

SPECIAL COUNCIL MINUTES
June 26, 2013 -7:00 pm
Council Chambers
Whitby Municipal Building

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

Also Present: R. Petrie, Chief Administrative Officer
S. Beale, Commissioner of Public Works (left the meeting at 9:18 p.m.)
M. Gerrard, Fire Chief (left the meeting at 8:19 p.m. and returned at 9:18 p.m.)
P. LeBel, Commissioner of Community & Marketing Services (left the meeting at 9:18 p.m.)
S. Pohjola, Town Solicitor
R. Short, Commissioner of Planning (left the meeting at 8:35 p.m.)
D. Wilcox, Town Clerk
L. Doughty, Deputy Clerk

Regrets: Councillor Drumm

1. DECLARATIONS OF PECUNIARY INTEREST

1.1 There were no declarations of pecuniary interest noted.

2. DELEGATIONS/PRESENTATIONS

2.1 Don Given on behalf of Brooklin North Landowners Group
Re: Planning Report, PL 81-13
Future Secondary Plan for North & West Brooklin, Conlin Industrial, and Conlin/Anderson Residential

Don Given appeared before Council on behalf of Brooklin North Landowners Group (BNLG) indicating support for the recommendations of the report and commenting on the servicing, roads, and possible

updates to the Brooklin Secondary Plan. Mr. Given advised that BNLG wishes to collaborative with staff throughout the review process, rather than wait for the final recommendation report.

A question and answer period ensued regarding the impact of the development of the Pickering airport to the local area, particularly relating to economic growth, and noise mitigation.

2.2 Bill Little and David Mills on behalf of Sancora Ltd.

Re: Planning Report, PL 77-13

Heritage Permit Application to demolish two buildings within the Brooklin Heritage District - Sancora Ltd. (HP-10-13) 66 & 68 Baldwin Street and 11 Price Street

Bill Little and David Mills appeared before Council on behalf of Sancora Ltd. and provided a short Power Point presentation regarding the project application; advising that 66 Baldwin has been demolished and 68 Baldwin Street and 11 Price Street are pending demolition. Access to the project will be off Price Street. Mr. Little outlined the design perspective developed in collaboration with LACAC and the Planning Department, including an eight foot walkway through the centre of the building; a memory lane feature; period exterior colours; parking requirements; and accessibility. The developer awaits the lifting of the holding symbol on the property.

3. ITEMS FOR CONSIDERATION BY COUNCIL

3.1 Planning Report, PL 81-13

Re: Future Secondary Plan for North & West Brooklin, Conlin Industrial, and Conlin/Anderson Residential

Discussion ensued regarding the Terms of Reference timeline and possible collaboration with BNLG.

R. Short, Commissioner of Planning advised that in order to report back to Council at an earlier date an outside consultant would be required to assist staff with the project.

Resolution No. 346-13

Moved By Councillor Hanson

Seconded By Councillor Mitchell

1. That Planning Report Item No. PL 81-13 be received for information;
2. That Council authorize Planning staff to prepare a Draft Terms of Reference for a Request for Proposal for a qualified consultant(s) to

- assist in the preparation of Secondary Plan(s) for study area;
3. That Council authorize Staff to negotiate financial contributions towards the cost of preparing the Secondary Plan(s), from landowners within the study area; and
 4. That the recommended terms of reference and cost sharing formula be brought forward for Council approval.

CARRIED

Resolution No. 347-13

Moved By Councillor Hanson
Seconded By Councillor Mitchell

The item 2 of the recommendation be amended as follows and renumbered accordingly:

1. That notwithstanding the Purchasing Policy, Council authorizes staff to sole source peer review consultants; and
2. That Council authorize planning staff to proceed with the preparation of Secondary Plan(s) for the study area.

CARRIED

3.2 Planning Report, PL 77-13

Re: Heritage Permit Application to demolish two buildings within the Brooklin Heritage District - Sancora Ltd. (HP-10-13) 66 & 68 Baldwin Street and 11 Price Street

R. Short, Commissioner of Planning advised that notice of this application was properly posted on the property. There were members of the public in attendance at the Committee meeting, but no objections were received.

A question and answer period ensued relating to the lifting of the holding symbol and the two pending minor variances. It was directed that Planning Department issue further communications to local residents regarding the pending development.

Resolution No. 348-13

Moved By Councillor Coe
Seconded By Councillor Hanson

1. That Council approve Heritage Permit Application HP-10-13 for the

demolition of the existing buildings at 68 Baldwin Street and 11 Price Street.

CARRIED

Councillor recessed at 8:12 p.m. and reconvened at 8:18 p.m.

4. **IN CAMERA MATTERS**

4.1 Motion to move In-Camera

Resolution No. 349-13

Moved By Councillor Hanson
Seconded By Councillor Coe

That Council move in-camera in accordance with the provisions of the Procedural By-law No. 6125-08 and the Municipal Act, Section 239 (2) (d) labour relations or employee negotiations; (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

Resolution No. 350-13

Moved By Councillor Hanson
Seconded By Councillor Coe

That the order of the agenda be amended to address items 4.2, 4.4, and then item 4.3.

CARRIED

4.2 Confidential Memorandum dated June 24, 2013 from the Town Solicitor with respect to a ROPA 128 matter

S. Pohjola, Town Solicitor, and Andrew Biggart, Ritchie, Green & Ketcheson LLP, provided an update regarding a ROPA 128 matter. Discussion ensued regarding the matter. Direction was provided to the Town Solicitor during the closed session of the meeting.

[Refer to the In Camera minutes of the meeting - Town Clerk has

custody and control of these minutes.]

4.3 Update from the Town Solicitor with respect to Ontario Municipal Board Case No. PL 121265 - Appeals by Moolco Investments

S. Pohjola, Town Solicitor, and Andrew Biggart, Ritchie, Green & Ketcheson LLP, provided an update regarding Municipal Board Case No. PL 121265 - Appeals by Moolco Investments. Detailed discussion ensued regarding the matter. Direction was provided to the Town Solicitor during the closed session of the meeting.

[Refer to the In Camera minutes of the meeting - Town Clerk has custody and control of these minutes.]

4.4 Verbal Update from the CAO with respect to Labour Relations

R. Petrie, Chief Administrative Officer provided an update regarding a labour relations matter. Detailed discussion ensued regarding the matter. Direction was provided to Administration during the closed session of the meeting.

[Refer to the In Camera minutes of the meeting - Town Clerk has custody and control of these minutes.]

Resolution No. 352-13

Moved By Councillor Coe
Seconded By Councillor Emm

That Council rise from the In Camera session of the Special Meeting of Council.

CARRIED

5. CONFIRMATORY BY-LAW

5.1 Confirmatory By-law

Resolution No. 353-13

Moved By Councillor Coe
Seconded By Councillor Emm

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 Council of the Town of Whitby at its special meeting held on June 26, 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

6. ADJOURNMENT

6.1 Motion to Adjourn

Resolution No. 354-13

Moved By Councillor Coe
Seconded By Councillor Montague

That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:19 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor