

The Regional Municipality of Durham

MINUTES

PLANNING COMMITTEE

THURSDAY, NOVEMBER 29, 2007

A regular meeting of the Planning Committee was held on Thursday, November 29, 2007 in Meeting Room 1-H, Main Level, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 a.m.

Present: Councillor Gray, Chair
Councillor Grant
Councillor Novak
Councillor Shepherd

Absent: Councillor Drumm, was absent due to illness
Councillor McMillen, Vice-Chair
Councillor Ryan
Regional Chair Anderson, was absent on municipal business

Staff

Present: A.L. Georgieff, Commissioner of Planning
C. Boyd, Solicitor, attended for part of the meeting
B. Bridgeman, Director, Current Planning
J. Brooks, Principal Planner
N. Chornobay, Director, Strategic Planning
D. Ho, Planning Analyst
R. Jagannathan, Manager, Transportation Planning & Research
L. Riviere, Project Planner
R. Saunders, Manager, Policy Planning & Special Studies
L. Trombino, Senior Planner
K. Yew, Manager, Plan Implementation
T. Fraser, Committee Secretary

1. ADOPTION OF MINUTES

MOVED by Councillor Grant,
(221) "THAT the minutes of the following meetings be adopted:

- Regular Planning Committee meeting held on Tuesday, November 6, 2007;
- Joint Planning and Finance & Administration Committee meeting held on Tuesday, November 13, 2007;

- Tri Planning, Finance & Administration and Works Committee meeting held on Tuesday, November 13, 2007; and
- Joint Planning and Works Committee meeting held on Tuesday, November 13, 2007."

CARRIED

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. PRESENTATIONS

There were no presentations to consider at this time.

4. CORRESPONDENCE

- a) SC #2007-113 FROM MS. KATHY STRANKS, MANAGER, CHAIR AND CAO'S OFFICE, TORONTO AND REGION CONSERVATION AUTHORITY (TRCA), WRITING TO REGIONAL CLERK, PAT MADILL, ADVISING THAT AT THEIR AUTHORITY MEETING #7/07 HELD ON SEPTEMBER 28, 2007 RESOLUTION #A209/07, IN REGARD TO FULFILLMENT OF OAK RIDGES MORaine CONSERVATION PLAN WATERSHED PLANNING REQUIREMENTS – HUMBER RIVER WATERSHED WAS APPROVED
-

MOVED by Councillor Novak,
 (222) "THAT Standing Committee Correspondence Item SC #2007-113 from Ms. Kathy Stranks, Manager, Chair and CAO's Office, Toronto and Region Conservation Authority, be received for information."

CARRIED

- b) SC #2007-114 FROM MR. ROBERT A. DRAGICEVIC, SENIOR PRINCIPAL, WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED, WRITING TO REGIONAL CLERK, PAT MADILL, REGARDING THE 2007 REGIONAL TRANSIT DEVELOPMENT CHARGE BACKGROUND STUDY AND BY-LAW, AND REQUESTING THAT MOUNT PLEASANT GROUP OF CEMETERIES (MPGC) RECEIVE AN EXEMPTION FROM THE PROPOSED DEVELOPMENT CHARGE
-

MOVED by Councillor Novak,
 (223) "THAT Standing Committee Correspondence Item SC #2007-114 from Mr. Robert A. Dragicevic, Senior Principal, Walker, Nott, Dragicevic Associates Limited, be received for information."

CARRIED

This matter was dealt with by Regional Council at their meeting held on November 21, 2007 as Item #2 of the 11th Report of the Joint Committees.

- c) SC #2007-115 FROM MR. RONALD D. STINSON, VICE CHAIR, ST. JOHN AMBULANCE, BRANCH DURHAM REGION, WRITING TO REGIONAL CHAIR, ROGER ANDERSON, REQUESTING THAT THE REGIONAL BRANCH HEADQUARTERS OF ST. JOHN AMBULANCE, LOCATED AT 64 COLBORNE STREET, OSHAWA, BE EXEMPT FROM THE DEVELOPMENT CHARGE FOR FUTURE REPLACEMENT OF THE ANCILLARY PORTABLE BUILDING ON THEIR HEADQUARTERS LOCATION AS THEY ARE A NON-PROFIT ORGANIZATION
-

MOVED by Councillor Novak,

(224) "THAT Standing Committee Correspondence Item SC #2007-115 from Mr. Ronald D. Stinson, Vice Chair, St. John Ambulance, Branch Durham Region, be received for information."

CARRIED

This matter was dealt with by Regional Council at their meeting held on November 21, 2007 as Item #2 of the 11th Report of the Joint Committees.

- d) SC #2007-116 FROM MR. R. GRIMES, DIRECTOR, IBI GROUP, ON BEHALF OF THE SEATON LANDOWNERS' GROUP, WRITING TO REGIONAL CLERK, PAT MADILL, REGARDING THE 2007 REGIONAL TRANSIT DEVELOPMENT CHARGE, REQUESTING THAT THE SEATON COMMUNITY "NOT BE EXCLUDED FROM THE REGION-WIDE CHARGE BUT SHOULD BE INCORPORATED INTO THE REGION-WIDE TRANSIT CHARGE"
-

MOVED by Councillor Novak,

(225) "THAT Standing Committee Correspondence Item SC #2007-116 from Mr. R. Grimes, Director, IBI Group, be received for information."

CARRIED

This matter was dealt with by Regional Council at their meeting held on November 21, 2007 as Item #2 of the 11th Report of the Joint Committees.

- e) SC #2007-118 FROM MS. CHRISTINE CHASE, ADMINISTRATIVE ASSISTANT, DEVELOPMENT SERVICES DEPARTMENT, CITY OF OSHAWA, ADVISING THAT AT THEIR MEETING HELD ON NOVEMBER 5, 2007, THE COUNCIL OF THE CITY OF OSHAWA PASSED A RESOLUTION REGARDING THE REGIONAL CYCLING PLAN
-

MOVED by Councillor Novak,

(226) "THAT Standing Committee Correspondence Item SC #2007-118 from Ms. Christine Chase, Administrative Assistant, Development Services Department, City of Oshawa, be referred to staff for a report."

CARRIED

ADDITIONAL CORRESPONDENCE ITEMS RECEIVED WITH THE ADDENDUM

- f) FROM MR. JOEL D. FARBER, SOLICITOR, FOGLER, RUBINOFF LLP, 95 WELLINGTON STREET WEST, SUITE 1200, TORONTO-DOMINION CENTRE, TORONTO, ONTARIO, ON BEHALF OF TRINITY DEVELOPMENT GROUP INC, REGARDING THE PROPOSED REGIONAL OFFICIAL PLAN AMENDMENT - IMPLEMENTATION OF BILL 51, *THE PLANNING AND CONSERVATION LAND STATUTE LAW AMENDMENT ACT, 2006*, FILE: OPA 2007-007 REPORT #2007-P-89
-

MOVED by Councillor Novak,
(227) "THAT the correspondence received from Mr. Joel D. Farber, Solicitor, Fogler, Rubinoff LLP, be referred to staff for a report."
CARRIED

[See Item 5. a) on pages 5 and 6 of these minutes.]

- g) FROM MS. PAULA TENUTA, DIRECTOR, MUNICIPAL GOVERNMENT RELATIONS, BUILDING INDUSTRY AND LAND DEVELOPMENT ASSOCIATION (BILD), REGARDING THE PROPOSED REGIONAL OFFICIAL PLAN AMENDMENT - IMPLEMENTATION OF BILL 51, *THE PLANNING AND CONSERVATION LAND STATUTE LAW AMENDMENT ACT, 2006*, FILE: OPA 2007-007 REPORT #2007-P-89
-

MOVED by Councillor Novak,
(228) "THAT the correspondence received from Ms. Paula Tenuta, Director, Municipal Government Relations, Building Industry and Land Development Association (BILD), be referred to staff for a report."

CARRIED

[See Item 5. a) on pages 5 and 6 of these minutes.]

5. COMMISSIONER'S REPORTS

REGIONAL OFFICIAL PLAN AMENDMENT – PUBLIC MEETING

The Chair advised that this portion of the Planning Committee meeting constitutes the Statutory Public Information meeting under the amended *Planning Act* for proposed amendments to the Durham Regional Official Plan. He noted that the purpose of the meeting is to provide the public with information about the application and to hear any submissions. He added that a decision to approve or deny the application noted in Report #2007-P-89 is not being made at this time.

The Chair further advised that a notice of the public meeting for the application was published in the appropriate newspaper. A public meeting report has been prepared by the Regional Planning Department containing

background information and will be received for information today by the Planning Committee.

The Chair advised the public that it is important to make a verbal submission or a written submission as soon as possible after the meeting and prior to Regional Council making a decision. He explained that if a person who submits an appeal is not on record as having made a verbal or written submission, the appeal may not be considered valid by the Ontario Municipal Board.

The Chair also advised that the Commissioner of Planning would at a later date prepare a recommendation report on the amendment application. If adopted, Regional Council will give notice of adoption and Council's decision will be subject to a 20-day appeal period. If no appeals are received, Council's decision will be final.

5. COMMISSIONER'S REPORTS

- a) PROPOSED REGIONAL OFFICIAL PLAN AMENDMENT –
IMPLEMENTATION OF BILL 51, *THE PLANNING AND CONSERVATION
LAND STATUTE LAW AMENDMENT ACT, 2006*, FILE: OPA 2007-007
(2007-P-89)

The Chair called upon Lino Trombino, Senior Planner, to give a presentation.

6. STAFF PRESENTATIONS

- a) Lino Trombino, Senior Planner, provided a PowerPoint presentation outlining the details of Report #2007-P-89 of the Commissioner of Planning. He advised the report provides information on the proposed amendment to the Regional Official Plan that is necessary to implement changes to the *Planning Act* introduced through Bill 51, the *Planning and Conservation Land Statute Law Amendment Act, 2006*, and its regulations. L. Trombino outlined the proposed policy and procedural changes as they relate to amendments to the Regional Official Plan; new by-laws relating to the delegation of completeness of applications and mandatory pre-consultation; updated Council procedures; and updating application forms and notices. He further advised the proposed amendment has three themes: that planning applications shall be complete; background reports shall be to the satisfaction of the Region; and mandatory pre-consultation prior to the submission of *Planning Act* applications. He also outlined the complete application requirement; the Mandatory Pre-consultation By-law; and other measures to implement Bill 51, including a policy to enable zoning with conditions for the northern area municipalities; and a policy to clarify that requests to convert employment lands through a municipally initiated comprehensive review process must be accompanied by a complete planning application. L. Trombino also advised that other *Planning Act* changes will be addressed through Council adopted procedures, such as

Ontario Municipal Board reforms to the appeal and hearing processes, and public record keeping requirements. He noted these changes will be presented to the Committee in 2008 with the final amendment. L. Trombino concluded by advising the next steps include the approval of the Pre-consultation By-law by Council; the finalization of the public consultation process by staff; and the presentation of the final amendments to the Regional Official Plan and Council procedures.

L. Trombino responded to questions of the Committee with respect to whether the Pre-consultation By-law will assist in ensuring all information necessary to deem an application complete is provided; and the reason why Lake Scugog is not listed as requiring a Coastal Engineering Study for any development along the shoreline. Staff advised they would review the inclusion of Lake Scugog with the Kawartha Region Conservation Authority.

The Chair asked if there were any persons in attendance who wished to make a submission or ask any questions. There were no persons in attendance who requested to make a submission.

5. COMMISSIONER'S REPORTS

a) PROPOSED REGIONAL OFFICIAL PLAN AMENDMENT –
IMPLEMENTATION OF BILL 51, *THE PLANNING AND CONSERVATION
LAND STATUTE LAW AMENDMENT ACT, 2006*, FILE: OPA 2007-007
(2007-P-89)

Report #2007-P-89 from A.L. Georgieff, Commissioner of Planning, was received. Two written submissions were received earlier in the meeting. [See Items 4. f) and 4. g) on page 4 of these minutes.]

MOVED by Councillor Shepherd,
(229) "THAT we recommend to Council:

- a) THAT Report #2007-P-89 of the Commissioner of Planning be received for information;
- b) THAT a copy of Report #2007-P-89 and the proposed Regional Official Plan Amendment be circulated to the Area Municipalities, the Ministry of Municipal Affairs and Housing, and other interested stakeholders for their review;
- c) THAT Council pass a Mandatory Pre-consultation By-law; and
- d) THAT all submissions received be referred to the Planning Department together with a final proposed Official Plan Amendment for adoption by Council."

CARRIED

- b) APPLICATION TO AMEND THE DURHAM REGIONAL OFFICIAL PLAN, SUBMITTED BY ARNOLD GEISBERGER, TO PERMIT THE SEVERANCE OF A DWELLING RENDERED SURPLUS AS A RESULT OF THE ACQUISITION ON A NON-ABUTTING FARM PROPERTY, IN THE MUNICIPALITY OF CLARINGTON, FILES: OPA 2007-002, LD 051/2007

AMENDMENT #122 TO THE DURHAM REGIONAL OFFICIAL PLAN

STANDING COMMITTEE CORRESPONDENCE #SC-2007-47 DATED MARCH 23, 2007 FROM ARNOLD GEISBERGER (2007-P-90)

Report #2007-P-90 from A.L. Georgieff, Commissioner of Planning, was received. The Committee waived the presentation with respect to Report #2007-P-90.

MOVED by Councillor Novak,
(230) "THAT we recommend to Council:

- a) THAT Amendment #122 to the Durham Regional Official Plan, which would permit the severance of a surplus farm dwelling from a non-abutting farm parcel, be adopted as contained in Attachment #2 to Report #2007-P-90 of the Commissioner of Planning; and
- b) THAT the 'Notice of Adoption' be sent to the applicant, the applicant's agent, the Municipality of Clarington, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision."

CARRIED

- c) MONITORING OF LAND DIVISION COMMITTEE DECISION OF NOVEMBER 5, 2007 MEETING, FILE: 2.1.1.8 (2007-P-91)

Report #2007-P-91 from A.L. Georgieff, Commissioner of Planning, was received.

MOVED by Councillor Grant,
(231) "THAT we recommend to Council:

- a) THAT Council concurs with the Land Division Committee's decision of November 5, 2007; and
- b) THAT the Land Division Committee be forwarded a copy of Report #2007-P-91 of the Commissioner of Planning, and be advised of the decision."

CARRIED

d) GROWTH PLAN IMPLEMENTATION STUDY – STATUS REPORT,
FILE: D12-05 (2007-P-92)

Report #2007-P-92 from A.L. Georgieff, Commissioner of Planning, was received. Staff responded to questions of the Committee with respect to the methodology used to define the built boundary; whether registered and draft approved plans of subdivision will be recognized as built; whether the detailed geographically specific mapping of the built boundary for Durham Region has been released for public viewing; the appropriateness of intensification in areas with historical buildings; whether the urban area boundary can be defined to reflect the technically recommended route for Highway 407; and the possible response from the Province and consequences if the Region is not working towards the intensification targets.

Staff was requested to notify the members of the Regional Planning Committee when presentations are being made to their respective Area Municipal Council or Staff, and to notify the Head of Council of the Area Municipality, as well.

MOVED by Councillor Shepherd,
(232) "THAT Report #2007-P-92 of the Commissioner of Planning be
received for information."

CARRIED

e) SMART COMMUTE DURHAM, FILE: D21-13-04 (2007-P-93)

Report #2007-P-93 from A.L. Georgieff, Commissioner of Planning, was received. Staff responded to questions of the Committee with respect to the number of employees who work at the Regional Headquarters facility; how long the Regional carpool program has been in place; whether the Region has given consideration to including financial incentives or disincentives to encourage participation in the program; and what the participation target is.

MOVED by Councillor Shepherd,
(233) "THAT Report #2007-P-93 of the Commissioner of Planning be
received for information."

CARRIED

f) BUILDING PERMIT ACTIVITY – JANUARY TO SEPTEMBER, 2007,
FILE: D03-02 (2007-P-94)

Report #2007-P-94 from A.L. Georgieff, Commissioner of Planning, was received. Councillor Grant noted that the Township of Brock has issued 16 permits for new residential units this year compared to 15 permits for new residential units last year and that this is the reason the value of residential building permits issued this year appears so significant compared to last year.

MOVED by Councillor Grant,
 (234) "THAT Report #2007-P-94 of the Commissioner of Planning be
 received for information."

CARRIED

7. EARLY RELEASE REPORTS

There were no Early Release Reports to be considered at this time.

8. ADVISORY COMMITTEES

a) DURHAM AGRICULTURAL ADVISORY COMMITTEE

There were no minutes presented at this time.

b) DURHAM ENVIRONMENTAL ADVISORY COMMITTEE

MOVED by Councillor Grant,
 (235) "THAT the minutes of the Durham Environmental Advisory
 Committee meeting held on November 8, 2007 be received for
 information."

CARRIED

c) DURHAM TRAIL CO-ORDINATING COMMITTEE

There were no minutes presented at this time.

The Committee had before it the outstanding items listing relating to the
 Durham Trail Co-ordinating Committee for information purposes.

9. STATUS REPORTS ON REGIONAL OFFICIAL PLAN AMENDMENT
 APPLICATIONS

a) STATUS REPORT: APPLICATIONS CURRENTLY BEING PROCESSED

MOVED by Councillor Grant,
 (236) "THAT Status Report, Applications currently being processed, be
 received for information."

CARRIED

10. CORRESPONDENCE OUTSTANDING ITEMS

MOVED by Councillor Grant,
 (237) "THAT the items currently outstanding list be received for
 information."

CARRIED

11. OTHER BUSINESS

There was no other business to consider at this time.

12. DATE OF NEXT MEETING

The next regularly scheduled Planning Committee meeting will be held on Tuesday, January 8, 2008 at 9:30 a.m. in the Lower Level Boardroom (LL-C), Regional Headquarters Building, 605 Rossland Road East, Whitby.

A.L. Georgieff, Commissioner of Planning, advised that the consultant for the Growth Plan Implementation Study is expected to present a report at the January 8, 2008 meeting.

13. ADJOURNMENT

MOVED by Councillor Novak,
(238) "THAT the meeting be adjourned."
CARRIED

The meeting adjourned at 10:09 a.m.

T. Fraser, Committee Secretary

J. Gray, Chair
Planning Committee