

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

**Also Present:** R. Petrie, Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
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 (arrived at 8:57 p.m.)  
M. Perini, Deputy Fire Chief (left the meeting at 8:57 p.m.)  
S. Klein, Manager of Recreation  
C. Harris, Town Clerk  
S. Cassel, Deputy Clerk

**Regrets:** North Ward Councillor (vacant)

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1. Declarations of Pecuniary Interest

- 1.1** Councillor Emm made a declaration of pecuniary interest under the Municipal Conflict of Interest Act pertaining to Item 6.20, CS 16-16 regarding the Lease Agreement with Gerdau - Waterfront Trail as a member of his family works for Gerdau Ameristeel. Councillor Emm did not participate in the discussion or vote on the matter.

2. Adoption of Minutes

- 2.1** Special Council - February 25, 2016  
Regular Council - February 29, 2016  
Special Council - March 7, 2016  
Special Council - March 21, 2016

**Resolution # 127-16**

Moved By Councillor Leahy  
Seconded By Councillor Drumm

That the minutes be adopted.

**Carried**

3. Delegations/Presentations

**3.1** Brad McIlwain representing the Brooklin Poetry Society  
Re: Poetry Reading - National Poetry Month

John Di Leonardo, President, Brooklin Poetry Society and Brad McIlwain, Brooklin Poetry Society appeared before Council. Mr. Di Leonardo provided an overview of the Brooklin Poetry Society stating that the Society had been active for 10 years and held monthly meetings. He thanked Members of Council for responding to Calgary's Mayor Nenshi's Poetry Challenge. Mr. McIlwain attended the dais and provided poetry readings of 'Stanzas for Spring' and 'Roots' to kick off National Poetry Month.

**3.2** Inspector Rollauer and Deputy Chief Fernandes, Central West (18) Division, Durham Regional Police Service  
Re: Durham Region Police Service Community Safety Plan for Central West Division

Inspector Rollauer and Staff Sergeant Moote, Central West (18) Division, Durham Regional Police Service (DRPS) appeared before Council and provided a PowerPoint presentation on the DRPS Community Safety Plan. The presentation outlined the four business plan priorities being community presence, community engagement, community of our youth, and commitment to professionalism and accountability. Additional highlights of the presentation included:

- enhanced presence and engagement in the downtown core and desired outcomes;
- improved roadway safety;
- greater utilization of auxiliary officers; and,
- encouraging positive interaction with youth.

Sergeant Moote advised that the entire Plan is available at [www.drps.ca](http://www.drps.ca).

A question and answer period ensued between Members of Council,

Inspector Rollauer and Staff Sergeant Moote regarding several aspects of the Community Safety Plan.

4. Correspondence

4.1 That the following requests be endorsed:

- March 21, 2016 as World Down Syndrome Day
- April 4 to 10, 2016 as Community Hospital Week
- April 2016 as BeADonor Month
- May 2016 as Neurofibromatosis Month
- April 24 to 29, 2016 - Flag Raising - BeADoner Month

Due to the presentation by the Brookin Poetry Society, it was the consensus of Council to include the endorsement of proclamations for World Poetry Day and National Poetry Month.

**Resolution # 128-16**

Moved By Councillor Yamada  
Seconded By Councillor Gleed

That the proclamations for World Down Syndrome Day - March 21, 2016, World Poetry Day - March 21, 2016, Community Hospital Week - April 4 to 10, 2016, BeADoner Month – April 2016, National Poetry Month – April 2016, Neurofibromatosis Month - May 2016 and the flag raising for BeADoner Month - April 24 to 29, 2016, be endorsed.

**Carried**

5. Planning and Development Committee  
Report # 4 of the Planning and Development Committee - March 7, 2016

5.1 Correspondence Number 2016-53 from Stephen M. A. Huycke, Town Clerk, Town of Aurora dated February 2, 2016 regarding Resolution - Motion (a) Ontario Municipal Board Jurisdiction.

**Resolution # 129-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That the correspondence from the Town of Aurora, dated February 2, 2016, regarding Motion (a) Ontario Municipal Board Jurisdiction, be received.

**Carried**

- 5.2** Planning and Development Department Report, PL 24-16  
Re: Official Plan Amendment and Zoning By-law Amendment  
Applications, 1823702 Ontario Inc., Southwest Corner of Gordon Street  
and Scadding Avenue (OPA 2013-W/01 and Z-25-12)

This item was referred back at Committee.

- 5.3** Planning and Development Department Report, PL 18-16  
Re: Downtown Whitby Development Steering Committee 2015 Annual  
Report

**Resolution # 130-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Council receive as information the Downtown Whitby Development  
Steering Committee 2015 Annual Report.

**Carried**

- 5.4** Planning and Development Department Report, PL 19-16  
Re: Brooklin Downtown Development Steering Committee 2015 Annual  
Report

**Resolution # 131-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Council receive as information the Brooklin Downtown  
Development Steering Committee 2015 Annual Report.

**Carried**

- 5.5** Planning and Development Department Report, PL 22-16  
Re: LACAC Heritage Whitby Committee 2015 Annual Report and 2016  
Work Plan

**Resolution # 132-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Council receive as information the LACAC Heritage Whitby Committee 2015 Annual Report and 2016 Work Plan.

**Carried**

**5.6** Planning and Development Department Report, PL 27-16  
Re: Framework for a Downtown Whitby Strategy for Action

Detailed discussion ensued with respect to:

- the proposed five year timeline for the Plan;
- moving the project forward to see results within the current term of council;
- timelines for the completion of the Downtown Traffic Operations Study; and,
- involvement of the community in the public consultation process.

**Resolution # 133-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council receive Planning and Development Report PL 27-16 as information;
2. That Council direct the Planning and Development Department to undertake community consultation and stakeholder engagement on the proposed framework of the Downtown Whitby Strategy for Action accompanied by the Downtown Whitby Visuals in this report and report back with the findings including a final plan for Council's adoption; and,
3. That the Sustainability, Heritage, Downtowns and Community Development Division establish an interdepartmental action team to collaboratively work on the initiatives in the Downtown Whitby Strategy for Action.

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

**Resolution # 134-16**

Moved By Councillor Drumm

Seconded By Councillor Emm

That the main motion be amended by adding the following as Item 4 and the recommendation renumbered accordingly:

That the planning horizon for the Downtown Whitby Strategy for Action be 3 years instead of 5.

**Carried**

**Resolution # 135-16**

Moved By Councillor Drumm

Seconded by Councillor Leahy

That the main motion be amended by adding the following as Item 5 and the recommendation renumbered accordingly:

That finalizing the historic Downtown Community Improvement Plan, and suite of incentives within the Community Improvement Plan, be identified as the urgent priority to be completed in 6 months.

**Carried**

The main motion, as amended, was then carried.

- 5.7** Planning and Development Department Report, PL 20-16  
Re: Extension of a Temporary Use By-law, Mike Polonsky (Z-01-16)

**Resolution # 136-16**

Moved By Councillor Emm

Seconded By Councillor Leahy

1. Whereas the owners of 7725 Cedarbrook Trail have requested a three year extension to the existing temporary use by-law to allow for the continued use of a second dwelling, that being the original residence that has existed on this property since the 1960's, without any apparent negative impact on the environment or the Greenbelt;
2. Whereas the owners have requested this extension to allow their parents who are seniors to reside in this dwelling;
3. Whereas the proposed temporary use does not appear to conflict with the overall vision or goals of the Greenbelt Plan;
4. Whereas the proposed temporary use of the existing residence

by the owners parents who are seniors is consistent with many of the goals and objectives of numerous provincial seniors strategies;

5. Whereas the proposed temporary use meets all of the criteria that must be satisfied for Council to enact a temporary use By- law (ie. it is for a limited period of time, it can be adequately accommodated on site, it does not adversely affect surrounding lands or the natural environment, it does not prejudicially affect future development and it has no new building or expansion);
6. Whereas the owners are aware that the temporary use is only valid for three years, will not necessarily be renewed and that they are responsible for removing this structure when it is no longer permitted;
7. Therefore be it resolved that the existing temporary use By-law for 7725 Cedarbrook Trail be extended for a period of three years;
8. That the Clerk provide notice of Council's decision to those who requested further notification, and;
9. That the necessary By-law be brought forward for Council's approval.

**Carried**

- 5.8** Planning and Development Department Report, PL 21-16  
Re: Draft Plan of Condominium, Dancor Development Corporation, 2055 Forbes Street (CW-2015-02)

**Resolution # 137-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve the Draft Plan of Condominium (CW-2015-02) subject to the conditions of approval in Section 8 of Planning Report Item PL 21-16;
2. That the Mayor and Clerk be authorized to execute the condominium agreement(s) for the subject property; and,
3. That the Clerk advise the Commissioner of Planning at the Region of Durham of Council's decision.

**Carried**

- 5.9** Planning and Development Department Report, PL 23-16  
Re: Site Plan Application - Dancor Development Corporation Phases II

and III (SP-14-15)

**Resolution # 138-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve Site Plan Application SP-14-15 subject to the conditions of approval as outlined in Section 8.0 of Planning Report PL-23-16;
2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement; and,
3. That the applicant be advised that the finalization of the site plan will be contingent upon receiving formal notice from CLOCA that their conditions for approval have been satisfied.

**Carried**

- 5.10** Planning and Development Department Report, PL 25-16  
Re: Site Plan Application, Brooklin Meadows Limited (Block 224 Plan 40M-1803), Northwest Corner of Winchester Road East and Thicksen Road North (SP-16-15)

This item was referred back at Committee.

- 5.11** Planning and Development Department Report, PL 26-16  
Re: Sign By-law Variance to the Permanent Sign By-law for Pylon Signs on 300 Gordon Street (Lakeridge Health Whitby)

**Resolution # 139-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Council approve Sign By-law Variance Application SB-01-16 to the Town of Whitby Sign By-law 5695-05 for Lakeridge Health Whitby on lands municipally known as 300 Gordon Street in accordance with the following amendments:

- a) To permit a maximum of four (4) pylon signs on the subject land;
- b) To increase the maximum sign area for Pylon Sign 'A' from 3.0 square metres to 7.0 square metres;
- c) To increase the maximum sign area for Pylon Sign 'B' from 3.0 square metres to 4.3 square metres;



- d) To increase the maximum sign area for Pylon Sign 'C' from 3.0 square metres to 5.8 square metres; and,
- e) To permit one (1) pylon sign (Sign 'D') with a minimum setback of 2.5 metres from a vehicular entrance with a display surface less than 3.0 metres above the ground, whereas a minimum of 5.0 metres is required.

**Carried**

**5.12** Planning and Development Department Report, PL 17-16  
Re: Renewal of Sewage System Management Agreement

**Resolution # 140-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

- 1. That Planning and Development report PL 17-16 be received as information;
- 2. That Council approve the renewal of an agreement with the Regional Municipality of Durham to delegate responsibilities under the Building Code Act with respect to private sewage systems with capacity of less than 10,000 litres per day; and,
- 3. That the Mayor and Clerk be authorized to execute the agreement on behalf of the Town of Whitby.

**Carried**

**5.13** Planning and Development Department Report, PL 28-16  
Re: Engaging Habitat for Humanity - Durham

**Resolution # 141-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

- 1. That the presentation by M. Bone, CEO, Habitat for Humanity – Durham be received; and,
- 2. That the contribution of land to Habitat for Humanity be favorably considered and the Administration advance its discussion with Habitat for Humanity and report back to Council with its recommendations respecting a land contribution, associated financial considerations and details of the housing project to be

proposed.

**Carried**

- 5.14** Planning and Development Department Report, PL 29-16  
Re: Annual Housing Monitoring Report January 1, 2015 to December 31, 2015

**Resolution # 142-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Planning Report PL 29-16 be received as information; and,
2. That the Clerk forward a copy of Planning Report PL 29-16 to the Region of Durham, Planning and Economic Development Department.

**Carried**

6. Operations Committee  
Report # 4 of the Operations Committee - March 21, 2016

- 6.1** Correspondence Number 2016-123 from Debi A. Wilcox, Regional Clerk/Director of Legislative Services, Regional Municipality of Durham, dated March 9, 2016 regarding Change to Regional Council Composition

**Resolution # 143-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That correspondence number 2016-123 from Debi A. Wilcox, Regional Clerk/Director of Legislative Services, Regional Municipality of Durham, dated March 9, 2016 regarding Change to Regional Council Composition be received for information;
2. That Council respectfully request that the Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, expedite the enactment of a regulation to change the composition of Regional Council; and,
3. That the Clerk be directed to forward the above resolution to The Honourable Ted McMeekin, the Region of Durham and Area

Municipalities.

**Carried**

- 6.2** Correspondence Number 2016-124 from Debi A. Wilcox, Regional Clerk/Director of Legislative Services, Regional Municipality of Durham, dated March 9, 2016 regarding the Final Report from the Regional Council Composition Review Committee

**Resolution # 144-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That correspondence number 2016-124 from Debi A. Wilcox, Regional Clerk/Director of Legislative Services, Regional Municipality of Durham, dated March 9, 2016 regarding the Final Report from the Regional Council Composition Review Committee be received for information.

**Carried**

- 6.3** Office of the Town Clerk Report, CLK 06-16  
Re: Draft Refreshment Vehicle By-law

**Resolution # 145-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Report CLK # 06-16 of the Office of the Town Clerk be received for information;
2. That the Town Clerk bring forward a proposed final Refreshment Vehicle By-law for consideration at the April 11, 2016 Operations Committee following assessment of input from the public and stakeholders;
3. That the Clerk amend the draft by-law to allow for roaming;
4. That the Clerk combine Mobile Canteens and Stationary Refreshment Vehicles into one licensing class that can offer pre-packaged foods and cooked foods;
5. That the Clerk be directed to investigate requiring special event organizers to assume responsibility for ensuring that refreshment vehicles participating in events are licensed by the Town of Whitby or licensed in a separate jurisdiction, have received health

department approval, TSSA inspection and maintain the necessary insurance;

6. That the Clerk be directed to consult with special event organizers with regard to the above; and,
7. That if the changes with regard to special events cannot be accommodated or determined prior to the April 11, 2016 Operations Committee meeting, that the Clerk remove the special event refreshment vehicle license requirements and bring forward the by-law with the remainder.

**Carried**

- 6.4** Community and Marketing Services Department Report, CMS 24-16  
Re: Age Friendly Community Survey

**Resolution # 146-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Council approve the draft Age-Friendly Community Survey, to receive community input into the development of the Age Friendly Community Plan, appended to the Memorandum from Kim Evans, Community and Marketing Services Department, dated March 23, 2016, incorporating feedback received at the March 21 Operations Committee.

**Carried**

- 6.5** Community and Marketing Services Department Report, CMS 28-16  
Re: Shade Options for Parks

**Resolution # 147-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Community and Marketing Services Department Report CMS 28-16 concerning shade options for parks within the Town be received as information; and,
2. That Council approve the use of shade sails at Brooklin Optimist Park and Willow Park and the use of shade sun screens at Iroquois Park Sports Centre for the ball diamond player bench areas at the existing four ball diamonds, as outlined in the staff

report.

**Carried**

- 6.6** Community and Marketing Services Department Report, CMS 26-16  
Re: 2016 Earth Day/Week Activities

**Resolution # 148-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council endorse the recommendations regarding Earth Day/Week activities as outlined in Community and Marketing Services Department Report CMS 26-16; and,
2. That Council acknowledge and thank the Earth Day/Week sponsors and organizers.

**Carried**

- 6.7** Community and Marketing Services Department Report, CMS 22-16  
Re: 2016 Port Whitby Marina Boater Event Program

**Resolution # 149-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council approve the recommended 2016 Port Whitby Marina boater event program as summarized in Community and Marketing Services Department Report CMS 22-16;
2. That Council approve an expenditure not exceeding \$2,000 to be funded from the Port Whitby Marina Operating Budget for the provision of a boater appreciation event on Saturday, August 20, 2016;
3. That Council authorize staff to organize up to three catered boater events;
4. That Council approve reserving the Port Whitby Marina Avalon Lounge on Fridays and Sundays during the prime boating season (commencing Victoria Day weekend to September 30) for use by Marina boaters for organized or informal get-together opportunities in 2016 and going forward in future years; and,
5. That Council authorize the same level and general provision of

boater events as outlined in the staff report going forward in future years and that staff report back to Council only when significant changes or adjustments to the programming occur.

**Carried**

- 6.8** Community and Marketing Services Department Report, CMS 25-16  
Re: Recreation Registration and Facility Booking Software Migration

**Resolution # 150-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Council direct staff to negotiate a final agreement with ACTIVE Network for the provision of recreation registration and facility booking software and services, including options for combined municipal volume, and report back to Operations Committee of April 11, 2016 with the outcome.

**Carried**

- 6.9** Community and Marketing Services Department Report, CMS 12-16  
Re: Security and Safety Measures for the Whitby Municipal Building

**Resolution # 151-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council approve the proposed security and safety measures for the Whitby Municipal Building as outlined in the staff report;
2. That the proposed concept design of the controlled access doors and security screens be approved;
3. That the renovations required to accommodate the proposed installation of the controlled access doors and security screens include the installation of accessible counters to improve customer service and meet the Town's accessibility standard and the provincial Accessibility for Ontarians with Disabilities Act (AODA) legislation;
4. That staff be authorized to complete the detailed design and tender documents for the proposed renovations, to issue the tender and to report back on the recommended general

- contractor and budget implications; and,
5. That a copy of Community and Marketing Services Department Report CMS 12-16 and the minutes of the Operations and Council meetings be provided to the Town's Joint Health and Safety Committee.

**Carried**

- 6.10** Community and Marketing Services Department Report, CMS 23-16  
Re: Community and Marketing Services Department - Sports Fields,  
Arena Ice/Floor and Park User Fees and Facilities Rental Fees

**Resolution # 152-16**

Moved By Councillor Roy  
Seconded By Councillor Glead

1. That Council approve the proposed user fees for Arena Ice/Floor, Sports Fields and Parks, and the proposed Banquet Halls and Facility Rental Fees as outlined in Community and Marketing Services Department Report CMS 23-16 (Attachment #1 – Sports Fields, Arena Ice/Floor and Park User Fees and Attachment #2 – 2016 Banquet Halls and Facility Rental Fees);
2. That notwithstanding Item 1 above, CMS 23-16 Attachment #1 and Attachment #3, Schedule A, Sports Fields, Arena Ice/Floor and Park User Fees be amended by removing the proposed 2 percent increase for prime time arena ice rental.
3. That the effective period for the proposed User Fees and Rental Fees be approved as follows:
  - Sports Fields, Parks and Arena Ice/Floor User Fees: April 1, 2016 to March 31, 2017
  - Banquet Halls and Facility Rental Fees: April 1, 2017 to March 31, 2018
4. That Council repeal By-law # 6968-15 and # 6969-15, being a by-law to impose user fees and rental fees for certain services and activities provided by the Community and Marketing Services Department; and,
5. That Council authorize the Clerk to bring forward a new by-law for approval to implement the proposed user fees and rental fees as outlined in the staff report.

**Carried**

- 6.11** Office of the Town Clerk Report, CLK 07-16

Re: Funding Allocation Options for a Council Expense Policy

**Resolution # 153-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Report CLK 07-16 of the Office of the Town Clerk be received for information; and,
2. That Council approve Option B outlined in Section 5 of this report as the basis for the creation of a Council Expense Policy.

**Carried**

- 6.12** Chief Administrative Officer Report, CAO 05-16  
Re: Health and Wellness Committee 2016 Work Plan

**Resolution # 154-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council receive as information the Health and Wellness Committee's summary of activities and accomplishments;
2. That Council approve the Health and Wellness Committee's proposed 2016 Work Plan and the actions contained within; and,
3. That Council be advised that the Town of Whitby has been recognized by the Durham Region Health Department as a Healthy Workplace and been awarded the Gold Level Healthy Workplace Award in the Mental Health Category for 2015.

**Carried**

- 6.13** Public Works Department Report, PW 10-16  
Re: Road Rationalization - Region of Durham

**Resolution # 155-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Public Works Report PW 10-16 be received for information;
2. That Streetlighting on Regional Roads be included for



- consideration through the road rationalization process;
- 3. That Staff report back to Council in June of 2016 with recommendations for road rationalization with the Region of Durham; and,
- 4. That Public Works Report PW 10-16 be forwarded to the Region of Durham.

**Carried**

- 6.14** Legal and By-law Services Department Report, LS 04-16  
Re: Legal and By-law Services Department Fees By-law

**Resolution # 156-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That Report LS 04-16 be referred back to staff.

**Carried**

- 6.15** Corporate Services Department and Community and Marketing Services  
Department Joint Report, CS 07-16  
Re: Asphalt Trail Landscape Construction

**Resolution # 157-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

- 1. That the Town of Whitby accept the low Tender from Royalcrest Paving & Contracting Limited in the amount of \$530,993.80 (including provisional items and excluding applicable taxes) for all labour, materials and equipment necessary to complete the construction and landscape of seven (7) asphalt trails;
- 2. That the contract with Royalcrest Paving and Contracting Limited be amended to include an additional paved 2.5 metre accessible trail from Lofthouse Drive South to the existing paved area between Deverell Park and Jack Wilson Park;
- 3. That the total estimated project cost in the amount of \$648,343.43 be approved; and,
- 4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 6.16** Corporate Services Department and Public Works Department Joint Report, CS 11-16  
Re: Streetlight Replacement (T-9-2016)

**Resolution # 158-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender as received from Otonabee Electrical Services Ltd. in the amount of \$484,750.90 (plus applicable taxes) for all labour, materials and equipment necessary to complete the streetlight replacement within the Blue Grass Meadows Subdivision;
2. That the total estimated project cost in the amount of \$590,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 6.17** Public Works Department and Corporate Services Department Joint Report, CS 12-16  
Re: Supply and Delivery of Vacuum Road Sweepers (T-20-2016)

**Resolution # 159-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender bid of Accessories Machinery Ltd. in the amount of \$588,988.00 (plus applicable taxes) for the supply and delivery of two (2) vacuum road sweepers;
2. That the over expenditure of \$58,354.19 be financed from the Maintenance Reserve;
3. That the total estimated project cost for the Town of Whitby in the amount of \$604,354.19, be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 6.18** Planning and Development Department and Corporate Services  
Department Joint Report, CS 13-16  
Re: Maintenance of Flower Baskets and Planters (T-528-2016)

**Resolution # 160-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low tender bid of 2323283 Ontario Inc. o/a Clarington Contracting Services in the amount of \$17,855.00 (plus applicable taxes) for the maintenance of flower baskets and planters for a one (1) year term;
2. That approval be granted for the option to extend the contract for two (2) additional one (1) year terms based on satisfactory performance, product quality, and budget approval. Pricing shall remain firm for the duration of the contract;
3. That the total estimated annual contract amount of \$18,169.25 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 6.19** Public Works Department and Corporate Services Department Joint  
Report, CS 15-16  
Re: Custodial Services for Park Fieldhouses (T-517-2016)

**Resolution # 161-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That the Town of Whitby accept the low Tender bid of 2298679 Ontario Inc. o/a Gold Standard Property Care in the annual amount of \$47,368.00 (plus applicable taxes) for the provision of Custodial Services for Park Fieldhouses for three (3) seasonal contract terms;
2. That the total estimated annual contract amount of \$48,201.67 be approved; and,

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

**Carried**

- 6.20** Corporate Services Department Report, CS 16-16  
Re: Lease Agreement with Gerdau - Waterfront Trail - Part Lots 22 and 23, Con BF, described as Parts 3, 6, 9, 12, 15 and 16, 40R-15524 and Parts 9 and 10, 40R-18634

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

**Resolution # 162-16**

Moved By Councillor Gleed  
Seconded By Councillor Leahy

1. That Council authorize a twenty year lease between the Town of Whitby and Gerdau for Part Lots 22 and 23, Con BF, described as Parts 3, 6, 9, 12, 15 and 16, 40R-15524 and Parts 9 and 10, 40R-18634 as shown on the attached sketch included as Attachment No. 1 to this report for the purposes of open space lands and a portion of the Waterfront Trail; and,
2. That the Mayor and Clerk be authorized to execute the required documents.

**Carried**

- 6.21** Public Works Department Report, PW 11-16  
Re: Town of Whitby Municipal Asset Management Plan

**Resolution # 163-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Public Works Report PW 11-16 regarding the Town of Whitby Municipal Asset Management Plan be received as information.
2. That Staff be authorized to issue a Request for Proposal for the selection of a consultant to complete seven (7) Detailed Service Area Asset Management Plan Reports and the consolidation into

- a Municipal Asset Management Plan Report.
  - a. That the Commissioner of Corporate Services/Treasurer be authorized to award the proposal to the highest ranking proponent provided such proposals are within or do not exceed by more than 10%, the approved budget allocation of \$300,000.
- 3. That Staff be authorized to hire a Summer Student for asset management data entry/collection purposes, to be funded from the Asset Management Plan 2016 Capital Budget allocation.
- 4. That Staff be authorized to issue a Request for Proposal for the selection of a consultant to undertake lighting/electrical data collection, condition assessments and replacement values for Town parks and facilities.
  - a. That the Commissioner of Corporate Services/Treasurer be authorized to award the proposal to the highest ranking proponent provided such proposals are within or do not exceed by more than 10%, the approved budget allocation of \$50,000.
- 5. That Staff be authorized to issue a Request for Quotation for the selection of a consultant to undertake plumbing data collection, condition assessments and replacement values for Town parks and facilities.
- 6. That a total estimated project cost for the Town of Whitby in the amount of \$428,000, be approved.
- 7. That Staff report back to Council with a draft of the consolidated Municipal Asset Management Plan in November 2016.

**Carried**

**6.22** Public Works Department Report, PW 9-16  
Re: Emerald Ash Borer Action Plan Update

**Resolution # 164-16**

Moved By Councillor Roy  
Seconded By Councillor Glead

- 1. That Public Works Report PW 9-16 be received as information.
- 2. That Public Works Staff continue to provide Council with a status update on the Emerald Ash Borer (EAB) Action Plan twice each calendar year.
- 3. That additional funding of \$166,000, be advanced from One-Time Reserves for Tree Planting and Stump Removal Services.
- 4. That Staff be authorized to issue a tender for Tree Planting and

- Stump Removal Services associated with the Emerald Ash Borer.
5. That the Commissioner of Corporate Services/Treasurer be authorized to award the two (2) year tender, with an option for one (1) additional year for Tree Planting and Stump Removal Services to the lowest compliant bidder provided such tender is within or does not exceed by more than 10% the approved budget allocation of \$1,052,000.
  6. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 6.23** Confidential Corporate Services Department Report, CS 18-16  
Re: Lease with Swan's Yacht Sales Inc. - 1710 Charles Street - North Building

**Resolution # 165-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

1. That Council approve an amendment to the lease between the Town of Whitby and Swan's Yacht Sales Inc. for the north building at 1710 Charles Street, for a reduction in 7,254 square feet of space; and,
2. That the Mayor and Clerk be authorized to execute the required documents.

**Carried**

- 6.24** Concerns Regarding Graffiti

**Resolution # 166-16**

Moved By Councillor Roy  
Seconded By Councillor Gleed

That staff report back on graffiti avoidance and removal strategies in the Town.

**Carried**

7. Management Committee

Report # 2 of the Management Committee - March 22, 2016

- 7.1** Legal and Bylaw Services, Report LS 07-16  
Re: Options to Reduce Overtime in the Animal Services Division

This item was deferred at Committee.

- 7.2** Office of the Chief Administrative Officer, Report CAO 06-16  
Re: Draft Overtime Policy

**Resolution # 167-16**

Moved By Councillor Leahy  
Seconded By Councillor Gleed

That Report CAO 06-16 be referred to the Service Delivery Review Consultant for comments and feedback.

**Carried**

8. Notice of Motion

- 8.1** There were no notices of motion.

9. New and Unfinished Business

- 9.1** Planning and Development Department Report, PL 32-16  
Re: Site Plan Application, Promotional Products Fulfillment and Distribution Limited, Vacant Lot on the West Side of William Smith Drive, North of Moore Court

Brief discussion ensued with respect to the setbacks detailed in the report.

Warren Johnson, Jonhson Building Construction, appeared before Council and stated that the property tapers to the south which provides for more frontage than required and that he was in agreement with the report recommendations as written.

**Resolution # 168-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve Site Plan Application SP-02-16 subject to the conditions of approval as outlined in Section 8.0 of Planning Report PL 32-16;
2. That approval be subject to a successful Minor Variance application (A/14/16) being approved by the Committee of Adjustment to seek relief from the Zoning By-law concerning the reduction of the minimum required parking and front yard setback; and,
3. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

**Carried**

- 9.2** Councillor Gleed acknowledged the loss in the community of two long-time veterans, Charles Bertram Rycroft and Vincent Leonard Myette. He stated that Mr. Rycroft has passed away on March 23, 2016 at the age of 91 and that he had been a decorated veteran, winner of a Peter Perry Award and Senior of the Year. Mr. Myette passed away on March 25, 2016 at the age of 99 and Councillor Gleed noted that he had served in the Navy in Second World War and had spent time in a POW camp. He commented that both men had served their country with great pride and distinction and publicly thanked them for their service.
- 9.3** Councillor Roy raised the matter of the opening of Highways 407 and 412 in the summer of 2016 and questioned whether there would be opportunity for a community event that would allow citizens to enter onto the roadway prior to them being opened up for general traffic. R. Petrie, Chief Administrative Officer, stated that he would enter into communication with the Ministry of Transportation to bring this request forward.
- 9.4** Deputy Mayor

**Resolution # 169-16**

Moved By Councillor Gleed  
Seconded By Councillor Roy

Whereas Procedure By-law Number 7072-15 permits Council to appoint one of its members to act in the place of the Mayor and the Deputy Mayor and such member shall have all the powers and duties of the Mayor while so acting;



Now Therefore Be It Resolved:

That Council hereby appoints Regional Councillor Drumm to act in place of the Mayor and the Deputy Mayor and have all the powers and duties of the Mayor for the April 18, 2016 Council meeting.

**Carried**

10. By-Laws

That the following by-laws be passed:

- 10.1** By-law # 7111-16, being a by-law to to assume Serene Court as public a highway.
- 10.2** By-law # 7112-16, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby. (Schedule N, Stop Signs - Serene Court and Lady May Drive)
- 10.3** By-law # 7113-16, being a by-law to impose fees for certain services and activities provided or done by the Community and Marketing Services Department. (Sports Fields, Arena Ice and Floor and Parks Fees)  
Refer to CMS 23-16
- 10.4** By-law # 7114-16, being a by-law to impose fees for certain services and activities provided or done by the Community and Marketing Services Department. (Banquet and Facility Rental Fees)  
Refer to CMS 23-16
- 10.5** By-law # 7115-16, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property.
- 10.6** By-law # 7116-16, being a by-law to impose fees for certain fees and activities provided or done by the Town of Whitby Legal and By-law Services Department. Refer to LS 04-16
- 10.7** By-law # 7117-16, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby.  
Refer to PL 20-16
- 10.8** By-law # 7119-16, being a by-law to authorize the use of internet and

telephone voting as an alternative method of voting for the 2016 By-Election.

**Resolution # 170-16**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That leave be granted to introduce By-law # 7111-16 to 7115-16, # 7117-16 and #7119-16, 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**

Note: By-law # 7116-16 was not passed due to Item 6.14, LS 04-16 being referred back to staff.

Brief discussion ensued regarding the by-election for the North Ward and the appointment of the Deputy Mayor for the term of April 1, 2016 to July 31, 2017.

- 10.9** By-law # 7118-16, being a by-law to require a by-election to be held to fill the vacancy of the Office of North Ward One Councillor.  
Refer to CLK 10-16

- 10.10** By-law # 7120-16, being a by-law to appoint a Deputy Mayor.  
Refer to CLK 09-16

**Resolution # 171-16**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That leave be granted to introduce By-law #7118-16 and 7120-16 and to dispense with the readings of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

11. Confirmatory By-Law

**11.1 Confirmatory By-law**

**Resolution # 172-16**

Moved By Councillor Emm  
Seconded By Councillor Leahy

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 March 29, 2016 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

**12. Adjournment**

**12.1 Motion to Adjourn**

**Resolution # 173-16**

Moved By Councillor Drumm  
Seconded By Councillor Leahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:30 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor