

Present: Mayor Mitchell
Councillor Drumm (Participating Electronically)
Councillor Leahy
Councillor Lee (Participating Electronically)
Councillor Mulcahy (Participating Electronically)
Councillor Newman
Councillor Roy (Participating Electronically)
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
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
S. Klein, Director of Strategic Initiatives
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
L. MacDougall, Council and Committee Coordinator (Recording
Secretary)

Regrets: None noted

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Planning and Development

Councillor Newman assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

- 2.1 Jeff Solly representing Whitby Curling Club
Re: Planning and Development (Planning Services) Department Report, PDP 25-22
Request from the Whitby Curling Club to Declare a Portion of the Town's Land as Part of the Bradley Drive Road Allowance to Facilitate a Proposed Development

Refer to Item 4.2, PDP 25-22

Jeff Solly, representing Whitby Curling Club, stated that he had read and was in support of the Staff recommendation, and that he was available to answer questions.

A brief question and answer period ensued between Members of Committee and Mr. Solly regarding confirmation that approval of the request would allow the Whitby Curling Club to fund improvements to the existing curling complex through the creation and sale of five residential building lots on Bradley Drive.

It was the consensus of the Committee to hear Item 4.2, PDP 25-22, at this time.

- 2.2 Peter Kulkarni representing Triovest Realty Advisors Inc.
Re: Planning and Development (Planning Services) Department Report, PDP 27-22
Zoning By-law Amendment Application, Triovest Realty Advisors Inc., 4140 & 4150 Garden Street, File Number: DEV-01-22 (Z-01-22)

Refer to Item 4.4, PDP 27-22

Peter Kulkarni, representing Triovest Realty Advisors Inc., stated that he was available to answer questions.

It was the consensus of the Committee to hear Item 4.4 PDP 27-22, at this time.

- 2.3** Steve Edwards and Shawn Shanmuganathan representing 412 Dundas Developments Limited (Vaultra Storage)
Re: Planning and Development (Planning Services) Department Report, PDP 28-22
Official Plan and Zoning By-law Amendment Applications, 412 Dundas Developments Limited (Vaultra Storage), Block 270 on Plan 40M-2647, West Side of Des Newman Boulevard, File Numbers: DEV-10-21 (OPA-2021-W/04, Z-07-21)

Refer to Item 4.5, PDP 28-22

Steve Edwards and Shawn Shanmuganathan, representing 412 Dundas Developments Limited (Vaultra Storage), stated that they had read and were in support of the Staff recommendation. Mr. Edwards advised that Vaultra Storage was partnering with Fieldgate Developments to create the composite employment development as outlined in the Staff report. He noted the concerns raised by Economic Development Staff about the initial construction phases only including self-storage facilities and the possibility that further phases of the development may not be realized. Mr. Shanmuganathan confirmed that the entire site would be developed all at once and that it would not be developed in phases. Mr. Edwards advised that they were available to answer questions.

- 2.4** Navdeep Nijhawan
Re: Planning and Development (Planning Services) Department Report, PDP 28-22
Official Plan and Zoning By-law Amendment Applications, 412 Dundas Developments Limited (Vaultra Storage), Block 270 on Plan 40M-2647, West Side of Des Newman Boulevard, File Numbers: DEV-10-21 (OPA-2021-W/04, Z-07-21)

Refer to Item 4.5, PDP 28-22

Navdeep Nijhawan, 27 Edgar Avenue, Richmond Hill, stated that he was a physician and current partner of the proposed healthcare complex that was under construction just north of the proposed development, and the co-owner of the four-acre vacant land located just south of the proposed development. Mr. Nijhawan advised that the entire area was designated as Prestige Employment with residential and mixed-use lands surrounding. He stated that he did not have any objection to the two multi-use prestige industrial buildings, but that he was opposed to the rezoning of the land to allow the construction of the four-storey and five single-storey commercial self-storage facilities. Mr. Nijhawan noted that when this land was purchased all of the surrounding neighbours understood that they were purchasing Prestige Employment land which

would have been known by the developers who purchased this land. He commented on the approval of rezoning of this land being patently unfair to homeowners and other prestige employment landowners in the area who would have purchased their properties with a clear understanding of how their community would be developed. Mr. Nijhawan stated that having self-storage facilities, no matter how small, was a contravention of Zoning By-law # 1784, and that previous Council decisions made it clear that self-storage units were better placed in Industrial Zone areas separate from Prestige Employment and residential communities. Mr. Nijhawan noted that the Urban Design Guidelines approved by Council on April 7, 2016 provided a specific vision for the area that did not include self-storage units. He stated that self-storage units would not be the highest or best use of these lands and that they would remove the vibrancy of the area and effectively create a “dead zone” where people would come in and out of the area to access their storage unit and leave. He raised concerns about the storage facilities creating additional traffic in the residential neighbourhood, noting that they would not provide any ancillary employment opportunities or generate any significant revenue for the community, and that there would be a disproportionate benefit to non-residents of the community. Mr. Nijhawan raised further concerns about self-storage units exposing the area to significant risks including criminal behaviour, noting that in 2021 a self-storage facility in Whitby had over 40 break-ins, and that there were already several dozen storage facilities located within Durham Region. He noted that this developer has a storage facility located in Ajax and that it was not located near a residential community or a Prestige Employment community. Mr. Nijhawan inquired about the number of storage unit facilities needed in Durham Region. He stated that the Staff report notes concerns raised by the Region of Durham about using the proposed site as a self-storage facility indicating that self-storage facilities typically result in very low employment density which does not support the Region's goal of achieving increased local employment for residents and the higher employment densities expected within designated Prestige Employment areas. Mr. Nijhawan requested that the Committee reconsider supporting the application to rezone the land to permit self-storage facilities on the site. He stated that, while the Staff report recommends approval of the rezoning, there was a certain intangible effect of having self-storage units in the area that deters from ensuring that the community can achieve its highest potential. Mr. Nijhawan advised that the decision that the Committee makes now would significantly impact the nature of future developments in the area. He stated that he hoped that the Committee would ensure that the development of the West Whitby community satisfies the vision of the original plan.

It was the consensus of the Committee to hear Item 4.5, PDP 28-22, at this time.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development (Planning Services) Department Report, PDP 24-22
Re: Extension to Temporary Use Zoning By-law Amendment Application, Brooklin Northeast Developments CR Inc., Northeast Corner of Thickson Road North and Columbus Road East, File Number: DEV-11-22 (Z-09-22)

Recommendation:

Moved By Councillor Roy

1. That Council approve a Zoning By-law Amendment (Z-09-22) for the extension of a temporary use for an additional three year period; and,
2. That the Zoning By-law Amendment be brought forward for Council's consideration.

Carried

4.2 Planning and Development (Planning Services) Department Report, PDP 25-22
Re: Request from the Whitby Curling Club to Declare a Portion of the Town's Land as Part of the Bradley Drive Road Allowance to Facilitate a Proposed Development

Recommendation:

Moved By Councillor Roy

1. That Council approve Whitby Curling Club's request to declare a portion of the Town's land as part of the Bradley Drive road allowance, as identified in Report PDP 25-22;

2. That Council approve the lifting of a 0.3m reserve along the Bradley Drive road allowance, as identified in Report PDP 25-22; and,
3. That the by-laws to lift the 0.3m reserve and to dedicate the lands as part of the Bradley Drive road allowance be brought forward for consideration by Council.

Carried

It was the consensus of the Committee to hear Item 2.2, Delegation by Peter Kulkarni representing Triovest Realty Advisors Inc., at this time.

- 4.3** Planning and Development (Planning Services) Department Report, PDP 26-22
Re: Extension to Draft Approved Plan of Subdivision, 3425 Coronation Developments Limited, File Number: (SW-2017-06)

Recommendation:

Moved By Councillor Mulcahy

That Council approve the extension of the Draft Approved Plan of Subdivision (SW-2017-06) by an additional 3 years, to May 16, 2025.

Carried

- 4.4** Planning and Development (Planning Services) Department Report, PDP 27-22
Re: Zoning By-law Amendment Application, Triovest Realty Advisors Inc., 4140 & 4150 Garden Street, File Number: DEV-01-22 (Z-01-22)

Recommendation:

Moved By Councillor Roy

1. That Council approve a Zoning By-law Amendment (Z-01-22) to permit additional commercial uses on the subject land; and,
2. That a Zoning By-law Amendment be brought forward for consideration by Council.

Carried

It was the consensus of the Committee to hear Item 2.3, Delegation by Steve Edwards and Shawn Shanmuganathan representing 412 Dundas Developments Limited (Vaultra Storage), at this time.

4.5 Planning and Development (Planning Services) Department Report, PDP 28-22

Re: Official Plan and Zoning By-law Amendment Applications, 412 Dundas Developments Limited (Vaultra Storage), Block 270 on Plan 40M-2647, West Side of Des Newman Boulevard, File Numbers: DEV-10-21 (OPA-2021-W/04, Z-07-21)

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

- whether the highest or best use of the land could be argued in relation to the proposed self storage buildings;
- the flexibility of the Town to deny the self storage buildings component of the proposed development and the ability to defend a denial;
- confirmation that the management of concerns about criminal activity such as break-ins would be addressed by the property owner;
- concerns about rezoning high visibility Prestige Industrial land on this site and protecting future Prestige Industrial land;
- whether the requirement for the self storage buildings being built concurrently would be included as a condition of Site Plan approval;
- confirmation that both Staff from the Region and the Town did not identify traffic generation as a concern as a result of the proposed development;
- whether viewing the proposed development as a whole addresses the concerns raised about removing the vibrancy of the area; and,
- the value of the adjacent properties and how they may be impacted by the proposed development.

Recommendation:

Moved By Councillor Shahid

1. That Council approve Official Plan Amendment Number 125 to the Whitby Official Plan (File: OPA-2021-W/04), as shown on Attachment #7;
2. That a By-law to adopt Official Plan Amendment Number 125 be brought forward for consideration by Council;

3. That Council approve an amendment to Zoning By-law # 1784 (Z-07-21), as outlined in Report PDP 28-22; and,
4. That the Clerk forward a copy of Planning Report No. PDP 28-22, two (2) copies of the adopted Amendment, and a copy of the By-law to adopt Amendment Number 125 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

Carried

It was the consensus of the Committee to hear Item 4.1, PDP 24-22, at this time.

4.6 Planning and Development (Planning Services) Department Report, PDP 29-22

Re: Sign By-law Variance and Sign By-law Amendment to Permanent Sign By-law for Amica (Taunton) Whitby Inc., 85 Taunton Road East, File Numbers: SB-02-22, SBA-01-22

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

- a description of the proposed projecting sign; and,
- the rationale for prohibiting projecting signs other than in Downtown Whitby and Brooklin.

Recommendation:

Moved By Councillor Mulcahy

That Council approve the request for a variance and an amendment to the Town of Whitby Permanent Sign By-law # 7379-18 for Amica (Taunton) Whitby Inc., located at 85 Taunton Road East.

Carried

4.7 Planning and Development (Planning Services) Department Report, PDP 30-22

Re: Renewal of Sewage System Management Agreement

A brief question and answer period ensued between Members of Committee and Staff regarding the rationale for not utilizing Town Staff for the inspections of private septic systems.

Recommendation:

Moved By Councillor Drumm

1. That Council approve the renewal of an agreement with the Regional Municipality of Durham to delegate responsibilities under the Building Code Act with respect to private sewage systems with capacity of 10,000 litres or less per day;
2. That the Commissioner of Planning and Development be authorized to execute the agreement on behalf of the Town of Whitby; and,
3. That the authority to execute subsequent renewals of the Sewage System Management Agreement be delegated to the Commissioner of Planning and Development.

Carried

5. New and Unfinished Business - Planning and Development

5.1 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

General Government

Councillor Lee assumed the Chair.

6. Presentations

6.1 There were no presentations.

7. Delegations

7.1 There were no delegations.

8. Correspondence

8.1 There was no correspondence.

9. Staff Reports

9.1 Financial Services Department Report, FS 32-22
Re: Building Permit Fees Annual Financial Report 2021

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

- confirmation that the amount of funds in the Building Permit Reserve Fund would cover two years of operating costs;
- whether there would be a reduction in the building permit fees or whether funds would be redirected to another reserve fund;
- the possibility of utilizing all reserve funds should the building permit fees be reduced;
- the possibility of requiring additional Staff resources to manage building permit applications in the future; and,
- the rationale for the reserve fund target balance of \$10.2 million.

Recommendation:

Moved By Councillor Leahy

That Report FS 32-22 regarding Building Permit Fees Annual Financial Report 2021 be received as information.

Carried

10. New and Unfinished Business - General Government

10.1 New and Unfinished Business - General Government

There was no new and unfinished business.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 7:48 p.m.