Regular Council Minutes March 4, 2019 - 7:00 PM Council Chambers Whitby Town Hall

Present: Mayor Mitchell

Councillor Alexander
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
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

R. Saunders, Commissioner of Planning and Development

C. Siopis, Manager of Corporate Communications

J. Romano, Manager of Facilities

N. Tellis, Manager of Treasury Services

C. Harris, Town Clerk

K. Narraway, Manager of Legislative Services/Deputy Clerk

(Recording Secretary)

Regrets: None noted

- 1. Declarations of Pecuniary Interest
 - 1.1 Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 2.1, Adoption of Minutes, regarding the minutes of the Special Council meeting of February 25, 2019, as he was appointed as a Director to the HoldCo Board of Directors at that meeting.
- 2. Adoption of Minutes
 - 2.1 Special Council February 19, 2019 Regular Council - February 19, 2019 Special Council - February 25, 2019

Having previously declared a pecuniary interest, Mayor Mitchell did not take part in discussion or vote on the matter.

Resolution #75-19

Moved By Councillor Lee Seconded By Council Newman

That the Special Council minutes of February 19, 2019, the Regular Council minutes of February 19, 2019, and the Special Council minutes of February 25, 2019, be adopted.

Carried

- 3. Presentations
 - 3.1 Award/Recognition: 2019 Festival and Events Ontario Awards Best Promotional Campaign (Open Streets) and Top 100 Award (Brooklin Harvest Festival)

Mayor Mitchell attended the dais and was joined by Councillor Shahid and Matthew Gaskell, Chief Administrative Officer. Carlene Siopis, Manager, Corporate Communications was joined by Staff Members Erin Mikaluk, Lara Scott, Suzanne Christie, Stephanie Bakalar, Amanda Watt, and Kim Tafertshofer who were welcomed onto the dais to be recognized for receiving the 2019 Festival and Events Ontario Awards - Achievement Award for Best Promotional Campaign (Open Streets Whitby) and Top 100 Award (Brooklin Harvest Festival).

- 4. Delegations
 - **4.1** There were no delegations.
- 5. Correspondence
 - **5.1** That the following requests be endorsed:
 - April 1 to 7, 2019 Archives Awareness Week
 - March 25 to 29, 2019 Flag Raising Children's Wish Month
 - May 14 to 18, 2019 Flag Raising 100 Years of Optimism

Resolution # 76-19

Moved By Councillor Newman

Seconded By Councillor Alexander

That the proclamation for Archives Awareness Week, and the flag raisings for Children's Wish Month and 100 Years of Optimism, be endorsed.

Carried

- Committee of the Whole Report
 Planning and Development February 25, 2019
 - 6.1 Planning and Development Department Report, PL 22-19 Re: Temporary Use Zoning By-law Amendment Application File: DEV-09-18 (Z-19-18), Northwest Corner of Scadding Avenue and Gordon Street, Gordon Scadding Development Limited

A brief question and answer period ensued between Members of Council and Staff regarding the size and depth of a crawl space for a proposed sales trailer on the property and if timing of the project would be impacted by the addition of a crawl space.

Moved By Councillor Roy Seconded By Councillor Yamada

- That Council approve an amendment to Zoning By-law # 1784 (Application Z-19-18) subject to the conditions contained in Report PL 22-19; and,
- 2. That the Zoning By-law Amendment to permit a residential sales office for a 3 year term be brought forward for Council's consideration.

Carried later in the meeting [see following motion]

Moved By Councillor Roy Seconded By Councillor Yamada

That Item 1 of the main motion be amended by adding the following after 'Report PL 22-19':

save and except the condition prohibiting a basement for the residential sales office, per the memorandum provided by the Commissioner of Public Works dated March 1, 2019.

That the main motion, as amended, was then carried as follows:

Resolution #77-19

Moved By Councillor Roy Seconded By Councillor Yamada

- That Council approve an amendment to Zoning By-law # 1784 (Application Z-19-18) subject to the conditions contained in Report PL 22-19, save and except the condition prohibiting a basement for the residential sales office, per the memorandum provided by the Commissioner of Public Works dated March 1, 2019.; and,
- 2. That the Zoning By-law Amendment to permit a residential sales office for a 3 year term be brought forward for Council's consideration.

Carried

Planning and Development Department Report, PL 25-19
 Re: Zoning By-law Amendment Application, 300 Carnwith Drive East,
 Zancor Homes (Parkview) Ltd., File: DEV-08-18 (Z-16-18)

Resolution # 78-19

Moved By Councillor Roy Seconded By Councillor Yamada

- That Council approve an amendment to Zoning By-law # 1784 (Application Z-16-18) subject to the conditions contained in Report PL 25-19; and,
- That the Zoning By-law Amendment be brought forward for consideration by Council at such time as the applicant has provided the requested information to the Public Works Department and has submitted an acceptable application for Site Plan Approval to the satisfaction of the Planning and Development Department.

Carried

Planning and Development Department Report, PL 26-19
 Re: Zoning By-law Amendment Application File: DEV-10-18 (Z-21-18),
 1154936 Ontario Limited, 665 Taunton Road East

Resolution # 79-19

Moved By Councillor Roy Seconded By Councillor Yamada

- 1. That Council approve an amendment to Zoning By-law # 1784 (Application Z-21-18) to permit the proposed development; and,
- 2. That a Zoning By-law Amendment to implement the proposed development be brought forward for Council's approval.

Carried

Planning and Development Department Report, PL 27-19
 Re: Zoning By-law Amendment Application, 811 Dundas Street West,
 Sys-X Corporation, File: DEV 23-18 (Z-18-18)

Resolution #80-19

Moved By Councillor Roy Seconded By Councillor Yamada

- That Council approve the proposed amendment to Zoning By-law # 2585 (Application #Z-18-18), subject to the conditions contained in Report PL 27-19; and,
- 2. That a Zoning By-law Amendment to implement the proposed development be brought forward for Council's approval, at such time that the proponent has satisfied all conditions of approval.

Carried

6.5 Planning and Development Department Report, PL 24-19 Re: Draft Plan of Condominium Application CW-2017-05, Whitby (Brock and Rossland) Developments, Highmark Homes, Triumph Subdivision (Phase 3), Southwest Corner of Civic Centre Drive and Kenneth Hobbs Avenue

Resolution #81-19

Moved By Councillor Roy Seconded By Councillor Yamada

1. That Council approve the Draft Plan of Condominium (File CW-

- 2017-05) subject to the comments included in Planning Report PL 24-19 and the conditions of draft plan approval included in Attachment #4;
- 2. That Staff be authorized to prepare a Condominium Agreement;
- 3. That the Mayor and Clerk be authorized to sign any necessary documents; and,
- 4. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham of Council's decision.

Carried

6.6 Planning and Development Department Report, PL 21-19 Re: Application for Zoning By-law Amendment Recommendation Report, Amtullah Homes, 224 Hickory Street North, File: DEV-07-18, (Z-14-18)

Resolution #82-19

Moved By Councillor Roy Seconded By Councillor Yamada

- 1. That Council approve the proposed amendment to Zoning By-law # 2585 (Application #Z-14-18), to remove the Holding (H) Symbol and permit the proposed development; and,
- 2. That a Zoning By-law Amendment to remove the Holding (H) Symbol be brought forward for Council's approval at such time as the proponent has satisfied conditions related to servicing through the site plan approval process.

Carried

Planning and Development Department Report, PL 23-19Re: Whitby Sustainable Development Guidelines: Background Report

Resolution #83-19

Moved By Councillor Roy Seconded By Councillor Yamada

That Report PL 23-19 be received for information.

Planning and Development Department Report, PL 28-19
 Re: Amendment #1 to Growth Plan for the Greater Golden Horseshoe (2017)

Resolution #84-19

Moved By Councillor Roy Seconded By Councillor Yamada

- That the comments contained in Report PL 28-19 be forwarded to the Ministry of Municipal Affairs and Housing as the Town of Whitby's comments on Proposed Amendment #1 to the Growth Plan for the Greater Golden Horseshoe with special emphasis on the Town's request that the province expand the designation of provincially significant employment zones to include Prestige Industrial and General Industrial designated lands along Highways 412 and 407; and,
- 2. That a copy of Council's resolution and Report PL 28-19 be sent to the Region of Durham and the other area municipalities in Durham Region.

Carried

6.9 Management of Infill Housing Height Transitions

A brief question and answer period ensued between Members of Council regarding the Town's ability to limit 3-storey townhouses and the benefit of clearly communicating Council's expectations for infill developments to developers.

Moved By Councillor Roy Seconded By Councillor Yamada

That staff be directed to report back on a planning policy or approach to address the tiering or matching of height between proposed and existing residential uses.

See following motion.

That the main motion be amended and adopted as follows:

Resolution #85-19

Moved By Councillor Roy Seconded By Councillor Yamada

That staff be directed to report back on a planning policy or approach to support matching of height between proposed and abutting existing residential uses.

Carried

- 7. Committee of the Whole Report General Government February 25, 2019
 - **7.1** Office of the Chief Administrative Officer Report, CAO 06-19 Re: Special Events Volunteer Program Update

Resolution #86-19

Moved By Councillor Yamada Seconded By Councillor Leahy

That Report CAO 06-19 be received for information.

Carried

7.2 Office of the Chief Administrative Officer and Human Resources
 Services Joint Report, CAO 11-19
 Re: Corporate Strategic Plan

Resolution #87-19

Moved By Councillor Yamada Seconded By Councillor Leahy

- 1. That Council receive CAO Report 11-19 as information;
- 2. That Council endorse the proposed Corporate Strategic Plan; and,
- That the Corporate Strategic Plan be used as a framework to develop business plans and to inform operating and capital budgets.

7.3 Human Resource Services and Office of the Town Clerk Joint Report, CAO 12-19

Re: Pregnancy or Parental Leaves for Members of Council Policy

Resolution #88-19

Moved By Councillor Yamada Seconded By Councillor Leahy

That the Pregnancy or Parental Leaves for Members of Council Policy appended to Report CAO 12-19 as Attachment #1 be approved.

Carried

7.4 Fire and Emergency Services Department Report, FR 01-19 Re: Master Fire Plan - Implementation Update

Resolution #89-19

Moved By Councillor Yamada Seconded By Councillor Leahy

That report FR 01-19 be received as information.

Carried

7.5 Public Works Department Report, PW 7-19Re: Active Transportation Plan (ATP) Status Update

Resolution # 90-19

Moved By Councillor Yamada Seconded By Councillor Leahy

- 1. That Report PW-07-19 regarding the Active Transportation Plan (ATP) study be received for information; and,
- 2. That Staff continue to provide Council with status updates on the ATP study and report back to council with the final Active Transportation Plan for Council's consideration.

7.6 Winter Maintenance for Active Transportation Routes

A question and answer period ensued between Members of Council and Staff about the Town's ability to improve winter maintenance on the wood chip surfaced pathway that connects Glencedar Crescent and Golders Green Court as the pathway is regularly used by students walking to nearby schools. Staff indicated that different maintenance options would be presented to Council in June 2019 for Council direction with a final report presented in September 2019 to consider budget impacts.

Resolution #91-19

Moved By Councillor Yamada Seconded By Councillor Leahy

That Staff communicate with Town and Regional active transportation committees to identify active transportation routes suitable for winter maintenance for the purpose of encouraging walkable schools, connections to our downtowns, and high-use connectivity routes in the community and report back prior to the 2020 budget with cost implications of implementing winter maintenance on these routes.

Carried

7.7 Review of Council Expense Policy

Resolution #92-19

Moved By Councillor Yamada Seconded By Councillor Leahy

- 1. That Staff be directed to review the Council Expense Policy as per the requirement within the policy that it be reviewed following a general municipal election or as directed by Council; and,
- 2. That Staff report back to Council in Q2 2019 as a result of the review, and specifically report on best practices in other jurisdictions related to the following matters:
 - Incurring of expenses related to seeking advice from the Integrity Commissioner for matters pertaining to the Municipal Conflict of Interest Act;
 - A comparison of expense allotments for the Mayor and Councillors at GTA municipalities of a similar population size; and,

c. Hospitality at conferences or official functions.

Carried

- 8. Notice of Motion
 - **8.1** There were no notices of motion.
- 9. New and Unfinished Business
 - **9.1** Regional Review Municipal Responses

A discussion ensued between Members of Council regarding:

- a recent increase in the staffing budget for Councillors in the City of Toronto due to the reduction in the total number of Councillors;
- the mandate of the Province's Special Advisors;
- the Town's ongoing efforts to find efficiencies and the strategic direction provided by the Service Delivery Review;
- Whitby's identity and the pride residents have with living in the Town;
- examining any duplication of services between the Town and the Region of Durham;
- the importance of local decision making;
- opportunities for shared services between local municipalities and the Region of Durham;
- how Council and Staff could be involved in promoting the Province's online consultations about the Regional Review to residents:
- the Town's recent community survey which indicated that residents are proud to call Whitby home;
- the efficiency of smaller governments and Councils;
- efficiencies that come from engaged and collaborative staff members;
- the financial impact of the City of Toronto's amalgamation; and,
- the Town's ongoing efforts to proactively identify best practices and be competitive with other municipalities.

Resolution #93-19

Moved By Councillor Roy Seconded By Councillor Lee

That a motion to introduce a matter pertaining to the Provincial Government's Regional Government Review be allowed due to its timely

and urgent nature.

Carried on a Two Thirds Vote

Resolution #94-19

Moved By Councillor Roy Seconded By Councillor Lee

That in response to the Provincial Government's Regional Government Review the following resolution, as presented to the Council of the Town of Whitby be approved:

Whereas, the Government of Ontario has announced a review of Ontario's eight regional municipalities, the County of Simcoe, and their lower-tier municipalities by appointed Special Advisors;

Whereas, the provincially appointed advisory body will develop recommendations for the Minister for the purpose of improving governance, decision-making and service delivery in the regions and Simcoe County and their lower-tier municipalities;

Whereas, the Association of Municipalities of Ontario informed its members that last August, the Minister of Municipal Affairs and Housing began informal discussions, wishing to hear from people about how this system of governance is working recognizing it was established in the 1970s;

Whereas, the provincially appointed advisory body has included in the review consideration of moving to single-tier municipalities or amalgamating existing municipalities; and,

Whereas, neither the provincial review nor amalgamation was ever discussed during the recent provincial election by the Premier or our local Members of Provincial Parliament:

Whereas, 73 percent of residents are satisfied with the customer service they receive from the Town of Whitby;

Whereas 91 percent of Whitby residents indicate that the quality of life in Whitby is either good or excellent;

Whereas the Town of Whitby has a history of finding efficiencies and savings while enhancing programs, services and facilities;

Whereas the Town of Whitby has contributed to Durham Region's AAA credit rating; and,

Whereas Whitby is recognized as one of Canada's best places to live.

Now Therefore be it Resolved

- 1. THAT the Council of the Town of Whitby endorses the current effectiveness of our two-tier municipal government as it has evolved on mutual agreement with our partner lower-tier municipalities since its foundation in 1974;
- 2. THAT the residents of Whitby value their choices, voices and diversity of representation and residents should have their say before any change in municipal representation, or possible merger with other municipalities;
- THAT Mayors and Councils be provided the opportunity to have their say before any change to municipal representation is made; and.
- 4. THAT this resolution be forwarded to the Special Advisors appointed by the Province, Durham Region municipalities, the Association of Municipalities of Ontario, the Minister of Municipal Affairs and Housing and made publicly available.

Carried on a recorded vote as follows:

	For	Against	Abstained
Councillor Alexander	Х		
Councillor Leahy	Х		
Councillor Lee	Х		
Councillor Mulcahy	Х		
Councillor Newman	Х		
Councillor Roy	Х		
Councillor Shahid	Х		
Councillor Yamada	Х		
Mayor Mitchell	Х		
	9	0	0

10. By-Laws

That the following by-law be passed:

10.1 By-law # 7487-19, being a by-law to assume Underwood Drive as shown on Plan 40M-2509, as a Public Highway. [2309078 Ontario Limited SW-2005-02]

Resolution # 95-19

Moved By Councillor Leahy Seconded By Councillor Newman

That leave be granted to introduce By-law # 7487-19 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

11. Confirmatory By-Law

11.1 Confirmatory By-law

Resolution #96-19

Moved By Councillor Newman Seconded By Councillor Lee

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 March 4, 2019 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

12. Adjournment

12.1 Motion to Adjourn

Moved By Councillor Shahid Seconded By Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 7:52 p.m.

Regular	Council	Minu	ıtes
March 04,	2019 -	7:00	PM

Christopher Harris, Town Clerk	Don Mitchell, Mayor