

Planning and Development Committee

Minutes

Date: September 30, 2019
Time: 7:00 PM
Location: Council Chambers, 2nd Floor
Municipal Administrative Centre
40 Temperance Street
Bowmanville, Ontario

Present Were: Mayor A. Foster, Councillor R. Hooper, Councillor J. Jones,
Councillor J. Neal, Councillor C. Traill, Councillor M. Zwart

Regrets: Councillor G. Anderson

Staff Present: A. Allison, L. Backus, A. Burke, F. Langmaid, J. Gallagher,
S. Gray, K. Richardson, C. Salazar

1. Call to Order

Councillor Neal called the meeting to order at 7:00 PM.

2. New Business – Introduction

There were no new business items added to the Agenda.

Suspend the Rules

Resolution # PD-121-19
Moved by Councillor Traill
Seconded by Councillor Hooper

That the Rules of Procedure be suspended to hear the delegations regarding
Report PSD-040-19, Next Steps on Zone Clarington first.

Carried

3. Adopt the Agenda

Resolution # PD-122-19
Moved by Mayor Foster
Seconded by Councillor Jones

That the Agenda for the Planning and Development Committee meeting of
September 30, 2019 be adopted as presented.

Carried

4. Declaration of Interest

Councillor Zwart declared a direct interest in Report PSD-039-19 Exemption Request for 10 Victoria Street from Interim Control By-law.

Councillor Zwart declared a direct interest in Report LGL-013-19 10 Victoria Street – Exemption from Part Lot Control.

5. Announcements

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

6. Adoption of Minutes of Previous Meeting

There were no minutes of previous meetings to be adopted, as the previous meeting was the Joint General Government and Planning and Development Committee meeting of September 9, 2019 and the minutes have been approved.

7. Public Meetings

There were no Public Meetings.

8. Delegations

8.1 Libby Racansky, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Libby Racansky, was present regarding Report PSD-040-19, Next Steps on Zone Clarington. Ms. Racansky made a verbal presentation to accompany an electronic presentation. She stated that our natural features and resources are under threat and residents need to protect them. Ms. Racansky explained that the potential costs to mail additional notices could be allocated to the rehabilitation of natural areas under threat in our community. She stated that Environmental Protection (EP) is identified for many reasons including:

- they may be recharge or discharge areas for creeks;
- they may serve as a Source Water Protection like Courtice north;
- they may be wetlands, marshes, meadows, forest or agricultural lands; and
- they may contain habitat for creatures that are helping us to maintain healthy environment.

Ms. Racansky advised the Committee that she would like more lands to be identified as EP. She stated that not all lands can be developed into subdivisions and that EP lands have to be protected for future generations. Ms. Racansky stated that local actions can have a negative effect beyond the Municipality of Clarington border. She advised the Committee that we have to make good decisions now. Ms. Racansky concluded by explaining that for the fairness of all taxpayers, not just rural residents, the EP zoned urban lands document should be dealt with first, not after new development applications.

8.2 Gord Robinson, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Gord Robinson, was present regarding Report PSD-040-19, Next Steps on Zone Clarington. Mr. Robinson is concerned with how new zoning will impact rural areas and agricultural areas. He noted that, if a motion from the previous term of Council had been passed, the public would have been notified when the Official Plan was adopted and he would not be here tonight. Mr. Robinson stated that he is concerned that 50% of land was rezoned to Environmentally Protected (EP) with the approval of the Official Plan using outdated maps. He would like to know what criteria was used to expand the EP zone. Mr. Robinson advised the Committee that he spoke with staff from the City of Oshawa and they indicated that they walked the properties with the Conservation Authority before approving their Official Plan. He explained that he does not accept recommendation two contained in Report PSD-040-19 and that letters should be sent to all affected property owners. Mr. Robinson mentioned that some property owners have spoken with Planning Staff regarding their property and have been asked to sign off on a statement that they are satisfied with the explanation and agree to expansion of EP lands on their property. He mentioned that it was his understanding that the 90 and 30 metre setback would be removed. Mr. Robinson asked that the site visits not start until the spring runoff is complete and that all setbacks be the same in urban and rural Clarington. He noted that, when the notification letter is sent, it reference the portions of the property that has been rezoned and that Council review the letter before it is sent to residents.

8.3 Julia Perry, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Julia Perry, was present regarding Report PSD-040-19, Next Steps on Zone Clarington. Ms. Perry is concerned with the proposed changes to the EP zoning on her property. She advised the Committee that currently 40% is designated EP lands, and the proposed zoning changes would render 90% of her property EP and 10% environmental review. Ms. Perry explained that all areas of her property would be affected and any future renovations could be denied or restricted. She noted that the change would also add additional costs for permits and environmental assessments. Ms. Perry explained that the creek on her property is dry in the summer, and should not be included as a water feature. She stated that she consulted with real estate agents and was advised that the proposed changes will decrease her property value. Ms. Perry would like the Committee to reconsider the EP expansion and would like a site visit. She explained that she is disappointed that it took a volunteer organization to hear about the EP amendment, and was not notified from the Municipality.

8.4 Doug Sirrs, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Doug Sirrs, was present regarding Report PSD-040-19, Next Steps on Zone Clarington. Mr. Sirrs advised the Committee that he is a real estate agent, and previously an environmental engineer at General Motors. He stated that he is a supporter of EP lands and expansion but is concerned with the current process. Mr. Sirrs noted that residents need to be notified upfront if their land is going to change. He explained that every property owner should be informed that their property is affected by the zoning changes and told what it means to have EP lands on their property, the restrictions, and the process to be followed if they want to make any changes on their property. Mr. Sirrs stated that the site review process should not be for the property owner to prove that the EP land should be changed. He noted that we should find the balance between protecting the environment and land owners abilities to enjoy their property.

8.5 Steven Chandler, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Steven Chandler, was present regarding Report PSD-040-19, Next Steps on Zone Clarington. Mr. Chandler explained that he owns a 30 acre property that has A1 zoning, which is currently 5% EP but will now be 90% EP. He stated that the EP designation is unfair and unreasonable. Mr. Chandler advised the Committee that the agricultural community is the highlight of this municipality and that it is important for it to be protected but the uses should not be limited. He stated that there should be impact studies done that highlight the adverse effects on property owners. Mr. Chandler explained that the EP designation restricts and limits homeowners with no guarantee for approval of future projects. He explained that the maps being used are not consistent with CLOCA's floodplain map. He concluded by stating that property owners have to accept the natural heritage system, do not have to accept the model of protection chosen.

Councillor Traill left the meeting at 7:51 pm.

8.6 Bev Oda, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Bev Oda, was present regarding Report PSD-040-19, Next Steps on Zone Clarington. Ms. Oda stated that she is concerned that now her entire property is EP zoned. She explained that she was not notified that her property would be affected by the amendments. Ms. Oda stated that any notice given to affected property owners should include more information in language the public can understand. She believes that Recommendation 2 in Report PSD-040-19 does not meet the intent of Council's direction from the July 2, 2019 Council meeting. Ms. Oda explained that receiving non-addressed mail does not serve the public interest. She stated that sending addressed mail to the affected property owners is a cost effective option and would meet Council's intent from the July 2, 2019 Council meeting. Ms. Oda read a portion of a letter sent from Mayor Foster to Minister Clark on September 17, 2019. She suggested that the request for an extension be made beyond the three years. Ms. Oda would like to know why a desktop review has not already done to address any mapping issues. She

explained that the eight step process proposed by staff does not include timelines, cost or resource requirements.

Councillor Traill returned to the meeting at 7:54 pm.

Suspend the Rules

Resolution # PD-123-19

Moved by Mayor Foster

Seconded by Councillor Hooper

That the Rules of Procedure be suspended to extend the delegation for an additional 2 minutes.

Carried

Ms. Oda concluded by requesting that staff inform the public in a way they can understand and comprehend and provide them with the information needed to comment in a meaningful and informed way. She would like the Committee to ensure there is openness, transparency and accountability when making a decision.

8.7 Jeungsoon Shin, Regarding Report PSD-040-19, Next Steps on Zone Clarington

Jeungsoon Shin advised the Clerk's Department, prior to the meeting, that she would be unable to attend as a delegation.

8.8 Marilyn Morawetz, Jury Lands Foundation, Regarding Report PSD-041-19, Jury Lands Official Plan Amendment

Marilyn Morawetz, Jury Lands Foundation, was present regarding Report PSD-041-19, Jury Lands Official Plan Amendment. Ms. Morawetz supports the recommendations contained in Report PSD-041-19 and asks the Committee to approve them. She advised the Committee of the importance of making a decision on the property. Ms. Morawetz explained that the increased density proposed by the developers will negatively impact the future uses for this site. She would like to know if the Municipality has been given any assurances by the land owners that the project will move forward. Ms. Morawetz stated that the land owners neglected to act on, or comply with, the standard requirements for buildings and damages occurred.

Suspend the Rules

Resolution # PD-124-19

Moved by Mayor Foster

Seconded by Councillor Jones

That the Rules of Procedure be suspended to extend the delegation for an additional 2 minutes.

Carried

She noted that, in 2016, an agreement was made such that the owners would sign over a building, but the transaction has never happened. Ms. Morawetz explained that the nature of the lands and the uses of the buildings will be able to co-exist with the future development.

Suspend the Rules

Resolution # PD-125-19

Moved by Councillor Jones

Seconded by Mayor Foster

That the Rules of Procedure be suspended to extend the delegation for an additional 1 minute.

Carried

She requested that the Committee approve recommendations contained in Report PSD-041-19.

8.9 Emma West, Bousfields Inc., Regarding Report PSD-041-19, Jury Lands Official Plan Amendment

Emma West, Bousfields Inc., was present regarding Report PSD-041-19, Jury Lands Official Plan Amendment. Ms. West explained that she has reviewed the Report and provided comments to staff. She is requesting that, before the Official Plan Amendment is approved, the following changes be considered:

- The maximum height in the local corridor area be increased from four stories to six stories;
- In the north portion of the property allow for 30% of portion to be 6 stories;
- A secondary emergency access be reviewed when plans are submitted; and

Ms. West stated that Lambs Road is a local corridor area and the requests are consistent with the Region, Provincial and Municipal plans. She answered questions from the Committee.

8.10 Bob Schickedanz, Far Sight Homes, Regarding Report PSD-041-19, Jury Lands Official Plan Amendment

Bob Schickedanz, Far Sight Homes, was present regarding Report PSD-041-19, Jury Lands Official Plan Amendment. Mr. Schickedanz owns land in the northern section of this block. He explained that it takes time and effort to implement and create a new community. Mr. Schickedanz stated that the site is unique and the cost to develop is significantly higher than normal development. He would like the access to the northern block of land be triggered by engineering staff not the number of units. Mr. Schickedanz explained that, for the development to be economically feasible and produce reasonable priced homes, the density needs to be increased. He mentioned that the increased density means that more residents will be able to enjoy the features of the property.

8.11 Ryan Guetter, Weston Consulting, Regarding PSD-036-19, Application by National Homes (Prestonvale) Inc. to permit a 112 Unit Townhouse Development at the Northeast Corner of Prestonvale Road and Bloor Street, Courtice

Ryan Guetter, Weston Consulting, was present regarding PSD-036-19, Application by National Homes (Prestonvale) Inc. to permit a 112 Unit Townhouse Development at the Northeast Corner of Prestonvale Road and Bloor Street, Courtice. Mr. Guetter explained that the Region has confirmed that the development will not negatively impact the intersection and traffic. He noted that the Region has committed to address any future issues. Mr. Guetter provided an update on the access to the public trails, and displayed a photo outlining the trail links. He concluded by requesting that the Committee support the recommendations contained in Report PSD-036-19. Mr. Guetter answered questions from the Committee.

8.12 Enzo Bertucci, Far Sight Homes, Regarding Report PSD-041-19, Jury Lands Official Plan Amendment

Enzo Bertucci, Kaitlin Corporation, was present regarding Report PSD-041-19, Jury Lands Official Plan Amendment. Mr. Bertucci explained that he has had productive meetings with staff. He would like minor amendments made to what is provided in Report PSD-041-19. Mr. Bertucci stated that they have submitted a letter to staff and the Committee with the proposed amendments they are requesting. He explained that their proposal is no different than common developments within the Region. Mr. Bertucci would like to see a greater range in density on the property, and that the six stories will make ensure the buildings are more accessible. He stated the six stories is not high density and is still mid-range. Mr. Bertucci explained that they do not want to delay the project and it is close to being acceptable for all parties. He explained that the development footprint got smaller after the land for the Municipal Park was increased, but they still need to ensure they can meet the minimum standards for the property. Mr. Bertucci stated that, if the minor amendments proposed can be approved, then the project can move forward immediately, but if they are not approved the site becomes undevelopable.

Alter the Agenda

Resolution # PD-126-19

Moved by Councillor Traill

Seconded by Councillor Jones

That the Agenda be altered to consider Item 12.2, Report PSD-041-19, Community Vision for Jury Lands, Urban Design Master Plan + Design Guidelines for former Ontario Boys Training School and WWII Prison of War Camp 30 – Amendment No 121 to the Clarington Official Plan at this time.

Carried

Resolution # PD-127-19

Moved by Councillor Traill

Seconded by Mayor Foster

That Report PSD-041-19, Community Vision for Jury Lands, Urban Design Master Plan + Design Guidelines for former Ontario Boys Training School and WWII Prison of War Camp 30 – Amendment No 121 to the Clarington Official Plan, be tabled to the Planning and Development Committee meeting in October 2019.

Tabled

Recess

Resolution # PD-128-19

Moved by Councillor Traill

Seconded by Councillor Jones

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 9:51 PM with Councillor Neal in the Chair.

9. Communications – Receive for Information

There were no communications to be received for information.

10. Communications – Direction

10.1 Memo from Anne Greentree, Municipal Clerk, Regarding the October 21, 2019 Planning and Development Committee Meeting

Resolution # PD-129-19

Moved by Councillor Jones

Seconded by Councillor Zwart

That staff be directed to reschedule the October 21, 2019 Planning and Development Committee meeting to October 22, 2019; and

That all necessary people are notified and signs updated to the new rescheduled date.

Carried

11. Presentations

12. Planning Services Department Reports

12.1 PSD-040-19 Next Steps on Zone Clarington

Councillor Neal left the Chair.

Mayor Foster chaired this portion of the Agenda.

Resolution # PD-130-19

Moved by Councillor Neal

Seconded by Councillor Traill

That Staff shall take all steps necessary to amend Clarington's Official Plan such that the Natural Heritage designation in Map D and Environmental Protection Area in Map A of the Official Plan for rural lands shall be limited to:

- a. Provincially Significant Wetland;
- b. Areas identified by CLOCA as being within a floodplain;
- c. Areas identified by the GRCA as being within a Floodplain;
- d. Land designated on the current Region of Durham Official Plan, Schedule B Map B-1 as containing Key Natural Heritage and Hydrologic Features;
- e. Land which is Significant Woodland;

That Staff are to provide a memo to Council on what is not included in paragraph 1 which is mandatory under provincial legislation;

The minimum vegetation zone set out in the Greenbelt Plan shall not be included in the mapping in the Official Plan;

That Planning notify all rural property owners and residents regarding the Official Plan approved in 2017 by Durham Region, and the zoning by-law review project (Zone Clarington) by Canada Post through addressed mail services for those living in Clarington, and to owners outside the Municipality;

That Staff shall submit to Council, for approval at the next Council Meeting, a draft of the letter giving "written notice" to "every landowner materially affected" as previously directed in PD-103-19 and PD-104-19. Further that such written notice shall be in an envelope addressed to each of the landowners registered on the title of each of the properties materially affected;

Any subsequent amendments to the Official Plan taking place following an inspection by staff of properties be at no cost to the landowners for application fees;

That in accordance with the Budget Policy, Staff are authorized to re-allocate budget allocations to fund the communication in paragraph 4;

That Report PSD-040-19 be received, and that all interested parties listed in Report PSD-040-19 and any delegations be advised of Council's decision; and

That Council's decision and a copy of Report PSD-040-19 be forwarded to the Region of Durham, CLOCA, the GRCA, and the Ministry of Municipal Affairs and Housing.

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

Absent (1): Councillor Anderson

Carried on a recorded vote (6 to 0)

Councillor Neal returned to the Chair.

Recess

Resolution # PD-131-19

Moved by Councillor Neal

Seconded by Councillor Zwart

That the Committee recess for 5 minutes.

Carried

The meeting reconvened at 10:10 PM with Mayor Foster in the Chair.

Resolution # PD-132-19

Moved by Mayor Foster

Seconded by Councillor Traill

That Staff be directed to report back on the expertise and costs required to achieve the expected service level for site visits and identifying environmental features.

Carried

12.2 PSD-041-19 Community Vision for Jury Lands, Urban Design Master Plan + Design Guidelines for Former Ontario Boys Training School and WWII Prison of War Camp 30 – Amendment No 121 to the Clarington Official Plan

Report PSD-041-19 was considered earlier in the meeting during the delegation portion of the agenda.

13. New Business – Consideration

14. Unfinished Business

14.1 PSD-036-19 Application by National Homes (Prestonvale) Inc. to permit a 112 unit townhouse development at the northeast corner of Prestonvale Road and Bloor Street, Courtice [Referred from the September 9, 2019 Joint Committee meeting]

Councillor Neal left the Chair.

Councillor Hooper chaired this portion of the Agenda.

Resolution # PD-133-19

Moved by Mayor Foster

Seconded by Councillor Traill

That Report PSD-036-19 be received;

That the application for Draft Plan of Subdivision (S-C-2017-0010) submitted by National Homes (Prestonvale) Inc. be supported subject to conditions as generally contained in Attachment 1 to Report PSD-036-19;

That no further public meeting is required for future application for Common Elements Condominium;

That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PSD-036-19 and Council's decision; and

That all interested parties listed in Report PSD-036-19 and any delegations be advised of Council's decision.

**Carried as Amended Later in the Meeting
See following motion**

Resolution # PD-134-19

Moved by Councillor Neal

Seconded by Councillor Jones

That the foregoing Resolution #PD-133-19 be amended by adding the following after the second paragraph:

That the applicant be directed to pay the costs to erect a temporary stop sign at Robert Adams Drive and Prestonvale Road.

Carried Later in the Meeting, see following motion

Suspend the Rules

Resolution # PD-135-19
Moved by Councillor Traill
Seconded by Councillor Jones

That the Rules of Procedure be suspended to extend the meeting for an additional 20 minutes.

Carried

Resolution # PD-136-19
Moved by Mayor Foster
Seconded by Councillor Traill

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing resolution #PD-134-19 for a second time.

Carried

The foregoing Resolution #PD-134-19 was then put to a vote and carried.

The foregoing Resolution #PD-133-19 was then put to a vote and carried as amended.

14.2 PSD-039-19 Exemption Request for 10 Victoria Street from Interim Control By-law [Referred from the September 9, 2019 Joint Committee meeting]

Councillor Neal returned to the Chair.

Councillor Zwart declared an indirect interest in Report PSD-039-19. Councillor Zwart left the room and refrained from discussion and voting on this matter.

Resolution # PD-137-19
Moved by Mayor Foster
Seconded by Councillor Hooper

That Report PSD-039-19, Exemption Request for 10 Victoria Street from Interim Control By-law be referred to the Planning and Development Committee Meeting of October 21, 2019.

Referred

Councillor Zwart returned to the meeting.

14.3 Paragraph Three of Resolution #C-247-19 - Recommendation to Add Two (2) Properties to the Municipal Register [Tabled from the September 16, 2019 Council Meeting]

Lifted from the Table

Resolution # PD-138-19

Moved by Mayor Foster

Seconded by Councillor Jones

That the matter of Paragraph Three of Resolution #C-247-19 - Report PSD-030-19, Recommendation to Add Two (2) Properties to the Municipal Register, be lifted from the table.

Carried

Resolution # PD-139-19

Moved by Mayor Foster

Seconded by Councillor Hooper

That Paragraph Three of Resolution #C-247-19 - Report PSD-030-19, Recommendation to Add Two (2) Properties to the Municipal Register, as stated below, be referred to the Planning and Development Committee meeting of November 12, 2019:

That 816 Regional Road 17, Newcastle be added to the Municipal Register.

Referred

15. Confidential Reports

15.1 LGL-010-19 Zone Clarington – Requirement for Official Plan Conformity

Resolution # PD-140-19

Moved by Mayor Foster

Seconded by Councillor Jones

That Confidential Report LGL-010-19 be received for information.

Carried

15.2 LGL-013-19 10 Victoria Street – Exemption from Part Lot Control

Councillor Zwart declared an indirect interest in Report LGL-013-19. Councillor Zwart left the room and refrained from discussion and voting on this matter.

Resolution # PD-141-19

Moved by Mayor Foster

Seconded by Councillor Jones

That Report LGL-013-19, 10 Victoria Street – Exemption from Part Lot Control be referred to the Planning and Development Committee meeting of October 21, 2019.

Referred

16. Adjournment

Resolution # PD-142-19

Moved by Mayor Foster

Seconded by Councillor Hooper

That the meeting adjourn at 11:13 PM.

Carried

Mayor

Deputy Clerk