

Present: Mayor Mitchell
Councillor Coe
Councillor Drumm
Councillor Emm
Councillor Gleed
Councillor Leahy
Councillor Roy
Councillor Yamada

Also Present: R. Petrie, Chief Administrative Officer
P. LeBel, Commissioner of Community & Marketing Services
K. Nix, Commissioner of Corporate Services/Treasurer
B. Rice, Acting Commissioner of Public Works
R. Short, Commissioner of Planning
D. Speed, Fire Chief
D. Wilcox, Town Clerk
S. Cassel, Deputy Clerk

Regrets: None noted

1. Declarations of Pecuniary Interest

- 1.1** Mayor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 9.2, Corporate Services Department and Community and Marketing Services Department Joint Report CS 77-15, Lynde House and Former Brock Street Activity Centre Interior and Exterior Works, as one of the bidders for the project is a regular customer at his business and the materials used for the project are those sold at his business. Mayor Mitchell did not take part in the discussion or vote on the matter.

2. Adoption of Minutes

- 2.1** Special Council - June 1, 2015 (Closed minutes of the In-Camera session under separate cover)
Regular Council - June 1, 2015
Special Council - June 15, 2015

Special Council - June 22, 2015

Resolution # 316-15

Moved By Councillor Coe
Seconded By Councillor Roy

That the minutes be adopted.

Carried

3. Delegations/Presentations

3.1 Des Newman

Recognition/Award: Honourary Doctorate from University of Ontario
Institute of Technology

Mayor Mitchell attended the dais and was joined by Councillor Drumm. Des Newman was welcomed onto the dais to be recognized for receiving an Honourary Doctorate from the University of Ontario Institute of Technology.

3.2 Najah Mohammed

Recognition/Award: Ethno-cultural and Diversity Advisory Committee
Leadership in Equity, Diversity and Social Justice Award

Mayor Mitchell attended the dais and was joined by Councillor Yamada and Aldith Carasquero, a member of the Ethno-cultural and Diversity Advisory Committee. Najah Mohammad was welcomed onto the dais to be recognized for receiving the Ethno-cultural and Diversity Advisory Committee Leadership in Equity, Diversity and Social Justice Award.

3.3 Gobal Mailwaganam, Managing Director and Director of Housing and
Municipal Affairs, CAPREIT

Kit Bauldry, Chair, Community Connection

Eric Cartlidge, Regional Manager, Canadian Tire Jump Start

Recognition/Award: Ongoing funding for recreation programs for
children in Whitby

Mayor Mitchell attended the dais and was joined by Councillor Leahy and P. LeBel, Commissioner of Community and Marketing Services. Gobal Mailwaganam, Managing Director and Director of Housing and Municipal Affairs and Naheda Safi, CAPREIT; Kit Bauldry, Chair, Community Connection; and, Eric Cartlidge, Regional Manager and Freida Rubletz, Canadian Tire Jump Start were welcomed onto the dais

to be recognized for their support of ongoing funding for recreation programs for children in Whitby.

- 3.4** Margaret Clayton, Chair, LACAC Heritage Whitby
Re: Planning and Development Department Report, PL 55-15
Designation of Abner Nash House (1615 Brock Street South) and Hugh Bredin House (1621 Brock Street South) as being of Historic and Architectural Value and Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. 0.18

Margaret Clayton, Chair, LACAC Heritage Whitby, and Rick McDonnell, 600 King Street, Whitby, appeared before Council and provided a PowerPoint Presentation with respect to 1615 and 1621 Brock Street South. Ms. Clayton stated that at their June meeting, LACAC passed a motion recommending that the Town move forward with the designation of the two properties and that the heritage buildings on these properties be incorporated into any future redevelopment of the properties. She provided examples of historic buildings that had been incorporated into new developments in various municipalities as well as photos of 1615 and 1621 Brock Street South from 1975 and 1969 respectively. She read from an excerpt of Chronicles of a County Town by Brian Winter which outlines the history of the properties. She further stated that LACAC was not concerned with the interior of the buildings only that they wanted to ensure that the buildings were not demolished until a site plan was submitted to the Town which would include incorporating the exterior of the facades into a new development. Mr. McDonnell stated that although pieces of the buildings may be retained for a new development, the actual mass and architecture of the original buildings would be lost. He suggested that to save the buildings, they could be reused to save the heritage features.

- 3.5** James Priest
Re: Planning and Development Department Report, PL 51-15
Medallion Developments, Red Line Amendment, Northeast Corner of Anderson Street and Dryden Boulevard [MR-01-14 (S-168-88) and Z-05-14]

James Priest, 3780 Anderson Street, appeared before Council and stated that the developer in this project seemed to be getting everything he wanted, however the highly taxed residents that face onto the development were getting very little consideration. He advised that he had submitted a revised site plan that would benefit both the residents and the developer. He stated that he did not want window streets and that parts of the report were contradictory in that some aspects that had not been included in the first submission had now been included in the

report. He raised concerns regarding the reduction of trees due to the development, the addition of ditches and other solutions instead of a stormwater pond, impacts to surrounding lots from the overland flow and the inclusion of four walkways, stating that two walkways would be sufficient. He questioned whether Council could approve the report without having this information. He suggested that an additional storm flow pipe be installed to lessen impact to residents on the west side of Anderson Street. He raised further concerns regarding the wording in the report with respect to the retention of some of the existing vegetation and that the use of the word 'some' was concerning to the neighbourhood.

Resolution # 317-15

Moved By Councillor Yamada
Seconded By Councillor Leahy

That the rules of procedure be suspended to allow the delegation to exceed the ten minute speaking limit.

Carried on a two thirds vote

Mr. Priest raised further concerns regarding the preservation of the Butternut Tree species on the property in that it is a protected species. He stated that the report mentioned that CLOCA would not approve the application until an environmental assessment was conducted and he questioned whether this had been completed.

- 3.6** Jaime Shedletsky representing Medallion Development
Re: Planning and Development Department Report, PL 51-15
Medallion Developments, Red Line Amendment, Northeast Corner of Anderson Street and Dryden Boulevard [MR-01-14 (S-168-88) and Z-05-14]

Jaime Shedletsky, representing Medallion Development, appeared before Council and stated that they were appreciative of the recommendation by the Planning and Development Committee for the majority of the draft plan that had been submitted. She stated that although there was disagreement on the public laneway for the blocks that were not approved, they understood the Town's need to explore this further. She requested that Medallion be kept up to date on the timelines and how this may impact the project. She commented that the site plan would have further refinement and that their intention was to respond to all questions and concerns raised by the Town and residents. She advised that they would make every effort to preserve as

many trees as possible and that the environmental assessment was underway.

Brief discussion ensued regarding Town staff being present for the selecting of the trees that will be cut down and the concerns raised regarding the overland water flow in relation to a 100 year storm.

Resolution # 318-15

Moved By Councillor Roy
Seconded By Councillor Yamada

That the rules of procedure be suspended to allow a delegation that had not first appeared before the appropriate Standing Committee.

Carried on two thirds vote

Resolution # 319-15

Moved By Councillor Roy
Seconded By Councillor Coe

That a motion to hear the delegation by Jim Monaghan with respect to PL 51-15 be approved.

Carried

- 3.7** Jim Monaghan
Re: Planning and Development Department Report, PL 51-15
Medallion Developments, Red Line Amendment, Northeast Corner of Anderson Street and Dryden Boulevard [MR-01-14 (S-168-88) and Z-05-14]

Jim Monaghan, 3840 Anderson Street, appeared before Council and stated that he had a number of concerns regarding the development on the east side of Anderson Street. He stated that earlier developments had used Pringle Creek to remove their stormwater and that the creek was now flooding which had resulted in several trees falling down. He stated that he had not seen the plans on how the stormwater would be handled for this development and that there was need for a stormwater management plan. He raised further concerns regarding the conservation of trees and stated that developers should have a responsibility to the community to look after the environment. He stated that he would like to see the conservation of the trees along Anderson

Street as they provide shade and a nice environment for the community. Mr. Priest commented that this development would bring about more traffic and questioned whether Dryden Boulevard would be connecting through to Thicksen Road to help alleviate some of the congestion.

4. Correspondence

4.1 That the following request be endorsed:

- September 2015 - Prostate Cancer Awareness Month

Resolution # 320-15

Moved By Councillor Coe
Seconded By Councillor Roy

That the proclamation for Prostate Cancer Awareness Month - September 2015, be endorsed.

Carried

5. Planning and Development Committee

Report # 8 of the Planning and Development Committee - June 15, 2015

5.1 Planning and Development Department Report, PL 52-15

Re: 360 Incentives, 300 King Street (Whitby OPA-2014-W/02, Z-10-14)

Detailed discussion ensued with respect to:

- the rapidly changing economic and social environment and the need to have companies such as 360 Incentives in the Town;
- becoming a creative community that contains a vibrant downtown core and is appealing to entrepreneurs;
- being better equipped to serve residents with a strong local economy;
- the ability to be able to provide a high quality of life and compete in the global economy;
- building and sustaining a community where people want to live and work and where other businesses like 360 Incentives want to invest;
- the saving of jobs by retaining 360 Incentives within Whitby;
- expanding of Information Technology for the future and exploring ways to have more jobs in Town to allow for less time spent commuting out of the community for work;
- the retention of the greenspace on the property and the zoning that was added to allow for alternate uses in the future; and,
- next steps for 360 Incentives to occupy the building.

Resolution # 321-15

Moved By Councillor Coe

Seconded By Councillor Emm

1. That Council approve the application to amend the Town of Whitby Official Plan (OPA-2014-W/02, Z-10-14) as Amendment No. 100 to the Whitby Official Plan, as shown on Attachment # 7, subject to the comments and conditions contained in Section 8 of Planning Report Item No. 52-15;
2. That a By-law to adopt Official Plan Amendment No. 100 to the Whitby Official Plan be brought forward for consideration by Council;
3. That the Clerk forward a copy of Planning Report Item 52-15, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 100 to the Region of Durham's Commissioner of Planning;
4. That Council approve the application to amend Zoning By-law No. 2585, (Z-10-14), subject to the comments and conditions contained in Section 8 of Planning Report Item No. 52-15 and the approval of Amendment No. 100 to the Whitby Official Plan;
5. That Council approve the retention of the Open Space block as shown on Attachment #5 for the purpose of public open space and zone such lands Open Space (OS); and,
6. That a By-law to amend Zoning By-law No. 2585 be brought forward for consideration by Council.

Carried

- 5.2** Planning and Development Department Report, PL 41-15
Re: Applications to Amend the Town of Whitby Official Plan and Zoning By-Law, Liza Communities, Southeast Corner of Promenade Drive and Garden Street (OPA-2014-W/01 & Z-07-14)

Resolution # 322-15

Moved By Councillor Coe

Seconded By Councillor Emm

1. That the correspondence from C. McLachlan to R. Short dated June 11, 2015 be received;
2. That Official Plan Amendment OPA 2014-W/01, as requested by C. McLachlan be closed and all agencies so notified;
3. That Zoning Application Z-07-14 as submitted on September 23,

2014, be refused in that it is not in compliance with the Whitby Official Plan;

4. That correspondence as submitted by C. McLachlan be received and the revised concept plan be accepted as the basis for the amendment to the Zoning Application now before the Town as File Z-07-14 (amended June 11, 2015);
5. That the amended application be referred back to staff; and,
6. That public notice of the amended Zoning Application be given for a public meeting of the Planning and Development Committee.

Carried

5.3 Planning and Development Department Report, PL 51-15 Re: Medallion Developments, Red Line Amendment, Northeast Corner of Anderson Street and Dryden Boulevard [MR-01-14 (S-168-88) and Z-05-14]

A question and answer period ensued with respect to:

- when confirmation would be provided to Council that the overland flow is suitable to Pringle Creek without further impact to the lots on Anderson Street;
- what has been done to protect the Butternut Trees on the property;
- what measures could be taken to mitigate root damage to the trees in the area of the development;
- the process for preserving trees and the number of trees that can be saved;
- what the barrier at the south end of the development would look like; and,
- the process that would take place if the overland flows on Anderson did not work.

A handout was provided to Members of Council to provide a visual of the barrier to the south of the development.

Resolution # 323-15

Moved By Councillor Coe

Seconded By Councillor Emm

1. That Council approve the application for a major red line amendment (File No. MR-01-14) to a draft approved plan of subdivision as illustrated on Attachment #6, save and except for lots 159 to 170, blocks 171 to 174, subject to the comments and conditions as contained in Section 8.0 of Planning Report PL 51-15;
2. That Council defer the approval of lots 159 to 170 and blocks 171 to

- 174 until Council has determined whether public laneways will be utilized in plans of subdivision;
3. That Council approve the application to amend Zoning By-law 1784 (File No. Z-05-14) subject to the comments and conditions as contained in Section 5.0 of Planning Report PL 51-15;
 4. That Council appoint the firm of Williams & Stewart Associates as Control Architect for the Draft Plan of Subdivision;
 5. That any necessary By-law be presented for Council's approval;
 6. That staff be authorized to prepare a subdivision agreement;
 7. That the Mayor and Clerk be authorized to sign any necessary documents;
 8. That the Region of Durham Commissioner of Planning be advised of Council's decision; and,
 9. That the Clerk forward a Notice of Decision to those parties and agencies of whom requested to be notified of Council's decision.

Carried

- 5.4** Planning and Development Department Report, PL 57-15
Re: Applications for a Draft Plan of Subdivision and Zoning By-law Amendment for Heathwood Homes (Whitby) Limited, Northeast Corner of Country Lane and Taunton Road West (SW-2011-01 and Z-03-11)

Detailed discussion ensued with respect to the subdivision application. Concerns were raised regarding the need to wait for a comprehensive by-law that would involve the coordination of seven other developers and the possible delays that could result for Heathwood Homes.

A question and answer period ensued regarding any associated risks with separating this development from the other plans of subdivision for West Whitby.

R. Short, Commissioner of Planning stated that the zoning applications submitted by Heathwood Homes are different than the other seven draft plans of subdivision and that the comprehensive by-law was designed to bring consistency to zoning standards to make it less complex and confusing.

Further discussion ensued regarding the timelines of the by-law for Heathwood Homes and whether there would be any delays if the Heathwood by-law was brought forward separately from the other West Whitby subdivisions.

Resolution # 324-15

Moved By Councillor Coe

Seconded By Councillor Emm

1. That Council approve the application for the recommended Draft Plan of Subdivision (File No. SW-2011-01) as illustrated on Attachment # 5 subject to the comments and conditions contained in Section 9.0 of Planning Report PL 57-15;
2. That Council approve the application to amend Zoning By-law 1784 (File No. Z-03-11) subject to the comments and conditions contained in Section 5.0 of Planning Report PL 57-15;
3. That Council appoint the firm of Williams & Stewart Associates as Control Architect for the recommended Draft Plan of Subdivision;
4. That a comprehensive By-law for the West Whitby subdivision, including Heathwood Homes, be brought forward to Council for approval at such time as requested zone provisions have been reviewed and accepted;
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;
8. That the Clerk forward a Notice of Decision to those parties and agencies who have requested to be notified of Council's decision;
9. That Heathwood Homes enter into a front ending agreement with the Town for the purpose of establishing the permanent storm water management facility size and identifying the benefiting land owners based on the drainage areas;
10. That Heathwood Homes provide a permanent letter of credit for the acquisition, construction and servicing of the storm water management facility; and,
11. That Heathwood Homes agree to install the boulevard plant material at the window streets on the south side of Taunton Road West being Tweedie Crescent and Splendor Drive prior to servicing phase 1.

Carried later in the meeting [See following motion]

Resolution # 325-15

Moved By Councillor Roy
Seconded By Councillor Coe

That the main motion be amended by deleting the words 'the West Whitby subdivision, including' from Item 4 of the recommendation.

Carried

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

	For	Against	Abstained
Councillor Lorne Coe	x		
Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	8	0	0

- 5.5** Planning and Development Department Report, PL 55-15
Re: Designation of Abner Nash House (1615 Brock Street South) and Hugh Bredin House (1621 Brock Street South) as being of Historic and Architectural Value and Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. 0.18

Detailed discussion ensued regarding:

- the demolition of the properties;
- the investment into the waterfront and making it attractive to residents and visitors;
- making Brock Street the gateway into the waterfront area;
- the importance of being open for business in the Town and creating sustainable development; and,
- telling the story of heritage properties through incorporating the entire building into new development.

Prior to the meeting, Members of Council were in receipt of correspondence from Brookfield Homes dated June 26 and 27, 2015 clarifying their intent for the matter to proceed to Council as recommended by the Planning Committee and that they would not be moving forward with demolition until such time that they had opportunity to meet and review the heritage aspects of the properties with Town staff.

Resolution # 326-15

Moved By Councillor Coe
Seconded By Councillor Emm

1. That Planning Report No. PL 55-15 be received as information;
2. That the properties known as 1615 Brock Street South and 1621 Brock Street South be removed from the Heritage Registrar of the Town of Whitby and the Clerk be authorized to complete same;
3. That the applicant provide in writing to the Town, that it shall not proceed with the demolition of either structure without the completion of an archaeological study by a qualified firm in the Province in Ontario and that such report, once complete, will be filed with the Town of Whitby and the responsible Ministry;
4. That the applicant be required to provide in writing to the Town, that it will retain and protect specific building materials such as bricks that will be used in the re-build of interior spaces of the property in order to tell the story of the buildings and that they further agree to commemorate the buildings in the new plans and that these details be part of the Site Plan approval process;
5. That the applicant agree to a voluntary payment to the Town of Whitby of \$15,000.00 in order to fund Heritage initiatives of the Town of Whitby;
6. That the Town of Whitby be given permission to remove any heritage elements of the buildings in co-operation with the applicant, they deem appropriate for reuse in Town facilities or parks; and,
7. That the Chief Building Official be authorized to issue the demolition permits for the buildings located at 1615 and 1621 Brock Street South.

Carried on a recorded vote as follows:

	For	Against	Abstained
Councillor Lorne Coe	x		
Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell		x	
	7	1	0

- 5.6** Planning and Development Department Report, PL 59-15
Re: Zoning Amendment and Site Plan Applications to Permit the use of a Gas Bar including a Retail Kiosk, CST Canada Co., 6875 Baldwin Street (Z-04-15 / SP-03-15)

Resolution # 327-15

Moved By Councillor Coe
Seconded By Councillor Emm

1. That Council approve Zoning Amendment (Z-04-15) and Site Plan Application (SP-03-15), subject to the conditions contained in Section 8.0 of Planning Report PL 59-15;
2. That the amending By-law be brought forward for Council's approval; and,
3. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

Carried

5.7 Planning and Development Department Report, PL 53-15
Re: Brooklin Harvest Festival Relocation to Baldwin Street

Brief discussion ensued regarding the closure of Baldwin Street for the event and the importance of sending a clear message regarding the Town's intent to obtain ownership of Baldwin Street.

Resolution # 328-15

Moved By Councillor Coe
Seconded By Councillor Emm

1. That Council approve \$12,500 in 2015 for additional costs associated with the closure of Baldwin Street and local roads for Harvest Festival;
2. That Staff report back to Council after the event in the fourth quarter to outline staffing and financial resources implications for downtown events for 2016 and beyond; and,
3. That a copy of this report be forwarded to Group 74, Brooklin Downtown Business Association, the Brooklin Downtown Development Steering Committee, Durham Regional Police, Ontario Provincial Police, and the Ministry of Transportation.

Carried

5.8 Planning and Development Department Report, PL 46-15
Re: Zoning By-law Amendment Application, Kiya Developments Inc., 805 Dundas Street West (Z-07-15)

Resolution # 329-15

Moved By Councillor Coe
Seconded By Councillor Emm

1. That Council approve Zoning Application Z-07-15, subject to the conditions contained in Section 8.0 of Planning Report PL 46-15; and,
2. That the amending By-law be brought forward for Council's approval, as prescribed in Section 5.3 of Report Number PL 46-15, utilizing Concept #1 dated June 2, 2015 as the solution for the shared driveway turn around.

Carried

- 5.9** Planning and Development Department Report, PL 58-15
Re: Corporate Sustainability Plan: Status Update and Best Practices Review

Resolution # 330-15

Moved By Councillor Coe
Seconded By Councillor Emm

That Council receive Planning and Development Report Item PL 58-15 for information.

Carried

- 5.10** Planning and Development Department Report, PL 54-15
Re: Review of Doors Open Whitby 2015

Resolution # 331-15

Moved By Councillor Coe
Seconded By Councillor Emm

1. That Planning Report PL 54-15, regarding the 2015 Doors Open Whitby Event be received as information;
2. That the establishment of the Doors Open Sub-committee to LACAC as an Advisory Committee of Council be approved in principle;
3. That Planning Staff report back to Council in the fourth quarter on

final recommendations and Terms of Reference for establishing a Doors Open Advisory Committee of Council and recommended budget allocation for 2016; and,

4. That a copy of Council resolution be forwarded to the Chair of LACAC Heritage Whitby and the sub-committee for Doors Open.

Carried

6. Operations Committee
Report # 8 of the Operations Committee - June 22, 2015, 2015

- 6.1 Legal and Human Resource Services Department and Public Works Department Joint Report, LS 06-15
Re: Revisions to Fill Control Regulations

Resolution # 332-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Legal and Human Resource Services/Public Works Report LS 06-15 be received for information; and,
2. That Council direct staff to invite public/agency review and feedback on the draft Site Alteration By-law and Site Alteration Guidelines for a period of 90 days.

Carried

- 6.2 Office of the Town Clerk Report, CLK 03-15
Re: Interim Report – Refreshment Vehicle Review

Resolution # 333-15

Moved By Councillor Roy
Seconded By Councillor Gleed

That Report CLK #03-15 of the Office of the Town Clerk be received for information.

Carried

- 6.3 Public Works Department Report, PW 18-15
Re: Traffic Operational Review of Valleywood Drive – Follow-up

This item was referred back at Committee.

6.4 Community and Marketing Services Department Report, CMS 35-15
Re: Sports Facility of Strategy

Detailed discussion ensued regarding:

- involving and supporting seniors in the Strategy;
- sustaining healthy adults and individuals through active lifestyles;
- the importance of monitoring and tracking to identify demographic variables and growth patterns as well as fiscal challenges in the Strategy;
- the need to consider performance measures to effectively measure data;
- three key areas that should be adopted in the Strategy including financial operating on a per capita basis, review of the Strategy after 5 years and an internal audit of the Strategy;
- the importance of fiscal responsibility and the need to minimize the burden on the taxbase;
- the need for the Sports Strategy to serve all residents of Whitby;
- the importance of the location of the sports facility along the central spine of the Town;
- the preservation of the Brooklin Spring Fair if Memorial Park is a considered location;
- the need to look at other municipalities that have undertaken similar strategies and learn from their experiences;
- ability for growth and expansion of a facility and the need to consider traffic impacts and accessibility in and out of the facility; and,
- a strategy for private partnerships to assist with funding of the facility.

Resolution # 334-15

Moved By Councillor Roy

Seconded By Councillor Glead

1. That Council adopt in principle the recommendations contained in the Sports Facility Strategy as outlined in Attachment #1 of Community and Marketing Services Department Report, CMS 35-15;
2. That Staff be directed to incorporate the recommendations contained in the Sports Facility Strategy within future capital budgets and future development applications where applicable, and the forthcoming Development Charges Study;
3. That Staff undertake a site review assessment for the proposed Brooklin Indoor Sports Facility and report back to Council;

4. That Staff be authorized to enter into discussion with the Whitby Iroquois Soccer Club regarding a partnership to develop a second indoor soccer facility, and to report back regarding the project; and,
5. That a copy of the Sports Facility Strategy be provided to all Major Sport User Groups, the Durham District School Boards, and the Brooklin Spring Fair Board.

Carried

- 6.5** Corporate Services Department and Public Works Department Joint Report, CS 62-15
Re: Replacement of Chain Link Fence Adjacent to Town Owned Property (T-573-2015)

Resolution # 335-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low compliant tender as received from M & E General Contracting Inc. in the amount of \$57,674.50 (excluding taxes) for the replacement of chain link fences adjacent to Town owned Property as required by the Town of Whitby;
2. That the total estimated project cost in the amount of \$74,457.03 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.6** Corporate Services Department Report, CS 63-15
Re: Mayor's Community Development Fund

Resolution # 336-15

Moved By Councillor Roy
Seconded By Councillor Gleed

That Council approve the Mayor's Community Development Fund policy, as provided in Attachment 1.

Carried

- 6.7** Corporate Services Department and Public Works Department Joint Report, CS 64-15
Re: Supply and Install Four (4) Electric Desiccant Dehumidifiers (T-44-2015)

Resolution # 337-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low compliant tender as received from Canadian Tech Air Systems Inc. in the amount of \$107,920.00 (excluding taxes) for the supply and installation of four (4) electric desiccant dehumidifiers for Iroquois Park Sports Centre;
2. That the total estimated project cost in the amount of \$118,920.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.8** Corporate Services Department and Public Works Department Joint Report, CS 65-15
Re: Miscellaneous Asphalt Patching (T-506-2015)

Resolution # 338-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low compliant tender as received from Appco Paving Ltd. in the amount of \$224,007.00 (excluding taxes) to complete miscellaneous asphalt patching as required by the Town of Whitby;
2. That the total estimated project cost in the amount of \$320,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.9** Corporate Services Department Report, CS 66-15
Re: Easement of Favour of the Regional Municipality of Durham, Part 1,

40R-28508, Con 1, Part Lot 29 – South-West Corner of Burns Street
West and Annes Street

Resolution # 339-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby grant a permanent easement to the Regional Municipality of Durham described as Part 1, Plan 40R-28508 for the purposes of a sanitary sewerage storage tank; and,
2. That the Mayor and Clerk be authorized to execute the required documents.

Carried

- 6.10** Corporate Services Department Report, CS 67-15
Re: Annual Statement of Development Charge Reserve Funds as at
December 31, 2014

Resolution # 340-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the annual Statement of Development Charge Reserve Funds as at December 31, 2014 be received as information; and,
2. That a copy of the Statement be forwarded to the Minister of Municipal Affairs and Housing.

Carried

- 6.11** Corporate Services Department Report, CS 68-15
Re: Building Permit Fees Annual Report 2014

Resolution # 341-15

Moved By Councillor Roy
Seconded By Councillor Gleed

That Report No. CS 68-15 of the Commissioner of Corporate Services/Treasurer be received as information.

Carried

- 6.12** Public Works Department and Corporate Services Department Joint Report, CS 69-15
Re: Delivery of Sodium Chloride (CT-279-2015)

Resolution # 342-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept its portion of the low tender from 1035477 Ontario Ltd. o/a Glenn Windrem Trucking in the estimated annual amount of \$46,200.00 (excluding taxes) for the delivery of sodium chloride;
2. That the total estimated three (3) year amount of \$141,039.36 be approved;
3. That approval be granted for the option to extend the contract for two (2) additional years based on satisfactory performance, and budget approval; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.13** Corporate Services Department and Public Works Department Joint Report, CS 70-15
Re: Functional Feasibility Assessment – Lynde Creek CNR & GO Transit Culverts (RFP-59-2015)

Resolution # 343-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept the highest scoring proposal of AECOM Canada Ltd. in the amount of \$71,969.00 (excluding taxes) to provide consulting services for a functional feasibility assessment of Lynde Creek CNR and GO Transit culverts, as required by the Town of Whitby;
2. That an over-expenditure in the amount of \$5,600.00 be approved and funded from current year maintenance savings;
3. That the total estimated cost in the amount of \$80,600.00 be approved; and,

4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.14** Corporate Services Department Report, CS 72-15
Re: 2016 Business Plan and Budget Process

This item was referred back at Committee.

- 6.15** Public Works Department and Corporate Services Department Joint Report, CS 73-15
Re: Co-operative Tender for the Supply and Delivery of Pre-treated Salt (CT-580-2015)

Resolution # 344-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept its portion of the low tender from Cargill Deicing Technology in the estimated annual amount of \$27,551.52 (excluding taxes) for the supply and delivery of pretreated salt;
2. That approval be granted for the option to extend the contract for two (2) additional years based on satisfactory performance, and budget approval;
3. That the total estimated three (3) year amount of \$82,654.56 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.16** Public Works Department and Corporate Services Department Joint Report, CS 74-15
Re: Streetlight Luminaire Replacement & Installation of Photocells (T-49-2015)

Resolution # 345-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender as received from Langley Utilities Contracting Ltd. in the amount of \$578,945.00 (plus applicable taxes) for the streetlight luminaire replacement and installation of photocell program on an eighteen (18) month term;
2. That the total estimated project cost in the amount of \$649,134.43 be approved;
3. That approval be granted for the option to extend the contract for two (2) additional one (1) year terms based on satisfactory performance, and budget approval; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.17** Public Works Department and Corporate Services Department Joint Report, CS 75-15
Re: Supply and Delivery of Omnidirectional Photocell (T-64-2015)

Resolution # 346-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender as received from LED Roadway Lighting in the amount of \$188,475.30 (plus applicable taxes) for the supply and delivery of omnidirectional photocells on an eighteen (18) month contract, as required by the Town of Whitby;
2. That a cost of \$10,868.00 be approved to cover the purchase of additional omnidirectional photocells to cover any luminaire photocell failures not being replaced in the first phase of LED luminaire replacements;
3. That the total estimated project cost in the amount of \$202,660.47 be approved;
4. That approval be granted for the option to extend the contract for two (2) additional one (1) year terms based on satisfactory performance, product quality and budget approval; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 6.18** Community and Marketing Services Department Report, CMS 33-15
Re: Approval of Conveyance of Lands to the Town Comprising Kinsmen

Park

Resolution # 347-15

Moved By Councillor Roy

Seconded By Councillor Gleed

1. That Council approve the conveyance of two parcels from the Kinsmen Club of Whitby to the municipality comprising 0.07 hectares at the southeast corner of Centre and Chestnut Streets and 0.59 hectares known as 201 Chestnut Street West; and,
2. That Council authorize Community and Marketing Services Staff to undertake the repairs to the horseshoe pits in Kinsmen Park.

Carried

6.19 Community and Marketing Services Department Report, CMS 34-15
Re: Log Cabin Ownership and Relocation in Cullen Central Park

Discussion ensued with respect to the reuse of the log cabin as a club house and the potential use of this building for other groups and clubs.

P. LeBel, Commissioner of Community and Marketing Services, stated that the use of the building would be limited to warmer seasons as it was not designed to be open during the winter months.

Resolution # 348-15

Moved By Councillor Roy

Seconded By Councillor Gleed

1. That Council approve the retention of the Log Cabin located in Cullen Central Park in municipal ownership;
2. That Council approve the relocation of the Log Cabin on lands owned by the Town of Whitby within Cullen Central Park;
3. That Council approve the disposition of the Jones Puckrin House to Laurie McCulloch Building Moving for nominal consideration;
4. That Council approve the sole sourcing of the relocation of the Log Cabin to Laurie McCulloch Building Moving as set out in the Staff report;
5. That the total estimated cost associated with the relocation, repair, renovation and site works for the Log Cabin, and the decommissioning of the existing site of the two structures in the amount of \$235,000 (excluding taxes) be approved and funded from one time reserves; and,

6. That Council approve the reuse of the Log Cabin as a community meeting space as set out in the Staff report.

Carried

- 6.20** Community and Marketing Services Department Report, CMS 36-15
Re: Whitby Harbour Day and Durham Tourism 'Durham Festival' 2015 Update

Resolution # 349-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Community and Marketing Services Department Report, CMS 36-15, providing an update on the details of Whitby Harbour Day 2015 be received for information;
2. That Council approve the recommendations of the Whitby Harbour Day Committee of Council regarding the proposed activities for the 2015 Whitby Harbour Day as outlined in the Staff report; and,
3. That Council authorize Staff to request approval from the Region of Durham for the Town of Whitby to undertake a road closure on Brock Street South for the duration of the Dentistry on Dundas fireworks display.

Carried

- 6.21** Public Works Department and Community and Marketing Services Department Joint Report, PW 29-15
Re: Town of Whitby Cycling and Leisure Trails Plan – Status Update

Resolution # 350-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Public Works/Community and Marketing Services Joint Report PW 29 -15 regarding a Status Update to the Town of Whitby Cycling and Leisure Trails Plan be received for information;
2. That Council approve the appointment of an Active Transportation Committee (ATC);
3. That staff report back in the fall with proposed Terms of Reference for the ATC; and,

4. That the ATC review and provide input into the Terms of Reference and throughout the 2016 Update to the Town of Whitby Cycling and Leisure Trails Master Plan.

Carried

- 6.22** Public Works Department Report, PW 33-15
Re: Emerald Ash Borer Action Plan Update

Resolution # 351-15

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Report PW 33-15 be received as information; and,
2. That Public Works staff continue to provide Council with a status update on the Emerald Ash Borer (EAB) Action Plan in January and June of each calendar year until deemed as no longer required.

Carried

- 6.23** Memorandum from Robert Short, Commissioner of Planning and Development
Re: Information - Bell Boxes Murals Project

Resolution # 352-15

Moved By Councillor Roy
Seconded By Councillor Gleed

That Council support the Bell Boxes Murals Project with the Community Matters Toronto organization during Culture Days on September 25 – 26, 2015.

Carried

7. Management Committee
Report # 2 of the Management Committee - June 16, 2015

- 7.1** Grievance - Step 4, Whitby Professional Firefighters Association

Resolution # 353-15

Moved By Councillor Roy
Seconded By Councillor Coe

That the recommendations in Item 2.1 as contained in the confidential minutes of the Management Committee held on June 16, 2015 be adopted.

Carried

8. Notice of Motion

8.1 There were no notices of motion.

9. New and Unfinished Business

9.1 Memorandum from Debi A. Wilcox, Town Clerk
Re: Royal Bank of Canada - Business Clients Authorization - Resolution Regarding Banking

Resolution # 354-15

Moved By Councillor Coe
Seconded By Councillor Roy

1. That Royal Bank of Canada ("Royal Bank") is appointed banker for the Customer;
2. That the Mayor Countersigned by either one of the Treasurer or Chief Administrative Officer are authorized on behalf of the Customer from time to time:
 - a) to withdraw or order transfers of funds from the Customer's accounts by any means including the making, drawing, accepting, endorsing or signing of cheques, promissory notes, bills of exchange, other orders for the payment of money or other instruments or the giving of other instructions;
 - b) to sign any agreements or other documents or instruments with or in favour of Royal Bank, including agreements and contracts relating to products or services provided by Royal Bank to the Customer; and,
 - c) to do, or to authorize any person or persons to do, any one or more of the following:
 - i. to receive from Royal Bank any cash or any securities, instruments or other property of the Customer held by Royal Bank, whether for safekeeping or as security, or to give instructions to Royal Bank for the delivery or other transfer of any such cash, securities, instruments or other

- property to any person named in those instructions;
 - ii. to deposit with or negotiate or transfer to Royal Bank, for the credit of the Customer, cash or any security, instrument or other property, and for those purposes to endorse (by rubber stamp or otherwise) the name of the Customer, or any other name under which the Customer carries on business, on any security or instrument;
 - iii. to instruct Royal Bank, by any means, to debit the accounts of third parties for deposit to the credit of the customer; and,
 - iv. to receive statements, instruments and other items (including paid cheques) and documents relating to the Customer's accounts with or any service of Royal Bank, and to settle and certify the Customer's accounts with Royal Bank.
- 3. That all instruments, instructions, agreements (including contracts relating to products or services provided by Royal Bank) and documents made, drawn, accepted, endorsed or signed (under the corporate seal or otherwise) as provided in this Resolution and delivered to Royal Bank by any person, shall be valid and binding on the Customer, and Royal Bank is hereby authorized to act on them and give effect to them;
- 4. That Royal Bank be furnished with:
 - a) a copy of this Resolution; and,
 - b) a list of the names of the persons authorized by this Resolution to act on behalf of the customer, and with written notice of any changes which may take place in such list from time to time, and with specimens of the signatures of all such persons;each certified by the (1) Mayor and (2) Treasurer of the Customer; and
 - c) in writing, any authorization made under paragraph 2(c) of this Resolution; and,
- 5. That any document furnished to Royal Bank as provided for in paragraph 4 of this Resolution shall be binding upon the Customer until a new document repealing or replacing the previous one has been received and duly acknowledged in writing by the branch or agency of Royal Bank where the Customer has its account.

Carried

- 9.2** Corporate Services Department and Community and Marketing Services Department Joint Report, CS 77-15
Re: Lynde House and Former Brock Street Activity Centre Interior and Exterior Works (T-41-2015)

Having previously declared a conflict of interest, Mayor Mitchell vacated the Chair and did not take part in the discussion or vote on this matter.

Deputy Mayor Drumm assumed the Chair.

Resolution # 355-15

Moved By Councillor Gleed

Seconded By Councillor Emm

1. That the Town of Whitby accept the low tender as received from 784437 Ont. Inc. o/a Snyder Construction in the amount of \$136,829.16 (plus applicable taxes) to complete the exterior sidewalk, asphalt and interior works associated with the former Brock Street Activity Centre and Lynde House;
2. That an over expenditure in the amount of \$61,545.35 be approved and funded from one time reserves;
3. That the total estimated project cost in the amount of \$147,237.35 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

Mayor Mitchell resumed the Chair.

- 9.3 Councillor Coe advised that Ribfest would be held at Victoria Fields on July 10 to 12, 2015 and encouraged all to attend.
- 9.4 Councillor Yamada advised that he had been speaking with residents on Bowman Avenue regarding improvements to sidewalks in the area for increased walkability and accessibility. He stated that the residents had forwarded a petition to the Clerk's Office and that he looked forward to seeing the matter on a future Operations Agenda.
- 9.5 Councillor Emm raised concerns regarding the Whitby Fire Department responding to emergency calls on Highway 407 when it was completed through the Durham area and whether the Town would have to pay toll fees.

D. Speed, Fire Chief, advised that the Town has an automatic aid agreement with surrounding fire departments to respond to accidents on highways and all emergency vehicles have free access to the Highways

and that there would be further information coming to Council in the Fall.

9.6 Councillor Yamada congratulated Home Depot, Whitby South Store on their 20th Anniversary and noted that through the Orange Door Project that they had raised \$4.1 million which is used to combat youth homelessness.

9.7 Councillor Roy provided recognition to the 3 Agencies that came forward to support the playground program and thanked Sarah Klein, Manager of Recreation for her diligence in coordinating this program.

Councillor Roy advised that there would be a BBQ on July 24 at the White Oaks Buildings from 5 to 7 pm sponsored by CAPREIT.

9.8 Councillor Roy advised that there were four pieces of Municipal Legislation that were currently under review and inquired about the timelines to submit comments.

D. Wilcox, Town Clerk advised that the deadline for comments for the Municipal Elections Act (MEA) is July 27, 2015 and that she would be providing briefing notes to Council on this matter. Ms. Wilcox stated that a page would be added to the Town's website to provide residents with the information to submit comments on the MEA. She further advised that the input for the Municipal Act and Conflict of Interest Act are due October 27, 2015.

9.9 Mayor Mitchell stated that should there be a need for a Special Council meeting during the summer recess period, that every effort would be made to accommodate this so that there were no delays to the public.

9.10 Mayor Mitchell advised Members of Council that the annual Council expenses that were published in the Whitby This Week Newspaper were incorrect in that they included their salaries. A handout reflecting the correct expenses were provided to Members of Council.

10. By-Laws

That the following by-laws be passed:

10.1 By-law # 7011-15, being a by-law to designate certain portions of a registered Plan of Subdivision as not being subject to Part Lot Control (40M-2515, Blocks 53, 54 and 55, Nick Favlo)

10.2 By-law # 7012-15, being a by-law to assume Montana Crescent as a

Public Highway (Plan 40M-2385)

- 10.3** By-law # 7013-15, being a by-law to Assume Various Streets as Public Highways (Plan 40M-2352, Cachet Boulevard)
- 10.4** By-law # 7014-15, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property
- 10.5** By-law # 7015-15, being a by-law to designate the Town of Whitby as a Site Plan Control Area and to delegate to the Commissioner of Planning the approval of plans and drawings in certain areas of Site Plan Control
Refer to PL 20-15
- 10.6** By-law # 7016-15, being a by-law to authorize the sale of Part of Lot 28, Concession 1, being the one foot reserve between Plans M3 and M4 as Part of Miller Street
Refer to CS 59-15
- 10.7** By-law # 7017-15, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby [Kantium Developments (Z-18-08, SW-2014-01)]
Refer to PL 12-11 and PL 62-14
- 10.8** By-law # 7018-15, being a by-law to adopt Amendment Number 100 to the Official Plan of the Town of Whitby [Biglieri Group on behalf of 360 Incentives (OPA-2014-W/02; Z-10-14)]
Refer to PL-52-15
- 10.9** By-law # 7019-15, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby [360 Incentives (OPA 2014-W/02, Z-10-14)]
Refer to PL 52-15
- 10.10** By-law # 7020-15, being a by-law to Amend By-law # 1862-85, to Regulate Traffic on Highways in the Town of Whitby (Schedule N, Stop Signs, Montana Crescent and Montgomery Avenue)
- 10.11** By-law # 7021-15, being a by-law to authorize the acquisition of lands legally described in Schedule A to the by-law from Metrolinx for the South Blair Street widening/right-of-way

Resolution # 356-15

Moved By Councillor Gleed
Seconded By Councillor Yamada

That leave be granted to introduce By-law #7011-15 to 7021-15 and to dispense with the readings of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

11. Confirmatory By-Law

11.1 Confirmatory By-law

Resolution # 357-15

Moved By Councillor Roy
Seconded By Councillor Emm

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on June 29, 2015 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

12. Adjournment

12.1 Motion to Adjourn

Resolution # 358-15

Moved By Councillor Leahy
Seconded By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 9:40 p.m.

Debi A. Wilcox, Town Clerk

Don Mitchell, Mayor