

Minutes of a special meeting of the Planning and Development Committee held on Monday, October 24, 2016 at 5:00 PM in the Council Chambers.

Present Were: Mayor A. Foster, Councillor S. Cooke, Councillor R. Hooper, Councillor J. Neal, Councillor C. Traill, Councillor W. Woo

Regrets: Councillor W. Partner

Staff Present: C. Clifford, D. Crome, C. Salazar, L. Backus, N. Zambri, A. Greentree, C. Fleming, attended until 6:59 PM, M. Chambers, attended at 7:06 PM

## 1 Call to Order

Councillor Woo called the meeting to order at 5:00 PM.

## 2 Declarations of Interest

Councillor Hooper declared an interest in any matter that may be specifically pertaining to the Wilmot Creek development or Rice Developments Corp.

## 3 Delegations

### 3.1 Peter Alward and Tracy Fielding, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review

Prior to the meeting, Peter Alward and Tracy Fielding advised that further to discussion with staff this morning, they are satisfied with the proposed changes and would not be addressing the Committee this evening.

### 3.2 Kirk Kemp, Algoma Orchards, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review

Kirk Kemp, Algoma Orchards, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. Mr. Kemp indicated the property in question is a 125 acre parcel of land south of Highway 401, east of Darlington Provincial Park and west of Courtice Road with 3,000 feet of lakefront. Mr. Kemp indicated that the Municipality had shown an interest in developing a park along the shoreline, and he had had discussions with staff regarding an agri-tourism project with a hotel development combined with a residential component. The park would include some of his property, some municipal property and property that would need to be purchased by the Municipality. Mr. Kemp indicated the project would be a boost to the economy, create jobs and provide a great addition to Clarington. He expressed concern that in the draft Official Plan there is no mention of the agri-tourism or residential component and a large portion of his land was park dedication. Mr. Kemp

requested the park designation be removed from his land and the entire 200 acres be designated as a study area. Mr. Kemp's comments were in addition to his written submission #WS-73.

**3.3 Rodger Miller, Miller Planning Services on behalf of 1816451 Ontario Limited, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Rodger Miller, Miller Planning Services, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review on behalf of the owners of a 40 acre parcel of land on the southwest corner of Rundle Road and Baseline Road, designated light industrial. Mr. Miller indicated that since September 12, 2016, he has met with staff and their concerns have been resolved through amendments made to the Official Plan Amendment and urged the Committee to support the proposed changes. Mr. Miller's comments were in addition to his written submission #WS-57.

**3.4 Harvey Snyder Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Harvey Snyder addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review regarding 42 Martin Road. Through use of photographs on display, Mr. Snyder highlighted the section of his property designated as environmental protection and requested this designation be removed from his property. Mr. Snyder's comments were in addition to his written submission #WS-25.

**3.5 Libby Racansky Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review and Report PSD-059-16, Municipal Comments on the Co-ordinated Review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan**

Prior to commencing her delegation, Libby Racansky was granted permission to address the Committee on both Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review listed on this Agenda and Report PSD-059-16, Municipal Comments on the Co-ordinated Review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan, listed on the regular Planning and Development Committee Agenda for this evening.

Through use of a PowerPoint presentation Ms. Racansky highlighted areas of concern with respect to the Official Plan Amendment No. 107. Ms. Racansky expressed concern with the removal of urban residential from the Special Study area in Courtice North being replaced by Secondary Plans. She requested the Special Study designation of the sensitive recharge area be maintained, that the required study be undertaken and paid for by the developers and that it be reviewed by Regional and Municipal staff, CLOCA

and the Ministry of Natural Resources. Ms. Racansky stated she was unable to locate the extension of the urban boundary south in Courtice which had been previously supported but never realized, and felt this would aid in servicing the future Courtice Main Study area and lands zoned commercial/industrial along the baseline. Ms. Racansky is concerned with the inclusion of the Nash Road Development Inc. site within the urban boundary and feels that the land should remain within the Greenbelt Plan area as it is the last permeable land within the Black Creek Watershed (most has been damaged and replaced by impermeable surfaces). Ms. Racansky also requested that the Harmony, Farewell and Black Creeks be included within the Greenbelt River Valley designation, as volunteers are trying to rehabilitate the creeks and it would assist the Municipality in establishing trails in the area.

### **3.6 Ryan Lavender Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Ryan Lavender, Schleiss Development Co. Ltd., addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 3362 Tooley Road designated as environmental protection in the Plan. Mr. Lavender reviewed a Land Use Concept Plan for the Worden East Neighbourhood Plan on display stating that all required studies have now been completed and in the opinion of their consultants, there are no concerns or negative impact to the natural heritage system. Mr. Lavender requested the Clarington Official Plan be amended to reflect the Environmental Impact Study results submitted to staff, as the environmental protection designation is not appropriate given the results of the studies.

### **3.7 John Passalacqua, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: 50 Martin Road, Bowmanville)**

John Passalacqua addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 50 Martin Road, Bowmanville. Mr. Passalacqua indicated that the property was re-zoned in December 2015 to permit a 75 unit rental apartment building which has now been put on hold due to the environmental protection designation placed on the property which he feels is not warranted and should be removed. Mr. Passalacqua expressed concern with reference to the "Martin Road Woodlot" stating the trees which were removed from the property were assessed by an arborist and he quoted directly from the arborist's findings. He noted as far as by-law and permitting issues were concerned, the property was not within a CLOCA regulating area and did not require any special conservation permitting, no trees were on the endangered species list of Ontario and the site was not considered a woodlot as per the Regional By-law. He stated confirmation was received from Regional staff that there would be no objection to removal of the trees from the property and further confirmed by Municipal staff that no permits were required. Mr. Passalacqua expressed concern that the current mapping feature is grossly exaggerated and he disagreed that the trees met the

description of a woodlot. Mr. Passalacqua also expressed concern with the development of a trail behind 50 Martin Road and his responsibility to restore a portion of the woodlot. He suggested that further discussions take place with the Municipality.

**3.8 John Passalacqua, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: 46 Martin Road, Bowmanville)**

John Passalacqua addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review, on behalf of his parents, with respect to 46 Martin Road, Bowmanville. Mr. Passalacqua referred to diagrams and maps on display, highlighting the environmental protection zone and requested that staff meet on site with their environmental consultant to determine if the environmental protection designation is warranted. He stated developers are apprehensive to develop lands with environmental protection designation and that redevelopment of this vital corridor will be halted. He requested the environmental protection designation be removed from the property and that constructive dialogue continue.

**3.9 Bryce Jordan, GHD, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: Vanstone Mill property)**

Bryce Jordan, GHD, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review on behalf of Vanstone Mill Inc. Mr. Jordan indicated that further to the delegation of Gerard Gervais on September 12, 2016, when Mr. Gervais outlined the negative impact the proposed changes would have on development rights on the Vanstone property, there have been modifications made to the mapping regarding the Environmental Protection Zone which respect the zone development rights. Mr. Jordan stated his clients are now satisfied with changes in the Official Plan Amendment No. 107 as it affects their property.

Resolution #PD-158-16

Moved by Councillor Traill, seconded by Councillor Hooper

That the order of the Agenda be altered to allow Ryan Guetter flexibility in the order of speaking to the seven items he is registered on the Agenda.

Carried

**3.14 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: Bowmanville East Landowners Group)**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington

Official Plan Review on behalf of the Bowmanville East Landowners Group. Mr. Guetter stated that he has attended the public meeting on the issue and subsequently submitted written comments and has had discussions with staff. Mr. Guetter indicated that they are supportive of a number of key changes including the removal of the sequencing which are now included in the Secondary Plan, modifications made to environmental policies that address buffer requirements and the notion of development charge credits being offered to the extent that they are applicable to the processing of Secondary Plans. He added they are also supportive of the policies concerning the assessment of various cost sharing items, the landowners funding the Secondary Plan studies and the mapping changes on B1 and B2 lands. Mr. Guetter requested that a handout be distributed to members of Committee and Staff with some changes they are proposing which are noted in red. He continued by noting that they are proposing changes to Section 23 related to Secondary Plans and explained that they are proposing that this initiation of Secondary Plans be a collaborative initiative between the Municipality, the developer or the Landowners Associations and added that a similar policy has been adopted in many other municipalities, including the Town of Whitby. He added that they are asking to be part of the funding process and be permitted to initiate the Secondary Plan application. Mr. Guetter requested there be a policy included to ensure that there is a mechanism to establish cost sharing and outline who will be responsible for various tasks in the Secondary Plan process. He continued by asking that upon the initiation of a Secondary Plan application that a Public Meeting be held to determine a Terms of Reference. Mr. Guetter noted that this has not been reviewed by Staff and asked that there be an opportunity for further discussion prior to this being approved by Council. He added they support the policy that addresses development charge credits and noted that he believes that it should be adjusted to ensure non-participating owners would pay their share. Mr. Guetter referred to a change on the handout to revise "75%" of lands that are able to be developed to "the majority". Mr. Guetter's comments were in addition to his written submissions #WS-78 and #WS-83. He offered to answer questions from the Committee.

## **Suspend the Rules**

Resolution #PD-159-16

Moved by Mayor Foster, seconded by Councillor Cooke

That the rules of procedure be suspended in order that the Special Planning and Development Committee meeting be extended to complete the Agenda; and

That the regularly scheduled meeting be delayed to start following the completion of the Special Planning and Development Committee meeting.

Carried

## Recess

Resolution #PD-160-16

Moved by Councillor Neal, seconded by Councillor Traill

That the Special Planning and Development Committee meeting recess and reconvene immediately following regular Planning and Development Committee meeting.

Carried

The special meeting reconvened at 7:06 PM with Councillor Woo in the Chair.

**3.10 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: 2936 Hancock Road, Courtice)**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 2936 Hancock Road, Courtice. Mr. Guetter thanked staff for providing points of clarification with respect to all points in their submission in particular the section with respect to built form. He added that they were looking to increase the building height for one of the buildings and they still maintain that should be permitted. Mr. Guetter concluded by thanking the Committee and offered to answer any questions.

**3.11 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re:1475 Durham Highway 2, Courtice)**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 1475 Durham Highway 2, Courtice. Mr. Guetter explained that some potential mapping adjustments were requested with respect to the delineation of a watercourse. He added that this was with respect to a request for a modification of a drain on the property. Mr. Guetter explained that he thought this adjustment was going to be made and did not see it reflected on the map. He offered to answer questions from the Committee.

**3.12 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: Part of Lot 33, Concession 2 (Re: Northeast corner of Bloor Street and Prestonvale Road))**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to the northeast corner of Bloor Street and Prestonvale

Road. He explained that they have submitted a number of submissions outlining similar comments. Mr. Guetter noted that this property has many natural heritage features and he wanted to thank staff for the adjustments with respect to natural heritage policies, buffers and the allowance for studies to determine these areas and limits. He wanted to thank staff for the adjustments, clarifications. Mr. Guetter confirmed they support these policies and offered to answer questions from the Committee.

**3.13 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: . (Southwest quadrant, Baseline Road and Martin Road, Courtice)**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to the southwest quadrant, Baseline Road and Martin Road, Courtice. Mr. Guetter thanked staff for the clarification and noted that this property has a flood plain, adjacent to which they will be developing. He concluded that they are satisfied that the buffer that will be established through policy. Mr. Guetter offered to answer questions from the Committee.

**3.15 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: Mohawk Upper James Investments Limited)**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review on behalf of Mohawk Upper James Investments Limited. Mr. Guetter explained that there are policies that reference natural heritage limits. He added that they are concerned with the extent of the natural heritage limits that the mapping illustrates. Mr. Guetter continued by explaining that they understand the limits can be further defined through additional technical studies. He asked that if it is identified that there needs to be a reduction or adjustment to the natural heritage limits, that this can be done through a consolidation of the Official Plan and not a separate application. Mr. Guetter noted that the next issue is related to Mearns Road in the Secondary Plan Area B2. He explained that they are requesting the policies remain flexible related to road design and geometry. Mr. Guetter added that they are requesting that the plan allow for flexibility with respect to road alignment. He requested that some of the land use designations for conceptual park area be refined through the Secondary Plan process. Mr. Guetter's comments were in addition to his written submissions #WS-46 and #WS-82. He offered to answer questions from the Committee.

**3.16 Ryan Guetter, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: Medallion Development)**

Ryan Guetter, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington

Official Plan Review on behalf of Medallion Development. He explained that these lands are located within the Bowmanville East Landowners Group. Mr. Guetter indicated that they support the introduction of trails and the emphasis on natural heritage. He requested that they support the submission of the Bowmanville East Homeowners Group. Mr. Guetter's comments were in addition to his written submission #WS-81. He offered to answer questions from the Committee.

### **3.17 Jeff Guthrie Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Jeff Guthrie addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. He made a verbal presentation to accompany an electronic presentation. Mr. Guthrie advised the Committee that he is the owner of the property located at 34 Martin Road in Bowmanville. He continued by explaining the OPA 107 will designate 34, 38, 42 and 46 Martin Road as environmentally protected. Mr. Guthrie asked the Committee why such a small area is being protected and that there are a very small number of trees located on his property to be included in the protected area. He advised the Committee that he did not receive any notification of the proposed designation change. Mr. Guthrie reviewed a series of photos of the properties included in the woodlot area and noted that there are in fact very few trees and several that are dead, fallen or have Emerald Ash Borer. He added that the majority of the areas in the woodlot consist of kept grass areas with a few trees and that one of the properties has a pool in the forest area. Mr. Guthrie asked the Committee about the location of proposed trail that would be adjacent to his property. Mr. Guthrie state that he thought this land was not to be developed due to the slope and to protect the area. He feels that these properties were added to the environmentally protected area late in the process after he attempted to sell his property. He added that he feels this was not done to protect the environment but was done to control future development.

Resolution #PD-165-16

Moved by Councillor Traill, seconded by Councillor Neal

That the delegation of Jeff Guthrie regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review, be extended for one minute.

Carried

Mr. Guthrie concluded by stating that he feels this designation change was done without proper notification to him or his neighbours and if this gets approved he will appeal the matter to the Ontario Municipal Board.



**3.18 Jane McFarlane, Weston Consulting, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: 1539 Prestonvale Road, Courtice)**

Jane McFarlane, Weston Consulting, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 1539 Prestonvale Road, Courtice. She provided an overview of the location of the property and noted that it is comprised of two parcels of land. Ms. McFarlane explained that since the September 12<sup>th</sup> meeting, modifications have been made to OPA 107. She added that they are satisfied with the adjustments to Map C and the revisions with respect to phasing. Ms. McFarlane continued by stating the staff report contains their submission and the response from staff advising that the subject land is contained within a Secondary Plan and that 80 units can be serviced. She add that they hopeful that the secondary plan will be updated shortly after the approval of the OPA 107 and that the subject lands will be changed to urban residential to allow the development to proceed. Ms. McFarlane's comments were in addition to her written submission #WS-22 and VS-7. She offered to answer questions from the Committee.

**3.19 Jake Murray and Anthony Biglieri, The Biglieri Group, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: 5075 Holt Road, Hampton)**

Jake Murray and Anthony Biglieri, The Biglieri Group, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 5075 Holt Road, Hampton. They made a verbal presentation to accompany an electronic presentation and a handout. Mr. Biglieri provided details of the subject property and advised the Committee that they are asking for the OPA 107 to be amended to include the subject property in the rounding out of the hamlet designation for Hampton. He reminded the Committee that there was a previous amendment to the Regional and Clarington Official Plan to allow for the use of a golf driving range and an accessory building. Mr. Biglieri noted that the draft OPA 107 designates this land as prime agricultural. He added that in 2006 and agricultural review was conducted by the landowner as part of the application and it was determined that this land had limited agricultural potential and would not be suited as prime agricultural. Mr. Biglieri explained that this rounding out would result in a blend of residential and commercial designations for this area. He continued by reviewing the traffic and transportation connections for this area. Mr. Biglieri advised the Committee that they respectfully disagree with Staff's recommendations. He added that they are requesting for the rounding out of the hamlet designation to include the subject property. Mr. Biglieri's comments were in addition to his written submission #WS-43. He offered to answer questions from the Committee.

**3.20 Jake Murray, The Biglieri Group, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: Property Roll # 010.404.18400.0000, 1984 Regional Highway 2)**

Jake Murray, The Biglieri Group, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to Property Roll #010.404.18400.0000, Regional Highway 2. He made a verbal presentation to accompany an electronic presentation. Mr. Murray explained that their specific concerns are with the environmentally protected designation for this property as noted in their submission to the Planning Department. He explained that this property is currently green space and now will be designated as environmentally protected. Mr. Murray added that this was determined in part by information submitted by the Ministry of Natural Resources (MNR) who designated this land as a wetland. He added that this must be done through the Ontario Evaluation System (OS) and include ground-truthing or on site field work. Mr. Murray add that at this time no one from the MNR, the Municipality or the Conservation Authority has visited the property to conduct an assessment. He believes that this designation has been done based on high level mapping and has not been ground-truthed. Mr. Murray's comments were in addition to his written submission #WS-86. He offered to answer questions from the Committee.

**3.21 Jake Murray, The Biglieri Group, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review (Re: 3553 Liberty Street, North)**

Jake Murray, The Biglieri Group, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 3553 Liberty Street North. He made a verbal presentation to accompany an electronic presentation. Mr. Murray explained that his client is looking to acquire the adjacent property for future development. He explained that in the current Official Plan, this area is within the urban boundary and designated at future urban residential. Mr. Murray added that in OPA 107 the proposed designation is environmentally protected. He asked for the designation to be reconsidered and that the appropriate assessment be done by way of a site visit. Mr. Murray's comments were in addition to his written submission #WS-75. He offered to answer questions from the Committee.

**3.22 Ruby Lee, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Ruby Lee addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review with respect to 38 Martin Road, Bowmanville. She explained that she is concerned with her properties designation being changed to environmentally protected in OPA 107. Ms. Lee noted that the area in at the rear of her property is being designated as a significant woodlot and she is requesting a site specific study be done with high level mapping to

determine that these trees are not significant. She questioned the proposed trail to be installed on the back portion of their property. Ms. Lee noted that she is concerned this will lower the value of her property. She continued by stating she feels that the designation change was done without proper notification. Ms. Lee requested that this is not necessary due to the lack of trees and requested that a site specific study be completed. Ms. Lee's comments were in addition to her written submission #WS-28.

**3.23 Peter Smith & Dominic Vetere, 1448774 Ontario Limited Planning Consultants, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Peter Smith, 1448774 Ontario Limited Planning Consultants and Dominic Vetere, addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. Mr. Smith stated that they do not agree with planning in policy for the future relocation of Ms. Vetere's business. Mr. Vetere asked for special study area designation to be removed as it will require the future relocation of his business. He added that this will lower his property value and the value of his business. Mr. Smith's & Mr. Vetere's comments were in addition to written submissions #WS-95 & verbal submission #VS-9.

**3.24 Robert Stephenson Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Robert Stephenson addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. Mr. Stephenson advised the Committee that Michael Fry from D.G. Biddle and Associates was also present to answer any technical question from the Committee. He explained to the Committee he is requesting a neighbourhood centre designation for a property he owns on King Avenue West in Newcastle. Mr. Stephenson added that this property is located in the Foster North West Neighbourhood. He advised the Committee that the planning process has been ongoing for a number of years and the services for this area are scheduled to be available very shortly. Mr. Stephenson added that a neighbourhood plan application will be submitted in the near future. He continued by explaining that they were hoping for this area to have a neighbourhood centre designation in the OPA 107. Mr. Stephenson added that this area will be designated as a Local Corridor, which will allow for a variety of mixed uses, however he feels a Neighbourhood Centre designation would allow for more flexibility. He noted that there is an existing Neighbourhood Centre designation in the north end. Mr. Stephenson explained that he commissioned an economic feasibility study through the Altus Consulting Group and they identified that Newcastle could support two Neighbourhood Centres. He added that he disagrees with the Commercial Market Analysis conducted by the Municipality as part of the Official Plan Review as it states that there will not be a need for additional commercial land until 2021. Mr. Stephenson compared the various areas of Newcastle and stated that they will be similar in size and population and as a result could support an Neighbourhood Centre designation. His comments were in

addition to his written submission #WS-7. Mr. Stephenson and Mr. Fry answered questions from the Committee.

**3.25 Jeffrey McLarty Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review**

Jeffrey McLarty addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. Mr. McLarty advised the Committee that he is looking at purchasing a property in the Municipality of Clarington. He asked that the areas of Nash Road and Green Road and the area of Nash Road and Regional Road 57 be reviewed in greater detail with respect to the environmentally protected designation. Mr. McLarty thanked the Committee and offered to answer questions.

**3.26 Victor Labreche, Labreche Patterson and Associates Inc., Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) –Clarington Official Plan Review**

Victor Labreche, Labreche Patterson and Associates Inc., addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. He explained to the Committee that he represents Ontario Restaurant Corporation (representative for McDonald's, Tim Horton's and A&W Restaurants). Mr. Labreche noted that he works with municipalities to establish zoning by-laws and urban design guidelines for drive through facilities. He stated that he is here with respect to the proposed section 11.5.5 which prohibits of drive through facilities in prestige employment areas. Mr. Labreche stated the prohibition of drive through facilities cannot be done through the Official Plan process. He referred to case law for the City of Ottawa PL03124 which concluded this determination cannot be done through the Official Plan process. Mr. Labreche is asking for Section 11.5.5 b) to be removed from OPA 107. He added that if this change is not made that they are looking for justification for this decision. Mr. Labreche's comments were in addition to his written submission #WS-94. He offered to answer questions from the Committee and confirmed he would share with staff their traffic flow tools.

**3.27 Warren Hung Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) – Clarington Official Plan Review**

Warren Hung addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review. He advised the Committee that he is the owner of the property located at 3196 Rundle Road and that this property is approximately 95 acres in size. Mr. Hung explained to the Committee that he objects to the natural heritage designation for this property. He explained that this property was previously used for farming and then a gravel pit and has been cleared since the late 1970's. Mr. Hung noted that the Ministry of Natural Resources has not provided a response with respect to the designation. He added the he feels this designation is excessive and should be removed. Mr. Hung's comments were in addition to his written submission #WS-59. He offered to answer questions from

the Committee. Mr. Hung advised the Committee that he no longer needed to attend as a delegation regarding Report PSD-059-16, Municipal Comments on the Co-ordinated Review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan at the regular Planning and Development Committee meeting of October 24, 2016.

**3.28 Scott Waterhouse, Candevcon Ltd., Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) – Clarington Official Plan Review (Highcastle Homes)**

Scott Waterhouse, Candevcon Ltd., addressed the Committee regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review on behalf of Highcastle Homes. Mr. Waterhouse advised the Committee that he was looking to receive clarification with respect to their submission regarding the east west arterial road in the Northglen Neighbourhood. He explained that there has been discussion regarding the re-alignment of the road. Mr. Waterhouse explained that they are looking for clarification to confirm that the proposed re-alignment will now include a connector road and that his client will not be responsible for the installation of this road. He added that if they are correct in their understanding they support the proposed OPA 107. Mr. Waterhouse's comments were in addition to his written submission #WS-39. He offered to answer questions from the Committee.

**3.29 Brian Zeman, MHBC Planning, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) – Clarington Official Plan Review**

Prior to the meeting, Mr. Zeman advised the Municipal Clerk's Department that he would not be addressing the Committee this evening as he submitted his comments in writing to the Planning Department.

**3.30 Stephen F. Waqué, Borden Ladner Gervais LLP, Regarding Report PSD-060-16, Recommended Official Plan Amendment No. 107 (OPA 107) – Clarington Official Plan Review (Re: Rice Developments and Nash Road Developments Inc.**

Prior to the meeting, Mr. Waqué advised the Municipal Clerk's Department that he would not be addressing the Committee this evening.

**Recess**

Resolution #PD-166-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the Committee recess and reconvene immediately after the Regular Planning and Development Committee meeting.

Carried

The meeting reconvened at 9:32 PM with Councillor Woo in the Chair.

## 4 Planning Services Department Reports

### 4.1.1 Report PSD-060-16 Recommended Official Plan Amendment No. 107 (OPA 107) - Clarington Official Plan Review

Resolution #PD-167-16

Moved by Mayor Foster, seconded by Councillor Cooke

1. That Report PSD-060-16 be received;
2. That pursuant to:
  - a. The Provincial Policy Statement 2014;
  - b. The Provincial Greenbelt Plan (Greenbelt Plan);
  - c. The Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan);
  - d. Amendments 114 and 125 to the Durham Regional Official Plan;
  - e. The environmental policies and watershed studies of the Central Lake Ontario Conservation Authority, the Ganaraska Region Conservation Authority and the Ministry of Natural Resources; and
  - f. The Municipality's Official Plan Review process;

That Official Plan Amendment 107 (OPA 107), be adopted by Council to update the Clarington Official Plan and bring it into conformity with Provincial and Regional Planning documents noted above;

3. That the Director of Planning Services be authorized to finalize the form and content of OPA 107 resulting from Council's consideration, public participation, agency comments and technical considerations;
4. That OPA 107 be forwarded to the Region of Durham for adoption;
5. That the Region of Durham be requested to initiate amendments to the Durham Regional Official Plan, as necessary to implement OPA 107;
6. That upon adoption by Council, the Clarington Official Plan be implemented by Staff as Council's Policy on all land use and planning matters and be implemented through the capital budgets; and
7. That all interested parties listed in Report PSD-060-16 and any delegations be advised of Council's decision and notified by the department.

Carried as Amended  
(See following motions)

Resolution #PD-168-16

Moved by Councillor Trill, seconded by Councillor Cooke

That the foregoing Resolution #PD-167-16 be amended by adding the following:

That recommended amendments 651, 652, and 653 as detailed on pages 156, 157, and 158 of Attachment 3 to Report PSD-060-16, regarding Secondary Plans, be amended, as recommended by Ryan Guetter on behalf of the Bowmanville East Developers Group, as follows:

### **23.3 Secondary Plans**

23.3.1 Secondary Plans shall conform to and implement the principles, goals, objectives, policies and land use designations of this Plan. Upon approval by ~~the~~ Region of Durham, the Secondary Plan shall be incorporated under Part VI of this Plan.

**651.** Existing Section 23.3.2 is hereby amended as follows:

23.3.2 The Municipality will prepare Secondary Plans **in collaboration with area landowners**. Secondary Plans may be initiated by the municipality or by an established landowners group upon submission of a request to Council. The process for preparing, adopting or amending Secondary Plans ~~will be~~ is subject to the procedures contained in this section and under Section 23.2 and other applicable policies of this Plan.

**23.3.3 The Municipality shall work with landowners group within each Secondary Plan area to advance Secondary Plans, and shall establish an implementation framework for the secondary plan process, which may include matters relating to advisory committees, working groups, funding of supporting studies, cost sharing principles and other financial considerations.**

**652.** A new Section 23.3.3 is hereby added as follows:

~~23.3.4~~ During the review and update of an approved Secondary Plans, the Secondary Plans will be amended to conform to the policies of this Plan.

**653.** New Sections 23.3.4 through 23.3.10 are hereby added as follows:

~~23.4.5~~ Where there is a conflict or inconsistency between the parent Plan, the Secondary Plan will prevail, unless the conflict is associated with the density and intensification policies of the parent Plan, in this case, the parent Plan shall prevail.

- 23.5.6 Prior to the Municipality initiating the **Following receipt of a request by a landowners group to initiate Secondary Plan or Staff's recommendation to proceed with a Secondary Plan study**, Council shall hold a public meeting inviting all landowners within the Secondary Plan Area to advise them of the proposed Secondary Plan study and the terms of reference.
- 23.6.7 Where private funding is provided in accordance with Section 23.13 by a landowner or a landowner's group, they must own a majority of the developable area within the Secondary Plan area prior to Council considering whether to proceed with a Secondary Plan.
- 23.7.8 Prior to development approvals within a Secondary Plan area, landowners may be required to enter into a developer's group agreement(s), or implement other alternative arrangements to ensure the equitable distribution of the cost of community infrastructure, facilities such as public schools, parks, roads, etc. within a Secondary Plan area. The agreements(s) shall distribute, in a fair and equitable manner, the costs of community infrastructure and facilities to ensure an orderly sequence of development.
- 23.8.9 Council shall approve the Terms of Reference, and, if applicable, cost sharing agreements and any other necessary agreements prior to the Secondary Plan study commencing.
- 23.9.10 Secondary Plans shall implement the policies of this Plan and the Durham Regional Official Plan policies for Secondary Plans, in particular:
- a) the growth management objectives of sequential development, full municipal water and sanitary systems, a minimum density of fifty residents and jobs per gross developable hectare, and a variety of housing types and densities;
  - b) the financial capacity of the Municipality to provide for the capital and operating costs of municipal services and facilities required to support the development;
  - c) the provision of a diverse and compatible mix of land uses to support vibrant neighborhoods, and the use of urban design principles to create high quality public open spaces and achieve an appropriate level of connectivity and transition to adjacent areas;
  - d) the design of a connected system of grid streets and an active transportation network as the key design element of the public



realm with pedestrian connections to transit, community facilities, schools, and parks. Higher density housing will be strategically located along or within Priority Intensification Areas to create a transit supportive development pattern;

- e) the integration into the design of the site and buildings of this Plan's policies for Sustainable Design and Climate Change and related standards/guidelines adopted by the municipality including green infrastructure and low impact development measures;
- f) the protection and incorporation of natural heritage and hydrologically sensitive features including surface and ground water features, as well as the connections among these natural features in order to inform the location, type, and amount of development;
- g) residential neighbourhoods will be "designed with nature" to minimize grade changes, preserve mature trees and enhance open space linkages;
- h) the measures to mitigate the potential conflicts between the development and existing agricultural uses;
- i) level of visual interest achieved by incorporating different built forms, landscaping, open space and environmental and natural and cultural heritage resources and the creation of view corridors and vistas of significant natural areas and public buildings;
- j) the location of prominent public buildings, including schools and spaces on prominent sites with significant street frontage and oriented to the street;
- k) cultural heritage resources will provide the context for new development. New development will be compatible with and complementary to its context with regard to siting, height, scale and design. In new areas, heritage buildings will be incorporated in a sensitive manner;
- l) the principles of Crime Prevention Through Environmental Design (CPTED) will be used; and
- m) inclusive lifetime neighbourhoods where the built environment promotes a safe inclusive space with access to services and amenities and a range of housing choices to meet the needs of residents throughout all phases of their lifetime.

23.10.11 The following background studies and analyses are generally required in support of new Secondary Plans:

- a) A Subwatershed study including natural heritage, fisheries, hydrogeology, and hazard lands;
- b) A municipal-wide financial impact analysis of growth and development;
- c) A Landscape Analysis;
- d) A Planning Background Report
- e) A Master Drainage Plan;
- f) A Water and Wastewater Servicing Plan;
- g) A Transportation Master Plan;
- h) An assessment of potential impact on adjacent agricultural operations and recommendations for mitigation;
- i) A Sustainability Plan addressing Green Infrastructure and Net Zero development and building practices;
- j) A Commercial needs and impact analysis when a commercial uses are proposed;
- k) An Urban Design Report;
- l) A Cultural and built heritage assessment including archaeology; and
- m) A housing needs analysis (including affordable housing).

Lost on the following recorded vote:

Council Member	Yes	No	Declaration of Pecuniary Interest	Absent
Councillor Traill	X			
Mayor Foster		X		
Councillor Cooke		X		
Councillor Hooper		X		
Councillor Neal		X		
Councillor Partner				X
Councillor Woo		X		

## Suspend the Rules

Resolution #PD-169-16

Moved by Councillor Cooke, seconded by Councillor Traill

That the Rules of Procedure be suspended to extend the meeting for one hour until 12:00 AM.

Carried

Resolution #PD-170-16

Moved by Councillor Traill, seconded by Councillor Cooke

That the foregoing Resolution #PD-167-16 be amended by adding the following:

“That the Environmental Protected Areas exclude the property located at 3145 Mearns Avenue, as a result of it being a the High Volume Recharge Area as detailed in the request of Mohawk Upper James Investments Ltd. (WS-46).”

Motion Lost

Resolution #PD-171-16

Moved by Councillor Neal, seconded by Mayor Foster

That the foregoing Resolution #PD-167-16 be amended by adding the following:

“That section 16.5, Special Policy Area D, be deleted.”

Motion Lost

Resolution #PD-172-16

Moved by Councillor Neal, seconded by Mayor Foster

That the foregoing Resolution #PD-167-16 be amended by adding the following:

That recommended amendment 467 as detailed on page 110 of Attachment 3 to Report PSD-060-16, regarding Special Policy Area D, be amended such that it reads as follows:

“Special Policy Area D is located within Special Study Area 4 Courtice Employment Area. The *redevelopment* of the *site* may not take place until such time as sewer and water services are available. In the interim, the *existing* uses may continue.”

Carried

Resolution #PD-173-16

Moved by Councillor Neal, seconded by Councillor Cooke

That the foregoing Resolution #PD-167-16 be amended by adding the following recommendation at the end:

“That the Municipality of Clarington create a policy to encourage the Region of Durham to locate Municipal Household Hazardous Waste Facilities in employment areas of the Municipality.”

Carried

Resolution #PD-174-16

Moved by Councillor Cooke, seconded by Councillor Neal

That, prior to the October 31, 2016 Council meeting, Staff be directed to attend the designated woodlot on Martin Road properties to determine the impact of the Emerald Ash Borer to this woodlot.

Carried

Resolution PD-167-16 was then Carried as amended on the following recorded vote:

Council Member	Yes	No	Declaration of Interest	Absent
Councillor Traill		X		
Mayor Foster	X			
Councillor Cooke	X			
Councillor Hooper	X			
Councillor Neal	X			
Councillor Partner				X
Councillor Woo	X			

## 5 Adjournment

Resolution #PD-175-16

Moved by Councillor Neal, seconded by Councillor Traill

That the meeting adjourn at 11:24 PM.

Carried



Chair

  
Deputy Clerk