

Via email to [Clerks@Durham.ca](mailto:Clerks@Durham.ca)

May 29, 2024.

Planning & Economic Development Committee  
C/o Clerks Dept.  
Regional Municipality of Durham  
605 Rossland Road East  
Whitby, Ontario L1N 6A3

**Re: Durham's Response to Ministry Municipal Affairs & Housing (MMAH) May 6<sup>th</sup> letter with draft decision & proposed modifications to Durham Region Official Plan (DROP) – Requires Staff Report, Public Process & Council Decision**

Dear Regional Chair Henry, Planning Committee Chair Chapman and PC members:

Anyone listening to the Planning Committee (PC) meeting on May 7<sup>th</sup> would have heard Planning Commissioner Brian Bridgeman's statements that he would bring a staff report with recommendations to Council and sort out the logistics with Clerks around the public process to hear delegations around Durham's response to the MMAH May 6<sup>th</sup> letter, which he said would be, and then was, posted to the May 10<sup>th</sup> Council Information Package. This used to be standard operating procedure at the Region especially for issues of this importance to Durham residents and Council.

In my 27 years of closely observing Durham Region including around planning matters and the previous DROP process, I have not witnessed such a blatant move to sideline both the public and Regional Council.

As you know, between May 16<sup>th</sup> and May 21<sup>st</sup> I asked a number of questions as the May 7<sup>th</sup> PC minutes did not capture Mr. Bridgeman's statements. I asked for clarification as to whether or not there would be a staff report and opportunities for public input culminating in a council decision (see email string attached).

It emerged that a May 15<sup>th</sup> email on behalf of Planning Chair Chapman was sent to Planning Committee members but not to the rest of Council, with Council informed by Durham Clerks on May 21<sup>st</sup>.

For anyone to attempting to assert that Durham Council's position was made clear on May 17, 2023 when that council approved DROP was submitted to MMAH, and that nothing more was needed from Council to respond to MMAH proposed modifications and that this could be resolved offline via "staff to staff" discussions, displays a failure to understand that a Durham response to MMAH will require some changes to what Council approved last year.

Durham's response to the proposed modifications requires a staff report with recommendations to Council that would be brought forward in a manner and at a time which allows stakeholder input and culminates in a council decision. There IS time to do this right.

Posting reports to the Council Information Package, which then requires the public to find councillors willing to "pull" them, with the hope they get added to the next PC meeting agenda, which after June 4<sup>th</sup>, would be in September, is not an acceptable or workable option. As one example of the uncertainty, I won't know until May 31<sup>st</sup> when the PC agenda would be released to the public, whether or not a councillor "pulled" the MMAH letter as I had requested in my email of May 16<sup>th</sup>.

Also, Durham's response has been complicated by Pickering Mayor Ashe's May 17<sup>th</sup> letter to Minister Calandra asking him to revoke the MZO (O.reg 102/72). One silver lining is that because of the related ERO 019-8707 with a comment deadline of July 6<sup>th</sup>, I am optimistic that MMAH would likely be flexible regarding their original request for a Durham reply to proposed modifications by June 5<sup>th</sup>. This will allow enough time for a staff report, public input and a Council decision in good time, IF Planning Committee acts on June 4<sup>th</sup> as requested.

I would hope that Regional Chair Henry, who is elected by Durham residents directly, would be doing all he can to restore and support a public process which includes a staff report, opportunities for public input and culminates in a collective Council decision.

I urge Chair Henry to restore order and bring forward/support a motion to require a public process as envisaged on May 7<sup>th</sup> and allow for a transparent process around Durham's response to the MMAH draft DROP decision.

Thank you for your attention and consideration of my request.

Yours truly,

Linda Gasser  
Whitby  
Email: [REDACTED]

Cc: Elaine Baxter-Trahair, Chief Administrative Officer  
Brian Bridgeman, Commissioner of Planning & Economic Development  
Laurie Miller, Regional Director, Municipal Services Official - Central

Encl. – Email string May 16-21<sup>st</sup>, 2024 re response to MMAH

----- Forwarded Message -----

**Subject:**RE: Request: further to clarification re process, regional response to May 6th MMAH draft decision re DROP

**Date:** Tue, 21 May 2024 19:12:56 +0000

**From:**Alexander Harras <[Alexander.Harras@durham.ca](mailto:Alexander.Harras@durham.ca)>

**To:**Linda Gasser [REDACTED]

**CC:**Brian Bridgeman <[Brian.Bridgeman@Durham.ca](mailto:Brian.Bridgeman@Durham.ca)>, Cheryl Bandel <[Cheryl.Bandel@Durham.ca](mailto:Cheryl.Bandel@Durham.ca)>, Leigh Fleury <[Leigh.Fleury@Durham.ca](mailto:Leigh.Fleury@Durham.ca)>

Good afternoon Ms. Gasser, in response to your requests please find attached a copy of the May 15<sup>th</sup> e-mail from Committee Chair Chapman to members of the Planning & Economic Development Committee. Additionally, a copy of this e-mail was distributed to all members of Regional Council today by Legislative Services.

All the best,

Alec



Alexander Harras | Director of Legislative Services & Regional Clerk  
Corporate Services | Legislative Services

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Below the attachment to Clerks' May 21 message i.e. the May 15th email from PC Chair Bob Chapman

----- Forwarded Message -----

**Subject:**MMAH Draft Decision on ROP

**Date:**Wed, 15 May 2024 14:54:40 +0000

**From:**Debbie Brideau <[Debbie.Brideau@Durham.ca](mailto:Debbie.Brideau@Durham.ca)>

**To:**John Henry <[John.Henry@durham.ca](mailto:John.Henry@durham.ca)>, Bob Chapman <[bchapman@oshawa.ca](mailto:bchapman@oshawa.ca)>, Shaun Collier <[shaun.collier@ajax.ca](mailto:shaun.collier@ajax.ca)>, Rick Kerr <[rkerr@oshawa.ca](mailto:rkerr@oshawa.ca)>, John Neal <[jneal@oshawa.ca](mailto:jneal@oshawa.ca)>, David Pickles <[dpickles@pickering.ca](mailto:dpickles@pickering.ca)>, [shahidm@whitby.ca](mailto:shahidm@whitby.ca) <[shahidm@whitby.ca](mailto:shahidm@whitby.ca)>, Wilma Wotten <[wwotten@scugog.ca](mailto:wwotten@scugog.ca)>

**CC:**Elaine Baxter-Trahair <[Elaine.Baxter-Trahair@durham.ca](mailto:Elaine.Baxter-Trahair@durham.ca)>, Brian Bridgeman <[Brian.Bridgeman@Durham.ca](mailto:Brian.Bridgeman@Durham.ca)>, Nancy Taylor <[Nancy.Taylor@durham.ca](mailto:Nancy.Taylor@durham.ca)>, Ramesh Jagannathan <[Ramesh.Jagannathan@Durham.ca](mailto:Ramesh.Jagannathan@Durham.ca)>, Colleen Goodchild <[Colleen.Goodchild@Durham.ca](mailto:Colleen.Goodchild@Durham.ca)>, Alexander Harras <[Alexander.Harras@durham.ca](mailto:Alexander.Harras@durham.ca)>, Patricia Nokes <[Patricia.Nokes@durham.ca](mailto:Patricia.Nokes@durham.ca)>, Nancy Kalotai <[Nancy.Kalotai@Durham.ca](mailto:Nancy.Kalotai@Durham.ca)>, Tina Lee <[Tina.Lee@Durham.ca](mailto:Tina.Lee@Durham.ca)>, Veronica Walker <[Veronica.Walker@durham.ca](mailto:Veronica.Walker@durham.ca)>, Jonah Kelly <[Jonah.Kelly@Durham.ca](mailto:Jonah.Kelly@Durham.ca)>

*The message below is being sent on behalf of Councillor Bob Chapman, Chair, Regional Planning & Economic Development Committee:*

Good morning Regional Chair Henry and Members of Planning & Economic Development Committee:

On May 6, 2024, the Region's Commissioner of Planning and Economic Development received a letter from his counterpart at the Ministry of Municipal Affairs and Housing

which contains a package of proposed/draft modifications to Durham's new Official Plan which was adopted by Regional Council on May 17, 2023.

At the May 7<sup>th</sup> Planning & Economic Development Committee meeting, Mr. Bridgeman indicated the MMAH correspondence would be made available through the May 10<sup>th</sup> Council Information Package (which it was), and that a report would come direct to the 29<sup>th</sup> Council meeting.

Brian and his staff have now been able to review the MMAH Draft Decision more closely and are of the view that they can work with MMAH to resolve the proposed modifications, staff-to-staff. There have already been productive discussions with MMAH staff and Regional planning staff are working to obtain approval of the ROP in a form that most closely reflects the document that was adopted by Regional Council on May 17, 2023.

Under the circumstances, given the ongoing discussions with MMAH staff, and given that the Council position is established, there will not be a staff report from Regional planning staff to the May 29<sup>th</sup> Council meeting.

Regards,

Bob Chapman, Chair

Regional Planning & Economic Development Committee



**Debbie Brideau** | Administrative Assistant to the Commissioner

Planning and Economic Development Department

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My pronouns are she/her | [durham.ca/50years](http://durham.ca/50years)



-----  
**From:** Linda Gasser [REDACTED]

**Sent:** Tuesday, May 21, 2024 8:55 AM

**To:** Alexander Harras <[Alexander.Harras@durham.ca](mailto:Alexander.Harras@durham.ca)>

**Cc:** Brian Bridgeman <[Brian.Bridgeman@Durham.ca](mailto:Brian.Bridgeman@Durham.ca)>

**Subject:** Request: further to clarification re process, regional response to May 6th MMAH draft decision re DROP

**Importance:** High

Good morning:

I phoned Mr. Bridgeman Friday afternoon after he responded to my email of May 16th. I had noted that though I had copied all regional councillors with my clarification request, Mr. Bridgeman had not in his reply- see message header below.

I asked Mr. Bridgeman IF all regional councillors were aware of this change in proposed process i.e. different from what Mr. Bridgeman had described was staff's plan at the May 7th Planning Cttee meeting and asked what had been communicated to other councillors.

In response to questions, Mr. Bridgeman mentioned that on (or around) May 15th, Ms. Debbie Brideau, on behalf of Planning Cttee Chair Chapman??, sent a memo to Planning Committee members with some staff copied, including you.

When I asked Mr. Bridgeman for a copy of that memo he suggested that I request it from you and that I copy him when making that request, which I have done here.

My request to you:

1) could you please provide a copy of the memo Ms. Brideau sent to Planning Cttee members on/around May 15th, on behalf of Planning Cttee Chair Chapman?

2) could you please advise IF and HOW the rest of council were/would be advised as to how Durham intended to proceed with the response to the May 6th MMAH letter and proposed modifications to the Durham Region Official Plan?

Thank you in advance and I would appreciate your response at the earliest opportunity.

Regards.

Linda Gasser  
Whitby

----- Forwarded Message -----

**Subject:**RE: Request Clarification re process, regional response to May 6th MMAH draft decision re Durham Region Official Plan

**Date:** Fri, 17 May 2024 16:17:12 +0000

**From:** Brian Bridgeman <[Brian.Bridgeman@Durham.ca](mailto:Brian.Bridgeman@Durham.ca)>

**To:** Linda Gasser [REDACTED]

**CC:** John Henry <[John.Henry@durham.ca](mailto:John.Henry@durham.ca)>, Bob Chapman <[bchapman@oshawa.ca](mailto:bchapman@oshawa.ca)>, Elaine Baxter-Trahair <[Elaine.Baxter-Trahair@durham.ca](mailto:Elaine.Baxter-Trahair@durham.ca)>, Nancy Taylor <[Nancy.Taylor@durham.ca](mailto:Nancy.Taylor@durham.ca)>, Alexander Harras <[Alexander.Harras@durham.ca](mailto:Alexander.Harras@durham.ca)>, Cheryl Bandel <[Cheryl.Bandel@Durham.ca](mailto:Cheryl.Bandel@Durham.ca)>, Colleen Goodchild <[Colleen.Goodchild@Durham.ca](mailto:Colleen.Goodchild@Durham.ca)>

Dear Ms. Gasser,

I am writing to respond to the questions you asked in your May 16<sup>th</sup> email.

1. **Will a staff report responding to the May 6th MMAH letter be produced for the May 29th Council meeting agenda?**

At the May 7<sup>th</sup> Planning & Economic Development Committee meeting, I indicated the MMAH correspondence would be made available through the May 10<sup>th</sup> Council Information Package (which it was), and that a report would come direct to the May 29<sup>th</sup> Council meeting. Regional Planning staff have now reviewed the MMAH Draft Decision in detail and determined we will work staff-to-staff with MMAH to resolve the proposed modifications and achieve consistency with the direction provided by Regional Council at the Special Meeting on May 17, 2023. Consequently, there will not be a report from me regarding this matter on the May 29<sup>th</sup> Council agenda.

2. **If no staff report is going to the May 29th Council meeting, what process has been/will be considered to make available to the public an opportunity to comment on any regional response to the MMAH draft decision and by what date/how would such material be available for the public to review and respond to prior to June 5th?**

Regional Planning staff are working directly with MMAH staff to address the proposed modifications. Should members of the public wish to provide comments to the Ministry on the proposed modifications, they may do so by contacting the Ministry directly.

3. **The next Planning Committee is June 4th, one day before the MMAH requested comment deadline of June 5th.**

Noted. If the correspondence from the Ministry is pulled for discussion at the June 4<sup>th</sup> P&ED Committee meeting, Regional Planning staff will respond to Member's questions as required.





**Brian Bridgeman, MCIP, RPP, PLE** | Commissioner of Planning and Economic Development  
Planning and Economic Development Department  
The Regional Municipality of Durham | **Celebrating 50 years!**  
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My pronouns are he/him | [durham.ca/50years](http://durham.ca/50years)



**From:** Linda Gasser [REDACTED]

**Sent:** Thursday, May 16, 2024 1:38 PM

**To:** Alexander Harras <[Alexander.Harras@durham.ca](mailto:Alexander.Harras@durham.ca)>; Brian Bridgeman <[Brian.Bridgeman@Durham.ca](mailto:Brian.Bridgeman@Durham.ca)>; Bob Chapman <[bchapman@oshawa.ca](mailto:bchapman@oshawa.ca)>; John Henry <[John.Henry@durham.ca](mailto:John.Henry@durham.ca)>; Clerks <[Clerks@durham.ca](mailto:Clerks@durham.ca)>

**Cc:** Kevin Ashe <[kashe@pickering.ca](mailto:kashe@pickering.ca)>; David Pickles <[dpickles@pickering.ca](mailto:dpickles@pickering.ca)>; Linda, Cook, Councillor <[lcook@pickering.ca](mailto:lcook@pickering.ca)>; Brenner, Maurice, Councillor <[mbrenner@pickering.ca](mailto:mbrenner@pickering.ca)>; Shaun Collier <[shaun.collier@ajax.ca](mailto:shaun.collier@ajax.ca)>; Joanne Dies <[joanne.dies@ajax.ca](mailto:joanne.dies@ajax.ca)>; Marilyn Crawford <[marilyn.crawford@ajax.ca](mailto:marilyn.crawford@ajax.ca)>; Sterling Lee <[sterling.lee@ajax.ca](mailto:sterling.lee@ajax.ca)>; Elizabeth Roy <[roye@whitby.ca](mailto:roye@whitby.ca)>; Chris Leahy <[leahyc@whitby.ca](mailto:leahyc@whitby.ca)>; Steve Yamada <[yamadas@whitby.ca](mailto:yamadas@whitby.ca)>; Rhonda Mulcahy <[mulcahyr@whitby.ca](mailto:mulcahyr@whitby.ca)>; [shahidm@whitby.ca](mailto:shahidm@whitby.ca); Dan Carter <[dcarter@oshawa.ca](mailto:dcarter@oshawa.ca)>; Tito-Dante Marimpietri <[tmarimpietri@oshawa.ca](mailto:tmarimpietri@oshawa.ca)>; John Neal <[jneal@oshawa.ca](mailto:jneal@oshawa.ca)>; Brian Nicholson <[bnicholson@oshawa.ca](mailto:bnicholson@oshawa.ca)>; Rick Kerr <[rkerr@oshawa.ca](mailto:rkerr@oshawa.ca)>; Mayor Shared Mailbox <[mayor@clarington.net](mailto:mayor@clarington.net)>; Granville Anderson <[ganderson@clarington.net](mailto:ganderson@clarington.net)>; Willie Woo <[wwoo@clarington.net](mailto:wwoo@clarington.net)>; Wilma Wotten <[wwotten@scugog.ca](mailto:wwotten@scugog.ca)>; Ian McDougall <[imcdougall@scugog.ca](mailto:imcdougall@scugog.ca)>; Dave Barton (Mayor of Uxbridge) <[dbarton@town.uxbridge.on.ca](mailto:dbarton@town.uxbridge.on.ca)>; Bruce Garrod <[bgarrod@uxbridge.ca](mailto:bgarrod@uxbridge.ca)>; [wshummer@townshipofbrock.ca](mailto:wshummer@townshipofbrock.ca); Michael Jubb <[michael.jubb@brock.ca](mailto:michael.jubb@brock.ca)>; Elaine Baxter-Trahair <[Elaine.Baxter-Trahair@durham.ca](mailto:Elaine.Baxter-Trahair@durham.ca)>

**Subject:** Request Clarification re process, regional response to May 6th MMAH draft decision re Durham Region Official Plan

**Importance:** High

Good afternoon:

I reviewed the May 6th MMAH letter posted to the May 10th CIP, i.e. the "draft decision" with 77 modifications to the May 2023 Council Approved Envision Durham Regional Official Plan. MMAH requested a response by June 5th.

See May 6th MMAH letter in CIP at: <https://pub-durhamregion.escribemeetings.com/filestream.ashx?DocumentId=4162>

I also listened to the May 7th Planning Cttee recording, with the Other Business section and Commissioner Bridgeman's comments further to the May 6th letter. Commissioner Bridgeman indicated that planning staff intend to bring a staff report with their recommendations to the May 29th Regional Council meeting, with the report ready for the council agenda.

Mr. Bridgeman also stated that he and Colleen Goodchild would be meeting the the Clerk to discuss matters re public delegations, registration and such.

Please see the May 7 Planning Cttee video, with the Other Business & MMAH letter discussion beginning around the 54 minute mark, at: <https://pub-durhamregion.escribemeetings.com/Players/ISISStandAlonePlayer.aspx?id=cbf23013-7e86-4b49-854d-c3e68d74316f>

I also reviewed the minutes for the May 7th Planning Cttee meeting and noted that Section 11, which references some of the "Other Business" discussion around the MMAH letter and process. The minutes did NOT capture the staff report Mr. Bridgeman said would be ready for the May 29th Regional Council meeting agenda.

See Page 5 of 6 in May 7 Planning Cttee minutes <https://calendar.durham.ca/meetings/Detail/2024-05-07-0930-Planning-and-Economic-Development-Committee-Meetin/e02be8d2-caa3-4af6-87d9-b16b01366bb5>

### **My questions and requests:**

1) Could the Clerk and/or the Planning Commissioner and/or the Planning Committee Chair and/or the Regional Chair please clarify at the earliest opportunity **whether or not a staff report responding to the May 6th MMAH letter will in fact be produced for the May 29th Council meeting agenda?**

2) If no staff report would go to Council May 29th as Commissioner Bridgeman on May 7th said would be the case, what process has been/will be considered to make available to the public an opportunity to comment on any regional response to the MMAH draft decision and by what date/how would such material be available for the public to review and respond to prior to June 5th?

3) The next Planning Committee is June 4th, one day before the MMAH requested comment deadline of June 5th.

Given the uncertainty around how Durham may proceed, **I ask that one or more councillors please "pull" the MMAH letter from the May 10th CIP and ask that it be included on the June 4th Planning Cttee agenda, as a fallback.**

I would appreciate your reply at the earliest opportunity.

Thank you in advance and kind regards.

Linda Gasser  
Whitby