



The Corporation of the Township of Brock

Council Minutes

September 26, 2022

Virtual Meeting

Members Present: Mayor John Grant
Regional Councillor Smith
Ward 1 Councillor Michael Jubb
Ward 2 Councillor Claire Doble
Ward 3 Councillor Walter Schummer
Ward 4 Councillor Cria Pettingill
Ward 5 Councillor Lynn Campbell

Staff Present: Clerk/Deputy CAO Fernando Lamanna
Deputy Clerk Janean Currie
Clerk's Assistant Deena Hunt
Clerk's Assistant, Stefanie Stickwood
Director of Finance / Treasurer Lisa Chen
Director of Public Works Paul Lagrandeur
Manager Facilities and IT, R. Wayne Ward
Director Development Services Robin Prentice
Chief Building Official Richard Ferguson
Fire Chief Rick Harrison

1. Call to Order & Moment of Silence - 6:00 p.m.

Mayor Grant called the meeting to order at 6:00 p.m. and a quorum was present. Mayor Grant requested a moment of silence for the losses that the Maritimes has recently experienced.

2. 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.

3. Disclosure of Pecuniary Interest and Nature Thereof

3.1 Mayor Grant - Memorandum 2022-GG-028 Sale of Boathouses 18 and 20 Harbour Park Cres.

Mayor Grant declared a conflict on agenda item 7. Delegations and 8.1 Memorandum 2022-GG-028 as he and his wife operate a Bed and Breakfast which may be considered a Short Term Rental.

4. Community Announcements

Councillors advised that the Brock Township Public Libraries will host a celebration in honour of National Day for Truth and Reconciliation on September 30, the Sunderland Legion is hosting a Veteran's Dinner on October 1, Wilfrid Hall is hosting a Welcome Back event on October 1, and that the Brock Board of Trade will host an All Candidates Meeting on October 3, 2022 at 7:00 p.m. at the Cannington Legion.

5. Public Meeting

5.1 Explanatory Note - Proposed Procurement By-Law Number 3148-2022

The purpose of this Statutory Public Meeting is to provide the public with an opportunity to provide comments on the proposed Procurement By-Law 3148-2022 that would repeal the current Procurement By-Law Number 1912-2001-FI, which defines the procurement policies and procedures for the Corporation of the Township of Brock.

Should you wish to attend the meeting to provide comments, please contact the Clerk's Department in advance of the meeting by sending an email to clerks@brock.ca.

The Clerk/Deputy CAO advised that the former Director of Finance provided a report on the proposed Procurement By-law at the June 27, 2022 Committee of the Whole meeting noting that public notice was given for this meeting.

5.2 Staff Presentation / Overview

Sheila Strain, former Director of Finances for the Township of Brock, was in attendance to answer Council enquiries during the review of By-Law 3148-2022.

5.3 Public Comments / Submissions

There were no public submissions.

5.4 Public Questions

None.

6. Presentations

None.

7. Delegations / Petitions

Mayor Grant declared a conflict on agenda item 7. Delegations and 8.1 Memorandum 2022-GG-028 as he and his wife operate a Bed and Breakfast which may be considered a Short Term Rental.

Deputy Mayor Smith assumed the Chair at 6:15 p.m.

7.1 Andrew Thompson - Harbour Park Crescent resident

Andrew Thompson withdrew his request to provide comments.

7.2 Sean Fitzgibbons - Harbour Park Crescent resident

Sean Fitzgibbons provided comments which included:

- concern for the changes to the lease agreement
- does not agree with the terminology 'short term rental'
- considers this a new lease versus a transfer
- requests removal of the restrictions for 'short term rental'

7.3 Todd Egan - Harbour Park Crescent resident

Todd Egan provided comments which included:

- tentative purchaser of a boathouse
- tone of agreement has changed
- resale value affected without the availability to rent short term

7.4 Georgia Joannou - Harbour Park Crescent resident

This delegate was not in attendance.

7.5 Malcolm Greer - Harbour Park Crescent resident

Malcolm Greer provided comments which included:

- value of boathouse to plummet should this lease be acceptable
- affecting only some boathouses, and halfway through the term of the lease
- tourists appreciate the opportunity to rent an AirBnB
- punitive to say only the boathouse owner can stay there
- recommended licencing short term rentals as opposed to changing the lease part way through the term of the lease

Resolution: C-2022-244

Moved by Councillor Jubb

Seconded by Councillor Campbell

BE IT RESOLVED THAT the agenda be amended to bring forward Memorandum 2022-GG-028 with respect to Boathouses at this time.

CARRIED

8. Report

8.1 Memorandum 2022-GG-028 Sale of Boathouses 18 and 20 Harbour Park Cres.

Clerk/Deputy CAO

Mayor Grant declared a conflict on this item. (Mayor Grant declared a conflict on agenda item 7. Delegations and 8.1 Memorandum 2022-GG-028 as he and his wife operate a Bed and Breakfast which may be considered a Short Term Rental.)

Resolution: C-2022-245

Moved by Councillor Doble

Seconded by Councillor Jubb

BE IT RESOLVED THAT Memorandum 2022-GG-028 Sale of Boathouses 18 and 20 Harbour Park Crescent be received; and

THAT Section 2.03 be amended by removing the proposed wording "including the use of the Building as a Short Term Rental" and replacing it with the previous wording within the current lease; and

WHEREAS the Corporation of the Township of Brock has entered into a Lease Agreement dated the 1st day of August 2014 with respect to the premises described as Lot 16, Plan 519, municipally know as **18 Harbour Park Cres.**, in the Township of Brock, in the Regional Municipality of Durham; and

WHEREAS the existing lease holder(s) (the sellers) Andrew Paul Thompson and Erika Gisela Thompson, have sold the building (boathouse) situated on the premises, and wishes to assign and transfer the Leasehold Agreement (effective September 29, 2022) to Richard Todd Egan (the buyer).

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Brock hereby enacts as follows:

1. THAT Council acknowledges the Purchase and Sale Agreement between the sellers and buyer of the building located on the premises described as Lot 16, Plan 519, municipally know as 18 Harbour Park Cres., in the Township of Brock, in the Regional Municipality of Durham; and
2. THAT Council authorizes the Mayor and Clerk/Deputy CAO to enter into a new Leasehold Agreement with the buyer for the remainder of the Term, prior to the closing date (September 29, 2022); and
3. THAT the buyers register on title with the Land Registry Office the executed Leasehold Agreement, at their costs, providing the Township with a copy of the registration; and
4. THAT Council delegate to the Clerk/Deputy CAO the authority to affect any additional amendments, if and as required, prior to the closing date (September 29, 2022); and

5. THAT a fee of \$850+HST be required to affect the assignment and transfer of the said Lease and be paid prior to the execution of the Leasehold Agreement; and
6. THAT Council hereby releases (the sellers) Andrew Paul Thompson and Erika Gisela Thompson from any obligations or covenants as the parties to previous Leasehold Agreement registered on title.

WHEREAS the Corporation of the Township of Brock has entered into a Lease Agreement dated the 1st day of August 2014 with respect to the premises described as Lot 15, Plan 519, municipally know as **20 Harbour Park Cres.**, in the Township of Brock, in the Regional Municipality of Durham; and

WHEREAS the existing lease holder(s) (the sellers) Jean-Francois Barclay and Samantha Barclay, have sold the building (boathouse) situated on the premises, and wishes to assign and transfer the Leasehold Agreement (effective October 14, 2022) to 2473924 Ontario Inc. (the buyer).

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Brock hereby enacts as follows:

1. THAT Council acknowledges the Purchase and Sale Agreement between the sellers and buyer of the building located on the premises described as Lot 15, Plan 519, municipally know as 20 Harbour Park Cres., in the Township of Brock, in the Regional Municipality of Durham; and
2. THAT Council authorizes the Mayor and Clerk/Deputy CAO to enter into a new Leasehold Agreement with the buyer for the remainder of the Term, prior to the closing date (October 14, 2022); and
3. THAT the buyers register on title with the Land Registry Office the executed Leasehold Agreement, at their costs, providing the Township with a copy of the registration; and
4. THAT Council delegate to the Clerk/Deputy CAO the authority to affect any additional amendments, if and as required, prior to the closing date (October 14, 2022); and

5. THAT a fee of \$850+HST be required to affect the assignment and transfer of the said Lease and be paid prior to the execution of the Leasehold Agreement; and
6. THAT Council hereby releases (the sellers) Jean-Francois Barclay and Samantha Barclay from any obligations or covenants as the parties to previous Leasehold Agreement registered on title.

CARRIED

Mayor Grant refrained from commenting or voting on Memorandum 2022-GG-028.

9. Ratification of COW Recommendations

Mayor Grant resumed the Chair at 6:40 p.m.

Resolution: C-2022-246

Moved by Regional Councillor Smith

Seconded by Councillor Doble

BE IT RESOLVED THAT all Committee of the Whole recommendations from the September 12 and the September 26, 2022 meetings be adopted.

CARRIED

10. Adoption of Minutes of Previous Meetings

10.1 Minutes of previous Council Meetings

Resolution: C-2022-247

Moved by Councillor Pettingill

Seconded by Councillor Campbell

BE IT RESOLVED THAT Council adopts all minutes of previous Council meetings as follows:

- Council - August 22, 2022
- Committee of the Whole - September 12, 2022

CARRIED

10.1.1 Council - August 22, 2022

10.1.2 Committee of the Whole Meeting - September 12, 2022

10.2 Minutes to be received

Resolution: C-2022-248

Moved by Regional Councillor Smith

Seconded by Councillor Schummer

BE IT RESOLVED THAT Council receives the following minutes:

- Committee of Adjustment - July 19, 2022
- Manilla Hall Board - June 8, 2022
- Wilfrid Hall Board - April 26, 2022
- Wilfrid Hall Board - May 24, 2022
- Wilfrid Hall Board - August 30, 2022

CARRIED

10.2.1 Committee of Adjustment - July 19, 2022

10.2.2 Manilla Hall Board - June 8, 2022

10.2.3 Wilfrid Hall Board - April 26, 2022

10.2.4 Wilfrid Hall Board - May 24, 2022

10.2.5 Wilfrid Hall Board Minutes - August 30, 2022

11. Reports

11.1 Memorandum - 2022-PCA-013 Repeal of By-law 540

Director of Development Services

Resolution: C-2022-249

Moved by Councillor Schummer

Seconded by Regional Councillor Smith

BE IT RESOLVED THAT Memorandum 2022-PCA-013, Repeal of Bylaw 540 be received.

CARRIED

12. Correspondence

Resolution: C-2022-250

Moved by Councillor Jubb
Seconded by Councillor Pettingill

BE IT RESOLVED THAT the items listed in Section 12 Correspondence be approved save and except communication numbers 476/22, 488/22, 501/22, and 504/22.

CARRIED

12.1 AMO Conference Report

Mayor John Grant
Communication Number 488/22

Resolution: C-2022-251

Moved by Councillor Schummer
Seconded by Regional Councillor Smith

BE IT RESOLVED THAT Communication Number 488/22, AMO Conference Report, Submitted by Mayor John Grant be received.

CARRIED

Resolution: C-2022-252

Moved by Councillor Schummer
Seconded by Regional Councillor Smith

BE IT RESOLVED THAT Council direct staff to review the feasibility of Local Authority Services (LAS) providing ticketing on the Township's behalf as outlined in communication number 466/22.

CARRIED

12.2 AMO Conference Report

Ward 1 Councillor - Michael Jubb
Communication Number 466/22

Resolution: C-2022-253

BE IT RESOLVED THAT Communication Number 466/22, AMO Conference Report, submitted by Ward 1 Councillor Mike Jubb be received.

12.3 Sunderland Santa Claus Parade Request

Communication Number 470/22

Resolution: C-2022-254

BE IT RESOLVED THAT Communication Number 470/22 submitted by the Sunderland Santa Claus Parade Committee with respect to the Sunderland Santa Claus Parade on December 10, 2022 be received; and THAT Council has no objections for the request to host the 2022 Sunderland Santa Claus Parade on December 10, 2022 subject to a road occupancy permit being obtained from the Durham Region Works Department, and traffic control assistance being obtained from Durham Regional Police Services; and THAT Council approves free use of the Sunderland Memorial Arena for the public skate subject to ice time being booked through the Recreation and Leisure Coordinator.

12.4 Sunderland Lions Request for SOP - Opry Night in Sunderland

Communication Number 474/22

Resolution: C-2022-255

BE IT RESOLVED THAT Communication Number 474/22 as submitted by the Sunderland Lions Club with respect to the Bluegrass Concert 'Opry Night in Sunderland' scheduled for October 15, 2022 be received; and THAT Council approve the Special Occasion Permit subject to compliance with the Municipal Alcohol Policy and all regulations of the Liquor Licence Board of Ontario; and THAT a copy of the insurance certificate in the amount of \$2,000,000 naming the Township of Brock as additional insured be provided to the Township; and THAT Council designate this an event of municipal significance for the purpose of obtaining the required liquor licence and a copy of the SOP be provided to the Township.

12.5 Request for Funding Assistance - Fundraising Event at Beaverton Agricultural Fair

Seniors Helping in Trouble Seniors and Girls in Gillespie Gardens Lending Everyone Support and Service
Communication Number 475/22

Resolution: C-2022-256

BE IT RESOLVED THAT communication number 475/22 as submitted by Seniors Helping in Trouble Seniors and Girls in Gillespie Gardens Lending Everyone Support and Service with respect to their fundraising initiative at the Beaverton Agricultural Fair be received.

12.6 Parking Solutions - Durham Condominium Corporation #73, Beaverton

Kim Walker

Communication Number 476/22

Resolution: C-2022-257

Moved by Councillor Doble

Seconded by Councillor Jubb

BE IT RESOLVED THAT Communication Number 476/22, submitted by Kim Walker with respect to Parking Solutions be received; and

THAT staff report on the feasibility of passing a by-law to provide the ability to appoint members of the Durham Condominium Board to write parking tickets.

CARRIED

12.7 Request for Continuation of Lease at Beaverton Harbour

Justin Kouba

Communication Number 483/22

Resolution: C-2022-258

BE IT RESOLVED THAT communication number 483/22 submitted by Justin Kouba regarding the Beaver River Bait lease renewal, be received; and

THAT Council approve the continuation of the Beaver River Bait lease at the Beaverton Harbour for the months of January 2023 - March 2023; and THAT the Mayor and Clerk are hereby authorized to enter into an agreement with Justin Kouba for the Beaver River Bait lease.

12.8 2023 Road Budget Request

Thorah Island Rate Payers Association

Communication Number 497/22

Resolution: C-2022-259

BE IT RESOLVED THAT Communication Number 497/22 submitted by Thorah Island Rate Payers Associations with respect to a road budget request be received; and

THAT Council forward the request to the Treasurer for inclusion and consideration within the 2023 Proposed Budget and Business plan.

12.9 Request for Continuation of Lease at Beaverton Harbour

Mitchell's Fish Huts

Communication Number 500/22

Resolution: C-2022-260

BE IT RESOLVED THAT Communication Number 500/22, submitted by Mitchell's Fish Huts regarding the Mitchell's Fish Huts lease renewal, be received; and

THAT Council approve the continuation of the Mitchell's Fish Huts lease at the Beaverton Harbour for the months of January 2023 - March 2023; and

THAT the Mayor and Clerk are hereby authorized to enter into an agreement with Mitchell's Fish Huts for the Mitchell's Fish Huts Lease.

12.10 Fence Variance Request

Charlene Stone

Communication Number 501/22

Resolution: C-2022-261

Moved by Councillor Pettingill

Seconded by Councillor Jubb

BE IT RESOLVED THAT Communication Number 501/22, Fence Bylaw Exemption, submitted by Charlene Stone be received; and

THAT Council grant a variance for an exterior side yard fence for 1 Butcher Street, Beaverton, having a total height of 1,830 mm (6ft) from the Township's Fence By-law 786-85-PP, as shown on Attachments 'A', 'B' and 'C' attached.

CARRIED

12.11 Safety Concerns on Regional Road 12 - Cannington

Natalya Metcalfe

Communication Number 504/22

Resolution: C-2022-262

Moved by Councillor Schummer
Seconded by Councillor Jubb

BE IT RESOLVED THAT Communication Number 504/22, submitted by Natalya Metcalfe with respect to Safety Concerns on Regional Road 12 be received and forwarded to Durham Region Police Services.

CARRIED

13. Notices of Motions

13.1 Speed Humps

Resolution: C-2022-263

Moved by Councillor Campbell
Seconded by Councillor Jubb

BE IT RESOLVED THAT the works department investigate the possibility of adding speed humps on Doble Street in Sunderland to slow down traffic travelling down the hill towards Hwy 12; and
THAT staff investigate where other speed humps would be effective in the Township; and
THAT this item be referred to the 2023 budget discussions.

CARRIED

14. By-Laws

Resolution: C-2022-264

Moved by Regional Councillor Smith
Seconded by Councillor Pettingill

BE IT RESOLVED THAT By-laws 3148-2022, 3150-2022, 3152-2022, and 3153-2022 be taken as read, enacted and signed by the Mayor and Municipal Clerk

CARRIED

14.1 By-Law Number 3148-2022, Procurement By-Law
Sheila Strain

14.2 By-Law Number 3150-2022 - amend Traffic Control By-Law Number 957-88-PP

Clerk/Deputy CAO

- 14.3 By-Law Number 3152-2022 - repeal Village of Cannington By-Law Number 540

Clerk/Deputy CAO

- 14.4 By-Law Number 3153-2022 - Concession 9, Thorah

Clerk/Deputy CAO

15. Closed Session

None.

16. Rise from Closed Session

17. Other Business

Council members extended appreciation to other Council members, staff, and the public for their efforts over the past 4 year term of Council.

18. Public Questions and Clarification

None.

19. Confirmation By-law

By-law Number 3151-2022 - to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on September 26, 2022

Resolution: C-2022-265

Moved by Councillor Doble

Seconded by Councillor Pettingill

BE IT RESOLVED THAT By-law Number 3151-2022, being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on September 26, 2022 be taken as read, enacted and signed by the Mayor and Clerk/Deputy CAO.

CARRIED

20. Adjournment

Resolution: C-2022-266

Moved by Regional Councillor Smith

Seconded by Councillor Campbell

BE IT RESOLVED THAT the meeting of Council adjourn at 7:45 p.m.

CARRIED

Mayor

Clerk