

Regular Council Minutes  
May 19, 2020 - 7:00 PM  
Virtual Meeting  
Whitby Town Hall

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

**Also Present:** M. Gaskell, Chief Administrative Officer  
**(electronically)** 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  
H. Ellis, Executive Advisor to the Mayor  
S. Klein, Director of Strategic Initiatives  
C. Harris, Director of Legislative Services/Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

**Regrets:** None noted

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C. Harris, Town Clerk, advised that due to the ongoing COVID-19 State of Emergency, the Council meeting is being held electronically. He further advised that the audio for the meeting would be broadcast through the Town's live stream. He provided Members of Council with an overview of meeting etiquette and procedures with respect to conducting the meeting electronically.

1. Declarations of Pecuniary Interest

**1.1** There were no declarations of pecuniary interest.

**2.** Adoption of Minutes

**2.1** Regular Council - April 6, 2020  
Special Council - May 4, 2020  
Special Council - May 7, 2020  
Special Council - May 11, 2020

**Resolution # 91-20**

Moved By Councillor Lee  
Seconded By Councillor Newman

That the Regular Council minutes of April 6, 2020 and the Special Council minutes of May 4, 2020, May 7, 2020 and May 11, 2020 be adopted.

**Carried Unanimously**

**3.** Presentations

**3.1** There were no presentations.

**4.** Delegations

**4.1** Alison Galvan, James Hobbs and Karey-Ann Large, Representatives of the Downtown Whitby Business Improvement Area (BIA)  
Re: Corporate Services Department Report CS 19-20, 2020 Final Tax Billing

Alison Galvan, James Hobbs and Karey-Ann Large, representatives of the Downtown Whitby Business Improvement Area (BIA), addressed Members of Council regarding:

- the mission, vision, strategic pillars, and mandate of the Downtown Whitby BIA;
- the 2020 Downtown Whitby BIA budget;
- pivoting the organization's functions during the COVID-19 pandemic;
- advocacy work completed by the Downtown Whitby BIA on behalf of businesses;
- efforts to communicate with their membership during the COVID-19 pandemic, including through newsletters, their website, radio advertisements, social media, email, and telephone;

- an overview of the various programs and services provided by the Downtown Whitby BIA, including a planned Downtown Whitby e-commerce platform and assistance with information regarding physical distancing best practices for businesses;
- lobbying efforts to the Province undertaken by the BIA; and,
- the BIA's role in serving as a liaison between Downtown Whitby businesses and various levels of government.

A question and answer period ensued between Members of Council, Ms. Galvan, Mr. Hobbs, and Ms. Large regarding:

- the details of the e-commerce platform being designed by the Downtown Whitby BIA;
- opportunities for the BIA to assist businesses with marketing strategies, including connecting businesses with marketing services;
- details about the BIA's "back to work" business recovery plan for Downtown Whitby and how the BIA will consult with businesses and various levels of government in the development of the plan;
- challenges faced by the tourism industry across the Region and how the BIA is communicating with the Ontario BIA Association and the Ministry of Heritage, Sport, Tourism and Culture Industries;
- how the BIA will modify their strategic plan, operate events, and raise awareness of Downtown Whitby after the pandemic period;
- input received from the businesses in Downtown Whitby regarding the BIA's budget, including any concerns expressed by members;
- financial challenges faced by businesses during the COVID-19 pandemic including the possibility of business closures;
- opportunities to restore the Province's "digital main street" program to support small businesses implement e-commerce platforms and undergo digital transformation;
- rent relief provided by landlords to businesses during the COVID-19 pandemic;
- the importance of business owners expanding their promotions, marketing, and digitization efforts during the pandemic;
- the history of the creation of the Downtown Whitby BIA;
- how the BIA handles concerns from members and how they are accountable to their membership;
- the number of subscribers to the BIA's newsletter mailing list;
- creation of the BIA's new website and development of a business directory;
- opportunities for enhanced communication from the BIA to their membership; and,
- the positive work done by the Downtown Whitby BIA and how

well the BIA understands the needs of the businesses in Downtown Whitby.

It was the consensus of Council to move to Item 9.1 at this time.

- 4.2** Eric Saulesleja (GSP Group), Derek Boyne (Trioquest), Peter Gregor (NLG), and Michael Dowdall (TMIG)  
Re: Planning and Development Department Report, PL 19-20  
Zoning By-law Amendment Application (Z-05-20) to Remove the Holding (H) Symbol, 7902484 Canada Inc. c/o Trioquest Realty Advisors, 304, 308, 368, 372, 374 and 378 Taunton Road East

Eric Saulesleja (GSP Group), Derek Boyne (Trioquest), Peter Gregor (NLG), and Michael Dowdall (TMIG), addressed Members of Council regarding:

- the conditions for the site plan agreement and land division application related to active transportation features for the development;
- the traffic impact study submitted with the application which concluded that the development would generate less traffic on Robert Attersley Drive and Promenade Drive than the as-of-right zoning permissions for the property; and,
- financing for the project being contingent on removing of the holding symbol on the property.

A question and answer period ensued between Mr. Saulesleja, Mr. Boyne, Mr. Gregor, Mr. Dowdall, and Members of Council regarding:

- opportunities to improve pedestrian access, accessibility, and provide seating areas throughout the property;
- how the developer will work jointly with Nautical Lands Group and Trioquest to complete walk-ability improvements throughout the entire site;
- the reasoning for the streets selected for the traffic impact study, why the intersection of Robert Attersley Drive and Garden Street was not part of the study, and the times of day chosen for the study;
- physical distancing considerations due to the COVID-19 pandemic that may influence the design of the site; and,
- timing for the start of construction.

5. Correspondence

- 5.1** There was no correspondence.

6. Committee of the Whole Report

Planning and Development - April 27 and May 11, 2020

- 6.1** Planning and Development Department Report, PL 19-20  
Re: Zoning By-law Amendment Application (Z-05-20) to Remove the Holding (H) Symbol, 7902484 Canada Inc. c/o Triovest Realty Advisors, 304, 308, 368, 372, 374 and 378 Taunton Road East

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

- the reasoning for not including Robert Attersley Drive in the traffic impact study and the dates and timing for the study;
- the ability for Garden Street and the surrounding road infrastructure to handle an increase in traffic associated with the proposed development;
- delays that could be caused if Council rescinded delegated authority for site plan approval and the importance of moving this development forward;
- the option to hold a future Special Council Meeting to expedite approval of the development;
- delaying the timing of the development until Garden Street is improved and lengthened further to the north;
- the importance of Council reviewing the site plan to ensure that the pedestrian access and accessibility considerations are incorporated;
- the lack of rental housing for older adults in the Town and how this development is needed by the community;
- traffic calming measures that could be implemented on Robert Attersley Drive; and,
- how the development could help support the nearby commercial plaza and help achieve the Town's density requirements without directly impacting nearby neighbourhoods.

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

1. That Council consider Zoning By-law Amendment Application (Z-05-20) for the removal of the Holding (H) symbol; and,
2. That Council support the removal of the Holding (H) symbol and a Zoning By-law be brought forward for Council's consideration.

**Carried later in the meeting [See following motions]**

Moved By Councillor Leahy  
Seconded By Councillor Drumm

That the main motion be amended to add the following as Item 3:

That the conditions to the Site Plan Agreement and Land Division Application include the conditions contained in the Memorandum to Council from the Commissioner of Planning and Development dated May 13, 2020, and subject to consultation about the Site Plan with the Active Transportation and Safe Roads Advisory Committee and the Accessibility Advisory Committee.

**Carried unanimously on a recorded vote as follows:**

|                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|--------------------|------------|----------------|------------------|
| 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                |

Moved By Councillor Leahy  
Seconded By Councillor Drumm

That the main motion be amended to add the following as Item 4:  
That Council rescind delegated authority for site plan approval for the development.

**Carried on a recorded vote as follows:**

|                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|--------------------|------------|----------------|------------------|
| 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 # 92-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

1. That Council consider Zoning By-law Amendment Application (Z-05-20) for the removal of the Holding (H) symbol;
2. That Council approve the removal of the Holding (H) symbol and a Zoning By-law be brought forward for Council's consideration;
3. That the conditions to the Site Plan Agreement and Land Division Application include the conditions contained in the Memorandum to Council from the Commissioner of Planning and Development dated May 13, 2020, and subject to consultation about the Site Plan with the Active Transportation and Safe Roads Advisory Committee and the Accessibility Advisory Committee; and,
4. That Council rescind delegated authority for site plan approval for the development.

**Carried on a recorded vote as follows:**

|                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|--------------------|------------|----------------|------------------|
| 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          |                |                  |
|                    | 6          | 3              | 0                |

**6.2** Planning and Development Department Report, PL 14-20

Re: Sign By-law Variance to Permanent Sign By-law for St. John's Anglican Church at 150 Victoria Street East, File Number: SB-01-20

**Resolution # 93-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for St. John's Anglican Church, located at 150 Victoria Street East.

**Carried Unanimously**

- 6.3** Planning and Development Department Report, PL 15-20  
Re: Sign By-law Variance to Permanent Sign By-law for 1208 Dundas Street East (A&W), File Number: SB-02-20

A discussion ensued between Members of Council regarding:

- the flexibility that exists within the Town's Permanent Sign By-law and the importance of Council denying variance requests that are excessive;
- supporting businesses while respecting the Town's residents and the by-laws that are in place; and,
- the need for the business owner to work cohesively with other business owners in the development to coordinate signage.

A brief question and answer period ensued between Members of Council and Staff regarding whether or not there had been further discussions between the business owner and Staff regarding opportunities to coordinate signage with other businesses in the development.

**Resolution # 94-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That Council deny the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for A&W, located at 1208 Dundas Street East.

**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         |

**6.4** Planning and Development Department Report, PL 16-20  
Re: Recommendation Report - Draft Plan of Subdivision and Zoning By-law Amendment Applications, HAW Partnership Limited, Concession 4, Part Lot 31 and 32, File Numbers: SW-2018-02 and Z-10-18

A brief question and answer period ensued between Members of Council and Staff about the Redside dace species and its conservation status.

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

1. That Council approve the proposed Draft Plan of Subdivision (File SW-2018-02), subject to the comments included in Planning Report PL 16-20 and the Conditions of Draft Approval included in Attachment # 9;
2. That the Region of Durham Commissioner of Planning and Development be advised of Council's decision;
3. That Staff be authorized to prepare a Subdivision Agreement;
4. That Williams and Stewart Associates be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law 1784 (File Z-10-18), as outlined in Planning Report PL 16-20; and,
7. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

**Carried later in the meeting [See following motion]**

Moved By Councillor Newman

Seconded By Councillor Leahy

That Item 1 of the main motion be amended by adding the following after 'PL 16-20' and before 'and the conditions of Draft approval included in Attachment # 9':

including the revised Attachment 7 included in the May 15, 2020 memorandum from the Commissioner of Planning and Development

**Carried Unanimously**

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

**Resolution # 95-20**

Moved By Councillor Drumm

Seconded By Councillor Leahy

1. That Council approve the proposed Draft Plan of Subdivision (File SW-2018-02) subject to the comments included in Planning Report PL 16-20, including the revised Attachment 7 included in the May 15, 2020 memorandum from the Commissioner of Planning and Development, and the Conditions of Draft Approval included in Attachment # 9;
2. That the Region of Durham Commissioner of Planning and Development be advised of Council's decision;
3. That Staff be authorized to prepare a Subdivision Agreement;
4. That Williams and Stewart Associates be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law 1784 (File Z-10-18), as outlined in Planning Report PL 16-20; and,
7. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

**Carried Unanimously**

- 6.5** Planning and Development Department Report, PL 17-20  
Re: Recommendation Report - Draft Plan of Subdivision and Zoning By-law Amendment Application, 4300 Country Lane Developments Limited, 4300 Country Lane, File Numbers: SW-2018-04 and Z-20-18

A brief question and answer period ensued between Members of Council and Staff regarding the total number of schools that would be

included in the West Whitby area.

**Resolution # 96-20**

Moved By Councillor Mulcahy

Seconded By Councillor Roy

1. That Council approve the proposed Draft Plan of Subdivision (File SW-2018-04), subject to the comments included in Planning Report PL 17-20 and the Conditions of Draft Plan Approval included in Attachment # 7;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That Williams and Stewart Associates be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law 1784 (File Z-20-18), as outlined in Planning Report PL 17-20; and,
7. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

**Carried Unanimously**

- 6.6** Planning and Development Department Report, PL 18-20  
Re: Zoning By-law Amendment Application, 4680 Garrard Road,  
CSPAC Industrial Garrard GP, Inc., File Number: DEV-32-19 (Z-20-19)

A brief question and answer period ensued between Members of Council and Staff regarding the delay that rescinding delegated authority for site plan approval for the development would have.

Moved By Councillor Mulcahy

Seconded By Councillor Roy

1. That Council approve an amendment to Zoning By-law 1784 (Application # Z-20-19) to permit a warehouse and distribution centre with associated offices at 4680 Garrard Road; and,
2. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

**Carried later in the meeting [See following motion]**

Moved By Councillor Newman  
Seconded By Councillor Leahy

That the main motion be amended to add the following as Item 3:  
That Council rescind delegated authority for site plan approval for the development.

**Carried on a recorded vote as follows:**

|                    | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|--------------------|------------|----------------|------------------|
| 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          |                |                  |
|                    | 8          | 1              | 0                |

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

**Resolution # 97-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

1. That Council approve an amendment to Zoning By-law 1784 (Application # Z-20-19) to permit a warehouse and distribution centre with associated offices at 4680 Garrard Road;
2. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council; and,
3. That Council rescind delegated authority for site plan approval for the development.

**Carried Unanimously**

7. Committee of the Whole Report  
General Government - April 27 and May 11, 2020

- 7.1** Community Services Department Report, CMS 02-20  
Re: Recreation Fee Assistance Program - Policy F 210

**Resolution # 98-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That Council receive CMS Report 02-20 Recreation Fee Assistance Program for information; and,
2. That Council approve revisions to the Recreation Fee Assistance Program Policy F 210 (Attachment 1).

**Carried Unanimously**

- 7.2** Corporate Services Department Report, CS 06-20  
Re: Application for Cancellation, Reduction, Adjustment and/or Refund of Taxes

**Resolution # 99-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That application for cancellation, reduction, adjustment and/or refund of taxes be approved as listed in this report, in the amount of \$1,092,737.95 for the taxation years 2002 to 2019 inclusive.

**Carried Unanimously**

- 7.3** Corporate Services Department Report, CS 07-20  
Re: 2019 Investment Report

**Resolution # 100-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That Report No. CS 07-20 of the Commissioner, Corporate Services & Treasurer be received for information.

**Carried Unanimously**

- 7.4** Public Works Department and Corporate Services Department Joint Report, CS 21-20  
Re: T-280-2020 – Supply of Sodium Chloride

**Resolution # 101-20**

Moved By Councillor Shahid  
Seconded By Councillor Leahy

1. That the Town of Whitby accept its portion of the low tender of K+S Windsor Salt Ltd. in the estimated amount of \$2,521,785.00 (excluding taxes) for a three (3) year term for the supply of sodium chloride;
2. That approval be granted for the option to extend the contract for two (2) additional one (1) year term(s) based on satisfactory performance, product quality, acceptable proposed pricing for years four (4) and five (5) and budget approval;
3. That the total estimated project cost for the Town of Whitby in the amount of \$2,566,168.41 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried Unanimously**

- 7.5** Corporate Services Department Report, CS 23-20  
Re: Annual Insured Claims Report

A brief question and answer period ensued between Members of Council and Staff regarding how long it takes Staff to rectify a sidewalk trip hazard once one is identified and the amount of time it takes to repair depressions in sidewalks that result in ponding water.

**Resolution # 102-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That report CS 23-20 of the Commissioner of Corporate Services/Treasurer be received as information.

**Carried Unanimously**

- 7.6** Office of the Town Clerk and Office of the Chief Administrative Officer  
Joint Report, CLK 02-20  
Re: Councillors in the Classroom – Grades 5 and 10 Civics Engagement  
Program

A brief question and answer period ensued between Members of Council and Staff regarding the possibility of providing the Councillors in the Classroom program to high school students in summer school and students enrolled in summer civics camp.

**Resolution # 103-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That Council endorse the “Councillors in the Classroom” Grades 5 and 10 Engagement Program and direct Staff to proceed with establishing the program.

**Carried Unanimously**

- 7.7** Office of the Town Clerk Report, CLK 04-20  
Re: Customer Service Strategy – Draft Terms of Reference (RFP-20-2020)

**Resolution # 104-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That Council receive Report CLK 04-20 for information.

**Carried Unanimously**

- 7.8** Car Parade - Support for Front Line Health Care Workers

A brief question and answer period ensued between Members of Council and Staff regarding feedback received from the public and front-line workers about the car parade, the importance of showing appreciation to healthcare workers, and opportunities for future car parades to support long-term care homes.

**Resolution # 105-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That Council endorse the organizing of a car parade to show support for front line health care workers at Lakeridge Health Whitby; and,
2. That Staff be directed to assist in organizing the proposed car parade.

**Carried Unanimously**

- 7.9** Public Works Department and Corporate Services Department Joint Report, CS 11-20  
Re: T-16-2020 – Streetlight Installation at Various Locations

**Resolution # 106-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by Hastings Utilities Contracting Ltd. in the amount of 205,754.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete streetlight installations at various locations as required by the Town of Whitby;
2. That the Total Project Cost of \$350,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried Unanimously**

- 7.10** Public Works Department and Corporate Services Department Joint Report CS 12-20  
Re: T-501-2020 – Urban Road Resurfacing and Overlay

**Resolution # 107-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by IPAC Paving Limited in the revised amount of \$2,715,919.75, (plus



- applicable taxes) for all labour, materials, equipment and supervision necessary to complete the Urban Road Resurfacing and Overlay Contract as required by the Town of Whitby;
2. That the Total Project Cost of \$3,650,000.00 be approved;
  3. That the provisional streets, Renfield Crescent and Jacob Drive, be removed from this tender and be re-budgeted in 2021;
  4. That Council approve the addition of the toplift of asphalt for Rossland Road West (Lake Ridge Road to the Canadian Pacific Railway Bridge) to the Urban Road Resurfacing and Overlay Contract; and,
  5. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried Unanimously**

- 7.11** Public Works Department and Corporate Services Department Joint Report, CS 22-20  
Re: T-513-2020 – Surface Treatment and Slurry Seal

**Resolution # 108-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by Miller Paving Limited in the amount of \$353,509.75 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete surface treatment and slurry seal as required by the Town of Whitby;
2. That the Total Project Cost of \$384,566.04 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried Unanimously**

- 7.12** Corporate Services Department Report, CS 17-20  
Re: Changes to the Development Charges Act as of January 1, 2020

**Resolution # 109-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That report CS 17-20 be received for information;
2. That the Development Charge Annual Installment Payments Policy included in Attachment 2 of the report be approved;
3. That the Timing of Development Charge Calculation Policy included in Attachment 3 of the report be approved;
4. That the Development Charge Interest Policy included in Attachment 4 of the report be approved; and,
5. That Staff review opportunities to offer non-statutory Development Charge exemptions through other avenues (e.g. Community Improvement Plan, grant-in-lieu program, etc.) given the proposed removal of non-statutory Development Charge exemptions from the Development Charge By Law in the next update.

**Carried Unanimously**

- 7.13** Corporate Services Department Report, CS 25-20  
Re: 2019 Year End Capital Report and 2020 Uncommitted Reserve / Reserve Fund Contribution

**Resolution # 110-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That report CS 25-20 be received for information.

**Carried Unanimously**

- 7.14** Public Works Department Report, PW 12-20  
Re: Fleet Strategic Master Plan Information

**Resolution # 111-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That Public Works Report PW 12-20, Fleet Strategic Master Plan be received as information.

**Carried Unanimously**

- 7.15** Public Works Department Report, PW 15-20

Re: National Disaster Mitigation Program Intake 4 Update 1 - Whitby Coastal Flood Hazard Assessment

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

- how shoreline erosion will be addressed in the Thicksen Woods area as the area is private property;
- engineering details provided by the Town to private property owners to help identify coastal flood hazards;
- how flood mitigation measures would be funded;
- additional updates that would be provided to Council in the future;
- the Town's response program for flooding, including whether the Town has a flood preparedness plan; and,
- areas at risk for coastal flooding and how the Town would respond to flooding issues in those areas.

**Resolution # 112-20**

Moved By Councillor Leahy

Seconded By Councillor Shahid

1. That Report PW 15-20 on the Whitby Coastal Flood Hazard Assessment Report be received for information;
2. That a copy of the Final Draft Report be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), Region of Durham, and the Ministry of Environment Conservation and Parks for their comment;
3. That the Final Whitby Coastal Flood Hazard Assessment Report, 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 and costs associated with the recommendations for inclusion into future work plans and budgets for Council's consideration.

**Carried Unanimously**

- 7.16** Office of the Chief Administrative Officer Report, CAO 12-20  
Re: Subsidized Backyard Tree Planting Program

**Resolution # 113-20**

Moved By Councillor Leahy

Seconded By Councillor Shahid

1. That Council receive Staff Report CAO 12-20 - Subsidized Backyard Tree Planting Program for Information; and,
2. That Council direct Town Staff to enter into a program agreement with the Region of Durham, LEAF and participating local area municipalities to deliver the backyard tree planting program in 2020, with terms and conditions satisfactory to the CAO, Commissioner of Corporate Services and the Commissioner of Legal Services.

**Carried Unanimously**

8. Notice of Motion

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

9. New and Unfinished Business

**9.1** Corporate Services Department Report, CS 19-20  
Re: 2020 Final Tax Billing

A discussion ensued between Members of Council regarding:

- the history of the establishment of the Downtown Whitby BIA;
- feedback received from businesses and the reasoning for taking a second look at the BIA's budget;
- the BIA providing a range of valuable services to Downtown Whitby businesses beyond events;
- the importance of Members of Council sharing any concerns they receive from businesses with the BIA; and,
- how the BIA helps to centralize and triage issues affecting Downtown Whitby and Downtown Whitby businesses.

**Resolution # 114-20**

Moved By Councillor Drumm

Seconded By Councillor Yamada

1. That the tax rates for the year 2020 General Municipal Town Levies be approved as per Bylaw 7624-20;
2. That the tax rates for the year 2020 Downtown Whitby Business Improvement Area (BIA) Tax Levies be approved for the properties located within the BIA district as indicated in Bylaw 7631-20;
3. That the tax due dates for the final tax bills for the Residential, Farmland, Pipeline and Managed Forest tax classes be July 24, 2020 and September 24, 2020;

4. That the Treasurer be authorized to set the appropriate due dates for the capped tax classes (Commercial, Industrial and Multi-Residential) once all billing factors are known;
5. That the due dates for the capped tax classes, as mentioned above, will be effective for both the General Municipal Town Levies and also for the BIA Tax Levies; and
6. That a Bylaw be brought forward to set the Town of Whitby due dates and levy rates for 2020 in accordance with the approved budgets and regulations for both the General Municipal Town Levies and BIA Tax Levy purposes.

**Carried Unanimously**

It was the consensus of Council to move to Item 4.2 at this time.

- 9.2** Memorandum from C. Harris, Town Clerk, dated May 19, 2020 regarding New and Unfinished Business – Electronic Participation at Council Meetings during Pandemic (and declared emergencies)

**Resolution # 115-20**

Moved By Councillor Shahid

Seconded By Councillor Lee

1. That Council refer to the By-laws portion of the agenda and enact the amendment to Procedure By-law # 7462-18 to allow for electronic participation at Council and Committee meetings during a pandemic, in addition to during a declared state of emergency; and,
2. That the Minister of Municipal Affairs be requested to remove the limitations associated with Members' electronic participation outside of a declared state of emergency so that they count towards quorum and can participate in meetings closed to the public.

**Carried Unanimously**

- 9.3** Correspondence from the Town of Oakville - Rent Relief Advocacy Letter to Minister Morneau

A brief discussion ensued between Members of Council regarding the possibility of the Town sending a letter advocating for rent relief for businesses from landlords to Minister Morneau.

10. By-Laws

That the following by-laws be passed:

- 10.1** By-law # 7624-20, being a by-law to set and levy tax rates for the calendar year 2020 for the Town of Whitby and to set penalty and interest rates for unpaid taxes

Refer to CS 19-20, 2020 Final Tax Billing

- 10.2** By-law # 7625-20, being a by-law to designate the Spencer School on the property municipally known as 7035 Country Lane, PT Lot 30, Concession 7, as being of cultural heritage value and interest.

Refer to PL 11-20, Designation of the Spencer School at 7035 Country Lane, as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18

- 10.3** By-law # 7626-20, being a by-law to designate certain portions of a registered Plan of Subdivision (S-204-89) as not being subject of Part Lot Control (Brooklin Meadows Ltd.)

- 10.4** By-law # 7627-20, being a by-law to adopt Amendment Number 112 to the Official Plan of the Town of Whitby

Refer to PL 37-18, Yucca Whitby Land Ltd. – Official Plan Amendment (OPA-2016-W/02), Zoning By-law Amendment (Z-16-16) and Draft Plan of Subdivision (SW-2016-04) at 6545 Baldwin Street – Recommendation Report

- 10.5** By-law # 7628-20, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby

Refer to PL 37-18, Yucca Whitby Land Ltd. – Official Plan Amendment (OPA-2016-W/02), Zoning By-law Amendment (Z-16-16) and Draft Plan of Subdivision (SW-2016-04) at 6545 Baldwin Street – Recommendation Report

- 10.6** By-law # 7629-20, being a by-law to adopt Amendment Number 116 to the Official Plan of the Town of Whitby

Refer to PL 89-19, DEV-12-18: Applications for Draft Plan of Subdivision (SW-2018-06), Official Plan and Zoning By-law Amendment

(OPA-2018-W/03 & Z-23-18), 4335 Garden Street, by Signature 4335 Garden Inc.

- 10.7** By-law # 7630-20, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby

Refer to PL 89-19, DEV-12-18: Applications for Draft Plan of Subdivision (SW-2018-06), Official Plan and Zoning By-law Amendment (OPA-2018-W/03 & Z-23-18), 4335 Garden Street, by Signature 4335 Garden Inc.

- 10.8** By-law # 7631-20, being a by-law to set and levy tax rates for the Business Improvement Area (BIA) and to set penalty and interest rates for unpaid taxes

Refer to CS 19-20, 2020 Final Tax Billing

- 10.9** By-law # 7632-20, being a By-law to amend Procedure By-law # 7462-18 to allow Members of Council to participate electronically at meetings during an Emergency and/or a Pandemic.

**Resolution # 116-20**

Moved By Councillor Newman  
Seconded By Councillor Lee

That leave be granted to introduce By-laws # 7624-20 to # 7632-20 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 Unanimously**

**11. Confirmatory By-Law**

**11.1 Confirmatory By-law**

**Resolution # 117-20**

Moved By Councillor Yamada  
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 the Council of the Town of Whitby at its regular meeting held on May 19, 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 Unanimously**

12. Adjournment

**12.1** Motion to Adjourn

Moved By Councillor Lee  
Seconded By Councillor Newman

That the meeting adjourn.

**Carried Unanimously**

The meeting adjourned at 9:38 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor