

Present: Mayor Mitchell
Councillor Drumm
Councillor Emm
Councillor Gleed
Councillor Leahy
Councillor Mulcahy
Councillor Roy
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
P. LeBel, Commissioner of Community & Marketing Services
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor
M. McDonnell, Manager, Sustainability, Heritage, Downtown & Community Development
K. Nix, Commissioner of Corporate Services/Treasurer
S. Siersma, Deputy Fire Chief
C. Siopis, Manager of Corporate Communications
C. Harris, Town Clerk
S. Cassel, Deputy Clerk (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest

- 1.1 Mayor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding By-law # 7427-18, being a by-law to designate the Brooklin Community Centre on the property municipally known as 45 Cassels Road East, Parts 2, 3 and 4 of Plan 40R-29985, as being of cultural heritage value and interest and By-law # 7428-18, being a by-law to amend By-law # 6721-13 to amend the legal description of the Heritage Property known as the Brooklin Pioneer Cemetery, municipally known as 21 Albert Street, Part 6 of Plan 40R-29985, as being of cultural heritage value and interest as he resides across the street from the subject properties. Mayor Mitchell did not take part in the discussion or vote on these matters.

2. Adoption of Minutes

- 2.1 Regular Council - June 4, 2018
Special Council - June 11, 2018

Resolution # 222-18

Moved By Councillor Leahy
Seconded By Councillor Mulcahy

That the Regular Council minutes of June 4, 2018 and the Special Council minutes of June 11, 2018, be adopted.

Carried

3. Presentations

- 3.1 Callum Donovan-Grujicich
Award/Recognition: International Gold Medal Award for "Coin" Sculpture

A short YouTube video showcasing Callum Donovan-Grujicich's art, published by CBC Arts, was played for Members of Council and the audience.

Upon conclusion of the video, Mayor Mitchell attended the dais and was joined by Councillor Roy. Callum Donovan-Grujicich and Olex Wlasenko, Curator, Station Gallery, were welcomed onto the dais to recognize Callum for his accomplishment as the International Gold Medal Award Winner for his sculpture "Coin".

- 3.2 Whitby Synchronized Skating Teams - Elementary and Pre-Novice
Award/Recognition: Elementary - Gold Medal at Synchro Capers in Oakville and Pre-Novice - Silver Medal at Synchro Capers and March Mania; and 3rd place in the Province (Regionals)

Mayor Mitchell attended the dais and was joined by Councillor Gleed and P. LeBel, Commissioner of Community and Marketing Services. Head Coaches Jacki Williams and Melissa Mackie were welcomed onto the dais to recognize the Elementary and Pre-Novice Whitby Synchronized Skating Team members for their accomplishment as the Gold Medal Winners at Synchro Capers in Oakville and the Silver Medal winners at Synchro Capers and March Mania; and 3rd place finish in the Province (Regionals) respectively.

4. Delegations

4.1 Munro Smith

Re: Corporate Services Department Report, CS 43-18
Declare Surplus Block K, Plan M1133, Crawforth Street and Prince of Wales Drive, for the purpose of a land donation to Durham Region Hospice

Moved By Councillor Leahy
Seconded By Councillor Yamada

That the rules of procedure be suspended to hear a delegation from Munro Smith regarding Item 7.2, CS 43-18.

Carried on a Two Thirds Vote

Munro Smith, 324 Prince of Wales Drive, appeared before Council and stated that he wanted to present some salient points regarding the hospice property south of Prince of Wales Park. He referred to an email provided to Members of Council prior to the meeting that outlined various park plans and mandates from several municipalities around the Greater Toronto Area. Mr. Smith stated that in addition to the mandates and park plans of other municipalities, Whitby also included a mandate that states its support for the preservation of natural environments for its citizens. He advised that the area around Prince of Wales Park and the nearby ponds were home to several animal species and that there was a need to provide resources and protect the ecosystem. Mr. Munroe raised concerns related to developing the site and the associated impacts on drainage and waterflow for the wetlands and stated that the Central Lake Ontario Conservation Authority (CLOCA) was essential in this preservation process. He raised further concerns regarding the VON and stated that they are now only represented in Ontario and Nova Scotia and inquired what would occur if they could no longer financially sustain the hospice and what would happen to the property. He implored Council to follow Whitby's park mandate and the 2006 Strategic Master Plan adding that the park needed to be saved for future generations.

A question and answer period ensued between Members of Council and Mr. Smith regarding:

- the research conducted around the ownership of the hospice and clarification that the lands would be under the direction of the Durham Hospice Community Board rather than the VON; and,
- whether a reduced footprint of the hospice resulting in more greenspace would be more acceptable than the original proposal.

Moved By Councillor Leahy
Seconded By Councillor Emm

That the rules of procedure be suspended to allow delegations from members of the public, in attendance at the meeting, pertaining to Item 7.2, CS 43-18, Declare Surplus Block K, Plan M1133, Crawforth Street and Prince of Wales Drive, for the purpose of a land donation to Durham Region Hospice.

Carried on a Two Thirds Vote

Ted Helps, 221 Prince of Wales Drive, appeared before Council and inquired whether the lands that were not needed for the hospice would be donated back to the Town to become part of the Prince of Wales Park.

Sandra Trendos, 331 Prince of Wales Drive, appeared before Council and inquired how many Members had gone out to visit the Park and stated that it was a beautiful greenspace that draws people from all around the area and that losing this space would be a loss to the community. Ms. Trendos expressed her disappointment in a major piece of the greenspace lands being donated for the hospice.

There were no further delegations from the public.

5. Correspondence

5.1 There was no correspondence.

6. Planning and Development Committee
Report # 7 of the Planning and Development Committee - June 11, 2018

6.1 Planning and Development Department Report, PL 44-18
Re: Downtown Whitby Community Improvement Plan

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

- extending the availability of the façade grant program north of the CP Rail tracks for businesses in that area;
- the timelines for staff to bring back a report on the viability of this option; and,
- whether the Town would qualify to receive funds from the Durham Region Grant Program and the steps that would need to be undertaken as part of that application process.

Resolution # 223-18

Moved By Councillor Glead

Seconded By Councillor Yamada

1. That Council approve the Downtown Whitby Community Improvement Plan as outlined in Attachment #1 to PL 44-18 save and except the following amendments to Appendix C:
 - a. That Item 2.1 be amended to read as follows:
 - i. A 75% DC exemption for high density residential developments and the residential component of mixed use developments within the Historic Downtown Whitby Priority Area;
 - ii. A 50% DC exemption for high density residential developments and the residential component of mixed use developments outside the Historic Downtown Whitby Priority Area;
 - b. That the first bullet of Item 2.4 be amended to read as follows:
 - i. New high density residential developments and residential components of mixed use developments in the Downtown Whitby CIPA; and,
 - c. That Item 2.6 e) be amended to remove 'with priority for affordable housing'.
2. That Council approve a budget of \$2.83 Million to implement the Downtown Whitby Community Improvement Plan funded from the onetime reserve fund;
3. That a By-law to designate the Downtown Whitby Community Improvement Project Area be brought forward for consideration by Council;
4. That a By-law to adopt the Downtown Whitby Community Improvement Plan be brought forward for consideration by Council at the June 25, 2018 Council meeting with an effective date for CIP incentives in the Historic Downtown Whitby Priority Area to be March 1, 2017;
5. That the Clerk send Notice of Council's decision to the Ministry of Municipal Affairs and Housing, the Region of Durham, agencies and to those persons and agencies who have requested further notification regarding the Downtown Whitby Community Improvement Plan; and,
6. That Item MD-3180 and MD-4130 be removed from the Planning and Development New and Unfinished Business List.

Carried

- 6.2** Planning and Development Department Report, PL 45-18
Re: Port Whitby Community Improvement Plan (CIP), File No. OPA-2012-W/02

This item was referred at Committee.

- 6.3** Planning and Development Department Report, PL 37-18
Re: Yucca Whitby Land Ltd. – Official Plan Amendment (OPA-2016-W/02), Zoning By-law Amendment (Z-16-16) and Draft Plan of Subdivision (SW-2016-04) at 6545 Baldwin Street – Recommendation Report

Resolution # 224-18

Moved By Councillor Gleed

Seconded By Councillor Yamada

1. That Council approve Amendment No. 112 to the Town of Whitby Official Plan (File OPA- 2016-W/02), as identified on Attachment #8, subject to the comments included in Planning Report No. PL 37-18;
2. That a By-law to adopt Official Plan Amendment No. 112 to the Whitby Official Plan be brought forward for consideration by Council following the approval of Official Plan Amendment No. 108;
3. That the Clerk forward a copy of Planning Report No. PL 37-18, two (2) copies of the Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 112 to the Region of Durham's Commissioner of Planning;
4. That Council approve the amendment to Zoning By-law 1784, (File Z-16-16) as outlined in Planning Report No. PL 37-18, subject to the approval of OPA No. 112;
5. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council;
6. That Council approve the Draft Plan of Subdivision (File SW-2016-04) subject to the comments included in Planning Report No. PL 37-18 and the conditions of draft plan approval included in Attachment #11;
7. That Corporate Services proceed to give notice to Stop Up and Close an unopened road allowance being Part 3 of Plan 40R-1778;
8. That Staff be authorized to prepare a Subdivision Agreement;
9. That the Mayor and Clerk be authorized to sign any necessary

- documents;
- 10. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
- 11. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision.

Carried

- 6.4** Planning and Development Department, PL 48-18
Re: Zoning By-law Amendment Application, 535 Taunton Road West, 1466098 Ontario Ltd., File Z-07-18

Resolution # 225-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

- 1. That Council approve an amendment to Zoning By-law 1784 (Application Z-07-18) subject to the conditions contained in Report PL 48-18; and,
- 2. That the Zoning By-law Amendment be brought forward for consideration by Council.

Carried

- 6.5** Planning and Development Department Report, PL 50-18
Re: Zoning By-law Amendment Application, Whitby Toyota, 1151 Dundas Street West, File Z-06-18

Resolution # 226-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

- 1. That Council approve an amendment to Zoning By-law 1784 (Application Z-06-18) subject to the conditions contained in Report PL 50-18 and a successful application from the Region of Durham Land Division Committee; and,
- 2. That the Zoning By-law Amendment be brought forward for consideration by Council following the approval of the requisite Regional Land Division application.

Carried

- 6.6** Planning and Development Department Report, PL 52-18
Re: Application for Draft Plan of Subdivision and Zoning By-law
Amendment Recommendation Report – 3425 Coronation Developments
Limited, File Nos. SW-2017-06, Z-16-17

Resolution # 227-18

Moved By Councillor Gleed

Seconded By Councillor Yamada

1. That Council approve the 3425 Coronation Developments Ltd. Draft Plan of Subdivision (File SW-2017-06) subject to addressing the comments in Report Number PL 52-18 and satisfying the conditions of draft approval in Attachment #11;
2. That a Zoning By-law Amendment to implement the draft plan be brought forward for Council's approval;
3. That Council appoint the firm of Williams and Stewart Associates as Control Architect for the recommended Draft Plan of Subdivision;
4. That the building, municipally known as 3425 Coronation Road be delisted and removed from the Town's Heritage Register;
5. That the Mayor and Clerk be authorized to execute any necessary documents;
6. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
7. That the Clerk forward Notice to those parties and agencies who requested to be notified of Council's decision.

Carried

- 6.7** Planning and Development Department Report, PL 53-18
Re: Applications for Draft Plan of Subdivision and Zoning By-law
Amendment – Recommendation Report – Manorgate Homes (Whitby)
Inc. – 1010 Dundas Street West, File Nos. SW-2017-07, Z-17-17

Resolution # 228-18

Moved By Councillor Gleed

Seconded By Councillor Yamada

1. That Council approve the Manorgate Homes (Whitby) Inc. Draft Plan of Subdivision (File SW-2017-07), subject to addressing the

comments in Report Number PL 53-18 and satisfying the conditions of draft plan approval in Attachment #8 and a successful application before the Regional Land Division Committee;

2. That a Zoning By-law Amendment to implement the draft plan be brought forward for Council's approval;
3. That Council appoint the firm of Williams Stewart Associates as Control Architect for the Draft Plan of Subdivision;
4. That the Mayor and Clerk be authorized to execute any necessary documents;
5. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
6. That the Clerk forward Notice to those parties and agencies who requested to be notified of Council's decision.

Carried

- 6.8** Planning and Development Department Report, PL 49-18
Re: Site Plan Application SP-04-18, Triovest Realty Advisors, 4200 Garden Street

Resolution # 229-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

1. That Council approve the development plans for the subject land (Site Plan Application SP-04-18) subject to:
 - a. the completion of revisions to the proposed plans as outlined in Report PL 49-18; and,
 - b. the conditions of approval set out in Attachment #7 of Report PL 49-18; and,
2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

Carried

- 6.9** Planning and Development Department Report, PL 42-18
Re: Removal of 4710 Anderson Street from the Town of Whitby Heritage Register

Resolution # 230-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

1. That the property that is municipally known as 4710 Anderson Street be removed from the Town's Municipal Heritage Register; and,
2. That appropriate commemorative strategies be considered and incorporated into any future development, in consultation with the Heritage Whitby Advisory Committee.

Carried

- 6.10** Planning and Development Department Report, PL 43-18
Re: Request to Repeal Heritage Designation By-law # 3790-96, St. Arsenije Sremac Serbian Orthodox Church, 508 Byron Street South

This item was referred at Committee.

Note: See also Item 10.2, Memorandum from W. Mar, Commissioner of Legal and By-law Services.

- 6.11** Planning and Development Department Report, PL 46-18
Re: Bird Friendly Design Information Report

Resolution # 231-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

That Planning Report No. PL 46-18 be received for information.

Carried

- 6.12** Planning and Development Department Report, PL 51-18
Re: Housing Task Force

Discussion ensued regarding:

- the need to develop a Whitby working group that includes interested stakeholders and individuals who will provide input into the Durham Region's Affordable and Seniors' Housing Task Force recommendation report on what is needed specifically in Whitby to provide affordable housing for seniors and youth;
- the benefits of sharing the input of the working group with

developers for future development considerations in the Town;
and,

- the need to provide affordable housing to seniors and youth to retain these individuals and their talents within Whitby.

Moved By Councillor Glead

Seconded By Councillor Yamada

1. That Planning and Development Report PL 51-18 be received for information; and,
2. That item MD 3768 be removed from the Planning and Development Committee - New and Unfinished Business list.

Carried later in the meeting [See following motion]

Moved By Councillor Roy

Seconded By Councillor Glead

That the main motion be amended to add the following as Item 2 and that the remaining items be renumbered accordingly:

That the Commissioner of Planning and Development be directed to establish a working group comprised of stakeholders, organizations, and interested parties from Whitby seeking their input regarding affordable and seniors' housing, to assist Planning and Development staff in providing Whitby specific input to the Region of Durham, regarding implementation of the Region's "Affordable and Seniors' Housing Task Force Recommendations Report".

Carried

The main motion, as amended, was then carried as follows:

Resolution # 232-18

Moved By Councillor Glead

Seconded By Councillor Yamada

1. That Planning and Development Report PL 51-18 be received for information; and,
2. That the Commissioner of Planning and Development be directed to establish a working group comprised of stakeholders, organizations, and interested parties from Whitby seeking their input regarding affordable and seniors' housing, to assist Planning and Development staff in providing Whitby specific input

to the Region of Durham, regarding implementation of the Region's "Affordable and Seniors' Housing Task Force Recommendations Report"; and,

3. That item MD 3768 be removed from the Planning and Development Committee - New and Unfinished Business list.

Carried

- 6.13** Planning and Development Department Report, PL 54-18
Re: Delegation of Site Plan Approval to the Commissioner of Planning and Development

Resolution # 233-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

1. That a by-law be brought forward for Council's approval to delegate the Commissioner of Planning and Development the authority to approve redline revisions to draft plans of subdivision, site plan applications and to execute site plan agreements where required;
2. That the proposed Site Plan Approval Manual (refer to Attachment #1b) be endorsed as the mechanism to direct the Town's consideration and approval of Site Plan applications;
3. That the Site Plan Control By-law # 7015-15 be amended to authorize the Commissioner of Planning and Development to approve site plan applications for all land uses; and,
4. That Item No. MD-4396 be lifted from the New and Unfinished Business list of the Planning and Development Committee.

Carried

- 6.14** Legal and By-law Services Department Report, LS 22-18
Re: Guidelines for the Role of Council Members at Developer Community Meetings and in the Public Planning Process

Resolution # 234-18

Moved By Councillor Gleed
Seconded By Councillor Yamada

1. That the "Guidelines for the Role of Council Members in the

Public Planning Process” attached to Report LS 22-18 be adopted by Council;

2. That the Guidelines be provided to developers and property owners during the pre-consultation process of a development application; and,
3. That Item MD-3715 be removed from the Planning and Development Committee’s New and Unfinished Business List.

Carried

7. Operations Committee
Report # 7 of the Operations Committee - June 18, 2018

- 7.1** Legal and By-law Services Department, Planning and Development Department and Public Works Department Joint Report, LS 21-18
Re: Parking Lease and License Agreements with Metrolinx, and the Investigation of Transit-Oriented Development for the Whitby GO Station

Brief discussion ensued regarding the need for an additional GO Station around Lakeridge or Audley Roads to provide adequate services to Whitby and Ajax due to the significant growth in those areas.

Resolution # 235-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council authorize the Mayor and Clerk to execute a Lease Agreement with Metrolinx for Town-owned land located at the northeast corner of Henry Street and Victoria Street for the purposes of additional parking for the Whitby GO Station, on terms that are substantially as set out in Attachment 1 of Report LS 21-18;
2. That Council authorize the Mayor and Clerk to execute a License Agreement with Metrolinx to utilize 300 parking spaces for a period of three (3) years at Iroquois Park Sports Centre, on terms that are substantially as set out in Attachment 2 of Report LS 21-18;
3. That Council authorize the Mayor and Clerk to execute a License Agreement with Metrolinx to utilize 25 parking spaces for a period of three (3) years at Luther Vipond Memorial Arena, on terms that are substantially as set out in Attachment 3 of Report LS 21-18;
4. That staff be directed to issue a Request for Proposals to retain the services of qualified real estate development professionals to investigate and test the market for transit- oriented development

of the lands surrounding the Whitby GO Station, in order to achieve the Council-approved Port Whitby Transit Village vision and Port Whitby Community Secondary Plan objectives;

5. That funding of up to \$50,000 towards the RFP for real estate development professionals to conduct the transit- oriented development study come from one-time reserves; and,
6. Notwithstanding the provisions of the Procurement Policy, that the Commissioner of Planning and Development and the Town Solicitor be authorized to award the RFP and execute any and all documents required to give effect to same.

Carried

7.2 Corporate Services Department Report, CS 43-18

Re: Declare Surplus Block K, Plan M1133, Crawforth Street and Prince of Wales Drive, for the purpose of a land donation to Durham Region Hospice

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

- confirmation that the remaining parts of the greenspace not used by the hospice would become part of Prince of Wales Park;
- what would occur with the lands should the hospice cease to operate in the future and whether the asset could be sold and re-purposed;
- whether CLOCA had any concerns with the development on the lands and whether the Town would be able to meet all of CLOCA's requirements;
- what other sites had been considered for the development of a hospice in the Town and why they had not been chosen;
- ensuring that the site plan for the hospice was provided to Council in light of the delegated authority to the Commissioner of Planning and Development;
- adding a restrictive covenant on title to the property and what this would mean in terms of restricting the transfer of the lands and their future uses should the hospice cease to operate.

M. Gaskell, Chief Administrative Officer referred to an email provided to Members of Council prior to the meeting that contained a list of the sites that had been considered for the development of a hospice in the Town and stated that this information would be available through the Clerk's Office should any members of the public wish to receive it.

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report CS 43-18 of the Commissioner of Corporate Services/Treasurer be received as information;
2. That the Clerk be authorized to bring forward a by-law authorizing the conveyance of a portion of Block K, Plan M1133 to the Durham Region Hospice, subject to the by-law including conditions requiring approval of a site plan with the following:
 - a. Entrance and exit for the site being to Crawforth and/or Kathleen Street; and,
 - b. The building not exceed one storey of usable space.
3. That the remainder of Block K, Plan M1133 not required to accommodate the site plan be retained by the Town and become part of Prince of Wales Park; and,
4. That the Purchase and Sale agreement for the Lands include a condition that the Lands be returned to the Town should the development of a residential hospice not proceed.

Carried later in the meeting [See following motion]

Moved By Councillor Roy
Seconded By Councillor Drumm

That the main motion be amended to add the following to Item 4 after the word 'proceed':
'and that a restrictive covenant be placed on title to ensure that the Lands only be used for residential hospice facilities.'

Carried

The main motion, as amended, was then carried unanimously on a recorded vote as follows:

Resolution # 236-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report CS 43-18 of the Commissioner of Corporate Services/Treasurer be received as information;
2. That the Clerk be authorized to bring forward a by-law authorizing the conveyance of a portion of Block K, Plan M1133 to the Durham Region Hospice, subject to the by-law including conditions requiring approval of a site plan with the following:
 - a. Entrance and exit for the site being to Crawforth and/or

- Kathleen Street; and,
- b. The building not exceed one storey of usable space.
3. That the remainder of Block K, Plan M1133 not required to accommodate the site plan be retained by the Town and become part of Prince of Wales Park; and,
4. That the Purchase and Sale agreement for the Lands include a condition that the Lands be returned to the Town should the development of a residential hospice not proceed, and that a restrictive covenant be placed on title to ensure that the Lands only be used for residential hospice facilities.

Carried

	For	Against	Abstained
Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	8	0	0

7.3 Corporate Services Department Report, CS 35-18
Re: Tender Awards

Resolution # 237-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That Report No. CS 35-18 of the Commissioner of Corporate Services/Treasurer be received as information.

Carried

7.4 Public Works Department and Corporate Services Department Joint Report, CS 37-18
Re: Miscellaneous Asphalt Patching, Contract No. T-506-2018

Resolution # 238-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Appco Paving Ltd. in the amount of \$177,421.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete miscellaneous asphalt patching as required by the Town of Whitby;
2. That the total project cost of \$260,770.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.5** Public Works Department and Corporate Services Department Joint Report, CS 38-18
Re: T-41-2018, Multi-Use Path and Temporary Sidewalk Construction

Resolution # 239-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Ashland Paving Ltd. in the amount of \$985,025.25, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the Multi-Use Path and Temporary Sidewalk Construction as required by the Town of Whitby;
2. That the total project cost of \$1,392,361.69, which includes the provisional Henry Street multi-use path item, be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.6** Corporate Services Department Report, CS 41-18
Re: Delegation During Council Election Recess

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council authorize the Treasurer and the Chief Administrative Officer, in consultation with the Mayor, to approve tendering requirements which may be received during the recess provided that they are within, or do not exceed by more than 10%, the approved budget allocations;
2. The CAO and Treasurer be delegated authority to approve unexpected costs and awards required to continue existing projects, programs and technology upgrades;
3. That the existing delegated authority of the CAO and Treasurer for other unexpected or unplanned initiatives be increased from \$25,000 to \$100,000 until first meeting of the new Council; and,
4. That staff be directed to report back on any costs resulting from these delegated authorities.

Carried later in the meeting [See following motion]

Moved By Councillor Leahy

Seconded By Councillor Mulcahy

That the main motion be amended to add the following as Item 4 and that the remaining items be renumbered accordingly:

That the delegated authority as outlined in CS 41-18 be effective commencing June 26, 2018 in accordance with the memorandum from the Commissioner of Corporate Services dated June 22, 2018.

Carried

The main motion, as amended, was then carried as follows:

Resolution # 240-18

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council authorize the Treasurer and the Chief Administrative Officer, in consultation with the Mayor, to approve tendering requirements which may be received during the recess provided that they are within, or do not exceed by more than 10%, the approved budget allocations;
2. The CAO and Treasurer be delegated authority to approve unexpected costs and awards required to continue existing projects, programs and technology upgrades;
3. That the existing delegated authority of the CAO and Treasurer for other unexpected or unplanned initiatives be increased from

- \$25,000 to \$100,000 until first meeting of the new Council;
4. That the delegated authority as outlined in CS 41-18 be effective commencing June 26, 2018 in accordance with the memorandum from the Commissioner of Corporate Services dated June 22, 2018; and,
 5. That staff be directed to report back on any costs resulting from these delegated authorities.

Carried

- 7.7** Corporate Services Department and Fire and Emergency Services Department Joint Report, CS 44-18
Re: T-5-2018 Various Fire Apparatus

Resolution # 241-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Techno Feu Inc. in the amount of \$2,858,785.90 (plus applicable taxes) for the supply and delivery of two (2) Custom Built Fire Pumper Trucks and one (1) Custom Built Rescue Truck;
2. That the Town of Whitby accept the low tender bid of Dependable Emergency Vehicles in the amount of \$445,292.00 (plus applicable taxes) for the supply and delivery of one (1) Custom Built Tanker Truck;
3. That the Mayor and Council approve the purchase of the required equipment for all Fire Apparatus in the amount of \$105,000.00;
4. That the total estimated project cost of \$3,481,229.66 be approved; and that Council approve a budget increase of \$381,229.66 and that the funding source(s) be determined by the Treasurer; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.8** Fire and Emergency Services Department Report, FR 04-18
Re: Sole Source Purchase of Structural Firefighting Gear

Resolution # 242-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That staff be authorized to negotiate directly with PPE Solutions Starfield Lion to purchase Structural Firefighting Gear; and,
2. That the Commissioner of Corporate Services/Treasurer be authorized to award the sole source purchase to PPE Solutions Starfield Lion for 2018 if the negotiated price is within the approved budget.

Carried

7.9 Corporate Services Department Report, CS 42-18
Re: 2017 Investment Report

Resolution # 243-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That Report No. CS 42-18 of the Commissioner of Corporate Services/Treasurer be received for information.

Carried

7.10 Community and Marketing Services Department Report, CMS 28-18
Re: Parks Development Phasing for West Whitby Secondary Plan

Resolution # 244-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Community and Marketing Services Report CMS 28-18 pertaining to the Parks Development Phasing for the West Whitby Secondary Plan be received;
2. That the phasing and construction of the two District Parks located in the Mattamy Corporation and TFP Whitby Developments (Fieldgate) plans of subdivision be advanced ahead of the current capital budget years as outlined in the staff report;
3. That the developers be responsible for the construction of the District Parks, subject to the detailed design approved by Parks

- staff in the Community and Marketing Services Department; and,
4. That the subdivision agreements be amended to give effect to permit Mattamy Corporation and TFP Whitby Developments (Fieldgate) to construct and maintain the parks until they are to be assumed by the municipality.

Carried

- 7.11** Community and Marketing Services Department Report, CMS 34-18
Re: Update on Compliance with Provincial Accessibility Legislation

Resolution # 245-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Community and Marketing Services Report CMS 34-18 regarding the update to the Town's status with Provincial Accessibility Legislation be received as information; and,
2. That item MD-0766 pertaining to the Design of Public Spaces be lifted from the New and Unfinished Business List of the Operations Committee.

Carried

- 7.12** Community and Marketing Services Department Report, CMS 35-18
Re: Cullen Central Park Master Plan

Detailed discussion ensued regarding:

- the Cullen Park Master Plan and the timelines of 2020 for the development of the overall park;
- the need to consider advancing the development of the parking lot to 2019 so that it could be developed in conjunction with the Nordik Spa to take advantage of the efficiencies that would be created; and,
- the need to look at honouring Marcel Brunelle in the Park given his involvement in the purchase of the Cullen lands which has led to the ability to develop a large park and the Nordik Spa.

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Community and Marketing Services Report CMS 35-18

- regarding the development of the Cullen Central Park Master Plan be received;
2. That Council direct staff to commence the development of the Cullen Central Park Master Plan with the final Master Plan to be brought forward for Council approval in Q4 2019; and,
 3. That the Cullen Central Park Master Plan park construction be referred to the 2019 Capital Budget review process and identified as a 2020 project.

Carried later in the meeting [See following motions]

Moved By Councillor Gleed
Seconded By Councillor Roy

That the main motion be amended by adding the words 'save and except the parking lot' after 'project' in Item 3 and adding a new Item 4 as follows:

That Staff be directed to coordinate with Nordik Spa to facilitate construction of the Cullen Central Park parking lot in 2019, and that the project be referred to the 2019 Capital Budget as a decision item.

Carried

Moved By Councillor Drumm
Seconded By Councillor Roy

That the main motion be amended to add the following as Item 5:
That Staff identify options to recognize former mayor Marcel Brunelle in Cullen Park.

Carried

The main motion, as amended, was then carried as follows:

Resolution # 246-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Community and Marketing Services Report CMS 35-18 regarding the development of the Cullen Central Park Master Plan be received;
2. That Council direct staff to commence the development of the Cullen Central Park Master Plan with the final Master Plan to be

- brought forward for Council approval in Q4 2019;
3. That the Cullen Central Park Master Plan park construction be referred to the 2019 Capital Budget review process and identified as a 2020 project, save and except the parking lot;
 4. That Staff be directed to coordinate with Nordik Spa to facilitate construction of the Cullen Central Park parking lot in 2019, and that the project be referred to the 2019 Capital Budget as a decision item; and,
 5. That Staff identify options to recognize former mayor Marcel Brunelle in Cullen Park.

Carried

- 7.13** Community and Marketing Services Department Report, CMS 36-18
Re: McKinney Centre Arena 1 Naming Rights, AOP Pool Viewing Area Sponsorship and Baseball Diamond Shade Screen Sponsorship

Resolution # 247-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the 'Bollocks Arena 1' Naming Rights Sponsorship at the McKinney Centre under the terms and conditions identified in Report CMS 36-18 be approved;
2. That the 'Carttera Viewing Area' Naming Rights at the Anne Ottenbrite Pool (AOP) under the terms and conditions identified in Report CMS 36-18 be approved; and,
3. That the sponsorship of the shade screens by Tim Hortons at the Iroquois Park Sports Centre (IPSC) baseball diamonds be received.

Carried

- 7.14** Community and Marketing Services Department Report, CMS 37-18
Re: Whitby Innovation Hub-Accelerator (Wi-HUB) Landscape Plan

Resolution # 248-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council approve the proposed landscape plan as shown

within Community and Marketing Services Report CMS 37-18 (Attachment 2) for the Whitby Innovation Hub-Accelerator (Wi-HUB) building located at the former Provincial Land Registry property (400 Centre Street South); and,

2. That the estimated cost of the project in the amount of \$255,000 be approved and the funding source be determined by the Treasurer.

Carried

- 7.15** Community and Marketing Services Department and Corporate Services Department Joint Report, CMS 38-18
Re: Hydro One Licence Update

Resolution # 249-18

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council approve and direct staff to amend the public recreational license agreement with the Ontario Ministry of Infrastructure to add a 0.24 hectare parcel of land for portions of the Hydro Corridor within Lot 21, Concession 1, as detailed in Community and Marketing Services/Corporate Services Departments Report CMS 38- 18;
2. That the Mayor and Clerk be authorized to execute the required amending agreement and all documentation to give effect thereto; and,
3. That Council approve a proposed increase of \$65,000 in funding for the 2018 Hydro Electric Power Corridor (HEPC) trail project between Dundas Street East and Nichol Avenue, from a trail project to be funded from the 2019 Capital Budget.

Carried

- 7.16** Community and Marketing Services Department and Planning and Development Department Joint Report, CMS 39-18
Re: Iroquois Park Sports Centre – Detailed Engineering Study

Resolution # 250-18

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council direct staff to have a Detailed Engineering Study (DES) to examine the implementation of combined heat and power (CHP) microturbines at Iroquois Park Sports Centre (IPSC); and,
2. That Council approve a budget of \$50,000 to engage a consultant that would complete the DES and that the funding sources be determined by the Treasurer.

Carried

- 7.17** Community and Marketing Services Department Report, CMS 40-18
Re: 2017 Accessibility Plan Update

Resolution # 251-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That Community and Marketing Services Report CMS 40-18 regarding the annual update on the 2016-2018 Accessibility Plan be received as information.

Carried

- 7.18** Public Works Department Report, PW 14-18
Re: Update Report on Waste Free Ontario Act

Resolution # 252-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report PW 14-18 be received for information; and,
2. That Staff continue to provide status updates to Council on new Waste Management legislation requirements.

Carried

- 7.19** Public Works Department Report, PW 23-18
Re: Reconstruction of Centre Street South and Gilbert Street West – Detailed Design and Tender Preparation

Resolution # 253-18

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council authorize staff to sole source and retain CIMA to undertake the detailed design and tender preparation for the proposed 2019 reconstruction of Centre Street South and Gilbert Street West;
2. That Council approve retaining CIMA as permitted in the Purchasing Policy, Section 7 (Repetitive Projects/Assignments for Consultants for Continuous Service) as outlined in the Staff Report; and,
3. That the Mayor and Clerk be authorized to execute the necessary contract documents.

Carried

- 7.20** Public Works Department, Corporate Services Department and Planning and Development Department Joint Report, PW 24-18
Re: Downtown Tree Lighting

Discussion ensued regarding:

- purchase of a Christmas Tree for the Downtown Whitby tree lighting;
- a request that Staff work with the Downtown Whitby BIA for a coordinated event on the night of the tree lighting ceremony that would involve an evening sale event for Downtown businesses;
- additional lighting in the Downtown and the need to look at the cut off timing of the lights so as to encourage people to walk about in the months where there are reduced daylight hours; and,
- whether the lighting could be extended to Perry Street.

Resolution # 254-18

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Public Works Report PW 24-18 be received for information;
2. That Council approve the downtown tree lighting project as outlined in PW 24-18;
3. That budget of \$123,157 be approved for the downtown tree lighting project to be financed from the grant funding from the

Main Street Revitalization Initiative;

4. That the future Operating/Capital Budget costs identified in the report be included in the 2019 Budget; and,
5. That the Clerk be directed to bring forward a Town By-law authorizing the agreement with the Association of Municipalities of Ontario for the Main Street Revitalization Initiative.

Carried

- 7.21** Public Works Department Report, PW 25-18
Re: Active Transportation Plan Study – Status Update

Resolution # 255-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report PW 25-18 regarding the Active Transportation Plan (ATP) study be received for information; and,
2. That Staff continue to provide Council with status updates on the ATP study and report back to Council in 2019 with the proposed Active Transportation Plan for Council's consideration.

Carried

- 7.22** Public Works Department and Legal and By-law Services Department
Joint Report, PW 26-18
Re: West Whitby Major Roads Update Follow Up and Delegation to Staff

Resolution # 256-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report PW 26-18 be received for information; and,
2. That Council hereby delegate authority to the Commissioner of Public Works and Commissioner of Legal and By-law Services/Town Solicitor to undertake the necessary actions and execute the necessary documents to authorize the acquisition and/or disposition of any lands required to implement the works for the development of the area commonly referred to as West Whitby.

Carried

- 7.23** Legal and By-law Services Department and Public Works Department
Joint Report, LS 13-18
Re: Revisions to the Site Alteration By-law

Resolution # 257-18

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report LS 13-18 be received for information; and,
2. That Council direct the Clerk to bring forward a revised Site Alteration By-law in accordance with the recommendations contained in this report.

Carried

- 7.24** Planning and Development Department Report, PL 55-18
Re: Sign By-law Variance to the Permanent Sign By-law to reduce the distance for wall signs from the adjacent grade on 1400 Victoria Street East (Reptilia Inc.) File No. SB-01-18

Resolution # 258-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That Council approve a variance to the Town of Whitby Sign By-law # 5695-05 for Reptilia at 1400 Victoria Street East, to reduce the wall sign minimum distance of 2.5 metres from the adjacent grade to 0.7 metres.

Carried

- 7.25** Bike Park and Active Playground

Brief discussion ensued regarding the importance of this initiative to bring people together to cultivate cyclists who will use the bike paths and lanes throughout the Town and the need to understand the scale of the park prior to looking at potential sites.

Resolution # 259-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That Staff be directed to initiate consultation with stakeholders to explore opportunities for a privately funded bike park in Whitby, and report back to Council in Q2 2019.

Carried

8. Management Committee
Report # 3 of the Management Committee - June 12, 2018

- 8.1** Confidential Office of the Chief Administrative Officer Report, CAO 13-18
Re: Labour Relations Matters Related to Litigation or Potential Litigation

Resolution # 260-18

Moved By Councillor Emm
Seconded By Councillor Roy

That Report CAO 13-18, Labour Relations Matters Related to Litigation or Potential Litigation be received for information.

Carried

9. Notice of Motion

- 9.1** There were no notices of motion.

10. New and Unfinished Business

- 10.1** Office of the Chief Administrative Officer and Human Resource Services
Joint Report, CAO 15-18
Re: Update on the Corporate Strategic Plan Process

Resolution # 261-18

Moved By Councillor Roy
Seconded By Councillor Leahy

That Report CAO 15-18, Update on the Corporate Strategic Plan Process be received for information.

Carried

- 10.2** Memorandum from W. Mar, Commissioner of Legal and By-law Services/Town Solicitor dated June 25, 2018 regarding PL 43-18: St. Arsenije Sremac Serbian Orthodox Church - 508 Byron Street South - Designation By-law Repeal Request

A brief question and answer period ensued between Members of Council and Staff regarding communication with the Church since the Planning and Development Committee Meeting of June 11, 2018 and their willingness to work with the Town and the Heritage Whitby Advisory Committee to move toward an acceptable solution for the repairs to the building.

Resolution # 262-18

Moved By Councillor Gleed
Seconded By Councillor Emm

1. That Council agrees to an extension of the time to make a decision on the request to repeal the designation by-law for the St. Arsenije Sremac Serbian Orthodox Church at 508 Byron Street South (the "Church") until September 30, 2018 pursuant to s. 32(3) of the Ontario Heritage Act, subject to the Church's execution of the agreement attached to this memorandum;
2. That the Commissioner of Legal and By-law Services/Town Solicitor be authorized to execute the attached agreement to extend the time period for Council to decide on the request to repeal the designation by-law for the Church; and,
3. That, in the event that the Church fails to execute the attached deadline extension agreement by July 20, 2018, then Council refuses the Church's request to repeal the Heritage Designation By-law # 3790-96.

Carried

- 10.3** Planning and Development Department Report, PL 56-18
Re: Removal of 211 Brock Street South from the Town of Whitby Heritage Register

Resolution # 263-18

Moved By Councillor Roy

Seconded By Councillor Leahy

1. That the property that is municipally known as 211 Brock Street South be removed from the Town's Municipal Heritage Register;
2. That a full Cultural Heritage Impact Assessment (CHIA) relating to the subject property be completed and submitted to the satisfaction of the Planning and Development Department prior to approval of a Demolition Permit; and,
3. That appropriate commemorative strategies be considered and incorporated into any future development, in consultation with the Heritage Whitby Advisory Committee.

Carried

11. By-Laws

That the following by-laws be passed:

- 11.1** By-law # 7417-18, being a by-law to authorize the sale of the lands municipally known as 580 Water Street, Whitby.
Refer to Confidential Report CMS 33-18
- 11.2** By-law # 7419-18, being a by-law to regulate and control the use of public parks and park buildings.
Refer to Report CMS 29-18
- 11.3** By-law # 7420-18, being a by-law to enter into an Agreement with AMO to participate in Ontario's Main Streets Revitalization Initiative.
Refer to Reports PL 26-18 and PW 24-18
- 11.4** By-law # 7421-18, being a by-law to authorize the conveyance of PIN 26515-0092 (LT), PCL K-1, SEC M1133; BLK K, PL M1133; S/T LTD64321, Whitby (Durham Region Hospice).
Refer to Reports CS 20-18 and CS 43-18
- 11.5** By-law # 7422-18, being a by-law to designate certain lands covered by the Official Plan for the Town of Whitby as the "Downtown Whitby" Community Improvement Project Area.
Refer to Report PL 44-18
- 11.6** By-law # 7423-18, being a by-law to regulate smoking in municipal buildings and on municipal properties in the Town of Whitby.
Refer to Report CMS 29-18

- 11.7** By-law # 7424-18, being a by-law to adopt a Community Improvement Plan for the Downtown Whitby Community Improvement Project Area.
Refer to Report PL 44-18
- 11.8** By-law # 7425-18, being a by-law to prohibit or regulate any alteration to the grade (topography) of land and the use of municipal highways through the movement, removal or placement of topsoil, soil or fill within the Town of Whitby.
Refer to Report LS 13-18
- 11.9** By-law # 7426-18, being a by-law to authorize the donation of the London & Port Stanley Box Car located at the Station Gallery to the Railworks Coalition and the Elgin County Railway Museum.
Refer to Report CMS 30-18
- 11.10** By-law # 7429-18, being a by-law to authorize the sale of PIN 26569-1444 (LT), Part Lot 24, Concession 5, Township of Whitby, Part 3 on Plan 40R-26310, Town of Whitby.
Refer to Report CMS 51-17
- 11.11** By-law # 7430-18, being a by-law to designate the Town of Whitby as a Site Plan Control Area and to delegate to the Commissioner of Planning and Development the approval of plans and drawings in certain areas of Site Plan Control.
Refer to Reports PL 19-18 and PL 54-18
- 11.12** By-law # 7431-18, being a by-law to delegate to the Commissioner of Planning and Development the authority to approve red line revisions to approved draft plans of subdivision.
Refer to Report PL 19-18 and PL 54-18
- 11.13** By-law # 7432-18, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby.
Refer to Report PL 29-18
- 11.14** By-law # 7433-18, being a by-law to acquire ownership of Part of PIN 26569-1437 (LT), Part Lot 25, Concession 5, Township of Whitby, being Part of Part 3 on Plan 40R26216, Town of Whitby.
Refer to Report CMS 51-17

Resolution # 264-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That leave be granted to introduce By-laws # 7417-18, # 7419-18 to # 7426-18 and # 7429-18 to # 7433-18, and to dispense with the reading of the by-laws by the Clerk 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

Having previously declared a conflict of interest, Mayor Mitchell vacated the Chair for this portion of the meeting.

Deputy Mayor Roy assumed the Chair.

- 11.15** By-law # 7427-18, being a by-law to designate the Brooklin Community Centre on the property municipally known as 45 Cassels Road East, Parts 2, 3 and 4 of Plan 40R-29985, as being of cultural heritage value and interest.

Refer to Report PL 27-18

- 11.16** By-law # 7428-18, being a by-law to amend By-law # 6721-13 to amend the legal description of the Heritage Property known as the Brooklin Pioneer Cemetery, municipally known as 21 Albert Street, Part 6 of Plan 40R-29985, as being of cultural heritage value and interest.

Refer to Report PL 27-18

Resolution # 265-18

Moved By Councillor Gleed
Seconded By Councillor Leahy

That leave be granted to introduce By-law # 7427-18 and # 7428-18 and to dispense with the reading of the by-laws by the Clerk 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

Mayor Mitchell resumed the Chair.

12. Confirmatory By-Law

12.1 Confirmatory By-law

Resolution # 266-18

Moved By Councillor Leahy
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 regular meeting held on June 25, 2018 and 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

13. Adjournment

13.1 Motion to Adjourn

Moved By Councillor Emm
Seconded By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 8:34 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor