

Minutes of the SIXTEENTH meeting of the Development Services Committee for 2008 being a Planning Act Public Meeting held at the General Motors Centre, 99 Athol Street in the City of Oshawa on Monday, June 16, 2008, at 5:34 p.m.

Present: Councillor Parkes, Chair  
Councillor Henry, Vice-Chair  
Councillor Lutczyk, Member  
Councillor Nicholson, Member  
Councillor Pidwerbecki, Member  
Mayor Gray, Ex Officio

Also

Present: Councillor Cullen (left the meeting at 7:05 p.m.)  
Councillor Kolodzie (entered the meeting at 5:40 p.m.; left at 10:06 p.m.)  
Councillor Marimpietri  
Councillor Neal  
T. Hodgins, Commissioner, Development Services Department  
P. Ralph, Director, Planning Services  
E. Rodgers, Director, Special Development Initiatives  
J. Shestowsky, Manager, Administrative Services  
P. Stewart, Senior Planner  
K. Bressan, Council Meeting Co-ordinator  
M. Pringle, Committee Co-ordinator

Absent: None

The Chair advised this is a meeting under the *Planning Act* to hear and receive public comments concerning applications submitted by FarmTech Energy Corporation to amend the Oshawa Official Plan and Zoning By-law 60-94, to permit an ethanol production facility and related uses on lands located south of the Harbour Road Allowance, and East of Farewell Street.

Councillor Kolodzie entered the meeting.

DS-08-242 Application to amend the Oshawa Official Plan and Zoning By-law 60-94, South of Harbour Road Allowance and East of Farewell Street, FarmTech Energy Corporation (Ward 1)

The Committee reviewed Report DS-08-242 dated June 10, 2008 from the Commissioner of Development Services concerning applications submitted by FarmTech Energy Corporation to amend the Oshawa Official Plan and Zoning By-law 60-94 to permit an ethanol production facility and related uses on lands south of the Harbour Road allowance and east of Farewell Street.

Dan O'Connor, President, FarmTech Energy Corporation, provided an overview of the FarmTech co-operative of local growers requesting support for their business plan to produce ethanol fuel by building a production facility at Oshawa Harbour. He outlined the local economic benefits of their

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investment noting direct and indirect jobs, marketable crops for farmers, property taxes and water usage. Dan O'Connor provided further details of the merits of the applications advising of the production processes involved and potential community partnerships, and expressing FarmTech's vision of a mixed-use, viable port.

Tim Chadder, Associate, Senior Planner, J.L. Richards & Associates Limited, provided a physical description of the ethanol production facility indicating it will be situated on the eastern side of the Harbour's industrial park with a 120 foot setback from the wetlands. Tim Chadder indicated they intend to apply for a grant under the Federal eco-Agriculture Biofuels Capital Initiative which will require environmental assessments, adding that provincial approvals will be required, and permission to build a conveyor system needs to be obtained.

The Committee questioned the Applicants concerning their presentation.

Councillor Cullen left the meeting.

Moved by Councillor Lutczyk,  
"That the delegations be heard." CARRIED

Norman Bear addressed Committee in opposition to the applications expressing environmental and aesthetic concerns about the proposed waterfront location of an ethanol production facility, adding that ethanol will only be produced for a short time and then abandoned.

Gary Valcour, Chairman of the Oshawa Harbour Commission, addressed Committee in support of the applications referring to the economic benefits of an increase in business at the port, and advising the FarmTech application is consistent with the National Ports Policy of Canada.

The Committee questioned Gary Valcour.

Hugh Peacock, President, Friends of Second Marsh, addressed Committee in opposition to the applications listing environmental concerns and stating the facility is incompatible with the Second Marsh, expressing concern with the limited scope of the environmental study, and requesting adherence to provincial policy statement requirements.

The Committee questioned Hugh Peacock.

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Brian Brasier, Executive Director, Friends of Second Mash, addressed Committee in opposition to the applications stating the environmental impact statement focuses on the proposed site only, and Provincial policies concerning site alteration do not permit a production facility adjacent to wetlands if there is found to be any negative impact. Brian Brasier further stated an ethanol production facility at the port will denigrate the community's lifestyle and aesthetics, as well as increase local traffic.

The Committee questioned Brian Brasier.

Moved by Councillor Henry,  
"That the meeting recess." CARRIED

The meeting recessed at 8:00 p.m. and reconvened at 8:15 p.m. with the following in attendance: Councillors Parkes, Henry, Lutczyk, Nicholson, Pidwerbecki, Kolodzie, Neal, Marimpietri and Mayor Gray. Also in attendance were the Commissioner, Development Services Department; Director, Planning Services; Director, Special Development Initiatives; Manager, Administrative Services; Senior Planner; Council Meeting Co-ordinator and Committee Co-ordinator.

Russ Rak, Environmental Committee, Retirees Chapter of Local 222, addressed Committee in opposition to the applications stating concerns regarding potential environmental impacts of the facility and urging the Committee to protect the waterfront and the Second Marsh.

The Committee questioned Russ Rak.

Lynn Rak addressed Committee in opposition to the applications stating the production of ethanol contributes to the world food shortage with higher food prices and expressing concern about potential environmental impacts to the Second Marsh.

Jim Smith addressed Committee in support of the applications stating an ethanol production facility would be a boost to Durham Region's farmers, would keep local crops in the Region and reduce trucking costs. Jim Smith also indicated he has lived on Highway 12 with truck traffic for several years and does not expect traffic to be any more of an issue than it has been for years.

The Committee questioned Jim Smith.

Councillor Neal temporarily left the meeting.

Dale Mountjoy addressed Committee in support of the applications stating the facility will help to reduce green house gas emissions while using local corn from farmers who have struggled unsuccessfully for years to make their crops economically viable, as there are no end users within a two-hour drive of Durham Region.

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Paul McDevitt addressed Committee in support of the applications stating he is impressed with FarmTech's five-year business plan and modest creation of new employment, and Oshawa needs to attract new industry, noting if ethanol is not a definitive resource, it is a renewable source of energy that warrants support and investigation.

Steve Carruthers, Soil and Crop Association, addressed Committee in support of the applications stating an ethanol production facility is an important benefit to local farmers who cannot expand or change their operations since the implementation of Provincial legislation concerning the greenbelt. Steve Carruthers stated the applications and preferred location at the port is an opportunity for the community to become competitive in the global marketplace.

Richard McNamara, St. Lawrence Grains and Farm Supply, addressed Committee in support of the applications stating their main business locally is the storing and selling of corn, wheat and soya beans and there are no end users in Durham Region, which means transportation is costly. Richard McNamara stated an ethanol production facility in Durham Region would provide local growers the ability to compete at a higher level in the marketplace.

Clare Hayes, General Manager, Sunderland Co-operative, addressed Committee in support of the applications stating the proposed facility will bring economic benefits to several hundred families in the Durham Region and will assist in creating a competitive atmosphere in the local farming industry, adding ethanol is an environmentally-friendly product mandated by the government and the proposed production facility should be located close to rail, water and roads.

Zac Cohoon, President, Durham Region Federation of Agriculture, addressed Committee in support of the applications stating agriculture is the second largest industry in Durham Region and the production facility would be a boost to local farmers and the community's economy.

The Committee questioned Zac Cohoon.

Michael Maynard addressed Committee in opposition to the applications stating the European Union has called for the immediate suspension of the inclusion of ethanol in gasoline and noted concerns about environmental impacts to the Second Marsh and the surrounding residential community.

The Committee questioned Michael Maynard.

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Dr. Sean Godfrey addressed Committee in opposition to the applications stating economic, environmental, health and safety concerns and stated the best use of land at the Port is to revitalize and rejuvenate the waterfront not to approve heavy industrial use that will contaminate the harbour further and upset the balance of the Second Marsh. Dr. Godfrey expressed concern regarding the potential for facility emergencies and the lack of evaluation of their impact on property and people in the area.

The Committee questioned Dr. Sean Godfrey.

Councillor Neal re-entered the meeting.

Dave Smith addressed Committee in opposition to the applications stating good planning does not support heavy industrial use with potential odour, noise and pollution issues on precious waterfront property, urging Committee to support the current zoning for the area and deny the applications.

The Committee questioned Dave Smith.

Larry Ladd addressed Committee in opposition to the applications stating their proposal is not in the best interest of Oshawa, is not consistent with the vision for the waterfront promised by the Federal government, and will negatively impact Oshawa Harbour, the Second Marsh and the nearby residential community. In addition, Larry Ladd requested the Crombie Report be released to the public.

The Committee questioned Larry Ladd.

Councillor Pidwerbecki temporarily left the meeting.

Patricia Gostlin, Green Party Candidate for Oshawa, addressed Committee in opposition to the applications expressing environmental concerns, and stating ethanol is a costly mistake that increases food prices by using almost as much energy to produce as it makes. In addition, Patricia Gostlin requested the Crombie Report be released to the public.

Mayor Gray temporarily left the meeting.

Ivan DeJong addressed Committee in support of the applications stating he is a local member of the FarmTech co-operative that is being subsidized by the government to grow corn for the proposed facility at the port of Oshawa and stated that he feels the ethanol industry is being held to a higher standard than other area industries. Ivan DeJong suggested the City should attract industry by taking advantage of a mixed-use port to reduce transportation costs and trucks travelling out of the region.

The Committee questioned Ivan DeJong.

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Councillor Pidwerbecki re-entered the meeting.

Heather Stuart and Patrick Clancy addressed Committee in opposition to the applications stating environmental concerns related to industrial activities and increased truck traffic in nearby neighbourhoods. Heather Stuart and Patrick Clancy expressed support of green space at the waterfront.

Mayor Gray re-entered the meeting.

Bob Malcolmson, Greater Oshawa Chamber of Commerce, addressed Committee in support of the applications stating the Oshawa Chamber of Commerce supports the creation of sustainable jobs and encourages new business to the Durham Region, noting agriculture is the second largest industry in Durham Region, requesting the economic impact of delaying the applications be evaluated.

Councillor Lutczyk temporarily left the meeting.

The Committee questioned Bob Malcolmson.

Councillor Kolodzie left the meeting.

Councillor Nicholson temporarily left the meeting.

Paul-André Larose addressed the Committee in opposition to the applications stating an ethanol production facility will add to an already over-burdened local air shed and will negatively impact the surrounding environment.

Councillor Lutczyk re-entered the meeting and Councillor Henry temporarily left the meeting.

Colleen Knight addressed Committee in opposition to the applications stating the area is already over-industrialized and the air shed is already over-burdened. Colleen Knight urged the Committee to consider other light industry options to ensure a vibrant waterfront for the future.

Councillors Henry and Nicholson re-entered the meeting.

Tom Mitchell addressed Committee in opposition to the applications stating the harbour lands are in disrepair and without restraining further use the history of the area will be lost. Tom Mitchell also expressed concerns about the environment, safe production and the business plan for the facility, noting that making a decision prior to receiving the Crombie Report would be irresponsible.

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Harvey Graham addressed Committee in support of the applications stating the project would benefit livestock and grain farmers. Harvey Graham also stated that the federal government has mandated the increased use of ethanol so any debate as to its viability is secondary.

The Committee questioned Harvey Graham.

Kathy Lenehan Cumming addressed Committee in opposition to the applications objecting to the volume of water required by the facility for its operations and further disputed energy-saving and environmentally-friendly claims related to the production and use of ethanol. Kathy Lenehan Cumming also requested the Committee consider an alternate mixed-use at the harbour.

The Chair advised delegates that written comments can be submitted to the Clerk for distribution to members of City Council.

Mark Mattson, President of Lake Ontario Waterkeepers, addressed Committee in opposition to the applications stating Oshawa is the only harbour on Lake Ontario without a public marina and requested Committee pursue its waterfront revitalization plan. Mark Mattson also expressed concerns with the potential environmental impact on the Second Marsh.

The Committee questioned Mark Mattson.

Moved by Councillor Pidwerbecki,  
“That the hour be extended past 11:00 p.m.” CARRIED

Barb North addressed Committee in opposition to the applications expressing concern with the ethanol production facility’s proposed location, its inconsistencies with the waterfront plan and potential negative impact on the environment. Barb North further added that the ethanol production facility could be built in the rural community to facilitate the shipping of corn from local farms, rather than at the waterfront.

Bruce Wood addressed Committee in opposition to the applications stating concerns with the effect of noxious odours on property values in the south end of Oshawa, suggesting the facility be built in a rural area. In addition, Bruce Wood noted the facility’s employment opportunities are not enough to support the application.

Herbert Clos addressed Committee in opposition to the applications stating concerns about potential noxious odour in the south end of Oshawa similar to the GM paint plant, increased traffic and noise, adding the increase in area employment is minor.

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Gordon Vickers addressed Committee in opposition to the applications stating the harbour is a disgrace and although citizens have protested it continues to be used as an industrialized dump. Gordon Vickers suggested the ethanol production facility be built in the agricultural community.

The Committee questioned Gordon Vickers.

Dave Renaud, President of the C.A.W. Environmental Council, addressed Committee in opposition to the applications stating negative environmental impacts on the Second Marsh and its wildlife, and requested a full environmental impact study of the effect of the facility on the surrounding area. Dave Renaud stated jobs at the ethanol plant are not going to assist with the current lay-offs at General Motors.

Sandy Rakestrow addressed Committee in opposition to the applications stating environmental concerns with insects attracted to the facility may have a negative impact on the Second Marsh.

Susan Ellis addressed Committee in opposition to the applications stating the facility could negatively impact the wetlands and is inconsistent with the community's plan for a vibrant waterfront.

Louis Bertrand addressed Committee in opposition to the applications stating environmental concerns related to chemicals used in the processing of corn to make ethanol and the ability of the facility to prevent contamination to the adjacent wetlands and water.

The Committee questioned Louis Bertand.

Jim Dickson addressed Committee in support of the applications stating FarmTech's proposal is the most viable option for the land since the recent expansion of the nearby asphalt plant, adding new industry should be welcomed and denying the applications sends the wrong message to other businesses and investors.

David Jones addressed Committee in support of the applications suggesting the ethanol plant can co-exist with a green waterfront by using technology, adding that government regulations and new industry can be used to bring revitalization to the waterfront.

Scott Sutherland addressed Committee in support of the applications and requested information concerning other communities with ethanol production facilities. Scott Sutherland encouraged Committee and Council Members to visit other operating facilities, noting Sarnia has permitted an expansion to their facility.

The Committee questioned Scott Sutherland.

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David Frue addressed Committee in support of the applications stating the port was considered the best location for a facility in response to devastating prices for local farmers, and encouraged the Committee to consider a way all uses can co-exist at the harbour.

Paul Holshots addressed Committee in support of the applications stating the proposed ethanol production facility is designed to enable farmers to hold on to their family farms and, since it is legislated, the proposed facility might as well be in Oshawa, being the best place for farmers to be globally competitive.

Frank Reher addressed Committee in opposition to the applications stating the City should maintain its current vision for the waterfront, and changing the current zoning would be unfair to taxpayers, suggesting the Committee look at alternative rural locations for the facility.

Tim Dobson addressed Committee in opposition to the applications stating the City needs to embrace growth and industry in other locations instead of destroying the beauty of the waterfront.

Lance Livingston addressed Committee in opposition to the applications stating concern with the proposed location and expressing support for a waterfront similar to Cobourg.

The Chair asked if there were any other members of the public wishing to address Committee. No additional members of the public chose to comment on the proposed applications.

DS-08-249 Donna Taylor – Expressing Support on behalf of the Oshawa Harbour Commission for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-249 dated June 2, 2008 from Donna Taylor, Chief Executive Officer, Oshawa Harbour Commission advising that the Commission has no objection to, and is supportive of, the applications by FarmTech Energy Corporation.

Moved by Mayor Gray,  
“That Correspondence DS-08-249 dated June 2, 2008 from Donna Taylor expressing support on behalf of the Oshawa Harbour Commissioner for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

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- DS-08-250 Sean Cochrane, DEKLAB – Monsanto Canada Inc. – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-250 dated June 10, 2008 from Sean Cochrane, Account Manager, DEKLAB – Monsanto Canada Inc. expressing support for a large scale Ethanol Facility to be developed in Durham Region.

Moved by Mayor Gray,  
“That Correspondence DS-08-250 dated June 10, 2008 from Sean Cochrane expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

- DS-08-253 Marlene Malish – Expressing Opposition to the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-253 from Marlene Malish expressing opposition to the applications by FarmTech Energy Corporation due to the proposed location, effect on the environment, employment, safety and odour issues.

Moved by Mayor Gray,  
“That Correspondence DS-08-253 from Marlene Malish expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

- DS-08-256 Alberto Bonini – Expressing Opposition to the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-256 dated June 11, 2008 from Alberto Bonini expressing opposition to the applications by FarmTech Energy Corporation stating food should be grown to feed people and not cars.

Moved by Mayor Gray,  
“That Correspondence DS-08-256 dated June 11, 2008 from Alberto Bonini expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

- DS-08-258 John Malish – Expressing Opposition to the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-258 from John Malish expressing opposition to the applications by FarmTech Energy Corporation stating that taxpayers will be responsible for both the infrastructure and environmental costs and the technology proposed is not as “green” as promoted.

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Moved by Mayor Gray,  
“That Correspondence DS-08-258 from John Malish expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

DS-08-259 Hugh Peacock, Second Marsh – Submission Regarding the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-259 from Hugh Peacock, President, Friends of Second Marsh, expressing opposition to the applications by FarmTech Energy Corporation due to the potential negative impact on the Second Marsh wetland and its watershed.

Moved by Mayor Gray,  
“That Correspondence DS-08-259 dated June 2008 from Hugh Peacock, President, Friends of Second Marsh, expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

DS-08-262 Larry Donald – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-262 dated June 12, 2008 from Larry Donald expressing support for the applications by FarmTech Energy Corporation since it will bring industry to Oshawa.

Moved by Mayor Gray,  
“That Correspondence DS-08-262 dated June 12, 2008 from Larry Donald, expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

DS-08-263 Nancy Donald – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-263 dated June 12, 2008 from Nancy Donald expressing support of the applications by FarmTech Energy Corporation stating the City should support clean, green industries that will bring jobs into the city.

Moved by Mayor Gray,  
“That Correspondence DS-08-263 dated June 12, 2008 from Nancy Donald, expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

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- DS-08-264 John Hughes – Expressing Opposition to the Proposed Location of the Ethanol Plant (Ward 1)

The Committee reviewed Correspondence DS-08-264 dated June 12, 2008 from John Hughes expressing opposition to the applications by FarmTech Energy Corporation due to the proposed location.

Moved by Mayor Gray,  
“That Correspondence DS-08-264 dated June 12, 2008 from John Hughes, expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

- DS-08-265 Roger Toner – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-265 dated June 15, 2008 from Roger Toner expressing support for the applications by FarmTech Energy Corporation.

Moved by Mayor Gray,  
“That Correspondence DS-08-265 dated June 15, 2008 from Roger Toner, expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

- DS-08-266 Melissa Howran – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-266 dated June 15, 2008 from Melissa Howran expressing support for the applications by FarmTech Energy Corporation as it would be a great benefit to the economy and a positive step for the environment.

Moved by Mayor Gray,  
“That Correspondence DS-08-266 dated June 15, 2008 from Melissa Howran, expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

- DS-08-267 Margaret LaFreniere – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-267 dated June 15, 2008 from Margaret LaFreniere expressing support for the applications by FarmTech Energy Corporation as it would be a great investment for Oshawa and would provide additional employment opportunities.

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Moved by Mayor Gray,  
“That Correspondence DS-08-267 dated June 15, 2008 from Margaret LaFreniere, expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

DS-08-268 Brian Bell – Expressing Opposition to the Proposed Location of the Ethanol Plant (Ward 1)

The Committee reviewed Correspondence DS-08-268 dated June 15, 2008 from Brian Bell expressing opposition to the applications by FarmTech Energy Corporation due to the proposed location.

Moved by Mayor Gray,  
“That Correspondence DS-08-268 dated June 15, 2008 from Brian Bell, expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

DS-08-269 Tom Dracopoulos – Expressing Support for the applications by FarmTech Energy Corporation (Ward 1)

The Committee reviewed Correspondence DS-08-269 dated June 14, 2008 from Tom Dracopoulos expressing support for the applications by FarmTech Energy Corporation due to the economic benefits and job creation.

Moved by Mayor Gray,  
“That Correspondence DS-08-269 dated June 14, 2008 from Tom Dracopoulos, expressing support for the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

DS-08-278 Petition: Save Our Waterfront (Ward 1)

The Committee reviewed Correspondence DS-08-278, a petition from local residents, expressing opposition to the applications by FarmTech Energy Corporation.

Moved by Mayor Gray,  
“That Correspondence DS-08-278, a petition from local resident’s, expressing opposition to the applications by FarmTech Energy Corporation be referred to Report DS-08-242.” CARRIED

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- DS-08-242 Application to amend the Oshawa Official Plan and Zoning By-law 60-94, South of Harbour Road Allowance and East of Farewell Street, FarmTech Energy Corporation (Ward 1)

This matter is discussed earlier in the meeting (See Page 1).

Moved by Mayor Gray,

“That the applications submitted by FarmTech Energy Corporation to amend the Oshawa Official Plan and Zoning By-law No. 60-94 to permit an ethanol production facility and related uses as additional permitted uses on the south side of the Harbour Road allowance, east of Farewell Street, be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.”  
CARRIED BY LATER VOTE

Moved by Councillor Lutczyk,

“That the motion be amended such that staff report back to the first Development Services Committee meeting in September 2008.” LOST

The vote on the main motion CARRIED.

Moved by Mayor Gray

“That the meeting adjourn.” CARRIED

The meeting adjourned at 11:54 p.m.