

SPECIAL COUNCIL MINUTES

June 24, 2013 -5:30 pm

Council Chambers

Whitby Municipal Building

Present: Mayor Perkins
Councillor Coe
Councillor Drumm (arrived at 5:33 p.m.)
Councillor Emm
Councillor Hanson
Councillor Mitchell
Councillor Montague
Councillor Roy (arrived at 5:35 p.m.)

Also Present: R. Petrie, Chief Administrative Officer
S. Beale, Commissioner of Public Works
M. Gerrard, Fire Chief (arrived at 6:10 p.m.)
P. LeBel, Commissioner of Community & Marketing Services
K. Nix, Commissioner of Corporate Services/Treasurer
S. Pohjola, Town Solicitor
R. Short, Commissioner of Planning
D. Wilcox, Town Clerk
L. Doughty, Deputy Clerk

Regrets: None noted

1. DECLARATIONS OF PECUNIARY INTEREST

- 1.1 Councillor Hanson made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to home based business policy during the discussion of Planning Report, PL 78-13 Re: Official Plan Review - Proposed Draft Amendment to the Whitby Official Plan: Urban Land Uses (OPA-2007-W/04). Councillor Hanson left the room during the discussion of the item.
- 1.2 Councillor Montague made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to home based business policy during the discussion of Planning Report, PL 78-13 Re: Official Plan Review - Proposed Draft Amendment to the Whitby Official Plan: Urban Land Uses (OPA-2007-W/04). Councillor Montague left the room during the discussion of the item.

- 1.3** Mayor Perkins made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to home based business policy during the discussion of Planning Report, PL 78-13 Re: Official Plan Review - Proposed Draft Amendment to the Whitby Official Plan: Urban Land Uses (OPA-2007-W/04). Mayor Perkins left the room during the discussion of the item.

Resolution No. 282-13

Moved By Councillor Emm
Seconded By Councillor Coe

That Council move into Committee of the Whole.

CARRIED

2. ITEMS FOR CONSIDERATION BY COUNCIL IN COMMITTEE OF THE WHOLE

- 2.1** Planning Report, PL 78-13
Re: Official Plan Review – Proposed Draft Amendment to the Whitby Official Plan: Urban Land Uses (OPA-2007-W/04)

Susan McGregor, Principal Planner, provided a detailed overview of the scope of the possible changes to the Proposed Draft Amendment to the Whitby Official Plan related to Urban Land Uses, including a chronology of the review process to date. She noted that the Whitby Official Plan Review has been underway since 2007 and involves extensive consultation. This proposed Draft Official Plan Amendment addresses residential, central area, commercial, mixed use, industrial, institutional/community facilities and parks/open space land uses as well as housing policies and is designed to provide more flexibility in the mixed use policies, recognizing existing single detached dwellings in the area of mixed use with conversion of use over time.

A question and answer period ensued regarding the Provincial policy statement; revisions to section 1.51 public spaces; the proposed timetable for the provincial policy statements; and granny or garden suites; and legislative changes reflected in the Draft Official Plan Amendment. Staff was requested to include a reference to the Ontario Housing Statement.

Discussion ensued regarding the commercial policies; proposed mixed use; more intensive uses in the intensification strategies; restricted signage section; participation in Regional, Provincial and/or Federal housing programs; the definition of Regional Corridors; and opportunities through policy to assure connectivity. Staff confirmed

connectivity will be addressed in a future Draft Official Plan Amendment through the urban design policies. Discussion moved to home based business policy. Councillor Hanson, Councillor Montague and Mayor Perkins declared a conflict of interest relating to home based business and left the room during the discussion.

Deputy Mayor Coe assumed the Chair.

Discussion ensued regarding the size and scale of a home based business (HBB). Staff was asked to expand on the space and range of HBB activities in the future report.

Councillor Hanson, Councillor Montague and Mayor Perkins returned to the meeting.

Mayor Perkins resumed the Chair.

Discussion ensued regarding non-residential commercial activities; the broadening of some of the zoning; flexibility in developable lands and the need to secure economic development' the high density development range and intensification per provincial policy; the proposed urban square category; and the need for intercommunication between Town departments regarding policy. Further discussion ensued regarding potential policy changes relating to Ontario Shores to permit future office, clinical or residential use opportunities.

Moved By Councillor Drumm

1. That Planning Report Item No. PL 78-13 be received for information; and,
2. That Council authorize the Planning Department to undertake public and department/agency consultation on the basis of the Proposed Draft Official Plan Amendment presented in Attachments #1 and #2 to Report Item No. PL 78-13.

SEE FOLLOWING MOTION

Moved By Councillor Drumm

That the following be added as item 3 of the recommendation:

That all matters related to or affecting other internal departments within the Town be highlighted in the Draft Official Plan Amendment.

CARRIED

The main motion, as amended, was then CARRIED.

2.2 Planning Report, PL 80-13
Re: Repeal of Designation By-laws for Lands located at 300 Taunton Road West (Cullen Property)

A question and answer period ensued.

Moved By Councillor Emm

1. That Planning Department Report PL 80-13 regarding the repeal of designation by-laws of the lands associated with the three heritage properties known as Log Cabin Emporium, Puckrin House, and Lynde House be received as information; and
2. That the necessary by-laws to repeal the designations be approved and presented at the Council meeting of June 24, 2013.

CARRIED

Moved By Councillor Coe

That Council rise out of Committee of the Whole and report to Council.

CARRIED

2.1 Planning Report, PL 78-13
Re: Official Plan Review - Proposed Draft Amendment to the Whitby Official Plan: Urban Land Uses (OPA-2007-W/04)

Resolution No. 283-13

Moved By Councillor Drumm
Seconded By Councillor Emm

1. That Planning Report Item No. PL 78-13 be received for information;
2. That Council authorize the Planning Department to undertake public and department/agency consultation on the basis of the Proposed Draft Official Plan Amendment presented in Attachments #1 and #2 to Report Item No. PL 78-13; and,
3. That all matters related to or affecting other internal departments within the Town be highlighted in the Draft Official Plan Amendment.

CARRIED

- 2.2** Planning Report, PL 80-13
Re: Repeal of Designation By-laws for Lands located at 300 Taunton Road West (Cullen Property)

Resolution No. 284-13

Moved By Councillor Emm
Seconded By Councillor Montague

1. That Planning Department Report PL 80-13 regarding the repeal of designation by-laws of the lands associated with the three heritage properties known as Log Cabin Emporium, Puckrin House, and Lynde House be received as information; and
2. That the necessary by-laws to repeal the designations be approved and presented at the Council meeting of June 24, 2013.

CARRIED

3. BY-LAWS

That the following by-laws be passed:

- 3.1** By-law No. 6754-13, being a by-law to repeal By-law No. 6405-10 Being a By-law To Designate the Log Cabin Emporium on the property municipally known as 300 Taunton Road West under the Ontario Heritage Act
- 3.2** By-law No. 6755-13, being a by-law to repeal By-law No. 6404-10, Being a By-law To Designate the Jones Puckrin House on the property municipally known as 300 Taunton Road West under the Ontario Heritage Act
- 3.3** By-law No. 6756-13, being a by-law to repeal By-law No. 3097-92, Being a By-law To Designate the Structure Municipally known as 300 Taunton Road West as being of Historic and Architectural Value and Interest (Lynde House)

Resolution No. 285-13

Moved By Councillor Emm
Seconded By Councillor Coe

That leave be granted to introduce By-law No. 6754-13 to 6756-13, and

to dispense with the reading of the by-laws by the Clerk and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

4. CONFIRMATORY BY-LAW

4.1 Confirmatory By-law

Resolution No. 286-13

Moved By Councillor Coe
Seconded By Councillor Drumm

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of Council of the Town of Whitby at its special meeting held on June 24, 2013, and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

5. ADJOURNMENT

5.1 Motion to Adjourn

Resolution No. 287-13

Moved By Councillor Coe
Seconded By Councillor Roy

That the meeting be adjourned.

CARRIED

The meeting adjourned at 6:41 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor