

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

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

Regrets: None noted

C. Harris, Town Clerk, advised that due to the ongoing COVID-19 pandemic, the Committee of the Whole meeting is being held in a virtual meeting format. He provided Members of Council, presenters and delegates with an overview of meeting etiquette and procedures with respect to conducting the meeting electronically.

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

General Government

Councillor Roy assumed the Chair.

1. Presentations

- 1.1** Ian Shelley, Partner, Blackline Consulting
Re: Office of the Town Clerk Report, CLK 04-21
Customer Service Strategy - Interim Report

Refer to Item 4.1, CLK 04-21

Ian Shelley, Partner, Blackline Consulting, provided a PowerPoint presentation regarding the Customer Service Strategy - Interim Report. Highlights of the presentation included:

- common practices at other municipalities including moving toward a central point of entry to the municipality, centralizing customer service in phases, moving toward one knowledge base that staff and the public use, and increasing customer service through interactive online services;
- details about practices that create a positive experience for customers, including getting to the right person quickly, having a larger range of online services, making the experience prompt and simple, limiting the number of staff that the customer has to interact with, and apprising customers on the progress of their matters;
- details about how Whitby delivers customer service which includes an existing customer service philosophy and culture, the various points of entry to the municipality, inconsistent customer service processes and service levels, no modern technology to track customer activity, and different payment options depending on the division.
- the Region of Durham's launching of the 311 telephone number and how Whitby may wish to be aligned with the Region's technology.

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

- to what extent the online strategy at the initial entry point would ensure appropriate human contact by residents with the Town;

- whether the focus groups in consultation with the Whitby Chamber of Commerce and the Downtown Whitby Business Improvement (BIA) would establish a process for identifying bureaucratic procedures that could be simplified;
- whether there was a broad based solution to ensure that staff were trained to send calls to the right place;
- payment options related to permits;
- whether there was an alternate plan should Council not be comfortable with the Region's 311 system;
- the timeline to have a system in place to provide an in-depth ability to answer calls from residents;
- the timeline for the next update; and,
- whether focus groups would review scenarios where a member of the public was dissatisfied with the customer service provided by the Town.

It was the consensus of the Committee to hear Item 4.1, CLK 04-21, at this time.

- 1.2** Andrew Frontini, Lead Designer, Michael Blois, Project Architect, Phil Fenech, Principal in Charge, and Philip O'Sullivan, Project Manager, Perkins and Will
Re: Community Services Department Report, CMS 04-21
Whitby Sports Complex (WSC) – Project Update and Next Steps

Refer to Item 4.2, CMS 04-21

Andrew Frontini, Lead Designer, Michael Blois, Project Architect, Phil Fenech, Principal in Charge, and Philip O'Sullivan, Project Manager, Perkins and Will, provided a PowerPoint presentation regarding the Whitby Sports Complex (WSC) - Project Update and Next Steps. Highlights of the presentation included:

- detailed information about the guiding principles including place making, the focus on recreational uses and sport components, finding the right balance between programming uses, setting the stage for sustainability, and constructability and value to the Town of Whitby;
- the strategic location of the complex at the intersection of Highway 12 and Highway 407 and the visibility of the site from a distance;
- detailed information about the site analysis including the future neighbours, the solar orientation and wind rose, and the location of the building on the site;
- the three possible locations for the complex on the site and the rationale for the ideal location;

- details about the site and the crafting of a new landscape;
- details about the character and organization of the site;
- detailed information on the three design concepts including the terraced courts, the active plaza and the bridge; and,
- the next steps in the process.

A question and answer period ensued between Members of Committee, Mr. Frontini, Mr. Blois, Mr. Fenech, and Mr. O'Sullivan regarding:

- whether the viewing area around the arenas in each of the design concepts were stands or flat space;
- which of the three design concepts was the most environmentally friendly and sustainable;
whether the public would be providing feedback on the features and final designs;
- whether the concept design of the active plaza was significantly larger than the terraced courts and the bridge;
- whether specific elements of the active plaza and the bridge could be incorporated into one building design;
- whether all three design concepts were within the same budget amount;
- the form and methods for presenting the Whitby Sport Complex to the community;
- opportunities to include outdoor ice in any/all design concepts; and,
- whether the consultation would involve programming in partnership with outside entities.

It was the consensus of the Committee to hear item 4.2, CMS 04-21, at this time.

- 1.3** Maria McDonnell, Senior Manager, Community Advancements, and Sara Udow, Principal and Co-Founder, PROCESS
Re: Community Services Department and Office of the Chief Administrative Officer Joint Report, CMS 03-21
Whitby Culture Plan

Refer to Item 4.3, CMS 03-21

Maria McDonnell, Senior Manager, Community Advancements, and Sara Udow, Principal and Co-Founder, PROCESS, provided a PowerPoint presentation regarding the Whitby Culture Plan. Highlights of the presentation included:

- the purpose, vision and life of the Whitby Culture Plan;
- the definition of culture and cultural planning;
- details about the three phases in developing the Culture Plan;

- details about the various methods of engagement, the number of participants throughout the public engagement process and the feedback received;
- details about the guiding principles of the project;
- detailed information about the five directions and actions associated with the implementation of the Culture Plan; and,
- the financial considerations including the Town's annual budget and departmental budgets, and partnerships and grant program opportunities to support implementation of the plan.

A brief question and answer period ensued between Members of Committee, Ms. McDonnell and Ms. Udow regarding the relationship and dialogue with the music industry in Durham and how the Whitby Culture Plan could assist in supporting local artists.

2. Delegations

- 2.1** Karey Anne Large, Executive Director, Downtown Whitby Business Improvement Area
Re: Community Services Department and Office of the Chief Administrative Officer Joint Report, CMS 03-21
Whitby Culture Plan [Revised]

Refer to Item 4.3, CMS 03-21

Karey Anne Large, Executive Director, Downtown Whitby Business Improvement Area (BIA), stated that she had the opportunity to participate and engage in the interactive sessions for the Whitby Culture and provided ideas and stakeholder feedback on behalf of the BIA. She advised that many of the BIA Board members also provided their thoughts on the development of the Culture Plan for the Town of Whitby. Ms. Large stated that the development of a Culture Plan was a new, fresh and welcoming addition to the Town. Ms. Large advised that the adoption of the Culture Plan would provide the BIA more insight into the wants and needs of the community, noting that the BIA, in collaboration with the Town, could move forward not only for the betterment of the Town at large, but for the betterment of the BIA and for Downtown Whitby. Ms. Large stated that the five pillars identified were what were needed to support the development of any programming that takes place in the Downtown. She indicated that culture was such an important part of who we all are and to now have a solid foundation in place to achieve that, was quite an accomplishment. Ms. Large commented on COVID-19 putting a halt on many things that were once viewed as normal activities, and that she believed that the timing of the Culture Plan could not be better, noting that the plan allow for the

community to come together, rebuild and look ahead to better times. She advised that the BIA was looking forward to continuing to foster its collaborative working environment with the Town and were looking forward to being a key partner to bring this plan to life in the coming years. She noted that a few ideas have already been brought forward and that the BIA was working towards the implementation of those ideas. Ms. Large noted that the actions set out in the plan create opportunities for engagement and collaboration with many groups within the community.

It was the consensus of the Committee to hear Item 4.3, CMS 03-21, at this time.

2.2 Moe Pringle

Re: Legal and Enforcement Services and Office of the Town Clerk Joint Report, LS 01-21
Election Sign By-law

Refer to Item 4.11, LS 01-21

Moe Pringle, 937 Harding Street, stated that for the most part he was in agreement with the proposed election sign by-law. He advised of the Region of Durham's former by-law requiring the 500 metre distance separation between signs on regional roads for the same candidate, but that he has never seen any enforcement of the by-law. He stated that he has gained some experience from the two Regional Chair campaigns that he was involved with regarding various sign by-laws in place throughout the municipalities within the Region of Durham, noting that some were more restrictive than others and that some were much more proactive with respect to enforcement. Mr. Pringle inquired about the number of complaints for sign infractions during the provincial and federal election campaigns compared to municipal election campaigns in Whitby. He advised that there would be no more than six candidates installing signs for provincial or federal campaigns, noting that the last municipal election had 49 candidates running for 18 positions in Whitby and that 31 of those candidates were running town-wide campaigns. He further advised that the sign clutter created by signs in provincial and federal elections was not anywhere close to the sign clutter from municipal elections, and suggested creating two different sign by-laws. Mr. Pringle stated that there was not anything about third party campaigns and how they would be governed by the proposed by-law within the Staff report. He stated that during the last federal election he complained to the Town of Whitby Staff about unregistered third party campaign signs and that there was no enforcement on this matter. Mr. Pringle advised that the Town of Whitby had four new Members of

Council elected in the 2018 election and that three of those candidates were not running against incumbents. He stated that it was well known that incumbents running in municipal elections have a high rate of re-election. He noted that changes to the by-law that would be voted on by those, who some may think, have that most to gain would draw criticism. Mr. Pringle advised that signs assist in creating name recognition and this may act as an impediment to those who may be considering running for office.

A question and answer period ensued between Members of Committee and Mr. Pringle regarding:

- suggestions related to provisions in the by-law that would assist with sign clutter in the municipal election versus the provincial and federal elections;
- whether there should be different rules governing provincial and federal elections as opposed to municipal elections, and whether there should be stricter regulations for campaign signs in municipal elections;
- whether the sign size of 1.2 square metres was the average size of most of the large signs in the last municipal election;
- whether the delegate received the information regarding the proposed by-law; and,
- the method by which the delegate became aware of the proposed election sign by-law report.

2.3 John Ecker

Re: Legal and Enforcement Services and Office of the Town Clerk Joint Report, LS 01-21
Election Sign By-law

Refer to Item 4.11, LS 01-21

John Ecker, 113 Whitburn Street, stated that there were several laudable goals in the report, namely sustainability, protecting sight lines, and improving road safety. He advised that he was in agreement with a lot of the previous delegate's statements. Mr. Ecker further stated that the Staff report noted that election signs were an historically important and highly political form of expression in our country, and that the challenge before Council was to craft a by-law that addresses its stated goals, but not contravene the important historic Charter rights of Canadians. He advised that in creating a by-law separate from By-law # 5696-05, the current Temporary Sign By-law, that it was important that the goal also be to achieve equity. That is, the rules governing election signage should be equitable with, if not equal to, the rules that govern signage in in the Temporary Sign By-law. Mr. Ecker stated that it would

be important to make parallel changes to the Temporary Sign By-law, especially with respect to measures related to the Town's stated goals of sustainability, protecting sight lines and improving road safety should the Town proceed with the measures recommended in the Staff report. He advised that, under the proposed terms, candidates for office would be subject to far stricter rules than others being primarily private companies. He further stated that in practice there were currently very limited restrictions with respect to the distance between signs for the same candidate, but that in the proposed by-law, the minimum distance between signs from the same candidate would be 500 metres. He noted that it would only be candidates running for office that would be subject to this restriction and not other entities covered under the Temporary Sign By-law. Mr. Ecker stated that free elections were an important feature of our democracy. He commented on the difficulty for first-time candidates to become known and to challenge incumbents, noting that the recommended direction may be seen as favouring incumbents, and that while the goal was to reduce sign clutter that it would be more difficult for new candidates to use signage as a way to elevate their profile and for their voices and names to be placed before Whitby electors. Mr. Ecker stated that the need for sign deposits, fees and penalties for candidates was not substantiated in the report. He requested that prior to proceeding with said penalties that Council direct staff to produce a report to include the number of complaints received, the number of signs removed and how much revenue was collected from infractions over the past two municipal, provincial and federal elections. Mr. Ecker noted that the height limit of 0.6 metres within 20 metres of intersections would also be problematic, noting that many intersections do not have a clearance of 20 metres and that election signs at those intersections would be dwarfed by the larger signs permitted under the Temporary Sign By-law. He further noted that under the Temporary Sign By-law a high number of the illegally posted signs were bag signs. He suggested that the Town ban the use of bag signs for any purpose, noting that they clutter intersections and public boulevards, were not recyclable and that the metal frames were hazardous to people and equipment when the bags become separated from their frames. Mr. Ecker inquired about enforcement records and infraction fines collected over the last few years for this type of illegal sign. Mr. Ecker suggested that the by-law include the requirement that election signs installed using metal rods must use safety colour post caps. Mr. Ecker requested that the Temporary Sign By-law be reviewed to ensure there would be a clearly defensible measure of equity between the proposed by-law and the Temporary Sign By-law should Council proceed with the provisions within the Staff report. He further requested that there be consultation with campaign experts, former candidates, and incumbents at all three levels of government in Whitby,

noting that it would result in a better and more respected by-law.

A question and answer period ensued between Members of Committee and Mr. Ecker regarding:

- whether there should be other modifications to the proposed by-law apart from banning bag signs and the use of safety caps over metal sign supports;
- whether the proposed height and size of the signs was acceptable;
- how the delegate became aware of the proposed by-law;
- whether the delegate felt there had been proper consultation about the proposed by-law; and,
- whether there could have been other modifications to the proposed by-law had there been consultation with federal and provincial parties.

It was the consensus of the Committee to hear Item 4.11, LS 01-21, at this time.

3. Correspondence

Councillor Roy vacated the Chair for this portion of the meeting.

Councillor Drumm assumed the Chair.

3.1 Memorandum from K. Narraway, Manager, Legislative Services/Deputy Clerk dated February 19, 2021 regarding Temporary Patio Extensions - Public and Private Property

Recommendation:

Moved By Councillor Roy

That the Memorandum from K. Narraway, Manager, Legislative Services/Deputy Clerk dated February 19, 2021 regarding Temporary Patio Extensions - Public and Private Property be received for information.

Carried later in the meeting [see following motion]

Recommendation:

Moved By Councillor Roy

That the main motion be amended by including Item 2 as follows:

2. That Staff be directed to report to Council on opportunities to expand the promotion and uptake of the public property patio program and to make the private property patio program permanent provided all safety, planning, and other compliance matters can be satisfactorily addressed.

Carried

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

Recommendation:

Moved By Councillor Roy

1. That the Memorandum from K. Narraway, Manager, Legislative Services/Deputy Clerk dated February 19, 2021 regarding Temporary Patio Extensions - Public and Private Property be received for information; and,
2. That Staff be directed to report to Council on opportunities to expand the promotion and uptake of the public property patio program and to make the private property patio program permanent provided all safety, planning, and other compliance matters can be satisfactorily addressed.

Carried

Councillor Roy assumed the Chair.

4. Staff Reports

4.1 Office of the Town Clerk Report, CLK 04-21
Re: Customer Service Strategy - Interim Report

A brief question and answer period ensued between Members of Committee and Staff regarding the timeline for approaching Members of Council and Staff to identify individuals who would be participants in the focus groups.

Recommendation:

Moved By Councillor Newman

That Staff Report CLK 04-21, Customer Service Strategy – Interim

Report, be received for information.

Carried

It was the consensus of the Committee to hear Item 1.2, Presentation by Andrew Frontini, Lead Designer, Michael Blois, Project Architect, Phil Fenech, Principal in Charge, and Philip O'Sullivan, Project Manager, Perkins and Will, regarding the Whitby Sport Complex, at this time.

4.2 Community Services Department Report, CMS 04-21
Re: Whitby Sports Complex (WSC) – Project Update and Next Steps

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

- whether Council would have the opportunity to review the costing information on the three concepts prior to April;
- opportunities for Council to provide additional feedback on the design concepts following the presentation at this meeting; and,
- whether the stakeholder consultation would include the outside entities for programming.

Recommendation:

Moved By Councillor Mulcahy

1. That the Community Services Report, CMS 04-21 be received as information;
2. That Staff be directed to begin the Whitby Sports Complex Community Engagement process and present the three (3) Design Concepts; and,
3. That Staff be directed to report back to Council with the recommended design option considering the feedback received through engagement on the project.

Carried

It was the consensus of the Committee to hear Item 1.3, Presentation by Maria McDonnell, Senior Manager, Community Advancements, and Sara Udow, Principal and Co-Founder, PROCESS, regarding the Whitby Culture Plan, at this time.

4.3 Community Services Department and Office of the Chief Administrative Officer Joint Report, CMS 03-21
Re: Whitby Culture Plan [Revised]

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the proposed Whitby Culture Plan, as outlined in Attachment 1 to Report CMS 03-21;
2. That a copy of the approved Whitby Culture Plan be circulated to stakeholders and partners once adopted by Council; and
3. That an annual update report is presented to Council through a Whitby Culture Plan Report Card, as recommended in the Culture Plan, to monitor and measure implementation and continue community engagement.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Mayor Mitchell

That the main motion be amended by including Item 4 as follows:

4. That further to the correspondence received from the Whitby Public Library and the Whitby Diversity and Inclusion Advisory Committee, that Council endorse the Culture Plan Goal of the Town of Whitby joining the Coalition of Inclusive Municipalities by signing the Coalition's declaration that:
 - a. The Town of Whitby agrees to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments and agrees to develop or adapt its own unique Plan of Action accordingly.
 - b. These Common Commitments and the Town's unique Plan of Action will be an integral part of the Town's vision, strategies and policies.
 - c. In developing or adapting and implementing its own unique Plan of Action toward progressive realization of the Common Commitments, the Town of Whitby will cooperate with other organizations and jurisdictions, including other levels of government, Indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.
 - d. The Town of Whitby will set its priorities, actions and timelines and allocate resources according to its unique

circumstances, and within its means and jurisdiction. The Town will exchange its expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

Carried

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

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the proposed Whitby Culture Plan, as outlined in Attachment 1 to Report CMS 03-21;
2. That a copy of the approved Whitby Culture Plan be circulated to stakeholders and partners once adopted by Council; and,
3. That an annual update report is presented to Council through a Whitby Culture Plan Report Card, as recommended in the Culture Plan, to monitor and measure implementation and continue community engagement.
4. That further to the correspondence received from the Whitby Public Library and the Whitby Diversity and Inclusion Advisory Committee, that Council endorse the Culture Plan Goal of the Town of Whitby joining the Coalition of Inclusive Municipalities by signing the Coalition's declaration that
 - a. The Town of Whitby agrees to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments and agrees to develop or adapt its own unique Plan of Action accordingly.
 - b. These Common Commitments and the Town's unique Plan of Action will be an integral part of the Town's vision, strategies and policies.
 - c. In developing or adapting and implementing its own unique Plan of Action toward progressive realization of the Common Commitments, the Town of Whitby will cooperate with other organizations and jurisdictions, including other levels of government, Indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.
 - d. The Town of Whitby will set its priorities, actions and timelines and allocate resources according to its unique

circumstances, and within its means and jurisdiction. The Town will exchange its expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

Carried

It was the consensus of the Committee to hear Item 2.2, Delegation by Moe Pringle, at this time.

4.4 Office of the Chief Administrative Officer Report, CAO 06-21
Re: Overview of Creative Communities Team in Strategic Initiatives,
Office of the CAO

A brief question and answer period ensued between Members of Committee and Staff regarding whether the content of the amendment was included in the Staff report.

Recommendation:

Moved By Councillor Newman

That report CAO 06-21, Overview of Creative Communities Team in Strategic Initiatives, Office of the CAO, be received for information.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Newman

That the main motion be amended by including Items 2 and 3 as follows:

2. That Council fully supports the establishment of a Creative Communities Team within Strategic Initiatives for the Town of Whitby and the key initiatives from the Culture Plan that will be started this year by the Creative Communities team, including the priority of joining the Creative Cities Network of Canada; and,
3. That Staff report to Council on the progress of key initiatives of the Creative Communities Team in 2021 and ongoing as required.

Carried

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

Recommendation:

Moved By Councillor Newman

1. That report CAO 06-21, Overview of Creative Communities Team in Strategic Initiatives, Office of the CAO, be received for information;
2. That Council fully supports the establishment of a Creative Communities Team within Strategic Initiatives for the Town of Whitby and the key initiatives from the Culture Plan that will be started this year by the Creative Communities team, including the priority of joining the Creative Cities Network of Canada; and,
3. That Staff report to Council on the progress of key initiatives of the Creative Communities Team in 2021 and ongoing as required.

Carried

4.5 Office of the Chief Administrative Officer Report, CAO 07-21
Re: Updates to the Special Events Policy

A brief question and answer period ensued between Members of Committee and Staff regarding potential events that may take place in 2021.

Recommendation:

Moved By Councillor Shahid

1. That Report CAO 07-21 be received for information;
2. That the updated Special Events Policy appended as Attachment 1 be approved;
3. That the Special Events User Guide (Attachment 2), Special Events Application Form (Attachment 3), and Special Events Procedure (Attachment 4) be received; and,
4. That the Clerk be directed to bring forward a by-law to amend the Special Events Policy By-law # 7506-19 to give effect to the proposed change contained in Report CAO 07-21.

Carried

4.6 Office of the Administrative Officer Report, CAO 08-21

Re: Diversity, Equity & Inclusion Training Plan 2021 [Revised]

Discussion ensued between Members of Committee regarding:

- diversity and inclusion being a priority among Council and Staff;
- the delegations by Cora Reid, Black Rose Movement Durham and the Congress of Black Women, Oshawa Whitby Chapter that have taken place at the Whitby Diversity and Inclusion Advisory Committee, Committee of the Whole and Council regarding diversity, equity and inclusion training; and,
- the overview of the training that took place via the presentation at the Whitby Diversity and Inclusion advisory Committee meeting that took place in February 2021.

Recommendation:

Moved By Councillor Leahy

That report CAO-08-21 be received for information.

Carried

4.7 Office of the Chief Administrative Officer Report, CAO 04-21
Re: Economic Recovery Plan – 2020 Summary

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

- an overview of the efforts undertaken to identify and categorize businesses that are struggling in the Town of Whitby as a result of the pandemic, and to provide support to those businesses through the Economic Recovery Plan;
- whether the Staff report reflects the current number of businesses enrolled in the Digital Main Street Program and the Digital Main Street Shop-Here Program;
- confirmation that the 12 Days of Local Holiday Shopping was a collaborative effort by the Downtown Whitby Business Improvement Area, the Region's Economic Development Department, the Whitby Chamber of Commerce and the Town of Whitby;
- whether initiatives as part of the plan to shop local would be promoted by the Town through social media campaigns;
- whether the Shop Durham Region website was a stand-alone application; and,
- whether additional pedestrian areas would be included in addition to patio extensions in the summer.

Recommendation:

Moved By Councillor Newman

1. That Report CAO 04-21 be received as information;
2. That the Clerk forward a copy of Staff Report CAO 04-21 to the Region of Durham's Planning and Economic Development Department, Whitby Chamber of Commerce, 1855 Whitby Tech Accelerator, Downtown Whitby BIA, MPP Lorne Coe and MP Ryan Turnbull; and,
3. That the Mayor and Clerk be authorized to execute the Memorandum of Understanding with the Region of Durham to participate in the CityStudio pilot project.

Carried

4.8 Office of the Chief Administrative Officer Report, CAO 05-21
Re: Elevate-Talent Initiative

Recommendation:

Moved By Councillor Mulcahy

1. That Council receive Report # CAO 05-21 for information; and,
2. That Council endorse the BIPOC Connect Talent Initiative.

Carried

4.9 Financial Services Department Report, FS 07-21
Re: 2020 Investment Report

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

- whether the additional funds committed to the long-term investment portfolio would produce better returns for 2021; and,
- confirmation that the total long-term investment portfolio of \$308,000,000.00 was the highest amount the portfolio had ever achieved.

Recommendation:

Moved By Councillor Shahid

1. That Report No. FS 07-21 of the Commissioner, Financial Services and Treasurer be received for information; and,
2. That the Town of Whitby's Investment Policy, approved by Council on March 9, 2020, remain unchanged for 2021.

Carried

4.10 Public Works Department Report, PW 07-21
Re: Des Newman Boulevard Grade Separation Status Update

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

- whether there was a way other than through the preliminary and detail design process that the poor soil conditions could have been identified earlier; and,
- whether the adjusted cost of the bridge was included in the existing Development Charges Study and/or in the next Development Charges Study to recover costs.

Recommendation:

Moved By Councillor Drumm

1. That Report PW 07-21 regarding the status of the Des Newman Boulevard Grade Separation project be received for information;
2. That a change order be issued to GHD (the Town's current Owner Engineer for the Project), in the amount of \$250,000 funded from the Des Newman Grade Separation Phase 1 capital project, to proceed with re-evaluation of the Subway (underpass) alternative; and,
3. That staff continue to keep Council updated on the Subway review and any cost related changes, and report back to Council in the summer/fall of 2021 with the results of the Subway review and recommended next steps for the project.

Carried

4.11 Legal and Enforcement Services and Office of the Town Clerk Joint Report LS 01-21
Re: Election Sign By-law

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

- whether the proposed election sign by-law was time sensitive;
- how the freedom of expression protections in the Canadian Charter of Rights and Freedoms were considered in the development of the report;
- including changes to the proposed by-law prior to consultation;
- whether the removal of signs within 48 hours of the last voting day has worked well in the municipalities that were consulted;
- the ability to restrict the type of signs and enforce the restriction of bag signs, and whether permitting bag signs would be a more accessible approach for candidates;
- the possibility of retaining the seven day timeline for the removal of election signs;
- whether sign infraction fines could be imposed on a candidate whether or not there was a \$300 sign deposit fee;
- whether Staff would continue the practice of giving candidates advance notice about signs in violation of the by-law, and whether the practice of notice should be included in the by-law;
- whether consultation took place with previous registered candidates in the municipal election and/or federal or provincial representatives;
- a referral of the report to undertake consultation;
- sending the proposed by-law to previous candidates in the last municipal election, and the federal and provincial riding associations in Whitby for consultation and feedback;
- what consultation on the proposed by-law would achieve;
- whether there should be differential treatment for federal and provincial election signs versus municipal election signs;
- whether direction to Staff was required about who should be consulted should the report be deferred;
- opportunities for Members of Council to provide feedback during the consultation process should the report be deferred;
- reviewing By-law # 5696-05 (Temporary Sign By-law) to create consistencies for signs in general and to be more equitable in comparison to the proposed Election Sign Bylaw; and,
- reducing the installation date for elections signs from 42 to 28 days.

Recommendation:

Moved By Councillor Mulcahy

1. That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.2 of Report LS 01-21;

2. That the Clerk be directed to bring forward a by-law to amend Temporary Sign By-law # 5696-05 to remove provisions in the by-law regulating election signs; and,
3. That Item MD-4917 be removed from the General Government New and Unfinished Business List.

Note: The disposition of the matter, Item 4.11, was determined through the deferral motion below. [See following motions]

Recommendation:

Moved By Councillor Leahy

That Item 1 of the main motion be amended to read as follows:

That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.2 of Report LS 01-21, except that the removal of election signs be changed from 48 hours to 7 days after the election.

Carried

Recommendation:

Moved By Councillor Leahy

That Item 1 of the main motion be further amended to read as follows:

That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.2 of Report LS 01-21, except that there be no sign deposit fee.

Carried

Recommendation:

Moved By Councillor Mulcahy

That Item 1 of the main motion be further amended to read as follows:

That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.2 of Report LS 01-21, except that the removal of election signs be changed from 48 hours to 7 days after the election, and that there be no sign deposit fee, and that the installation date for

election signs be reduced to 28 days for municipal elections.

Motion Lost

Recommendation:

Moved By Councillor Mulcahy

That Item 1 of the main motion be further amended to read as follows:

That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.2 of Report LS 01-21, except that the removal of election signs be changed from 48 hours to 7 days after the election, and that there be no sign deposit fee, and that signs for the same candidate will be required to be separated by a minimum distance of 1,000 metres on arterial, regional, and provincial roads for municipal elections only (provincial and federal to remain at 500 metres), noting that this provision will not apply to signs placed on private property as neighbouring residents may choose to display signs supporting the same candidate.

Motion Lost

The main motion, as amended, was then before Committee as follows:

Recommendation:

Moved By Councillor Mulcahy

1. That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.2 of Report LS 01-21, except that the removal of election signs be changed from 48 hours to 7 days after the election, and that there be no sign deposit fee.
2. That the Clerk be directed to bring forward a by-law to amend Temporary Sign By-law # 5696-05 to remove provisions in the by-law regulating election signs; and,
3. That Item MD-4917 be removed from the General Government New and Unfinished Business List.

Note: The disposition of the matter, Item 4.11, was determined through the deferral motion below. [See following motion]

Recommendation:

Moved By Councillor Mulcahy

That consideration of Staff Report, LS 01-21, Election Sign By-law, be postponed to the Committee of the Whole meeting on April 19, 2021.

Carried

It was the consensus of the committee to hear Item 3.1 Memorandum from K. Narraway, Manager, Legislative Services/Deputy Clerk dated February 19, 2021 regarding Temporary Patio Extensions - Public and Private Property, at this time.

5. New and Unfinished Business - General Government

5.1 7-Eleven Canada's Proposal to Serve Alcohol

Mayor Mitchell introduced a motion regarding 7-Eleven Canada's Proposal to Serve Alcohol.

Recommendation:

Moved By Mayor Mitchell

Whereas the Council of the Town of Whitby recognizes the ongoing hardships faced by restaurants, pubs and other food service businesses as a result of mandated closures and patron limits due to Covid-19; and,

Whereas municipalities have been working hard to implement and advocate for business supports (such as providing restaurants the ability to access wine, beer and spirits at wholesale or discounted pricing) to ensure more local businesses survive the pandemic; and,

Whereas convenience stores have not been mandated to close during the pandemic and have not endured undue hardship like other industries; and,

Whereas 7-Eleven Canada has applied to introduce in-store alcohol service at 61 stores throughout Ontario to leverage their open status as a competitive advantage; and,

Whereas approval by the Alcohol and Gaming Commission of Ontario (AGCO) would mean exposing an already vulnerable and hard-hit restaurant/bar industry to further competition; and,

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby oppose 7-Eleven Canada's proposal to serve alcohol at this time, and ask that the AGCO defer any liquor licensing process until all restaurants/bars in Ontario are able to reopen at full capacity; and,
2. That the Clerk circulate a copy of this resolution to the AGCO; Hon. Doug Downey, Attorney General; Hon. Steve Clark, Minister of Municipal Affairs and Housing; Hon. Prabmeet Sarkaria, Associate Minister of Small Business and Red Tape Reduction; Hon. Peter Bethlenfalvy, Minister of Finance; and Durham Area Municipalities.

Carried

5.2 Durham Region Agriculture Centre of Excellence

Councillor Mulcahy introduced a motion regarding the Durham Region Agriculture Centre of Excellence.

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

- whether the Durham College feasibility study for an agricultural centre refers to land that Durham College owns;
- whether the creation of the Durham Region Agricultural Centre of Excellence was a Regional decision or Town decision; and,
- the possibility of more than one Durham Region Agricultural Centre of Excellence.

Recommendation:

Moved By Councillor Mulcahy

Whereas Council's priority is to enhance economic development; and

Whereas Durham College has an existing feasibility study for an agricultural centre; and,

Whereas the Durham Region Federation of Agriculture has an existing feasibility study for a Durham Region agricultural centre of excellence including Luther Vipond Memorial Arena as a potential site; and,

Whereas the Federal Government has funding grants available for

agricultural projects in conjunction with the Rouge River National Agriculture Park Lands; and,

Whereas the Provincial Government has funding grants available for agricultural projects; and,

Whereas the Town of Whitby will undergo a Master Plan strategy for Brooklin Memorial Park in 2022; and,

Whereas hubs for various industries have proven to accelerate business and job opportunities; and,

Whereas agricultural technology is one of the fastest growing technologies; and,

Whereas the global pandemic has shown the need for local food resources and the weakness of the delivery chain; and,

Whereas the future growth of Whitby and Brooklin will absorb large spaces of farm fields; and,

Whereas global warming will change the way we produce food; and,

Whereas environmental sustainability is a priority for our municipality and the world; and,

Whereas a regional agriculture centre of excellence meets the following Council Goals:

- To deliver local jobs and prosperity through strategic planning and promotion that builds resilience and economic diversity.
- To continue the Whitby tradition of responsible financial management and respect for taxpayers; and to understand the importance of affordability and sustainability to a healthy, balanced community.
- To ensure Whitby is clearly seen by all stakeholders to be business and investment friendly and supportive; and to continuously improve the customer experience and the effectiveness and efficiency of communications, service delivery and approvals.
- To remain the community of choice for families and become the community of choice for job creators.
- To become the destination of choice for visitors; to realize the economic, cultural and social potential of our green spaces and

major attractions; to support and facilitate new community events.

Now Therefore be it Resolved:

1. That Staff be directed to review and report about the possibility of incorporating a Durham Region Agricultural Centre of Excellence as a part of the redevelopment of Brooklin Memorial Park and Luther Vipond Memorial Arena, with a part of the centre to include a year-round public local market;
2. That Staff be directed to review both the Durham Region Federation of Agriculture and Durham College feasibility studies, and investigate all possible funding sources to support the creation of a Durham Region Agricultural Centre of Excellence; and,
3. That the Clerk be directed to circulate a copy of this resolution to the local M.P. and M.P.P.; Ontario Minister of Agriculture, Food and Rural Affairs; Federal Minister of Agriculture and Agri-Food; Regional Chair John Henry; Region of Durham Planning and Economic Development Department; 1855 Accelerator; Durham Region Federation of Agriculture; Brooklin Agricultural Society; Durham College; and, Ontario Tech.

Carried

5.3 Extension and Expansion of the Digital Main Street Program

Councillor Drumm introduced a motion regarding the extension and expansion of the Digital Main Street Program.

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

- whether the original source of the funding was from the Federal Ministry of Economic Development and Official Languages or the Ministry of Small Business, Export Promotion and International Trade; and,
- confirmation that correspondence would be directed to the correct sources of funding.

Recommendation:

Moved By Councillor Drumm

Whereas the expansion of the Digital Main Street (DMS) program in 2020 has been a critical support in helping businesses adopt new technology during the COVID-19 pandemic; and

Whereas the Digital Main Street Program in Whitby is administered by the Business Advisory Centre Durham (BACD) and the Downtown Whitby Business Improvement Area (BIA); and,

Whereas these new DMS programs have helped both nurture new technology based businesses in our region and provided virtual hands on support and solutions for businesses to access new customers while managing new COVID-19 health and safety measures; and

Whereas the DMS base program has served 435 businesses across the region including 121 in the Town of Whitby, and the DMS ShopHERE program has served 585 businesses across the region including 107 in the Town of Whitby; and

Whereas current funding for the DMS program ends in March 2021; and

Whereas our small business community faces ongoing barriers to technology adoption and lack of resources to implement these technologies that are necessary to remain competitive in light of COVID-19 impacts to their business; and

Whereas Canada's economy will rely on entrepreneurs in both the technology and the main street business sectors to drive economic recovery, job creation and economic growth; and

Whereas the DMS program can continue providing virtual hands on support to small business to accelerate the adoption of new technology solutions that keep our businesses competitive.

Therefore be it resolved that:

1. The Town of Whitby, in partnership with the Downtown Whitby BIA, and the Business Advisory Centre Durham, call on the provincial and federal governments to:
 - Work to renew and expand funding to the Digital Main Street Program as soon as possible to help our businesses adopt new technologies to support their digital transformation and adapt their business model due to COVID-19;
 - Explore opportunities to provide additional support to our main street business sector in adopting digital technologies and future proofing their business models;

and,

- Support Canada's technology sector to develop and bring to market new technologies that can support businesses in Canada and globally to adapt to the new business realities following the impacts of COVID-19 to both Business-to-Consumer (B2C) and Business-to-Business (B2B) business models.

Further be it resolved that:

2. The Mayor on behalf of Council be directed to write a letter, jointly with the Downtown Whitby BIA, and the Business Advisory Centre Durham, advocating for the extension and expansion of the Digital Main Street Program to the Federal Minister of Economic Development and Official Languages and Minister of Small Business, Export Promotion and International Trade; and ,
3. The Town Clerk be directed to send a copy of the letter and resolution, once approved, to:
 - Ryan Turnbull, Member of Parliament for Whitby
 - Lorne Coe, Member of Provincial Parliament for Whitby
 - Durham Regional Council
 - Members of the Ajax, Brock, Clarington, Oshawa, Pickering, Scugog, and Uxbridge Councils
 - Federation of Canadian Municipalities (FCM)
 - Association of Municipalities of Ontario (AMO)
 - Ontario Big City Mayor's Caucus (OBCM)
 - Mayors and Regional Chairs of Ontario (MARCO)
 - GTHA Mayors and Chairs
 - Ontario Chamber of Commerce (OCC)
 - Whitby Chamber of Commerce
 - 1855 Whitby
 - Durham Economic Recovery Taskforce

Carried

5.4 New and Unfinished Business List - Item MD-5659

Councillor Roy inquired whether MD-5659 regarding the petition and parking enforcement measures during the pandemic was completed.

C. Harris, Town Clerk, advised that a report about petitions was presented at the February 22, 2021 Committee of the Whole meeting.

W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor, advised that a joint report with the Public Works Department was anticipated to be presented at the April 12, 2021 Committee of the Whole meeting.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 10:12 p.m.