

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

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works (participating electronically)
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor (participating electronically)
K. Nix, Commissioner of Corporate Services/Treasurer (participating electronically)
J. Romano, Commissioner of Community Services (participating electronically)
R. Saunders, Commissioner of Planning and Development (participating electronically)
D. Speed, Fire Chief (participating electronically)
H. Ellis, Executive Advisor to the Mayor (participating electronically)
S. Klein, Director of Strategic Initiatives (participating electronically)
C. Harris, Town Clerk (participating electronically)
K. Narraway, Manager of Legislative Services/Deputy Clerk
H. Oerlemans, 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 and others attending virtually. Mr. Harris noted that written correspondence was submitted by the public regarding items on the agenda. He advised that the Committee would receive delegations regarding Item 4.1, CAO 21-20 and Item 9.11, LS 11-20. He provided Members of Council 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

Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Items 6.1 and 9.1, Mid-Block Arterial Road - Environmental Study Report, PW 22-20, as Mayor Mitchell and his family have an interest in 5455 Ashburn Road which will be bisected by the arterial. Mayor Mitchell did not take part in the discussion and voting on this matter.

Planning and Development

Councillor Mulcahy assumed the Chair.

1. Presentations

- 1.1** Dan Leeming and Stacey McCulloch, The Planning Partnership, and Jenny McMinn and Corey Bialek, Urban Equation
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Dan Leeming, Stacey McCulloch, The Planning Partnership, and Jenny McMinn, and Corey Bialek, Urban Equation, appeared before the Committee and provided a PowerPoint presentation on the Whitby Green Standard. Highlights of the presentation included:

- the alignment between the Whitby Green Standard (WGS) and Council's actions such as declaring climate change an emergency and phasing-out single-use plastic;
- supporting the Town's sustainability objectives to reduce carbon emissions, support sustainable site design, mitigate and adapt to climate change to increase resiliency, improve air quality, and enhance Whitby's tree canopy and foster sustainable use of water resources;
- creating standards that were flexible and would be updated every four years to incorporate changes in policy and technology;
- developing a tool that would help guide the implementation of sustainability design elements into new developments thereby

supporting Whitby's goal to reduce greenhouse gas emissions (GHG);

- using four performance tiers with Tier 1 being mandatory, and Tiers 2 through 4 being voluntary;
- Tier 1 would represent existing Town standards with the addition of advanced energy requirements;
- Tiers 2 through 4 would provide advanced sustainability criteria and serve as a guide for future sustainability measures;
- applying the WGS to all new development applications within the Town of Whitby; and,
- benefits of the WGS including environmental, financial, and social benefits.

A question and answer period ensued between Members of Committee, Mr. Leeming, Ms. McCulloch, Ms. McMinn, and Mr. Bialek regarding:

- the progress that has been made by municipalities that adopted green standards, such as the Town of Halton Hills;
- whether other municipalities such as Toronto, have experienced compliance issues from developers; and,
- why other municipalities had not implemented a tiered green standard approach.

2. Delegations

2.1 Ryan Turnbull, MP, Whitby

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

Refer to Item 4.1, CAO 21-20

Ryan Turnbull, MP, Whitby, addressed the Committee and stated that he was in support of the Whitby Green Standard and that it represented an important step in demonstrating Whitby's commitment and leadership towards a low carbon future. Mr. Turnbull advised that he had listened to the concerns of stakeholders and believed that most concerns were related to liability issues and company business models. He further advised that constant communication with stakeholders would be required to move forward with the Whitby Green Standard. He noted that residents would like to see municipalities take actionable steps towards addressing climate change.

A question and answer period ensued between Member of Committee and Mr. Turnbull regarding:

- whether federal incentive programs were being considered to assist municipalities and developers; and,

- the timelines for developing incentive programs.

2.2 Bryan Purcell, representing The Atmospheric Fund
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Bryan Purcell, representing The Atmospheric Fund, addressed the Committee and stated that he strongly supported the adoption of the Whitby Green Standard and that the Standard was based on evidence based standards and global best practices. Mr. Purcell advised that the performance tiers were important and allowed for the optimization of technology and technology development. He further advised that a low carbon standards approach for new construction was important for fast growing municipalities and that the adoption of green standards would provide other benefits such as accessibility of housing, affordability, and ecological integrity. Mr. Purcell advised that The Atmospheric Fund would support Whitby by providing technological advice and training.

2.3 Alyssa Scanga, representing Fridays for Future Whitby
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Alyssa Scanga, representing Fridays for Future Whitby, addressed the Committee and provided a PowerPoint presentation. Ms. Scanga stated that the world was in a climate crisis and that through sustainable development and energy efficiency requirements, the impacts of buildings on greenhouse gas emissions could be reduced. She requested that Council take action by adopting Tier 1 of the Whitby Green Standard.

2.4 Tiago do Couto, representing Durham Region Home Builders Association
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Tiago do Couto, representing the Durham Region Home Builders Association, addressed the Committee and stated that he represented over 170 companies. Mr. do Couto advised that Members of the Durham

Region Home Builders Association could not support the Whitby Green Standard. He stated that Members were concerned that the Whitby Green Standard mandated standards that were above the provincial standards such as requiring additional park land, which would result in projects becoming unviable within Whitby. He further stated that the Whitby Green Standard placed requirements on homeowners and that developers could not control or enforce those requirements. Mr. do Couto advised that the Durham Region Home Builders Association participated in all stakeholder sessions and submitted letters outlining their concerns. He stated that the concerns outlined in the letters had not been addressed by Town Staff.

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

- whether the concerns outlined in the letters were also raised at the stakeholder consultation sessions;
- the primary concern from developers regarding the Whitby Green Standard;
- whether incentives would help to alleviate the concerns presented by developers; and,
- what would the developers need from the Town should the Whitby Green Standard be passed.

2.5 Johnathan Schickedanz representing FarSight Homes
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Johnathan Schickedanz, representing FarSight Homes, appeared before the Committee and stated his concerns regarding the Whitby Green Standard. Mr. Schickedanz advised that the Ontario Building Code mandated homebuilding standards and included regular updates and revisions to ensure that buildings were efficient. He stated that updates to the Ontario Building Code followed a process and that fast-tracking those processes could lead to issues such as developers not being knowledgeable on advanced building technologies which could lead to increased costs that would be passed down to homeowners. He advised that the Ontario Building Code was managed by two levels of government and that adding a third level would be confusing. Mr. Schickedanz advised that he was not in favour of the Whitby Green Standard and that a voluntary standard would be preferred.

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

- whether Mr. Schickedanz had the opportunity to state his concerns during stakeholder consultations;
- what were the concerns regarding Tier 1;
- whether Tier 1 standards were beyond the standards set out by the province;
- whether incentives would help alleviate concerns; and,
- when the Ontario Building Code was expected to have net zero ready standards in place.

2.6 Emidio DiPalo representing Infinity Custom Homes
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Emidio DiPalo, representing Infinity Custom Homes, addressed the Committee and stated that as a custom home builder he was concerned about the affordability and legality of the Whitby Green Standard. Mr. DiPalo stated that a costing analysis had not been completed and that the financial impact on homeowners was unknown. He further stated that meeting all of the standards set out in the Whitby Green Standard would pose a significant cost to homeowners and that without financial incentives from the Town, many new home buyers would not be able to afford a home. Mr. DiPalo advised that the Whitby Green Standard contradicted provincial standards and that the standards could not be legally implemented or enforced. He noted that if the Whitby Green Standard was implemented, the municipality would be vulnerable to lawsuits and legal challenges.

2.7 Gabriella Kalapos representing Clean Air Partnership
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Gabriella Kalapos, representing Clean Air Partnership, addressed the Committee and stated that Clean Air Partnership worked with municipalities to develop green standards. Ms. Kalapos stated that the Town of Whitby is a leader to other municipalities as the first municipality to adopt a tiered standard outside of Toronto. She further stated that adopting green development standards would help Council meet its goals for sustainability. Ms. Kalapos advised that concerns regarding affordability and competitiveness were unwarranted as the additional cost of building a net zero ready low rise development at Tier 4 requirements would be \$20,000. She further advised that these costs

were expected to decrease with the development of technology and increase in demand.

A brief question and answer period ensued between Members of Committee and Ms. Kalapos regarding whether the Municipal Act permitted municipalities to enact standards above the provincial standards.

- 2.8** Adeline Cohen, representing Fridays for Future Whitby
Re: Office of the Chief Administrative Officer Report, CAO 21-20
Whitby Green Standard

Refer to Item 4.1, CAO 21-20

Adeline Cohen, representing Fridays for Future Whitby, addressed the Committee and stated that we were in a climate change emergency because of inaction. Ms. Cohen stated that efficient buildings save money on resources and that by taking action now, future homeowners would not have to retrofit inefficient homes which would mean saving time and money. Ms. Cohen requested that Council adopt the Whitby Green Standard and make Tier 1 mandatory.

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

Refer to Item 4.1, CAO 21-20

Brian Kelly, 163 Darren Avenue, appeared before the Committee and stated that the Town of Whitby has provided residents with hope for the future in their dedication to environmental concerns. Mr. Kelly stated that the Town of Whitby declared climate change an emergency and had taken initiative to work on projects supporting that declaration. Mr. Kelly noted that the Whitby Green Standard would give residents hope for the future.

It was the consensus of the Committee to hear Item 7.1, Randy Panesar, Resident, at this time.

3. Correspondence

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

A brief question and answer period ensued between Members of Committee and Staff regarding whether the Joint Brooklin Downtown Development Steering Committee and Downtown Whitby Development Steering Committee meetings would continue in the future.

Recommendation:

Moved By Councillor Drumm

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

Carried

4. Staff Reports

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

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

- whether the municipality had the legal jurisdiction to adopt and enforce the Whitby Green Standard;
- whether the Town could proceed with Tier 1 while providing an opportunity for further discussion with residents and developers on the additional Tiers;
- how the concerns raised by developers had been addressed;
- the cost impacts associated with building energy efficient homes and how other municipalities had addressed similar concerns;
- how the costs associated with building energy efficient homes would impact homeowners and new home buyers;
- how the program would impact building inspections;
- whether the program aligned with the Ontario Building Code;
- how much time was required to implement the Whitby Green Standard; and,
- whether discussions related to cost implications, incentives, and the voluntary tiers would continue.

Recommendation:

Moved By Mayor Mitchell

1. That Council adopt the Whitby Green Standard;

2. That Council requires all new Site Plan and Plan of Subdivision Applications to meet at minimum the Tier 1- Mandatory Performance Criteria as outlined in the respective Site Plan Checklist (Attachment 2), and Plan of Subdivision Checklist (Attachment 3);
3. That Council endorse, in principle, the Whitby Green Standard – Tiers 2 –4 as outlined in the respective Site Plan Checklist (Attachment 2) and Plan of Subdivision Checklist (Attachment 3); and
4. That staff report back in Q4 2021 on a proposed incentive program that would support the uptake of Tiers 2 – 4 of the Whitby Green Standard.

Carried

5. New and Unfinished Business - Planning and Development

5.1 Sidewalk Placement on Leaholm Court

Moved By Councillor Yamada

That a motion to introduce a matter pertaining to the sidewalk placement on Leaholm Court be allowed due to its timely and urgent nature.

Carried on a Two Thirds Vote

Councillor Yamada advised that several residents had expressed concerns regarding difficulty parking personal vehicles in their driveways due to the placement of a sidewalk on Leaholm Court. Councillor Yamada requested that staff consider alternative options for the sidewalk placement to provide adequate space for a personal vehicle.

Moved By Councillor Yamada

That Staff be requested to review if the sidewalk on the west side of Leaholm Court can be modified in any way to allow the residents to park their vehicles or deleted from the site plan and report back to Council on September 28, 2020.

Carried

General Government

Councillor Leahy assumed the Chair.

Recommendation:

Moved By Councillor Yamada

That the Committee take a short recess.

Carried

The Committee recessed at 9:38 p.m. and reconvened at 9:43 p.m.

6. Presentations

- 6.1** Dale Dionne representing The Municipal Infrastructure Group
Re: Public Works Department Report, PW 22-20
Mid-Block Arterial Road –Environmental Study Report

Refer to Item 9.1, PW 22-20

Having previously declared a pecuniary interest, Mayor Mitchell left the meeting and did not take part in the discussion or vote on this matter.

Dale Dionne, The Municipal Infrastructure Group, appeared before the Committee and provided a PowerPoint presentation on the Mid-Block Arterial Road-Environmental Study Report. Highlights of the presentation included:

- the identification, evaluation, and recommendation of alternative routes and the preferred choice;
- the boundaries of the study area;
- the key elements that were considered in identifying an alternative route such as connection points to the existing highways and streets, tributaries of Lynde Creek, and access for servicing Town projects and future street extensions;
- evaluating alternative routes based on transportation, natural environment, climate change concerns, economics, and social, built, and cultural environments;
- incorporating roundabouts into the design;
- basing the timing of construction on development needs of the Town; and,
- the next steps such as finalizing and filing the Environmental Assessment, beginning the detailed design and construction, and naming the road.

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

- what the value was in incorporating roundabouts into the design;
- whether the intersection at Thickson Road in the proposed route would be signalized;
- what factors went into the final decision for the preferred route; and,
- whether there were any anticipated obstacles that would need to be addressed.

7. Delegations

7.1 Randy Panesar

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

Refer to Item 9.11, LS 11-20

Randy Panesar, 77 Mantz Crescent, appeared before the Committee and stated that he and several neighbours had consistently experienced issues with unreasonable noise coming from local businesses. Mr. Panesar advised that several businesses in the area of his residence played loud music throughout the night which could be heard inside his home with the windows closed. He stated that he filed noise complaints to the Town of Whitby and spoke to By-law Officers. He advised that By-law Officers addressed his concerns with the business owners, but the noise continued. Mr. Panesar requested that Council reconsider the Noise By-law in order to provide By-law Officers with the tools required to enforce noise violations.

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

- the type of businesses where the noise violations were originating;
- how loud the music was when Mr. Panesar was inside his home with the windows closed;
- how late the music was being played; and,
- how often the music was being played at an excessive volume.

It was the consensus of the Committee to hear Item 3.1, Memorandum from C. Chrus, Project Manager Downtowns and Culture, at this time.

8. Correspondence

8.1 There was no correspondence.

9. Staff Reports

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

Having previously declared a pecuniary interest, Mayor Mitchell left the meeting and did not take part in the discussion or vote on this matter.

Discussion ensued between Members of Committee and Staff regarding:

- using roundabouts as an opportunity for an art feature or gateway;
- the naming process for streets;
- considering name submissions such as Jim Flaherty and Roy Ormiston for the Mid-Block Arterial Road;
- naming the Mid-Block Arterial Road and including suggestions provided by Brooklin community groups in the name selection process;
- an opportunity for each Councillor to submit their name suggestions to Staff; and,
- reviewing Mid-Block Arterial Road name submissions at a future Council meeting for final approval.

Recommendation:

Moved By Councillor Yamada

1. That Public Works Report PW 22-20 Mid-Block Arterial Roadway – Environmental Study Report be received for Information;
2. That a copy of the Final Report be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), Region of Durham, Hydro One, City of Oshawa, the Ministry of Transportation and the Ministry of Environment Conservation and Parks for their comment;
3. That the final Environmental Study Report, be filed in accordance with the Municipal Class EA process and be made available for agency and stakeholder use;
4. That Council consider and provide direction on an appropriate street name for the Mid-Block Arterial Road; and,
5. That GHD Limited continue as the Owner's Engineer to assist Town staff with the oversight and project management of the Mid Arterial Roadway, and that the Commissioner of Public Works be provided the authority to negotiate a scope of services agreement for detailed design and utility co-ordination with GHD with

estimated per annum costs in the order of \$200,000 to be paid through the existing Mid Arterial Roadway capital budget.

Carried later in the meeting [See following motions]

Moved By Councillor Yamada

That Item 4 of the main motion be amended to read as follows:

4. That Council recommend Jim Flaherty as the street name for the Mid-Block Arterial Road.

Motion lost

Moved By Councillor Newman

That Item 4 of the main motion be amended to read as follows:

4. That each Councillor submit names to the Commissioner of Planning by no later than October 20th for consideration for an appropriate street name for the Mid-Block Arterial Road; and,

Carried

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

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

Carried

9.2 Corporate Services Department and Community Services Department
Joint Report, CS 35-20

Re: T-31-2020 – Tennis Court Surface Repairs and Coating

A brief discussion ensued between Members of Committee and Staff regarding the life expectancy of the tennis courts and the cost of the project exceeding the projected costs.

Recommendation:

Moved By Councillor Drumm

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

Carried

9.3 Corporate Services Department and Community Services Department
Joint Report, CS 36-20

Re: T-32-2020 – Tennis Court Repairs – IPSC

Recommendation:

Moved By Councillor Newman

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

Carried

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

A brief discussion ensued between Members of Committee and Staff regarding the number of tenders received for this project and public consultation.

Recommendation:

Moved By Councillor Drumm

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

Carried

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

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

- whether the financial deficit expected by year end from the pandemic would impact tax rates and the ability to maintain the same level of service in 2021; and,
- how the pandemic would impact long-term forecasts and what could be done to mitigate revenue shortfalls and inflationary impacts.

Recommendation:

Moved By Councillor Newman

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

Carried

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

Recommendation:

Moved By Councillor Drumm

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

Carried

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

A brief question and answer period ensued between Members of Committee and Staff regarding whether year-round maintenance of Whitby's trails continues to make financial sense due to the ongoing pandemic and the budget shortfalls that are anticipated.

Recommendation:

Moved By Councillor Newman

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

3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

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

Discussion ensued between Members of Committee and Staff regarding:

- creating a separate pedestrian trail;
- replacing the chain-link fence with a wooden fence;
- ensuring the wooden fence would not obstruct the view of the lake for pedestrians along the trail;
- widening the asphalt and adding directional arrows and markers to the trail; and,
- installing active transportation and education signage for users of the trail.

Recommendation:

Moved By Mayor Mitchell

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

Carried

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

Recommendation:

Moved By Councillor Drumm

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

Carried

Moved By Councillor Yamada

That in accordance with the Town's Procedure By-law, the Committee of the Whole continue to go past 11:00 p.m.

Carried

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

A brief question and answer period ensued between Members of Committee and Staff regarding whether the vision statement for the Downtown Whitby Action Plan creates an identity that is unique to the Town of Whitby.

Recommendation:

Moved By Councillor Newman

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

Carried

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

Discussion ensued between Members of Committee and Staff regarding:

- the purpose of the Noise By-law to protect residents from unreasonable noise;
- the challenges associated with defining unreasonable noise;
- the summary of actions that could be taken in order to enforce the Noise By-law;
- reviewing definitions of unreasonable noise from other municipalities;
- the process for escalating noise complaints and how they would be dealt with in the courts; and,

- the process for handling recurring noise violations versus a singular instance.

Moved By Councillor Yamada

That in accordance with the Town's Procedure By-law, the Committee of the Whole continue to go past 11:30 p.m.

Carried on a Two Thirds Vote

Recommendation:

Moved By Councillor Newman

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

Carried later in the meeting [See following motion]

Moved By Councillor Newman

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

4. That Staff review again the Noise By-law with recommendations to include a general overriding provision prohibiting unreasonable noise and defining unreasonable noise, and report back by Q3, 2021.

Motion lost

The main motion was then carried.

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

A brief question and answer period ensued between Members of Committee and Staff regarding the cost outline and long term budget impacts of the plan.

Recommendation:

Moved By Councillor Newman

1. That Report PW 11-20 on Corbett Creek Master Drainage Plan Update be received for information;
2. That a copy of the Final report be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), the City of Oshawa and Region of Durham for their comments;
3. That the Final Corbett Creek Master Drainage Plan Update be filed in accordance with the Municipal Class EA process and be made available for agency and stakeholder use; and
4. That Staff further develop implementation plans associated with the study recommendations for inclusion into future work plans and budgets for Council's consideration.

Carried

10. New and Unfinished Business - General Government

10.1 New and Unfinished Business - General Government

There was no new and unfinished business.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 11:50 p.m.