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Council Minutes

Date: May 4, 2020
Time: 7:00 PM
Location: Council Chambers, 2nd Floor
Municipal Administrative Centre
40 Temperance Street
Bowmanville, Ontario

Present Were: Mayor A. Foster

Present by Electronic Means: Councillor G. Anderson, Councillor R. Hooper, Councillor J. Jones, Councillor J. Neal, Councillor M. Zwart

Absent: Councillor C. Traill

Staff Present: A. Greentree, M. Chambers

Staff Present by Electronic Means: A. Allison, G. Acorn, R. Albright, S. Brake, F. Langmaid, R. Maciver, M. Marano, T. Pinn, G. Weir,

1. Call to Order

Mayor Foster called the meeting to order at 7:00 PM.

2. Moment of Reflection

Councillor Hooper led the meeting in a moment of reflection.

3. Land Acknowledgement Statement

Councillor Hooper recited the land acknowledgement statement.

4. Declaration of Interest

Councillor Neal declared an indirect interest in Item 1d of the Joint General Government and Planning and Development Committees Report, Memo from Faye Langmaid, Acting Director of Planning Services, regarding Recommendation Report - Proposed Official Plan Amendment and Rezoning to Implement the Bowmanville Neighbourhood Character Study.

5. **Announcements**

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

6. **Adoption of Minutes of Previous Meeting(s)**

6.1 **Minutes of a regular meeting of Council dated April 14, 2020**

Resolution # C-192-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That the minutes of the regular meeting of the Council held on April 14, 2020, be approved.

Carried

7. **Presentations**

7.1 **Gioseph Anello, Acting Director Solid Waste Management and Gary Muller, Director of Planning, Region of Durham Region Regarding Report PSD-013-20 - Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility**

Gioseph Anello, Acting Director Solid Waste Management and Gary Muller, Director of Planning, Region of Durham Region, were present via electronic means regarding Report PSD-013-20 - Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility. They made a verbal presentation to accompany an electronic presentation. Susan Siopis, Commissioner of Works, provided details of the presentation outline. Ms. Siopis noted the Elaine Baxter-Trahair, Chief Administrative Office and Brian Bridgeman, Commissioner of Planning were also present. Ms. Baxter-Trahair, noted that they have read the Staff report and are prepared to answer and address any questions. Mr. Anello highlighted the various types of mixed waste, the pre-sort process and the process of anaerobic digestion. He reviewed the various drivers for managing organic waste which included the regional drivers, market drivers and the provincial requirements. Mr. Anello provided details on the siting study process and the steps which have been taken to determine the proposed site and highlighted the surrounding area. He explained that the Region wants to ensure design excellence in the design and how they plan to achieve this. Mr. Anello reviewed the proposed site location and why it was chosen. He explained the facility development principles and noted an integrated and complementary approach was used. Mr. Anello explained the focus on the south site and the focus on ensuring compatibility and committing to zero odour emissions beyond the lot line. Mr. Muller reviewed the facility and how it is providing a distinct sustainability focus. He explained that they are looking to enable the development of a gateway and for the opportunity to develop the north side of this development. Mr. Muller concluded by noting the Region of Durham is committed to continuous engagement and to working with the

Municipality of Clarington to achieve the vision. Ms. Baxter-Trahair concluded by explaining their intent of this presentation is for the Municipality of Clarington to reconsider the decision to be an unwilling host for the Anaerobic Digestion Facility. She continued by noting that she hopes the presentation answered the questions and the Municipality of Clarington is able to share the vision for the project. Ms. Baxter-Trahair added that a recommendation report is going to Regional Council on May 27, 2020 which will include details on partnership, procurement and the siting process for proposed Anaerobic Digestion Facility. They answered questions from the Members of Council.

Ms. Siopis explained that the report is required for the May 27, 2020 Council meeting to permit the RFQ over the summer and the project procurement in the fall of 2020. This will allow the Region to meet the late 2023 early 2024 deadline for the completion of project.

Ms. Siopis confirmed that the Region would be willing enter into an agreement to detail where the waste will come from and that is will only include waste from the Region of Durham.

Resolution # C-193-20
Moved by Councillor Hooper
Seconded by Councillor Anderson

That the Rules of Procedure be suspended to allow Members of Committee to ask questions to the presentation from the Region of Durham for a second time.

Carried

Ms. Siopis noted that the integrated site they are envisioning does not exist in North America and will allow them to manage, take care of, and recover their own waste. She added that the no pre-sort facilities exist in North America however Anaerobic Digestion and Incineration do exist in North America.

Recess

Resolution # C-194-20
Moved by Councillor Neal
Seconded by Councillor Jones

That the Council recess for 10 minutes.

Carried

The meeting reconvened at 8:46 PM with Mayor Foster in the Chair.

8. Delegations

None

9. Communications – Receive for Information

There were no communications to be received for information.

10. Communications – Direction

10.1 Confidential Memo from Faye Langmaid regarding Courtice Waterfront and Energy Park Secondary Plan

10.2 Confidential Memo from Rob Maciver, Municipal Solicitor regarding Cedar Crest Beach – Beach Erosion/Property Loss

Resolution # C-195-20

Moved by Councillor Jones

Seconded by Councillor Hooper

That Correspondence Item 10.1 and 10.2 be approved on consent as follows:

That Correspondence Item 10.1, Memo from Faye Langmaid, Acting Director of Planning, regarding Courtice Waterfront and Energy Park Secondary Plan, be referred to the consideration of Item 8 of the Joint General Government and Planning and Development Committees Report.

That Correspondence Item 10.2, Memo from Rob Maciver, Municipal Solicitor regarding Cedar Crest Beach - Beach Erosion/Property Loss, be referred to the consideration of Item 7 of the Joint General Government and Planning and Development Committees Report.

Carried

11. Committee Reports

11.1 Advisory Committee Reports

11.1.1 Minutes of the Clarington Heritage Committee dated April 21, 2020

11.1.2 Minutes of the Tourism Advisory Committee dated April 21, 2020

Resolution # C-196-20

Moved by Councillor Zwart

Seconded by Councillor Neal

That Advisory Committee Report Items 11.1.1 and 11.1.2, be approved.

Carried

11.2 Joint General Government and Planning and Development Committees Report of April 27, 2020

Resolution # C-197-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That the recommendations contained in the Joint General Government and Planning and Development Committee Report of April 27, 2020, be approved on consent, with the exception of items 1d, 5, 6 7, 8.

Carried

Item 1d - Memo from Faye Langmaid, Acting Director of Planning Services, Regarding Recommendation Report - Proposed Official Plan Amendment and Rezoning to Implement the Bowmanville Neighbourhood Character Study

Councillor Neal declared an indirect interest in Item 1d of the Joint General Government and Planning and Development Committees Report as it relates to his law practice. Councillor Neal muted his audio and video and refrained from discussion and voting on this matter.

Resolution # C-198-20
Moved by Councillor Zwart
Seconded by Councillor Hooper

That the Memo from Faye Langmaid, Acting Director of Planning Services, Regarding Recommendation Report - Proposed Official Plan Amendment and Rezoning to Implement the Bowmanville Neighbourhood Character Study, be received for information.

Carried

Councillor Neal returned to the meeting.

Item 5 - Melanie Haki, Administrative Clerk 2, Legislative Services, Town of Gravenhurst, Regarding Support for Adding Community Gardens, Garden Centres and Nurseries to the Essential Services List during the COVID-19 Pandemic

Resolution # C-199-20
Moved by Councillor Neal
Seconded by Councillor Jones

That the Correspondence from Melanie Haki, Administrative Clerk 2, Legislative Services, Town of Gravenhurst, Regarding Support for Adding Community Gardens, Garden Centres and Nurseries to the Essential Services List during the COVID-19 Pandemic, be received for information.

Carried

Item 6 - COD-014-20 RFP2020-2 Ward Boundary Review

Resolution # C-200-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That Report COD-014-20 be received;

That the proposal received from Watson & Associates Economists Ltd, being the most responsive bidder meeting all terms and conditions and specifications of RFP2020-2 and subject to a satisfactory reference check, be awarded the contract for the provision of consulting services to complete the Ward Boundary Review;

That the total funds required for this project in the amount of \$66,074.80 (Net HST Rebate) which includes the over budget amount of \$1,074.80 be funded from within approved budget allocations as provided from the following accounts:

Description	Account Number	Amount
Elections Professional Fees	100-19-193-10190-7161	\$65,000
Admin Professional Fees	100-19-130-00000-7161	\$1,074

That all interested parties listed in Report COD-014-20 and any delegations be advised of Council's decision.

Carried

Item 7 - Report PSD-012-20 - Cedar Crest Beach Update – Beach Erosion/Property Loss Study

Resolution # C-201-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That Report PSD-012-20, Cedar Crest Beach Update – Beach Erosion/Property Loss Study, be referred to the end of the Agenda to be considered during Closed Session.

Carried

Item 8 - Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility – Site Selection Process Municipal Comments on Evaluation of Short-List of Sites and Identification of Preferred Site

Resolution # C-202-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That Report PSD-013-20 be received;

That Clarington declares itself to be an unwilling host community to anaerobic digestion and waste pre-sort facility as recommended in the preliminary siting report;

That Report PSD-013-20 be adopted as the Municipality of Clarington's comments on the Mixed Waste Transfer/Pre-Sort and Anaerobic Digestion Organics Processing Facility Siting Report (GHD, March 6, 2020);

That the Region of Durham be requested to address the comments in Report PSD-013-20;

That the Region of Durham be requested to collaborate with the Municipality by committing and contributing to the economic development objectives of the Courtice Waterfront and Energy Park area;

That staff be requested to provide a confidential memo regarding development options being explored for the waterfront park at the May 4, 2020 Council meeting;

That a copy of Report PSD-013-20 and Council's decision be sent to the Region of Durham, the Ministry of Environment, Conservation and Parks, and the other Durham Region area municipalities; and

That all interested parties listed in Report PSD-013-20 and any delegations be advised of Council's decision.

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

Absent (1): Councillor Traill

Carried on a Recorded Vote Later in the Meeting, See following Motions (6 to 0)

Resolution # C-203-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That the foregoing Resolution #C-202-20 be amended as follows:

In Paragraph two:

"That the words "the Regional" be inserted before the word anaerobic" ;

That the following be added at the end:

"That Staff report back to the June 15th meeting on whether the siting of the Anaerobic Digestion Organics Processing Facility, in Clarington's Energy Park is a breach of the 2010 EFW Host Community Agreement provisions."; and

That Paragraph six be replaced with the following:

"That the Memo from Faye Langmaid, Acting Director of Planning, regarding Courtice Waterfront and Energy Park Secondary Plan, be received for information;"

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

Absent (1): Councillor Traill

Carried (6 to 0)

The foregoing Resolution #C-202-20 was then put a vote and carried as amended on a recorded vote.

12. Staff Reports

12.1 Report FND-010-20 - COVID-19 Cash Flow Analysis

Resolution # C-204-20

Moved by Councillor Hooper

Seconded by Councillor Zwart

That Report FND-010-20 be received for information.

Tabled see following motions

Resolution # C-205-20

Moved by Councillor Neal

Seconded by Councillor Zwart

That Report FND-010-20 be tabled to later in the meeting to be considered during Closed Session.

Carried

13. Business Arising from Procedural Notice of Motion

None

14. Unfinished Business

14.1 Report EGD-006-20 Cedar Crest Beach Rd and West Beach Rd Berm Review and Estimates (Tabled from the May 4, 2020 Joint Committees Meeting)

Lifted from the Table

Resolution # C-206-20

Moved by Councillor Neal

Seconded by Councillor Anderson

That Report EGD-006-20 Cedar Crest Beach Rd and West Beach Rd Berm Review and Estimates, be lifted from the table.

Carried

Resolution # C-207-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That Report EGD-006-20 Cedar Crest Beach Rd and West Beach Rd Berm Review and Estimates, be tabled to the May 11, 2020 General Government Committee meeting.

Carried

Recess

Resolution # C-208-20
Moved by Councillor Neal
Seconded by Councillor Jones

That the Council recess for 10 minutes.

Carried

The meeting reconvened at 9:52 PM with Mayor Foster in the Chair.

14.2 Report EGD-007-20 - Temporary Bike Lanes on Prestonvale Road

Resolution # C-209-20
Moved by Councillor Jones
Seconded by Councillor Neal

That Report EGD-007-20 be received;

That temporary bike lanes be created using the staff recommended route and signage but that no barrels be use;

That parking on Prestonvale Road from Robert Adams Drive to Bloor Street be temporarily prohibited at all times, until the end of August 2020;

That signs for bike friendly area be placed on Prestonvale Road between Glenabbey Drive to Bloor Street; and

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

Carried as Amended See following motions

Resolution # C-210-20
Moved by Councillor Jones
Seconded by Councillor Neal

That the foregoing Resolution #C-209-20 be amended as follows:

"Paragraph 3 be amended to delete "Bloor Street" and replaced with "the southerly urban section of Prestonvale Road"; and

That the following be added:

That the necessary by-law to amend the Traffic By-law to enact Council's decision be approved."

Carried

Resolution # C-211-20
Moved by Councillor Neal
Seconded by Councillor Jones

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #C-209-20 for a second time.

Carried

The foregoing Resolution #C-209-20 was then put a vote and carried as amended.

Item 7 - Report PSD-012-20 - Cedar Crest Beach Update – Beach Erosion/Property Loss Study

12.1 - Report FND-010-20 - COVID-19 Cash Flow Analysis

Closed Session

Resolution # C-212-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That, in accordance with Section 239 (2) of the Municipal Act, 2001, as amended, the meeting be closed for the purpose of discussing two matters, which deal with,

- personal matters about an identifiable individual, including municipal or local board employees and with labour relations or employee negotiations;
- 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 11:04 PM.

Mayor Foster advised that two items were discussed in “closed” session in accordance with Section 239(2) of the *Municipal Act, 2001* and one resolution was passed on a procedural matter.

Item 7 - Report PSD-012-20 - Cedar Crest Beach Update – Beach Erosion/Property Loss Study

Resolution # C-213-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That Report PSD-012-20 - Cedar Crest Beach Update – Beach Erosion/Property Loss Study, be tabled to the May 11, 2020 General Government Committee meeting.

Carried

12.1 Report FND-010-20 - COVID-19 Cash Flow Analysis

Earlier in the meeting Report FND-010-20 was tabled to be considered during Closed Session (See Resolution #C-204-20). Resolution #C-204-20 was then before Council, was put to a vote and **carried**.

15. By-laws

15.1 2020-029 - Being a By-law to amend By-law 2014-059 entitled “a By-law to Regulate Traffic and Parking on Highways, Private Property and Municipal Property”

Resolution # C-214-20
Moved by Councillor Hooper
Seconded by Councillor Jones

That leave be granted to introduce By-law 2020-029; and

That the said by-law be approved.

Carried

16. Procedural Notices of Motion

None

17. Other Business

Councillor Neal enquired about 3574 Concession Road 3 and a letter sent from Planning regarding the minimum distance separation on agricultural property.

Councillor Neal referred to photos of Pebblestone Road and Trulls Road and noted his concerns with the with priority of road repairs in the Municipality.

Councillor Neal enquired about the leaves on the sides of the roads and when they will be cleaned up.

18. Confirming By-Law

Resolution # C-214-20
Moved by Councillor Hooper
Seconded by Councillor Anderson

That leave be granted to introduce By-law 2020-030, being a by-law to confirm the proceedings of the Council of the Municipality of Clarington at a regular meeting held on the 4th day of May, 2020; and

That the said by-law be approved.

Carried

19. Adjournment

Resolution # C-215-20
Moved by Councillor Anderson
Seconded by Councillor Zwart

That the meeting adjourn at 11:21 PM.

Carried

Mayor

Municipal Clerk