

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, MAY 11, 2009 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

PRESENT: Mayor Perkins

Councillors Coe, Drumm, Emm, Mitchell, Pitchforth, Roy and Scott

Mayor Perkins in the Chair

ALSO PRESENT: R. S. Petrie, Chief Administrative Officer
K. Nix, Director of Corporate Services/Treasurer
B. Short, Director of Planning
D. Armstrong, Acting Fire Chief
S. Beale, Director of Public Works
P. LeBel, Director of Community and Marketing Services
S. Pohjola, Town Solicitor/Acting Manager of Human Resources
J. Watkins, Supervisor of Community Development
P. Jones, Town Clerk
M. Pettit, Deputy Clerk

1. DISCLOSURES OF INTEREST

None.

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6183-09

RESOLUTION NO. 137-09

Councillor Drumm, seconded by Councillor Pitchforth, 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 Regular Meeting of Council held on April 20, 2009 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. 6183-09 considered read a first, second and third time and finally passed.

3. PRESENTATIONS

(i) Mayor's Bursary – Inaugural Recipients

Mayor Perkins; Councillor Pitchforth, the Mayor's Designate to the Whitby Youth Council; Councillor Scott, Chair of Community and Marketing Services; Peter LeBel, Director of Community and Marketing Services and John Watkins, Supervisor of Community Development, recognized the following six recipients with a certificate: Adil Kanji, Daniel Marinescu, Wei Liu, Chelsey Mandarin, Julia Green and Nikita Ramdahani.

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3. (continued)

- (ii) Presentation by Central East Local Health Integration Network regarding the
Hospital Clinical Services Plan
-

RESOLUTION NO. 138-09

MOVED by Councillor Drumm
Seconded by Councillor Emm

That the Central East Local Health Integration Network be permitted to make a
presentation exceeding ten minutes.

CARRIED

Foster Loucks, Chair; Deborah Hammons, Chief Executive Officer; and James
Meloche, Senior Director, Planning Integration and Community Engagement,
appeared before Council and provided a PowerPoint presentation regarding the
Hospital Clinical Services Plan.

Councillor Mitchell left the Meeting Hall at 9:10 p.m. and returned at 9:14 p.m.

4. CORRESPONDENCE

The Clerk noted the recent arrival of the following correspondence:

- (i) CORR 16-09
Correspondence dated May 11, 2009 from Mary Lou Harrison regarding Planning
Report, Item PL 39-09, Re: Site Plan Application (SP-12-09) – First Capital
Brooklin Corporation, Part of Lot 24, Concession 5, Brooklin Towne Plaza
-

RESOLUTION NO. 139-09

MOVED by Councillor Emm
Seconded by Councillor Drumm

That the rules of procedure be suspended and Correspondence Item CORR 16-
09 be received and considered during Council's consideration of Planning
Report, Item PL 39-09.

CARRIED ON A
TWO-THIRDS VOTE

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5. STANDING COMMITTEES

- (a) Planning and Development Committee – April 27, 2009
Report Recommendations to Council
-

3.1 Planning Report, Item PL 47-09

Re: Gus Gougoulas

Public Meeting 7:30 P.M.

Official Plan and Zoning By-law Amendment Applications (OPA 2009-W/01,
Z-02-09) – 1606, 1614 & 1616 Charles Street

COUNCIL DECISION

1. That Planning Report, Item PL 47-09, be received as information; and,
2. That the subject applications submitted by Gus Gougoulas (Files OPA-2009-W/01, Z-02-09) be referred and given further consideration as part of the intensification strategy and Whitby Official Plan review process.

4.1 Planning Report, Item PL 37-09

Re: Site Plan Application (SP-11-09) – William J. Bartlett
9680 Garrard Road, Part of Lot 19, Concession 9

COUNCIL DECISION

1. That Council approve Site Plan Application SP-11-09 subject to the comments and conditions contained in Planning Report, Item PL 37-09; and,
2. That the Planning Director be authorized to approve an acceptable site plan in lieu of the applicant entering into a Site Plan Agreement with the Municipality.

4.2 Planning Report, Item PL 38-09

Re: Site Plan Application (SP-05-09) – Lyn Marsh Enterprise Ltd.
120 Walnut Street West

COUNCIL DECISION

1. That Council approve site plan application (SP-05-09) subject to the comments and conditions contained in Planning Report, PL 38-09; and,
2. That the Mayor and Clerk be authorized to execute the site plan agreement.

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5. (continued)

4.4 Planning Report, Item PL 42-09

Re: 2009 Accessibility Plan

COUNCIL DECISION

1. That Council approve the 2009 Accessibility Plan;
2. That hardcopies of the 2009 Accessibility Plan be made available at the Town Hall, all Community Centres, branches of the Whitby Public Library and Recreation Facilities in the Town;
3. That a copy of the 2009 Accessibility Plan be placed on the Town's website and that notice of the availability of the Plan be advertised in *Whitby This Week*;
4. That the Clerk provide a copy of the 2009 Accessibility Plan to Alf Spencer, Director of the Accessibility Directorate at the Ministry of Community and Social Services; and,
5. That the Clerk provide a copy of the 2009 Accessibility Plan to members of the Accessibility Advisory Committee (AAC); the Accessibility Working Committee (AWC); and Regional Municipalities.

4.5 Planning Report, Item PL 44-09

Re: Resolution of Deferral No. 8, Bonus Provision By-laws,
to the Whitby Official Plan

COUNCIL DECISION

1. That Council endorse Section 10.1.11 – Bonus Provision By-laws of the Whitby Official Plan as revised and contained in Attachment #1 of Planning Report, Item PL 44-09;
2. That the Regional Council be requested to approve Section 10.1.1 as revised and lift Deferral No. 8 to the Whitby Official Plan; and,
3. That the Clerk forward a copy of Planning Report, Item PL 44-09 and a copy of Council's resolution to the Region of Durham.

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5. (continued)

4.6 Planning Report, Item PL 45-09

Re: Plan of Subdivision (SW-2004-04) – Zoning Amendment Application
(Z-42-04) – 1466098 Ontario Ltd. (Baycliffe Homes)
– Part of Lot 31, Concession 3

COUNCIL DECISION

1. That Council approve the Draft Plan of Subdivision (File SW-2004-04), subject to the comments and conditions contained in Planning Report Item PL 45-09;
2. That Council approve the application to amend Zoning By-law 1784, (File Z-42-04) subject to the comments and conditions contained in Planning Report, Item PL 45-09;
3. That a By-law to amend Zoning By-law No. 1784 be brought forward for consideration by Council;
4. That staff be authorized to prepare a subdivision agreement;
5. That the Mayor and Clerk be authorized to execute the subdivision agreement;
6. That the Region of Durham be advised of Council's decision; and,
7. That the Clerk forward a Notice of Decision to those persons and agencies who had requested to be notified of Council's decision.

4.7 Planning Report, Item PL 46-09

Re: Official Plan Review – Intensification Strategy Public Workshop
(OPA-2007-W/04)

COUNCIL DECISION

1. That Planning Report, Item PL 46-09 be received for information; and,
2. That staff be directed to advertise all Official Plan matters in the Brooklin Town Crier newspaper from this point forward as well as the Whitby This Week.

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5. (continued)

4.8 Planning Report, Item PL 48-09

Re: Accessible Customer Service Policy

COUNCIL DECISION

1. That Council adopt the Accessible Customer Service Policy, attached to Planning Report, Item PL 48-09 as Attachment #1;
2. That Human Resources Services be directed to include the new Accessible Customer Service Policy in new employee orientation packages;
3. That the Accessibility Working Committee receive a copy of Planning Report, Item PL 48-09 and Accessible Customer Service Policy to establish a strategy for implementation; and,
4. That the Accessibility Coordinator with the Accessibility Working Committee develop and implement a training program for all affected parties, including the use of outside consultants, as required, to meet all legislative requirements.

RESOLUTION NO. 140-09

MOVED by Councillor Drumm

Seconded by Councillor Coe

That Council adopt the recommendations set out in Item Nos. 3.1 and 4.1, 4.2, 4.4, 4.5, 4.6, 4.7 and 4.8 inclusive, as contained within the minutes of the meeting of the Planning & Development Committee held on April 27, 2009.

CARRIED

4.3 Planning Report, Item PL 39-09

Re: Site Plan Application (SP-12-09) – First Capital Brooklin Corporation
Part of Lot 24, Concession 5, Brooklin Towne Plaza

Council asked about the fate of the trees on the site and discussed other site-related matters. It was noted that four of the five trees were to be preserved and 38 new trees planted.

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5. (continued)

RESOLUTION NO. 141-09

MOVED by Councillor Drumm

Seconded by Councillor Coe

1. That Council approve Site Plan Application SP-12-09 subject to the comments and conditions contained in Planning Report Item PL 39-09;
2. That the Mayor and Clerk be authorized to execute an amending Site Plan Agreement; and,
3. That the applicant be required to construct a 1.8 m acoustic wood screen fence along the east limit of Chelmsford Drive adjacent to 25 Winchester Road to municipal standard and that such fence be constructed within eight weeks of Council's approval of Site Plan SP-12-09 and in accordance with Council's approval of SP-21-04.

CARRIED

5. (b) Operations Committee – May 4, 2009
Report Recommendations to Council
-

3.2 Community and Marketing Services Report, Item CMS 28-09

Re: 2009 Appointments of Community Connection Executive Board as a
Committee of Council

COUNCIL DECISION

1. That Community and Marketing Services Report, Item CMS 28-09 pertaining to the 2008 Community Connection program be received as information; and,
2. That Council appoint the individuals on the Community Connection Executive Board, identified in Attachment No. 1, as a Committee of Council for a term ending May 31, 2010 or until a successor is appointed.

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5. (continued)

3.4 Corporate Services Report, Item CS 20-09

Re: Road Patching - Removal & Replacement Of Asphalt (W2009-38)

COUNCIL DECISION

1. That the Town of Whitby accept the low tender of Melrose Paving Company Ltd., in the amount of \$39,907.35 for Road Patching – Removal & Replacement of Asphalt;
2. That the total estimated project cost in the amount of \$43,993.10 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

3.8 Public Works Report, Item PW 21-09

Re: Regional Cycling Plan - Proposed Cost Sharing Formula

COUNCIL DECISION

1. That the Region of Durham be advised that the Town of Whitby:
 - a) will continue to finance sidewalks as required by the Municipal Act, or multipurpose pathways built in lieu of sidewalks, on Regional road allowances where the Town has determined that such facilities are required in accordance with current practice;
 - b) supports a comprehensive, continuous system of bike lanes to include the spines identified in the Regional Cycling Plan;
 - c) will review participation in the funding for the current identified paved-shoulder bikeway on Lakeridge Road;
 - d) will consult with the municipalities of Oshawa, Ajax and Pickering on alternative options to ensure the development of continuous integrated bike lanes along the Regional spines and report back on a preferred approach; and,
 - e) will have staff bring any requests for participation in the bike lanes on Regional roads to the immediate attention of Council for direction.

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5. (continued)

2. That a Copy of Public Works Report, Item PW 21-09 be forwarded to the Region of Durham.

RESOLUTION NO. 142-09

MOVED by Councillor Pitchforth
Seconded by Councillor Roy

That Council adopt the recommendations set out in Items Nos. 3.2, 3.4. and 3.8, as contained in the minutes of the meeting of the Operations Committee held on May 4, 2009.

CARRIED

RESOLUTION NO. 143-09

MOVED by Councillor Drumm
Seconded by Councillor Roy

That Council resolve itself into Committee of the Whole for the purpose of considering Community and Marketing Services Report, Item CMS 21-09, re: Cullen Central Park Master Plan, Phase 4, Development Strategy.

CARRIED

COUNCIL IN COMMITTEE OF THE WHOLE

3.1 Community and Marketing Services Report, Item CMS 21-09

Re: Cullen Central Park Master Plan, Phase 4, Development Strategy

MOVED by Councillor Pitchforth

1. That Council endorse the following recommendations regarding the planning and future use of the Buildings and Tablelands contained within the Cullen Central Park property;
 - a) That Council consider the sale or lease of the Buildings and Tablelands only for purposes that support community and economic development goals;

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5. (continued)

- b) That staff be directed to evaluate proposals and bring forward for Council's consideration the proposed sale of the Taunton Road frontage for compatible office and other non-residential development;
 - c) That staff be directed to evaluate proposals and bring forward for Council's consideration the proposed sale or lease of the Main Building and related surrounding lands for non-residential compatible uses and development, including the continuation of the banquet and conference use as appropriate;
 - d) That staff look at options and report back on possible future uses for Lynde House with the remaining historical buildings being leased or sold for compatible uses or used for municipal and community purposes, while recognizing that the details of development or redevelopment in the area of the Main Building may necessitate their eventual relocation;
 - e) That the Municipality retain Parcel Areas 3a), 3b) and 3c) as identified in Attachment No. 1(B), Figure 2, to Community and Marketing Services Report, Item 21-09 for park, camp and special events uses; and,
 - f) That the Municipality retain somewhere within the property, an entrance and parking area for public access into the open space associated with the valley lands of the Lynde Creek;
2. That Planning Staff be directed to bring forward a draft Official Plan Amendment and Zoning By-law for the Valleylands and the Tablelands, having consideration for a range of potential non-residential uses for the Tablelands, which may include a conference or education centre, banquet hall, restaurant/spa and related wellness facilities, business, professional and corporate offices, parks, open spaces and public uses that are consistent with the intent for these lands and the recommendations in this report; and,
3. That staff be authorized to undertake a functional engineering study related to access, water, sanitary and storm water services for the site.

CARRIED AS AMENDED
BY THE FOLLOWING MOTIONS

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5. (continued)

MOVED by Councillor Drumm

That the above motion be amended by repealing clause 1c) and replacing it with the following:

- c) That staff be directed to evaluate proposals and bring forward for Council's consideration the proposed sale of the main building and related surrounding lands for compatible uses and development, including seniors retirement residences and accessible housing and the continuation of the banquet and conference use as appropriate;

MOTION LOST
ON A TIE VOTE

MOVED by Councillor Drumm

That the main motion above be amended by adding the following clause:

- 4. That staff be instructed to meet with the Brooklin Horticultural Society, Durham Master Gardeners, Friends of Cullen, Whitby in Bloom, Day Lily Society, Community Gardens Durham, both school boards, Scouts Whitby and Durham College to discuss the possibility of their active participation in having gardens at Cullen Central Park.

CARRIED

MOVED by Councillor Drumm

That the main motion above be amended by adding the following clause:

- 5. That staff meet with the Historical Society to discuss use of the Lynde House as a museum.

CARRIED

MOVED by Councillor Drumm

That Council in Committee of the Whole rise and report to Council.

CARRIED

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5. (continued)

IN COUNCIL

RESOLUTION NO. 144-09

MOVED by Councillor Drumm
Seconded by Councillor Emm

1. That Council endorse the following recommendations regarding the planning and future use of the Buildings and Tablelands contained within the Cullen Central Park property;
 - a) That Council consider the sale or lease of the Buildings and Tablelands only for purposes that support community and economic development goals;
 - b) That staff be directed to evaluate proposals and bring forward for Council's consideration the proposed sale of the Taunton Road frontage for compatible office and other non-residential development;
 - c) That staff be directed to evaluate proposals and bring forward for Council's consideration the proposed sale or lease of the Main Building and related surrounding lands for non-residential compatible uses and development, including the continuation of the banquet and conference use as appropriate;
 - d) That staff look at options and report back on possible future uses for Lynde House with the remaining historical buildings being leased or sold for compatible uses or used for municipal and community purposes, while recognizing that the details of development or redevelopment in the area of the Main Building may necessitate their eventual relocation;
 - e) That the Municipality retain Parcel Areas 3a), 3b) and 3c) as identified in Attachment No. 1(B), Figure 2, to Community and Marketing Services Report, Item 21-09 for park, camp and special events uses; and,
 - f) That the Municipality retain somewhere within the property, an entrance and parking area for public access into the open space associated with the valley lands of the Lynde Creek;

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5. (continued)

2. That Planning Staff be directed to bring forward a draft Official Plan Amendment and Zoning By-law for the Valleylands and the Tablelands, having consideration for a range of potential non-residential uses for the Tablelands, which may include a conference or education centre, banquet hall, restaurant/spa and related wellness facilities, business, professional and corporate offices, parks, open spaces and public uses that are consistent with the intent for these lands and the recommendations in this report;
3. That staff be authorized to undertake a functional engineering study related to access, water, sanitary and storm water services for the site;
4. That staff be instructed to meet with the Brooklin Horticultural Society, Durham Master Gardeners, Friends of Cullen, Whitby in Bloom, Day Lily Society, Community Gardens Durham, both school boards, Scouts Whitby and Durham College to discuss the possibility of their active participation in having gardens at Cullen Central Park; and,
5. That staff meet with the Historical Society to discuss use of the Lynde House as a museum.

CARRIED

3.3 Community and Marketing Services Report, Item CMS 32-09

Re: Whitby Seniors Services Transportation Policy

RESOLUTION NO. 145-09

MOVED by Councillor Pitchforth

Seconded by Councillor Roy

1. That Council approve the Whitby Seniors Services (WSS) Transportation Policy; and,
2. That the new policy be implemented effective June 3, 2009 which coincides with the start of the registration period for the summer Parks and Recreation programs.

CARRIED

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5. (continued)

3.5 Corporate Services Report, Item CS 21-09

Re: Iroquois Park Tennis Courts and Playground Relocation (W2009-36)

RESOLUTION NO. 146-09

MOVED by Councillor Pitchforth

Seconded by Councillor Roy

1. That the Town of Whitby accept the low tender of Melfer Construction in the amount of \$508,177.95 for the Iroquois Park Tennis Courts and Playground Relocation;
2. That the total estimated project cost in the amount of \$745,305.42 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED

3.6 Public Works Report, Item PW 18-09

Re: Status Update on Summer 2008 Storm Investigations (A-1000)

RESOLUTION NO. 147-09

MOVED by Councillor Pitchforth

Seconded by Councillor Roy

1. That Public Works Report, Item PW 18-09 Status Update on Summer 2008 Storm Investigations be received as information;
2. That staff be authorized to proceed, where feasible, with the installation of Inlet Control Devices (ICDs) and other related modifications to the above ground and underground storm water management/sewer systems to reduce the potential of basement flooding from extreme weather events;
3. That staff be authorized to hold Public Information Centres the week of June 22, 2009 to provide a status update of the storm investigations including the findings and recommendations;
4. That a Municipal Grant, equivalent to the plumbing permit fee, be provided until December 31, 2010, for the installation of a storm or sanitary sewer backflow preventer in the areas of the 2008 sewer related flooding in Whitby;

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5. (continued)

5. That staff develop a Frequently Asked Question (FAQ) section on the Town's website to aid homeowners in answering their flooding related questions and to provide "helpful hints" for homeowners to reduce their chances of flooding;
6. That staff continue to develop and report to Council on potential enhancements to stormwater management systems and maintenance, and associated resource requirements, for deliberation during the 2010 budget process;
7. That staff continue to review all relevant flooding details and work with the Regional Municipality of Durham and Central Lake Ontario Conservation Authority (CLOCA) in establishing measures to reduce the future potential for storm water basement flooding from extreme weather events; and,
8. That a copy of Public Works Report, Item PW 18-09 be forwarded to the Regional Municipality of Durham and CLOCA.

CARRIED

3.7 Public Works Report, Item PW 20-09

Re: Emergency Works - Slope Stability and Erosion Control, Lynde Creek
in the Vicinity of Woodhaven Drive

RESOLUTION NO. 148-09

MOVED by Councillor Pitchforth

Seconded by Councillor Roy

1. That staff be authorized to obtain three (3) quotes directly from Geoscape, Dynex Construction and RM Construction, to complete the Phase II Emergency Slope Stability and Erosion Control works adjacent to Lynde Creek in the vicinity of 37 Woodhaven Drive;
2. That staff report to Council as soon as possible regarding the recommended Tender award and source of financing for these emergency works; and,
3. That staff review for the 2010 budget, the allocated funds for Lynde Creek and Pringle Creek miscellaneous stabilization projects, and bring forth for Council's consideration any recommended changes.

CARRIED AS AMENDED
BY THE FOLLOWING MOTION

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5. (continued)

RESOLUTION NO. 149-09

MOVED by Councillor Mitchell
Seconded by Councillor Emm

That the above motion be amended by adding thereto:

4. That staff work with the Central Lake Ontario Conservation Area (CLOCA) and examine opportunities to avoid cost liability for erosion works on future residential developments abutting valleylands.

CARRIED

6. NOTICES OF MOTION

(i) **Election Rebate Program**

RESOLUTION NO. 150-09

MOVED by Councillor Coe
Seconded by Councillor Pitchforth

1. That Council refer the Notice of Motion regarding Election Rebate programs to staff and that staff be directed to bring forward a comprehensive report regarding elections that includes:
 - i) the election rebate program;
 - ii) election signs;
 - iii) the possibility of internet voting;
 - iv) candidates' campaign surpluses becoming the property of the Town at the end of each campaign period, and not held in trust for the candidate's use at a subsequent election; and
2. That the staff report be considered at the September 14, 2009 Operations Committee meeting.

CARRIED

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6. (continued)

MOVED by Councillor Mitchell
Seconded by Councillor Roy

1. That Council endorse the creation of a program for the payment of rebates to persons who make contributions to candidates for office on the Town of Whitby municipal council;
2. That the program be similar to that established in the Town of Ajax; and,
3. That staff report back with recommendations on an implementing by-law.

WITHDRAWN

7. NEW AND UNFINISHED BUSINESS

7.1 Planning Report, Item PL 49-09

Re: Initial Proposed Employment Accessibility Standard

RESOLUTION NO. 151-09

MOVED by Councillor Drumm
Seconded by Councillor Coe

1. That the Town of Whitby forward Planning Report, Item PL 49-09 to the Minister of Community and Social Services as comments on the initial proposed Employment Accessibility Standard; as set out under Section 7 – Considerations.
2. That Human Resource Services receive a copy of Planning Report, Item PL 49-09 and establish a recommended strategy of policy development, implementation and estimated cost impacts for the consideration of the Planning and Development Committee and Council; and,
3. That a copy of Council's resolution together with Planning Report, Item PL 49-09 be circulated to the Accessibility Advisory Committee, Accessibility Working Committee, Region of Durham, Durham Area Municipalities, Association of Municipalities of Ontario and C. Elliot, MPP.

CARRIED

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7. (continued)

7.2 Planning Report, Item PL 54-09

Re: Site Plan Application – Bell Canada Utility Building – 30 Vipond Road
(SP-09-09)

RESOLUTION NO. 152-09

MOVED by Councillor Emm
Seconded by Councillor Pitchforth

1. That Council approve the site plan application (SP-09-09) subject to the comments and conditions contained in Planning Report, PL 53-09; and,
2. That the applicant enter into a letter of undertaking with the Town of Whitby.

CARRIED

RESOLUTION NO. 153-09

MOVED by Councillor Coe
Seconded by Councillor Pitchforth

That the rules of procedure be suspended to allow introduction of the following motion.

CARRIED ON A
TWO-THIRDS VOTE

7.3 Special Senate Committee Report on Aging – Final Report – April 2009

RESOLUTION NO. 154-09

MOVED by Councillor Coe
Seconded by Councillor Pitchforth

That staff be directed to review the final report of the Special Senate Committee on Aging dated April 2009 and report to Council as to the implications and significance to the Town of Whitby of an aging population.

CARRIED

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7. (continued)

RESOLUTION NO. 155-09

MOVED by Councillor Scott
Seconded by Councillor Roy

That the rules of procedure be suspended to allow introduction of the following motion.

CARRIED ON A
TWO-THIRDS VOTE

7.4 Planning Report, Item PL 01-09

Re: 1056626 Ontario Inc.

Applications to Amend the Town of Whitby Official Plan (OPA-2008-W/13) and
Zoning Bylaw (Z-24-08) – East Side of Garden Street, North of Consumers Drive

RESOLUTION NO. 156-09

MOVED by Councillor Scott
Seconded by Councillor Coe

That the Town's circulation area for giving notice of Council or Committee's further consideration of the above-mentioned applications include the following subdivisions:

- i) Hyland; and,
- ii) College Downs.

CARRIED

8. BY-LAWS

6184-09 By-law to assume Part 3 on Plan 40R-25595 as part of Durham Street for road-widening purposes. (Refer to LD 061/2008 – Robert & Wendy Petch – 11 Durham Street, Town of Whitby)

6185-09 By-law to amend Zoning By-law No. 1784, as amended, by amending the R2A*-WS-1/R2B*-WS-1 Residential (R2A* and R2B*) Wide Shallow – Exception 1 Zone by eliminating the reference to geodetic elevation and limiting the height of buildings to a maximum height of 7.0 metres for the land located in Part of Lot 24, Concession 6, east of Montgomery Avenue, south of Columbus Road West, Town of Whitby.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, MAY 11, 2009 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

8. (continued)

The effect of the amendment is to permit the development of single detached dwellings having a maximum height of buildings of 7.0 metres and prohibiting any windows or openings onto the rear yard above the main floor of any building. (Refer to Planning Report, Item PL 81-08, Z-03-06, Sorbara/Tribute Holdings Inc.)

RESOLUTION NO. 157-09

MOVED by Councillor Mitchell, Seconded by Councillor Coe, that leave be granted to introduce By-law Nos. 6184-09 and 6185-09, 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. 6184-09 and 6185-09, inclusive, considered read a first, second and third time and finally passed.

9. CONFIRMATORY BY-LAW NO 6186-09

RESOLUTION NO. 158-09

MOVED by Councillor Scott, seconded by Councillor Roy, 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 meeting held on May 11, 2009, 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. 6186-09 considered read a first, second and third time and finally passed.

10. ADJOURNMENT

RESOLUTION NO. 159-09

MOVED by Councillor Drumm at 10:40 p.m.
Seconded by Councillor Emm

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF
THE TOWN OF WHITBY HELD ON MONDAY, MAY 11, 2009 AT THE HOUR OF 8:00 P.M.
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

10. (continued)

That this May 11th, 2009 meeting of the Council of The Corporation of the Town
of Whitby adjourn.

CARRIED

Paul Jones, Clerk

Patricia Perkins, Mayor