

WILL THE COUNCIL AGAIN SAY YES TO
DEVELOPER AND NO TO TAXPAYERS

The following is an excerpt from a presentation made by the Bond Head Community Association on October 6, 1997 to the General Purpose and Administration Committee of the Municipality of Clarington opposing approval of Phase Two, Port of Newcastle Subdivision, Kaitlin Group

Members of the Bond Head Community Association were absolutely flabbergasted when we read the contents of Report PD 14 0-97 with the recommendation that the G.P.A. advise its acceptance in total - first by the Council and in turn by the Region.

However we should not have been flabbergasted - or even surprised. From Day One, Mr. Bill Daniel of the Kaitlin Group has consistently received practically everything he has asked for - or on occasion demanded with an accompanying "OR ELSE". With regard to the latter we are referring to his demand that in **Phase One** he be allowed to build so-called coastal villas on the lake side of the Coastal Road - OTHERWISE he claimed the whole project was not viable. Approval was in direct contravention of the Clarington Official Plan you had so recently adopted.

As we stated at the G.P.A. meeting of July 7, 1997 there had been, between May and September of 1996, strong and valid objections by the Bond Head Community Association and local residents to the Kaitlin Group's request to change the NEWLY APPROVED OFFICIAL PLAN which had **disallowed** any residential development on the south side of the Coastal Road.

The Planning Department's Report PD 89-96 of June 17, 1996, which recommended **refusal** of the Kaitlin request stated and we quote,

"Section 4.6.1. of the Official Plan recognizes the Lake Ontario Waterfront as a unique and dynamic feature and a vital public resource. The municipality is to maintain the distinctive character of the waterfront and enhance opportunity for public access., which includes visual access. As such, permitting residential development to intrude into the Waterfront Greenway is contrary to to the principle of the Official Plan and is not consistent with the recommendations of the Waterfront Greenway Regeneration Trust." (The underlining is ours)

This same Planning report then continued to give a further three good reasons for disallowing the change to the Official Plan, including the fact that there are few areas in the whole of Clarington where the public can view the shoreline

Early in the the Official Plan Review process Council authorized a Waterfront Study - a worthwhile project involving no less than four consultants and many thousands of dollars. No doubt, Section 4.6.1. to which we just referred came out of this study.

The following is an excerpt from the report entitled Waterfront Study - Clarington Official Plan Review September 1993

"Additionally the Municipality has recognized and **endorsed** the objectives and recommendations of the Royal Commission on the Future of Toronto Waterfront". Now known as The Waterfront Regeneration Trust its jurisdiction stretches from Hamilton to beyond Trenton.

We now quote from the letter of May 10, 1996 to the Municipality of Clarington from this same Waterfront Regeneration Trust

"In addition to their inherent value Clarington's forward-looking Greenway policies are consistent with the Trust's nine waterfront principles and with the goals and objectives of the Lake Ontario Greenway strategy. Consequently the Trust endorses Commissioner Wu's advice in Section 2.6. of the May 6 Planning Report with respect to the Submission

No. 16 from the Kaitlin Group regarding the Port Of Newcastle Neighbourhood. We continue to support the policies of the Clarington Official Plan which precludes residential development in the Waterfront Greenway"

Signed Suzanne Barrett, Director Lake Ontario Program. Again the underlining is ours.

Madam Chairman and Councillors, with that type of ammunition - to say nothing of the advice of your - and our - Planning Department as well as the backing of many residents in the community, even a weak Council could have said 'NO' to the developer.

The Council is aware of what happened next. However for the edification of the residents present here today we will remind you . As we, the taxpayers, were not seen to be co-operating with Mr. Daniel when we protested changes to the Council's Own Official Plan - for the same and very valid reasons given in the Planning Department's Report of May 6, 1996 mentioned above - the Council "directed" (which actually means ordered) the Planning Department to meet with the Kaitlin Group and come up with a compromise.

The "compromise" resulted in the Official plan being amended to allow the building of a group of three villas, containing a total of 56 units on the south side of the Coastal Road.

We believe there may have been a minor concession on Kaitlin's part BUT AGAIN THERE WAS NO RATIONAL JUSTIFICATION FOR COUNCIL TO COMPROMISE ITS OWN OFFICIAL PLAN.

IT HAD EVERY CONCEIVABLE REASON TO SAY 'NO'

Re Block 160 South of the Coastal Road - Phase Two

The Kaitlin Group are now asking, among other things, for further development south of the Coastal Road - a multiple residential unit of 72 units immediately east of the coastal villas approved in Phase One.

In Report PD- 90-96 of June 16, 1996 which recommended the rezoning in order to allow for coastal villas the wording in Section 13.2 sentence 2 reads

"Subsequently an addendum to the report PD-69-96 was prepared which recommended a compromise to allow limited coastal villa development south of Street 'B' within the vicinity of the local central area". This wording, in particular the use of the word 'limited', clearly implies that no development, other than the coastal villas approved in Phase One, would be allowed south of the coastal road. (The underlining is ours)

If the G.P.A. Committee and/or Council allow further residential construction south of the Coastal Road, in the form of Block 160, or any other form, it is completely beyond understanding.

If you do so, the intent of the Clarington Official Plan, the expectations defined in the Waterfront Study (for which the Municipality paid thousands), the goals and objectives of the Waterfront Regeneration Trust which fully endorsed the Planning Department's original "NO" (which you countermanded)- all will have been totally ignored. But above all the best interests of the people - the residents of this municipality whom you were elected to serve - will have been disregarded. To discount all these factors in favour of a developer would indeed be a sad day for all of Clarington and is again completely beyond understanding.

CONCLUSION

Other presentations were made by the Bond Head Association, the Newcastle Ratepayers Association and several residents on serious concerns they have regarding the requested approval of Phase Two. These included rezoning applications to reduce setbacks from the street, back and side yards; increased lot coverage, reduced landscaping, request for an hotel/motel with up to 250 units, a completely unacceptable proposal for

the Mill Street C.N.R. underpass, deterioration of the marina, etc.

The developer's infrastructure (roads, sewers, water, gas, electricity) has not even been started for Phase One, yet Kaitlin is pressing Council for early approval for Phase Two - **WHY THE HURRY???**

Because of the major concerns presented, all groups have requested that approval for Phase Two be postponed until these matters have been satisfactorily resolved.

These matters are due to become before Council on October 14, 1997

WILL THE COUNCIL NOW SAY YES TO TAXPAYERS

AND NO TO DEVELOPER ?