

REGULAR COUNCIL MINUTES

May 27, 2013 -7:00 pm

Council Chambers

Whitby Municipal Building

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

**Also Present:** P. LeBel, Commissioner of Community & Marketing Services/Acting  
Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
M. Gerrard, Fire Chief  
K. Nix, Commissioner of Corporate Services/Treasurer  
R. Short, Commissioner of Planning  
D. Wilcox, Town Clerk  
S. Stones, Clerk/Stenographer

**Regrets:** None noted

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1. DECLARATIONS OF PECUNIARY INTEREST

- 1.1 Councillor Hanson made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to item 5.3 Planning Report, PL 55-13, regarding the Study of Zoning Regulations Related to Home Based Businesses (Z-05-12) and the delegations regarding the same, as a family member runs a home based business. Councillor Hanson left the room and did not take part in the discussion or vote on the matter.
- 1.2 Councillor Montague made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to item 5.3 Planning Report, PL 55-13, regarding the Study of Zoning Regulations Related to Home Based Businesses (Z-05-12) and the delegations regarding the same, as he is part of a home based business. Councillor Montague left the room and did not take part in the discussion or vote on the matter.

- 1.3** Councillor Montague made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to item 6.1, Fire Department Report, FR 2-13 Re: Discharging Fireworks on Religious or Cultural Holidays as he owns a business that deals with fireworks. Councillor Montague did not vote on the matter.
- 1.4** Mayor Perkins made a declaration of pecuniary interest under the Municipal Conflict of Interest Act relating to item 5.3 Planning Report, PL 55-13, regarding the Study of Zoning Regulations Related to Home Based Businesses (Z-05-12) and the delegations regarding the same, as a family member has a home based business. Mayor Perkins left the room and did not take part in the discussion or vote on the matter.

**2. ADOPTION OF MINUTES**

- 2.1**
- Special Council - May 6, 2013
  - Regular Council - May 6, 2013
  - Special Council - May 13, 2013
  - Special Council - May 21, 2013

**Resolution No. 247-13**

Moved By Councillor Coe  
Seconded By Councillor Roy

That the minutes be adopted.

**CARRIED**

**3. DELEGATIONS/PRESENTATIONS**

- 3.1** Recognition of 9 Whitby Minor Hockey Association AAA players who have been drafted to the OHL.

Minor Midget AAA Assistant Coach, Sean Boland, of the Whitby Wildcats joined Mayor Perkins, Councillor Emm, Chair of Community & Marketing Services and P. LeBel, Director of Community & Marketing Services, in welcoming the following players who have been drafted into the Ontario Hockey League:

- Hayden McCool - Niagara Icedogs
- Justin Lemcke - Belleville Bulls
- Ryan Sarris - Niagara Icedogs
- Bryce Yetman - Plymouth Whalers
- Adam Laishram - Belleville Bulls

- Matt Carroll - Niagara Icedogs
- Justen Long - Guelph Storm
- William Ward - Belleville Bulls

Will Scott, drafted by the Soo Greyhounds, was absent from the presentation.

### **3.2 Recognition of Whitby Courthouse Theatre**

Linda Lyons, President of the Whitby Courthouse Theatre, and a number of group members, joined Mayor Perkins on the dais in recognition of awards achieved at the recent Association of Community Theatre, Central Ontario Awards Gala. The Whitby Courthouse Theatre received five nominations and five THEA wins at the 2013 ACT-CO Awards Gala. The Whitby Courthouse Theatre is a not-for-profit community theatre that has been in existence for over 56 years and features all age groups, including youth aged 10 to 18. The community theatre was converted from Whitby's old courthouse in 1967 as part of the centennial project.

### **3.3 Recognition of Bank of Montreal (BMO) for their continued support of the Junior Firefighter Program**

Mayor Perkins, Councillor Montague, Chair of Fire Services and Fire Chief Michael Gerrard invited Bank of Montreal Senior Vice President and Senior Auditor, Chris Begy to the dais. Mr. Begy, on behalf of the Bank of Montreal, a supporter of the Junior Fire Department Program in Whitby since 1972, presented the Town with a cheque in the amount of \$5,000.00. Whitby's Junior Fire Department program is the longest continually running Fire Safety Education Camp in Canada. This is the 41st year and Council has supported the program since its inception. Currently, the Junior Fire Department operates over five weeks during the summer and accommodates 200 children each year. The program provides education and practical training for 10 and 11 year old children on topics such as the types of emergencies that Whitby Fire and Emergency Services respond to; home fire hazards; kitchen fire safety; smoke alarms and carbon monoxide and the safe use of fire extinguishers. The contribution made by Mr. Begy on behalf of the Bank of Montreal provides for all the education materials and Junior Fire souvenirs received by the children as they participate in this important educational program.

### **3.4 Recognition of Whitby Home Depot Stores for continued support of the "Everalert" Home Smoke Alarm program in the Town of Whitby**

Tom Schultz of Home Depot South, joined Mayor Perkins, Councillor

Montague, Chair of Fire Services and Fire Chief Michael Gerrard on the dais as the Home Depot representative presented a cheque for \$5,000.00 (\$2,500.00 from Home Depot North and \$2,500.00 from Home Depot South) to the Town of Whitby in support of the EverAlert Home Fire Safety Program. Whitby Fire conducts an annual door-to-door Public Education Campaign called "Ever Alert". The program targets areas throughout the Town of Whitby where there have been an increased in number of preventable fires. The contribution made by The Home Depot in Whitby provides for the educational materials, batteries and replacement smoke alarms that are essential to this program. Through the Home Depot's partnership in EverAlert, Whitby Fire and Emergency Services is able to ensure that no home in Whitby is without a working smoke alarm.

**3.5** Ian Ross, CEO, Whitby Public Library and Claude Lavoie, Chair, Whitby Public Library Board  
Re: Whitby Public Library Yearly Report

Ian Ross, CEO, Whitby Public Library and Claude Lavoie, Chair, Whitby Public Library Board, appeared before Council and presented the Whitby Public Library Yearly Report. The Whitby Public Library board consists of nine members: a Mayor's designate and eight citizen volunteers appointed by municipal Council. The Board is responsible for ensuring the library is properly managed and represents a broad spectrum of community interests, with diverse viewpoints and strengths, assuring the library serves the entire community. The term of the library board is four years, concurrent with the term of Council. Discussion took place with respect to how the library has been responsive to the needs and requirements of the community, such as providing materials to homebound patrons; offering educational programs with community agencies; the installation of a new accessibility service desk at the Rossland branch; electronic books; and information for newcomers to Canada on their user-friendly website. General discussion took place regarding how the library board has been responsive to the growing diversity needs of the community.

As they had previously declared a pecuniary interest in this topic of business, Mayor Perkins, Councillor Hanson and Councillor Montague left the Chambers during the following delegations. Councillor Coe assumed the Chair at 7:44 p.m.

**3.6** Wyatt McGillis, Whitby Resident  
Re: Planning Report, PL 55-13 - Study of Zoning Regulations Related to Home Based Businesses (Z-05-12)

Wyatt McGillis, 209 John Street, Whitby, appeared before Council and

advised he has concerns with the cross purposes of the home-based businesses and heritage studies taking place at the same time, signage, the number of participants per dwelling unit (5 or 3 persons at any one time); hours of operation and registration and licencing.

- 3.7** Vera Felgemacher, Whitby Resident  
Re: Planning Report, PL 55-13 - Study of Zoning Regulations Related to Homed Based Businesses (Z-05-12)

Vera Felgemacher, 209 John Street, Whitby, appeared before Council and advised of concerns with home based businesses (HBB) with respect to the volume of traffic, parking and the impact of the intent and purpose of the Official Plan. Ms. Felgemacher proposed alternate locations where non-traditional HBB type businesses can operate such as Community Use of Schools and Church Halls.

- 3.8** Peter Heron, Whitby resident  
Re: Planning Report, PL 55-13 - Study of Zoning Regulations Related to Home Based Businesses (Z-05-12)

Peter Heron, 56 Bagot Street, appeared before Council and advised he owns a commercial property in Brooklin and pays commercial taxes. He advised he would like Council to consider licencing and registering home-based businesses.

Mayor Perkins assumed the Chair at 8:15 p.m.

**4. CORRESPONDENCE**

- 4.1** Correspondence from the Town of Ajax with respect to Durham Regional Council: The Need for Fair and Efficient Representation

Extensive discussion ensued regarding the correspondence and report from the Town of Ajax. At its meeting on May 13, 2013, the Council of the Town of Ajax adopted a resolution that included that the Government of Ontario be requested to approve legislation that will require all municipalities in Ontario to undertake substantive representation reviews at least once in every three terms of Council (12 years) and to implement the measure necessary to maintain fair and effective representation. The issue of how fair representation will impact residents of Whitby was reviewed and suggestions for moving forward were taken into consideration.

**Resolution No. 248-13**

Moved By Councillor Coe  
Seconded By Councillor Emm

That the correspondence from the Town of Ajax with respect to Durham Regional Council: The Need for Fair and Efficient Representation, be received for information.

**MOTION LOST**

**Resolution No. 249-13**

Moved By Councillor Mitchell  
Seconded By Councillor Drumm

1. That the correspondence and the report from the Town of Ajax be referred to Staff;
2. That Staff report back on the issue of fair representation and its impact on Whitby residents with particular reference to the current and prospective costs of continuing the existing imbalance; and,
3. That Staff report back on the processes and timelines on placing a referendum question on the ballot including recommendations on a potential question.

**CARRIED**

- 4.2** That the following requests be proclaimed:
- Seniors' Month - June 2013
  - World Elder Abuse Awareness Day - June 15, 2013
  - Spina Bifida and Hydrocephalus Awareness Month - June 2013
  - Chiari Awareness Month - September 2013

**Resolution No. 250-13**

Moved By Councillor Coe  
Seconded By Councillor Emm

That the requests for proclamations for Seniors' Month - June 2013; World Elder Abuse Awareness Day - June 15, 2013; Spina Bifida and Hydrocephalus Awareness Month - June 2013 and Chiari Awareness Month - September 2013 be endorsed.

**CARRIED**

5. PLANNING & DEVELOPMENT COMMITTEE

Report No. 7 of the Planning & Development Committee - May 13, 2013

**5.1** Planning Report, PL 59-13

Re: Proposed Town Initiated Technical Amendment to Zoning By-law  
No. 1784 (Z-09-13) 25 Selkirk Drive

**Resolution No. 251-13**

Moved By Councillor Emm

Seconded By Councillor Montague

1. That Council approve the technical amendment to Zoning By-law 1784 as described in Planning Report Item PL 59-13;
2. That an appropriate amendment to Zoning By-law 1784 be brought forward for Council approval.

**CARRIED**

**5.2** Planning Report, PL 56-13

Re: Site Plan Application - Durham District School Board Expansion of  
Brooklin Village Public School (SP-05-13) 25 Selkirk Drive

**Resolution No. 252-13**

Moved By Councillor Emm

Seconded By Councillor Montague

1. That Council approve Site Plan Application (SP-05-13) subject to the Conditions of Approval contained in Section 8.0 of Planning Report No. PL 56-13; and,
2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

**CARRIED**

Having previously declared a conflict of pecuniary interest on this item, Mayor Perkins, Councillor Hanson and Councillor Montague left the Chambers. Councillor Coe assumed the Chair at 8:56 p.m.

**5.3** Planning Report, PL 55-13

Re: Study of Zoning Regulations Related to Home Based Businesses  
(Z-05-12)

Extensive discussion took place with respect to home based businesses in terms of the impact on residential areas; tax implications; the fact that Municipal Property Assessment Corporation (MPAC) is advised of home based businesses; signage; licencing and by-law enforcement. Further discussion also ensued with reference to which agencies were contacted regarding the proposed by-law changes and the appeal of a minor variance application which was not upheld by the Ontario Municipal Board and which remains as a nonconfirming use to the by-law.

**Resolution No. 253-13**

Moved By Councillor Emm  
Seconded By Councillor Roy

1. That Council approve amendments to Zoning By-laws 2585, 1784 and 5581-05 in general accordance with the recommendations set out in Section 8.0 in order to introduce updated and harmonized home based business provisions, and further that the limited number of participants per dwelling unit be amended from "no more than five persons" to "no more than three persons" at one time in a home based business, excluding daycare facilities;
2. That appropriate amendments to Zoning By-laws 2585, 1784 and 5581-05 be brought forward for approval by Council;
3. That Public Works By-law staff report back to Council in six months with a status update on enforcement and related issues, if any; and,
4. That staff report back to Council with a cost estimate to implement a licensing program and any related administrative impacts relating to home based businesses.

**CARRIED ON A RECORDED VOTE AS FOLLOWS:**

Yes

Councillor Coe  
Councillor Emm  
Councillor Mitchell  
Councillor Roy

No

Councillor Drumm

Abstained

Councillor Hanson  
Councillor Montague



Mayor Perkins

Mayor Perkins assumed the Chair at 9:25 p.m.

**5.4** Planning Report, PL 54-13

Re: Appointment of Control Architect - Williams & Stewart Associates - Golden Falcon Homes - Winchester Road East (SW-2012-02) Part of Lot 22, Concession 5

**Resolution No. 254-13**

Moved By Councillor Emm

Seconded By Councillor Montague

1. That Council appoint the firm of Williams & Stewart Associates as Control Architect for the subdivision plan under file SW-2012-02; and,
2. That the Subdivider and Williams & Stewart Associates be advised of Council's appointment and the Subdivider's financial obligations as set out in Section 8.0 of Planning Report PL 54-13.

**CARRIED**

**5.5** Planning Report, PL 57-13

Re: Summary of April 24, 2013, Community Meeting No. 2, for the Port Whitby Secondary Plan update, Community Improvement Plan and Urban Design Guidelines project (OPA-2012-W/01 and OPA-2012-W/02) Port Whitby

**Resolution No. 255-13**

Moved By Councillor Emm

Seconded By Councillor Montague

That Planning Report PL 57-13 be received for information.

**CARRIED**

**5.6** Planning Report, PL 58-13

Re: Site Plan Application - Rogers Communications Inc. 35 Metre Telecommunications Monopole Antenna Tower (SP-01-13) 1549 Victoria Street East

**Resolution No. 256-13**

Moved By Councillor Emm  
Seconded By Councillor Montague

1. That Council approve site plan application (SP-01-13) subject to the conditions of approval contained in Section 8.0 of Planning Report, PL 58-13; and;
2. That the Commissioner of Planning be authorized to approve the site plan drawings.

**CARRIED**

6. OPERATIONS COMMITTEE

Report No. 7 of the Operations Committee - May 21, 2013

**6.1** Fire Department Report, FR 2-13  
Re: Discharging Fireworks on Religious or Cultural Holidays

Having previously declared a pecuniary interest in the item, Councillor Montague did not vote on the matter.

**Resolution No. 257-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Report No. FR 2-13, regarding Discharging Fireworks on Religious or Cultural Holidays, dated May 21, 2013, be received as information.

**CARRIED**

**6.2** Community and Marketing Services Report, CMS 27-13  
Re: Seniors Recreation and Leisure Services Strategy

Brief discussion took place regarding the report and proposed strategy.

**Resolution No. 258-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Council approve the development of a Seniors Recreation and Leisure Services Strategy to guide the priorities and work plans of

the Seniors Services Section of the Parks and Recreation Division for the next five years;

2. That development of a Seniors Recreation and Leisure Services Strategy include consultation with the Seniors Services Committee of Council, Whitby Seniors Services Advisory Committee, Whitby Seniors Services members, and other Committees of Council (such as the Ethno-cultural and Diversity Advisory Committee of Council); community partners and agencies who serve Whitby seniors; and,
3. That staff report back with a draft Seniors Recreation and Leisure Services Strategy at the end of the first quarter of 2014 for Council's consideration.

**CARRIED**

- 6.3** Community and Marketing Services Report, CMS 28-13  
Re: Ontario Basketball - 3x3 Canada Quest Tournament and 3x3 OBA Challenge - Iroquois Park Sports Centre

**Resolution No. 259-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Council endorse the Ontario Basketball 3x3 Canada Quest Tournament and 3x3 OBA Challenge to be held on July 6 and 7, 2013 at Iroquois Park Sports Centre (and the Abilities Centre), as outlined in Community and Marketing Services Department Report CMS 28-13.

**CARRIED**

- 6.4** Community and Marketing Services Report, CMS 31-13  
Re: 2013 Whitby County Town Carnival and Canada Day Celebration - Victoria Fields

**Resolution No. 260-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Council approve the activities planned for the 2013 Whitby County Town Carnival and Canada Day Celebration to be held at Victoria Fields as outlined in Community and Marketing Services Department Report CMS 31-13.

**CARRIED**

- 6.5** Community and Marketing Services Report, CMS 32-13  
Re: The Waterfront Parks and Open Space Master Plan Draft Phase 3 Implementation Report - Public Information Centre, Stakeholders Meeting, and Steering Committee Update - Waterfront Parks and Open Space

**Resolution No. 261-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. The Public Information Centre Summary, as shown on Attachment No. 2 appended to Community and Marketing Services Report CMS 32-13, regarding public input received on April 18, 2013 for the draft Phase 3 Implementation Report of the Waterfront Parks and Open Space Master Plan be received as information; and,
2. The Steering Committee Minutes, Stakeholders Meeting Minutes, Stakeholders Input Summary, and Public Input Summary, as shown on Attachments Nos. 3, 4, 5 and 6 appended to Community and Marketing Services Report CMS 32-13 for the draft Phase 3 Implementation Report of the Waterfront Parks and Open Space Master Plan be received as information.

**CARRIED**

- 6.6** Community and Marketing Services Report, CMS 33-13  
Re: Bocce Courts - Request by the Whitby Social Activity Club for Booking of Courts and Use of Community Space - Bocce Courts - Cullen Central Park

Discussion ensued regarding the report including the opportunity for alternate meeting or social event locations for the Whitby Social Activity Club.

**Resolution No. 262-13**

Moved By Councillor Hanson  
Seconded By Councillor Roy

1. That Council approve the recommendations for booking and use arrangements of the Town's Bocce Court facility with the proposed

- Whitby Social Activity Club as outlined in Community and Marketing Services Department Report CMS 33-13; and,
2. Further, that the hours of use for the Whitby Social Activity Club are to be Monday, Wednesday, Thursday, Saturday full days and public to be Tuesday, Friday and Sunday full days.

**CARRIED UNANIMOUSLY ON A RECORDED VOTE**

- 6.7** Community and Marketing Services Report, CMS 34-13  
Re: Ethno-cultural and Diversity Advisory Committee of Council Draft Community Survey

**Resolution No. 263-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Council approve the Ethno-cultural and Diversity Advisory Committee of Council's draft Community Survey appended to Community and Marketing Services Department Report CMS 34-13 and as outlined in the Committee's 2013 Work Plan.

**CARRIED**

- 6.8** Community and Marketing Services Report, CMS 35-13  
Re: Greater Toronto Marketing Alliance 'Roadmap to Revitalization Report' - Greater Toronto Area (GTA)

**Resolution No. 264-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Community and Marketing Services Department Report CMS 35-13 be received as information; and
2. That the correspondence between the Region of Durham and the Greater Toronto Marketing Alliance dated April 30 and May 16, 2013 regarding municipal autonomy for the coordination of foreign direct investment activities be received.

**CARRIED**

- 6.9** Corporate Services Report, CS 24-13

Re: 2012 Capital Budget Year End Report

**Resolution No. 265-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Report No. CS 24-13 of the Commissioner of Corporate Services/Treasurer be received as information.

**CARRIED**

- 6.10** Corporate Services/Public Works Joint Report, CS 36-13  
Re: Road Rehabilitation, Rural (T-503-2013)

**Resolution No. 266-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of Miller Paving Limited in the amount of \$470,182.71 (excluding taxes) for all labour, materials and equipment necessary to complete road rehabilitation at various rural locations within the Town of Whitby;
2. That the total estimated cost in the amount of \$668,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.11** Corporate Services/Public Works Joint Report, CS 39-13  
Re: Corbett Creek Erosion Mitigation (T-10-2013) Near Thickson/Wentworth intersection

**Resolution No. 267-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of Hawkins Contracting Services Ltd. in the amount of \$126,635.00 (excluding taxes) for all labour, materials and equipment necessary to complete

- Corbett Creek erosion mitigation within the Town of Whitby;
2. That the total estimated cost in the amount of \$215,000.00 be approved; and,
  3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.12** Corporate Services/Public Works Joint Report, CS 40-13  
Re: Powell Road Reconstruction (T-11-2013) Powell Road from  
Bradford Court to Hawkstone Crescent

**Resolution No. 268-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of Eagleson Construction in the amount of \$881,132.15 (excluding taxes) for all labour, materials and equipment necessary for the reconstruction of Powell Road;
2. That an over expenditure in the amount of \$68,038.00 be approved and funded from current year maintenance savings;
3. That the total estimated cost in the amount of \$1,095,000.00 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.13** Corporate Services/Public Works Joint Report, CS 42-13  
Re: Consumers Drive Soccer Field Storm Sewer Relocation (T-9-2013)

**Resolution No. 269-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of 2220742 Ontario Ltd. o/a Bronte Construction in the amount of \$115,661.00 (excluding taxes) for all labour, materials and equipment necessary to construct the Consumer Drive Soccer Field Storm Sewer Relocation;
2. That the total estimated cost in the amount of \$232,000.00 be approved; and,

3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.14** Corporate Services/Public Works Joint Report, CS 43-13  
Re: Supply, Apply, Grade, Shape and Compact Road Shoulders (T-564-2013)

**Resolution No. 270-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of Trison Contracting Inc. in the amount of \$62,220.00 (excluding taxes) for the supply of materials, application, grading, shaping and compacting of road shoulders as required by the Town of Whitby; and,
2. That the total estimated cost in the amount of \$83,315.07 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.15** Corporate Services/Public Works Joint Report, CS 44-13  
Re: Brock Street CP Subway Repair (T-8-2013) Brock Street

**Resolution No. 271-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of Bob Hendricksen Construction Ltd. in the amount of \$330,170.50 (excluding taxes) for all labour, materials and equipment necessary to repair the Brock Street Subway as required by the Town of Whitby;
2. That an over-expenditure in the amount of \$125,000.00 be approved and funded from current year maintenance savings,
3. That the total estimated cost in the amount of \$475,000.00 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.



**CARRIED**

- 6.16** Corporate Services/Public Works Joint Report, CS 45-13  
Re: Repair of Town owned catch basins and/or maintenance holes (T-516-2013)

**Resolution No. 272-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of 2220742 Ontario Ltd. o/a Bronte Construction in the amount of \$109,910.00 (excluding taxes) for all labour, materials and equipment necessary to complete the repair of Town owned catch basins and/or maintenance holes at various locations within the Town of Whitby; and,
2. That the total estimated cost in the amount of \$131,844.42 be approved;
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.17** Corporate Services/Public Works Joint Report, CS 47-13  
Re: Supply and Delivery of One (1) 2013, 15" Trailer Mounted Drum Chipper (T-29-2013)

**Resolution No. 273-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low compliant tender bid of Vermeer Canada Inc., in the total net amount of \$49,400.00 (plus applicable taxes) for the supply and delivery of one (1) 2013, 15" Trailer Mounted Drum Chipper which includes a trade-in allowance;
2. That an over expenditure in the amount of \$269.44 be approved and funded from the current year maintenance savings;
3. That the total estimated project cost for the Town of Whitby in the amount of \$50,269.44 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 6.18** Corporate Services Report, CS 49-13  
Re: First Quarter Projection Report as at March 31, 2013

**Resolution No. 274-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That report No. CS 49-13 of the Commissioner of Corporate Services/Treasurer be received as information.

**CARRIED**

**7. NOTICE OF MOTION**

- 7.1** There were no notices of motion.

**8. NEW AND UNFINISHED BUSINESS**

**8.1** McDonalds Restaurants "McHappy Days"

Mayor Perkins advised that over \$8,000,000.00 was raised through McDonalds Restaurants "McHappy Days" last year and that the Abilities Centre in Whitby has benefited through McHappy Days by way of a play house.

**8.2** National Public Works Week

Mayor Perkins thanked Commissioner Beale and the staff of the Town of Whitby Public Works Department for hosting a recent Open House in celebration of National Public Works Week. National Public Works Week is held each year during the third week of May with the main goal of increasing public awareness on the services provided by Public Works. It was noted that the Town of Whitby has topped polls for the waste diversion program.

**8.3** Brooklin Spring Fair

Councillor Hanson encouraged everyone to attend the 102nd anniversary of the Brooklin Spring Fair from May 30 - June 2, 2013. The theme of the fair this year is "Brooklin: A Place to Grow" and features a parade on Saturday morning, agricultural exhibits, demonstrations and a

midway. Further information on the fair can be found at [www.brooklinspringfair.com](http://www.brooklinspringfair.com).

**8.4 Ontario Shores PAWS for Mental Health**

Councillor Montague commented on the success of the second annual PAWS for Mental Health Event at Ontario Shores on May 26th, 2013. The fundraiser was in support of a new Family Resource Centre and Staff Health and Wellness Programs at Ontario Shores and showcased the therapeutic benefits and joys that dogs bring to our lives.

**8.5 Optimist Club of Brooklin - Brooklin Mini Idol**

Councillor Mitchell advised of the Brooklin Mini Idol event which had taken place on May 25, 2013 and had featured impressive local talent. Sponsored by the Optimist Club of Brooklin, Brooklin Mini Idol is for singers ages 12 and under and includes workshop activities such as vocal coaching, stage presence and performance techniques.

**9. BY-LAWS**

That the following by-laws be passed:

- 9.1** By-law No. 6739-13, being a by-law to assume various streets as public highways [Re: Lakeview Developments Inc. 40M-2310]
- 9.2** B-law No. 6740-13, being a by-law to amend By-law No. 1862-85, to regulate traffic on highways in the Town of Whitby [Re: Lakeview Developments Inc. 40M-2310 - Schedule "N"]
- 9.3** By-law No. 6741-13, being a by-law to assume various streets as public highways [Re: Brookvalley Developments Inc. Phase 5 - 40M-2311]
- 9.4** By-law No. 6742-13, being a by-law to amend By-law No. 1862-85, to regulate traffic on highways in the Town of Whitby [Re: Lakeview Developments Inc. Phase 5 - 40M-2311 - Schedule "N"]
- 9.5** By-law No. 6743-13, being a by-law to assume various streets as public highways [Re: Brookvalley Developments South Inc. Phase 2 - 40M-2306]
- 9.6** By-law No. 6744-13, being a by-law to amend By-law No. 1862-85, to regulate traffic on highways in the Town of Whitby [Re: Brookvalley Developments South Inc. Phase 2 40M-2306 - Schedule "N"]

- 9.7** By-law No. 6745-13, being a by-law to assume and dedicate certain lands as public highways for street widening purposes [Re: Site Plan Agreement SP-11-11 - Regional Municipality of Durham (Fairview Lodge) 632 Dundas Street West]
- 9.8** By-law No. 6746-13, being a by-law to appoint Alison Albrecht as a Municipal Law Enforcement Officer
- 9.9** By-law No. 6747-13, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property
- 9.10** By-law No. 6748-13, being a by-law to adopt Amendment Number 97 to the Official Plan of the Town of Whitby [Re: Biglieri Group on behalf of Whitby (Brock Rossland) Developments Inc. OPA-2008-W/12 - SW-2008-03 - Z-23-08 - PL 46-13]
- 9.11** By-law No. 6749-13, being a by-law to amend By-law No. 1784, as amended, being the Zoning By-law of the Town of Whitby [Re: Town of Whitby - Z-09-13 - PL 59-13]
- 9.12** By-law No. 6750-13, being a by-law to amend By-law No. 1784, as amended, being the Zoning By-law of the Town of Whitby [Re: Kiya Developments Ltd. - Z-05-13 - PL 49-13]

**Resolution No. 275-13**

Moved By Councillor Emm  
Seconded By Councillor Drumm

That leave be granted to introduce By-law No. 6739-13 to 6750-13, and to dispense with the reading of the by-laws by the Clerk and that the same be considered read a first, second and thrid time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**CARRIED**

**10. CONFIRMATORY BY-LAW**

**10.1 Confirmatory By-law**

**Resolution No. 276-13**

Moved By Councillor Coe  
Seconded By Councillor Mitchell

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 meeting held on May 27, 2013, and that the same be considered read a first, second and thrid time and finally passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**CARRIED**

11. ADJOURNMENT

**11.1** Motion to Adjourn

**Resolution No. 277-13**

Moved By Councillor Coe  
Seconded By Councillor Emm

That the meeting be adjourned.

**CARRIED**

The meeting adjourned at 9:53 p.m.

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Debi A. Wilcox, Town Clerk

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Patricia Perkins, Mayor