

Present: Mayor Mitchell
Councillor Drumm (Participating Electronically)
Councillor Leahy
Councillor Lee (Participating Electronically)
Councillor Mulcahy (Participating Electronically)
Councillor Newman
Councillor Roy (Participating Electronically)
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
J. Romano, Commissioner of Community Services
F. Santaguida, Commissioner of Legal and Enforcement
Services/Town Solicitor
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
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

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Planning and Development

Councillor Newman assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

2.1 Steve Edwards and Russell White, GHD
Re: Planning and Development (Planning Services) Department Report,
PDP 20-22
Draft Plan of Subdivision and Zoning By-law Amendment Applications,
Winash Developments Limited (Phase 2), 145 Winchester Road West,
File Numbers: DEV-23-21 (SW-2021-07, Z-13-21)

Refer to Item 4.4, PDP 20-22

Steve Edwards and Russell White, GHD, advised that they had read and were in support of the Staff recommendation, and that they were in attendance to answer questions.

A brief question and answer period ensued between Members of Committee, Mr. Edwards, and Mr. White regarding confirmation that the Ferguson Avenue Class B Environmental Assessment to determine the alignment of Winchester Road and Ferguson Avenue with the potential for a right-in, right-out access at Winchester Road would not affect the approval of the Staff recommendation.

It was the consensus of the Committee to hear Item 4.4, PDP 20-22, at this time.

2.2 Cheryl Shindruk and Matthew Cory representing 2569565 Ontario Inc.
c/o Geranium Corporation
Re: Planning and Development (Planning Services) Department Report,
PDP 21-22
Draft Plan of Subdivision and Zoning By-law Amendment Applications,
Malone Given Parsons on behalf of Geranium Corporation, 6760 and
6900 Baldwin Street North, File Numbers: DEV-07-21 (SW-2021-02, Z-04-21)

Refer to Item 4.5, PDP 21-22

Cheryl Shindruk and Matthew Cory representing 2569565 Ontario Inc. c/o Geranium Corporation, stated that they had read and were in support of the Staff recommendation. Ms. Shindruk advised that the minor modifications to Conditions 11 and 12 would allow site remediation and decommissioning work to proceed in a timely manner.

She stated that they have been working with the neighbours on Camber Court located immediately west of the site since the spring of 2021, noting that there have been several constructive on-site and virtual working sessions. Mr. Shindruk stated that the proposed landscape buffer between the proposed development and the existing homes on Camber Court was critical to the Camber Court Owners Association. She advised that they had initiated the process for the buffer with the Town to undertake the work including the planting of large white spruce trees together with a decorative board and stone pillar fence in the spring of 2022. Ms. Shindruk advised that the goal was that the trees would be well established and performing their intended function prior to construction of the new development. She noted that the trees were expected to grow at a rate of 2 to 2.5 feet per year which would provide a beautiful buffer between the houses on Camber Court and the new urban development to the east. Ms. Shindruk provided an update on the status of the work taking place on site, noting that the installation of tree protection measures was complete and that tree removal was under way. Ms. Shindruk advised that the landscape plan for the buffer planting along Camber Court was submitted to the Town on March 9, 2022, and that their contractor was ready to proceed upon approval of the plan by the Town. She advised that, weather permitting, the landscape work was scheduled to commence during the second week of May 2022. Ms. Shindruk stated that they were prepared to submit the Site Alteration Permit Application to the Town and to the Central Lake Ontario Conservation Authority immediately following Council's consideration of their applications at the Council meeting of April 11, 2022, noting that the remedial work was scheduled to begin as soon as they receive the Site Alteration Permit. She advised that remedial work would commence beginning at the west end and moving easterly toward Baldwin Street, noting that this work was expected to take about six months to complete. She stated that their goal was to start the site alteration work as soon as possible in order to have the site decommissioned and start the process to obtain a Record of Site Condition, noting the importance of this step given the previous uses on the site. Ms. Shindruk requested that Committee approve the Staff recommendation.

A question and answer period ensued between Members of Committee, Ms. Shindruk, and Mr. Cory regarding:

- confirmation that all concerns raised by the Camber Court Owners Association have been addressed;
- confirmation on the height of the proposed apartment building and the type of housing, whether the target market would suggest that seniors would be likely purchasers of units within the proposed building, and whether there would be senior friendly amenities incorporated within the design of the building;

- whether the proponent was aware of any discussions about upgrading the turf field located at the Brooklin High School site;
- whether the planting of the treed buffer for Camber Court would take place along the entirety of the site's property line, and the timeline for the trees to be planted;
- confirmation that discussions have taken place with the residents of Camber Court about the landscape plan; and,
- the requirements that would need to be met in order for the treed buffer to occur.

- 2.3** Sean Hertel and Peter Ronson representing Camber Court Owners Association
Re: Planning and Development (Planning Services) Department Report, PDP 21-22
Draft Plan of Subdivision and Zoning By-law Amendment Applications, Malone Given Parsons on behalf of Geranium Corporation, 6760 and 6900 Baldwin Street North, File Numbers: DEV-07-21 (SW-2021-02, Z-04-21)

Refer to Item 4.5, PDP 21-22

Sean Hertel and Peter Ronson, representing Camber Court Owners Association, reiterated comments made by Ms. Shindruk about the process of working with the Camber Court Owners Association. Mr. Hertel advised that he was a professional planner representing the Camber Court Owners Association and that he had been working with both the residents and representatives of the Geranium Corporation. He stated that representatives of the Geranium Corporation have been very responsive and that they had all have been engaged for almost a year. Mr. Hertel advised that the consulting team was in regular contact with him and the Camber Court Owners Association to ensure that concerns were addressed including the density and orientation of the townhouse block immediately east of Camber Court, the direct connections across Camber Court linking with the development site and the existing cul-de-sac, and the buffer between Camber Court and the site. Mr. Hertel noted that it was critical that the buffer not only be of high quality, as enhanced and as richly planted as possible, but that it be advanced as early in the process as possible. He stated that the vegetation and site preparation was already under way and that currently, it was not an attractive view for the residents of Camber Court. Mr. Hertel indicated that he and the residents of Camber Court were looking forward to having the plantings initiated at the earliest possible time to allow trees to mature and screen the residents from the construction over the next few years. He advised that he was looking for assurances that the Town would approve the

above-standard trees and fence and would undertake any work related to the landscape plan as soon as possible.

A question and answer period ensued between Members of Committee, Mr. Hertel, and Mr. Ronson regarding:

- whether there were any concerns related to the commencement of construction on the site and whether there were any outstanding concerns;
- how the uncertainty of approval of the landscape plan to include above-standard work related to the fencing and the treed buffer could be addressed; and,
- the rationale for hiring a professional planner and whether or not engaging a professional planner would have resulted in the same outcome.

It was the consensus of the Committee to hear Item 4.5, PDP 21-22, at this time.

- 2.4** Katie Pandey representing Artlife Developments, 7265 Baldwin Street North
Re: Planning and Development (Planning Services) Department Report, PDP 22-22
Draft Plan of Subdivision and Zoning By-law Amendment Applications, Abacus Equity Infusion Limited, 7400 Thickson Road North, File Numbers: DEV-03-20 (SW-2020-01, Z-02-20)

Refer to Item 4.6, PDP 22-22

Katie Pandey representing Artlife Developments, stated that she was a registered professional planner employed by Weston Consulting. Ms. Pandey advised that Weston Consulting was retained by the owner of 7265 Baldwin Street North whose lands were located north of 7400 Thickson Road North to express concerns about the application. Ms. Pandey noted her delegation at the December 6, 2021 Committee of the Whole meeting regarding a request for temporary road access to 7265 Baldwin Street North. She advised that a pre-consultation application for a townhouse development at 7265 Baldwin Street North was submitted to the Town within the last few months. She stated that one of the comments received from the Ministry of Transportation was that a temporary road access would not be provided for the future development of 7265 Baldwin Street North, noting that this would leave this parcel of land in a land-locked situation. Ms. Pandey advised that the Planning Act sets out criteria for evaluating subdivision applications and that one such criteria states that there should not be any restriction resulting for adjacent lands as a result of a new subdivision. She stated

her objection to the restriction being created in terms of access to 7265 Baldwin Street North by not providing temporary access. Ms. Pandey requested that the owner of 7400 Thickson Road North grant temporary road access from the south being either from southwest or southeast of 7400 Thickson Road North. She advised that she would uphold the objection to the application, noting that should the application be approved it would be appealed to the Ontario Land Tribunal.

- 2.5** James Bujak representing Abacus Equity Infusion Limited
Re: Planning and Development (Planning Services) Department Report, PDP 22-22
Draft Plan of Subdivision and Zoning By-law Amendment Applications, Abacus Equity Infusion Limited, 7400 Thickson Road North, File Numbers: DEV-03-20 (SW-2020-01, Z-02-20)

Refer to Item 4.6, PDP 22-22

James Bujak representing Abacus Equity Infusion Limited, stated that he had read and was in support of the Staff recommendation. Mr. Bujak advised that this matter was before Committee at the December 6, 2021 Committee of the Whole meeting and that there were concerns raised related to parks, and the lot plan. He advised that he has been working with Staff to address concerns including increasing the size of the local park to a minimum of 1.5 hectares, and the layout and geometry of the two parkette blocks. Mr. Bujak stated that Council had questions about the ultimate yield of the plan, noting that the plan previously identified a range of units as opposed to a distinct number of lots. He advised that plan was amended to identify a definitive number of lots that would yield 557 low and medium density units. Mr. Bujak noted that Ms. Pandey spoke at the December 6, 2021 Committee of the Whole meeting at which time he had understood that Ms. Pandey and her client were supportive of the Staff recommendation for approval of the draft plan. He indicated that he had only just heard about her concerns at this meeting. He advised that he does not share Ms. Pandey's evaluation of her client's situation, noting that her client's land was located within the Brooklin Secondary Plan area, and that her client has the ability to participate in the landowners group. Mr. Bujak advised that the landowners group have all executed a cost sharing agreement which includes provisions that would allow Ms. Pandey's client to service through and construct facilities over lands of other participating landowners such that her client could make a connection to the proposed road network that was contemplated under the Block Plan presented to Council over a year ago. Mr. Bujak noted that the landowner through which Ms. Pandey's client's land was intended to connect to the public road network was a signatory to that agreement.

He stated that the claim that the approval of this draft plan was somehow prohibiting or restricting access was a misrepresentation. He stated that as the lands were today, Ms. Pandey's client does not have the ability to cross the property boundaries, and that the most appropriate way for her to secure access in the event that the Ministry of Transportation would not grant access from Baldwin Street North was to participate in the cost sharing group agreement to move forward.

A brief question and answer period ensued between Members of Committee and Mr. Bujak regarding the locations for traffic signalization entering and exiting the subdivision.

It was the consensus of the Committee to hear Item 4.6, PDP 22-22, at this time.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development (Planning Services) Department Report, PDP 17-22

Re: Draft Plan of Condominium Application, Acorn Taunton Whitby Inc. (Block 121, Plan 40M-2313), 665 Taunton Road East, File Number: CW-2021-05

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

- concerns raised by residents about noise, vibration, and debris related to construction and whether those issues would be addressed in a timely manner;
- whether the start time of 7:00 a.m. for commencing construction was regulated by a Provincial or Town by-law;
- whether residents were able to contact the builder directly to address their concerns about the construction start time or any related construction concerns; and,
- Staff providing the notice that was sent to residents to Members of Council in order to provide the contact information to residents.

Recommendation:

Moved By Councillor Shahid

1. That Council approve the Draft Plan of Condominium (CW-2021-05), subject to the comments included in Planning Report PDP 17-22 and the conditions of draft plan approval included in Attachment #4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement for the subject land; and,
3. That the Clerk advise the Commissioner of Planning and Economic Development, at the Region of Durham, of Council's decision.

Carried

- 4.2** Planning and Development (Planning Services) Department Report, PDP 18-22
Re: Sign By-law Variance to Permanent Sign By-law for 1801 Dundas Street East (RioCan), File Number: SB-07-21

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

- confirmation that the pylon sign was being upgraded/replaced, that the proposed pylon sign would be taller than the current sign, and that the new pylon sign would not be digital; and,
- whether the signage would be similar to RioCan's signage located near the Costco Wholesale store located in Ajax.

Recommendation:

Moved By Councillor Mulcahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for RioCan, located at 1801 Dundas Street East.

Carried

- 4.3** Planning and Development (Planning Services) Department Report, PDP 19-22
Re: Sign By-law Variance to Permanent Sign By-law for 5185 Garrard Road (Garrard Limited Partnership), File Number: SB-01-22

A brief question and answer period ensued between Members of Committee and Staff regarding confirmation that the proposed ground signs would be back-lit signs, and whether additional signage was anticipated in the future.

Recommendation:

Moved By Councillor Shahid

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for Garrard Limited Partnership, located at 5185 Garrard Road.

Carried

- 4.4** Planning and Development (Planning Services) Department Report, PDP 20-22
Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Winash Developments Limited (Phase 2), 145 Winchester Road West, File Numbers: DEV-23-21 (SW-2021-07, Z-13-21)

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

- the timeline for the Ferguson Avenue Environmental Assessment, and the rationale to hold another Public Information Centre;
- how the concerns raised by Mr. Cosgrove at the September 13, 2021 Public Meeting about fencing to restrict pedestrian traffic from cutting through his property, and providing access to the subdivision to accommodate units on his property have been addressed; and,
- clarification on the comments by the Region of Durham indicating that the residential density falls short of the Region's requirements and was on the low end of the Town of Whitby's density requirements.

Recommendation:

Moved By Councillor Roy

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-07), subject to the comments included in Planning Report PDP 20-22 and the conditions of draft plan approval included in Attachment #12;
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 the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision;
5. That Council approve the amendment to Zoning By-law # 1784 (File Number: Z-13-21), as outlined in Planning Report PDP 20-22; and,
6. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

It was the consensus of the Committee to hear Item 2.2, Delegation by Cheryl Shindruk and Matthew Cory, at this time.

- 4.5** Planning and Development (Planning Services) Department Report, PDP 21-22
Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Malone Given Parsons on behalf of Geranium Corporation, 6760 and 6900 Baldwin Street North, File Numbers: DEV-07-21 (SW-2021-02, Z-04-21) - **Revised**

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

- the assurances requested related to the landscape buffer and the possibility that the correspondence from Mr. Hertel dated October 2021 could be referenced as the desired fence and landscape buffer;
- the possibility of the fence not being located on Town Property within the Open Space Block and the impact it may have on the development;
- concerns raised about the height and density of the development, and the rationale for the height and density in this area at this time; and,
- whether a two-year warranty was the maximum warranty that could be requested for the tree plantings.

Recommendation:

Moved By Councillor Shahid

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2021-02), subject to the comments included in Planning Report PDP 21-22 (Revised) and the Conditions of Draft Approval included in Attachment #12;

2. That Council approve an amendment to Zoning By-law # 1784 (File Number: Z-04-21), as outlined in Planning Report PDP 21-22;
3. That Staff be authorized to prepare a Subdivision Agreement;
4. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
5. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision; and,
6. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision.

Carried

It was the consensus of the Committee to hear Item 2.4, Delegation by Katie Pandey representing Artlife Developments, at this time.

4.6 Planning and Development (Planning Services) Department Report, PDP 22-22

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Abacus Equity Infusion Limited, 7400 Thickson Road North, File Numbers: DEV-03-20 (SW-2020-01, Z-02-20)

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

- confirmation that signage would be installed at the southwest corner of Baldwin Street North and Columbus Road indicating the potential built form;
- whether the proponent provided details about the development of the high density Block; and,
- rescinding delegated authority with respect to the high density Block.

Recommendation:

Moved By Councillor Shahid

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2020-01), subject to the comments included in Planning Report PDP 22-22 and the Conditions of Draft Approval included in Attachment #10;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Development be advised of Council's decision;

4. That Williams and Stewart Associates Ltd. 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-02-20), as outlined in Planning Report PDP 22-22;
7. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council, and,
8. That item number MD-6135 be removed from the New and Unfinished Business list.

Carried later in the meeting. (See following motion)

Recommendation:

Moved By Councillor Shahid

That the main motion be amended by including Item 9 as follows:

9. That the delegated authority for site plan approval for the high density/mixed use block (Block 299) be rescinded.

Carried

That the main motion, as amended, was then carried as follows:

Recommendation:

Moved By Councillor Shahid

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2020-01), subject to the comments included in Planning Report PDP 22-22 and the Conditions of Draft Approval included in Attachment #10;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Development be advised of Council's decision;
4. That Williams and Stewart Associates Ltd. 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-02-20), as outlined in Planning Report PDP 22-22;
7. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council,

8. That item number MD-6135 be removed from the New and Unfinished Business list; and,
9. That the delegated authority for site plan approval for the high density/mixed use block (Block 299) be rescinded.

Carried

It was the consensus of the Committee to hear Item 4.1, PDP 17-22, at this time.

5. New and Unfinished Business - Planning and Development

5.1 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

General Government

Councillor Lee assumed the Chair.

6. Presentations

7. Delegations

7.1 John Semjan, Resident

Re: Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects

Refer to Item 8.1, Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects

John Semjan, 27 Limestone Crescent, stated that a few years ago his wife was walking on the sidewalk, but that she had to step off the sidewalk to bypass a property to avoid inhaling the dust created by a contractor using a saw to cut concrete as part of a landscaping renovation project. Mr. Semjan advised that he investigated whether dry saw cutting of construction material could be undertaken in a less intrusive manner, whether inhaling the dust created from such work was hazardous, and whether there was a by-law that regulated this type of work in Whitby. He noted that inhaling this type of material was

hazardous, and that at that time the Town did not have an applicable by-law. Mr. Semjan stated that in 2021 work was carried out at a nearby property which included dry cutting concrete material creating dust. He noted that in 2021 there was a minimum of six projects on Limestone Crescent where the same type of work was undertaken while the Residential Construction Dust By-law was in effect. He advised that he approached one of the contractors about his concerns, noting that although the contractor was aware of the by-law he was not adhering to the by-law because adherence would delay the project. He noted that the contractor advised him that he had been fined for similar work in another municipality. Mr. Semjan commented that the contractors thinking was that receiving fines as opposed to conforming to by-laws was the cost of doing business. He stated that the health of his family and all Whitby residents should not be considered as part of the cost of business.

It was the consensus of the Committee to hear Item 8.1, Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects, at this time.

7.2 Brian Kelly, Resident
Re: Federal Carbon Tax

Refer to Item 10.2, Federal Carbon Tax

Brian Kelly, 163 Darren Avenue, stated that the purpose of his delegation was to address and provide clarification on the Federal carbon tax referenced within the proposed motion under Item 10.2 of the agenda. Mr. Kelly advised that the current high price of gasoline was a direct result of the war in Ukraine, noting that the role in carbon pricing seen at the gas pump was very modest in comparison to the geopolitical forces that raise the international oil prices. Mr. Kelly noted that the carbon pricing mechanism was not a tax, but that it was a carbon charge levied at the retail level in Ontario and other provinces by the Federal Government in the absence of any effective carbon pricing in Ontario. He stated that the purpose of the carbon charge was to encourage energy efficiency and fuel switching decisions in both the transportation and feeding fuels area through a market based price signal directly to consumers. He stated that putting a price on carbon pollution was the single most effective and efficient method to encourage the transition to a low carbon economy. He noted that it would not be sufficient by itself and that regulations, special funding, and other measures would be needed to be successful in moving towards a low carbon economy. Mr.

Kelly stated that the carbon charge was not a tax, and that 90 percent of the funds collected by the Federal Government were returned directly to the consumers through the climate action incentive payments, noting that it used to be accomplished through the Federal income tax system. He stated that in 2022 the refunding of the carbon charges to consumers would be made in four quarterly direct payments making the refunds more visible to consumers and to reduce the misrepresentation of the carbon fee as an egregious tax. Mr. Kelly noted that the majority of Canadian families receive more funds back through these payments than what was paid in carbon charges, noting that low income families would benefit the most. He advised that in 2022 the average family of four in Ontario would receive rebates totalling \$745.00 in the form of quarterly payments, noting that these rebates should significantly offset the impact of the carbon charge and in most cases would counteract the impact for families in the community. Mr. Kelly stated that the remaining 10 percent of the carbon charge revenues were dedicated to funding programs and projects to assist the transition across the economy to the low carbon era. He noted that the Town of Whitby has already benefitted from such programs and relies on this funding for some of its pending climate investments. Mr. Kelly urged Members of Council to deny the approval of the proposed recommendation.

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

- whether the proposed motion misrepresented the system in place related to carbon charges;
- clarification on the misrepresentation related to carbon charges within the proposed motion;
- highlights of the delegate's employment relevant to his knowledge on the subject matter; and,
- confirmation on the delegate's opinion that the carbon fee was the single most effective way to counter the climate emergency.

It was the consensus of the Committee to hear Item 10.2, Federal Carbon Tax, at this time.

8. Correspondence

- 8.1** Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects

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

- whether neighbouring municipalities have permitting systems in place to regulate residential construction dust;
- whether there have been additional complaints received by Town Staff about dry saw cutting;
- reporting to Council through a memorandum versus a report, and the timeline for providing the requested information to Council;
- how residents would be made aware of and provide input should the information be provided through a memo to Council versus a report placed on an upcoming agenda;
- whether the implementation and enforcement of a permitting system would be complaint based;
- confirmation that By-law # 7652-20 regulates dust created through residential construction versus dust created from residential home improvement projects;
- whether the current by-law was a sufficient enforcement tool or whether a permitting system would provide an additional level of enforcement;
- whether raising awareness and educating the community about the existing by-law would take place through communications to contractors and suppliers;
- the rate of success related to permit systems and whether the same amount of enforcement would be required whether or not a permit system was in place; and,
- whether the resident and/or the contractor would be responsible for the cost of the permit; and,
- the resources that would be required by the Town in order to facilitate a permit system.

Recommendation:

Moved By Councillor Drumm

That Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects be received for information.

Carried later in the meeting. (See following motion)

Recommendation:

Moved By Councillor Drumm

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

2. That Council shall direct staff to further investigate and research to determine best practices in neighbouring municipalities and report back to Council through a memo on the merits and financial implications of a residential construction dust permit system.

Carried

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

Recommendation:

Moved By Councillor Drumm

1. That Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects be received for information; and,
2. That Council shall direct staff to further investigate and research to determine best practices in neighbouring municipalities and report back to Council through a memo on the merits and financial implications of a residential construction dust permit system.

Carried

It was the consensus of the Committee to hear Item 7.2, Delegation by Brian Kelly, Resident, at this time.

9. Staff Reports

- 9.1 Financial Services Department Report, FS 24-22
Re: 2021 Remuneration and Expenses for Members of Council and Council Appointees to Boards

Recommendation:

Moved By Councillor Newman

That Report FS 24-22 regarding 2021 Remuneration and Expenses for Members of Council and Council Appointees to Boards be received for information.

Carried

9.2 Office of the Chief Administrative Officer and Financial Services
Department Joint Report, CAO 09-22
Re: Celebration Square Placemaking Budget

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

- whether dialogue has taken place regarding the Metrolinx Bus Rapid Transit project and the impact it would have on the placemaking enhancements at Celebration Square;
- whether elements of the Town's Culture Plan and branding would be considered in the Celebration Square placemaking; and,
- how heritage may be celebrated as part of the enhancements to Celebration Square.

Recommendation:

Moved By Councillor Roy

That Council approve a new 2022 capital project, in the amount of \$155,400, for Celebration Square Placemaking (capital project 70222023) funded \$116,550 from a grant and \$38,850 from the Long Term Finance Reserve.

Carried

10. New and Unfinished Business - General Government

10.1 New and Unfinished Business - General Government

There was no discussion regarding the New and Unfinished Business List.

10.2 Federal Carbon Tax

Councillor Shahid introduced a motion regarding the proposed increase to the Federal Carbon Tax.

A detailed discussion ensued between Members of Committee regarding:

- the climate action incentive payments from the Federal Government being of more assistance to residents than the proposed motion;

- the inconsistency of the motion in relation to the multiple initiatives undertaken by the Town to address the declaration of climate emergency;
- the Town being a beneficiary of the Federal Government initiative in significant ways;
- the contributions to municipal projects to better the community through carbon charges;
- carbon pricing being the single most effective and efficient way of addressing global warming;
- the rationale for not proceeding with the proposed motion as summarized by Mr. Kelly;
- the timing of initiating the request though the motion and the likelihood of the recommendation having any impact on the community;
- the issues of affordability in the community, and the possibility of requesting assistance for food and housing security;
- the acknowledgement of the concerns and needs of the community and the need for discussions about how support could be provided to the community; and,
- the determining factors for the rising price of gas;

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

- details about how the revenue retained by the Federal Government has been used to support municipalities; and,
- the amount of the grant requested from the Federal Government for the Whitby Sports Complex.

Recommendation:

Moved By Councillor Shahid

Whereas Town of Whitby taxpayers are feeling the pain of soaring gas prices and inflation which is adding pressure of affordability and is making things more challenging for an average household; and,

Whereas the federal carbon tax is set to increase to 11 cents per litre on April 1st. This will be the third time that the federal carbon tax has increased during the pandemic; and,

Whereas the cost of living has increased, from the food we buy to the gas we have to use to go get it; and,

Whereas Town of Whitby residents, specifically with children are feeling the financial pressure of high gasoline prices and rising cost of energy and it is increasing their household bills; and,

Whereas the soaring gas prices and the addition of a carbon tax to come April 1st, 2022 will affect food banks at a time when their budgets are already stretched and demand continues to grow; and,

Whereas the rising cost of gas will continue to inflate food costs and ultimately be a further pressure on every household; and,

Whereas the pandemic has effected the Town of Whitby taxpayer in many ways and they are challenged to meet even their basic needs; and,

Whereas the Federal Government can alleviate some of the financial burden to the tax payer by providing immediate tax relief at the pumps; and,

Whereas the Town of Whitby is committed to taking action on climate change and has developed a number of plans and programs to help ensure we eliminate greenhouse gas emissions by 2045 in our corporate services and across the community by 80% by the year 2050 while also responding to multiple climate related threats to ensure Whitby can adapt to a changing climate and remain resilient.

Now therefore be It resolved:

1. That the Federal Government be requested to reconsider an increase in the federal carbon tax of 2.2 cents per litre for a total of 11 cents a litre on April 1st; and,
2. That a copy of this Motion be sent to the Whitby MP, Whitby MPP, Prime Minister, and all MPs in Durham Region.

Motion Withdrawn

It was the consensus of the Committee to hear Item 9.1, FS 24-22, at this time.

10.3 Virtual Attendance at Council and Committee Meetings by Members of Council

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

Councillor Mulcahy assumed the Chair.

Councillor Lee introduced a motion regarding virtual attendance at Council and Committee Meetings by Members of Council.

Discussion ensued between Members of Committee regarding:

- Staff undertaking a review and reporting back on how hybrid meetings would be managed for Standing Committee and Council meetings;
- a memo to Council outlining the proposed process, timeline, and cost for a full video upgrade for live streaming Committee and Council meetings to ensure the experience for Members of Council attending virtually would be the same as for Members of Council attending in person;
- the purpose of the video upgrade to provide equal ability to represent the Members of Council attending meetings in person versus Members of Council attending virtually should hybrid meetings continue on a long term basis;
- the return to in-person attendance at Standing Committee and Council meetings by Members of Council, Staff, and the public being in the best interest of Council and the community;
- whether the timeline associated with a report back regarding potential video upgrades would have an impact on continuing with hybrid meetings; and,
- the ability to attend meetings virtually when in-person attendance was not possible.

A brief question and answer period ensued between Members of Committee and Staff regarding the cost of and the funding source for the potential video upgrade, and the rationale for having enhanced functionality.

Recommendation:

Moved By Councillor Lee

Whereas the pandemic has shown how we can operate virtually at Council and has provided efficiencies for Councillors and meetings;

Whereas the Town has the necessary technology in place to allow for virtual and hybrid meetings and has successfully ran virtual meetings for the past two years;

Whereas Regional Council currently has the option for Councillors to meet virtually should they choose at meetings; and,

Whereas the public and delegations already have and will continue to have the option to meet virtually moving forward at meetings.

Now therefore be it resolved:

That the Clerk be directed to bring forward a by-law to amend the Procedure By-law to allow Council Members to continue to meet virtually at Committee and Council meetings.

Carried later in the meeting. (See following motion)

Recommendation:

Moved By Councillor Newman

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

2. That the Office of Town Clerk provide a memo on the process, timeline and cost for full or partial video upgrade for live streaming Standing Committee and Council meetings; and,
3. That Staff report to Council on the effectiveness of hybrid meetings by the end of Q2 2022.

Carried

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

Recommendation:

Moved By Councillor Lee

Whereas the pandemic has shown how we can operate virtually at Council and has provided efficiencies for Councillors and meetings;

Whereas the Town has the necessary technology in place to allow for virtual and hybrid meetings and has successfully ran virtual meetings for the past two years;

Whereas Regional Council currently has the option for Councillors to meet virtually should they choose at meetings; and,

Whereas the public and delegations already have and will continue to have the option to meet virtually moving forward at meetings.

Now therefore be it resolved:

1. That the Clerk be directed to bring forward a by-law to amend the Procedure By-law to allow Council Members to continue to meet virtually at Committee and Council meetings;
2. That the Office of Town Clerk provide a memo on the process, timeline and cost for full or partial video upgrade for live streaming Standing Committee and Council meetings; and,
3. That Staff report to Council on the effectiveness of hybrid meetings by the end of Q2 2022.

Carried

Councillor Lee resumed the Chair.

Recommendation:

Moved By Councillor Roy

That a motion to introduce a matter pertaining to humanitarian aid efforts for Ukraine be allowed due to its timely and urgent nature.

Carried on a Two Thirds Vote

10.4 Humanitarian Aid Efforts for Ukraine

Councillor Mulcahy introduced a motion regarding humanitarian aid efforts for Ukraine.

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

- the recent presentation made by the Social Services Department at the Region of Durham which highlighted the services and institutions supporting refugees, requesting that the presentation be made to Whitby Council, and the timeline for the Region to provide the presentation; and,
- whether discussions have taken place between Town Staff and the Ukrainian community about how the Town may be able to assist with the proposed motion.

Recommendation:

Moved By Councillor Mulcahy

Whereas there are conflicts around the world, such as the Russian invasion of the Ukraine, resulting in millions of refugees; and,

Whereas the Region and the Town of Whitby have access to resources for refugees and those in war ravaged countries; and,

Whereas Whitby Fire and Emergency Services has firefighter bunker gear (including personal protective equipment) that has been in service for at least 10 years and is scheduled for disposal; and,

Whereas firefighter bunker gear greater than 10 years old is recommended to be replaced in accordance with National Fire Protection Association (NFPA) Standards; and,

Whereas the Town's Purchasing Policy provides guidance on the disposal of surplus goods and equipment where revenue from the sale of used goods and equipment is allocated back to Town reserve funds; and,

Whereas Firefighters Without Borders is a Canadian charitable organization that provides donated equipment and training to communities throughout Canada and in countries around the World; and,

Whereas Firefighters Without Borders is currently collecting equipment for delivery to Ukraine to assist with international humanitarian aid efforts.

Now therefore be it resolved:

1. That Council authorize the Corporation of the Town of Whitby's firefighter bunker gear scheduled to be disposed of in 2022 to be donated to the Firefighters Without Borders organization in support of the Ukrainian humanitarian aid effort; and,
2. That the Corporation of the Town of Whitby purposefully seek opportunities to aid, either monetarily or in kind, organizations identified by Durham Region's social services in supporting those fleeing countries of war as refugees.

Carried

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 10:19 p.m.