



The Corporation of The Town of Cobourg
COMMITTEE OF THE WHOLE COUNCIL MEETING
MINUTES

February 16, 2021, 6:00 p.m.
Electronic Participation

Members Present: Mayor John Henderson
Deputy Mayor Suzanne Séguin
Councillor Nicole Beatty
Councillor Aaron Burchat
Councillor Adam Bureau
Councillor Emily Chorley
Councillor Brian Darling

Staff Present: Tracey Vaughan, Chief Administrative Officer
Ian Davey, Treasurer/Director of Corporate Services
Glenn McGlashon, Director of Planning and Development
Laurie Wills, Director of Public Works
Teresa Behan, Deputy Director of Community Services
Brent Larmer, Municipal Clerk/Manager of Legislative Services
Krystal Christopher, Deputy Clerk

1. **CALL TO ORDER**

His Worship Mayor Henderson called the Meeting to Order at 5:00 P.M.

2. **CLOSED SESSION**

Members of Council moved into Closed Session at 5:02 PM

Moved by Deputy Mayor Suzanne Séguin

THAT Council meet in Closed Session in accordance with Section 239 (2) of the Municipal Act S.O. 2001 regarding:

Carried

- 2.1 Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees.**

Members moved out of Closed Session at 5:35 PM.

Members moved into Open Session at 6:03 PM

3. TRADITIONAL LAND ACKNOWLEDGEMENT

His Worship Mayor Henderson recited the Traditional Land Acknowledgement statement.

4. ADDITIONS TO THE AGENDA

- 4.1 Memo from the Small Business Facilitator, regarding the a Lucas Point Industrial Park Land Sale Amending Agreement– 1978327 Ontario Ltd. Loadstar Trailers**
- 4.2 Memo from the Secretary of the Accessibility Advisory Committee, regarding the Specialized Transit (WHEELS) Draft Policy.**
- 4.3 Heritage Award Presentation**
- 4.4 Ted Williams, resident, to speak regarding the Marina's finances**
- 4.5 Kevin Burt, resident, to speak regarding the Bi-Annual Sidewalk Program (Abbot Blvd) Tender**
- 4.6 Memo from the Deputy Director of Community Services regarding the outdoor rink at Sinclair Park**

Moved by Deputy Mayor Suzanne Séguin

THAT the matters be added to the agenda.

Carried

5. DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

- 5.1 Councillor Emily Chorley - Delegation, Ryan Guetter, Paul Tobia, and Justin Lebofsky Delegate for item 10.2 and 10.3. Planning representative for owner of 420 Division Street**

Councillor Emily Chorley declared a potential pecuniary interest on the zoning amendment application for 420 Division Street because the Councillors' property lies within 120m of the subject property. This declaration is made under Section 5 of the Municipal Conflict of Interest Act, and therefore the Councillor not be participating in any discussion or vote related to this matter.

5.2 Councillor Emily Chorley - Memo from the Manager of Planning, regarding the Application for Zoning By-law Amendment, Weston Consulting Inc. on behalf of 2759655 Ontario Ltd./Canadian Centre For Addictions, 420 Division Street, Cobourg.

Councillor Emily Chorley declared a potential pecuniary interest on the zoning amendment application for 420 Division Street because the Councillors' property lies within 120m of the subject property. This declaration is made under Section 5 of the Municipal Conflict of Interest Act, and the Councillor not be participating in any discussion or vote related to this matter.

5.3 Councillor Emily Chorley - Memo from the Secretary, Planning and Development, regarding Zoning By-law Amendment - 420 Division Street

Councillor Emily Chorley declared a potential pecuniary interest on the zoning amendment application for 420 Division Street because the Councillors' property lies within 120m of the subject property. This declaration is made under Section 5 of the Municipal Conflict of Interest Act, and the Councillor will not be participating in any discussion or vote related to this matter.

5.4 Councillor Brian Darling - Delegation, Ryan Guetter, Paul Tobia, and Justin Lebofsky Delegate for item 10.2 and 10.3. Planning representative for owner of 420 Division Street

Councillor Brian Darling declared a conflict of interest as he is a co-owner of property that is 100 meters from 420 Division Street.

5.5 Councillor Brian Darling - Memo from the Manager of Planning, regarding the Application for Zoning By-law Amendment, Weston Consulting Inc. on behalf of 2759655 Ontario Ltd./Canadian Centre For Addictions, 420 Division Street, Cobourg.

Councillor Brian Darling declared a conflict of interest as he is a co-owner of property that is 100 meters from 420 Division Street.

5.6 Councillor Brian Darling - Memo from the Secretary, Planning and Development, regarding Zoning By-law Amendment - 420 Division Street

Councillor Brian Darling declared a conflict of interest as he is a co-owner of property that is 100 meters from 420 Division Street.

5.7 Councillor Brian Darling - Memo from the Treasurer/Director of Corporate Services, regarding a Lease Agreement with Go Green Together at Northam Industrial Park – Building 17 South, Cobourg

Councillor Brian Darling declared a conflict of interest with item 9.1. on the agenda as he is a member of the Cycling Transitions Group.

5.8 Councillor Aaron Burchat - Delegation, Ryan Guetter, Paul Tobia, and Justin Lebofsky Delegate for item 10.2 and 10.3. Planning representative for owner of 420 Division Street

Councillor Aaron Burchat declared a conflict of interest as the company he is employed by does work for the applicant of 420 Division Street, Cobourg.

5.9 Councillor Aaron Burchat – Memo from the Manager of Planning, regarding the Application for Zoning By-law Amendment, Weston Consulting Inc. on behalf of 2759655 Ontario Ltd./Canadian Centre For Addictions, 420 Division Street, Cobourg.

Councillor Aaron Burchat declared a conflict of interest as the company he is employed by does work for the applicant of 420 Division Street, Cobourg.

5.10 Councillor Aaron Burchat – Memo from the Secretary, Planning and Development, regarding Zoning By-law Amendment - 420 Division Street

Councillor Aaron Burchat declared a conflict of interest as the company he is employed by does work for the applicant of 420 Division Street, Cobourg.

5.11 Councillor Nicole Beatty - Memo from the Director of Public Works, regarding the Approval to Award Single/Sole Source Design Services for the Mathew Street Engineering Design Services Contract.

Councillor Nicole Beatty declared a conflict of interest with item 11.2 on the agenda as she is a home owner on Burke Street.

6. PRESENTATIONS

6.1 Ken Smith from D.M. Wills, presenting the Hamilton Unnamed 07 East Tributary Master Drainage Plan, Northumberland County.

K. Smith provided background information on the projects scope and location. K. Smith provided a summary of the drainage, erosion and natural heritage of the location noting the current flooding issues in the area. K. Smith provided recommendations and comments on proposed alternatives and spoke to the next steps of the plans implementation.

After a question and answer period, K. Smith was dismissed 6:27 PM

6.2 Erica Cotton, DBIA Board Chair, and Lou Trozzolo DBIA Board Treasurer presenting the 2021 Downtown Business Improvement Area Budget.

L. Trozzolo and E. Cotton provided an overview of the 2021 draft DBIA budget and spoke to the revenue and expenditures for the board. E. Cotton requested outdoor patios be permitted to operate earlier this year to help offset financial losses from local businesses.

After a question and answer period, L. Trozzolo and E. Cotton were dismissed 6:41 PM.

6.3 Heritage Award Presentation

His Worship Mayor John Henderson and Councillor Nicole Beatty present the Heritage Award to Anne Marie Cummings and Keith Colterman

7. DELEGATIONS

7.1 Ted Williams, resident, to speak regarding the Marina's finances

T. Williams spoke to the Marina's expenses and the operating costs. T. Williams raised concerns with the disclosure of capital spending, funding of future capital repairs and the self-sufficiency of the marina.

T. Vaughan provided comments regarding the reserve funds and allocation of resources to cover the cost to operate the Marina

After a question and answer period, T. Williams was dismissed at 7:02 PM

7.2 Kevin Burt, resident, to speak regarding the Bi-Annual Sidewalk Program (Abbot Blvd) Tender

K. Burt raised concerns with the project and spoke to the sidewalk issues on Abbott Blvd noting the design could be improved to provide infrastructure better suited for residents of the area. K. Burt suggested the postponement of the project until the Transportation Advisory Committee presents its safety concerns and further options for modes of travel be explored.

After a question and answer period, K. Burt was dismissed at 7:08 PM

7.3 Delegation, Ryan Guetter, Paul Tobia, and Justin Lebofsky Delegate for item 10.2 and 10.3. Planning representative for owner of 420 Division Street. (*Conflict Declared by Members outlined in Section 5 of the Agenda Darling, Chorley, Burchat*)

R. Guetter provided an update on the application at 420 Division Street and provided comments on the concerns raised by residents. R. Guetter spoke to the added security features as well as the purpose and usage of the treatment facility.

After a question and answer period, K. Burt was dismissed 7:15 PM

8. DELEGATION ACTIONS

Moved by Councillor Adam Bureau

THAT the DBIA 2021 Budget be accepted presented

FURTHER THAT the matter be referred to staff to report back on the outdoor patio extension.

Carried

Moved by Councillor Emily Chorley

THAT the delegation from Ted Williams regarding the Marina finances be received for information purposes.

FUTHER THAT debentured and future capital costs at the Marina are considered during the 2021 User Fees Study, with aim of establishing Marina user fees that cover both the operating and capital costs

Carried

9. GENERAL GOVERNMENT SERVICES

9.1 Memo from the Treasurer/Director of Corporate Services, regarding a Lease Agreement with Go Green Together at Northam Industrial Park – Building 17 South, Cobourg.

Moved by Deputy Mayor Suzanne Séguin

THAT Council receive this report from the Treasurer/Director of Corporate Services for information purposes; and

FURTHER THAT Council authorize the preparation of a by-law to be prepared and presented at a Regular Council meeting to authorize the Mayor and Municipal Treasurer to execute a Lease Agreement with Go Green Together for approximately 1,817 square feet of space in Building 17 South as shown on Schedule “B1” to the Staff Report.

Carried

9.2 Memo from the Senior Financial Analyst, regarding the request to amend By-law 009-2018, being the Ontario Municipal Commuter Cycling (OMCC) Program Agreement.

Moved by Deputy Mayor Suzanne Séguin

THAT Council receive the report from the Senior Financial Analyst for information purposes as an update on the status of the Town’s Active Transportation Capital Projects; and

FURTHER THAT Council authorize the Town of Cobourg to enter into an amending agreement with Her Majesty the Queen in the right of Ontario represented by the Ministry of Transportation and the Corporation of the Town of Cobourg for the Ontario Municipal Commuter Cycling Program (OMCCP) to extend the program for eligible claims for the fiscal year ending December 31, 2021; and

FURTHER THAT Council endorse the approved funding claims submitted under the extended OMCC Program being the purchase and installation of bicycle racks throughout the Town as approved in the 2020 Public Works Capital Budget and the Kerr Street Multi-Use path as approved in the 2021 Public Works Capital Budget.

Carried

9.3 Memo from the Small Business Facilitator, regarding the Lucas Point Industrial Park Land Sale Amending Agreement– 1978327 Ontario Ltd. Loadstar Trailers.

Moved by Deputy Mayor Suzanne Séguin

THAT Council approve the amendment of the initial agreement previously approved through By-law No.070-2019 between Loadstar Trailers Inc. for a total of 6.25 acres of light industrial land located in Lucas Point Business & Industrial Park, Cobourg. (Dodge Street, Cobourg).

Carried

9.4 Town of Cobourg Covid-19 Update - Verbal - Chief Administrative Officer.

T. Vaughan provided an update regarding matters pertaining to COVID-19. T. Vaughan spoke to the number of active cases noting that staff are following the provincial guidelines to develop the response framework as the Town moves into the orange zone. T. Vaughan provided comments regarding the distribution of vaccine dosages and the closure of municipal buildings. T. Vaughan noted the Cobourg Community Centre and the Venture 13 building will be opening this week and spoke to the increase to 20 people on the outdoor rink.

Council took a recess at 8:04 PM

Council resumed at 8:09 PM

Moved by Deputy Mayor Suzanne Séguin

THAT Council receive the February 16, 2021 COVID-19 Verbal Update from the Chief Administrative Officer for information purposes.

Carried

10. PLANNING AND DEVELOPMENT SERVICES

10.1 Memo from the Director of Planning and Development, regarding the Villages of Central Park - Rondeau (Cobourg East Community), Authorization of a Tree Removal Agreement.

Moved by Councillor Nicole Beatty

THAT Council receive the report from the Director of Planning and Development for information purposes; and

FURTHER THAT Council authorize the preparation of a By-law to be presented at a Regular Council Meeting to authorize the Mayor and Municipal Clerk to enter into a Tree Removal Agreement with Rondeau (Cobourg) Ltd. to address all relevant municipal and agency requirements associated with the removal of trees on the Villages of Central Park Development Site in accordance with the detailed Tree Inventory & Preservation Plan (TIPP), Arborist Report and Related Landscape Analysis prepared by Henry Kortekaas & Associates Inc. and The Planning Partnership, subject to the finalization of details by municipal staff and partner review agencies.

Carried

10.2 Memo from the Manager of Planning, regarding the Application for Zoning By-law Amendment, Weston Consulting Inc. on behalf of 2759655 Ontario Ltd./Canadian Centre For Addictions, 420 Division Street, Cobourg. (*Conflict Declared by Members outlined in Section 5 of the Agenda Darling, Chorley, Burchat*)

G. McGlashon provided background information and overview of the application.

Moved by Councillor Nicole Beatty

THAT Council receive the report from the Manager of Planning for information purposes; and

FURTHER THAT Council authorize the preparation of a By-law to be presented at a Regular Council Meeting which re-zones the 0.38 ha (0.94 ac) parcel of land at 420 Division Street from “District Commercial Exception 2 (DC-2) Zone” to “District Commercial Exception 29 Holding [DC-29(H)] Zone” to permit the adaptive re-use of the former Inn/Hotel and restaurant as a Rehabilitation/Detox Treatment Centre with site specific zone provisions governing the proposed land use, facility capacity and parking.

Carried

10.3 Memo from the Secretary, Planning and Development, regarding Zoning By-law Amendment - 420 Division Street. *(Conflict Declared by Members outlined in Section 5 of the Agenda Darling, Chorley, Burchat)*

Moved by Councillor Nicole Beatty

THAT Council receive the memo from the Secretary of the Planning and Development Advisory Committee for information purposes endorsing the conclusions and recommendations of the Zoning By-law Amendment - 420 Division Street Planning Report.

Carried

11. PUBLIC WORKS SERVICES

11.1 Memo from the Director of Public Works, regarding the approval and awarding of various Public Works Construction Contracts.

Moved by Councillor Brian Darling

THAT Council receive the report from the Director of Public Works regarding the various Public Works Tender Results for information purposes; and

FURTHER THAT Council award the Albert Street Reconstruction Tender CO-21-01 PWD to Behan Construction Limited in the amount of \$1,031,917.49 excluding HST; and

FURTHER THAT Council award the Bi-Annual Sidewalk Program (Abbott Blvd) Tender CO-21-02 PWD to Dekeyser Excavating Limited in the amount of \$189,472.74 excluding HST; and

FURTHER THAT Council award the Terry Fox Stormwater Pond Cleanout Tender CO-21-03 PWD to GFL Environmental Inc. in the amount of \$286,604.50 excluding HST; and

FURTHER THAT Council award the Sanitary Sewer Rehabilitation Tender CO-21-05 PWD to Sewer Technologies in the amount of \$556,981.00 excluding HST.

Divided

MOTION TO DIVIDE:

Moved by Deputy Mayor Suzanne Séguin

THAT Council remove the item of the awarding of the Bi-Annual Sidewalk Program (Abbott Blvd) Tender CO-21-02 PWD to Dekeyser Excavating Limited in the amount of \$189,472.74 excluding HST from the main motion to be voted on separately by Municipal Council.

Carried

Moved by Councillor Brian Darling

THAT Council receive the report from the Director of Public Works regarding the various Public Works Tender Results for information purposes; and

FURTHER THAT Council award the Albert Street Reconstruction Tender CO-21-01 PWD to Behan Construction Limited in the amount of \$1,031,917.49 excluding HST; and

FURTHER THAT Council award the Terry Fox Stormwater Pond Cleanout Tender CO-21-03 PWD to GFL Environmental Inc. in the amount of \$286,604.50 excluding HST; and

FURTHER THAT Council award the Sanitary Sewer Rehabilitation Tender CO-21-05 PWD to Sewer Technologies in the amount of \$556,981.00 excluding HST.

Carried

Moved by Councillor Brian Darling

THAT Council award the Bi-Annual Sidewalk Program (Abbott Blvd) Tender CO-21-02 PWD to Dekeyser Excavating Limited in the amount of \$189,472.74 excluding HST.

Carried

11.2 Memo from the Director of Public Works, regarding the Approval to Award Single/Sole Source Design Services for the Mathew Street Engineering Design Services Contract.

Moved by Councillor Brian Darling

THAT Council approve the extension of the Mathew Street Engineering Design Services Contract with CIMA+ for the design of Burke Street, Blake Street and Victoria Street in the amount of \$75,000 and accordance with the 2021 approved Public Works Capital Budget.

Carried

12. PARKS AND RECREATION SERVICES

12.1 Memo from the Deputy Director of Community Services and the Director of Public Works regarding the Award of Contract for Harbour Infrastructure Repairs.

Moved by Councillor Emily Chorley

THAT Council award the Harbour Infrastructure Repairs Tender CO-21-06 CSD for the provision of professional design services to Shoreplan Engineering in the amount of \$440,000 plus HST;

AND FURTHER THAT Council approve the costs associated with the following provisional items in the amount of \$62,200 plus HST, being:

- A. Detailed Design of Reinforced Concrete Boat Lift Platform (\$16,500);
- B. Pedestrian Walkway to Lighthouse
 - 1. Construction Cost Estimate (\$16,700);
- C. Condition Assessment of Remaining Harbour Structures (\$7,000); and
- D. Monitoring of Existing Infrastructure Prior to Completion of Repairs (\$22,000).

AND FURTHER THAT Council will decide at a later date whether to authorize provisional item B(ii): Detailed Design and Tender Documents for a Pedestrian Walkway to the Lighthouse (\$28,800); this option will be considered upon receipt of B(i): Construction Cost Estimate;

AND FURTHER THAT Council approve a 10% contingency to be added to the design fees in the amount of \$50,000 plus HST;

AND FURTHER THAT all funds are to be debentured as approved in the Town's 2021 Community Services Capital Budget in the amount of \$562,000 including non-refundable HST.

Divided

MOTION TO DIVIDE:

Moved by Councillor Brian Darling

THAT Council remove the following items from the main motion to be voted on through a separate motion by Council being the approval of the the costs associated with the following provisional items in the amount of \$62,200 plus HST, being:

- E. Detailed Design of Reinforced Concrete Boat Lift Platform (\$16,500);
- F. Pedestrian Walkway to Lighthouse
 - 2. Construction Cost Estimate (\$16,700);
- G. Condition Assessment of Remaining Harbour Structures (\$7,000); and
- H. Monitoring of Existing Infrastructure Prior to Completion of Repairs (\$22,000).

AND FURTHER THAT Council will decide at a later date whether to authorize provisional item B(ii): Detailed Design and Tender Documents for a Pedestrian Walkway to the Lighthouse (\$28,800); this option will be considered upon receipt of B(i): Construction Cost Estimate;

Carried

Moved by Councillor Emily Chorley

THAT Council award the Harbour Infrastructure Repairs Tender CO-21-06 CSD for the provision of professional design services to Shoreplan Engineering in the amount of \$440,000 plus HST;

AND FURTHER THAT Council approve a 10% contingency to be added to the design fees in the amount of \$50,000 plus HST;

AND FURTHER THAT all funds are to be debentured as approved in the Town's 2021 Community Services Capital Budget in the amount of \$498,000 including non-refundable HST.

Carried

Moved by Councillor Adam Bureau

THAT the costs and approvals associated with provisional items as submitted Shoreplan Engineering be referred to the March 8, 2021 Committee of the Whole Meeting for Council consideration.

Referred Items:

AND FURTHER THAT Council approve the costs associated with the following provisional items in the amount of \$62,200 plus HST, being:

- I. Detailed Design of Reinforced Concrete Boat Lift Platform (\$16,500);
- J. Pedestrian Walkway to Lighthouse
 - 3. Construction Cost Estimate (\$16,700);
- K. Condition Assessment of Remaining Harbour Structures (\$7,000); and
- L. Monitoring of Existing Infrastructure Prior to Completion of Repairs (\$22,000).

AND FURTHER THAT Council will decide at a later date whether to authorize provisional item B(ii): Detailed Design and Tender Documents for a Pedestrian Walkway to the Lighthouse (\$28,800); this option will be considered upon receipt of B(i): Construction Cost Estimate;

Carried

12.2 Memo from the Secretary, Parks and Recreation, regarding Planting for a Greener Future

Moved by Councillor Emily Chorley

THAT Council receive the memo from the Parks and Recreation Advisory Committee (PRAC) for information purposes;

AND FURTHER THAT Council endorse the Cobourg Horticultural Society's project: *Planting for a Greener Future*.

Carried

12.3 Memo from the Deputy Director of Community Services regarding the Outdoor Rink at Sinclair Park.

Moved by Councillor Emily Chorley

WHEREAS the creation of an outdoor rink in Sinclair Park has not been feasible due to the length of the Provincial lockdown and the forecast of above-freezing temperatures in late-February;

AND WHEREAS the Provincial lockdown was lifted on February 16, 2021, allowing for the reopening of the Cobourg Community Centre (CCC);

THEREFORE BE IT RESOLVED THAT Council direct staff to operate free public skating at the CCC from February 18, 2021 to March 20, 2021 for two hours each day;

AND FURTHER THAT Council redirect the \$5,000 budgeted for the Sinclair Park rink to the CCC to help offset the cost of providing free public skating;

AND FURTHER THAT the concept of additional outdoor rinks in neighbourhood parks be further considered during the 2022 budget process.

Carried

13. PROTECTION SERVICES

13.1 Memo from the Secretary of the Accessibility Advisory Committee, regarding the Specialized Transit (WHEELS) Draft Policy.

Moved by Councillor Aaron Burchat

THAT Council receive the memo from the Secretary of the Accessibility Advisory Committee for information purposes.

FURTHER THAT Council direct Staff to provide a report back to council on any costing and other information that would impact the current contract with the service provider.

Amended

Moved by Councillor Nicole Beatty

THAT the motion be amended to replace the motion wording with the following: THAT Council refer the motion back to the Accessibility Advisory Committee asking them to identify the specific requests for enhance services for staff to explore with the service provider.

Carried

Moved by Councillor Aaron Burchat

THAT Council receive the memo from the Secretary of the Accessibility Advisory Committee for information purposes.

FURTHER That Council refer the motion back to the Accessibility Advisory Committee asking them to identify the specific requests for enhance services for staff to explore with the service provider.

Carried

14. ARTS CULTURE AND TOURISM SERVICES

15. UNFINISHED BUSINESS

15.1 Municipal Council Unfinished/Outstanding Business Tracking Table

16. COMMITTEE OF THE WHOLE OPEN FORUM

16.1 Open Forum - Submissions from Public

No submissions were received from the public.

17. ADJOURNMENT

Moved by Councillor Aaron Burchat

THAT the meeting be adjourned. (10:22 PM)

Carried