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## Planning and Development Committee

### Minutes

**Date:** June 7, 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:** J. Newman, L. Patenaude, R. Windle, F. Langmaid, K. Richardson, T. Pinn

**Other Staff Present:** A. Tapp, C. Salazar, C. Strike, S. Allin

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#### 1. Call to Order

Councillor Anderson called the meeting to order at 7:07 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-180-21  
Moved by Mayor Foster  
Seconded by Councillor Jones

That the Agenda for the Planning and Development Committee meeting of June 7, 2021, be adopted as presented.

**Carried**

**5. Declaration of Interest**

There were no disclosures of interest stated at this meeting.

**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 May 17, 2021**

Resolution # PD-181-21

Moved by Councillor Zwart

Seconded by Councillor Traill

That the minutes of the regular meeting of the Planning and Development Committee meeting held on May 17, 2021, be adopted.

**Carried**

**8. Public Meetings**

**8.1 Public Meeting for a Proposed Zoning By-law Amendment to Allow Two Mixed Use Buildings**

Amanda Tapp, Planner II, made a verbal presentation to accompany an electronic presentation.

Kim Demonte was called upon and was not present.

Ryan Boland spoke in opposition of the application. Mr. Boland expressed his concerns regarding the height of the development. He stated that it directly impacts the neighboring backyards to the south and believes there could have been a better selected area. Mr. Bolan concluded by stating the development will affect the value of his home and answered questions from Members of Committee.

Aaron Gillard and John Buckley, 2779471 Ontario Limited, were present regarding 2345-2349 Highway 2, Bowmanville. Mr. Buckley provided the background and history of the application. He explained the current and proposed zoning and outlined what is included in the proposal including the planning process and what they've learned through their virtual public information centers. He outlined the next steps in the process noting they will address all public and Staff comments in their next submission. Mr. Buckley displayed a photo of the proposal and Mr. Gillard answered questions from Members of Committee.

**8.2 Public Meeting for a Proposed Zoning By-law Amendment to Permit Commercial Uses on a Residential Property within the Hamlet of Newtonville**

Amanda Tapp, Planner II, made a verbal presentation to accompany an electronic presentation.

Danielle Kane spoke in opposition to the application. Ms. Kane explained that she was a victim in the 2018 Toronto shooting and has been paralyzed from the waist down. She expressed her concerns regarding stores in Ontario having no ramps, curb cuts or parking. Ms. Kane added that the proposal does not allow for accessible parking, space for a safe ramp, and does not comply with the accessibility standards. She noted that as the population ages in Ontario, more residents will need accessible parking. Ms. Kane stated that she hopes Committee considers persons with disabilities when considering the application.

Ricky Menezes spoke in opposition to the application. Mr. Menezes stated that he is legally blind and is extremely upset with this proposal. He expressed his concerns regarding another store in Ontario being inaccessible and outlined the risks of pedestrians and traffic. Mr. Menezes explained that the proposal is a terrible plan and should be analyzed as it is going to have long term consequences for people with disabilities. He added that poor parking is a big issue for safety especially if someone is using an accessibility device. Mr. Menezes concluded by noting having two stores side by side is poor planning and should be denied.

Sean Keane spoke in opposition to the application. Mr. Keane expressed his concerns regarding the municipality being used to settle a business dispute. He provided background of the dispute and noted there should be a proper investigation before any decision is made. Mr. Keane stated that political interference is another concern because a Member of Council signed a petition without speaking to both parties first. He explained that Council should look at how dangerous the site may be and noted rezoning should not be used to settle a dispute.

Richard J. Mazar spoke in opposition to the application. Mr. Mazar expressed his concerns regarding the property being an unsuitable commercial property that has incredible risk. He explained the background of the proposal and dispute between the owner and tenant of the existing store. Mr. Mazar expressed his concerns regarding accessibility and parking and answered questions from Members of Committee.

Mike Gimblett spoke in support of the application. Mr. Gimblett noted that he is a resident of Newtonville and attends the store several times a week. He explained the importance of supporting local business, especially during the pandemic. Mr. Gimblett explained that the applicant has been part of the community for 30 years and has been involved with the store for five years.

He added that he is annoyed to hear concerns from the public who don't reside in Clarington or Newtonville. Mr. Gimblett stated that Newtonville residents have proven their support for the proposal as they want to see it succeed. He noted that the owner of the existing store has not taken any steps to improve the accessibility of the store until now. Mr. Gimblett concluded by requesting Committee to approve the application without delay so Mr. Kerswell can reopen his business to serve the residents of Newtonville. He answered questions from Members of Committee.

Sharon Graveron was called upon and was not present.

Fay Goveas spoke in opposition to the application. She expressed her concerns regarding parking and the potential for congestion on street because of the lack of parking. She added that she is concerned with the overflow vehicles blocking the driveway.

Karen Pais was called upon and was not present.

Melodie Minus spoke in opposition to the application. She expressed her concerns regarding two stores being side by side as it is creating unnecessary competition, safety hazards, and increased traffic. Ms. Minus stated that a better option would be to secure an existing store front or create one in a better located area in the community.

George Panaioutys was called upon and was not present.

Dave Higgins spoke in support of the application. Mr. Higgins thanked Councillor Traill for stopping the conflict resolutions of previous speakers. He stated that his family has lived in Newtonville for six years and added that Mr. Kerswell was the first resident he met. Mr. Higgins explained that the store promotes local businesses by selling vegetables and baked goods from local growers. He stated that he walked through the proposed area and could see the vision of the new store. Mr. Higgins explained that there are parking spots on each side, including one accessible parking spot. He stated that he hopes Mr. Kerswell is given the opportunity to operate his business again and to serve the residents of Newtonville. He stated that the store will be more accessible, provide more parking and a safe entry and exit path. Mr. Higgins requested Committee to approve the application.

George Paniaoutys spoke in opposition to the application. Mr. Paniaoutys agrees with Ms. Kane's concerns regarding accessibility. He stated that there are not enough parking spots and is not safe for ambulance access.

Virginia Hardy was called upon and was not present.

Kristen Taylor was called upon and was not present.

Frank Hill spoke in opposition to the application. Mr. Hill stated that they are the new owners of the existing store. He explained that they are eager to open their store to provide accessible parking, fast food, create jobs, keep the historical energy and appearance of the community, and provide charity work. Mr. Hill expressed his concerns regarding having two stores side by side, the proposal not meeting existing commercial requirements and lack of appropriate setbacks. He stated that they have plans to change the accessibility of the store, open a restaurant, charity work and will continue to do what is best for the community. Mr. Hill stated that the application should not be approved and answered questions from Members of Committee.

Serena and Justin Rolle spoke in opposition to the application. Ms. Rolle stated that they are the owners of the neighbouring store building and expressed her concerns regarding the potential for pedestrian hazards, two stores being side by side, not keeping the town as a hamlet, parking, and the lack of customer parking. She stated that the proposal is changing the historical façade and is not in line with the Official Plan. Ms. Rolle noted that they intend to keep the building as a store and continue to do upgrades. She added that the proposal impacts the area and answered questions from Members of Committee.

Sara Bachan-Thomas spoke in opposition to the application. Ms. Bachan-Thomas expressed her concerns regarding two stores beside each other and taking away from the historic look of the community.

Darryl Kerswell, applicant, stated that the proposal is to benefit the community and not personal to the owners of the Artgrow Corp. Mr. Kerswell explained that he has had a parking analysis completed and submitted to Planning Staff and has been advised it meets all aspects for parking spots necessary for the square footage of the store. He added that the store front will look like a traditional convenience store. Mr. Kerswell stated that he is aware of the setbacks and will build within them. He noted that the parking will be located on his property except the loading zone. He added that the loading times would be before and after business hours. Mr. Kerswell stated that he will have more parking than the existing store if an equal easement agreement is obtained. He explained that he is looking forward to receiving new products and having a restaurant back in town. Mr. Kerswell explained that the parking plan designated parking spots that will not impact traffic and will allow access to the existing commercial property. He added that there will be no issues with crowding at the intersection with the new location. Mr. Kerswell is requesting that Committee approve the application so he can open his store. He explained that the online comments have been stressful, and his proposal is in the best interest of the community. Mr. Kerswell stated that the community wants the business back and answered questions from Members of Committee.

**Recess**

Resolution # PD-182-21  
Moved by Councillor Jones  
Seconded by Mayor Foster

That the Committee recess for 10 minutes.

**Carried**

The meeting reconvened at 9:28 p.m. with Councillor Anderson in the Chair.

**8.3 Public Meeting for a Proposed Amendment to the COVID-19 Community Improvement Plan**

Sarah Allin, Planner II, made a verbal presentation to accompany an electronic presentation.

No one spoke in support of or in opposition to the application.

**8.4 Public Meeting for a Proposed Zoning By-law Amendment to Implement a Previous Draft Plan of Subdivision**

Council chose not to hear the staff presentation.

Bryce Jordan, Applicant, thanked Staff for bringing forward the correction of the error in the by-law and recommending the adoption of the by-law at the next Council meeting, so the development can proceed.

**9. Delegations**

**10. Communications – Receive for Information**

**10.1 Gary Muller, MCIP, RPP, Director of Planning, Region of Durham, Regarding 2020 Annual Building Activity Review**

Resolution # PD-183-21  
Moved by Mayor Foster  
Seconded by Councillor Hooper

That Communication Item 10.1, Gary Muller, MCIP, RPP, Director of Planning, Region of Durham, Regarding 2020 Annual Building Activity Review, be received for information.

**Carried**

**11. Communications – Direction**

**12. Presentations**

**13. Planning and Development Department Reports**

**13.1 PDS-032-21 Application to Amend the Zoning By-law to Allow Two Mixed Use Buildings at 2345 - 2349 Highway 2, Southwest Corner of Green Road and Regional Highway 2 in Bowmanville**

Resolution # PD-184-21  
Moved by Councillor Neal  
Seconded by Mayor Foster

That Report PDS-032-21 be received for information only;

That Staff receive and consider comments from the public and Council with respect to the above referenced applications; and

That all interested parties listed in Report PDS-032-21 and any delegations be advised of Council's decision.

**Carried**

**13.2 PDS-033-21 Rezoning Application to Permit Commercial Uses on a Residential Property at 4504 Highway 2, Newtonville**

Resolution # PD-185-21  
Moved by Mayor Foster  
Seconded by Councillor Zwart

That Report PDS-033-21 be received for information only;

That Staff receive and consider comments from the public and Council with respect to the above referenced application; and

That all interested parties listed in Report PDS-033-21 and any delegations be advised of Council's decision.

**Carried**

**13.3 PDS-034-21 Proposed Amendment to the COVID-19 Community Improvement Plan (CIP)**

Resolution # PD-186-21  
Moved by Mayor Foster  
Seconded by Councillor Zwart

That Report PDS-034-21 be received;

That Staff receive and consider comments from the public and Council with respect to the Draft Revised COVID-19 Community Improvement Plan;

That provided there are no substantial objections from the public, or further substantial modifications required, the Draft Revised COVID-19 Community Improvement Plan be approved, and a by-law to adopt it be passed at the June 14, 2021 Council meeting;

That a Program-Specific Criteria be added to the Adaptation to Outdoor Operation Grant to exempt applications for the Seasonal Sidewalk Patio License Fee from the Means Test Criteria; and

That all interested parties listed in Report PDS-034-21 and any delegations be advised of Council's decision.

**Carried**

**13.4 PDS-035-21 An Application by Farsight Investments Limited to Rezone the Subject Lands to Implement a Draft Approved Plan of Subdivision at 1700 Lambs Road, West side of Lambs Road, North of Durham Highway No. 2 and South of Concession Street, Bowmanville**

Resolution # PD-187-21

Moved by Mayor Foster

Seconded by Councillor Hooper

That Report PDS-035-21 be received;

That provided there are no substantial objections from the public, the proposed application for rezoning be approved and that the Zoning By-law contained in Attachment 1 to Report PDS-035-21 be passed at the June 14, 2021 Council meeting;

That once all conditions contained in the Official Plan with respect to the removal of the (H) Holding Symbol are satisfied, the By-law authorizing the removal of the (H) Holding Symbol be approved;

That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-035-21 and Council's decision; and

That all interested parties listed in Report PDS-035-21 and any delegations be advised of Council's decision.

**Carried**

**14. New Business – Consideration**

**14.1 Potential for Implementation of the "Whitby Green Standard" in Clarington's Existing Green Initiatives (Mayor Foster)**

Resolution # PD-188-21

Moved by Mayor Foster

Seconded by Councillor Zwart

That Staff investigate and report back on the potential for implementing the 'Whitby Green Standard' within Clarington's existing green initiatives including options for more environmentally friendly roofing.

**Carried**



**15. Unfinished Business**

**16. Confidential Reports**

**17. Adjournment**

Resolution # PD-189-21

Moved by Councillor Hooper

Seconded by Mayor Foster

That the meeting adjourn at 10:16 p.m.

**Carried**