

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

PRESENT: Mayor Perkins

Councillors Coe, Drumm, Pitchforth, Roy and Scott

Mayor Perkins in the Chair

ALSO PRESENT: R. S. Petrie, Chief Administrative Officer
K. R. Nix, Director of Corporate Services/Treasurer
B. Short, Director of Planning
K. MacCarl, Fire Chief
S. Beale, Director of Public Works
P. G. LeBel, Director of Community and Marketing Services
S. Pohjola, Town Solicitor
P. Jones, Town Clerk
M. Pettit, Deputy Clerk

1. DISCLOSURES OF INTEREST

Councillor Drumm declared a pecuniary interest with respect to Planning Report, Item PL 59-08 as his son is employed by Durham Region Transit.

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6053-08

RESOLUTION NO. 115-08

Councillor Scott, seconded by Councillor Roy, moved for leave to introduce a by-law and to dispense with the reading of the by-law by the Clerk to adopt the minutes of the meeting of Council held on April 7, 2008 and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

By-law No. 6053-08 considered read a first, second and third time and finally passed.

3. PRESENTATIONS

(i) Whitby Wildcats Novice AE Hockey Team

Mayor Perkins, Councillor Shirley Scott, Department Chair, Community and Marketing Services Department and Peter LeBel, Director of Community and Marketing Services, recognized the Team's accomplishments in winning the Ontario Minor Hockey Association Championships and being International Silver Stick Regional Finalists.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

3. (Continued)

(ii) Recognition of the Bank of Montreal for its support of the Junior Fire Department Program

Mayor Perkins, Councillor Lorne Coe, Department Chair for Fire Services and Kent MacCarl, Fire Chief recognized the Bank of Montreal for its support of the Junior Fire Department Program. Mr. Chris Begy, Senior Vice President and Chief Auditor was present on behalf of the Bank.

(iii) Motorcycle Ride for Dad – Fighting Prostate Cancer

Mark McConkey, Jo-Ellen McGillis and Graham Locky spoke about the upcoming Motorcycle Ride for Dad on June 7, 2008, a fundraiser in the fight against prostate cancer.

(iv) Whitby Yacht Club

Jim McMaster, Commodore and Jim Stewart, Vice-Commodore, spoke about upcoming summer events at the Club including hosting of the 124th Anniversary of the Lake Yacht Racing Association (LYRA) Regatta. Mr. McMaster and Mr. Stewart presented the Mayor with a poster promoting the LYRA Regatta and a Whitby Yacht Club flag.

(v) Kennedy Self

Re: Planning Report, Item PL 55-08

Winster Investments Ltd., Official Plan (OPA 2005-W/12) and Zoning Amendment Applications (Z-47-05), Montessori School – Part Lot 32, Conc. 3, municipally known as 840 Rossland Rd. W. **(Refer to April 21, 2008 P & D-271)**

Planning Consultant, Kennedy Self, Heather Wilson, Administrator and Principal of Montessori Schools in Durham and Toronto Regions and David Angelakis, Transportation Planner, GM Sernas Group provided further clarification on their application which came to Council from the Planning and Development Committee without a recommendation.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

4. CORRESPONDENCE

- (i) Association of Municipalities of Ontario – Municipal Infrastructure Funding,
Building Canada Fund
-

RESOLUTION NO. 116-08

MOVED by Councillor Drumm
Seconded by Councillor Coe

That Council endorse the resolution passed by the Board of Directors of the Association of Municipalities of Ontario on March 28, 2008 that calls on the Governments of Canada and Ontario to make a commitment to renewed, dedicated negotiations that will see a Building Canada Framework Agreement signed expeditiously so that Ontario's municipal governments can benefit from additional investment opportunities that a collaborative Canada-Ontario contribution agreement can bring to their significant infrastructure needs; and,

That this resolution be forwarded to our local Member of Parliament and Member of Provincial Parliament as well as the federal and provincial Ministers of Infrastructure.

CARRIED

- (ii) CORR 09-08
Royal Canadian Legion, Brooklin Branch 152
-

Request to erect a cenotaph at the proposed Brooklin Library and Community Centre.

RESOLUTION NO. 117-08

MOVED by Councillor Pitchforth
Seconded by Councillor Drumm

That Correspondence CORR 09-08 be referred to the Director of Community and Marketing Services for review, a report and further consideration by Council.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

4. (Continued)

- (iii) CORR 10-08
Corporation of the Town of Ajax – Notice of Motion
-

RESOLUTION NO. 118-08

MOVED by Councillor Roy
Seconded by Councillor Drumm

That Council endorse the resolution passed by Ajax Town Council on April 14, 2008 and join the long list of persons urging:

1. the Rouge Valley Health System (RVHS) and Central East Local Health Integration Network (LHIN) to immediately rescind their decision to close the Ajax Pickering Hospital (APH) Mental Health Inpatient Unit;
2. the RVHS and Central East LHIN to undertake real and meaningful public consultation prior to developing and approving priorities for the delivery of health services at APH;
3. the Ontario Government to immediately designate APH a full-service hospital, and prohibit continued attempts to transfer much needed core local health services from APH to the Centenary Hospital;
4. the Ontario Government to reverse its decision to merge Centenary and APH, and maintain instead unique hospitals responsive to the needs of their respective communities;
5. the Ontario Government to introduce much needed population-based funding for GTA hospital services in recognition of present and future growth especially in Durham Region; and,

That a copy of this resolution be forwarded to Premier Dalton McGuinty, George Smitherman, Health Minister, John Tory, Leader of the Opposition, Howard Hampton, NDP Leader, Christine Elliott, M.P.P. for Whitby-Oshawa and the 905/GTA Health Care Alliance.

CARRIED ON A RECORDED
VOTE AS FOLLOWS

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

4. (Continued)

YEAS

NAYS

Councillor Coe
Councillor Drumm
Councillor Pitchforth
Councillor Roy
Councillor Scott
Mayor Perkins

- (iv) CORR 11-08
David Stewart, President – Brooklin Downtown Business Association

RESOLUTION NO. 119-08

MOVED by Councillor Pitchforth
Seconded by Councillor Coe

That Correspondence CORR 11-08 be referred to the Director of Planning for review, a report and further consideration by Council.

CARRIED

5. STANDING COMMITTEES
(a) Operations Committee – April 14, 2008
Report Recommendations to Council

3.2 Public Works Report, Item PW 27-08
Re: Battery Recycling for Municipal Offices

COUNCIL DECISION

1. That Public Works Report, Item PW 27-08 regarding “Battery Recycling for Municipal Offices” be received as information;
2. That Council endorse an internal program for Town employees to recycle dry cell non-rechargeable batteries at existing municipal offices; and,
3. That a copy of Public Works Report, Item PW 27-08 regarding “Battery Recycling for Municipal Offices” be forwarded to the Region of Durham.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

3.3 Public Works Report, Item PW 28-08

Re: Sole Source Purchase of a Gradall Hydraulic Excavator

COUNCIL DECISION

That staff be authorized to negotiate directly with Amaco Equipment Incorporated for the supply and delivery of a 2008 Gradall Hydraulic Excavator.

3.4 Public Works Report, Item PW 29-08

Re: Appointment of Municipal By-law Enforcement Officers for the Purpose of Enforcing Parking Restrictions on Private Properties

COUNCIL DECISION

That a By-law be brought forward to appoint certain individuals and revoke the appointment of other individuals as Municipal By-law Enforcement Officers for the purpose of enforcing the parking restrictions on the private property as indicated in Attachment "A" of Public Works Report, Item PW 29-08.

3.6 Corporate Services Report, Item CS 11-08

Re: Contract NO: W02-2008 CO-OPERATIVE TENDER for Supply, Delivery and Application of Calcium/Magnesium Chloride

COUNCIL DECISION

1. That the Town of Whitby accept the low tender of Miller Paving Limited in the adjusted amount of \$25,754.40 (\$24,528.00 net GST) for the supply, delivery and application of liquid magnesium chloride;
2. That the Town of Whitby accept the low tender of Glen Chemicals Limited in the adjusted amount of \$6,169.80 (\$5,896.80 net GST) for the supply and delivery of flake calcium chloride; and
3. That approval be granted for the option to extend the contract for a second year term based on the suppliers' products and performance having been satisfactory and proposed pricing for the second year being acceptable to the Durham Purchasing Co-Operative Group.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

3.7 Corporate Services Report, Item CS 12-08

Re: Mayor & Councillors' Remuneration and Expenses – 2007

COUNCIL DECISION

That Corporate Services Report, Item CS 12-08 be received as information.

3.8 Corporate Services Report, Item CS 13-08

Re: W2008-1 Hot Mix Paving

COUNCIL DECISION

1. That the Town of Whitby accept the low tender of Furfari Paving Co. Limited in the revised amount of \$1,542,501.59;
2. That the total estimated project costs in the amount of \$2,203,392.45 be approved;
3. That the Mayor and Clerk be authorized to execute the contract documents; and
4. That the budget savings from this contract be used to accelerate the Pine Street Project from 2011 to 2008 and the Garrard Road Project from 2009 to 2008.

3.10 Corporate Services Report, Item CS 15-08

Re: Acquisition of the Whitby Library Premises and Lands 8 Vipond Road, Brooklin

COUNCIL DECISION

1. That the Town of Whitby acquire the premises and lands known as 8 Vipond Road from the Whitby Public Library Board for the sum of \$2.00;
2. That the Town of Whitby negotiate a lease agreement with the Whitby Public Library Board for their use of the premises in the new Brooklin Community Centre;
3. That the Clerk bring forward the necessary By-law authorizing the purchase; and,
4. That the Mayor and Clerk be authorized to execute the required documents.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

3.11 Corporate Services Report, Item CS 17-08

Re: 2008 Final Tax Billing

COUNCIL DECISION

1. That the tax rates for the year 2008, in terms of General Municipal Town levies, be approved as indicated in Schedule "A" to Corporate Services Report, Item CS 17-08;
2. That the tax due dates for the final tax bills for the Residential, Farmland and Managed Forest tax classes be June 13, 2008 and September 15, 2008;
3. That the Treasurer be authorized to set the appropriate due dates for the capped tax classes (Commercial, Industrial and Multi-residential) once all billing factors are known; and
4. That a by-law be brought forward to allow the Treasurer to set the levy rates of taxation for the year 2008 for Town of Whitby, Region of Durham and Education Purposes.

3.12 CONFIDENTIAL Corporate Services Report, Item CS 16-08

Re: Proposed Property Lease

COUNCIL DECISION

That staff be directed to negotiate a lease of the lands identified in Corporate Services Report, Item CS 16-08 with a single tenant and in accordance with Preferred Option #1 as identified in the Report.

RESOLUTION NO. 120-08

MOVED by Councillor Pitchforth
Seconded by Councillor Scott

That Council adopt the recommendations set out in Items Nos. 3.1 through 3.12 inclusive, as contained in the minutes of the meeting of the Operations Committee held on April 14, 2008, save except Item Nos. 3.1, 3.5 and 3.9 thereof.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

3.1 Fire Department Report, Item FR 3-08

Re: Smoke Alarm Partnership with Home Depot

RESOLUTION NO. 121-08

MOVED by Councillor Pitchforth

Seconded by Councillor Scott

That Fire Department Report, Item FR-03-08 regarding "Smoke Alarm Partnership with Home Depot" be received as information.

CARRIED

3.5 Public Works Report, Item PW 32-08

Re: Infrastructure Investment Initiative (MIII) Grant Application

RESOLUTION NO. 122-08

MOVED by Councillor Pitchforth

Seconded by Councillor Scott

That Council receive Public Works Report, Item PW 32-08 as information.

CARRIED

3.9 Corporate Services Report, Item CS 14-08

Re: W2008-3 Reconstruction of Garden Street and Burns Street

RESOLUTION NO. 123-08

MOVED by Councillor Pitchforth

Seconded by Councillor Scott

1. That the Town of Whitby accept the low tender of Esposito Bros. Construction Ltd. in the amount of \$2,296,119.44;
2. That the total estimated project costs in the amount of \$3,601,780.42 be approved; and
3. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

- (b) Planning & Development Committee – April 21, 2008
Report Recommendations to Council
-

4.2 Planning Report, Item PL 54-08 [7:40 P.M.]

Re: NORDEAGLE DEVELOPMENTS LTD. (ECOPLACE)

Proposed (Ecoplace) Development, North side of Victoria Street West, from
Jeffery Street to Gordon Street (OPA-2007-W/02)

COUNCIL DECISION

1. That Planning Report, Item PL 54-08 be received for information;
2. That Council confirm Staff's directions for the applicant to submit the additional information and materials necessary to adequately assess and consider the application, subject to the comments and conditions outlined in Planning Report Item PL 54-08, prior to any further consideration of the proposed Official Plan Amendment application; and
3. That a copy of Planning Report, Item PL 54-08 and Council's Resolution be forwarded to the Region of Durham.

4.3 Planning Report, Item PL 53-08 [7:50 P.M.]

Re: NORDEAGLE DEVELOPMENTS LTD. (ECOPLACE)

Applications to Amend the Town of Whitby Official Plan (OPA-2008-W/04) and
Zoning By-law 2585 (Z-05-08), N/E corner of Victoria Street West and
Montecorte Street

COUNCIL DECISION

1. That Planning Report, Item PL 53-08 be received for information;
2. That the applicant be required to submit additional information and materials for review and assessment, to the satisfaction of the Town, Region, and/or commenting agencies, subject to the comments and conditions contained in Planning Report, Item PL 53-08, prior to bringing forward a recommendation report regarding the applications;
3. That a copy of Planning Report, Item PL 53-08 -08 and Council's Resolution be forwarded to the Region of Durham; and
4. That the Planning Department report back at such time as all public input and agency comments, as well as additional information and materials, have been received and assessed.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

4.4 Planning Report, Item PL 50-08 [8:00 P.M.]

Re: 2008 ACCESSIBILITY PLAN

COUNCIL DECISION

1. That Council approve the 2008 Accessibility Plan;
2. That hard copies of the 2008 Accessibility Plan be made available at the Town Hall, and all Community Centres, and branches of the Whitby Public Library and Recreation Facilities in the Town;
3. That the Clerk provide a copy of the 2008 Accessibility Plan to Scott Weeres, the Director of the Accessibility Directorate at the Ministry of Community and Social Services; and
4. That the Clerk provide a copy of the 2008 Accessibility Plan to members of the Accessibility Advisory Committee (AAC) and the Accessibility Working Committee (AWC).

4.9 Planning Report, Item PL 48-08

Re: JAMES & KAREN ARNOLD/JOHN & GLORIA CRUXTON

Zoning Amendment Application (Z-33-07) –176 and 180 Way Street

COUNCIL DECISION

1. That Council approve the zoning amendment application (Z-33-07) subject to the comments and conditions contained in Planning Report, Item PL 48-08 and the imposition of a height restriction of 7.5 metres; and,
2. That a By-law to amend Zoning By-law No. 1784 be brought forward for consideration by Council.

5.1 Planning Report, Item PL 46-08

Re: 2052588 Ontario Inc., Appointment of Control Architect, (SW-2005-06), Part of Lot 26, Conc. 4

COUNCIL DECISION

1. That Council appoint Mr. David Stewart of Williams and Stewart Associates as Control Architect for the subdivision plan; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

2. That the Developer and Mr. Stewart be advised of Council's approval and the Developer's financial obligations as set out in Planning Report, Item PL 46-08.

5.2 Planning Report, Item PL 47-08

Re: Proposed Guidelines for Shadow Studies

COUNCIL DECISION

1. That Council receive Planning Report, Item PL 47-08 as information;
2. That Council adopt the Shadow Study Guidelines provided as Attachment #1 subject to the information contained in this report; and,
3. That the Attached Shadow Study Guidelines be included as an attachment to all development applications.

5.3 Planning Report, Item PL 49-08

Re: Davies Smith Developments, Draft Plan of Condominium Application (CW-2007-04), 1600 Charles St.

COUNCIL DECISION

1. That Council approve the Draft Plan of Condominium (CW-2007-04) subject to the comments and conditions contained in Planning Report, Item PL 49-08;
2. That the Mayor and Clerk be authorized to execute the condominium agreement for the subject property; and,
3. That the Clerk advise the Regional Planning Department of Council's decision.

5.4 Planning Report, Item PL 51-08

Re: Site Plan Application (SP-06-08), Durham District School Board, Addition to Fallingbrook Public Elementary School, 155 Fallingbrook Street

COUNCIL DECISION

1. That Council approve Site Plan Application SP-06-08 subject to the comments and conditions contained in Planning Report, Item PL 51-08; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

5.5 Planning Report, Item PL 52-08

Re: Zoning Application (Z-08-08), 2052588 Ontario Limited, 4865 Baldwin Street South

COUNCIL DECISION

1. That Council receive the Planning Report, Item PL-52-08 for information, and;
2. That the proposed amendments to the current zone provisions for the R2B*/R2C* zone categories under By-law 1784 for draft approved plan of subdivision known as Lyndebrook Developments Ltd. be approved.

5.7 Planning Report, Item PL 58-08

Re: "Growing the Greenbelt" – A Provincial Consultation Paper on Possible Expansion of the Greenbelt

COUNCIL DECISION

That the Ministry of Municipal Affairs and Housing be advised the Town of Whitby supports Durham Region's resolution and position with respect to Commissioner of Planning Report 2008-P-27.

5.9 Planning Report, Item PL 61-08

Re: Disposition of Block E, Plan M1148 - Walton Boulevard

COUNCIL DECISION

1. That Council declare Block E, Plan M1148 as surplus to its needs;
2. That, in accordance with the provisions of the Town of Whitby By-law for the Disposal of Surplus Property, the Town give public notice of its intention to dispose of the property by placing an advertisement in the newspaper, one time;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

3. That provided no objection is received by the Town in connection with the proposed sale of the lands, they be offered for sale in their entirety to the property owners who have the ownership of the lands to the north and south of the subject lands; and,
4. That the Mayor and Clerk be authorized to execute the required documents.

RESOLUTION NO. 124-08

MOVED by Councillor Drumm
Seconded by Councillor Coe

That Council adopt the recommendations set out in Item Nos. 3.1, 4.2 through 4.4 inclusive, 4.8 and 4.9 and 5.1 through 5.9 inclusive, as contained in the minutes of the meeting of the Planning and Development Committee held on April 21, 2008, save except Item Nos. 3.1, 4.8. 5.6 and 5.8 thereof.

CARRIED

3.1 Planning Report Item, PL 66-08 [7:00 p.m.]

Re: Highway 407 East Environmental Assessment – Highway 407/Baldwin Street Interchange Development Concept Plan Brooklin Business District – Major Central Area Expansion

RESOLUTION NO. 125-08

MOVED by Councillor Drumm
Seconded by Councillor Coe

1. That Planning Report, Item PL 66-08 be referred back to staff;
2. That a Special Meeting of Council be held on May 12, 2008 commencing at 6:00 p.m. in the Meeting Hall of the Municipal Building;
3. That at its Special Meeting on May 12, 2008, Council resolve itself into Committee of the Whole in order to consider Planning Report, Item PL 66-08; and,
4. That Planning staff advise all affected landowners of the proposed design concept and the Special Council Meeting to be held on May 12, 2008.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

5.6 Planning Report, Item PL 57-08

Re: Four Corners Streetscape Plan - Project Proposal – Implementation of
Phase 1

RESOLUTION NO. 126-08

MOVED by Councillor Drumm
Seconded by Councillor Coe

1. That Council approve the Phase I implementation of the design concept as proposed at a cost of approximately \$350,000 net GST, save and except the proposed heated sidewalk;
2. That approval be given for Totten Sims Hubicki (TSH) to prepare the necessary tender documents;
3. That Planning staff proceed with the implementation of the project; and,
4. That a copy of Planning Report, Item PL 57-08 be forwarded to Durham Region Transit and Regional Works Department.

CARRIED

4.8 Planning Report, Item PL 55-08 [8:40 P.M.]

Re: WINSTER INVESTMENTS LTD.

Official Plan (OPA 2005-W/12) and Zoning Amendment Applications (Z-47-05),
Montessori School – Part Lot 32, Conc. 3, municipally known as 840 Rossland
Rd. W.

RESOLUTION NO. 127-08

MOVED by Councillor Drumm
Seconded by Councillor Pitchforth

1. That Council deny the application to amend the Town of Whitby Official Plan (OPA-2005-W/12) and the application to amend Zoning By-law 1784, (Z-47-05) due to concerns for children's safety based on the proximity of the proposal to railway tracks and the transportation and safety concerns noted in Planning Report, Item PL 55-08;
2. That the Clerk forward a copy of Council's decision and Planning Report, Item PL 55-08 to the Region of Durham; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

5. (Continued)

3. That the Clerk forward a Notice of Decision to those persons and agencies who had requested to be notified of Council's decision.

CARRIED

Having declared a pecuniary interest, Councillor Drumm did not take part in the discussion or voting on the following item.

5.8 Planning Report, Item PL 59-08

Re: Seven Green Papers - Greater Toronto Transportation Authority (Metrolinx);
Regional Transportation Plan (RTP) for the Greater Toronto and Hamilton Area

RESOLUTION NO. 128-08

MOVED by Councillor Coe

Seconded by Councillor Pitchforth

1. That Planning/Public Works Joint Report, Item PL 59-08 be received for information;
2. That Staff comments contained in Joint Report, Item PL 59-08 be endorsed as the Town's comments on the Seven Green Papers as prepared by Metrolinx;
3. That Council request a 120 day review period to enable Municipal Councils to review and submit their comments to the "White Papers";
4. That Metrolinx give strong consideration to extending the review period for agency and stakeholders of this important transportation plan initiative for the GTHA, to ensure meaningful consultation and input is achieved; and,
5. That a copy of Joint Report Item PL 59-08 be forwarded to Metrolinx.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

6. NOTICES OF MOTION

None.

7. NEW AND UNFINISHED BUSINESS

7.1 Public Works Report, Item PW 33-08

Re: Amendments to the Building By-Law 5718-05

RESOLUTION NO. 129-08

MOVED by Councillor Coe
Seconded by Councillor Drumm

That By-Law 5718-05 be amended to include the new Schedule A attached to
Public Works Report, Item PW 33-08

CARRIED

8. BY-LAWS

- | | |
|---------|---|
| 6054-08 | By-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property. (Refer to Public Works Report, Item PW 29-08) |
| 6055-08 | By-law to acquire Whitby Public Library lands at 8 Vipond Road, Brooklin. (Refer to Corporate Services Report, Item CS 15-08) |
| 6056-08 | By-law to amend Building By-Law 5718-05. (Refer to Public Works Report, Item PW 33-08) |
| 6057-08 | By-law to set and levy the rates of taxation for the year 2008 and set penalty and interest rates for unpaid taxes. (Refer to Corporate Services Report, Item CS 17-08) |
| 6058-08 | By-law to amend Zoning By-law No. 1784, as amended, in respect of the property being located in Part of Lot 21, Concession 3, north of Dryden Boulevard, between Anderson Street and Thicksen Road North, Town of Whitby, to remove the Holding symbol "H" in order to permit the land to be developed for residential purposes. (Refer to Planning Report, Item 93-06) |

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, APRIL 28, 2008 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

8. (Continued)

RESOLUTION NO. 130-08

MOVED by Councillor Pitchforth, Seconded by Councillor Scott, that leave be granted to introduce By-law Nos. 6054-08 to 6058-08, inclusive, and to dispense with the reading of the by-laws by the Clerk and that the same be considered read a first, second and third time and finally passed and that the Mayor and Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

By-law Nos. 6054-08 to 6058-08, inclusive, considered read a first, second and third time and finally passed.

9. CONFIRMATORY BY-LAW NO 6059-08

RESOLUTION NO. 131-08

MOVED by Councillor Coe, seconded by Councillor Drumm, move for leave 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 meeting held on April 28th, 2008, and that the same be considered read a first, second and third time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

By-law No. 6059-08 considered read a first, second and third time and finally passed.

10. ADJOURNMENT

RESOLUTION NO. 132-08

MOVED by Councillor Drumm at 10:13 p.m.
Seconded by Councillor Pitchforth

That this April 28, 2008 meeting of the Council of The Corporation of the Town of Whitby adjourn.

CARRIED

Paul Jones, Clerk

Patricia Perkins, Mayor