



The Corporation of the Township of Brock

Council Minutes

June 26, 2023

Virtual Meeting

Members Present: Mayor Walter Schummer
Regional Councillor Michael Jubb
Ward 1 Councillor Peter Frank
Ward 2 Councillor Claire Doble
Ward 3 Councillor Angela Canavan
Ward 4 Councillor Cria Pettingill

Members Absent: Ward 5 Councillor Lynn Campbell

Staff Present: CAO Ingrid Svelnis
Clerk/Deputy CAO Fernando Lamanna
Acting Deputy Clerk Stefanie Stickwood
Clerk's Assistant Deena Hunt
Fire Chief Rick Harrison
Director of Public Works Paul Lagrandeur
Manager Facilities and IT, R. Wayne Ward
Director Development Services Robin Prentice

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- 1. Zoom Link (Agenda only)**
 - 2. Call to Order & Moment of Silence - 6:00 p.m.**

Mayor Schummer called the meeting to order at 6:00 p.m. and a quorum was present.

3. Land Acknowledgement

It is important to begin each public gathering with a Land and Territorial Acknowledgement, to recognize the Indigenous people for being good stewards of the land and environment, here where we are meeting today. The Township of Brock has traditionally been a hunting and fishing ground for First Nations people. We reside on and benefit from the Williams Treaty Territories, on the land of the Mississaugas and Chippewas. May we share the land as long as the sun rises, the grass grows and river flows.

4. Disclosure of Pecuniary Interest and Nature Thereof

4.1 Councillor Canavan - Communication #420/23 Request Placement of Sea-Cans at the Cannington Historical Society MacLeod Park Location

Councillor Canavan is a member of Cannington Haunted Trail Committee and refrained from commenting or voting on Communication 420/23.

5. Community Announcements

None.

6. Public Meeting

None.

7. Presentations

None.

8. Delegations / Petitions

8.1 Sunderland Remembrance Day Services and Road Closures

Bill Davis, Joe Allin, and Ted Smith, Sunderland Legion Branch 141 provided the following delegation:

- Saturday, November 11, 2023 the Sunderland Legion requires an in town road closure on Regional Road 10
- currently, Regional road closures are applied for online through Durham Region
- previously, police have attended and supervised the road closure, however failed to show in 2022
- insurance liability for this community event should be the onus of the Region of Durham/Township of Brock

- multiple municipal community events are volunteer run, some requiring road closures
- requesting that the Township be the applicant for the road closure and provide any financial assistance

Resolution: C-2023-125

Moved by Regional Councillor Jubb

Seconded by Councillor Canavan

BE IT RESOLVED THAT staff report back on the road closure measures requested by the delegates concerning the Remembrance Day Service in Sunderland which includes the Township arranging for and supervising the road closures.

CARRIED

- 8.2 Response to Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022-RA) Applications, CBM Sunderland

Communication Number 432/23

Peter Renz provided comments which included:

- past concerns submitted by residents not acknowledged properly
- disappointed with staff recommendation to rezone the property permitting a new CBM aggregate pit
- urge Council to vote against the proposal
- 3rd party submissions, paid by CBM, are the basis for the majority of the recommendation which represents a conflict of interest
- anticipate a reduction in property values
- considering a class action lawsuit
- due diligence to verify the findings of CBM not performed by staff
- recommend a Terms of Operation Agreement with penalties attached
- concern for environmental impact, and urban sprawl

- move the southern border of the pit further north by 300 metres or more to mitigate noise concerns
- any proof of Indigenous Peoples consultation on this proposal
- recommend Council members and staff visit the area and speak with residents

8.3 Response to Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022-RA) Applications, CBM Sunderland

Communication Number 433/23

Janice Mears provided comments which included:

- the summary of public comments and Township response does not adequately address the concerns expressed by residents since September 2021 and the petition
- recommend a holistic approach toward residents concerns
- the proposed operation is too close to homes
- concerned for impact on the aquifer and surrounding wells
- recommend a protocol in place for residents to submit concerns and receive a response
- health, safety, noise concerns and an interruption to their way of life
- members of OSSGA completing the study is a conflict of interest
- concerns that the proposed rehabilitation will be ineffective and it won't replace the ecosystem

8.4 Response to Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022-RA) Applications, CBM Sunderland

Liudmila Busareva and Artem Gabuniya provided comments which included:

- relocated to Sunderland 2 years ago
- the primary function of a municipality is to protect the interests of the residents and the environment
- concern for environmental consequences due to this application

- anticipate noise given that a CBM quarry further away produces noise detectable at our home
- water table pressure could fall and impact area wells

8.5 Response to Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022 -RA) Applications, CBM Sunderland

Communication Number 434/23

Kaik Bharucha provided comments which included:

- 2 prior deputations to Brock Council on this subject and my concerns are not acknowledged
- concerns for water supply, property values depreciating by 30%, and taxes continue to increase
- subject farmland is Class 1 or 2, not Class 6 as stated in the report
- 250 decibels, stated as an acceptable industry standard, can cause hearing damage
- farmlands disappearing in Ontario at a rate of 319 acres per day
- Conservation Authorities must comply with the Aggregate Resources Act

8.6 Response to Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022-RA) Applications, CBM Sunderland

Communication Number 435/23

Emily Negrazis provided comments which included:

- concerned that Council could vote on the proposal tonight without reviewing our comments
- well water testing not performed on our property
- recommend consequences for CBM should they not follow the plan in place
- anticipate property value loss in the amount of \$200,000 to \$300,000

- conflict of interest as CBM was a main sponsor of Brock's charity golf tournament
- request a meeting with Council and CBM prior to Council voting on the matter

8.7 Response to Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022-RA) Applications, CBM Sunderland

Communication Number 436/23

Matt Negrazis provided comments which included:

- Council unable to oppose the application when criteria is met, and therefore the human aspect is not captured
- this application is not expansion as it is on new land
- the areas around the pit are residential and do not support this zoning change
- real estate professionals advise we could lose up to 25% of equity
- not given adequate time to prepare for this meeting

Resolution: C-2023-126

Moved by Councillor Frank

Seconded by Councillor Doble

BE IT RESOLVED THAT Council receives all deputations as listed in Section 8 for information:

- Sunderland Remembrance Day Services and Road Closures - Ted Smith, Bill Davis and Joe Allin
- Response to CBM Report - Liudmila Busareva and Artem Gabuniya
- Response to CBM Report - Peter Renz
- Response to CBM Report - Janice Mears
- Response to CBM Report - Kaik Bharucha
- Response to CBM Report - Emily Negrazis
- Response to CBM Report - Matt Negrazis

CARRIED

9. Ratification of COW Recommendations

Resolution: C-2023-127

Moved by Councillor Canavan

Seconded by Councillor Frank

BE IT RESOLVED THAT Committee of the Whole recommendations from the May 23, June 12, and June 26 2023 meetings be adopted.

CARRIED

10. Adoption of Minutes of Previous Meetings

Resolution: C-2023-128

Moved by Regional Councillor Jubb

Seconded by Councillor Canavan

BE IT RESOLVED THAT Council adopts all minutes of previous Council meetings as listed in Section 10.1:

- Committee of the Whole - May 23, 2023
- Council - May 23, 2023
- Council - Closed - May 23, 2023
- Special Council - Workshop - June 5, 2023
- Committee of the Whole - June 12, 2023
- Committee of the Whole - Closed - June 12, 2023

and receives all minutes as listed in Section 10.2.

- Manilla Community Hall Association - April 19, 2023
- Sunderland Town Hall Ad-Hoc Liaison Committee - November 29, 2022

CARRIED

10.1 Minutes of previous Council Meetings

10.1.1 Committee of the Whole - May 23, 2023

- 10.1.2 Council - May 23, 2023
- 10.1.3 Council - Closed - May 23, 2023
- 10.1.4 Special Council - Workshop - June 5, 2023
- 10.1.5 Committee of the Whole - June 12, 2023
- 10.1.6 Committee of the Whole - Closed - June 12, 2023

- 10.2 Minutes to be received
 - 10.2.1 April 19, 2023 - Manilla Hall Community Association
Communication Number 349/23
 - 10.2.2 November 29, 2022 - Sunderland Town Hall Board
Communication Number 423/23

11. Reports

- 11.1 Report 2023-DS-013, Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (11-2022-RA) Applications, CBM Sunderland - Recommendation Report

Director of Development Services

Resolution: C-2023-129

Moved by Councillor Pettingill
Seconded by Councillor Canavan

BE IT RESOLVED THAT Council DEFER Report 2023-DS-013 regarding Regional Official Plan Amendment (ROPA-2022-003) and Zoning By-law Amendment (13-2022-RA) applications for CBM Sunderland Pit - Recommendation Report until a Special In-Person Council meeting be held early September, 2023; and

THAT staff be directed to organize an in person meeting with interested parties to help resolve outstanding issues; and that staff investigate best practices and operation agreements across other municipalities; and that residents be involved in this process.

Yes (6): Mayor Schummer, Regional Councillor Jubb, Councillor Frank, Councillor Doble, Councillor Canavan, and Councillor Pettingill

CARRIED (6 to 0)

11.2 Public Comment - CBM Recommendation Report 2023-DS-013

Communication Number 431/23

Resolution: C-2023-130

Moved by Regional Councillor Jubb

Seconded by Councillor Frank

BE IT RESOLVED THAT Communication Number 431/23 as submitted by John and Susan Adams with respect to CBM Recommendation Report 2023-DS-013 be received.

CARRIED

12. Correspondence

Resolution: C-2023-131

Moved by Regional Councillor Jubb

Seconded by Councillor Frank

BE IT RESOLVED THAT the items listed in Section 12 Correspondence be approved save and except Communication Numbers 335/23, 324/23, 365/23, 406/23, 413/23, 411/23, 414/23 and 420/23.

CARRIED

12.1 Request for Traffic Calming Measures - Osborne Street, Beaverton

Communication Number 335/34

Resolution: C-2023-132

Moved by Regional Councillor Jubb

Seconded by Councillor Frank

BE IT RESOLVED THAT Communication Number 335/23, Request for Traffic Calming Measures for Osborne Street submitted by Dianna Hosick-Vandenberg be received; and THAT the request be sent to the Region of Durham for action.

CARRIED

12.2 Brock Libraries Summer Reading Club Sponsorship Request

Communication Number 343/23

Resolution: C-2023-133

BE IT RESOLVED THAT Communication Number 343/23, Summer Reading Club Sponsorship Request, submitted by Brock Libraries be received; and

THAT Council has no objection to the request for a free ice skating family pass; and

THAT Council has no objection to a Zamboni show and tell subject to staff availability.

12.3 No Parking Signs Installed on James Street

Communication Number 346/23

Resolution: C-2023-134

BE IT RESOLVED THAT Communication Number 346/23, No Parking Signs Installed on James Street - Sunderland, submitted by Christi Lindensmith be received.

12.4 James Street "No Parking" Signs - Sunderland

Communication Number 354/23

Resolution: C-2023-135

BE IT RESOLVED THAT Communication Number 354/23, James Street "No Parking" Signs - Sunderland, submitted by Jessica Cole be received.

12.5 Property Maintenance Concerns at the Sunderland Fairgrounds

Communication Number 324/23

Resolution: C-2023-136

Moved by Regional Councillor Jubb

Seconded by Councillor Doble

BE IT RESOLVED THAT Communication Number 324/23, Property Maintenance Concerns, submitted by the Sunderland Agricultural Society be received.

CARRIED

12.6 Chip Truck Request - Sunderland

Communication Number 365/23

Resolution: C-2023-137

Moved by Councillor Doble

Seconded by Regional Councillor Jubb

BE IT RESOLVED THAT Communication Number 365/23, as submitted by Olivia Hogan, regarding permission to operate a chip truck in Sunderland, be received; and

THAT Council directs staff to proceed with issuing a Refreshment Vehicle Licence.

CARRIED

12.7 Brock Minor Hockey Association - Early Ice Request

Communication Number 406/23

Resolution: C-2023-138

Moved by Councillor Doble

Seconded by Councillor Frank

BE IT RESOLVED THAT Communication Number 406/23, submitted by the Brock Minor Hockey Association with respect to a request for early ice to be put in the three Brock Township arenas be received; and

THAT Council approve the request for early ice to be put in one Brock Township arena.

CARRIED

12.8 Sunderland Ringette Association - Early Ice Request

Communication Number 413/23

Resolution: C-2023-139

Moved by Councillor Doble

Seconded by Councillor Canavan

BE IT RESOLVED THAT Communication Number 413/23, submitted by the Sunderland Ringette Associate with a request for early ice to be put in the Sunderland Memorial Community Arena be received; and

THAT Council approve the request for early ice to be put in the Sunderland Memorial Community Centre.

CARRIED

- 12.9 Special Occasion Permit Request - Cannington Baseball Tournament
Communication Number 410/23

Resolution: C-2023-140

BE IT RESOLVED THAT Communication Number 410/23, Special Occasion Permit Request - Cannington Baseball Tournament, submitted by Bianca Grugios be received; and
THAT the events held on July 8th and July 9th, 2023 and September 9th and September 10th, 2023 be designated an event of municipal significance for the purpose of obtaining the Special Occasion Permit and will be subject to compliance of the Municipal Alcohol Policy; and
THAT Council approves the request subject to the receipt of proof of liability insurance in the amount of \$2,000,000 (2 million) with the Township of Brock named as an additional insured.

- 12.10 Request for Outdoor Fitness Class Approval
Communication Number 411/23

Resolution: C-2023-141

Moved by Regional Councillor Jubb
Seconded by Councillor Frank

BE IT RESOLVED THAT Communication Number 411/23, Request for Outdoor Fitness Class Approval, submitted by Jessica Delcourt be received.

CARRIED

- 12.11 Request to move existing fence onto Township of Brock's Right-of-Way
Communication Number 414/23

Resolution: C-2023-142

Moved by Councillor Pettingill
Seconded by Councillor Canavan

BE IT RESOLVED THAT Communication Number 414/23, request to move existing fence onto Township of Brock's right-of-way, submitted by Leslie Deschamps be received.

CARRIED

12.12 Request for the Placement of Sea-Cans at the Cannington Historical Society MacLeod Park Location

Communication Number 420/23

Councillor Canavan declared a conflict on this item. (Councillor Canavan is a member of Cannington Haunted Trail Committee and refrained from commenting or voting on Communication 420/23.)

Resolution: C-2023-143

Moved by Regional Councillor Jubb

Seconded by Councillor Frank

BE IT RESOLVED THAT Communication Number 420/23, Request for placement of sea-cans at the Cannington Historical Society MacLeod Park Location, submitted by the Cannington Historical Society be received; and THAT Council direct staff to investigate and report back with respect to the proposal at one of the summer Council meetings.

CARRIED

12.13 Sunderland Fall Fair Requests - 2023

Communication Number 427/23

Resolution: C-2023-144

BE IT RESOLVED THAT Communication Number 427/23, Sunderland Fall Fair Requests - 2023, submitted by the Sunderland Agricultural Society be received; and

THAT Council has no objection to the exclusive use of the Sunderland Memorial Community Centre and Fairgrounds from September 8 - 15, 2023; and

THAT the Sunderland Fair is granted use of the ice area, dressings rooms, auditorium, washrooms facilities, kitchen, access to the tables and chairs under the seats, connections to the sound system within the arena;

and
 THAT the Sunderland Fair is granted use of the picnic tables, portable toilets, grandstand, horse barn, picnic shelter; and
 THAT staff provide additional garbage and recycling receptacles subject to availability; and
 THAT staff provide temporary fencing along western boundary, as far as the horse barn at the north end to secure the grounds, subject to availability; and
 THAT staff provide ground maintenance including grass cutting prior to the event; and
 THAT staff assist the Sunderland Fair from September 8 - 15, 2023 subject to availability; and
 THAT Council has no objections to the temporary placement of an additional bleacher for the Demolition Derby subject to the Sunderland Agricultural Society obtain the necessary permitting through the Building Department.

13. Notices of Motions

None.

14. By-Laws

Resolution: C-2023-145

Moved by Councillor Canavan
Seconded by Councillor Frank

BE IT RESOLVED THAT By-law Number(s) 3197-2023, 3198-2023, 3199-2023, 3201-2023, 3202-2023 and 3203-2023 be taken as read, enacted and signed by the Mayor and Municipal Clerk.

CARRIED

- 14.1 By-Law Number 3197-2023 - to appoint members to the Manilla Hall Community Association
- 14.2 By-Law Number 3198-2023 - to appoint members to the Non-Profit Sector Advisory Committee
- 14.3 By-Law Number 3199-2023 - to appoint members to the Tourism Advisory Committee
- 14.4 By-Law Number 3201-2023 - Delegate Authority to Municipal Treasurer

14.5 By-Law Number 3202-2023 - Rating By-law - Lot 10, Concession 11

14.6 By-Law Number 3203-2023 - Rating By-law - Lot 9, Concession 11

15. Closed Session

None.

16. Rise from Closed Session

17. Other Business

17.1 2023 Meeting Schedule

Resolution: C-2023-146

Moved by Regional Councillor Jubb

Seconded by Councillor Doble

BE IT RESOLVED THAT the staff arena report be scheduled for the Council meeting held on July 17, 2023 with a start time for the report of 4:00 p.m.

CARRIED

18. Public Questions and Clarification

The Clerk/Deputy CAO read two public comments received:

- Abid Ghayoor - email received June 26, 2023:
 I strongly oppose any approval for the zoning change from RU to M4 for the CBM pit..
 This change will seriously affect the residents life, health & safety in this area and is not necessary.
- Maria Krendler - email received June 26, 2023:
 I strongly object the ROPA application allowing expansion of the aggregate pit and strongly oppose ZBA Application for re-zoning this property. Seems that no consideration for local residents was given. Township and Council should take more time to re-think this issue.

19. Confirmation By-law

By-law Number 3200-2023 to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on June 26, 2023.

Resolution: C-2023-147

Moved by Councillor Frank
Seconded by Councillor Canavan

BE IT RESOLVED THAT By-law Number 3200-2023, being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on June 26, 2023, be taken as read, enacted and signed by the Mayor and Clerk/Deputy CAO.

CARRIED

20. Adjournment

Resolution: C-2023-148

Moved by Councillor Pettingill
Seconded by Councillor Doble

BE IT RESOLVED THAT the meeting of Council adjourn at 9:35 p.m.

CARRIED

Mayor

Clerk