

Present: Mayor Mitchell
Councillor Drumm (left the meeting at 9:31 p.m.)
Councillor Emm
Councillor Gleed
Councillor Leahy
Councillor Mulcahy
Councillor Roy
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
M. Powers, Manager, Parks, Marina & Long Range Planning
R. Saunders, Commissioner of Planning and Development
C. Siopis, Manager of Corporate Communications
C. Harris, Town Clerk
S. Cassel, Deputy Clerk (Recording Secretary)

Regrets: None noted

Mayor Mitchell opened the meeting with a moment of silence to remember the recent losses of Nick Webb, Chief Fire Prevention Officer; Roger Anderson, Chair of the Regional Municipality of Durham; and the victims of the Humboldt Broncos tragedy in Saskatchewan.

1. Declarations of Pecuniary Interest

- 1.1 Mayor Mitchell made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 7.12, Legal and By-law Services Department Report, LS 17-18, Town Lands Encroachment By-law and By-law # 7389-18, being a by-law to permit encroachments on Town lands, as he has a registered encroachment agreement with the Town. Mayor Mitchell did not take part in the discussion or vote on these matters.

2. Adoption of Minutes

- 2.1** Special Council - March 19, 2018 (Confidential minutes under separate cover)
Regular Council - March 19, 2018
Special Council - March 22, 2018
Special Council - April 9, 2018 (Confidential minutes under separate cover)
Special Council - April 10, 2018

Resolution # 98-18

Moved By Councillor Leahy
Seconded By Councillor Emm

That the Special Council minutes of March 19, 2018, the Regular Council minutes of March 19, 2018, the Special Council minutes of March 22, 2018, the Special Council minutes of April 9, 2018, and the Special Council minutes of April 10, 2018, be adopted.

Carried

- 2.2** Prior to hearing the Presentations under Item 3 of the agenda, Mayor Mitchell requested Commissioner Beale to provide an update on the recent ice storm. Commissioner Beale provided an overview of the efforts undertaken thus far to combat this significant weather event and stated that the next steps included continued clean up as well as clearing of catch basins and culverts to improve water flow to avoid flooding. Commissioner Beale advised that all local streets had been salted and that with the rising temperatures, conditions were expected to improve over the next few days.

3. Presentations

- 3.1** Jennifer Danahy, Gowling WLG
Re: Duffin Creek Water Pollution Control Plant

Jennifer Danahy, Gowling WLG, appeared before Council and provided a PowerPoint presentation on the Duffin Creek Water Pollution Control Plant. Highlights of the presentation included:

- an overview of the algae issues along sections of Lake Ontario's shoreline being caused by high levels of phosphorus;
- the environmental and economic impacts for swimming, the fish habitat and rotting algae which was causing odour issues;
- the contribution factors of the Cladophora growth being sunlight

penetration in shallow waters, the hard lake bed surface and high levels of phosphorus being leached into the lake from the Duffin Creek Water Pollution Control Plant;

- an overview of measures taken, dating back to the 1970s, through the Great Lakes Water Quality Agreement;
- various amendments to the Agreement in an effort to help address the nearshore issue;
- the need to set phosphorus load reduction targets; and,
- the Minister's Order in 2016 that mandated the Regions to look at reducing phosphorus levels and provide input on new technologies that would be required to achieve desired results.

Moved By Councillor Drumm
Seconded By Councillor Leahy

That the rules of procedure be suspended to allow the presentation to exceed the ten minute limit.

Carried on a Two Thirds Vote

Ms. Danahy continued her presentation which included:

- the tertiary treatment options that had been studied and the projections of reduced phosphorus levels;
- the request from the Town of Ajax to the Minister to require seasonal treatments to decrease phosphorus levels; and,
- the effect of the flow, trapping of the outflow, moving east and west, and the impacts to several lakeshore municipalities.

A question and answer period ensued between Members of Council and Ms. Danahy regarding:

- the treatments used to reduce phosphorus levels in Lake Simcoe;
- impacts to Whitby's shoreline;
- how Whitby can assist with the issues and what the projected cost of tertiary treatment would be;
- input from the Durham Region and the differences in the science in the studies conducted by the Region and the Town of Ajax pertaining to this issue as well as the need to understand all the information in the studies prior to taking a position;
- whether this matter could be addressed by the Province to avoid burden on local taxpayers; and,
- the timing of the next Minister's Order on this issue.

3.2 Chris Darling, Central Lake Ontario Conservation Authority

Re: 2017 Accomplishments and 2018 Priority Projects

Chris Darling, Central Lake Ontario Conservation Authority (CLOCA), appeared before Council and provided a PowerPoint presentation which included an overview of CLOCA's 2017 accomplishments and a summary of priority projects for 2018. Highlights of the presentation included:

- the number of conservation authorities in Ontario;
- watershed boundaries;
- an overview of CLOCA's three core programs being watershed science, watershed management and community outreach and engagement;
- CLOCA's upcoming 60th Anniversary and the special events planned to engage the community and showcase CLOCA's work over the past 60 years;
- the annual Bioblitz event which will be held at Heber Down Conservation Area on the weekend of May 12th;
- the updating of the Lake Ontario Shoreline Management Plan to address erosion and flooding; and
- the creation of a Conservation Master Plan.

A question and answer period ensued between Members of Council and Mr. Darling regarding:

- the impacts from the Highway 407 construction in 2017 and whether there had been any changes in water courses as a result of the construction;
- the work undertaken by CLOCA to mitigate soil erosion and the process when working with new developers to mitigate impacts to the water course;
- progress of the combined entrance to Heber Down Conservation Area and Cullen Park and projected timelines for completion;
- erosion protection for lakes and the rebuilding of paths and trails;
- addressing increases in the number of visitors that attend the annual Purple Woods event; and,
- wildflower planting initiatives for rural residents and where they can go for advice and support.

3.3 Clint Scott and Francois Gauthier, Pickering Auxiliary Rescue Association

Re: 2017 Review and Operational Update

Clint Scott and Francois Gauthier, Pickering Auxiliary Rescue Association (PARA), appeared before Council and provided a PowerPoint presentation which included a review of 2017 and an overview of the Strategic and Business Plans for 2018 to 2020.

Highlights of the presentation included:

- retrofitting the vessel to bring it up to current regulations;
- their 50th Anniversary celebrations that took place in August 2017;
- the Strategic Plan that was started two years ago and the focus on three areas being striving for operational excellence, building on the present and planning for the future;
- the four pillars of PARA being safety, teamwork, professionalism and community;
- an increase in service levels from 6000 hours to over 8200 community hours in the Durham Region which included operations across 182 nautical miles;
- participation in education and outreach events; and,
- partnerships and continued work with area municipal fire departments.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- April 28, 2018 - National Day of Mourning
- May 1 to 7, 2018 - National Youth Week
- May 7 to 11, 2018 - Girls Rights Week
- May 20 to 26, 2018 - National Public Works Week
- June 2, 2018 - National Health and Fitness Day
- June 15, 2018 - World Elder Abuse Awareness Day
- June 2018 - Recreation and Parks Month
- June 2018 - Seniors' Month
- May 14 to May 18, 2018 - Flag Raising - Walk for Values

Resolution # 99-18

Moved By Councillor Yamada
Seconded By Councillor Leahy

That the proclamations for National Day of Mourning, National Youth Week, Girls Rights Week, National Public Works Week, National Health and Fitness Day, World Elder Abuse Awareness Day, Recreation and Parks Month, Seniors' Month, and flag raising for Walk for Values, be endorsed.

Carried

6. Planning and Development Committee
Report # 4 of the Planning and Development Committee - March 26, 2018

- 6.1** Memorandum from C. Harris, Town Clerk dated March 8, 2018
regarding the Whitby Sustainability Advisory Committee's 2017 Annual
Report

Resolution # 100-18

Moved By Councillor Gleed
Seconded By Councillor Roy

That the 2017 Annual Report for the Whitby Sustainability Advisory
Committee be received and endorsed.

Carried

- 6.2** Memorandum from C. Harris, Town Clerk dated March 20, 2018
regarding the Heritage Whitby Advisory Committee's 2017 Annual
Report

Resolution # 101-18

Moved By Councillor Gleed
Seconded By Councillor Roy

That the 2017 Annual Report for the Heritage Whitby Advisory
Committee be received for information.

Carried

- 6.3** Planning and Development Department Report, PL 15-18
Re: Site Plan Application SP-07-17, Northwest Corner of Victoria Street
East and Thickson Road South, Victoria Street Storage Corp.

Resolution # 102-18

Moved By Councillor Gleed
Seconded By Councillor Roy

1. That Council approve development plans for the northwest corner

of Victoria Street East and Thickson Road South (Site Plan Application SP-07-17) subject to:

- a. the completion of revisions to the proposed plans as outlined in Report PL 15-18, including the addition of more parking spaces to a minimum rate of 0.6 parking spaces per 100 m2 of gross floor area;
 - b. the conditions of approval set out in Attachment #8 of Planning Report PL 15-18;
2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement; and,
 3. That the Council approval be subject to a successful application to the Committee of Adjustment as identified in Section 4 of Report PL 15-18.

Carried

- 6.4** Planning and Development Department Report, PL 16-18
Re: Recommendation Report – Site Plan Approval Application, City Homes, on Lands Municipally Known as 215-234 Perry Street, 205 John Street East and the Two (2) Vacant Lots to the South, File No. SP-09-17

Resolution # 103-18

Moved By Councillor Gleed
Seconded By Councillor Roy

1. That Council approve development plans for City Homes, on lands municipally known as 215-234 Perry Street, 205 John Street East and the two (2) vacant lots to the south (Site Plan Application SP-09-17), subject to:
 - a. The completion of revisions to the proposed plans as outlined in Report No. PL 16-18; and,
 - b. The Conditions of Approval set out in Attachment #8 of Report No. PL 16-18;
2. That the Mayor and Clerk be authorized to execute a Site Plan Agreement; and,
3. That the Council approval be subject to a successful application to the Committee of Adjustment as identified in Section 4.4 of Report PL 16-18.

Carried

- 6.5** Planning and Development Department Report, PL 17-18
Re: Recommendation Report – Official Plan Amendment, Town-Initiated

– Lands in the Northwest Quadrant of Garrard Road and Taunton Road East, File No. OPA-2017-W/01

Resolution # 104-18

Moved By Councillor Glead
Seconded By Councillor Roy

1. That Council approve Official Plan Amendment No. 110 (OPA-2017-W/01), as shown on Attachment 2;
2. That a By-law to adopt Official Plan Amendment No. 110 be brought forward for consideration by Council;
3. That the Clerk forward a copy of Planning Report No. 17-18, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment No. 110, to the Region of Durham's Commissioner of Planning; and,
4. That Items MD 3710 and MD 4175 be removed from the Planning and Development Committee – New and Unfinished Business list.

Carried

7. Operations Committee
Report # 4 of the Operations Committee - April 9, 2018

- 7.1 Correspondence # 2018-113 received by the Town Clerk from Christine Raynor, Board Chair, Durham Region Hospice dated March 2, 2018 regarding a request for a land donation to support the development of ten (10) bed residential hospice and Palliative Care Centre of Excellence

Resolution # 105-18

Moved By Councillor Emm
Seconded By Councillor Roy

That Correspondence # 2018-113 received by the Town Clerk from Christine Raynor, Board Chair, Durham Region Hospice dated March 2, 2018 regarding a request for a land donation to support the development of ten (10) bed residential hospice and Palliative Care Centre of Excellence be received.

Carried

- 7.2** Correspondence # 2018-187 received by the Town Clerk from C. van der Vliet, Chair, Downtown Whitby Business Improvement Area dated March 9, 2018 regarding the Proposed Budget and the 2017 Annual Report for the Downtown Whitby Business Improvement Area

Questions were raised regarding the pie charts presented in the BIA's 2017 Annual Report and it was requested that the BIA provide information going forward on the initiatives undertaken to increase the percentage of shoppers and people coming into the downtown.

Resolution # 106-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Council approve the 2018 Downtown Whitby Business Improvement Area Budget and receive the 2017 Downtown Whitby Business Improvement Area's Annual Report as presented in Correspondence # 2018-187 received from Chris van der Vliet, Chair, Downtown Whitby BIA, dated March 9, 2018; and,
2. That the Clerk be directed to bring forward a by-law to approve the levy for the 2018 Downtown Whitby Business Improvement Area budget.

Carried

- 7.3** Office of the Town Clerk Report, CLK 07-18
Re: Private Transportation Services By-law

A question and answer period ensued between Members of Council and Staff regarding:

- accessible service not being provided by UBER, the receipt of cash in lieu for accessible service and the impacts on individuals who require accessible transportation;
- how other Transportation Network Companies would be impacted by the new by-law should they begin operations in the Town;
- experiences by other municipalities in how they enforce their municipal by-laws if ride sharing and transportation services are not in compliance; and,
- the availability and possible expansion of accessible transportation services provided through the Region of Durham.

Resolution # 107-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That the Town Clerk be directed to bring forward the draft Private Transportation Services By-law substantially in the form appended as Attachment 1 to Report CLK 07-18 for enactment;
2. That the Town Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law #7220-17 to adopt the licensing fees as per Attachment 2 to Report CLK 07-18 with a Taxicab Broker fee of \$100.00;
3. That the Commissioner of Legal and By-law Services and Town Clerk be directed to prepare a terms of reference for Council approval to create a quasi-judicial committee that will consolidate the current Property Standards and Animal Services Appeals Committees, in addition to being responsible for business licensing appeals and other matters;
4. That Staff be directed to engage Durham Area Municipalities and the Region of Durham to explore opportunities to adopt a standardized framework to regulate and license Designated Driving Services (DDS), and with the City of Oshawa as part of its ongoing monitoring of DDS licensing; and,
5. That the Clerk be directed to send correspondence to the Hon Tracy MacCharles, Minister Responsible for Accessibility, requesting that Transportation Network Companies be required to provide accessible transportation as part of the Minister's review of the Transportation Standards made under the Accessibility for Ontarians with Disabilities Act.

Carried

- 7.4** Corporate Services Department Report, CS 20-18
Re: Declare Surplus Block K, Plan M1133, Crawforth Street and Prince of Wales Drive, for the purchase of land donation to Durham Region Hospice

Discussion ensued regarding:

- the need to move this project forward so that the hospice would be in a position to meet the deadlines to apply for funding grants;
- the need to provide information to the community to provide insight into the design and architectural plans for the hospice;
- the introduction of the hospice to the community and the necessity for such a facility;
- the members of the Durham Hospice and their desire to share this story with the community and their willingness to hold a

- community public meeting; and,
- the particulars of the property sign and whether there would be any restrictions on the size or content of the sign.

Resolution # 108-18

Moved By Councillor Gleed
Seconded By Councillor Roy

1. That Block K, Plan M1133 as shown on Attachment 1 to this report be declared surplus for the purpose of a land donation to Durham Region Hospice;
2. That the Town give public notice of its intention to convey the subject property, identifying the anticipated future use, by placing an advertisement in the newspaper one time and by circulating notice to property owners who are within 120 meters of the subject property;
3. That provided no objection is received by the Town in connection with the donation, and provided Durham Region Hospice meets the conditions as set out in this report, a by-law be brought forward to authorize the conveyance of the required portion of Block K, Plan M1133;
4. That Staff be directed to issue a permit, including a building permit if necessary under the Building Code Act, to Durham Region Hospice under the Temporary Sign By-law to erect a sign in accordance with said By-law indicating construction of a hospice on the site; and,
5. That the Mayor and Clerk be authorized to execute the necessary documents to give effect thereto.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Joe Drumm	x		
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	8	0	0

- 7.5** Office of the Town Clerk Report, CLK 06-18
Re: 2019 Council and Committee Meeting Schedule

Resolution # 109-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Report CLK 06-18 be received;
2. That Council approve the 2019 Council and Committee Meeting Schedule appended as Attachment 1 to CLK 06-18; and,
3. That the Town Clerk take the necessary action to give effect thereto.

Carried

- 7.6** Corporate Services Department Report, CS 16-18
Re: Remuneration and Expenses paid to Mayor and Members of Council and Council appointees to Boards - 2017

Resolution # 110-18

Moved By Councillor Emm
Seconded By Councillor Roy

That Report CS 16-18 of the Commissioner of Corporate Services/
Treasurer be received for information.

Carried

- 7.7** Corporate Services Department Report, CS 17-18
Re: T-2-2018 Vacuum Sewer Cleaner

Resolution # 111-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender bid of FST Canada Inc. o/a Joe Johnson Equipment in the amount of \$506,043 00 (plus applicable taxes) for the supply and delivery of one (1) Vacuum Sewer Cleaner;

2. That the total estimated contract amount of \$517,449.35 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.8** Public Works Department and Corporate Services Department Joint Report, CS 18-18
Re: T-502-2018 – Sidewalk Construction

Resolution # 112-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That the Town of Whitby accept the low bid as submitted by Serve Construction Ltd. in the amount of \$668,321.00 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete sidewalk construction as required by the Town of Whitby;
2. That the Total Project Cost of \$880,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.9** Office of the Chief Administrative Officer Report, CAO 06-18
Re: Corporate Rebrand Project, Phase Two – Update

Resolution # 113-18

Moved By Councillor Emm
Seconded By Councillor Roy

That report CAO 06-18 be received for information.

Carried

- 7.10** Community and Marketing Services Department Report, CMS 14-18
Re: 2018 Earth Day/Week Activities

Resolution # 114-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Council endorse the Earth Day/Week activities outlined in Community and Marketing Services Report CMS 14-18; and,
2. That Council acknowledge and thank the Earth Day/Week sponsors and organizers.

Carried

- 7.11** Legal and By-law Services Department and Public Works Department
Joint Report, LS 12-18
Re: Traffic Safety Awareness Sign Campaign

Councillor Drumm left the meeting at this point being 9:31 p.m.

A question and answer period ensued between Members of Council and Staff regarding:

- the management of the signs and methods for removal after the seasonal time period for their display had expired;
- whether there had been any consideration of making the signs available at Town facilities for pick up by residents;
- the optics of the signs with it being an election year and the number of signs that would be around the community; and,
- whether the Road Watch or Active Transportation and Safe Roads Advisory Committees would be interested in becoming involved with handing out the signs to residents.

Moved By Councillor Emm
Seconded By Councillor Roy

1. That the Town adopt a "Traffic Safety Awareness Sign Campaign", in accordance with the recommendations contained in this report and as outlined in the Memorandum from W. Mar, Commissioner of Legal and By-law Services dated April 16, 2018;
2. That Council approve the signs provided in Attachment 1 and endorse these signs as Public Information Signs in accordance with the Temporary Sign By-law # 5695-05 with inclusion in the by-law of a defined time period during which times the signs can be erected and displayed;
3. That funding in the amount of \$5,000.00 be allocated effective April 2018 for the purchase of signs to be equally provided to

Members of Council (est. 350 signs each) for distribution to residents; and,

4. That staff be directed to report back on the campaign in 2020, including any issues or challenges encountered, a recommendation to continue or discontinue the campaign, and future funding requirements.

Carried later in the meeting [See following motion]

Moved By Councillor Emm
Seconded By Councillor Roy

That the main motion be amended by adding the following as Item 4 and the recommendation renumbered accordingly:

That staff be directed to contact the Road Watch Committee to inquire whether they would be prepared to assist with the distribution of the traffic safety awareness signs.

Carried

The main motion, as amended, was then carried as follows on a recorded vote:

Resolution # 115-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That the Town adopt a "Traffic Safety Awareness Sign Campaign", in accordance with the recommendations contained in this report and as outlined in the Memorandum from W. Mar, Commissioner of Legal and By-law Services dated April 16, 2018;
2. That Council approve the signs provided in Attachment 1 and endorse these signs as Public Information Signs in accordance with the Temporary Sign By-law # 5695-05 with inclusion in the by-law of a defined time period during which times the signs can be erected and displayed;
3. That funding in the amount of \$5,000.00 be allocated effective April 2018 for the purchase of signs to be equally provided to Members of Council (est. 350 signs each) for distribution to residents;
4. That staff be directed to contact the Road Watch Committee to inquire whether they would be prepared to assist with the distribution of the traffic safety awareness signs; and,

5. That staff be directed to report back on the campaign in 2020, including any issues or challenges encountered, a recommendation to continue or discontinue the campaign, and future funding requirements.

Carried

	For	Against	Abstained
Councillor Michael Emm	x		
Councillor Derrick Gleed		x	
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy	x		
Councillor Elizabeth Roy		x	
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		
	5	2	0

Having previously declared a conflict of interest, Mayor Mitchell vacated the Chair for this portion of the meeting and did not take part in the discussion or vote on Item 7.12.

Deputy Mayor Roy assumed the Chair.

7.12 Legal and By-law Services Department Report, LS 17-18
Re: Town Lands Encroachment By-law

Resolution # 116-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Council approve the proposed principles and recommendations for encroachments on Town lands as contained in Report LS 17-18;
2. That the Town Clerk be directed to bring forward a by-law to establish the Town lands encroachment principles and recommendations as contained in Report LS 17-18; and,
3. That the Town Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law to give effect to the recommendations contained in Report LS 17-18.

Carried

Mayor Mitchell resumed the Chair.

- 7.13** Legal and By-law Services Department Report, LS 19-18
Re: Prohibited and Regulated Animals By-law

Resolution # 117-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Council receive Report LS 19-18 for information; and,
2. That the Clerk be directed to bring forward a Prohibited and Regulated Animals By-law to Council in accordance with this report.

Carried

- 7.14** Public Works Department Report, PW 10-18
Re: Widening of Brock Street CNR/GO Overhead Bridge for Multi-Use Path – Preliminary Design, Detailed Design and Tender Preparation

Resolution # 118-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Council authorize staff to sole source and retain GHD to undertake the preliminary design, detailed design, and tender preparation for the widening of the Brock Street CNR/GO Overhead Bridge to accommodate a multi-use path;
2. That Council approve the advancement of \$100,000 from 2020 to 2018 for the preliminary design, detailed design and tender preparation services for the widening of the Brock Street CNR/GO Overhead Bridge; and,
3. That the Mayor and Clerk be authorized to execute the necessary contract documents.

Carried

- 7.15** Confidential Corporate Services Department Report, CS 21-18
Re: Declare Surplus Part of Lot 295, Part of Lots 296, 297, Plan H-50029, Part 23, 40R-6389 – Northeast Corner of Mary Street East and

Hickory Street North

Resolution # 119-18

Moved By Councillor Emm
Seconded By Councillor Roy

1. That Part of Lot 295, Part of Lots 296, 297, Plan H-50029, Part 23, 40R6389, be declared surplus for the purpose of sale to the adjoining land owner, subject to the conditions as set out in this report;
2. That the Town give public notice of its intention to sell the subject property by placing an advertisement in the newspaper one time;
3. That provided no objection is received by the Town in connection with the proposed sale, and provided the owner of 400 Mary Street East enters into a satisfactory development agreement, a by-law be brought forward to authorize the sale;
4. That a by-law be brought forward to stop up and close the portion of the road allowance from the property to be sold; and,
5. That the Mayor and Clerk be authorized to execute the necessary documents to give effect thereto.

Carried

7.16 Site Alteration By-law

A question and answer period ensued between Members of Council and Staff regarding:

- the reasoning for waiting on the OMB's decision;
- the continuation and associated issues pertaining to commercial fill operations in the Town; and,
- the continued research by Staff pending the decision of the OMB.

Resolution # 120-18

Moved By Councillor Emm
Seconded By Councillor Roy

Whereas the Town continues to face challenges with the dumping of fill, especially in its northern areas;

And whereas the Town is able to amend its current Site Alteration By-law to cover conservation-regulated areas due to recent changes in the Municipal Act, 2001;

And whereas the Town should further regulate the dumping and taking of fill in its boundaries in order to address traffic and noise concerns, while protecting residents and the environment from the effects of fill dumping;

Now Therefore be it Resolved:

1. That staff be directed to make changes to the Town's Site Alteration By-law to extend its provisions to CLOCA-regulated areas as well; and,
2. That staff also report back to the Operations Committee after the results of the OMB Hearing regarding 450 Myrtle Road with suggestions to further regulate and limit the amount of fill being removed and dumped within Whitby, including a review of the following issues:
 - a. restricting the importation of fill from outside of Whitby;
 - b. the site plan process regarding fill in Oak Ridges Moraine protected areas;
 - c. limiting the amount of fill being brought into agricultural properties to that which is only necessary to support the agricultural use, and to prevent the creation of commercial fill operations; and,
 - d. determine lessons learned as result of the OMB Hearing regarding 450 Myrtle Road.

Carried

7.17 Community Signage

Resolution # 121-18

Moved By Councillor Emm
Seconded By Councillor Roy

That Staff report back on options to implement a community and/or neighbourhood sign program, including strategies for identifying community and/or neighbourhood boundaries.

Carried

8. Management Committee
Report # 1 of the Management Committee - April 10, 2018

- 8.1** Office of the Chief Administrative Officer Report, CAO 01-18
Re: 2017 Corporate Sick and Overtime Utilization

Resolution # 122-18

Moved By Councillor Leahy
Seconded By Councillor Gleed

That CAO Report 01-18 regarding 2017 Corporate Sick and Overtime Utilization be received as information.

Carried

- 8.2** Office of the Town Clerk and Human Resource Services Joint Report, CLK 08-18
Re: Human Resources Policy Manual

Resolution # 123-18

Moved By Councillor Leahy
Seconded By Councillor Gleed

1. That the revised Standards for Town Policies and Procedures CA 080 appended as Attachment 1 to Report CLK 08-18 be approved;
2. That the Chief Administrative Officer or designate be delegated authority to approve HR Policies as provided for in Appendix 1 to CA 080; and,
3. That the policies listed for repeal in Section 4 of Report CLK 08-18 be hereby repealed.

Carried

- 9.** Notice of Motion

- 9.1** Cladophora Growth - Whitby Waterfront

Resolution # 124-18

Moved By Councillor Leahy
Seconded By Councillor Yamada

Whereas nuisance growth of cladophora along the nearshore destroys

fish habitat and deprives residents and visitors of the use and enjoyment of the waterfront and beaches;

And whereas the Regions of Durham and York have commissioned an Environmental Assessment to address the outfall capacity limitations of the Duffin Creek WPCP;

And whereas the waterfront of Whitby is an invaluable asset and assuring its cleanliness is essential to the well-being of our residents and future prosperity of our town;

And whereas the waterfront of Whitby deserves respect, regard and protection consistent with the latest and ongoing provincial, federal and international research and strategies to investigate and reduce algae blooms in Lake Erie and Lake Ontario.

Now Therefore be it Resolved:

1. That the Minister of Environment and Climate Change be advised of the strong concern of the Council of the Town of Whitby has about the negative social, recreational and economic impacts that would result from nuisance Cladophora on its waterfront;
2. That the Minister of Environment and Climate Change be requested to adopt a science-based approach to this matter ensuring that nutrients from all sources impacting the water quality of Lake Ontario are reduced in an appropriate and sustainable manner; and,
3. That the Clerk forward a copy of this resolution to the Minister of Environment and Climate Change, Durham Area Municipalities, the Regional Municipalities of Durham and York, and the Members of Provincial Parliament representing Durham and York Regions.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Michael Emm	x		
Councillor Derrick Gleed	x		
Councillor Chris Leahy	x		
Councillor Rhonda Mulcahy	x		
Councillor Elizabeth Roy	x		
Councillor Steve Yamada	x		
Mayor Don Mitchell	x		

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10. New and Unfinished Business

10.1 There was no new and unfinished business.

11. By-Laws

That the following by-laws be passed:

11.1 By-law # 7390-18, being a by-law to amend the Fees and Charges By-law. (Schedules B and D)

Refer to LS 07-18 and CLK 07-18

11.2 By-law # 7391-18, being a by-law to stop up and close part of the public highway known as Coronation Road.

Refer to PL 43-15

11.3 By-law # 7392-18, being a by-law to prohibit or regulate the keeping of animals within the Town of Whitby.

Refer to LS 19-18

11.4 By-law # 7393-18, being a by-law to acquire ownership of PIN 26545-0325 (LT) [Part of], Part of Lot 36, Plan H-50045, Part 5, Plan 40R-29913, Whitby.

Refer to Confidential Report CS 02-18

11.5 By-law # 7394-18, being a by-law to authorize the sale of PIN 26545-0323 (LT) [Part of], Part of Block D, Plan M-1070, Part 4, Plan 40R-29913, Whitby.

Refer to Confidential Report CS 02-18

11.6 By-law # 7395-18, being a by-law to authorize the sale of Lot 3, 2nd Double Range, Plan H50031; Lot 4, 2nd Double Range, Plan H50031; Part of Lot 1, 2nd Double Range, Plan H50031; Part of Lot 2, 2nd Double Range, Plan H50031; Part of Lot 19, 2nd Double Range, Plan H50031; Part of Lot 20, 2nd Double Range, Plan H50031; Part 4, Plan 40R-3679 & AS IN TW2741, 0159042, and 0125290; save and except Part 1, Plan 40R-11045; subject to 0284187; together with 0 47638; Whitby, being all of PIN 26503-0054 (LT) to Brookfield Residential (Ontario) Ltd.

Refer to Confidential Report CMS 13-18

- 11.7** By-law # 7396-18, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby. (Landerson Investments Ltd., Z-04-18)
Refer to PL 13-18
- 11.8** By-law # 7397-18, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby. (Richard B. Barnes, Z-01-18)
Refer to PL 9-18
- 11.9** By-law # 7398-18, being a by-law to licence and regulate the operation of private transportation services in the Town of Whitby.
Refer to CLK 07-18

Resolution # 125-18

Moved By Councillor Leahy
Seconded By Councillor Yamada

That leave be granted to introduce By-law # 7390-18 to # 7398-18 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

Having previously declared a conflict of interest, Mayor Mitchell vacated the Chair for this portion of the meeting and did not take part in the discussion or vote on By-law # 7389-18.

Deputy Mayor Roy assumed the Chair.

- 11.10** By-law # 7389-18, being a by-law to permit encroachments on Town lands.
Refer to LS 17-18

Resolution # 126-18

Moved By Councillor Emm
Seconded By Councillor Leahy

That leave be granted to introduce By-law # 7389-18 and to dispense with the reading of the by-law by the Clerk and that the same be

considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

Mayor Mitchell resumed the Chair.

12. Confirmatory By-Law

12.1 Confirmatory By-law

Resolution # 127-18

Moved By Councillor Leahy
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 the Council of the Town of Whitby at its regular meeting held on April 16, 2018 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

13. Adjournment

13.1 Motion to adjourn

Moved By Councillor Emm
Seconded By Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 9:51 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor