

Present: Mayor Mitchell
Councillor Coe
Councillor Drumm
Councillor Emm
Councillor Glead
Councillor Leahy
Councillor Roy
Councillor Yamada

Also Present: R. Petrie, Chief Administrative Officer
P. LeBel, Commissioner of Community & Marketing Services
K. Nix, Commissioner of Corporate Services/Treasurer
B. Rice, Acting Commissioner of Public Works
R. Short, Commissioner of Planning
D. Speed, Fire Chief
D. Wilcox, Town Clerk
S. Cassel, Deputy Clerk

Regrets: None noted

The meeting commenced at 4:07 p.m. due to the Management Committee Meeting that was held prior to the Special Council Meeting.

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

Resolution # 359-15

Moved By Councillor Coe
Seconded By Councillor Leahy

That Council move In-Camera In accordance with Procedural By-law #6794-13 and the Municipal Act, 2001, Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees and (e) litigation or potential litigation, including

matters before administrative tribunals, affecting the municipality or local board.

Carried

All staff and members of the public left the meeting room at this time.

2. Confidential Matters

2.1 Verbal Update from the Chief Administrative Officer
Re: Personnel Matter

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Resolution # 360-15

Moved By Councillor Coe
Seconded By Councillor Emm

That Council rise and ratify the direction to Administration from the In Camera session of the Special Meeting of Council.

Carried

It was the consensus of Council to hear Item 4.4, PL 56-15 at this time. Staff and members of the public were invited to join the meeting.

2.2 Legal Matter
Re: Appeal to the Ontario Municipal Board - Minor Variance Application A/14/15

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Resolution # 362-15

Moved By Councillor Leahy
Seconded By Councillor Emm

That Council rise and ratify the direction to Administration from the In Camera session of the Special Meeting of Council.

Carried

3. Correspondence

- 3.1** Correspondence from Calvin Curtis, P. Eng, Head, Planning and Engineering, Ministry of Transportation dated June 15, 2015
Re: Ontario Regulation Amendments for Highway 407 between Pickering and Oshawa and Highway 412 in Whitby

Excerpt of the Regional Council Minutes - June 24, 2015 regarding this matter.

Resolution # 363-15

Moved By Councillor Leahy
Seconded By Councillor Roy

Whereas the Highway 407 and Highway 412 toll roads running through the Town of Whitby run parallel to existing roadways currently serving residents of the Town of Whitby;

Whereas existing through traffic volumes on these municipal roads has a significant negative impact on Whitby residents from both a land use and transportation perspective;

Therefore, the Corporation of the Town of Whitby hereby requests that the Province of Ontario monitor traffic on Highway 407, Highway 412 and report on the degree to which these new highways has been able to divert traffic from municipal roads; and

That the Province of Ontario be requested to adjust tolls to maximize usage of Highways 407 and 412 and reduce the congestion on the existing Whitby road network.

Carried

4. Items for Consideration

- 4.1** Public Works Department Report, PW 34-15
Re: Road Right-of-Way Standards

Detailed discussion ensued regarding:

- sidewalks and current accessibility requirements;
- concerns regarding the length of driveways to accommodate parked

vehicles so that they do not impede on sidewalks and whether the right-of-way standards would cause more issues;

- bike lanes and the process for deciding when bike lanes are implemented into roadways;
- consideration of the 'road diet' as outlined in the book 'Walkable City', which supports reduced lanes that move the same volume of traffic more safely; and,
- how these proposed standards affect new subdivisions.

G. Hardy, Manager of Engineering and Infrastructure Services, stated that there would not be any further impact to parked cars on driveways as the distances from garages to sidewalks and minimum setbacks for houses will not change, it is the public side of the sidewalk that will be impacted. He advised that the Cycling and Trails Master Plan that would be coming forward in September would identify roads that would include bike lanes. He stated that nearby trails and other factors contribute to the determination of whether bike lanes are required on roads. Mr. Hardy further advised that roads are built through the course of an environmental assessment and part of that would include a report to council with a recommendation on the type of road to be built.

Resolution # 364-15

Moved By Councillor Coe

Seconded By Councillor Roy

1. That Council approve the Road Right-of-Way Standard Widths as identified in Attachments No. 1-5 for all new development applications excluding those within Downtown Whitby and Downtown Brooklin; and,
2. That Staff report back to Council on Road Right-of-Way Standards to be implemented within Downtown Whitby and Downtown Brooklin.

Carried

4.2 Office of the Chief Administrative Officer Report, CAO 03-15 Re: Service Delivery Review

A detailed question and answer period ensued with respect to:

- the timing of the review in that it will not be in time for the 2016 budget process;
- the explanation of the delay from when the service delivery review was approved by Council to now and why the report had not come to Council in May as directed;
- concerns with the review of services and terms of reference being

- done by Town Staff instead of an external party;
- the benefits of having an external party in from the start of the process to completion;
- duplication of effort if staff do the preliminary work if the third party will also be undertaking a similar review of services;
- the use of a consultant from British Columbia and whether there was a local consultant that could be obtained;
- why the terms of reference included the engagement of employee satisfaction and quality of working life;
- the hiring of a project manager to assist with the review and how the recruitment will align with the proposed work plan;
- the cost of hiring a project manager; and,
- the use of data capturing tools such as surveys to collect data including engaging stakeholders and taking a more holistic approach.

R. Petrie, Chief Administrative Officer, advised that the review had been broken down into two phases. The first phase included the investigation of the services the Town provides to develop benchmarks and identify services that are essential and/or discretionary. This first phase can be done now and would come back to Council for approval in the Fall. The second phase will include the Request for Proposal (RFP) to obtain a consultant to conduct an independent review. He further advised that when other similar reviews were looked at the timeframes to accomplish the review were between 12 and 24 months.

Mr. Petrie stated that in trying to meet all the objectives of the service delivery review, the terms of reference had been established to provide some information to Council prior to the RFP coming forward in September. He stated that the inclusion of staff in the process was in keeping with Council's goals regarding staff morale.

It was requested that staff provide regular updates to Council on the workplan and extent to which the deadlines of the workplan are being met.

Resolution # 365-15

Moved By Councillor Gleed
Seconded By Councillor Emm

1. That Report CAO 03-15 of the Office of the Chief Administrative Officer be received;
2. That Dr. G. McIntosh of LGL Institute be retained to complete Phase 1 - Service Capacity Review Training/Workshop(s) as a basis for

- developing the service profiles and inventory; and,
3. That the Terms of Reference included as Attachment #2 to this report be approved for issuance as Phase 2 of the Service Delivery Review.

Carried

- 4.3** Fire and Emergency Services Department Report, FR 07-15
Re: Regional Fire Services Study

Resolution # 366-15

Moved By Councillor Drumm
Seconded By Councillor Leahy

1. That Fire and Emergency Services Department Report 07-15 regarding Regional Fire Services Study be received as information;
2. That the Corporation of the Town of Whitby respectfully declines participation in the Fire Amalgamation Study and that the Town Clerk notify the Region of Durham and all local area municipalities; and,
3. That the Town of Whitby Fire and Emergency Services Department continue to participate in partnership agreements with neighbouring municipalities and further explore other opportunities that will improve the level of services and/or reduce costs.

Carried

- 4.4** Planning and Development Department and Public Works Department
Joint Report, PL 56-15
Re: Consideration of Laneways Servicing Residential Development

Bryce Jordan, GHD, on behalf of the West Whitby Landowners Group, appeared before Council and stated that he was present to address the area of Coronation Road for future West Whitby development. Due to the medium density land use designations along this area, the roads will carry a relatively high volume of traffic and adding driveways onto this street would not be beneficial. He added that the use of public laneways in this instance would be an advantage. He commented on the varying opinions of the use of laneways by Planning and Public Works and noted that the laneways proposed in West Whitby meet Public Works criteria as outlined in the staff report including connecting onto local streets and accommodation for large maintenance vehicles. Mr. Jordan stated that if Council agrees to permit public laneways, even if only for West Whitby development, the landowners group are of the opinion that

this should be completed before the draft plans of subdivision are completed for September. He further stated that the Whitby Landowners Group was in support of the approval, in principal, for the use of public laneways with regard to the draft subdivisions along Coronation Road.

A detailed question and answer period ensued with respect to:

- the proposal for public laneways along collector roads versus in all development;
- structural aspects of the laneways in terms of road maintenance and snow removal;
- the costs associated with the maintaining of laneways;
- whether any jurisdictions had implemented public laneways and then stopped using them;
- learning from other municipalities that have implemented laneways;
- the criteria outlined in the report by Public Works;
- whether the criteria was being met through the proposal for the West Whitby development;
- impacts to seniors in clearing windrows;
- whether existing snow removal equipment would be suitable for use on laneways;and,
- the impacts on parking issues with the use of laneways.

B. Rice, Acting Commissioner of Public Works, and G. Hardy, Manager of Engineering and Infrastructure Services, appeared before Council and stated that they had looked at a number of options and projected maintenance costs based on a 5 year average for snow removal. Mr. Rice stated that any curves in the laneways would make it more difficult to maintain and that they had concerns regarding the placement of snow which would need to be stored on the boulevards or removed as it could not stay along the windrows in the laneway. Any other type of snow storage or removal would be an additional cost.

Mr. Hardy stated that he had spoken with other municipalities and they experience similar issues as well as increased costs in additional infrastructure and annual maintenance of the laneways.

R. Short, Commissioner of Planning, stated that Planning staff were recommending that Council be open to the acceptance of public laneways in that they were looking for improved solutions for public streets and dealing with issues with small lot development. With intensification, the secondary plan, small lot development, more driveways and crowding and the quality of residential streets, some of these issues can be avoided with the use of laneways. He further stated that laneways are being proposed only in some and not all development.

Resolution # 367-15

Moved By Councillor Coe
Seconded By Councillor Emm

1. That Report PL 56-15 be received for information; and,
2. That Council provide direction on the acceptability of public laneways for narrow lot residential development in new subdivisions.

Carried later in the meeting [See following motion]

Resolution # 368-15

Moved By Councillor Coe
Seconded By Councillor Leahy

That Item 2 of the main motion be deleted and replaced by the following and the recommendation renumbered accordingly:

2. That the use of public laneways for narrow lot residential development in new subdivisions be approved in principle based on the concepts provided by the West Whitby Landowners Group and the Public Works criteria contained in section 2 of the staff report; and,
3. That staff develop the design standards for public laneways and report back to Council.

Carried

The main motion, as amended, was then carried.

Resolution # 369-15

Moved By Councillor Coe
Seconded By Councillor Leahy

That Council take a 30 minute recess.

Carried

Council reconvened at 6:00 p.m.

It was the consensus of Council to hear Item 4.1, PW 34-15 at this time.

5. New and Unfinished Business

5.1 Councillor Coe raised the matter of Report CAO 01-15, presented at the March 23, 2015 Special Council Meeting. He stated that the report included several deadlines that has passed and requested the Chief Administrative Officer to implement a process to track workplans and deadlines. He further requested that Council be advised when staff could not meet deadlines with an explanation as to why the deadline was missed.

5.2 Councillor Coe raised the matter of the Park of Reflection.

Councillor Gleed declared a conflict of interest with respect to the Wounded Warriors Park of Reflection as he is affiliated with Wounded Warriors. Councillor Gleed did not take part in the discussion of this matter.

Councillor Coe inquired about whether the Town was responsible for the servicing of the Park and stated that there was an invoice given to Wounded Warriors for service. He requested that the Chief Administrative Officer look into the invoice to determine who is responsible for the payment.

5.3 Councillor Drumm inquired about the status of the Le Nordik spa on the Cullen Gardens property. R. Petrie, Chief Administrative Officer advised that staff are in the process of getting an appraisal of the property and would be working with Le Nordik on the sale of the property.

5.4 Councillor Gleed requested staff to prepare a report for September with respect to the Audit Committee Meeting held on June 25, 2015. He stated that in that meeting there were discussions regarding approximately \$300,000 that had been generated through the Mayor's Gala and that these funds were sitting in Town reserves. He requested that P. LeBel, Commissioner of Community and Marketing Services and K. Nix, Commissioner of Corporate Services/Treasurer prepare a report to identify how these funds could be utilized for cultural special events in the Town as the money was initially raised for cultural reasons.

Resolution # 370-15

Moved By Councillor Coe

Seconded By Councillor Yamada

That Council move In-Camera In accordance with Procedural By-law

#6794-13 and the Municipal Act, 2001, Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees and (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

Council heard Item 2.2, legal matter regarding appeal to the Ontario Municipal Board - Minor Variance Application A/14/15 at this time.

6. Confirmatory By-law

6.1 Confirmatory By-law

Resolution # 371-15

Moved By Councillor Drumm
Seconded By Councillor Emm

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 the Council of the Town of Whitby at its special meeting held on June 29, 2015, and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

7. Adjournment

7.1 Motion to Adjourn

Resolution # 372-15

Moved By Councillor Emm
Seconded By Councillor Coe

That the meeting adjourn

Carried

The meeting adjourned at 7:08 p.m.

Debi A. Wilcox, Town Clerk

Don Mitchell, Mayor