



Committee of the Whole Minutes

October 21, 2024, 7:00 p.m.
Council Chambers
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Director of Strategic Initiatives
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. Narraway, Sr. Manager of Legislative Services/Deputy Clerk
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

Councillor Cardwell declared a conflict of interest regarding Item 5.4.2, PDP 50-24, noting that his business was located directly across the street from the proposed development. Councillor Cardwell did not take part in the discussion or voting regarding this item.

4. Consent Agenda
5. Planning and Development

Councillor Mulcahy assumed the Chair.

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Craig Wilson, Resident (In-Person Attendance)

Re: PDP 50-24, Planning and Development (Planning Services)
Department Report
Official Plan, Draft Plan of Subdivision, and Zoning By-law
Amendment Applications, Nordeagle Development Ltd., Vacant
Lands North of Victoria Street West between Montecorte Street and
Jim Flaherty Street, File Number: DEV-03-18 (OPA-2018-W/02,
SW-2018-01, Z-08-18)

Refer to Item 5.4.2, PDP 50-24

Craig Wilson, Resident, appeared before the Committee and stated that he was a resident in Whitby Shores and that he was not opposed to development in the area. He raised concerns about the proposed development resulting in a significant increase in residences and commercial businesses and the impact that the additional vehicular traffic would have in the area. Mr. Wilson stated that there was only one vehicular access between Henry Street / Watson Street West and Jim Flaherty Street / Gordon Street, noting that the single connection was Victoria Street West along the north edge of Victoria Fields. He stated that there would be a significant impact on Whitby Fire and Emergency Services (WFES) response times in Whitby Shores should there be a major accident or congestion on Victoria Street west of Henry Street or on Highway 401. Mr. Wilson advised that emergency response vehicles would need to reroute and/or the area would need to be served by Whitby Fire Station 4 on Dundas Street West or the Town of Ajax. Mr.

Wilson cited specific portions of the Whitby Fire and Emergency Services Master Fire Plan, the Durham Transportation Master Plan 2017, Staff report PW 16-12, and the Town of Whitby Official Plan related to concerns about WFES responding to emergency calls on Highway 412 northbound from Highway 401 eastbound lanes, the reference to Victoria Street as the Emergency Detour Route for Highway 401, that Metrolinx considered Victoria Street an important transportation corridor and potential HOV lanes, and the potential for an overpass on Highway 401. He recommended that the subdivision agreement be conditional upon the Annes Street overpass being constructed over Highway 401 prior to any significant occupancy to better facilitate WFES response to the Whitby Shores area and protect the health and safety of people living, working or visiting the neighbourhood. Mr. Wilson stated that alternatively another east-west road should be constructed east to west to the north or south of the potential choke point to connect Jim Flaherty Street to Henry Street or Gordon Street to Watson Street West. Mr. Wilson stated that he was opposed to the proposed development unless the traffic and safety concerns were addressed to ensure the safety of the people in the Whitby Shores area and those that travel through this corridor.

5.2.2 Cheryl Gaw Penner, Resident (Virtual Attendance)

Re: PDP 50-24, Planning and Development (Planning Services) Department Report
Official Plan, Draft Plan of Subdivision, and Zoning By-law Amendment Applications, Nordeagle Development Ltd., Vacant Lands North of Victoria Street West Between Montecorte Street and Jim Flaherty Street, File Number: DEV-03-18 (OPA-2018-W/02, SW-2018-01, Z-08-18)

Refer to Item 5.4.2, PDP 50-24

Cheryl Gaw Penner, Resident, advised that she agreed with the previous delegate's comments and concerns. She stated that she travels along Nordeagle Avenue and Jim Flaherty Street daily to go to the Jeffrey Street dog park noting that last year all the trees were cleared in the area. She raised concerns about the potential for the development of 7000 residential units and/or a hotel with retail stores and the impact it would have on the wildlife. Ms. Gaw Penner stated that wildlife including birds, swans, deer, and

coyotes have lived on and in the area of Nordeagle lands and ponds. She inquired about whether there were plans to relocate the wildlife.

5.2.3 Michael Bissett representing Nordeagle Development Ltd. (In-Person Attendance)

Re: PDP 50-24, Planning and Development (Planning Services) Department Report

Official Plan, Draft Plan of Subdivision, and Zoning By-law Amendment Applications, Nordeagle Development Ltd., Vacant Lands North of Victoria Street West between Montecorte Street and Jim Flaherty Street, File Number: DEV-03-18 (OPA-2018-W/02, SW-2018-01, Z-08-18)

Refer to Item 5.4.2, PDP 50-24

Michael Bissett representing Nordeagle Development Ltd, and Dave Angelakis representing R.J. Burnside & Associates, appeared before the Committee stated that they were in support of the Staff recommendation and conditions noted in Report PDP 50-24. Mr. Bissett and Mr. Angelakis responded to questions by the delegates regarding:

- clarification that the potential future development of a school site south of the stormwater management pond located north of the Jeffery Street dog park was not part of this development proposal;
- details about the proposed school within the development; and,
- the intensification of the area around the Protected Major Transit Station Area (PMTSA) and expected additional traffic;

A question and answer period ensued between Members of Committee, Mr. Bissett, and Mr. Angelakis regarding:

- details about the various phases of the development over a period of 15 to 20 years;
- the traffic impact in the area over the next five years versus 15 years of development;

- the current traffic infiltration into south Whitby due to traffic congestion on Victoria Street West and the likelihood or frequency of traffic infiltration into Port Whitby and Whitby Shores with 900 additional vehicles in the area as part of the initial phase of development; and,
- the rate of parking spaces per unit provided for the first four buildings.

It was the consensus of the Committee to hear Item 5.4.2, PDP 50-24, at this time.

5.2.4 Michael Fry representing D.G. Biddle and Associates Limited
(Virtual Attendance)

Re: PDP 48-24, Planning and Development (Planning Services)
Department Report

Draft Plan of Subdivision and Zoning By-law Amendment
Applications, D.G. Biddle and Associates Limited on behalf of R &
R Developments, 430-440 Winchester Road East, File Number:
DEV-16-21 (Z-10-21, SW-2021-05)

Refer to Item 5.4.3, PDP 48-24

Michael Fry, representing D.G. Biddle and Associates Limited, advised that one of the primary concerns raised at the Public Meeting was about traffic infiltration into the existing neighbourhood via Knox Crescent. He stated that he has made several attempts to propose diverting traffic onto Winchester Road, but that the Region of Durham would not permit an entrance or exit from Winchester Road due to traffic safety concerns. Mr. Fry noted that there was no choice but to introduce an entrance onto Knox Crescent.

A question and answer period ensued between Members of Committee and Mr. Fry regarding:

- clarification about the Region's safety concerns with respect to an exit onto Winchester Road from the proposed development, and whether the proponent attempted to address the traffic safety concerns with the Region; and,
- concerns raised by residents on Knox Crescent about the current on-street parking and how the volume of cars from the proposed development would be addressed.

5.3 Correspondence

There was no correspondence.

5.4 Staff Reports

5.4.1 PDP 49-24, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, Brookfield Residential (Ontario) Brock St Limited, 1615 Brock Street South, File Number: DEV-19-24 (Z-08-24)

Recommendation:

Moved by Councillor Mulcahy

1. That Council approve an amendment to Zoning By-law # 2585 (File Number: Z-08-24) as outlined in Report PDP 49-24; and,
2. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

5.4.2 PDP 50-24, Planning and Development (Planning Services) Department Report

Re: Official Plan, Draft Plan of Subdivision, and Zoning By-law Amendment Applications, Nordeagle Development Ltd., Vacant Lands North of Victoria Street West between Montecorte Street and Jim Flaherty Street, File Number: DEV-03-18 (OPA-2018-W/02, SW-2018-01, Z-08-18)

Having previously declared a conflict of interest, Councillor Cardwell did not take part in the discussion or voting regarding this Item.

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

- whether there were concerns about fire safety and/or traffic delaying emergency response time with the anticipated construction and occupancy of 7000 apartment units;

- the pressures of the development on infrastructure related to roads, water and sanitary sewer services, and confirmation that each site plan application would go through a review and approval process;
- whether Elexicon expressed any concerns about requirements for hydro service for the entire development;
- details about the potential for the extension of Annes Street over Highway 401 and whether development charges have been identified for the flyover; and,
- whether residents could be assured of minimal traffic impact from Phase 1 of the development.

Recommendation:

Moved by Councillor Yamada

1. That Council approve Official Plan Amendment Number #140 to the Whitby Official Plan (OPA-2018-W02), as shown on Attachment #14, and that a by-law to adopt Official Plan Amendment Number #140 be brought forward for consideration by Council;
2. That the Clerk forward a copy of the Report PDP 50-24, two (2) copies of the adopted Amendment, and a copy of the bylaw to adopt Amendment Number # 140 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development;
3. That Council approve the Draft Plan of Subdivision (File Number: SW-2018-01), subject to the comments included in Report PDP 50-24 and the conditions of draft plan approval included in Attachment #18;
4. That staff be authorized to prepare a Subdivision Agreement;
5. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision, including the Region of Durham's Commissioner of Planning and Economic Development;

6. That Council approve the amendment to Zoning By-law # 2585 (File Number Z-08-18) as outlined in Report PDP 50-24;
7. That a by-law to amend Zoning By-law # 2585 be brought forward for consideration by Council to implement the first Phase of the development;
8. That the by-law(s) to implement subsequent phases be brought forward for consideration by Council once detailed site plan drawings and a satisfactory Parking rationale have been provided;
9. That the subject site be designated as a Class 4 Noise Area pursuant to Provincial publication NPC-300; and,
10. That notice be provided to adjacent industrial properties advising of Council's designation of the subject site as a Class 4 Noise Area.

Carried

It was the consensus of the Committee to hear Item 5.2.4, Delegation by Michael Fry representing D.G. Biddle and Associates Limited, at this time.

5.4.3 PDP 48-24, Planning and Development (Planning Services)
Department Report

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, D.G. Biddle and Associates Limited on behalf of R & R Developments, 430-440 Winchester Road East, File Number: DEV-16-21 (Z-10-21, SW-2021-05)

A brief discussion ensued between Members of Committee regarding concerns about the volume of traffic traveling on Knox Crescent and the unexpected on-street parking from other developments in the area.

Recommendation:

Moved by Councillor Shahid

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-05) and approve an amendment to Zoning By-law # 1784 (File No. Z-10-21), subject to the comments included

in Planning Report PDP-48-24 and the Conditions of Draft Approval included in Attachment #12;

2. That Staff be authorized to prepare a Subdivision Agreement;
3. That a Zoning By-law Amendment be brought forward for consideration by Council; and,
4. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision, including the Region of Durham's Commissioner of Planning and Economic Development.

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

There were no presentations.

6.2 Delegations

There were no delegations.

6.3 Correspondence

There was no correspondence.

6.4 Staff Reports

6.4.1 FS 40-24, Financial Services Department Report

Re: 150 Winchester Road West - Public Engagement on Surplus Land Declaration

Recommendation:

Moved by Councillor Lundquist

1. That public feedback, including written objections, to the Town's declaration of 150 Winchester Road West as surplus lands, as outlined in Staff Report FS 40-24, be received;
2. That staff be authorized to negotiate a License agreement with Elexicon Energy Incorporated for long-term license of (and inclusive of an option to purchase) 150 Winchester Road based on the principles outlined in Staff Report FS 40-24 and to the satisfaction of the Commissioner of Legal and Enforcement Services and Commissioner of Finance; and,
3. That the Mayor and Clerk be authorized to sign the final License agreement between the Town of Whitby and Elexicon Energy Incorporated.

Carried

6.5 New and Unfinished Business - General Government

There was no discussion regarding the new and unfinished business list.

6.5.1 Enhancing Shelter Supports for Women and Survivors of Intimate Partner Violence

Councillor Shahid introduced a motion regarding enhancing shelter supports for women and survivors of intimate partner violence.

Discussion ensued between Members of Committee regarding:

- victims of intimate partner violence not being aware of the various supports in place and how Town Staff can amplify messaging about how victims of intimate partner violence can seek assistance;
- the expansion of the Denise House due to the increased needs particularly during the COVID-19 pandemic;
- the need for supports be made more public and the need for public education and support; and,
- the lack of shelters for victims and lack of funding to assist in supporting shelters.

Recommendation:

Moved by Councillor Shahid

Whereas there is a nationwide intimate partner violence (IPV) crisis, in which more than 4 in 10 (6.2 million) women and 1 in 3 men have experienced intimate partner violence, and rates increased 19% between 2014 and 2022; and,

Whereas 78% of victims of police-reported intimate partner violence in 2022 were women and girls, and in 2019 rates were 3.5 times higher among women than men; and,

Whereas intimate partner violence, in 2009, was estimated to cost \$7.4 billion annually to the public system, impacting municipal budgets for public safety and housing; and,

Whereas rural, remote, and northern communities experience disproportionate rates of IPV, with risk of IPV 75% higher for women in rural communities than women in urban communities, and 73% of survivors in rural communities at high risk of being in severe or extreme danger of being killed; and,

Whereas Indigenous women are 3 times more likely to experience IPV than non-Indigenous women, and are 8 times more likely to be murdered by intimate partners than non-Indigenous women, because of the intersections between colonialism, racism, and misogyny; and,

Whereas IPV is a phenomenon which affects Black and racialized women, women with disabilities, and 2SLGBTQIA+ people disproportionately; and,

Whereas women's shelters nationwide consistently struggle with permanent funding to provide essential transitional, family, and permanent housing solutions for women fleeing IPV, and as COVID-oriented funding expires and piecemeal efforts to fund women's shelter systems result in women experiencing IPV being continually at risk; and,

Whereas the federal government has made gender-based violence (GBV) and IPV priorities across ministries and agencies through the National Strategy to Address Gender-Based Violence and the National Action Plan to End Gender-based Violence, signing bilateral agreements with provinces and territories, but gaps remain.

Now therefore, be it resolved:

1. That the Council of the Town of Whitby calls on the federal government to create a permanent fund, open to local governments and community organizations, for the construction of shelters and transitional housing for women and survivors of intimate partner violence, including housing appropriate for Indigenous, 2SLGBTQIA+ people, and persons with disabilities, with a dedicated rural, remote, and northern (RRN) stream; and,
2. That the Council of the Town of Whitby calls on the federal government to work with the provinces and territories to provide permanent operational funding, open to local governments and community organizations, for shelters, transitional housing, and supportive housing for women and survivors of intimate partner violence, including Indigenous, 2SLGBTQIA+ people, and persons with disabilities.

Carried

6.5.2 Immediate Federal Government Support Required for Asylum Claimants in Municipalities

A brief discussion ensued between Members of Committee regarding:

- the cost of and lack of financial support for asylum seekers; and,
- the significant demand for limited resources.

Recommendation:

Moved by Councillor Shahid

Whereas municipalities have been at the forefront of supporting asylum claimants and refugees and providing essential settlement and housing services; and,

Whereas the rapid and sharp increase of asylum claims in Toronto, Montreal, Hamilton and other municipalities, particularly in the Greater Toronto and Hamilton Area (GTHA), are putting municipal governments under significant pressure; and,

Whereas without federal action, asylum claimants will not have permanent shelter and housing options once they leave temporary accommodations, and the current crisis will continue to grow; and,

Whereas refugees and asylum claimants make up over 40% of Hamilton's population in shelters, and is creating massive pressure on Hamilton's already overwhelmed shelter system that is under resourced to meet the unique and complex needs of asylum claimants; and,

Whereas the supports provided to municipalities to receive asylum claimants are often short-term and focused on emergency response and shelter, but do not ensure permanent settlement and housing options for asylum claimants, including a focus on homeless prevention and long-term stability; and,

Whereas the crisis of asylum claimants has inextricable links to the housing, homelessness and mental health crises in Canada and the immense pressure on municipal shelter, transitional and supportive housing systems; and,

Whereas equity-deserving communities are disproportionately represented in asylum claimant populations seeking immediate necessary support which can also lead to further stigmatization and experiences of racism, discrimination, and harassment; and,

Whereas action on behalf of the federal government and investing in supports to combat racism, specifically anti-Black racism, is imperative as asylum seekers commonly face racism and other forms of discrimination and hate; and,

Whereas municipalities across Canada are committed to fostering diverse, inclusive and welcoming communities for all individuals seeking asylum and tackling anti-Black racism and other forms of racism; and,

Whereas Hamilton, Toronto and other municipalities in the Greater Toronto Hamilton Area (GTHA) have been advocating for additional federal supports for asylum claimants over the past year.

Now therefore, be it resolved:

1. That the Council of the Town of Whitby strongly urge the federal government to take immediate action to support

asylum claimants in Canadian municipalities by taking the following actions:

- a. Immediately provide financial support and reimbursements directly to municipalities to address the immediate short-term needs of asylum claimants and refugees through top-ups to the Canada Housing Benefit and the Interim Housing Assistance Program (IHAP);
- b. An ongoing commitment of Interim Housing Assistance Program (IHAP) funding to address estimated annual costs for refugees in 2024, and commit to future funding until the demand for shelter returns to sustainable levels;
- c. Collaborate with municipal governments to develop a long-term strategy to enhance capacity of local governments to effectively support asylum claimants and refugees, including through the development of tripartite agreements between municipalities, provinces and territories and the federal government to enhance cross-government coordination in providing immediate supports to asylum claimants;
- d. Recognizing that the rise in asylum seeking populations pursuing refuge in Canada is occurring in the midst of a housing crisis, provide additional funding through National Housing Strategy programs and the Canada Housing Benefit to support asylum claimants in the medium- and long-term;
- e. That the federal government broaden the eligibility for federally-funded settlement services to include asylum claimants who currently can only access provincially-funded services and also that settlement services be funded to support newcomers with housing searches as at present they mostly limited to orientation, language instruction, and employment; and,
- f. Extend and make permanent the Rapid Housing Initiative with another intake in 2024/25 to enable municipalities to invest in supportive housing on an urgent basis and relieve pressure on the shelter system, and work with the provinces and territories to ensure that supportive units

have wrap-around health and social supports and long-term operating funding.

Carried

6.5.3 Federal Support for Food Banks

Discussion ensued between Members of Committee regarding:

- food security initiatives being the majority of applications through the Mayor's Community Development Fund;
- the rise in homelessness rates and the increased need for local food banks throughout the community; and,
- recognizing systemic inequalities such as housing and lack of social support and the need for funding.

Recommendation:

Moved by Councillor Shahid

Whereas financial and affordability pressures related to soaring mortgage and rent costs, inflated grocery costs, stagnating wages, and limited avenues for social assistance have pushed significantly more people toward food insecurity; and,

Whereas people with fixed incomes, including seniors and social assistance recipients, are at extremely high risk of food insecurity and continue to struggle disproportionately as their dollars are being spread thinner; and,

Whereas challenges are also continuing to grow for working people, renters, and people living in remote and northern regions of Canada; and,

Whereas racialized Canadians are disproportionately impacted by each of these factors, as the systemic barriers they face have been further exacerbated by the economic and affordability crisis of the past few years; and,

Whereas food banks were established as a temporary solution to the increasing cost of food and needs in the community but are now part of a system that government and communities heavily and increasingly rely on; and,

Whereas it has been more than a full year since Food Banks Canada sounded the alarms in the HungerCount 2022 report, calling for action to be taken immediately to help the millions of struggling Canadians from coast to coast to coast; and,

Where the Food Banks Canada report from March 2023, indicates that nearly 2 million Canadians accessed food banks across the country, a 32 per cent increase from March 2022 and a 78.5 per cent increase from March 2019, which is the highest year-over-year increase in usage ever reported; and,

Whereas the “Emergency Food Security Fund” was established by the Federal Government to address urgent needs during the pandemic but food insecurity has only worsened, and the Federal Government no longer has a program to provide ongoing support to Food Banks; and,

Whereas the majority of support received by food banks is through community fundraising and donations but given financial pressures faced by individuals, these donations are declining; and,

Whereas in certain communities, people who were donating to food banks are now instead accessing the food bank; and,

Whereas the need to address the food insecurity crisis touches on many of the Federation of Canadian Municipalities (FCM) focus areas, including the Inclusive Communities focus area.

Now therefore be it resolved that:

The Council of the Town of Whitby calls on the Federal Government to help address the food insecurity crisis by providing emergency funding to food banks, food rescue agencies, and farmers markets providing emergency food assistance, and recognize the systemic issues involved in food bank usage, including affordability, inequality, core housing need and insufficient social supports, in order to end food insecurity.

Carried

6.5.4 Harassment of Elected Local Government Officials

Councillor Shahid introduced a motion regarding harassment of elected local government officials.

Recommendation:

Moved by Councillor Shahid

Whereas in recent years, there has been an alarming rise in incidents of harassment, intimidation and acts of violence aimed at elected local government officials, compounding the already strenuous work conditions faced by many local leaders and hindering their retention; and,

Whereas women, particularly Black and racialized women, are disproportionately targeted by violence and harassment toward elected officials; and,

Whereas increasing the number of elected women, Black and racialized, and 2SLGBTQIA+ representatives in Canada is a priority for local governments and the federal government; and,

Whereas severe abuse, both online and in-person, has the potential to discourage underrepresented groups from joining and remaining engaged in local politics, limiting the diversity of opinion needed in healthy democracies; and,

Whereas all elected officials have an ability to show leadership on this issue by modeling behaviour, and should always strive to elevate debate, embrace differences of opinion, disagree respectfully and focus on issues of policy and substance.

Now therefore, be it resolved:

1. That the Council of the Town of Whitby request that the federal government, work with provinces, territories, and local governments, including through the Federation of Canadian Municipalities, to identify and implement measures to protect elected local government officials, their family members, and staff – especially women, members of Black and racialized communities, and 2SLGBTQIA+ individuals, persons with disabilities, and Indigenous people – from harassment, intimidation, and threats, thereby reinforcing a unified front to safeguard democracy; and,
2. That the Council of the Town of Whitby calls on all elected officials of all orders of government to lead by example, demonstrating civility and mutual respect for their political counterparts.

Carried

7. Adjournment

Recommendation:

Moved by Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 8:06 p.m.