

Present: Mayor Mitchell
Councillor Drumm (arrived at 5:34 p.m.)
Councillor Emm
Councillor Gleed
Councillor Leahy
Councillor Mulcahy
Councillor Roy
Councillor Yamada

Also Present: D. Barnes, Interim Chief Administrative Officer
C. Kelly, Director of Operational Services
P. LeBel, Commissioner of Community & Marketing Services
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor
R. Short, Commissioner of Planning
C. Harris, Town Clerk
C. Bantock, Legislative Coordinator

Regrets: None noted

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Items for Consideration

2.1 Planning and Development Department Report, PL 16-17
Re: Addendum to the Brock Street Brewery, Site Plan Application,
located on 244 Brock Street South

Resolution # 107-17

Moved By Councillor Roy
Seconded By Councillor Yamada

That Council move to reconsider Resolution #336-16 and Suspend the
Rules to hear the reconsideration at this meeting.

Carried on a Two Third Vote

Mayor Mitchell invited forward the proponents, Mark Woitzik, Ryan Jeffery, and Victor Leone, to determine if there were any objections to the Staff Report and it was indicated that they had no objections.

A discussion ensued with respect to:

- impact on the building's functionality if required to provide on-site accessible parking;
- the Zoning By-law requiring at least one accessible parking space on-site;
- the use of parking bays by other municipalities to accommodate accessible parking in downtown areas;
- the grandfathering of development charges being required to apply to a whole area or property class, and not just one property;
- incentives available through a Community Improvement Plan (CIP); and,
- development charges being paid upon issuance of a building permit and timelines to issue building permits.

Resolution # 108-17

Moved By Councillor Emm

Seconded By Councillor Leahy

1. That Council reconsider certain aspects of Council Resolution #336-16 as it pertained to Site Plan Application SP-09-16, and adopt the recommendations as set out below as amendments to its original approval on June 27, 2016;
2. That Council approve a revised site plan set out in Attachment #3 based on an expanded floorplate, extended temporary lay-by parking space within the Dunlop right-of-way adjacent to the site, and one (1) accessible parking space on site (see Attachment #3);
3. That notwithstanding all of the conditions of the original Staff Report (PL 77-16), Council approve the revised Site Plan Application (SP-09-16) subject to the revised conditions contained in Sections 7.2 and 8.0 of Report Number PL 16-17;
4. That Council approve and require a revised cash-in-lieu payment in the amount of \$211,250. This amount is based on the additional four (4) onsite parking spaces that have been removed from the previously approved drawings. This payment shall remain a deferred payment secured through a letter of credit until Council has approved the incentives for Downtown Whitby; and,
5. That the Mayor and Clerk be authorized to execute the Site Plan

Agreement.

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

Resolution # 109-17

Moved By Councillor Leahy
Seconded By Councillor Emm

That Council move in-camera in accordance with Procedural By-law #7072-15, Closed Meeting Policy – G 040, and the Municipal Act, 2001, Section 239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board, parts of this meeting may be closed to the public.

Carried

- 2.2** Community and Marketing Services Department and Legal and By-law Services Joint Confidential Report, CMS 18-17
Re: Agreement of Purchase and Sale for the Municipal Property Located at 201 Brock Street South

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Resolution # 110-17

Moved By Councillor Leahy
Seconded By Councillor Yamada

That Council rise from the In-Camera session of the Special Meeting of

Council.

Carried

Resolution # 111-17

Moved By Councillor Drumm

Seconded By Councillor Emm

1. That Council approve the Agreement of Purchase and Sale between The Corporation of the Town of Whitby and Whitby Firehall Redevelopment Inc. for the municipal property located at 201 Brock Street South; and,
2. That Council authorize the Mayor and Clerk to accept and sign the Agreement of Purchase and Sale as attached to Community and Marketing Services/Legal and By-Law Services Report CMS 18-17, including any and all documentation necessary to give effect to same.

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

Resolution # 112-17

Moved By Councillor Leahy

Seconded By Councillor Emm

That Council take a short recess

Council recessed at 6:10 p.m. and reconvened at 6:16 p.m. in Committee Room 1.

Carried

Resolution # 113-17

Moved By Councillor Emm

Seconded By Councillor Leahy

That Council move in-camera in accordance with Procedural By-law #7072-15, Closed Meeting Policy – G 040, and the Municipal Act, 2001, Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees, and (d) labour relations or employee negotiations, parts of this meeting may be closed to the public.

Carried

- 2.3** Confidential Verbal Update from Doug Barnes, Interim CAO
Re: Matters pertaining to labour relations or employee negotiations

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

- 2.4** Confidential Verbal Update from Doug Barnes, Interim CAO
Re: Matters pertaining to identifiable individuals regarding CAO recruitment

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

3. Rising and Reporting

- 3.1** Motion to rise

Resolution # 115-17

Moved By Councillor Leahy

Seconded By Councillor Emm

That Council rise from the In-Camera session of the Special Meeting of Council.

Carried

3.2 Reporting into Open Session

Mayor Mitchell advised that during the closed portion of the meeting, Council provided direction to staff pertaining to labour relations and employee negotiations regarding the Collective Agreement with CUPE Local 53 and matters pertaining to identifiable individuals regarding the recruitment of a new Chief Administrative Officer.

4. Confirmatory By-law

4.1 Confirmatory By-law

Resolution # 116-17

Moved By Councillor Leahy
Seconded By Councillor Yamada

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 special meeting held on February 27, 2017 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

5. Adjournment

5.1 Motion to adjourn

Resolution # 117-17

Moved By Councillor Mulcahy
Seconded By Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 6:57 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor