

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

PRESENT: Mayor Perkins
Councillor Coe
Councillor Drumm
Councillor Emm
Councillor Hanson
Councillor Mitchell
Councillor Montague
Councillor Roy

Mayor Perkins in the Chair

STAFF PRESENT: R. Petrie, Chief Administrative Officer
S. Beale, Commissioner of Public Works
M. Gerrard, Fire Chief
P. LeBel, Commissioner of Community & Marketing Services
K. Nix, Commissioner of Corporate Services/Treasurer
R. Short, Commissioner of Planning
D. Wilcox, Town Clerk
M. Pettit, Deputy Clerk

1. DISCLOSURES OF INTEREST

Councillor Hanson made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to the discussion of the Planning & Development Committee Meeting Minutes from November 28, 2011, specifically regarding Item 5.1 under New and Unfinished Business regarding Zoning – Home Occupations, as she has a family member who has a home occupation. Councillor Hanson did not take part in the discussion or vote on the matter.

Councillor Montague made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to the discussion of the Planning & Development Committee Meeting Minutes from November 28, 2011, specifically regarding Item 5.1 under New and Unfinished Business regarding Zoning - Home Occupations, as he has a home occupation. Councillor Montague did not take part in the discussion or vote on the matter.

Mayor Perkins made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 8.5 under New and Unfinished Business regarding the Oshawa Airport Expansion, as she has a family member who owns a business adjacent to the subject property. Mayor Perkins did not take part in the discussion or vote on the matter.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6556-11

RESOLUTION NO. 331-11

Minutes of Council Meetings –November 21 and November 28, 2011

Councillor Hanson, seconded by Councillor Roy, moved for leave to introduce a by-law and to dispense with the reading of the by-law by the Clerk to adopt the minutes of the Regular Meeting of Council held on November 21, 2011 and the Special Meeting of Council held on November 28, 2011 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

By-Law 6556-11 considered read a first, second, and third time and finally passed.

3. PRESENTATIONS/DELEGATIONS

(i) Recognition of Rachel Barber, Janice Lynn School of Dance

Mayor Perkins, Councillor Emm, Chair of Community & Marketing Services and P. LeBel, Commissioner of Community & Marketing Services, welcomed Rachel Barber and her coach, Janice Lynn, to the dais. Rachel is a student of the Janice Lynn School of Dance and recently competed in the British Championship and the International Dance Scholarship Competition, in Blackpool, England. She was named the British Champion for Junior Ballet, runner-up for Junior Jazz, placed in the top seven for Junior Tap and placed in the top twelve for Junior Song and Dance.

(ii) Ian Ross, Chief Librarian, Whitby Public Library

Mayor Perkins and Councillor Mitchell, Council Representative to the Library Board, welcomed Gary Rose, Chair of the Library Board and Ian Ross, Chief Librarian to the dais and presented a certificate in recognition of the Library's 100th Anniversary.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

(iii) Fred Martin, Town Crier

Mayor Perkins and R. Petrie, Chief Administrative Officer welcomed Fred Martin to the dais and presented him with a certificate in recognition of his 25th Anniversary as the Official Town Crier for the Town of Whitby.

(iv) Brian Wick, Optimist Club of Brooklin

Mayor Perkins, Councillor Emm, Chair of Community & Marketing Services and P. LeBel, Commissioner of Community & Marketing Services, welcomed Brian Wick, Rob Hanson and representatives of the Optimist Club of Brooklin, to the dais to present the Town of Whitby with the third installment toward their \$100,000 pledge to the Brooklin Community Centre & Library.

(v) Karen Waltham, President; Len Waltham, Treasurer and Michelle Ratte, Secretary of the Brooklin Agricultural Society (Brooklin Spring Fair)

Mayor Perkins, Councillor Emm, Chair of Community & Marketing Services and P. LeBel, Commissioner of Community & Marketing Services, welcomed Karen Waltham, President; Len Waltham, Treasurer and Michelle Ratte, Secretary of the Brooklin Agricultural Society (Brooklin Spring Fair) to the dais to present the Town of Whitby with a cheque for the second installment toward their \$25,000 pledge to the Brooklin Community Centre & Library.

(vi) Daphne Lilly, Branch Manager, Scotiabank Brooklin

Mayor Perkins, Councillor Emm, Chair of Community & Marketing Services and P. LeBel, Commissioner of Community & Marketing Services, welcomed Daphne Lilly, Branch Manager to the dais to present the Town of Whitby with the second and last installment toward their \$10,000 pledge to the Brooklin Community Centre & Library.

RESOLUTION NO. 332-11

MOVED BY Councillor Coe
Seconded by Councillor Drumm

That the Rules of Procedure be suspended in order to hear a presentation regarding an update from the Whitby Hospital Task Force and Lakeridge Health.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

CARRIED
ON A TWO THIRDS
MAJORITY VOTE

vii) Lakeridge Health - Update with respect to Health Services Planning

K. Empey, President and CEO of Lakeridge Health and Reverend C. White, Chair of Whitby Hospital Task Force, appeared before Council and provided a power point presentation outlining Lakeridge Health's plan to develop a new Specialty Hospital in Whitby. K. Empey advised there is an anticipated growth in demand for elderly care in the next decade and that the data that has been collected indicates the focus needs to be shifted from providing acute care and emergency room services to the areas of complex continuing care and rehabilitation with a strong partnership developed with home care support and long-term care in order to meet this growing demand. K. Empey advised that the Central East Local Health Integration Network (LHIN) supports the findings.

RESOLUTION NO. 333-11

MOVED BY Councillor Coe
Seconded by Councillor Montague

That the Rules of Procedure be suspended in order that the presentation be extended beyond the allowed ten minute allotment.

CARRIED

Reverend C. White advised that the Task Force is seeking support from the Town of Whitby, the Region of Durham and local community members before taking their recommendations to the Ministry of Health and Long Term Care.

General discussion on the matter ensued regarding the next steps in the process, the opportunity to make improvements in the health care system in the community, potential location of a suitable site within the Town limits and the requirement to work closely with residents and members of the health community in order to succeed with the project.

RESOLUTION NO. 334-11

MOVED BY Councillor Drumm
Seconded by Councillor Coe

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

That leave be granted to introduce a motion related to the Whitby Hospital
Task Force and Lakeridge Health Services.

CARRIED
ON A TWO THIRDS
MAJORITY VOTE

RESOLUTION NO. 335-11

MOVED BY Councillor Drumm
Seconded by Councillor Coe

Be it resolved that the Town of Whitby hereby supports the development
of a new hospital in Whitby that replaces the current one located at 300
Gordon Street and delivers specialized complex continuing care and
rehabilitation services for the people of Durham Region.

CARRIED UNANIMOUSLY
ON A RECORDED VOTE

4. CORRESPONDENCE

There was no correspondence.

5. STANDING COMMITTEES

- (a) Planning and Development Committee – November 28, 2011
Report No. 12
Recommendations to Council

- 4.1 Public Works Report, Item PW 47-11
Re: On-Street Parking Exemption in a “3-Hour Parking Limit” Area

COUNCIL DECISION:

1. That Council authorize Public Works staff to implement a short-term
on-street parking program that provides an exemption to the “3
Hour Parking” Limit; and
2. That Council authorize Public Works staff to review Traffic By-law
1862-85, as amended, to determine if any revisions to the by-law
are required to give effect to Recommendation 1.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

- 4.2 Planning Report, Item 68-11
Re: Accessible Parking Space Locations Under Site Plan Applications

COUNCIL DECISION:

That Planning Report, Item PL 68-11 be received for information.

- 4.3 Planning Report, Item 69-11
Re: Site Plan Application – Regional Municipality of Durham
– Reconstruction of Fairview Lodge Nursing Home/Long Term Care Home
(SP-11-11) – 632 Dundas Street West
-

COUNCIL DECISION:

1. That Council approve Site Plan Application SP-11-11 subject to the Conditions of Approval contained in Section 8.0 of Planning Report Item PL 69-11;
2. That the Mayor and Clerk be authorized to execute the required documents; and,
3. That Planning staff report back on the opportunities for a gateway feature at the northeast corner of Dundas Street West and Cochrane Street.

- 4.4 Planning Report, Item 71-11
Re: Site Plan Application – Durham College Expansion (Culinary Arts)
– (SP-10-11) – 1610 Champlain Avenue
-

COUNCIL DECISION:

1. That Council approve the Site Plan Application (SP-10-11) subject to the conditions of approval contained in Section 8.0 of Planning Report, PL 71-11; and,
2. That the Mayor and Clerk be authorized to execute any necessary documents.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

- 4.5 Planning Report, Item 72-11
Re: Site Plan Application – Bicorp Design Group – (SP-12-11) – West
side of Hopkins Street/South of Dundas Street East
-

COUNCIL DECISION:

1. That Council approve the Site Plan Application (SP-12-11) subject to the conditions of approval contained in Section 8.0 of Planning Report, PL 72-11; and,
2. That the Mayor and Clerk be authorized to execute any necessary documents.

- 4.6 Planning Report, Item 73-11
Re: Site Plan Application – 2234223 Ontario Inc. c/o Oxnard Homes
– (SP-06-11) – Southwest corner of Thicksen Road North and
Summerside Avenue
-

COUNCIL DECISION:

1. That Council approve site plan application SP-06-11 subject to the conditions of approval contained in Section 8.0 of Planning Report, PL 73-11;
2. That the Mayor and Clerk be authorized to execute any necessary documents; and,
3. That the Commissioner of Public Works bring forward an amendment to Traffic By-law 1862-85 for Council's consideration and approval as recommended by the Commissioner of Public Works under Part C, Whitby Public Works Department.

- 4.7 Planning Report, Item 74-11
Re: 2010 and 2011 Façade Grant Program Update & Revised Application
Form – Downtown Whitby and Downtown Brooklin
-

COUNCIL DECISION:

1. That Planning Report No. PL 74-11, regarding 2010 and 2011 Façade Grant Program Update, dated November 28, 2011, be received as information; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

2. That Council endorse the proposed changes to the Façade Grant Program as described in this report.

RESOLUTION NO. 336-11

MOVED BY Councillor Coe
Seconded by Councillor Hanson

That Items 4.1 to 4.7 of Report No. 12 of the Planning & Development Committee dated November 28, 2011, be adopted, save and except Item 3.1.

CARRIED

- 3.1 Planning Report, Item PL 67-11
Proposed Amendments to the Town's Zoning By-laws Concerning Parking Standards and Provisions – Zoning Amendment Application – (Z-04-08)

General discussion ensued on the matter.

RESOLUTION NO. 337-11

MOVED BY Councillor Coe
Seconded by Councillor Hanson

COUNCIL DECISION:

1. That Council approve amendments to Zoning By-laws 2585, 1784 and 5581-05 in general accordance with the recommendations set out in Report Nos. PL 67-11 and PL 44-11 in order to introduce updated parking standards and provisions;
2. That the dimensions of space within single car private garages be changed to 5.4 m which would equal a total length of 6.2 m to provide unobstructed parking length; and
3. That appropriate amendments to Zoning By-laws 2585, 1784 and 5581-05 be brought forward for approval by Council.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

Planning & Development Committee Meeting Minutes – November 28,
2011 – New and Unfinished Business 5.1 RE: Zoning - Home Occupations

A brief discussion ensued on the matter. R. Short, Commissioner of Planning advised that the staff report was anticipated to be brought before Committee by the end of the first quarter of 2012.

- (b) Operations Committee – December 5, 2011
Report No. 13
Recommendations to Council
-

- 2.1 Presentation of Lyme Disease Petition of Bob Bailey, MPP,
Sarnia-Lambton, to Council for endorsement
-

COUNCIL DECISION:

That the Council of the Town of Whitby hereby supports the efforts of Bob Bailey, MPP, Sarnia-Lambton, to petition the legislative assembly of Ontario to request the Minister of Health to direct the Ontario Public Health System and OHIP to include all currently available and scientifically verified tests for Acute and Chronic Lyme diagnosis, to do everything necessary to create public awareness of Lyme Disease in Ontario, and to have internationally developed diagnostic and successful treatment protocols available to patients and physicians.

- 4.2 Community & Marketing Services Report, Item CMS 64-11
Re: Appointment of the Whitby Seniors' Services Committee of Council
Members
-

COUNCIL DECISION:

That Council approve and appoint the following members of the Whitby Seniors' Services to the Whitby Seniors' Services Committee of Council for a period of one year ending November 30, 2012.

- Suzanne Allen
- Shirley Barnes
- Carol James
- George Newans
- Ann Nielsen
- Shirley Scott
- Bonita Spall

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

- George Spall
- Alwyn Stachel
- Carl Wilson

4.3 Community & Marketing Services Report, Item CMS 65-11
Re: Evaluation of Town Facilities to Host Photovoltaic Systems
– Ontario's Feed-In Tariff Program

COUNCIL DECISION:

1. That Community and Marketing Services Department Report CMS 65-11 in regard to the 'Town of Whitby Municipal Building Assessments for Solar PV Systems' feasibility study completed by the consulting company, The Greer Galloway Group Inc., be received as information;
2. That based on the conclusions from the feasibility study, summarized in the staff report and the consultant's assessment attached to Report CMS 65-11, that the Municipality not proceed with the installation of solar photovoltaic systems on Town facilities at this time;
3. That the Town of Whitby wait on the results of the Province's review of the FIT Program and that staff report back further on solar photovoltaic systems for the purpose of participating in or submitting an application to the Ontario Power Authority's Feed-In Tariff Program; and,
4. That the Clerk forward a copy of the staff report to the Whitby Hydro Electric Corporation and the Department of Finance at the Region of Durham.

4.5 Community & Marketing Services Report, Item CMS 67-11
Re: Greater Toronto Marketing Alliance

COUNCIL DECISION:

1. That Community and Marketing Services (Economic Development Division) Report CMS No.67-11 regarding the Greater Toronto Marketing Alliance be received as information;
2. That staff report back to Council in the first quarter of next year pertaining to the 2012 Whitby Economic Development

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

Domestic/International Marketing Plan and the integration of appropriate marketing initiatives coordinated by the Greater Toronto Marketing Alliance into Whitby's proposed plan; and,

3. That a copy of this staff report be forwarded to the Region of Durham Planning Department - Economic Development and Tourism Division, and the respective departments or agencies responsible for economic development in the area municipalities within Durham Region.

- 4.8 Corporate Services Report, Item CS 82-11
Re: Reporting Requirement Per Ontario Regulation 284/09

COUNCIL DECISION:

That Report No. CS 82-11 of the Commissioner of Corporate Services/Treasurer be received as information.

- 4.9 Corporate Services Report, Item CS 83-11
Re: Microsoft Desktop Software Licences

COUNCIL DECISION:

1. That the Town of Whitby accept the tender of CDW Canada Inc. in the amount of \$272,911.71 (excluding taxes) for the purchase of Microsoft Desktop Software Licences for a three year term;
2. That the total estimated project cost for the Microsoft Desktop Licences in the amount of \$277,714.96 be approved;
3. That the appropriate Town staff take the necessary action to give effect thereto.

- 4.10 Corporate Services Report, Item CS 84-11
Re: Temporary Borrowing By-law

COUNCIL DECISION:

That a By-law be brought forward to authorize the temporary borrowing of an amount up to Fifteen Million dollars for cash flow purposes, if required, at any one time during the calendar year 2012.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

- 4.11 Corporate Services Report, Item CS 85-11
Re: Easement in Favour of the Town of Whitby
43 Carnwith Drive West, Brooklin

COUNCIL DECISION:

1. That the Town of Whitby release the easement registered as Instrument No. DR369449 over Lot 1 Blocks 62 and 63 Plan 40M-2241 designated as Parts 8 and 9, Plan 40R-23332, 43 Carnwith Drive West, Brooklin;
2. That an easement be registered in favour of the Town of Whitby over Block 62 Plan 40M-2241 designated as Part 1 Plan 40R-25806, 43 Carnwith Drive West, Brooklin; and
3. That the Mayor and Clerk be authorized to execute the required documents.

- 4.12 Corporate Services/Public Works Joint Report, Item CS 86-11
Re: Urban Boulevard Grounds Maintenance – (T-510-2011)

COUNCIL DECISION:

1. That the Town of Whitby accept the low tender of Regional Property Services in the amount of \$136,204.86 (excluding taxes) for Urban Boulevard Grounds Maintenance;
2. That \$15,000.00 be approved to undertake an additional cut which would be timed to coincide with the peak growing season in the Spring.
3. That approval be granted to extend the agreement for two (2) additional one (1) year terms providing the vendor's annual performance, timely completion and quality of work is satisfactory. For approved additional years, unit prices will be adjusted according to the annual rate of change in the Consumer Price Index (C.P.I.), All items, Ontario.
4. That the total annual estimated project cost in the amount of \$153,866.06 be approved; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

5. That the Mayor and Clerk be authorized to execute the contract documents.

- 4.13 Corporate Services Report, Item CS 87-11
Re: Third Quarter Projection Report as of September 30, 2011

COUNCIL DECISION:

That Report No. CS 87-11 of the Commissioner of Corporate Services/Treasurer be received as information

- 4.14 Corporate Services Report, Item CS 88-11
Re: 2012 Interim Billings

COUNCIL DECISION:

That a by-law be brought forward to allow for Interim Tax Billing for the 2012 taxation year and that By-Law No. 6428-11 be repealed.

- 4.16 Public Works Report, Item PW 50-11
Re: Housekeeping Update to Traffic By-law No. 1862-85, Schedule "P"
– Maximum Rate of Speed

COUNCIL DECISION:

1. That Traffic By-Law number 1862-85, Schedule 'P', Maximum Rate of Speed, be amended as identified in Attachment No. 1; and
2. That a copy of Public Works Report PW 50 -11 be forwarded to the Durham District School Board, Durham Catholic District School Board, and Durham Regional Police Service.

- 4.17 Corporate Services Report, Item CS 79-11
Re: Business Licensing By-law Amendment – Compliance with the
Accessibility for Ontarians with Disabilities Act, 2005

COUNCIL DECISION:

1. That Report CS 79-11 of the Commissioner of Corporate Services/Treasurer be received;
2. That Council approve the draft by-law shown in Attachment 1 to this report, as revised, to amend Business Licensing By-law 5545-04 to

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

bring the provisions of the by-law respecting taxicab standards into compliance with the *Accessibility for Ontarians with Disabilities Act*, 2005 ; and

3. That the Clerk be authorized to bring forward the draft by-law for Council approval.

RESOLUTION NO. 338-11

MOVED BY Councillor Mitchell
Seconded by Councillor Roy

That Items 2.1 and 4.1 to 4.17, inclusive, of Report No. 13 of the Operations Committee dated December 5, 2011, be adopted, save and except Items 4.1, 4.4, 4.6, 4.7 and 4.15.

CARRIED

- 4.1 Community & Marketing Services Report, Item CMS 53-11
Re: Community and Marketing Services Department – Special Events 2011
and 2012 Activity Calendar
-

General discussion on the matter ensued.

RESOLUTION NO. 339-11

MOVED BY Councillor Mitchell
Seconded by Councillor Roy

COUNCIL DECISION:

1. That Community and Marketing Services Report CMS 53-11 regarding Special Events be received as information;
2. That Council approve in principle the Community and Marketing Services Department proposed Special Events 2012 Activity Calendar and the continuation of the special events as outlined in the report;
3. That subject to Council approval of the proposed Special Events 2012 Activity Calendar, that the Harbour Days event be organized by an appointed Committee of Council and that Staff report back on the Committee's Terms of Reference;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

4. That Whitby's Great Little Duck Race be deleted from the Town of Whitby Special Event Policy and that future requests from community organizations to host the event be considered; and,
5. That the Special Events 2012 Activity Calendar be referred to the 2012 Operating Budget review.

CARRIED

4.4 Community & Marketing Services Report, Item CMS 66-11
Re: Community and Marketing Services Department User Fees

General discussion on the matter ensued.

RESOLUTION NO. 340-11

MOVED BY Councillor Mitchell
Seconded by Councillor Roy

COUNCIL DECISION:

1. That Council approve the proposed user fees and increases presented in Community and Marketing Services Department Report CMS 66-11 and as outlined in Attachment No. 1 - CMS Program and Service Fees and Port Whitby Marina Fees; Attachment No. 2 - Sports Fields and Arena/Ice Floor Rental Fees; and Attachment No. 3 - 2013 Banquet Hall and Facility Rental Fees;
2. That the effective periods for the proposed user fees be approved as follows:
 - CMS Program and Service Fees
April 1, 2012 to March 31, 2013
 - Port Whitby Marina Fees
February 16, 2012 to February 15, 2013
 - Sports Fields and Arena Ice/Floor Rental Fees
April 1, 2012 to March 31, 2013
 - 2013 Banquet Hall and Facility Rental Fees
April 1, 2013 to March 31, 2014
3. That Council repeal Schedule 1 to By-laws 6426-11 (CMS Program and Service Fees, CMS 3-11), By-law 6442-11 (Facility and Hall

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

Rentals, CMS 9-11) and By-law 6457-11 (Ice and Floor Rental,
CMS 17-11); and,

4. That Council authorize the Clerk to bring forward a new by-law for Council approval to implement the proposed new user fees as outlined in the Departmental report.

CARRIED

4.6 Community & Marketing Services Report, Item CMS 68-11
Re: Community Engagement Report

General discussion on the matter ensued.

RESOLUTION NO. 341-11

MOVED BY Councillor Mitchell
Seconded by Councillor Roy

COUNCIL DECISION:

1. That the Community Engagement Communication Tools to enhance resident awareness and participation in municipal projects or tasks identified in the Attachment to Community and Marketing Services Department Report CMS 68-11 be received for information;
2. That staff initiate a comprehensive review of the various corporate communication vehicles to maximize the resources provided to the public; and
3. That staff report back on the creation of an Advisory Committee on civic engagement on how to bring the Town and its citizens together.

CARRIED

4.7 Community & Marketing Services Report, Item CMS 70-11
Re: Peel Park Re-Development – Additional Funding Required
to Close-out Project

RESOLUTION NO. 342-11

MOVED BY Councillor Mitchell

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

Seconded by Councillor Roy

COUNCIL DECISION:

1. That Council approve additional funding for the reconstruction works associated with the Peel Park Re-Development RInC project as outlined in Community and Marketing Services Report CMS 70-11; and,
2. That Staff be authorized to fund the over expenditure of \$81,594 from current year maintenance savings identified in prior Parks tender projects.

CARRIED

- 4.15 Corporate Services Report, Item CS 89-11
Re: Request of the Brooklin Downtown Business Association
– Designation of Business Improvement Area (BIA)

General discussion on the matter ensued highlighting the hard work and dedication of members of the Brooklin Downtown Business Association for the pursuit of this initiative.

RESOLUTION NO. 343-11

MOVED BY Councillor Mitchell
Seconded by Councillor Roy

COUNCIL DECISION:

1. That Report CS 89-11 of the Commissioner of Corporate Services/Treasurer be received;
2. That Council authorize the Town Clerk to initiate the process outlined in the Municipal Act with respect to the intent to consider:
 - a) a by-law designating a Business Improvement Area (BIA) as outlined in Attachment #1 to this report; and,
 - b) a by-law with a minimum annual BIA charge of \$500.00 per business property.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

3. That the Town Clerk report back to Council as to any objections received and advise whether Council can proceed with the designation in accordance with the provisions of the *Municipal Act*.

CARRIED

2.2 The Highway of Heroes Bridge, Highway 12 South, Whitby

RESOLUTION NO. 345-11

MOVED BY Councillor Emm
Seconded by Councillor Mitchell

COUNCIL DECISION:

That the matter of installing a plaque commemorating fallen soldiers on the Highway of Heroes Bridge, Highway 12 South, be tabled until such time as staff have gathered further information.

CARRIED

6. NOTICE OF MOTION

There were no notices of motion at the meeting.

7. CONFIDENTIAL MATTERS

In accordance with Procedural By-law 6125-08 and the provisions of the Municipal Act, an In Camera meeting of Council was held prior to the regularly scheduled meeting.

RESOLUTION NO. 346-11

MOVED BY Councillor Coe
Seconded by Councillor Montague

That Council go In Camera in accordance with the provisions of the Municipal Act and Procedural By-law 6125-08 for the purpose of dealing with matters that relate to personal matters about an identifiable individual, including municipal or local board employees and litigation or potential litigation, including matters before administrative tribunals affecting the municipality.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

2.1 Durham Regional Official Plan Amendment No. 128

The Commissioner of Planning provided a verbal update and background information to Council members regarding the Durham Regional Official Plan Amendment No. 128.

A brief question and answer period ensued.

2.2 Council Appointments to Boards and Committees

The Town Clerk provided a verbal overview of the Council Appointments to the following Advisory Boards and Committees:

- i) Accessibility Advisory Committee
- ii) Groveside Cemetery Board
- iii) LACAC Heritage Whitby

A brief question and answer period ensued.

MOVED by Councillor Hanson
Seconded by Councillor Montague

That Council rise and recess.

CARRIED

Council recessed from the In Camera Session at 6:45 p.m. and reconvened in the Council Chambers at 7:00 p.m.

8. NEW AND UNFINISHED BUSINESS

8.1 Corporate Services Report, CS 90-11
Re: Meeting Management Module iCompass Technologies Inc.

D. Wilcox, Town Clerk, introduced the report and advised that the meeting management module will assist the Clerks Division with council secretariat duties and that an estimated 28% in time savings in agenda preparation is anticipated with this initiative.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

RESOLUTION NO. 347-11

MOVED BY Councillor Coe
Seconded by Councillor Hanson

COUNCIL DECISION:

1. That Report CS 90-11 of the Commissioner of Corporate Services/Treasurer be received;
2. That Council authorize the purchase of iCompass Technologies, Meeting Management Solution module at a cost of \$24,950, to be funded from the Long Term Capital Reserve Fund; and,
3. That the Mayor and the Town Clerk be authorized to sign the Amendment to Service Agreement with iCompass Technologies Inc.

CARRIED

8.2 Council Appointments to Boards and Committees

RESOLUTION NO. 348-11

MOVED by Councillor Drumm
Seconded by Councillor Mitchell

That Council appoint the following persons to the boards and committees noted for the term noted or until a successor is appointed:

Appointments to Advisory Boards and Committees

i) Accessibility Advisory Committee

Susan Berzins	for a term ending November 30, 2013
Esther Moore	for a term ending November 30, 2012
Amanda Murray	for a term ending November 30, 2012
Richard Turner	for a term ending November 30, 2013
Kalpna Sheth	for a term ending November 30, 2013

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

ii) Groveside Cemetery Board

Horace Everett	for a term ending November 30, 2014
John Hill	for a term ending November 30, 2014

iii) LACAC Heritage Whitby

James Brown	for a term ending November 30, 2014
Margaret Clayton	for a term ending November 30, 2014
Rita Edgell	for a term ending November 30, 2014

CARRIED

8.3 Local Diversity and Immigration Partnership Council Update

Councillor Coe provided an update from the Local Diversity and Immigration Partnership Council and advised that the Community Report on Immigration would be presented to Regional Council in January, 2012 and that two welcome centres had been opened in the Region offering assistance to new residents such as settlement and orientation, language instruction, and employment training at each site.

8.4 Brookfield Harbour Development – Use of Water Street

Councillor Emm enquired about the expiry date of the fill permit and the use of trucks hauling fill on Water Street in the Brookfield Harbour Development and the resulting deterioration of the road. S. Beale, Commissioner of Public Works advised that the Town is working with the Region to get some patch work on the road completed and that she would follow-up on the timing of the permit and the use of Water Street in this regard.

Having declared a conflict Mayor Perkins vacated the Chair. Deputy Mayor Drumm assumed the Chair.

8.5 Oshawa Airport Expansion

Councillor Montague advised that with the expansion of the Oshawa Airport more planes and larger models of planes are anticipated to be utilizing the landing strip but notices went out only to affected Oshawa residents and none were sent to affected Whitby homeowners. R. Short, Commissioner of Planning advised that a formal request was sent from the Town of Whitby's Planning Department to the City of Oshawa

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

requesting that those Whitby residents who reside in the noise corridor be provided with the notice.

Mayor Perkins resumed the Chair

8.6 Youth Celebration Awards Dinner

Councillor Montague advised that he attended the Youth Celebration Awards Dinner on November 30, 2011 recognizing teens for their green initiatives and that the youths should be commended for their remarkable achievements in preserving the planet.

8.7 Durham College Groundbreaking Ceremony

Councillor Montague advised that he attended the groundbreaking ceremony at Durham College Whitby Campus for the new Centre for Food which will cater to culinary arts training, hospitality, tourism and agricultural/horticultural programs. The building is set to open in September 2013.

8.8 Durham Transit Extends Service Along Highway 12 Corridor

Councillor Mitchell advised that the Durham Transit Executive has extended its daily bus service between the North and the South along Highway 12.

9. BY-LAWS

- | | |
|---------|--|
| 6557-11 | By-law to assume and dedicate certain lands as public highways for street-widening purposes [Glen Hill] |
| 6558-11 | Being a by-law to assume various streets as public highways [Criterion Subdivision – Plan 40M-2367 – Cathedral Drive and Brookstream Court] |
| 6559-11 | By-law to amend By-law No. 1862-85 to regulate traffic on highways in the Town of Whitby with reference to Section “N” – Stop Signs. [Criterion Subdivision – Plan 40M-2367 – Cathedral Drive and Brookstream Court] |
| 6560-11 | By-law to amend the Zoning By-law No. 2585, as amended, by changing the zoning from R2 – Residential Type 2 Zone to R2-3 Residential Type 2 Zone - Exception 3 for land situated on the east |

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

side of Brock Street South, south of St. Lawrence Street municipally known as 1117 Brock Street South, shown as the Subject Land. The effect of the zoning change is to permit the additional uses of a business office, personal services and professional office uses within the existing building on the Subject Land. [D.G. Biddle (Paul Qi Liu) – Z-20-10 – PL 36-11]

- 6561-11 By-law to amend Zoning By-law No. 1784, as amended, by changing the zoning from A – Agricultural to A-6 – Agricultural – Exception 6 to permit the temporary use of a garden suite until December 12th, 2021 for a portion the Subject Land municipally known as 870 Columbus Road West, Town of Whitby. The effect of the zoning change is to grant the use of a portion of 870 Columbus Road West municipally known as 7045 Country Lane for a garden suite for a 10 year period. [Ann Evans – 870 Columbus Road West - Z-18-10 – PL 13-11]
- 6562-11 By-law to amend Business Licensing By-law No. 5545-04 for licensing, regulating and governing certain businesses carried on within the Town of Whitby [Refer to CS 79-11].
- 6563-11 By-law to authorize the borrowing of a sum or sums not exceeding in the aggregate fifteen million dollars for the calendar year 2012 [Refer to CS 84-11]
- 6564-11 By-law to provide for an interim tax levy for the year 2012 [Refer to CS 88-11]
- 6565-11 By-law to amend By-law no. 1862-85 to regulate traffic on highways in the Town of Whitby (Schedule “P” – Rate of Speed) [Refer to PW 50-11]
- 6566-11 By-law to impose fees for certain services and activities provided or done by the Community and Marketing Services Department [Refer to CMS 66-11]
- 6567-11 By-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property.

RESOLUTION NO. 349-11

MOVED by Councillor Emm seconded by Councillor Mitchell, that leave be granted to introduce By-law Nos. 6557-11 to 6567-11, and to dispense with the

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 12, 2011 AT THE
HOUR OF 7:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL
BUILDING

reading of the by-laws by the Clerk and that the same be considered read a first, second and third time and finally passed and that the Mayor and Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

10. CONFIRMATORY BY-LAW NO. 6568-11

RESOLUTION NO. 350-11

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 the Council of the Town of Whitby at its meeting held on December 12, 2011, 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

By-law No. 6568-11 considered read a first, second and third time and finally passed.

The Mayor, on behalf of Council, wished residents and Town staff a very Merry Christmas and Happy Hanukkah and reminded everyone to celebrate responsibly during this festive season by not drinking and driving.

11. ADJOURNMENT

RESOLUTION NO. 351-11

MOVED by Councillor Drumm
Seconded by Councillor Emm

That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:31 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor