

Regular Council Minutes
September 28, 2020 - 7:00 PM
Council Chambers/Virtual Meeting
Whitby Town Hall

Present: Mayor Mitchell
Councillor Drumm
Councillor Leahy
Councillor Lee (participating electronically)
Councillor Mulcahy (participating electronically)
Councillor Newman
Councillor Roy (participating electronically)
Councillor Shahid (participating electronically)
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
D. Speed, Fire Chief
S. Klein, Director of Strategic Initiatives
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

Regrets: None noted

Recognition of Ken Nix, Commissioner of Corporate Services/Treasurer

Mayor Mitchell and Members of Council recognized Ken Nix, Commissioner of Corporate Services and Treasurer and thanked him for his more than twenty years of service to the Town of Whitby and wished him success in his new role as Chief Administrative Officer for the Township of Scugog.

1. Declarations of Pecuniary Interest

1.1 Councillor Leahy declared a pecuniary interest under the Municipal

Conflict of Interest Act regarding Item 6.4, Planning and Development Department Report, PL 41-20, Zoning By-law Amendment Application – 198 Des Newman Blvd., as his wife is a partner and part owner of Clinic Buildings (1979) Ltd.

1.2 Councillor Shahid declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 6.3, Planning and Development Department Report, PL 40-20, Temporary Use Zoning By-law Amendment Application, 4618 Country Lane, Durham Islamic Centre, as her husband is a Board Member of Durham Islamic Centre.

1.3 Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Items 7.3, Mid-Block Arterial Road - Environmental Study Report, PW 22-20, as Mayor Mitchell and his family have an interest in 5455 Ashburn Road which will be bisected by the arterial.

2. Adoption of Minutes

2.1 Regular Council - June 22, 2020
Special Council - June 25, 2020
Special Council - July 20, 2020 (confidential minutes under separate cover)
Special Council - September 14, 2020 (confidential minutes under separate cover)

Resolution # 181-20

Moved By Councillor Lee
Seconded By Councillor Yamada

That the Regular Council minutes of June 22, 2020, and the Special Council Minutes of June 25, 2020, July 20, 2020 and September 14, 2020 be adopted.

Carried

3. Presentations

3.1 Jason Atkins, Chair of 1855 and CEO of 360 Insights
Re: 1855 Update: A Great "Work In Progress"

Jason Atkins, Chair of 1855 and CEO of 360 Insights provided a PowerPoint presentation regarding:

- the history of 1855 beginning as an idea in 2017 with the accelerator opening in 2018;
- 1855 being home to 18 companies and 91 jobs in 2020 with a sustainable operating budget of over \$300,000 per year;
- the first company from 1855 is now moving out of the accelerator space and into the Downtown Whitby business community; and,
- the goal of the accelerator to generate \$45,000,000 of investment in the Town of Whitby and the Region of Durham.

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

- recruitment for a new CEO for 1855;
- the impact of the pandemic on 1855 and the businesses operating within the accelerator;
- ensuring that companies that grow out of the accelerator stay and invest in the Region of Durham;
- the relationship between Spark Centre Durham, Ontario Tech, and Durham College and how these groups can collaborate to create a robust technology ecosystem in the Region of Durham;
- 1855 opening a second location in the near future to allow for expansion;
- the concept of “landing pad” locations within Whitby, outside of the accelerator, for 1855 businesses to expand into as they grow; and,
- collaboration between the Region of Durham and 1855 to assist with economic recovery from the pandemic.

3.2 Bill Holmes, General Manager, Durham Regional Transit (DRT) and Michael Binetti, Supervisor Service Design, DRT
Re: Service re-design and transit system enhancements

Bill Holmes, General Manager, Durham Regional Transit (DRT) and Michael Binetti, Supervisor Service Design, DRT provided a PowerPoint presentation regarding:

- the decrease in demand for transit service due to the pandemic with current ridership at 32 percent of 2019 levels in Whitby;
- details of DRT's 3-phase ridership recover strategy, which will ensure balance between customer demand and service available;
- traditional high-use routes continue to be busy while in lower use zones scheduled service is no longer viable due to decreased demand and will transition to on-demand service served by smaller vehicles such as vans;
- on-demand service will be available in as little as 15 minutes;
- routes will transition from on-demand service back to scheduled service as demand increases;

- rural areas in Durham Region will now all be served by on-demand service rather than scheduled routes;
- information about how trips can be planned, booked, and paid for through the DRT transit application and through Presto; and,
- how changes to DRT service will be communicated to the public.

A question and answer period ensued between Mr. Holmes, Mr. Binetti, and Members of Council regarding:

- how frequently demand for service will be reviewed to determine if a return to scheduled service is warranted;
- scheduling options for persons who do not have access to the DRT application or a computer or smart phone;
- details about communications with clients and staff at Ontario Shores Centre for Mental Health Sciences;
- technical issues with the application, including service disruptions, challenges downloading the application, and concerns about long wait times for telephone customer service;
- the autonomous shuttle pilot program being delayed until April 2021 due to the border closure with the United States;
- ensuring that on-demand service will be accessible and available for seniors;
- confirmation that on-demand service vehicles will be made available for as little as one customer and as many as three;
- clarification that a telephone booking service is available should customers be unable to access the application;
- details about the wait times for telephone customer service; and,
- other jurisdictions that use on-demand transit based on lower ridership numbers and the emerging prevalence of micro-transit solutions for lower demand transit areas.

3.3 Ian Shelley, Partner, Blackline Consulting
Re: Customer Service Strategy Kick-off

Ian Shelley, Partner, Blackline Consulting, provided a PowerPoint presentation regarding:

- the members of Blackline Consulting that will develop the Customer Service Strategy;
- oversight groups within the Town, including the Town Clerk, Council, the Customer Service Strategy Steering Committee, and the Senior Leadership Team;
- details about how Council will be involved in the project including three presentations, one-on-one interviews, and approval of the final report;
- details about the four phases of development of the strategy, including the kick-off, discovery phase, consultation, and strategy

and planning phase;

- using persona profiles during the strategy to identify groups of people with similar needs rather than relying on traditional demographic analysis; and,
- the benefit of using journey maps during the strategy which show the customer experience and the steps they follow to complete their interactions with the Town.

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

- expectations that the strategy will help define a simple process for customer interactions with the Town while achieving a positive result;
- if there will be a journey map for customers along with a process map for Staff in order to improve customer interactions;
- clarification about the difference between customer service and service delivery and defining what is out of scope for the project;
- opportunities to use technology to improve customer service and the benefit of having services available online;
- details about how residents and focus groups will be selected and consulted with during development of the strategy;
- if it is expected that the strategy will recommend a technology solution to help improve customer service; and,
- timing of the next presentation to Council, the one on one interviews with Members of Council, and the final report.

4. Delegations

- 4.1** Dr. Michael Pellegrino, Owner, Ray Abott, Architect, and Peter Cane, Municipal Design Engineer (virtual attendance)
Planning and Development Department Report, PL 38-20
Re: Zoning By-law Amendment Application, Dr. Michael Pellegrino, 121 Kendalwood Road, File: DEV-23-19 (Z-14-19)

Dr. Michael Pellegrino, Owner, Ray Abott, Architect, and Peter Cane, Municipal Design Engineer provided a delegation regarding:

- the purpose of the rezoning to allow for a one-storey, mixed-use building, with four non-residential business units;
- the design of the building which will be complementary to the adjacent residential area; and,
- details about parking on the property and how vehicles will access the location.

A question and answer period ensued between Mr. Pellegrino, Mr. Abott, Mr. Cane, and Members of Council regarding:

- parking spaces facing residential homes on Hunter Street and how light from vehicle headlights will be shielded through the use of landscaping features; and,
- details about the easement on the property that will eventually allow vehicles to enter and exit the property from the north, at such time as the adjacent property is redeveloped.

5. Correspondence

5.1 That the following requests be endorsed:

- September 30, 2020 - Orange Shirt Day
- October 22, 2020 - Child Care Worker & Early Childhood Educator Appreciation Day
- October 24, 2020 - World Polio Day
- October, 2020 - Dyslexia Awareness Month
- September 30 - October 2, 2020 - Flag Raising - Orange Shirt Day
- October 19 - October 24, 2020 - Flag Raising - End Polio Now Campaign

Resolution # 182-20

Moved By Councillor Newman
Seconded By Councillor Drumm

That the proclamations for Orange Shirt Day, Child Care Worker & Early Childhood Educator Appreciation Day, World Polio Day and Dyslexia Awareness Month and the flag raisings for Orange Shirt Day and End Polio Now Campaign be endorsed.

Carried

6. Committee of the Whole Report
Planning and Development - September 14 and 21, 2020

6.1 Planning and Development Department Report, PL 38-20
Re: Zoning By-law Amendment Application, Dr. Michael Pellegrino, 121 Kendalwood Road, File: DEV-23-19 (Z-14-19)

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

- the three parking spaces that face Hunter Street and that a landscape strip in front of the spaces will be used to shield light from vehicle headlights; and,

- the easement on the north portion of the property and how traffic will be able to enter and exit the property to the north at such time that the adjacent property is redeveloped.

Resolution # 183-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That Council approve the amendment to Zoning By-law 1784, (File Z-14-19) as outlined in Planning Report No. PL 38-20; and,
2. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

Carried

It was the consensus of Council to move to Item 6.5 at this time.

- 6.2** Planning and Development Department Report, PL 39-20
Re: Site Plan Approval Application, Shared Tower Corp., 855 Myrtle Road West, File: DEV-15-20 (SP-05-20)

Resolution # 184-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That Council approve the Site Plan Approval Application (File No. SP05-20) for a telecommunication tower at 855 Myrtle Road West, subject to the comments included in Planning Report PL 39-20; and,
2. That the proponent enter into a Letter of Undertaking with the Town and be responsible for the related fee.

Carried

- 6.3** Planning and Development Department Report, PL 40-20
Re: Temporary Use Zoning By-law Amendment Application, 4618 Country Lane, Durham Islamic Centre, File DEV-25-19 (Z-16-19)
[Revised]

Having previously declared a pecuniary interest, Councillor Shahid did not take part in the discussion or vote on this matter.

Resolution # 185-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That Council approve an amendment to Zoning By-law #1784 to permit the temporary use of a place of worship, subject to the conditions contained in Report PL 40-20; and,
2. That a Zoning By-law Amendment be brought forward for consideration by Council.

Carried

- 6.4** Planning and Development Department Report, PL 41-20
Re: Zoning By-law Amendment Application – 198 Des Newman Blvd.,
Clinic Buildings (1979) Ltd., File: DEV-08-20 (Z-07-20)

Having previously declared a pecuniary interest, Councillor Leahy did not take part in the discussion or vote on this matter.

Resolution # 186-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That Council approve an amendment to Zoning By-law 1784 (File No. Z-07-20) in accordance with Report PL 41-20; and,
2. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

Carried

It was the consensus of Council to move to Item 7.1 at this time.

- 6.5** Memorandum from C. Chrus, Project Manager Downtowns and Culture dated September 11, 2020 regarding the Brooklin Downtown Development Steering Committee's Annual Report

Resolution # 187-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

That the Brooklin Downtown Development Steering Committee's Annual Report be received for information.

Carried

**6.6 Office of the Chief Administrative Officer Report, CAO 21-20
Re: Whitby Green Standard**

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

- clarification that there are two items in Tier 1 of the Green Standard that are above the standards in the Ontario Building Code and that those items are noted as preferred instead of mandatory;
- confirmation that the Town has the legal jurisdiction to adopt Tier 1 of the Green Standard as the items contained within are consistent with the Ontario Building Code;
- the Green Standard providing Staff with an opportunity to have dialogue with developers and builders about opportunities to building more energy efficient and sustainable homes;
- the Green Standard providing a roadmap about how the Town can help support a more sustainable community and that Staff are exploring incentive programs to gain voluntary compliance with Tier 2 through Tier 4;
- seeking incentive funding from the Federal and Provincial governments to support adoption of the Green Standard and recent comments from the Throne Speech which reaffirmed support of sustainability initiatives;
- how a reduction in carbon will be monitored, tracked, and reported; and,
- that the Town has the ability to incentivize standards higher than the Ontario Building Code to encourage compliance with the Green Standard.

Resolution # 188-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That Council adopt the Whitby Green Standard;
2. That Council requires all new Site Plan and Plan of Subdivision Applications to meet at minimum the Tier 1- Mandatory Performance Criteria as outlined in the respective and revised

Site Plan Checklist (Attachment 2) appended to the Memorandum from the Director of Strategic Initiatives dated September 28, 2020, and Plan of Subdivision Checklist (Attachment 3);

3. That Council endorse, in principle, the Whitby Green Standard – Tiers 2 –4 as outlined in the respective Site Plan Checklist (Attachment 2) and Plan of Subdivision Checklist (Attachment 3); and
4. That staff report back in Q4 2021 on a proposed incentive program that would support the uptake of Tiers 2 – 4 of the Whitby Green Standard.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	9	0	0

It was the consensus of Council to move to Item 6.3 at this time.

6.7 Sidewalk Placement on Leaholm Court

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

- the importance of the sidewalk as a connection to the surrounding community;
- the impact of moving the sidewalk closer to the road in order to allow for larger vehicles to fit in the driveways of homes;
- that residents that purchased homes in the area were aware of the sidewalk placement at the time of purchase; and,
- challenges with moving the sidewalk due to the location of utilities above ground and within the boulevard along with safety impacts for pedestrians crossing the road.

Resolution # 189-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

That the Memorandum from S. Beale, Commissioner of Public Works, dated September 25, 2020 regarding the request for sidewalk removal on Leaholm Court be received for information.

Carried

7. Committee of the Whole Report
General Government - September 14 and 21, 2020

- 7.1 Fire and Emergency Services Department Report, FR 02-20
Re: Adoption of Two New Cost Recovery Programs – Motor Vehicle Collisions, Contaminated Equipment

Resolution # 190-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That Whitby Fire and Emergency Services' motor vehicle collision (MVC) cost recovery program for municipal roadways (both Town and Regional Roads) be approved as outlined in Section 5 of this report;
2. That the cost recovery language from Section 5 of this report to require property and business owners to pay for the cost to replace equipment damaged or contaminated during an emergency response involving their property/business, be approved as outlined in Section 5 of this report;
3. That Schedule E of the Town's Fees and Charges by-law be amended to add several existing fees that were inadvertently omitted during the last cycle of updates to the bylaw; and,
4. That the Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law # 7220-17 to give effect to the proposed changes contained in Report FR 02-20.

Carried

- 7.2 Public Works Department Report, PW 23-20
Re: Tire Recycling and Changes to Whitby's Curbside Special Collections Program

Resolution # 191-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

That Public Works report PW 23-20 be received as information.

Carried

It was the consensus of Council to move to Item 7.4 at this time.

7.3 Public Works Department Report, PW 22-20
Re: Mid-Block Arterial Road –Environmental Study Report

Having previously declared a pecuniary interest, Mayor Mitchell left the meeting and did not take part in the discussion or vote on this matter. Deputy Mayor Yamada assumed the Chair for this portion of the meeting.

Resolution # 192-20

Moved By Councillor Leahy
Seconded By Councillor Drumm

1. That Public Works Report PW 22-20 Mid-Block Arterial Roadway – Environmental Study Report be received for Information;
2. That a copy of the Final Report be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), Region of Durham, Hydro One, City of Oshawa, the Ministry of Transportation and the Ministry of Environment Conservation and Parks for their comment;
3. That the final Environmental Study Report, be filed in accordance with the Municipal Class EA process and be made available for agency and stakeholder use;
4. That each Councillor submit names to the Commissioner of Planning by no later than October 20th for consideration for an appropriate street name for the Mid-Block Arterial Road; and,
5. That GHD Limited continue as the Owner's Engineer to assist Town staff with the oversight and project management of the Mid Arterial Roadway, and that the Commissioner of Public Works be provided the authority to negotiate a scope of services agreement for detailed design and utility co-ordination with GHD with estimated per annum costs in the order of \$200,000 to be paid

through the existing Mid Arterial Roadway capital budget.

Carried

Mayor Mitchell resumed the Chair.

- 7.4** Corporate Services Department and Community Services Department
Joint Report, CS 35-20
Re: T-31-2020 – Tennis Court Surface Repairs and Coating

Resolution # 193-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by CSL Group Ltd. in the amount of \$289,924.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete tennis court surface repairs and coating as required by the Town of Whitby;
2. That the Total Project Cost of \$342,616.02 be approved;
3. That the Treasurer be authorized to draw on reserve/reserve funds as required to address the budget overage; and
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.5** Corporate Services Department and Community Services Department
Joint Report, CS 36-20
Re: T-32-2020 – Tennis Court Repairs – IPSC

Resolution # 194-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by 39 Seven Inc. in the amount of \$251,541.00 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete tennis court repairs as required by the Town of Whitby;
2. That the Total Project Cost of \$298,674.45 be approved;
3. That the Treasurer be authorized to draw on reserve/reserve

- funds as required to address the budget overage; and
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.6** Corporate Services Department and Community Services Department
Joint Report, CS 37-20
Re: T-84-2020 – Lupin Park Redevelopment

Resolution # 195-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by Gray's Landscaping & Snow removal Inc. in the amount of \$215,346.73 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete Lupin Park Redevelopment as required by the Town of Whitby;
2. That the Total Project Cost of \$266,052.70 be approved; and
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.7** Corporate Services Department Report, CS 38-20
Re: 2020 Projections Report as at July 31, 2020, including an Overview of the Financial Implications of COVID-19

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

- examining the budget in 2021 and 2022 in consideration of the impact on revenues due to the COVID-19 pandemic; and,
- balancing the pressure from normal operating inflation increases, pressure from the COVID-19 pandemic, and the impact on service levels in the future.

Resolution # 196-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

That Report No. CS 38-20 of the Commissioner of Corporate Services /Treasurer is received as information.

Carried

- 7.8** Corporate Services Department and Community Services Department
Joint Report, CS 39-20
Re: RFP-69-2020 – Recommendation to award Design, Supply and
Installation of Playgrounds

Resolution # 197-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the highest ranking proposal as submitted by PlayPower LT Canada Inc. in the amount of \$247,631.16, (plus applicable taxes) for the design, supply and installation of playground equipment for Guthrie, Pringle Creek and Lupin Park;
2. That the Total Project Cost of \$261,894.72 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.9** Corporate Services Department and Community Services Department
Joint Report, CS 40-20
Re: T-46-2020 – Whitby Trails

Resolution # 198-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by Nationwide Paving Ltd. in the amount of \$493,693.88, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete Whitby trails project as required by the Town of Whitby;
2. That the Total Project Cost of \$597,810.86 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.10** Corporate Services Department, Community Services Department, and Public Works Department Joint Report, CS 43-20
Re: T-86-2020 – Waterfront Trail East Improvements

Resolution # 199-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by Royalcrest Paving & Contracting Ltd. in the amount of \$ 1,129,909.50 (plus applicable taxes) for all ,labour, materials, equipment and supervision necessary to complete the Waterfront Trail East Improvements as required by the Town of Whitby;
2. That the Total Project Cost of \$1,308,875.15 be approved;
3. That the Treasurer be authorized to draw on reserve/reserve funds as required to address the budget overage; and
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.11** Office of the Town Clerk Report, CLK 07-20
Re: 2021 Council, Committee, and Public Meetings Schedule

Resolution # 200-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

That Council approve the 2021 Council, Committee, and Public Meeting Schedule appended as Attachment 1 to this report.

Carried

- 7.12** Office of the Chief Administrative Officer, CAO 19-20
Re: Downtown Whitby Action Plan September 2020 Update

Resolution # 201-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

That Report CAO 19-20, Downtown Whitby Action Plan September 2020 Update, be received as information.

Carried

7.13 Legal and Enforcement Services Department Report, LS 11-20
Re: Review of the Current Town of Whitby Noise By-law - Updated

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

- the by-laws in place in Pickering, Ajax, Clarington, Saskatoon, and Penticton which provide definitions of unreasonable noise;
- the importance of protecting residents from unreasonable noise;
- if the proposed amendment to include a definition of unreasonable noise would be directed towards businesses or if it would be applicable across the entire Town;
- how vexatious complaints will be addressed and opportunities for an unreasonable noise provision to be exploited;
- timing for Staff to bring forward a frivolous and vexatious complaint policy;
- the importance of strengthening the Noise By-law for residents and making it simpler for Enforcement Services Staff to enforce; and,
- objective ways of measuring noise to make enforcement simpler for Enforcement Services Staff and the potential advantages of an objective standard.

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That staff 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 11-20;
2. That staff be directed to bring forward a by-law to amend the Noise By-law to give effect to the recommendations contained in Report LS 11-20; and
3. That staff be directed to work with the Durham Regional Police Service to develop more effective ways to address after-hours noise and disturbing the peace complaints.

Carried later in the meeting (see following motion)

Moved By Councillor Newman
Seconded By Councillor Yamada

That the main motion be amended by adding the following as Item 4:
4. That staff be directed to report back to Council by the end of 2021 on the development of a new Noise By-law that incorporates objective and subjective unreasonable noise standards that allows By-law Services to meet community needs and expectations regarding noise limits in the Town, and which the Town can operationally enforce, with an interim progress report to Council by the end of Q2 2021.

Carried on a recorded vote as follows:

	For	Against	Abstained
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee		x	
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy		x	
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	7	2	0

The main motion, as amended, was then carried as follows:

Resolution # 202-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That staff 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 11-20;
2. That staff be directed to bring forward a by-law to amend the Noise By-law to give effect to the recommendations contained in Report LS 11-20;
3. That staff be directed to work with the Durham Regional Police Service to develop more effective ways to address after-hours

- noise and disturbing the peace complaints; and,
4. That staff be directed to report back to Council by the end of 2021 on the development of a new Noise By-law that incorporates objective and subjective unreasonable noise standards that allows By-law Services to meet community needs and expectations regarding noise limits in the Town, and which the Town can operationally enforce, with an interim progress report to Council by the end of Q2 2021.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	9	0	0

It was the consensus of Council to move to Item 6.7 at this time.

- 7.14** Public Works Department Report, PW 17-20
Re: National Disaster Mitigation Program Intake 5 Update – Corbett Creek Master Drainage Plan

Resolution # 203-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That Report PW 11-20 on Corbett Creek Master Drainage Plan Update be received for information;
2. That a copy of the Final report be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), the City of Oshawa and Region of Durham for their comments;
3. That the Final Corbett Creek Master Drainage Plan Update be filed in accordance with the Municipal Class EA process and be made available for agency and stakeholder use; and

4. That Staff further develop implementation plans associated with the study recommendations for inclusion into future work plans and budgets for Council's consideration.

Carried

8. Notice of Motion

- 8.1 There were no notices of motion.

9. New and Unfinished Business

- 9.1 Councillor Roy thanked Staff in the Office of the Town Clerk for facilitating hybrid in-person/virtual Meetings of Council in consideration of the ongoing COVID-19 pandemic.

10. By-Laws

That the following by-laws be passed:

- 10.1 By-law # 7661-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2008-03) as not being subject of Part Lot Control.
- 10.2 By-law # 7662-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2017-01) as not being subject of Part Lot Control.
- 10.3 By-law # 7663-20, being a by-law to dedicate Part 1 on Plan 40R-30748 as a Public Highway (Gordon Street).
- 10.4 By-law # 7664-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2016-02) as not being subject of Part Lot Control (Minto (Rossland) Inc.).
- 10.5 By-law # 7665-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2015-03) as not being subject of Part Lot Control (Hiddenbrook Developments Ltd).
- 10.6 By-law # 7666-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-05) as not being subject of Part Lot Control (Chelseahill Developments Inc).
- 10.7 By-law # 7667-20, being a by-law to designate certain portions of a

registered Plan of Subdivision (SW-2015-03) as not being subject of Part Lot Control (Hiddenbrook Developments Ltd.).

- 10.8** By-law # 7668-20, being a by-law to assume Cochrane Street as shown on Plan 40R-30878 as public highways (Cedar City TFP Whitby Developments Inc).
- 10.9** By-law # 7669-20, being a by-law to assume Christine Elliot Avenue, Micklefield Avenue, Beaversdams Drive, and Priory Drive as shown on Plan 40M-2621 as public highways (Heathwood Homes).
- 10.10** By-law # 7670-20, being a by-law to appoint a Deputy Treasurer for The Corporation of the Town of Whitby.

Resolution # 204-20

Moved By Councillor Yamada
Seconded By Councillor Lee

That leave be granted to introduce By-laws # 7661-20 to # 7670-20 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

11. Confirmatory By-Law

11.1 Confirmatory By-law

Resolution # 205-20

Moved By Councillor Drumm
Seconded By Councillor Newman

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 September 28, 2020 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

Resolution # 206-20

Moved By Councillor Roy
Seconded By Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 9:49 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor