

SPECIAL COUNCIL MINUTES
September 23, 2013 -5:30 pm
Council Chambers
Whitby Municipal Building

Present: Mayor Perkins
Councillor Coe
Councillor Drumm
Councillor Emm
Councillor Mitchell
Councillor Montague
Councillor Roy

Also Present: R. Petrie, Chief Administrative Officer
S. Beale, Commissioner of Public Works
P. LeBel, Commissioner of Community & Marketing Services
(arrived at 5:55 p.m.)
R. Short, Commissioner of Planning
D. Wilcox, Town Clerk
L. Doughty, Deputy Clerk

Regrets: None noted

1. DECLARATIONS OF PECUNIARY INTEREST

1.1 There were no items of pecuniary interest noted.

2. CORRESPONDENCE

2.1 That the following requests be proclaimed:

- Whitby Brass Band Weekend - September 27, 28 & 29, 2013
- Recognition of Roland Hill, Director of Music, Whitby Brass Band, for over 30 years

Resolution No. 392-13

Moved By Councillor Coe
Seconded By Councillor Emm

That the request for proclamations for Whitby Brass Band Weekend - September 27, 28 & 29, 2013 and recognition of Roland Hill, Director of Music, Whitby Brass Band, for over 30 years be endorsed.

CARRIED

Resolution No. 393-13

Moved By Councillor Coe
Seconded By Councillor Montague

That Council move into Committee of the Whole.

CARRIED

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

3.1 Report, CAO 9-13

Re: Appointment Procedure for Filling Vacancy – Town Councillor North Ward 1

Discussion ensued regarding the report. D. Wilcox, Town Clerk outlined the process for calling nominations, slate of candidates, voting, recording and appointment process.

Moved By Councillor Drumm

1. That Report CAO 9-13 of the Chief Administrative Officer be received;
2. That the Appointment Procedure for filling the vacancy – Town Councillor North Ward 1 as outlined in this report be approved; and
3. That the Town Clerk take the necessary action to give effect thereto.

SEE FOLLOWING MOTION

Moved By Councillor Mitchell

That the main motion be amended by adding the following as item 3 and the recommendation be renumbered accordingly:

That the Appointment Procedure be amended to reflect that all candidates shall be placed on the slate of candidates, removing the Council nomination process.

CARRIED

The main motion, as amended, was then CARRIED.

Moved By Councillor Coe

That Committee of the Whole recess until 6:00 p.m.

CARRIED

Committee of the Whole resumed at 6:00 p.m.

3.2 Planning Report, PL 90-13
Re: Official Plan Review - Proposed Draft Amendment to the Whitby
Official Plan: Urban Land Uses (OPA-2007-W/04)

R. Short, Commissioner of Planning, introduced Report PL 90-13 the Proposed Draft Amendment to the Whitby Official Plan, advising this is the second of four proposed updates to the plan. Mr. Short outlined the timeline for the review.

Nick McDonald, Meridian Consulting, made a presentation regarding the proposed draft amendments. Mr. McDonald highlighted a number of revisions to the document including technical and wording changes, new definitions, mapping changes, revisions to housing policies, updates in regards to changes as a result of OPA 90, and other revisions to reflect the current requirements of the Official Plan of the Region of Durham and the Provincial Policy Statement (PPS).

A detailed question and answer period ensued regarding low density for new residential areas, intensification areas, industrial and prestige industrial areas, health precincts, urban squares, alternate uses of parkland dedication, possible restrictions to mixed use designations.

Public delegations were introduced at this time.

Niomie Massey, Madison Group, 369 Rimrock Road, Toronto, made a delegation regarding the re-designation of mixed use area lands to major commercial within the Brooklin major central area to consolidate major commercial uses as referred to in schedule 2 e) of the draft plan relating to the area of Roybrook Drive and the previously identified alignment of Highway 407, which impacts the remaining lands north of Highway 407 and Baldwin Street. Ms. Massey questioned why only a portion of OPA 85 was incorporated into the draft plan and sought clarification of the commercial area and employment land designation. Ms. Massey expressed interest in the proposed boundary for the central area. Ms. Massey commented that the West Whitby Secondary Plan will provide for a review of the commercial component as well as the proposed boundary for the central area. Ms. Massey requested clarification that this study will satisfy the requirements under the Provincial Growth Plan in relation to employment lands and related Regional Official Plan Amendments. Ms. Massey requested further

clarification of section 4.6.3.3.6 referencing prestige industrial uses and limited commercial uses adjacent to Highway 407. N. McDonald, consultant, clarified that the Brooklin Secondary Plan addresses OPA 85 commercial and employment lands and that updated maps will be included in future versions of the draft plan.

Matthew Cory, Malone Givens Parsons Limited, 140 Renfrew Drive, Suite 201, Markham made a delegation on behalf of the Brooklin North Landowners Group (BNLG). Mr. Cory advised they have reviewed the first amendment as well as the current draft, and it is their preference to wait until the additional amendments come forward in order to review the plan in its entirety.

Bryce Jordan, GHD Consulting and Planning, Whitby made a delegation on behalf of the West Whitby Land Owners Group. Mr. Jordan referred to section 4.7.3.10 of the draft plan in relation to policies regarding surplus school sites and integration where possible with other community facilities. Mr. Jordan expressed concern that only larger school sites would be permitted under this policy and requested that this section of the policy be reviewed. N. McDonald, consultant, advised the intent of the draft amendment was not to prescribe a larger school site and this portion of the policy will be reviewed together with further consultation with the Durham District School Board.

Discussion ensued regarding growth targets in compliance with the Provincial Growth Plan; necessary amendments due to revised provincial housing requirements as well as the Region of Durham ten year housing plan; surplus schools and proposed policy that such sites be utilized for other community uses; interpretation of cash-in-lieu of parking and section 4.2.3.8 subsection j) in relation to parking accommodation in part in a municipal parking lot; identification of appropriate locations for general and prestige industrial areas, including business parks; and section 4.8.3.7 whether recreational facilities should be restricted in proximity to Brock Street and Baldwin Street. It was requested that Brooklin Concrete be notified of this amendment due to the recommendations of section 4.6.3.5.5. Staff was requested to clarify these items for the future draft plan.

Members of Council were provided with a written submission from Patrick Foran, Aird & Berlis dated September 23, 2013 on behalf of his client, Dr. H. Weingarten, owner of lands located at the southeast corner of Springwood Street and Dundas Street East, Whitby. Staff were requested to review this letter in reference to section 4.2.5.3, and the impact of the policy changes on the development of the land.

Members of Council were provided with a written submission from Michael Bissett, Bousfields Inc. dated September 23, 2013 on behalf of

Nordeagle Developments Inc. He states that the Town should defer any decision respecting the lands bound by Victoria Street, Gordon Street, Nordeagle Avenue, and Montecorte Street until such time as studies outlined in proposed Policy 8C.3.2 are carried out and appropriately implemented into the Whitby Official Plan.

Moved by Councillor Coe

1. That Planning Report Item No. PL 90-13 be received for information; and,
2. That the Planning Department report back regarding a recommended Official Plan Amendment following the consideration of input from the public, commenting agencies and departments.

CARRIED

Moved By Councillor Coe

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

CARRIED

- 3.1** Report, CAO 9-13
Re: Appointment Procedure for Filling Vacancy – Town Councillor North Ward 1

Resolution No. 394-13

Moved By Councillor Coe
Seconded By Councillor Roy

1. That Report CAO 9-13 of the Chief Administrative Officer be received;
2. That the Appointment Procedure for filling the vacancy – Town Councillor North Ward 1 as outlined in this report be approved;
3. That the Appointment Procedure be amended to reflect that all candidates shall be placed on the slate of candidates, removing the Council nomination process; and
4. That the Town Clerk take the necessary action to give effect thereto.

CARRIED

- 3.2** Planning Report, PL 90-13
Re: Official Plan Review - Proposed Draft Amendment to the Whitby

Official Plan: Urban Land Uses (OPA-2007-W/04)

Resolution No. 395-13

Moved By Councillor Coe
Seconded By Councillor Roy

1. That Planning Report Item No. PL 90-13 be received for information;
and,
2. That the Planning Department report back regarding a
recommended Official Plan Amendment following the consideration
of input from the public, commenting agencies and departments.

CARRIED

4. CONFIRMATORY BY-LAW

4.1 Confirmatory By-law

Resolution No. 396-13

Moved By Councillor Montague
Seconded By Councillor Coe

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 September 23, 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. 397-13

Moved By Councillor Coe
Seconded By Councillor Roy

That the meeting be adjourned.

CARRIED

The meeting adjourned at 7:19 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor