



Committee of the Whole Minutes

April 7, 2025, 7:00 p.m.
Council Chambers
Whitby Town Hall

Present: Councillor Bozinovski
Councillor Cardwell (Virtual Attendance)
Councillor Leahy (Virtual Attendance)
Councillor Lee
Councillor Lundquist
Councillor Mulcahy
Councillor Shahid

Regrets: Mayor Roy
Councillor Yamada (Leave of Absence)

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Deputy Chief Administrative Officer
J. Long, Head of Organizational Effectiveness
J. Romano, Commissioner of Community Services
F. Santaguida, Commissioner of Legal and Enforcement
Services/Town Solicitor
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
M. Dodge, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Douglas, Supervisor, Legislative Services
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

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1. Call To Order: The Mayor
 2. Call of the Roll: The Clerk

3. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

4. Consent Agenda

5. Planning and Development

Councillor Lee assumed the Chair.

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Scott Waterhouse representing Durham Islamic Centre (In-Person Attendance)

Re: PDP 17-25, Planning and Development (Planning Services)
Department Report

Temporary Use Zoning By-law Extension Application, Durham Islamic Centre, 4618 Country Lane, File Number: DEV-28-24 (Z-13-14)

Refer to Item 5.4.2, PDP 17-25

Scott Waterhouse and Waseem Bhutta, representing Durham Islamic Centre, appeared before the Committee and stated that they were available to answer questions.

A question and answer period ensued between Members of Committee, Mr. Waterhouse and Mr. Bhutta regarding:

- the length of time that the Durham Islamic Centre has been operating at the subject property;
- the progress on finding a new, suitably zoned location for the Durham Islamic Centre and the challenges in finding an appropriate site; and,
- confirmation that Durham Regional Police Service was retained to assist with addressing traffic concerns.

5.2.2 Paul Demczak representing 2490987 Ontario Inc. (Virtual Attendance)

Re: PDP 19-25, Planning and Development (Planning Services)
Department Report
Zoning By-law Amendment Application, Paul Demczak c/o 2490987
Ontario Inc., 1399 Dundas Street East, File Number: DEV-03-25, Z-
02-25

Refer to Item 5.4.4, PDP 19-25

Paul Demczak, representing 2490987 Ontario Inc., was in attendance, however he did not provide a delegation due to Item 5.4.4, Report PDP 19-25, being approved during the consent agenda portion of the meeting.

5.2.3 Catherine Maugeri-Schuck, Resident (In-Person Attendance)

Re: PDP 20-25, Planning and Development (Planning Services)
Department Report
Official Plan Amendment and Zoning By-law Amendment
Applications, Baldwin Street Holdings Inc. (Ollie Switch
Corporation), 91, 95. and 99 Baldwin Street, File Numbers: DEV-
24-24 (OPA-2024-W/08, Z-11-24)

Refer to Item 5.4.5, PDP 20-25

Catherine Maugeri-Schuck, Resident, appeared before the Committee and raised concerns about potential flooding and drainage on her property due to its location on a floodplain and the increasing severity of storms. Ms. Maugeri-Schuck explained that heavy rainfall causes water to pool and slowly drain at her property line. She stated that she was advised that this may be due to a natural artesian well located between 85 and 91 Baldwin Street. Ms. Maugeri-Schuck advised that previous developers required easements through her property to allow safe water drainage into Lynde Creek, but no such easement has been requested for the current proposed development. She requested that the stormwater management system be designed to handle both regular and extreme weather events. Ms. Maugeri-Schuck raised additional concerns about increased water runoff from the proposed development, boreholes left on her property by a previous developer, and the lack of clarity regarding responsibility for their removal. She also expressed concerns about the impact of the proposed increase in density on local infrastructure. Ms. Maugeri-Schuck requested consultation between staff, the proponent and

residents to better understand the stormwater management plan and ensure her property and the surrounding area were protected from potential flooding.

A brief question and answer period ensued between Members of Committee and Ms. Maugeri-Schuck regarding whether any dialogue had occurred between the proponent and the delegate regarding her concerns.

5.2.4 Sarah Burjaw representing Baldwin Street Holdings Inc. (Virtual Attendance)

Re: PDP 20-25, Planning and Development (Planning Services) Department Report
Official Plan Amendment and Zoning By-law Amendment Applications, Baldwin Street Holdings Inc. (Ollie Switch Corporation), 91, 95. and 99 Baldwin Street, File Numbers: DEV-24-24 (OPA-2024-W/08, Z-11-24)

Refer to Item 5.4.5, PDP 20-25

Sarah Burjaw, Greg Rapp, and Adrian Soo, representing Baldwin Street Holdings Inc., appeared before the Committee and stated that they were in support of the Staff recommendation. Ms. Burjaw advised that they have been working with residents to address their concerns. She stated that the proposed development would provide much needed housing, that it was compatible with the heritage and character of the surrounding area, and that it was reviewed and supported by the Heritage Whitby Advisory Committee. Ms. Burjaw noted that Report PDP 20-25 outlines numerous studies prepared in support of the applications which have been accepted by Town Staff, the Ministry of Transportation, and the Central Lake Ontario Conservation Authority (CLOCA). She advised that dialogue with the previous delegate would take place to clarify details of the technical studies. Ms. Burjaw stated that they were available to answer questions.

A question and answer period ensued between Members of Committee, Ms. Burjaw, Mr. Rapp, and Mr. Soo regarding:

- details about how concerns related to the boreholes, flooding, stormwater management, and density were being addressed;

- the difference between the current stormwater management plan and the stormwater management plan presented in 2017 by a previous developer;
- the rationale behind the previous requirement for an easement through 85 Baldwin Street compared to the absence of such a requirement for the proposed development; and,
- confirmation that the proponent would continue to have discussions with the affected residents in the area.

5.2.5 Matt West and Michael May representing Fieldgate Developments (In-Person Attendance)

Re: PDP 21-25, Planning and Development (Planning Services) Department and Financial Services Department Joint Report
Municipally Owned Lands at the Southwest Corner of Winchester Road West and Baldwin Street South

Refer to Item 5.4.6, PDP 21-25

Matt West and Michael May, representing Fieldgate Developments, appeared before the Committee and provided a PowerPoint presentation. Highlights of the presentation included:

- the completion of Phase 1 (Longo's plaza) of the Fieldgate Developments commercial development and the intent to develop the remaining vacant lands to the north and east for a mix of commercial and residential uses;
- Phase 2 of the development, including the proposed purchase of the corner parcel of land located at Winchester Street and Baldwin Street and construction of a gateway/entrance feature;
- detailed information about the gateway/entrance concept plan, including a central plaza, a walkway connection to the intersection at Baldwin Street and Winchester Street, signage, a reserved location for an art installation, and the retention of some existing trees; and,
- a video rendering depicting the vision for the plaza.

A question and answer period ensued between Members of Committee, Mr. West and Mr. May regarding:-

- whether the Brooklin sculpture depicted in the video was a conceptual design;
- the number of existing trees that would be removed and opportunities to retain some of the mature trees; and,
- the timeline for commencing construction.

5.3 Correspondence

There was no correspondence.

5.4 Staff Reports

5.4.1 PDP 16-25, Planning and Development (Planning Services) Department Report

Re: Heritage Permit Application - Request for Demolition of two accessory structures and construction of a new one storey accessory structure at 25 Way Street, Designated under Part V of the Ontario Heritage Act, File Number: HP-03-25

Recommendation:

Moved by Councillor Lee

That Council approve the Heritage Permit requesting demolition of two accessory structures and construction of a new one storey accessory structure at 25 Way Street (HP-03-25), as supported by the Heritage Whitby Advisory Committee, and in accordance with Section 42 of the Ontario Heritage Act.

Carried

5.4.2 PDP 17-25, Planning and Development (Planning Services Department)

Re: Temporary Use Zoning By-law Extension Application, Durham Islamic Centre, 4618 Country Lane, File Number: DEV-28-24 (Z-13-24)

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

- whether temporary zoning extensions were common practice;
- whether the Town will provide more opportunities for locations for places of worship as part of the comprehensive Whitby Official Plan review; and,
- the timeline for completing the Whitby Official Plan review.

Recommendation:

Moved by Councillor Mulcahy

1. That Council approve a Zoning By-law Amendment to extend the Temporary Use (Z-13-24) of a place of worship on the subject land for a period of three (3) years; and,
2. That the amending by-law be brought forward for Council's consideration.

Carried

5.4.3 PDP 18-25, Planning and Development (Planning Services) Department Report

Re: Temporary Use Zoning By-law Amendment Application, RAI Architect Inc. c/o Charles McVety, 300 Water Street, File Number: DEV-01-25 (Z-01-25)

Recommendation:

Moved by Councillor Lee

1. That Council approve an amendment to Zoning By-law 2585 for a temporary use (Z-01-25) as outlined in Planning Report PDP 18-25; and,
2. That the amending By-law be brought forward for Council's consideration.

Carried

5.4.4 PDP 19-25, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, Paul Demczak c/o 2490987 Ontario Inc., 1399 Dundas Street East, File Number: DEV-03-25, Z-02-25

Recommendation:

Moved by Councillor Lee

1. That Council approve an amendment to Zoning By-law 1784 for a temporary use (File No. Z-02-25), as outlined in Report PDP 19-25; and,
2. That an amending by-law be brought forward for Council's consideration.

Carried

5.4.5 PDP 20-25, Planning and Development (Planning Services)
Department Report

Re: Official Plan Amendment and Zoning By-law Amendment Applications, Baldwin Street Holdings Inc. (Ollie Switch Corporation), 91, 95. and 99 Baldwin Street, File Numbers: DEV-24-24 (OPA-2024-W/08, Z-11-24)

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

- concerns about the density of the proposed development and whether it was consistent with the Whitby Official Plan designation on the property and compliant with height requirements;
- details about the proposed density included in the previously approved plan for the subject land in 2017 compared to the current proposed density;
- concerns about safety when exiting the proposed development onto Baldwin Street south of George Street due to the limited sightlines for vehicles on George Street approaching the intersection at Baldwin Street and Colston Avenue/George Street;
- details about the Traffic Impact Study related to the proposed entrance/exit in relation to George Street;

- comments received from the Central Lake Ontario Conservation Authority about the stormwater management plan for the proposed development;
- deferring the report until concerns about the boreholes and stormwater management plan were resolved; and,
- ensuring concerns from residents were addressed.

Recommendation:

Moved by Councillor Mulcahy

1. That Council approve Official Plan Amendment Number 144 to the Whitby Official Plan (File: OPA-2024-W/08), as shown on Attachment #8 to Report PDP 20-25, and that a By-law to adopt Official Plan Amendment Number 144 be brought forward for consideration by Council;
2. That Council approve an amendment to Zoning By-law No. 1784 (Z-11-24), subject to the comments included in Report PDP 20-25 and,
3. That a By-law to amend Zoning By-law #1784 be brought forward for consideration by Council at a future date.

Carried

5.4.6 PDP 21-25, Planning and Development (Planning Services) Department and Financial Services Department Joint Report

Re: Municipally Owned Lands at the Southwest Corner of Winchester Road West and Baldwin Street South

Discussion ensued between Members of Committee regarding:

- retaining as many trees on the subject land as possible;
- the significance of Brooklin's history to its residents and the importance of offering them an opportunity to share their opinions on the proposed art installation; and,
- concerns about employment and opportunities to attract small and/or new businesses to Whitby.

Recommendation:

Moved by Councillor Mulcahy

1. That Council endorse the gateway/entrance feature concept as proposed by Fieldgate Developments and illustrated on Attachment #4;
2. That the land at the south-west corner of Baldwin Street and Winchester Road, legally described as Part of the North Half Lot 25, Concession 5 and Part of the Road Allowance between Lots 24 and 25, Concession 5, being Part 1, Plan 40R-31677 (P-1410-0164, P-1771-0110, P-5120-0354) being part of PIN 26573-0002 (LT), in the Town of Whitby, Regional Municipality of Durham as shown in Attachment 1, be declared surplus;
3. That the requirement, in Town Policy F-190, for the Town to provide public notice of its intention to declare the Property surplus and report back to Council on any written objections received be waived; and,
4. That Staff provide a future report for Council's consideration and approval of an Agreement of Purchase and Sale between the Town and Fieldgate Developments (or related company) following receipt of a land appraisal and conclusion of agreement negotiations.

Carried

5.5 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

6. General Government

Councillor Lundquist assumed the Chair.

6.1 Presentations

- 6.1.1 Shawna Ferguson, Executive Director and Diandra Persaud, Chair, Downtown Whitby Business Improvement Area Board of Management (In-Person Attendance)

Re: FS 12-25, Financial Services Department and Office of the Chief Administrative Officer Joint Report
Downtown Whitby Business Improvement Area (BIA) 2025 Budget

and 2024 Reporting

Refer to Item 6.4.1, FS 12-25

Shawna Ferguson, Executive Director, and Diandra Persaud, Chair, Downtown Whitby Business Improvement Area Board of Management appeared before the Committee and provided a PowerPoint presentation about the Downtown Whitby Business Improvement Area (BIA) 2023 Budget and Annual Report.

Highlights of the presentation included:

- a detailed overview of the BIA's 2024 and 2025 beautification efforts, community engagement and events, and digital transformation and marketing initiatives; and,
- highlights about the 2025 proposed budget.

A question and answer period ensued between Members of Committee, Ms. Ferguson, and Ms. Persaud regarding:

- whether any events were not well attended/successful;
- the various changes within the BIA over the past year and the feedback received from businesses;
- upcoming events in 2025, and the methods of informing the community about upcoming events;
- confirmation that the sponsorship funds are current and not an estimate;
- whether the assessment loss reported in the BIA's 2024 Budget was related to a specific event;
- whether the marketing/promotion of events was focused on residential neighbourhoods surrounding Downtown Whitby; and,
- whether there was any resistance from businesses related to the Special (BIA) Tax Levy.

6.2 Delegations

6.2.1 Mike Moraites, Resident (In-Person Attendance)

Re: CMS 05-25, Community Services Department Report
Proposed Amendments to the Public Parks and Park Buildings By-law

Refer to Item 6.4.5, CMS 05-25

Mike Moraites, Resident, appeared before the Committee and raised concerns regarding the public notice about proposed amendments to the Public Parks and Park Buildings By-law. Mr. Moraites indicated that he became aware of the proposed by-law and its potential impact on fishing in Whitby by completing the public survey. He described the Town as a year-round, multi-species fishing destination. He advised that while most waterfront users are responsible and respect the environment, some misuse the space by camping overnight and leaving garbage, human waste, and drug paraphernalia. Mr. Moraites emphasized the waterfront's value as a recreational asset and the importance of community consultation on provisions related to fishing. Mr. Moraites suggested that the Town install signage warning of the risks associated with casting a fishing line. He noted a shortage of waste receptacles along the waterfront and requested the installation of secure bins to support responsible use. Mr. Moraites requested that by-law enforcement prioritize overnight camping and fishing violations. He urged the Committee to carefully consider the installation of signage to avoid penalizing responsible users.

It was the consensus of the Committee to hear Item 6.4.5, CMS 05-25, at this time.

6.3 Correspondence

There was no correspondence.

6.4 Staff Reports

6.4.1 FS 12-25, Financial Services Department and Office of the Chief Administrative Officer Joint Report

Re: Downtown Whitby Business Improvement Area (BIA) 2025
Budget and 2024 Reporting

Recommendation:

Moved by Councillor Lundquist

1. That the Downtown Whitby Business Improvement Area Board of Management's proposed 2025 Beautification Report and the 2024 Annual Report, (Attachment 2 of Report FS 12-25), be received as information; and,
2. That the Downtown Whitby Business Improvement Area Board of Management's proposed 2025 Budget, (as outlined in Attachment 1 of Report FS 12-25), inclusive of a \$220,500 special tax levy for businesses within the Downtown Business Improvement Area, be approved.

Carried

6.4.2 FS 13-25, Financial Services Department Report

Re: 2025 Property Tax Levy

Recommendation:

Moved by Councillor Lundquist

1. That the 2025 property tax rates for the General Municipal Town Levies, shown in Attachment A of Report FS 13-25, be approved;
2. That the 2025 special tax levy and tax rates for the properties located within the Downtown Whitby Business Improvement Area (BIA), shown in Attachment B of Report FS 13-25, be approved;
3. That the final property tax bill due dates for all property tax classes be June 24, 2025 and September 24, 2025;
4. That prior to the issuance of the final tax bills, the Treasurer be authorized to adjust the due dates and notify Council at the earliest opportunity; and,
5. That a by-law for the General Municipal Town Levies and a separate by-law for the Special Tax Levy in support of the Downtown Whitby BIA, to set the due dates and levy rates for 2025 in accordance with the approved budgets and regulations, be brought forward to a future Council meeting.

Carried

6.4.3 CMS 03-25, Community Services Department Report

Re: Animal Shelter and Enforcement Services Facility – Design and Approach Update

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

- the rationale for the cost variance between the preliminary construction cost estimate and the November 2024 cost estimate;
- opportunities to reduce the construction costs; and,
- the timeline for liquidating the Whitby Animal Services Centre located at 4680 Thickson Road North and whether the proceeds from the sale of the current property would be applied to the cost of this project.

Recommendation:

Moved by Councillor Mulcahy

1. That Community Services Report, CMS 03-25, be received as information;
2. That staff be directed to complete the detailed design and contract documentation to be tender ready, based on a two story, multi-purpose community building identified as (Option 1B Attachment #1 of this report); and,
3. That staff be directed to report back to Council for direction following the completion of the detailed design including final construction cost estimate, prior to issuing tender documents.

Carried

6.4.4 CMS 04-25, Community Services Department Report

Re: Community Engagement for the Proposed Future Use of Luther Vipond Memorial Arena

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

- addressing multiple requests from residents for similar amenities at different sites, such as an outdoor skating rink;
- details about the community and stakeholder consultation process; and,
- the rationale for retaining a consultant to facilitate the community engagement process.

Recommendation:

Moved by Councillor Mulcahy

1. That Community Services Report, CMS 04-25, be received as information;
2. That Staff be directed to begin the Luther Vipond Memorial Arena (LVMA) Community Engagement Process;
3. That a 2025 Capital Project 71251016 LVMA – Repurpose Conversion / Development Project be approved in the amount of \$25,000, funded \$19,072.50 from the Growth Reserve and \$5,927.50 from the Development Charges Parks and Recreation Reserve Fund; and,
4. That Staff be directed to report back to Council with the recommended program options considering the feedback received through engagement on the project.

Carried

6.4.5 CMS 05-25, Community Services Department Report

Re: Proposed Amendments to the Public Parks and Park Buildings By-law

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

- how the placement of signage would be determined, and whether consultation would take place with the fishing community;
- providing additional waste receptacles in areas where fishing takes place;

- addressing concerns related to homelessness and prohibited waterfront camping; and,
- addressing complaints about e-scooters and e-bikes.

Recommendation:

Moved by Councillor Mulcahy

1. That Report CMS 05-25 be received;
2. That the proposed amendments to the Town's Public Parks and Park Buildings By-law #7419-18, as appended as Attachment 1, be brought forward to Council for consideration; and,
3. That NUB GG-0001, pertaining to Fishing in Town Parks, will be removed from the New and Unfinished Business List.

Carried

It was the consensus of the Committee to hear Item 6.4.3, CMS 03-25, at this time.

6.5 New and Unfinished Business - General Government

There was no new and unfinished business.

7. Adjournment

Recommendation:

Moved by Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 9:20 p.m.