

**Present:** Councillor Roy, Chair of Planning and Development  
R. Saunders, Commissioner of Planning and Development  
J. Austin, Manager, Development, Control, Design and Technical Services  
E. Belsey, Manager, Long Range Policy Planning  
K. Narraway, Manager of Legislative Services/Deputy Clerk  
S. Dave, Legislative Coordinator  
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

**Regrets:** None noted

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Public Meetings - 7:00 p.m.

S. Dave, Legislative Coordinator, provided an overview of the format of the public meeting to members of the audience.

1. Planning and Development Department Report, PL 85-19  
Re: Official Plan Amendment Application, Zoning By-law Amendment Application, Nova's Ark, 7505 Cedarbrook Trail, File No. DEV 24-19 (Z-15-19, OPA-2019-W/03)

Deanna Schlosser, Planner II, provided a PowerPoint presentation which included an overview of the applications.

Scott Waterhouse, Planning Manager, Candevcon Limited, and Mary-Ann Nova, owner of Nova's Ark, provided a PowerPoint presentation which included a detailed overview of the applications. Mr. Waterhouse noted that although the Site Plan submitted with the application indicated that the proposed building would be two storeys, it would actually be a one storey building with a walk-out basement due to the site topography. He further advised that the number and type of programs and animals would not increase as a result of the proposed development.

Mary-Ann Nova provided details with respect to the activities that take place at Nova's Ark, and the types of children that attend those programs. She advised that the clients vary from those with autism, different learning abilities, bi-polar disorder and eating disorders. Ms. Nova stated that the facility provides opportunities for individuals to be safe and to work with a number of qualified professionals including a speech-language pathologist, an occupational therapist, teachers, and social workers within a non-traditional setting. Ms. Nova further stated that the proposed development was required to offer more space, consistency and normalcy for children in order for them to grow and learn the skills they need to return to school and their friends/family.

The Chair opened the floor for comments from the public.

Maureen Frogley, 95 Wetherburn Drive, advised that she was a mother of three children and that two children were adopted from foster care. She noted that her youngest child struggled with behavioural issues, that he did not have any friends, no one was able to connect with him and that he was not functioning in the traditional school setting. She advised that in 2018 her son started attending Nova's Ark once a week rather than attending school. Ms. Frogley commented on his improvement over the course of a year. She stated that that he was thriving as result of being there, and had returned to school. She further advised that she began volunteering at Nova's Ark as a speech-language pathologist when her son attended, and was recently hired, noting that Nova's Ark has had a positive impact on her whole family.

Steve Rapp, 7485 Cedarbrook Trail, commented on the growth of Nova's Ark over the past five years and raised concerns regarding privacy. He inquired about how the privacy of neighbours in the area would be safe guarded as Nova's Ark continues to grow. He raised further concerns regarding traffic and damage to property, noting a constant flow of vehicles on the road. Mr. Rapp commented on the number of visitors at Nova's Ark in 2014 versus today, expressed concerns regarding the increased traffic on Cedarbrook Trail. He inquired about how much growth would be permitted in the future as well as the maximum number of visitors allowed on the property. He further inquired about the number and types of animals that would be permitted on the property, and the safe guards in place for ensuring that any predatory animals were not able to escape. He stated that the increasing number of predatory animals being housed was concerning due to being a direct neighbour with young children, and inquired about the governing body that oversees the management of the animals on the property, similar to a zoo. Mr. Rapp also expressed concerns regarding the large number of animals on the property, and how their waste was being managed.

Janet Moreira, 7625 Cedarbrook Trail, raised concerns about the amount of traffic, the number of visitors at the facility, and the safety of the residents in the area. She advised that school buses park on Cedarbrook Trail due to the narrowness of the driveway to access the property resulting in traffic congestion on Cedarbrook Trail. She inquired about emergency vehicle access to the property. She raised further concerns regarding the increased noise from children and animal sounds emanating from the property as well as the safety of children and pets in the area due to the predatory animals being kept at the facility. Ms. Moreira inquired about how the facility was regulated, how regulations were enforced, how many and types of animals were being housed, the animals defecating on the property and how this would be managed. She raised concerns about the impact of animal waste on the wells of area residents. She commented on the proximity of Lynde Creek to the property and the possible contamination of the creek from animal feces and urine. She inquired whether the Central Lake Ontario Conservation Area (CLOCA) was aware of the activities taking place on the property and in the creek. She also inquired about the impact on property tax as a result of the zoning by-law amendment, and whether this type of use could or would be considered commercial. She further inquired about how much growth would be permitted in the area. Ms. Moreira stated that she understood that many individuals have benefited from the use of the facility and inquired about the types of individuals attending the facility, whether there were people convicted of criminal offences and if so, whether this would put the existing residents at risk.

Sharon Prendergast, 7900 Cedarbrook Trail, stated that she agreed with the previous delegates' comments and concerns. She raised concerns regarding traffic congestion, the safety of existing residents and users of the conservation area, the possible impact on taxes, privacy and changing the character of the neighbourhood.

Richard Broughton, 7985 Cedarbrook Trail, advised that his main concern was access to the property, noting that the practice has been to park buses on Cedarbrook Trail, which presents a traffic hazard. He stated that he understood that there would not be any improvements made to the driveway and that there would not be any provision for parking. He further stated that there was already traffic congestion on Cedarbrook Trail and the proposed development would only exacerbate the situation.

Sarah Rapp, 7485 Cedarbrook Trail, stated that many of her concerns had been raised by previous delegates. She advised that her greatest concern was setting a precedence for other properties on the street should the proposed zoning be approved, noting that there could be a number of commercial ventures by other residents. She inquired about

the future zoning/use of the property once Nova's Ark was no longer operating, the current zoning, and clarification on the proposed zoning for the property. She raised further concerns regarding the volume of children in the creek and the impact this may have on the redbreasted nuthatch habitat as well as whether there would be any restrictions in place to protect the environment. Ms. Rapp asked whether CLOCA or the Ministry of Natural Resources and Forestry had provided input on these activities. She noted that there have been occasions where children have wandered off the property and inquired about safety measures to ensure that the animals and people do not leave the property.

Robin Mason, 7600 Cedarbrook Trail, advised that his property was located directly across the street from the subject property and that he has lived there for 25 years. He further advised that when his children were young, his family had the opportunity to enjoy Nova's Ark, noting that the facility was fascinating and unique. He commented on the impact that Nova's Ark has had on his family including increased traffic on Cedarbrook Trail, vehicles parked on the side of the road to drop off or pick up visitors and volunteers as well as the occasional sound of an animal. Mr. Mason stated that occasionally he has to slow his vehicle down to pass or go around a vehicle waiting at the entrance of the property, noting that there was always someone posted at the entrance to the property controlling the entry and exit of vehicles. He stated that the subject property was not visible from the road due to the dense forest and winding driveway. Mr. Mason stated that the noted issues were minor inconveniences and that he was supportive of the work and vision of Nova's Ark. He further stated that Nova's Ark should remain a destination for people who have so few places to go in the community.

There were no further submissions from the public.

R. Saunders, Commissioner of Planning and Development answered questions regarding:

- the current and proposed zoning on the property;
- the requirements for future growth on the property;
- the future use of the property should the property be sold or when Nova's Ark was no longer operating;
- the impact the proposed zoning would have on other properties on the street;
- clarification on the requirement for the additional building;
- the concerns raised regarding the environment and traffic congestion; and,
- the governing body regulating the operations of the facility and animal waste.

Scott Waterhouse, Planning Manager, Candevcon Limited, and Mary-

Ann Nova, owner of Nova's Ark, answered questions regarding:

- the concerns raised about traffic congestion, school buses parked on the road, and how access to the property would be addressed;
- the purpose of the additional building;
- animal vaccinations, inspections, and containment;
- whether the number of animals or visitors on site would increase;
- how animal waste in the pasture would be managed; and
- the facilitation of a meeting with area residents to address their concerns.

**2. Planning and Development Report, PL 86-19**

Re: Temporary Use Zoning By-law Amendment Application, 4618 Country Lane, Durham Islamic Centre, File No. DEV-25-19 (Z-16-19)

Kaitlin Friesen, Planner I, provided a PowerPoint presentation which included an overview of the application.

Bryce Jordan, representing Durham Islamic Centre, provided a PowerPoint presentation which included a detailed overview of the application.

The Chair opened the floor for comments from the public.

Sean McGaffey, 620 Lyndebrook Road, stated that he did not have any concerns regarding the proposed temporary use on the subject property. He inquired about why a temporary use by-law was being pursued as opposed to a combined Official Plan Amendment and Zoning By-law Amendment for a permanent use on the subject property.

Steve Shadlock, 4375 Country Lane, advised that although the subject property was zoned residential, it had already been used as a place of worship. He stated that residents in the area had witnessed increased traffic, and a large number of the people on the property. He commented on the proposed number of parking spaces and inquired about the number of people that would be permitted within the residential dwelling. Mr. Shadlock noted that the street was used as an access to Heber Down Conservation Area and raised concerns regarding the number of vehicles that would be entering and exiting the property, the impact on the environment, the increased traffic, and the safety of the pedestrians and cyclists. He advised that he purchased his property based on the residential zoning with the understanding that this type of development would not be permitted. He noted that the entrance to the property had a narrow driveway with no proposed improvements being made to the driveway or roadway, and that the house was not designed to hold the number of people that would be attending. Mr. Shadlock stated that he was opposed to the proposed zoning by-law amendment.

Ranjeet Chugh, 43 Promenade Drive, stated that he was neither in favour or opposed to the proposed zoning application. He inquired whether there was a plan to accommodate additional vehicles should there be more vehicles than parking spaces available, whether the entry and exit of vehicles to and from the property would be monitored, emergency vehicle access to the building, and how occupancy and fire safety within the facility would be addressed. Mr. Chugh commented on the availability of three-year extensions to the temporary use and inquired how extensions to a temporary use would be considered. He asked where he could obtain copy of the Site Plan, the Planning Report, and the Traffic Study.

Matt Richard, 4760 Country Lane, raised concerns regarding the road not being able to structurally handle the increased volume of vehicles, as well as a lack of sidewalks, curbs, lane markings or street lights on the road which would result in unsafe conditions for residents and pedestrians. He stated that the property operated on a well and septic system, and the additional people at the property would mean increased water consumption, putting stress on the available ground water, which would affect the wells of all of the neighbours. He also indicated that overuse of the property could result in the septic bed leaching into surrounding groundwater. He raised concerns about inadequate washroom facilities as well as the structure of the building being able to support the number of people using the building. Mr. Richard expressed concerns regarding the lack of a fire system in the building, meeting fire codes, emergency vehicle access, and whether the proposed parking spaces would accommodate the number of vehicles. He indicated that the Durham Islamic Centre's website references plans for a community centre, a mosque, and a school, and inquired whether this would be considered a temporary use of the property. He stated that the property was located outside of the urban area border and that it was not intended to be developed as proposed. The delegate submitted his presentation to the Legislative Coordinator.

Ron Gallagher, 4700 Country Lane, advised that his property was adjacent to the subject property, noting that the area was zoned residential/agricultural. He stated that the Durham Islamic Centre purchased the property and immediately started using it as a place of worship. He advised that there were hundreds of vehicles at the property in the past, including vehicles stuck on the property, parked on the road and stuck in the ditches. He noted that there were plans to build a day care, a school, and a mosque and raised concerns that the temporary use would become permanent. He stated that Country Lane was a rural road and would not be able to accommodate the additional traffic or on-street parking. He raised concerns regarding vehicles



entering his property as well as pedestrian and traffic safety. He inquired about on-street parking and how this would be managed.

Christopher Leeder, 610 Lyndebrook Road, stated that the zoning by-law was in place was to protect property owners and that properties in the neighbourhood were purchased based on the permitted uses in the area. He raised concerns regarding the proposed improvements to the septic system and stated that it would be unable to sustain use from the volume of people. He raised further concerns about the current traffic congestion and advised that it would be exacerbated by the proposed development.

Vic Rankine, 665 Lyndebrook Road, advised that he was in agreement with the concerns and comments raised by other delegates. He requested clarification about whether temporary structures would be permitted.

Valerie Richard, 4760 Country Lane, stated that she was in agreement with the concerns and comments by previous delegates, and that she was opposed to the proposed zoning on the subject property. She advised that her property was located in a green space right next to Heber Down Conservation Area. She raised concerns regarding pedestrian and cyclist safety due to the increase in traffic that would be created by the proposed zoning amendment. She commented on the previous use on the building, noting that vehicles were stuck in ditches which hindered access to the street and area residents' homes. She expressed concerns regarding insufficient parking for the building which would result in on-street parking issues. Ms. Richard raised further concerns regarding vehicles entering her driveway and the safety of her children who play in the driveway. She noted that there was a lot of wildlife in the area which would be put a risk or flee due to the additional traffic. She stated that the green space needs to be protected.

Brian Swaren, 4870 Country Lane, advised that he was in agreement with previous delegates, noting that he opposed the proposed zoning amendment. He stated that the use of the property was under estimated with respect to the number of people that would be using the property. He inquired how fire safety would be addressed, and raised concerns regarding the additional traffic contributing to wear and tear of the road and the traffic congestion making the road dangerous for both motorist and pedestrians. He commented on the condition of the road and inquired about plans for road improvements. He indicated that the safety of wildlife would also be at risk due the increased traffic. He stated that there would not be sufficient parking and vehicles parked on-street would get stuck in the ditch. He further stated that the subject property has never been used as a residence and that the existing appropriate land use should protect surrounding residents.

R. Saunders, Commissioner of Planning and Development, answered questions regarding clarification on temporary use zoning by-law amendments, and whether the intention would be to permit the exception on a permanent basis.

The Chair advised that reports related to the applications were available through the Planning and Development Department.

Bryce Jordan and Shahid Chaudry, representing Durham Islamic Centre, answered questions regarding:

- clarification on the proposed number of parking spaces and whether it would accommodate the congregation;
- the capacity of the building in accordance with the Building Code;
- concerns related to on-street parking;
- clarification on CLOCA's concerns related to the gravel parking area on the subject property;
- whether consultation with the Fire and Emergency Services Department was a requirement in relation to the application;
- whether there would be any temporary structures on the property;
- the willingness to host an information meeting with the area residents.

The meeting adjourned at 8:58 p.m.