

**Present:** Mayor Mitchell  
Councillor Drumm  
Councillor Emm  
Councillor Glead  
Councillor Leahy  
Councillor Mulcahy  
Councillor Roy  
Councillor Yamada

**Also Present:** D. Barnes, Interim 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  
K. Nix, Commissioner of Corporate Services/Treasurer  
D. Speed, Fire Chief  
C. Harris, Town Clerk  
S. Cassel, Deputy Clerk

**Regrets:** None noted

---

Mayor Mitchell opened the meeting with a moment of silence in recognition of those impacted by the attacks on the mosque in Quebec City.

### **Resolution # 24-17**

Moved By Councillor Glead  
Seconded By Councillor Yamada

1. That the order of the agenda be changed to hear Item 10, New and Unfinished Business at this time; and,
2. That a motion to introduce a matter pertaining to the Charter of Inclusive Communities be allowed due to its timely and urgent nature.

### **Carried on a Two Third Vote**

Council heard Item 10, New and Unfinished Business at this time.

1. Declarations of Pecuniary Interest

- 1.1 Councillor Emm made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding the correspondence received from Gerdau Ameristeel, dated January 25, 2017 in relation to Item 7.13, CMS 04-17, Vacant Town Property - 280 Water Street as he has a family member who works for Gerdau. Councillor Emm did not take part in the discussion pertaining to the correspondence from Gerdau Ameristeel.

2. Adoption of Minutes

- 2.1 Special Council - December 12, 2016 (Closed minutes of the In Camera session under separate cover)  
Regular Council - December 12, 2016  
Special Council - January 9, 2017 - 5:30 p.m.  
Special Council - January 9, 2017 - 7:00 p.m. (Closed minutes of the In Camera session under separate cover)  
Special Council - January 16, 2017  
Special Council - January 23, 2017 - 5:30 p.m. (Closed minutes of the In Camera session under separate cover)  
Special Council - January 23, 2017 - 6:00 p.m.

**Resolution # 25-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That the minutes be adopted.

**Carried**

3. Presentations

- 3.1 There were no presentations.

4. Delegations

- 4.1 There were no delegations.

5. Correspondence

- 5.1 That the following requests be endorsed:
- January 2017 as Tamil Heritage Month

- February 2017 as Black History Month
- February 1, 2017 as International Gruit Day
- March 27 to April 7, 2017 as Oshawa-Whitby Kiwanis Music Festival Week

**Resolution # 26-17**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

That the proclamations for Tamil Heritage Month - January 2017, Black History Month - February 2017, International, Gruit Day - February 1, 2017 and Oshawa-Whitby Kiwanis Music Festival Week - March 27 to April 7, 2017, be endorsed.

**Carried**

6. Planning and Development Committee  
Planning and Development Committee - January 16, 2107

Note: The Planning and Development Committee Minutes of January 16, 2017 did not contain any recommendations that required Council approval.

7. Operations Committee  
Report # 1 of the Operations Committee - January 23, 2017

- 7.1** Corporate Services Department Report, CS 06-17  
Re: Repeal of Employee Computer Purchase Plan Policy

**Resolution # 27-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council repeal the Employee Computer Purchase Plan policy effective immediately;
2. That staff with active Employee Computer Purchase Plans have until the end of their Employee Computer Purchase Plan contract to pay off the remaining funds for this loan; and,
3. That the Manager of Human Resources sends out a corporate wide communication to notify staff of the repeal of this policy.

**Carried**

- 7.2** Public Works Department and Corporate Services Department Joint Report, CS 01-17  
Re: Flower and Plant Material (T-554-2016)

**Resolution # 28-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That the Town of Whitby accept the low tender bid of Vermeer's Greenhouse (Welland) Inc. in the amount of \$25,547.75, (plus applicable taxes) for the supply and delivery of Flower and Plant Material for a one (1) year term;
2. That approval be granted for the option to extend the contract for two (2) additional one (1) year terms based on satisfactory product quality, satisfactory pricing, timely service and budget approval. For approved additional years the town reserves the right to change plant and flower species and negotiate prices;
3. That the total estimated annual contract amount of \$25,997.39 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.3** Corporate Services Department Report, CS 02-16  
Re: Temporary Borrowing By-law

**Resolution # 29-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That a by-law be brought forward to authorize the temporary borrowing of an amount up to Fifteen Million dollars for cash flow purposes, if required, at any one time during the calendar year 2017.

**Carried**

- 7.4** Corporate Services Department and Community and Marketing Services Department Joint Report, CS 03-17

Re: Whitby Centennial Building Restoration (T-124-2016)

**Resolution # 30-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That the Town of Whitby accept the low compliant tender as received from Limen Group Construction Ltd. in the amount of \$446,320.00 (excluding taxes) for the exterior restoration at the Whitby Centennial Building;
2. That an over expenditure in the amount of \$15,886.76 be approved and funded from the Maintenance Reserve;
3. That the total estimated project cost in the amount of \$469,028.76 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.5** Community and Marketing Services Department and Corporate Services Department Joint Report, CS 05-17  
Re: Municipal Building Accessible Counters and Partition Renovations (T-145-2016)

Brief discussion ensued with respect to the 25 percent over expenditure raised at the January 23rd Operations Committee Meeting and whether the upcoming report would address the concerns raised and whether staff would be requesting the proponents to look at the scope of work and what could be accomplished for the project amount previously approved.

**Resolution # 31-17**

Moved By Councillor Leahy  
Seconded By Councillor Mulcahy

That Staff review options to integrate security and accessibility renovations as detailed in CS 05-17 with other proposed renovations to the Municipal Building in a report to the February 13, 2017 Operations Committee.

**Carried**

- 7.6** Public Works Department Report, PW 1-17  
Re: Downtown Whitby Transportation and Pedestrian Safety Action Plan  
Terms of Reference

**Resolution # 32-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Report PW 1-17 be received as information;
2. That Council authorize staff to issue a Request for Proposal (see Terms of Reference in Attachment 1) for the Downtown Whitby Transportation and Pedestrian Safety Action Plan and award the project to the highest ranking compliant bidder provided such proposals are within or do not exceed by more than 10% of the budget; and,
3. That the Mayor and Clerk be authorized to sign any necessary documents.

**Carried**

- 7.7** Public Works Department Report, PW 5-17  
Re: Fees for Services and Activities Provided and Performed by the  
Town of Whitby Public Works Department

**Resolution # 33-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council approve the proposed Fees for Services and Activities provided and performed by the Public Works Department as outlined within Report PW 5-17; and,
2. That the Town Clerk be directed to bring forward a by-law to give effect to the recommendations contained in Report PW 5-17.

**Carried**

- 7.8** Public Works Department Report, PW 06-17  
Re: Site Alteration By-law

This item was referred back at Committee.

- 7.9** Public Works Department Report, PW 39-16  
Re: Neighbourhood Watch and Road Watch Partnership

**Resolution # 34-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council approve a two-year partnership between Neighbourhood Watch and Road Watch resulting in the Neighbourhood Watch signage being funded through the Road Watch program;
2. The staff monitor the partnership between Neighbourhood Watch and Road Watch and report back to Council, as appropriate, with any recommended updates and/or modifications; and,
3. That the Clerk be authorized to provide a copy of Report PW 39-16 to the Durham Regional Police Service Regional Neighbourhood Watch Coordinator and the Road Watch Committee.

**Carried**

- 7.10** Community and Marketing Services Department Report, CMS 01-17  
Re: Ethno-Cultural and Diversity Advisory Committee 2016 Review and Proposed 2017 Work Plan

**Resolution # 35-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council receive as information the Ethno-cultural and Diversity Advisory Committee of Council's 2016 summary of activities and accomplishments;
2. That Council approve the Ethno-cultural and Diversity Advisory Committee of Council's proposed 2017 Work Plan in principle;
3. That the Ethno-cultural and Diversity Advisory Committee of Council's proposed budget to achieve the 2017 Work Plan be referred for Council's consideration to the 2017 Operating Budget process;
4. That the Ethno-cultural and Diversity Advisory Committee of Council's Terms of Reference be amended to add two appointees from the Whitby Youth Council as non-voting members; and,
5. That the Clerk forward a copy of Community and Marketing

Services Department Report CMS 01-17 to the Durham Region  
Local Diversity and Immigration Partnership Council.

**Carried**

- 7.11** Community and Marketing Services Department Report, CMS 02-17  
Re: Mayor's Community Development Fund Annual Report

**Resolution # 36-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That Community and Marketing Services Department Report CMS 02-17 regarding the Mayor's Community Development Fund be received as information.

**Carried**

- 7.12** Community and Marketing Services Department Report, CMS 03-17  
Re: Ontario Sport and Recreation Communities Fund

**Resolution # 37-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Community and Marketing Services Department Report CMS 03-17 pertaining to the Ontario Sport and Recreation Communities Fund from the Provincial Ministry of Tourism, Culture and Sport be received as information; and,
2. That Council authorize Staff to make an application to the Ontario Sport and Recreation Communities Fund (in partnership with the Abilities Centre, the Accessibility Advisory Committee, Community Living Ontario and Grandview Children's Centre) for an expanded Inclusion Services Program as outlined in the staff report.

**Carried**

- 7.13** Community and Marketing Services Department Report, CMS 04-17  
Re: Vacant Town Property - 280 Water Street



Having previously declared a conflict of interest, Councillor Emm did not take part in the discussion pertaining to the correspondence received from Gerdau Ameristeel relating to the matter.

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

- the concerns identified by Gerdau and the importance of taking the concerns into consideration as they relate to the development;
- providing a copy of the letter to the Developer of the property to ensure that they are aware of Gerdau's concerns;
- the impact the development would have on the use of Heydenshore Pavilion and when a report would be forthcoming to Council to identify and mitigate such impacts;
- the possibility of Gerdau providing a demonstration of the activities and operations to provide a better understanding of the noise impacts;
- timelines for the development and the associated Planning processes related to land use; and,
- the number of jobs that will be created by the development.

Staff were directed to provide the letter received by Gerdau Ameristeel to the purchaser and developer of the property.

### **Resolution # 38-17**

Moved By Councillor Leahy

Seconded By Councillor Emm

1. That Council support the development of the Town of Whitby industrial property located at 280 Water Street for a hotel, convention centre and restaurant (vacant property located across from Heydenshore Pavilion);
2. That staff be directed to negotiate an agreement of purchase and sale for the Town property located at 280 Water Street with the principals of the Taggar Family Trust, which would be the developer, owner and operator of the proposed hotel, convention centre and restaurant project;
3. That staff report back to Council with the draft terms of an agreement of purchase and sale;
4. That staff be directed that the land use policy and zoning provisions required to support the project be undertaken to permit the development on the property; and,
5. That staff report back on the impact of a proposed closure of

Heydenshore Pavilion as a result of the recommended development and opportunities to accommodate programming in other municipal or external facilities.

**Carried unanimously on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
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

**7.14** Community and Marketing Services Department Report, CMS 05-17  
Re: 128 Brock Street South

**Resolution # 39-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council support the redevelopment of the municipally owned property at 128 Brock Street South (the property/building occupied by the Whitby Chamber of Commerce and Town Parking By-Law Enforcement Staff);
2. That Council endorse the redevelopment of the property for a more extensive office and commercial complex to support Council's Goals of clearly being seen by all stakeholders to be business and investment friendly and supportive; and to leverage municipal tools and resources to generate local jobs and prosperity;
3. That Council endorse the sale and redevelopment of the property to the private sector through a process of an Expression of Interest to be administered by staff;
4. That Council direct staff to prepare the draft Terms of Reference for an Expression of Interest for the redevelopment of the property;
5. That staff report back to Council with the draft Terms of

- Reference for approval by the end of the first quarter 2017; and,
6. That the tender award for the exterior maintenance renovations for 128 Brock Street South not be undertaken and staff be directed to inform the general contractor that the project is cancelled.

**Carried**

- 7.15** Community and Marketing Services Department Report, CMS 06-17  
Re: Sky Zone Trampoline Park Naming Rights Sponsorship at Iroquois Park Sports Centre

**Resolution # 40-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That Council approve the Sky Zone Trampoline Park naming rights sponsorship at Iroquois Park Sports Centre, including renaming Arena 2 to 'Sky Zone Arena 2, under the terms and conditions identified in Community and Marketing Services Report CMS 06-17.

**Carried**

- 7.16** Office of the Town Clerk Report, CLK 01-17  
Re: Review of Fees and Charges - Office of the Town Clerk

**Resolution # 41-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That the proposed Fees and Charges for the Office of the Town Clerk outlined in Attachments 1 and 2 appended to this report, be approved save and except:
  - That the fees for taxi-cab broker, owner and driver licenses remain status quo; and,
  - That the accessible taxi-cab owner fee be reduced to zero; and,
2. That the Clerk be directed to incrementally consolidate fees and charges levied by the Town into a corporate fees and charges by-law at such time as departments bring forward reviews of existing fees and charges.

**Carried**

- 7.17** Office of the Town Clerk Report, CLK 02-17  
Re: Second Corporate Policy Review – Removal of Redundant Policies

**Resolution # 42-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Report CLK 02-17 of the Office of the Town Clerk be received for information;
2. That the following obsolete or redundant policies be rescinded:

1-0-03 Town Liability and Procedure for Compensation in the Event of a Flood  
1-0-08 Public Use of Municipal Building  
1-0-10 Adoption of Marigold as Town Flower and Use of Victorian Design Theme for Future Municipal Buildings  
1-0-15 Liability Insurance – Council and Staff  
1-1-05 Employment of Students During School Vacation Periods  
1-1-06 Employment Policies for Management Personnel  
1-1-07 Employment of Relatives – Management, Union and Part-time Employees  
1-1-09 Employee Relationships – Whitby Fire Department  
1-1-10 Benefits for Non-Union Personnel During Probationary Period  
1-1-12 Rejection of Applicant for a Job Posting  
1-1-14 Policy on Moving Allowance for Management Personnel  
1-1-16 Policy for Councillors, Department Heads for Attendance at Conferences, Conventions and Seminars  
1-1-18 Benefits for Disabled Employees (L.T.D)  
1-1-21 Retaining Legal Council for Employees  
1-1-28 Retirement of Municipal Employees  
1-1-29 Retirement Tribute  
1-3-01 Processing of Requests for Municipal Clearance under the Liquor Licence Act, 1990  
1-3-03 Execution of Certain Documents and Agendas  
1-3-06 Application for Registration in Land Titles – Execution of Consent and Waiver Notice  
1-3-07 Special Occasion Permits – Town Approval of Community Festival and Outdoor Events  
1-3-08 Temporary Closing of Roads for Street Dances

1-3-10 Liability Insurance for Special Events  
1-3-11 Fund Raising Tolls – Public Highways  
1-3-15 Town Appointment of Private Security Personnel as  
Municipal Law Enforcement Officers for the Purpose of Enforcing  
Parking Provisions on Private Property  
2-2-02 Purchasing parts, Services and Goods  
2-2-03 Tender Deposits  
2-2-04 Use of Newspapers for Advertising  
2-2-05 Awarding Tender Contracts During Summer Recess of  
Council  
2-2-06 Involvement of Members of Council in the Tendering and  
Quotation Process  
3-1-02 Erection of Private Building, etc., on Municipal Property  
3-1-03 Location of Cenotaph  
3-1-04 Mortgages Taken Back on Sale of Municipal Property  
3-1-05 Development of Property Sold by the Town as a Condition  
of Sale  
3-2-07 Circulation of Zoning and Subdivision Applications to the  
Local Architectural Conservation Advisory Committee (LACAC)  
3-2-10 Authority to Appeal Decisions of Land Division Committee  
and Committee of Adjustment  
3-2-12 Public Notification Policy for Applications to Amend the  
Existing Town of Whitby Official Plan  
3-2-13 Condominium Conversion Application Under Subsection  
4(1) of the Rental Housing Protection Act, 1989  
3-2-17 Part Lot Control  
3-3-03 Site Plan Agreements – Road Widening  
3-3-04 Adequacy of Water Supply for Fire Protection Services as  
a Condition of Development – Dundas Street East between  
Anderson Street and Glen Hill Drive  
3-3-06 Pre-cast Curbing in Site Plans  
3-3-10 Site Plan Approvals During the Summer Recess of  
Council  
3-4-01 Applications for Amendment to Zoning By-law 2585 and  
1784 (As Amended) Information and Rules of Procedure  
3-4-09 Subdivision Agreement Negotiations  
3-4-10 Masonry Feature Entrance Walls in Plans of Subdivision  
3-4-11 Bicycle Paths  
3-4-12 Underground Cables  
3-4-14 Town Assumption of Streets, Street Widening and  
Walkways in Plans of Subdivision  
3-4-16 Length of Cul-de-Sacs in Plan of Subdivision  
3-4-17 Applications for Approval of Subdivision Plans, Information  
and Rules of Procedure  
3-4-18 Subdivision Sales Trailer/Offices

- 5-0-02 Cleaning Driveways of Snow
  - 5-0-03 Energy Conservation Program – Propane Conversion
  - 5-0-04 Ontario Provincial Standard Drawing
  - 5-0-07 Stormwater Management – Watercourse Erosion Control
  - 5-1-03 Apportionment of Building Permit Fees
  - 5-2-02 Cleaning of Basements After Storm Sewer Flooding
  - 5-2-04 Special Events on Regional Roads
  - 5-2-10 Storm Sewer Servicing for Properties Fronting on Storm Sewer and Street Reconstruction Projects
  - 6-0-03 Procedure for Reporting Vandalism and Reward
  - 6-0-05 Project Funding Policy
  - 6-0-07 Turf Maintenance and Level of Service
  - 6-1-02 Priority for Use of Town Facilities
  - 6-1-06 Loss or Damage of Articles at any Parks and Recreation Facility
  - 6-1-12 The Sale and Distribution of Food and Beverages by the Public in Town Facilities
  - 6-1-15 Community Requests Related to Special Events Held on Town Property
  - 6-1-16 Use of Town Owned ice Skating Areas by the Durham Boards of Education
  - 6-1-17 Permitting of Municipal Community Hall Facilities
  - 6-1-18 Naming of Whitby Civic Centre
  - 6-1-19 Outdoor Athletic Facilities (Ball Fields and Soccer Fields)
  - 6-2-05 Parkland Development Policy
  - 6-2-09 Pathway Lighting – Parks and Open Space Areas
  - 6-4-03 Animal Control and Pound Policies
  - HR 020 Employee Assistance Program
3. That the Town Clerk be authorized to give effect to the above; and,
  4. That Council approve the revised Standards for Town Policies and Procedures Policy as shown in Attachment #1.

**Carried**

- 7.18** Legal and By-law Services Department Report, LS 02-17  
Re: 2017 Legal and By-law Services Fees and Charges

**Resolution # 43-17**

Moved By Councillor Leahy  
Seconded By Councillor Drumm

1. That the proposed fees and charges for services and activities

- provided by the Legal and By-law Services Department as outlined within Report LS 02-17 be approved; and,
2. That the Clerk be directed to bring forward the necessary documentation to give effect to the fees and charges contained in Report LS 02-17 within a consolidated fees and charges by-law.

**Carried**

**7.19 Bill 68, Modernizing Ontario's Municipal Legislation, 2016**

**Resolution # 44-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

Whereas Bill 68, Modernizing Ontario's Municipal Legislation, 2016 received first reading on November 16, 2016;

And Whereas the Council of the Town of Whitby applauds many of the proposed amendments but continues to encourage revisions or consideration of other amendments necessary for municipal operations and financial sustainability that are not included in Bill 68;

Now Therefore Be It Resolved:

1. That the following proposed amendments to the Municipal Act and Municipal Conflict of Interest Act to clarify and broaden the powers granted to municipalities be applauded:
  - a) Providing a clear and concise definition of what constitutes a 'meeting';
  - b) Expanding the number of discretionary exemptions for entering into a closed meeting to consider confidential information;
  - c) Giving Integrity Commissioners the power to self-initiate investigations and provide advice to councils and local boards about their codes of conduct and Municipal Conflict of Interest Act (MCIA) obligations;
  - d) Inclusion of a statement of principle in the MCIA and a broader range of penalties for members found to be in contravention.
2. That given the recent changes to the Municipal Elections Act to ban corporate and union donations, in conjunction with proposed changes to limit the self-financing of campaigns, the Province be encouraged to:
  - a) Investigate ways to ensure a level playing field between incumbents and challengers;



- b) Determine ways that the Province and municipalities can assist in educating and informing voters to increase awareness and turnout.
- 3. That the following proposed amendments to the Municipal Act and Municipal Conflict of Interest Act be further considered for the purpose of ensuring clarity and preventing unintended consequences:
  - a) The proposed discretionary exemption to allow consideration of “certain third party information supplied in confidence” in a closed meeting should be clarified, by further defining ‘third party information’ and ‘supplied in confidence’;
  - b) The proposed amendment to the MCIA that would allow a ‘person’, which could include a non-resident, corporation or municipality to apply to a judge for determination on whether a member violated the MCIA, be removed in favour of the existing requirement that only an ‘elector’ can apply for such determination
  - c) The Town opposes the proposal to allow an Integrity Commissioner to make an application to court for a judicial decision on whether a Member of Council has violated the MCIA, given the untenable position this would place the Integrity Commissioner and municipality; this could be further exacerbated by the potential for the court to rule in the Member’s favour which would result in the municipality paying for both the Integrity Commissioner to bring the court application and to defend the court application for the Member as per the Town’s Indemnification By-law.
- 4. That this Council supports the Association of Municipalities of Ontario in its work to close the fiscal gap; so that all municipalities can benefit from predictable and sustainable revenue, to finance the pressing infrastructure and municipal service needs faced by all municipal governments; and,  
That the following amendments not proposed through Bill 68 be given further consideration and be incorporated with the proposed legislative changes:
  - a) The additional revenue and taxation powers granted to the City of Toronto, such as the land transfer tax, should be expanded to all municipalities given the unsustainable nature of supporting municipal services primarily from revenue generated through the property tax levy.
- 5. That the above resolution and the Memorandum from the Commissioner of Legal and By-law Services dated January 23, 2017 be circulated to the Association of Municipality of Ontario, Area Municipalities, Minister of Municipal Affairs and local MPP.



**Carried**

8. Management Committee  
Report # 1 of the Management Committee - January 24, 2017

- 8.1** Office of the Chief Administrative Officer, CAO 01-17  
Re: Matters Pertaining to Identifiable Individuals and Labour Relations

**Resolution # 45-17**

Moved By Councillor Drumm  
Seconded By Councillor Emm

That the recommendations in Item 2.1, as contained in the confidential minutes of the Management Committee held on January 24, 2107, be adopted.

**Carried**

9. Notice of Motion

- 9.1** There were no notices of motion.

10. New and Unfinished Business

- 10.1** The Charter for Inclusive Communities

**Resolution # 46-17**

Moved By Councillor Gleed  
Seconded By Councillor Yamada

Whereas the Charter for Inclusive Communities affirms the dignity of every person and calls for a concerted effort to counter prejudice and hate and to develop programs and policies specific to the reduction and elimination of Islamophobia in all its forms.

And Whereas the rise of anti-Muslim incidents across Canada and the recent attacks in Quebec City risk eroding the strength of our country's rich social fabric;

Now therefore be it resolved that Whitby Town Council endorses and supports the National Council of Canadian Muslims' Charter for

Inclusive Communities which reads:

“Preamble

The recent rise in anti-Muslim incidents in Canada is disturbing and risks eroding the strength of our country's rich social fabric. When Muslim women are attacked in the streets, when mosques are vandalized or when people face prejudice in their workplace or school, it is not only Canadian Muslims that suffer; Canadian society as a whole is weakened because our values of equality, respect, justice and dignity for all are threatened.

Hate crimes against Muslims have risen dramatically in recent years both in Canada, and around the world. Given the unfortunate climate of fear that seems to have entered some segments of public life, it appears that this trend is increasing.

Islamophobia is real and it is wrong, despite what some may say to downplay it or dismiss it. This type of hate and discrimination tells Canadian Muslims that they do not belong by isolating them and their communities through stigmatization and casting them as outsiders and the 'other'.

Our Commitment

By signing this Charter, we commit to standing up for the rights and dignity of everyone in order to promote inclusive, just, and respectful communities in Canada.

We strongly affirm that:

- Islamophobia, like all other forms of racism, hate, xenophobia, and bigotry, has no place in Canadian society.
- Discrimination and acts of hate against anyone, marginalize individuals and communities and exclude them from participating fully in society and fulfilling their potential.
- The dignity of every person in Canada is essential to a healthy and vibrant society.
- Everyone in Canada has a role to play in creating safe environments for us all.
- All levels of government, civil society, communities, and public officials have a duty to work together in developing policies, programs and initiatives to reduce and eliminate Islamophobia in all of its forms.
- By working together, we can nurture inclusive communities and

strengthen our shared commitment to Canada's values of equality, respect, justice, and the dignity of all persons.”

And That this resolution be forwarded to the local Member of Parliament (M.P.), the local Member of Provincial Parliament (M.P.P.), the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM), the Town of Whitby's Ethno-Cultural and Diversity Advisory Committee, the Regional Municipality of Durham and all Durham Region Municipalities.

**Carried unanimously on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
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

**Resolution # 47-17**

Moved By Councillor Emm  
Seconded By Councillor Roy

That the flags at all Town facilities be lowered to half-mast in recognition of the mosque attacks that occurred in Quebec City.

**Carried**

**Resolution # 48-17**

Moved By Councillor Roy  
Seconded By Councillor Mulcahy

That a motion to introduce a matter pertaining to the ACS Alcolock Systems be allowed due to it timely and urgent nature.

**Carried on a Two Third Vote**

## **10.2 ACS Alcolock System**

### **Resolution # 49-17**

Moved By Councillor Roy  
Seconded By Councillor Mulcahy

Whereas the Town of Whitby strives to be a leader in its support for proactive measures that can reduce the risks associated with drinking and driving;

Whereas while there has been increased levels of enforcement, education and awareness about not drinking and driving, more needs to be done to address growing concerns related to drinking and driving and the morning after effects by responsible drinkers who take appropriate steps when leaving a bar via a designated driver or similar such programs and show up for work the next day, unaware that they continue to have levels of alcohol in their system;

Whereas countries such as France, Finland, Norway, Sweden and others have implemented or are in the process of implementing legislation requiring all vehicles that transport people or are contracted by various levels of government that interact in the public realm must have a proactive Alcohol Countermeasure System installed on vehicles;

Whereas equipment such as the ACS Alcolock System provides safeguards that will prevent and alert an operator of a vehicle if their blood alcohol level is too high and that they and the public may be at risk; and,

Whereas installation of such devices not only improves public safety, but may also reduce the cost of fleet insurance policies.

Now Therefore be it Resolved:

That the Town of Whitby request the Province of Ontario to implement legislation that will require operators of public transportation vehicles to have installed devices that will proactively prevent the risks associated with high blood alcohol levels the morning after drinking; and,

That the Clerk forward copies of this motion to Minister of Transportation, GTA Municipalities, Metrolinx, The Honourable Lorne Coe, the Durham Public and Separate School Boards, the Conseil

scolaire de district catholique Centre-Sud and Conseil scolaire  
Viamonde.

**Carried unanimously on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
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

### **10.3 Highways 412 Toll Routes**

Councillor Gleed raised the matter of the correspondence that was sent to the Ministry of Transportation regarding the tolling of Highway 412 and advised that a response had been received from the Ministry acknowledging the Town's letter and advising that the Highway would continue to be a tolled road. Councillor Gleed made reference to the initial communications and RFPs pertaining to the establishment of the Highway and noted that they did not indicate a toll route for the Highway at that time. He further advised that thousands of residents had signed a petition against the tolls on Highway 412 and that hopefully in time, the Province would see the need to eliminate the tolls.

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

- when the eastbound ramps on Lakeridge Road would be opened;
- whether there would be measures in place to track the traffic volumes on Lakeridge Road once the Hwy 412 tolls commenced on February 1, 2017; and,
- the need to have a base line of data to provide for future traffic statistics and the ability to measure the long term impacts.

Council heard Item 1, Declarations of Pecuniary Interest at this time.

### **11. By-Laws**

That the following by-laws be passed:

- 11.1** By-law # 7219-17, being a by-law to change the composition of the Municipal Council of the Town of Whitby from eight (8) members to nine (9) members.
- 11.2** By-law # 7220-17, being a by-law to establish fees and charges for various services provided by The Corporation of the Town of Whitby (the "Town").
- 11.3** By-law # 7221-17, being a by-law to assume Shrewsbury Drive, Chiswick Avenue, Mildenhall Place and Cachet Boulevard as shown on Plan 40M-2352 as Public Highways (Brookvalley Developments Inc. Phase 6).
- 11.4** By-law # 7222-17, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby (Schedule N, Stop Signs - various streets).
- 11.5** By-law # 7223-17, being a by-law to assume Wycombe Street, Jarrow Crescent, Nightingale Crescent, Benington Court and Burning Springs Place as shown on Plan 40M-2416 as public highways (Brookvalley Developments Inc. Phase 7).
- 11.6** By-law # 7224-17, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby (Schedule N, Stop Signs - various streets).
- 11.7** By-law # 7225-17, being a by-law to dedicate Part 2 on Plan 40R-28243 as a Public Highway (Dundas Street East).
- 11.8** By-law # 7226-17, being a by-law to dedicate Block 113 on Plan 40M-2310 as a Public Highway. (Armour Street)
- 11.9** By-law # 7227-17, being a by-law to assume Burning Springs Place as shown on Plan 40M-2473 as a Public Highway. (Brookvalley Developments Inc., Phase 7A)
- 11.10** By-law # 7228-17, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby. (Schedule N, Stop Signs - Burning Springs Place)
- 11.11** By-law # 7229-17, being a by-law to authorize the borrowing of a sum or sums not exceeding an aggregate of fifteen million dollars for the

calendar year 2017.

**Resolution # 50-17**

Moved By Councillor Leahy  
Seconded By Councillor Yamada

That leave be granted to introduce By-law # 7219-17 to # 7229-17 and to dispense with the readings 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**

12. In Camera Matters

- 12.1** Confidential Memorandum from the Office of the Town Clerk  
Re: Accessibility Advisory Committee Appointments

**Resolution # 51-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That Council appoint the following individuals to the Accessibility Advisory Committee for the term noted or until a successor is appointed:

- Laura Celsie, for a 1-year term ending November 30, 2017
- Melinda Crawford, for a 1-year term ending November 30, 2017
- Denise Laframboise, for a 2-year term ending November 30, 2018
- Shauna Moore, for a 1-year term ending November 30, 2017

**Carried**

13. Confirmatory By-Law

- 13.1** Confirmatory By-law

**Resolution # 52-17**

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 January 30, 2016 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

**Resolution # 53-17**

Moved By Councillor Emm  
Seconded By Councillor Drumm

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:10 p.m.

---

Christopher Harris, Town Clerk

---

Don Mitchell, Mayor