

REGULAR COUNCIL MINUTES

June 24, 2013 -7:00 pm

Council Chambers

Whitby Municipal Building

**Present:** Mayor Perkins  
Councillor Coe  
Councillor Drumm  
Councillor Emm  
Councillor Hanson  
Councillor Mitchell  
Councillor Montague  
Councillor Roy

**Also Present:** R. Petrie, Chief Administrative Officer  
S. Beale, Commissioner of Public Works  
M. Gerrard, Fire Chief  
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:** None noted

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1. DECLARATIONS OF PECUNIARY INTEREST

1.1 Councillor Emm made a declaration of pecuniary interest under the Municipal Conflict of Interest Act with respect to item 5.11, Report PL 72-13, Zoning By-law Amendment for Gerdau Ameristeel Recycling and By-law 6763-13, as a member of his family is employed with Gerdau Ameristeel. Council Emm did not take part in the discussion or vote on the matter.

2. ADOPTION OF MINUTES

- 2.1
- Special Council - May 27, 2013
  - Regular Council - May 27, 2013
  - Special Council - June 17, 2013

**Resolution No. 288-13**

Moved By Councillor Coe  
Seconded By Councillor Mitchell

That the minutes be adopted.

**CARRIED**

3. ANNOUNCEMENTS FROM THE MAYOR

- 3.1** Mayor Perkins announced the upcoming events in the community to celebrate Canada Day, including Royal Canadian Legion Branch 112; Ashburn Park, Brooklin Flag Raising, County Town Carnival and Fireworks at Victoria Fields, and the annual Canada Day Celebration at Iroquois Park Sports Centre.

4. DELEGATIONS/PRESENTATIONS

**4.1** Recognition of Whitby Wolves PeeWee BB Team

Mayor Perkins, Councillor Drumm, Chair of the Community & Marketing Services Department and P. LeBel, Commissioner of Community & Marketing Services, presented medals to members of the Whitby Wolves PeeWee BB Team. The team was recognized as the 2013 PeeWee BB Provincial Gold Medal Champions.

**4.2** Recognition of Durham Attack Girls 15U Black Volleyball Team

Mayor Perkins, Councillor Drumm, Chair of Community & Marketing Services Department and P. LeBel, Commissioner of Community & Marketing Services, presented medals to members of the Durham Attack Girls 15U Black Volleyball Team. The team was recognized as Provincial Gold Champions and Nationals East Gold Champions.

**4.3** Recognition of Durham Attack Havoc 14U Girls Volleyball Team

Mayor Perkins, Councillor Drumm, Chair of Community & Marketing Services and P. LeBel, Commissioner of Community & Marketing Services, presented medals to the Durham Attack Havoc 14U Girls Volleyball Team. The team was recognized as Provincial Champions - Eastern National Champions.

**4.4** Recognition of Durham City Basketball Association - Durham City Bulldogs Novice Boys

Mayor Perkins, Councillor Drumm, Chair of Community & Marketing Services and P. LeBel, Commissioner of Community & Marketing Services, presented medals to the Durham City Basketball Association - Durham City Bulldogs Novice Boys. The team was recognized as Ontario Provincial Champions - U10 Basketball.

**4.5 Ethno-cultural and Diversity Advisory Committee Leadership in Diversity and Social Justice Student Scholarship Awards**

Mayor Perkins, Councillor Montague and Aldith Carasquero, Ethno-cultural and Diversity Advisory Committee, were joined on the dais by the following secondary students who received the Ethno-cultural and Diversity Advisory Committee Leadership in Diversity and Social Justice Award who were recognized for demonstrating leadership in the areas of diversity and social justice, including equity and inclusivity within their school and/or the Whitby community:

- Kiana Bonnick, Sinclair Secondary School - Planning to attend University of Toronto
- Derek Fernandes, Henry Street - Planning to attend Queen's University
- Chantal Lamb, Donald A. Wilson Secondary School - Planning to attend Durham College
- Amanda Manson, Trafalgar Castle - Planning to attend Concordia
- Lorianne Williams, Donald A. Wilson Secondary School - Planning to attend University of Toronto

**4.6 Michael Lipkus, IBI Group, Planning Consultant  
Re: Planning Report, PL 65-13 - Site Plan Application - McDonald's Restaurants of Canada Ltd. (SP-08-13) 200 Taunton Road East**

**Resolution No. 289-13**

Moved By Councillor Mitchell  
Seconded By Councillor Drumm

That the rules of order be suspended to permit the delegation from Michael Lipkus of IBI Group.

**CARRIED**

Michael Lipkus, IBI Group, Planning Consultant, made a delegation regarding Planning Report, PL 65-13, addressing concerns related to

the Site Plan Application for McDonalds Restaurants of Canada Ltd at 200 Taunton Road East, Whitby. Mr. Lipkus addressed specific concerns regarding the safety of the proposed pedestrian walkway, indicating there are no alternative connections to the parking area of the proposed Shoppers Drugmart site; however, concerns regarding loading of garbage may be addressed by garbage removal during off peak and evening hours. It is McDonalds desire to move forward with the recommendations of the existing report and to proceed with the development.

A question and answer period ensued regarding the maintenance of the walkway, proposed signage to ensure the safe throughway of pedestrians, as well as the conflicting hours of access for garbage pick-up.

Jim McKinley, Manager, National Property and Asset Management, McDonalds advised that signage agreements on site are the sole responsibility of the property owner.

**4.7** David Glover, Whitby Resident  
Re: Corporate Services Report, CS 58-13  
Results of Public Consultation Regarding Proposed Changes to Election Signage and Election Zones

David Glover made a delegation regarding Corporate Services Report CS 58-13 regarding results of Public Consultation Regarding Proposed Changes to Election Signage and Election Zones advising that he supports the proposed report for a standalone by-law. Mr. Glover does not support the proposed changes to the maximum sign of election signs; nor the ban of signs on boulevards.

A question and answer period ensued regarding the proposed recommendation to standardize the size of election signs; to ban signs from the boulevard; and how to improve communications regarding election signage.

**5. CORRESPONDENCE**

**5.1** Correspondence from Michael Lipkus, Planning Consultant, IBI Group Canada dated June 18, 2013 regarding Planning Report, PL 65-13 - Site Plan Application - McDonald's Restaurants of Canada Ltd. (SP-08-13) 200 Taunton Road East

**Resolution No. 290-13**

Moved By Councillor Drumm  
Seconded By Councillor Hanson

A motion to suspend the rules of procedure in order to lift Planning Report PL 65-13 from the Planning Committee referred items and include as Item 6.4 of Report No. 8 of the Planning & Development Committee.

**CARRIED ON A TWO-THIRDS MAJORITY VOTE**

**Resolution No. 291-13**

Moved By Councillor Drumm  
Seconded By Councillor Hanson

That Correspondence Item 5.1, from Michael Lipkus, Planning Consultant, IBI Group Canada dated June 18, 2013 be received and referred to consideration of Planning Report PL 65-13.

**CARRIED**

- 5.2** That the following requests be proclaimed:
- Franco-Ontarian Day - September 25, 2013
  - World Diabetes Day - November 14, 2013
- That the following flag raising be approved:
- Franco-Ontarian Day - September 25, 2013 - October 2, 2013

**Resolution No. 292-13**

Moved By Councillor Coe  
Seconded By Councillor Montague

That the requests for proclamations for Franco-Ontarian Day - September 25, 2013 and World Diabetes Day - November 14, 2013; and the flag raising request for Franco-Ontarian Day - September 25, 2013 - October 2, 2013 be endorsed.

**CARRIED**

6. PLANNING & DEVELOPMENT COMMITTEE  
Report No. 8 of the Planning & Development Committee - June 10, 2013

## **PUBLIC COMMENTS**

Delegations regarding Planning Report, PL 74-13

Re: Site Plan Application - Development of Office Buildings - Shascape Corporation (SP-04-11) Beech Street West, east of Harris Street, Concession 2, Part of Lot 28

Mayor Perkins advised this was not a statutory meeting for public comments, but rather the direction of the Planning and Development Committee.

Nicholaas Mensink, GHD, spoke on behalf of the applicant in support of the development. Mr. Mensink advised that written notice was received from one resident regarding the site plan application; and further outlined the proposed development advising the site design was created in a complementary manner to the local neighbourhood.

A question and answer period ensued regarding the proposed parking on the site; garbage pickup; and future controls for use of the units. It was confirmed that there is a restrictive list of uses within the zoning.

Maria Albi, resident of Harris Street, addressed Council regarding the report, expressing concern with possible two storey units; the exteriors of the building; and if the design will fit with the local neighbourhood; height of building; lighting on the rear of the building; minimum five metre setback; location of the fenceline; and proposed landscaping.

A question and answer period ensued regarding the fencing, lighting and possible trees and landscape.

- 6.1** Planning Report, PL 60-13  
Re: Street Name Change - Due to Highway 407 and the West Durham Link Construction

This item was referred back at Committee.

- 6.2** Planning Report, PL 61-13  
Re: Ontario Shores Request of Whitby Council to support the transfer of lands from the Province of Ontario to Ontario Shores - Ontario Shores - Centre for Mental Health Services - 600 Gordon Street

This item was referred back at Committee.

- 6.3** Planning Report, PL 62-13  
Re: Report to Close Files (Z-22-06, SP-50-06, SP-33-07, SP-37-08, SP-17-09) 49 Winchester Road W., Northwest corner of Victoria/Thickson and 817 Dundas St. W.

**Resolution No. 293-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Zoning Amendment Application file Z-22-06, and Site Plan Application files SP-50-06, SP-33-07, SP-37-08 and SP-17-09 be closed; and,
2. That all applicants, agencies and interested parties be advised of the closure of the files.

**CARRIED**

- 6.4** Planning Report, PL 65-13  
Re: Site Plan Application - McDonald's Restaurants of Canada Ltd. (SP-08-13) 200 Taunton Road East

Discussion ensued regarding the report.

**Resolution No. 294-13**

Moved By Councillor Hanson  
Seconded By Councillor Mitchell

1. That Council approve Site Plan Application (SP-08-13); and,
2. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

**CARRIED**

- 6.5** Planning Report, PL 66-13  
Re: Review of Licensing Requirements for Refreshment Vehicles, Schedule "10" to By-law No. 5545-04

**Resolution No. 295-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Planning Department Report PL 66-13 pertaining to the review of Schedule "10" to By-law No. 5545-04, being the section of the business licensing by-law relating to refreshment vehicles be

- received as information;
2. That Staff be directed to undertake a full public consultation process, including consultation with the downtown businesses, Whitby Chamber of Commerce, Whitby Downtown Development Steering Committee and the Brooklin Downtown Development Steering Committee; Durham Region Health Department; Durham Region Police Services; and,
  3. That the amendments to the Bylaw outlined in the Staff Report PL 66-13 be presented as options during the consultation process.

**CARRIED**

- 6.6** Planning Report, PL 67-13  
Re: Heritage Delegation Report

**Resolution No. 296-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Planning Report Item PL 67-13 regarding the Heritage Permit and Delegation process be received as information;
2. That public notice of intention of the passing of the by-law be provided prior to consideration by Council; and,
3. That a by-law implementing the Heritage Permit and Delegation process be prepared and presented to Council for consideration.

**CARRIED**

- 6.7** Planning Report, PL 68-13  
Re: Zoning Amendment Application to Lift 'H' Holding Symbol -  
Minthollow Estates [Z-08-13] Lots 1-94, Blocks 95-98, 104-109, 119 and  
122, Plan 40M-2448

**Resolution No. 297-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Council approve the removal of the 'H' Holding Symbol from Lots 1-94, Blocks 95-98, 104-109, 119, and 122 on Plan 40M-2448, subject to the conditions contained in Section 8.0 of Planning Report No. PL 68-13; and,



2. That the amending Zoning By-law to remove the 'H' Holding Symbol be brought forward for Council's approval.

**CARRIED**

**6.8** Planning Report, PL 69-13  
Re: Accessibility Plan 2013 - 2015

Discussion ensued regarding the Accessibility Plan and the groundwork for an inclusive "age friendly community", as well as synergies with the Town of Whitby's proposed Official Plan Amendment for accessibility and livable communities. Thanks were extended to the Advisory Committee and staff for the significant work on the plan.

**Resolution No. 298-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Council approve the Accessibility Plan 2013 – 2015 as attached to Planning Report Item 69-13;
2. That copies of the Accessibility Plan 2013 – 2015 be made available at the Town Hall, and all Community Centres, and branches of the Whitby Public Library and Recreation Facilities in the Town;
3. That the Town Clerk provide a copy of the Accessibility Plan 2013 – 2015 to the Director of the Accessibility Directorate at the Ministry of Economic Development, Trade and Employment; Director of Compliance Standards, Ministry of Economic Development, Trade and Employment; and the Ministry of Municipal Affairs and Housing; and,
4. That the Town Clerk provide a copy of the Accessibility Plan 2013 – 2015 to members of the Accessibility Advisory Committee (AAC); the Accessibility Working Committee (AWC); and neighbouring Municipalities.

**CARRIED**

**6.9** Planning Report, PL 70-13  
Re: Accessibility Audit Implementation Plan 2013 - 2015

**Resolution No. 299-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Council approve the Accessibility Audit Implementation Plan 2013 - 2015; and,
2. That the 2013 Projects be funded by the Accessibility Reserve.

**CARRIED**

- 6.10** Planning Report, PL 71-13  
Re: Removal of a Site Plan Agreement from the Title of 2099 Victoria Street East

**Resolution No. 300-13**

Moved By Councillor Emm  
Seconded By Councillor Hanson

1. That Council approve the request to remove a site plan agreement from the title of 2099 Victoria Street East; and,
2. That Metrolinx be responsible for all fees associated with the removal of the agreement.

**CARRIED**

- 6.11** Planning Report, PL 72-13  
Re: Zoning By-law Amendment Application - Gerdau Ameristeel Recycling (Z-24-12) 1801 Hopkins Street

Having previously declared a conflict of pecuniary interest in relation to this item, Councillor Emm left the room and did not vote on the matter.

**Resolution No. 301-13**

Moved By Councillor Montague  
Seconded By Councillor Hanson

1. That Council approve Zoning By-law Amendment Application (Z-24-12) to amend Zoning By-laws 2585 and 1784 subject to the comments and conditions in PL 72-13; and,
2. That a By-law to amend Zoning By-law 2585 and 1784 be brought forward for Council's consideration.

**CARRIED**

**6.12** Planning Report, PL 73-13

Re: Downtown Benches - Downtown Whitby and Downtown Brooklin

**Resolution No. 302-13**

Moved By Councillor Emm

Seconded By Councillor Hanson

1. That Council approve the numbers and locations of the benches as shown on Attachment No. 1; and,
2. That Staff be authorized to negotiate directly with Maglin Site Furniture for the supply and delivery of 10 benches (model MLB300MH Attachment No. 2).

**CARRIED**

**6.13** Planning Report, PL 74-13

Re: Site Plan Application - Development of Office Buildings - Shascape Corporation (SP-04-11) Beech Street West, east of Harris Street - Concession 2, Part of Lot 28

Discussion ensued regarding the report relating to the five metre buffer, and possible noise abatement, through the installation of trees at the rear of the building.

R. Short, Commissioner of Planning, provided information relating to the proposed site plan advising that fencing and landscaping may be considered; the five metre buffer is the decision of a by-law; presently a wood fence exists at the west boundary of the property; the zoning permits a two storey building; the building will be a masonry exterior with trimmed aluminum accents and a residential style roof; the design will be complementary to the existing neighbourhood; and garbage will be stored in an enclosure behind the fence. It was requested that the landscape plan be circulated to the representative of the neighbourhood group for discussion; and that Administration keep the ward Councillor apprised of the development of the property.

**Resolution No. 303-13**

Moved By Councillor Emm

Seconded By Councillor Hanson

1. That residents adjacent to the development (west side of Harris Street) be notified of the application and that public comments be

received at the Council meeting of June 24th, 2013 sitting as Committee of the Whole;

2. That Council approve Site Plan Application (SP-04-11) subject to the Conditions of Approval contained in Section 8.0 of Planning Report No. PL 74-13; and,
3. That the Mayor and Clerk be authorized to execute the Site Plan Agreement.

**CARRIED**

**6.14** Planning Report, PL 76-13

Re: Site Plan Application (Addition to Existing Single Detached Dwelling) (SP-11-13) 9150 Ashburn Road

**Resolution No. 304-13**

Moved By Councillor Emm

Seconded By Councillor Hanson

1. That Council approve site plan application SP-11-13 subject to the conditions of approval contained in Section 8.0 of Planning Report, PL 76-13; and,
2. That the applicant execute a letter of undertaking to the satisfaction of the Town and provide the prescribed fee.

**CARRIED**

**7. OPERATIONS COMMITTEE**

Report No. 8 of the Operations Committee - June 17, 2013

**7.1** Fire Department Report, FR 03-13

Re: Whitby Fire and Emergency Services - 2012 Annual Report

**Resolution No. 305-13**

Moved By Councillor Mitchell

Seconded By Councillor Roy

That Report No. 03-13, regarding Whitby Fire and Emergency Services - 2012 Annual Report, dated June 17, 2013, be received as information.

**CARRIED**

**7.2** Community and Marketing Services Report, CMS 36-13  
Re: Intrepid Park and "Camp X" - Intrepid Park

**Resolution No. 306-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Council approve the proposed designs of the new Park Identification sign and the QR Code Vignette sign for Intrepid Park as set out in Community and Marketing Services Department Report CMS 36-13.

**CARRIED**

**7.3** Community and Marketing Services Report, CMS 37-13  
Re: Off Leash Dog Parks - Cochrane Street and Jeffery Street

Discussion ensued regarding the report. Staff confirmed if favourable, a small dog enclosure for the north site will be included in the tender process.

**Resolution No. 307-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Council approve the two (2) off leash dog park designs appended as Attachments No. 2 and No. 3 to Community and Marketing Services Report CMS 37-13;
2. That Staff be authorized to proceed with the detailed working drawings, specifications and tender documents for the off leash dog parks;
3. That the off leash dog parks project be tendered and that Staff report back to Council with a recommendation of the preferred general contractor, construction timing and budget analysis;
4. That Staff report back to Council regarding the terms of a lease agreement with the Central Lake Ontario Conservation Authority for the two (2) off leash dog park sites; and,
5. That Council request the Central Lake Ontario Conservation Authority Board to defer the establishment of pay and display parking for the off leash dog park site to be located within the Heber Down Conservation Area until such time as the main valley parking lot is relocated to the area.

**CARRIED**

**7.4** Community and Marketing Services Report, CMS 38-13  
Re: Duggan Park Playground Replacement - Brooklin

Discussion ensued regarding the report and the recent park redevelopment projects within the community.

**Resolution No. 308-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Council approve the proposed playground design concept for Duggan Park as identified in Community and Marketing Services Department Report CMS 38-13;
2. That Staff be authorized to proceed with the detailed working drawings, specifications and Request for Proposal (RFP) for the playground project; and,
3. That Staff report back to Council with a recommendation of the preferred general contractor, construction timing and budget analysis.

**CARRIED**

**7.5** Community and Marketing Services Report, CMS 39-13  
Re: Smoke-Free Outdoor Places

**Resolution No. 309-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Community and Marketing Services Department Report CMS 39-13 regarding smoke-free outdoor places be received as information;
2. That Council direct the review of smoke-free outdoor places to Town of Whitby owned and leased/operated (for municipal purposes) properties;
3. That Council direct staff to undertake a community engagement and consultation process including conducting a Public Information Centre, a resident survey, and focus groups with community stakeholders including but not limited to services clubs, minor sports

organizations, Committees of Council, among others, pertaining to smoke-free outdoor public places; and,

4. That Staff report back to Council with a summary of the community and stakeholders engagement feedback and policy/by-law recommendations.

**CARRIED**

**7.6** Community and Marketing Services Report, CMS 41-13  
Re: "Summer Whitbylicious" Culinary Event

Discussion ensued regarding the report and the success of these culinary events within the community.

**Resolution No. 310-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Council endorse the 'Summer Whitbylicious' culinary event being coordinated by Whitby restaurants to run from July 5 to July 21, 2013;
2. That Council support the 'Summer Whitbylicious' culinary event through the promotional efforts outlined in Community and Marketing Services Department Report CMS 41-13; and,
3. That Council provide its endorsement and municipal promotional support going forward for future 'Whitbylicious' culinary events.

**CARRIED**

**7.7** Community and Marketing Services Report, CMS 42-13  
Re: Event Calendar Postings on the Town Website

Discussion ensued regarding the report. Thanks were extended to staff for their work on this initiative. Staff was requested to place a promotional note on the Town website to advise community groups that they may link special events from our website.

**Resolution No. 311-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That community events held within the Town of Whitby or serving the

Whitby community hosted by not-for-profit organizations/community members be directed to links from the Town's website to external online calendars as outlined in Community and Marketing Services Department Report CMS 42-13.

**CARRIED**

**7.8** Community and Marketing Services/Corporate Services Joint Report  
CMS 43-13

Re: Port Whitby Marina Hydro Servicing - Port Whitby Marina

**Resolution No. 312-13**

Moved By Councillor Mitchell

Seconded By Councillor Roy

1. That Council approve the relocation of the overhead high voltage power lines at Port Whitby Marina;
2. That Council approve an expenditure not exceeding \$250,000 to be funded from current capital maintenance savings in the Maintenance Reserve for the relocation of the high voltage power lines at Port Whitby Marina; and,
3. That Staff be authorized to prepare tender documents and issue the tender and be authorized to award the project if the total cost is within the requested budget.

**CARRIED**

**7.9** Corporate Services Report, CS 35-13

Re: Financial Planning Policies

**Resolution No. 313-13**

Moved By Councillor Mitchell

Seconded By Councillor Roy

1. That Council approve the Disposition of Operating Surplus Policy, as provided in Attachment 1;
2. That Council approve the Contingency Reserves Policy, as provided in Attachment 2;
3. That Council approve the Long Term Finance Reserve Fund Policy, as provided in Attachment 3;
4. That Council approve the Maintenance Reserve Policy, as provided



- in Attachment 4;
5. That Council approve the Growth Reserve Fund Policy, as provided in Attachment 5; and,
  6. That Corporate Services and Public Works staff be directed to bring forward a Winter Control Reserve Policy including a target balance for Council's review and approval.

**CARRIED**

- 7.10** Corporate Services Report, CS 50-13  
Re: Supply & Delivery of Four (4) 2013, 60" Deck Front Mounted Mowers with Four Wheel Drive (T-39-2013)

**Resolution No. 314-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low compliant tender bid of Green Tractors Inc., in the total net amount of \$60,944.00 (plus applicable taxes) for the supply and delivery of four (4) 2013, 60" deck front mounted mowers with four wheel drive which includes a trade-in allowance; and,
2. That the total estimated project cost for the Town of Whitby in the amount of \$62,016.61 be approved;
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 7.11** Corporate Services/Public Works Joint Report, CS 51-13  
Re: Storm Sewer Inspection and Assessment (T-38-2013)

**Resolution No. 315-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the lowest tender of DM Robichaud Associates Ltd. in the amount of \$95,768.15 (excluding taxes) for all labour, materials and equipment necessary to complete the 2013 project for inspection, cleaning/flushing and assessment of the Town's storm sewers at various locations throughout the Town of

- Whitby;
2. That the total estimated project cost of \$107,000 be approved; and,
  3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 7.12** Corporate Services/Public Works Joint Report, CS 52-13  
Re: Rehabilitation of Ash Creek Storm Sewer Structure (T-12-2013) Ash Creek

**Resolution No. 316-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender of All Services Incorporated in the amount of \$529,630.00 (excluding taxes) for all labour, materials and equipment necessary to complete the rehabilitation of Ash Creek storm sewer structure;
2. That an over expenditure in the amount of \$185,000.00 be approved and funded by development charges and one-time funding (LTFR);
3. That the total estimated cost in the amount of \$685,000.00 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 7.13** Corporate Services Report, CS 53-13  
Re: Annual Statement of Development Charge Reserve Funds as at December 31, 2012

**Resolution No. 317-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the annual Statement of Development Charge Reserve Funds as at December 31, 2012 be received as information; and,
2. That a copy of the Statement be forwarded to the Minister of Municipal Affairs and Housing.

**CARRIED**

- 7.14** Corporate Services/Community and Marketing Services Joint Report,  
CS 54-13  
Re: Cachet Boulevard (Un-named) Local Park Construction Tender (T-6-2013) Cachet Boulevard, north of Carnwith Drive East

As per direction of the Operations Committee, Members of Council were provided with a copy of a memorandum dated June 24, 2013, from the Commissioner of Community and Marketing Services with respect to a financial contribution from the subdivision developer.

**Resolution No. 318-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender bid of Melfer Construction Inc. in the amount of \$312,617.35 (excluding taxes) for all labour, materials and equipment necessary to complete the construction of Cachet Boulevard (unnamed) Local Park;
2. That the total estimated cost in the amount of \$390,729.42 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**SEE FOLLOWING MOTION**

**Resolution No. 319-13**

Moved By Councillor Hanson  
Seconded By Councillor Roy

That the main motion be amended by adding the following as item 4:

That Council accept the contribution from the subdivision developer (Brookvalley) in the amount of \$5,000. and direct Administration to proceed with the construction of the pergola structure as part of the project. (\$35,000.)

**CARRIED**

The main motion, as amended, was then CARRIED.

- 7.15** Corporate Services/Community and Marketing Services Joint Report, CS 55-13  
Re: Cathedral Park Construction Tender (T-33-2013) Cathedral Boulevard and Brookstream Court, south of Taunton Road, east of Thickson Road North

**Resolution No. 320-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender bid of Hawkins Contracting Services Limited in the amount of \$119,487.50 (excluding taxes) for all labour, materials and equipment necessary to complete the construction of Cathedral Park;
2. That the total estimated cost in the amount of \$150,090.48 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 7.16** Corporate Services Report, CS 56-13  
Re: Building Permit Fees Annual Report 2012

**Resolution No. 321-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Report CS 56-13 of the Commissioner of Corporate Services/Treasurer be received as information.

**CARRIED**

- 7.17** Corporate Services Report, CS 57-13  
Re: Draft Discharge of Firearms By-law and Related Questions regarding Legalized Hunting in Designated Areas of the Town of Whitby

This item was referred back at Committee.

- 7.18** Corporate Services Report, CS 58-13  
Re: Results of Public Consultation Regarding Proposed Changes to

Election Signage and Election Zones

**Resolution No. 322-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Report CS 58-13 of the Commissioner of Corporate Services/Treasurer be received;
2. That based on the staff recommendations outlined in Section 8 of the report, that the Town Clerk take the necessary action to draft a stand alone Election Sign By-law, including notice for the same, for passage at the September 16, 2013 meeting of Council; as amended to reflect:
  - a) That the permitted maximum size for municipal election signage be 4 x 4 feet; and
  - b) That municipal election signs be banned from boulevards.

**SEE FOLLOWING MOTION**

**Resolution No. 323-13**

Moved By Councillor Coe  
Seconded by Councillor Emm

That recommendation 2 a) and b) be divided in order to deal with them separate from the main motion.

**CARRIED**

Discussion ensued regarding the report specifically relating to recommendation 2 a) regarding the maximum size of the signs; cost of larger signage; and that the proposed standalone by-law be for municipal election signs only.

Upon the division of recommendation 2 a), the matter was now before Council.

**Resolution No. 324-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

- 2 a) That the permitted maximum size for municipal election signage be

4 x 4 feet;

**CARRIED**

Discussion ensued regarding the report specifically relating to recommendation 2 b) and the ban of election signs from boulevards, the expense of signs and the enforcement of election signs on boulevards during the last election; distance between signs on boulevards; and the advantages and disadvantages of the proposed election sign zone option.

Upon the division of recommendation 2 b), the matter was now before Council.

**Resolution No. 325-13**

Moved By Councillor Mitchell  
Seconded By Councillor Emm

2 b) That municipal election signs be banned from boulevards.

**MOTION LOST ON A RECORDED VOTE AS FOLLOWS:**

YES

Councillor Drumm

NO

Councillor Coe

Councillor Emm

Councillor Hanson

Councillor Mitchell

Councillor Montague

Councillor Roy

Mayor Perkins

Discussion ensued with respect to election sign zones and the Town Clerk clarified that the proposed zones include six zones per ward located on public property and each candidate would be permitted one sign per zone.

**Resolution No. 326-13**

Moved By Councillor Mitchell  
Seconded By Councillor Emm

That the main motion be amended by adding the following as Item 2 b):

That a maximum of six (6) defined intersection election zones per ward, located on public property be established as part of the new standalone election sign by-law.

**MOTION LOST**

**Resolution No. 327-13**

Moved By Councillor Hanson  
Seconded By Councillor Roy

That the main motion be amended by adding the following as Item 2 b):

That municipal election signs on private property be restricted to a maximum size of 2 x 4 feet.

**MOTION LOST ON A RECORDED VOTE AS FOLLOWS:**

YES

Councillor Hanson  
Councillor Mitchell  
Councillor Roy

NO

Councillor Coe  
Councillor Drumm  
Councillor Emm  
Councillor Montague  
Mayor Perkins

The main motion was then CARRIED.

- 7.19** Corporate Services Report, CS 59-13  
Re: 2014 Council and Standing Committee Meeting Schedule

**Resolution No. 328-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Report CS 59-13 of the Commissioner of Corporate Services

- and Treasurer be received;
2. That Council approve the 2014 Council and Standing Committee Meeting Schedule included as Attachment 1 to this report;
  3. That Council approve the 2014 Council and Standing Committee Meeting Report Deadline Schedule included as Attachment 2 to this report; and
  4. That the Town Clerk take the necessary action as directed by Council.

**CARRIED**

- 7.20** Corporate Services/Community and Marketing Services Joint Report, CS 60-13  
Re: Iroquois Park Ball Diamond #2 and #3 Redevelopment (T-35-2013)  
Iroquois Park Sports Centre

**Resolution No. 329-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby accept the low tender bid of Melfer Construction Inc. in the amount of \$287,615.62 (excluding taxes) for all labour, materials and equipment necessary to complete the redevelopment of Iroquois Park Sports Centre Ball Diamonds #2 and #3;
2. That the total estimated cost in the amount of \$311,667.65 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 7.21** Corporate Services/Community and Marketing Services Joint Report, CS 61-13  
Re: Artificial Turf Field - Grading, Servicing, Supply and Installation (T-32-2013) Whitby Soccer Park - 695 Rossland Road West

**Resolution No. 330-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy



1. That the Town of Whitby accept the low tender submitted by Dol Turf Restoration Ltd. in the amount of \$824,385.77 (excluding taxes) for all labour, materials and equipment necessary for the grading, servicing, supply and installation of the artificial turf field at the Whitby Soccer Park, 695 Rossland Road West;
2. That the total estimated project cost in the amount of \$999,985.77 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**CARRIED**

- 7.22** Corporate Services Report, CS 62-13  
Re: Easement in Favour of Whitby Hydro Electric Commission - Part Block 65, Plan 40M-2428, Part 1, 40R-27861, Nichol Avenue and Adanac Drive - Northwest Corner of Adanac Drive and Nichol Avenue

**Resolution No. 331-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That the Town of Whitby grant a permanent easement to Whitby Hydro Electric Commission over part of Block 65, Plan 40M-2428, designated as Part 1, Plan 40R-27861;
2. That the Clerk prepare the required By-law for Council adoption; and
3. That the Mayor and Clerk be authorized to execute the required documents.

**CARRIED**

- 7.23** Community and Marketing Services/Corporate Services Joint Report, CS 64-13  
Re: Lease and Operation of Food and Beverage Services at the Iroquois Park Sports Centre and McKinney Centre (RFP-25-2013) Iroquois Park Sports Centre and McKinney Centre

Discussion ensued regarding the report relating to the proposed food services and First Brands Inc.; with comment that many of our community patrons wish to have a variety of options for food services at the community centres.

**Resolution No. 332-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That staff be authorized to enter into negotiations with First Brands Inc. for the purpose of establishing terms and conditions for a lease agreement for the operation of the various food and beverage services within the Iroquois Park Sports Centre and McKinney Centre;
2. That staff be authorized to retain the services of PKF Consulting to provide advice to the Town during the negotiations with First Brands Inc.; and,
3. That staff report back to Council in September with recommendations on the terms and conditions following those negotiations.

**CARRIED**

**7.24** Corporate Services Report, CS 65-13  
Re: Review of the Draft Procedural By-law

**Resolution No. 333-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Report CS 65-13 of the Commissioner of Corporate Services/Treasurer be received;
2. That the draft Procedural By-law, included as Attachment #1 to this report be provided to the Mayor and Members of Council for their review and submission of comments to the Town Clerk by September 13, 2013;
3. That a public meeting be held as part of the Operations Committee of September 9, 2013 for the purpose of soliciting comments from the public with respect to the draft Procedural By-law and that the Town Clerk advertise the meeting accordingly;
4. That following the submission of comments by the Mayor and Members of Council, along with members of the public, that the Town Clerk bring forth a proposed draft by-law at the October 21, 2013 Operations Committee meeting; and,
5. That upon approval of the proposed draft by-law, that the Town Clerk bring forth the final by-law for approval at the next regularly scheduled Council meeting.

**CARRIED**

- 7.25** Corporate Services Report, CS 66-13  
Re: Voting Method - 2014 Municipal Election

**Resolution No. 334-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That Report CS 66-13 of the Commissioner of Corporate Services/Treasurer be received;
2. That the method of conducting municipal elections remain as Optical Scan Vote Tabulators;
3. That staff be authorized to issue a Request for Proposal for the lease and/or purchase of Optical Scan Vote Tabulators and a real-time Voters' List Management System for the 2014 municipal election in the Town of Whitby;
4. That the Town Clerk take the necessary action to give effect thereto.

**CARRIED**

- 7.26** Public Works Report, PW 23-13  
Re: Traffic Operational Review of Valleywood Drive

Discussion ensued regarding the report. S. Beale, Commissioner of Public Works, confirmed the report will be forthcoming in fall 2013 and discussions with Durham Regional Police Services will be occurring imminently regarding traffic signalling.

**Resolution No. 335-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

1. That an All-Way Stop Control and Stop Ahead Signage be installed in 2013 on Valleywood Drive at Knotty Pine Drive and that Traffic By-law 1862-85 be updated accordingly;
2. That staff be directed to investigate the installation of a trial control of restricted movements on Valleywood Drive and Hoodgate Drive during specific times of the day, or the alternative option of an all way stop;
3. That staff request the loan of Durham Regional Police Services

- timing signals for monitoring purposes;
4. That staff request from the Region of Durham Traffic Engineering and Operations Division of the Works Department the rationale for the installation and timing of the advanced green light on the regional road;
  5. That staff report back to Operations Committee in fall 2013 on the implementation of the above-mentioned options, results of traffic counts on Valleywood Drive south of Timber Mill Avenue and the results of further consultation with the Valleywood Drive and Hoodgate Drive residents; and
  6. That a copy of the Report PW 23-13 be provided to the Durham Regional Police Service for enforcement consideration.

**CARRIED**

- 7.27** Correspondence from Bob Hartley, Sgt. At Arms, Whitby Legion, dated June 17, 2013 regarding Street Naming in Honour of Walter Clifford Nesbitt, World War II Veteran

**Resolution No. 336-13**

Moved By Councillor Mitchell  
Seconded By Councillor Roy

That Council support the request for a street named in honour of Walter Clifford Nesbitt, World War II Veteran in the Town of Whitby

**CARRIED**

**8. AUDIT COMMITTEE**

Report No. 1 of the Audit Committee - June 17, 2013

- 8.1** Corporate Services Report, CS 63-13  
Re: 2012 Year End Communication and Financial Statements

**Resolution No. 337-13**

Moved By Councillor Roy  
Seconded By Councillor Montague

That Report No. 63-13 of the Commissioner of Corporate Services/Treasurer be received for information.

**CARRIED**

9. MANAGEMENT COMMITTEE

Report No. 4 of the Management Committee - June 18, 2013

**9.1** Electronic Pay Stubs

**Resolution No. 338-13**

Moved By Councillor Drumm

Seconded By Councillor Coe

1. That staff not proceed with an RFP for a new payroll system at this time; and
2. That staff report back on the status of the ADP system upgrade regarding the employee information module and the cloud based payroll system.

**CARRIED**

**9.2** Chief Administrative Officer Report, CAO 03-13

Re: Corporate Departmental Restructuring and Municipal Office Needs Assessment

Mayor Perkins provided additional information regarding recent communications received from staff regarding the corporate departmental restructuring and the need for a permanent solution to our staffing needs. R. Petrie, Chief Administrative Officer, advised that the report will address the long term needs of the organization by the end of 2013.

Discussion ensued regarding the report and the identification of a communication plan; long range plans for expansion; the lack of shipping and loading facilities; and available acreage on the existing site. Council directed Administration to provide quarterly reports regarding the process. Administration will also determine the available acreage on the current site and communicate this information to Council. R. Petrie, Chief Administrative Officer, indicated that staff will be advised of the corporate departmental restructuring through departmental meetings and discussions regarding the need for organization change; proposed workspace updates and phased scheduling of the renovation plan.

**Resolution No. 339-13**

Moved By Councillor Drumm

Seconded By Councillor Coe

1. That Council approve the proposed corporate departmental restructuring plan as outlined in the Chief Administrative Officer's Report CAO 03-13;
2. That Council approve the proposed departmental office plans and renovations to the municipal headquarters as outlined in the report;
3. That Council authorize the engagement of Barry Bryan Associates to assist staff in the preparation of the detailed drawings and specifications and to provide project administration services as required;
4. That Council authorize staff to tender the construction for the renovations to the municipal headquarters as one project with multiple phases;
5. That Council authorize staff to proceed with the detailed designs with POI for the installation of the proposed systems furniture for the workstations, and for staff to prepare and issue the tender/quotation for furniture for new management offices; and,
6. That staff report back to Council with a recommendation on the preferred general contractor and furniture supplier and budget analysis.

**CARRIED**

10. NOTICE OF MOTION

**10.1** There were no notices of motion.

11. NEW AND UNFINISHED BUSINESS

**11.1** Corporate Services Report, CS 67-13  
Re: Amendment to By-law No. 6646-12 to Permit the Establishment of an Underground, Indoor Test Range

**Resolution No. 340-13**

Moved By Councillor Coe  
Seconded By Councillor Montague

1. That Report CS 67-13 of the Commissioner of Corporate Services/Treasurer be received;
2. That By-law No. 6646-12, being the Discharge of Firearms By-law be amended to permit the establishment of an underground, indoor test range; and
3. That the Town Clerk take the necessary action to give effect thereto.

**CARRIED**

- 11.2** Councillor Hanson advised of "1847" and "Brooklin Pour House", two new restaurants open in Brooklin that will be part of the Summer Whitbylicious.
- 11.3** Councillor Hanson highlighted some recent achievements of Clerk's Department staff. Mary Carr, Records Manager, recently received her fifteen year pin from ARMA. Debi Wilcox, Town Clerk, received her third recertification as a Certified Municipal Officer from the Association of Municipal Managers, Clerks and Treasurers (AMCTO) and was recently appointed as the sole Canadian representative to the Education and Development Committee of the International Institute of Municipal Clerks (IIMC).
- 11.4** Councillor Emm advised of the public information session regarding upgrades to Henry Street that will be held on June 25, 2013 from 5:00 to 7:00 p.m. Discussion ensued regarding the impact of the partial closings on Henry Street and the residual traffic flow on adjacent streets.
- 11.5** Councillor Mitchell congratulated the Public Works Department on the new "green" waste management calendar.

**12. BY-LAWS**

By-law No. 6763-13 was separated from the list of by-laws due to a declaration of conflict of interest by Councillor Emm in relation to Gerdau Ameristeel.

That the following by-laws be passed:

- 12.1** By-law No. 6758-13, being a by-law to appoint certain persons as Municipal Law Enforcement Officers for the purpose of enforcing parking restrictions on private property
- 12.2** By-law No. 6759-13, being a by-law to appoint certain individuals under contract as a Municipal Law Enforcement Officer
- 12.3** By-law No. 6760-13, being a by-law to grant an easement over Part of Lot of Block 65, Plan 40M-2428, designated as Part 1, Plan 40R-27861 for the purpose of relocation of a hydro transformer on the Adanac Road Allowance to the southeast corner of Adanac Drive and Nichol Avenue [Refer to Corporate Services Report, CS 62-13]

- 12.4** By-law No. 6761-13, being a by-law to amend By-law No. 1862-85 to regulate traffic on highways in the Town of Whitby [Refer to PW 23-13 - Traffic Operational Review of Valleywood Drive]
- 12.5** By-law No. 6762-13, being a by-law to amend By-law No. 1784, as amended, being the Zoning By-law of the Town of Whitby - Removal of the Holding symbol [Refer to PL 68-13, Minthollow Estates - Z-08-13]
- 12.6** By-law No. 6763-13, being a by-law to amend By-law Nos. 2585 and 1784, as amended, being the Zoning By-laws of the Town of Whitby [Refer to Planning Report, PL 72-13 - Gerdau Ameristeel - Z-24-12]
- 12.7** By-law No. 6764-13, being a by-law to amend By-law No. 6642-12, to permit the establishment of an indoor firing range [Refer to CS 67-13]

**Resolution No. 341-13**

Moved By Councillor Hanson  
Seconded By Councillor Mitchell

That leave be granted to introduce By-law No. 6758-13 to 6764-13, save and except By-law No. 6763-13 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 the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**CARRIED**

As Councillor Emm had previously declared a conflict of interest regarding Gerdau Ameristeel he refrained from voting on the following by-law.

**Resolution No. 342-13**

Moved By Councillor Hanson  
Seconded By Councillor Mitchell

That leave be granted to introduce By-law No. 6763-13 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 the Clerk sign the same and the Seal of the Corporation be thereto affixed.



**CARRIED**

13. CONFIRMATORY BY-LAW

**13.1** Confirmatory By-law

**Resolution No. 343-13**

Moved By Councillor Roy  
Seconded By Councillor Drumm

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 June 24, 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**

14. ADJOURNMENT

**14.1** Motion to Adjourn

**Resolution No. 344-13**

Moved By Councillor Emm  
Seconded By Councillor Montague

That the meeting be adjourned.

**CARRIED**

The meeting adjourned at 10:20 p.m.

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Debi A. Wilcox, Town Clerk

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Patricia Perkins, Mayor