

**Present:** Mayor Mitchell  
Councillor Drumm  
Councillor Leahy  
Councillor Lee  
Councillor Mulcahy  
Councillor Newman  
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  
J. Dinsmore, Acting Deputy 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 Roy

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1. Declarations of Pecuniary Interest

- 1.1** Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 2.1, Special Council Minutes of January 27, 2020, and regarding Item 7.1, Office of the Chief Administrative Officer Report, CAO 01-20, Employment Land Investment Readiness Assessment – Update, and regarding Item 10.11, By-law # 7601-20, as the lands under discussion in relation to these matters abut or sit upon a portion of 5455 Ashburn Road, a property that is owned by Mayor Mitchell and his family. Mayor Mitchell did not take part in the discussion and voting on these matters.

2. Adoption of Minutes

- 2.1** Regular Council - December 16, 2019 (Confidential minutes under separate cover)  
Special Council - January 20, 2020

**Resolution # 08-20**

Moved By Councillor Lee  
Seconded By Councillor Shahid

That the Regular Council minutes of December 16, 2019 and the Special Council minutes of January 20, 2020 be adopted.

**Carried**

- 2.2** Special Council - January 27, 2020 (Confidential minutes under separate cover)

Having previously declared a conflict of interest, Mayor Mitchell did not take part in the discussion or voting on this matter. Deputy Mayor Yamada assumed the Chair for this portion of the meeting.

**Resolution # 09-20**

Moved By Councillor Shahid  
Seconded By Councillor Newman

That the Special Council minutes of January 27, 2020 be adopted.

**Carried**

Mayor Mitchell resumed the Chair.

**3. Presentations**

Councillor Alexander rose on a point of privilege and announced to Members of Council that she had changed her name and would be addressed as Councillor JoAnne Drumm effective immediately.

- 3.1** Tracy Hanson representing the Brooklin Spring Fair  
Re: Update on the 2020 Brooklin Spring Fair

Tracy Hanson, representing the Brooklin Spring Fair, appeared before

Council and provided a PowerPoint presentation regarding the 2020 Brooklin Spring Fair.

Highlights of the presentation included:

- the 109 year history of the fair;
- recognition of the volunteers who help organize and operate the fair;
- benefits the fair provides for the community, including highlighting the importance of agriculture and bringing visitors to local businesses;
- popular events at the fair, including the demolition derby and the tractor pull;
- educational opportunities at the fair, including Education Day for grade 3 students which provides learning opportunities about agriculture and conservation;
- the fair being featured on the television show "Carnival Eats"; and,
- a request for a grant from the Town in the amount of \$10,000 to offset the costs of municipal permits to operate the fair.

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

- the theme of the 2020 Brooklin Spring Fair, being "Country Nights and Carnival Lights";
- annual attendance at the event ranging between 20,000 and 25,000 persons;
- the entry fee to attend the fair and how it compares to other fairs;
- the current financial position of the fair and that the fair has had a deficit for the past few years;
- competition faced by the fair, including other large events in the Region; and,
- insurance coverage for the fair.

Moved By Councillor Lee

Seconded By Councillor Leahy

That Council suspend the rules of procedure to allow the introduction of a motion regarding the grant request from the Brooklin Spring Fair.

**Carried on a two-thirds vote**

**Resolution # 10-20**

Moved By Councillor Lee

Seconded By Councillor Mulcahy

That the grant request from the Brooklin Spring Fair be referred to the 2020 budget for consideration.

**Carried**

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- February 17 to 23, 2020 - Scout-Guide Week
- February 2020 - Black History Month
- May 15, 2020 - Guillain Barre Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Day
- February 14 to 19, 2020 - Flag Raising - Girl Guides of Canada
- February 19 to 24, 2020 - Flag Raising - Scouts Canada

**Resolution # 11-20**

Moved By Councillor Newman  
Seconded By Councillor Leahy

That the proclamations for Scout-Guide Week, Black History Month, and Guillain Barre Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Day and the flag raisings for Girl Guides of Canada and Scouts Canada, be endorsed.

**Carried**

5.2 Memorandum from S. Beale, Commissioner of Public Works, dated January 31, 2020 regarding Amendments to the Town's Municipal Asset Management Program Funding Application.

**Resolution # 12-20**

Moved By Councillor Newman  
Seconded By Councillor Leahy

1. That Council endorse the application to the Federation of

Canadian Municipalities' Municipal Asset Management Program (MAMP) for a grant of up to \$33,120 to complete the activities as highlighted below:

- a. The Town of Whitby will employ the funds for training for data stewards in the use of the asset management database; and,
- b. Develop and run a 2-day workshop to determine current levels of service, risk assessments and decision-making in all Service Areas.

**Carried**

6. Committee of the Whole Report  
Planning and Development - January 20, 2020

- 6.1 Planning and Development Department Report, PL 4-20  
Re: Official Plan Amendment Application and Zoning By-law Amendment Application, 70 Taunton Road East, Dymon Capital Corporation, File DEV-22-18 (OPA-2018-W/04, Z-26-18)

**Resolution # 13-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Drumm

1. That Council approve Official Plan Amendment Number 117 to the Whitby Official Plan (File: OPA-2018-W/04), as shown on Attachment #6, and that a By-law to adopt Official Plan Amendment Number 117 be brought forward for consideration by Council;
2. That Council approve an amendment to Zoning By-law # 1784 (File: Z-26-18), and that a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council;
3. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision; and,
4. That the Clerk forward a copy of the Planning Report PL 4-20, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number 117 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

**Carried**

- 6.2 Planning and Development Department Report, PL 6-20

Re: Sign By-law Variance to Permanent Sign By-law for 516 Brock Street North (Tim Hortons) File No. SB-04-19

**Resolution # 14-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Drumm

That Council approve the request for a variance and a site specific amendment to the Town of Whitby Permanent Sign By-law # 7379-18 for Tim Hortons at 516 Brock Street North based on consideration of the unique circumstances associated with the application, given that the proposed signs will primarily be visible to persons who enter the Tim Hortons property for the purpose of accessing the drive-through.

**Carried**

**6.3 Expanded Paid Parking at GO Commuter Rail Stations**

**Resolution # 15-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Drumm

Whereas the proposed parking modernization program being considered by Metrolinx is expected to result in an increase in paid parking spaces in Metrolinx parking lots near GO Commuter Rail Stations;

Whereas the conversion of free parking spaces to paid parking spaces in Metrolinx parking lots may result in commuters choosing to drive to work for financial reasons, rather than taking public transit, thereby increasing the number of vehicles on Greater Toronto Area highways;

Whereas the implementation of additional paid parking spaces may result in impacts to surrounding communities due to motorists seeking out free parking, which could result in an increase to on-street parking and parking in nearby public and private parking lots; and,

Whereas the Town has worked collaboratively with Metrolinx for shared parking arrangements near the Whitby GO Station, and any decision to implement paid parking spaces in Metrolinx parking lots will impact the availability of parking spaces at the Iroquois Park Sports Centre.

Now Therefore be it Resolved:

1. That Staff be directed to engage with Metrolinx about their proposed parking modernization program;
2. That the Council of the Town of Whitby can only support the expansion of paid parking at the Whitby GO Station subject to Metrolinx undertaking consultation with the Town and the community, and an understanding of the impacts these changes will have, including financial impacts, on local GO Transit ridership; and,
3. That the Clerk be directed to forward a copy of this resolution to Durham Area Municipalities, M.P.P. Lorne Coe, the Hon. Caroline Mulroney, and Metrolinx.

**Carried**

7. Committee of the Whole Report  
General Government - January 27, 2020

It was the consensus of Council to move to Item 7.2, Office of the Chief Administrative Officer Report, CAO 02-20, Community Development Funds – 2019 Annual Report, at this time.

- 7.1** Office of the Chief Administrative Officer Report, CAO 01-20  
Re: Employment Land Investment Readiness Assessment – Update

Having previously declared a conflict of interest, Mayor Mitchell left the meeting and did not take part in the discussion or voting on this matter. Deputy Mayor Yamada assumed the Chair for this portion of the meeting.

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

- the ability to sever some of the market ready land into smaller parcels;
- larger parcels of land being considered more valuable to developers;
- the ability to structure servicing agreements to make them more attractive to commercial and industrial development; and,
- opportunities for developers to recover costs associated with servicing lands.

**Resolution # 16-20**

Moved By Councillor Leahy  
Seconded By Councillor Newman

1. That Report CAO 01-20 be received as information regarding an update to the employment land investment readiness assessment;
2. That given the imperative need for greater local business, that Staff include a strategy for the development of employment lands in the Economic Development Strategy to be presented to Council in 2020; and,
3. That the Clerk forward a copy of Staff Report CAO 01-20 to the Region of Durham Planning and Economic Development, Finance and Public Works Departments and to the Ministry of Transportation.

**Carried**

Mayor Mitchell resumed the Chair.

**7.2** Office of the Chief Administrative Officer Report, CAO 02-20  
Re: Community Development Funds – 2019 Annual Report

Councillor Drumm advised that the groups that benefit from these funds are volunteer agencies and she thanked Mayor Mitchell and Members of the Grants Review Committee for their efforts.

A brief question and answer period ensued between Members of Council and Staff regarding the amount remaining in the Performing Arts Community Development Fund, when the fund will be depleted, and if the fund earns interest.

**Resolution # 17-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That Report CAO 02-20 regarding the 2019 Annual Report for the Mayor's Community Development Fund and the Performing Arts Community Development Fund be received.

**Carried**

**7.3** Corporate Services Department Report, CS 04-20



Re: Temporary Borrowing By-law

**Resolution # 18-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

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 2020.

**Carried**

- 7.4** Legal and Enforcement Services Department Report, LS 01-20  
Re: Proposed Amendments to the Private Transportation Services By-law

**Resolution # 19-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That staff be directed to bring forward a by-law to amend the Private Transportation Services By-law to give effect to the recommendations contained in Report LS 01-20.

**Carried**

- 7.5** Public Works Department Report, PW 01-20  
Re: Fees for Services and Activities Provided and Performed by the Town of Whitby Public Works Department

**Resolution # 20-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That Council approve the proposed Fees for Services and Activities provided and performed by the Public Works Department as outlined within Public Works Report PW 01-20; and,
2. That the Town Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law to give effect to the

recommendations contained in Report PW 01-20.

**Carried**

It was the consensus of Council to move to Item 7.1, Office of the Chief Administrative Officer Report, CAO 01-20, Employment Land Investment Readiness Assessment – Update, at this time.

8. Notice of Motion

**8.1** There were no notices of motion.

9. New and Unfinished Business

**9.1** There was no new and unfinished business.

10. By-Laws

That the following by-laws be passed.

**10.1** By-law # 7591-20, being a by-law to assume Bridlewood Boulevard and Charterhouse Drive as shown on Plan 40M-2545 as public highways (Adalan Development Corp., SW-2013-01).

**10.2** By-law # 7592-20, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby. (Schedule N – Stop Signs)

**10.3** By-law # 7593-20, 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 2020.

Refer to Report CS 04-20, Temporary Borrowing By-law

**10.4** By-law # 7594-20, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to Report PL 87-19, Zoning By-law Amendment Application – 1056626 Ontario Inc. – Garden Street, File DEV-16-18 (Z-29-18)

**10.5** By-law # 7595-20, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to Report PL 81-29, DEV-11-18: Draft Plan of Subdivision

Application (SW-2018-05) and Zoning By-law Amendment Application (Z-22-18), Sabrina Homes Inc., 400 & 414 Mary Street East and vacant land at Hickory Street North

- 10.6** By-law # 7596-20, being a By-law to adopt Amendment Number 115 to the Official Plan of the Town of Whitby.

Refer to Report PL 83-19, Official Plan and Zoning By-law Amendment Applications, 201, 209, 211 Brock Street South & 208 Green Street, Brookfield Residential (Ontario) Station No.3 Limited, File Nos. DEV-06-19 (OPA-2019-W/01, Z-04-19)

- 10.7** By-law # 7597-20, being a by-law to amend By-law #2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to Report PL 83-19, Official Plan and Zoning By-law Amendment Applications, 201, 209, 211 Brock Street South & 208 Green Street, Brookfield Residential (Ontario) Station No.3 Limited, File Nos. DEV-06-19 (OPA-2019-W/01, Z-04-19)

- 10.8** By-law # 7598-20, being a by-law to amend the Fees and Charges By-law # 7220-17, as amended.

Refer to PW 01-20, Fees for Services and Activities Provided and Performed by the Town of Whitby Public Works Department

- 10.9** By-law # 7599-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW 2012-03) as not being subject to Part Lot Control.

- 10.10** By-law # 7600-20, being a by-law to amend the Private Transportation Services By-law.

Refer to LS 01-20, Proposed Amendments to the Transportation By-law

**Resolution # 21-20**

Moved By Councillor Shahid  
Seconded By Councillor Newman

That leave be granted to introduce By-laws # 7591-20 to # 7600-20 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**

- 10.11** By-law # 7601-20, being a by-law to acquire ownership of lands described as Part of Lot 23, Concession 5, being Part 1, 40R-4718, PIN 26569-0052 (LT).

Refer to Confidential Corporate Services Report, CS 05-20

Having previously declared a conflict of interest, Mayor Mitchell did not take part in the discussion or voting on this matter. Deputy Mayor Yamada assumed the Chair for this portion of the meeting.

**Resolution # 22-20**

Moved By Councillor Shahid  
Seconded By Councillor Newman

That leave be granted to introduce By-law # 7601-20 and to dispense with the reading of the by-law 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.

**11. Confirmatory By-Law**

**11.1 Confirmatory By-law**

**Resolution # 23-20**

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 February 3, 2020 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**

12. Adjournment

**12.1** Motion to Adjourn

Moved By Councillor Shahid  
Seconded By Councillor Yamada

That the meeting adjourn.

**Carried**

The meeting adjourned at 7:45 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor