

SPECIAL COUNCIL MINUTES
May 13, 2013 -5:30 pm
Council Chambers
Whitby Municipal Building

Present: Mayor Perkins
Councillor Coe
Councillor Drumm
Councillor Emm
Councillor Hanson
Councillor Montague

Also Present: R. Petrie, Chief Administrative Officer
S. Beale, Commissioner of Public Works
P. LeBel, Commissioner of Community & Marketing Services
K. Nix, Commissioner of Corporate Services/Treasurer
S. Pohjola, Town Solicitor
R. Short, Commissioner of Planning
D. Wilcox, Town Clerk
L. Doughty, Deputy Clerk

Regrets: Councillor Mitchell
Councillor Roy

1. DECLARATIONS OF PECUNIARY INTEREST

1.1 There were no disclosures of interest noted.

2. DELEGATIONS/PRESENTATIONS

2.1 Margaret Clayton on behalf of LACAC Heritage Whitby
Re: Community and Marketing Services Report CMS 30-13 - Cullen
Heritage Buildings

Margaret Clayton, Chair of LACAC Heritage Whitby made a delegation to Council regarding Community Marketing and Services Report CMS 30-13 - Cullen Heritage Buildings. Ms. Clayton advised the Lynde House has only been open to the public for special events during the past few years, but has generated great recognition as an 1812 era home. Margaret expressed hope that the Log Cabin and Puckrin House would be retained and indicated her understanding that the interiors could be adapted to other purposes and that LACAC would be pleased

to provide assistance regarding repurposing of the buildings. The Lynde House has a heritage history that dates to the War of 1812. The Cullen family made significant efforts to restore the building and Whitby is fortunate to boast this heritage home. It would be preferable to relocate Lynde House to other public lands in Cullen park; however, if this is not possible, LACAC would support the move of Lynde House to Brock and Burns Street as part of a heritage museum.

Resolution No. 233-13

Moved By Councillor Emm
Seconded By Councillor Coe

That Council move into Committee of the Whole.

CARRIED

3. ITEM FOR CONSIDERATION BY COUNCIL IN COMMITTEE OF THE WHOLE

3.1 Community and Marketing Services Report, CMS 30-13
Re: Cullen Heritage Buildings

A question and answer period ensued regarding the costs associated with the relocation of the building and possible ways of offsetting these costs, as well as whether discussions had occurred with the Durham Regional Police Services, the Region of Durham and Whitby Hydro to absorb a portion of the costs of the relocation. P. LeBel, Commissioner of Community Services and Marketing indicated discussions were held in relation to estimated costs and any request for financial support would have an impact on the budgets of these organizations. Clarification was sought regarding the estimated cost to relocate Lynde House and renovate the existing washroom at the main building at Brock and Burns Street to the Ontario Building Code standards as an accessible public washroom.

Discussion ensued regarding a proposed museum strategy, long term costs and the closure of the Whitby Historical Society and subsequent storage of artifacts. R. Petrie, Chief Administrative Officer confirmed it is the intent of the Town of Whitby to own the heritage museum and operate it on a volunteer basis; and that a business plan would be developed in conjunction with local heritage partners. It may be possible to access future grants for future projects with these community partners. P. LeBel, Commissioner of Community and Marketing Services provided operating cost information for the Pickering Village Museum facilities and staffing; and for the the Oshawa heritage program

including Parkwood Estates. Further discussion ensued regarding the need for public consultation to determine if the majority of Whitby residents are interested in a heritage museum. Mr. LeBel advised that the retention of the three historical buildings was part of the purchase and sale of the Cullen property and staff is currently dealing with the proponent; however, if Council direction is received regarding a heritage museum a public information centre could be held at a future date.

MOVED By Councillor Emm

1. That Community and Marketing Services Department Report CMS 30-13 regarding the Cullen Heritage Buildings be received as information;
2. That Council direct staff to prepare the necessary notice(s) to repeal the by-law(s) regarding the heritage designations on the structures and properties as per Part IV of the Ontario Heritage Act associated with the Log Cabin Emporium, Jones Puckrin House and Lynde House;
3. That Council authorize staff to negotiate the terms and conditions for the possible disposition of the Log Cabin and the Puckrin House to the Le Nordik Nature Spa and report back to Council on the terms and conditions;
4. That Council approve the relocation of the Lynde House to the Town's property located at the south-west corner of Brock and Burns Streets and the re-designation of the building at that site under Part IV of the Ontario Heritage Act as set out in the staff report;
5. That Council authorize staff to complete the design work necessary for the relocation of the Lynde House, engage professional services to provide advice regarding heritage features associated with the relocation, and prepare and issue the tender documents for the relocation of the Lynde House;
6. That Council approve the reuse of the Lynde House and the former Brock Street Activity Centre as a heritage museum for the storage and display of antiquities owned by the Town of Whitby and the Whitby Historical Society; and,
7. That staff report back to Council on the draft terms and conditions regarding the Whitby Historical Society's use of the Town's buildings and property for the purpose of operating a Whitby Heritage Museum.

SEE FOLLOWING MOTION

Moved By Councillor Montague

That item 3 be amended by adding the words "and the Lynde House" after Puckrin House as follows:

That Council authorize staff to negotiate the terms and conditions for the possible disposition of the Log Cabin, and the Puckrin House, and the Lynde House to the Le Nordik Nature Spa and report back to Council on the terms and conditions.

That recommendations (4), (5), (6), and (7), be deleted and replaced with the following recommendation:

That should negotiations with Le Nordik Nature Spa prove to be unsatisfactory, that buildings not accepted by Le Nordik Nature Spa be demolished;

And that the recommendation be renumbered accordingly.

MOTION LOST

Moved By Councillor Hanson

That item 7 be amended to include "that Administration report back with a strategy and business plan for the purpose of a Whitby Heritage Museum".

CARRIED

The main motion, as amended, was then CARRIED.

3.2 Corporate Services, Community and Marketing Services and Public Works Departments Report, CS 46-13
Re: Cullen Central Park Servicing Including Sanitary Sewer and Watermain Servicing Contract Award

Moved By Councillor Drumm

1. That the Town of Whitby accept the low tender of Coco Paving Inc. in the amount of \$608,989.66 (excluding applicable taxes) for all labour, materials and equipment necessary to complete Cullen Central Park servicing including sanitary sewer and water main services;
2. That the total estimated cost in the amount of \$795,677.88 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED

Moved By Councillor Coe

That Committee rise out of Committee of the Whole and report to Council.

CARRIED

3.1 Community and Marketing Services Report, CMS 30-13
Re: Cullen Heritage Buildings

Resolution No. 234-13

Moved By Councillor Emm
Seconded By Councillor Coe

1. That Community and Marketing Services Department Report CMS 30-13 regarding the Cullen Heritage Buildings be received as information;
2. That Council direct staff to prepare the necessary notice(s) to repeal the by-law(s) regarding the heritage designations on the structures and properties as per Part IV of the Ontario Heritage Act associated with the Log Cabin Emporium, Jones Puckrin House and Lynde House;
3. That Council authorize staff to negotiate the terms and conditions for the possible disposition of the Log Cabin and the Puckrin House to the Le Nordik Nature Spa and report back to Council on the terms and conditions;
4. That Council approve the relocation of the Lynde House to the Town's property located at the south-west corner of Brock and Burns Streets and the re-designation of the building at that site under Part IV of the Ontario Heritage Act as set out in the staff report;
5. That Council authorize staff to complete the design work necessary for the relocation of the Lynde House, engage professional services to provide advice regarding heritage features associated with the relocation, and prepare and issue the tender documents for the relocation of the Lynde House;
6. That Council approve the reuse of the Lynde House and the former Brock Street Activity Centre as a heritage museum for the storage and display of antiquities owned by the Town of Whitby and the Whitby Historical Society; and,
7. That staff report back to Council on the draft terms and conditions regarding the Whitby Historical Society's use of the Town's buildings and property for the purpose of operating a Whitby Heritage Museum and that Administration report back with a strategy and business plan

for the purpose of a Whitby Heritage Museum.

CARRIED ON A RECORDED VOTE AS FOLLOWS

Yes

Councillor Coe
Councillor Drumm
Councillor Emm
Council Hanson
Mayor Perkins

No

Councillor Montague

Absent

Councillor Mitchell
Councillor Roy

- 3.2** Corporate Services, Community and Marketing Services and Public Works Department, Report CS 46-13
Re: Cullen Central Park Servicing Including Sanitary Sewer and Watermain Servicing Contract Award

Resolution No. 235-13

Moved By Councillor Emm
Seconded By Councillor Coe

1. That the Town of Whitby accept the low tender of Coco Paving Inc. in the amount of \$608,989.66 (excluding applicable taxes) for all labour, materials and equipment necessary to complete Cullen Central Park servicing including sanitary sewer and water main services;
2. That the total estimated cost in the amount of \$795,677.88 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

CARRIED

4. BY-LAWS

That the following by-law be passed:

- 4.1** By-law 6737-13, being a by-law to approve the disposition (sale) of a

public walkway described as Block 207, Registered Plan 40M-2141, Artesian Drive, East of Country Lane, South of Taunton Road. [Report CS 52-08]

Resolution No. 236-13

Moved By Councillor Coe
Seconded By Councillor Emm

That leave be granted to introduce By-law No. 6737-13 and to dispense with the reading of the by-law by the Clerk 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

5. CONFIRMATORY BY-LAW

5.1 Confirmatory By-law

Resolution No. 237-13

Moved By Councillor Montague
Seconded By Councillor Emm

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 13, 2013, 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

6. ADJOURNMENT

6.1 Motion to Adjourn

Resolution No. 238-13

Moved By Councillor Coe
Seconded By Councillor Emm

That the meeting be adjourned.

CARRIED

The meeting adjourned at 6:42 p.m.

Debi A. Wilcox, Town Clerk

Patricia Perkins, Mayor