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Planning and Development Committee

Minutes

Date: April 26, 2021
Time: 7:00 p.m.
Location: Council Members (in Chambers or MS Teams) | Members of the Public (MS Teams)

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

Staff Present: A. Allison, J. Newman, L. Patenaude, R. Windle, F. Langmaid, K. Richardson, A. Burke

Other Staff Present: L. Backus, C. Salazar, T. Rubino, Cindy Strike

1. Call to Order

Councillor Anderson called the meeting to order at 7:00 p.m.

2. Land Acknowledgment Statement

Mayor Foster led the meeting in the Land Acknowledgement Statement.

3. New Business – Introduction

New business item(s) were added to the New Business - Consideration section of the agenda.

4. Adopt the Agenda

Resolution # PD-130-21
Moved by Councillor Traill
Seconded by Councillor Jones

That the Agenda for the Planning and Development Committee meeting of April 26, 2021, be adopted, with the exception of, Items 15.1 Pete Zuzek, MES, CFM, P. Geo., President, Zuzek Inc., Regarding Unfinished Business Item 15.1, Report PDS-007-21 Cedar Crest Beach – Property Loss Study and 15.2 PDS-007-21 Cedar Crest Beach - Property Loss Study, which shall be referred to the June 7, 2021 Planning and Development Committee meeting.

Motion Withdrawn

Resolution # PD-131-21
Moved by Councillor Zwart
Seconded by Councillor Hooper

That the foregoing Resolution #PD-130-21 be divided such that the referral be considered separately from adopting the agenda.

Motion Withdrawn

Resolution # PD-132-21
Moved by Mayor Foster
Seconded by Councillor Hooper

That the Agenda for the Planning and Development Committee meeting of April 26, 2021, be adopted as presented.

Carried

5. Declaration of Interest

Councillor Jones declared an indirect interest in 13.4, PDS-026-21 Lease with Lakeridge Health for a Temporary Air Ambulance Heliport.

6. Announcements

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

7. Adoption of Minutes of Previous Meeting

7.1 Minutes of a Regular Meeting of April 6-7, 2021

Resolution # PD-133-21
Moved by Councillor Hooper
Seconded by Mayor Foster

That the minutes of the regular meeting of the Planning and Development Committee meeting held on April 6-7, 2021, be approved.

Carried

8. Public Meetings

8.1 Public Meeting for a Proposed Official Plan Amendment and Zoning By-law Amendment

Toni Rubino, Planner, made a verbal presentation to accompany an electronic presentation.

Jacqueline Mann, Clark Consulting Services, thanked Ms. Rubino for the presentation and stated that they are thankful Council is considering the application.

No one spoke in opposition to the application.

8.2 Public Meeting to Seek Input on the Draft Official Plan Amendment to Delete Policy 13.3.12 and Section 17.3 Special Study Area 2 - Greenbelt Expansion from Clarington's Official Plan

Lisa Backus, Principal Planner, made a verbal presentation to accompany an electronic presentation.

Bruno Constantino was called upon and was not present.

Antonella Vergati was called upon and was not present.

Peter Traicus spoke in support of the proposal. He stated that adding the lands to the greenbelt will isolate Courtice, from Bowmanville and Newcastle. Mr. Traicus noted that Clarington has economic advantages coming such as Highway 418 and the GO Station and added that if the lands are added to the greenbelt, this will disappear. He questioned what the percentage would be if the lands were converted and asked what the remainder of land is in the whitebelt. Mr. Traicus answered questions from Members of Committee.

Adesina Bakare was called upon and was not present.

Martha Vandepol spoke in support of the proposal. She made a verbal presentation to accompany an electronic presentation. Ms. Vandepol explained why it took five years for the public to be notified of the Special Study Area 2. She provided a background of Council approving OPA Amendment 107. Ms. Vandepol expressed her concerns regarding transparency and how no property owners were advised of the Special Study Area 2. She questioned why we need more land in the greenbelt when Clarington already has 81% of land in it. Ms. Vandepol explained that we need lands for economic growth and to create homes and jobs for residents and added that the greenbelt expansion will put a boundary line to any future economic development to the lands if they are added.

Russ Brown was called upon and was unable to speak.

Doug Rombough was called upon and was not present.

Gord Robinson spoke in support of the proposal. Mr. Robinson questioned why notifying residents of proposals has always been an issue and hope Staff can continue to improve on notification to landowners. He stated that adding the lands in the greenbelt will decrease land value and added that he doesn't think it's right to take away property owners rights to their land. Mr. Robinson explained that in order to have population growth in the future, the lands should not be included in the greenbelt. He requested that Members of Committee say no to the expansion and asked that Councillors of wards 3 and 4 look how close they are to possibly having a pipe in Orono. Mr. Robinson stated that the dream of having the pipe is over if the lands are added to the greenbelt.

Jim Hamilton, Welcome Feeds, spoke in support of the proposal. He stated that he is speaking on behalf of 200 landowners. He noted that they support the deletion of the policies from the Official Plan. Mr. Hamilton stated that the farmers in the area wish the land would not be added to the greenbelt as they want control of their land and to make their own decisions. Mr. Hamilton explained that the best use of the land is for future development not greenbelt space. He stated that he turned down an offer on a property as it is unclear what he can do with it and added that he wishes the greenbelt expansion would be removed from the Official Plan.

Richard Rekker spoke in support of the proposal. Mr. Rekker explained the difference of the lands on the east and west and noted they should not be included in the Special Study Area 2. He quoted the Provincial Policy Statement and expressed his concerns regarding the prime agricultural area. Mr. Rekker listed the businesses along Highway 2 and noted the prime farmland should be protected. He expressed his concerns regarding the expansion and the greater golden horseshoe. Mr. Rekker explained that expanding the greenbelt would affect the growth plan of the greater golden horseshoe and other developments. He stated that the rural area west of Bowmanville should be added to the greenbelt as it doesn't relate to the prime agricultural area.

Brenda Neddow was called upon and was not present.

Kirk Kemp spoke in support of the application. He noted that he was disappointed when he heard that the east lands were included in the Special Study Area 2. Mr. Kemp noted that he is thankful that Council has shown interest to reconsider the Special Study Area 2 and is pleased that the decision is going in the right direction. He explained that they have purchased land in the whitebelt and noted if it is switched to greenbelt, the value of the property would be lowered significantly. Mr. Kemp stated that the lands should be used for future development as Clarington is fast growing. He stated that the area is important for growth and thanked Members of Committee for their time.

Mike Box was called upon and was not present.

Eric Bowman stated that he represents the Agricultural Advisory Committee and noted they haven't had an opportunity to discuss this matter due to conflict of interest issues.

Brenda Metcalf was called upon and was not present.

Alter the Agenda

Resolution # PD-134-21
Moved by Councillor Neal
Seconded by Mayor Foster

That the Agenda be altered to consider Report PDS-024-21, at this time.

Carried

13. Planning and Development Department Reports

13.2 PDS-024-21 Public Meeting Report for DRAFT Official Plan Amendment Regarding Special Study Area 2

Resolution # PD-135-21
Moved by Councillor Neal
Seconded by Councillor Jones

That Report PDS-024-21 be received; and

That policies 13.3.12, 17.3, 17.3.1, 17.3.2, 17.3.3, and 17.3.4 be removed from the Clarington Official Plan.

Referred

Resolution # PD-136-21
Moved by Councillor Neal
Seconded by Councillor Jones

That the foregoing Resolution #PD-135-21, be referred to Staff to report back at the May 3, 2021 Council meeting.

Yes (3): Councillor Jones, Councillor Neal, and Councillor Traill

No (4): Mayor Foster, Councillor Anderson, Councillor Hooper, and Councillor Zwart

Motion Lost on a recorded vote (3 to 4)

Resolution # PD-137-21
Moved by Councillor Neal
Seconded by Councillor Traill

That the foregoing Resolution #PD-135-21, be referred to Staff to report back at the May 17, 2021 Planning and Development Committee meeting.

Yes (7): Mayor Foster, Councillor Anderson, Councillor Hooper, Councillor Jones, Councillor Neal, Councillor Traill, and Councillor Zwart

Carried on a recorded vote (7 to 0)

9. Delegations

10. Communications – Receive for Information

11. Communications – Direction

12. Presentations

13. Planning and Development Department Reports

13.1 PDS-023-21 Official Plan and Zoning By-law Amendment Applications to Facilitate the Severance of a Surplus Farm Dwelling

Resolution # PD-138-21
Moved by Mayor Foster
Seconded by Councillor Zwart

That Report PDS-023-21 be received;

That the application to amend the Clarington Official Plan and Zoning By-law 84-63 continue to be processed;

That Staff receive and consider comments from the public and Council with respect to OPA2021-0002 and ZBA2021-0003; and

That all interested parties listed in Report PDS-023-21 and any delegations be advised of Council's decision.

Carried

Recess

Resolution # PD-139-21
Moved by Councillor Hooper
Seconded by Mayor Foster

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 9:31 p.m. with Councillor Anderson in the Chair.

13.3 PDS-025-21 Darlington New Nuclear Build, License Renewal Hearing

Resolution # PD-140-21
Moved by Mayor Foster
Seconded by Councillor Zwart

That Report PDS-025-21 be received for information; and

That Council adopt the following resolution:

That the Darlington Nuclear Generating Station has been a significant part of the Municipality of Clarington since the 1980s, and has provided many positive benefits to the community with minimal adverse effects on the natural environment;

That the Municipality of Clarington Council and Staff have attended numerous meetings and information sessions with respect to the Darlington New Nuclear Power Plant Project and are therefore very knowledgeable with respect to the Project; and

That the Municipality of Clarington retained a qualified team of professionals to undertake a detailed peer review of the draft Environmental Impact Statement for the Darlington New Nuclear Power Plant Project and, on the basis of this peer review, can state with confidence that the Environmental Impact Statement meets the requirements of the Guidelines for the preparation of the document and that it satisfactorily addresses the Municipality's issues and concerns with respect to the Project;

That the Municipality of Clarington's peer review of the Environmental Impact Statement for the Darlington New Nuclear Power Plant Project agreed with the study's conclusions;

That Council and the residents of the Municipality of Clarington have been steadfast in their support for the proposed Darlington New Nuclear Power Plant Project and are eager to have nuclear power generation continue as a positive presence in our community;

That Council and the community of Clarington are very supportive of the use of Small Modular Reactors (SMR) as it would avoid the use of cooling towers, thus minimizing any associated socio-economic impacts for Clarington and Durham Region, for the Darlington New Nuclear Power Plant Project;

That Clarington Staff has worked with representatives of the Canadian Nuclear Safety Commission (CNSC), Ministry of Municipal Affairs and Housing, Durham Region and Ontario Power Generation to ensure that sensitive land uses are addressed within the three-kilometer buffer zone;

That many traffic and transportation network improvements have been implemented over the past decade to address potential deficiencies within the network and Clarington Staff have reviewed the findings of the updated Traffic Assessment Report, September 2019; and

That the Council of the Municipality of Clarington hereby advises the CNSC that it supports the Darlington New Nuclear Power Plant Project and strongly supports the use of SMR technology;

That the Mayor and Senior Staff accept the invitation of the CNSC to appear at the hearing in June to outline the Municipality's support for the project, our involvement and comments as set out in Report PSD-010-11 and reaffirmed in this Report PDS-025-21; and

That the Canadian Nuclear Safety Commission and Ontario Power Generation and all interested parties be notified of Council's decision.

Carried Later in the Meeting, see following motion

Amendment:

Resolution # PD-141-21

Moved by Councillor Neal

Seconded by Councillor Traill

That the foregoing Resolution #PD-140-21 be amended by adding the following:

That Clarington does not support the long term storage of nuclear waste on the Darlington site.

Yes (2): Councillor Neal, and Councillor Traill

No (5): Mayor Foster, Councillor Anderson, Councillor Hooper, Councillor Jones, and Councillor Zwart

Motion Lost on a recorded vote (2 to 5)

Resolution # PD-142-21

Moved by Mayor Foster

Seconded by Councillor Zwart

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #PD-141-21 for a second time.

Carried

The foregoing Resolution #PD-140-21 was then put to a vote and carried.

13.4 PDS-026-21 Lease with Lakeridge Health for a Temporary Air Ambulance Heliport

Councillor Jones declared an indirect interest in Item 13.4, as she is an employee of Lakeridge Health. Councillor Jones muted her audio and video and refrained from discussion and voting on this matter.

Resolution # PD-143-21

Moved by Councillor Hooper

Seconded by Mayor Foster

That PDS-026-21 be received;

That the Mayor and Municipal Clerk be authorized to execute a Lease Agreement between the Municipality of Clarington and Lakeridge Health substantially on the terms set out in Attachment 2; and

That all interested parties listed in Report PDS-026-21 and any delegations be advised of Council's decision.

Carried

Councillor Jones returned to the meeting.

14. New Business – Consideration

14.1 Zone Clarington Notification Letter Correction (Councillor Neal)

Resolution # PD-144-21
Moved by Councillor Neal
Seconded by Councillor Jones

That Staff re-send the letters to the rural landowners correcting the letters sent in December 2020 regarding Zone Clarington and deleting the third bullet on the first page of the letter.

Yes (3): Councillor Jones, Councillor Neal, and Councillor Traill

No (4): Mayor Foster, Councillor Anderson, Councillor Hooper, and Councillor Zwart

Motion Lost on a recorded vote (3 to 4)

14.2 Telecommunications Tower in Courtice (Councillor Jones)

Resolution # PD-145-21
Moved by Councillor Jones
Seconded by Councillor Neal

Whereas approval of the locations of telecommunication towers is solely with Innovation, Science and Economic Development Canada, and the Municipality is only able to comment on the site plan;

And whereas residents were advised at a recent Public Information Centre, by a representative of the telecommunication company, Freedom Mobile that Municipalities approve towers;

And whereas Staff provided clarification that Innovation, Science and Economic Development Canada is the approval authority;

And Whereas Council approved policies for Telecommunications Antennas and Towers in June 2013; which details the approvals process;

Now therefore be it resolved that Clarington Council supports the residents of Trulls Road in their opposition to a proposed telecommunications tower located at 3216 Trulls Road in Courtice; and

That Staff provide clarification of Clarington's role in telecommunication towers by providing the Council approved Telecommunications Policy to the interested parties of 3216 Trulls Road proposed telecommunication tower, and to Sean Galbraith Municipal Affairs Manager LandSquared, and advise them of this motion.

Referred

Resolution # PD-146-21
Moved by Mayor Foster
Seconded by Councillor Zwart

That the foregoing Resolution #PD-144-21 be referred to Staff.

Carried Later in the Meeting, see following motion

Amendment:

Resolution # PD-147-21
Moved by Councillor Neal
Seconded by Councillor Traill

That the foregoing Resolution #PD-146-21 be amended to add the following at the end:

That Staff include in the report whether we can write to the Canadian Radio-television and Telecommunications Commission expressing opposition on behalf of the residents.

Carried

The foregoing Resolution #PD-146-21, as amended was then put to a vote and carried.

Suspend the Rules

Resolution # PD-148-21
Moved by Councillor Neal
Seconded by Mayor Foster

That the Rules of Procedure be suspended to extend the meeting for an additional 15 minutes until 11:15 p.m.

Carried

15. Unfinished Business

15.1 Pete Zuzek, MES, CFM, P. Geo., President, Zuzek Inc., Regarding Unfinished Business Item 15.1, Report PDS-007-21 Cedar Crest Beach – Property Loss Study

Resolution # PD-149-21
Moved by Councillor Traill
Seconded by Councillor Neal

That Unfinished Business Item 15.1, Pete Zuzek, MES, CFM ,P. Geo., President, Zuzek Inc., Regarding Unfinished Business Item 15.1, Report PDS-007-21 Cedar Crest Beach – Property Loss Study, be referred to the June 7, 2021 Planning and Development Committee meeting.

Yes (3): Councillor Anderson, Councillor Jones, and Councillor Traill

No (4): Mayor Foster, Councillor Hooper, Councillor Neal, and Councillor Zwart

Motion Lost on a recorded vote (3 to 4)

Resolution # PD-150-21

Moved by Councillor Neal

Seconded by Mayor Foster

That Unfinished Business Items 15.1 Pete Zuzek, MES, CFM, P. Geo., President, Zuzek Inc., Regarding Report PDS-007-21 Cedar Crest Beach – Property Loss Study and 15.2 Report PDS-007-21 Cedar Crest Beach - Property Loss Study, be received; and

That no further studies be undertaken.

Yes (4): Mayor Foster, Councillor Hooper, Councillor Neal, and Councillor Zwart

No (3): Councillor Anderson, Councillor Jones, and Councillor Traill

Carried on a recorded vote (4 to 3)

Resolution # PD-151-21

Moved by Councillor Traill

Seconded by Councillor Neal

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #PD-150-21 for a second time.

Carried

The foregoing Resolution #PD-150-21 was then carried on a recorded vote.

Suspend the Rules

Resolution # PD-152-21

Moved by Councillor Neal

Seconded by Councillor Traill

That the Rules of Procedure be suspended to extend the meeting for an additional 15 minutes until 11:30 p.m.

Carried

15.2 PDS-007-21 Cedar Crest Beach – Property Loss Study

This matter was considered during Item 15.1.

15.3 Item 9.4, Karrie Lynn Dymond and Jonathan Cocker, Regarding Staff Comments/Responses at Works Committee and Report 2021-WR-5 DYEC Operations, Long-Term Sampling System Update for Dioxins and Furans

Resolution # PD-153-21

Moved by Mayor Foster

Seconded by Councillor Hooper

That the delegation of Karrie Lynn Dymond and Jonathan Cocker, Regarding Staff Comments/Responses at Works Committee and Report 2021-WR-5 DYEC Operations, Long-Term Sampling System Update for Dioxins and Furans, be received for information.

Carried

16. Confidential Reports

17. Adjournment

Resolution # PD-154-21

Moved by Councillor Neal

Seconded by Councillor Zwart

That the meeting adjourn at 11:27 p.m.

Carried