Power Generation or the Municipality;
3. The last paragraph of Resolution #C-190-15, from June 1, 2015, regarding the authority to appoint private parking enforcement officers.

That the Flag Protocol Policy and Proclamation Policy be updated to refer to the Delegation of Authority By-law;

That all interested parties listed in Report LGS-026-24, and any delegations be advised of Council's decision.

### **Carried**

#### **10.1.1 Memo-005-24 - Delegation of Authority By-law – Court Matters**

This matter was considered during Item 10.1.

#### **10.1.2 2024-042 - Being a By-law to provide delegations of authority from the Council of the Municipality of Clarington to Committees and Clarington Municipal Staff**

Resolution # C-102-24

Moved by Councillor Zwart

Seconded by Councillor Anderson

That leave be granted to introduce By-law 2024-042; and

That the said by-law be approved.

### **Carried**

#### **10.2 Report CAO-003-24 - Name for New Neighbourhood Park at 3301 Middle Road**

Resolution # C-103-24

Moved by Councillor Woo

Seconded by Councillor Anderson

That Report CAO-003-24, and any related delegations or communication items, be received;

That Council endorse Middle Park as the name of the new park at 3301 Middle Road in Bowmanville, based on Clarington's Park Naming Policy;

That Council direct staff to install a memorial bench, in a location meaningful to the family, in recognition of Spencer McCracken, a Bowmanville resident who tragically died in a traffic accident and received an outpouring of community support for memorial recognition; and that the \$3,107.50 fee for the bench be waived; and

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

**Carried**

## **10.2.1 Memo-006-24 - Name for New Neighbourhood Park at 3301 Middle Road**

This matter was considered during Item 10.2.

### **11. Confidential Items**

### **12. Confirming By-Law**

Resolution # C-104-24

Moved by Councillor Rang  
Seconded by Councillor Elhajjeh

That leave be granted to introduce By-law 2024-043, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 23rd day of September, 2024; and

That the said by-law be approved.

**Carried**

### **13. Adjournment**

Resolution # C-105-24

Moved by Councillor Rang  
Seconded by Councillor Elhajjeh

That the meeting adjourn at 8:15 p.m.

**Carried**