

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, SEPTEMBER 21, 2009 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 Coe, Drumm, Emm, Mitchell, Pitchforth, Roy and Scott

Mayor Perkins in the Chair

ALSO PRESENT: R. Petrie, Chief Administrative Officer (CAO)  
K. Nix, Director of Corporate Services/Treasurer  
S. Beale, Director of Public Works  
R. Short, Director of Planning  
P. LeBel, Director of Community and Marketing Services  
S. Pohjola, Town Solicitor/Acting Manager of Human Resource Services  
M. Gerrard, Fire Chief  
P. Jones, Town Clerk  
M. Pettit, Deputy Clerk  
S. Stones, Clerk/Stenographer

The meeting started at 8:03 p.m.

1. DISCLOSURES OF INTEREST

Councillor Pitchforth declared a pecuniary interest with respect to CORR 20-09, as the author is a business competitor.

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6223-09

RESOLUTION NO. 240-09

Councillor Emm, seconded by Councillor Drumm, 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 Regular Meeting of Council held on June 29<sup>th</sup>, 2009 and the Minutes of the Special Meetings of Council held on June 29<sup>th</sup>, 2009, July 24<sup>th</sup>, 2009, August 12<sup>th</sup>, 2009, September 8<sup>th</sup>, 2009 at 6:30 p.m. and September 8<sup>th</sup>, 2009 following the Planning & Development Committee Meeting 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. 6223-09 considered read a first, second and third time and finally passed.

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3. PRESENTATIONS

(i) Whitby Dolphins Swim Club

Mayor Perkins, Councillor Scott, Chair of Community and Marketing Services and P. LeBel, Director of Community and Marketing Services, welcomed Trent McNichol, coach of the Whitby Dolphins Swim Club, to the dais. Assistant Coach, Cathy Gerroir, was also invited to the dais. Medals were presented to team members, Gillian Tate, Leena Struzina, Cassandra Muldoon, Victoria Giglio, Cameron Harper, Natalie Holmes, and Kristina Steins in recognition of the many medals and provincial and national records achieved by the young swimmers.

(ii) RONA Inc. and Maple Leaf Sports & Entertainment Ltd. - "Rink Refurbishment"

Mayor Perkins was joined by Councillor Scott, Chair of Community and Marketing Services and P. LeBel, Director of Community and Marketing Services, in welcoming Michael Rushton, Vice President, Operations, RONA Ontario and Catherine Rodrigues-D'Sa, Manager of the Whitby RONA store, to the dais. Rona Inc. and Maple Leaf Sports & Entertainment are joint partners in Hard Hats for Hockey, a program that supports refurbishing rinks. Mr. Rushton explained that the Town of Whitby is the first to receive the grant for refurbishment outside the City of Toronto. Councillor Scott thanked Rona for their contribution explaining it is very much appreciated by the community. The Clerk also read a statement from Brian Burke, President and General Manager of the Toronto Maple Leaf Hockey Club.

(iii) **Planning Report, Item PL 80-09**

Re: Request for Minor Variance to Sign By-law, Amica Mature Lifestyle Inc.  
(SB-01-09) - 200 Kenneth Hobbs Avenue  
(Refer to September 8, 2009 P&D-79)

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Scott Gareau, Director of Development for The Forrest Group, made a deputation to Council, explaining Amica Mature Lifestyle Inc. would like to work with Council and staff in order to present an alternative signage request that would be a better fit with the residential neighbourhood.

(iv) **3.22 Public Works Report, Item PW 24-09**

Re: Parkmount Subdivision – Residents request for sidewalk on Rivers  
Edge Place not be constructed (SW-2003-10)  
*Deferred from Operations Committee Meeting – May 25, 2009*

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Kamil Khan of 117 Rivers Edge Place appeared before Council and read a statement outlining concerns regarding installation of the proposed sidewalk.

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4. CORRESPONDENCE

(i) CORR 20-09

Correspondence dated August 18, 2009 from Marissa Graham, Owner, Endless Ideas, requesting a change or exemption be made to the Town of Whitby's Temporary Sign By-law to permit A-Frame signage

Having declared a pecuniary interest, Councillor Pitchforth did not vote or take part in the discussion on this item.

RESOLUTION NO. 241-09

MOVED by Councillor Emm  
Seconded by Councillor Coe

That CORR 20-09 be referred to the Director of Public Works for consideration and a report back to Council.

CARRIED

(ii) CORR 21-09

Letter from Prem Syal and Ken Montague dated July 22, 2009 requesting a review of the Town of Whitby's by-laws with a view to expanding when fireworks can be sold and set off

RESOLUTION NO. 242-09

MOVED by Councillor Emm  
Seconded by Councillor Coe

That CORR 21-09 be referred to the Fire Chief for consideration and a report back to Council.

CARRIED

(iii) CORR 22-09

Correspondence dated August 10, 2009 from Michele Cotton, Accessibility Coordinator, Town of Whitby, advising on behalf of the Town of Whitby's Accessibility Advisory Committee (AAC) "That the Whitby AAC supports the City of Sarnia's request that the Ministry of Community and Social Services provide financial assistance to the municipalities for the implementation of Accessibility Standards."

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4. (continued)

RESOLUTION NO. 243-09

MOVED by Councillor Emm  
Seconded by Councillor Coe

That the Town of Whitby support a request that the Ministry of Community and Social Services provide financial assistance to municipalities for the implementation of Accessibility Standards and the Ministry, the City of Sarnia and the Town of Whitby's Accessibility Advisory Committee be so advised.

CARRIED

The Clerk noted the late arrival and distribution of correspondence for Council's consideration related to:

- (i) Operations: **3.22 Public Works Report, Item PW 24-09**
- (ii) Operations: **3.24 Corporate Services/Public Works Joint Report, Item PW 47-09**
- (iii) Planning & Development: **5.1 Planning Report, Item PL 80-09**

5. STANDING COMMITTEES

- (a) Planning and Development Committee – September 8, 2009  
Report Recommendations to Council
- 

**5.3 Planning Report, Item PL 84-09**

Re: Dodge Drive Extension Street Name (LD 130/2008, LD 146-150/2008, LD 003-006/2009) - 95 Queen Street

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**COUNCIL DECISION**

- 1. That the street name "Dodge Drive" be approved for the road allowance between subdivision plan 40M-1950 and subdivision plan 40M-2400 shown on Attachment #1 in accordance with the comments and conditions contained in Planning Report, Item No. PL 84-09;
- 2. That Council provide public notice of its intent to pass a By-law to name Dodge Drive in accordance with the Municipal notification by-law;

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5. (continued)

3. That notice be provided to the required agencies/persons once the street name by-law has been adopted by Council; and,
4. That the Town Clerk prepare the required by-law for Council's consideration upon the completion of the public notification process.

**5.5 Planning Report, Item PL 86-09**

Re: Final Proposed Accessible Information and Communication Standard

**COUNCIL DECISION**

1. That Council receive Planning Report, Item PL 86-09 as information;
2. That Administration report back on a recommended plan with costs for achieving compliance with the Accessible Information and Communication Standard developed by the Province under the Accessibility for Ontarians with Disabilities Act (AODA) 2005; and,
3. That the Accessibility Advisory Committee of Council receive a copy of Planning Report, Item PL 86-09.

**RESOLUTION NO. 244-09**

MOVED by Councillor Coe  
Seconded by Councillor Emm

That Council adopt the recommendations set out in Item Nos. 5.3 and 5.5, as contained within the minutes of the meeting of the Planning & Development Committee held on September 8, 2009.

CARRIED

**5.1 Planning Report, Item PL 80-09**

Re: Request for Minor Variance to Sign By-law, Amica Mature Lifestyle Inc.  
(SB-01-09) - 200 Kenneth Hobbs Avenue

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**RESOLUTION NO. 245-09**

MOVED by Councillor Roy  
Seconded by Councillor Drumm

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5. (continued)

That Council postpone consideration of Planning Report, Item PL 80-09 to its November 23, 2009 meeting.

CARRIED

**5.2 Planning Report, Item PL 83-09**

Closure of Files - Creekside Phase II Inc. (Liza Homes) – (SW-2003-09, Z-22-03, OPA-2003-W/9) - Gordon Street & Scadding Avenue, Part of Lot 29, Broken Front Concession

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RESOLUTION NO. 246-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

That the files SW-2003-09, Z-22-03, and OPA-2003-W/9 be closed and all agencies and interested parties be so advised.

CARRIED

**5.4 Planning Report, Item PL 85-09**

Re: Report to Close Site Plan Application File - Wintser Montessori School  
(SP-55-05, OPA-2005-W/12, Z-47-05) - 840 Rossland Road West

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RESOLUTION NO. 247-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

1. That the Site Plan application file SP-55-05 be closed; and,
2. That all agencies be advised of the closure of the file.

CARRIED

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5. (continued)

- (b) Operations Committee – September 14, 2009  
Report Recommendations to Council
- 

**3.4 Community and Marketing Services Report, Item CMS 42-09**  
Re: Parks Signs Replacement Program

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**COUNCIL DECISION**

That Council receive CMS Report, Item CMS 42-09, regarding the Parks Signs Replacement Program priorities for 2009 as information.

**3.5 Community and Marketing Services Report, Item CMS 43-09**  
Re: Suse Eggert Park

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**COUNCIL DECISION**

1. That Council approve the preferred solution of sodding Suse Eggert Park to address a serious noxious weed problem;
2. That the Town accept the low bid of Vissers Nursery in the amount of \$16,484.85 (excluding G.S.T.);
3. That the total estimated project cost of \$20,000 be funded through savings in other Parks Development capital projects; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**3.6 Community and Marketing Services Report, Item CMS 44-09**  
Re: Architectural/Engineering Services – Anne Ottenbrite Pool – Accessibility Improvements

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**COUNCIL DECISION**

1. That Staff be authorized to issue a Request for Proposal (RFP) to secure an architectural/engineering firm to undertake the design for the accessibility improvements to Anne Ottenbrite Pool;
2. That the RFP process involve short listing the responses to the three (3) most qualified proponents to prepare concept designs for further evaluation and selection; and,
3. That Staff report back to Council with a recommendation regarding the preferred architectural/engineering design firm.

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5. (continued)

**3.8 Corporate Services Report, Item CS 41-09**

Re: Claims Handling Policy

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**COUNCIL DECISION**

That Council approve the Claims Handling Policy attached to Corporate Services Report, Item CS 41-09, to define a process that ensures all claims made against the Town are reviewed and processed on a timely basis.

**3.9 Corporate Services Report, Item CS 45-09**

Re: Automobile Allowance Rates

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**COUNCIL DECISION**

That the Automobile Allowance Policy as outlined in Attachment 1 to Corporate Services Report, CS 45-09, be approved.

**3.10 Corporate Services Report, Item CS 46-09**

Re: Municipal Performance Measurement Program – Year 2008

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**COUNCIL DECISION**

That Corporate Services Report, Item CS 46-09, be received as information.

**3.11 Corporate Services Report, Item CS 47-09**

Re: Brine Storage System (W2009-22)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Road Maintenance Equipment and Services Inc. in the amount of \$52,080.00 for the Brine Storage System.
2. That the total estimated project cost in the amount of \$59,520.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.



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5. (continued)

**3.13 Corporate Services Report, Item CS 49-09**

Re: Supply and Delivery of One 15,000 G.V.W. Cab & Chassis with Articulated Crane and Dump Body (W2009-20)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Donway Ford Sales Limited, in the amount of \$77,034.36 for One 15,000 G.V.W. Cab & Chassis with Articulated Crane And Dump Body;
2. That the total estimated project cost in the amount of \$75,125.76 be approved; and
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.14 Corporate Services Report, Item CS 50-09**

Re: Supply, Retreading, Repair and Disposal of Tires (T-220-2009)

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**COUNCIL DECISION**

1. That the Town of Whitby approve award for the Supply, Retreading, Repair and Disposal of Tires from Attersley Tire Services Inc., being the lowest bidder meeting specification, in the amount of \$67,576.67 for a 1 year term;
2. That approval be granted for the continuation of the contract for 4 additional one year terms, based upon satisfactory performance in the prior year, acceptable pricing and budget approvals; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.15 Corporate Services Report, Item CS 51-09**

Re: Summer Tenders

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**COUNCIL DECISION**

That Corporate Services Report, Item CS 51-09, be received as information.

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5. (continued)

**3.16 Corporate Services Report, Item CS 52-09**

Re: Rental of Five (5) Loaders with Plow & Wings & Three (3) Yard Bucket with Operators for Winter Maintenance (W2009-26)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tenders of Hard-Co Construction Ltd. in the amounts of \$48,300 for one (1) loader and \$54,600 each for two (2) loaders; Don Cordingley Gradall Rental Ltd. in the amount of \$59,850 each for the rental of two (2) loaders; with Operators for winter maintenance;
2. That approval be granted for the continuation of the contract for 4 additional seasons, based upon satisfactory performance in the prior year and acceptable pricing based on an annual increase or decrease in accordance with Statistics Canada, Consumer Price Index; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.17 Corporate Services Report, Item CS 53-09**

Re: Rental of Three (3) Combination Plow, Sander & Dump Trucks with Operators for Winter Maintenance (W2009-27)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Don Cordingley Gradall Rental Ltd., in the amount of \$51,975 each, for the Rental of Three (3) Combination Plow, Sander & Dump Trucks with Operators for Winter Maintenance;
2. That approval be granted for the continuation of the contract for 4 additional seasons, based upon satisfactory performance in the prior year and acceptable pricing based on an annual increase or decrease in accordance with Statistics Canada, Consumer Price Index; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

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5. (continued)

**3.18 Corporate Services Report, Item CS 54-09**

Re: Rental of Motor Grader with Plow & Wing with Operators for Winter Maintenance (W2009-28)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Hard-Co Construction in the amount of \$57,643.95 for the rental of a Motor Grader with Plow & Wing with Operators for Winter Maintenance;
2. That approval be granted for the continuation of the contract for 4 additional seasons, based upon satisfactory performance in the prior year and acceptable pricing based on an annual increase or decrease in accordance with Statistics Canada, Consumer Price Index; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.19 Corporate Services Report, Item CS 55-09**

Re: Brock Street North Stormwater Pumping Station Upgrade (W2009-18)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Ferguson Electric Company Ltd. in the amount of \$329,070.00 for the Brock Street North Stormwater Pumping Station Upgrade;
2. That an overexpenditure in the amount of \$39,000 be approved from the Capital Reserve Fund.; and
3. That the total estimated project cost in the amount of \$364,000 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**3.21 Corporate Services Report, Item CS 57-09**

Re: Second Quarter Projection Report as of June 30, 2009

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**COUNCIL DECISION**

That the 2009 Second Quarter Projection report as of June 30, 2009, be received for information.

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5. (continued)

**3.22 Public Works Report, Item PW 24-09**

Re: Parkmount Subdivision – Residents request for sidewalk on Rivers  
Edge Place not be constructed (SW-2003-10)

Deferred from Operations Committee Meeting – May 25, 2009

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**COUNCIL DECISION**

That Council confirm the requirement to have the previously approved  
subdivision sidewalk on Rivers Edge Place constructed.

**3.24 Corporate Services/Public Works Joint Report, Item PW 47-09**

Re: CORR 18-09 – Inglewood Place

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**COUNCIL DECISION**

That Corporate Services/Public Works Joint Report, Item PW 47-09, on the  
CORR 18-09 – Inglewood Place be received for information.

**RESOLUTION NO. 248-09**

MOVED by Councillor Pitchforth  
Seconded by Councillor Scott

That Council adopt the recommendations set out in Item Nos. 3.4 to 3.6, 3.8 to  
3.11, 3.13 to 3.19, inclusive and 3.21, 3.22 and 3.24, as contained within the  
minutes of the meeting of the Operations Committee held on September 14,  
2009.

CARRIED

**3.1 CMS/PW/CS Joint Report, Item CMS 39-09**

Re: Town of Whitby Cycling Plan and Leisure Trails Plan

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**RESOLUTION NO. 249-09**

MOVED by Councillor Pitchforth  
Seconded by Councillor Scott

1. That IBI Group be awarded RFP #8-2009 to complete the Town of Whitby  
Cycling Plan and Leisure Trails Plan;
2. That the estimated project cost in the amount of \$124,955 be approved;

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5. (continued)

3. That the funding sources for this project be approved as follows: \$100,000 allocated in the 2009 Public Works Department Capital Budget for the Cycling Plan; and \$25,000 from the surplus municipal capital funds available as a result of the Federal Infrastructure Stimulus programs; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED UNANIMOUSLY ON A  
RECORDED VOTE AS FOLLOWS

YEAS

NAYS

Councillor Coe  
Councillor Drumm  
Councillor Emm  
Councillor Mitchell  
Councillor Pitchforth  
Councillor Roy  
Councillor Scott  
Mayor Perkins

**3.2 Community and Marketing Services Report, Item CMS 40-09**  
Re: Cullen Central Park Master Plan Update and Review Process for  
Existing Expressions of Interest

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RESOLUTION NO. 250-09

MOVED by Councillor Pitchforth  
Seconded by Councillor Scott

1. That Community and Marketing Services Report, Item 40-09 regarding the Cullen Central Park Master Plan update and review process be received for information;
2. That the short list of preferred Proponents identified in this Report be requested to submit formal proposals of their Expressions of Interest in accordance with Attachment No. 1 of this Report;
3. That Council direct Staff to assess and report further upon the suitability and economic benefits of the preferred Proponents formal Proposals with respect to the redevelopment of the tablelands and/or use of the buildings;

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5. (continued)

4. Staff be directed to report further upon the findings of the other implementation items described in Section 5.1 of this Report.

CARRIED

**3.3 CMS/CS Joint Report, Item CMS 41-09**

Re: Market and Community Needs Assessment – Municipal Performing  
Arts Centre

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RESOLUTION NO. 251-09

MOVED by Councillor Pitchforth  
Seconded by Councillor Scott

1. That Novita Interpares Limited and their sub-consultants be awarded RFP #6-2009 to complete the Market and Community Needs Assessment – Municipal Performing Arts Centre;
2. That the estimated project cost in the amount of \$94,500 be funded from the surplus municipal capital funds available as a result of the Federal Infrastructure Stimulus programs; and,
3. That the Mayor and Clerk be authorized to execute the necessary contract documents.

CARRIED

**3.7 Community and Marketing Services Report, Item CMS 45-09**

Re: Canada's Economic Action Plan – Industry Canada's Community  
Adjustment Fund

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RESOLUTION NO. 252-09

MOVED by Councillor Pitchforth  
Seconded by Councillor Scott

1. That Report No. CMS 45-09 Community Adjustment Fund, an economic stimulus funding program administrated by Industry Canada, be received as information;
2. That Council approve the Town's award of \$150,000 from Industry Canada's Community Adjustment Fund to undertake the project, "Driving Economic Growth – Developing an Economic Competitiveness and Development Strategic Plan for the Town of Whitby";

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5. (continued)

3. That Council support the preparation of an Economic Competitiveness and Development Strategic Plan as a cooperative effort of the Town of Whitby's Economic Development Division and the Whitby Chamber of Commerce;
4. That Council authorize Staff to proceed with a Request for Proposal to obtain submissions from qualified consultants to assist in the preparation of the Economic Competitiveness and Development Strategic Plan;
5. That Staff report back to Council with a recommendation regarding the preferred consultant; and,
6. That the Mayor and Clerk be authorized to sign the required documents to enter into a contribution agreement with FedDev Ontario (the agency established and funded through Industry Canada to administer the Community Adjustment Fund).

CARRIED

**3.12 Corporate Services Report, Item CS 48-09**

Re: Roof Replacement – Civic Recreation Centre (W2009-23)

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RESOLUTION NO. 253-09

MOVED by Councillor Pitchforth

Seconded by Councillor Scott

1. That the Town of Whitby accept the low tender of Nortex Roofing Ltd. in the amount of \$188,160.00 for The Civic Recreation Centre Roof Replacement.
2. That the total estimated project cost in the amount of \$271,058 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

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5. (continued)

**3.20 Corporate Services Report, Item CS 56-09**

Re: 2010 Municipal Election Overview

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RESOLUTION NO. 254-09

MOVED by Councillor Pitchforth

Seconded by Councillor Scott

1. That Corporate Services Report, Item CS 56-09 regarding the 2010 Municipal Election Overview be received for information;
2. That the use of traditional in-person voting using a paper ballot and the Town's existing optical scan vote counting tabulators be continued for the purposes of the 2010 Municipal Election;
3. That in the interest of increased transparency and access to municipal government, that the Town Clerk be directed to post on the Town website Candidate Financial Statements, information about any candidate debates, Meet the Candidate Nights, candidate contact information and any other external information source that would facilitate access to candidate's platforms and profiles;
4. That the Town Clerk be directed to forward this report to local service clubs and local media outlets serving the Town of Whitby for their information and to suggest that as a service to the community and its residents, they provide and promote opportunities for adequate public debates and access to candidate information in the 2010 Municipal Election; and,
5. That staff be authorized to:
  - enter into discussions with the Region of Durham for the purposes of harmonizing the election sign by-law provisions of the two jurisdictions and the enforcement of same;
  - initiate the procedural process required to amend the Town of Whitby By-law 5696-05, the Temporary Advertising Devices By-law as outlined in Corporate Services Report Item, CS 56-09; and,
  - engage temporary enforcement personnel plus vehicle(s) and a storage facility for the 6 week period up to and including Voting Day and the week following Voting Day for the sole purpose of proactively enforcing by-law provisions related to election signs as an election expense.



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5. (continued)

6. That the Town Clerk be directed to forward this report to the Council of the Region of Durham, the Durham District School Board, the Durham Catholic District School Board, le Conseil scolaire de district du Centre-Sud-Ouest, le Conseil scolaire de district catholique Centre-Sud and the Ministry of Municipal Affairs and Housing for their information.

MOVED by Councillor Drumm  
Seconded by Councillor Coe

THAT the above motion be amended by adding the following item:

7. That an election rebate program as described in Corporate Services Report, Item CS 56-09, be established as an additional election cost and the draft Rebate By-law as set out in Appendix "B" be brought forward for adoption by Council subject to approval as part of the budget process and, the rebate amount being 25% of the contribution with the maximum rebate payable to any one contributor, not exceeding \$150.00

CARRIED

- (c) Management Committee – September 15, 2009  
Report Recommendations to Council
- 

**2.5 Acting Manager of Human Resource Services**

RESOLUTION NO. 255-09

MOVED by Councillor Emm  
Seconded by Councillor Coe

That the Chief Administrative Officer proceed with compensation of Mrs. Pohjola at the rate of \$147,000 for the period of her dual role as Town Solicitor and Acting Manager of Human Resource Services.

CARRIED

6. NOTICES OF MOTION

None.

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THE TOWN OF WHITBY HELD ON MONDAY, SEPTEMBER 21, 2009 AT THE HOUR OF  
8:00 P.M. IN THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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7. NEW AND UNFINISHED BUSINESS

**7.1 Corporate Services Report, Item CS 58-09**

Re: Request for Proposal (RFP #8-2009) Port Whitby Sustainable Community Plan

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RESOLUTION NO. 256-09

MOVED by Councillor Pitchforth  
Seconded by Councillor Emm

1. That Meridian Planning Consultants Inc. and their sub-consultants be awarded RFP #8-2009 for the Port Whitby Sustainable Community Plan and its components, to an upset limit of \$407,000, subject to negotiation of a satisfactory agreement.
2. That Staff be authorized to enter into negotiations with Meridian Planning Consultants Inc. regarding a satisfactory agreement for the final work plan; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED WITHOUT  
AMENDMENT

MOVED by Councillor Coe  
Seconded by Councillor Emm

THAT the above motion be amended by repealing clause 1 and replacing it with the following:

1. That Meridian Planning Consultants Inc. and their sub-consultants be awarded RFP #8-2009 for the Port Whitby Sustainable Community Plan and its components, subject to the scope and upset limit of this project being adjusted to include a detailed analysis of the employment lands immediately north of Victoria Street and west of Gordon Street at a reasonable cost to be paid for the by developer and subject to negotiation of a satisfactory agreement.

WITHDRAWN

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
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7. (continued)

**7.2 WHITBY/OSHAWA BOUNDARY (COLUMBUS)**

RESOLUTION NO. 257-09

MOVED by Councillor Roy  
Seconded by Councillor Pitchforth

That the rules of procedure be suspended to allow introduction of the  
following motion.

CARRIED ON A  
TWO-THIRDS VOTE

RESOLUTION NO. 258-09

MOVED by Councillor Drumm  
Seconded by Councillor Roy

That the Council of The Corporation of the Town of Whitby go on record as not  
actively pursuing or being interested in acquiring any part of what is now the City  
of Oshawa; and,

That the City of Oshawa, and the Ministry of Municipal Affairs and Housing, be so  
advised.

CARRIED UNANIMOUSLY ON A  
RECORDED VOTE AS FOLLOWS

YEAS

NAYS

Councillor Coe  
Councillor Drumm  
Councillor Emm  
Councillor Mitchell  
Councillor Pitchforth  
Councillor Roy  
Councillor Scott  
Mayor Perkins

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
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7. (continued)

**7.3 KENDALWOOD ROAD**

Re: Relief from Town of Whitby Parking By-law

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RESOLUTION NO. 259-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

That the rules of procedure be suspended to allow introduction of the  
following motion.

CARRIED ON A  
TWO-THIRDS VOTE

RESOLUTION NO. 260-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

WHEREAS Kendalwood Seventh-day Adventist Church, located at 300  
Kendalwood Road is hosting a 50<sup>th</sup> Anniversary Homecoming on October 17,  
2009, and requires relief from the Town of Whitby Parking by-law, Council hereby  
authorizes relief from parking enforcement on Saturday, October 17, 2009  
between the hours of 10:00 a.m. and 7:00 p.m. on the west side only of  
Kendalwood Road from a point 10 metres south of the Church Driveway to 10  
metres north of Broadview Avenue.

CARRIED

**7.4 VANDALISM AND PUBLIC MISCHIEF**

RESOLUTION NO. 261-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

That the rules of procedure be suspended to allow introduction of the  
following motion.

CARRIED ON A  
TWO-THIRDS VOTE

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
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7. (continued)

RESOLUTION NO. 262-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

That the comments, concerns and suggestions which arose at the public meeting on "Vandalism and Public Mischief" held on September 15, 2009 be referred to the Administration; and,

That the Administration be directed to consult with Durham Regional Police Services and prepare a report or reports recommending short term and long term measures that would address the issues raised.

CARRIED

RESOLUTION NO. 263-09

MOVED by Councillor Pitchforth  
Seconded by Councillor Coe

That the rules of procedure be suspended to allow introduction of the following motion.

CARRIED ON A  
TWO-THIRDS VOTE

RESOLUTION NO. 264-09

MOVED by Councillor Pitchforth  
Seconded by Councillor Drumm

That the play structure at Baycliffe Park be immediately dismantled.

CARRIED

**7.5 DRIVER AND VEHICLE LICENCE ISSUING OFFICE**

RESOLUTION NO. 265-09

MOVED by Councillor Emm  
Seconded by Councillor Drumm

That the rules of procedure be suspended to allow introduction of the following motion.

CARRIED ON A  
TWO-THIRDS VOTE

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7. (continued)

RESOLUTION NO. 266-09

MOVED by Councillor Emm  
Seconded by Councillor Coe

That Council of The Corporation of the Town of Whitby go on record as being opposed to the closing of the Driver and Vehicle Licence Issuing Office in downtown Whitby; and,

That the Mayor be authorized to write a letter to the Ministers of Transportation and Government Services advising of Council's position and concern for a loss of customer service and private business in downtown Whitby.

CARRIED

**7.6      EXPANSION OF OFFICIAL PLAN REVIEW – SUSTAINABLE COMMUNITY  
PLAN FOR NORDEAGLE (ECOPLACE) LANDS**

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RESOLUTION NO. 267-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

That the rules of procedure be suspended to allow introduction of the following motion.

CARRIED ON A  
TWO-THIRDS VOTE

RESOLUTION NO. 268-09

MOVED by Councillor Coe  
Seconded by Councillor Emm

That staff prepare a report for the consideration of Council in Committee of the Whole as to the need and advisability of expanding the scope and upset limit of the Official Plan Review project to include a detailed analysis of the employment lands immediately north of Victoria Street and west of Gordon Street for the purpose of producing a Sustainable Community Plan at a reasonable cost to be paid for by the developer and subject to negotiation of a satisfactory agreement.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
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7. (continued)

**7.7 FIRE CHIEF**

Councillor Mitchell welcomed the new Fire Chief, Michael Gerrard, to his first Council meeting.

8. **BY-LAWS**

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|---------|---|
| 6224-09 | By-law to assume Tamarisk Street, Neill Avenue, Belfountain Drive and Fencerow Drive, as shown on Plan 40M-2181, as public highways. (Refer to Fullwood Developments Inc. 40M-2181)   |
| 6225-09 | By-law to amend By-law No. 1862-85, as amended, to regulate traffic on highways in the Town of Whitby, with respect to Schedule "N" (stop signs). (Refer to Fullwood Developments Inc. 40M-2181)  |
| 6226-09 | By-law to assume Bayberry Court and Hanson Crescent, as shown on Plan 40M-2194, as public highways. (Refer to Brooklin Meadows Limited, Phase 8, 40M-2194)  |
| 6227-09 | By-law to amend By-law No. 1862-85, as amended, to regulate traffic on highways in the Town of Whitby, with respect to Schedule "N" (stop signs). (Refer to Brooklin Meadows Limited, Phase 8, 40M-2194)  |
| 6228-09 | By-law to assume Baycliffe Drive, Gloria Crescent, Nadia Court, Nieuwendyk Street, Ball Crescent, Abbyview Drive, Alomar Street, Rich Crescent, Davidson Street, Bridgid Drive, Brownridge Place, Medland Avenue, Kirkland Place, Kalar Lane, Twin Streams Road and Holman Court, as shown on Plan 40M-2139, as public highways. (Refer to 1466098 Ontario Limited, 40M-2139) |
| 6229-09 | By-law to amend By-law No. 1862-85, as amended, to regulate traffic on highways in the Town of Whitby, with respect to Schedule "N" (stop signs). (Refer to 1466098 Ontario Limited, 40M-2139)  |
| 6230-09 | By-law to assume Country Lane, Wakem Court, Vineyard Avenue, Bridgid Drive, Rampart Crescent, Medland Avenue, Pardon Avenue, Shenandoah Drive and Presley Crescent, as shown on Plan 40M-2134, as public highways. (Refer to Owen Glen Developments Inc., 40M-2134)   |

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8. (continued)

- 6231-09 By-law to amend By-law No. 1862-85, as amended, to regulate traffic on highways in the Town of Whitby, with respect to Schedule "N" (stop signs). (Refer to Owen Glen Developments Inc., 40M-2134)
- 6232-09 By-law to convey certain lands, being Parts 2 – 6, Plan 40R-25971 (Planning Report, Item PL 74-06)

RESOLUTION NO. 269-09

MOVED by Councillor Scott, Seconded by Councillor Coe, that leave be granted to introduce By-law Nos. 6224-09 to 6232-09, 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. 6224-09 and 6232-09, inclusive, considered read a first, second and third time and finally passed.

9. CONFIRMATORY BY-LAW NO 6233-09

RESOLUTION NO. 270-09

MOVED by Councillor Roy, 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 the Council of the Town of Whitby at its meeting held on September 21, 2009, 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. 6233-09 considered read a first, second and third time and finally passed.



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10. ADJOURNMENT

RESOLUTION NO. 271-09

MOVED by Councillor Emm at 10:59 p.m.  
Seconded by Councillor Coe

That this September 21<sup>st</sup>, 2009 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