



April 1, 2022

DELIVERED BY E-MAIL

(Email: minister.mah@ontario.ca)
Hon. Steve Clark
Minister of Municipal Affairs and Housing

(Email: minister.ndmnr@ontario.ca)
Hon. Greg Rickford
Minister Northern Development, Mines,
Natural Resources and Forestry

Re: Notice of Motion - Lake Ontario Waterfront - SO Developments (Ward 5)

Oshawa City Council considered the above matter at its meeting of March 28, 2022 and adopted the following recommendation of the Development Services Committee:

"Whereas, SO Developments Inc. (the "Developer") has submitted rezoning and draft plan of subdivision applications (Files: Z-2016-15 and S-O-2016-11, respectively) to permit a residential subdivision featuring a number of single detached dwelling and semi-detached dwelling lots on the west side of Park Road South, south of Renaissance Drive and adjacent to the Lake Ontario Waterfront and the City's Waterfront Trail; and,

Whereas, the Developer appealed the applications to the Local Planning Appeal Tribunal (which is now referred to as the Ontario Land Tribunal – "O.L.T."), with the appeal case number being PL180364; and,

Whereas, the City has consistently opposed these applications primarily on the basis of protecting the majority of this property as an environmental protection area for wildlife, specifically the monarch butterfly migratory habitat located on the lands given that the monarch is a Species at Risk, and for future generations given the property's location adjacent to the waterfront; and,

Whereas, the Lake Ontario waterfront is an important asset in the City and the City has been an advocate for protecting lands along the waterfront for environmental protection purposes and for ensuring a more publicly accessible waterfront; and,

Whereas, City protection of lands for public purposes along the waterfront include examples such as the Second Marsh which is a Provincially Significant Wetland, the Gold Point Wildlife Reserve and the Ed Broadbent Waterfront Park; and,

Whereas, the City retained environmental experts to provide evidence at the O.L.T. hearing on the Developer's applications in order to protect the monarch butterfly migratory habitat; and,

Whereas, the O.L.T. did not accept the City's evidence and vision for this property and made a decision to effectively allow the entirety of the property to be developed, which demonstrated in Council's opinion that the private developer interests outweighed the considerations of the public interest; and,

Whereas, this O.L.T. decision is disappointing as the City believes the O.L.T. should have given more weight and consideration to the City's evidence and position which represented the community's voice for the waterfront on behalf of all the City's residents; and,

Whereas, if the recommendations of the Ontario Task Force on Housing Affordability are implemented by the Government of Ontario then the local positions and voices of municipalities and their residents will be further marginalized and disregarded since private interests concerning housing developments would appear to take precedence over other higher order public interests such as environmental protection along the waterfront;

Therefore be it resolved:

1. That Mayor Carter on behalf of City Council send a letter to the Minister of Municipal Affairs and Housing and the Minister of Northern Development, Mines, Natural Resources and Forestry advising of the City's disappointment with respect to the Ontario Land Tribunal's decision concerning the proposed subdivision on the west side of Park Road South, south of Renaissance Drive and adjacent to Lake Ontario and the City's Waterfront Trail, and requesting changes to the planning approval process to give considerably more weight to local municipal council positions in the public interest since council is more aware of the needs and vision of the local community; and,
2. That the Council of the City of Oshawa request the Minister of Municipal Affairs and Housing and the Minister Northern Development, Mines, Natural Resources and Forestry to use all powers within their jurisdictions, including MZOs, to prevent the conversion of this irreplaceable waterfront greenspace to housing and any other use not in keeping with principle of sustainable waterfront corridors and greenspace areas; and,
3. That a copy of this resolution be sent to the Region of Durham, all local municipalities in the Region of Durham, all Durham MPPs, the Association of Municipalities of Ontario and the Ontario Big City Mayors."

Your consideration of this request is appreciated.

If you need further assistance concerning the above matter, please contact Warren Munro, Commissioner, Development Services Department at the address listed below or by telephone at 905-436-3311.



Mary Medeiros
City Clerk

/rr

c. Development Services Department