

Present: Mayor Mitchell
Councillor Alexander
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
R. Saunders, Commissioner of Planning and Development
J. Romano, Acting Commissioner of Community Services
D. Speed, Fire Chief
C. Harris, Town Clerk
S. Klein, Director of Strategic Initiatives
H. Ellis, Executive Advisor to the Mayor
K. Narraway, Manager of Legislative Services/Deputy Clerk
C. Bantock, Legislative Coordinator (Recording Secretary)

Regrets: None noted

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 9.3, Community Services Department Report, CMS 22-19, North Whitby Sports Complex, as he has received an opinion from the Town's Integrity Commissioner

regarding his interest in property near the proposed location of the North Whitby Sports Complex. Mayor Mitchell left the meeting during the discussion and voting of this matter.

Planning and Development

Chair Roy assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

- 2.1** Claudio Brutto representing Bara Group (Whitby) Inc.
Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Claudio Brutto, representing Bara Group (Whitby) Inc., appeared before the Committee and stated that he was pleased with the process that Staff and the community have undertaken. He further stated that good dialogue and meetings have taken place which has resulted in changes to the proposed development. Mr. Brutto stated he was pleased to see the recommendation for approval in the report and looks forward to engaging in further communications with Staff.

Mr. Brutto provided a PowerPoint presentation regarding the proposed development. Highlights of the presentation included:

- the building being an 8-storey mixed-use mid-rise condominium with 92 proposed units;
- a perspective rendering of the proposed development;
- that the development will have 150 parking spots, in accordance with feedback provided from Staff;
- the Region of Durham denying an access point onto Brock Street for the development; and,
- the development being compliant with the Town's Official Plan.

- 2.2** Susan Switzer
Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 &

1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Susan Switzer, 1011 Green Street, appeared before the Committee and stated that Whitby is a place people want to move to with lots of places to build in. Ms. Switzer advised she is a pedestrian, but that walking on sidewalks in the winter can be hazardous in due to ice and snow. She advised that she instead walks in the middle of the road. Ms. Switzer stated that motorists drive on Green Street to get to the Downtown area or to the GO Station and the proposed development will make traffic in the area worse.

- 2.3** Diane Huson
Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Diane Huson, 1116 Green Street, appeared before the Committee and stated that the community is opposed to the development and they have over 250 signatures on a petition against the by-law change. Ms. Huson stated that the carbon footprint for the development will be 39,000 tons and that the development will add 100 more vehicles to the area. She stated that she is concerned with trees being cut down and not replaced and noise pollution associated with the construction. Ms. Huson advised that the Report before the Committee contains the concerns of the community and these concerns need to be considered and addressed. She indicated concern with a lack of visitor and employee parking, a lack of space for moving vans or construction vehicles, and the capacity of emergency services to continue to respond to issues given the pace of growth in the Town. Ms. Huson stated community concerns have not been addressed by the developer and a more appropriate development for the area would be townhouses with gardens and trees. She further stated that the development contravenes the Town's mandate on climate change and that the community is prepared to appeal this development if approved.

A brief question and answer period ensued between Members of the Committee and Ms. Huson regarding communication that has occurred between the developer and the community.

2.4 Stewart Lawrence

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 &
1207 Brock Street South and 1200 & 1202 Green Street, Bara Group
(Whitby) Inc.

Refer to Item 4.1, PL 71-19

Stewart Lawrence, 208 Clemence Avenue, appeared before the Committee and stated that he and his wife have lived there for 43 years. Mr. Lawrence stated that he previously addressed this matter at a Public Meeting on January 28, 2019 and indicated that the proposed development is absurd. Mr. Lawrence advised he met with Planning and Development Department Staff prior to this meeting to obtain more information about the proposed development but that Staff were unable to disclose additional information citing privacy concerns. Mr. Lawrence stated he is aware of other developments being proposed or under construction that are only going to be 6 stories in height. He stated there are no similar projects in the Town that are this tall and this close to residential areas. He further stated that he is not opposed to growth but there are other spots that this development can go in the Town. Mr. Lawrence advised that his family lives in the area and he hopes the Committee will vote against the development.

A brief question and answer period ensued between Members of the Committee and Mr. Lawrence regarding:

- a lack of contact with the developer and the community regarding the concerns of the community; and,
- the main issue of the development being the height.

2.5 Shawn Lowes

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 &
1207 Brock Street South and 1200 & 1202 Green Street, Bara Group
(Whitby) Inc.

Refer to Item 4.1, PL 71-19

Shawn Lowes, 203 Clemence Street, appeared before the Committee and stated that if the development proposal is approved it will alter the community. Mr. Lowes advised that he lives two doors down from the proposed development and would have bought elsewhere if he knew that this type of development was possible. He stated that the community has worked together in opposition of the proposal and that the proposal does not meet Whitby's vision or Official Plan principles.

He indicated that the proposed height and density will impact privacy, traffic, parking, walkability, safety, and climate. Mr. Lowes stated that the community is realistic, recognizes the value of the land, and would support smaller scale development. Mr. Lowes advised that a meeting was setup with the developer and consultant but the developer did not attend and has not considered feedback from the community. He stated that the community has collected over 250 signatures opposing the development and he requested that the Committee vote against the proposal.

2.6 Katelyn Lawson

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Katelyn Lawson, 1201 Green Street, appeared before the Committee and stated that her and her husband moved to the community just one year ago. Ms. Lawson stated she is an economic planning consultant and has worked on many large North American development projects. She further stated she has reviewed the proposal and was surprised to see no community outreach had taken place. She stated that the developer's lack of community engagement is a misstep. Ms. Lawson advised that the land to be developed appears to extend beyond the intensification boundary, traffic data is left out that does not support the plan, wrong assumptions were made regarding growth factors, and two additional storeys have been added for utilities and a penthouse. She further stated that Whitby is beginning to recognize the importance of sustainability and the impact of climate change but the developer does not consider these items. Ms. Lawson stated that if the Committee votes in favour of the proposal it will be a failure and that they need to ensure the Official Plan is upheld while getting the community a seat at the table.

A brief question and answer period ensued between Members of the Committee and Ms. Lawson regarding:

- a traffic analysis prepared by Ms. Lawson having been provided to Members of Council;
- details on contraventions of the Town's Official Plan being provided by Ms. Lawson in an email to the Clerk;
- Green Street and vehicle trips not being included in the Traffic Impact Study; and,
- the Region of Durham recognizing safety concerns with the

intersection adjacent to the development but not having the ability to address the concerns due to lands owned by the Ministry of Transportation.

2.7 Frank D'Onofrio

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Frank D'Onofrio, 1007 Athol Street, appeared before the Committee and stated that he is in opposition to the proposal. Mr. D'Onofrio stated that the proposal needs to be considered on its own merit and that the Official Plan and policies are just tools. He further stated that two to eight storeys are permitted in high-density residential areas under the Town's Official Plan but the proposed development creates a stark contrast with single storey dwellings on one side and an eight storey building on the other. He stated that the destruction of mature trees is troubling and that the cash in lieu provided may be compliant with the Town's Official Plan but is not acceptable to the community. Mr. D'Onofrio also stated that there are inadequacies with the traffic study as Brock Street intersections are already at capacity without the proposed building. He advised that an informal traffic count was completed by residents in the community and found much higher results than the results in the study. Mr. D'Onofrio stated that overall the study prepared by the applicant greatly underestimates the impact of traffic and available parking.

2.8 Sue Honderich

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Sue Honderich, 1109 Green Street, appeared before the Committee and stated that she was a part of additional meetings with Bara Group and listened to questions, but answers were never provided. Ms. Honderich stated that there has been a lack of community engagement, but that the biggest issue with the development is invasion of privacy. She also stated that a building of this proposed height adjacent to single family dwellings will reduce privacy in front and back yards and reduce

sunlight, while more density will lead to more crime. Ms. Honderich advised that there is a large senior population in the community and it is already difficult to cross the road to get to the mailbox which will be right in front of the proposed development. She requested that the Committee vote against this proposal.

2.9 Shellie Taylor

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Shellie Taylor, 1126 Green Street, appeared before the Committee and stated that she is a police dispatcher and that the workload of emergency services increases with increases in population. Ms. Taylor stated that public safety is at risk at Brock Street and the Highway 401 area as a result of this proposal because it is a main route for emergency vehicles. Ms. Taylor stated that her son had been hit by car in this area and that the Region already has a shortage of emergency services. She also stated that the area is over populated and this proposal will create safety concerns, affect privacy, and that the addition of commercial units would likely draw people to the area beyond those who live nearby. Ms. Taylor advised that she works shifts so the construction will impact her and that she is concerned about the proposal due to the schools nearby and the added traffic.

2.10 Katy Francis

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Katy Francos, 1001 Athol Street, appeared before the Committee and stated her son was hit by a car during the provincial election when a polling station was located nearby and traffic was busier than normal. Ms. Francos stated that the investigation of the incident showed it was an accident but that awareness of traffic has heightened in the area as a result. She also stated that when they heard of the proposal she was immediately concerned about more vehicles in the area. She indicated that the the traffic study did not include a number of area streets, some that were less than 400 metres away from the proposed site. Ms.

Franco stated that she conducted her own traffic count and counted 170 vehicles pass in a 30 minute timeframe. She also stated that the school population has grown and that the number of vehicles will increase as well. Ms. Franco stated that the traffic impact study does not give a full picture of traffic in the area and therefore a decision should not be made with incomplete data. Ms. Franco advised that the Durham Zero Vision Strategy contains a 10% reduction of fatal injury collisions and that adding more vehicles to the traffic system will endanger residents. She stated that she is strongly opposed to the development and is disappointed to hear that the recommendation is to approve the development, given the safety concerns.

2.11 Arun Blake

Re: Planning and Development Department Report, PL 71-19
Zoning By-law Amendment Application, DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

Refer to Item 4.1, PL 71-19

Arun Blake, 310 Saint Lawrence Street, appeared before the Committee and stated that he can see the history of the area through the different houses in the neighbourhood. He indicated that the neighbourhood already has many new developments as a result of the GO Station and Highway 401 expansion. Mr. Blake stated that the area can get loud, and the loss of greenery and increase in traffic are concerns for the community. He stated that he thought there was a possibility for traffic lights at the intersection of Saint Lawrence Street and Brock Street but, if true, Saint Lawrence Street runs the risk of becoming a thoroughfare.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development Department Report, PL 71-19

Re: Zoning By-law Amendment Application DEV-19-18 (Z-31-18), 1201 & 1207 Brock Street South and 1200 & 1202 Green Street, Bara Group (Whitby) Inc.

A question and answer period ensued between Members of the Committee and Staff regarding:

- a denial of an application requiring factors and reasoning to be provided pursuant to the Planning Act;

- the need for appropriate walking and cycling connections as part of the construction of the new Brock Street bridge over Highway 401, including connections to Consumers Drive;
- that developments up to 8 storeys are permitted by the Official Plan along sections of Brock Street that have been designated for intensification;
- the Region of Durham not permitting access from the development to Brock Street and how this is a negative factor as it will add to traffic in the surrounding community;
- noise warning clauses being registered on title for the development and how this is standard for any development adjacent to arterial roads or other significant noise sources;
- improvements to the Brock Street and Consumers Drive intersection being dependent on the Region of Durham and Ministry of Transportation as they have jurisdiction over this intersection;
- signalization of Brock Street and Saint Lawrence Street not being warranted in accordance with the traffic study;
- how climate change and sustainability are taken into consideration when reviewing development proposals;
- 30 trees on the site of the development requiring removal to facilitate construction; and,
- the lack of alignment between intensification requirements in the Official Plan and the Region of Durham operational policies that restrict access points onto adjacent arterial roads.

Recommendation:

Moved By Councillor Alexander

1. That the amendment to Zoning By-law 2585 for 1201 & 1207 Brock Street South and 1200 & 1202 Green Street be denied.

Carried

It was the consensus of the Committee to take a short recess. The Committee recessed at 8:53 p.m. and reconvened at 9:02 p.m.

- 4.2** Planning and Development Department Report, PL 76-19
Re: Draft Plan of Subdivision, Zoning By-law Amendment and Site Plan Approval Applications – Block Andrin (Whitby) Developments Limited – 1601, 1605 Dufferin Street and Part of Block A, Registered Plan H-50035, File Numbers SW-2018-03, Z-17-18 and SP-16-18

A brief question and answer period ensued between Members of the Committee and Staff regarding the developer being able to meet the requirements of the Central Lake Ontario Conservation Authority.

Recommendation:

Moved By Councillor Alexander

1. That Council approve the Draft Plan of Subdivision (File SW-2018-03) subject to the comments included in Planning Report PL 76-19 and the Conditions of Draft Plan Approval included in Attachment #12;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning be advised of Council's decision;
4. That Council appoint the firm of Williams and Stewart Associates as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law 2585 (File Z-17-18) as outlined in Planning Report PL 76-19;
7. That a By-law to amend Zoning By-law 2585 be brought forward for consideration by Council;
8. That a By-law to authorize the sale of Part of Lot A, Plan 70 to Andrin Homes be brought forward for consideration by Council, in accordance with the recommendations contained in Report CS 03-18; and,
9. That staff be authorized to bring forward a By-law to dedicate the future Sobczak Drive as public highway at such time as the road is completed, to the satisfaction of the Public Works Department.

Carried

4.3 Planning and Development Department Report, PL 74-19
Re: Zoning By-law Amendment Application, 500 Dundas Street East,
Castlevue 500 Development Inc., File No. DEV-14-18 (Z-27-18)

A brief question and answer period ensued between Members of the Committee and Staff regarding the widening of Pine Street.

Recommendation:

Moved By Councillor Newman

1. That Council approve an amendment to Zoning By-law No. 2585 (Application #Z-27-18) to permit a 6-storey residential apartment building on the subject land; and,
2. That the Zoning By-law Amendment be brought forward for consideration by Council.

Carried

4.4 Planning and Development Department Report, PL 67-19
Re: Revised Policy MS 070: Review and Approval of
Radiocommunications and Broadcasting Antenna Systems

A brief question and answer period ensued between Members of the Committee and Staff regarding the ability to incorporate a process for Council review and approval of contentious applications, and enhanced communications from the Town to residents who may be impacted by a proposed tower.

Recommendation:

Moved By Councillor Newman

That Council adopt the revised policy MS 070 (Attachment #1).

Note: The disposition of the matter, Item 4.4 was determined through the referral motion below.

Recommendation:

Moved By Councillor Leahy

That Planning and Development Department Report, PL 67-19 be referred to Staff to investigate opportunities for Council to review applications similar to the process included with the delegated authority for Site Plan applications and opportunities for community notification to residents that may be impacted by radiocommunication and broadcasting antenna systems.

Carried

4.5 Planning and Development Department Report, PL 72-19
Re: Comprehensive Zoning By-law Study Terms of Reference

A brief question and answer period ensued between Members of the Committee and Staff regarding:

- the five phase project requiring a minimum of four years to complete;
- a comprehensive by-law ensuring developments proceed with fewer amendments required; and,
- the goal of having a comprehensive by-law that is as consistent as possible with the Town's Official.

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the Terms of Reference for the Comprehensive Zoning By-law Study as outlined in Attachment #1 to Report PL 72-19;
2. That Council authorize staff to issue a Request for Proposal (RFP) for the Comprehensive Zoning By-law Study to obtain submissions and to select a qualified and preferred consultant within the allocated funds of the capital budget; and,
3. That item MD-3568 be removed from the New and Unfinished Business List.

Carried

4.6 Planning and Development Department Report, PL 73-19
Re: Removal of 700 Winchester Road East from the Town of Whitby's Municipal Heritage Register

A brief question and answer period ensued between Members of the Committee and Staff regarding:

- the process to add or remove homes from the Heritage Register;
- the difficulty associated with removing a property from the Heritage Register, including the requirement to provide a cultural heritage assessment; and,
- deteriorating condition of certain heritage properties, including the building located at 16 Baldwin Street.

Recommendation:

Moved By Councillor Leahy

That the property municipally known as 700 Winchester Road East be

removed from the Town's Municipal Heritage Register.

Carried

5. New and Unfinished Business

5.1 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

General Government

Chair Yamada assumed the Chair.

6. Presentations

6.1 There were no presentations.

7. Delegations

7.1 There were no delegations.

8. Correspondence

8.1 Memorandum from C. Harris, Town Clerk dated September 3, 2019 regarding Bronze Statue of Sir William Stephenson at Intrepid Park

A brief question and answer period ensued between Members of the Committee and Staff regarding:

- a fundraiser being held to raise the approximate \$175,000 for the cost of the statue and that 30% of the required funds have already been received;
- further dialogue being required to determine the exact location of the statue; and,
- how Staff would identify any costs to the Town once the location of the statue is determined.

Recommendation:

Moved By Councillor Roy

1. That Staff report back on opportunities to accommodate placement of a bronze statue of Sir William Stephenson;
2. That Staff explore alternate locations including Downtown Whitby;

- and,
3. That Staff review opportunities for an expanded installation that supports the Town's need for public art.

Carried

9. Staff Reports

9.1 Community Services Department Report, CMS 19-19
Re: 2022 Ontario Summer Games

Recommendation:

Moved By Councillor Mulcahy

1. That Council endorse the bid submission by Sport Durham to host the 2022 Ontario Summer Games;
2. That if Sport Durham is successful in securing the Ontario Summer Games that Iroquois Park Sports Centre be the host site for the Box Lacrosse and Port Whitby Marina be the host site for the Sailing; and,
3. That if Iroquois Park Sports Centre and Port Whitby Marina host events for these competitions that the rental fees be waived.

Carried

9.2 Community Services Department Report, CMS 21-19
Re: Draft 2019 - 2023 Recreation Services Youth Strategy

Recommendation:

Moved By Councillor Newman

1. That Council approve the 2019 – 2023 Youth Strategy and the recommendations contained within; and,
2. That Council direct Staff to proceed with the implementation of the recommendations outlined.

Carried

9.3 Community Services Department Report, CMS 22-19
Re: North Whitby Sports Complex

Having previously declared a conflict of interest, Mayor Mitchell left the meeting and did not take part in the discussion or vote on the matter.

A brief question and answer period ensued between Members of the Committee and Staff regarding:

- Staff seeking assistance from developers and the Region of Durham to expedite the environmental assessment and servicing to the area in order to move up the timeline of this project;
- repurposing Luther Vipond Arena to include a year round market and centre for agriculture;
- having capacity for water and sewage services in the main trunk and awaiting the final alignment of the future arterial road; and,
- coordination with the Region of Durham to regarding the environmental assessment.

Recommendation:

Moved By Councillor Lee

1. That Council direct staff to undertake public consultation for the proposed North Whitby Sports Complex;
2. That Council direct staff to make a funding application to the Investing In Canada Infrastructure Program: Community Culture and Recreation stream to offset costs of the North Whitby Sports Complex; and,
3. That Staff report back to Council in Q2 2020 on the public consultation feedback, proposed facility concept designs and other project milestones.

Carried

10. New and Unfinished Business

10.1 New and Unfinished Business - General Government

Councillor Yamada requested an update about the renovations and addition to the Town's Operations Centre. S. Beale, Commissioner of Public Works, advised that the first phase of construction was approximately two to three months behind schedule but is on budget. S. Beale further advised that the expansion of the winter control room is also on schedule and on budget.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Lee

That the meeting adjourn.

Carried

The meeting adjourned at 10:04 p.m.

Advisory Committee Minutes – For Information Only

- Accessibility Advisory Committee Minutes - June 4, 2019
- Whitby Sustainability Advisory Committee Minutes, June 5, 2019
- Ethno-cultural & Diversity Advisory Committee Minutes, June 6, 2019
- Whitby in Bloom Committee Minutes, June 11, 2019
- Heritage Whitby Advisory Committee Minutes, June 11, 2019
- Active Transportation & Safe Roads Advisory Committee Minutes, June 13, 2019
- Downtown Whitby Development Steering Committee Minutes, June 20, 2019
- Brooklin Downtown Development Steering Committee Minutes, June 20, 2019