

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

**Also Present:** M. Gaskell, Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
P. LeBel, Commissioner of Community & Marketing Services  
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor  
K. Nix, Commissioner of Corporate Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
C. Siopis, Manager of Corporate Communications  
C. Harris, Town Clerk  
S. Cassel, Deputy Clerk (Recording Secretary)

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

- 1.1** Councillor Mulcahy made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 6.2, Planning and Development Department Report, PL 18-18, Site Plan Application SP-25-17, Whitby Entertainment Holdings Inc., 75 Consumers Drive as her family owns the property located directly across the street from the subject property. Councillor Mulcahy did not take part in the discussion or vote on this matter.
- 1.2** Mayor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 6.6, Planning and Development Department Report, PL 27-18, Designation of the Brooklin Community Centre at 45 Cassels Road East, as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18. as he resides across the street from the subject property. Mayor Mitchell did not take part in the discussion or vote on

this matter.

- 1.3** Mayor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 7.6, CMS 16-18 regarding Employment Lands Investment Readiness Assessment pertaining to the employment lands in the Brooklin Secondary Plan, as he has an interest in property on those lands. Mayor Mitchell did not take part in any discussion or voting pertaining to employment lands in the Brooklin Secondary Plan, as indicated in Recommendation #2 of this item.

**2. Adoption of Minutes**

- 2.1** Special Council - April 16, 2018  
Regular Council - April 16, 2018  
Special Council - April 25, 2018  
Special Council - April 30, 2018 (Confidential minutes under separate cover)

**Resolution # 132-18**

Moved By Councillor Leahy  
Seconded By Councillor Roy

That the Special Council minutes of April 16, 2018, the Regular Council minutes of April 16, 2018, the Special Council minutes of April 25, 2018, and the Special Council minutes of April 30, 2018, be adopted.

**Carried**

**3. Presentations**

- 3.1** Whitby Chiefs 18U  
Award/Recognition: 2017 Ontario Midget AAA Baseball Provincial Champions

Mayor Mitchell attended the dais and was joined by Deputy Mayor Roy and P. LeBel, Commissioner of Community and Marketing Services. Head Coach Derek Brown was welcomed onto the dais to recognize the team members of the Whitby Chiefs 18U for their accomplishment as the 2017 Ontario Midget AAA Baseball Provincial Champions.

- 3.2** Whitby Wildcats Novice AAA  
Award/Recognition: 2018 Ontario Minor Hockey Association Novice

### AAA Winners and 1st place in the Regular Season

Mayor Mitchell attended the dais and was joined by Councillor Mulcahy and P. LeBel, Commissioner of Community and Marketing Services. Head Coach Larry Christie was welcomed onto the dais to recognize the team members of the Whitby Wildcats Novice AAA for their accomplishment as the 2018 Ontario Minor Hockey Association Novice AAA Winners and 1st place finish in the regular season.

#### **3.3** Ali Nielissen

Award/Recognition: Level 7, Age 15 - 2018 Ontario Provincial Gymnastics Champion

Mayor Mitchell attended the dais and was joined by Councillor Drumm and P. LeBel, Commissioner of Community and Marketing Services. Ali Nielissen was welcomed onto the dais to recognize her accomplishment as the 2018 Ontario Provincial Gymnastics Champion.

It was the consensus of Council to hear Item 3.5, presentation regarding National Youth Week Activities and Initiatives for 2018 at this time.

#### **3.4** Steve Gregoris, Deputy Site Vice President, Pickering Nuclear Re: Ontario Power Generation Overview - Spring 2018

Steve Gregoris, Deputy Site Vice President and Jason Wight, Director of Station Engineering, Pickering Nuclear Generating Station, appeared before Council and provided a PowerPoint presentation regarding Ontario Power Generation (OPG). Highlights of the presentation included:

- an overview of OPG and the energy sources produced for the Province of Ontario;
- the long-term Energy Plan for continued operations of the Pickering Nuclear Station through to 2024;
- key performance indicators of the Pickering Station including its high safety rating;
- submission of an application for re-licensing for a 10 year period from 2018 to 2028;
- advances in nuclear innovation and the creation of a Durham Regional Innovation Hub;
- partnerships with Durham College and the University of Ontario Institute of Technology (UOIT);
- the creation of X-Lab and the use of innovative technologies such as Google glasses and virtual reality solutions for training and safety measures.

A question and answer period ensued between Members of Council and

Messrs. Gregoris and Wight regarding:

- the age of the Pickering Nuclear Station;
- plans to close the Station in 2024 and whether the buildings would be removed by 2028;
- the amount of electricity produced by the Pickering Station;
- whether the Darlington Nuclear Generating Station would pick up the deficit from the Pickering Station when it ceases to operate;
- the impact on jobs with the closure of the Pickering Station in 2024;
- the workplans and activities during the Station shutdown and decommissioning, including the number of staff that would be retained for this work;
- whether a permanent solution was in place for storage of radioactive waste and the plans for the waste storage as the Station is decommissioned;
- the daily safety practices for employees working at the Station to eliminate exposure to radioactive materials;
- partnerships in the community particularly with other innovation hubs; and,
- future potential opportunities to extract energy from the nuclear fuel as well as opportunities for future use of small modular reactor technology.

**3.5** Tessa Vandebroek, Afrah Christy and Oscar Li, Youth Council  
Re: National Youth Week Activities and Initiatives for 2018

Tessa Vandebroek, Afrah Christy and Oscar Li, Youth Council, appeared before Council and provided a PowerPoint presentation regarding National Youth Week activities and initiatives for 2018.

Highlights of the presentation included:

- an overview of Whitby Youth Council and their composition;
- 2018 Youth Events including Whitby Idol, Youth Week, Youth Fair and Art Attack;
- the launch of a Youth Strategy Survey, open for input until September 30, 2018; and,
- recognizing Whitby Council for their support of youth initiatives in the Town.

The Youth Council presented 'Thank You' cookies to Members of Council as a token of appreciation.

A question and answer period ensued between Members of Council, Tess Vandebroek, Afrah Christy and Oscar Li regarding:

- what could be expected from the feedback received through the survey; and,

- an update on the use of the Henry Street Youth Room and whether there had been any connection with the elementary schools and younger youth through this initiative.

It was the consensus of Council to hear Item 3.4, presentation regarding Ontario Power Generation Overview - Spring 2018 at this time.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- May 7 to 13, 2018 - Nursing Week
- May 17, 2018 - International Day Against Homophobia and Transphobia
- May 28 to June 30, 2018 - Bike Month
- May 18 to 22, 2018 - Flag Raising - International Day Against Homophobia and Transphobia
- May 28 to June 1, 2018 - Flag Raising - Pride Week

**Resolution # 133-18**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

That the proclamations for Nursing Week, International Day Against Homophobia and Transphobia and Bike Month, and flag raisings for International Day Against Homophobia and Transphobia and Pride Week be endorsed.

**Carried**

6. Planning and Development Committee  
Report # 5 of the Planning and Development Committee - April 23, 2018

6.1 Planning and Development Department Report, PL 21-18  
Re: Zoning By-law Amendment Application Z-12-17, Site Plan Application SP-15-17 and Heritage Permit Application HP-05-17, 2374996 Ontario Inc., 24 Princess Street

**Resolution # 134-18**

Moved By Councillor Gleed  
Seconded By Councillor Yamada

1. That Council approve an amendment to Zoning By-law 1784 (Application Z-12-17) subject to the conditions contained in Report PL 21-18;
2. That the Zoning By-law Amendment be brought forward for consideration by Council;
3. That Council approve the development plans for the subject land (Site Plan Application SP-15-17) subject to:
  - a. the completion of revisions to the proposed plans as outlined in Report PL 21-18; and,
  - b. the conditions of approval set out in Attachment #10 of Report PL 21-18;
4. That the Mayor and Clerk be authorized to execute the Site Plan Agreement; and,
5. That subject to the approval of the Zoning By-law Amendment (Application Z-12-17) and Site Plan (Application SP-15-17), Council approve Heritage Permit HP-05-17.

**Carried unanimously on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	8	0	0

**6.2** Planning and Development Department Report, PL 18-18  
Re: Site Plan Application SP-25-17, Whitby Entertainment Holdings Inc.,  
75 Consumers Drive

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

**Resolution # 135-18**

Moved By Councillor Gleed

Seconded By Councillor Yamada

1. That Council approve the development plans for the subject land (Site Plan Application SP-25-17) subject to:
  - a. the completion of revisions to the proposed plans as outlined in Report PL 18-18; and,
  - b. the conditions of approval set out in Attachment #7 of Report PL 18-18; and,
2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

**Carried**

- 6.3** Planning and Development Department Report, PL 23-18  
Re: Downtown Whitby Action Plan April 2018 Update

**Resolution # 136-18**

Moved By Councillor Gleed  
Seconded By Councillor Yamada

That Report No. PL 23-18, Downtown Whitby Action Plan April 2018 Update, be received for information.

**Carried**

- 6.4** Planning and Development Department Report, PL 25-18  
Re: Memorandum of Understanding between The Corporation of The Town of Whitby and the Downtown Whitby Business Improvement Area Board of Management

**Resolution # 137-18**

Moved By Councillor Gleed  
Seconded By Councillor Yamada

1. That Council endorse the "Memorandum of Understanding between The Corporation of the Town of Whitby and the Downtown Whitby Business Improvement Area Board of Management" in Attachment #1 to Report PL 25-18;
2. That staff from the Sustainability, Heritage, Downtowns and Community Development Division of the Planning and Development Department be assigned as the Town contact and

- liaison for normal operations for the Downtown Whitby BIA Board;
3. That the Town Clerk be authorized to execute the MOU, and be delegated the authority to make amendments thereto subject to such amendments being mutually agreed upon by the BIA Board of Management and the relevant Town Departments; and,
  4. That MD-3711 be removed from the new and unfinished business list.

**Carried**

**6.5 Planning and Development Department Report, PL 19-18**  
Re: Delegation of Site Plan Approval to the Commissioner of Planning and Development

A question and answer period ensued between Members of Council and Staff regarding the information provided by Commissioner Saunders prior to the meeting summarizing the process utilized by other lakeshore municipalities for the delegation of site plan approval.

M. Gaskell, Chief Administrative Officer, provided Council with an overview of several other municipalities outside the Durham Region that have delegated authority for the approval of site plans and reminded Members of the recommendations made through the Service Delivery Review to explore opportunities for efficiencies through streamlined processes. Mr. Gaskell stated that the staff recommendation for delegation of site plan approval was intended to create a process improvement and that if the delegation could be withdrawn by any Member those intended efficiencies would be lost.

Moved By Councillor Gleed  
Seconded By Councillor Yamada

1. That a by-law be brought forward for Council's approval to delegate the Commissioner of Planning and Development the authority to approve site plan applications and to execute site plan agreements where required;
2. That the proposed Site Plan Approval Manual (refer to Attachment #1) be endorsed as the mechanism to direct the Town's consideration and approval of Site Plan applications; and,
3. That the Site Plan Control By-law # 7015-15 be amended to authorize the Commissioner of Planning and Development to approve site plan applications for all land uses.

**See Following Motion**



Moved By Councillor Leahy  
Seconded By Councillor Yamada

That the main motion be amended by adding the following as numbers 4, 5 and 6:

4. That Council be notified of site plan applications on a monthly basis on the weekly Council Information Index when such applications are deemed complete;
5. That Council reserves the right to rescind delegated authority for site plan approval on a per application basis; and,
6. That to rescind delegated authority for a site plan application, a Member of Council must notify the Commissioner of Planning and Development by the second Monday following the distribution of the Council Information Index, and upon the Commissioner receiving such notice, the approval for said site plan shall be vested with Council.

**Note: The disposition of the matter, Item 6.5, was determined through the referral motion below.**

A brief discussion ensued with respect to:

- investigating requirement for majority being simple, two-thirds or unanimous to rescind delegated authority when Staff report back; and,
- how site plans are considered through a public process when submitted as part of a rezoning or official plan amendment.

**Resolution # 138-18**

Moved By Councillor Drumm  
Seconded By Councillor Roy

That Planning and Development Department Report, PL 19-18 be referred back to Staff to explore models where delegated authority for site plan approval can be rescinded by a decision of Council, and not any one Member.

**Carried**

Having previously declared a conflict of interest, Mayor Mitchell vacated the Chair for this portion of the meeting and did not take part in the discussion or vote on Item 6.6.

Deputy Mayor Roy assumed the Chair.

- 6.6** Planning and Development Department Report, PL 27-18  
Re: Designation of the Brooklin Community Centre at 45 Cassels Road East, as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18.

**Resolution # 139-18**

Moved By Councillor Gleed  
Seconded By Councillor Leahy

1. That the Notice of Intent to Designate the Brooklin Community Centre, located at 45 Cassels Road East, be published as per Section 29 (1.1) of the Ontario Heritage Act, R.S.O. 1990 c. O.18, as amended;
2. That, if there are no objections to the designation 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, if there are objections 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;
4. That By-law # 3721-13, which designated the Brooklin Pioneer Cemetery under Part IV of the Ontario Heritage Act, be amended to reflect the proper legal description of the lot; and,
5. That MD 3535 be removed from the new and unfinished business list.

**Carried**

Mayor Mitchell resumed the Chair.

- 6.7** Planning and Development Department Report, PL 24-18  
Re: Downtown Whitby Streetside Patio Project

**Resolution # 140-18**

Moved By Councillor Gleed  
Seconded By Councillor Yamada

That the Streetside Patio Project be expanded in 2018 to include another Downtown Whitby business.

**Carried**

7. Operations Committee  
Report # 5 of the Operations Committee - April 30, 2018

- 7.1 Memorandum from C. Harris, Town Clerk  
Re: Whitby Community Beautification Committee Recommendation to Council Regarding Changing the Committee Name to Whitby in Bloom

**Resolution # 141-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Whitby Community Beautification Committee's name be changed to the Whitby in Bloom Committee; and,
2. That the Town Clerk be authorized to take the necessary action to give effect thereto.

**Carried**

- 7.2 Memorandum from C. Harris, Town Clerk  
Re: Ethno-cultural and Diversity Advisory Committee Recommendation to Council Regarding Approval for Canadian Centre for Diversity and Inclusion Membership Fee

**Resolution # 142-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Council approve the membership fee for CCDI to be covered by reserve funding in the amount of \$3000.00.

**Carried**

- 7.3 Office of the Chief Administrative Officer Report, CAO 07-18  
Re: Corporate Communications – 2018 Update

**Resolution # 143-18**

Moved By Councillor Emm

Seconded By Councillor Leahy

That report CAO 07-18 be received for information.

**Carried**

- 7.4** Office of the Chief Administrative Officer Report, CAO 08-18  
Re: Farmers' Market – 2018 Update

**Resolution # 144-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That report CAO 08-18 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 one year effective May 23rd, 2018; and,
3. That MD- 3948 be removed from the new and unfinished business list.

**Carried**

- 7.5** Public Works Department Report, PW 18-18  
Re: National Public Works Week and Open House May 24, 2018

**Resolution # 145-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Public Works Report PW 18-18 National Public Works Week and Open House May 24, 2018 be received for information.

**Carried**

- 7.6** Community and Marketing Services Department Report, CMS 16-18  
Re: Employment Lands Investment Readiness Assessment

**Resolution # 146-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Community and Marketing Services Department (Economic Development Division) Report CMS 16-18, in consultation with the Planning and Development Department, regarding the Employment Lands Investment Readiness Assessment be received;
3. That Council request the Region of Durham amend its regional share policy to permit developers of employment lands to collect from benefiting lands owners;
4. That the Clerk forward a copy of Staff Report CMS 16-18 to the Region of Durham Planning and Economic Development, Finance and Public Works Departments and to the Ministry of Transportation; and,
5. That the Clerk forward a copy of Report CMS 16-18 to Celina Caesar-Chavannes, Member of Parliament for Whitby, and Lorne Coe, Member of Provincial Parliament for Whitby-Oshawa.

**Carried**

Having previously declared a conflict of interest, Mayor Mitchell vacated the Chair for this portion of the meeting and did not take part in the discussion or vote on Resolution #147-18.

Deputy Mayor Roy assumed the Chair.

**Resolution # 147-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

2. That Council request servicing for the employment lands in the Brooklin Secondary Plan be included and implemented within the Region of Durham's initial five (5) years of the new Development Charges By-law and corresponding ten (10) year Capital Plan to support jobs growth.

**Carried**

Mayor Mitchell resumed the Chair.

- 7.7** Community and Marketing Services Department Report, CMS 18-18  
Re: Scotiabank Rink 1 - Roof Repairs

**Resolution # 148-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council direct staff to issue a tender for the repairs to the Scotiabank Arena 1 roof at Iroquois Park Sports Centre;
2. That Staff be authorized to award the project to the low compliant bidder, and;
3. That the total project cost estimated to be \$225,000 be funded from the Maintenance Reserve.

**Carried**

**7.8** Community and Marketing Services Department Report, CMS 19-18  
Re: Whitby Waterfront Park Concept Plan (Proposed Shirley Scott Park)

A question and answer period ensued between Members of Council and Staff regarding the existing half-court basketball court and whether there would be an opportunity to include the court as part of the park.

**Resolution # 149-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Community and Marketing Services Department Report CMS 19-18 regarding the proposed Whitby Waterfront Park Concept Plan be received;
2. That Council endorse the proposed Waterfront Park Concept Plan that would incorporate the Rowe House and the waterfront lands east on Front Street to Brock Street;
3. That Front Street Park be re-named 'Shirley Scott Park', after former Councillor and community member Shirley Scott, as permitted within the Municipal Property and Naming Policy;
4. That Council direct Parks Staff to refer and include the project in the 2019 Draft Capital Budget for consideration; and,
5. That item MD-4191 pertaining to the Whitby Waterfront Park be lifted from the New and Unfinished Business list.

**Carried unanimously on a recorded vote as follows:**

	For	Against	Abstained
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Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	8	0	0

- 7.9** Community and Marketing Services Department and Human Resources Services Joint Report, CMS 20-18  
Re: Town of Whitby Comments for 2018 Review of the Accessible Employment Standards - Initial Recommendations Report

**Resolution # 150-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Council approve the recommendations and comments within Community and Marketing Services Report CMS 20-18 on accessible employment standards;
2. That the Clerks Department forward a copy of this report to the Accessibility Directorate of Ontario as the official comments from the Town of Whitby related to the initial recommendations on the Accessibility Employment Standards review; and,
3. That a copy of Council's resolution together with Community and Marketing Services Report CMS 20-18 be circulated to Human Resources and the Accessibility Advisory Committee.

**Carried**

- 7.10** Community and Marketing Services Department Report, CMS 21-18  
Re: Fallingbrook Park Playground

Discussion ensued regarding:

- the need to explore opportunities to improve community engagement with residents for park retrofits;
- the ability to provide pre-budget approval for parks to allow for Community Open Houses in warmer months; and,
- the need to involve Corporate Communications to provide

communication and signage to raise awareness for public input from the community.

**Resolution # 151-18**

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Community and Marketing Services Department Report CMS 21-18 be received;
2. That Council direct that a senior playground equipment change be implemented at Fallingbrook Park, and that Staff include the specifications for a platform based senior play equipment within the 2018 Playground Equipment Replacement Program Request for Proposal and that \$85,000 for the purchase, installation and site work be funded from the One Time Reserve; and,
3. That item MD-4166 pertaining to the Fallingbrook Park senior playground equipment opportunities be lifted from the New and Unfinished Business list.

**Carried**

- 7.11** Community and Marketing Services Department Report, CMS 22-18  
Re: IKEA Arena 5 Naming Rights Sponsorship at Iroquois Park Sports Centre

**Resolution # 152-18**

Moved By Councillor Emm

Seconded By Councillor Leahy

That Council approve the IKEA Naming Rights Sponsorship at Iroquois Park Sports Centre (IPSC), including renaming Arena 5 to 'IKEA Arena 5', under the terms and conditions identified in Community and Marketing Services Department (CMS) Report CMS 22-18.

**Carried**

- 7.12** Community and Marketing Services Department and Legal and By-law Services Department Joint Report, CMS 23-18  
Re: Whitby Lawn Bowling Club – Exterior Rehabilitation

Discussion ensued regarding:



- the extra funds needed for drainage works; and,
- the timing of the drainage work in relation to the scheduled concrete repairs being funded by a Trillium grant, which would provide additional savings in the costs to the Town.

**Resolution # 153-18**

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council authorize repairs be undertaken to the Whitby Lawn Bowling Facility;
2. That the Whitby Lawn Bowling Club coordinate the selection and award of the repair work to the preferred general contractor(s);
3. That the general contractor(s) chosen by the Whitby Lawn Bowling Club be subject to the Town's terms and conditions including insurance requirements;
4. That construction oversight be provided by the Parks Development Section and the Facilities Capital Projects Section of the Community and Marketing Services Department;
5. That if the full scope of repairs cannot be completed to allow for the start of the 2018 lawn bowling season, that temporary emergency repairs be coordinated by the Community and Marketing Services Department;
6. That the Town provide up to \$40,000 from the Maintenance Reserve to top-up the Whitby Lawn Bowling Club's budget to complete the construction and rehabilitation of the lawn bowling green; and,
7. That Council authorize the Mayor and Clerk to sign any documents necessary for the project, including the Construction Agreement and Memorandum of Understanding between the Town and the Club and any other related documents.

**Carried**

- 7.13** Community and Marketing Services Department Report, CMS 24-18  
Re: Youth Room Sponsorships

**Resolution # 154-18**

Moved By Councillor Emm

Seconded By Councillor Leahy

That Community and Marketing Services Department (CMS) Report

CMS 24-18 pertaining to the sponsorship of McKinney Youth Room fueled by Booster Juice be received and similar sponsorship for the Brooklin Youth Room be considered.

**Carried**

- 7.14** Corporate Services Department Report, CS 14-18  
Re: 2019 Budget Process and Calendar

**Resolution # 155-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the 2019 Budget Process and Calendar outlined in this report be approved by Council and that the Town Clerk establish the meeting dates; and,
2. That the Commissioner of Corporate Services/Treasurer be authorized to initiate any changes for the 2019 Budget format that may enhance and ensure the information support the guiding financial principles of:
  - Incorporate a long term perspective;
  - Establish linkages to broad organizational goals;
  - Focus decisions on results and outcomes;
  - Involve and promote effective communication with stakeholders; and,
  - Promote program efficiency and effectiveness.

**Carried**

- 7.15** Public Works Department and Corporate Services Department Joint Report, CS 19-18  
Re: Road Projects – Award of T-513-2018 and Budget Increase of T-501-2018

**Resolution # 156-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Miller Paving Limited in the amount of \$411,767.84, (plus applicable taxes) for all labour, materials, equipment and supervision

- necessary to complete surface treatment, slurry seal and micro surfacing (T-513-2018) as required by the Town of Whitby;
2. That the Total Project Cost of \$449,014.95 be approved;
  3. That the Mayor and Clerk be authorized to execute the contract documents;
  4. That an increase in budget be approved by an additional \$130,000.00 to T501-2018 awarded to Sanscon Construction Ltd for the additional work of resurfacing of Columbus Road from Montgomery Road to 675m west; and,
  5. That the scope of work under T-501-2018 Urban Road Resurfacing and Overlay awarded to Sanscon Construction Ltd be amended and the revised total project cost of \$5,108,650.00 be approved.

**Carried**

- 7.16** Public Works Department and Corporate Services Department Joint Report, CS 22-18  
Re: T-504-2018 – Pavement Routing and Crack Sealing

**Resolution # 157-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Upper Canada Road Services Inc. in the amount of \$203,250.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete spring and fall pavement routing and crack sealing as required by the Town of Whitby;
2. That approval be granted to increase the scope of work by an additional \$66,625.00 (plus applicable taxes) and award to Upper Canada Road Services Inc.;
3. That the annual Total Project Cost of \$294,624.80 be approved;
4. That approval be granted to extend this contract for up to two (2) additional one (1) year terms based on satisfactory performance, product quality, acceptable pricing and budget approval; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.17** Corporate Services Department Report, CS 23-18  
Re: Annual Insured Claims Report

**Resolution # 158-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That report CS 23-18 of the Commissioner of Corporate Services/Treasurer be received as information; and,
2. That Council approve \$140,000 funded from the Insurance Reserve Fund for Risk Management Initiatives as identified by the Treasurer.

**Carried**

- 7.18** Corporate Services Department Report, CS 24-18  
Re: 2017 Year End Capital Report & 2018 Uncommitted Reserve / Reserve Fund Projection

**Resolution # 159-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That report CS 24-18 be received for information;
2. That Council authorizes the Treasurer to commit \$1.15 million from the tax based budget released during the year-end review to fund future CITSP projects as identified in CS-11-18; and,
3. That Council approves financing for two in-camera projects with an upset budget of \$200K for each project, financed from the one time reserve fund and when the anticipated external funds are received, the cost to the one time reserve fund will be offset by the funds received.

**Carried**

- 7.19** Public Works Department and Corporate Services Department, Joint Report, CS 26-18  
Re: T-17-2018 – Watford Street Improvements

**Resolution # 160-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Wyndale Paving Co. Ltd. in the amount of \$179,491.35, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the Watford Street Improvements as required by the Town of Whitby;
2. That the Total Project Cost of \$280,000.00 be approved; and.
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.20** Public Works Department and Corporate Services Department Joint Report, CS 27-18  
Re: T-581-2018 Winter Control Services Twelve (12) Roadway Combination Trucks and Operators

**Resolution # 161-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Melrose Paving Co. Ltd. in the amount of \$3,684,870.00 (plus applicable taxes) for the provision of (12) twelve roadway combinations trucks with operators to supplement roadway plowing, sanding/salting operations during the winter season as required by the Town of Whitby for a five (5) year term;
2. That approval be granted to extend this seasonal contract for up to two (2) additional one (1) year terms based on satisfactory performance, continued budget approval and approval of the equipment by the Commissioner of Public Works in the subsequent years;
3. That the total estimated contract amount of \$3,749,723.71 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.21** Public Works Department and Corporate Services Department Joint Report, CS 28-18  
Re: T-1-2018 – Operations Centre Expansion – Phase One

**Resolution # 162-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Steelcore Construction Ltd. in the amount of \$5,505,000.00 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the requirements for the Operations Centre Expansion Phase One, as required by the Town of Whitby;
2. That an additional \$310,649.00 of budget and the total project cost of \$6,462,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.22** Community and Marketing Services Department, Planning and Development Department and Corporate Services Department, Joint Report, CS 29-18  
Re: Regional Development Charge By-Law & Economic Development Incentive

**Resolution # 163-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That CS 29-18 be received as information from the Commissioner of Corporate Services/ Treasurer;
2. That Council endorse the recommendations as set out in Report CS 29-18; and,
3. That the Clerk be directed to send Report CS 29-18 to the Region of Durham as input to the update of the Regional Development Charge By-law.

**Carried**

- 7.23** Community and Marketing Services Department and Corporate Services Department, Joint Report, CS 31-18  
Re: T-23-2018 Town Hall Interior Renovations/Millwork Project

**Resolution # 164-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low tender bid of Construction Solutions ASI Inc. in the amount of \$729,159.00 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the Town Hall Interior Renovations/Millwork Project as required by the Town of Whitby;
2. That the total estimated contract amount of \$966,992.19 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**7.24** Corporate Services Department Report, CS 30-18  
Re: 2018 Final Tax Billing

**Resolution # 165-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That the tax rates for the year 2018 General Municipal Town Levies be approved as indicated in Schedule "A", attached;
2. That the tax rates for the year 2018 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 25, 2018 and September 24, 2018;
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 2018 in accordance with the approved budgets and regulations for both the General Municipal Town

Levies and BIA Tax Levy purposes.

**Carried**

- 7.25** Corporate Services Department Report, CS 32-18  
Re: 2017 Year End Operating Variance

**Resolution # 166-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That report No. CS 32-18 of the Commissioner of Corporate Services/Treasurer is received as information; and,
2. That the Treasurer be authorized to draw from reserves/reserve funds as required for the purposes of addressing the actual year-end position.

**Carried**

- 7.26** Planning and Development Department, Community and Marketing Services Department and Public Works Department Joint Report, PL 26-18  
Re: Noise Barrier / Mitigation Options, Celebration Square, Whitby Central Library Downtown Whitby

**Resolution # 167-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

1. That Planning and Development Report PL 26-18 be received for information;
2. That Item MD-4127 be removed from the Planning and Development New and Unfinished Business; and,
3. That Council endorse Option 3 as outlined in Attachment #2 of Report PL 26-18 for implementation in 2018, to be funded through the Main Streets Revitalization Fund.

**Carried**

- 7.27** Use of Vacant Property - Watson Street and Charles Street



**Resolution # 168-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That staff be directed to review the opportunity and report back for the temporary use of the vacant property at Watson and Charles Streets for the purpose of a parking lot and the storage of boats and boat related equipment.

**Carried**

**7.28** Darren Park Basketball Net

**Resolution # 169-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That Staff report back regarding the possibility of installing a second basketball net at Darren Park.

**Carried**

**7.29** Alternative Location for the Royal Canadian Sea Cadet Corps Whitby

**Resolution # 170-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

That staff investigate the possibility of finding an alternative location for the Sea Cadets along with housing options as suggested by the delegation and associated costs.

**Carried**

**7.30** Parking Enforcement on Baldwin Street/Highway 12

**Resolution # 171-18**

Moved By Councillor Emm  
Seconded By Councillor Leahy

Whereas Parking Services and the Mayor's Office have received complaints about vehicles parked along portions of Baldwin Street/Highway 12;

And whereas staff are aware that Highway 12 is a designated King's Highway and therefore a provincial highway;

And whereas as Highway 12 is a King's Highway in which the Town does not have jurisdiction over, the Town is unable to pass parking restriction by-laws or enforce parking infractions given the current provincial legislative scheme;

And whereas, unlike for maintenance and repair of provincial highways by municipalities, current provincial statutes and regulations do not specifically permit the province to enter into agreements to allow municipalities to conduct parking enforcement on provincial highways.

Now Therefore be it Resolved:

1. That Council direct staff to request that the Province of Ontario:
  - a. amend the Highway Traffic Act to add provisions that would allow the Minister of Transportation to enter into agreements for the purpose of enforcing provisions of the Act, specifically as it relates to parking on provincially owned highways, including King's Highways; and,
  - b. amend section 223(1) of the Highway Traffic Act to add a provision to permit the Minister to appoint municipal law enforcement officers to carry out enforcement of the Act as it relates to parking on provincially owned highways, including King's Highways within municipal boundaries.

**Carried**

8. Notice of Motion

8.1 There were no notices of motion.

9. New and Unfinished Business

9.1 Community and Marketing Services Department Report and Corporate Services Department Joint Report, CMS 25-18

Re: Leased Office Space at 3000 Garden Street

**Resolution # 172-18**

Moved By Councillor Leahy  
Seconded By Councillor Emm

1. That Council approve \$150,000 in additional funding for the one-time capital costs to construct and furnish the leased office space for staff accommodations at 3000 Garden Street; and,
2. That the increased one-time capital costs be funded from the Long Term Financing Reserve.

**Carried**

**9.2 Community Engagement for Park Retrofits**

Moved By Councillor Gleed  
Seconded By Councillor Drumm

That a motion to introduce a matter pertaining to community engagement for park retrofits be allowed due to its timely and urgent nature.

**Carried on a Two Thirds Vote**

**Resolution # 173-18**

Moved By Councillor Gleed  
Seconded By Councillor Drumm

That Staff be directed to report back on opportunities for improvements to Community Open House procedures as it pertains to the retrofit of parks including but not limited to reaching out to local schools, pre-budget approvals and signage to increase community engagement in the process.

**Carried**

**9.3 Fishing in Town Parks**

Moved By Councillor Roy  
Seconded By Councillor Yamada

That a motion to introduce a matter pertaining to fishing in Town Parks be allowed due to its timely and urgent nature.

**Carried on a Two Thirds Vote**

A question and answer period ensued between Members of Council and Staff regarding:

- the timelines for a report pertaining to the Park By-law review and whether fishing in Town parks could be included; and,
- the need to have consultation with the fishing community.

**Resolution # 174-18**

Moved By Councillor Roy  
Seconded By Councillor Yamada

That Staff report back on legal fishing in Town parks, including Port Whitby, after consultation with the fishing community has occurred.

**Carried**

It was the consensus of Council to hear Item 10, By-laws at this time.

**9.4 Confidential Community and Marketing Services Department Report, CMS 26-18**

Re: Food and Beverage Operations at the Town's Arenas and Community Centres - Negotiations with Compass Group Canada

Moved By Councillor Leahy  
Seconded By Councillor Emm

That the rules of order be suspended to allow for the introduction of Confidential Report CMS 26-18, Food and Beverage Operations at Town's Arenas and Community Centres – Negotiations with Compass Group Canada due to its urgent nature.

**Carried on a Two Thirds Vote**

Moved By Councillor Yamada  
Seconded By Councillor Drumm

That Council move in-camera in accordance with the provisions of

Procedural By-law # 7072-15 and the Municipal Act, 2001, Section 239 (2)(c) proposed or pending acquisition or disposition of land by the municipality or local board; and (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

**Carried**

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Moved By Councillor Mulcahy  
Seconded By Councillor Emm

That Council rise from the closed portion of the Regular Council Meeting.

**Carried**

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed confidential legal and financial matters, including but not limited to the pending disposition of land and third party commercial and financial information.

**Resolution # 175-18**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That Council receive Confidential Community and Marketing Services Report CMS 26-18 and approve Town staff's recommended revised major terms and conditions within the Lease Agreement with Compass Group Canada as outlined in Report CMS 26-18.

**Motion Lost on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Joe Drumm		x	
Councillor Michael Emm		x	
Councillor Derrick Gleed		x	

Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy		x	
Councillor Elizabeth Roy		x	
Councillor Steve Yamada		x	
Mayor Don Mitchell	x		
	2	6	0

Moved By Councillor Gleed  
Seconded By Councillor Leahy

That Council move in-camera in accordance with the provisions of Procedural By-law # 7072-15 and the Municipal Act, 2001, Section 239 (2) (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried**

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Moved By Councillor Yamada  
Seconded By Councillor Emm

That Council rise from the closed portion of the Regular Council Meeting.

**Carried**

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed confidential legal and financial matters, including but not limited to the pending disposition of land, third party, commercial and financial information and received advice subject to solicitor-client privilege.

Moved By Councillor Leahy  
Seconded By Councillor Yamada

That Council move to reconsider Resolution #175-18.

**Carried on a Two Thirds Vote**

**Resolution # 176-18**

Moved By Councillor Yamada  
Seconded By Councillor Emm

That Council receive Confidential Community and Marketing Services Report CMS 26-18 and approve Town staff's recommended revised major terms and conditions within the Lease Agreement with Compass Group Canada as outlined in Report CMS 26-18.

**Carried**

It was the consensus of Council to hear Item 11, Confirmatory By-law at this time.

10. By-Laws

That the following by-laws be passed:

**10.1** By-law # 7402-18, being a by-law to set and levy tax rates for the calendar year 2018 for the Town of Whitby purposes, for the Downtown Whitby Business Improvement Area (BIA), and to set penalty and interest rates for unpaid taxes.

Refer to Report CS 30-18 and Resolution # 106-18

**10.2** By-law # 7403-18, being a by-law to amend Temporary Sign By-law # 5695-05.

Refer to Report LS 12-18

**Resolution # 177-18**

Moved By Councillor Leahy  
Seconded By Councillor Emm

That leave be granted to introduce By-laws # 7402-18 and # 7403-18 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**

It was the consensus of Council to hear Item 9.3, Confidential Report CMS 26-18 under New and Unfinished Business at this time.

11. Confirmatory By-Law

**11.1 Confirmatory By-law**

**Resolution # 178-18**

Moved By Councillor Emm  
Seconded By Councillor Yamada

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 May 7, 2018 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 Leahy  
Seconded By Councillor Mulcahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 10:07 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor