

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JUNE 16, 2008 AT THE HOUR OF 8:00 P.M.  
IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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PRESENT: Mayor Perkins

Councillors Emm, Mitchell, Pitchforth, Roy and Scott

Mayor Perkins in the Chair

ALSO PRESENT: R. S. Petrie, Chief Administrative Officer  
K. R. Nix, Director of Corporate Services/Treasurer  
B. Short, Director of Planning  
K. MacCarl, Fire Chief  
S. Beale, Director of Public Works  
S. Edwards, Manager of Parks, Marina & Long Range Planning  
S. Pohjola, Town Solicitor  
P. Jones, Town Clerk  
M. Pettit, Deputy Clerk

1. DISCLOSURES OF INTEREST

Councillor Mitchell declared a pecuniary interest with respect to Planning Report, Item PL 87-08 as he is in the building supply business and the applicant is a competitor. He did not take part in the discussion or vote during consideration of this item.

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6069-08

RESOLUTION NO. 167-08

Councillor Emm, seconded by Councillor Pitchforth, moved for leave to introduce a by-law and to dispense with the reading of the by-law by the Clerk to adopt the minutes of the meeting of Council held on May 13, May 20, May 26 and June 9, 2008 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

By-law No. 6069-08 considered read a first, second and third time and finally passed.

3. PRESENTATIONS

None

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4. CORRESPONDENCE

- (i) CORR 13-08  
Region of Durham – Seeking Input on Bid to Host 2015 Pan American  
Games
- 

RESOLUTION NO. 168-08

MOVED by Councillor Emm  
Seconded by Councillor Mitchell

That correspondence CORR 13-08 be referred to the Director of Community and  
Marketing Services for review, a report and further consideration by Council.

CARRIED

- (ii) CORR 14-08  
Central Lake Ontario Conservation Authority – Invitation to Join Watershed Tour  
On September 25, 2008 at Cullen Central Park
- 

RESOLUTION NO. 169-08

MOVED by Councillor Emm  
Seconded by Councillor Scott

That Council waive the normal rental fee charge for use of the picnic facilities at  
Cullen Central Park for CLOCA on September 25, 2008 for their Watershed Tour  
event.

CARRIED

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5. STANDING COMMITTEES

- (a) Operations Committee – May 26, 2008  
Report Recommendations to Council
- 

**3.2 Public Works Report, Item PW 26-08**

Re: Sole Source Purchase of Haul-All Garbage Truck

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**COUNCIL DECISION**

That staff be authorized to negotiate directly with Haul-All Incorporated for the supply and delivery of a 2008 Haul-All Garbage Truck.

**3.3 Corporate Services Report, Item CS 24-08**

Re: W2008-32 One 25,500 GVW Cab & Chassis complete with  
Forestry Body

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Scarborough Truck Centre Inc. in the amount of \$95,847.73 for One 25,500 GVW Cab & Chassis Complete with Forestry Body;
2. That the total estimated project cost in the amount of \$92,356.68 be approved; and
3. That the Mayor and Clerk be authorized to execute the contract documents.

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5. (Continued)

**3.4 Fire Report, Item FR 4-08**

Re: 2007 Annual Report

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**COUNCIL DECISION**

That Fire Report, Item FR 4-08 be received as information.

RESOLUTION NO. 170-08

MOVED by Councillor Pitchforth

Seconded by Councillor Roy

That Council adopt the recommendations set out in Item Nos. 3.1 through 3.4 inclusive as contained in the minutes of the meeting of the Operations Committee held on May 26, 2008, save except Item No. 3.1 thereof.

CARRIED

**3.1 Corporate Services Report, Item CS 30-08**

Re: Development Charge Background Study - Public Meeting

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RESOLUTION NO. 171-08

MOVED by Councillor Emm

Seconded by Councillor Roy

**COUNCIL DECISION**

1. That the Development Charge Background Study dated May 9, 2008, prepared by Watson & Associates Economists Ltd. be received as information;
2. That all submissions to the Town of Whitby be considered in the preparation of the final Development Charge recommendations and By-law to be approved by Council on July 7, 2008; and
3. That there be no indexation of the current development charge rates on July 1, 2008.

CARRIED

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5. (Continued)

- (b) Planning and Development Committee – June 9, 2008  
Report Recommendations to Council
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**4.1 Planning Report, Item PL 83-08**

Re: Site Plan Application (SP-15-08) – Cara Operations Limited,  
1208 Dundas Street East

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**COUNCIL DECISION**

1. That Council approve site plan application (SP-15-08) subject to the comments and conditions contained in Planning Report, Item PL 83-08; and,
2. That the Mayor and Clerk be authorized to execute the site plan agreement.

**4.2 Planning Report, Item PL 84-08**

Re: Site Plan Application (SP-07-08) – Shell Canada,  
320 Thickson Road South

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**COUNCIL DECISION**

1. That Council approve the site plan application (SP-07-08) subject to the comments and conditions contained in Planning Report, Item PL 84-08; and,
2. That the Mayor and Clerk be authorized to execute the site plan agreement.

**4.3 Planning Report, Item PL 85-08**

Re: Site Plan Application (SP-17-06) – Leafwood Holdings Inc., Northwest  
Corner of Taunton/Thickson

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**COUNCIL DECISION**

1. That Council approve the site plan application (SP-17-06) subject to the comments and conditions contained in Planning Report, PL 85-08; and,
2. That the Mayor and Clerk be authorized to execute the site plan agreement.

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5. (Continued)

**4.6 Planning Report, Item PL 89-08**

Re: Town of Whitby 2006 Federal Census Release Information – Statistics  
Canada

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**COUNCIL DECISION**

That Planning Report, Item PL 89-08 be received for information.

**4.8 Planning Report, Item PL 93-08**

Re: Park Avenue (Woodington Ltd.) (Z-15-08)  
Remove 'H' Holding Symbol (SW-2004-03), North Street, Woodington Court, and  
Colston Avenue

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**COUNCIL DECISION**

1. That Council approve zoning application (Z-15-08) to remove the 'H' Holding symbol from the Adalan Development Corporation Subdivision (SW-2004-03), subject to the comments and conditions contained in Planning Report, Item PL-93-08; and,
2. That the amending Zoning By-law to remove the 'H' Holding symbol be brought forward for Council's consideration.

**4.9 Planning Report, Item PL 95-08**

Re: Monitoring of Residential Growth, Brooklin Community

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**COUNCIL DECISION**

1. That Planning Report, Item PL 95-08 is received as information; and,
2. That a copy of Planning Report, Item PL 95-08 be sent to the Region of Durham Planning Department.

**RESOLUTION NO. 172-08**

MOVED by Councillor Mitchell  
Seconded by Councillor Emm

That Council adopt the recommendations set out in Item Nos. 4.1 through 4.9 inclusive, as contained in the minutes of the meeting of the Planning and Development Committee held on June 9, 2008, save except Item Nos. 4.4, 4.5 and 4.7 thereof.

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5. (Continued)

**4.4 Planning Report, Item PL 87-08**

Re: Zoning Amendment Application (Z-06-08) and Site Plan Application  
(SP-04-08) – Riocan Property Services Inc., 940 & 950 Taunton Road East

Having declared a pecuniary interest Councillor Mitchell did not take part in the discussion or voting.

RESOLUTION NO. 173-08

MOVED by Councillor Emm  
Seconded by Councillor Roy

1. That Council approve Zoning Application (Z-06-08) subject to the comments and conditions contained in Planning Report, Item PL 87-08;
2. That the additional use of a financial institution be permitted;
3. That Council approve Site Plan Application (SP-04-08) subject to the comments and conditions contained in Planning Report, Item PL 87-08;
4. That a By-law to amend Zoning By-law No. 1784 be brought forward for consideration by Council; and
5. That the Mayor and Clerk be authorized to execute an amending Site Plan Agreement.

CARRIED

**4.5 Planning Report, Item PL 88-08**

Re: Provincial Accessible Customer Service Standard Ontario Regulation  
429/07 – Update

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RESOLUTION NO. 174-08

MOVED by Councillor Mitchell  
Seconded by Councillor Emm

That Planning Report PL 88-08, regarding the Provincial Customer Service Standard Ontario Regulation 429/07, dated June 9<sup>th</sup>, 2008 be received as information.

CARRIED

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5. (Continued)

**4.7 Planning Report, Item PL 90-08**

Re: White Paper 1 – Vision, Goals and Objectives and White Paper 2 –  
Preliminary Directions and Concepts: Regional Transportation Plan for the  
GTHA: Metrolinx

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RESOLUTION NO. 175-08

MOVED by Councillor Mitchell  
Seconded by Councillor Emm

1. That Planning/Public Works Joint Report, Item PL 90-08 be received for information;
2. That 'Staff Comments' contained in Joint Report PL 90-08 be endorsed by Council as Whitby's comment to Metrolinx White Papers 1 and 2;
3. That Council request a 120 day review period for the draft Regional Transportation Plan anticipated for release in mid-July 2008; and,
4. That a copy of Joint Report, Item PL 90-08 be forwarded to Metrolinx , the Ministry of Transportation and the Durham Region Planning and Public Works Departments.

CARRIED AS AMENDED  
BY THE FOLLOWING MOTION

RESOLUTION NO. 176-08

MOVED by Councillor Mitchell  
Seconded by Councillor Roy

That the motion above be amended by adding thereto:

5. That Council request that Metrolinx incorporate the following into the draft Regional Transportation Plan:
  - (i) an acknowledgment that there are limits to the tax dollars available for transportation solutions;
  - (ii) the establishment of a clear priority between alternative future transportation models; and
  - (iii) a list of priority initiatives for immediate implementation to facilitate the progress of the identified priority model.

CARRIED



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5. (Continued)

MOVED by Councillor Mitchell  
Seconded by Councillor Roy

RESOLUTION NO. 177-08

That Planning Director report back on the existing policy regarding apartments in houses with a view to identifying general zoning opportunities, detailing additional criteria for approvals and identifying other municipalities' practices.

CARRIED

6. NOTICES OF MOTION

None.

7. NEW AND UNFINISHED BUSINESS

RESOLUTION NO. 178-08

MOVED by Councillor Emm  
Seconded by Councillor Pitchforth

That leave be granted to introduce the following motion.

CARRIED

RESOLUTION NO. 179-08

MOVED by Councillor Emm  
Seconded by Councillor Scott

That despite Subsection 12(9) of the Town's Procedural By-law (By-Law No. 5210-03), the Planning and Development Committee meeting to be held on June 23, 2008 commence at six (6:30) p.m. local time.

CARRIED

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8. BY-LAWS

- 6070-08 By-law to change the name of Harris Street to Harris Court. (Refer to Planning Report, Item PL 39-08)
- 6071-08 By-law to amend Zoning By-law No. 1784, as amended, by changing the zoning from H-R1A\* and H-R2A\* to R1A\* and R2A\* for the lands south of Carnwith Drive West, east of Way Street and northwest of Baldwin Street, Town of Whitby. The effect of the zoning change is to permit the development of the land for single detached residential purposes. (Refer to Planning Report, Item PL 93-08)
- 6072-08 By-law to amend Zoning By-law No. 1784, as amended, by changing the zoning from A -Agricultural to I\* - Institutional for the land located in Part of Lot 24, Concession 3, municipally known as 4040 Anderson Street and 480 Taunton Road East, Town of Whitby. The effect of this zoning change is to bring the Subject Land into conformity with the Town of Whitby Official Plan which designates this land as Institutional. (Refer to Planning Report, Item PL 79-08)
- 6073-08 By-law to amend Zoning By-law No. 1784, as amended, by changing the zoning from R2-BP Residential Type 2 - Brooklin Plan Zone to R2-BP-1 Residential Type 2 - Brooklin Plan Exception 1 Zone, R2B\*-6 Residential Type 2 - Exception 6 Zone and R2B\*-7 Residential Type 2 - Exception 7 Zone for the land located in Part of Lot 24, Concession 6, municipally known as 176 and 180 Way Street, Town of Whitby. The effect of the zoning change to R2-BP-1 is to permit the existing greenhouse in the rear yard of the property at 176 Way Street to be situated no closer than 1.0 metre to the rear lot line. The effect of the zoning change to R2B\*-6 and R2B\*-7 is to permit the development of four lots for one storey, single detached dwellings fronting onto Montgomery Avenue having a maximum height of building of 7.5 metres. (Refer to Planning Report, Item PL 48-08)

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8. BY-LAWS (Continued)

6074-08 By-law to amend Zoning By-law No. 1784, as amended, by changing the zoning:

- from R2B\* - Residential Single Detached Dwelling Zone to R2B\*-5 - Residential Single Detached Dwelling - Exception 5 Zone
- from R2C\* - Residential Single Detached Dwelling Zone to R2C\*-4 - Residential Single Detached Dwelling Exception 4 Zone
- from H-R2C\* - Holding - Residential Single Detached Dwelling Zone to H-R2C\*-4 - Holding Residential Single Detached Dwelling - Exception 4 Zone

for the land located in Part of Lot 25 & 26, Concession 4, east of Baldwin Street South and north of Robert Attersley Drive, Town of Whitby. The effect of the zoning change to 'R2B\*-5' and R2C\*-4 is to permit the development of single detached dwelling units with an interior side yard width of 1.2 metres on one side of a dwelling unit and 0.6 metres on the other side of a dwelling unit and to reduce the rear yard depth for a dwelling unit to 8.5 metres. (Refer to Planning Report, Item PL 52-08)

6075-08 By-law to designate Block 1, Registered Plan 40M-2314 and Block 2, Registered Plan 40M-1726 as not being subject to part lot control.

RESOLUTION NO. 180-08

MOVED by Councillor Scott, Seconded by Councillor Roy, that leave be granted to introduce By-law Nos. 6070-08 to 6075-08, inclusive, and to dispense with the reading of the by-laws by the Clerk and that the same be considered read a first, second and third time and finally passed and that the Mayor and Clerk sign the same and the Seal of the Corporation be thereto affixed.

CARRIED

By-law Nos. 6070-08 to 6075-08, inclusive, considered read a first, second and third time and finally passed.

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9. CONFIRMATORY BY-LAW NO 6076-08

RESOLUTION NO. 181-08

MOVED by Councillor Mitchell, seconded by Councillor Scott, move for leave to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its meeting held on June 16<sup>th</sup>, 2008, 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

By-law No. 6076-08 considered read a first, second and third time and finally passed.

10. ADJOURNMENT

RESOLUTION NO. 182-08

MOVED by Councillor Pitchforth at 8:57 p.m.  
Seconded by Councillor Scott

That this June 16, 2008 meeting of the Council of The Corporation of the Town of Whitby adjourn.

CARRIED

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Paul Jones, Clerk

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Patricia Perkins, Mayor