

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

**Also Present:** R. Petrie, Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
S. Siersma, Acting Deputy 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  
S. Cassel, Acting Deputy Clerk

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

- 1.1 Councillor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 6.2, Public Works Department Report, PW 2-14, Winchester Road (Regional Road 3) Class Environmental Assessment Review - Winchester Road (Regional Road 3), from Baldwin Street to Garrard Road as he has property that fronts onto Winchester Road. Councillor Mitchell did not take part in the discussion or vote on the matter.
- 1.2 Councillor Drumm made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding the Special Council Meeting held prior to the Regular Council Meeting at 6:00 p.m. as he has family that works at the Whitby Public Library and Iroquois Park Sports Centre. Councillor Drumm did not take part in any discussion relating to either of these facilities in relation to the 2014 Budget.

- 1.3** Councillor Emm made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding the adoption of the minutes for the Special Council Meeting held on January 13, 2014 relating to Whitby Hydro as he has family that sits on the Board.
- 1.4** Mayor Perkins made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding the adoption of the minutes for the Special Council Meeting held on January 13, 2014 relating to Whitby Hydro as she has a family member who is employed by Whitby Hydro.

**2. Adoption of Minutes**

- 2.1**
- Regular Council - December 9, 2013
  - Special Council - January 6, 2014
  - Special Council - January 9, 2014
  - Special Council - January 13, 2014

**Resolution # 19-14**

Moved By Councillor Coe  
Seconded By Councillor Montague

That the minutes be adopted.

**Carried**

Councillor Drumm inquired about By-law # 6801-13 that was referred back at the December 9, 2013 Meeting of Council that requested the Town Solicitor to prepare a report and provide a legal opinion including consultation with Durham Regional Police Services, with respect to concerns received about parking issues/problems. Councillor Drumm asked about the status of the report as he did not see it included in the minutes that were being adopted or on the January 13, 2014 Operations Committee Agenda. S. Pohjola, Town Solicitor, advised that a meeting had taken place with DRPS last week and that a report would come forward at the next scheduled Operations Committee Meeting on February 3, 2014.

**3. Delegations/Presentations**

- 3.1** Annual Address by Roger Anderson, Regional Chair and CEO, Regional Municipality of Durham

Roger Anderson, Chair, Regional Municipality of Durham made his annual address to Council providing highlights from the Region for 2013. Some of the key highlights were:

- Progress on Highway 407 and Lakeridge Road interchange
- Construction of GO Transit East Rail Maintenance Facility
- Expansion of curb-side recycling to include additional plastics, batteries and e-waste materials
- In June 2013 opened the Durham Regional Police Operations Training Centre
- Reduction of greenhouse gas emissions - 56 businesses underwent eco-efficiency audits, 11 retrofit projects generated \$83,000 in annual energy savings
- Implementation of live streaming of Regional Council and Committee meetings on the Region's website at [www.durham.ca](http://www.durham.ca)
- Mr. Anderson touched on several projects that were under way including the reconstruction of Henry Street, improvements to the intersection of Winchester and Thickson Roads, improvements to transit infrastructure with the addition of the PULSE Service, dedicated BRT lanes and the widening of Victoria Street from Halls Road to Seaboard Gate which includes reconstruction, widening to four lanes, replacement of the bridge over Lynde Creek, a multi-use path, several culverts for water and wildlife passage, animal exclusion fencing and a viewing platform.

Discussion ensued regarding the ice storm in December 2013 and the efforts by Whitby, Regional and Hydro staff that minimized the power outages and damages within the Town.

Detailed discussion ensued with regard to ROPA 128 and the thirty month restriction that prevents any development within the subject area. It was noted that after the thirty days are up, applications can proceed as normal.

Further discussion ensued with regard to affordable housing and the wait-lists that exist. It was noted by the Regional Chair that the Province and Federal government need to become involved with affordable housing again to relieve the burden from local governments in keeping up with the demand.

Brief discussion ensued regarding the sewer pipe through the Port Whitby area and the communication plan in place to advise residents.

A detailed question and answer period ensued regarding fair representation for Regional Council and the need to support the principle of representation by population along the lakeshore municipalities. Further discussion ensued regarding road rationalization

across the Region and that it should be explored that municipalities be financially responsible for roads located within their municipality that the Region currently pays for.

4. Correspondence

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

5. Planning and Development Committee

Report # 1 of the Planning and Development Committee - January 6, 2014

**5.1** Joint Planning and Development and Corporate Services Departments Report, PL 2-14

Re: Comments on the Provincial Land Use Planning and Appeal System and Development Charges Review

Discussion ensued with regard to the Review in that it appeared to give more power to developers than to municipalities and that the regulatory controls provided uncertainty for municipalities.

Further discussion ensued regarding the Ontario Municipal Board (OMB) in that the Review did not address ways to improve how the Board functions or how members are appointed. It was noted that if these issues are not addressed, municipality's decision making processes may continue to be undermined.

**Resolution # 20-14**

Moved By Councillor Montague

Seconded By Councillor Coe

1. That Joint Planning and Development and Corporate Services Report PL 2-14 be received for information;
2. That Council endorse the staff comments contained in Joint Planning and Development and Corporate Services Report PL 2-14; and
3. That the Clerk forward a copy of Planning and Development and Corporate Services Report No. PL 2-14 and Council's resolution to the Ministry of Municipal Affairs and Housing, Regional Municipality of Durham, Durham area municipalities, O.P.P.I., local MPPs, Ministry of Infrastructure and the Standing Committee on Economic Development for the Legislature of Ontario.

**Carried**

6. Operations Committee

Report # 1 of the Operations Committee - January 13, 2014

- 6.1** Corporate Services Department Report, CS 1-14  
Re: Temporary Borrowing By-law

**Resolution # 21-14**

Moved By Councillor Roy  
Seconded By Councillor Emm

That a By-law be brought forward to authorize the temporary borrowing of an amount up to Fifteen Million dollars for cash flow purposes, if required, at any one time during the calendar year 2014.

**Carried**

- 6.2** Public Works Department Report, PW 2-14  
Re: Winchester Road (Regional Road 3) Class Environmental Assessment Review - Winchester Road (Regional Road 3), from Baldwin Street to Garrard Road

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

Brief discussion ensued regarding the gates on the south side of Vipond Road and questions were raised as to whether the gates would remain in the same location. R. Petrie, Chief Administrative Officer, advised that the plan was to leave the gates in the same location, however, if the road is redesigned due to the Highway 407, this could change in the future.

**Resolution # 22-14**

Moved By Councillor Roy  
Seconded By Councillor Emm

1. That Report PW 02-14 be received as information;
2. That the Region of Durham be requested to include a multi-use path on the south side of Winchester Road from Baldwin Street to Cachet Boulevard;
3. That the Town of Whitby support the proposed improvements at the Winchester Road/Thickson Road intersection currently scheduled for construction in 2015; and,
4. That, as per the Environmental Study Report, the Region of Durham

commit to undertaking further traffic analysis post- Highway 407 opening and prior to the scheduled 2018 construction between Baldwin Street and Anderson Street to reaffirm that the proposed 3-lane cross-section is the appropriate solution.

**Carried**

- 6.3** Public Works Department Report, PW 3-14  
Re: Sole Source Purchase of One (1) Replacement Wide Cut Mower

**Resolution # 23-14**

Moved By Councillor Roy  
Seconded By Councillor Emm

That staff be authorized to negotiate directly with G.C. Duke Equipment Limited for the supply and delivery of one (1) replacement Jacobsen wide cut mower as identified in the 2013 Capital Replacement Budget.

**Carried**

- 6.4** Public Works Department Report, PW 4-14  
Re: Asset Management Annual Update: Road Right of Way Infrastructure

**Resolution # 24-14**

Moved By Councillor Roy  
Seconded By Councillor Emm

That Report No. PW 4-14, regarding Asset Management Annual Update: Road Right of Way Infrastructure, be received as information.

**Carried**

- 7.** Management Committee  
Report # 5 of the Management Committee - Special Meeting - December 9, 2013

- 7.1** Update from J. Stubbs, Manager of Human Resource Services  
Re: ADP Employee Data Systems Upgrade

**Resolution # 25-14**

Moved By Councillor Coe  
Seconded By Councillor Emm

1. That the memorandum dated November 29, 2013 from J. Stubbs, Manager of Human Resource Services, regarding the ADP Employee Data Systems Upgrade be received for information; and,
2. That the migration from the current ADP system to the updated Workforce Now System be approved based on the information provided in the above noted memorandum.

**Carried**

**7.2** Step 4 Grievance - Whitby Professional Firefighter's Association

**Resolution # 26-14**

Moved By Councillor Coe  
Seconded By Councillor Emm

That the recommendations from the closed session be adopted and that staff take the appropriate action.

**Carried**

**8.** Notice of Motion

**8.1** There were no Notices of Motion.

**9.** New and Unfinished Business

**9.1** Councillor Roy provided some highlights regarding the 2014 Budget and noted that the next meeting would take place on February 6, 2014 at 7:00 p.m. in the Council Chambers. This meeting would provide an overview of the 2014 budget and provide an opportunity to receive input from the public. She advised Members of Council that the budget books would be distributed on January 30, 2014. The Meeting for final budget deliberations is scheduled for February 20, 2014 at 7:00 p.m.

Councillor Roy further advised that at the Special Council Meeting held at 6:00 p.m., prior to the Regular Meeting of Council, a resolution was passed requesting staff to develop the annual budget for a total impact of the overall tax increase to be less than 2% including the Town, Region and Provincial portions.

- 9.2** Councillor Mitchell inquired about the possibility of a report analyzing the outcomes of the recent ice storm in December 2013. S. Beale, Commissioner of Public Works, advised that a report would be brought forward that would focus on the lessons learned, what worked and what struggles staff faced.

Councillor Mitchell further inquired about snow clearing on trails and requested that this be looked into by staff. R. Petrie, Chief Administrative Officer advised that staff would draft a resolution in this regard that could be presented at the next regularly scheduled Operations Committee Meeting.

- 9.3** Councillor Mitchell inquired about an update on the R.A. Sennett Public School property and whether staff had any dialogue with the School Board in this regard. P. LeBel, Commissioner of Community and Marketing Services advised that discussions had taken place with the School Board and that further follow up was scheduled for this week. Discussion ensued regarding the potential for business owners that may be interested in this site and that it would be in the Town's best interests to explore the process of the disposition of the property with the School Board. Members of Council requested Mr. LeBel to advise them when he had an idea of the timeline that the property might be available.

- 9.4** Councillor Coe raised concerns over the Whitby This Week newspaper article that stated the Town chose not to apply to the Province for disaster relief funds. Discussion ensued with regard to the fact that Council did not pass a resolution stating that they would not apply for relief funds and that staff had indicated that the Town would not be eligible for funds as the amount of damages was much lower than neighbouring municipalities. Further discussion ensued regarding the GTA Mayors/Regional Chairs Meeting that took place on Friday, January 17, 2014 and what role Town staff played in that meeting. R. Petrie, Chief Administrative Officer, advised that although no staff were present at the meeting, correspondence from the Town was provided in advance of the meeting. It was requested that Council be kept up to date on communications and minutes from meetings related to funding for the ice storm damage and that communication in this regard be improved.

**10. By-Laws**

That the following by-laws be passed:

- 10.1** By-law # 6811-14, being a by-law to assume various streets as public highways [Adalan Development Corporation (Carnwith lands) 40M-2350]



- 10.2** By-law # 6812-14, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby [Schedule N, Stop Signs, Adalan Development Corporation (Carnwith lands) 40M-2350]
- 10.3** By-law # 6813-14, being a by-law to assume various streets as public highways [Sorbara/Tribute Holdings Inc. 40M-2269]
- 10.4** By-law # 6814-14, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby [Schedule N, Stop Signs, Sorbara/Tribute Holdings Inc. 40M-2269]
- 10.5** By-law # 6815-14, being a by-law to authorize the borrowing of a sum or sums not exceeding in the aggregate Fifteen Million Dollars for the calendar year 2014 [Refer to CS 1-14]
- 10.6** By-law # 6816-14, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property [Paragon Security]
- Discussion ensued regarding By-law # 6816-14 in relation to By-law # 6801-13 that was referred back to the Town Solicitor to prepare a report and provide a legal opinion including consultation with Durham Regional Police Services, with respect to concerns received about parking issues/problems and how By-law # 6816-14 might relate to that report. Staff clarified that this by-law was solely to appoint one individual to provide enforcement for Paragon Security on the properties noted in Schedule A to the by-law and that it was not related to the concerns of By-law # 6801-13.
- 10.7** By-law # 6817-14, being a by-law to repeal By-law # 4030-97 being a by-law to designate the structure municipally known as 360 Columbus Road East as being of historic and architectural value and interest
- 10.8** By-law # 6818-14, being a by-law to assume and dedicate certain lands as a public highway for street widening purposes (Ashburn Road) [LD 001/2013]
- 10.9** By-law # 6819-14, being a by-law to assume and dedicate certain lands as a public highway for street widening purposes (Lake Ridge Road South)
- 10.10** By-law # 6820-14, being a by-law to designate certain portions of a

registered plan of subdivision as not being subject to part lot control [Fairpark Homes, 40M-2448, Blocks 95, 96, 97 and 98]

- 10.11** By-law # 6821-14, being a by-law to designate certain portions of a registered plan of subdivision as not being subject to part lot control [Tunney Planning Inc., 40M-2433, Blocks 39, Part 6 and 7 on 40R-27146]
- 10.12** By-law # 6822-14, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby [Ren's Pet Depot, Z-07-13 and SP-06-13, PL 106-13]
- 10.13** By-law # 6823-14, being a by-law to appoint Scott Siersma as Acting Deputy Fire Chief, effective immediately.

D. Wilcox, Town Clerk, stated that By-law # 6823-14, being a by-law to appoint Scott Siersma as Acting Deputy Fire Chief, was added to the agenda after its publication and provided as a hand out to Members of Council prior to the start of the Meeting.

Discussion ensued with regard to the by-law being handed out to Members of Council just prior to the Council Meeting and whether staff had consulted with the Fire Marshall's Office in creating the by-law. R. Petrie, Chief Administrative Officer, stated that the Fire Marshall's Office had been consulted and that based on suggestions from the Fire Marshall's Office, it was in the Town's best interests to move forward with the by-law at this time.

#### **Resolution # 27-14**

Moved By Councillor Montague  
Seconded By Councillor Emm

That leave be granted to introduce By-law # 6811-14 to 6823-14, 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 Clerk sign the same and the Seal of the Corporation be thereto affixed.

#### **Carried**

### **11. Confirmatory By-Law**

#### **11.1 Confirmatory By-law**

**Resolution # 28-14**

Moved By Councillor Glead  
Seconded By Councillor Coe

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 January 20th, 2014, 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 # 29-14**

Moved By Councillor Coe  
Seconded By Councillor Emm

That the meeting be adjourned.

**Carried**

The meeting adjourned at 8:50 p.m.

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Debi A. Wilcox, Town Clerk

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Patricia Perkins, Mayor