

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION
OF THE TOWN OF WHITBY HELD ON MONDAY, NOVEMBER 19, 2012 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
S. Pohjola, Town Solicitor
R. Short, Commissioner of Planning
D. Wilcox, Town Clerk
L. Doughty, Deputy Clerk

Mayor Perkins reflected on the recent Veteran's week and extended thanks to Councillor Hanson and her family for a wonderful event in support of the poppy fund for Whitby and Brooklin Legions.

Mayor Perkins advised of a new Christmas Toy and Food Drive to be held from December 1st through December 19th at Mount Lawn Cemetery Reception Centre, 21 Garrard Road, Whitby, Ontario to provide toys for children of the Whitby and Oshawa area who are in the hospital during the holiday season.

Mayor Perkins called the meeting to order at 7:04 p.m.

1. DISCLOSURES OF INTEREST

There were no disclosures noted.

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6667-12

RESOLUTION NO. 288-12

Minutes of Council Meetings – October 29, 2012

Councillor Emm, seconded by Councillor Montague, moved for leave to introduce a by-law and to dispense with the reading of the by-law by the

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Clerk to adopt the minutes of the Regular Meeting of Council held on October 29, 2012 and the Special Meeting of Council held on October 29, 2012 and that the same be considered read a first and second time.

CARRIED

The by-law was read a third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

By-Law 6667-12 considered read a first, second, and third time and finally passed.

3. PRESENTATIONS/DELEGATIONS

3.1 Presentation to Manny Sousa, Distribution Manager, Enbridge Gas

Manny Sousa, Enbridge Gas, joined Mayor Perkins, Councillor Montague, Mike Gerrard, Fire Chief and Peter Guiry of the Office of the Fire Marshall on the dias to receive a presentation in recognition of Enbridge Gas for their support of "Project Zero", a fire safety initiative that provides free smoke/carbon monoxide combination alarms to high risk areas in the municipality as well as through events and presentations. Project Zero was established in the City of Toronto in 2009. Enbridge Gas has placed smoke and carbon monoxide detectors within 33 municipalities across the province and more than 6,300 detectors have been distributed through this campaign to high risk areas of communities. Manny Sousa thanked the Mayor and Council and the local Fire Department for inviting Enbridge Gas and Project Zero into the Whitby community. Mayor Perkins extended thanks to Enbridge Gas and the Fire Marshall's Office for partnering on this important safety program.

3.2 Karim Mamdani and Tariq Asmi, Ontario Shores Centre for Mental Health Sciences

Karim Mamdani and Tariq Asmi, Ontario Shores Centre for Mental Health Sciences made a powerpoint presentation to Members of Council regarding Ontario Shores' contribution to the goals of Economic Development Strategy and the Waterfront Parks and Open Space Master Plan and requested the Town of Whitby's support for Ontario Shores having remaining hospital lands transferred to them to meet mental health needs of residents of Whitby, Durham and surrounding regions.

Karim Mamdani and Tariq Asmi highlighted the extensive range of

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services of the programs at Ontario Shores, providing an overview of the communities served and partnerships with UOIT and Durham College, highlighting incredible growth and the development of its recent master plan indicating that Ontario Shores needs support from the communities it serves in order to secure ownership of the land necessary to implement the master plan.

Ontario Shores requested support through a formal resolution from the Town of Whitby to call upon the Ontario Government to fully transfer all existing lands to Ontario Shores Centre for Mental Health Sciences. Mayor Perkins advised that in compliance with the Town of Whitby Procedural By-law a resolution would need to be formally presented at the next regular meeting of Council in order to provide proper notice to the public. The Clerk's office will inform Ontario Shores when this resolution may be presented to Council.

A question and answer period ensued.

RESOLUTION NO. 289-12

MOVED by Councillor Coe
Second by Councillor Roy

That the rules of order be suspended to introduce a motion at this time.

CARRIED

RESOLUTION NO. 290-12

MOVED by Councillor Coe
Seconded by Councillor Emm

That the Ontario Shores Centre for Mental Health resolution be referred to staff for a report at the December 10, 2012 Council meeting.

CARRIED

4. CORRESPONDENCE

4.1 CORR 30-12

Correspondence dated October 26, 2012 from Brooklin Downtown Development Steering Committee (BDDSC) regarding Membership on the BDDSC

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RESOLUTION NO. 291-12

MOVED by Councillor Coe
Seconded by Councillor Hanson

That CORR 30-12, being correspondence dated October 26, 2012 from
Brooklin Downtown Development Steering Committee (BDDSC) regarding
Membership on the BDDSC be endorsed.

CARRIED

4.2 CORR 31-12

That the following requests be proclaimed:

- Restorative Justice Week – November 18 – 25, 2012
- Tamil Heritage Month – January 2013

RESOLUTION NO. 292-12

MOVED by Councillor Coe
Seconded by Councillor Emm

That CORR 31-12, being requests from Restorative Justice Week –
November 18 – 25, 2012; and Tamil Heritage Month – January 2013 be
endorsed.

CARRIED

5. STANDING COMMITTEES

- (a) Planning and Development Committee – November 5, 2012
Report No.
Recommendations to Council

- 4.2 Planning Report, Item PL 72-12
Re: Zoning Amendment Application – Van Andel Holdings Limited
– (Z-12-12) – 68 Way Street
-

COUNCIL DECISION

1. That Council approve Zoning Amendment Application Z-12-12
subject to the conditions outlined in Section 8.0 of Planning Report
PL 72-12; and,

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2. That a By-law to amend Zoning By-law No. 1784 be brought forward for consideration by Council.
 - 4.3 Planning Report, Item PL 74-12
Re: Annual Housing Monitoring Report – January 1, 2011 to December 31, 2011 – Town of Whitby
-

COUNCIL DECISION

1. That Planning Report, Item PL 74-12, be received for information; and,
2. That the Clerk forward a copy of Planning Report, Item PL 74-12 to the Region of Durham.

RESOLUTION NO. 293-12

MOVED by Councillor Emm
Seconded by Councillor Montague

That Items 4.2 and 4.3 of Report No. 10 of the Planning and Development Committee dated November 5, 2012, be adopted, save and except Items 4.1, 4.4 and 4.5.

CARRIED

- 4.1 Re: Overview for Community Meeting for the Port Whitby Secondary Plan update, Community Improvement Plan and Urban Design Guidelines Project – (OPA-2012-W/01)
-

Brief discussion ensued regarding urban, sustainable and age-friendly design features; strategic direction and community focus of the plan. An information meeting will be held on December 5, 2012 at the Port Whitby Marina to provide information to the public. Council requested that a creative advertisement be published regarding notice of meetings for the secondary plan.

RESOLUTION NO. 294-12

COUNCIL DECISION:

MOVED by Councillor Emm
Seconded by Councillor Montague

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That Planning Report PL 70-12 be received for information.

CARRIED

- 4.4 Planning Report, Item PL 75-12
Re: Staff Report – Brooklin Downtown Development Steering Committee
(BDDSC) – 2011 Strategic Action Plan Update: Town of Whitby
Comments
-

Discussion ensued regarding the achievements made by the Committee.

RESOLUTION NO. 295-12

COUNCIL DECISION:

MOVED by Councillor Emm
Seconded by Councillor Montague

1. That Planning Report PL 75-12 be received as information;
2. That Council support the Staff recommendations set out in Planning Report PL 75-12; and
3. That a copy of Council's decision together with a copy of Planning Report PL 75-12 be forwarded to the Brooklin Downtown Development Steering Committee (BDDSC), to the Official Plan Review Team of the Planning Department, to the Public Works Department, and to the Community and Marketing Services Department.

CARRIED

- 4.5 Planning Report, Item PL 76-12
Re: Staff Report – Downtown Whitby Development Steering Committee
(DWDSC) – 2011 Strategic Action Plan Update: Town of Whitby
Comments
-

Discussion ensued regarding the directives to revitalize the downtown core and the sustainability, economic, social and cultural aspects of the plan.

RESOLUTION NO. 296-12

COUNCIL DECISION:

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MOVED by Councillor Emm
Seconded by Councillor Montague

1. That Planning Report PL 76-12 be received as information;
2. That Council support the Staff recommendations set out in Planning Report PL 76-12; and
3. That a copy of Council's decision together with a copy of Planning Report PL 76-12 be forwarded to the Downtown Whitby Development Steering Committee (DWDSC), to the Official Plan Review Team of the Planning Department, to the Public Works Department and to the Community and Marketing and Services Department.

CARRIED

- (b) Operations Committee – November 12, 2012
Report No. 12
Recommendations to Council

- 4.4 Community & Marketing Services Report, Item CMS 67-12
Re: Owasco Naming Rights Sponsorship at Iroquois Park Sports Centre

COUNCIL DECISION:

That Council approve Owasco Arena Naming Rights sponsorship at Iroquois Park Sports Centre under the terms and conditions identified in Community and Marketing Services Report CMS 67-12.

- 4.6 Corporate Services Report, Item CS 82-12
Re: Request to Establish a Downtown Brooklin Business Improvement Area

COUNCIL DECISION:

1. That Report CS 82-12 of the Commissioner of Corporate Services/Treasurer be received;
2. That Council be advised that in accordance with the provisions of the Municipal Act, Council cannot proceed with the establishment of a by-law to designate a Business Improvement Area in downtown Brooklin; and

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3. That the Town Clerk notify interested parties of the decision of Council.
 - 4.8 CMS/Corporate Services Report, Item CS 89-12
Re: ACS2 Rooftop Unit Replacement – Civic Recreation Centre
– (T-20-2012)
-

COUNCIL DECISION:

- 1 That the Town of Whitby accept the low tender of The State Group in the amount of \$61,075.00 (excluding taxes) for all labour, materials and equipment necessary to replace the HVAC system for the Health Club located on the roof of the Whitby Civic Recreation Complex;
2. That the total estimated project cost for the Town of Whitby in the amount of \$69,649.92 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

RESOLUTION NO. 297-12

MOVED by Councillor Mitchell
Seconded by Councillor Roy

That Items 4.4 and 4.6 to 4.8 of Report No. 12 of the Operations Committee dated November 12, 2012, be adopted, save and except Items 4.1, 4.2, 4.3, 4.5 and 4.9.

CARRIED

- 4.1 Community & Marketing Services Report, Item CMS 58-12
Re: Cullen Heritage Buildings – Cullen Central Park

The Chief Administrative Officer advised that a business plan would be provided, noting relocation costs and possible timelines. He further advised that the Town has nine months after the closure of the property sale to relocate the buildings and will report back to Council on this matter as it develops.

RESOLUTION NO. 298-12

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COUNCIL DECISION:

MOVED by Councillor Mitchell
Seconded by Councillor Roy

1. That Staff be authorized to spend to an upset limit of \$70,000 from one time reserves for the purpose of engaging professional services to assist in the preparation of the specifications and drawings for the trunk and site servicing;
2. That GHD (formerly G.M. Sernas and Associates) be retained to develop the specifications and drawings associated with the trunk and site servicing for the reasons outlined in the Staff report;
3. That Staff be authorized to issue the tender documents regarding the servicing of the Cullen property remaining in Town ownership;
4. That Staff be directed to meet with the Whitby Historical Society regarding the feasibility of the three heritage buildings being used and operated as a museum for the public display of the antiquities owned by the Municipality and stored in the Lynde House, and those antiquities owned by the Whitby Historical Society and stored at their current location in downtown Whitby and to report back on the discussions to Council;
5. That Staff report back on the funding application to the Federal Economic Development Agency for Southern Ontario regarding the site servicing and the relocation of the heritage buildings at Cullen Central Park;
6. That the matter of the relocation of the three heritage buildings be referred to a separate meeting of the Operations Committee.

CARRIED

- 4.2 Community & Marketing Services Report, Item CMS 65-12
Re: Durham Regional Police Service – Future Aces Positive Ticket Program

Discussion ensued on the budget implications of this matter.

RESOLUTION NO. 299-12

COUNCIL DECISION:

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MOVED by Councillor Mitchell
Seconded by Councillor Roy

That Council endorses the donation of skate and swim passes for the
Durham Regional Police Service Future Aces Positive Ticket Program.

CARRIED

4.3 Community & Marketing Services Report, Item CMS 66-12
Re: Town of Whitby after School Programs

Discussion ensued regarding this matter.

RESOLUTION NO. 300-12

COUNCIL DECISION:

MOVED by Councillor Mitchell
Seconded by Councillor Roy

1. That Council approve the continuation and expansion of the John Dryden After School Program and the Registered Youth Programs offered at the Centennial Building; and,
2. That Council approve the discontinuation of the Town of Whitby West Lynde After School Program effective December 1, 2012 for the reasons outlined in Community and Marketing Services report CMS 66-12.

CARRIED

4.5 Community & Marketing Services Report, Item CMS 68-12
Re: Robert Eaton Environmental Award – Port Whitby Marina

Congratulations were extended to Marina staff for their excellent work and achievement of the Robert Eaton award.

RESOLUTION NO. 301-12

COUNCIL DECISION:

MOVED by Councillor Mitchell
Seconded by Councillor Roy

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That Community and Marketing Services Department Report CMS 68-12 regarding the Robert Eaton Environmental Award for Port Whitby Marina be received as information.

CARRIED

- 4.7 Corporate Services Report, Item CS 86-12
Re: Co-operative Tender for the Supply and Delivery of Office
Supplies and Printer Toner Products – (T-329-2012)
-

RESOLUTION NO. 302-12

COUNCIL DECISION:

MOVED by Councillor Mitchell
Seconded by Councillor Roy

- 1 That the Town of Whitby accept the low tender of Staples Advantage in the total estimated annual amount of \$80,770.07(excluding taxes) for the supply and delivery of both office supplies and toner supplies for a three (3) year contract. Prices shall remain firm for each year of this initial three (3) year term;
2. That approval be granted to extend the agreement beyond the initial three (3) year term on an annual basis for up to two (2) additional one (1) year terms provided the company's performance is satisfactory. For approved additional years the unit price changes for each year will be based on the level of inflation using the Ontario, All Items Consumer Price Index (CPI); and
3. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED

- 4.9 Public Works Report, Item PW 20-12
Re: Garden Street (Dryden Boulevard to Taunton Road) Class
Environmental Assessment Study – Draft Recommendations
-

Discussion ensued regarding the long term planning of this project that will guide Whitby into the future and the estimated costs for the proposed linkages.

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RESOLUTION NO. 303-12

COUNCIL DECISION:

MOVED by Councillor Mitchell
Seconded by Councillor Roy

1. That Public Works Report PW 20-12 regarding the Garden Street Environmental Assessment Study be received for information.
2. That a future Recommendation Report be brought forward for Council's approval of the recommended design prior to filing the Project File Report for the mandatory 30-day public review period.

CARRIED

6. NOTICE OF MOTION

In accordance with Procedural By-law 6125-08, a notice of motion, requested on the agenda for the Meeting of Council on Monday, November 19, 2012, was presented to Members of Council.

Referendum for a Casino

MOVED by Councillor Drumm
Seconded by Councillor Roy

That Whitby Town Council budget sufficient money in 2013 to hold a referendum in order that Whitby voters may decide whether they wish to be the host community for a casino.

Councillor Drumm asked the Chair for leave to address the Notice of Motion.

The Chair granted the request.

As the mover of the Notice of Motion, Councillor Drumm advised he will not proceed with the Notice of Motion at this time.

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

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scheduled meeting.

RESOLUTION NO. 304-12

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.

CARRIED

7.1 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) LACAC Heritage Whitby
- ii) Accessibility Advisory Committee
- iii) Groveside Cemetery
- iv) Downtown Whitby Development Steering Committee
- v) Brooklin Downtown Development Steering Committee
- vi) Whitby in Bloom
- vii) Ethno-Cultural and Diversity Advisory Committee

Council reviewed the applications and recommended names to be put forward for appointment and ratification during the open session of Council.

MOVED by Councillor Coe
Seconded by Councillor Emm

That Council rise and recess.

CARRIED

Council recessed from the In Camera Session at 6:33 p.m. and reconvened in the Council Chambers at 7:00 p.m.

8. NEW AND UNFINISHED BUSINESS

8.1 Council Appointments to Boards and Committees

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RESOLUTION NO. 305-12

COUNCIL DECISION:

MOVED by Councillor Montague
Seconded by Councillor Hanson

i) LACAC Heritage Whitby Advisory Committee

That the following Whitby citizens be recommended for
appointment to the LACAC Heritage Whitby Advisory Committee:

Brian Winter for a term ending November 30, 2014

Rick McDonnell for a term ending November 30, 2014

Katherine Hull for a term ending November 30, 2014

Lynn Collins for a term ending November 30, 2014

David Slute for a term ending November 30, 2014

ii) Accessibility Advisory Committee

That the following Whitby citizens be recommended for
appointment to the Accessibility Advisory Committee:

Amanda Murray for a term ending November 30, 2014

Deborah Jones for a term ending November 30, 2014

iii) Groveside Cemetery Board

That the following Whitby citizen be recommended for appointment
to the Groveside Cemetery Board:

Dave Grandy for a term ending November 30, 2014

iv) Downtown Whitby Development Steering Committee

A request was made to staff to re-advertise for this position and
obtain additional information from submitted applicants.

v) Brooklin Downtown Development Steering Committee

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That the following Whitby citizen be appointed to the Brooklin
Downtown Development Steering Committee:

Charlotte Oates-Mallette for a term ending November 30, 2014

vi) Whitby in Bloom Advisory Committee

That the following Whitby citizens be appointed to the Whitby in
Bloom Advisory Committee:

Wendy Nunn for a term ending November 30, 2014

Jane Austin for a term ending November 30, 2014

Louis Bourgon for a term ending November 30, 2014

Karen Chabot for a term ending November 30, 2014

Susan Green for a term ending November 30, 2014

Joyce Marshall for a term ending November 30, 2014

Margaret McGibney for a term ending November 30, 2014

Elsie Myette for a term ending November 30, 2014

Mary Ellen Simerson for a term ending November 30, 2014

Don Wick for a term ending November 30, 2014

vii) Ethno-Cultural and Diversity Advisory Committee

That the following Whitby citizens be appointed to the Ethno-
Cultural and Diversity Advisory Committee:

Aldith Carasquero for a term ending November 30, 2014

Jennifer Hutcheon for a term ending November 30, 2014

Esther McCalla for a term ending November 30, 2014

8.2 Whitby's Got Talent

Councillor Montague advised of the recent ``Whitby's Got Talent`` event
which was an excellent evening of exceptional local talent.

8.3 Station Gallery Christmas Home Tour

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Councillor Montague commented on the annual Station Gallery Christmas Home Tour, it was an excellent tour and tickets were sold out. One hundred and fifty volunteers worked to make this event a success. Councillor Roy extended thanks to the home owners who opened their doors to the public for the tour.

8.4 Off Leash Dog Park Meeting

Councillor Montague provided a reminder of the upcoming public meeting regarding the off leash dog park to be held on Tuesday, November 20, 2012 at 7:00 p.m. at Whitby Town Hall and encouraged members of the public to attend.

8.5 Highway 407 East Office

Councillor Roy advised of the opening of the Highway 407 East Development office in Whitby.

8.6 Christmas in the Village

Councillor Hanson advised of the upcoming "Christmas in the Village" event in Brooklin commencing on Friday, November 23, 2012 including a tree lighting, horse drawn wagon rides; and other special workshops during the weekend that highlight the Christmas season.

8.7 Sustainability Profile

Councillor Coe advised of the sustainability article in a recent edition of Business Review magazine. The article highlights the Town of Whitby's continued path to sustainable success.

8.8 Canada Post

Councillor Drumm requested an update on recent correspondence forwarded to Council regarding Canada Post. Mayor Perkins advised that Canada Post will charge a \$200 fee per household to install community mailboxes in new subdivisions. She will keep Council apprised of the matter.

8.9 Procedural By-law

Councillor Mitchell requested that the Town Clerk and Town Solicitor review the section addressing "reconsideration" in the Town of Whitby procedural by-law to provide clarity to Council.

8.10 Whitby Curling Club

Councillor Mitchell advised of the recent Mount Lawn Gord Carroll Classic event at the Whitby Curling Club. Five of the top teams in the province competed.

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8.11 Whitby Seniors Club

Councillor Emm advised of a letter from the Whitby Seniors thanking Council for the use of the walking track at the Whitby Abilities Centre.

8.12 Movember

Councillor Emm advised of local Movember events to support men's prostate cancer awareness.

8.13 Salvation Army Kettle Campaign

Mayor Perkins, Deputy Mayor Coe and Councillor Roy recently attended the Salvation Army Kettle Campaign kickoff. In 2011, the Salvation Army collected \$180,000 in donations from our Whitby residents for the campaign. This year Wal-Mart kicked off the event by presenting the Salvation Army with a \$1,000 cheque. The Salvation Army provides many services for those in need within our community.

8.14 Whitby Santa Claus Parade

Mayor Perkins advised of the annual Santa Claus Parade which will proceed down Brock Street on December 1, 2012 at 10:00 a.m.

8.15 Tree Tags

Councillor Emm requested further information regarding the tree tag provided to Council. The Commissioner of Public Works advised that the tags represent a program for the identification and condition of our street trees in the Town of Whitby and to-date staff has tagged 15,000 trees.

9. BY-LAWS

6668-12 By-law to appoint Leigh Doughty as Deputy Clerk for the Town of Whitby

RESOLUTION NO. 306-12

MOVED by Councillor Hanson, seconded by Councillor Roy that leave be granted to introduce By-law No. 6668-12 and to dispense with the 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.

By-law No. 6668-12 considered read a first, second and third time and finally passed.

CARRIED

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10. CONFIRMATORY BY-LAW NO. 6669-12

RESOLUTION NO. 307-12

MOVED by Councillor Coe, seconded by Councillor Mitchell 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 November 19, 2012, 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. 6669-12 considered read a first, second and third time and finally passed.

11. ADJOURNMENT

RESOLUTION NO. 308-12

MOVED by Councillor Drumm
Seconded by Councillor Emm

That the meeting be adjourned.

CARRIED

The meeting adjourned at 8:56 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor