

Present: Mayor Mitchell (Participating Electronically)
Councillor Drumm (Participating Electronically)
Councillor Leahy (Participating Electronically)
Councillor Lee (Participating Electronically)
Councillor Mulcahy (Participating Electronically)
Councillor Newman (Participating Electronically)
Councillor Roy (Participating Electronically) (left at 7:35 p.m.)
Councillor Shahid (Participating Electronically)
Councillor Yamada (Participating Electronically)

Also Present: M. Gaskell, Chief Administrative Officer
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
D. Speed, Head of Operations & Fire Chief
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 There were no declarations.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development (Engineering Services) Department Report,
PDE 01-22

Re: Streetlight Installation on Taunton Road

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

- whether the streetlights would be LED lighting that would shine down on the multi-use path; and,
- whether the multi-use path where the streetlights would be installed would be maintained.

Recommendation:

Moved By Councillor Leahy

1. That report PDE 01-22 be received for information; and,
2. That Item MD-6159 be removed from the New and Unfinished Business list.

Carried

4.2 Planning and Development (Engineering Services) Department Report,
PDE 02-22

Re: Boulevard Permit Parking Program

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

- the number of complaints received about vehicles parked on the driveway apron over the past year;
- the rationale for issuing tickets for vehicles parked on the driveway apron;

- confirmation that tickets were issued for parking on the driveway apron that impede sightlines and overhangs the sidewalk or the road;
- whether every property with or without a sidewalk was considered to have a driveway apron;
- whether parking on the driveway apron was currently permitted;
- whether the municipality would be responsible for damage to the boulevard;
- clarification on the boulevard parking permit program and the original objective to develop an on-street parking program;
- whether the location of the curb stop valve indicates the boundary of private property versus the Town-owned property;
- the need to obtain a boulevard parking permit should the majority of the driveway be municipal property;
- whether boulevard parking permit enforcement would be complaint based;
- whether a modest vehicle overhang parallel to the boulevard would be permitted should the boulevard parking permit program be approved;
- the messaging to the public about the boulevard parking permit program;
- whether the electronic permit parking software was being purchased through the Parking Reserve Fund and whether the software would be utilized for all parking within Whitby;
- the rationale for the cost of the boulevard parking permit;
- whether the same objective for providing more parking options would be achieved should there be no cost for the permit;
- whether the revenue from the boulevard parking permits would be allocated to the Parking Reserve Fund;
- amending the boulevard parking permit fee not to exceed \$100.00;
- whether Staff have consulted with other municipalities contemplating the implementation of this type of program;
- whether Staff were working on the development of an on-street parking program; and,
- referring the report back to staff to review amendments to the Traffic By-law to permit boulevard parking in consideration of the concerns raised by Council and to review permits for on-street parking.

Recommendation:

Moved By Councillor Yamada

1. That Council approve the introduction of a Boulevard Parking Program Permit, pending the permit software upgrade for Parking Services;
2. That Council approve the proposed amendment to Traffic By-law # 1862-85, to incorporate changes to the By-law, as identified in Attachment 1;
3. That the scope of capital project 10174705 "Special Project – Parking enforcement software" be increased to include electronic permit parking functionality at an estimated cost of \$15,400 funded from the Parking Reserve Fund;
4. That the Town's Fees and Charges By-law be amended to include a boulevard parking permit fee of \$365 (plus applicable taxes) and an administration fee of \$40 on applicable refunds; and,
5. That staff continue to explore additional parking options for residents.

Note: The disposition of this matter, Item 4.2 was determined through the referral motion below.

Recommendation:

Moved By Councillor Leahy

That Report PDE 02-22 be referred to Staff to review concerns raised by the Committee.

Carried

5. New and Unfinished Business - Planning and Development

5.1 New and Unfinished Business - Planning and Development

There was no discussion about the new and unfinished business list.

5.2 Temporary Pop-Up Parking or Restricted Parking Signage

Mayor Mitchell introduced a motion regarding temporary pop-up parking or restricted parking signage.

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

- the difference between pop-up parking or restricted parking signage and previous parking restriction pop-up signage in the

neighbourhood adjacent to the Brooklin Spring Fair and whether those signs were installed without a by-law; and,

- whether the proposed signs would be similar to advertising signage used on boulevards.

Recommendation:

Moved By Mayor Mitchell

That Staff be directed to report to Council on the feasibility, cost, and related by-law amendments to implement temporary (pop up) permitted parking signage or temporary (pop up) restricted parking signage, as needed with extraordinary weather events, special events, and/or special circumstances.

Carried

5.3 Path Between Rivers Edge Place and Hannam Park

Councillor Yamada introduced a motion regarding the path between Rivers Edge Place and Hannam Park.

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

- the possibility of an interim report on the path between Rivers Edge Place and Hannam Park in June 2022;
- whether specific information about the path between Rivers Edge Place and Hannam Park would be provided in the report about Trail Winter Maintenance in November 2022; and,
- whether collaboration with the Operations and Community Services Departments would take place to assist in the preparation of the report to be presented in November 2022.

Recommendation:

Moved By Councillor Yamada

Whereas Willows Walk Public School opened in September 2021;

Whereas certain students receive transportation services due to areas that have not been urbanized;

Whereas students in the Thickson Road North and Taunton Road East area do not have transportation services available to them due to the distance from the school;

Whereas walkability is encouraged and supported by the Town of Whitby; and,

Whereas the path between Rivers Edge Place and Hannam Park is not paved.

Now therefore be it resolved:

That staff conduct a feasibility study and cost analysis to bring the path between Rivers Edge Place and Hannam Park into Whitby's active transportation network and report back to Council.

Note: The disposition of this matter, Item 5.3 was determined through the referral motion below.

Recommendation:

Moved By Councillor Yamada

That the feasibility study and cost analysis related to including the path between Rivers Edge Place and Hannam Park in Whitby's active transportation network be referred to Staff to include in the report about Trail Winter Maintenance in November 2022.

Carried

General Government

Councillor Lee assumed the Chair.

6. Presentations

6.1 There were no presentations.

7. Delegations

7.1 Martin Field

Re: Legal and Enforcement Services Department Report, LS 02-22

Amendments to Responsible Pet Ownership By-law # 7294-17 to
Regulate the Sourcing of Domestic Animals Available for Sale

Refer to Item 9.5, LS 02-22

Martin Field, 1134 Somerville Street, Oshawa, advised that he has been advocating for an amendment to the Responsible Pet Ownership By-law regarding the sourcing of domestic animals for sale at pet shops for about four years. Mr. Field advised that he was in support of the Staff report, noting that the report addresses both animal welfare provisions and consumer protection to constituents within the Town of Whitby. He requested that the recommendation contained within the Staff report be approved.

- 7.2** Val McIntrye
Re: Legal and Enforcement Services Department Report, LS 02-22
Amendments to Responsible Pet Ownership By-law # 7294-17 to
Regulate the Sourcing of Domestic Animals Available for Sale

Refer to Item 9.5, LS 02-22

Val McIntrye, 141 Carnwith Drive East, advised that pet stores were one of the two primary outlets for puppy mill puppies with the other outlet being the internet. Ms. McIntrye stated that the fear of not having a by-law in place to prohibit commercial activity was that it would leave the door open for this inhumane practice. Ms. McIntrye encouraged Whitby to follow municipalities like Oakville, Vaughan, Toronto, and Cambridge who have already banned the practice and to join Oshawa and Newmarket who have taken steps toward banning domestic pet sales from pet shops. She stated that when communities close the door to pet sales from pet shops the puppy mill owners lose income incentive to engage in this practice, and that more animals would be adopted into forever homes from reputable shelters. She stated that society would look at dogs, cats, and bunnies as part of their families and not as commodities.

It was the consensus of the Committee to hear Item 9.5, LS 02-22, at this time.

- 7.3** Astrid Poei
Re: Fire and Operational Services Department (Operational Services)
Report, FOS(OS) 01-22
Debrief Report Winter Snow Storm 2022

Refer to Item 9.4, FOS(OS) 01-22

Astrid Poei, 68 Westfield Drive, stated that she was glad to see a winter maintenance report with suggestions for improvement, but that Staff could go a lot further to ensure Whitby residents were protected. Ms. Poei commented on the heavy snowfall event that took place on January 17, 2022. She advised that she understood that there were different standards for tertiary roads versus primary roads and that primary roads were a priority. She stated that her neighbours had called about snowplowing efforts several times between January 17 and 18, 2022 using appropriate channels provided on the Town's website, and that on January 19 Members of Council inquired via social media about roads that had not yet been plowed. Ms. Poei advised that she had identified Westfield Drive, Bluegill Crescent, Coho Drive, Sauger Lane and Whitefish Street and the area north of Bonacord Avenue as areas that had not being plowed at that time. Ms. Poei stated that the response she received was that the areas identified were the responsibility of the developer and not the responsibility of the Town. She commented on the area being described as not being paved, that there were raised manholes, and incomplete curbs. Ms. Poei indicated that the area has curbs and that the asphalt was flush with the manholes. She stated that the Town's website link "Find My Street" provides information about the areas of Whitby maintained by the Town throughout the winter, noting that Westfield Drive, Bluegill Crescent, Coho Drive, Sauger Lane and Whitefish Street were all listed as roads maintained by the Town. She advised that after further inquiries she was informed that the area of Queen's Common West was confirmed as being the Town's responsibility. Ms. Poei stated that residents rely on Town Staff as subject matter experts and to provide accurate information. She noted that the roads in Queen's Common West were not plowed/salted even after subsequent snowfalls following the storm on January 17, 2022. She requested that the Staff report include strategies for bridging the gap between engineering, development, and internal communication protocols and operations. She further requested that the Town require that the developer submit a snow plow plan with acceptable service standards along with a Letter of Credit (LOC), and that should the developer fail to meet those service standards that the Town immediately execute the LOC in order to ensure that emergency services can access residents in the area. Ms. Poei suggested that the Town consider rotating the circuits for tertiary roads so that residents residing the furthest away from the Operations Centre experience quicker snow clearing. She stated that she understood that there was a plan to improve communications, but that she hoped it was not just a technological solution being sought. She commented that customer service was responding in a way that meets the expectations of residents. Ms. Poei stated that the Town was responsible for the well-being of its residents and should consider adopting a "making the

connection” service standard whereby a resident seeking assistance would be helped by way of Town Staff making the appropriate connection as opposed to the resident. She inquired about whether the Town considered staggering staff shifts to avoid the 14-hour deployment time issue, whether snow plow operators sleep at the yard, the travel time for the snow plow operators to reach the yard, exploring outsourcing snow clearing operations with Staff oversight, and connecting areas where there was an overlap between the Region and Town responsibilities that require attention.

Recommendation:

Moved By Councillor Newman

That Committee suspend the rules of procedure in order to hear a delegation from Janice Campbell with respect to Item 9.4, FOS(OS) 01-22.

Carried on a Two Thirds Vote

- 7.4** Janice Campbell
Re: Fire and Operational Services Department (Operational Services)
Report, FOS(OS) 01-22
Debrief Report Winter Snow Storm 2022

Refer to Item 9.4, FOS(OS) 01-22

Janice Campbell, 8 Closson Drive, stated that she was in agreement with the comments made by the previous delegate regarding the snowplowing/salting services received between January 17, to 18, 2022. Ms. Campbell advised that she resided north of the area that the previous delegate had spoken about. She raised concerns about the winter snow storm maintenance operations specifically related to the resulting safety concerns of residents in the area. Ms. Campbell raised concerns about residents who had sustained injuries from a slip and fall due to the lack of snowplowing/salting. She raised further concerns about the lack of parking alternatives and the inability for emergency services to access residents in the community due to the narrowing of the street and lack of snowplowing/salting, noting that one resident was in the process of giving birth, and a child had a severe allergic reaction. Ms. Campbell inquired about how the safety and access concerns raised would be addressed.

It was the consensus of the Committee to hear Item 9.4, FOS(OS) 01-22, at this time.

- 7.5** Michael Tranquada and John Kiemele
Re: Legal and Enforcement Services Department Report, LS 04-22
Amendments to Property Standards By-law # 6874-14, Hedge Heights
and Management of Vermin

Refer to Item 9.7, LS 04-22

Michael Tranquada and John Kiemele, 31 Montana Crescent, stated that they were opposed to the Staff recommendation. Mr. Kiemele requested that Council consider the benefits and importance of preserving or modifying the by-law to maintain an acceptable property standard for hedge heights in the community. He advised that he and his husband moved into an established low-rise residential area in Brooklin in 2010 that had an existing cedar hedge along their rear property line which extended partially along two of his neighbour's lots and totalled 80 feet in width. Mr. Kiemele advised that at that time his home was a newly constructed bungalow and that the home located to the rear of his property abutting Way Street was part of an older neighbourhood where there were several wide lots with well established cedar hedges and mature trees with open views to Lynde Creek. He stated that the hedges and mature vegetation were some of the landscape features that he and his husband appreciated as they provided privacy for their property. He noted that at that time he moved into his home the hedge was within the required height measuring approximately three metres in height, and that it was manageable for maintenance by the property owner or a landscape service company. Mr. Kiemele stated that over the past twelve years he has dealt with two property owners regarding the maintenance of the hedge resulting in him covering half of the cost for cutting the hedge height along the rear property line. He noted that several years passed between trimmings due to the unwillingness of his neighbour to pay for the hedge maintenance which resulted in several feet of new growth each year. Mr. Kiemele stated that his neighbour was unwilling to reduce the height of the hedge by more than a modest trim due to the additional cost which has resulted in the hedge height that currently exceeds 26 feet. He noted that the height of the hedge has made it impossible to trim without the use of scaffolding and special equipment which would result in a significant increase in the cost of maintenance. Mr. Kiemele commented on his frustration watching this occur while other hedges along Way Street have been well maintained and remain closer to the by-law height restriction. He stated that the increased hedge height has caused excessive shading in his yard, that it has damaged many of his plantings, that it has significantly reduced the visibility of the skyline, and that the view of Lynde Creek has been eliminated. Mr. Kiemele advised

that the existing by-law was his only recourse to force his neighbour to comply with the legal responsibility of maintaining the hedge. He stated that he filed a complaint with Legal and Enforcement Services last fall which was currently under appeal by his neighbour, noting that the decision was on hold until the outcome the Staff report. Mr. Kiemele stated that the current by-law was reasonable and sufficient to assist in ensuring property maintenance and to preserve acceptable conditions for an urban and suburban neighbourhood. He advised that he understood that there may be some challenges for enforcement of the by-law with the current hedge height restriction limited to a maximum height of 3 metres due to damage that may be caused to mature vegetation. Mr. Kiemele stated that he felt that it was important that the Town have a by-law to prevent excessive hedge growth and to offer some form of recourse for residents in this situation. He suggested that it might be more appropriate to rewrite the by-law to preserve an ideal hedge height of 3 metres in order to maintain visibility and sightlines, and that mature hedges be reduced in height as much as possible to be compliant with the 3-metre maximum height to a point that it will not cause permanent damage to the hedge as may be determined by an arborist. Mr. Kiemele stated that many other municipalities have hedge height restrictions which were captured under fence by-laws including hedges along property lines as part of their fence definition. He cited the definition of fence in Ajax's Fence By-law, noting that by including hedges as part of the fence by-law greater restrictions to hedge heights were imposed by limiting them to 2 metres in height. He stated that Whitby's current by-law allows for greater flexibility. Mr. Kiemele noted that in his capacity as an architect and urban designer that he must stress the incompatibility of allowing excessive hedge heights in urban and suburban neighbourhoods, noting that his current situation demonstrates how this was problematic for the community. He compared the 26-foot high hedge to a large 3-storey wall or fence of the same height and magnitude along a property line, noting that this was not currently permitted in low-rise residential neighbourhoods. Mr. Kiemele raised concerns about allowing hedges to grow as high as the hedge abutting his property line, noting that it creates issues including excessive shading and blocking of direct sunlight, invasive roots, damage to ground cover, grass and other plantings, the loss of natural sightlines, creating a habitat for pests that cause property damage, the prohibitive maintenance costs that necessitate equipment such as scaffolding or a scissor lift to reach the top of the hedge, and the negative impact on property value. Mr. Kiemele encouraged Members of Committee to view the hedge abutting his property as evidence as to why the Town needs to retain the existing by-law.

A brief question and answer period ensued between Members of Committee, Mr. Tranquada, and Mr. Kiemele regarding confirmation that

the delegate had assisted in maintaining the hedge for a number of years, but that it was currently an unkempt hedge that blocks the sunlight and view of the creek.

7.6 Jennifer Loach-Perry

Re: Legal and Enforcement Services Department Report, LS 04-22
Amendments to Property Standards By-law # 6874-14, Hedge Heights
and Management of Vermin

Refer to Item 9.7, LS 04-22

Jennifer Loach-Perry, 118 Way Street, advised that she has been the owner of her property since 1971. She stated that she has a line of cedar trees along the property line along the rear and side yard, that her cedar trees have been around a long time, and that the trees were beautiful and historical. Ms. Loach-Perry stated that the houses located behind her property were constructed about 35 years after her home was built. She advised that the cedar trees provide privacy and were good for the environment, noting that cutting down the trees would disturb the balance of nature and the habitat of animals/wildlife. Ms. Loach-Perry stated that she could understand the concerns if the cedar trees impeded a sightline, noting that her trees did not impede a sightline. She advised that the cedar trees were serviced/cut back/de-vined in 2019, and that due to the pandemic in 2020 she was unable to have the trees serviced. Ms. Loach-Perry advised that in 2021 she arranged for a company to come and cut back/de-vine the cedar trees, but that the company had backed out at the last minute. She stated that should the cedar trees be reduced to a height of 3 metres, as per the current by-law, that it would kill the trees. She advised that certified arborists have come to look at the cedar trees and informed her that significant reductions in height would cause the trees to fail and eventually die. She commented on wasting taxpayers dollars by sending out By-law Enforcement Officers to determine whether a hedge meets the 3-metre height. Ms. Loach-Perry inquired about the definition of a hedge versus a tree, noting that arborists have informed her that her cedars were trees, that they did not want to be responsible for cutting them back due to the damage it would cause, and that they could not believe that she was told to butcher the trees. She stated that Pickering and Clarington do not have height restrictions and that the requirement of Ajax and Oshawa was that there be a break within the rows of cedar trees. Ms. Loach-Perry stated that she understood that the Property Standards Appeal Committee had issued a number of 5-year extensions to Orders to provide a window of time for owners to gradually reduce hedge heights, but that she was only given 7 months to bring the cedar trees to the 3-metre height. She noted that cedars were the only visual

and sound barrier between a homeowner and their neighbour, that they offer value to the property and that they were invaluable to homeowners. She stated that she understood the importance of maintaining and de-vining the cedars so as not to harm the trees. Ms. Loach-Perry commented on other properties in the neighbourhood that have hedges that exceed the hedge height requirements. She stated that it was important to amend the current Property Standards By-law to remove the maximum hedge heights in side and rear yards. Ms. Loach-Perry advised that the Town's by-law refers to a hedge as a line of three or more closely planted bushes or shrubs planted in a manner that creates a significant barrier to light without the existence of large gaps, but shall not include living walls identified by the Town as acoustic barriers, noting that cedar trees should not fall under the by-law because of their height and width potential.

A question and answer period ensued between Members of Committee and Ms. Loach-Perry regarding:

- confirmation that the arborist determined that the cedars on the delegate's property were trees and not a hedge; and,
- the number of cedar trees located on the property and/or in the rear yard.

It was the consensus of the Committee to hear Item 9.7, LS 04-22, at this time.

8. Correspondence

8.1 There was no correspondence.

9. Staff Reports

9.1 Financial Services Department and Fire and Operational Services Department (Operational Services) Joint Report, FS 15-22
Re: T-102-2021 Supply and Delivery of Six (6) Tractors for Winter Sidewalk Maintenance

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

- the possibility of keeping the existing tractors in inventory to assist with snow removal during large snow events as opposed to selling the tractors; and,
- whether the existing tractors were all the same size and whether there was a smaller tractor that could clear snow on narrower sidewalks.

Recommendation:

Moved By Councillor Newman

1. That Tender T-102-2021 be awarded to Green Tractors Inc. in the amount of \$452,730.00 (plus applicable taxes) for the supply and delivery of six (6) Tractors for Winter Sidewalk Maintenance, to be funded from the capital projects listed in Table 2 of Report FS 15-22;
2. That the revised cost estimate for the proposed tractor purchases in the amount of \$463,698.04, as outlined in Table 1 of Report FS 15-22, be approved;
3. That the budget shortfall in the amount of \$76,698.04 be funded from the Asset Management Reserve Fund; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.2 Financial Services Department and Fire and Operational Services Department (Operational Services) Joint Report, FS 19-22
Re: T-109-2021 Supply and Delivery of Two (2) 4.0 cu-yd. Articulated Wheel Loaders Complete with Specified Attachments and Controls

Recommendation:

Moved By Councillor Newman

1. That Tender T-109-2021 be awarded to STRONGCO in the amount of \$830,900.00 (plus applicable taxes) for the supply and delivery of two (2) 4.0 cu yd. Articulated Wheel Loaders complete with specified attachments and controls to be funded from the capital projects listed in Table 2 of Report FS 19-22;
2. That the revised cost estimate for the proposed loader purchases in the amount of \$846,523.84, as outlined in Table 1 of Report FS 19-22, be approved;
3. That the budget shortfall in the amount of \$126,524 be funded from the Asset Management Reserve Fund; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.3 Financial Services Department and Fire and Operational Services Department (Operational Services) Joint Report, FS 20-22
Re: T-103-2021 Supply and Delivery of Two (2) Brush Chippers and One (1) Trailered Tree Stumper

Recommendation:

Moved By Councillor Drumm

1. That Tender T-103-2021 be awarded to Douglas Powertech Enterprises Inc. in the amount of \$289,688.00 (plus applicable taxes) for the supply and delivery of two (2) Brush Chippers and one (1) Trailered Tree Stumper to be funded from the capital projects listed in Table 2 of Report FS 20-22; and,
2. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.4 Fire and Operational Services Department (Operational Services) Report, FOS(OS) 01-22
Re: Debrief Report Winter Snow Storm 2022

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

- whether consideration had been given to overlapping or split shifts in order to ensure snowplows were always in operation;
- addressing the borders between the Town and the Region;
- the status of supervisors overseeing snow clearing operations and the number of positions overseeing road and sidewalk snow clearing operations;
- whether there were rotating routes for sanding/salting and plowing;
- whether the Town utilizes the 2003 Winter Maintenance binder;
- whether a condition for winter maintenance of unassumed roads was included in draft plans of subdivision and whether winter maintenance with an imposed cost condition could be included within draft plans of subdivision;
- clarification on the review and redesign of the road and sidewalk routing system referenced in the Staff report;
- clarification on the responsibility of the developer versus the Town for the winter maintenance of unassumed roads in Queen's Common West;

- confirmation that Staff spoke directly with the developer for Queen's Common West and that the developer did plow and salt in this area during the storm;
- the exploration of issues of efficiency and quality of the services for roads not assumed by the Town;
- the consideration of a hybrid response throughout the Town to assist with winter maintenance operations during a rare winter storm event;
- clarification on communication methods with respect to the services provided during winter storm events in subdivisions that have not been assumed by the Town;
- whether key performance indicators currently exist and how often a report about how the Town performed versus the key performance indicators would be brought to Council;
- the development of winter maintenance key performance indicators; and,
- identifying key performance indicators that could be accurately measured and incorporating key performance indicators within an annual report.

Recommendation:

Moved By Councillor Yamada

That Council receive as information, the Winter Storm Debrief findings from Fire and Operational Services Department, Operations.

Carried later in the meeting. (See following motion)

Recommendation:

Moved By Councillor Yamada

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

2. That Staff be directed to develop winter maintenance Key Performance Indicators (KPIs) and present the proposed KPIs to Council.
3. That an annual winter maintenance report be presented to Council that reports on the Key Performance Indicators and demonstrates how the recommendations in Report FOS(OS) 01-22 have been implemented.

Carried

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

Recommendation:

Moved By Councillor Yamada

1. That Council receive as information, the Winter Storm Debrief findings from Fire and Operational Services Department, Operations;
2. That Staff be directed to develop winter maintenance Key Performance Indicators (KPIs) and present the proposed KPIs to Council; and,
3. That an annual winter maintenance report be presented to Council that reports on key performance indicators and demonstrates how the recommendations within FOS(OS) 01-22 have been implemented.

Carried

It was the consensus of the Committee to hear Item 7.5, Delegation by Michael Tranquada and John Kiemele, at this time.

9.5 Legal and Enforcement Services Department Report, LS 02-22
Re: Amendments to Responsible Pet Ownership By-law # 7294-17 to Regulate the Sourcing of Domestic Animals Available for Sale

A brief question and answer period ensued between Members of Committee and Staff regarding the types of complaints that would be investigated and how they would be enforced.

Recommendation:

Moved By Councillor Newman

That the Clerk be directed to bring forward a by-law to amend Responsible Pet Ownership By-law # 7294-17, to regulate the sourcing of domestic animals made available for sale to the public, in accordance with the recommendations contained in Report LS 02-22.

Carried

It was the consensus of the Committee to hear Item 7.3, Delegation By Astrid Poei, at this time.

9.6 Legal and Enforcement Services Department Report, LS 03-22
Re: Proposed Delegated Authority to Approve Minor Height Exemptions
to Fence By-law # 4394-99

Recommendation:

Moved By Councillor Mulcahy

That the Clerk be directed to bring forward a by-law to amend Fence Bylaw # 4394-99 and the Fees and Charges By-law to delegate authority to the Commissioner of Legal and Enforcement Services/Town Solicitor to consider minor fence height exemption requests in accordance with the process and conditions outlined in Section 4 of Report LS 03-22.

Carried

9.7 Legal and Enforcement Services Department Report, LS 04-22
Re: Amendments to Property Standards By-law # 6874-14, Hedge
Heights and Management of Vermin

Discussion ensued between Members of Committee regarding:

- concerns raised by residents about the amount of pruning required on the cedars in their rear yards and the impact it would have on the livelihood of the vegetation;
- the enforcement of height restrictions should hedges or trees impede or damage another property;
- policing vegetation planted on private property;
- having height restrictions on hedges planted along a fence line;
- the challenges associated with residents using a hedge in place of a fence;
- the impact of a 26-foot high hedge on neighbouring residents; and,
- the differences between a hedge and a tree.

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

- elaboration on the comparison of other municipalities in the Region insofar as restrictions on hedge heights;
- whether Whitby was the only municipality in the Region that provides a definition of a hedge in its by-law;
- whether the by-law definition of a hedge has created issues for arborists in determining whether cedars were trees or a hedge;

- clarification on municipalities within the Region that do not have hedge height restrictions;
- confirmation that the City of Toronto's by-law states that all hedges, shrubs, or other plantings should be maintained in a manner that does not impact health and safety, and that there was not a height restriction for this type of vegetation in Toronto;
- discussions that Staff have had with arborists about their view of the proposed amendment to the Property Standards By-law;
- the possibility of exempting existing hedges/trees and implementing height restrictions on new plantings and/or increasing the height restrictions on hedges;
- the management of hedges when they impede on a neighbouring property or a sidewalk;
- the intention of the amendment to the by-law;
- confirmation that the Town would not regulate hedges should the recommendation be approved;
- how the Town would manage the care of a hedge or tree or planting a hedge in place of constructing a fence that becomes a hindrance to neighbouring properties; and,
- whether a maintenance complaint about hedges or trees would take place through the same process as complaints about the current height restriction process.

Recommendation:

Moved By Councillor Mulcahy

1. That the Clerk be directed to bring forward a by-law to amend Property Standards By-law # 6874-14, as amended, to remove certain hedge height provisions;
2. That the Clerk Be directed to bring forward a by-law to amend property Standards By-law # 6874-14, as amended, to introduce additional provisions for the management of vermin in accordance with the recommendations contained in Report LS 04-22.

Carried later in the meeting. (See following motion)

Recommendation:

Moved By Councillor Leahy

That the motion be divided to consider Items 1 and 2 as separate motions.

Carried

Recommendation:

Moved By Councillor Mulcahy

1. That the Clerk be directed to bring forward a by-law to amend Property Standards By-law # 6874-14, as amended, to remove certain hedge height provisions.

Carried

Recommendation:

Moved By Councillor Mulcahy

2. That the Clerk be directed to bring forward a by-law to amend property Standards By-law # 6874-14, as amended, to introduce additional provisions for the management of vermin in accordance with the recommendations contained in Report LS 04-22.

Carried

It was the consensus of the Committee to hear Item 9.1, FS 15-22, at this time.

- 9.8** Office of the Chief Administrative Officer Report, CAO 01-22
Re: The IDEA Project, Journey to Inclusivity, Final Report

Note: This report was withdrawn.

- 9.9** Office of the Chief Administrative Officer Report, CAO 04-22
Re: 2022 to 2025 Special Events Strategy

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

- whether the Heritage Whitby Advisory Committee has been or would be consulted about the proposed Ghost Walks of Whitby on heritage properties;
- whether Staff have pursued any Provincial grants or subsidies to support the reimplementation of special events in the community;

- whether a copy of the approved Special Events Strategy would be circulated to stakeholders including MPP Coe;
- whether accessibility enhancements such as Mobi-mats would be utilized at events;
- whether dialogue has taken place with organizations such as the Durham Chinese Canadian Cultural Centre, the Durham Tamil Association or the Tamil Cultural and Academic Society of Durham to have their events in Whitby; and,
- whether the bus tour and/or the video welcoming newcomers could be included in the Special Events Strategy.

Recommendation:

Moved By Councillor Drumm

1. That Report CAO 04-22 be received for information;
2. That Council endorse the 2022 to 2025 Special Events Strategy as outlined in Attachment 1 to Report CAO 04-22; and,
3. That a copy of the approved Special Events Strategy be circulated by Events staff to stakeholders and partners once adopted by Council.

Carried

9.10 Office of the Chief Administrative Officer Report, CAO 06-22
Re: Culture Plan Update - February 2022

Recommendation:

Moved By Councillor Mulcahy

That Report CAO 06-22, Culture Plan Update - February 2022, be received as information.

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 Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 10:28 p.m.