

**Present:** Mayor Perkins  
Councillor Coe  
Councillor Drumm  
Councillor Emm  
Councillor Gleed  
Councillor Mitchell  
Councillor Montague  
Councillor Roy

**Also Present:** R. Petrie, Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
P. LeBel, Commissioner of Community & Marketing Services  
K. Nix, Commissioner of Corporate Services/Treasurer  
S. Pohjola, Town Solicitor  
R. Short, Commissioner of Planning  
S. Siersma, Acting Deputy Fire Chief  
S. Cassel, Acting Deputy Clerk  
S. Davé, Acting Legislative Coordinator

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

- 1.1 Mayor Perkins made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 3.4, Delegation by Vera Felgemacher regarding Legal and Human Resources Services Department Report, LS 3-14, Enforcement Update on Home-Based Businesses, as a member of her family owns a Home-Based Business. Mayor Perkins left the Meeting Hall during the delegation.
- 1.2 Councillor Montague made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 3.4, Delegation by Vera Felgemacher regarding Legal and Human Resources Services Department Report, LS 3-14, Enforcement Update on Home-Based Businesses, as he owns a Home-Based Business. Councillor Montague left the Meeting Hall during the delegation.

**1.3** Councillor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 3.4, Delegation by Vera Felgemacher regarding Legal and Human Resources Services Department Report, LS 3-14, Enforcement Update on Home-Based Businesses, as his daughter owns a Home-Based Business. Councillor Mitchell left the Meeting Hall during the delegation.

**1.4** Councillor Emm made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 6.7, Corporate Services and Public Works Department Joint Report, CS 12-14, regarding the Acquisition/Disposition of Lands - Metrolinx East Rail Maintenance Project - Victoria Street/South Blair Street, as he has a family member that works for Gerdau/Ameristeel. Councillor Emm did not take part in the discussion or vote on this matter.

**2. Adoption of Minutes**

- 2.1**
- Special Council - March 10, 2014
  - Regular Council - March 10, 2014

**Resolution # 106-14**

Moved By Councillor Coe  
Seconded By Councillor Roy

That the minutes be adopted.

**Carried**

**3. Delegations/Presentations**

**3.1** Margaret Clayton, Chair and John Ecker, Vice-Chair, LACAC Heritage Whitby  
Re: Chief Administrative Officer Report, CAO 3-14  
Part of Lots 7 and 8, Plan H50032, 400 Centre Street South (former Land Registry Office)

Margaret Clayton, Chair and John Ecker, Vice Chair of LACAC Heritage Whitby, appeared before Council and stated that LACAC Heritage Whitby recommends that the Town of Whitby purchase the property known as the former Land Registry Office at 400 Centre St. South, Whitby and that the Town proceed with designating the property under Part IV of the Ontario Heritage Act. Ms. Clayton advised Council that purchasing the property would help create a heritage district in Whitby, preserve Whitby's culture for future generations, and enhance Whitby's

downtown area. Ms. Clayton spoke of the option of placing a Conservation Easement Agreement on the property so that its heritage value would be preserved for the future.

Discussion ensued regarding heritage preservation of the property should it be purchased by someone other than the Town. Mr. Ecker indicated that LACAC would be comfortable with an owner other than the Town as long as the Conservation Easement Agreement option was duly exercised.

- 3.2** Rick McDonnell, Whitby Resident  
Re: Chief Administrative Officer Report, CAO 3-14  
Part of Lots 7 and 8, Plan H50032, 400 Centre Street South (former Land Registry Office)

Rick McDonnell, Whitby Resident, appeared before Council and stated that the former Land Registry property at 400 Centre St. South was of historical importance to the Town of Whitby, noting that it was part of the original County of Ontario. Mr. McDonnell expressed concerns about maintaining the heritage aspects of the building should someone other than the Town purchase the property. He stated that he was in favour of pursuing the Conservation Easement Agreement prior to the property being sold.

- 3.3** Joanna Fast, Evans Planning  
Re: Planning and Development Department Report, PL 13-14  
Applications for a Draft Plan of Subdivision and Zoning By-law Amendment for 2287531 Ontario Inc. and 784534 Ontario Inc. (SW-2012-04 and Z-23-12) 4655 and 4675 Baldwin Street South

Joanna Fast, Evans Planning, appeared before Council on behalf of Murray Evans. Ms. Fast advised Council that Evans Planning had met with Town staff and were in support of the staff recommendations. Brief discussion ensued regarding the proposed addition of the condition to return monies to the Subdivider should the traffic signalization not be implemented and the rationale for this condition being the timing of the installation of the signals in relation to the development of the subdivision.

- 3.4** Vera Felgemacher, Whitby Resident  
Re: Legal and Human Resources Services Department Report, LS 3-14  
Enforcement Update: Home-Based Businesses

Having previously declared a conflict of interest, Mayor Perkins, Councillor Montague and Councillor Mitchell left the Meeting Hall during

the delegation. Councillor Coe assumed the Chair.

Vera Felgemacher, 209 John Street West, appeared before Council and commented on the lack of opportunity for residents to provide feedback on the Home-Based Business by-laws. Ms. Felgemacher requested information on the number of complaints related to each investigation and the nature of each complaint. Ms. Felgemacher expressed her concerns that Home-Based Businesses generate increased traffic issues in residential areas, affecting the enjoyment of property. She further stated that enforcement of Home-Based Businesses is ineffective in that routine, regular inspections should be conducted and that there is a need to implement licensing of Home-Based Businesses.

Upon completion of Ms. Felgemacher's delegation, Mayor Perkins, Councillor Mitchell and Councillor Montague returned to the Council Chambers.

Mayor Perkins resumed the Chair.

#### **Resolution # 107-14**

Moved By Councillor Coe

Seconded By Councillor Drumm

That a motion to hear Kim Copetti and Lynn Winterstein, representing the Downtown Whitby Development Steering Committee with respect to Chief Administrative Officer Report, CAO 3-14 be allowed.

#### **Carried on a two-thirds vote**

- 3.5** Kim Copetti and Lynn Winterstein, representing Downtown Whitby Development Steering Committee  
Re: Chief Administrative Officer Report, CAO 3-14

Kim Copetti and Lynn Winterstein, representing the Downtown Whitby Development Steering Committee, appeared before Council and indicated that they were in support of the Town purchasing the former Land Registry Office. Ms. Copetti stated that the Committee further supported the efforts of Council in the revitalization of the Downtown and indicated that the purchase of the former Land Registry Office was a key component in the revitalization of the Downtown. She further noted that purchasing this property would give the Town control over the entire block and that this could encourage entrepreneurship and help with the heritage property development in the Downtown.

Brief discussion ensued about the Downtown Whitby Development

Steering Committee's support of the creation of a Cultural Heritage Centre in the Downtown.

4. Correspondence

4.1 That the following requests be endorsed:

April 2, 2014 - World Autism Awareness Day

April 6 - 12 2014 - National Victims of Crime Awareness Week

April 28, 2014 - National Day of Mourning

May 10, 2014 - World Lupus Day and October 2014 - Lupus Awareness Month

That the following flag-raising request be endorsed:

April 2 - 3, 2014 - World Autism Awareness Day

Recommendation:

**Resolution # 108-14**

Moved By Councillor Coe

Seconded by Councillor Roy

That the proclamations for World Autism Awareness Day - April 2, 2014; National Victims of Crime Awareness Week - April 6-12, 2014; National Day of Mourning - April 28, 2014; World Lupus Day - May 10, 2014 and Lupus Awareness Month - October 2014 and the flag-raising for World Autism Awareness Day - April 2-3, 2014, be endorsed.

**Carried**

5. Planning and Development Committee

Report # 4 of the Planning and Development Committee - March 17, 2014

5.1 Correspondence dated February 18, 2014 from Joseph Jedinak, Chair of the Whitby Sustainability Advisory Committee, re: Durham Partners in Project Green WSAC Resolution

**Resolution # 109-14**

Moved By Councillor Montague

Seconded By Councillor Emm

That correspondence dated February 18, 2014 from Joseph Jedinak,

Chair of the Whitby Sustainability Advisory Committee, regarding Durham Partners in Project Green WSAC Resolution, be received for information.

**Carried**

**5.2** Planning and Development Department Report, PL 11-14  
Re: Street Name Change - Due to Highway 407 and the West Durham Link Construction - Highway 407 East Extension/West Durham Link

Discussion ensued regarding the process to allow for public input on the proposed names and draft by-law.

Further discussion ensued with respect to retaining the original name on the portions of the road where there were original homesteads, so that the Town can provide homage to the early settlers in the area.

**Resolution # 110-14**

Moved By Councillor Montague  
Seconded By Councillor Emm

1. That Council approve in principle the renaming of the street names impacted by the extension of the 407 and the West Durham Link by using Peter Perry award winning names and a former Mayor's name as shown on Attachment #2;
2. That the Clerk provide public notice of the Town's intent to pass a By-law(s) to rename the street names as shown on Attachment #2 in accordance with the Town's Notice By-law and that notice be provided to the required agencies/persons once the street name by-law(s) have been adopted by Council;
3. That financial assistance of \$200.00 per address be made available to the affected property owners to defray costs associated with the address change;
4. That the Clerk bring forward a by-law(s) to change the street names and stop up and close the road allowance where applicable as shown on Attachment #2 at such time as public input has been received through the notice of intent and further when the street name changes are required due to the extension of Highway 407 and the West Durham Link;
5. That the Ministry of Transportation be requested to reimburse the Town \$200.00 per address of all affected properties (i.e. 120) for a total of \$24,000;
6. That the Ministry of Transportation be requested to provide a cash

contribution to the Town for the purpose of installing new permanent street name signs, stop signs, no exit signs, and associated pavement markings on Town of Whitby roadways, in the amount of \$12,600;

7. That the Ministry of Transportation be responsible for the installation of all temporary street name signage and other required signage and pavement markings prior to the closure of each affected street;
8. That the Ministry of Transportation be financially responsible for the preparation and registration of the required reference plans to provide the legal description for the renaming/closure of the affected road allowances; and,
9. That the Clerk provide notice to the residents of the approved street name change and the financial compensation.

**Carried**

- 5.3** Planning and Development Department Report, PL 12-14  
Re: Site Plan Application - Durham Regional Police Association (SP-21-13) 725 Conlin Road

Correspondence from R. Short, Commissioner of Planning, dated March 18, 2014, was received by Members of Council with the details outlining the need to use stucco instead of brick on the exterior of the new addition and portions of the existing building.

**Resolution # 111-14**

Moved By Councillor Montague  
Seconded By Councillor Emm

1. That Council approve Site Plan Application (SP-21-13) subject to the comments and conditions contained in Section 8.0 of Planning Report PL 12-14; and,
2. That the Mayor and Clerk be authorized to execute a site plan agreement and any related documents.

**Carried**

- 5.4** Planning and Development Department Report, PL 13-14  
Re: Applications for a Draft Plan of Subdivision and Zoning By-law Amendment for 2287531 Ontario Inc. and 784534 Ontario Inc. (SW-2012-04 and Z-23-12) 4655 and 4675 Baldwin Street South

Detailed discussion ensued with respect to the timelines for the

installation of the traffic lights and the importance of ensuring the traffic lights are installed prior to occupancy in the subdivision.

**Resolution # 112-14**

Moved By Councillor Montague  
Seconded By Councillor Emm

1. That Council approve the application for the recommended Draft Plan of Subdivision (File No. SW-2012-04) as illustrated on Attachment #8 subject to the comments and conditions as contained in Section 8.0 of Planning Report PL 13-14;
2. That Council approve the application to amend Zoning By-law 1784 (File No. Z-23-12) subject to the comments and conditions as contained in Section 5.0 of Planning Report PL 13-14;
3. That Council change the zoning for the MTO lands, municipally known as 4665 Baldwin Street South, from HA – Holding Agricultural to H-R2B\* Residential in accordance with Section 5.0;
4. That the Subdivider provide the Town with a financial contribution based on 20% of the installation costs and maintenance for the traffic signals at Baldwin Street South and Sleepy Hollow Place in the amount of \$52,000;
5. That Council approve the funding for the traffic signals from the one time reserve funds in the amount of \$80,000;
6. That Council appoint the firm of Williams & Stewart Associates as Control Architect for the recommended Draft Plan of Subdivision;
7. That any necessary By-law be presented for Council's approval;
8. That staff be authorized to prepare a subdivision agreement;
9. That the Mayor and Clerk be authorized to sign any necessary documents;
10. That the Region of Durham Commissioner of Planning be advised of Council's decision;
11. That the Clerk forward a Notice of Decision to those parties and agencies who have requested to be notified of Council's decision;
12. That a building height of 9 metres be permitted within this plan of subdivision; and,
13. That Staff bring forward an agreement regarding the traffic signal financial arrangement with respect to any potential refunds to the proponent, including details on how this would be handled and that this agreement be distributed to Council prior to the next regularly scheduled Council Meeting for consideration at that meeting.

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

**Resolution # 113-14**



Moved By Councillor Montague  
Seconded By Councillor Emm

That Item 13 of the main motion deleted in its entirety and be replaced by the following:

That the Town enter into an agreement with the Subdivider regarding a financial contribution for traffic signals at the intersection of Baldwin Street South and Sleepy Hollow Place as detailed in the memorandum dated March 25, 2014 from R. Short, Commissioner of Planning, and that in the event the installation of the traffic signals has not commenced at the intersection of Baldwin Street South and Sleepy Hollow Place within three (3) years of the subdivision plans being registered in the Durham Registry Office, the Town will return the financial contribution from the Subdivider in the amount of \$52,000.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Lorne Coe	x		
Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Don Mitchell		x	
Councillor Ken Montague	x		
Councillor Elizabeth Roy	x		
Mayor Pat Perkins	x		
	7	1	0

The main motion, as amended, was then carried.

**5.5** Planning and Development Department Report, PL 14-14  
Re: Whitby Sustainability Advisory Committee First Annual Report - 2013

Discussion ensued with respect to the Whitby Sustainability Advisory Committee's efforts to protect the environment, increase awareness of sustainability and engage the community.

**Resolution # 114-14**

Moved By Councillor Montague

Seconded By Councillor Emm

That Planning Report Item PL 14-14 be received as information.

**Carried**

- 5.6** Planning and Development Department Report, PL 15-14  
Re: Request to Remove 1612 Dufferin Street from the Town of Whitby Heritage Register

Discussion ensued regarding the request to remove the property from the Heritage Register noting that since the original request had been made, the property had changed ownership. R. Short, Commissioner of Planning, advised Members of Council that the reasons for the request were the same as the previous owner.

**Resolution # 115-14**

Moved By Councillor Montague  
Seconded By Councillor Emm

The property known as the Caleb Powell House at 1612 Dufferin Street be removed from the Town's Heritage Register as a Listed Property because the building has been significantly altered and the building is unlikely to be restored.

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

**Resolution # 116-14**

Moved By Councillor Emm  
Seconded By Councillor Montague

That Planning Report, PL 15-14, be referred back to staff to have further discussions with LACAC Heritage Whitby regarding the request to remove 1612 Dufferin Street from the Town of Whitby Heritage Register, discuss the heritage aspects of the property and provide a recommendation to Council.

**Carried unanimously on a recorded vote**

- 5.7** Chief Administrative Officer Report, CAO 3-14  
Re: Part of Lots 7 and 8, Plan H50032, 400 Centre Street South (former

Land Registry Office)

Correspondence regarding Chief Administrative Officer Report, CAO 3-14 was received and provided to Members of Council prior to the meeting from the following individuals:

- Norma Chapin;
- Pavel Zeman;
- Jerry Verriet; and
- Suzanne Wigmore.

Detailed discussion ensued with respect to the former Land Registry Office located at 400 Centre Street South and the possibility of another organization such as Durham Mental Health Services purchasing the building. It was noted that should another party purchase the property it would alleviate the burden of using taxpayer's dollars to purchase and maintain the property.

Discussion ensued regarding the benefits if the Town purchased the property in that it would provide the ability to ensure that the property maintained its heritage aspects, it would give the Town full control over the entire block, it would align with the strategic objectives for the Downtown and the Official Plan objectives which speaks to the use and preservation of heritage resources to enhance the vitality of neighbourhoods.

Further discussion ensued regarding the first right of refusal that the Province would have if the Town purchased the building and then wanted to sell it at a later time.

Detailed discussion ensued regarding the timeframe in which the property became available. Staff advised Members of Council that they had been made aware of the availability of the property a little over a year ago. It was noted that the deadline for response was April 1, 2014 and that this did not provide adequate time for Council to obtain information regarding the particulars of purchasing the property. Staff were requested to provide a report to Council outlining the timeline of events of when the Town had been advised that the property was available and why it had taken so long to be brought before Council for consideration. A further request was made to provide details regarding the timelines and nature of discussions with Durham Mental Health Services regarding the property. R. Petrie, Chief Administrative Officer stated that he would bring forward a report that would outline the details of the events that had transpired regarding the property.

**Resolution # 117-14**

Moved By Councillor Montague  
Seconded By Councillor Emm

1. That the Province of Ontario Ministry of Energy and Infrastructure be advised that the Town of Whitby is not interested in purchasing Parts of Lots 7 and 8, Plan H50032, 400 Centre Street South known as the former Land Registry Office, at this time; and,
2. The Planning and Development Department be directed to initiate the process to designate the significant external features of 400 Centre Street South under Part IV of the Ontario Heritage Act in order that this designation can be put in place as soon as possible after this property has been sold by the Province of Ontario; and,
3. That should Durham Mental Health Services acquire this property that they be requested to register on title a first right of refusal in favour of the Town of Whitby in the event that they decide to sell the property at a later date; and,
4. That the Province of Ontario Ministry of Energy and Infrastructure and Durham Mental Health Services be provided with a copy of Council's resolution.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Lorne Coe		x	
Councillor Joe Drumm		x	
Councillor Michael Emm	x		
Councillor Derrick Gleed		x	
Councillor Don Mitchell		x	
Councillor Ken Montague	x		
Councillor Elizabeth Roy		x	
Mayor Pat Perkins	x		
	3	5	0

**Resolution # 118-14**

Moved By Councillor Drumm  
Seconded By Councillor Coe

That Council direct staff to purchase the former Land Registry Office at 400 Centre Street South.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Lorne Coe	x		
Councillor Joe Drumm	x		
Councillor Michael Emm		x	
Councillor Derrick Gleed	x		
Councillor Don Mitchell	x		
Councillor Ken Montague		x	
Councillor Elizabeth Roy	x		
Mayor Pat Perkins		x	
	5	3	0

6. Operations Committee  
Report # 4 of the Operations Committee - March 24, 2014

- 6.1** Correspondence dated February 28, 2014 from Margaret Clayton, Chair, LACAC Heritage Whitby, re: Honourary Lifetime LACAC Membership - Brian Winter

**Resolution # 119-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the recommendation contained in the correspondence from LACAC Heritage Whitby be endorsed; and
2. That staff make the necessary changes to the LACAC Heritage Whitby Terms of Reference with regard to its member composition and create a position that would provide an honorary lifetime membership for Brian Winter.

**Carried**

- 6.2** Community and Marketing Services Department Report, CMS 23-14  
Re: 2014 Earth Day/Week Activities

**Resolution # 120-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council endorse the recommendations regarding Earth Day/Week activities (April 22-27, 2014), and the Whitby Environmental Youth Alliance (WEYA) and Scout Tree Planting events as outlined in Community and Marketing Services Department Report CMS 23-14; and,
2. That Council acknowledge and thank the Earth Day/Week, WEYA and Scout Tree Planting sponsors and organizers.

**Carried**

- 6.3** Community and Marketing Services Department Report, CMS 24-14  
Re: Economic Development Division 2013 Annual Review and Progress Update to 'Building Our Economic Future' – Whitby Economic Development Strategy

Discussion ensued regarding the importance of publicly highlighting the Town of Whitby's successes in enhancing its economic development profile through keeping up-to-date information on the Economic Development website, and monitoring metrics on a regular basis in order to report back to Council. P. LeBel, Commissioner of Community and Marketing Services, advised Council that the Economic Development website is reviewed on a weekly basis and that metrics are collected monthly.

**Resolution # 121-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Community and Marketing Services Department Report CMS 24-14 be received as information.

**Carried**

- 6.4** Community and Marketing Services Department Report, CMS 25-14  
Re: Greater Toronto Marketing Alliance 'Roadmap to Revitalization' Report Update

**Resolution # 122-14**

Moved By Councillor Roy

Seconded By Councillor Gleed

That Community and Marketing Services Department Report CMS 25-14 regarding the Greater Toronto Marketing Alliance (GTMA) be received as information.

**Carried**

**6.5** Corporate Services and Public Works Departments Joint Report, CS 8-14

Re: Road Rehabilitation - Rural (T-503-42014)

**Resolution # 123-14**

Moved By Councillor Roy

Seconded By Councillor Gleed

1. That the Town of Whitby accept the low compliant tender bid as received by Furfari Paving Co. Ltd in the amount of \$414,340.70 (plus applicable taxes) for all labour material and equipment necessary to complete the road rehabilitation at various rural locations as required by the Town of Whitby;
2. That the total estimated project cost for the Town of Whitby in the amount of \$615,000.00 be approved; and
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**6.6** Corporate Services and Public Works Departments Joint Report, CS 11-14

Re: Storm Water Management Pond Sediment Removal (T-599-2014)

**Resolution # 124-14**

Moved By Councillor Roy

Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender of J. Kennedy Trenching & Excavating Ltd., o/a Durham Topsoil & Garden Supplies Limited in the amount of \$322,088.20 (excluding taxes) for all labour, materials and equipment necessary for the storm water management pond sediment removal at various locations within the Town of

- Whitby; and
2. That an over expenditure in the amount of \$21,700.70 be approved and be funded from maintenance reserves;
  3. That the total estimated cost in the amount of \$369,965.70 be approved; and,
  4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**6.7 Corporate Services and Public Works Departments Joint Report, CS 12-14**

Re: Acquisition/Disposition of Lands - Metrolinx East Rail Maintenance Project - Victoria Street/South Blair Street

**Resolution # 125-14**

Moved By Councillor Roy

Seconded By Councillor Glead

1. That Council declare Part 1 on a draft plan of survey (reference 2011-022-15) (Attachment 1) of Grand Trunk Street lands as surplus to its needs in accordance with the following:
  - 1.1. That in accordance with the provisions of the Municipal Act and the Town's By-law No. 3650-95 for the disposal of vacant and improved land, the Town give public notice of its intention to sell the subject property by placing an advertisement in the newspaper one time;
  - 1.2. That the property be sold to Metrolinx for a nominal sum for the purposes of train track re-alignment;
2. That Council declare Parts 2, 3, 5 and 6 Plan 40R-28183 (Attachment 2) of Hopkins Street lands as surplus to its needs and stop up and close Hopkins Street road allowance, at such time as the South Blair Street Improvements and the New Public Access Road (to GerdauAmeristeel Corporation and Hanson Pipe & Precast Ltd.) are substantially completed to the satisfaction of the Commissioner of Public Works, in accordance with the following:
  - 2.1. That in accordance with the provisions of the Municipal Act and the Town's By-Law No. 3650-95 for the disposal of vacant and improved land, the Town give public notice of its intention to sell the subject property by placing an advertisement in the newspaper one time;
  - 2.2. That the property be sold to Metrolinx for a nominal sum for the purposes of the East Rail Maintenance Facility;



3. That the Town of Whitby acquire Part 1 on Plan 40R-28230 (Attachment 3) from Metrolinx for the South Blair Street widening/right-of-way for a nominal sum;
4. That the Town of Whitby acquire Parts 1, 2, and 10 Plan 40R-28058 (Attachment 4) from Metrolinx for the South Blair Street widening/right-of-way for a nominal sum;
5. That the Town of Whitby acquire Part 6 Plan 40R-28068 (Attachment 5) from Metrolinx for the South Blair Street widening/right-of-way for a nominal sum;
6. That the Town of Whitby acquire Parts 19, 20 and 21 Plan 40R-28068 (Attachment 5) from Metrolinx for the Watson Street right-of-way for a nominal sum;
7. That the Town of Whitby acquire Parts 1 and 3 Plan 40R-28078 (Attachment 7) from Metrolinx for the New Public Access Road for a nominal sum;
8. That the Clerk bring forward a By-law for the naming of the New Public Access Road as Gerdau Court and dedicate as public highway, and the Clerk take the necessary action to give effect thereto;
9. That the Clerk bring forward the necessary by-laws authorizing these property acquisitions and dispositions, to stop up and close a portion of Hopkins Street, and the naming of Gerdau Court and dedication as Public Highway;
10. That the Mayor and Clerk be authorized to execute the required documents.

**Carried**

- 6.8** Corporate Services Report, CS 13-14  
Re: Mayor and Councillors' Remuneration and Expenses - 2013

**Resolution # 126-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Report CS 13-14 of the Commissioner of Corporate Services/Treasurer be received for information.

**Carried**

- 6.9** Corporate Services and Public Works Departments Joint Report, CS 15-14  
Re: Minor Bridge Repairs at Various Locations in the Town of Whitby (T-

1-2014)

**Resolution # 127-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender of All Services Inc. in the amount of \$54,800.00 (excluding taxes) for all labour, materials and equipment necessary to complete bridge repairs at various locations in the Town of Whitby; and,
2. That the total estimated cost in the amount of \$115,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 6.10** Public Works Report, PW 9-14  
Re: National Public Works Week and Open House May 22, 2014

**Resolution # 128-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Council approve the Public Works Department hosting an Open House on May 22, 2014 from 9:00 a.m. to 8:00 p.m. to celebrate National Public Works Week.

**Carried**

- 6.11** Public Works Department Report, PW 10-14  
Re: 2014 Community Waste Events

**Resolution # 129-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council approve Public Works Department co-hosting a Compost Giveaway event with the Region of Durham on Saturday May 3, 2014; and,

2. That Council approve Public Works Department co-hosting a Hazardous Waste and Electronic Waste Collection event with the Region of Durham on Saturday October 4, 2014; and,
3. That a copy of Public Works Department Report PW 10-14, regarding the "2014 Community Waste Events" be forwarded to the Region of Durham and the Area Municipalities.

**Carried**

- 6.12** Public Works Department Report, PW 11-14  
Re: West Nile Vector Control Program

**Resolution # 130-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council authorize the Region of Durham to implement a West Nile Virus Vector Control Program for 2014 on behalf of the Town of Whitby; and,
2. That the Region of Durham be sent an authorization letter giving them permission to apply larvacide within the Town of Whitby; and,
3. That the Commissioner of Public Works be authorized to approve the implementation of West Nile Virus Vector Control Program for future years on behalf of the Town of Whitby; and,
4. That the Region of Durham Health Department be provided with a copy of Public Works Department Report PW 11-14.

**Carried**

- 6.13** Chief Administrative Officer Report, CAO 1-14  
Re: Corporate Policy Review - Removal of Redundant Policies - Office of the Town Clerk

**Resolution # 131-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Report CAO 1-14 of the Chief Administrative Officer be received;
2. That the following redundant policies be rescinded as they are no longer relevant or have been replaced by legislation/by-law:

- i. 1-0-04 Micrographics Policy
  - ii. 1-2-01 Attendance of Staff at Meetings of Council and Committee
  - iii. 1-2-02 Smoking During Council and Standing Committee Meetings
  - iv. 1-2-03 Tabled Staff Reports at Committee Level
  - v. 1-2-05 Public Notification of Items on Council Agenda and Standing Committee Agendas
  - vi. 1-2-07 Council & Committee Procedure By-law
  - vii. 1-2-08 Motions Made at Regular Council Meetings
  - ix. 1-2-09 'In Camera' Meetings of Council and Committees
  - x. 1-2-12 Composition of the Board of Management for the Whitby Central Business District Improvement Area
  - xii. 1-3-13 Licensing – Bingo Lotteries
  - xiii. 3-0-02 Liaison with Durham Region Development Office
3. That the following policies be removed from the Corporate Policy Manual as they are not deemed policies, having never been approved by Council through a formal resolution, and are considered redundant:
- i. 1-0-05 Communications from Staff to Members of Council and Regional Council
  - ii. 1-0-12 Submission of Departmental Reports
  - iii. 1-0-13 By-law Enforcement
  - iv. 1-0-16 Councillors Forwarding Complaints of Citizens to Staff for Investigation
  - v. 1-2-10 Appointment of Members to Local Boards and Committees
  - vi. 1-2-13 Comments Received Late
  - vii. 1-3-05 Applications for Day Nursery Licences; and,
4. That the Town Clerk be authorized to give effect to the above.

**Carried**

- 6.14** Legal and Human Resources Services Department, Report LS 1-14  
Re: Property Standards By-law

**Resolution # 132-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Report LS 01-14 be received as information.
2. That Legal and Human Resources Services staff invite public review and feedback on the proposed Property Standards By-law (Attachment 2) for a minimum period of 30 days.
3. That Legal and Human Resources Services report back to the Operations Committee in the spring of 2014 with the final draft of the Property Standards By-law considering all input from the public.

**Carried**

**6.15** Legal and Human Resources Services Department Report, LS 3-14  
Re: Enforcement Update: Home-Based Businesses

Clarification was made that Report LS 3-14 was an information report only based on a 6 month follow-up of Home-Based Businesses since the passing of the by-laws.

**Resolution # 133-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Council receive Report LS 03-14 as information.

**Carried**

**6.16** Legal and Human Resources Services Department, LS 4-14  
Re: Review Homing Pigeons Component of Animal Control By-Law  
#3436-94

**Resolution # 134-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Legal and Human Resource Services Report LS #04-14 be received as information; and,
2. That staff be directed to proceed with drafting proposed amendments to the Animal Control By-law regarding the keeping of pigeons, present such proposed amendments at a public meeting involving interested stakeholders and report back to Operations Committee regarding the results of the public consultation and the suggested Animal Control By-law amendments as they pertain to the keeping of pigeons.

**Carried**

- 6.17** Community and Marketing Services Confidential Report, CMS 21-14  
Re: Request by Public Works and Government Services Canada for the  
Transfer of Federal Assets at Whitby Harbour to the Town of Whitby

**Resolution # 135-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That the recommendations as contained in Confidential Report, CMS  
21-14 be approved.

**Carried**

- 6.18** Memorandum(s) from the Town Solicitor with respect to Operations  
Committee, New and Unfinished Business, Items MD-0581 and MD-  
1292

Discussion ensued regarding the towing issues in Whitby and the effect  
that these issues are having on the Downtown. Further discussion  
ensued with respect to the increased revenues in parking and whether  
these revenues were from new initiatives in the Downtown or from  
appointing more Municipal Law Enforcement Officers to ticket on private  
property.

Discussion ensued with respect to the need to have a public meeting  
regarding towing issues in Whitby. S. Pohjola, Town Solicitor, stated that  
a report would be forthcoming to Council that would include the draft by-  
law, and the draft by-law would then be provided for public input and a  
public meeting would be held.

It was further discussed that the affected property owners be notified of  
the concerns regarding towing and to make them aware of the public  
consultation process.

**Resolution # 136-14**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the confidential memorandum from the Commissioner of

Legal Services/Town Solicitor, dated March 21, 2014 be received;

2. That the Commissioner of Legal Services/Town Solicitor be directed to bring forth a draft by-law with respect to towing concerns as it relates to:
  - a) a fee schedule or cap;
  - b) a minimum timeframe to be in effect before a vehicle could be towed;
  - c) notice be provided prior to any tow;
  - d) the presence of a mandatory impound yard in Whitby to be used if a vehicle is removed from a Whitby location;
  - e) mandatory prior notification to the Police when a vehicle is being towed;
  - f) signage with appropriate phone numbers that can be utilized by the owner to assist in locating their vehicle; and,
  - g) such other amendments as seen advisable.
3. That the affected towing companies be advised of the draft by-law;
4. That upon presentation of the draft by-law, the Commissioner of Legal Services/Town Solicitor provide the timeline for obtaining feedback on the draft by-law; and,
5. That a letter be sent to Christine Elliott, MPP, Jerry Ouellette, MPP, Ministry of Consumer Services, local Durham Region Municipalities and AMO advising of the Town's direction which may be related to Bill 93.

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

**Resolution # 137-14**

Moved By Councillor Drumm  
Seconded By Councillor Gleed

That Item 3 of the main motion be amended by adding the following as a):

- a) and that a subsequent public meeting take place.

**Carried**

The main motion, as amended, was then Carried

7. Notice of Motion

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

**8. New and Unfinished Business**

**8.1** Councillor Gleed advised that Durham Farm Connections would be holding an event on April 1 - 3, 2014 at Luther Vipond Memorial Arena which would include live animals and farming displays.

**8.2** Councillor Gleed further advised that the Town of Whitby would be holding a Public Information Centre on the Brooklin Secondary Plan and the Transportation Master Plan from 2 p.m. - 5 p.m. and 6 p.m. - 9 p.m at Brooklin United Church on April 2, 2014.

**8.3** Councillor Coe advised that a report had been released by the Select Committee on Development Services regarding developing a recommendation on a comprehensive strategy for those with intellectual disabilities. He noted that this was originally introduced by Christine Elliott, M.P.P., in May 2013 and that it was a worthy read.

**8.4** Councillor Montague advised that Whitby Youth Council was holding their 10th Anniversary Whitby Idol Event on April 1, 2014.

**8.5** Councillor Roy expressed condolences to the Boucher Family for the tragic events that had unfolded over the last few weeks with Mr. Jeffrey Boucher.

**8.6** Mayor Perkins requested an update on Earth Hour activities that had taken place on Saturday, March 29, 2014. R. Short, Commissioner of Planning, stated that Whitby Hydro is calculating the usage during Earth Hour and that the event held at Whitby Marina was attended by more than 300 residents.

**9. By-Laws**

That the following by-laws be passed:

**9.1** By-law # 6844-14, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property [Ontario Parking Enforcement Services Inc.]

Brief discussion ensued regarding the issues with ticketing in the Downtown and whether the Town should hold off on adding any more commercial properties for enforcement of parking until the issues can be resolved.



- 9.2** By-law # 6845-14, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property [Paragon Security]

Brief discussion ensued with respect to the fact that the properties listed under By-law #6845-14 and #6846-14 are residential and not commercial developments.

- 9.3** By-law # 6846-14, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property [Nemesis Security]

- 9.4** By-law # 6847-14, being a by-law to assume and dedicate certain lands as a public highway for street widening purposes (951 Dundas Street West)

- 9.5** By-law # 6848-14, being a by-law to lift and assume as part of the public highway, 0.3 metre reserves known as part of Underwood Drive

- 9.6** By-law # 6849-14, being a By-law to amend By-law # 2585, as amended, being the zoning by-law of The Town of Whitby [Antony Chirayil-Kalam, Z-16-13, PL-10-14]

- 9.7** By-law # 6850-14, being a by-law to lift and assume as part of the public highway, 0.3 metre reserves known as part of Bridlewood Boulevard and Charterhouse Drive

**Resolution # 138-14**

Moved By Councillor Montague  
Seconded By Councillor Coe

That leave be granted to introduce By-law # 6844-14 to 6850-14, and to dispense with the readings of the by-law by the Deputy Clerk and that the same be considered read and passed and that the Mayor and Deputy Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

10. Confirmatory By-Law

**10.1** Confirmatory By-law

**Resolution # 139-14**

Moved By Councillor Emm  
Seconded By Councillor Glead

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Deputy Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on March 31st, 2014, and that the Mayor and the Deputy Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

**11.** Adjournment

**11.1** Motion to Adjourn

**Resolution # 140-14**

Moved By Councillor Emm  
Seconded By Councillor Roy

That the meeting be adjourned.

**Carried**

The meeting adjourned at 10:19 p.m.

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Susan Cassel, Acting Deputy Clerk

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Patricia Perkins, Mayor