

Present: Mayor Mitchell
Councillor Alexander
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, 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
C. Siopis, Manager of Corporate Communications
D. Speed, Fire Chief
J. Romano, Manager of Facilities
J. Austin, Manager of Development Control, Design, and Technical Services
C. Harris, Town Clerk
K. Narraway, Deputy Clerk (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest

- 1.1** Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 7.27, Report PW 16-19, Owner's Engineering Services for the Mid Arterial Environmental Assessment, as he has an interest in a property located at 5455 Ashburn Road which may be impacted by the western portion of the arterial. Mayor Mitchell did not take part in the discussion or vote on this matter.

2. Adoption of Minutes

- 2.1** Special Council - March 4, 2019 (Confidential Minutes under separate cover)

Regular Council - March 4, 2019
Special Council - April 8, 2019

Resolution # 97-19

Moved By Councillor Lee
Seconded By Councillor Newman

That the Special Council minutes of March 4, 2019, the Regular Council minutes of March 4, 2019, and the Special Council minutes of April 8, 2019, be adopted.

Carried

3. Presentations

- 3.1** Dr. Patricia McCarney, President and Chief Executive Officer, World Council on City Data
Award/Recognition: Presentation of the WCCD ISO 37120 Platinum Certification to the Town of Whitby

Dr. Patricia McCarney, President and Chief Executive Officer, World Council on City Data, was invited onto the dais and was joined by Mayor Mitchell and Members of Council, Matthew Gaskell, Chief Administrative Officer, and Daniel Van Kampen, Economic Development Officer. Dr. McCarney presented the Town with the WCCD ISO 37120 Platinum Certification.

- 3.2** Niels Hodsman, Assistant Chair, Durham Multi-faith World Religion Day Committee
Award/Recognition: Presentation to Whitby Council for their support of the World Religion Day event on January 20, 2019

Niels Hodsman, Assistant Chair, Durham Multi-faith World Religion Day Committee, and Ron King, were invited onto the dais and were joined by Mayor Mitchell and Councillor Yamada. Mr. Hodsman recognized Whitby Council for their support of the World Religion Day event that took place in Whitby on January 20, 2019.

- 3.3** Teresa Shaver, Executive Director, Business Advisory Centre Durham
Re: Business Advisory Centre Durham, Support and Programming Opportunities for Entrepreneurs

Teresa Shaver, Executive Director, Business Advisory Centre Durham

(BACD), appeared before Council and provided a PowerPoint presentation regarding support and programming opportunities for entrepreneurs. Highlights of the presentation included:

- BACD holds regular workshops and networking events each year for businesses and entrepreneurs in the community;
- The organization works with small businesses to help them grow and thrive and measures success through key metrics including, client meetings, jobs created, new businesses openings, and business expansions;
- An overview of BACD's programs including, the Summer Company Program, the Starter Company Program, and the Pathway Program; and,
- An overview of the Digital Main Street Program which was developed to assist businesses in developing digital strategies.

3.4 Natalie Prychitko, Chief Executive Officer, Whitby Chamber of Commerce

Re: Overview of the Whitby Chamber of Commerce

Natalie Prychitko, Chief Executive Officer, Whitby Chamber of Commerce, appeared before Council and provided a PowerPoint presentation regarding an overview of the Whitby Chamber of Commerce. Highlights of the presentation included:

- That the Whitby Chamber of Commerce has three main goals, to connect, to learn, and to lead;
- An overview of the types of events and programming that the Chamber of Commerce offers;
- An overview of their four signature annual events including, Connect Women, a golf tournament, a business summit, and the Peter Perry and Business Achievement Awards; and,
- An overview of the organization's membership structure, involvement in the community, and communication strategies.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following request be endorsed:

- April 24, 2019 - Human Values Day
- April 28, 2019 - Day of Mourning
- April 2019 - BeADonor Month
- April 2019 - Vaisakhi and Sikh Heritage Month

- June 2019 - Bike Month
- June 2019 - National Deafblind Awareness Month
- October 2019 - Hispanic Month
- May 17 to 22, 2019 - Flag Raising - International Day Against Homophobia, Biphobia and Transphobia (Celebration Square)

Resolution # 98-19

Moved By Councillor Newman

Seconded By Councillor Alexander

That the proclamations for Human Values Day, Day of Mourning, BeADonor Month, Vaisakhi and Sikh Heritage Month, Bike Month, National Deafblind Awareness Month, and Hispanic Month, and the flag raising for International Day Against Homophobia, Biphobia and Transphobia be endorsed.

Carried

6. Committee of the Whole Reports
Planning and Development - April 1 and 8, 2019

6.1 Planning and Development Department Report, PL 36-19
Re: Zoning By-law Amendment Application, 143 Garrard Road, Toronto-Guild Investments Ltd., File: DEV-01-18 (Z-02-18)

This item was referred at Committee.

6.2 Planning and Development Department Report, PL 35-19
Re: Zoning By-law Amendment Application File: DEV-13-18 (Z-24-18), 2349500 Ontario Inc., 850 Taunton Road East

A question and answer period ensued between Members of Council and Staff about a potential municipal road associated with the development and the proposed stacked parking system for the development.

Moved By Councillor Alexander

Seconded By Councillor Lee

That the rules of procedure be suspended to hear a delegation from Kevin Lauzan, representing 2349500 Ontario Inc., regarding Item 6.2, PL 35-19.

Carried on a Two Thirds Vote

Mr. Lauzan, representing 2349500 Ontario Inc., appeared before Council to provide an overview of the proposed stacked parking system included with the development. Mr. Lauzan provided highlights of the safety and redundancy associated with the system, indicating that a power outage would affect the system, but that he was considering a back-up power source for the development to prevent inconvenience to occupants.

Resolution # 99-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council approve an amendment to Zoning By-law # 1784 (Application Z-24-18) subject to the conditions contained in report PL 35-19; and,
2. That the Zoning By-law Amendment be brought forward for consideration by Council at such time as the conditions outlined in Attachment #7 have been met.

Carried

- 6.3** Planning and Development Department Report, PL 34-19
Re: Temporary Use Zoning By-law Amendment Application File: DEV-15-18 (Z-28-18), Showcase Woodycrest Inc., 3775 Brock Street North

Resolution # 100-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council approve an amendment to Zoning By-law # 1784 (Application Z-28-18) subject to the conditions contained in Report PL 34-19; and,
2. That the Temporary Use Zoning By-law Amendment to permit a new car storage lot for a three year term be brought forward for Council's consideration.

Carried

- 6.4** Planning and Development Department Report, PL 39-19

Re: Zoning By-law Amendment Application – 915 Rossland Road West -
West Whitby Holdings Inc., File: Z-05-18

Resolution # 101-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council approve the amendment to Zoning By-law # 1784, File: Z-05-18, as outlined in Planning Report PL 39-19; and,
2. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

- 6.5** Planning and Development Department Report, PL 37-19
Re: Designation of the Log Cabin at 300 Taunton Road West, as being of Cultural Heritage Value or Interest Under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18. and Minor Amendment to By-law # 6406-10, Designation By-law for Cullen Summer Cottage

Resolution # 102-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That the Notice of Intent to Designate the Log Cabin, located at 300 Taunton Road West, be published as per Section 29 (1.1) of the Ontario Heritage Act, R.S.O. 1990 c. O.18, as amended;
2. That, in accordance with Section 29 (6) of the Ontario Heritage Act, the Clerk be authorized to introduce the by-law designating the property under Part IV, Section 29 of the Ontario Heritage Act;
3. That, in accordance with Section 29 (7) of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and,
4. That By-law # 6406-10 be amended in accordance with Section 30.1 (2) (b) of the Ontario Heritage Act to reflect the updated legal description of the lot.

Carried

- 6.6** Planning and Development Department Report, PL 38-19

Re: Urban Design Plan for Rossland Road West and Des Newman Boulevard – 840 Rossland Road West, ACE Developments Inc.

Resolution # 103-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That the Rossland Road West and Des Newman Boulevard Urban Design Plan dated January 2019, prepared by Weston Consulting on behalf of ACE Developments, be endorsed by Council and used in the review, evaluation and consideration of pre-consultation and development applications on lands municipally known as 840 Rossland Road West; and,
2. That supplemental information be added to the Rossland Road West and Des Newman Boulevard Urban Design Plan by addendum in the future for lands at 900 Rossland Road West, and Block 391 on the West Whitby Holdings Inc. Subdivision File: SW-2013-04, Part Lot 33, Concession 2 at such time as they are ready to proceed with development.

Carried

- 6.7** Planning and Development Department, Office of the Town Clerk and Legal and By-law Services Department Joint Report, CLK 07-19
Re: Subdivision and Development Agreements – Preparation and Execution – Requested Delegated Authority

Resolution # 104-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council hereby delegates authority to the Commissioner of Planning and Development to prepare and execute subdivision and development agreements as a result of:
 - a. A subdivision receiving the necessary Council approvals in accordance with the Planning Act; or,
 - b. An agreement being requested as a requirement of a consent application made to the Durham Region Land Division Committee; and,
2. That Council direct the Clerk to bring forward an amendment to the Signing Authority By-law to effect the delegation.

Carried

- 6.8** Traffic Signals at the Intersection of Thickson Road and Glengowan Street

Resolution # 105-19

Moved By Councillor Roy
Seconded By Councillor Lee

That Staff be directed to report back about the installation of traffic signals at the intersection of Thickson Road and Glengowan Street.

Carried

- 6.9** Planning and Development Department Report, PL 40-19
Re: Temporary Use Zoning By-law Amendment Application File: DEV-13-19 (Z-07-19), 3825 Coronation Road, Tribute Communities

Resolution # 106-19

Moved By Councillor Roy
Seconded By Councillor Lee

1. That Council approve a proposed Zoning By-law Amendment (Z-07-19) for the extension of a temporary use at 3825 Coronation Road. The temporary use is for a residential sales office for an additional three year period; and,
2. That the Zoning By-law Amendment be brought forward for Council's consideration.

Carried

- 7.** Committee of the Whole Reports
General Government - April 1 and 8, 2019

- 7.1** Office of the Chief Administrative Officer Report, CAO 07-19
Re: Special Events Policy

Resolution # 107-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Report CAO 07-19 be received for information;
2. That the Special Events Policy (MS 200) be rescinded and replaced with the new Special Events Policy (Attachment 1);
3. That the Special Events Policy (Attachment 1) take effect May 1, 2019;
4. That the Special Events Procedure (Attachment 2), User Guide (Attachment 3), Application Form (Attachment 4) and Application Process Flow Chart (Attachment 5) be received;
5. That the Clerk be authorized to bring forward a By-law to provide for By-law Enforcement of the Town's Special Events Policy;
6. That the Clerk be authorized to bring forward a By-law to amend the Fees and Charges By-law to incorporate Special Event fees as outlined in Section 5 of this report; and,
7. That Item MD 4209 be removed from the New and Unfinished Business List.

Carried

7.2 Office of the Chief Administrative Officer Report, CAO 13-19
Re: Farmers' Market – 2019 Update

A brief question and answer period ensued between Members of Council about the possibility of a future farmers' market in Brooklin.

Resolution # 108-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That report CAO 13-19 be received for information;
2. That staff be directed to prepare an agreement between the Durham Region Farmers' Market Association and the Town of Whitby for use of Celebration Square for a term of three years effective May 1, 2019 to October 31, 2021.

Carried

7.3 Corporate Services Department Report, CS 24-19
Re: Cul-de-Sac and Ditch Modifications, T-3-2019

Resolution # 109-19

Moved By Councillor Yamada

Seconded By Councillor Alexander

1. That the Town of Whitby accept the low bid as submitted by Onsite Contracting Inc. in the revised amount of \$294,436.00 (plus applicable taxes), for all labour, materials, equipment and supervision necessary to complete Cul-de-sac and Ditch Modifications as required by the Town of Whitby;
2. That the Total Project Cost of \$370,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.4** Public Works Department Report, PW 09-19
Re: Emerald Ash Borer Action Plan Update

Resolution # 110-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Public Works PW 09-19 is received as information; and,
2. That Public Works Staff provide Council with a final status update on the Emerald Ash Borer (EAB) in the fall of 2019.

Carried

- 7.5** Memorandum from C. Harris, Town Clerk
Re: Active Transportation and Safe Roads Advisory Committee
Recommendation to Council Requesting that Staff Report Back on the Feasibility of Adopting a Complete Streets Policy

Resolution # 111-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Staff report back on the feasibility of adopting a complete streets policy and how a complete streets policy would impact current practices.

Carried

- 7.6** Memorandum from C. Harris, Town Clerk

Re: Active Transportation and Safe Roads Advisory Committee
Recommendation to Council to Investigate into the Loss of Financial
Support Subsequent to the Cancellation of the Ontario Municipal
Commuter Cycling Program

Resolution # 112-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Staff be directed to inquire regarding the intention of the Province
to replace or enhance funding lost due to the cancellation of the Ontario
Municipal Commuter Cycling Program.

Carried

- 7.7** Office of the Town Clerk Department Report, CLK 04-19
Re: Review of the 2018 Municipal Election

Resolution # 113-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Report CLK 04-19 be received for information.

Carried

- 7.8** Corporate Services Department Report, CS 16-19
Re: T-501-2019 – Urban Road Resurfacing and Overlay

Resolution # 114-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the Town of Whitby accept the low bid as submitted by Four Seasons Site Development Ltd. in the amount of \$3,268,482.50, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the Urban Road Resurfacing and Overlay Program as required by the Town of Whitby;
2. That Council approve budget of \$590,000.00 to fund the Rossland Road West resurfacing project and that the funding

- source(s) be determined by the Treasurer;
3. That Council approve a new budgetary project of \$150,000.00 related to the required road asbestos testing and that the funding source(s) be determined by the Treasurer;
4. That the Total Project Cost of \$3,804,000.00 be approved; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.9** Corporate Services Department Report, CS 19-19
Re: Prudent Investor Standard for Municipal Investments: Next steps

Resolution # 115-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Report No. CS 19-19 Prudent Investor Standard for Municipal Investments: Next Steps of the Commissioner of Corporate Services/Treasurer be received for information; and,
2. That staff undertake further due diligence to determine the best approach to move to the prudent investor standard and report back to Council with a recommendation by the third quarter of 2019.

Carried

- 7.10** Corporate Services Department and Public Works Department Joint Report, CS 21-19
Re: RFP-4-2019 – Owner's Engineering Services for the Des Newman Blvd. Overhead at CP Rail

Resolution # 116-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the Town of Whitby accept the highest ranking proposal submitted by GHD Limited in the amount of \$186,800.00 (plus applicable taxes) for the provision of Owner's Engineering Services for the Des Newman Blvd. Overhead at CP Rail (Phase 1);

2. That the Total Project Cost (Phase 1) of \$210,087.68 be approved;
3. That approval be granted to award Phase 2 in an estimated amount of \$198,200.00 (plus applicable taxes, CPI) subject to satisfactory performance and subject to budget approval;
4. That approval be granted to award Phase 3 in an estimated amount of \$98,700.00 (plus applicable taxes, CPI) subject to satisfactory performance and subject to budget approval; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.11** Corporate Services Department and Public Works Department Joint Report, CS 22-19
Re: T-21-2019 – Pole Replacement

Resolution # 117-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the Town of Whitby accept the low bid as submitted by Alineutility Limited in the amount of \$365,141.24, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete pole replacement as required by the Town of Whitby;
2. That the Total Project Cost of \$411,567.72 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.12** Corporate Services Department and Public Works Department Joint Report, CS 23-19
Re: T-513-2019 – Surface Treatment and Slurry Seal

Resolution # 118-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the Town of Whitby accept the low bid as submitted by Miller

Paving Limited in the amount of \$311,116.25 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete surface treatment and slurry seal as required by the Town of Whitby;

2. That the Total Project Cost of \$346,591.89 be approved;
3. That Council approve a budget increase of \$12,000.00 and that the funding source(s) be determined by the Treasurer; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.13** Corporate Services Department Report, CS 25-19
Re: T-510-2019 – Urban Boulevard Grounds Maintenance

Resolution # 119-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the Town of Whitby accept the low tender bid of D and G Property Maintenance Ltd. in the annual amount of \$156,578.40 (plus applicable taxes) for the labour, materials, equipment and supervision necessary to complete a large multi-location area of urban boulevards grounds maintenance at various locations as required by the Town of Whitby for a three (3) year seasonal contract term;
2. That approval be granted to extend this contract for up to two (2) additional one (1) year seasonal terms provided the Successful Bidder's performance is satisfactory, timely completion of work requirements, quality of work and budget approval in the subsequent years;
3. That the total estimated annual project cost for the Town of Whitby in the amount of \$159,334.17 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.14** Corporate Services Department Report, CS 26-19
Re: Remuneration and Expenses Paid to Mayor and Members of Council and Council Appointees to Boards - 2018

Resolution # 120-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Report CS 26-19 of the Commissioner of Corporate Services/
Treasurer be received for information.

Carried

- 7.15** Community and Marketing Services Department and Corporate Services
Department Joint Report, CS 28-19
Re: T-14-2019 – Portage Park Splash Pad Replacement

Resolution # 121-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the Town of Whitby accept the low bid as submitted by 2SC Contracting Inc. in the amount of \$194,206.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the splash pad replacement as required by the Town of Whitby;
2. That the budget for the Portage Park Splash Pad Replacement be increased to \$226,755; with the funding source(s) to be determined by the Treasurer;
3. That the total project cost including contingency of \$226,755 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents to give effect thereto.

Carried

- 7.16** Community and Marketing Services Department Report, CMS 10-19
Re: Valleywood Park Development Proposal 65 Valleywood Drive

Resolution # 122-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council receive Community and Marketing Services Report

- CMS 10-19 regarding a proposed public-private agreement with Schlegel Villages Inc. to jointly develop Valleywood Park;
2. That in accordance with the provision of the Municipal Act, 2001, and the Town of Whitby's Acquisition, Sale or Other Disposition of Land Policy and By-law, the Town give notice of its intention to sell a portion of the subject property, 40R-20470 Part 3 and 7, for the development of a parkette to Schlegel Villages Inc, (Attachment 1);
 3. That the property be declared surplus and an advertisement be placed in the newspaper, a notice posted on the Town's website and a sign installed on the property for not less than ten days;
 4. That Parks Staff be directed to finalize the terms and conditions of the sale and park development agreement of a portion of the Valleywood Park property as outlined within Community and Marketing Services Report CMS 10-19 to Schlegel Villages Inc. for the purposes of developing a local park in perpetuity;
 5. That provided no objection is received by the Town in connection with the proposed sale, that a by-law be brought forward to authorize the sale; and,
 6. That Council authorize the Mayor and Clerk to execute the necessary documents to give effect thereto.

Carried

- 7.17** Community and Marketing Services Department Report, CMS 11-19
Re: 2019 Earth Day/Week Activities

Resolution # 123-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council endorse the Earth Day/Week activities outlined in Community and Marketing Services Report CMS 11-19; and,
2. That Council acknowledges the Earth Day/Week sponsors and organizers.

Carried

- 7.18** Community and Marketing Services Department Report, CMS 12-19
Re: Luther Vipond Memorial Arena Refrigeration Plant Repairs

Resolution # 124-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council approve a budget in the amount of \$251,000 for the replacement of the condenser and chiller and related components at Luther Memorial Arena (LVMA);
2. That the funding source be determined by the Treasurer; and,
3. That Council approve the award of this project to CIMCO Refrigeration as a sole source for the supply, delivery and installation of the condenser and chiller at LVMA as an exception to the Town's Purchasing Policy.

Carried

7.19 Community and Marketing Services Department Report, CMS 13-19
Re: Hydro One Networks Incorporated Recreational Trail Licence Agreements

Resolution # 125-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council authorize the Mayor and Clerk to execute two (2) public recreational licence agreements with Hydro One Networks Incorporated for the purpose of recreational trail construction and use, as detailed in Community and Marketing Services Report CMS 13-19; and,
2. That the Mayor and Clerk be authorized to execute the required licence agreements and all documentation to give effect thereto.

Carried

7.20 Community and Marketing Services Department and Office of the Chief Administrative Officer Joint Report, CMS 14-19
Re: World Council on City Data

Resolution # 126-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. The Council receive Report CMS 14-19 on the ISO 37120 platinum-level certification from the World Council on City Data for information; and,
2. That Council direct Staff to report annually on ISO 37120 indicators for City Services and Quality of Life.

Carried

- 7.21** Community and Marketing Services Department Report, CMS 15-19
Re: Port Whitby Marina Boat Storage Expansion

Resolution # 127-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council approve using the vacant municipal property at 1700 Charles Street for outdoor marina storage and vehicle parking subject to a successful minor variance application;
2. That a minor variance application be submitted to permit outdoor boat, trailer storage and vehicle parking; and,
3. That Council approve a budget of \$100,000 for this project funded through development charges and the Marina Reserve Fund.

Carried

- 7.22** Community and Marketing Services Department Report, CMS 16-19
Re: Brooklin Cenotaph Re-location Project

Note: Staff presented additional information and a revised recommendation regarding the Brooklin Cenotaph Re-location Project in a Memorandum from P. LeBel, Commissioner of Community and Marketing Services, dated April 12, 2019.

Resolution # 128-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That the budget of \$82,716 be approved for the relocation of the Brooklin Cenotaph and added to the 2019 capital budget;
2. That the funds received from the Brooklin Legion Branch 152 be

used to finance the project and that any additional funding required be contributed by the Town with the source being determined by the Treasurer; and,

3. That Council approve the sole source award of the relocation of the Cenotaph to Stafford Monuments as an exception to the Town's Purchasing Policy.

Carried

- 7.23** Community and Marketing Services Department Report, CMS 17-19
Re: Security Policy

Resolution # 129-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Council approve the proposed draft Security Policy as outlined in Community and Marketing Services Report CMS 17-19.

Carried

- 7.24** Legal and By-law Services Department Report, LS 08-19
Re: Town Brewery "Manufacturer's Tied House Licence" Application to the Alcohol and Gaming Commission of Ontario (AGCO) – Update

Resolution # 130-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That the Mayor and Clerk be authorized to execute the agreement attached to Report LS 08-19 between Town Brewery and the Town of Whitby, including any other documents that are consistent with the principles contained in the agreement.

Carried

- 7.25** Legal and By-law Services Department Report, LS 09-19
Re: 2019 Legal and By-law Services Department Fees and Charges

Resolution # 131-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council approve the proposed fees and services for the Legal and By-law Services Department as outlined within Report LS 09-19; and,
2. That the Town Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law to give effect to the recommendations contained in Report LS 09-19.

Carried

7.26 Public Works Department Report, PW 15-19
Re: Strategic Asset Management Policy

Resolution # 132-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Report PW 15-19 regarding the Strategic Asset Management Policy be endorsed by Council;
2. That Staff continue to undertake asset management initiatives to remain in compliance with Ontario Regulation 588/17 and the Municipal Funding Agreement for the Transfer of Federal Gas Tax Funds; and,
3. That Staff Report back to Council in June 2019 with an updated Municipal Asset Management Plan.

Carried

7.27 Public Works Department and Corporate Services Department Joint Report, PW 16-19
Re: Owner's Engineering Services for the Mid Arterial Environmental Assessment

Having previously declared a pecuniary interest, Mayor Mitchell did not take part in the discussion or vote on this matter.

Deputy Mayor Mulcahy assumed the Chair.

A question and answer period ensued between Members of Council and Staff regarding the amount of communication that had taken place

between Brookfield Homes and Fieldgate Developments about the Environmental Assessment and the possibility of deferring this matter to ensure that adequate communication between landowners had occurred.

Moved By Councillor Alexander
Seconded By Councillor Shahid

1. That based on their skills and experience and considerable knowledge of the area and project requirements, GHD Limited be retained as the Owner's Engineer to assist Town staff with the oversight and project management of the Mid Arterial Roadway Environmental Assessment (EA) between the City of Oshawa and Cochrane Street through south Brooklin;
2. That the Town be a co-proponent in the Mid Arterial Roadway EA to be completed by Fieldgate Developments;
3. That GHD develop the Terms of Reference (TOR) for the Mid Block Arterial Roadway EA and work with Fieldgate Developments on the finalization of the TOR which will be issued by Fieldgate;
4. That the Town be a co-proponent on the selection team for the successful consultant to complete the EA and an approver for all payment certificates associated with the EA works undertaken by Fieldgate Developments;
5. That the Commissioner of Public Works be provided the authority to negotiate a scope of services agreement with GHD with estimated per annum costs in the order of \$200,000 to be paid through the existing Mid Arterial Roadway capital budget; and,
6. That Town staff provide Council with regular status updates on the progress of the EA.

Note: The disposition of the matter, Item 7.27, was determined through the deferral motion below.

Resolution # 133-19

Moved By Councillor Roy
Seconded By Councillor Lee

That consideration of Staff Report PW 16-19, Owner's Engineering Service for Mid Arterial Environmental Assessment, be postponed to the May 27, 2019 Council Meeting to allow Staff to have additional dialogue with landowners.

Carried

Mayor Mitchell resumed the Chair.

- 7.28** Public Works Department Report, PW 17-19
Re: Town of Whitby's Comments to the Ministry of the Environment,
Conservation and Parks on "Reducing Litter and Waste in Our
Communities: Discussion Paper"

Resolution # 134-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

1. That Council receives this report for information, and;
2. That Council endorse and authorize staff to submit the comments in Attachment 1 regarding the Ministry of Environment, Conservation and Parks (MECP) request for comments by April 20, 2019 on "Reducing Litter and Waste in Our Communities".

Carried

- 7.29** Three-Way Stop at Whitby Shores Greenway and Scadding Avenue

Resolution # 135-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Staff be directed to prepare a report about the placement of a three-way stop at Whitby Shores Greenway and Scadding Avenue and report back to Council by Q4 2019.

Carried

- 7.30** Traffic Calming Measures at McQuay Boulevard (Colonel Farewell Public School)

Resolution # 136-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

That Staff review the merits of traffic calming features to address the speeding along McQuay Boulevard in the area of Colonel Farewell Public School including a particular focus on improved markings of the two school cross walks and the creation of a general usage pedestrian cross walk to assist pedestrians in the area and report to Council.

Carried

7.31 Ontario Bingo Modernization Initiative

Councillor Roy indicated that comments about the Ontario Bingo Modernization Initiative should be circulated to the Ontario Lottery and Gaming Corporation in addition to the Alcohol and Gaming Commission of Ontario as both organizations are involved in the modernization initiative.

Resolution # 137-19

Moved By Councillor Roy
Seconded By Councillor Alexander

Whereas, the Ontario Bingo Modernization Initiative proposed by the Alcohol and Gaming Commission of Ontario (AGCO) and the Ontario Lottery and Gaming Corporation (OLG) seeks to modernize Bingo Halls across the Province through the implementation of online electronic gaming;

Whereas, to date the AGCO and the OLG have worked on the implementation of online electronic gaming primarily with the Commercial Gaming Association of Ontario who represent only a portion of the entire bingo industry;

Whereas, the proposed implementation of online electronic gaming creates an unfair advantage for those Bingo Halls who are selected for implementation and threatens the viability of traditional paper Bingo Halls; and,

Whereas, the exclusion of certain Bingo Halls from the online electronic gaming model will severely reduce the amount of charitable funds that can be raised for partnered charities in certain regions of the Province.

Now Therefore be it Resolved:

1. That the Council of The Corporation of the Town of Whitby hereby requests that the AGCO and the OLG reconsider its position of modernizing certain Bingo Halls through the implementation of online electronic gaming while excluding others, and that the AGCO and the OLG be requested to create an equal and level playing field for all Ontario Bingo Halls; and,
2. That the Clerk be directed to send a copy of this resolution to the AGCO, the OLG, the Attorney General (Ontario), all Durham MPPs, and the City of Oshawa.

Carried

7.32 Development of a Stand-Alone Election Signs By-law

A discussion ensued between Members of Council about the primary objectives to be achieved through the development of a new Election Signs By-law including, the importance of road safety through the protection of sight lines, the applicability of a potential by-law to provincial and federal elections, the need to reduce sign clutter throughout the Town, and the importance of environmental sustainability through a general reduction in the number of election signs in future elections.

Moved By Councillor Yamada

Seconded By Councillor Alexander

1. That in the interest of protecting sightlines and improving road safety by limiting the number of non-regulatory signs along highways and at intersections, that Staff be directed to develop a new standalone election sign by-law before the end of Q2 2019 that will achieve the following objectives;
 - a. limiting the placement of election signs to 30 intersections/locations across the Town;
 - b. maximum of 2 signs per candidate be permitted at each of the identified intersections/locations;
 - c. that election signs be prohibited outside of the identified intersections/locations except for election signs displayed on private property with the consent of the property owner;
 - d. that a maximum height for election signs be established;
 - e. that the period of time that election signs can be displayed be reduced from 6 weeks from the date of an election to 4 weeks from the date of an election;
 - f. that candidates for Mayor, Regional Councillor, Regional Chair, and School Board Trustee be permitted to place election signs at each of the identified

- intersections/locations; and,
- g. that candidates for Ward Councillor be permitted to place election signs at the identified intersections/locations within the Ward, but not elsewhere in the municipality, and,
2. For the purpose of Item 1(a), that Staff consider the following intersections/locations for review as potential intersections/locations for the placement of election signs with the understanding that some of these intersections are provincially controlled meaning that Staff would have to consult with the Province:
- Hamlet of Ashburn
 - Hamlet of Macedonian Village
 - Columbus Road and Ashburn Road
 - Columbus Road and Baldwin Street
 - Columbus Road and Thickson Road
 - Ashburn Road and Highway 7
 - Baldwin Street and Winchester Road
 - Winchester Road and Thickson Road
 - Conlin Road and Thickson Road
 - Taunton Road and Country Lane
 - Taunton Road and Baldwin Street
 - Taunton Road and Anderson Street
 - Taunton Road and Thickson Road
 - Dryden Blvd and Garden Street
 - Rossland Road and Cochrane Street
 - Rossland Road and Anderson Street
 - Rossland Road and Garrard Road
 - Manning Road and Brock Street
 - Manning Road and Garden Street
 - Manning Road and Thickson Road
 - Bonacord Avenue and McQuay Boulevard
 - Jeffery Street and Dundas Street
 - Cochrane Street and Dundas Street
 - Anderson Street and Dundas Street
 - Garrard Road and Dundas Street
 - Burns Street and Annes Street
 - Burns Street and Brock Street
 - Burns Street and Thickson Road
 - Gordon Street and Victoria Street
 - Brock Street and Victoria Street

Carried later in the meeting [see following motion]

Moved By Councillor Mulcahy
Seconded By Councillor Lee

That Item 1 of the main motion be amended to read as follows, and that Item 2 be deleted:

That in the interest of sustainability, protecting sight lines, reducing sign clutter and improving road safety by limiting the number of non-regulatory signs along highways and at intersections for municipal elections, that Staff be directed to review best practices and report back after summer recess.

Carried

The main motion, as amended, was then carried as follows:

Resolution # 138-19

Moved By Councillor Mulcahy
Seconded By Councillor Lee

1. That in the interest of sustainability, protecting sight lines, reducing sign clutter and improving road safety by limiting the number of non-regulatory signs along highways and at intersections for municipal elections, that Staff be directed to review best practices and report back after summer recess.

Carried

7.33 Municipal Voters' List

Resolution # 139-19

Moved By Councillor Yamada
Seconded By Councillor Alexander

Whereas, concerns over the quality of the Municipal Voters List is not a new phenomenon;

Whereas, in 2012, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) published a Voters List Position Paper and since that time has been advocating for transformational changes to the way that Ontario creates and maintains the Voters' List for municipal elections;

Whereas, the Preliminary List of Electors, which forms the Voters' List in Ontario, is supplied by data from the Municipal Property Assessment Corporation (MPAC);

Whereas, despite the incremental changes made by MPAC, MPAC has a limited ability to fix the currency and accuracy issues that impairs the current process and the Voters' List continues to be flawed with data inaccuracies and outdated information; and ,

Whereas, a transformational solution to the way that the Voters' List is created and managed is required.

Now Therefore Be it Resolved:

1. That the Council of the Town of Whitby supports the re-establishment of the multi-stakeholder working group between the Ministry of Municipal Affairs, Ministry of Finance, AMCTO, MPAC, Elections Canada and Elections Ontario in exploring and identifying ways to create and maintain the Voters' List for Municipal Elections;
2. That representatives from MPAC be invited to a future Committee of the Whole meeting to hear the Town of Whitby's concerns and advise the Town of Whitby on what steps MPAC will be taking in the future; and,
3. That a copy of this motion, respecting the Voter's List for Municipal Elections be circulated to all Durham Region municipalities and the Association of Municipalities of Ontario (AMO).

Carried

7.34 Contribution Rebate Program

Resolution # 140-19

Moved By Councillor Yamada

Seconded By Councillor Alexander

That Staff be directed to review the Town's Rebate Contribution Program under By-law # 6351-10 and report back on the uptake of the program from the 2018 Election and opportunities to increase local participation in the program for the 2022 election.

Carried

8. Notice of Motion

8.1 There were no notices of motion.

9. New and Unfinished Business

9.1 Corporate Services Department Report, CS 20-2019
Re: 2019 Final Tax Billing

Resolution # 141-19

Moved By Councillor Leahy
Seconded By Councillor Alexander

1. That the tax rates for the year 2019 General Municipal Town Levies be approved as indicated in Schedule "A", attached;
2. That the tax rates for the year 2019 Downtown Whitby Business Improvement Area (BIA Tax Levy be approved for the properties located within the BIA district as indicated in Schedule "B", attached;
3. That the tax due dates for the final tax bills for the Residential, Farmland, Pipeline and Managed Forest tax classes be June 24, 2019 and September 24, 2019;
4. That the Treasurer be authorized to set the appropriate due dates for the capped tax classes (Commercial, Industrial and Multi-Residential) once all billing factors are known;
5. That the due dates for the capped tax classes, as mentioned above, will be effective for both the General Municipal Town Levies and also for the BIA Tax Levies; and,
6. That a by-law be brought forward to set the Town of Whitby due dates and levy rates for 2019 in accordance with the approved budgets and regulations for both the General Municipal Town Levies and BIA Tax Levy Purposes.

Carried

9.2 Traffic Calming Measures on Thistledown Crescent
Note: see also Item 6.2, Planning and Development Department Report, PL 35-19

Resolution # 142-19

Moved By Councillor Yamada

Seconded By Councillor Leahy

That Staff be directed to investigate potential traffic calming measures on Thistledown Crescent between Birchpark Drive and the future connection to Taunton Road and report back with recommended measures.

Carried

10. By-Laws

That the following by-laws be passed:

10.1 By-law # 7493-19, being a by-law to acquire ownership of lands described as Part of Lot 29, Concession 6, being Part 1, 40R-30411, being a portion of PIN 26571-0181 (LT).
Refer to Report FR 05-17

10.2 By-law # 7494-19, being a by-law to authorize the conveyance of lands to Victorian Order of Nurses, Durham Region Community Corporation.
Refer to Report CS 20-18 and CS 43-18 and By-law # 7421-18

Councillor Roy commented that the conveyance of lands to the Victorian Order of Nurses for the development of a hospice was a point of celebration for the community. She thanked the current and past Members of Council for their support with this initiative and requested they be invited to the future ground breaking ceremony or facility opening.

10.3 By-law # 7495-19, being a by-law to set and levy tax rates for the calendar year 2019 for the Town of Whitby purposes, for the Business Improvement Area (BIA), and to set penalty and interest rates for unpaid taxes.
Refer to Report, CS 20-19

10.4 By-law # 7496-19, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby.
Refer to Report PL 22-19

10.5 By-law # 7497-19, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby.
Refer to Report PL 71-18

10.6 By-law # 7498-19, being a by-law to amend By-law # 1784, as

amended, being the Zoning By-law for the Town of Whitby.
Refer to Report PL 40-19

- 10.7** By-law # 7499-19, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby.
Refer to Report PL 26-19
- 10.8** By-law # 7500-19, being a by-law to amend the Fees and Charges By-law # 7220-19, as amended. (Legal and By-law Services Department – Schedule D)
Refer to Report LS 09-19
- 10.9** By-law # 7501-19, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2012-03) as not being subject to Part Lot Control.
- 10.10** By-law # 7502-19, being a By-law to amend the Signing Authority By-law # 7127-16.
Refer to Report CLK 07-19

Resolution # 143-19

Moved By Councillor Leahy
Seconded By Councillor Alexander

That leave be granted to introduce By-laws # 7493-19 to # 7502-19 and to dispense with the reading 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 # 144-19

Moved By Councillor Newman
Seconded By Councillor Alexander

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 April 15, 2019 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

Moved By Councillor Newman
Seconded By Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 8:36 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor