

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 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 Coe, Drumm, 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  
D. Armstrong, Assistant Fire Chief, Prevention and Communications  
S. Beale, Director of Public Works  
P. LeBel, Director of Community and Marketing Services  
S. Pohjola, Town Solicitor  
P. Jones, Town Clerk  
M. Pettit, Deputy Clerk

1. DISCLOSURES OF INTEREST

None.

2. BY-LAW TO ADOPT THE MINUTES – BY-LAW NO. 6077-08

RESOLUTION NO. 195-08

Councillor Coe, seconded by Councillor Roy, 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 June 16, 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. 6077-08 considered read a first, second and third time and finally passed.

3. PRESENTATIONS

- (i) Mayor Abernethy, Municipality of Clarington – Recognition of Clarington's  
Success during 2008 Pitch-In Week
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Mayor Perkins presented Mayor Abernethy with a Certificate recognizing his Municipality's success in collecting more waste than Whitby during Pitch-In Week.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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(ii) Whitby Tween “AA” Ringette Team – Ontario and Eastern Canada Champions

Mayor Perkins, Councillor Scott and Peter LeBel presented medals to members of the Whitby Tween “AA” Ringette Team in recognition of their win at the Ontario and Eastern Canada Championships.

(iii) Recognition of Ontario Hockey League (OHL) Draftees

Mayor Perkins, Councillor Scott and Peter LeBel recognized Whitby residents Cody Alcock, Branden Morris, Dylan Goddard, Daniel Bernardi, and Tommy Sumi, who had been drafted into the OHL.

(iv) Whitby Race Relations and Diversity Committee – Scholarship Recipients

Mayor Perkins and Councillor Scott, assisted by Committee Chair Reverend Nussey, presented each of the following high school graduates with a \$500.00 cheque:

- Elisabeth A. Ramdawar (Donald. A. Wilson SS)
- Norman Jureidini (Anderson Collegiate)
- Natalie Jamshidimoghadam (Anderson Collegiate)

(v) Recognition of Dupont Canada’s Donation of Waterfront Property to  
The Town of Whitby

Mayor Perkins, Councillor Emm and Robert Petrie presented John Foster, Director of Global Operations, Dupont Liquid Packaging, with a Certificate of Appreciation in recognition of Dupont Canada’s donation of 21 acres of waterfront property to the Town of Whitby.

(vi) Mr. Jim Priest

**Corporate Services Report, Item CS 35-08**

**Re: W2008-2 Sidewalk Construction (Refer to June 23, 2008 OPS-119)**

Mr. Jim Priest appeared before Council and advised he is in support of the Operations Committee recommendation and thanked the Committee for listening to the concerns of the residents on Anderson Street and making the recommendation to Council that it did.

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THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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- (vii) Mr. Peter Nesbitt, President Brookfield Homes (Ontario) Limited  
**Planning Report, Item PL 110-08**  
Re: Zoning By-Law Amendment (Z-07-08) and Proposed Plan of Subdivision  
(File No. SW-2008-01) – Part of Lot 27, Broken Front Concession  
**(Refer to June 23, 2008 P&D-15)**
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Mr. Peter Nesbitt, President Brookfield Homes declined to appear before Council regarding Planning Report, PL 110-08.

- (viii) Mr. Ken Corner, Chair, Accessibility Advisory Committee  
**Corporate Services Report, Item CS 43-08**  
Re: Proposed Increase in Taxi Fares **(Refer to June 23, 2008 OPS-233)**
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Mr. Ken Corner, Chair Accessibility Advisory Committee declined to appear before Council regarding Corporate Services Report, CS 43-08.

- (ix) **Planning Report, Item PL 106-08**  
Re: Region of Durham Growth Plan Implementation Study: Scenario  
**Evaluation and Recommended Preferred Growth Scenario Working Paper**
- 

**RESOLUTION 196-08**

MOVED By Councillor Emm  
Seconded by Councillor Pitchforth

That the rules of procedure be waived and Council hear from Mr. Robert Nixon with regard to Planning Report, Item PL 106-08.

CARRIED BY A  
TWO THIRD'S VOTE

Mr. Robert Nixon appeared before Council in regard to Planning Report, Item PL 106-08 Re: Urban Boundaries in North Ward. Mr. Nixon advised he is opposed to any changes in the urban boundary.

4. **CORRESPONDENCE**

The Clerk noted that several pieces of correspondence were received and provided to Council members prior to the meeting respecting a variety of agenda items.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5. STANDING COMMITTEES

- (a) Operations Committee – June 23, 2008  
Report Recommendations to Council
- 

**3.1 Fire Department Report, Item FR 5-08**  
Re: Change of Assistant Fire Chief Title

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**COUNCIL DECISION**

That the title of Assistant Fire Chief be changed to Deputy Fire Chief.

**3.2 Public Works Report, Item PW 25-08**  
Re: Sole Source Purchase of Two Stream Side Loading Garbage  
Packer

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**COUNCIL DECISION**

That staff be authorized to negotiate directly with Joe Johnson Equipment Incorporated for the supply and delivery of a Labrie two stream garbage packer.

**3.3 Public Works Report, Item PW 36-08**  
Re: Appointment of Municipal By-Law Enforcement Officers for  
The purpose of Enforcing Parking Restrictions on Private Properties

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**COUNCIL DECISION**

1. That a By-law be brought forward to appoint certain individuals and revoke the appointment of other individuals as Municipal By-law Enforcement Officers for the purpose of enforcing the parking restrictions on the private property as indicated in Attachment "A" to Public Works Report, Item PW 36-08; and,
2. That the future appointment of individuals as Municipal By-law Enforcement Officers be brought forth directly as a By-law to Council.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(a). (Continued)

**3.4 Public Works Report, Item PW 37-08**

Re: Corporate Policies for Town Owned Fences

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**COUNCIL DECISION**

1. That Public Works Report, Item PW 37-08 be deferred for consideration by the Operations Committee at its September 8, 2008 meeting; and,
2. That the Region of Durham be advised that the Town of Whitby will no longer assume the maintenance and Capital responsibility for acoustic and non-acoustic fences located on Regional Roads as of January 1<sup>st</sup>, 2009.

**3.8 Corporate Services Report, Item CS 32-08**

Re: T-279A-2008 Delivery of Sodium Chloride (Co-Op)

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Shepstone Haulage in the amount of \$40,902.75 (\$38,955.00 net G.S.T.) for the Town of Whitby's requirements for the delivery of sodium chloride for the 2008/2009 season (first year);
2. That approval be granted for the continuance into a second year term in the tender amount of \$41,575.87 (\$39,567.50 net G.S.T.) for the Town of Whitby's requirements for the 2009/2010 season (second year);
3. That the total estimated cost in the amount of \$82,478.62 (\$78,522.50 net G.S.T.) be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**3.9 Corporate Services Report, Item CS 33-08**

Re: Q2008-9 Replacement of Electronic Message Board

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low quotation of Pattison Sign Group Limited in the amount of \$36,454.95;
2. That the total estimated project costs in the amount of \$34,719.00 be approved;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(a) (Continued)

3. That the over expenditure of \$6,719.00 be financed from the Capital Reserve Fund; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**3.10 Corporate Services Report, Item CS 34-08**

Re: W2008-58 Replacement of Town Owned Fences

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**COUNCIL DECISION**

1. That the Town of Whitby accept the tender of Ajax Fence Ltd. in the amount of \$130,777.50 for the replacement of wood acoustic fences;
2. That the total estimated project cost in the amount of \$182,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.12 Corporate Services Report, Item CS 36-08**

Re: W2008-6 Parking Lot Construction Cassels Road in Brooklin

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Hard-Co Construction Limited in the amount of \$460,201.35;
2. That the total estimated project costs in the amount of \$539,287.20 be approved;
3. That the over expenditure of \$19,287.20 be financed from the Parking Reserve Fund;
4. That the Mayor and Clerk be authorized to execute the contract documents; and,
5. That staff look at options for the introduction of paid parking at this location in Brooklin.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(a). (Continued)

**3.13 Corporate Services Report, Item CS 37-08**

Re: W2008-5 Trent Street Reconstruction, Pine Street  
Reconstruction, Pine Street Sanitary Sewer Replacement

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**COUNCIL DECISION**

1. That the Town of Whitby accept the low tender of Hard-Co. Construction in the amount of \$228,711.21, subject to approval from the Regional Municipality of Durham for it's portion of the tender (\$35,190.00);
2. That the total estimated project cost in the amount of \$304,820.20 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.14 Corporate Services Report, Item CS 38-08**

Re: RFP #2-2008 Supply, Delivery, and Installation of an Audio  
Visual System for Whitby Town Hall Council Chambers

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**COUNCIL DECISION**

1. That the Town of Whitby accept the proposal of Duocom Canada Inc. in the revised amount of \$91,833.44 for the Supply, Delivery, and Installation of an Audio Visual System for Whitby Town Hall Council Chambers;
2. That the total estimated project cost in the amount of \$99,236.01 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**3.17 Corporate Services Report, Item CS 41-08**

Re: Building Permit Fees Annual Report 2007

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**COUNCIL DECISION**

That Corporate Services Report, Item CS 41-08 be received for Information.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(a). (Continued)

**3.19 Corporate Services Report, Item CS 43-08**

Re: Proposed Increase in Taxi Fares

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**COUNCIL DECISION**

1. That Council approve a 50 cent increase to the start rate and a 40 cent increase to the per kilometre rate as it relates to Whitby taxi fares, such that Section 6(1)(a) of Schedule "7" to By-law 5545-04 reads as follows: \$3.50 plus \$0.20 for each one-tenth (1/10) kilometre (GST included);
2. That the fare increase take effect July 10, 2008, and,
3. That the Seniors' discount rate offered by the Town's taxi companies be posted inside all taxi cabs.

**RESOLUTION NO. 197-08**

MOVED by Councillor Pitchforth  
Seconded by Councillor Scott

That Council adopt the recommendations set out in Item Nos. 3.1 through 3.19 inclusive as contained in the minutes of the meeting of the Operations Committee held on June 23, 2008, save and except Item No. 3.5, 3.6, 3.7, 3.11, 3.15, 3.16 and 3.18 thereof.

CARRIED

**3.5 Community and Marketing Services Report, Item CMS 14-08**

Re: Community Safety Task Force Grant

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**RESOLUTION 198-08**

MOVED By Councillor  
Seconded by Councillor

1. That Council receive as information the attached update on the progress of the implementation of the Community Safety Strategic Plan;
2. That Council endorse the recommended next steps identified in the Community Safety Strategic Plan update (summary provided in Attachment B) for the utilization of a \$20,000 Safer and Vital Communities Grant as received from the Ministry of Community and Correctional Services, which must be completed and expended by December 31, 2008; and,



MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(a). (Continued)

3. That Staff report back to Council in the first quarter of 2009 regarding progress on the identified strategies after utilization of the grant.

CARRIED

**3.6 Community and Marketing Services Report, Item CMS 19-08**  
Re: Preferred Caterer Program

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RESOLUTION 199-08

MOVED By Councillor Emm  
Seconded by Councillor Drumm

That leave be granted to Councillor Roy to put forth an alternate motion.

CARRIED

MOVED By Councillor Roy  
Seconded by Councillor Emm

1. That Council direct staff to develop and bring forward for Council's consideration in September 2008, a policy providing for the use and rental of Town facilities by qualified caterers with necessary requirements in place to protect the interests of the Municipality; and,
2. That Council direct staff to review the practices of other Municipalities and bring these forward to Operations Committee for it to review and make further recommendations based on these findings.

CARRIED

**3.7 Community and Marketing Services Report, Item CMS 21-08**  
Re: Municipal Office Needs Assessment (MONA)

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RESOLUTION 200-08

MOVED By Councillor Pitchforth  
Seconded by Councillor Scott

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(a). (Continued)

1. That Council authorize staff to undertake a comprehensive review of the long term municipal office accommodation needs and solutions required to support the Town of Whitby Council and staffing requirements for the next 25 or more years;
2. That long term solutions include a review of office expansion opportunities at the Rossland Road headquarters location, as well as examining the opportunities and feasibility to locate the municipal headquarters in other areas of the Town and corresponding financial impacts;
3. That Council authorize staff to prepare draft terms of reference for a Request for Proposal (RFP) to secure a consultant to assist staff in undertaking the long term accommodation and municipal office needs review and study;
4. That staff report back to Council for approval of the draft terms of reference for the RFP including budget implications by the fall of 2008;
5. That Council provide staff with any office development scenarios or considerations in order to address the long term office accommodation needs of the Municipality;
6. That Council approve the recommendation identified as Option 3 in the staff report to address short term office accommodation needs;
7. That Council approve \$30,000 from the \$1 million dollars allocated for the office renovation project to engage a design consultant to undertake the detailed design work and the preparation of the tender documents to secure competitive bids for short term office renovations; and,
8. That staff report back to Council for approval of the tender submissions in order to commence the renovations in the fall 2008.

CARRIED

**3.11 Corporate Services Report, Item CS 35-08**

Re: W2008-2 Sidewalk Construction

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RESOLUTION 201-08

MOVED By Councillor Emm  
Seconded by Councillor Coe

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(a). (Continued)

1. That the Town of Whitby accept the low tender of Slip-Form Construction in the amount of \$295,641.89, for the construction of sidewalks save and except the sidewalk proposed for the west side of Anderson Street which sidewalk shall be replaced by a sidewalk or sidewalks on the west side of Baldwin Street from North Street to Carnwith Drive.
2. That the total estimated project cost in the amount of \$445,111.00 be approved; and
3. That the Mayor and Clerk be authorized to execute the contract document.

CARRIED

**3.15 Corporate Services Report, Item CS 39-08**

Re: Municipal Performance Measurement Program – Year 2007

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RESOLUTION 202-08

MOVED By Councillor Pitchforth  
Seconded by Councillor Scott

That Corporate Services Report, Item CS 39-08 be received as information.

CARRIED

**3.16 Corporate Services Report, Item CS 40-08**

Re: Annual Statement of Development Charge Reserve Funds  
As at December 31, 2007

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RESOLUTION 203-08

MOVED By Councillor Pitchforth  
Seconded by Councillor Scott

That the annual Statement of Development Charge Reserve Funds as at December 31, 2007 be received for information.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(a). (Continued)

**3.18 Corporate Services Report, Item CS 42-08**  
Re: Development Charges Final Recommendations

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RESOLUTION NO. 204-08

MOVED By Coucillor Coe  
Seconded by Councillor Emm

1. That the Town of Whitby Development Charge Background Study, dated May 9, 2008, completed in accordance with Section 10(1) of the Development Charges Act, 1997, be adopted, including the forecasts of development activity, the capital expenditure forecasts and all calculations contained therein;
2. That approval of the Capital Forecasts included in the Background Study indicate Council's intention that an increase in the need for service will be met as required under paragraph 3 of Section 5(1) of the Development Charges Act, 1997 and Section 3 of Ontario Regulation 82/98 and shall be subject to further annual review during the capital budget process, including the addition of the 3 projects included in Schedule A to Corporate Services Report, Item CS 42-08 into the capital budget and 9-year forecast as these projects are required to support the development envisioned in the Background Study, but were not included in the 2008 capital forecast;
3. That approval of the excess capacity, as incorporated in Appendix B of the Background Study calculations, indicate Council's intention that such capacity shall be paid for by new development;
4. That the draft by-law as presented in the Background Study be amended to include an exemption for commercial expansions of less than 5,000 square feet in the Town's two Downtown Community Improvement Plan areas;
5. That the draft by-law presented in the Background Study be amended to provide for the phasing in of the industrial rate such that the rate is equal to 50% of the non-residential rate on the effective date of the by-law and increases to 100% of the non-residential rate on January 1, 2009;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(a). (Continued)

6. That, prior to the expiry of this by-law, a further background study be undertaken when, either, the Town has amended and adopted its Official Plan to conform with the Growth Plan for the Greater Golden Horseshoe as well as the Region of Durham's Official Plan as approved by the Minister of Municipal Affairs and Housing, and there are no appeals outstanding therefrom, or, Council has determined by resolution that a further background study is required;
7. That development charge incentives for Downtown development be brought forward as part of a future Planning report;
8. That Development Charges be payable by property owners upon issuance of a building permit;
9. That, as a transitional provision, the current development charge apply where a complete building permit application and development charge payment is received prior to August 1, 2008, and where the building permit is issues on, or prior to October 31, 2008;
10. That, based on public input received by the Town, and the limited changes proposed to the final by-law, pursuant to Section 12 of the Development Charges Act, a further public meeting shall not be required;
11. That a by-law be brought forward incorporating the provisions of the Background Study, dated May 9, 2008, prepared by Watson & Associates Economists Ltd., as well as the recommendations approved by Council in response to the proposed amendments contained in Corporate Services Report, Item CS 42-08; and,
12. That By-law No. 5266-03 be repealed effective August 1, 2008

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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- 5.(b) Planning and Development Committee – June 23, 2008  
Report Recommendations to Council
- 

**3.1 Planning Report, Item PL 110-08 [7:30 P.M.]**

Re: BROOKFIELD HOMES (ONTARIO) LIMITED

Zoning By-Law Amendment (Z-07-08) and Proposed Plan of Subdivision

(File No. SW-2008-01) – Part of Lot 27, Broken Front Concession

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**COUNCIL DECISION**

1. That Council approve the application to amend the Town of Whitby Official Plan (file OPA-2008-W/06) as Amendment No. 77, subject to the comments and conditions contained in Planning Report, Item No. PL 110-08;
2. That a By-law to adopt Official Plan Amendment No. 77 be brought forward for Council approval;
3. That the Clerk forward a copy of Planning Report, Item PL 110-08, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 77 to the Region of Durham;
4. That Council approve the Draft Plan of Subdivision (File SW-2008-01), shown as Attachment #8 to Planning Report Item PL 110-08; subject to the comments and conditions contained in Planning Report, Item PL 110-08;
5. That Council approve the application to amend Zoning By-law 1784, (File Z-07-08), subject to the comments and conditions contained in Planning Report Item PL 110-08;
6. That a By-law to amend Zoning By-law No. 1784 be brought forward for Council approval;
7. That staff be authorized to prepare a subdivision agreement;
8. That the Mayor and Clerk be authorized to execute the subdivision agreement;
9. That the Region of Durham be advised of Council's decision;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(b) (Continued)

10. That the Clerk forward a Notice of Decision to those persons and agencies who had requested to be notified of Council's decision;
11. That the required transportation and environmental assessment studies be subject to peer-review; and,
12. That the walkway be built and open to the public prior to any occupancy.

**4.2 Planning Report, Item PL 94-08**

Re: Healthy Communities and Sustainability: A Discussion Paper on  
The Role of Municipal Government

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**COUNCIL DECISION**

1. That Planning Report, Item PL 94-08, regarding the report on Healthy Communities and Sustainability: A Discussion Paper on the Role of Municipal Government be received as information;
2. That the Mayor and Members of Council provide their comments to Planning Staff on Report Item, PL 94-08 specifically the recommendations outlined in the report titled, Healthy Communities and Sustainability: A Discussion Paper on the Role of Municipal Government by September 30, 2008 for review and assessment; and,
3. That Staff bring forward final recommendations to Council for consideration after their review and assessment.

**4.3 Planning Report, Item PL 96-08**

Re: Conveyance of Block 69, Plan 40M-2241 to the Town

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**COUNCIL DECISION**

1. That the Developer convey to the Town free and clear of all encumbrances, Part 3 on a draft reference plan that is part of Attachment #2 to Planning Report, Item 96-08 together with a 20 metre access route to be determined by the Community and Marketing Services Department over Parts 1 and 2, of the same draft reference plan save and except for an easement in favour of the Region of Durham over Part 1;
2. That the fencing requirements of the Brooklin Meadows (Central) Subdivision agreement for Block 69, Plan 40M-2241 be implemented to the satisfaction of the Town; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(b). (Continued)

3. That Council accept the remnant parcel of land held by the Developer in the event there is no opportunity for development in the future.

**4.4 Planning Report, Item PL 98-08**

Re: Status of Parking Study to Review and Update Zoning  
Standards and Provisions (Z-04-08)

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**COUNCIL DECISION**

1. That Planning Report, Item PL 98-08 on the status of the Parking Study to Review and Update Zoning Standards and Provisions be received for information; and,
2. That the second round of consultation, to present the results of the background and analysis phase of the study and to obtain input on the draft recommendations be scheduled at the earliest opportunity after the summer recess.

**4.6 Planning Report, Item PL 100-08**

Re: Site Plan Application – Durham District School Board, Addition  
To Bellwood Public School (SP-22-08)

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**COUNCIL DECISION**

1. That Council approve Site Plan Application SP-22-08 subject to the comments and conditions contained in Planning Report Item PL 100-08; and,
2. That the Mayor and Clerk be authorized to execute an amending Site Plan Agreement.

**4.7 Planning Report, Item PL 101-08**

Re: Site Plan Application (SP-16-08) Telus – Communication Tower  
And Associated Ground Equipment Burns Street East

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**COUNCIL DECISION**

1. That Council approve Site Plan Application SP-16-08 subject to the comments and conditions contained in Planning Report Item No. PL 101-08;



MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

---

5(b). (Continued)

2. In the event an application to the Committee of Adjustment is required, site plan approval will be conditional upon a favourable decision that is final and binding;
3. That the requirement for a Site Plan Agreement be waived and in the alternative, the Planning Director be authorized to approve the required drawings; and,
4. That Council authorize the Director of Corporate Services to enter into a satisfactory lease agreement with the applicant.

**4.8 Planning Report, Item PL 102-08**

Re: Site Plan Application (SP-16-08) Telus – Communication Tower  
And Associated Ground Equipment Rossland Road West

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**COUNCIL DECISION**

1. That Council approve Site Plan Application SP-20-08 subject to the comments and conditions contained in Planning Report Item No. PL 102-08;
2. In the event an application to the Committee of Adjustment is required, site plan approval will be conditional upon a favourable decision that is final and binding;
3. That the requirement for a Site Plan Agreement be waived and in the alternative, the Planning Director be authorized to approve the required drawings; and,
4. That Council authorize the Director of Corporate Services to enter into a satisfactory lease agreement with the applicant.

**4.9 Planning Report, Item PL 104-08**

Re: Plan of Condominium Application (CW-2008-01) Oakwood  
Retirement Communities Inc. 3790 Brock Street North

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**COUNCIL DECISION**

1. That Council approve the Draft Plan of Condominium (CW-2008-01) subject to the comments and conditions contained in Planning Report, PL-104-08;
2. That the Mayor and Clerk be authorized to execute the condominium agreement for the subject property; and,

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(b). (Continued)

3. That the Clerk advise the Regional Planning Department of Council's decision.

**4.10 Planning Report, Item PL 105-08**

Re: Demolition Permit Application and De-designation for  
Ringwood House

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**COUNCIL DECISION**

1. That Council receive Planning Report PL-105-08 as information;
2. That the demolition permit for 1601 Hopkins Street, also known as Ringwood House, be deferred until such time as the Town is in receipt of an updated structural report from a qualified consultant; and,
3. That the Planning Department report back to Council at such time as the structural report is reviewed and assessed.

**4.12 Planning Report, Item PL 107-08**

Re: Annual Housing Monitoring Report January 1, 2007 to  
December 31, 2007

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**COUNCIL DECISION**

1. That Council receive Planning Report, Item PL 107-08, as information; and,
2. That the Clerk forward a copy of Planning Report, Item PL 107-08 to the Region of Durham.

**4.13 Planning Report, Item PL 108-08**

Re: Site Plan Application (SP-34-07) Calloway Reit (Whitby NE) Inc.  
4095 Calloway Reit (Whitby NE) Inc. 4095 Baldwin Street South

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**COUNCIL DECISION**

1. That Council approve site plan application SP-34-07 subject to the comments contained in Planning Report PL-108-08; and,
2. That the Mayor and Clerk be authorized to execute the site plan agreement.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(b). (Continued)

RESOLUTION NO. 205-08

MOVED by Councillor Drumm  
Seconded by Councillor Emm

That Council adopt the recommendations set out in Item Nos. 3.1, and 4.2 thru 4.13 inclusive as contained in the minutes of the meeting of the Planning Committee held on June 23, 2008, save except Item No's. 3.2, 4.5 and 4.11 thereof.

CARRIED

**3.2 Planning Report, Item PL 97-08 [7:50 P.M.]**  
Re: RITSON CREEK DEVELOPMENTS INC.  
Zoning Amendment Application (Z-07-05) Draft Plan of Subdivision – Part  
Lot 31, Concession 3

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RESOLUTION NO. 206-08

MOVED by Councillor Drumm  
Seconded by Councillor Emm

1. That Council approve the application for Draft Plan of Subdivision (File SW-2005-03), shown as Attachment #4 to Planning Report Item PL 97-08; subject to the comments and conditions contained in Planning Report, Item PL 97-08;
2. That Council approve the application to amend Zoning By-law 1784, (File Z-07-05), subject to the comments and conditions contained in Planning Report, Item PL 97-08;
3. That a By-law to Amend Zoning By-law No. 1784 be brought forward for consideration by Council;
4. That staff be authorized to prepare a subdivision agreement;
5. That the Mayor and Clerk be authorized to execute the subdivision agreement;
6. That the Region of Durham be advised of Council's decision;
7. That the Clerk bring forward a Notice of Decision to those persons and agencies who had requested to be notified of Council's Decision;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(b). (Continued)

8. That the Subdivider prepare an on street parking management plan to the satisfaction of the Town as part of the subdivision approval process; and,
9. That Truck Haul Route #3 as identified in Planning Report, Item PL 97-08 be approved subject to the applicant meeting the conditions set out under "Haul Route" on Page 19 to Report PL 97-08.

CARRIED

**4.5 Planning Report, Item PL 99-08**

Re: Site Plan Application – Durham District School Board,  
Addition to Winchester Elementary School (SP-18-08)

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RESOLUTION NO. 207-08

MOVED by Councillor Drumm  
Seconded by Councillor Emm

1. That Council approve Site Plan Application SP-18-08 subject to the comments and conditions contained in Planning Report Item # PL-99-08; and,
2. That the Mayor and the Clerk be authorized to execute an amending Site Plan Agreement.

CARRIED

**4.11 Planning Report, Item PL 106-08**

Re: Region of Durham Growth Plan Implementation Study: Scenario  
Evaluation and Recommended Preferred Growth Scenario Working Paper

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Council members debated the issue at length.

RESOLUTION 208-08

MOVED By Councillor Coe  
Seconded by Councillor Drumm

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(b). (Continued)

1. That the Town of Whitby request the Region to enable the development of growth management strategies for municipalities; and,
2. That the Town of Whitby develop appropriate growth management strategies for staging in the white belt in Whitby's Official Plan.

LOST

MOVED By Councillor Coe  
Seconded by Councillor Drumm

1. That Planning Report, Item PL 106-08 be received for information;
2. That the Staff comments contained in Planning Report be endorsed as the Town's comments on the above-captioned Working Paper;
3. That a copy of Planning Report, Item PL 106-08 be forwarded to the Region of Durham; and,
4. That Whitby Council endorse the extension of Living Area Lands in North Whitby to Brawley Road as put forward by the Regional Planning Committee at its meeting on June 3, 2008.

MOTION LOST ON A  
RECORDED VOTE AS FOLLOWS

YEAS

Councillor Coe  
Councillor Drumm

NAYS

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

MOVED By Councillor Mitchell  
Seconded by Councillor Emm

1. That Planning Report, Item PL 106-08 be received for information;
2. That staff comments in the report be endorsed save and except as they support the northerly expansion of the urban boundary above Brooklin;

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5(b). (Continued)

3. That Council endorse the urban boundary through Whitby identified in Figure 13A at page 53 titled "Scenario 3 – Reinforcing Existing Communities – Land Beyond Urban Area Boundary" of the "Growing Durham – Preferred Growth Scenario" report dated May 27, 2008 by Urban Strategies Inc. confirming Columbus Road as the primary northerly boundary; and,
4. That this recommendation and report be forwarded to the Region of Durham.

CARRIED ON RECORDED  
VOTE AS FOLLOWS

YEAS

Councillor Emm  
Councillor Mitchell  
Councillor Pitchforth  
Councillor Roy  
Councillor Scott

NAYS

Councillor Coe  
Councillor Drumm  
Mayor Perkins

RESOLUTION 209-08

MOVED By Councillor Drumm  
Seconded by Councillor Pitchforth

1. That Durham Region provide, by amendment to the Durham Region Official Plan, for the designation of lands to identify and protect for the establishment future major transit station at Lakeridge Road and Highway 401 to serve the future residents of Durham's Whitby and its neighbouring municipalities; and,
2. That all area Municipalities be copied with Council's resolution.

CARRIED

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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5. (c) Management Committee – June 17, 2008  
Report Recommendations to Council
- 

**2.1 Salary Policy for Non Union Staff**

RESOLUTION 210-08

MOVED By Councillor Emm  
Seconded by Councillor Mitchell

That the CAO be directed to retain a consultant and proceed with development of a new job evaluation comparison and analysis, for consideration by Council with respect to management and non union staff.

CARRIED

6. NOTICES OF MOTION

None.

7. NEW AND UNFINISHED BUSINESS

None.

8. BY-LAWS

- |         |   |
|---------|---|
| 6078-08 | By-law to amend By-Law 4202-98, being a By-law to establish and provide for the management of Whitby Fire and Emergency Services. (Refer to Fire Report, Item 5-08)                                 |
| 6079-08 | By-law to appoint/revoke certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property. (Refer to Public Works Report, Item PW 36-08) |
| 6080-08 | By-law to provide for the payment of development charges. (Refer to Corporate Services Report, Item CS 30-08 and CS 42-08)  |
| 6081-08 | By-law to amend Licensing By-law No. 5545-04 to provide for an increase in taxi-cab fares. (Refer to Corporate Services Report, Item CS 43-08)  |
| 6082-08 | By-law to amend Building By-Law 5718-05. (Refer to Public Works Report, Item PW 38-08)  |

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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8. BY-LAWS (Continued)

- 6083-08 By-law to amend Traffic By-law No. 1862-85, as amended, to revise the parking and stopping restrictions on Montgomery Avenue, between Vipond Road and Vanguard Drive in the vicinity of Meadowcrest Public School. (Refer to Public Works Report, Item PW 39-08)
- 6084-08 By-law to change the name of Ferguson Avenue to Denbury Court and to establish the highway set out in Plan 40M-2244 as a public highway. (Refer to Public Works Report, Item PW 24-08).
- 6085-08 By-Law to designate the 'Brooklin Heritage Conservation District' pursuant to Part V of the Ontario Heritage Act R.S.O. 1990, as amended, for the area shown as the 'Subject Lands' in Schedule 'A-1' attached to and forming part of this By-law. (Refer to Planning Report, Item PL 133-07)
- 6086-08 By-Law to adopt the 'Brooklin Heritage Conservation District Plan' pursuant to Part V of the Ontario Heritage Act R.S.O. 1990, as amended for the lands indicated as the 'Brooklin Heritage Conservation District' in the 'Brooklin Heritage Conservation District Plan' dated July 30, 2007. (Refer to Planning Report, Item PL 133-07)
- 6087-08 By-Law to amend Zoning By-law No. 1784, as amended, by amending the R2A\*-WS-1/R2B\*-WS-1 Residential (R2A\* and R2B\*) Wide Shallow – Exception 1 Zone by eliminating the reference to geodetic elevation and limiting the height of buildings to a maximum height of 7.0 metres for the land located in Part of Lot 24, Concession 6, west of Montgomery Avenue, south of Columbus Road West, Town of Whitby. (Refer to Planning Report, Item PL 81-08)
- 6088-08 By-Law to amend Zoning By-law No. 1784, as amended, by changing the zoning from H-CAC-GT-1 and H-CAC-GT-2 (Holding - Central Area Commercial – Garden and Taunton - Exceptions 1 and 2) to CAC-GT-1 and CAC-GT-2 (Central Area Commercial – Garden and Taunton - Exceptions 1 and 2) for the lands north of Taunton Road East, and east of Garden Street, Town of Whitby. (Refer to Planning Report, Item PL 101-07).



MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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8. BY-LAWS (Continued)

- 6089-08 By-Law to amend Zoning By-law No. 1784, as amended, by changing the zoning from A – Agricultural Zone to H-C2-S-5 - Holding – Special Purpose Commercial - Exception 5 for the lands north of Taunton Road East, and east of Garrard Road, municipally known as 940 Taunton Road East and 950 Taunton Road East, Town of Whitby. (Refer to Planning Report, Item PL 87-08).
- 6090-08 By-Law to designate the property composed of Block 1 in Draft approved Plan of Subdivision SW-2004-05 (Roybrook Farms), Town of Whitby, as not being subject to part lot control.
- 6091-08 By-Law to amend Zoning By-law No. 2585, as amended, by amending the zone provisions for block townhouse dwellings and stacked dwellings within the R5A-6 Multiple Residential Zone for the land located in Part of Lot 29, Broken Front Concession, situated at the southwest corner of Gordon Street and Whitby Shores Greenway, Town of Whitby. (Refer to Planning Report, Item PL 71-08)

RESOLUTION NO. 211-08

MOVED by Councillor Mitchell, Seconded by Councillor Pitchforth, that leave be granted to introduce By-law Nos. 6078-08 to 6091-08, 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. 6078-08 to 6091-08, inclusive, considered read a first, second and third time and finally passed.

9. CONFIRMATORY BY-LAW NO 6092-08

RESOLUTION NO. 212-08

MOVED by Councillor Scott, seconded by Councillor Drumm, 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 July 7<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

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF WHITBY HELD ON MONDAY, JULY 7, 2008 AT THE HOUR OF 8:00 P.M. IN  
THE MEETING HALL OF THE WHITBY MUNICIPAL BUILDING

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By-law No. 6092-08 considered read a first, second and third time and finally passed.

10. ADJOURNMENT

RESOLUTION NO. 213-08

MOVED by Councillor Emm at 10:57 p.m.  
Seconded by Councillor Drumm

That this July 7<sup>th</sup>, 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