

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON WEDNESDAY, AUGUST 12, 2009 AT THE HOUR OF 6:30 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

PRESENT: Mayor Perkins

Councillors Coe, Emm, Mitchell, Pitchforth, Roy, Scott

Mayor Perkins in the Chair

ALSO PRESENT: R. Petrie, Chief Administrative Officer (CAO)
S. Pohjola, Acting Manager of Human Resources Services
& Town Solicitor
R. Short, Director of Planning
S. Edwards – Manager of Parks, Marina, Long Range Planning,
Tourism & Culture
A. Smith – Project Engineer (Development)
P. Jones, Town Clerk
S. Stones, Clerk/Stenographer

The meeting began at 6:30 p.m.

1. DISCLOSURES OF INTEREST

None.

2. PUBLIC MEETINGS

2.1 Planning Report, Item PL 76-09

Public Meeting 6:30 P.M.

Re: D.G. Biddle and Associates Limited

Official Plan Amendment Application, Zoning By-law Amendment Application
and Site Plan Application (OPA-2009-W/05/Z-13-09/SP-20-09)

- 861 Dundas Street West

The Mayor declared the meeting to be a public meeting and invited submissions.
There were no questions or comments from the public.

RESOLUTION NO. 224-09

MOVED by Councillor Coe

Seconded by Councillor Emm

1. That Council approve the application to amend the Town of Whitby Official Plan (OPA 2009-W/05) as Amendment No. 83, subject to the comments and conditions contained in Planning Report, Item PL 76-09;

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON WEDNESDAY, AUGUST 12, 2009 AT THE HOUR OF 6:30 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

2. (continued)

2. That a By-law to adopt Official Plan Amendment No. 83 be brought forward for consideration by Council;
3. That Council approve the application to amend Zoning By-law 2585 (Z-13-09), subject to the comments and conditions contained in Planning Report, Item PL 76-09;
4. That a By-law to amend Zoning By-law 2585 be brought forward for consideration by Council;
5. That the Clerk forward a copy of Planning Report PL 76-09 , two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 83 to the Region of Durham;
6. That the Clerk forward a Notice of Decision to those persons and agencies who had requested to be notified of Council's decision;
7. That Council approve the site plan application (SP-20-09) subject to the comments and conditions contained in Planning Report, Item PL76-09; and,
8. That the Mayor and Clerk be authorized to execute the site plan agreement.

CARRIED

3. ITEMS FOR CONSIDERATION

3.1 Community and Marketing Services Report, Item CMS 38-09

Re: Seniors' Activity Centre – Parking Lot Expansion

RESOLUTION NO. 225-09

MOVED by Councillor Pitchforth

Seconded by Councillor Scott

1. That Council approve the design for the proposed expansion of the parking lot at the Seniors' Activity Centre; and,
2. That staff be authorized to proceed with the tendering process and report back to Council with a recommendation of the preferred contractor, construction timetable and budget analysis.

CARRIED

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON WEDNESDAY, AUGUST 12, 2009 AT THE HOUR OF 6:30 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

3. (continued)

3.2 Planning Report, Item PL 75-09

Re: 2207905 Ontario Inc.

Zoning Amendment Application to Lift 'H' – Holding Symbol and Site Plan

Application (Z-15-09/SP-18-09) – 38 Baldwin Street

RESOLUTION NO. 226-09

MOVED by Councillor Coe

Seconded by Councillor Emm

1. That Council approve the removal of the 'H' Holding Symbol from the subject property, subject to the comments and conditions contained in Report No. PL 75-09;
2. That the amending Zoning By-law to remove the 'H' Holding symbol be brought forward for Council's approval;
3. That Council approve the site plan application (SP-18-09) subject to the comments and conditions contained in Planning Report, PL 75-09; and,
4. That the Mayor and Clerk be authorized to execute the site plan agreement.

CARRIED

3.3 Planning Report, Item PL 77-09

Re: Amica Mature Lifestyle Inc.

Request for Minor Variance to Sign By-law (SB-01-09)

- 200 Kenneth Hobbs Avenue

RESOLUTION NO. 227-09

MOVED by Councillor Roy

Seconded by Councillor Scott

That the staff recommendation to Planning Report, Item PL 77-09, be divided in order that Council can vote on recommendations 1 and 2 separate from recommendation 3.

CARRIED

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON WEDNESDAY, AUGUST 12, 2009 AT THE HOUR OF 6:30 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

3. (continued)

RESOLUTION NO. 228-09

MOVED by Councillor Coe
Seconded by Councillor Emm

That minor variance application SB-01-09 to the Town of Whitby Sign By-law No. 5695-05 for 200 Kenneth Hobbs Avenue be resolved in accordance with the following:

1. That Section 3(2)(b) of By-law No. 5695-05 be varied to permit one (1) illuminated wall sign for the Retirement Home as illustrated on Attachment #3 and identified as S.3 Canopy Display – Sheet 103 in Planning Report, Item PL 77-09; and,
2. That Section 3(2)(b) of By-law No. 5695-05 be varied to permit two non-illuminated wall signs for a Retirement Home as illustrated on Attachment #4 and identified as S.5 in Planning Report, Item 77-09.

CARRIED

RESOLUTION NO. 229-09

MOVED by Councillor Roy
Seconded by Councillor Scott

That consideration of signs S.1, S.2 and S.4 as identified in Planning Report, Item PL 77-09, be postponed and the matter be referred to the Planning and Development Committee for consideration at its September 8, 2009 meeting and for the Committee to be making a subsequent recommendation to Council.

CARRIED

4. BY-LAWS

6215-09

By-law to adopt Town of Whitby Official Plan Amendment No. 83, which changes the land use designation on the subject land from Low Density Residential to Commercial Node. The effect of the Amendment is to permit the proposed development of a two storey office building. (Refer to Planning Report, Item PL 76-09)

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON WEDNESDAY, AUGUST 12, 2009 AT THE HOUR OF 6:30 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

4. (continued)

6216-09 By-law to amend Zoning By-law No. 2585, as amended, by changing the zoning from R2 – Residential Zone to C2-S-7 – Special Purpose Commercial Zone – Exception 7 for the lands municipally known as 861 Dundas Street West, Town of Whitby. The effect of the zoning change is to permit the development of an office building. (Refer to Planning Report, Item PL 76-09)

6217-09 By-law to amend Zoning By-law No. 1784, as amended, by changing the zoning from H-C1-VB – Holding – Commercial – Village of Brooklin Zone to C1-VB – Commercial – Village of Brooklin Zone. The effect of the zoning change is to permit the development of an addition to the existing restaurant. (Refer to Planning Report, Item PL 75-09)

RESOLUTION NO. 230-09

MOVED by Councillor Coe, Seconded by Councillor Emm, that leave be granted to introduce By-law Nos. 6215-09 to 6217-09, inclusive, 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 Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

By-law Nos. 6215-09 to 6217-09, inclusive, considered read a first, second and third time and finally passed.

4. CONFIRMATORY BY-LAW NO. 6218-09

RESOLUTION NO. 231-09

MOVED by Councillor Scott seconded by Councillor Roy, 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 the Council of the Town of Whitby at its meeting held on August 12, 2009, 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

By-law No. 6218-09 considered read a first, second and third time and finally passed.

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON WEDNESDAY, AUGUST 12, 2009 AT THE HOUR OF 6:30 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

5. ADJOURNMENT

RESOLUTION NO. 232-09

MOVED by Councillor Emm at 6:45 p.m.

Seconded by Councillor Scott

That this August 12th, 2009 Special Meeting of the Council of The Corporation of the Town of Whitby adjourn.

CARRIED

Paul Jones, Clerk

Patricia Perkins, Mayor