

**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, Acting Commissioner of Planning  
K. Nix, Commissioner of Corporate Services/Treasurer  
C. Siopis, Manager of Corporate Communications  
D. Speed, Fire Chief  
C. Harris, Town Clerk  
S. Cassel, Deputy Clerk

**Regrets:** None noted

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The meeting began with Item 3.2, Durham Shores Chorus, for the singing of O Canada.

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Adoption of Minutes

2.1 Special Council - June 5, 2017  
Regular Council - June 5, 2017  
Special Council - June 13, 2017

**Resolution # 345-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That the minutes be adopted.

**Carried**

3. Presentations

**3.1 Relay for Life**

Recognition/Award: Fundraising by Donald A Wilson Secondary School and Brooklin High School for the Canadian Cancer Society

Mayor Mitchell attended the dais and was joined by Councillor Mulcahy. Durham District School Board Trustee Kim Zeppieri, Odane Finnegan, Specialist, Relay for Life Youth, Canadian Cancer Society, Ontario Provincial Office, Jenn Webb and students, representing Donald A. Wilson Secondary School were welcomed onto the dais and recognized for their fundraising raising efforts and significant donations to the Canadian Cancer Society in the Relay for Life. Recognition was also given to the students at Brooklin High School.

**3.2 Durham Shores Chorus**

Re: Singing of the National Anthem in Celebration of Canada's 150th Anniversary

The Durham Shores Chorus opened the Council meeting with the singing of O Canada in celebration of Canada's 150th Anniversary.

4. Delegations

**4.1 Bryce Jordan representing Minto (Rossland) Inc.**

Re: Planning and Development Department Report, PL 65-17  
Recommendation Report - Minto (Rossland) Inc., Northwest Quadrant of Rossland Road East and Thickson Road North, Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment (OPA-2016-W/01, SW-2016-02, Z-10-16)

Bryce Jordan, representing Minto (Rossland) Inc., appeared before Council and stated that his client had no objections to the proposed changes being considered by Council pertaining to Block 158 and tree preservation on the subject lands. He commented that Minto is committed to preserving as many trees as possible within the design of the Plan. Mr. Jordan advised Council that his client was requesting that Block 154, which fronted onto Thickson Road North, remain as a

medium density block and noted that the Region of Durham had confirmed that there would be safe access to and from the subdivision.

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

- the provisions that the developer had agreed to in terms of condensing Block 158 and whether the properties adjacent to the block would be widened; and,
- dust mitigation programs in place during the construction period.

**4.2** Denise Harkins representing Action Volunteers for Animals  
Re: Legal and By-law Services Department Report, LS 09-17  
Trap, Neuter, Return (TNR) Program to Manage and Reduce the Feral Cat Population in Whitby

Denis Harkins, representing Action Volunteers for Animals, appeared before Council and stated that she wanted to address the 'M' in the TNR-M program. She advised that the M represented Management of the colonies with a focus on the conditions and controls to ensure the colonies did not continue to grow in size. Ms. Harkins stated that with the proposed revisions to the By-law, only existing colonies would be included in the Program and noted that existing colonies were already under control and the Program was needed for new colonies, with new litters of kittens so that they could be contained and controlled.

**Resolution # 346-17**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That the delegation from Martin Field regarding Item 7.1, LS 09-17, be heard in accordance with section 2.8.3 of Procedure By-law #7279-17.

**Carried on a Two Thirds Vote**

**4.3** Martin Field, representing Action Volunteers for Animals  
Re: Legal and By-law Services Department Report, LS 09-17  
Trap, Neuter, Return (TNR) Program to Manage and Reduce the Feral Cat Population in Whitby

Martin Field, representing Action Volunteers for Animals, appeared before Council and stated that he was only made aware of the revisions to the TNR Program and the restrictions to existing colonies an hour and a half prior to the Council meeting. He mentioned the manual of the TNR

program that had been previously provided to Council and reiterated the fundamental aspects of the Program being the requirement of funds to intervene with new feral cat colonies. Mr. Martin questioned how the Program could be measured on existing colonies and stated that measurements would be best served through the intervening of new colonies from the beginning when cats are discovered right through the inoculation, release and adoption of the litters produced in the colonies.

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

- the number of cats in the colonies and whether there had been an increase in the number of kittens or size of the colonies;
- what had been transpiring over the past couple of years leading up to now and whether the kittens had been adopted out; and,
- the benefit of understanding the statistics of the colonies over the past two years to see the benefits of the program.

It was the consensus of Council to deal with matters under Section 5 of the agenda pending the arrival of Mr. Evans and Mr. Artenosi who were scheduled to appear as delegates.

**4.4** Philip Evans and Daniel Artenosi representing ERA Architects and Overland LLP

Re: Planning and Development Department Report, PL 71-17  
Request to Remove 1514, 1518 and 1520 Brock Street South from the Town of Whitby Heritage Register

Philip Evans, ERA Architects and Daniel Artenosi, Overland LLP, representing the landowner, appeared before Council and stated that their client had reviewed and was in agreement with the recommendations contained in the staff report. Mr. Artenosi commented that ERA had undertaken an assessment and that the current state of the buildings was beyond repair with limited architectural value. He stated that the preservation of the heritage aspects of the building would be better served through documentation given their current state. He further stated that it was their intent to provide the satisfactory documentation that had been requested through Town Staff and LACAC Heritage Whitby prior to the property being removed from the Heritage Register.

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

- the timeline for the removal of the buildings and a request that Council be notified prior to the removal to assist them in answering questions from residents;
- the discussion that had taken place at the recent LACAC meeting

pertaining to the commemorative plaques and possibility of relocating 1514 Brock Street South to ensure its preservation and what further dialogue had taken place with the landowner in this regard; and,

- the possibility of utilizing aspects of the buildings in future developments.

5. Correspondence

5.1 That the following requests be endorsed:

- September 5 to 10, 2017 - Durham College Week
- September 5 to 9, 2017 - Flag Raising - Durham College Week

**Resolution # 347-17**

Moved By Councillor Yamada

Seconded By Councillor Emm

That the proclamation for Durham College Week - September 5 to 10, 2017 and the flag raising for Durham College Week - September 5 to 9, 2017, be endorsed.

**Carried**

5.2 Correspondence # 2017-432 from Chris van der Vliet, Chair, Downtown Whitby BIA dated June 19, 2017 regarding the Proposed 2017 Budget for the Downtown Whitby BIA

**Resolution # 348-17**

Moved By Councillor Yamada

Seconded By Councillor Leahy

1. That Council approve the 2017 Downtown Whitby BIA budget as presented in Correspondence # 2017-432 received from Chris van der Vliet, Chair, Downtown Whitby BIA, dated June 19, 2017; and,
2. That Council refer to the By-laws portion of the agenda for enactment of a 2017 Special BIA Levy By-law.

**Carried**

5.3 Memorandum from M. Gaskell, Chief Administrative Officer, dated June

26, 2017 regarding the Appointment of a Commissioner of Planning and Development during the 2017 Council summer recess.

**Resolution # 349-17**

Moved By Councillor Yamada  
Seconded By Councillor Drumm

That authority to appoint a Commissioner of Planning and Development be delegated to the CAO, in consultation with the Mayor, for the purpose of making such appointment during the 2017 summer recess.

**Carried**

It was the consensus of Council to hear Item 4.4, Delegation from Philip Evans and Daniel Artenosi at this time.

6. Planning and Development Committee  
Report # 6 of the Planning and Development Committee - June 12, 2017

**6.1** Planning and Development Department Report, PL 65-17  
Re: Recommendation Report - Minto (Rossland) Inc., Northwest Quadrant of Rossland Road East and Thickson Road North, Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment (OPA-2016-W/01, SW-2016-02, Z-10-16)

A detailed question and answer period ensued between Members of Council and Staff with respect to:

- assurances that Block 158 would not be opened for a future road allowance;
- the importance of retaining land for a parkette and a place for residents to gather and enjoy greenspace;
- whether there would be any path connectivity for pedestrians;
- the benefits of the cash-in-lieu of parkland and the implementation of a multipurpose trail through the open space;
- the number of existing parks within the area;
- the merits of the proposed pathways recommended in the staff report;
- whether there would be any opportunity for the developer to implement a park or recreational space within the subdivision;
- whether there were any safety concerns with Block 154 and the access in and out of the subdivision and whether there would be any traffic calming measures implemented;
- the volume and speed of traffic on Thickson Road in relation to

the ingress and egress of the subdivision and the future impacts from the anticipated population growth in Brooklin; and,

- assurance that the Pringle Creek lands would remain protected.

It was the consensus of Council to invite Bryce Jordan back to the delegation table. A question and answer period ensued regarding:

- whether the developer was planning on installing any playground or passive amenities within the Block 154 condominium area; and,
- the timeline for build out of the medium density Block 154.

### **Resolution # 350-17**

Moved By Councillor Roy

Seconded By Councillor Emm

1. That Planning Report Item No. PL 65-17 be received as information;
2. That Council approve the application to amend the Town of Whitby Official Plan as submitted by Minto (Rossland) Inc. (File OPA 2016-W/01), and as recommended by Staff, as shown on Attachment # 6, as Amendment No. 107 to the Whitby Official Plan, subject to the comments and conditions contained in Section 8 of Planning Report Item No. PL 65-17;
3. That a By-law to adopt Official Plan Amendment No. 107 to the Whitby Official Plan be brought forward for consideration by Council;
4. That the Clerk forward a copy of Planning Report Item No. PL 65-17, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 107 to the Region of Durham's Commissioner of Planning;
5. That Council approve the application to amend Zoning By-law 1784, (File Z-10- 16), subject to the conditions contained in Section 5 of Planning Report Item No. PL 65-17 and the Approval of Amendment No. 107 to the Whitby Official Plan;
6. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council;
7. That Council approve the recommended Minto (Rossland) Inc. subdivision (see Attachment # 5) (File SW-2016-02) subject to the comments and conditions contained in Section 8 of Planning Report Item No. PL 65-17;
8. That the Subdivider convey Medium Density Block 154 (see Attachment #5) to the Town as parkland dedication;
9. That Council appoint the firm of Williams and Stewart Associates as Control Architect for the recommended Draft Plan of

- Subdivision;
10. That Staff be authorized to prepare a Subdivision Agreement;
  11. That the Mayor and Clerk be authorized to sign any necessary documents;
  12. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
  13. That the Clerk forward Notice to those parties and agencies who requested to be notified of Council's decision.

**Carried later in the meeting [See following motions]**

**Resolution # 351-17**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

That Item 1 of the main motion be deleted and replaced with the following and the recommendation renumbered accordingly:

1. That Planning Report Item No. PL 65-17 be received as information, including the amendments to Section 7.3 dealing with Block 158 as per the memorandum from the Commissioner of Public Works dated June 21, 2017; and,
2. That Council affirms its intention that Block 158 will never be opened as a future road allowance.

**Carried**

**Resolution # 352-17**

Moved By Councillor Roy  
Seconded By Councillor Glead

That Item 8 of the main motion be deleted and replaced with the following:

That the Subdivider provide 5% cash-in-lieu of parkland and not convey Medium Density Block 154 (see Attachment #5) to the Town as parkland dedication.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Michael Emm	x		
Councillor Joe Drumm		x	



Councillor Derrick Glead	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy		x	
Councillor Elizabeth Roy	x		
Councillor Steve Yamada		x	
Mayor Don Mitchell	x		
	5	3	0

**Resolution # 353-17**

Moved By Councillor Yamada  
Seconded By Councillor Emm

That the main motion be amended by adding the following as items 8, 9 and 10 and the recommendation renumbered accordingly:

8. That further to the conditions outlined in Section 8 of Report PL 65-17, that the Subdivider implement the recommendations of the Environmental Impact Study (May, 2017) and Arborist Report (May, 2017) regarding tree preservation and buffer plantings;
9. That upon completion of detailed design work, the Subdivider submit an updated Arborist Report that may be peer reviewed at the Town's request at the Subdivider's expense, that includes recommendations to preserve the trees along the western boundary of the development, opportunities to mitigate stress to existing trees during the construction process, and providing for the retaining of a professional certified arborist to care and ensure tree health during the construction process;
10. That the Subdivider provide tree compensation to the satisfaction of the Commissioner of Planning and Development in consultation with CLOCA, supplementary to the tree compensation program recommendations within the enhancement areas identified in the Environmental Impact Study (May, 2017) for the valley corridor restoration and the stormwater management pond.

**Carried**

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Michael Emm	x		
Councillor Joe Drumm		x	

Councillor Derrick Glead	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy		x	
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	6	2	0

**6.2** Planning and Development Department Report, PL 66-17  
Re: Recommended Werden's Plan Neighbourhood Heritage  
Conservation District Plan and Designation By-law

**Resolution # 354-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Report No. PL 66-17, regarding the Recommended Werden's Plan Neighbourhood Heritage Conservation District Plan and Designation By-law, be received as information;
2. That the Werden's Plan Neighbourhood Heritage Conservation District and Plan By-law (Attachment #1), to designate Werden's Plan Neighbourhood as a Heritage Conservation District area pursuant to Section 41(1) of the Ontario Heritage Act and that the Werden's Plan Neighbourhood Heritage Conservation District Plan (Attachment #2) and the Description of the Heritage Attributes of Individual Properties (Attachment #3) both dated May 2017, as prepared by Goldsmith Borgal & Company Ltd. Architects (GBCA) in association with Paul Dilse, Heritage Planning Consultant and the Landplan Collaborative Limited, pursuant to Section 41.1(1) of the Ontario Heritage Act be adopted; and,
3. That a Notice of Passing of By-law regarding the Werden's Plan Neighbourhood Heritage Conservation District and Plan, following the adoption at the June 26, 2017 Council meeting, be published in the local newspaper having general circulation in the municipality and be sent to the Ontario Heritage Trust, all property owners within the district, the Ministry of Tourism, Culture and Sport, the Region of Durham, agencies and all other persons whom requested notification of the decision.

**Carried**

- 6.3** Planning and Development Department Report, PL 55-17  
Re: Town Initiated Official Plan Amendment and Zoning By-law  
Amendment Applications, Former Land Registry Office on 400 Centre  
Street South (OPA-2016-W/05, Z-21-16)

**Resolution # 355-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve the Town initiated Amendment to the Town of Whitby Official Plan (OPA-2016-W/05) as Amendment No. 106 to the Whitby Official Plan, as shown on Attachment #6, subject to the comments and conditions contained in Section 8 of Planning Report Item No. 55-17;
2. That a By-law to adopt Official Plan Amendment No. 106 to the Whitby Official Plan be brought forward for consideration by Council;
3. That the Clerk forward a copy of Planning Report Item No. 55-17, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 106 to the Region of Durham's Commissioner of Planning;
4. That Council approve the Town initiated Amendment to amend Zoning By-law No. 2585, (Z-21-16), subject to the conditions contained in Section 8 of Planning Report Item No. PL 55-17 and the Approval of Amendment No. 106 to the Whitby Official Plan;
5. That a By-law to amend Zoning By-law 2585 be brought forward for consideration by Council;
6. That the site plan for 400 Centre Street be amended to include, with appropriate signage and marking, two accessible parking spaces adjacent to the western entrance; and,
7. That Council approval include the directions set out under Section 8 to Planning and Development Report PL 55-17.

**Carried**

- 6.4** Planning and Development Department Report, PL 67-17  
Re: Zoning Amendment Application to Remove the Holding (H) Symbol, by City Homes on 215-234 Perry Street, 205 John Street East and the Two (2) Vacant Lots to the South (Z-10-17)

**Resolution # 356-17**

Moved By Councillor Roy

Seconded By Councillor Yamada

1. That Council approve Zoning Amendment Application (Z-04-16) for the removal of the Holding (H) Symbol; and,
2. That the Zoning By-law to remove the Holding (H) Symbol be brought forward for Council's consideration.

**Carried**

- 6.5** Planning and Development Department Report, PL 68-17  
Re: Zoning By-law Amendment Application, Kirby Structures Limited, c/o Brooknorth Holdings Inc. and Site Plan Application, Valerie Cranmer, c/o Brooknorth Holdings Inc., 445 Winchester Road East (Z-13-12 and SP-01-17)

**Resolution # 357-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve Zoning By-law Amendment Application (Z-13-12);
2. That the Zoning By-law Amendment to lift the 'H' Holding provision be brought forward for consideration by Council;
3. That Council approve Site Plan Application (SP-01-17) subject to the conditions contained in Section 8.0 of Report PL 68-17;
4. That the Mayor and Clerk be authorized to sign any necessary documents;
5. That staff be authorized to prepare a Site Plan Agreement; and,
6. That Council approve the location of a stormwater management pond on the west side of Thickson Road which is not in accordance with the Pringle Creek Master Drainage Plan 1999.

**Carried**

- 6.6** Planning and Development Department Report, PL 56-17  
Re: Draft Plan of Subdivision Application and Zoning By-law Amendment Application, Milltree Developments Inc., 4495 Baldwin Street South (SW-2017-02, Z-03-17)

**Resolution # 358-17**

Moved By Councillor Roy

Seconded By Councillor Emm

1. That Council approve Draft Plan of Subdivision SW-2017-02 (Attachment #5) subject to the conditions of approval contained in Section 8.0 of Report PL 56-17;
2. That Council approve Zoning By-law Amendment Application Z-03-17 subject to the conditions of approval contained in Section 5.0 of Report PL 56-17;
3. That any necessary by-law be brought forward for consideration by Council;
4. That staff be authorized to prepare a subdivision agreement;
5. That the Mayor and Clerk be authorized to sign any necessary documents;
6. That the Region of Durham Commissioner of Planning be advised of Council's decision;
7. That the Clerk forward Notice to those persons and agencies who had requested to be notified of Council's decision; and,
8. That Council appoint the firm of Williams and Stewart Associates as control architect for the subdivision plan.

**Carried**

- 6.7** Planning and Development Department Report, PL 61-17  
Re: Colour the Square Campaign: Celebration Square, Whitby Public Library Central Branch

**Resolution # 359-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Planning and Development Report PL 61-17 be received as information;
2. That Staff retain 8 80 cities for live testing of pilot projects in 2017 as outlined in this report; and,
3. That Staff report back on the results of the pilot projects and any future recommendations to effect change for Celebration Square.

**Carried**

- 6.8** Planning and Development Department Report, PL 58-17  
Re: Zoning By-law Amendment Application, DH Development Corporation, 3395 Brock Street North and 33, 35 and 41 Forest Grove Drive (Z-07-17)

**Resolution # 360-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve Zoning By-law Amendment Application (Z-07-17) subject to the conditions contained in Section 8 of Report PL 58-17; and,
2. That the Zoning By-law Amendment be brought forward for Council's consideration.

**Carried**

- 6.9** Planning and Development Department Report, PL 52-17  
Re: Draft Plan of Subdivision and Zoning By-law Amendment  
Applications, Greyrock Commercial Construction Ltd., 85/105 Taunton  
Road West (SW-2016-08, Z-22-16)

**Resolution # 361-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve the application for the recommended draft plan of subdivision (file number SW-2016-08) as illustrated on Attachment #4 subject to the comments and conditions contained in Section 8.0 of Planning Report PL 52-17;
2. That Council approve the application to amend Zoning By-law 1784 (file number Z-22-16) subject to the comments and conditions contained in Section 5 of Planning Report PL 52-17;
3. That a by-law be brought forward to implement the draft plan of subdivision;
4. That Council appoint the firm of Williams and Stewart Associates as Control Architect for the subdivision plan;
5. That staff be authorized to prepare a subdivision agreement;
6. That the Mayor and Clerk be authorized to sign any necessary documents;
7. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
8. That the Clerk forward a Notice to those parties and agencies who have requested to be notified of Council's decision.

**Carried**

- 6.10** Planning and Development Department Report, PL 53-17  
Re: Industrial Draft Plan of Subdivision and Zoning By-law Amendment  
Applications for 901 Hopkins Street, 1696352 Ontario Ltd. (SW-2015-02,  
Z-13-15)

**Resolution # 362-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve the application for Draft Plan of Subdivision (SW-2015-02) as illustrated on Attachment #4, subject to the comments and conditions contained within Section 8.0 of Planning Report PL 53-17;
2. That Council approve the application to amend Zoning By-law #2585 (Z-13-15), subject to the comments and conditions contained within Section 5.0 of Planning Report PL 53-17;
3. That a By-law be brought forward to implement the draft plan of subdivision;
4. That staff be authorized to prepare a Subdivision Agreement;
5. That the Mayor and Clerk be authorized to sign 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 have requested to be notified of Council's decision.

**Carried**

- 6.11** Planning and Development Department Report, PL 54-17  
Re: Zoning By-law Amendment Application, Brookvalley Project  
Management Inc., 72 & 76 Baldwin Street and 15 Price Street (Z-15-16)

**Resolution # 363-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve Zoning By-law Amendment Application (Z-15-16) subject to the conditions contained in Section 8.0 of Report PL 54-17, save an except the condition for a Blanket Access Easement; and,

2. That an amending Zoning By-law be brought forward for consideration by Council.

**Carried**

- 6.12** Planning and Development Department Report, PL 57-17  
Re: Recommendation Report - Country Lane Estates Draft Plan of Subdivision and Zoning By-law Amendment (SW-2016-03, Z-12-16)

**Resolution # 364-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve the application for the recommended Draft Plan of Subdivision (File No. SW-2016-03) as shown on Attachment # 5, subject to the comments and conditions contained in Section 8.0 of Planning Report PL 57-17;
2. That Council approve the application to amend Zoning By-law 1784 (File No. Z-12-16), subject to the comments and conditions contained in Section 5.0 of Planning Report PL 57-17;
3. That a by-law be brought forward for Council's consideration at such time as draft approval has been received;
4. That Council appoint the firm of Williams & Stewart Associates as Control Architect for the recommended Draft Plan of Subdivision;
5. That Staff be authorized to prepare a subdivision agreement;
6. That the Mayor and Clerk be authorized to sign any necessary documents;
7. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
8. That the Clerk forward Notice to those parties and agencies who have requested to be notified of Council's decision.

**Carried**

- 6.13** Planning and Development Department Report, PL 59-17  
Re: Draft Plan of Condominium Application, 1010 Dundas East Developments Inc. (CW-2017-02)

**Resolution # 365-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada



1. That Council approve the application for a Draft Plan of Condominium (CW-2017-02) subject to the conditions of approval in Section 8.0 of Planning and Development Report Item PL 59-17, including the requirement for a road widening as per the Memorandum from the Commissioner of Planning and Development dated June 12, 2017 and as per the revised clauses 1 to 3 under the Conditions of Draft Approval in accordance with the Memorandum from the Commissioner of Planning and Development dated June 15, 2017;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement for the subject land; and,
3. That the Clerk advise the Commissioner of Planning at the Region of Durham of Council's decision.

**Carried**

- 6.14** Planning and Development Department Report, PL 70-17  
Re: Draft Plan of Condominium, 2370527 Ontario Inc., Golden Falcon Homes (CW-2016-07)

**Resolution # 366-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Council approve the application for a Draft Plan of Condominium (CW-2016-07) subject to the conditions of approval in Section 8.0 of Planning Report Item PL 70-17;
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 at the Region of Durham of Council's decision.

**Carried**

- 6.15** Planning and Development Department Report, PL 60-17  
Re: Site Plan Application 28 Winchester Road East Building Addition (SP-02-17)

**Resolution # 367-17**

Moved By Councillor Roy

Seconded By Councillor Yamada

1. That Council approve Site Plan Application (SP-02-17), subject to the comments and conditions contained in Section 8.0 of Planning Report, PL 60-17; and,
2. That the Mayor and clerk be authorized to execute the Site Plan Agreement and any related documents.

**Carried**

**6.16** Planning and Development Department Report, PL 62-17  
Re: Farmers' Market Relocation to Celebration Square Beginning 2018

**Resolution # 368-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Report No. PL 62-17 regarding the Farmers' Market Relocation to Celebration Square beginning in 2018, be received as information;
2. That Council agrees in principle to relocate the Farmers' Market from 201 Brock Street South (Firehall Site), to Celebration Square at the Whitby Public Library;
3. That the Planning and Development Department be authorized to submit a minor variance application to enable the Farmers' Market to be permitted within the public square;
4. That staff be directed to prepare an agreement between the Durham Region Farmers' Market Association and the Town of Whitby for the use of Celebration Square for the 2018 Market term; and,
5. That staff report back to Council on the agreement and its considerations before the 2018 Market term.

**Carried**

**6.17** Planning and Development Department Report, PL 63-17  
Re: Earth Hour 2017 Results

**Resolution # 369-17**

Moved By Councillor Roy  
Seconded By Councillor Yamada

1. That Planning Report Item PL 63-17 be received as information;
2. That the Clerk forward a copy of this report to the Durham District School Board, Durham Catholic District School Board, Whitby Hydro, Whitby Library, Station Gallery, Whitby Chamber of Commerce, Durham Region Astronomical Association, and the Whitby Sustainability Advisory Committee; and,
3. That Staff report back later in 2017 with recommendations related to future Earth Hour event planning.

**Carried**

7. Operations Committee

Report # 7 of the Operations Committee - June 19, 2017

**7.1** Community and Marketing Services Department and Office of the Chief Administrative Officer Joint Report CMS 33-17  
Re: Whitby Innovation Hub-Accelerator (Wi-HUB)

**Resolution # 370-17**

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That the joint staff report and presentation by the Community and Marketing Services Department and the Office of the Chief Administrative Officer regarding the Whitby Innovation Hub-Accelerator be received;
2. That Council endorse a public-private-partnership for the development and operation of the Whitby Innovation Hub-Accelerator with Jason Atkins, CEO of 360Insights and City Flow Project, leading the private sector's participation;
3. That a report on the operational strategy, plan and municipal contributions to support the Whitby Innovation Hub-Accelerator be submitted to Council in the Fall 2017;
4. That the former Land Registry Office, 400 Centre Street South, be re-purposed for the exclusive use of the Whitby Innovation Hub-Accelerator and not for the purpose of accommodating municipal departments or divisions and staff;
5. That the renovations to the interior of the former Land Registry Office be designed and constructed to accommodate the Whitby Innovation Hub-Accelerator;
6. That Council endorse the Economic Development Division to make applications for government grants, utilizing the support of

Whitby's Member of Parliament and Provincial Member of Parliament as required, that could fund the start-up and on-going operations of the Whitby Innovation Hub-Accelerator;

7. That Council direct staff to make application to the Minister of Municipal Affairs to permit the establishment of the Whitby Innovation Hub-Accelerator pursuant to Section 108 of the Municipal Act 2001, if required;
8. That the Clerk forward a copy of the staff report to the Director of the Economic Development Division of the Region of Durham, CEO of the Whitby Chamber of Commerce, CEO of the Spark Centre, Office of the External Relations at UOIT, Office of Innovation and Entrepreneurship at Durham College, the Member of Parliament for Whitby and Member of Provincial Parliament for Whitby-Oshawa; and,
9. That Item MD 2442 and Item MD 3003 - former Land Registry Office, 400 Centre Street South and Item MD 3581 Whitby Innovation Hub and Incubator Tech Ecosystem, be removed from the Operations Committee New and Unfinished Business List.

### **Carried**

- 7.2** Office of the Chief Administrative Officer Report, CAO 06-17  
Re: Town Hall Renovations and Expansion - Revised

### **Resolution # 371-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the staff report from the Chief Administrative Officer pertaining to the renovations and expansion to the current Town Hall and the development of a consolidated municipal headquarters be received;

### **Municipal Building Renovations and Short Term Staff Accommodations**

2. That Council approve the proposed renovations to the Town Hall outlined in Community and Marketing Services Department Report CMS 07-17 appended to this report;
3. That the Chief Administrative Officer be authorized to locate staff in other Town facilities or implement such other measures as is required in order to accommodate staffing requirements until an expanded Municipal Headquarters is available for occupancy;

4. That the former Land Registry Office located at 400 Centre Street South, Whitby, not be utilized to accommodate a Town department, division(s) and municipal staff;

#### **Municipal Building Expansion and Long Term Staff Accommodations**

5. That Council endorse the commencement of the formal planning process for an expanded Municipal Headquarters;
6. That Council endorse the current location of Town Hall (575 Rossland Road East) as the designated site for Whitby's expanded Municipal Headquarters;
7. That staff be authorized to proceed to retain a consultant to complete the staffing and building needs assessment for an expanded Municipal Headquarters;
8. That staff be authorized to proceed to retain a consultant to complete a master plan for the Whitby Civic Centre property to integrate an expanded Municipal headquarters with the existing and required infrastructure;
9. That the Whitby Civic Centre property master plan consider opportunities to integrate other municipal uses, such as a public library branch, and a future expansion to the Whitby Civic Recreation Complex;
10. That staff report back with recommendations from the needs assessment and a draft master plan for the Whitby Civic Centre property in the first half of 2018; and,
11. That Item MD 2450 Municipal Office Needs Assessment, Item MD 3242 Future Town Hall and Item MD 3489 Municipal Building Renovations, be removed from the Operations Committee New and Unfinished Business List.

#### **Carried**

- 7.3** Public Works Department and Corporate Services Department Joint Report, CS 59-17  
Re: Miscellaneous Asphalt Patching (T-506-2017)

#### **Resolution # 372-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Appco Paving Ltd. in the amount of \$238,110.00 (plus applicable taxes)

- for all labour, materials, equipment and supervision necessary to complete miscellaneous asphalt paving as required by the Town of Whitby;
2. That the total estimated annual contract amount of \$385,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents

**Carried**

- 7.4** Public Works Department and Corporate Services Department Joint Report, CS 54-17  
Re: LED Streetlight Installation (T-7-2017)

**Resolution # 373-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Dundas Power Line Ltd. in the amount of \$438,865.00 (plus applicable taxes) to complete the Streetlight Installations on major roads (Contract No. T-7-2017) as required by the Town of Whitby;
2. That the total estimated project amount of \$892,501.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.5** Corporate Services Department and Public Works Department Joint Report, CS 69-17  
Re: LED Streetlight Conversion Phase 4

**Resolution # 374-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve for the existing coach style streetlights, Option 2 as outlined in this report, for the conversion to LED luminaries. Option 2 comprises of replacing existing coach style with LED coach style on local streets (2,151 locations) and cobra

- head on collector and arterial streets (515 locations), respectively;
2. That the Town of Whitby accept the highest scoring proposal of Anixter Power Solution in the amount of \$1,365,885.00 (excluding applicable taxes) for the supply and delivery of LED replacement coach fixtures on local streets. A tender will be prepared by staff for the installation;
  3. That approval be granted for the tender option to extend the contract with Anixter Power Solution for an additional one (1) year term providing the Company's annual performance, proposed pricing and product quality is satisfactory and will be subject to budget approval;
  4. That the existing post top coach style fixtures be replaced with LED cobra head style using the previously awarded supplier. The estimated cost with installation of \$393,000.00 (plus applicable taxes) is within the funding identified in the 2017 Capital Budget. A tender will be prepared by staff for the installation;
  5. That the total estimated project cost (including installation) for Option 2 replacement of the existing coach fixtures as noted above, plus replacement of the post top fixtures is estimated at \$2,158,232 be approved. These LED conversion works are exclusive of the downtown decorative streetlights (PW 14-16) which will be dealt with under a separate tender/report;
  6. That Council approve the advancement of the \$915K for Phase 4 of the LED re-lamping from the 2018 Capital Budget, financed from the One Time Reserve Fund;
  7. That a copy of Report CS 69-17 be forwarded to Whitby Hydro; and,
  8. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.6** Legal and By-law Services Department Report, LS 09-17  
Re: Trap, Neuter, Return (TNR) Program to Manage and Reduce the Feral Cat Population in Whitby

**Resolution # 375-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve the Trap, Neuter, Return (TNR) Program described in this Report on a trial basis for a two year period,

based on existing colonies and other colonies that can be identified within the Town of Whitby;

2. That Council approve a departmental budgetary increase of \$1,500 for 2017 towards the support of the TNR Program, as outlined in Section 7.2 of this Report; and,
3. That the Clerk be directed to bring forward a by-law to give effect to the recommendations contained in this Report.

**Carried**

- 7.7** Public Works Department Report, PW 22-17  
Re: Proposed Durham Street Parking Restrictions, Update Traffic By-law 1862-85

**Resolution # 376-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve the proposed amendment to the Traffic By-law 1862-85 to incorporate the following change to Schedule "B": Parking restrictions on the east and west side of Durham Street between Winchester Road East and Cassels Road East identified within Attachment A of Report PW 22-17;
2. That Council authorize the Clerk to bring forward an amending By-law to By-law 1862-85, for Council approval;
3. That staff implement the necessary pavement markings and signage to improve delineation and awareness of the northbound only operations at the north end of Durham Street; and,
4. That staff monitor the parking activities and consider any other potential improvements and report back to Council, as necessary, for any further modifications.

**Carried**

- 7.8** Public Works Department Report, PW 3-17  
Re: Proposed Garden Street Parking Restrictions, Update Traffic By-law 1862-85

This item was referred at Committee.

- 7.9** Office of the Town Clerk Report, CLK 20-17  
Re: Use of Council Chambers Policy



**Resolution # 377-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Council approve the Use of Council Chambers Policy appended as Attachment # 1 to this report.

**Carried**

- 7.10** Corporate Services Department Report, CS 71-17  
Re: Microsoft Enterprise Agreement Contract Renewal

**Resolution # 378-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby leverage the Region of Durham tender T-538-2013, for the renewal of the Microsoft Enterprise License Agreement contract managed by SHI Canada for a three-year term from September 1, 2017 to August 31, 2020;
2. That the Microsoft Enterprise Licensing Agreement be amended to include a provision to adjust the quality and types of Microsoft solutions and services licenses; and,
3. That the Commissioner of Corporate Services be authorized to execute the required documents to give effect thereto.

**Carried**

- 7.11** Corporate Services Department Report, CS 72-17  
Re: Operating Projection Report as at May 19, 2017

**Resolution # 379-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That report No. CS 72-17 of the Commissioner of Corporate Services/Treasurer be received as information.

**Carried**

- 7.12** Corporate Services Department Report, CS 73-17  
Re: Consideration to Undertake a Development Charge By-law  
Amendment

**Resolution # 380-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council authorize staff to prepare the required background information in support of a DC By-Law amendment, pursuant to the legislation;
2. The information be made public at least two weeks prior to a public meeting on September 11, 2017, with the adoption of the amended bylaw to be considered once the 60 day public review period has concluded; and,
3. That Staff communicate to the 2016 Development Charge Background Study Stakeholders as a tool to inform the development community of the proposed changes.

**Carried**

- 7.13** Corporate Services Department Report, CS 75-17  
Re: Annual Insurance Report

**Resolution # 381-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Report CS 75-17 of the Commissioner of Corporate Services/Treasurer be received as information;
2. That Council, in conjunction with the members of the Durham Municipal Insurance Pool (DMIP), support the DMIP Board of Directors' resolution which recommends that the distributed DMIP surplus be re-invested into the Insurance and Risk Management Reserve Fund of each municipal pool member to provide for future program costs related to their own insurance and risk management requirements; and,
3. That Council approve the Town's share of the surplus funds distributed by the DMIP be contributed to the Town's Insurance

Reserve Fund to fund risk management initiatives and that staff report back on recommended risk management initiatives.

**Carried**

**7.14** Community and Marketing Services Department Report, CMS 35-17  
Re: Implementation of Whitby Minor Sport Organization Field Fee

Brief discussion ensued regarding the proposed increase in field fees and the merits of implementing the fees in a phased in approach.

**Resolution # 382-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council approve the establishment of a Whitby Minor Sport Organization Field Fee;
2. That the Whitby Minor Sport Organization Field Fee be implemented April 1, 2018;
3. That the Whitby Minor Sport Organization Field Fee be established at \$8.00 per hour;
4. That the Clerk be authorized to bring forward a new by-law for approval to implement the proposed Whitby Minor Sport Organization Field Fee as outlined in the Staff Report; and,
5. That Item MD 3582 Community and Marketing Services Department 2017 Arena Ice/Floor, Sports Fields and Park User Fees and Facility Rental Fees be removed from the Operations Committee New and Unfinished Business List.

**Carried later in the meeting [See following motion]**

**Resolution # 383-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That Items 2, 3 and 4 of the main motion be deleted and replaced with the following and the recommendation renumbered accordingly:

1. That the Whitby Minor Sport Organization Field Fee be implemented as a phased approach with the fee being \$4.00 per hour effective April 1, 2018, \$6.00 per hour effective April 1, 2019 and \$8.00 per hour effective April 1, 2020;
2. That the Clerk be authorized to bring forward a new by-law for

approval to implement the proposed Whitby Minor Sport Organization Field Fee.

**Carried**

The main motion, as amended, was then carried.

- 7.15** Community and Marketing Services Department Report, CMS 38-17  
Re: Folkstone Park Emergency Playground Surface Repair

**Resolution # 384-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Community and Marketing Services Report CMS 38-17 to facilitate the emergency site works and installation of a new rubber playground surface for Folkstone Park be received as information; and,
2. That the required emergency site works and installation of a new rubber playground surface at Folkstone Park be funded from the 2017 Maintenance Reserve.

**Carried**

- 7.16** Community and Marketing Services Department and Corporate Services Department Report, CS 70-17  
Re: Iroquois Park Sports Centre, Roof Replacement

**Resolution # 385-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Can-Sky Roofing & Sheet Metal Inc. in the amount of \$235,350.25 (Option B) (plus applicable taxes) covering all labour, materials and equipment to complete the roof replacement at Iroquois Park Sports Centre;
2. That the total estimated project cost in the amount of \$281,492.41 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.17** Confidential Corporate Services Department Report, CS 63-17  
Re: Declare Surplus Part 1, Draft 40R Plan, Lands Adjacent to 101  
Pringle Drive

**Resolution # 386-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Part 1 on draft 40R plan, as shown on the attached sketch included as Attachment No. 1 to this report be declared surplus for the purpose of sale;
2. That the Town give public notice of its intention to sell the subject property by placing an advertisement in the newspaper one time;
3. That provided no objection is received by the Town in connection with the proposed sale, a by-law be brought forward to authorize the sale;
4. That in lieu of an appraisal specific to this property, that the value of the property be calculated based on a per square foot value based on recent sales and comparables based on the rate of inflation; and,
5. That the Mayor and Clerk be authorized to execute the necessary documents to give effect thereto.

**Carried**

8. Audit Committee  
Report # 1 of the Management Committee - June 20, 2017

- 8.1** Corporate Services Department Report, CS 76-17  
Re: 2016 Year End Communication and Financial Statements

**Resolution # 387-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That Report No. CS 76-17 of the Commissioner of Corporate Services/Treasurer be received for information.

**Carried**

9. Notice of Motion

**9.1 Bill 148 - The Fair Workplaces, Better Jobs Act**

Discussion ensued regarding:

- the proposed increases to minimum wage and the impacts to small business owners;
- the timing of the public engagement over the summer months when Ontarians are away on vacation;
- impacts to the cost of hiring summer students under the new legislation;
- the need for dialogue and fulsome conversation around this issue and considerations for business owners as well as individuals who are earning part-time wages.

**Resolution # 388-17**

Moved By Councillor Emm

Seconded By Councillor Gleed

Whereas the Ontario government is proposing to make a variety of changes to the Employment Standards Act through Bill 148, The Fair Workplaces, Better Jobs Act, 2017;

And Whereas the proposed changes will include an increase to the general minimum wage rates; equal pay for equal work provisions which will prohibit differential pay rates based upon employment status; measures related to the scheduling of work; increases to vacation entitlements; changes to the emergency leave provisions; changes related to the use of temporary use agency employees; etc;

And Whereas the aforementioned changes have the effect of enshrining higher base employment standards in legislation which will be applicable to all employers within the province of Ontario;

And Whereas the provincial Government has provided insufficient time, during the summer holiday months, in order to properly engage all interested and affected stakeholders in a dialogue on the potential direct and indirect impacts of these changes.

Now Therefore Be It Resolved that the Council of the Town of Whitby formally requests that the Province of Ontario defer implementing Bill

148 and set aside additional time for consultation with all interested stakeholders in the fall of 2017; and,

That a copy of this resolution be forwarded to Premier Kathleen Wynne and the Honorable Kevin Flynn, Minister of Labour.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Michael Emm	x		
Councillor Joe Drumm		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		
	7	1	0

It was the consensus of Council to hear Item 10.2 New and Unfinished Business, and to introduce a motion pertaining to Highway 407 and 412 Tolls at this time.

**Resolution # 389-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That a motion to introduce a matter pertaining to Highway 407 and 412 Tolls be allowed due to it timely and urgent nature.

**Carried on a Two Thirds Vote**

10. New and Unfinished Business

- 10.1** Planning and Development Department Report, PL 71-17  
Re: Request to Remove 1514, 1518 and 1520 Brock Street South from the Town of Whitby Heritage Register

**Resolution # 390-17**

Moved By Councillor Roy

Seconded By Councillor Leahy

1. That Report PL 71-17 be received for information;
2. That the properties located at 1514, 1518 and 1520 Brock Street South not be designated under the Ontario Heritage Act and be removed from the Town's Heritage Register (the properties being listed but not designated);
3. That prior to the demolition of the buildings on the subject properties, there be further documentation provided to the Town on the cultural heritage significance of the properties and appropriate forms of commemoration;
4. That the Town work with the owner to secure funds in an appropriate amount toward commemoration; and,
5. That any future Site Plan Agreement for redevelopment of the subject properties include commemoration of the cultural heritage significance of the properties through a plaque or other interpretative marker in consultation with LACAC Heritage Whitby.

**Carried**

## **10.2 Highway 407 and 412 Tolls**

Brief discussion ensued with respect to the impact on residents and commuters with the traffic on local roads and the avoidance of Highways 407 and 412 due to the unreasonable tolls.

### **Resolution # 391-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

Whereas the Ministry of Transportation of Ontario began charging tolls on Highway 412 and the eastern extension of Highway 407 on February 1, 2017;

And Whereas the Ministry of Transportation of Ontario has commenced a construction project expected to be completed by September 30, 2017 to replace the Henry Street bridge over Highway 401 to accommodate the future widening of Highway 401;

And Whereas the Henry Street bridge construction project is having an adverse impact on local traffic;



And Whereas the Council of the Town of Whitby has noted previously that tolls discourage use of Highways 407 and 412 and increase traffic on local collector roads and Highway 401.

Now Therefore Be It Resolved that the Council of the Town of Whitby formally requests that the Ministry of Transportation of Ontario temporarily suspend charging tolls on Highway 412 until the Henry Street bridge project has been completed so as to provide for traffic relief in the area; and,

That the tolls on the eastern extension of Highway 407 be reduced until such time as traffic volumes match or exceed the traffic volumes on Highway 407 ETR.

**Carried**

It was the consensus of Council to hear Item 10.1, PL 71-17 at this time.

**11. By-Laws**

That the following by-laws be passed:

- 11.1** By-law # 7294-17, being a by-law to regulate the keeping of cats and dogs in the Town.  
Refer to LS 09-17
- 11.2** By-law # 7295-17, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2014-01) as not being subject to Part Lot Control.
- 11.3** By-law # 7296-17, being a by-law to to Amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby. (Schedule B, No Parking)  
Refer to PW 22-17
- 11.4** By-law # 7297-17, being a by-law to designate the Werden's Plan Neighbourhood Heritage Conservation District Area and adopt a Heritage Conservation District Plan under Part V of the Ontario Heritage Act, R.S.O., 1990, Chapter O.18, as amended.  
Refer to PL 66-17
- 11.5** By-law # 7298-17, being a by-law to set and levy tax rates for the Business Improvement Area (BIA) and to set penalty and interest rates for unpaid taxes.

- 11.6** By-law # 7299-17, being a by-law to amend By-law #2585, as amended, being the Zoning By-law for the Town of Whitby.  
Refer to PL 55-17 (Z-21-16)
- 11.7** By-law # 7300-17, being a by-law to amend By-law #1784, as amended, being the Zoning By-law for the Town of Whitby.  
Refer to PL 68-17 (Z-13-12)
- 11.8** By-law # 7301-17, being a by-law to amend By-law #2585, as amended, being the Zoning By-law for the Town of Whitby.  
Refer to PL 47-17 (Z-05-17)
- 11.9** By-law # 7302-17, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby.  
Refer to PL 67-17 (Z-10-17)
- 11.10** By-law # 7303-17, being a by-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby.  
Refer to PL 52-17 (Z-22-16)
- 11.11** By-law # 7304-17, being a by-law to adopt Amendment Number 106 to the Official Plan of the Town of Whitby.

**Resolution # 392-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That leave be granted to introduce By-laws # 7294-17 to # 7304-17 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**

Members of Council considered adoption of By-laws # 7307-17 and 7309-17 circulated prior to the start of the Council meeting.

- 11.12** By-law # 7307-17, being a by-law to adopt Amendment Number 107 to the Official Plan of the Town of Whitby.  
Refer to PL 65-17 (OPA-2016-W/01)

- 11.13** By-law # 7309-17, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.  
Refer to PL 45-17 (Z-17-15)

**Resolution # 393-17**

Moved By Councillor Gleed  
Seconded By Councillor Roy

That leave be granted to introduce By-laws # 7307-17 and # 7309-17 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 announced that this portion of the meeting would be held in closed session as indicated on the agenda and that the closed session would be held in Committee Room 1. He stated that Council would then rise and consider recommendations from the Closed Session and proceed with the remainder of the agenda in Committee Room 1 including the adoption of the Confirmatory By-law and Adjournment of the meeting.

**Resolution # 394-17**

Moved By Councillor Emm  
Seconded By Councillor Yamada

That Council move in-camera in accordance with Procedural By-law #7279-17, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

**Carried**

Council left the Council Chambers at 9:39 p.m. and convened in Committee Room 1 at 9:48 p.m. to continue the meeting.

**12. Closed Session**

- 12.1** Confidential Office of the Chief Administrative Officer, Legal and By-law Services Department and Community and Marketing Services

Department Joint Report, CMS 39-17  
Re: 201 Brock Street South (Former Downtown Whitby Fire Hall Site)

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

13. Rising and Reporting

13.1 Motion to Rise

**Resolution # 395-17**

Moved By Councillor Mulcahy  
Seconded By Councillor Leahy

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

**Carried**

13.2 Reporting into Open Session

Mayor Mitchell advised that during the closed portion of the meeting Council discussed matters pertaining to a proposed or pending disposition of land, as it pertains to the Former Downtown Whitby Fire Hall Site.

**Resolution # 396-17**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council authorize the sale of the municipal property located at 201 Brock Street South (the former downtown Whitby Fire Hall site) to Waverley Inc. and Marshall Homes, or a company to be incorporated by them for said purposes;
2. That Council approve the principal terms and conditions of the Agreement of Purchase and Sale between The Corporation of the Town of Whitby and Waverley Inc. and Marshall Homes as outlined in Confidential Report CMS 39-17; and,
3. That Council authorize the Mayor and Clerk to sign the Agreement of Purchase and Sale and any and all documentation necessary to give effect to the aforementioned recommendations.

**Carried**

14. Confirmatory By-Law

14.1 Confirmatory By-law

**Resolution # 397-17**

Moved By Councillor Mulcahy  
Seconded By Councillor Yamada

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 26, 2017 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**

15. Adjournment

15.1 Motion to Adjourn

**Resolution # 398-17**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That the meeting adjourn.

**Carried**

The meeting adjourned at 10:19 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor