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Planning and Development Committee

Minutes

Date: May 16, 2022
Time: 6:30 p.m.
Location: Council Members (in Chambers or MS Teams) | Members of the Public (MS Teams)

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

Regrets: Councillor G. Anderson

Staff Present: R. Maciver, J. Newman, L. Patenaude, R. Windle, T. Pinn, F. Langmaid, R. Warne, K. Richardson

Other Staff Present: A. Vandyk, L. Backus, T. Rubino, B. Weiler, D. Hoge

1. Call to Order

Mayor Foster called the meeting to order at 6:30 p.m.

2. Land Acknowledgment Statement

Councillor Jones led the meeting in the Land Acknowledgement Statement.

3. Declaration of Interest

There were no disclosures of interest stated at this meeting.

4. Announcements

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

5. Public Meetings

5.1 Public Meeting for a Proposed Plan of Subdivision and Zoning By-law Amendment

Brandon Weiler, Principal Planner, made a verbal presentation to accompany an electronic presentation and answered questions from Members of Committee.

Suspend the Rules

Resolution # PD-053-22

Moved by Councillor Zwart
Seconded by Councillor Jones

That the Rules of Procedure be suspended to extend the delegation of Libby Racansky, for an additional 5 minutes for a total of 15 minutes.

Carried

Libby Racansky was present in opposition to the application. Libby expressed concerns regarding flooding and the destruction of the aquifer within the Courtice Urban Boundary. L. Racansky stated that the proposal will cause more mosquitos, ticks, Covid-19, and other variants of viruses and that local farmers would not be able to harvest crops due to water unavailability. Libby stated that the removal of trees, grading, and digging is causing runoff, flooding, sinkholes, and dryness. L. Racansky noted that eco-passages are recommended to help creatures survive. Libby expressed concerns regarding noise, the need for protecting stormwater management, proposed curbs and sidewalks, and the protection of trees. L. Racansky explained that there are no bungalows for seniors or single-parent families and that the plan is ignoring the Bell easement. Libby explained that more greenery is needed to stop flooding and that an additional park is required. L. Racansky added that a trail leading to Black Creek is needed, to protect leftover marsh and sensitive lands at Headgate. Libby explained that trenchless technology should be used for extension services so groundwater flow would be less affected and answered questions from Members of Committee.

Paul Kouadio was present in opposition to the application. Paul expressed his concerns regarding the lack of a parkette as the two parkettes are already overcrowded, especially in the summer. P. Kouadio stated that children play on the street as there is not enough room at the parkettes. Paul requested the developer consider including a parkette in the proposal.

Sami Elhajjeh was present in opposition to the application and is representing the members of the North Courtice community group. S. Elhajjeh expressed concerns regarding the frontages as they do not match the current Harry Gay neighbourhood. Sami explained that the proposal does not include a park or greenspace and expressed the importance of including a park as the others are overcrowded. S. Elhajjeh expressed concerns regarding increased traffic, safety for children, community health, and flooding. Sami played a video of nighttime creatures and was available for questions regarding the petition that was submitted.

Teresa Koornneef was present in opposition to the application. Teresa has lived in the area for 32 years and has noticed that the water table is rising, especially with Highway 418 interference. T. Koornneef added that the field across the street is already flooding and preventing the farmer from harvesting their crops. Teresa questioned how the water is going to be addressed and what repercussions will homeowners have if they get flood damage. T. Koornneef stated that the ditches in the area are not maintained and contain some vandalism and answered questions from Members of Committee.

Peter Maleganovski, Gatzios Planning and Development Consultants Inc. was present on behalf of the applicant. Peter provided an overview of the application and location. P. Maleganovski noted that the proposal conforms with the Clarington Official Plan and is consistent with the Hancock neighbourhood design plan. Peter provided the background on the submissions of the application, noting the plan has evolved over time in response to public comments. Peter concluded by stating there have been five submissions since 2018 which have responded to public and agency comments. P. Maleganovski answered questions from Members of Committee.

5.1.1 PDS-022-22 Draft Plan of Subdivision and Rezoning for Multiple Properties in the Hancock Neighbourhood, Courtice

Resolution # PD-054-22

Moved by Councillor Hooper
Seconded by Councillor Jones

That Report PDS-022-22 and any related communication items, be received for information only;

That Staff receive and consider comments from the public and Council with respect to the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by Nash Development Limited (Marlin Spring) and continue processing the applications including the preparation of a subsequent report; and

That all interested parties listed in Report PDS-022-22 and any delegations be advised of Council's decision.

Carried

5.2 Public Meeting for a Proposed Zoning By-law Amendment to Permit a Special Events Venue and Culinary-Related Activities as On-Farm Diversified Uses

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

Renee Rivera stated that they are here to answer any questions regarding the application.

Bob Clark, Planning Consultant, Clark Consulting Services was present on behalf of the applicant. Bob provided an overview of the application and noted that the zoning application is focused on a specific area on the property that includes parking and is well shielded by vegetation on all sides. B. Clark displayed a detailed view of the concept plan which includes a ceremony site surrounded by trees and includes walkways, a canvas building with covering, and parking for 70 vehicles with access onto Morgan's Road through an existing laneway. Bob stated that a sound expert suggested placing buffers on the ground and on the canvas building to ensure noise is not disruptive to neighbours. B. Clark explained that the farm currently hosts farm tours and farm-related events and provided an overview of the on-farm diversified uses criteria noting the application conforms with the criteria. Bob stated that there would only be 1 to 2 events a week and the location is only 1.47% of the farm area, which is under the 2% maximum. B. Clark explained that the application is compatible with the existing neighbourhood and that the property is isolated through vegetation and surrounding property. Bob stated that supporting documents submitted include a functional servicing plan, site screen questionnaire, environmental site screening, archaeological assessment, MDS calculation, noise assessment, hydrological assessment, and an economic impact study. B. Clark stated that concerns made by neighbours have been addressed and noted that they are seeking to provide the existing entrance so there would not be any further interruption for traffic on Morgan's Road and has been re-graded with assistance from Public Works. Bob explained that emergency access has been reviewed to indicate that there is available access to meet the requirements and that the traffic consultant is satisfied with Morgan's road meeting requirements for traffic. B. Clark stated that there was a suggestion for additional lighting on Morgan's Road, but the applicant does not believe it is needed. Bob explained that the applicants are subject to on-farm special events licensing and would be monitoring the operation which ensures neighbours that the operator will manage all events to ensure there are no concerns. Bob Clark answered questions from Members of Committee.

5.2.1 PDS-023-22 Application for Zoning By-law Amendment to Permit a Special Events Venue and Culinary-Related Activities as On-Farm Diversified Uses at 3582 Morgans Road, Clarke

Resolution # PD-055-22

Moved by Councillor Zwart

Seconded by Councillor Jones

That Report PDS-023-22 and any related communication items, be received for information only;

That Staff receive and consider comments from the public and Council with respect to the Zoning By-law Amendment application; and

That all interested parties listed in Report PDS-023-22 and any delegations be advised of Council's decision.

Carried

The public meeting concluded at 8:32 p.m.

6. Presentations/Delegations (10 minute time limit)

6.1 Delegation of Ron Diskey, Regarding Item 7.1 PWD-010-22 Access to Rundle Road Property

Ron Diskey was present regarding PWD-010-22 Access to Rundle Road Property. Ron explained that they are requesting to build a home on their 50-acre property and are seeking approval for a road allowance. R. Diskey stated that efforts have been made to purchase surrounding property but have not been successful. Ron expressed that the road construction would be at no cost to the municipality and believes there would be no requirement for extra capital equipment or Staff. Ron requested that Council approve the road allowance and answered questions from Members of Committee.

7. Reports/Correspondence Related to Presentations/Delegations

7.1 PWD-010-22 - Access to Rundle Road Property (Referred from the April 25, 2022 Planning and Development Committee Meeting)

Resolution # PD-056-22

Moved by Councillor Jones

Seconded by Councillor Traill

That Report PWD-010-22 and any related communication items, be received;

That Staff be directed to work with the owner of the Rundle Road property to improve the unmaintained road allowance to a rural municipality standard at the owner's expense and assume the road allowance as a maintained road; and

That all interested parties listed in Report PWD-010-22 and any delegations be advised of Council's decision.

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

No (3): Mayor Foster, Councillor Hooper, and Councillor Zwart

Absent (1): Councillor Anderson

Motion Lost on a recorded vote (3 to 3)

Later in the meeting, see following motions.

Resolution # PD-057-22

Moved by Councillor Neal
Seconded by Councillor Jones

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #PD-056-22 for a second time.

Carried

Amendment:

Resolution # PD-058-22

Moved by Councillor Neal
Seconded by Councillor Jones

That the foregoing resolution #PD-056-22 be amended by adding the following at the end:

"That all normal requirements including the posting of a sufficient letter of credit, and the necessary turning radius, be included in the agreement."

Motion Lost

Resolution # PD-059-22

Moved by Councillor Jones
Seconded by Councillor Traill

That Report PWD-010-22 and any related communication items, be received;

That Staff report back on a policy on opening unopened road allowances; and

That all interested parties listed in Report PWD-010-22 and any delegations be advised of Council's decision.

Carried

Recess

Resolution # PD-060-22

Moved by Councillor Zwart
Seconded by Councillor Hooper

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 9:21 p.m. with Mayor Foster in the Chair.

8. Communications

9. Staff Reports and Staff Memos

9.1 PDS-024-22 Amendment to Application Fees By-law for Planning and Development Applications

Resolution # PD-061-22

Moved by Councillor Hooper
Seconded by Councillor Zwart

That Report PDS-024-22 and any related communication items, be received;

That the Fees By-law Amendment, Attachment 1 to Report PDS-024-22 be approved; and

That all interested parties listed in Report PDS-024-22 and any delegations be advised of Council's decision.

Carried as Amended

Later in the meeting, see following motion.

Resolution # PD-062-22

Moved by Councillor Neal
Seconded by Councillor Jones

That the foregoing Resolution #PD-061-22 be amended by adding the following after paragraph 2:

"That the pre-consultation fee for single residential use or a farm be \$300, and everything else be \$1,000".

Carried

Main Motion as Amended:

Resolution # PD-063-22

Moved by Councillor Hooper
Seconded by Councillor Zwart

That Report PDS-024-22 and any related communication items, be received;

That the Fees By-law Amendment, Attachment 1 to Report PDS-024-22 be approved with the following amendment:

"That the pre-consultation fee for single residential use or a farm be \$300, and everything else be \$1,000"; and

That all interested parties listed in Report PDS-024-22 and any delegations be advised of Council's decision.

Carried

9.2 PDS-025-22 Clarington District Energy System

Resolution # PD-064-22

Moved by Councillor Zwart
Seconded by Councillor Hooper

That Report PDS-025-22, and any related delegations or communication items, be received for information.

That all interested parties be notified of Council's decision.

Carried

10. New Business - Consideration

11. Unfinished Business

11.1 PDS-026-22 Waterfront Strategy Terms of Reference (Referred from the May 2, 2022 Council Meeting)

Faye Langmaid, Manager of Special Projects, made a verbal presentation to accompany an electronic presentation. F. Langmaid stated that Staff is recommending Council approve the consultants for RFP 2022-1, so that a renewed vision and strategy can be set for the next 30 years. Faye explained that a new vision will maximize new opportunities to sustainably enhance Clarington's waterfront and create unique urban waterfront destinations. F. Langmaid provided an overview of the Clarington Waterfront, comparing 1992 and 2022, and stated that the public now has access to 30% of the nearshore area and 16% at the shoreline. Faye noted that the lakefront consists of bluffs and does not recommend traversing them. F. Langmaid explained that many acquisitions have occurred that support the development of the Waterfront Trail and stated that the implementation and continued goal of shifting it off-road or onto improved facilities continues to be a work in progress. F. Langmaid provided an overview of the 1992 Clarington Waterfront Strategy goals and ownership area, which has increased to 13% of lands owned by the Municipality. Faye suggested that the study area be reduced to 40 square kilometres by eliminating the area from the 401 to Concession 1 in the former Township of Clark. This will reduce the area to 7.8% and focuses it closer to the waterfront. F. Langmaid noted that the Bowmanville and Newcastle waterfronts have seen the most change in the past 30 years and are the two areas they have asked the consultant to put additional focus on.

Faye provided an overview of the Bowmanville waterfront and stated that the Municipality has yet to determine the future of the Village Commercial Lands which it owns and has declared surplus. F. Langmaid provided an overview of the Newcastle Waterfront and stated that the final land transfers for land development in the Port of Newcastle have recently been submitted and it proposed that they will be addressed as part of the concept plan to be prepared for the area.

Faye provided an overview of the Port Granby waterfront area and noted that they are nearing completion of the waste project and that the costing and phasing will be folded into the Waterfront Strategy. F. Langmaid explained that Council has authorized the development of a more refined concept plan for the Courtice Waterfront which will be presented in June 2022. Faye added that the Concept Plan costing and phasing will also be folded into the overall Waterfront Strategy, allowing Council to determine priorities. F. Langmaid stated that the waterfront strategy consulting teams will also be carrying out a comprehensive economic and market assessment of the proposed overall concept plan across the entire waterfront which requires a detailed implementation plan outlining the next steps and resources.

Faye explained that the input process will include meetings with Councillors and the final Terms of Reference for the project will be agreed to with the Consultant. F. Langmaid stated that any additional items Council would like included can be submitted to the consultant as part of the start-up meeting and any additional funding will be incorporated into the 2023 budget. Faye recommended Council approve option B which is to proceed with awarding the contract as set out in the proposal call and answered questions from Members of Committee.

Resolution # PD-065-22

Moved by Councillor Hooper
Seconded by Councillor Traill

That Reports PDS-026-22, FSD-020-22, and any related delegations or communication items, be received;

That the proposal received from Dillon Consulting Limited having the lowest price meeting all terms, conditions and specifications of RFP2022-1 be awarded the contract for consulting services for the Clarington Waterfront Strategy Report;

That Staff work with the Consultant to finalize the project Terms of Reference to ensure appropriate focus and priority be given to the Bowmanville Harbourfront Waterfront area;

That the funding required for the Clarington Waterfront Strategy Report in the approximate amount of \$175,000 be funded from the Development Charges General Government Reserve Fund (\$157,500), the Consulting/Professional Fees Reserve (\$10,000) and the Tax Rate Stabilization Reserve Fund (\$7,500), and

That all interested parties listed in Reports FSD-020-22 and PDS-026-22, and any delegations, be advised of Council's decision.

Carried

12. Questions to Department Heads/Request for Staff Report(s)

Members of Committee asked questions to the Director of Planning and Development Services.

12.1 Tree Preservation Plans for New Developments

Resolution # PD-066-22

Moved by Councillor Neal

Seconded by Councillor Jones

That Staff report back on tree preservation plans for new developments.

Carried

13. Confidential Items

14. Adjournment

Resolution # PD-067-22

Moved by Councillor Neal

Seconded by Councillor Hooper

That the meeting adjourn at 10:17 p.m.

Carried