

Present: Mayor Mitchell
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
M. Perini, Deputy 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 hybrid meeting format, with a limited number of people attending in person. He provided Members of Council, delegates and presenters 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.

Planning and Development

Councillor Yamada assumed the Chair.

1. Presentations

- 1.1** Elaine Baxter-Trahair, Chief Administrative Officer, Stella Danos-Papaconstantinou, Commissioner, Social Services, Alan Robins, Director, Housing Services, Jenni Demanuele, Director, Business Services, Gary Muller, Director of Planning, John Henry, Regional Chair, Region of Durham, and Warren Price, Urban Strategies
Re: Redevelopment Opportunity - 590 and 650 Rossland Road

Elaine Baxter-Trahair, Chief Administrative Officer, Stella Danos-Papaconstantinou, Commissioner, Social Services, Alan Robins, Director, Housing Services, Jenni Demanuele, Director, Business Services, and Gary Muller, Director of Planning, John Henry, Regional Chair, Region of Durham, and Warren Price, Urban Strategies, provided a PowerPoint presentation regarding a Redevelopment Opportunity - 590 and 650 Rossland Road. Highlights of the presentation included:

- the Region's endorsement to target the development 1000 affordable, transitional or supportive housing units in the next 5 years within the Region of Durham;
- the Region's role in the provision of affordable housing;
- details pertaining the four goals of At Home in Durham: the Durham Housing Plan 2014-2024;
- details about the Region's commitments under the Region of Durham Master Housing Strategy;
- the Rossland/Garden Urban Central Area Secondary Plan objectives;
- detailed information about the development opportunity at 590 and 650 Rossland Road East including, but not limited to, the existing conditions including current zoning, total land mass, and current site uses;
- the potential for 700 to 900 units, with the potential for 200 to 300 affordable housing units, along with commercial space, public green space and potential support space including child care;

- the opportunities associated with the proposed development including the proximity to community facilities, shopping centres and parks, access to transit along Rossland Road East, creating a north-south open space connection between the neighbourhood to the north and the open space and campus areas to the south across Rossland Road, the potential for towers and mid-rise buildings along the southern edge of the site, and to better define the edge of the street along Civic Centre Drive and Wicker Park Way;
- the constraints associated with the proposed development including the need to be mindful of the stable low-rise neighbourhoods to the north and west of the site, balancing traffic, and the 2 metre difference in the terrain across the entire site;
- the four design concepts and detailed information about the preferred design concept which would be consistent with how the surrounding neighbourhoods are evolving and provides an opportunity to realize significant yields for potential development;

Recommendation:

Moved By Councillor Roy

That the rules of procedure be suspended to allow the presentation to exceed the ten minute limit.

Carried on a Two Thirds Vote

Ms. Baxter-Trahair, Ms. Danos-Papaconstantinou, Mr. Robins, Ms. Demanuele, Mr. Muller, Chair Henry, and Mr. Price continued their presentation regarding the Redevelopment Opportunity – 590 and 650 Rossland Road. Highlights included:

- next steps including confirming the Town's support for the site redevelopment proposal, continued discussions with and a presentation of the project to Infrastructure Ontario, and continued engagement with the Town of Whitby as the project advances.

A detailed question and answer period ensued between Members of Committee, Ms. Baxter-Trahair, Ms. Danos-Papaconstantinou, Mr. Robins, Ms. Demanuele, Mr. Muller, Chair Henry, and Mr. Price regarding:

- the consideration given in the various design concepts to facilitate a cohesive relationship between the proposed mixed uses and the mixed forms of occupancy;
- whether the entry/exit to and from the site and the signalization at Civic Centre Drive and Rossland Road would be addressed to ensure a smooth flow of traffic in the area;
- whether the proposed development would be a mix of condominiums and rentals;
- the percentage of the development that would be condominiums or rentals, the percentage of market value units, who would manage the rentals, and when such details would be available;
- providing information on a gold standard model based on similar developments in Toronto to demonstrate what has been achieved in Toronto and what could be achieved in Whitby;
- the next steps for consultation with the surrounding community;
- the number of residents that would benefit from access to current affordable housing opportunities;
- the timeline to accommodate the number of people on the affordable housing wait list;
- whether meeting the target of 1000 affordable housing units would reduce the wait time for affordable housing;
- whether the proposed development would be constructed through a partnership between the Region, and the Province;
- whether the proposed development would pose any significant short or long term costs for the Town of Whitby or the Region of Durham;
- confirmation that the ongoing cost of unit subsidies would be addressed through the business plan proposal; and,
- how Whitby compares to neighbouring municipalities with respect to the availability of affordable housing units

Recommendation:

Moved By Councillor Roy

Whereas Council supports the need for affordable housing that is compatible and integrated with existing neighbourhoods; and,

Whereas Council supports the efforts of Staff to identify the need for all types of housing in Whitby;

Now Therefore be it Resolved:

That Staff report back on the site redevelopment opportunity for 590 and 650 Rossland Road East throughout the redevelopment process while ensuring ongoing consultation with the community.

Carried

2. Delegations

2.1 There were no delegations.

3. Correspondence

3.1 Correspondence # 2020-919 received by C. Harris, Town Clerk, from S. Mitchell, Senior Development Manager, Land and Housing Development, Brookfield Properties, dated November 26, 2020 regarding Whitby Fire Hall Redevelopment - Station No. 3, Cash-in-Lieu of Parkland, Brookfield Residential (Ontario) Station No. 3 Limited

Recommendation:

Moved By Councillor Roy

That Correspondence # 2020-919 received by C. Harris, Town Clerk, from S. Mitchell, Senior Development Manager, Land and Housing Development, Brookfield Properties, dated November 26, 2020 regarding Whitby Fire Hall Redevelopment - Station No. 3, Cash-in-Lieu of Parkland, Brookfield Residential (Ontario) Station No. 3 Limited, be received for information.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Roy

That the main motion be amended to read as follows:

Whereas the Town's Official Plan and the Planning Act provides for the payment of cash-in-lieu of parkland as an alternative when a developer cannot provide actual land for parks within a residential development;

Whereas, when cash-in-lieu of parkland is required before residential development can proceed, the amount to be paid to the Town is equal to

the value of 1 hectare of land for each 500 dwelling units to be constructed;

Whereas the Town has adopted policies to support residential growth and economic development within Downtown Whitby, including policies contained in the Downtown Whitby CIP; and,

Whereas the current cash-in-lieu of parkland rate results in a payment that can exceed the value of the land being developed in the Historic Downtown Whitby Priority Area of the Downtown Whitby CIP, thereby discouraging the type of residential development that the Town is seeking to attract to this neighbourhood.

Now therefore be it resolved:

1. That Correspondence # 2020-919 received by C. Harris, Town Clerk, from S. Mitchell, Senior Development Manager, Land and Housing Development, Brookfield Properties, dated November 26, 2020 regarding Whitby Fire Hall Redevelopment - Station No. 3, Cash-in-Lieu of Parkland, Brookfield Residential (Ontario) Station No. 3 Limited, be received for information; and,
2. That staff be directed to report to Council as soon as possible regarding establishing a reduced alternative cash-in-lieu of parkland rate for the Historic Downtown Whitby Priority Area within the Downtown Whitby CIP.

Note: Consideration of this matter, Item 3.1, was deferred until later in the meeting.

It was the consensus of the Committee to hear Item 4.1, at this time.

Recommendation:

Moved By Councillor Newman

That Committee move in-camera in accordance with Procedural By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2) (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Rising and Reporting

Recommendation:

Moved By Councillor Leahy

That Committee rise from the closed portion of the meeting.

Carried

Councillor Yamada advised that during the closed portion of the meeting, Committee received advice that is subject to solicitor-client privilege.

Discussion ensued between Members of Committee and Staff regarding:

- Downtown Whitby development projects, including the redevelopment of the former Fire Hall site being important projects that are part of an overall economic development strategy;
- the process that Council went through to attract a community-oriented developer to help with the vision for the downtown;
- the unique challenges associated with development in Downtown Whitby due to its historic character including soil, environmental, and infrastructure considerations;
- incentives in place in Downtown Whitby to promote development;
- social and cultural benefits associated with the Brookfield development and how the development will benefit Downtown Whitby;
- including an additional recommendation directing that the basic 5 percent cash-in-lieu of park land calculation apply to the Downtown Whitby Community Improvement Plan Priority Area; and,
- the benefits of receiving a report from Staff about cash-in-lieu calculations and allowing time for research into alternative rates.

Recommendation:

Moved By Councillor Leahy

That the main motion be amended to include Item 3 as follows:

3. That Council direct the 5% residential cash-in-lieu of parkland rate, as provided for in the Planning Act, shall apply to the Historic Downtown

Whitby Priority Area of the Downtown Whitby Community Improvement Plan.

Motion Lost

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

Whereas the Town's Official Plan and the Planning Act provides for the payment of cash-in-lieu of parkland as an alternative when a developer cannot provide actual land for parks within a residential development;

Whereas, when cash-in-lieu of parkland is required before residential development can proceed, the amount to be paid to the Town is equal to the value of 1 hectare of land for each 500 dwelling units to be constructed;

Whereas the Town has adopted policies to support residential growth and economic development within Downtown Whitby, including policies contained in the Downtown Whitby CIP; and,

Whereas the current cash-in-lieu of parkland rate results in a payment that can exceed the value of the land being developed in the Historic Downtown Whitby Priority Area of the Downtown Whitby CIP, thereby discouraging the type of residential development that the Town is seeking to attract to this neighbourhood.

Now therefore be it resolved:

1. That Correspondence # 2020-919 received by C. Harris, Town Clerk, from S. Mitchell, Senior Development Manager, Land and Housing Development, Brookfield Properties, dated November 26, 2020 regarding Whitby Fire Hall Redevelopment - Station No. 3, Cash-in-Lieu of Parkland, Brookfield Residential (Ontario) Station No. 3 Limited, be received for information; and,
2. That staff be directed to report to Council as soon as possible regarding establishing a reduced alternative cash-in-lieu of parkland rate for the Historic Downtown Whitby Priority Area within the Downtown Whitby CIP.

Carried

4. Staff Reports

4.1 Planning and Development Department Report, PL 02-21

Re: Envision Durham – Employment Area Conversion Requests

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

- deferring the employment area conversion requests until additional information becomes available regarding the growth management component of the Municipal Comprehensive Review of the Durham Region Official Plan;
- confirmation that the timing for consideration of the employment area conversion requests should be following the review of the Regional Official Plan and the Whitby Official Plan;
- the advantage to the Town of Whitby by refraining from responding to the Region with respect to the eight employment area conversion requests when other municipalities within the Region are providing a more specific response;
- the impact on the employment area land should the land associated with the employment area conversion requests be re-designated; and,
- whether the Town could take the position that it is not prepared to move forward with the conversions until the Region presents proposals related to the employment area designations.

Recommendation:

Moved By Councillor Leahy

1. That Planning Report PL 02-21 be endorsed as the Town's comments on the Employment Area Conversion Requests submitted to the Region of Durham, as part of the Envision Durham Municipal Comprehensive Review; and,
2. That the Clerk forward a copy of Planning Report PL 02-21 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried

5. New and Unfinished Business - Planning and Development

5.1 New and Unfinished Business List - Item MD-1970

Councillor Yamada inquired about the status of Item MD-1970 regarding G & L Group Ltd., Devil's Den Golf Course, 745 Winchester Road West and 5515 Coronation Road (OPA-2011-W/01, Z-11-11, Durham OPA-2011-009).

R. Saunders, Commissioner of Planning and Development, advised that a report would be presented at the February 22, 2021 Committee of the Whole meeting, or that the New and Unfinished Business List would be updated to provide new information.

General Government

Councillor Roy assumed the Chair.

6. Presentations

6.1 There were no presentations.

7. Delegations

7.1 Doug Moller

Re: Correspondence # 2020-920 received by C. Harris, Town Clerk, from D. Moller dated December 2, 2020 regarding a request for an exemption from Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side fences

Refer to Item 8.1, Correspondence # 2020-920 received by C. Harris, Town Clerk, from D. Moller dated December 2, 2020 regarding a request for an exemption from Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side fences

Doug Moller, 48 Flint Crescent, referenced his correspondence submitted to the Town dated December 2, 2020. Mr. Moller advised that he was seeking two exceptions to Fence By-law # 4394-99 to provide privacy at his residence, noting that a maximum fence height of two metres was permitted in accordance with the Fence By-law. Mr. Moller stated that he would like to keep the existing rear and side yard fences on his property, noting the change in grading in the rear yard and the residential subdivision that abuts his rear yard. Mr. Moller advised that the homes in the residential development that abut his rear yard included walk-out basements, but that the original plan was to include under ground basements. He further advised that the grading for the development had been raised from its original grade by 1.9 metres. He stated that he had consulted with his neighbours on Flint Crescent and Sutcliffe Drive and that they were in agreement with the height of both fences on his property. Mr. Moller stated that the side yard fence was constructed six years ago. He advised that there would not be any privacy from pedestrians walking by on the sidewalk or from the

residential development abutting his rear yard should the fences be any lower than the current height.

8. Correspondence

- 8.1** Correspondence # 2020-920 received by C. Harris, Town Clerk, from D. Moller dated December 2, 2020 regarding a request for an exemption from Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side fences

A brief question and answer period ensued between Members of Committee and Staff regarding whether exceptions to the Fence By-law were considered based on an individual resident and whether approving such exceptions would set a precedent for future requests.

Recommendation:

Moved By Councillor Shahid

That correspondence # 2020-920 from D. Moller dated December 2, 2020 regarding a request to amend Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side yard fences be received for information.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Shahid

The main motion be amended by including Item 2 as follows:

2. That Staff be directed to circulate notice of the exemption request to the neighbouring properties that are directly affected by the applicant's exemption request providing 20 days to indicate support or objection to the request and that Staff be directed to report to Council recommending approval of the exemption should there be no objections registered.

Carried

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

Recommendation:

Moved By Councillor Shahid

1. That correspondence # 2020-920 from D. Moller dated December 2, 2020 regarding a request to amend Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side yard fences be received for information; and,
2. That Staff be directed to circulate notice of the exemption request to the neighbouring properties that are directly affected by the applicant's exemption request providing 20 days to indicate support or objection to the request and that Staff be directed to report to Council recommending approval of the exemption should there be no objections registered.

Carried

- 8.2** Correspondence # 2020-964 received by C. Harris, Town Clerk, from S. Larochelle dated December 15, 2020 regarding a petition opposed to the Town of Whitby issuing parking tickets for vehicles parked sideways on the paved portion of the boulevard

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

- the current enforcement practices associated with vehicles parked on the paved portion of the boulevard and whether discretion was given on issuing tickets for this type of infraction due to the COVID-19 pandemic;
- confirmation that By-law Enforcement Officers use discretion for this type of infraction when a parked vehicle does not block sight lines and/or does not impede the sidewalk or roadway for safety or operational reasons;
- whether By-law Enforcement Officers are obligated to investigate a complaint, and confirmation that By-law Enforcement Officers do not proactively patrol for this type of infraction;
- whether By-law Enforcement Officers review the entire street based on the investigation of a complaint on the same street;
- confirmation that there have not been any changes to enforcement practices;
- whether residents understand the Town's enforcement practices and procedures with respect to parking on the paved portion of the boulevard;
- educating residents on the safety and operational concerns associated with parking on the boulevard;
- clarification on the ownership of the paved portion of boulevards;
- whether residents may request a reduction on fine associated with a ticket;

- whether the number of tickets issued for this type of parking infraction was consistent from year to year;
- the Town's requirements for accepting petitions, whether the Town has a policy with respect to petitions, and the possibility of creating a policy in the future; and,
- the number of residents working and attending school from home due to the COVID-19 pandemic and the need for additional parking.

Recommendation:

Moved By Councillor Newman

That Correspondence # 2020-964 received by C. Harris, Town Clerk, from S. Larochelle dated December 15, 2020 regarding a petition opposed to the Town of Whitby issuing parking tickets for vehicles parked sideways on the paved portion of the boulevard, 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 Item 2 as follows:
2. That Staff provide a report to Council regarding the petition with information on parking enforcement measures and associated Traffic By-law issues during the pandemic by the April 12, 2021 Committee of the Whole meeting.

Carried

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

Recommendation:

Moved By Councillor Newman

1. That Correspondence # 2020-964 received by C. Harris, Town Clerk, from S. Larochelle dated December 15, 2020 regarding a petition opposed to the Town of Whitby issuing parking tickets for

- vehicles parked sideways on the paved portion of the boulevard, be received for information; and,
2. That Staff provide a Report to Council regarding the petition with information on parking enforcement measures and associated Traffic By-law issues during the pandemic by the April 12, 2021 Committee of the Whole meeting.

Carried

9. Staff Reports

9.1 Fire and Emergency Services Department Report, FR 01-21
Re: Master Fire Plan – Implementation Update

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

- the timeline for the construction of West Whitby Fire Station # 6;
- whether the postponement of the Fire Prevention Officer position until 2022 could be further postponed due to the COVID-19 pandemic;
- detailed information related to improving efficiencies within the Fire and Emergency Services Department;
- the timeline for hiring an additional 20 firefighters;
- details about mental health support initiatives for Fire and Emergency Services Department Staff;
- a brief synopsis of the initiatives related to diversity and inclusion in conjunction with the Whitby Diversity and Inclusion Advisory Committee; and,
- an overview of the changes in the types of calls received in 2020 that were not within the scope of the Fire Master Plan.

Recommendation:

Moved By Councillor Mulcahy

That report FR 01-21 be received as information.

Carried

9.2 Financial Services Department Report, FS 02-21
Re: Temporary Borrowing By-law

A brief question and answer period ensued between Members of Committee and Staff regarding whether the by-law authorized the borrowing of funds for both capital and operational expenses.

Recommendation:

Moved By Councillor Leahy

That a by-law be brought forward to authorize the external temporary borrowing of an amount up to \$50,798,000 from January 1, 2021 to September 30, 2021 and up to \$25,399,000 between October 1, 2021 and December 31, 2021.

Carried

9.3 Office of the Chief Administrative Officer Report, CAO 01-21
Re: Corporate Information Technology Strategic Plan - Update

Discussion ensued between Members of Committee and Staff regarding:

- the funding investments required over the next two to four years;
- the timeline for implementation of the Enterprise Resource Planning Project and the Customer Relationship Management software system;
- enhanced service delivery and technology to be offered to residents;
- the investment of Staff resources and funds for the implementation of various initiatives/recommendations;
- community facing initiatives that are in the process of being developed which are designed to make access to government services easier, quicker, and more convenient; and,
- the technology pressures faced during the COVID-19 pandemic for residents and Town Staff.

Recommendation:

Moved By Councillor Newman

That the Corporate Information Technology Strategic Plan progress update report be received for information.

Carried

10. New and Unfinished Business - General Government

10.1 Community Outdoor Skating at Brooklin Memorial Park and Peel Park

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

- measures to ensure that the ice rinks would be operated safely and in accordance with provincial regulations;
- whether staff would assist with ensuring awareness of guidelines and monitoring behaviour to ensure there would be a limited number of residents/families on the ice;
- whether Staff would be on site during operating hours to address concerns;
- how often inspections would take place at the ice rinks;
- the operating hours of the ice rinks and whether the ice rinks would be closed overnight;
- how the number of residents using the ice surfaces would be managed and controlled;
- how the length of time residents could use the ice surface would be managed to ensure an equal opportunity for other residents;
- whether the ice surfaces would be used for leisure/pleasure skating or whether hockey would be permitted;
- whether residents would be able to book/reserve the ice surfaces;
- the possibility of volunteer management of the ice surfaces should the number of attendees become unmanageable to ensure all residents have an equal opportunity to use the ice surfaces;
- when a permanent outdoor ice rink may be provided in Whitby and whether any discussions have taken place about providing outdoor ice rinks post the COVID-19 pandemic.;
- the timeline for procedures and guidelines with respect to the ice rinks; and,
- the level of liability for the Town in the event that procedures and COVID-19 regulations are not followed at the ice rinks.

It was the consensus of the Committee to resume consideration of Item 3.1, at this time.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Newman

That the meeting adjourn.

Carried

The meeting adjourned at 10:08 p.m.