

REGULAR COUNCIL MINUTES

February 11, 2013 -7:00 pm

Council Chambers

Whitby Municipal Building

**Present:** Mayor Perkins  
Councillor Coe  
Councillor Drumm  
Councillor Emm  
Councillor Hanson  
Councillor Mitchell  
Councillor Montague  
Councillor Roy

**Also Present:** R. Petrie, Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
M. Gerrard, Fire Chief  
P. LeBel, Commissioner of Community & Marketing Services  
K. Nix, Commissioner of Corporate Services/Treasurer  
S. Pohjola, Town Solicitor  
R. Short, Commissioner of Planning  
D. Wilcox, Town Clerk  
L. Doughty, Deputy Clerk  
S. Cassel, Project Lead/Coordinator, E-agenda

**Regrets:** None noted

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1. DECLARATIONS OF PECUNIARY INTEREST

1.1 There were no declarations of interest.

2. ADOPTION OF MINUTES

- 2.1
- Special Council Meeting - January 21, 2013
  - Special Council Meeting - January 21, 2013
  - Regular Council Meeting - January 21, 2013
  - Special Council Meeting - January 28, 2013

**Resolution No. 41-13**

Moved By Councillor Coe

Seconded By Councillor Mitchell

That the minutes be adopted.

**CARRIED**

3. DELEGATIONS/PRESENTATIONS

**3.1** Regional Municipality of Durham

Roger Anderson, Chair, Regional Municipality of Durham made his annual address to Council providing highlights from the Region during 2012. A question and answer period ensued.

**3.2** Durham Environmental Advisory Committee (DEAC)

Andy Barrington, representing Durham Environmental Advisory Committee (DEAC) made a delegation to Council, providing information on the mandate of DEAC and its upcoming Environmental Achievement Awards. Nomination forms are available on the Region of Durham website; with a deadline for submission by March 4, 2013.

**3.3** Ontario Library Association Awards

Mayor Perkins and Councillor Mitchell made a presentation to Ian Ross, CEO, Whitby Public Library, who was awarded the W.J. Roberston Medallion; Jane Hilton, Board Member, awarded the James Bain Medallion; and Claude Lavoie on behalf of Sarah Ferencz, Archivist, awarded the OLA Archival and Preservation Achievement Award by the Ontario Library Association.

**3.4** Junior Chamber International (JCI) Durham

Erin Guillemette provided an overview of the mandate of the Junior Chamber International (JCI) Durham. Erin gave her speech before Council and will present this speech at the 2012 National Effective Speaking Competition representing the Junior Chamber International at the Conference of the America's competition from May 1 - 4, 2013. Mayor Perkins presented a certificate of appreciation to Erin for her excellent work in representing the Junior Chamber International (JCI) - Durham.

4. CORRESPONDENCE

**4.1** There were no items of correspondence.

5. PLANNING & DEVELOPMENT COMMITTEE

Report No. 2 of the Planning & Development Committee - January 28, 2013

**5.1** Planning Report, PL 7-13

Re: Site Plan Application - Kingsberg Development Corporation - SP-21-12 - 4100 Garden Street

This matter was referred back at Committee.

**5.2** Planning Report, PL 8-13

Re: Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe

Discussion ensued regarding the proposed amendment and the promotion of age friendly communities.

**Resolution No. 42-13**

Moved By Councillor Emm

Seconded By Councillor Montague

1. That Planning Report Item No. PL 8-13 be received for information;
2. That Council endorse Planning Report Item No. PL 8-13 as the Town of Whitby's comments on the Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe, Environmental Registry posting 011-7468; and
3. That the Clerk forward a copy of Planning Report Item No. PL 8-13 and Council's resolution to the Ministry of Infrastructure and the Region of Durham.

**CARRIED**

**5.3** Planning Report, PL 10-13

Re: Site Plan Application - Armoclan Engineering - Construction of Gas Bar with Convenience Store - SP-07-11 - 951 Dundas Street West

Discussion ensued regarding the fully accessible services that are proposed for this gas station location.

**Resolution No. 43-13**

Moved By Councillor Emm

Seconded By Councillor Montague

1. That site plan application (SP-07-11) as submitted by the developer as shown on Attachment #3 not be approved, and that Council approve the site plan consistent with the plan shown on Attachment #7 for the reasons set out in this report and subject to the conditions of approval in Section 8.0 of Planning Report PL 10-13;
2. That the approval of Council be conditional upon the developer being successful with the amended application to the Committee of Adjustment (File No. A/44/11) for the required variance to the interior side yard requirement to 1.6m, and that the decision of the Committee become final and binding; and,
3. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

**CARRIED**

6. OPERATIONS COMMITTEE

Report No. 2 of the Operations Committee - February 4, 2013

- 6.1** Community and Marketing Services Report, CMS 3-13  
Re: Community and Marketing Services Department/Ice/Floor/Field  
User Fees and Facility Rental Fees

**Resolution No. 44-13**

Moved By Councillor Mitchell

Seconded By Councillor Roy

1. That Council approve the proposed user fees and increases presented in Community and Marketing Services Department Report CMS 03-13 and as outlined in Attachment No. 1 – Sports Fields and Arena/Ice Floor Rental Fees and Attachment No. 2 – 2014 Banquet Hall and Facility Rental Fees;
2. That the effective periods for the proposed user fees be approved as follows:
  - Sports Fields and Arena Ice/Floor Rental Fees: April 1, 2013 to March 31, 2014
  - Banquet Hall and Facility Rental Fees: April 1, 2014 to March 31, 2015
3. That Council repeal By-law 6442-11 (Facility and Hall Rentals, CMS 9-11) and By-law 6457-11 (Ice and Floor Rentals, CMS 17-11); and,
4. That Council authorize the Clerk to bring forward a new By-law for Council approval to implement the proposed new user fees as outlined in the Departmental report.

**CARRIED**

- 6.2** Community and Marketing Services Report, CMS 4-13  
Re: Community and Marketing Services Department Corporate Communications Division - Temporary Staff Position for Website Documents and Template Conversions

**Resolution No. 45-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Council approve a six-month temporary staff position for the Corporate Communications Division of the Community and Marketing Services Department to convert municipal templates and documents posted on the Town's website to meet the requirements under the Integrated Accessibility Standards, Ontario Regulation 191/11.

**CARRIED**

- 6.3** Community and Marketing Services Report, CMS 7-13  
Re: Ontario Sport and Recreation Communities Fund

Discussion ensued regarding the excellent work to bring this program forward through alternative funding resources.

**Resolution No. 46-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Community and Marketing Services Department Report CMS 07-13 pertaining to the Ontario Sport and Recreation Communities Fund from the Provincial Ministry of Tourism, Culture and Sport, be received as information; and,
2. That Council authorize Staff to make an application to the Ontario Sport and Recreation Communities Fund in partnership with Community Connection for the expansion of the Community Connection playground program for the 2013/2014 summer seasons, as outlined in the staff report.

**CARRIED**

- 6.4** Community and Marketing Services Report, CMS 8-13  
Re: Train Like a Pro - Private Fitness and Training Facility at Iroquois

Park Sports Centre

**Resolution No. 47-13**

Moved By Councillor Mitchell

Seconded By Councillor Roy

1. That Council support the continued operation of a private training and fitness facility in the mezzanine space located between Arenas 5 and 6 at the Iroquois Park Sports Centre;
2. That Council approve the assignment of the current lease agreement between The Corporation of the Town of Whitby and 1590880 Ontario Inc. O/A Train Like A Pro to a new independently owned and operated company called Champion Athletic Development until the expiration date of the current lease agreement on December 14, 2013;
3. That the municipal Solicitor be authorized to make the required changes to the current lease agreement based on Council's approval of the assignment to Champion Athletic Development;
4. That the Mayor and Clerk be authorized to execute the revised lease agreement to reflect the assignment to Champion Athletic Development; and,
5. The staff be authorized to negotiate a renewal of the lease agreement and report back to Council following the negotiations with Champion Athletic Development.

**CARRIED**

**6.5** Corporate Services Report, CS 4-13  
Re: Coyote Management Strategy

Discussion ensued regarding the Coyote Management Strategy report and the related public education and awareness program.

**Resolution No. 48-13**

Moved By Councillor Mitchell

Seconded By Councillor Roy

1. That Report CS 4-13 of the Commissioner of Corporate Services/Treasurer be received;
2. That Staff be directed to move forward with a public education and awareness coyote anti-feeding program assisted by Coyote Watch Canada; and

3. That Council adopt the Coyote Control By-law (Anti-Feeding By-law) included as Attachment # 2 to this report.

**CARRIED**

- 6.6 Corporate Services Report, CS 7-13  
Re: Proposed Election Signage, Election Zones and Public Consultation

This matter was referred back at Committee.

- 6.7 Corporate Services Report, CS 8-13  
Re: Pumper Fire Trucks Equipment

**Resolution No. 49-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Mayor and Council approve the purchase of the required equipment for the two 2012 custom built pumper trucks in the amount of \$237,516.51.
2. That the Mayor and Council approve the sole source purchase of two sets of Hurst eDraulic 'Jaws of Life' extrication equipment in the amount of \$69,150.00.
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.8 Public Works Report, PW 6-13  
Re: Fees for Services and Activities Provided and Performed by the Town of Whitby Public Works Department

**Resolution No. 50-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Council approve the proposed Fees for Services and Activities provided by the Public Works Department as outlined within Report PW 06-13.
2. That Council authorize the Clerk to bring forward an amending By-law to By-law 6150-09 as amended, for Council approval as shown

in Attachment 1 to Report PW 06-13.

**CARRIED**

- 6.9** Public Works Report, PW 9-13  
Re: Residential Curbside Special Collection Program for E-Waste and Porcelain

Discussion ensued regarding the excellent work undertaken by our Public Works Department in the residential curbside special collection program.

**Resolution No. 51-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Public Works Department Report PW 09-13 regarding “Residential Curbside Special Collection Program for E-Waste and Porcelain” be received as information; and,
2. That Council approve staff’s recommendation to continue the residential curbside special collection program for E-Waste; and,
3. That Staff be authorized to extend the existing service agreement with Target Recycling; and,
4. That Council approve staff’s recommendation to continue a residential curbside special collection program for porcelain; and,
5. That Council direct staff to report back on a pilot project to implement the collection of E-Waste at multi-residential buildings; and,
6. That a copy of this report be sent to the City of Oshawa and Region of Durham.

**CARRIED**

- 6.10** Chief Administrative Officer Report, CAO 1-13  
Re: Town Policy - Standards for Town Policies and Procedures

**Resolution No. 52-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Report CAO 1-13 of the Chief Administrative Officer be received;
2. That Town Policy, Standards for Town Policies and Procedures be



- approved;  
3. That the appropriate officials of the Town of Whitby give effect thereto.

**CARRIED**

7. NOTICE OF MOTION

- 7.1 There were no notices of motion.

8. NEW AND UNFINISHED BUSINESS

8.1 Snow Removal

Councillor Drumm advised of the many positive comments received regarding the efficient snow removal in the Town during the recent snowfall.

8.2 Accessibility Standards Advisory Council

Councillor Coe advised that Ontario has appointed a new Accessibility Standards Advisory Council. The immediate mandate of the new council will be to review Ontario's five existing accessibility standards and develop new accessibility standards based on advice and feedback received from stakeholders.

8.3 Budget Meeting - Thursday, February 21, 2013

Councillor Roy provided a reminder to the community of the upcoming Council Meeting regarding the 2013 Current and Capital Budget on Thursday, February 21, 2013 at 7:00 p.m. Members of the public are invited to comment on the budget at the public meeting. Council will deliberate the budget when public comments are complete.

9. BY-LAWS

That the following by-laws be passed:

- 9.1 By-law No. 6695-13, being a by-law to impose fees for certain services and activities provided or done by the Community and Marketing Services Department.

- 9.2 By-law No. 6696-13, anti-feeding by-law, being a by-law to discourage the feeding of coyotes.

- 9.3 By-law No. 6697-13, being a by-law to impose fees for certain services

and activities provided or done by the Public Works Department.

- 9.4 By-law No. 6698-13, being a by-law to lift and assume as part of the Public Highway, 0.3 metre reserve known as Fencerow Drive.
- 9.5 By-law No. 6699-13, being a by-law to lift and assume as part of the Public Highway, 0.3 metre reserve known as Belfountain Drive.
- 9.6 By-law No. 6700-13, being a by-law to amend By-law No. 1784, as amended, being the Zoning By-law of the Town of Whitby, in relation to private garage and unobstructed parking space of ground oriented dwelling units.
- 9.7 By-law No. 6701-13, being a by-law to amend By-law No. 2585, being the Zoning By-law of the Town of Whitby, in relation to private garage and unobstructed parking space of ground oriented dwelling units.
- 9.8 By-law No. 6702-13, being a by-law to amend By-law No. 5581-05, as amended, being the Zoning By-law of the Town of Whitby, in relation to private garage and unobstructed parking space of ground oriented dwelling units.

**Resolution No. 53-13**

Moved By Councillor Emm

Seconded By Councillor Hanson

That leave be granted to introduce By-law No. 6695-13 to 6702-13 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**

10. CONFIRMATORY BY-LAW

**10.1** Confirmatory By-law No. 6703-13

**Resolution No. 54-13**

Moved By Councillor Roy

Seconded By Councillor Mitchell

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 February 11, 2013, 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**

11. ADJOURNMENT

**11.1** Motion to adjourn

**Resolution No. 55-13**

Moved By Councillor Drumm  
Seconded By Councillor Emm

That the meeting be adjourned.

**CARRIED**

The meeting adjourned at 8:58 p.m.

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Debi A. Wilcox, Town Clerk

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Patricia Perkins, Mayor