

Present: Mayor Mitchell
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
D. Speed, Fire Chief
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

Regrets: Councillor Alexander

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Adoption of Minutes

2.1 Regular Council - November 25, 2019
Special Council - December 2, 2019 (Confidential minutes under separate cover)

Resolution # 344-19

Moved By Councillor Lee
Seconded By Councillor Newman

That the Regular Council Minutes of November 25, 2019, and the Special Council minutes of December 2, 2019 be adopted.

Carried

3. Presentations

3.1 JCI Durham

Award/Recognition: 50th Anniversary of JCI Durham organizing the Whitby Santa Claus Parade

Mayor Mitchell attended the dais and was joined by Councillor Leahy. Gordon Holland, Deanna Vout, and Ralph Machon from JCI Durham along with Natalie Prychitko from the Whitby Chamber of Commerce were welcomed onto the dais and recognized for their contributions organizing the Whitby Santa Clause Parade.

3.2 Rogers Hometown Hockey

Mayor Mitchell welcomed all Members of Council onto the dais to join him in celebrating and showing support for the upcoming Rogers Hometown Hockey Tour scheduled to take place in Whitby at the Iroquois Park Sports Centre on December 28, 2019 and December 29, 2019.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- January 2020 - Alzheimer's Awareness Month
- March 2020 - International Epilepsy Awareness Month

Resolution # 345-19

Moved By Councillor Newman
Seconded By Councillor Leahy

That the proclamations for Alzheimer's Awareness Month and

International Epilepsy Awareness Month be endorsed.

Carried

6. Committee of the Whole Report
Planning and Development - December 2, 2019

6.1 Planning and Development Department Report, PL 96-19
Re: Zoning By-law Amendment Application, 143 Garrard Road, Toronto-Guild Investments Ltd., File DEV-01-18 (Z-02-18)

A discussion ensued between Members of Council regarding:

- how intensification is affecting other municipalities across Canada;
- communication with residents about the reasons for intensification;
- the City of Vancouver's communication strategy related to intensification;
- impacts of intensification on established neighbourhoods;
- appeals to the Local Planning Appeal Tribunal (LPAT) resulting in variable outcomes that are out of the control of the Town and Council;
- resident concerns related to intensification, including traffic impacts in established neighbourhoods; and,
- limited communication between the developer, neighbouring residents, and Members of Council.

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

- the Town's Official Plan and how it supports intensified development;
- how the Official Plan will be considered at the LPAT;
- the importance of consultation in advance of development applications and the need to identify where intensification should occur; and,
- opportunities for alignment between Staff and Council related to intensified development.

Resolution # 346-19

Moved By Councillor Roy
Seconded By Councillor Lee

Whereas the proposal by Toronto Guild Investment Ltd at 143 Garrard

Road to build 20 semi-detached and 15 block townhouse units on a large lot in a single family large lot neighbourhood is wholly incompatible with the character of that neighbourhood;

And whereas the vehicle traffic which would exit onto the existing two lane Garrard Road in close proximity to the existing 3-way stop will exacerbate current levels of congestion morning and evening and will put the safety of pedestrians, cyclists and motorists at risk, including children crossing Garrard Road to attend Dr. Robert Thornton Public School and St. Paul Catholic School;

And whereas any density increase on this property is premature without direct access onto the Manning Road east extension;

Now therefore be it resolved:

That the Council of The Town of Whitby hereby denies the amendment to Zoning By-law # 1784 for 143 Garrard Road based on the above rationale.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	8	0	0

- 6.2** Planning and Development Department Report, PL 91-19
Re: DEV-04-17, Draft Plan of Subdivision Application SW-2017-08 and Zoning By-law Amendment Application Z-19-17, Winash Developments Limited, 5550 Baldwin Street South and a Portion of 145 Winchester Road West

Resolution # 347-19

Moved By Councillor Roy

Seconded By Councillor Lee

1. That Council approve the Draft Plan of Subdivision (File SW-2017-08) subject to the comments included in Planning Report PL 91-19 and the conditions of draft plan approval included in Attachment #8;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision;
5. That Council approve the amendment to Zoning By-law 1784, (File Z-19-17) as outlined in Planning Report No. PL 91-19; and,
6. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council at such time as the conditions outlined in Attachment #9 have been met.

Carried

- 6.3** Planning and Development Department Report, PL 92-19
Re: Sign By-law Variance to Permanent Sign By-law for 516 Brock Street North (Tim Hortons), File No. SB-04-19

This item was referred at Committee.

- 6.4** Planning and Development Department Report, PL 93-19
Re: Sign By-law Variance to Permanent Sign By-law for 5899 Baldwin Street South (Petro-Canada), File No. SB-05-19

Resolution # 348-19

Moved By Councillor Roy
Seconded By Councillor Lee

That a variance to Permanent Sign By-law # 7379-18 for Petro-Canada at 5899 Baldwin Street South, to permit an additional pylon sign, be denied.

Carried

- 6.5** Planning and Development Department Report, PL 95-19
Re: Sign By-law Variance to Permanent Sign By-law for 175 Consumers Drive (Kelseys), File No. SB-06-19

Resolution # 349-19

Moved By Councillor Roy
Seconded By Councillor Lee

That Council approve a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for Kelseys at 175 Consumers Drive, to permit sign 'A' to be 1.8 metres above grade and sign 'B' to be 1.7 metres above grade.

Carried

- 6.6** Planning and Development Department Report, PL 97-19
Re: DEV-22-19, Site Plan Application SP-11-19, Rogers Communications Inc., 1801 Dundas Street East

Resolution # 350-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council approve the Site Plan for a Rogers telecommunication tower at 1801 Dundas Street East (Application SP-11-19), subject to the conditions of approval set out in Attachment #8 of Planning Report PL 97-19; and,
2. That the proponent and property owner enter into a Letter of Undertaking with the Town.

Carried

- 6.7** Planning and Development Department Report, PL 98-19 Re: Draft Plan of Condominium, Mattamy Homes (Block 180, Plan 40M-2648, File No. CW-2019-01)

Resolution # 351-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council approve the application for a Draft Plan of Condominium (CW-2019-01) subject to the comments included in Planning Report PL 98-19 and the conditions of draft plan

- approval included in Attachment #4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement for the subject property; and,
 3. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham of Council's decision.

Carried

7. Committee of the Whole Report
General Government - December 9, 2019

7.1 Memorandum from C. Harris, Town Clerk dated November 25, 2019 regarding the Whitby Diversity and Inclusion Advisory Committee's 2019 - 2022 Work Plan.

Councillor Shahid advised that the Whitby Diversity and Inclusion Advisory Committee's 2020 multicultural calendar is now available.

Resolution # 352-19

Moved By Councillor Yamada
Seconded By Councillor Newman

That the Whitby Diversity and Inclusion Advisory Committee's 2019 - 2022 Work Plan be received for information.

Carried

7.2 Office of the Town Clerk Report, CLK 13-19
Re: Codes of Conduct and Governance Policy Updates

Resolution # 353-19

Moved By Councillor Yamada
Seconded By Councillor Newman

That the Council Expense Policy G 050 and the Guidelines for Expenses for Members of Council be amended as shown within Attachment 1 to Staff Report CLK 13-19.

Carried

- 7.3** Office of the Town Clerk, Report, CLK 15-19
Re: Flag Raisings and Proclamations Policies Updates

Resolution # 354-19

Moved By Councillor Yamada
Seconded By Councillor Newman

1. That the Flag Raisings Policy CA 110 be amended as shown within Attachment 1 to Staff Report CLK 15-19; and,
2. That the Issuance of Proclamations Policy CA 120 be amended as shown within Attachment 2 to Staff Report CLK 15-19.

Carried

- 7.4** Corporate Services Department Report, CS 63-19
Re: 2020 Interim Tax Billing

Resolution # 355-19

Moved By Councillor Yamada
Seconded By Councillor Newman

That a by-law be brought forward to allow for the Interim Tax Billing for the 2020 taxation year.

Carried

- 7.5** Public Works Department Report, PW 34-19
Re: Brooklin North Major Roads Environmental Assessment

Resolution # 356-19

Moved By Councillor Yamada
Seconded By Councillor Newman

1. That Report PW 34-19 regarding the Brooklin North Major Roads Environmental Assessment study be received for information; and,
2. That Staff continue to provide Council with status updates on the Brooklin North Major Roads Environmental Assessment study and report back to Council in 2020 with the study findings and

recommendations for Council's consideration and approval.

Carried

- 7.6** Public Works Department and Corporate Services Department Joint Report, CS 61-19
Re: RFP-83-2019 – Class Environmental Assessment Study – Highway 7/12 Alternative Route, Brooklin Area

Resolution # 357-19

Moved By Councillor Yamada
Seconded By Councillor Newman

1. That the Town of Whitby accept the highest ranking proposal submitted by BT Engineering Inc. in the amount of \$1,064,305.00 (plus applicable taxes) for the provision of a Class Environmental Assessment Study for Highway 7/12 Alternative Route, Brooklin Area;
2. That the Total Project Cost of \$1,250,000.00 be approved;
3. That Council approve a budget increase of \$500,000.00 and that the funding source(s) be determined by the Treasurer; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.7** Public Works Department and Planning and Development Department Joint Report, PW 35-19
Re: Durham-Scarborough Bus Rapid Transit (BRT) Metrolinx

Resolution # 358-19

Moved By Councillor Yamada
Seconded By Councillor Newman

1. That Council does not support a widening of Dundas Street to six (6) through traffic lanes in Whitby;
2. That Metrolinx be requested to consider design alternatives for BRT through Downtown Whitby;
3. That Staff organize a meeting with Metrolinx and key stakeholders in the BRT project and in Downtown Whitby. The purpose of the meeting is to develop and review design options

that best address the priorities and concerns of the key stakeholders; and,

4. That a copy of this resolution be forwarded to M.P.P Coe, Metrolinx, Region of Durham and area Durham BRT municipalities.

Carried

7.8 Office of the Chief Administrative Officer Report, CAO 36-19
Re: 2020 Special Events

Resolution # 359-19

Moved By Councillor Yamada
Seconded By Councillor Newman

1. That Report CAO 36-19, including the revised Attachment 1 (Special Events 2020 Calendar) included in the December 11, 2019 memorandum from the Senior Manager of Corporate Communications, be received for information; and,
2. That the following Town events, coordinated through the Corporate Communications Division, continue to be hosted in 2020 as outlined in Section 4.1:
 - a. Family Day;
 - b. Canada Day;
 - c. Culture in the Square;
 - d. Music in the Park;
 - e. Whitby in Bloom Garden Tour and Speaker Series;
 - f. Movies in the Park;
 - g. Harvest Festival;
 - h. Christmas in the Village;
 - i. Whitby Tree Lighting; and,
3. That Council authorize staff to update the following Town events and dates as outlined in Section 4.2:
 - a. Doors Open;
 - b. Open Streets; and,
 - c. Fresh Air in the Square.

Carried

7.9 Office of the Chief Administrative Officer, CAO 37-19
Re: Accessibility Plan 2019-2022

A brief question and answer period ensued between Members of

Council and Staff regarding receiving an interim update on the Accessibility Plan to ensure that the Town is progressing towards improved accessibility for the corporate website.

Resolution # 360-19

Moved By Councillor Yamada
Seconded By Councillor Newman

1. That Council receive this report as information;
2. That Council adopt the Town of Whitby Accessibility Work Plan 2019-2022 as attached; and,
3. That staff be directed to post the Accessibility Plan 2019-2022 on the municipal website and be made available in alternate formats, upon request.

Carried

8. Notice of Motion

8.1 Permanent Sign By-law: Variance Process and By-law Review

A discussion ensued between Members of Council regarding:

- the importance of maintaining the ambiance of Downtown Whitby and Downtown Brooklin;
- creating a unified downtown in Brooklin by prohibiting digital signs in the south portion of Downtown Brooklin;
- opportunities for signs that reflect the history of Downtown Whitby and Downtown Brooklin; and,
- upholding the provisions of the Permanent Sign By-law and only providing variances in exceptional circumstances.

Resolution # 361-19

Moved By Councillor Lee
Seconded By Mayor Mitchell

1. That Staff be directed to review Permanent Sign By-law # 7379-18 and report to Council in 2020 on opportunities to reduce the number of sign variance requests, reduce digital signage across the Town, and eliminate excessive sign permissions, including instances where two or more signs are permitted to advertise a single business use on a property; and,
2. That Staff review the opportunity to align the boundary of

Downtown Brooklin for the purpose of the Permanent Sign By-law, as shown in Schedule A to By-law # 7379-18, with the Downtown Brooklin Major Central Area in the Brooklin Secondary Plan.

Carried

9. New and Unfinished Business

9.1 There was no new or unfinished business.

10. By-Laws

That the following by-laws be passed:

10.1 By-law # 7584-19, being a by-law to provide for an interim tax levy for the year 2020

Refer to Report CS 63-19, 2020 Interim Tax Billing

10.2 By-law # 7585-19, being a by-law to authorize the Town of Whitby Municipal Election Campaign Contribution Rebate Program

Refer to Report CLK 12-19, Contribution Rebate Program Review

10.3 By-law # 7586-19, being a by-law to Amend Procedure By-law # 7462-18

Resolution # 362-19

Moved By Councillor Leahy
Seconded By Councillor Lee

That leave be granted to introduce By-laws # 7584-19 to # 7586-19 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

11. Closed Session

Moved by Councillor Mulcahy
Seconded by Councillor Lee

That Council move in-camera in accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees and (c) a proposed or pending acquisition or disposition of land by the municipality or local board of Council.

Carried

- 11.1** Confidential Memorandum from C. Harris, Town Clerk dated December 10, 2019 regarding the recommendation for appointments to the Downtown Whitby Business Improvement Area Board of Management, the Accessibility Advisory Committee and Downtown Whitby Development Steering Committee.

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

- 11.2** Confidential Corporate Services Department and Public Works Department Joint Report, CS 64-19
Re: Acquisition of Land for a Multi Use Path – 200 Garden Street – Part of Lot 25, Concession 2, being Part 1, Plan 40R-30704

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

12. Rising and Reporting

- 12.1** Motion to Rise

Moved By Councillor Mulcahy
Seconded By Councillor Shahid

That Council rise from the closed portion of the Council Meeting.

Carried

- 12.2** Reporting Out

Mayor Mitchell advised that during the closed portion of the meeting Council discussed personal matters about identifiable individuals.

Resolution # 363-19

Moved By Councillor Leahy
Seconded By Councillor Yamada

That Council hereby adopts the recommendations as presented in the Confidential Corporate Services Department and Public Works Department Joint Report, CS 64-19

Carried

Resolution # 364-19

Moved By Councillor Lee
Seconded By Councillor Newman

That Council appoint the following individuals to the following Boards and Committees for the term ending November 14, 2022 unless otherwise stated or until a successor is appointed:

Downtown Whitby Business Improvement Area Board of Management

- Robert McBride
- Lorena Purchase

Accessibility Advisory Committee

- Liam Lacy
- Paul Scott

Downtown Whitby Development Steering Committee

- Paul Scott

Carried

13. Confirmatory By-Law

13.1 Confirmatory By-law

Resolution # 365-19

Moved By Councillor Leahy
Seconded By Councillor Newman

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 December 16, 2019 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

14. Adjournment

14.1 Motion to Adjourn

Moved By Councillor Shahid
Seconded By Councillor Lee

That the meeting adjourn.

Carried

The meeting adjourned at 7:51 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor