

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

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
P. LeBel, Commissioner of Community & Marketing Services
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
R. Short, Commissioner of Planning
D. Speed, Fire Chief
C. Harris, Town Clerk
S. Cassel, Deputy Clerk

Regrets: None noted

1. Declarations of Pecuniary Interest

- 1.1** Councillor Mulcahy made a declaration of pecuniary interest under the Municipal Conflict of Interest Act with respect to Item 7.20, CMS 24-17 regarding the Whitby In Bloom Committee of Council 2017 Work Plan pertaining to the communication plan as it relates to the Brooklin Town Crier as she is the owner of the Brooklin Town Crier. Councillor Mulcahy did not take part in the discussion or vote on this matter.

2. Adoption of Minutes

- 2.1** Regular Council - April 10, 2017
Special Council - April 12, 2017
Special Council - May 1, 2017

Resolution # 228-17

Moved By Councillor Leahy
Seconded By Councillor Drumm

That the minutes be adopted.

Carried

3. Presentations

- 3.1** Whitby Wolves Novice A
Award/Recognition: Gold Medal Finalist - Provincials 2017

Mayor Mitchell attended the dais and was joined by Councillor Gleed and P. LeBel, Commissioner of Community and Marketing Services. Head Coach Chris Stefik and Team Manager Derry-Anne Perog were welcomed onto the dais to recognize the team members of the Whitby Wolves Novice A for their accomplishment as the 2017 Provincial Gold Medal Finalists.

- 3.2** Sarah Lamb-Kirby, Recreation and Facility Software Specialist
Award/Recognition: Emerging Leaders Award

Mayor Mitchell attended the dais and was joined by Councillor Yamada and P. LeBel, Commissioner of Community and Marketing Services. Sarah Lamb-Kirby was welcomed onto the dais to recognize her accomplishment in receiving the Emerging Leaders Award, a prestigious award that is only given to two individuals in Ontario each year.

- 3.3** Alzheimer Society of Durham
Award/Recognition: Presentation of the Blue Umbrella Logo to the Town of Whitby

Mayor Mitchell attended the dais and was joined by M. Gaskell, Chief Administrative Officer. Denyse Newton, Executive Director, Alzheimer Society of Durham was welcomed onto the dais and provided an overview of the Blue Umbrella Program and recognized the Town of Whitby as an early adopter of the Program including training more than 120 municipal staff. Ms. Newton presented a certificate of recognition to the Town in moving this initiative forward.

Mayor Mitchell invited Councillor Mulcahy to attend the dais and welcomed Bryson Insurance and Isenor Live Mediation Services onto

the dais who were also presented with recognition awards from Ms. Newton recognizing them for supporting and implementing the Blue Umbrella Program in their places of business.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- May 8 to 14, 2017 - Nursing Week
- May 17, 2017 - Just Give Day
- May 17, 2017 - International Day Against Homophobia/Transphobia
- June 3, 2017 - National Health and Fitness Day
- June 15, 2017 - World Elder Abuse Awareness Day
- June 2017 - Recreation and Parks Month
- June 2017 - Seniors' Month
- June 2017 - Brain Injury Awareness Month
- June 2017 - Spina Bifida and Hydrocephalus Awareness Month
- May 17, 2017 - Flag Raising - International Day Against Homophobia/Transphobia
- May 29 to June 4, 2017 - Flag Raising - Pride Week

Resolution # 229-17

Moved By Councillor Yamada

Seconded By Councillor Emm

That the proclamations for Nursing Week - May 8 to 14, 2017, Just Give Day - May 17, 2017, International Day Against Homophobia/Transphobia - May 17, 2017, National Health and Fitness Day - June 3, 2017, World Elder Abuse Awareness Day - June 15, 2017, Recreation and Parks Month - June 2017, Seniors' Month - June 2017, Brain Injury Awareness Month - June 2017 and Spina Bifida and Hydrocephalus Awareness Month - June 2017 and the flag raisings for International Day Against Homophobia/Transphobia - May 17, 2017 and Pride Week - May 29, to June 4, 2017, be endorsed.

Carried

6. Planning and Development Committee

Report # 4 of the Planning and Development Committee - April 24, 2017

- 6.1** Memorandum from the Office of the Town Clerk dated April 7, 2017 regarding LACAC Heritage Whitby recommendation to Council regarding the heritage designation of the Log Cabin at Cullen Central Park

Resolution # 230-17

Moved By Councillor Roy
Seconded By Councillor Glead

That the Town of Whitby move forward with the designation of the Log Cabin under Part IV of the Ontario Heritage Act.

Carried

- 6.2** Planning and Development Department Report, PL 42-17
Re: Town-initiated Amendment to the Town of Whitby Official Plan for Lands in the Northwest Quadrant of Garrard Road and Taunton Road East (OPA-2017-W/01)

Resolution # 231-17

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Planning Report PL 42-17 be received as information;
2. That the Planning and Development Department report back to the Planning and Development Committee at such time as input from the public, commenting agencies, and departments has been received and assessed; and,
3. Before the end of 2017 and before any report back on the Town-initiated amendment to the Official Plan for this area, that the Planning and Development Department report back to the Planning and Development Committee regarding the development proposal for All Seniors Care Living Centres Limited related to their submitted Official Plan and Zoning By-law amendments, and forthcoming site plan application.

Carried

- 6.3** Office of the Town Clerk Report, CLK 12-17
Re: Terms of Reference for the Downtown Whitby BIA Board of

Management

Resolution # 232-17

Moved By Councillor Roy
Seconded By Councillor Glead

1. That Report CLK 12-17 be received for information;
2. That the Terms of Reference, included as Attachment #1 to CLK 12-17, pertaining to the Board of Management for the Downtown Whitby BIA be approved as amended, by deleting the following in Section 9.4: "Council shall not allocate funds to the BIA or its committees through a community grant program"; and,
3. That the Commissioner of Planning and Development be directed to report back to the Planning and Development Committee with a proposed Memorandum of Understanding (MOU) between the Town and the BIA Board of Management outlining the roles and responsibilities of each party.

Carried

- 6.4** Planning and Development Department Report, PL 40-17
Re: Durham Community Climate Adaptation Plan

Resolution # 233-17

Moved By Councillor Roy
Seconded By Councillor Glead

1. That Council approve in principle the Durham Community Climate Adaptation Plan;
2. That staff be authorized to participate on working groups to further develop the programs proposed in the Plan and a reporting framework;
3. That the Whitby Sustainability Advisory Committee be consulted, where appropriate; and,
4. That the Clerk forward a copy of this report and Council's Resolution to the Whitby Sustainability Advisory Committee and the Region of Durham.

Carried

- 6.5** Planning and Development Department Report, PL 33-17

Re: Whitby Sustainability Advisory Committee 2016 Annual Report

Resolution # 234-17

Moved By Councillor Roy
Seconded By Councillor Gleed

That Council receive the Whitby Sustainability Advisory Committee 2016 Annual Report as information.

Carried

- 6.6** Planning and Development Department Report, PL 34-17
Re: LACAC Heritage Whitby 2016 Annual Report

Resolution # 235-17

Moved By Councillor Roy
Seconded By Councillor Gleed

That Council receive as information the LACAC Heritage Whitby 2016 Annual Report.

Carried

- 6.7** Legal and By-law Services Department Report, LS 07-17
Re: Guidelines for the Role of Council Members in the Public Planning Process

Resolution # 236-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Council receive Report LS 07-17 for information;
2. That staff be directed to report back to the Planning and Development Committee with guidelines outlining the role of Council Members at Developer community meetings; and,
3. That the guidelines be provided to developers during the pre-consultation process of a development application.

Carried

- 6.8** Planning and Development Department Report, PL 44-17
Re: Zoning By-law Amendment to Permit the Temporary Use of an Outdoor Movie Theatre and Activity Area, Brookfield Homes (Ontario) Whitby Limited, 1900 Brock Street South (Z-06-17)

Resolution # 237-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Council approve Zoning By-law Amendment Application Z-06-17 subject to the conditions contained in Section 8 of Report PL 44-17;
2. That the Zoning By-law Amendment be brought forward for Council's consideration;
3. That Council approve an exemption from the provisions of Noise By-law # 6917-14 for Brookfield Homes (Ontario) Whitby Limited at 1900 Brock Street South to host outdoor events until 11:30 p.m on weekends or holidays only.

Carried

- 6.9** Planning and Development Department Report, PL 41-17
Re: Whitby Taunton Holdings Limited, 880 Taunton Developments Limited, Draft Plan of Subdivision and Zoning By-law Amendment Application (SW-2013-07, SW-2014-04, Z-15-13, Z-04-14)

Resolution # 238-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Council approve the application for the recommended Draft Plan of Subdivision (File No. SW-2013-07 and SW-2014-04) as illustrated on Attachment # 5 subject to the comments and conditions contained in Section 8.0 of Planning Report PL 41-17;
2. That Council approve the application to amend Zoning By-law 1784 (File No. Z-15-13 and Z-04-14), subject to the comments and conditions contained in Section 5.0 of Planning Report PL 41-17;
3. That a By-law be brought forward to implement the draft plan of

- subdivision;
4. That Council appoint the firm of Williams and Stewart Associates as Control Architect for the recommended Draft Plan of Subdivision;
 5. That staff be authorized to prepare a Subdivision Agreement;
 6. That the Mayor and Clerk be authorized to sign any necessary documents;
 7. That the Region of Durham Commissioner of Planning be advised of Council's decision;
 8. That the Clerk forward a Notice of Decision to those parties and agencies who have requested to be notified of Council's decision; and,
 9. That prior to Council's consideration of a Site Plan application for the Mixed Use Bloc 322 in Draft Plan of Subdivision SW-2013-07/SW-2014-04, as shown on Attachment #6 to PL 41-17, an Urban Design Plan shall be required, which shall address, amongst other matters outlined in Section 6.2 of the Official Plan and the West Whitby Urban Design Guidelines, the requirement for a suitable urban gathering space.

Carried

- 6.10** Planning and Development Department Report, PL 45-17
Re: Zoning By-law Amendment and Site Plan Applications, Stockworth MBG Limited, 91, 95 and 99 Baldwin Street (Z-17-15, SP-17-15)

Discussion ensued regarding:

- the memorandum dated May 8, 2017 from R. Short, Commissioner of Planning regarding the Proposed Tree Removals and New Plantings;
- whether the Developer could be requested to supply the additional trees not included in the replacement schedule;
- the development of a tree canopy policy and proposed changes through Bill 68 that would require municipalities to have such a policy in place;
- the technology being used for the water overflow system and the uncertainties surrounding this new technology; and,
- requiring an easement for the resident to the south in the event that there were any issues with the water overflow system.

Resolution # 239-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Council approve Zoning By-law Amendment application (Z-17-15) and Site Plan Application (SP-17-15), submitted by Stockworth MBG Limited, subject to the conditions contained in Section 8.0 of Planning Report PL 45-17;
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 later in the meeting (See following motion)

Resolution # 240-17

Moved By Councillor Mulcahy
Seconded By Councillor Drumm

That Item 1 of the main motion be amended by adding the following after 'PL 45-17':

'including a requirement for an easement and an agreement with the property owner to the south as per CLOCA's recommendation and as noted in Section 7.3.1.3 of Planning Report PL 45-17'.

Carried

The main motion, as amended, was then carried.

- 6.11** Planning and Development Department Report, PL 32-17
Re: Sign By-law Variance Application, Chidley Glen Developments Ltd.,
3000 Garden Street (SB-02-17)

Resolution # 241-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Council approve Sign By-law Variance Application SB-02-17 to the Town of Whitby Permanent Sign By-law 5695-05 for the existing shopping centre on lands municipally known as 3000 Garden Street in accordance with the following:
 - a. To permit a menu board with a maximum area of 3.7 square metres;
 - b. To permit a menu board with a maximum height of 2.2

- metres; and,
- c. To permit a wall sign to be located a minimum distance of 0.9m above the adjacent grade.

Carried

- 6.12** Planning and Development Department Report, PL 35-17
Re: April 2017 Progress Report for Downtown Whitby Action Plan

Resolution # 242-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Report No. PL 35-17 regarding the 2017 Progress Report for Downtown Whitby Action Plan be received as information;
2. That a communication plan be developed for the progress and successes of the Downtown Whitby Action Plan; and,
3. That Staff continue to report on the progress of the Downtown Whitby Action Plan three times a year, in January, May and October.

Carried

- 6.13** Planning and Development Department Report, PL 37-17
Re: Lease Agreement between the Corporation of the Town of Whitby, Whitby Firehall Redevelopment Inc. and the Durham Region Farmers' Market Association for the use of 201 Brock Street South (Fire Hall Site) for 2017

Resolution # 243-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That the Mayor and Clerk be authorized to execute a renewal agreement between the Town of Whitby and the Durham Region Farmers' Market Association for the use of 201 Brock Street South;
2. That the Mayor and Clerk be authorized to execute an agreement between the Durham Region Farmers' Market Association, the Town of Whitby and the Whitby Fire Hall Redevelopment Inc. for use of 201 Brock Street South for the remainder of 2017;

3. That Transportation and Parking Services provide the Durham Region Farmers' Market Association parking cards for the vendors, allowing them to park in the Municipal Lot #4 on Market Days (Wednesday) during market season from May to October 2017; and,
4. That staff report back on the proposed future location of the Whitby Farmers' Market.

Carried

- 6.14** Planning and Development Department Report, PL 38-17
Re: Amendment to the Whitby Soccer Dome Site Plan Application located on 596 Rossland Road West (SP-08-16)

Resolution # 244-17

Moved By Councillor Roy
Seconded By Councillor Gleed

1. That Council approve a revised site plan for a second soccer dome to be constructed over the existing artificial turf soccer field located at the rear of the Donald A. Wilson Public Secondary school as set out on Attachments #4-7;
2. That Council authorize Corporate Services to proceed with the transfer of lands between the Town and Durham District School Board as set out below:
 - a. That the Town of Whitby purchase a portion of lands from the Durham District School Board for the purpose of access and setbacks for the Second Soccer Dome;
 - b. That the Clerk bring forward a by-law authorizing the purchase of the Property;
 - c. That the Mayor and Clerk be authorized to execute all required documents to give effect thereto; and,
 - d. That staff do all things necessary, including any required municipal procedures, to give effect to the purchase of the Property.
3. That a Minor Variance Application be submitted to the Committee of Adjustment to extend the permissions of a recreational sports complex onto the adjacent lands to be transferred to the Town from the Durham District School Board. Additional required variances shall include increased heights and building setbacks in accordance with Section 5.0 of this report; and,
4. That Council authorize the Commissioner of Planning to approve the revised site plan drawings in accordance with the revisions

requested as outlined in Section 8.0 of Planning Report PL 38-17.

Carried

7. Operations Committee
Report # 5 of the Operations Committee - May 1, 2017

- 7.1** Public Works Department and Corporate Services Department Joint Report, CS 13-17
Re: Rear Loading, High Compaction, 30 Cu. Yd. Refuse Vehicle (T-143-2016)

Resolution # 245-17

Moved By Councillor Emm
Seconded by Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Truckz & Binzz in the amount of \$222,486.00 (plus applicable taxes) for the supply and delivery of a rear loading, high compaction, 30 cu. yd. refuse vehicle;
2. That the over expenditure of \$27,901.75 be financed from the Maintenance Reserve;
3. That the total estimated project cost for the Town of Whitby in the amount of \$227,901.75 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents

Carried

- 7.2** Community and Marketing Services Department and Corporate Services Department Joint Report, CS 24-17
Re: Building automation System (BAS), Civic Recreation Complex (CRC) (T-16-2017)

Resolution # 246-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Siemens Building Technologies Canada Ltd. in the amount of \$101,100 (excluding taxes and including provisional items) to supply all

labour, materials and equipment required to install a Building Automation System (BAS) at the Civic Recreation Complex (CRC);

2. That the total estimated project cost in the amount of \$131,000 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.3** Public Works Department and Corporate Services Department Joint Report, CS 29-17
Re: Co-operative Tender for Supply, Delivery and Application of Calcium/Magnesium Chloride (T-539-2017)

Resolution # 247-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Miller Paving Limited for the Town of Whitby's portion in the annual amount of \$22,710.00 (plus applicable taxes) to supply and apply liquid calcium/magnesium blend and the delivery of flake magnesium chloride;
2. That the over budget amount of \$11,799.69 be approved and included in the quarterly operation projection report;
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 product quality, as well as budget approval for subsequent years; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.4** Community and Marketing Services Department and Corporate Services Department Joint Report, CS 31-17
Re: Construction Works at Cullen Central Park (T-25-2017)

Resolution # 248-17

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Wyndale Paving Co. Ltd. in the amount of \$247,428.73, (includes alternate pricing provided) (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete construction works at Cullen Central Park as required by the Town of Whitby;
2. That the total estimated project cost in the amount of \$313,000.63 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.5** Community and Marketing Services Department and Corporate Services Department Joint Report, CS 33-17
Re: Bus Services (Q-23-2017)

Resolution # 249-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid of Durhamway Bus Lines Inc., in the annual amount of \$27,589.50, (plus applicable taxes) for the provision of Bus Services for a one (1) year term;
2. That the total estimated annual contract amount of \$27,589.50 be approved;
3. That approval be granted for the option to extend the contract for one (1) additional one (1) year term based on satisfactory service, satisfactory pricing, and annual budget approval; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.6** Public Works Department and Corporate Services Department Joint Report, CS 34-17
Re: Supply and Placement of Surface Treatment and Slurry Seal (T-513-2017)

Resolution # 250-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Miller Paving Limited in the adjusted amount of \$333,552.34 (plus applicable taxes) for the supply and placement of surface treatment and slurry seal as required by the Town of Whitby;
2. That the total estimated contract amount of \$374,422.86 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.7** Public Works Department and Corporate Services Department Joint Report, CS 39-17
Re: Road Reconstruction - Various Locations (T-10-2017)

Resolution # 251-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Wyndale Paving Co. Ltd. in the revised amount of \$777,837.00 (less Way Street Rehabilitation) (excluding applicable taxes) for all labour, materials, equipment and supervision necessary to complete road reconstruction - various locations within the Town of Whitby;
2. That the total estimated project cost of \$745,000.00 (net of the Regional contribution) be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.8** Public Works Department and Corporate Services Department Joint Report, CS 42-17
Re: Repair of Town-Owned Catch Basins and/or Maintenance Holes (T-516-2017)

Resolution # 252-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Blacktop Restorations Inc. the amount of \$107,175.00 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete repairs of Town-owned catch basins and/or maintenance holes at various locations within the Town of Whitby;
2. That the total estimated contract amount of \$122,561.28 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.9** Community and Marketing Services Department, Public Works Department and Corporate Services Department Joint Report, CS 47-17
Re: Floor Mats, Uniforms and Supplies (T-586-2017)

Resolution # 253-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid of G&K Services, in the amount of \$41,916.81, (plus applicable taxes) for a three (3) year term for the rental of floor mats, uniforms and supplies;
2. That the total estimated contract amount of \$42,269.90 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 and timely service, satisfactory pricing, and budget approval; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.10** Corporate Services Department and Community and Marketing Services Department Joint Report, CS 49-17
Re: Municipal User Group Insurance (RFP-509-2016)

Resolution # 254-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council approve the award of the contract to the highest scoring proposal of BFL Canada Risk and Insurance Services Inc., for a period of up to five (5) years, as the insurance provider for the continuation of the Facility Rental User Liability Insurance Program;
2. That Council approve a 10% administration fee on the user group insurance fees to cover municipal administration costs; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.11** Community and Marketing Services Department and Corporate Services Department Joint Report, CS 51-17
Re: Playground and Park Site Works, Park Redevelopment, and Design, Supply and Installation of Playgrounds (T-19-2017, RFP-20-2017, T-38-2017 and T-26-2017)

Resolution # 255-17

Moved By Councillor Emm
Seconded By Councillor Leahy

Tender 1- T-19-2017 Playground Site Works

1. That the Town of Whitby accept the low bid as submitted by Lancoa Contracting Inc. in the amount of \$529,901.95, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the playground area site construction works at Forest Heights Park, Kirby Park, Longwood Park, Myrtle Park, Robmar Park and Brooklin Optimist Park;
2. That the total estimated project cost in the amount of \$590,098.81 be approved;

RFP 1 – RFP-20-2017 Design, Supply & Installation of Playgrounds

3. That the Town of Whitby accept the highest scoring proposal of ABC Recreation Ltd. in the amount of \$211,791.43 (plus

applicable taxes) for the design, supply and installation of playground equipment;

4. That the total estimated project cost in the amount of \$232,462.27 be approved;

Tender 2 – T-38-2017 Watson Park Redevelopment

5. That the Town of Whitby accept the low bid as submitted by Pine Valley Corporation in the amount of \$234,376.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the redevelopment of Watson Park;
6. That the total estimated project cost in the amount of \$271,682.38 be approved;
7. That the over expenditure of \$19,804.38 funded from the Maintenance Reserve be approved;

Tender 3 – T-26-2017 Park Site works: Kelloryn and Fallingbrook

8. That the Town of Whitby accept the low bid as submitted by Royalcrest Paving & Contracting Ltd. in the amount of \$515,817.80 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the construction works at Fallingbrook Park and Kelloryn Park;
9. That the total estimated project cost in the amount of \$600,938.37 be approved; and,
10. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

7.12 Office of the Chief Administrative Officer, Report CCM 01-17 Re: New Corporate Communications Division

A brief question and answer period ensued between Members of Council and C. Siopis, Manager of Corporate Communications regarding whether there would be opportunities to provide communication to residents regarding the different types of Designations the Town has received and what the designations mean. Ms. Siopis advised that this would be part of the consideration when developing the Corporate Communications Plan but that in the meantime staff would look at ways to showcase the designations in the short term.

It was requested that Council be provided with an interim update on this matter.

Resolution # 256-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Corporate Communications Report CCM 01-17 be received for information.

Carried

- 7.13** Corporate Services Department Report, CS 40-17
Re: Applications for Cancellation, Reduction, Adjustment and/or Refund of Taxes

Resolution # 257-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That applications for cancellation, reduction, adjustment and/or refund of taxes be approved as listed in this report, in the amount of \$2,691,971.22 for the taxation years 2009 to 2016 inclusive.

Carried

- 7.14** Corporate Services Department Report, CS 45-17
Re: To Authorize the Manager of Revenue and Assessment Review Officer to Appeal Selected Property Assessments on Behalf of the Town of Whitby

Resolution # 258-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Council authorize the Manager of Revenue and the Assessment Review Officer to file a Notice of Complaint, on behalf of the Town of Whitby, for assessment values on certain properties within the Town of Whitby, as set out in Corporate Services Report, Item CS 45-17.

Carried

7.15 Corporate Services Department Report, CS 46-17
Re: 2017 Final Tax Billing

Resolution # 259-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the tax rates for the year 2017 General Municipal Town Levies be approved as indicated in Schedule "A", attached;
2. That the tax due dates for the final tax bills for the Residential, Farmland, Pipeline and Managed Forest tax classes be June 26, 2017 and September 25, 2017;
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 set the Town of Whitby due dates and levy rates for 2017 in accordance with the approved budgets and regulations.

Carried

7.16 Corporate Services Department Report, CS 50-17
Re: Development Related Fees

Resolution # 260-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That staff be authorized to issue a Request for Proposal to provide consulting services on a Development Related Fee Study for the purpose of updated Building Permit Fees, Engineering Design Review and Inspection Fees, and Planning Application Fees;
2. That staff be authorized to award the project to the highest ranking compliant bidder provided such proposals are within or do not exceed by more than 10%, the budget of \$100,000; and,
3. That the Mayor and Clerk be authorized to sign any necessary documents.

Carried

- 7.17** Community and Marketing Services Department Report, CMS 19-17
Re: Age-Friendly Whitby Action Plan

Resolution # 261-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council approve in principle the Age-Friendly Whitby Action Plan;
2. That Council support the development of an Age-Friendly Whitby Network to implement, monitor and evaluate the progress of the Age-Friendly Plan; and,
3. That Council approve an Age-Friendly Whitby Coordinator contract position funded through the Seniors' Committee of Council operating budget and reserve fund.

Carried

- 7.18** Community and Marketing Services Department Report, CMS 22-17
Re: Luther Vipond Memorial Arena - Summer Operating Hours Reduction

Resolution # 262-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Community and Marketing Services Report CMS 22-17 regarding the reduction of operating hours at Luther Vipond Memorial Arena be received as information.

Carried

- 7.19** Community and Marketing Services Department and Public Works Department Joint Report, CMS 23-17
Re: Bicycle Friendly Community Designation

Resolution # 263-17

Moved By Councillor Emm

Seconded By Councillor Leahy

1. The Community and Marketing Services and Public Works Joint Report CMS 23-17 regarding the Bike Friendly Bronze Designation, be received as information;
2. That the Town continue to work towards further improvements identified in the staff report that focus on providing safe, continuous cycling routes throughout Whitby and closing gaps in the cycling network; and,
3. That Bicycle Friendly signs being installed on the Welcome to Whitby signs at a cost of \$1,500 and be funded from One Time Reserve.

Carried

7.20 Community and Marketing Services Department Report, CMS 24-17
Re: Whitby In Bloom Committee of Council 2017 Work Plan

Having previously declared a conflict of interest, Councillor Mulcahy did not take part in the discussion or vote on this matter.

Resolution # 264-17

Moved By Councillor Leahy
Seconded By Councillor Roy

1. That Council endorse the Whitby In Bloom Committee of Council's proposed 2017 Work Plan and the actions outlined in Community and Marketing Services Report CMS 24-17; and,
2. That Council approve any surplus from the 2017 Operating Budget, be held in reserve and allocated to support the Town's entry in future Communities in Bloom programs.

Carried

7.21 Community and Marketing Services Department and Corporate Communications Division Joint Report, CMS 25-17
Re: 2017 Summer Events Program

Resolution # 265-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Community and Marketing Services and Corporate Communications joint Report CMS 25-17 regarding the 2017 Summer Events Program be received;
2. That Council endorse the 2017 Summer Events Program; and,
3. That Council recognize and thank the sponsors and community organizations that support the Summer Events Program offered by the Town of Whitby.

Carried

- 7.22** Community and Marketing Services Department and Public Works Department Report, CMS 26-17 Re: Community Garden Program and Policy

Resolution # 266-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council approve a new level of service associated with the introduction and ongoing implementation of a Community Garden Program; and,
2. That Council approve the proposed Community Garden Policy.

Carried

- 7.23** Community and Marketing Services Department Report, CMS 27-17 Re: Brooklin Cenotaph Re-location

Resolution # 267-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Community and Marketing Services Department Report CMS 27-17 regarding the potential relocation of the Brooklin Cenotaph be received as information.

Carried

- 7.24** Public Works Department and Corporate Services Department Joint Report, PW 10-17

Re: Sole Source Purchase of One (1) Haul-All Parks Services Garbage Truck

Resolution # 268-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That staff be authorized to negotiate directly with NexGen Municipal Incorporated for the purchase of one (1) haul-all garbage truck for the Parks Services group in Public Works.

Carried

- 7.25** Public Works Department and Community and Marketing Services
Department Joint Report, PW 11-17
Re: Active Transportation and Safe Roads Advisory Committee - 2016
Annual Report

Resolution # 269-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Council receive the Active Transportation and Safe Roads Advisory Committee - 2016 Annual Report as information.

Carried

- 7.26** Public Works Department Report, PW 17-17
Re: Proposed Mid-Block Arterial Review

Resolution # 270-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Report PW 17-17, regarding the proposed Mid-Block Arterial between Conlin Road and Winchester Road, be received for information.

Carried

7.27 Public Works Department Reports, PW 18-17 and PW 20-17
Re: Parking Rate and Municipal Parking By-law Update

Detailed discussion ensued regarding:

- increases to the parking rates and the associated revenues;
- impacts in delaying the increase of the rates until the Fall to be included as part of the Parking Master Plan Study;
- the need for recommendations through the Parking Master Plan and the provision of a communication plan to provide advance notice to businesses of parking rate increases;
- the timelines associated with the Parking Master Plan; and,
- the use of the parking revenue to improve parking in the Town and to address future parking needs.

Resolution # 271-17

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council adopt Option 1 for the monthly leased rates and daily maximum rates as presented in this report (PW 20-17) and articulated in the May 1, PW 18-17 report;
2. That staff provide informational updates to the Downtown businesses, in addition to the Chamber of Commerce and Downtown Whitby Steering Committee regarding parking rates and discount opportunities and the scope of the upcoming Parking Master Plan to be initiated in 2017; and,
3. That Council direct the Clerk to bring forward a by-law to repeal and replace the Municipal Parking Lot By-law 4910-01; and to amend the Consolidated Fees and Charges By-law, whereas the Public Works schedule is reviewed annually and updated accordingly.

Carried later in the meeting (See following motion)

Resolution # 272-17

Moved By Councillor Drumm

Seconded By Councillor Emm

That the parking rates for monthly leased rates and daily maximum rates in the Town of Whitby remain status quo based on the 2016 rates until such time as the Town has reviewed the parking rates through the

Parking Master Plan.

Motion Lost (See following motion)

Resolution # 273-17

Moved By Councillor Mulcahy
Seconded By Councillor Emm

That Item 1 of the main motion be amended by adding the following after 'PW 18-17 report':

'save and except Lot 9 (Brooklin) which shall remain status quo based on 2016 rates for monthly leased rates and daily maximum rates until opportunities to set prices based on supply and demand are reviewed as part of the Parking Master Plan Study.'

Motion Lost

The main motion was then carried.

- 7.28** Office of the Town Clerk Report, CLK 06-17
Re: Ward Boundary Review Guidelines Policy

Resolution # 274-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council approve the Ward Boundary Review Guidelines Policy included as Attachment #1; and,
2. That MD 3183, Item #3, be removed from the Operations Committee New and Unfinished Business List.

Carried

- 7.29** Office of the Town Clerk and Community and Marketing Services
Department Joint Report, CLK 13-17
Re: Mayor's Community Development Fund (MCDF) and Performing
Arts Community Development Fund (PACDF) Update

Resolution # 275-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Council approve the Mayor's Community Development Fund and Performing Arts Community Development Fund Policy included as Attachment #1, as amended in accordance with Resolution #128-17;
2. That Council approve the Grants Review Committee Terms of Reference included as Attachment #3; and,
3. That MD 3565 be removed from the Operations Committee New and Unfinished Business List.

Carried

- 7.30** Office of the Town Clerk and Community and Marketing Services
Department Joint Report, CLK 14-17
Re: Grant Submissions Policy

Resolution # 276-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That Council approve the Grant Submissions Policy included as Attachment #1.

Carried

- 7.31** Office of the Town Clerk Report, CLK 08-17
Re: Proposed Amendments to the Procedure By-law and Closed Meeting Policy

Resolution # 277-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That the Clerk be directed to bring forward a by-law to enact the proposed amendments to the Procedure By-law, substantially in the form appended to Report CLK 08-17 as Attachment 1;
2. That Section 2.12.2 of the Procedure By-law read as follows:
"A member may, with the consent of two-thirds of the members present, introduce a motion under New and Unfinished Business

which due to its urgent nature cannot be properly presented at a Meeting of Council in accordance with Section 3.14 or a Meeting of a Committee. Prior to introducing a formal motion, a member may provide clarity on the subject.”;

3. That Section 3.13(xiii)(1) of the Procedure By-law read as follows:
“After a matter has been decided by Council, it shall only be reconsidered within 12 months following the decision of Council based on new information and if Council decides to do so by a Two-Thirds Vote, unless a regular election has occurred following the decision.”; and,
4. That the revisions to the Closed Meeting Policy appended to Report CLK 08-17 as Attachment 3 be approved.

Carried

7.32 E-Commerce

Resolution # 278-17

Moved By Councillor Emm
Seconded By Councillor Leahy

Whereas the Service Delivery Review (SDR) identified the need for a IT Strategy;

And Whereas the development of the IT Strategy is currently underway;

Now Therefore Be it Resolved:

That Staff be directed to report back through the IT Strategy on the Town’s existing e-commerce capabilities, that the IT Strategy provide guidance on how the Town should further develop its digital capabilities, and identify the resources needed to develop and maintain a modern website that will support current and future digital services.

Carried

8. Management Committee
Report # 4 of the Management Committee - April 11, 2017

- 8.1** Office of the Chief Administrative Officer, Report CAO 04-17
Re: Smoke Free Workplace Policy

Resolution # 279-17

Moved By Councillor Drumm
Seconded By Councillor Emm

That Council approve the Smoke Free Workplace Policy included as Attachment #1.

Carried

- 8.2** Office of the Chief Administrative Officer, Report CAO 05-17
Re: Occupational Health and Safety Guiding Principles

Resolution # 280-17

Moved By Councillor Drumm
Seconded By Councillor Emm

That Council approve the Occupational Health and Safety Guiding Principles Policy included as Attachment #1.

Carried

- 8.3** Office of the Town Clerk, Report CLK 10-17
Re: Customer Service Standards Policy

Resolution # 281-17

Moved By Councillor Drumm
Seconded By Councillor Emm

1. That Council approve the Customer Service Standards Policy included as Attachment #1;
2. That the CAO report back in the first quarter of 2018 with options to undertake a public opinion poll as outlined in the Customer Service Standards Policy; and,
3. That Staff report back to the Management Committee, through information reports, regarding how the Customer Service Standards Policy feedback data will be utilized as well as information on trends, outcomes and changes.

Carried

8.4 Office of the Town Clerk, Report CLK 11-17
Re: Management Committee's Mandate

This item was referred at Committee.

9. Notice of Motion

9.1 There were no notices of motion.

10. New and Unfinished Business

10.1 Planning and Development Committee meeting of June 12, 2017

Resolution # 282-17

Moved By Councillor Roy
Seconded By Councillor Leahy

That a motion to introduce a matter pertaining to the Planning and Development Committee meeting scheduled for June 12, 2017 be allowed due to its timely and urgent nature.

Carried on a Two Thirds Vote

Resolution # 283-17

Moved By Councillor Roy
Seconded By Councillor Leahy

That further to section 4.2.2 of the Procedure By-law, the starting time of the Planning and Development Committee meeting scheduled for June 12, 2017 be changed to 6:00 p.m.

Carried

10.2 Hospice Update

Councillor Roy advised that a hospice meeting had taken place on May 4, 2017 and that there would be regular updates to Council on this matter.

10.3 Doors Open Event

Councillor Gleed provided an update on the success of the Doors Open Event that had taken place on Saturday, May 6, 2017.

10.4 Illegal Temporary Signs

Detailed discussion ensued regarding:

- the issues pertaining to the placing of illegal signs throughout the Town;
- differentiating between signs that are allowed and those that are not and messaging options to aid the public in understanding this; and,
- the hiring of part-time staff to remove illegal signs.

Resolution # 284-17

Moved By Councillor Leahy
Seconded By Councillor Roy

That a motion to introduce a matter pertaining to the hiring of a part-time summer student to remove illegal signs be allowed due to its timely and urgent nature.

Carried on a Two Thirds Vote

Resolution # 285-17

Moved By Councillor Leahy
Seconded By Councillor Emm

That Council approve the immediate hiring of a part-time summer student to remove illegally placed signs from Town boulevards at an annual cost of \$7,300.

Carried

11. By-Laws

That the following by-laws be passed:

11.1 By-law # 7277-17, being a by-law to designate certain portions of a registered Plan of Subdivision as not being subject to Part Lot Control.

11.2 By-law # 7278-17, being a by-law to stop up and close part of the Public Highway. (North of Holman Court)

Refer to CS 59-11

- 11.3** By-law # 7279-17, being a by-law to repeal and replace the Procedure By-law.

Refer to CLK 08-17

- 11.4** By-law # 7280-17, being a by-law to set and levy tax rates for the calendar year 2017 for the Town of Whitby purposes and to set penalty and interest rates for unpaid taxes.

Refer to CS 46-17

Resolution # 286-17

Moved By Councillor Leahy

Seconded By Councillor Yamada

That leave be granted to introduce By-law # 7277-17 to # 7280-17 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

12. Confirmatory By-Law

12.1 Confirmatory By-law

Resolution # 287-17

Moved By Councillor Leahy

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 May 8, 2017 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

13. Adjournment

13.1 Motion to adjourn

Resolution # 288-17

Moved By Councillor Yamada
Seconded By Councillor Emm

That the meeting adjourn.

Carried

The meeting adjourned at 8:51 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor