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The Regional Municipality of Durham

MINUTES

PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, September 6, 2022

A regular meeting of the Planning & Economic Development Committee was held on Tuesday, September 6, 2022, in the Lower Level Boardroom (LL-C), Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:31 AM. Electronic participation was offered for this meeting.

1. Roll Call

Present: Councillor Ryan, Chair*
Councillor Joe Neal, Vice-Chair*
Councillor Grant*
Councillor Highet*
Councillor Kerr*
Councillor Lee*
Councillor Yamada attended the meeting at 9:40 AM
Regional Chair Henry
*** denotes Councillors participating electronically**

Also

Present: Councillor Barton
Councillor Dies
Councillor Smith attended for part of the meeting
Councillor Wotten attended for part of the meeting

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
B. Bridgeman, Commissioner of Planning and Economic Development
C. Boyd, Solicitor, Corporate Services – Legal Services
H. Finlay, Project Planner
S. Gill, Director, Economic Development and Tourism
C. Goodchild, Manager, Policy Planning & Special Studies
W. Holmes, General Manager, DRT
L. Huinink, Director, Rapid Transit and Transit Oriented Development
R. Inacio, Systems Support Specialist, Corporate Services – IT
G. Muller, Director of Planning
G. Pereira, Manager, Transportation Planning
B. Pickard, Manager, Tourism
N. Prasad, Assistant Secretary to Council, Corporate Services – Legislative Services
D. Ruby, Manager, Business Development and Investment

J. Severs, Manager, Economic Development, Marketing and Cluster Development
N. Taylor, Commissioner of Finance
L. Trombino, Manager, Plan Implementation
T. Fraser, Committee Clerk, Corporate Services – Legislative Services

2. Declarations of Interest

There were no declarations of interest.

3. Adoption of Minutes

Moved by Councillor Lee, Seconded by Councillor Kerr,
(110) That the minutes of the regular Planning & Economic Development Committee meeting held on Tuesday, June 7, 2022, be adopted.
CARRIED

B. Bridgeman introduced Dan Ruby as the new Manager of Business Development and Investment. He advised that D. Ruby brings a wealth of economic development experience and is well respected in the business, public and academic sectors.

Chair Ryan welcomed D. Ruby to the Region.

4. Statutory Public Meetings

4.1 Application to Amend the Durham Regional Official Plan, submitted by CBM Aggregates to permit the expansion of Aggregate Resource Extraction Area #2 in the Township of Brock, File: OPA 2022-003 (2022-P-17)

The Chair advised that this portion of the Planning & Economic Development Committee meeting constitutes the Statutory Public Information meeting under the Planning Act for a proposed amendment to the Durham Regional Official Plan. He noted that it is important that anyone who may have an interest in this matter make a submission prior to Regional Council making a decision.

A) Presentation

Heather Finlay, Principal Planner, Planning Division, provided a presentation outlining the details of Report #2022-P-17 of the Commissioner of Planning and Economic Development. She advised that an application has been submitted by Esher Planning Inc., on behalf of CBM Aggregates, to amend the Regional Official Plan to permit the expansion of an existing licenced aggregate pit operation in the Township of Brock. The subject site is municipally known as S895 Regional Road 13. She provided an overview of the application and land use policy considerations. She also advised that the application has been circulated to relevant agencies and notice given to the public. She further advised

that there have been approximately 20 inquiries from 12 area residents regarding the application and concerns relate to the protection of the adjacent provincially significant wetland, groundwater, wildlife, noise and dust concerns, potential property value decrease, potential flooding and damage to the surrounding roads and infrastructure. She added that all of these concerns will be examined during the amendment process.

H. Finlay responded to questions with respect to whether there is an aggregate shortage in Durham; whether the area to the west of the subject site is actively being mined; the status of other lands owned by the applicant; and whether there are any reports on the environmental impact of other licenced aggregate pits in the Beaver River Valley area. H. Finlay agreed to advise of the number of active aggregate pits in Durham Region following the meeting.

The Chair asked if there were any persons in attendance who wished to make a submission or ask any questions.

B) Delegations

1. Peter Renz, S670 Brock Concession 2, Sunderland

Peter Renz, participating electronically, appeared in opposition to the proposed amendment.

P. Renz advised that he is opposed to the CBM Aggregates request for re-zoning, and he stated that this is not an expansion as the previous site was completed several years ago and this is a new pit. He also stated that when the previous pit was operating CBM Aggregates routinely skirted the rules operating beyond the guidelines and their employees' dismissed complaints from property owners. He also advised that CBM Aggregates uses the term rehabilitation and he stated that they do not do this.

P. Renz further advised that his property is located across from the proposed site, and he stated that his concerns include decreased property values, potential health impacts of silica particles being released into the atmosphere, and the elimination of farmland. He also stated that current aggregate operations in Ontario can support current and future needs.

P. Renz also advised that he participates in the Conservation Land Tax incentive program to protect the environment and he stated that the agreement includes that property owners will not undertake any activities that degrade, destroy, or result in the loss of natural heritage environmental features.

P. Renz concluded by expressing concern that a large-scale aggregate operation can be approved and considered safe for the environment.

2. Ian Adams, 68 East Street, Collingwood

Ian Adams, participating electronically, appeared in opposition to the proposed amendment.

I. Adams advised that his family purchased a 20 acre property on the south side of Regional Road 13 in 1975 where his parents built their principal residence. He also advised that there was no residence on the property previously and prior to any residential development, aggregate operations to the east had already been established. He stated that CBM Aggregates purchased the operations around 1982.

I. Adams further advised that when his parents were informed CBM Aggregates would resume extraction on the lands bordering their property, they were assured there would be a 30-metre treed buffer. He stated that in examining the site now, the extent and quality of the buffer could be challenged. He also stated that during the following years his parents experienced noise and dust issues, and when concerns were raised the response from CBM Aggregates appears to have been “too bad” or “mind your own business”.

I. Adams also advised that CBM Aggregates built a temporary berm between his parents’ property and the excavation area and based on their experience he would suggest the berms being proposed now will do little to stop noise and dust. He asked if CBM Aggregates will be restoring any of the temporary berms to protect his parents’ property.

I. Adams expressed concerns related to noise and dust emanating from trucks using the road, potential impact on their well from extraction below the water table, and the response from CBM Aggregates when neighbours complain about dust and noise.

I. Adams referenced policy 9D.2.2 in the Regional Official Plan and he stated that given the dust and noise issues with the existing operations he does not believe any amount of mitigation could adequately address the potential impact on neighbours. He also referenced sections of the Provincial Policy Statement.

Ian Adams concluded by stating that the immediate community has changed significantly in the 65 years since aggregate extraction was established in the area and he expressed his opinion that re-zoning agricultural land to permit an industrial use is incompatible and does not meet the tests of the Regional Official Plan, Brock Official Plan or principles in the Provincial Policy Statement.

3. Melanie Horton, Esher Planning Inc.

M. Horton, participating electronically, appeared with respect to the application to amend the Durham Regional Official Plan submitted by CBM Aggregates, on behalf of the applicant. David Hanratty, Mike LeBreton, and Heather Melcher were also in attendance.

M. Horton provided a PowerPoint presentation on the proposed amendment. Highlights of the presentation included:

- Who is CBM Aggregates?
- Why This Site?
- What we have heard so far
- Responding to Concerns
- Response to Concerns – Protection of the Wetland
- Response to Concerns – Protection of Well Water
- Response to Concerns – Visual Impact
- Rehabilitation Plan
- CBM Sunderland Pit Rehabilitation

M. Horton and D. Hanratty responded to questions of the Committee.

4. Carole Ditomaso, 345 Concession 2, Sunderland

Carole Ditomaso, participating electronically, appeared in opposition to the proposed amendment.

C. Ditomaso expressed concerns related to the impact on neighbouring properties, residents, wildlife, and protected wetlands; potential change in the haul route; the three ponds in the proposed expansion area for extraction below the water table; and the noise impact assessment.

5. Kaik Bharucha, S700 Concession 2, Sunderland

Kaik Bharucha, participating electronically, appeared in opposition to the proposed amendment.

K. Bharucha advised that he has previously made a deputation to the Township of Brock Council and appeared at the public meeting in the Township of Brock in July 2022. He also advised that a petition was submitted to the Township of Brock and Region of Durham in November 2021. He further advised that he had a professional real estate appraisal executed that indicates his property value would be at least 20% less with a pit operating directly across from his property.

K. Bharucha stated that the subject lands are productive farmland and are a travel path for wildlife. He also advised that he purchased his property in 1980 and built his residence in 2004 for a quiet spot to live, enjoy and maybe retire. He further advised that his property is 74 acres, of which 56 acres are in the wetland and part of the Conservation Land Tax incentive program.

K. Bharucha expressed concerns that amending the Official Plan to allow Brock Township to change the zoning is alarming and distressful to residents, and will create noise, dust, aquifer problems and health issues due to silica in the dust. He added that the proposed expansion will substantially depreciate their property values by 20% to 30%.

K. Bharucha concluded by advising that he strongly opposes any change to the Regional Official Plan to allow a zoning change of the existing farmland.

6. Janice Mears, S700 Concession 2, Sunderland

Janice Mears, participating electronically, appeared in opposition to the proposed amendment.

J. Mears advised that according to Ministry data from 2018, there are 66 active aggregate pits in the Region of Durham, including 9 in the Township of Brock. She also advised that the subject site is classified as Prime Agricultural Area in the Regional Official Plan.

J. Mears further advised that she lives within 120 metres of the site and is identified as a sensitive receptor by the proponent, but their distinct features have not been included in the biologist and hydrogeologist reports. She stated that the area is a continuous corridor of rural agricultural and residential land from Regional Road 13 to the Township of Brock boundary on Sideroad 17 and is in the Greenbelt Natural Heritage System.

J. Mears referenced the Provincial Policy Statement and she stated that there is no justification for the proponents' claim that the land is unsuited for cultivation but capable for use as unimproved pasture. She also stated currently the land supports a flourishing crop of soy.

J. Mears expressed concerns related to land use compatibility; impacts on wildlife; noise and dust; potential impact to the aquifer and wells; extraction below the water table; and environmental and health risks.

7. Matthew Negrazis, 10955 Sideroad 17, Sunderland

Matthew Negrazis, participating electronically, appeared in opposition to the proposed amendment.

M. Negrazis expressed concerns related to the potential effects on the water table and wells; impact on property values; dust and pollution; impacts on the environment; and land use compatibility. He also questioned how this is considered an expansion and not a new pit.

C) Correspondence

1. Peter Renz, Sunderland resident
2. Kaik Bharucha, Sunderland resident
3. Janice Mears, Sunderland resident
4. Robert Ritter, Sunderland resident
5. John and Susan Adams, Sunderland residents
6. Keld and Angela Greflund, Sunderland residents
7. Matthew Negrazis, Sunderland resident
8. Jody Dales & Francis Muscat, Sunderland residents

D) Report

B. Bridgeman responded to questions with respect to the anticipated timing for the decision meeting, and the peer review process.

Moved by Councillor Grant, Seconded by Councillor Kerr,

(111) A) That Report #2022-P-17 of the Commissioner of Planning and Economic Development be received for information; and

B) That all submissions received be referred to the Planning and Economic Development Department for consideration.

CARRIED

5. Delegations

- 5.1 Don Given, Malone Given Parsons, on behalf of Oland Holdings (Uxbridge) Inc., re: Application to Amend the Durham Regional Official Plan, submitted by Malone Given Parsons on behalf of Oland Holdings (Uxbridge) Inc., File: OPA 2022-001 (2022-P-18)
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Don Given, participating electronically, appeared with respect to the application to amend the Durham Regional Official Plan submitted on behalf of Oland Holdings (Uxbridge) Inc.

D. Given advised that he is the applicants' agent and is appearing in support of the recommendations contained in Report #2022-P-18 of the Commissioner of Planning and Economic Development. He also advised that Vince Figliomeni, Ahmed Al-Temimi, Robert Johnson, and Jason Cole, were also in attendance to answer any questions.

With the consensus of the Committee, the order of the agenda was altered to consider Report #2022-P-18 at this time.

7.2 Reports

- A) Application to Amend the Durham Regional Official Plan, submitted by Malone Given Parsons on behalf of Oland Holdings (Uxbridge) Inc., in association with TACC Developments to permit soil remediation and processing uses in the Township of Uxbridge, File: OPA 2022-001 (2022-P-18)
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Report #2022-P-18 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

B. Bridgeman responded to a question with respect to whether the Region always waits for support from the local municipality before recommending adoption of a Regional Official Plan Amendment.

Moved by Councillor Lee, Seconded by Councillor Highet,
(112) That we recommend to Council:

- A) That Amendment #189 to the Durham Regional Official Plan, to permit soil remediation and processing uses, as contained in Attachment #2 to Report #2022-P-18 of the Commissioner of Planning and Economic Development be forwarded to Regional Council for adoption upon receipt of correspondence from the Township of Uxbridge that it is in support of the proposal; and
- B) That "Notice of Adoption" be sent to the applicant, the applicant's agent, the Township of Uxbridge, the Ministry of Municipal Affairs and Housing, and all other persons or public bodies who requested notification of this decision.

CARRIED

6. **Presentations**

- 6.1 Jacquie Severs, Manager, Marketing and Cluster Development, re: Durham at the 2022 Collision Conference: Investment Attraction and Brand Awareness (2022-EDT-12)
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J. Severs provided a presentation outlining the details of Report #2022-EDT-12 of the Commissioner of Planning and Economic Development. Highlights of the presentation included:

- Collision Conference June 20-23, 2022
- #DurhamAtCollision
- Key Messages
 - Location for innovation
 - Lifestyle
 - Support
- Durham Team
- By the Numbers
- Event Marketing
- Select Metrics
- Select Outcomes
- Legacy & Success

J. Severs responded to questions of the Committee with respect to who developed the key messages; the cost to attend the conference; whether displays could be re-used; and the number of leads generated.

7. Planning

7.1 Correspondence

There were no communications to consider.

7.2 Reports

- A) Application to Amend the Durham Regional Official Plan, submitted by Malone Given Parsons on behalf of Oland Holdings (Uxbridge) Inc., in association with TACC Developments to permit soil remediation and processing uses in the Township of Uxbridge, File: OPA 2022-001 (2022-P-18)
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This item was considered earlier in the meeting. Refer to page 8 of these minutes.

8. Economic Development

8.1 Correspondence

There were no communications to consider.

8.2 Reports

- A) Durham at the 2022 Collision Conference: Investment Attraction and Brand Awareness (2022-EDT-12)
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Report #2022-EDT-12 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor Lee, Seconded by Councillor Yamada,

- (113) That Report #2022-EDT-12 of the Commissioner of Planning and Economic Development be received for information.

CARRIED

B) Tap Into Talent – Workforce Development and Investment Attraction Campaign (2022-EDT-13)

Report #2022-EDT-13 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor Lee, Seconded by Councillor Yamada,

- (114) That Report #2022-EDT-13 of the Commissioner of Planning and Economic Development be received for information.

CARRIED

C) Toronto Global Membership Funds (2022-EDT-14)

Report #2022-EDT-14 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor Kerr, Seconded by Councillor Lee,

- (115) That Report #2022-EDT-14 of the Commissioner of Planning and Economic Development be received for information.

CARRIED

9. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

10. Confidential Matters

There were no confidential matters to be considered.

11. Other Business

There was no other business to be considered.

12. Date of Next Meeting

The next regularly scheduled Planning & Economic Development Committee meeting will be held on Tuesday, December 6, 2022 at 9:30 AM in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

13. Adjournment

Moved by Councillor Kerr, Seconded by Councillor Yamada,

- (116) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:03 AM

Respectfully submitted,

D. Ryan, Chair

T. Fraser, Committee Clerk