

May 23, 2019

**The Mayor and Members of Council,  
Corporation of the Municipality of Clarington,  
40 Temperance Street,  
Bowmanville, Ontario  
L1C 3A6**

**Attention: Ms. Anne Greentree  
Municipal Clerk**

**Re: Neighbourhood Character Study  
Proposed Official Plan and Zoning By-law Amendments  
62 Prospect Street and the Easterly Portion of 129 Scugog Street (64 Prospect Street)**

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Dear Mayor Foster and Members of Council,

On behalf of myself and my father, Mr. Don McGregor, we appreciate the opportunity afforded Andrew to address the Planning and Development Committee on May 19, 2020, concerning the proposed Official Plan and Zoning By-law Amendments intended to implement the Neighbourhood Character Study. Unfortunately, it was not understood that, by virtue of the Municipality's Procedural By-law, Andrew would be denied the opportunity to appear before Council, during the course of the May 25, 2020, Council meeting, to advise of our efforts to resolve our concerns, and, to request consideration of a modest revision to the proposed by-law on a site specific basis.

As Andrew indicated during the course of the Planning and Development Committee Meeting on May 19, 2020, we appreciate the intent of the proposed official plan and zoning by-law amendments. However, our analysis confirms that the provisions of the proposed by-law amendment will result in the property located at 62 Prospect Street becoming non-complying. In addition, the provisions will also constrain the ability to develop a single detached dwelling of a similar character on the lands to the north of 62 Prospect Street, that is the block of land forming the easterly, undeveloped portion of 129 Scugog Street, commonly referred to as 64 Prospect Street.

For this reason, we are requesting that the draft by-law be further amended to facilitate modest variations to the proposed regulatory provisions as apply to the two properties in question, specifically with respect the height restrictions, lot coverage and the special regulations concerning garages. The specific nature of our request is outlined below, namely:

*"That Section 12.2.1 of the draft By-law to amend By-law No. 84-63 be revised to incorporate a further exception which reads as follows, namely:*

*On those lands located adjacent the westerly limits of Prospect Street, municipal address of 62 and 64 Prospect Street, the latter property forming the more westerly portion of 129 Scugog Street to a depth of approximately 120 metres, the following provisions shall apply, namely:*

- a) *maximum lot coverage for a two storey dwelling - 35 percent*
- b) *maximum height - 9.0 metres*
- c) *maximum permitted width of a garage door shall be 3 metres provided that the combined width of garage doors on an attached garage does not exceed 6 metres.*

*In all other respects the provisions of this by-law shall apply to the subject lands."*

Following our submissions to Council on the evening of May 19, 2020, we commissioned a study of those properties located adjacent the east and west limits of Prospect Street, to the north and south of 62 and 64 Prospect Street, in accordance with the Neighbourhood Character Assessment Criteria advanced in conjunction with the Interim Control By-law No. 2018-083. The detailed analysis of the four properties to the north and south of the lands in question considered such factors as the character of existing dwellings in terms of the number of storeys, the nature and height of porches, first floor height relative to finished grade at the property line versus the average finished grade, roof characteristics, the location and nature of garages and/or carports, and, lot characteristics inclusive of lot area, lot frontage, lot coverage, yards and driveways.

Based upon this detailed analysis, we have concluded that the relief sought by way of the requested site specific modifications to the draft by-law amendment will result in the strengthening of the community character through the introduction of an additional single detached dwelling which is compatible with the built form of adjacent properties. Incorporation of the requested modifications in the draft by-law will avoid the need for us to seek relief at some future date by means of a variance application, a process which is not only time consuming but also expensive and uncertain by its very nature. In addition, following consultation with an experienced municipal solicitor, the requested relief will avoid the need to file an application for a variance upon the sale of the existing dwelling, located at 62 Prospect Street, should a future purchaser not be willing to accept non-compliance with the provisions of the proposed zoning by-law as provided for in the standard form of an Agreement of Purchase and Sale.

Exceptions have been granted to four other properties within the areas affected by the proposed by-law. We understand, based upon our Planning Consultant's discussions with Mr. Pellarin, that the exceptions were incorporated at the insistence of Council. Incorporating the requested site specific exceptions with respect to 62 and 64 Prospect Street, as requested by way of this submission, will not undermine the purpose or intent of the proposed by-law amendment or result in the introduction of a housing form which is not in keeping with the established character of Prospect Street, north and south of our lands.

In closing, we respectfully submit that the minor nature of the relief being sought at this time is both reasonable, appropriate and in keeping with the overall intent of the proposed by-law amendment. Furthermore, the requested modifications will allow for the infilling of development in a manner which assists in creating a stable and resilient community structure. Favourable consideration of the requested modification, which would only apply to 62 Prospect Street and the easterly extremity of 129 Scugog Street, commonly referred to as 64 Prospect Street, will be most sincerely appreciated.

Sincerely yours,



Patricia and Andrew Rice  
62 Prospect Street



Don McGregor  
129 Scugog Street