



Regular Council Meeting Agenda

March 7, 2022 – 7:00 PM

Virtual Meeting

Whitby Town Hall

Due to the ongoing COVID-19 pandemic, this Council meeting will be held in a virtual meeting format. Members of the public will not be permitted to attend this meeting in-person, however, the meeting is available for viewing through the Town's live stream feed at www.whitby.ca/livestream.

Should you wish to provide comments regarding a matter being considered below, please submit written correspondence and/or a Delegation Request Form.

- **To submit written correspondence**, please email the Office of the Town Clerk at clerk@whitby.ca by noon on the day of the meeting. Written correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak during the Council meeting**, please submit a [Delegation Request Form](#) online to the Office of the Town Clerk by noon on the business day prior to the date of the meeting. Should you be unable to access a computer, please call 905.430.4315 to speak with a Staff Member in the Office of the Town Clerk.

If you do not wish to participate, but wish to watch the meeting, it will be available for live viewing through the Town's live stream feed at www.whitby.ca/livestream.

Page

Call to Order: The Mayor

Call of the Roll: The Clerk

1. Declarations of Pecuniary Interest

2. Adoption of Minutes

- | | | |
|-----|--|---------|
| 2.1 | Special Council - January 31, 2022
Regular Council - January 31, 2022
Special Council - February 7, 2022
Special Council - February 17, 2022
Special Council - February 28, 2022 (Confidential Minutes Under Separate Cover) | 16 - 65 |
|-----|--|---------|

3. Presentations

- | | |
|-----|--|
| 3.1 | Clint Scott and Colin Thomson, PARA Marine Search and Rescue
Re: 2021 Annual Report |
|-----|--|

4. Delegations

- 4.1 Abhijayendra Singh and Prannay Singla, Whitby Cricket Association
Re: Community Services Department and Fire and Operational Services Department (Operational Services) Joint Report, CMS 04-22
Temporary Cricket Field at Brooklin Memorial Park

Refer to Item 9.1, CMS 04-22

- 4.2 George Gadanidis
Re: Planning and Development (Engineering Services) Department Report PDE 07-22
Stormwater Management Review - Dryden Culvert - Revised

Refer to Item 6.4, PDE 07-22

- 4.3 Ashley Collins
Re: Planning and Development (Engineering Services) Department Report PDE 07-22
Stormwater Management Review - Dryden Culvert - Revised

Refer to Item 6.4, PDE 07-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

- 4.4 Barry Weintraub
Re: Planning and Development (Engineering Services) Department Report PDE 07-22
Stormwater Management Review - Dryden Culvert - Revised

Refer to Item 6.4, PDE 07-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

- 4.5 Fadi Eid
Re: Thistledown Crescent Emergency Access Review

Refer to Item 6.5, Thistledown Crescent Emergency Access Review

- 4.6 Terry Rudkins

Re: Thistledown Crescent Emergency Access Review

Refer to Item 6.5, Thistledown Crescent Emergency Access Review

-  4.7 Cynthia Reedyk
Re: Thistledown Crescent Emergency Access Review

Refer to Item 6.5, Thistledown Crescent Emergency Access Review

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

-  4.8 Rodger Miller, representing 2349500 Ontario Inc.
Re: Thistledown Crescent Emergency Access Review

Refer to Item 6.5, Thistledown Crescent Emergency Access Review

- 4.9 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 7.9, LS 04-22

- 4.10 Penny Whitehead
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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

-  4.11 Elizabeth Leishman
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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

-  4.12 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 7.9, LS 04-22

-  4.13 Karen Latino
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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

-  4.14 Sophia Cal
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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

-  4.15 Roy Tighe Parker
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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the

delegation did not address Committee at the Committee of the Whole meeting.

 4.16 Philip Hlady

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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

 4.17 Sue Byer

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 7.9, LS 04-22

Note: In accordance with Section 2.8.2 of the Procedure Bylaw, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

5. Correspondence

5.1 That the following requests be endorsed:

- Pakistan Day - Flag Raising - March 23 to 27, 2022
- Earth Hour - March 26, 2022
- Menstrual Health Day - May 28, 2022
- Year of the Garden - 2022

Recommendation:

That the proclamations for Earth Hour, Menstrual Health Day, and Year of the Garden, and the flag raising for Pakistan Day be endorsed.

5.2 Memorandum from S. Klein, Director of Strategic Initiatives, dated March 2, 2022 regarding Proposed Changes for the Next Edition of Ontario's Building Code

66 - 69

Recommendation:

1. That Staff be directed to provide the comments within the memorandum from S. Klein, Director, Strategic Initiatives, dated

- March 2, 2022 regarding Proposed Changes for the Next Edition of Ontario's Building Code, to the Environmental Registry of Ontario regarding the changes to the Ontario Building Code pertaining to energy performance and greenhouse gas emissions.
2. That the Clerk be directed to send correspondence to the Minister of Municipal Affairs and Housing requesting the Province to:
 - a. Ensure the adoption of the tiered National Building Code model immediately results in higher Energy Efficiency Requirements across all building types in comparison to the current OBC.
 - b. Adopt the National Building Code model that includes the tiered standards alongside a timeframe for advancement to higher tiers to ensure a pathway towards net zero emissions and energy.
 - c. Provide authority to municipalities to require increased performance in energy efficiency through the implementation of tiered and advancing Green Standards.
 - d. Facilitate capacity, education and training in the implementation of the Tiered National Building Code model for municipal planning and building inspection staff, developers, and homebuilders to help build capacity in areas such as airtightness testing, building envelope design and building science.
 3. That a copy of this correspondence and memorandum be sent to Durham Region municipalities and Ontario's Big City Mayors.

6. Committee of the Whole Report

Planning and Development - February 14 and 28, 2022

- 6.1 Planning and Development (Planning Services) Department Report, PDP 10-22 70 - 72
Re: Site Plan Application, Madison Brooklin, Southeast Corner of Roybrook Avenue and Chelmsford Drive, File Number: DEV-28-20 (SP-16-20)

Recommendation:

1. That Council approve the proposed Site Plan for the Medium Density Block (Block 1) of approved Draft Plan of Subdivision SW-2019-01 (File Number: SP-16-20), subject to the comments included in Report PDP 10-22; and,
2. That the proponent enter into a Site Plan Agreement with the Town and be responsible for any related fees.

- 6.2 Planning and Development (Planning Services) Department Report, PDP 11-22

Re: Sign By-law Variance to Permanent Sign By-law for 185 Brock Street North, File Number: SB-10-21

Recommendation:

1. That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for 185 Brock Street North subject to:
 - a. The wall sign is intended to be used as a directory for businesses located within the commercial building therefore reducing the amount of signage that currently exists within the main doorway; and,
 - b. The proposed sign not be obtrusive and is in keeping with the business façade and is complementary to the spirit of our Downtown area and in keeping with the building facade.

6.3 Planning and Development (Planning Services) Department Report, PDP 12-22

Re: Signage Review

Recommendation:

1. That Report PDP 12-22 be received for information;
2. That MD-5553 be removed from the New and Unfinished Business List; and,
3. That Staff report back on ways to manage digital signage consistent with the Council approved wayfinding and signage strategy.

6.4 Planning and Development (Engineering Services) Department Report PDE 07-22

Re: Stormwater Management Review - Dryden Culvert - Revised

Recommendation:

That Report PDE 07-22 be received for information.

6.5 Thistledown Crescent Emergency Access Review

73 - 74

75 - 83

Note: At the February 14, 2022 Committee of the Whole meeting, Staff were directed to prepare a memorandum on the existing emergency access road from Taunton Road to Thistledown Crescent and consideration of the municipal road being opened as previously decided by Council in April 2019 for discussion and review at the Council meeting of March 7, 2022. Please see the link below for the memorandum from Staff.

Recommendation:

1. That Staff be directed to report on the following issues:
 - a. undertake consultation with residents on the development of the construction management plan, including preventing access to Thistledown Crescent for the duration of construction at 850 Taunton Road save and except for emergency services;
 - b. the development of a traffic calming plan for the extension of Thistledown Crescent, which will consider speed humps, radar message board signage, and a raised road platform where Thistledown Crescent meets 850 Taunton Road;
 - c. Following the opening of Thistledown Crescent to Taunton Road, the implementation of a monitoring program with 24/7 traffic counter device to obtain traffic data on speed, volumes, and other metrics and report back to Council within one year of the road opening regarding the traffic impacts of the development and whether any additional traffic calming measures are required;
 - d. Coordinate with Regional Staff to increase the speed of light changes at Garrard and Taunton and review any improvements which may come to the intersection in the future; and,
 - e. Review installing a no exit sign at the entrance to the subdivision off Garrard (Birchpark Drive).
- 6.6 Planning and Development (Engineering Services) Department Report, PDE 01-22
Re: Streetlight Installation on Taunton Road

Recommendation:

 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.
- 6.7 Planning and Development (Engineering Services) Department Report, PDE 02-22
Re: Boulevard Permit Parking Program

Note: This item was referred at Committee.
- 6.8 Temporary Pop-Up Parking or Restricted Parking Signage

Recommendation:
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.

6.9 Path Between Rivers Edge Place and Hannam Park

Note: This item was referred at Committee.

7. Committee of the Whole Report

General Government - February 14 and 28, 2022

7.1 Community Services Department Report, CMS 03-22
Re: Civic Recreation Complex Renovations – Design Update and Next Steps

Recommendation:

1. That the Community Services Report, CMS 03-22 be received as information; and,
2. That Staff report back to Council with the tender award results following the bid submissions from the six (6) prequalified General Contractors in accordance with the delegated authority under FS 21-21 for grant related projects.

7.2 Community Services Department Report, CMS 02-22
Re: Community Services Department – Proposed 2022 Marina and Harbour Facilities Division Fees

Recommendation:

1. That Council approve the proposed fees as outlined in Attachment 1 to be effective March 8, 2022; and,
2. That the Clerk be authorized to amend the Consolidated Fees and Charges By-law # 7220-17 to include the updated Marina and Harbour Facilities Division (Marina) Fees Schedule.

7.3 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

Recommendation:

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.
- 7.4 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:
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.
- 7.5 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:
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.
- 7.6 Fire and Operational Services Department (Operational Services) Report, FOS(OS) 01-22
Re: Debrief Report Winter Snow Storm 2022

Recommendation:

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;
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.

7.7 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

Recommendation:

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.

7.8 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:

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.

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

Recommendation:

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.

Recommendation:

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

Page

additional provisions for the management of vermin in accordance with the recommendations contained in Report LS 04-22.

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

Recommendation:

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.

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

Recommendation:

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

For information only - Committee of the Whole Minutes of February 14, 2022 and February 28, 2022.

8. Notice of Motion

- ### 8.1 Off-Leash Dog Parks

Moved By Councillor Mulcahy
Seconded By Councillor Roy

Whereas the Town of Whitby currently has two contained off-leash dog parks that are accessible by automobile, but not walkable for most residents:

Whereas the community continues to request walkable off-leash dog parks;

Whereas Whitby has a high awareness regarding healthy, active and environmentally friendly communities; and,

Whereas Enforcement Services is responding to numerous off-leash dog complaints in specific parks throughout the community.

Now therefore be it resolved:

That staff report back in Q2 of 2022 regarding the feasibility of installing an enclosed off-leash dog park in Optimist Park off Cassels Road in Brooklin, and in any other municipal parks where off-leash by-law issues are a regular occurrence.

9. New and Unfinished Business

-  9.1 Community Services Department and Fire and Operational Services Department (Operational Services) Joint Report, CMS 04-22
Re: Temporary Cricket Field at Brooklin Memorial Park [Revised] 130 - 138

Recommendation:

1. That Council approve Brooklin Memorial Park as the location for the development of one temporary cricket field (Attachment 1);
2. That Council approve a new 2022 capital project in the amount of \$52,000 for the establishment and construction of one temporary cricket field at Brooklin Memorial Park to be funded from the Growth Capital Reserve Fund;
3. That cricket be considered in the research and development of the 2022 Parks and Recreation Master Plan; and,
4. That staff be directed to develop a strategy for the creation of cricket facilities as guided by the Parks and Recreation Master Plan.

10. By-Laws

That the following by-laws be passed:

- 10.1 By-law # 7859-22, being a by-law to amend the Fees and Charges By-law # 7220-17, as amended. 139 - 189

Refer to FS 16-22, Recommended 2022 Operating and Capital Budget, CMS 02-22, Community Services Department – Proposed 2022 Marina and Harbour Facilities Division Fees, and LS 03-22, Proposed Delegated Authority to Approve Minor Height Exemptions to Fence By-law # 4394-99

- 10.2 By-law # 7860-22, being a by-law to amend By-law 1862-85, as amended, being a By-law to Regulate Traffic on the Highways and on Certain Private Roadways in the Town of Whitby. 190 - 191

- 10.3 By-law # 7861-22, being a by-law to amend the Responsible Pet Ownership By-law # 7294-17. 192 - 193

Refer to LS 02-22, Amendments to Responsible Pet Ownership By-law # 7294-17 to Regulate the Sourcing of Domestic Animals Available for Sale

		Page
10.4	By-law # 7762-22, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby.	194 - 195
	Refer to PDP 04-22, DEV-34-21: Zoning By-law Amendment Application to Extend a Temporary Use (Z-24-21), Gordon Scadding Developments Limited, 402 Gordon Street.	
10.5	By-law # 7863-22, being a by-law to amend the Fence By-law # 4394-99, as amended.	196 - 197
	Refer to LS 03-22, Proposed Delegated Authority to Approve Minor Height Exemptions to Fence By-law # 4394-99	
10.6	By-law # 7864-22, being a by-law to stop up and close part of the Public Highway known as Hickory Street.	198 - 200
	Refer to CS 21-18, Declare Surplus Part of Lot 295, Part of Lots 296, 297, Plan H-50029, Part 23, 40R-6389 – Northeast Corner of Mary Street East and Hickory Street North	
10.7	By-law # 7865-22, being a by-law to authorize the conveyance of Part of Lots 295, 296 and 297, Plan H-50029, being Part 1 on Plan 40R-30953, Town of Whitby, being Part of PIN 26532-0210 (LT).	201 - 203
	Refer to CS 21-18, Declare Surplus Part of Lot 295, Part of Lots 296, 297, Plan H-50029, Part 23, 40R-6389 – Northeast Corner of Mary Street East and Hickory Street North	
10.8	By-law # 7866-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2011-01) as not being subject of Part Lot Control.	204
10.9	By-law # 7867-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.	205 - 206
10.10	By-law # 7868-22, being a by-law authorize Staff to enter into a Transfer Payment Agreement with the Province of Ontario for the Provincial Streamline Development Approval Fund grant.	207 - 209
	That leave be granted to introduce By-laws # 7859-22 to # 7868-22 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.	

11. Confirmatory By-Law

11.1 Confirmatory By-law

Recommendation:

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on March 7, 2022 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

12. Adjournment

Special Council Minutes
January 31, 2022 - 5:30 PM
Virtual Meeting
Whitby Town Hall

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

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
J. Long, Head of Organizational Effectiveness
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Douglas, Legislative Specialist (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest
 - 1.1 There were no declarations of pecuniary interest.
2. Presentations
 - 2.1 F. Wong, Commissioner of Finance/Treasurer and A. McCullough, Director of Finance/Deputy Treasurer
Re: 2022 Budget – Council Education Session
F. Wong, Commissioner of Finance/Treasurer and A.

McCullough, Director of Finance/Deputy Treasurer provided a PowerPoint presentation regarding the 2022 Budget.

Highlights of the presentation included:

- a summary of the proposed 2022 Budget Target of 2.0%;
- the combined 2022 property tax bill increase of 2.0%, including education impact of 0% and Regional increase of 2.5%, and assuming the Town's proposed budget of 2.0%;
- key priorities when building the 2022 budget target, including the maintenance of existing service levels and programs as the Town grows;
- an overview of the operating and capital budget decision items that are included and not included in the recommended budget;
- the number of new full time equivalent (FTE) staff positions included in the proposed operating budget, including their financial impact on the 2022 and 2023 tax base;
- the need for additional FTE positions to accommodate population growth, offset the cumulative impact of FTE shortfalls since 2015, and operationalize the Town's approved master plans;
- an overview of the FTE positions that are not included in the recommended operating budget;
- an overview of the capital budget decision items included in the recommended budget, proposed to be funded by the long term finance reserve;
- the impact of funding contribution options on the Growth Reserve Fund and Asset Management Reserve Fund;
- recommended projects to be funded from the Long-Term Finance Reserve (LTFR);
- new and increased user fees proposed and approved as part of the 2022 Budget Target;
- next steps in the 2022 Budget process, including continued community engagement with the 2022 Budget Public Meeting on February 7, 2022 and a Special Council meeting on February 17, 2022 to consider and potentially adopt the 2022 Budget; and,
- the process for drafting motions to amend the proposed budget.

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

- the extent to which the Town's Treasurer collaborates

with neighbouring municipalities, including the Region of Durham's Treasurer, to address common priorities such as climate initiatives and the financial impact of the pandemic;

- flexibility of the inflationary and operational assumptions considered when building the budget;
- whether residents may be offered the opportunity to contribute to climate related initiatives on a voluntary bases;
- clarification regarding the assumed contributions to the Growth Reserve Fund over the next 10 years;
- options for increasing Growth Reserve Fund contributions by greater than \$1.7 million in future years;
- the impact of inflation on future Growth Reserve Fund contributions;
- options that may be considered to offset particularly difficult budget constraints in future years;
- factors impacting the Town's ability to achieve the goals proposed by Zero Carbon Whitby by 2045;
- clarification regarding the current and proposed Growth Reserve Fund and Asset Management Reserve Fund contributions;
- the percent of the proposed 2022 budget that is allocated to the \$1.7 million Growth Reserve Fund contribution;
- whether the Town's Service Delivery Review identified the types of new FTE positions required in order to maintain services;
- clarification regarding the source of funding for FTE positions not included in the recommended budget that were temporary positions in previous years, such as the waterfront garbage crew and by-law enforcement summer student;
- whether resources may be re-allocated to address concerns with the waterfront garbage cleanup;
- clarification regarding the source of the operating surplus allocated to the reserve funds;
- guidance given to the Whitby Public Library and Station Gallery regarding their 2022 funding and expenses;
- the proposed 2022 property tax increases of comparator municipalities;
- clarification regarding the 2023-2031 forecasted grants; and,

- the impact of adding a new waterfront garbage crew and by-law enforcement summer student to the proposed budget, and whether existing staff fulfilling these functions collect overtime pay when working on weekends.

3. Adjournment

3.1 Motion to Adjourn

Moved By Councillor Mulcahy
Seconded By Councillor Newman

That the meeting adjourn.

Carried

The meeting adjourned at 6:28 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor

Regular Council Minutes
January 31, 2022 - 7:00 PM
Council Chambers
Whitby Town Hall

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)
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
J. Long, Head of Organizational Effectiveness
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
(Recording Secretary)

Regrets:

None noted

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Adoption of Minutes

2.1 Regular Council - December 13, 2021

Special Council - December 17, 2021

Special Council - January 10, 2022

Special Council - January 17, 2022
Special Council - January 24, 2022

Resolution # 07-22

Moved By Councillor Drumm
Seconded By Councillor Yamada

That the Regular Council minutes of December 13, 2021 and the Special Council minutes of December 17, 2021, January 10, January 17, and January 24, 2022 be adopted.

Carried

3. Presentations

3.1 There were no presentations.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- Wear Red Canada Day - February 13, 2022
- Scout-Guide Week - February 20 to 27, 2022
- Scouts Canada - Flag Raising - February 18 to 22, 2022
- Girl Guides of Canada - Flag Raising - February 22 to 25, 2022
- National Deafblind Awareness Month - June 2022

Resolution # 08-22

Moved By Councillor Shahid
Seconded By Councillor Roy

That the proclamations for Wear Red Canada Day, Scout-Guide Week, and National Deafblind Awareness Month, and the flag raisings for Scouts Canada, and Girl Guides of Canada be endorsed.

Carried

- 5.2** Correspondence # 2022-27 from Bryce Jordan on behalf of the Whitby Curling Club, dated January 14, 2022 regarding Part of Block E, Registered Plan M-1013, Bradley Drive

Resolution # 09-22

Moved By Councillor Drumm
Seconded By Councillor Yamada

That Correspondence # 2022-27 from Bryce Jordan on behalf of the Whitby Curling Club, dated January 14, 2022 regarding Part of Block E, Registered Plan M-1013, Bradley Drive, be referred to Staff to prepare a report to Council.

Carried

6. Committee of the Whole Report
Planning and Development - January 17 and 24, 2022

- 6.1** Planning and Development (Planning Services) Department Report, PDP 08-22
Re: Downtown Whitby Secondary Plan Update: Phase 3 – Preferred Land Use Concept and Draft Policies for Public Engagement

A brief question and answer period ensued between Members of Council and Staff regarding how transitions between taller buildings and existing heritage and residential buildings would be managed.

Resolution # 10-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Report PDP 08-22 be received for information; and,
2. That the Preferred Downtown Whitby Concept Plan Report, draft proposed schedules, and draft proposed policies, presented as Attachments to Report PDP 08-22, be used for obtaining public,

stakeholder, and agency input during the third and final Community Open House for the Downtown Whitby Secondary Plan Update.

Carried

6.2 Planning and Development (Planning Services) Department Report, PDP 03-22

Re: Zoning By-law Amendment Application, 2751757 Ontario Inc., 1717 Brock Street South and Portion of 1716 and 1718 Dufferin Street, File Number: DEV-28-21 (Z-18-21)

A brief discussion ensued between Members of Council regarding rescinding delegated authority for site plan approval for this application and the need to carefully consider the design of the development due to its proximity to existing residential buildings.

Resolution # 11-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve the amendment to Zoning By-law # 2585, (File Number: Z-18-21) as outlined in Planning Report PDP 03-22; and,
2. That a by-law to amend Zoning By-law # 2585 be brought forward for consideration by Council; and,
3. That Council rescind the delegated authority for site plan approval related to this application.

Carried

6.3 Planning and Development (Planning Services) Department Report, PDP 04-22

Re: Zoning By-law Amendment Application to Extend a Temporary Use, Gordon Scadding Developments Limited, 402 Gordon Street, File Number: DEV-34-21 (Z-24-21)

A brief question and answer period ensued between Members of Council and Staff regarding discussions between the developer and Staff around timing associated with the extended temporary use and a commitment from

the developer to cease the temporary use within this extension period.

Resolution # 12-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve a Zoning By-law Amendment to Extend a Temporary Use (Z-24-21) for a period of three (3) years, as set out in Planning Report PDP 04-22; and,
2. That the amending by-law be brought forward for Council's consideration.

Carried

- 6.4** Planning and Development (Planning Services) Department Report, PDP 05-22
Re: Official Plan Amendment Application, Portion of the Southeast Corner of Roybrook Avenue and Chelmsford Drive (High Density Block 2), Madison Brooklin Developments Ltd., File Number: DEV-22-21 (OPA-2021-W/07)

Resolution # 13-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve Official Plan Amendment # 124 to the Town of Whitby Official Plan (OPA-2021-W/07), as shown on Attachment # 6, and that a by-law to adopt Official Plan Amendment # 124 be brought forward for consideration by Council;
2. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision; and,
3. That the Clerk forward a copy of the Planning Report PDP 05-22, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number # 124 to the Whitby Official Plan, to the Region of Durham's Commissioner of

Planning and Economic Development.

Carried

- 6.5** Planning and Development (Planning Services) Department Report, PDP 06-22
Re: Sign By-law Variance to Permanent Sign By-law for 1650 Victoria Street East (Burger King) File Number: SB-09-21

Resolution # 14-22

Moved By Councillor Newman
Seconded by Councillor Leahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for Burger King located at 1650 Victoria Street East.

Carried

- 6.6** Planning and Development (Planning Services) Department Report, PDP 07-22
Re: Technical Amendment to By-law # 1812-85 which Designated 601 Victoria Street East as being of Cultural Heritage Value or Interest Under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18.

Resolution # 15-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve a proposed amendment to By-law # 1812-85, which designates 601 Victoria St. E. under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18, as amended, to reflect the accurate legal description of the designated land;
2. That the Clerk provide written Notice of Intention to amend the designating By-law, to the property owner with an explanation of the proposed amendment as per Section 30.1(4) of the Ontario Heritage Act;

3. That, if the property owner objects to the proposed amendment in accordance with Section 30.1(6) of the Ontario Heritage Act, the Clerk be directed to refer the proposed amendment to the Review Board;
4. That, if there is no objection to the proposed amendment, the Clerk be authorized to provide a copy of the amended by-law to the property owner and Ontario Heritage Trust, and register the by-law on title, as per Section 30.1(9) of the Ontario Heritage Act; and,
5. That, if there are no objections to the proposed amendment, then the draft by-law to amend By-law # 1812-85, as shown on Attachment # 4 to Report PDP 07-22, be approved by Council.

Carried

- 6.7** Planning and Development (Planning Services) Department Report, PDP 09-22
Re: Settlement Area Boundary Expansion Request to Facilitate the Protected Lakeridge Health Hospital Site in the Town of Whitby

A brief discussion ensued between Members of Council regarding the need for Council to work as a whole in support of the hospital project and working with Regional Councillors across Durham Region to gain support for the hospital site in Whitby.

A brief question and answer period ensued between Members of Council and Staff regarding next steps for Lakeridge Health and the overall transparency of the process and autonomy of the Independent Expert Panel.

Resolution # 16-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council request a Settlement Boundary Expansion to the Whitby Urban Area Boundary through the Region of Durham's Municipal Comprehensive Review (MCR), to include lands that have been identified as the preferred site to be protected for a future Lakeridge Health hospital as

identified on Attachment # 1 of Report PDP 09-22;
and,

2. That a copy of Report PDP 09-22 be forwarded to the Region of Durham Planning Department as input into the MCR.

Carried

7. Committee of the Whole Report
General Government - January 17 and 24, 2022

- 7.1 Memorandum from C. Harris, Town Clerk, dated November 10, 2021 regarding Whitby Diversity and Inclusion Advisory Committee Request to Rename Dundas Street

Resolution # 17-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the Memorandum from C. Harris, Town Clerk, dated November 10, 2021 regarding Whitby Diversity and Inclusion Advisory Committee Request to Rename Dundas Street be received for information; and,
2. That Town of Whitby staff be directed to prepare a report for Council for Q2 that will identify a process to begin community engagement including consultation with the advisory committees and stakeholders on the question of renaming Dundas Street through the Town of Whitby, and highlight the public and private sector cost implications.

Carried

- 7.2 Office of the Chief Administrative Officer Report, CAO 03-22
Re: 1855 Technology Accelerator - 2021 Update

Resolution # 18-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Report CAO 03-22 1855 Technology Accelerator – 2021 Update be received as information; and,
2. That the Clerk be directed to forward a copy of Report CAO 03-22 to the Board Chair and CEO of 1855 Whitby Technology Accelerator; Director of Economic Development, Region of Durham; CEO of the Whitby Chamber of Commerce; Ryan Turnbull, Member of Parliament for Whitby; and Lorne Coe, Member of Provincial Parliament for Whitby.

Carried

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

Discussion ensued between Members of Council regarding:

- referring the IDEA Project to the joint Accessibility Advisory Committee and Diversity and Inclusion Advisory Committee meeting on February 3, 2022 for further review and comment;
- financial challenges associated with hiring the Staff positions noted in the report;
- the importance of supporting inclusivity, diversity, equity, and anti-racism initiatives;
- growth and increasing diversity in the Town and supporting the multicultural needs of the community;
- providing a defined period of time associated with a referral of the report so that community members know when the project will be considered; and,
- engaging existing Staff in the project to move it forward without further reliance on the consultants.

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

- next steps after consultation with the Accessibility Advisory Committee and Diversity and Inclusion Advisory Committee at their upcoming joint meeting;
- accessibility of the online survey that was launched in association with the project and efforts of Staff to be inclusive;
- the involvement of the Abilities Centre in the project and if the Abilities Centre was provided an opportunity to review the report recommendations;
- efforts to inform the community about the report recommendations including posting them on Connect

- Whitby and notifying interested parties;
- facilitated focus groups that were held to gain feedback and comments on the project and the recommendations;
- obtaining salary information from other municipalities to gain comparator information for the Staff positions recommended in the report;
- the funding envelop allocated for the Staff positions including salary, benefits, and pension contributions, and the need to refine the envelop as part of the job evaluation process; and,
- current Town Staff who support accessibility and diversity initiatives.

Moved By Councillor Lee

Seconded By Councillor Mulcahy

1. That Council receive for information The IDEA Project, Whitby's Journey to Inclusivity, Final Report (Attachment 1);
2. That the IDEA definitions contained in The IDEA Project, Whitby's Journey to Inclusivity, Final Report (page 3, Attachment 1) be adopted and used in policies, practices, and strategies that discuss diversity, equity, and inclusion;
3. That two (2) IDEA staff positions as identified in The IDEA Project, Whitby's Journey to Inclusivity, Final Report (Attachment 1) be included as Decision Items in the 2022 budget over and above the 2% target at an annual cost of approximately \$343,500 funded from the tax base;
4. That staff create a project plan to implement actions recommended by The IDEA Project, Whitby's Journey to Inclusivity, Final Report including a proposed implementation timeline for all recommendations, and report back to Council within 9 months of hiring the first dedicated IDEA staff resource, as outlined in Recommendation 3;
5. That the A Service Focused IDEA Lens (Attachment 2) be used as a resource guide for continuous improvement and review of service delivery planning and policy development; and,
6. That an annual update report be presented to Council and shared with the Coalition of Inclusive Municipalities to monitor progress, continue

community engagement and fulfill obligations with the Coalition.

The disposition of this matter was determined through the referral motion below.

Resolution # 19-22

Moved By Councillor Roy
Seconded by Councillor Yamada

That the IDEA Project, Whitby's Journey to Inclusivity, report be referred to Staff to undertake further consultation at the joint meeting of the Diversity and Inclusion Advisory Committee and the Accessibility Advisory Committee on Thursday, February 3, 2022 and that Staff provide a memorandum to Council highlighting the outcome of this consultation and financial impact.

Carried

- 7.4** Financial Services Department Report, FS 05-22
Re: Dundas Street Land Lease by the Muslim Welfare Centre

Resolution # 20-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

That the Mayor and Clerk be authorized to execute a land lease agreement between the Town and the Muslim Welfare Centre of Toronto based on the terms and conditions outlined in staff report FS 05-22.

Carried

- 7.5** Financial Services Department Report, FS 06-22
Re: City of Pickering's Proposed Sale of Elexicon Shares

Resolution # 21-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That a new capital project for the Town's consulting costs related to the City of Pickering's proposed sale of Elexicon shares be established, in the amount of \$100,000, funded from the 2021 Operating Budget;
2. That the Chief Administrative Officer and Treasurer be provided delegated authority, within the overall approved funding for the project, to obtain consulting and other services required to develop a recommended course of action for the Town, in a timely manner, related to the proposed sale of Elexicon shares; and,
3. That staff be authorized to pay the Municipality of Clarington the Town's proportionate share of consulting costs to perform valuation and other analysis related to the proposed sale of Elexicon shares.

Carried

- 7.6** Fire and Emergency Services Department Report, FR 01-22
Re: Master Fire Plan – Implementation Update

Resolution # 22-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

That report FR 01-22 be received as information.

Carried

- 7.7** Quebec's Bill 21 - Prohibiting the Display of Religious Symbols by Public Sector Workers in the Work Place

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

- funding support for the legal challenge coming from the long-term finance reserve or 2022 operating surplus funds;
- using funds from the Mayor's Community Development Fund to support the legal challenge;
- the guidelines for the Mayor's Community Development

Fund and how the Fund is focused on supporting the local community;

- development of a policy to assist Council in considering these types of requests in the future;
- concerns about setting a precedent for requests for funds and the need to consider that the Town's primary responsibility is to focus on services within Whitby;
- challenges associated with providing in-kind services, such as access to Staff resources;
- opportunities for the Town to organize a community donation campaign and receiving a report from Staff on this possibility; and,
- Staff time associated with developing a fundraising initiative.

Discussion ensued between Members of Council regarding:

- the commitment from Council to advance initiatives that support inclusivity, diversity, and equity;
- supporting a financial contribution and the importance of a symbolic gesture of a contribution in order to gain additional support from residents;
- the ability for the Town to issue income tax receipts should a fundraising initiative proceed; and,
- encouraging resident to donate funds directly to the National Council of Canadian Muslims at www.nccm.ca.

Moved By Councillor Lee
Seconded by Councillor Mulcahy

Whereas the Town of Whitby consists of a diverse community, many of whom wear religious symbols including turbans, hijabs, Kippa, the cross and many others;

And Whereas the fundamental right of religious freedom is protected by the Charter of Rights and Freedoms;

And Whereas the Town of Whitby, as one of Canada's fastest growing and most multicultural and diverse municipalities, stands firmly to support religious freedom as this is aligned with our Freedom of Rights under the Canadian Charter of Rights;

And Whereas the Town of Whitby stands in solidarity with National Council of Canadian Muslims (NCCM) and the Canadian Civil Liberties Association (CCLA) in their legal challenge against Bill 21 in Quebec; and,

And Whereas Council believes that our Town and Durham Region are the cultural centre for diversity and Canadian multiculturalism and Council bears a responsibility to stand up in defence of the Canadian multicultural mosaic.

Now therefore be it resolved:

1. That Whitby Town Council support in principle the legal challenge against the discrimination of freedom of religion in Quebec's Bill 21; and,
2. That Staff be directed to report back on ways the Town of Whitby could financially support the legal challenge by providing one-time funding not to exceed \$10,000.

Carried later in the meeting (see following motions)

Moved By Councillor Newman
Seconded By Councillor Mulcahy

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

Carried

Resolution # 23-22

Moved By Councillor Lee
Seconded By Councillor Mulcahy

Whereas the Town of Whitby consists of a diverse community, many of whom wear religious symbols including turbans, hijabs, Kippa, the cross and many others;

And Whereas the fundamental right of religious freedom is protected by the Charter of Rights and Freedoms;

And Whereas the Town of Whitby, as one of Canada's fastest growing and most multicultural and diverse municipalities, stands firmly to support religious freedom as this is aligned with our Freedom of Rights under the Canadian Charter of Rights;

And Whereas the Town of Whitby stands in solidarity with National Council of Canadian Muslims (NCCM) and the Canadian Civil Liberties Association (CCLA) in their legal challenge against Bill 21

in Quebec; and,

And Whereas Council believes that our Town and Durham Region are the cultural centre for diversity and Canadian multiculturalism and Council bears a responsibility to stand up in defence of the Canadian multicultural mosaic.

Now therefore be it resolved:

1. That Whitby Town Council support in principle the legal challenge against the discrimination of freedom of religion in Quebec's Bill 21.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	9	0	0

Moved By Councillor Lee

Seconded By Councillor Mulcahy

2. That Staff be directed to report back on ways the Town of Whitby could financially support the legal challenge by providing one-time funding not to exceed \$10,000.

This disposition of this matter was determined through the referral motion below.

Resolution # 24-22

Moved By Councillor Mulcahy

Seconded By Councillor Newman

That Recommendation 2 of Item 7.7 be referred to Staff to

investigate and prepare a memorandum before the next Regular Council meeting on opportunities to support community fundraising to support the Bill 21 legal challenge and the option for the Town to contribute the remaining shortfall.

Carried on a recorded vote as follows:

	For	Against	Abstained
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Drumm		x	
Councillor Leahy		x	
Councillor Lee	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada		x	
Mayor Mitchell	x		
	6	3	0

7.8 Annual Day of Remembrance - Quebec City Mosque Shooting

Resolution # 25-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

Whereas six persons were killed and 19 persons were injured by a gunman who entered the Islamic Cultural Centre of the City of Québec shortly after the end of evening prayers on January 29, 2017 and opened fire;

Whereas this act of terror devastated the families and friends of the victims, Muslim communities in Quebec, across Canada and around the world, and all Canadians;

Whereas it is important that Canadians have an opportunity to honour the memory of the victims, to recognize those who selflessly and courageously put themselves in harm's way to protect others and to express solidarity with the survivors of this tragedy;

Whereas Islamophobia, racism, violent extremism, and the denial of these realities are at the root of this horrifying crime;

Whereas it is important that Canadians denounce Islamophobia and all other forms of racism, hate and religious discrimination and take action to combat them; and,

Whereas it is important that Canadians resolve to build a foundation for change by removing barriers and promoting a more inclusive and equitable country for all, where every person is able to participate and succeed fully and safely.

Now therefore be it resolved:

That the Town of Whitby acknowledge January 29 as an annual day of remembrance in honour of lives lost, people injured, and a day of reflection.

Carried

- 7.9** Memorandum from J. Romano, Commissioner of Community Services, dated December 9, 2021 regarding Forest Heights Park Basketball Court Relocation - Update

Resolution # 26-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the Memorandum from J. Romano, Commissioner of Community Services, dated December 9, 2021 regarding Forest Heights Park Basketball Court Relocation - Update be received for information; and,
2. That Staff bring back a report to highlight the basketball net options and contact all residents within 200 metres of Forest Heights Park to ensure full community engagement before a decision is made by Council.

Carried

- 7.10** Memorandum from C. Harris, Town Clerk, dated January 10, 2022 regarding the Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee request to update the Committees' Terms of Reference to include an Annual Joint Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee Meeting

Resolution # 27-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the Memorandum from C. Harris, Town Clerk, dated January 10, 2022 regarding the Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee request to update the Committees' Terms of Reference to include an Annual Joint Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee Meeting be received for information; and,
2. That the Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee Terms of References be amended to include a Joint Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee meeting in place of their regular annual February meeting.

Carried

- 7.11** Public Works (Operations) Department and Financial Services Department Joint Report, FS 02-22
Re: T-512-2021 - Replacement and Installation of Wood Acoustic Fences (Spring 2022 Work)

A brief question and answer period ensued between Members of Council and Staff regarding the responsibility of the contractor to complete the project, despite potential supply chain challenges.

Resolution # 28-22

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That the Town of Whitby accept the low bid as submitted by ONIT Construction Inc. in the amount of \$303,232.31 (with removal of Provisional Locations, plus applicable taxes) for replacement and installation of Wood Acoustic Fences, to be funded from the capital project 30216401 Fence Replacement Program – Wood Acoustic Fencing; and,
2. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.12** Public Works (Operations) Department and Financial Services Department Joint Report, FS 03-22
Re: T-506-2021 - Miscellaneous Asphalt Patching (Spring 2022 Work)

Resolution # 29-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the Town of Whitby accept the low bid as submitted by Appco Paving Ltd. in the amount of \$406,870.36 (plus taxes), for 2022 miscellaneous asphalt patching, to be funded from the capital project 40216048 Road Patching Program;
2. That the revised cost estimate for this project, totaling \$444,031.27 as outlined in Table 1 of Report FS 03-22, be approved;
3. That the budget shortfall, if contingency works are required, be funded from the Road Infrastructure Repair Reserve to an upset limit of \$129,031.27;
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.13** Public Works (Operations) Department and Financial Services Department Joint Report, FS 04-22
Re: T-533-2022 – Rental of Seasonal Vehicles

Resolution # 30-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Tender T-533-2022 be awarded to Somerville National Leasing & Rentals Ltd., in the amount of \$91,020.00 (plus applicable taxes) for a one (1) seasonal term for the rental of seasonal vehicles, to be funded from the operating budget.
2. That the Town reserves the right to extend this contract on an annual basis thereafter for up to two (2) additional one (1) seasonal terms provided the Company's annual performance is satisfactory, subject to budget approval, and subject to meeting requirements for subsequent years. Additional seasonal terms are subject to Consumer Price Index increases as outlined in this report; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

7.14 Community Services Department and Financial Services Department Joint Report, FS 13-22
Re: T-67-2021 – Supply and Installation of Backflow Preventers at Various Town Facilities

Resolution # 31-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Tender T-67-2021 be awarded to Antrim Mechanical Ltd. in the amount of \$273,100.00 (plus applicable taxes), funded from the capital projects listed in Table 2 of Report FS 13-22, for the supply and installation of Backflow Preventers at Various Town Facilities;
2. That the revised cost estimates totaling \$335,850.66 and the capital project adjustments to reflect the revised costs to complete, as outlined in Table 2 of

- report FS 13-22, be approved; and,
- 3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.15** Public Works (Operations) Department and Financial Services Department Joint Report, FS 14-22
Re: T-94-2021 – Streetlight Pole Replacement

Resolution # 32-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

- 1. That Tender T-94-2021 be awarded to Alineutility Limited in the amount of \$736,644.00 (plus applicable taxes), funded from the Streetlight Pole Replacement capital project number 30206601, for all labour, materials, equipment and supervision necessary to complete pole replacements as outlined in Report FS 14-22;
- 2. That the revised cost estimate for capital project number 30206601, totaling \$787,089.38 as outlined in Table 1 of report FS 14-22, be approved;
- 3. That the budget shortfall in the amount of \$57,089.38 be funded from the Asset Management Reserve Fund; and,
- 4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.16** Community Services Department Report, CMS 01-22
Re: Accessible Signage and Wayfinding Study

Resolution # 33-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

- 1. That Council approve the proposed Accessible

- Signage and Wayfinding Study as outlined in Attachment 1 to Report CMS-01-22; and,
2. That Council direct staff to report back with an Accessible Signage and Wayfinding policy, prioritized implementation plan of the recommended standard.

Carried

- 7.17** Financial Services Department Report, FS 01-22
Re: 2021 Year End Projection as at September 30, 2021

Resolution # 34-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That report FS 01-22 regarding the 2021 Year End Projection as at September 30th be received as information; and,
2. That, notwithstanding the Disposition of Operating Surplus Policy, the 2021 year end surplus be fully transferred to the Long Term Finance Reserve.

Carried

- 7.18** Financial Services Department Report, FS 09-22
Re: Update on Low Income Property Tax Rebate Program and Investigation of a COVID-19 Pandemic Tax Deferral Program

Resolution # 35-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the 2022 Property Tax Rebate Program for Low Income Seniors and Low Income Homeowners with Disabilities be increased from \$400 to \$462 per year;
2. That the Property Tax Rebate Program for Low Income Seniors and Low Income Persons with Disabilities be indexed annually, starting in the 2023

- budget, based on the previous year's budget increase; and,
3. That staff bring forward a by-law outlining the Town's Property Tax Rebate Program for low income seniors and low income homeowners with disabilities for Council approval.

Carried

- 7.19** Office of the Town Clerk Report, CLK 01-22
Re: Compliance Audit Committee - 2022 Municipal Election

Resolution # 36-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the draft Terms of Reference as shown in Attachment 1 of Report CLK 01-22 be approved; and,
2. That the Clerk be authorized to bring forward a by-law to appoint a roster of individuals as per the draft Terms of Reference; and,
3. That, at such time as the above by-law is enacted by Council, that the 2022 Municipal Election Compliance Audit Committee be deemed to be established in accordance with the Municipal Elections Act.

Carried

- 7.20** Office of the Chief Administrative Officer and Financial Services Department Joint Report, CAO 02-22
Re: Community Development Funds – 2021 Annual Report

Resolution # 37-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Report CAO 02-22 regarding the 2021 Annual Report for the Mayor's Community Development

- Fund and the Performing Arts Community Development Fund be received for information;
2. That Council approve an increase of \$2,000 to the ongoing annual grant from the Mayor's Community Development Fund with \$1,000 to the Brooklin Royal Canadian Legion Branch 152 and \$1,000 to the Whitby Royal Canadian Legion Branch 112 to support the replacement of banners through the Honour our Veterans Banner Program, and that Council approve the corresponding revisions to the Mayor's Community Development Fund and Performing Arts Community Development Fund Policy as shown in Attachment 4; and,
 3. That Council adopt the revisions to the Grants Review Committee Terms of Reference shown in Attachment 5 to Report CAO 02-22.

Carried

8. Notice of Motion

Moved by Councillor Newman
Seconded by Councillor Lee

That Council reconsider Resolution # 209-21 adopted on June 21, 2021 regarding no-parking restrictions on Lyndebrook Road and suspend the rules of procedure to allow the introduction of a motion regarding amendments to the no-parking restrictions on Lyndebrook Road.

Carried on a Two-Thirds Vote

8.1 No-Parking Zone on Lyndebrook Road

Councillor Newman introduced a motion regarding amending the no-parking restrictions on Lyndebrook Road noting that parking near the Heber Down Conservation Area is unavailable during the winter months as the Central Lake Ontario Conservation Authority parking lot is only open on a seasonal basis.

Discussion ensued between Members of Council regarding:

- the limited impact to area residents if the no-parking restriction at the eastern terminus of Lyndebrook Road were removed;

- revenue considerations for the Central Lake Ontario Conservation Authority associated with the use of their paid parking lot; and,
- future opportunities to work with the Central Lake Ontario Conservation Authority on opening their parking lot year-round.

Resolution # 38-22

Moved By Councillor Newman
Seconded By Councillor Lee

That parking be permitted on the Lyndebrook Road dead end east of Country Lane on both sides east of the residential driveway at 450 Lyndebrook Road during the months that the Central Lake Ontario Conservation Authority parking lot off Lyndebrook Road is not available for use by the public.

Carried

9. New and Unfinished Business

9.1 There was no new and unfinished business.

10. By-Laws

That the following by-laws be passed:

10.1 By-law # 7843-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.

10.2 By-law # 7844-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.

10.3 By-law # 7845-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2011-01) as not being subject of Part Lot Control.

10.4 By-law # 7846-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.

- 10.5** By-law # 7847-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.
- 10.6** By-law # 7848-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2015-03) as not being subject of Part Lot Control.
- 10.7** By-law # 7849-22, being a by-law to dedicate Part 2 on Plan 40R-30157 as a Public Highway (Littlewood Drive).
- 10.8** By-law # 7850-22, being a by-law to dedicate Parts 3, 5 and 6 on Plan 40R-30157 as a Public Highway (Ogston Crescent).
- 10.9** By-law # 7851-22, being a by-law to dedicate Part 2 on Plan 40R-31494 as a Public Highway (Charles Street).
- 10.10** By-law # 7852-22, being a by-law to dedicate Part 3 on Plan 40R-31515 as a Public Highway (Cedar Street).
- 10.11** By-law # 7853-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-05) as not being subject of Part Lot Control.

Moved By Councillor Roy
Seconded By Councillor Leahy

That leave be granted to introduce By-laws # 7843-22 to # 7853-22 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

11. Closed Session

Council did not move into Closed Session to consider the appointment to the Active Transportation and Safe Roads Advisory Committee or the appointment of the Commissioner of Legal and Enforcement Services/Town Solicitor.

- 11.1** Confidential Memorandum from C. Harris, Town Clerk, dated January 18, 2022 regarding Recommendation for Appointment to the Active Transportation and Safe Roads Advisory Committee

Resolution # 40-22

Moved By Councillor Mulcahy
Seconded By Councillor Shahid

That Council appoint Terence Von Zuben to the Active Transportation and Safe Roads Advisory Committee for the term ending November 14, 2022 or until a successor is appointed.

Carried

- 11.2** Confidential Office of the Chief Administrative Officer Report, CAO 05-22
Re: Appointment of Commissioner of Legal and Enforcement Services/Town Solicitor

Resolution # 41-22

Moved By Councillor Leahy
Seconded By Councillor Yamada

1. That Confidential Report CAO-05-22, Appointment of Commissioner of Legal and Enforcement Services/Town Solicitor, be received for information; and,
2. That Francesco Santaguida be appointed as the Commissioner of Legal and Enforcement Services/Town Solicitor.

Carried

12. Rising and Reporting

There were no matters considered in closed session.
Therefore, Council did not rise and report.

13. Confirmatory By-Law

13.1 Confirmatory By-law

Resolution # 42-22

Moved By Councillor Shahid
Seconded By Councillor Newman

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on January 31, 2022 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

14. Adjournment

14.1 Motion to Adjourn

Moved By Councillor Mulcahy
Seconded By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 8:52 p.m.

Christopher Harris,
Town Clerk

Don Mitchell, Mayor

Special Council Minutes
February 7, 2022 - 7:00 PM
Virtual Meeting
Whitby Town Hall

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

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
J. Long, Head of Organizational Effectiveness
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Douglas, Legislative Specialist (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest
 - 1.1 There were no declarations of pecuniary interest.
2. Public Meeting - 2022 Operating and Capital Budget
Councillor Lee, Chair of Finance, provided opening remarks regarding the 2022 Budget and explained the purpose of the Budget Public meeting.
 - 2.1 Presentation - 2022 Budget Overview

F. Wong, Commissioner of Financial Service/Treasurer and A. McCullough, Director of Finance/Deputy Treasurer

F. Wong, Commissioner of Corporate Services/Treasurer and A. McCullough, Director of Finance/Deputy Treasurer provided an overview of the proposed 2022 Budget.

Highlights of the presentation included:

- a recap of the 2021 Budget, which was prepared amidst the COVID-19 pandemic;
- the 2022 budget process timeline, including the launch of the Citizen Budget Tool in June 2021 and the 2022 Budget Target Report presented to Council in October 2021;
- key considerations when building the 2022 budget, including community priorities, Council priorities, maintaining services and infrastructure, growth, and recovery from the COVID-19 pandemic;
- a summary of the Citizen Budget Survey results, which indicate that the majority of participants are comfortable with current taxation and service levels;
- top budget priorities according to Citizen Budget Survey participants, including local jobs for residents, revitalization of the Downtowns, and more green space;
- demographics of the Citizen Budget Survey participants;
- the impact of inflation on maintaining Town facilities and services, estimated using the Municipal Price Index (MPI) and Consumer Price Index (CPI);
- infrastructure investments impacting the 2022 budget, including the cost to keep existing infrastructure in a state of good repair and the Town's contribution to the growth capital program;
- Whitby's projected population growth and the resources required to extend services to growth areas;
- an overview of the action items included in the Town's Business Plan, such as progressing the Customer Service Strategy and Zero Carbon Whitby Plan;
- the impact of new full time equivalent (FTE) shortfalls on the Town's ability to deliver services and complete projects;
- the proposed \$0.8 million investment in additional staff resources to service growth areas and improve/introduce new services;

- assessment growth revenue and user fee increases that help offset budget pressures;
- a summary of the budgetary pressures, investments, and reductions that make up the proposed 2022 Budget;
- a summary of the proposed 2022 capital budget, funded by the Asset Management Reserve Fund, Growth Reserve Fund, development charges, long term debt, and other sources such as program reserves, the one time reserve, and external contributions;
- proposed investments in the waterfront and green space, roadways and transportation, revitalization of the Downtowns, and creation of jobs;
- proposed investments in Zero Carbon Initiatives, recreational facilities, grants, and low income tax rebate programs;
- the combined 2022 property tax bill increase and its financial impact on the average residential Whitby homeowner;
- the proposed and approved property tax levy increases of comparator municipalities; and,
- next steps in the 2022 budget process.

2.2 Delegations

2.2.1 George Gadanidis, Resident Re: Public Meeting - 2022 Operating and Capital Budget

George Gadanidis provided a PowerPoint presentation regarding road culverts located under Anderson Street and Dryden Boulevard in relation to their inclusion in the budget capital forecast.

Highlights of the presentation included:

- the proposed 2024 expenditure to upsize the Anderson Street culvert north of Darren Avenue, and a request from Pringle Creek residents to upsize the Dryden Boulevard culvert at the same time;
- a summary of the Pringle Creek MDP and Town Culvert/Bridge Master plan studies, which indicate the requested change is a high priority;
- the hydraulic capacity of the Dryden Boulevard culvert, which is susceptible to the

- effects of climate change;
- the risk of flooding caused by the existing culvert on Dryden Boulevard; and,
- a summary of actions taken by Anderson Street/Pringle Creek residents, including a Work Order initiated in September 2020 to upsize the existing culvert.

A question and answer period ensued between Members of Council and Mr. Gadanidis regarding:

- whether the land surrounding the Dryden Boulevard culvert is protected by Central Lake Ontario Conservation Authority (CLOCA), and whether Mr. Gadanidis has consulted with CLOCA;
- clarification regarding Mr. Gadanidis' request concerning the expansion of the two culverts;
- the number of residents impacted by flooding caused by the existing Dryden Boulevard culvert; and,
- the average cost to repair water damage caused by the culvert.

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

- strategies to replace the \$0.9 million one-time transfer from the Asset Management Reserve fund that is used to maintain existing infrastructure;
- opportunities to modify the guiding principles and priorities of future budgets;
- whether new reserve funds may be created to allow voluntary contributions from the public;
- clarification regarding the proposed expansion of the Anderson Street culvert in 2024;
- strategies to mitigate flooding and the associated safety concerns caused by the Dryden Boulevard culvert;
- whether issues concerning Town culverts may be addressed in the 2022 budget, or a future budget;
- whether staff have engaged an external consultant to provide a report regarding Town culverts in the near future;
- the estimated cost of expanding the proposed Anderson Street culvert replacement to also include the Dryden Boulevard culvert; and,

- whether staff will be preparing a memorandum regarding the financial impact of the IDEA (Inclusion, Diversity, Equity and Anti-Racism) Project.
3. Adjournment

3.1 Motion to Adjourn

Moved By Councillor Newman
Seconded By Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 8:11 p.m.

Christopher Harris,
Town Clerk

Don Mitchell, Mayor

Special Council Minutes
To Consider and Adopt the
2022 Operating and Capital Budgets
February 17, 2022 - 7:00 PM
Virtual Meeting
Whitby Town Hall

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

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
J. Long, Head of Organizational Effectiveness
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Douglas, Legislative Specialist (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest
 - 1.1 There were no declarations of pecuniary interest.
2. Presentations
 - 2.1 Opening Remarks by Councillor Lee, Chair of Finance
Councillor Lee, Chair of Finance, provided opening remarks

regarding the 2022 Budget. Chair Lee acknowledged Town Staff for their efforts in preparing a fiscally responsible budget amid ongoing pandemic related pressures.

F. Wong, Commissioner of Finance/Treasurer, provided a summary of the 2022 Budget. Mr. Wong noted the proposed 2022 Budgets of neighbouring municipalities, including the 2.6% increase to the Region of Durham's portion of the overall property tax bill. He advised that the 2022 Budget incorporates feedback from residents, and considers priorities such as employment opportunities, revitalization of the Downtown, and more green space. Mr. Wong explained that the proposed budget accounts for growth, the maintenance of infrastructure and services, and the Town's Master Plans and projects.

3. Delegations

3.1 There were no delegations.

4. Consideration of the 2022 Operating and Capital Budgets

4.1 Financial Services Department Report, FS 12-22 Re: Reporting Requirement Per Ontario Regulation 284/09 – 2022 Budget

Resolution # 43-22

Moved By Councillor Newman
Seconded By Councillor Yamada

1. That Report FS 12-22 of the Commissioner of Financial Services/ Treasurer be received as information;
2. That the full accrual accounting items identified in Report FS 12-22 be approved and included as budget figures in the December 31, 2022 audited financial statements;
3. That the Treasurer be authorized to make the required amendments to the budget figures in the Town's audited financial statements for any technical adjustments or amendments to the Town's budget approved by Council.

Carried

4.2 Financial Services Department Report, FS 16-22 Re: Recommended 2022 Operating and Capital Budget

Discussion ensued between Members of Council regarding:

- the importance of hiring a Corporate IDEA Specialist to support the growing diversity within the Town;
- the rationale for hiring a Corporate IDEA Specialist prior to recruiting a Community IDEA Specialist;
- goals discussed during a joint Whitby Diversity and Inclusion Advisory Committee and Accessibility Advisory Committee meeting regarding the IDEA Project;
- concerns regarding resistance to the IDEA Project recommendations;
- the Region of Durham's diversity and inclusion initiatives;
- concerns regarding waste at the waterfront resulting from a growing population and increased volume of visitors;
- the importance of allocating resources to maintain a clean waterfront and green space;
- appreciation for staff and volunteers that aid in preserving the waterfront;
- the importance of considering accessibility in broader diversity and inclusion initiatives;
- the potential for a voluntary contribution program to operate similar to the existing Ontario Opportunities Funds available to Ontario taxpayers;
- the feasibility of implementing a voluntary contribution program for donations to be allocated toward new and existing initiatives;
- consideration of beautification opportunities along Thickson Road;
- partnering with the Region of Durham to implement the Thickson Road Placemaking enhancements;
- an overview of Council's proposed amendments to the 2022 Budget; and,
- appreciation for the efforts of Staff and Members of Council in preparing the 2022 Budget.

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

- the impact of hiring a Corporate IDEA Specialist on the proposed 2022 Budget;
- strategies to improve by-law enforcement, add designated barbecue spaces, and improve parking along the waterfront;

- clarification regarding the Station Gallery's reduced grant funding;
- the impact of including the Thickson Road Placemaking project on the proposed 2022 Budget;
- whether the Thickson Road Placemaking project was included in the Accessible Signage and Wayfinding Study;
- clarification regarding the calculation of the projected \$150,000 budget pressure associated with implementing the Thickson Road Placemaking project, and whether partners such as the Region of Durham may be approached to offset the associated costs;
- the impact of including the Thickson Road Placemaking project on the one-time reserves; and,
- clarification regarding impact of a 0.8% increase to the overall Whitby residential tax bill on the average Whitby home owner.

Moved By Councillor Shahid
Seconded By Councillor Mulcahy

1. That the 2022 Operating Budget be approved at a net Town tax levy increase of \$2,134,609 (to a total tax levy of \$108,864,749 inclusive of assessment growth) representing a 2% average residential increase to the Town levy or estimated 0.7% increase to the overall Whitby residential tax bill;
2. That the Town's 2022 operating budget, in the gross expense budget amount of \$153,106,905 inclusive of the Operating Budget Decision Items as shown in Attachment 4 be approved and funded from the sources identified in Table 2 of report FS 16-22;
3. That the proposed user fee increases and new fees as identified in Attachment 3 of report FS 16-22 be approved;
4. That the Community Services Department fees listed in schedules F, G, J, L, O, and Q of the Fees and Charges By-law remain in effect until the fees are subsequently revised;
5. 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 FS 16-22;
6. That the 2022 Capital Budget, in the gross capital budget amount of \$71,766,138 inclusive of the Capital Budget Decision Items as shown in Attachment 5 be approved and funded from the sources identified in Table 3 of report FS 16-22;
7. That the Treasurer's update of the Town's projected debt

servicing charges as it impacts the Town's Annual Repayment Limit for all previously approved debentures and the proposed debentures, outlined in Staff Report FS 16-22, be received;

8. That the 2022 White Bridge capital project (40206111) and the Mid Arterial Roadway (from Ashburn to Garden St Ext) capital project (40226020) be funded from debentures, in the amounts of \$1,500,000 and \$9,344,925 respectively, to be issued through the Region of Durham, following substantial completion;
9. That in accordance with s.s. 5(1) of the Development Charges Act, and S.5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity provided by any of the capital projects will be paid for by future development charges;
10. That any donations, grants or subsidies applied in the 2022 capital program to projects with development charges funding are to offset the non-growth related costs of those projects;
11. That the transfers to and from reserves and reserve funds as identified in Attachment 6 of report FS 16-22 be approved;
12. That the 2023 to 2031 capital forecast in the amount of \$1,317,829,565 be received for information and subject to future annual reviews as part of the capital budget process.

Carried later in the meeting [See following motions]

Moved By Councillor Newman
Seconded By Councillor Shahid

That the main motion be amended by including Item 13 as follows:

13. That Decision Item #24, Corporate IDEA Specialist, in the amount of \$107,625, (representing half the year in compensation costs of \$77,625, Corporate IDEA Training costs of \$27,000, and Other Operating expenses of \$3,000), be added to the proposed 2022 Budget with the annualization amount of \$77,625 to be included as a 2023 budget pressure;

Carried

Moved By Councillor Drumm
Seconded By Mayor Mitchell

That the main motion be amended by including Items 14 and 15 as follows:

14. That Decision Item #27, Waterfront Garbage Crew, in the amount of \$101,300 be added to the proposed 2022 Budget;
15. That Decision Item #28, Summer Student Waterfront By-law Enforcement, in the amount of \$17,113 be added to the proposed 2022 Budget;

Carried

Moved By Councillor Newman
Seconded By Councillor Mulcahy

That the main motion be amended by including Item 16 as follows:

16. That Staff report back on the feasibility of implementing a voluntary contribution program for donations to be received and allocated to new reserves for the following purposes/initiatives:
 - a. Heritage;
 - b. Accessibility, Culture, Inclusion, Diversity, Equity, and Anti-Racism; and
 - c. Sustainability/Climate Change

Carried

Moved By Councillor Yamada
Seconded By Councillor Shahid

That the main motion be amended by including Item 17 as follows:

17. That Decision Item #38, the Thickson Road Placemaking project, in the amount of \$150,000, be included in the proposed 2022 budget funded from the One Time Reserve Fund.

Carried

Moved By Councillor Yamada
Seconded By Councillor Shahid

That Council recess for 5 minutes.

Carried

Council recessed at 8:10 p.m. and reconvened at 8:15 p.m. Chair Lee called the meeting back to order at 8:17 p.m.

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

Resolution # 44-22

Moved By Councillor Shahid

Seconded By Councillor Mulcahy

1. That the 2022 Operating Budget be approved at a net Town tax levy increase of \$2,360,647 (to a total tax levy of \$109,090,787 inclusive of assessment growth) representing a 2.2% average residential increase to the Town levy or estimated 0.8% increase to the overall Whitby residential tax bill;
2. That the Town's 2022 operating budget, in the gross expense budget amount of \$153,332,943 inclusive of the Operating Budget Decision Items as shown in Attachment 4 be approved and funded from the sources identified in Table 2 of report FS 16-22 and budget amendments;
3. That the proposed user fee increases and new fees as identified in Attachment 3 of report FS 16-22 be approved;
4. That the Community Services Department fees listed in schedules F, G, J, L, O, and Q of the Fees and Charges By-law remain in effect until the fees are subsequently revised;
5. 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 FS 16-22;
6. That the 2022 Capital Budget, in the gross capital budget amount of \$71,916,138 inclusive of the Capital Budget Decision Items as shown in Attachment 5 be approved and funded from the sources identified in Table 3 of report FS 16-22 and budget amendments;
7. That the Treasurer's update of the Town's projected debt servicing charges as it impacts the Town's Annual Repayment Limit for all previously approved debentures and the proposed debentures, outlined in Staff Report FS 16-22, be received;
8. That the 2022 White Bridge capital project (40206111) and the Mid Arterial Roadway (from Ashburn to Garden St Ext) capital project (40226020) be funded from debentures, in the amounts of \$1,500,000 and \$9,344,925 respectively, to be

- issued through the Region of Durham, following substantial completion;
9. That in accordance with s.s. 5(1) of the Development Charges Act, and S.5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity provided by any of the capital projects will be paid for by future development charges;
 10. That any donations, grants or subsidies applied in the 2022 capital program to projects with development charges funding are to offset the non-growth related costs of those projects;
 11. That the transfers to and from reserves and reserve funds as identified in Attachment 6 of report FS 16-22 be approved;
 12. That the 2023 to 2031 capital forecast in the amount of \$1,317,829,565 be received for information and subject to future annual reviews as part of the capital budget process;
 13. That Decision Item #24, Corporate IDEA Specialist, in the amount of \$107,625, (representing half the year in compensation costs of \$77,625, Corporate IDEA Training costs of \$27,000, and Other Operating expenses of \$3,000), be added to the proposed 2022 Budget with the annualization amount of \$77,625 to be included as a 2023 budget pressure;
 14. That Decision Item #27, Waterfront Garbage Crew, in the amount of \$101,300 be added to the proposed 2022 Budget;
 15. That Decision Item #28, Summer Student Waterfront By-law Enforcement, in the amount of \$17,113 be added to the proposed 2022 Budget;
 16. That Staff report back on the feasibility of implementing a voluntary contribution program for donations to be received and allocated to new reserves for the following purposes/initiatives:
 - a. Heritage;
 - b. Accessibility, Culture, Inclusion, Diversity, Equity, and Anti-Racism; and
 - c. Sustainability/Climate Change
 17. That Decision Item #38, the Thickson Road Placemaking project, in the amount of \$150,000, be included in the proposed 2022 budget funded from the One Time Reserve Fund.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Drumm	x		

Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	9	0	0

5. By-laws

- 5.1** By-law # 7855-22, being a by-law to adopt the 2022 Operating and Capital Budgets, as amended.
- 5.2** By-law # 7856-22, being a by-law to grant assistance to eligible Property Owners who are elderly residents or persons with disabilities.

Resolution # 45-22

Moved By Councillor Newman
Seconded By Councillor Drumm

That leave be granted to introduce By-law # 7855-22 and # 7856-22 and to dispense with the reading of the by-law by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

6. Adjournment

6.1 Motion to Adjourn

Moved By Councillor Mulcahy
Seconded By Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 8:35 p.m.

Christopher Harris,
Town Clerk

Don Mitchell, Mayor

Special Council Minutes
February 28, 2022 - 5:30 PM
Virtual Meeting
Whitby Town Hall

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

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
J. Long, Head of Organizational Effectiveness
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Douglas, Legislative Specialist (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

Moved By Councillor Drumm
Seconded By Councillor Newman

That Council move in-camera in accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and (f) advice that is subject to solicitor-client

Special Council Minutes
February 28, 2022 - 5:30 PM

privilege, including communications necessary for that purpose.

Carried

2. Closed Session

- 2.1** Confidential Financial Services Department, Planning and Development Department (Engineering Services), and Legal and Enforcement Services Department Report, FS 10-22
Re: Update on Proposed Purchase of 112 Colborne Street, Part Lot 30, 1st Double Range, Plan H-50032, PIN 26502-0046 (LT) from Platanos Incorporated

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

- 2.2** Confidential Legal and Enforcement Services Department Report, LS 06-22
Re: Whitby Brock Estates Inc. Ontario Land Tribunal Appeal – 423-435 Brock Street North

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

- 2.3** Confidential Financial Services Department Report, FS 07-22
Re: Proposed Disposition of Town-owned Property at Garden and Burns, Part of Lot 24, Conc. 1, being Part of PIN 26488-0153 (LT)

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

3. Rising and Reporting

- 3.1** Motion to Rise

Moved By Councillor Shahid
Seconded By Councillor Newman

That Council rise from the closed portion of the meeting.

Carried

- 3.2** Reporting Out

Special Council Minutes
February 28, 2022 - 5:30 PM

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed the proposed disposition of lands by the municipality, considered a matter that is before the Ontario Land Tribunal, and provided direction to Staff.

4. Confirmatory By-law

4.1 Confirmatory By-law

Resolution # 49-22

Moved By Councillor Mulcahy
Seconded By Councillor Shahid

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on February 28, 2022 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

5. Adjournment

5.1 Motion to Adjourn

Moved By Councillor Newman
Seconded By Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 6:51 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor

Memorandum to Council

Office of the Chief Administrative Officer
Strategic Initiatives Division



To: Mayor and Members of Council
CC: Sarah Klein, Director Strategic Initiatives
From: Jade Schofield, Project Manager - Sustainability & Climate Change
Date: March 2, 2022
File #: n/a
Subject: **Proposed Changes for the Next Edition of Ontario's Building Code**

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

This memo is to advise Council that a draft of the next edition of [Ontario's Building Code](#) (OBC) has been released and comments are being accepted until March 13, 2022. Staff have reviewed it specific to how the proposed OBC changes will impact energy performance and greenhouse gas emissions and affect the Whitby Green Standard and have prepared the following recommendations for Council's consideration.

Recommendation:

- 1) That Staff be directed to provide the comments within the memorandum from S. Klein, Director, Strategic Initiatives, dated March 2, 2022 regarding Proposed Changes for the Next Edition of Ontario's Building Code, to the Environmental Registry of Ontario regarding the changes to the Ontario Building Code pertaining to energy performance and greenhouse gas emissions
- 2) That the Clerk be directed to send correspondence to the Minister of Municipal Affairs and Housing requesting the Province to:
 - Ensure the adoption of the tiered National Building Code model immediately results in higher Energy Efficiency Requirements across all building types in comparison to the current OBC.
 - Adopt the National Building Code model that includes the tiered standards alongside a timeframe for advancement to higher tiers to ensure a pathway towards net zero emissions and energy.
 - Provide authority to municipalities to require increased performance in energy efficiency through the implementation of tiered and advancing Green Standards.

- Facilitate capacity, education and training in the implementation of the Tiered National Building Code model for municipal planning and building inspection staff, developers, and homebuilders to help build capacity in areas such as airtightness testing, building envelope design and building science.
- 3) That a copy of this correspondence and memorandum be sent to Durham Region municipalities and Ontario's Big City Mayors.

Background

The Ontario Building Code is updated approximately every five years. This code sets out the requirements for new construction, renovation, and change of use of buildings.

The Ministry of Municipal Affairs and Housing has released a proposal for the next edition of the Ontario Building Code, which includes how the Province intends to harmonize with the updated national codes expected to be released in the Fall of 2022.

It is important to note that although the final National Building Code has not been released, Provincial Governments have been provided with a final version in advance, and the draft National Building Code is publically available.

Discussion:

The draft National Building Code indicates a tiered approach for energy performance. This would mean that those with authority over the Building Code could choose to require or incentivize builders to meet one or more tiers of the Code. This is an alternate approach to the National Building Code's current prescriptive requirements. This stepped approach is important as it ensures that new development is advancing and aligning with energy efficiency and greenhouse gas reduction goals over a period of time. A stepped approach also allows municipalities to enforce Green Development Standards through the Building Code Process.

The Environmental Registry of Ontario (ERO) has posted the proposed changes to the Ontario Building Code and the Province **is not proposing a Tiered code**; instead, they are proposing to adopt:

1. Tier 3 requirements of the National Building Code for part 9 buildings.
 - Part 9 buildings are defined as three or fewer storeys in height and smaller than 600 m² in area.
 - Tier 3 for Part 9 buildings would maintain energy efficiency requirements equivalent to the current 2017 Ontario Building Code resulting in no improvements in energy efficiency requirements.
2. Tier 1 requirements of the National Building Code for part 3 buildings.
 - Part 3 buildings are classified buildings exceeding 600 m² in building area or exceeding three storeys in building height.
 - From an energy efficiency perspective, Tier 1 for part 3 buildings would be less stringent than the current 2017 Ontario Building Code and therefore reduce the required energy efficiency of larger buildings.

Whitby Green Standard

As of now, the Whitby Green Standard Tier 1 criteria indicates a minimum energy performance of 15% above the 2017 Ontario Building Code regardless of building classification. The Whitby Green Standard was developed to align with the proposed Tiered National Building Code while also aligning with surrounding municipalities that enact Green Development Standards as part of the development process.

The Province has indicated an 18-month transition to the National Building Code, meaning that by the time this comes into effect, Whitby would have advanced to version 2 of the Whitby Green Standard and will be requiring 25% increased energy efficiency above the 2017 Ontario Building Code.

This proposal would put pressure on municipalities to increase the need for minimum energy standards in Green Development Standards while continuing to prevent municipalities in having authority to enforce Green Standards through the Building Code.

Climate Change

Thirty percent of the Region's total greenhouse gas emissions come from buildings. In 2018, Durham households, businesses and other organizations paid \$2.5 billion for fuel and electricity. Electricity comprises 36%, and natural gas is 10% of these total costs (Durham Community Energy Plan, 2019).

In order to align with local, Regional, Provincial, and Federal government climate goals, a reduction in greenhouse gas emissions must take place. The proposed Tiered National Building Code offers the opportunity to outline how these greenhouse gas reductions will be achieved.

Whitby has developed a Whitby Green Standard to support the development of complete sustainable communities. Support for Green Development Standards through the Ontario Building Code will help ensure environmental, social and economic innovation. It would facilitate an advancing pathway to net zero new buildings by 2032 and allow for deep energy retrofits to take place between now and 2050 in order to achieve the climate goals for all governmental levels.

The proposed Provincial approach does not align with the Town's, the Province's or the Federal Government's Greenhouse Gas emission reduction targets.

Affordability

Households that spend more than 6% of their after-tax household income on home energy services (or roughly twice the national median) have high home energy cost burdens, and are said to be experiencing energy poverty.

According to the [Canadian Urban Sustainability Practitioners Energy Poverty and Equity Explorer](#), between 15 – 24% of Whitby households spend more than 6% of their household income on heating and electricity costs.

Advancing stronger energy efficient Building Code requirements will ensure a reduction of energy poverty pressures for owners and tenants of both new development and retrofitted buildings. Sustained funding programs should be offered to bridge the gap between standard building methods and green standard building methods for qualifying affordable housing projects.

Studies show that energy efficient buildings have a quick payback meaning that the increased cost to build or retrofit an energy efficient home will result in offsetting energy savings over a number of years. It is more cost effective to build energy efficient homes new than completing deep energy retrofits on existing buildings. However, all buildings need to be upgraded to meet energy and climate pressures and by not advancing energy efficiency standards in the Building Code, this will add future energy and retrofit costs onto taxpayers in the future.

The Town recognizes the housing affordability crisis and by not increasing energy efficiency improvements, one of the root issues of operational affordability for homeowners will not be addressed.

Memorandum to Council

Planning and Development Department
Engineering Services



To: Mayor and Members of Council
CC: Roger Saunders, Commissioner, Planning and Development
From: Peter Angelo,
Director of Engineering Services,
Planning and Development
Date: February 18, 2022
File #: SW-2019-01 Madison Development
Subject: **Madison Development – Ministry of Transportation (MTO) Comments**

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

As requested by the Committee of the Whole on February 14, 2022, the following memo provides additional information regarding the Stormwater Management (SWM) Outfall related to the Madison Subdivision Development.

The Madison Development is located at the northeast corner of Baldwin Street South and Highway 407 East, abutting Lynde Creek Valley, along the east development limits. The Draft Plan for this development was approved at the June 22nd, 2020 Council Meeting.

The proposed SWM design for the Madison Development has been based on the conveyance of major and minor flows towards the existing MTO ditch, on the north side of the Highway 407 corridor, and matches existing pre-development conditions.

Through their review process, MTO has indicated they were not supportive of a storm outlet through their corridor and within the required 14.0 m setback. Accordingly, three (3) alternative outlet solutions were developed and reviewed with Central Lake Ontario Conservation Authority (CLOCA) and Town Staff and there was general consensus to proceed with a preferred alternative which involves the least impact to the valley lands coupled with reasonable maintenance requirements for the Town in the long term (see Attachment No. 1, Option No. 1). Madison has additionally consulted with both CLOCA and the Ministry of the Environment, Conservation and Parks (MECP) regarding the alternative outlet to gather input on the environmental considerations associated with the revised design, and to discuss the required permitting. MTO has also indicated support for the preferred alternative outlet through the valley lands.

SW-2019-01 Memorandum to Council, Madison Development – MTO Comments dated February 17, 2022

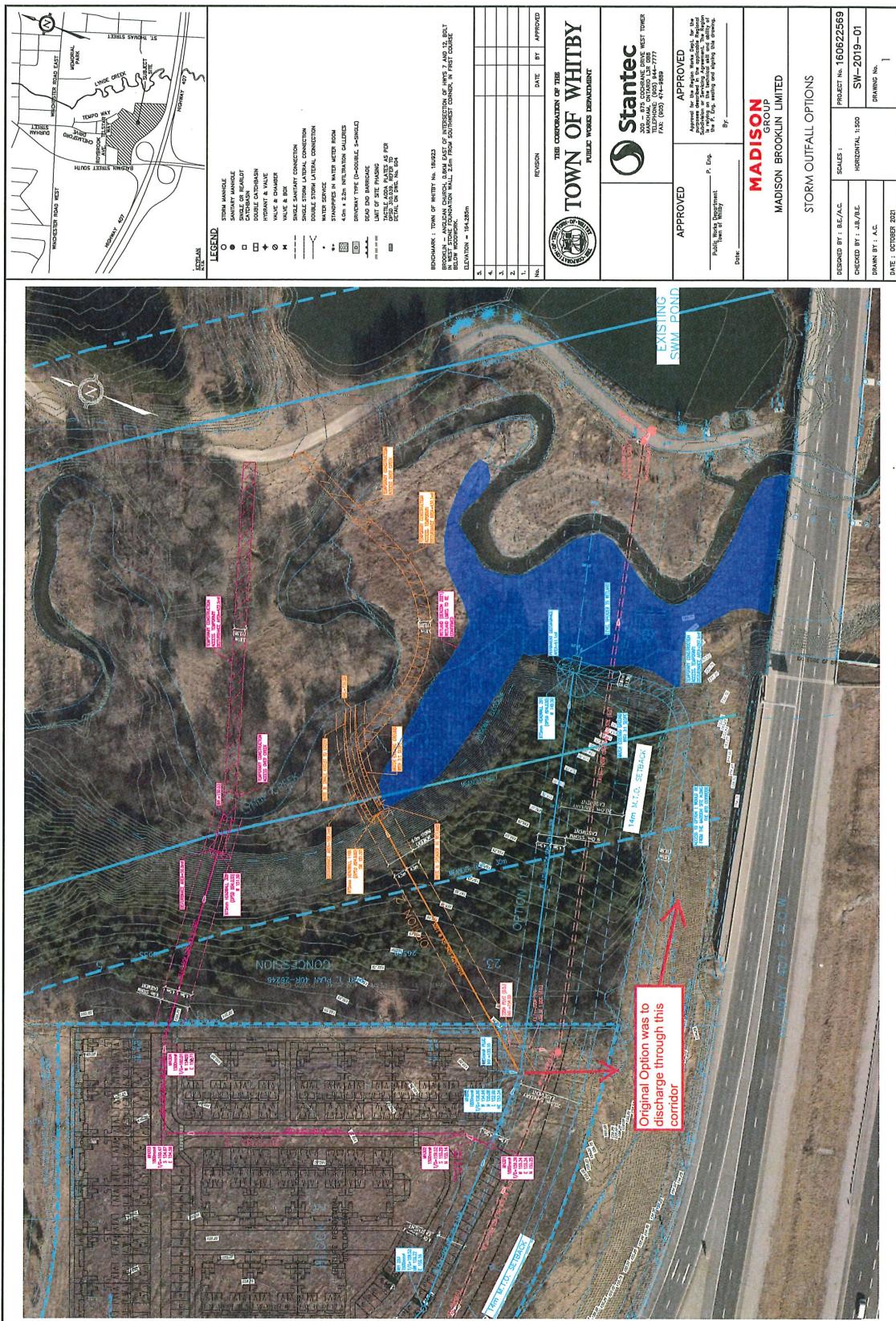
Town Staff are in support of the modified outlet location which is consistent with the MTO approach for the development stormwater design, and Madison and Town Staff are confident that the alternative outlet location, directly into the Lynde Creek Valley, will be approved by MTO.

Attachment 1 – Option1_Stm_Figure_Madison_Brooklin.pdf

Page **2** of **2**

Z:\Council Reports - Public Works\Council Reports\Council Memos\2022\Madison Development\2022 02 18 Memo to Mayor and Council re Madison Development (SM).docx

Agenda Item # 6.1



Memorandum to Council

Planning and Development Department



To: Mayor Mitchell and Members of Council
CC: Matthew Gaskell, CAO
Roger Saunders, Commissioner, Planning
and Development

From: Peter Angelo, Director of Engineering
Date: February 25, 2022
File #: N/A
Subject: Report PDE 07-22 Stormwater
Management Review - Dryden Culvert

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

As requested by the Committee of the Whole on February 14, 2022, the following memo provides additional information regarding the Anderson Street culvert.

The Anderson culvert is part of the Pringle Creek conveyance system and is located on Anderson Street, north of Darren Avenue. The precise age of the culvert remains undetermined, however based on municipal records it is believed to have been constructed circa 1985.

The 2021 Bridge and Culvert Master Study assessed the hydraulic capacity of the culvert and determined that the culvert is not able to convey its intended 50 year design flow (**control flow**). The study rated this culvert as the **highest risk** culvert and recommended upsizing within the next five to ten years. (See Attachment #1 -table 9-5 and ES-1-1) Accordingly, the improvement work is reflected in the Town's capital planning forecast in year 2024.

There was also a question regarding the number of structures in the Town (i.e. culverts and bridges). Based on Town's Asset Management inventory, there are 24 bridges, 32 structural culverts and 154 cross culverts owned by the Town.

Agenda Item # 6.4

Attachment 1:

Table 9-5. Design Alternative Evaluation for Regulated Crossings.

Asset Number	Existing Crossing	Alternative	Description	Technical			Archaeological and Cultural Heritage	Socio - Economic		Natural Environment	Cost Capital Costs
				Meets Design Standards	Constructability	Approvals and Consents required		Flood Risk	Property Impacts / Acquisition		
CU360001 Anderson Street Pringle Creek	3300 mm x 2000 mm diameter circular CSP arch culvert.	Alt. A	Triple 1800mm diameter circular CSP culverts.	Flood Depth: No Freeboard: No Check Flow: No	Significantly widens cross-section; Channel works required.	Approvals from: CLOCA and DFO.	Archaeological potential: Stage 1 AA required. No built heritage sites present.	Small improvement in flood risk compared to existing.	Widening cross-section should not impact private property	Tree clearing required within road ROW and floodplain.	Instream channel works required. Reduction in culvert span may impede fish passage
		Alt. B	Twin 5100mm x 1800mm concrete box culverts.	Flood Depth: No Freeboard: No Check Flow: No	Similar constructability as Alt. A	Same approvals as Alt. A	Similar impacts to Alt. A	Conveys the design and check flow safely over the road without reducing flood risk.	Similar property impacts as Alt. A	Similar impacts as Alt. A	Larger span structure provides opportunity to improve drainage and habitat.
		Alt. C	Raise Road 0.5 m and install twin 4000 mm x 1800 mm concrete box culverts.	Flood Depth: Yes Freeboard: No Check Flow: No	Similar constructability as Alt. A plus raising the road will impact side roads and driveways.	Same approvals as Alt. A	Similar impacts to Alt. A	Reduces flood risk to road users during design flow but increases flood risk to upstream properties during the design, check and regulatory flows.	Potential property impacts due to raising the road.	Additional tree clearing required to raise road.	Raising the road increases flow through the culverts leading to higher flow velocity. May impede fish passage. Will require mitigation measures.
CU480017 / AC21 Conlin Road Pringle Creek	3 x Twin 1050 mm diameter circular CSP culvert (7 barrels total).	Alt. A	Add 1050 mm diameter circular CSP culvert (7 barrels total).	Flood Depth: No Freeboard: No Check Flow: No	Installation of a third barrel will require road works.	Approvals required from: CLOCA and DFO.	Archaeological potential: Stage 1 AA required. No built heritage sites present.	Limited reduction in flood risk.	No anticipated property impacts	Limited tree clearing.	Existing culvert is likely a barrier to fish passage. No changes from existing conditions.
		Alt. B	Replace CU480017 with Twin 3500 mm x 1000 mm concrete box culverts and maintain AC20 and AC21.	Flood Depth: Yes Freeboard: Yes Check Flow: Yes	Total crossing width = 7 m. Significant widening of cross-section. Channel works required.	Same approvals as Alt. A	Similar impacts to Alt. A	Reduces flood risk to road users and meets design standards.	Channel works on private property may be required to accommodate structure.	Downstream tree-clearing required to construct culvert.	Opportunity to improve fish passage at the crossing.
CU_A07_01 Ashburn Road Ashburn Creek	5500 mm x 3500 mm circular CSP arch culvert.	Alt. A	Single 6000 mm span x 3600 mm rise concrete box culvert.	Flood Depth: No Freeboard: No Check Flow: No	Road reconstruction required.	Approvals required from: CLOCA, MNRF (S4R) and DFO.	Archaeological potential: Stage 1 AA required. No built heritage sites present.	Does not reduce flood risk.	Upstream construction extends into private property.	Tree removal required.	Redeem lots have been identified in Ashburn Creek. Opportunity to improve fish passage and habitat.
		Alt. B	Twin 3600 mm span x 3600 mm rise concrete box culverts.	Flood Depth: Yes Freeboard: Yes Check Flow: No	Similar constructability as Alt. A plus widening cross-section.	Same approvals as Alt. A	Similar impacts to Alt. A	Reduces flood risk for design flow but not check flow.	Similar property impacts as Alt. A	Similar impacts as Alt. A	Similar opportunity as Alt. A.
		Alt. C	Twin 4800 mm span x 3600 mm rise concrete box culverts.	Flood Depth: Yes Freeboard: Yes Check Flow: Yes	Similar constructability as Alt. B with larger widening.	Same approvals as Alt. A	Similar impacts to Alt. A	Significantly reduces flood risk and meets design standards.	Similar property impacts as Alt. A	Similar impacts as Alt. A	Similar opportunity as Alt. A.
		Alt. D	Replace with a 10 m span bridge.	Flood Depth: Yes Freeboard: Yes Check Flow: Yes	Additional design requirements for bridge.	Same approvals as Alt. A	Similar impacts to Alt. A	Similar flood risk reduction as Alt. C.	Similar property impacts as Alt. A	Similar impacts as Alt. A	Single span bridge provides greatest opportunity for Redside Dace passage and habitat.

Preferred

Preferred

Preferred

Table ES-1-1. Preferred Alternatives for the Highest Risk Crossings.

Priority	Facility ID	Road Name	Existing Culvert / Bridge	Preferred Alternative	Capital Cost	EA Schedule
Within 2 years	CU610022	Columbus Road West	800 mm diameter circular CSP culvert	Twin 900 mm diameter circular CSP culverts.	\$190,000	Schedule B
	CU720007	Columbus Road West	1050 mm diameter circular CSP culvert	Twin 1100 mm diameter circular CSP culverts	\$220,000	Schedule B
2 to 5 years	CU_A07_01	Ashburn Road	5500 mm span x 3500 mm rise arch CSP culvert	Replace with a 10 m span bridge.	\$1,740,000	Schedule B
	CU640016	Columbus Road West	500 mm diameter Circular CSP culvert	Triple 1200 mm diameter circular CSP culverts	\$220,000	Schedule B
5 to 10 years	CU360001	Anderson Street	3300 mm span x 2000 mm rise CSP culvert	Twin 5100mm x 1800mm concrete box culverts.	\$1,940,000	Schedule B
10 to 20 years	CU480010	Garrard Road	600 mm diameter circular CSP culvert	Raise intersection 300 mm and install twin 1200 mm diameter circular CSP culverts	\$210,000	Schedule B
	CU480013	Garrard Road	400 mm diameter circular CSP culvert	Raise intersection 300 mm and install triple 1030 mm span x 740 mm rise CSP arch culverts	\$200,000	Schedule B
	CU480017, AC20 & AC21	Conlin Road	CU480017; Twin 1050 mm diameter circular CSP culverts	Replace CU480017 with twin 3600 mm x 1000 mm concrete box culverts.	\$980,000	Schedule B
			AC20: Twin 1050 mm diameter circular CSP culverts	Maintain existing AC20 relief culverts.		No proposed works at AC20.
			AC21: Twin 1050 mm diameter circular CSP culvert	Maintain existing AC21 relief culverts.		No proposed works at AC20.
To be Determined	CU_B04_04	Anderson Street	3080 mm span x 1510 mm rise concrete box culvert	The downstream Rossland Road East crossing is undersized and back floods the Anderson Street culvert. The Town should consult with the Region of Durham to determine opportunities to upsize the Rossland Road East crossing before developing design alternatives for the Anderson Street culvert.	Separate Schedule B EA required following further consultation with Region.	
	CU_D01_03	Watson Street West	Twin 1800 mm span x 1200 mm rise concrete box culvert	Adding two 1800 mm span x 1200 mm rise concrete box culverts (total of four box culverts) prevents the road overtopping for the design flow. The Rowe Channel will need to be widened to accommodate the culverts which requires property acquisition and relocation of two storm sewer outfalls The Town needs to complete detailed investigations to determine the feasibility of widening the Rowe Channel considering the existing site constraints.	Separate Schedule B EA required following completion of additional site specific investigations.	

Memorandum to Council

Planning and Development Department



To: Mayor and Members of Council
CC: M. Gaskell, CAO
C. Harris, Town Clerk
D. Speed, Fire Chief
From: Roger Saunders, MCIP, RPP
Commissioner, Planning and Development
Date: February 22, 2022
File #: N/A
Subject: 850 Taunton Road East, Access Road

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

Further to the direction by Committee of the Whole on February 14, 2022, the following memo provides information on the existing emergency access between Taunton Road East and Thistledown Crescent and consideration of the emergency access being upgraded to a municipal road, as previously decided by Council in April 2019.

To assist in this regard, the April 11, 2019 memo addressing the same issues is included herewith as Attachment #1. At that time, a number of options were considered to provide access to the proposed development at 850 Taunton Road East, including the following:

- Open the emergency access as a full municipal road;
- Provide an easement over the existing emergency access for 850 Taunton Rd E to use as a private driveway;
- Change emergency access to a full municipal road, with a cul-de-sac;
- Do not allow use of the emergency access (Town right-of-way) for access to 850 Taunton Rd E;
- Move the access to 850 Taunton Rd E to the west property line, to line up with Tom Edwards Drive.

At that time, the option to **open the emergency access to a full municipal road** was proposed as the preferred solution by both staff and the proponent, for the reasons outlined in the April 2019 memo. In particular, it was identified that the municipal road would:

- Provide the proposed development with access to the full movements signalized intersection at Garrard Rd and Taunton Rd E;
- Provide connection to Taunton Rd E for existing subdivision residents;
- Proponent would be responsible for costs to upgrade to a full municipal road; and,
- Town would be responsible for snow removal and maintenance of the new road.

It is also noted that this position was not dependent upon the development to the east (Lakeridge Heights Retirement Residence) connecting to the new municipal road. At the time, Lakeridge was of the opinion that they did not require such additional access and the Town was not going to require them to connect, nor to contribute to the cost of the new road construction. However, should they wish to connect sometime in the future, that option would remain open to them.

With regard to the option to **provide an easement over the existing emergency access for 850 Taunton Rd E to use as a private driveway**, it was noted that:

- The connection to Thistledown Cres would remain closed;
- The development at 850 Taunton Rd E would be limited to right-in/right-out access only to Taunton Rd E;
- The proponent would be responsible for maintaining the emergency access, including snow removal; and,
- The restriction of access to right-in/right-out only would result in an increased potential of U-turns, which would increase the risk of collision on Taunton Rd E.

The other three options were not considered to be viable solutions, so will not be addressed further herein.

At the COW meeting on February 14, 2022 there was some discussion of the emergency response times for the above access options for 850 Taunton Rd E. In response, WEFS has reviewed the situation and determined the following:

- Fire response would be from Fire Hall 5 (111 McKinney Dr), including the Platoon Chief Command vehicle, the Rescue truck and the Aerial truck, regardless of the access option implemented;
- Response time **with** the municipal road in place is **6 minutes**. The route would entail travel along Taunton Rd eastward to Garrard Rd, turning northbound on

Garrard Rd to Birchpark Dr, then southbound on Thistledown Cres to 850 Taunton Rd E;

- Response time **without** the municipal road in place is **8 minutes**. The route would entail travel along Taunton Rd eastward to Thickson Rd, south on Thickson to Dryden Blvd, east on Dryden to Garrard Rd, north on Garrard to Taunton Rd, and east to the emergency access/private driveway.
- Fire's response time is therefore **2 minutes** longer without the municipal road in place.

At the COW meeting of February 14, 2022 there was also discussion of other actions that may be undertaken to address concerns of the area residents as the development at 850 Taunton Rd E proceeds, including:

- i. Consulting with residents on the development of the construction management plan, including preventing access to Thistledown Cres for the duration of construction, save and except for emergency services;
- ii. Developing a traffic calming plan for the new municipal road and west leg of Thistledown Cres, including speed humps, radar message boards and a raised platform;
- iii. Implementing a monitoring program to obtain traffic data on speed, volumes and other metrics, and report back in one year;
- iv. Co-ordinate with the Region to increase speed of light changes at Garrard and Taunton; and,
- v. Review installation of a no exit sign at the entrance of Birchpark Dr at Garrard Rd.

Certain of the above items may be undertaken in whole or in part, regardless of the access option that is ultimately decided upon by Council, including Items i (in-part), iv and v.

Item i, ii, iii will be addressed more fully should Council resolve to maintain the current approval status for the existing emergency access to be upgraded to a full municipal road standard. However, to assist with Council's consideration of this matter at this time, staff have prepared a preliminary plan to illustrate Potential Traffic Calming Elements (refer to Attachment #2), including the following:

- A speed hump within the new road segment, south of the proposed entrance to the new apartment building;
- A raised crosswalk at the approximate location of the existing terminus of the emergency access;

- Radar speed feedback signs (both ways) in the approximate mid-point of the west leg of Thistledown Cres;
- A radar data collection device on the west leg of Thistledown Cres; and,
- No exit signage at the intersection of Birchpark Dr and Garrard Rd.

Finally, as was noted at the COW meeting of February 14, 2022, Site Plan Approval was granted to 2349500 Ontario Inc. (850 Taunton Rd E) on October 30, 2019, subject to conditions, including the following:

16. That the proponent apply for a Road Occupancy Permit from the Engineering Section of the Public Works Department for any work within the emergency access right of way which will be constructed as a municipal road; and,
17. That the proponent apply for a Site Service and Access Permit from the Engineering Section of the Public Works Department for the use of the future municipal road to access the site for demolition and construction.

Should Council resolve to change the above conditions to no longer require the developer to upgrade the emergency access to a municipal road standard, then the developer of 850 Taunton Rd E will have the ability to appeal that decision to the Ontario Land Tribunal (OLT).

Attachment #1



Memorandum to Council

Planning and Development Department

To: Mayor and Members of Council
CC: Chief Administrative Officer
Manager of Corporate Communications
Town Clerk
From: Roger Saunders, Commissioner of
Planning and Development
Date: April 11, 2019
File #: DEV-13-18 (Z-24-18)
Subject: Report PL 35-19 for 2349500 Ontario Inc.
850 Taunton Road East

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

Further to the direction by the Committee of the Whole on April 1, 2019, the following memo provides additional information regarding parking, the stacked parking system, and traffic impacts.

Parking

The proposed development of 57 apartment units requires 85 parking spaces in total. The parking rate required under Zoning By-law 1784, as amended, is 1.25 parking spaces per apartment unit for residents (71 parking spaces required) and a rate of 0.25 per unit for visitors (14 visitor parking spaces required).

The applicant is proposing 77 parking spaces, which is deficient by 8 parking spaces. The proposed plan is deficient 2 residential parking spaces and 6 visitor parking spaces.

The proponent's geotechnical consultant has advised that underground parking is not feasible due to existing high water table conditions.

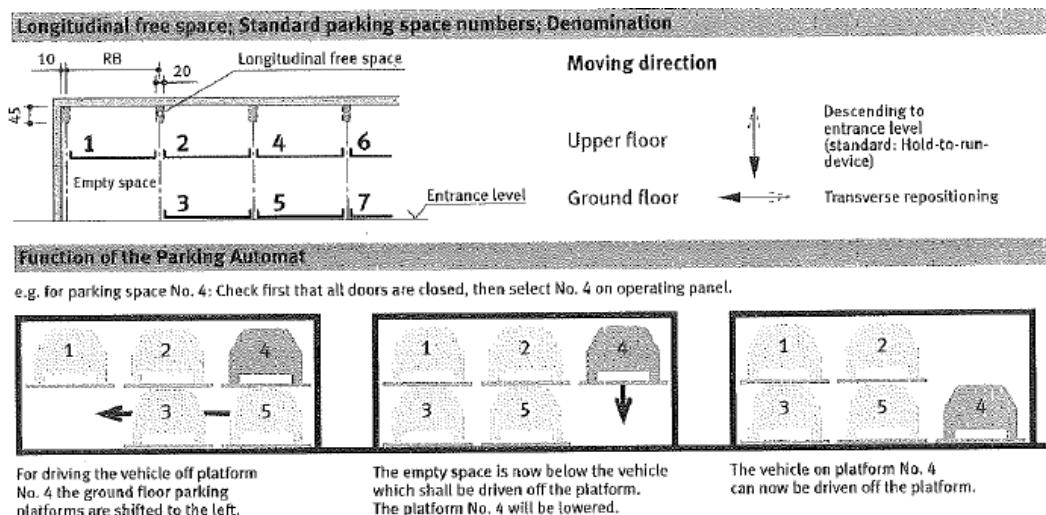
The proponent's Planning Rationale notes that the proposed development is able to take advantage of the existing transit system. The proponent's Traffic Impact Study states that the reduced parking would be adequate for the proposed development.

The Public Works Department has requested information to be submitted with the Traffic Impact Study to justify the rationale for the reduction in parking.

Stacked Parking System

The proponent has proposed an automated stacked parking system, identified as the Klaus Multi-Parking Trend Vario 4200.

The manufacturer's description of the product states that the upper level of the system moves vertically to lift the vehicles up and down, while the lower level of the system moves the vehicles horizontally to allow the upper level vehicles to be lowered and removed. One space on the lower level will remain empty at all times to allow the system to shuffle vehicles in order to access the second level. Please refer to the image below and the video links [here](#), [here](#) and [here](#):



The manufacturer's information states that the system includes safety features. Regular maintenance involves visual inspections and the use of diagnostic equipment.

The proponent's Planning Rationale states that while stacked parking is new to Whitby, it has been used in other jurisdictions including the City of Toronto.

Options for Access

Several options for access to the development have been explored by the proponent and reviewed by the Whitby Public Works Department and the Region of Durham, including:

- **Open the Emergency Access as full municipal road** to provide the proposed development with access to the full movements signalized intersection at Garrard Road and Taunton Road East. This option would also provide a connection to Taunton Road for the existing subdivision residents. The proponent would be responsible for costs to upgrade the Emergency Access to a full municipal road. The Town would dedicate this new road as a municipal right-of-way and the Town would be responsible for snow removal and maintenance of the new road. This is the option recommended by the proponent and supported by Town staff.

It is also important to note that the need to protect the emergency access as a full municipal roadway with access connections to Thistledown Crescent and to Taunton Road was a condition of the adjacent approved development (All Seniors Care) to the east of the subject site.

- **Easement over Emergency Access** to use the access as a private driveway. Under this option the connection to Thistledown Crescent would remain closed and the proposed development would be limited to right-in/right-out access only to Taunton Road. The proponent would be responsible for maintaining the emergency access including snow removal. This option would not require any changes to the site design. The restriction of access to right-in/right-out only would result in an increased potential of U-turns, which would increase the risk of collision on Taunton Road. The proponent would be required to construct a sidewalk (which may be temporary) and would be responsible for full maintenance. The proponent would still be responsible for upgrading (at least 50%) the road (including a sidewalk) to a full municipal road in the future when implemented.
- **Change Emergency Access to a full municipal road with a cul-de-sac** with no connection to Thistledown Crescent, except to maintain the Emergency Access connection. This option would severely impact development on this property due to the amount of land needed to construct a cul-de-sac to acceptable municipal standards. This option would limit the development to right-in/right-out only to Taunton, which would increase the risk of U-turns and collisions on Taunton Road.

This option would also significantly increase Town resource requirements for winter maintenance compared to a through connection due to the nature of a cul-de-sac and to maintain emergency access at the end of the cul-de-sac. This option also does not conform to the conditions that have previously been agreed to by the Town for the provision of an ultimate roadway. The removal of the cul-de-sac would be at the sole costs of this proponent.

- **No use of Emergency Access.** Under this option the proponent would need to construct a right-in/right-out driveway access directly to Taunton Road. This option impacts the site design by locating the building closer to the existing houses to the north to accommodate a driveway in front of the building. This option also increases the risk of U-turns and collisions on Taunton Road. The direct access to Taunton Road would also increase potential conflict with the Emergency Access should it be opened as a municipal road in future or be required to access the approved development to the east. The proponent would still be responsible for upgrading (at least 50%) the road to a full municipal road in the future when implemented, should an access be required.
- **Access moved to land west of the property to line up with Tom Edwards Drive** and install traffic signals. This option would involve removal/relocation of the existing stormwater pond on the Town's property adjacent to the development and would impact the environmentally sensitive area. The Region

has previously advised that traffic signals at Tom Edwards Drive does not meet their intersection spacing requirements, but that they would consider this option. This option is not considered practical due to the relocation requirements of a stormwater pond.

It should be noted that as part of the approval for the development to the east (All Seniors Care Living Centres Ltd. – 5 storey retirement home and senior's apartment building) the Public Works Department supported the development on the condition that if the Garrard Road access had to be restricted due to operational, maintenance or safety concerns, that a second access to the site would be provided via a full municipal road (such as Thistledown Crescent) or the future municipal road on the Emergency Access.

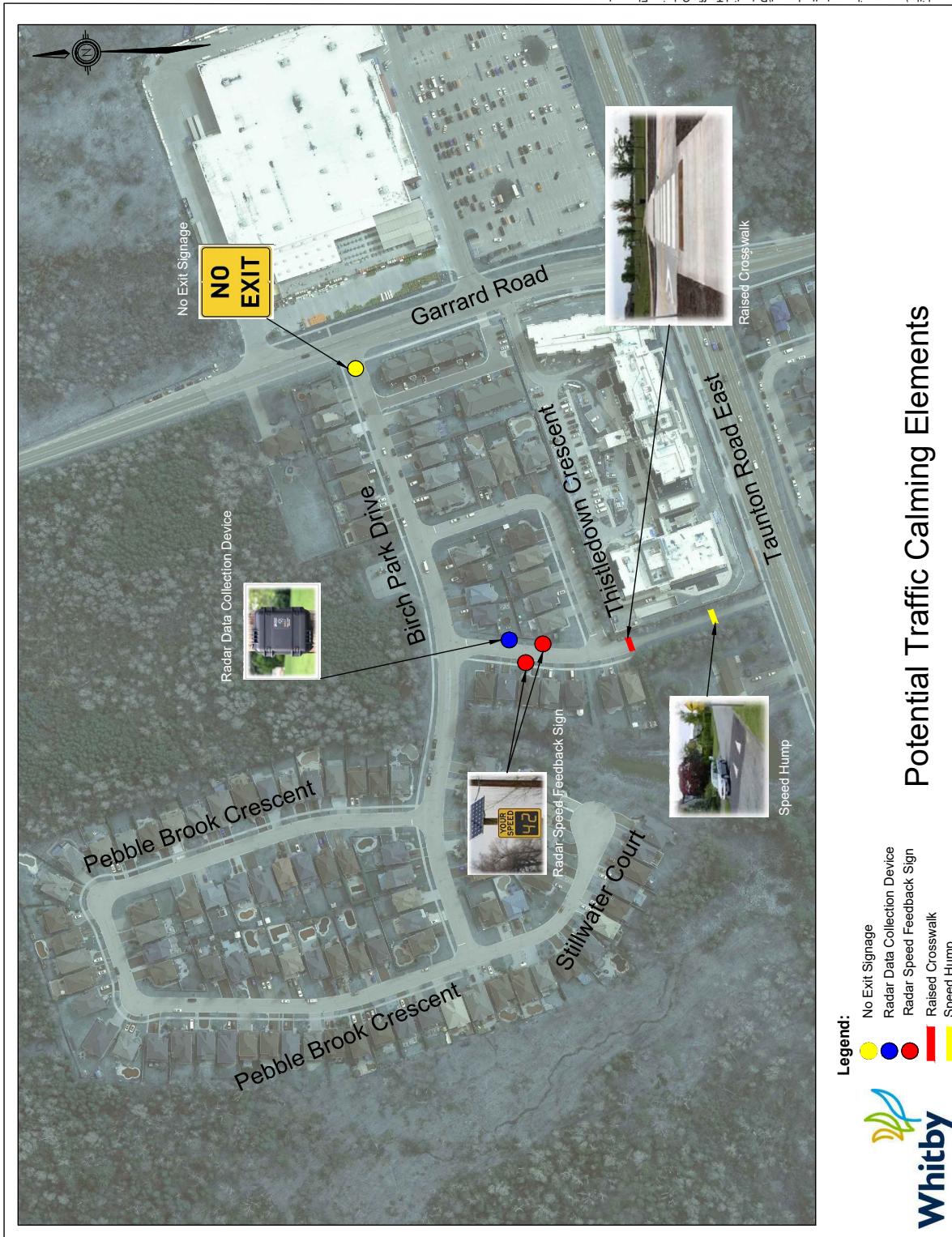
Whitby Fire and Emergency Services has reviewed the above options and advises that the only option that they can support is for the Emergency Access to be upgraded to a full municipal road.

Traffic Impacts

According to the proponent's Traffic Impact Study, the estimated number of trips expected to be generated by the 57 units are 12 trips during the a.m. peak period and 19 trips during the p.m. peak period. In addition to the proposed development, it is expected that existing residents in the subdivision will use the new municipal road for access to Taunton Road, when destined to the west. The daily volumes are still expected to be low and within what would be expected for a local road. Given the area network no shortcircuiting along the new municipal road (i.e. non-residents driving from Garrard Road to Taunton Road) is anticipated.

The new municipal road would provide connectivity to the residents, and improved safety (i.e. no U-turns).

Attachment #2



Committee of the Whole Minutes
February 14, 2022 - 7:00 PM
Virtual Meeting

Present:	Mayor Mitchell (Participating Electronically) Councillor Drumm (Participating Electronically) Councillor Leahy (Participating Electronically) Councillor Lee (Participating Electronically) Councillor Mulcahy (Participating Electronically) Councillor Newman Councillor Roy (Participating Electronically) 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 H. Ellis, Executive Advisor to the Mayor 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 Billy Tung representing Madison Brooklin Developments Limited

Re: Planning and Development (Planning Services) Department Report, PDP 10-22

Site Plan Application, Madison Brooklin, Southeast Corner of Roybrook Avenue and Chelmsford Drive, File Number: DEV-28-20 (SP-16-20)

Refer to Item 4.1, PDP 10-22

Billy Tung, representing Madison Brooklin Developments Limited, advised that he and his client had read and were in support of the Staff recommendation, and that he was available to answer questions.

A brief question and answer period ensued between Members of Committee and Mr. Tung regarding the details preventing the project from achieving Tier 2 of the Whitby Green Standard.

It was the consensus of the Committee to hear Item 4.1, PL 10-22, at this time.

2.2 George Gadanidas

Re: Planning and Development (Engineering Services)

Department Report PDE 07-22

Stormwater Management Review - Dryden Culvert

Refer to Item 4.4, PDE 07-22

George Gadanidas, 3540 Anderson Street, provided a PowerPoint presentation in response to the Stormwater Management Review - Dryden Culvert. Highlights of the presentation included:

- the discrepancies in the information provided in the 2021 Bridge and Culvert Study versus the Study appendix about the risk of failure of the culvert design, and the differences between the 2006

Ministry of Transportation Design Standards versus the 2021 Bridge and Culvert Study with respect to design standards for culverts greater than 6 metres and the regulatory flow for regulated water courses such as Pringle Creek;

- a request for the consultant's data and calculations used to determine zero risk of the Dryden Boulevard culvert failing and the refusal to share the information;
- the consultant's finding that there was no evidence of the Dryden Culvert having any blockage issues;
- the likelihood of tree limbs breaking and flowing into the culvert during a large storm event due to the location of the culvert being in the most densely wooded area in Pringle Creek, a large willow tree leaning at a 45 degree angle right at the entrance of the culvert, and large trees lying on the ground in proximity to the culvert;
- the lack of a response to the inquiry about the effect of Pringle Creek overtopping Dryden Boulevard, the incorrect information provided about the probability of one, two or all three ponds failing, and fixing damage to Dryden Boulevard following a storm not being a solution to a flooding problem;
- the appropriate upgrade to the Dryden Culvert to a single opening of 2.8 metres by 10 metres as noted in the 2018 Pringle Creek Master Drainage Plan; and,
- the responsibility of the Town to upgrade the Dryden Boulevard culvert at the same time as the Anderson Street culvert due to the two culverts working together.

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

- the locations of the ponds referenced in the presentation;
- details about the questions that were not answered by Town Staff; and,
- the amount of time spent consulting with Town Staff during the past week.

It was the consensus of the Committee to hear Item 4.4, PDE 07-22, at this time.

2.3 Terry Rudkins

Re: Thistledown Crescent Emergency Access Review

Refer to Item 5.2, Thistledown Crescent Emergency Access Review

Terry Rudkins, 4 Thistledown Crescent, stated that he resides at the northwest corner of Taunton Road and Garrard Road where the retirement home was being constructed. He advised that he was opposed to the proposal that the emergency access to his neighbourhood from Taunton Road to be turned into a street or road. Mr. Rudkins advised that he was not opposed to development or having his neighbourhood changed in a way that would be good for the Town, but that he was unable to find any benefit in turning the emergency access into a road. He stated the neighbourhood consists of a couple of crescents with one entrance onto Garrard Road. Mr. Rudkins noted that should the road be constructed it would only give access to his neighbourhood to the residents of the new apartment building, and that they would already have right-in/right-out access to and from the apartment complex via Taunton Road with quick access to Thickson Road allowing them to access Highway 401 or to travel north to Highway 407. He stated that access to his neighbourhood was of no benefit to the future residents. He advised that the neighbourhood was surrounded by conservation area that could not be developed, that a new road would not improve safety for the existing residents, and that the new road would not benefit anyone else in Whitby. Mr. Rudkins advised that his neighbourhood already has access in and out of the neighbourhood via Garrard Road. He stated that he and many residents in the neighbourhood contacted the Town and inquired about whether the emergency access would ever be turned into a road prior to purchasing their homes and were informed that it was only designed to be an emergency access. He advised that the residents purchased their homes believing that they would reside in a fairly isolated area. Mr. Rudkins stated that the new road would dramatically change the neighbourhood that they previously bought into. He stated that he was hopeful that any changes in Whitby would always benefit the majority, but that the new road would only benefit the owner of 850 Taunton Road East noting that the owner would be able to sell or rent the condos/apartments without a problem due to their location along a major thoroughfare.

A question and answer period ensued between Members of

Committee and Mr. Rudkins regarding:

- clarification about whether Town Staff or the builder advised the residents purchasing their properties that there would only be an emergency access and not a road;
- the circumstances that precipitated residents to delegate at the meeting; and,
- whether discussions have taken place about measures that could be put in place to alleviate the concerns of the community should the road be constructed.

2.4 Paul Hoffmann

Re: Thistledown Crescent Emergency Access Review

Refer to Item 5.2, Thistledown Crescent Emergency Access Review

Paul Hoffmann, 17 Thistledown Crescent, stated that he was opposed to the proposed road connecting Taunton Road and Thistledown Crescent and opening it to vehicular traffic as a throughway. He advised that his property was located on a quiet crescent where children could play safely. Mr. Hoffmann raised concerns about the impact of the proposed through road on the safety of children in the area due to the increase in the number of vehicles passing through the neighbourhood. He stated that the subdivision has been used as a shortcut for vehicles that wish to bypass the lengthy red light at the intersection of Taunton Road and Garrard Road. He stated that he has repeatedly witnessed vehicles entering the subdivision just to turn around and travel back to Garrard Road, noting that there was not a no exit sign posted at the entrance to the subdivision. Mr. Hoffmann stated that the intersection of Taunton Road and Garrard Road does not have a turning lane southbound to travel westbound at Taunton Road and that should one vehicle travel south on Garrard Road every vehicle turning right on Taunton Road has to wait for the duration of the southbound red light which occurs on a regular basis. He advised that opening the emergency access to right-in/right-out traffic from Taunton Road, enables Birchpark Drive, and Thistledown Crescent to become a convenient short cut. Mr. Hoffmann stated that the current construction taking place at Garrard Road and Conlin Road has already and would continue to increase the amount of tractor trailer traffic travelling in the area. He

advised that the construction of the apartment building adjacent to the proposed road would not only increase the amount of traffic in the subdivision, but would result in on-street parking on the proposed road and on Thistledown Crescent. Mr. Hoffman stated that over the past few years residents in the area have dealt with the construction of a six-floor retirement building right in front of their bedroom windows. He noted that the construction workers parked their vehicles up and down Thistledown Crescent which has created difficulty in accessing/exiting his driveway. Mr. Hoffman stated that parking would become an issue during and after construction at 850 Taunton Road East. He advised that when he purchased his property he was led to believe that the emergency access would always be left as such and that it was an emergency access only and was required by Fire and Emergency Services allowing two access points in and out of the neighbourhood in an emergency situation only. Mr. Hoffman stated that he disagreed with the position of Fire and Emergency Services with respect to the emergency access road, noting that if the neighbourhood requires two ways to enter/exit, then every cul-de-sac in Whitby was unsafe due to being serviced with only one entry/exit road. He requested that Council deny the proposed road connection from Taunton Road to Thistledown Crescent.

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

- the source of the information that suggested the existing emergency access road would be maintained;
- whether the delegate registered as a delegate or signed the petition in 2019; and,
- additional concerns during the construction of the retirement home that could be included in the construction management plan for the proposed apartment building at 850 Taunton Road East.

2.5 Ursula Lovering

Re: Thistledown Crescent Emergency Access Review

Refer to Item 5.2, Thistledown Crescent Emergency Access Review

Ursula Lovering, 19 Thistledown Crescent, stated that she has resided on Thistledown Crescent since 2006, and that

she was an original owner. Ms. Lovering advised that she moved into this neighbourhood because it was located near the marsh area, and that it was a quiet and secluded neighbourhood. She stated Thistledown Crescent was not an avenue or street, and that opening the roadway would completely change the essence of the neighbourhood. She advised that she carried out due diligence when purchasing the property and was informed by Town Staff that the emergency access would not be turned into a road. Ms. Lovering commented on the number of children who have learned how to ride a bicycle on the crescent, noting that should the emergency access be turned into a road that children would not be able to play in front of her property. She stated that the residents were in the neighbourhood first and that they have already endured two to three years of construction for the retirement home. She advised that the neighbourhood welcomed the seniors from the retirement home who walk through the neighbourhood, noting that the construction of the road would also endanger the seniors who would be threatened by the increased traffic. She raised concerns about the increased traffic and creation of a bottleneck of traffic at Taunton Road and Garrard Road.

A question and answer period ensued between Members of Committee and Ms. Lovering regarding;

- confirmation that the delegate's property was purchased through the builder; and,
- whether there was any indication upon purchasing the property that the emergency access would change.

2.6 Terence Hopman

Re: Thistledown Crescent Emergency Access Review

Refer to Item 5.2, Thistledown Crescent Emergency Access Review

When called upon, Mr. Hopman was not in attendance to make a delegation to the Committee.

2.7 Fadi Eid

Re: Thistledown Crescent Emergency Access Review

Refer to Item 5.2, Thistledown Crescent Emergency Access Review

Fadi Eid, 15 Thistledown Crescent, stated that he was a builder and that he had inquired with Town Staff about the area prior to moving in November 2019. Mr. Eid advised that he had contacted Town Staff a few weeks ago and was informed about approval to open the road and that it would no longer be an emergency access only. He raised concerns about the safety of his children as a result of the additional traffic and on-street parking in the neighbourhood by construction workers and visitors pre and post construction at 850 Taunton Road East. He raised concerns about the nearby pond noting that the owner plans to increase the size of his land by draining the pond through the removal of underground water and purchase the land to expand the project. Mr. Eid raised further concerns about damage to the structure of the houses in the neighbourhood from vibration that would be created from the construction of the underground parking and building foundation.

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

- confirmation about when the delegate moved into his residence and when the delegate was informed about the approval of the emergency access road; and,
- clarification on the delegate's comment about the owner of 850 Taunton Road East increasing the size of his land.

**2.8 Rodger Miller representing 2349500 Ontario Inc.
Re: Thistledown Crescent Emergency Access Review**

Refer to Item 5.2, Thistledown Crescent Emergency Access Review

Rodger Miller, representing 2349500 Ontario Inc., stated that he was representing the owner of 850 Taunton Road East. Mr. Miller referenced correspondence dated and submitted on February 14, 2022 regarding the owner's concerns about reconsidering the road connection matter. Mr. Miller advised that his client has spent considerable time and resources moving forward with the Site Plan approval process for this development, that they were in the final weeks of completing the process, and that he was hoping to have Site Plan approval in March 2022. He further advised that his client was concerned that the matter was being reopened at this time after it was fully reviewed and

vettet during the public process in 2019. Mr. Miller noted the dates of the Public Meeting, the Committee of Whole meeting to consider the Staff recommendation report, and Council meeting wherein the Staff report was approved by Council. He advised that during the April meetings Town Staff responded to a number of questions about the future access from Taunton Road to Thistledown Crescent, noting Staff concerns about potential U-turns at Taunton Road as a result of the restricted right-in/right-out access for 850 Taunton Road East. He advised of discussion about the extension of medians on Taunton Road and the fear that there would be a right-in/right-out at the intersections of Taunton Road and Garrard Road and Taunton Road and Tom Edwards Drive. Mr. Miller stated that Staff raised further concerns about the effectiveness of the current access giving the inability to provide snowplowing on the connection due to it being chained off. He noted that a full municipal road connection was the preferred option for Fire and Emergency Services. Mr. Miller stated that his client believes that a full road connection would be the best solution for the local neighbourhood and the development. He noted that any traffic from the residential apartment development was expected to have a negligible impact on the existing neighbourhood to the north and that it would also afford an alternative access and emergency services access to the homes located there. Mr. Miller advised that his client feels that if the full municipal road connection was deferred now only to be required at a later date, the road construction would create significant management and logistical issues for the future tenants of the apartment building and the existing community. He stated that his client has agreed to accept the financial obligation for implementing a full road concurrent with the construction of their building. Mr. Miller advised that his client was requesting that the Committee not reopen the access matter as removing a future full road connection to the north would not be in the best interests of the community. In response to some of the concerns raised by delegates Mr. Miller advised that retaining the trees along the north limit of the property was part of the development proposal and that they have been retained. He noted that those conifer trees were intended to provide a visual screen to the future construction of the apartment building. Mr. Miller advised that the remaining trees were impacted by the footprint of the development and that this was part of the presentation to Council in April 2019. He stated that the construction

management plan would be developed and submitted to the Town prior to the issuance of building permits, noting that the location for the construction employees parking would be addressed in that plan.

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

- whether communication would be open between the proponent and the neighbourhood residents to address concerns promptly;
- the willingness of the proponent to install traffic calming measures such as speed humps on the new road and throughout the existing street to control vehicle access and speed in the neighbourhood;
- the rationale for not keeping the road closed given that the impact of the road extension would be negligible on the existing neighbourhood;
- confirmation that the Site Plan Application was approved by the Commissioner of Planning and Development in October 2019 and that the finalization of the Site Plan Agreement would be complete soon;
- confirmation that the development that was moving forward with the new owner of the property was what Council approved in 2019; and,
- confirmation on the details about the history of this project.

It was the consensus of the Committee to hear Item 5.2, Thistledown Crescent Emergency Access Review, at this time.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development (Planning Services) Department Report, PDP 10-22

Re: Site Plan Application, Madison Brooklin, Southeast Corner of Roybrook Avenue and Chelmsford Drive, File Number: DEV-28-20 (SP-16-20)

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

- the rationale for the Ministry of Transportation

- refusing acceptance of stormwater drainage into an existing drainage swale within their right-of-way and the alternate location for a stormwater management outlet to the site; and,
- whether the pedestrian access would be through a street or through existing open space around the stormwater pond.

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the proposed Site Plan for the Medium Density Block (Block 1) of approved Draft Plan of Subdivision SW-2019-01 (File Number: SP-16-20), subject to the comments included in Report PDP 10-22; and,
2. That the proponent enter into a Site Plan Agreement with the Town and be responsible for any related fees.

Carried

It was the consensus of the Committee to hear Item 2.2, Delegation by George Gadanidas, at this time.

4.2 Planning and Development (Planning Services) Department Report, PDP 11-22
Re: Sign By-law Variance to Permanent Sign By-law for 185 Brock Street North, File Number: SB-10-21

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 185 Brock Street North.

Carried later in the meeting (See following motion)

Recommendation:

Moved By Councillor Drumm

That the main motion be amended by including the words 'subject to' following 185 Brock Street North and the inclusion of 1. a. and b. as follows:

- a. The wall sign is intended to be used as a directory for businesses located within the commercial building therefore reducing the amount of signage that currently exists within the main doorway; and,
- b. The proposed sign not be obtrusive and is in keeping with the business façade and is complementary to the spirit of our Downtown area and in keeping with the building facade.

Carried

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

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for 185 Brock Street North subject to:
 - a. The wall sign is intended to be used as a directory for businesses located within the commercial building therefore reducing the amount of signage that currently exists within the main doorway; and,
 - b. The proposed sign not be obtrusive and is in keeping with the business façade and is complementary to the spirit of our Downtown area and in keeping with the building facade.

Carried

- 4.3** Planning and Development (Planning Services) Department Report, PDP 12-22
Re: Signage Review

Discussion ensued between Members of Committee regarding:

- staff reporting back on methods to manage digital

- signage consistent with the Accessible Signage and Wayfinding Study recently approved by Council;
- managing non-municipal signage by having consistent branding and design, addressing sign clutter, and avoiding of the use of digital signage;
- concerns about existing businesses that have their own branding and signage, and discouraging businesses from locating in Whitby; and,
- the intent to manage digital signage and control the impact of digital signage Town-wide.

A brief question and answer period ensued between Members of Committee and Staff regarding consultation taking place with the Whitby Chamber of Commerce, the business community, and institutions that have existing digit signage.

Recommendation:

Moved By Councillor Roy

1. That Report PDP 12-22 be received for information; and,
2. That MD-5553 be removed from the New and Unfinished Business List.

Carried later in the meeting (See following motion)

Recommendation:

Moved By Mayor Mitchell

That the main motion be amended by including Item 3 as follows:

3. That Staff report back on ways to manage digital signage consistent with the Council approved wayfinding and signage strategy.

Carried

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

Recommendation:

Moved By Councillor Roy

1. That Report PDP 12-22 be received for information;
2. That MD-5553 be removed from the New and Unfinished Business List; and,
3. That Staff report back on ways to manage digital signage consistent with the Council approved wayfinding and signage strategy.

Carried

4.4 Planning and Development (Engineering Services)
Department Report PDE 07-22

Re: Stormwater Management Review - Dryden Culvert - Revised

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

- the rationale for determining that there was no need to upgrade the Dryden Boulevard culvert at this time;
- the cost and risks associated with upgrading the Dryden Boulevard culvert;
- the possibility that upgrading the Dryden Boulevard culvert would pose a flooding risk to residents downstream;
- the age of the Dryden Boulevard culvert, and the timeline for the culvert to deteriorate to a condition that it would be required to be upgraded or replaced;
- the possibility of clogging or blocking of the Dryden Boulevard culvert and flooding the houses through a 50 or a 100-year storm;
- whether the Dryden Boulevard culvert would be part of continuous Town inspections and whether an evaluation of the Dryden Boulevard culvert would be undertaken in the spring;
- confirmation that the identification of any concerns with the Dryden Boulevard culvert would be brought to Council's attention;
- the Town's liability should the culvert clog or fail causing damage to property or residents;
- whether the Central Lake Ontario Conservation Authority was in agreement with the Staff report;
- the age of and rationale for the upgrade to the Anderson Street culvert; and,
- the number of existing culverts in the Town

comparable to the Anderson Street and Dryden Boulevard culverts.

Recommendation:

Moved By Councillor Shahid

That Report PDE 07-22 be received for information.

Carried later in the meeting (See following motion)

Recommendation:

Moved By Councillor Shahid

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

2. That Staff be directed to upgrade Dryden Culvert at the same time as the Anderson Culvert.

Motion Lost

The main motion was then carried.

It was the consensus of the Committee to hear Item 2.3, Delegation by Terry Rudkins, at this time.

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 Thistledown Crescent Emergency Access Review

Councillor Leahy introduced a motion regarding the Thistledown Crescent Emergency Access Review. He provided background information surrounding the concerns raised by residents and Staff.

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

- confirmation that the preferred option was for the existing emergency access becoming a full municipal road connecting Taunton Road East to Thistledown Crescent;
- whether circumstances have changed related to the need for the emergency access route since Council's approval in 2019, and whether the construction of the seniors building affects the preferred option;
- Fire and Emergency Services additional response time to the neighbourhood should the emergency access to Thistledown Crescent not be upgraded to a road;
- the Town's liability for a reversal on the approval of opening the road at this stage;
- whether the requirement for the developer of 850 Taunton Road to finance the construction of the road to Town of Whitby Design Criteria and Engineering Standards for a local municipal road was a condition of approval of the Site Plan Agreement;
- whether the traffic calming measures would need to be included in Site Plan Agreement approval;
- whether the details contained within the amendment could be dealt with through the Site Plan approval process;
- the timeline for a report from Staff on the construction management plan and traffic calming measures;
- the timeline for a memorandum from Staff on the existing emergency access from Taunton Road to Thistledown Crescent and reviewing opportunities for traffic calming measures should a full road connection proceed;
- the impact of the emergency access on the residents of Tom Edwards Drive and whether those residents would be notified of any changes;
- confirmation that Taunton Road was a Regional road, that any changes would require Regional approval, and that the existing median was open at the location of Taunton Road at Tom Edwards Drive to provide full movement; and,
- details about traffic and safety concerns should the road connection to Thistledown Crescent not proceed.

Recommendation:

Moved By Councillor Leahy

1. That staff prepare a memo on the existing emergency access road from Taunton Road to Thistledown Crescent and the opportunity for traffic calming measures if the extension of Thistledown Crescent proceeds for discussion and review the Council meeting of March 7, 2022.

Carried later in the meeting. (See following motion)

Recommendation:

Moved By Councillor Mulcahy

That the main motion be amended to read as follows:

1. That staff prepare a memo on the existing emergency access road from Taunton Road to Thistledown Crescent and consideration of the municipal road being opened as previously decided by Council in April 2019 for discussion and review at the Council meeting of March 7, 2022
2. That Staff be directed to report on the following issues:
 - a. undertake consultation with residents on the development of the construction management plan, including preventing access to Thistledown Crescent for the duration of construction at 850 Taunton Road save and except for emergency services;
 - b. the development of a traffic calming plan for the extension of Thistledown Crescent, which will consider speed humps, radar message board signage, and a raised road platform where Thistledown Crescent meets 850 Taunton Road;
 - c. Following the opening of Thistledown Crescent to Taunton Road, the implementation of a monitoring program with 24/7 traffic counter device to obtain traffic data on speed, volumes, and other metrics and report back to Council within one year of the road opening regarding the traffic impacts of the development and whether any additional traffic calming measures are required;

- d. Coordinate with Regional Staff to increase the speed of light changes at Garrard and Taunton and review any improvements which may come to the intersection in the future; and,
- e. Review installing a no exit sign at the entrance to the subdivision off Garrard (Birchpark Drive).

See following motion.

Recommendation:

Moved By Councillor Roy

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

Carried

Recommendation:

Moved By Councillor Mulcahy

2. That Staff be directed to report on the following issues:
 - a. undertake consultation with residents on the development of the construction management plan, including preventing access to Thistledown Crescent for the duration of construction at 850 Taunton Road save and except for emergency services;
 - b. the development of a traffic calming plan for the extension of Thistledown Crescent, which will consider speed humps, radar message board signage, and a raised road platform where Thistledown Crescent meets 850 Taunton Road;
 - c. Following the opening of Thistledown Crescent to Taunton Road, the implementation of a monitoring program with 24/7 traffic counter device to obtain traffic data on speed, volumes, and other metrics and report back to Council within one year of the road opening regarding the traffic impacts of the development and whether any additional traffic calming measures are required;
 - d. Coordinate with Regional Staff to increase the speed of light changes at Garrard and Taunton and review

- any improvements which may come to the intersection in the future; and,
- e. Review installing a no exit sign at the entrance to the subdivision off Garrard (Birchpark Drive).

Carried

Recommendation:

Moved By Councillor Leahy

1. That staff prepare a memo on the existing emergency access road from Taunton Road to Thistledown Crescent and consideration of the municipal road being opened as previously decided by Council in April 2019 for discussion and review at the Council meeting of March 7, 2022

Carried

The consensus of the Committee was to hear Item 4.2, PDP 11-22, at this time.

General Government

Councillor Lee assumed the Chair.

6. Presentations

- 6.1** Nick Swerdfeger, Principal, Barry Bryan Associates
Re: Community Services Department Report, CMS 03-22
Civic Recreation Complex Renovations – Design Update
and Next Steps

Refer to Item 9.1, CMS 03-22

Nick Swerdfeger, Principal, Barry Bryan Associates, provided a PowerPoint presentation on the design update and next steps for the Civic Recreation Complex renovations. Highlights of the presentation included:

- the design mandate of the project to develop a new functional, universal-accessible modern design that aligns with the Town's programming, accessibility and gender equality vision;

- the areas of focus through the integrated design process including the new universal change room area(s), new men's and women's change room areas with increased accessibility, lower level lobby and change room entries and circulation, accessible pool areas circulation and staff areas, pool areas including the ceiling/natatorium and quality of space in the natatorium area, new multi-purpose program spaces, aligning the design to the new standards of gender equality and families of the community, facility signage and accessible wayfinding, and the upgrade and replacement of existing facility infrastructure and increased support areas;
- details about the scope of work on the lower level of the existing facility including the universal family change room area, the men's and women's change room and the staff and support areas and the multi-purpose program areas; and,
- images and details about the entry and interior of the universal/family change room, the men's and women's change room, the staff and support areas, the multi-purpose program space, and the lower lobby area upon completion of the project.

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

- whether the Town's branding and wayfinding signage would be incorporated within in the facility;
- the feedback received through the consultation process; and,
- the sustainability of the renovated facility and the timeline associated with the need to expand or construct a new facility.

7. Delegations

7.1 There were no delegations.

8. Correspondence

8.1 There was no correspondence.

9. Staff Reports

9.1 Community Services Department Report, CMS 03-22
Re: Civic Recreation Complex Renovations – Design

Update and Next Steps

A brief question and answer period ensued between Members of Committee and Staff regarding whether the cost of the project may increase due to inflationary pressures, an estimate of such an increase and whether contingency funds would be incorporated into the budget.

Recommendation:

Moved By Councillor Mulcahy

1. That the Community Services Report, CMS 03-22 be received as information; and,
2. That Staff report back to Council with the tender award results following the bid submissions from the six (6) prequalified General Contractors in accordance with the delegated authority under FS 21-21 for grant related projects.

Carried

9.2 Community Services Department Report, CMS 02-22
Re: Community Services Department – Proposed 2022
Marina and Harbour Facilities Division Fees

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the proposed fees as outlined in Attachment 1 to be effective March 8, 2022; and,
2. That the Clerk be authorized to amend the Consolidated Fees and Charges By-law # 7220-17 to include the updated Marina and Harbour Facilities Division (Marina) Fees Schedule.

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 10:28 p.m.

Committee of the Whole Minutes
February 28, 2022 - 7:00 PM
Virtual Meeting

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 been 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 Clossen 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.



Town of Whitby Staff Report

whitby.civicweb.net

Report Title: **Temporary Cricket Field at Brooklin Memorial Park**
[Revised]

Report to: Council

Date of meeting: March 7, 2022

Report Number: CMS 04-22

Department(s) Responsible:

Community Services Department
Operations Department

Submitted by:

John Romano, Commissioner of
Community Services

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

Sharon Meredith, Senior Manager,
Recreation, 905.444.1808

Sarah Lamb-Kirby, Supervisor,
Recreation Client Services,
905.444.1851

Sean Malby, Supervisor,
Parks Development, 905.444.1851

1. Recommendation:

1. That Council approve Brooklin Memorial Park as the location for the development of one temporary cricket field (Attachment 1);
2. That Council approve a new 2022 capital project in the amount of \$52,000 for the establishment and construction of one temporary cricket field at Brooklin Memorial Park. To be funded from the Growth Capital Reserve Fund;
3. That cricket be considered in the research and development of the 2022 Parks and Recreation Master Plan; and,
4. That staff be directed to develop a strategy for the creation of cricket facilities as guided by the Parks and Recreation Master Plan.

2. Highlights:

- Cricket has been identified as a new and emerging sport in Whitby with increasing demand for cricket fields.
- In the fall of 2021 Council directed staff to explore opportunities to create a temporary cricket field within existing Town owned facilities.
- A review of field sizes and locations has identified that Brooklin Memorial Park is of a suitable size to develop a cricket field and these modifications could be undertaken without negatively impacting existing field users.
- Costs to undertake the necessary field modifications have been identified as \$52,000.

3. Background:

Cricket has been identified as an emerging sport in the Durham Region. Community Services staff has worked with Whitby Cricket to permit multiuse fields for temporary cricket pitches since the 2020 season, and have received requests from other cricket organizations for permitted space.

In the 2015 Sports Facility Strategy, the consultants recognized that a number of G.T.A. municipalities had or were in the process of positioning themselves to respond to field sport needs of diverse cultural communities. Cricket pitches are the most notable example with communities such as Mississauga, Ajax, and Brampton having already developed facilities for such purposes. Increasingly, a service level target of one cricket pitch per 100,000 population was becoming common in sports field planning at the time. The recommendation in the strategy was to construct one new multi-use field (artificial or natural turf surface to be determined), potentially in partnership with a local school board. Contingent upon achieving a successful operating profile for this field, a second multi-use field may be developed if warranted by future needs.

The first request for a space to play cricket came in January 2020. Due to Covid-19 restrictions the 2020 season was much shorter than expected running from September to October 2020 with practices only. Permits were issued for Country Lane ball diamond for cricket play.

Play expanded and for the 2021 season after Covid-19 restrictions lifted Whitby Cricket began their season at Baycliffe Park soccer field in July. The amount of time required grew significantly from 2020 to 2021 and the amount of permitted time for cricket play on weekends expanded to accommodate that growth. The increase in play resulted in a variety of complaints from the Baycliffe community. On August 28, 2021 Whitby Cricket was relocated to Gordon Street fields. This location allowed for increased play with room for three cricket pitches, as well as parking for participants and spectators. The Gordon Street Field was created in 2008 to accommodate a request for outdoor field space by the minor Lacrosse

Lady Blue Knights. The Lady Blue Knights use the field for 10 hours per week from May to end of July. Once the Lady Blue Knights season concluded their 2021 season the space was available for cricket to permit for the remainder of the season.

At the September 20, 2021 Committee of the Whole meeting, a motion regarding a temporary cricket field and future cricket amenities in the Town was introduced. Subsequently, at the regular Council Meeting held on October 4, 2021, Ryan Turnbull, MP, Whitby appeared before Council and stated that he met with members of the community during the Federal election campaign who were playing cricket at Baycliffe Park. MP Turnbull indicated his support for the recommendation and noted the importance of permanent cricket pitches in the future. MP Turnbull stated that the Town is known as an inclusive community and that opportunities for sport should reflect that inclusivity. He advised that there are over 250 players in the Whitby Cricket Club and suggested forming a reference group from their membership to give advice to the Town on the development of cricket pitches and growing the sport in the community.

During the Regular Council Meeting October 4, 2021, in support of the delegation, Council passed Resolution # 246-21:

“Whereas the Town of Whitby is in a period of significant growth; and,

Whereas that growth is changing the community interest and desire for new recreational amenities and opportunities; and,

Whereas a number of community members continue to express interest in the opportunity to play cricket; and

Whereas the Town of Whitby does not currently have cricket facilities;

Now Therefore be it Resolved:

1. That Staff explore opportunities to create a temporary cricket field within existing Town owned facilities, and update Council by year end on next steps; and,
2. That the Parks and Recreation Master Plan, to begin in late 2021 and be completed in 2022, be informed in part by the use of the temporary cricket field in order to determine future needs for cricket fields in the Town; and,
3. That, in conjunction with the development of the Parks and Recreation Master Plan, Staff be directed to explore opportunities to add cricket amenities at the Whitby Sports Complex.”

4. Discussion:

Staff reviewed options for the temporary location for cricket for the 2022 season and beyond. Gordon Street fields, Consumers fields, and Jeffery Park were explored as options for the future temporary site for Cricket. Gordon Street Fields has been permitted to Lady Blue Knights Lacrosse since 2008. Staff met with Lady Blue Knights Lacrosse to explore an alternate location for Lacrosse but the organization had many concerns about moving to a new location. As a result of the concerns raised by the Lady Blue Knights, Gordon Street Field was eliminated as an option.

Staff met with representatives of Whitby Cricket to review the remaining options. Consumers Fields and Jeffery Park were also proposed as options but ruled out by the Cricket organizations due to size concerns. As a result of the size of the space required and in consultation with Parks Operations, Parks Planning, and the Recreation Client Services, Brooklin Memorial Park was identified as the preferred site for a temporary Cricket field in Whitby (Attachment 1).

Representatives from Whitby Cricket, have participated in staff research and planning sessions to consult on needs for the space from the perspective of the local cricket community. Parks planning staff have researched and connected with surrounding municipalities on best practices for the formation and maintenance of cricket pitches.

Staff have also consulted with the President of the Brooklin Spring Fair, Brooklin Agricultural Society to discuss possible field amendments and to mitigate any issues with the shared use of space understanding the historical significance of the location to the Brooklin Agricultural Society.

While Brooklin Memorial Park offers a good temporary home for cricket, it is important to note that this site as a multi-purpose property will never become a premiere level sports field. There is a master plan exercise for the future development of Brooklin Memorial Park and Luther Vipond Memorial Arena which is recognized as an important Town Park.

While staff have received inquiries from multiple parties interested in space for cricket, only one group, Whitby Cricket, followed through to the issuance of a permit. It is anticipated that the Town may receive requests from other Cricket organizations once cricket fields are developed. Staff are in the process of developing a Field Allocation Policy that would include cricket fields and identify how organizations/requests will be prioritized. In the absence of a policy, requests would consider the availability of requested time, and would give priority to existing field type users.

Historically the Brooklin Memorial Park field has not been operated or maintained as a sports field and therefore significant work is required to prepare the area for play. These improvements include work on the playing surface and turf grass to lessen the rough and uneven characteristics of this property. Additional improvements to the field would include the installation of one artificial cricket pitch

matt and a precast concrete storage unit for maintenance equipment and matt storage during the winter.

This renovation work involves heavy mechanical rolling, that would be completed in the spring of 2022. Parks Operations would also employ aeration, over-seeding, fertilization and cutting programs to improve the turf quality.

It is expected that there will be annual incremental cost for Parks Operations of \$10,000.00, to provide increased maintenance and waste receptacles excluding staffing.

It is anticipated that the above work will be completed and the field would be available for cricket to commence play between June 20 and July 4, 2022 dependent on weather and field conditions. Staff are currently reviewing options that would allow Whitby Cricket to begin their season in May until the Brooklin Memorial field is available at another park location.

5. Financial Considerations:

The total capital cost to establish the proposed temporary cricket field at Brooklin Memorial Park through the refurbishment and modification of the existing fields is estimated at \$52,000 and is detailed in Table 1 below.

Table 1:

Brooklin Memorial Park Cricket Field	
<u>Capital Costs</u> (Inclusive of applicable taxes)	
<u>Item</u>	<u>Cost</u>
Earthworks, Excavations and Field Rolling	\$14,000
Precast Concrete Storage Unit	\$12,000
Cricket Pitch Construction	\$17,000
Mobilization and Construction Testing	\$4,000
Sub-total	\$47,000
Contingency	\$5,000
Total Capital Cost (Budget Request)	\$52,000

It is recommended that a new capital project for the construction of the cricket field be established in 2022 for \$52,000 funded from the Growth Capital Reserve Fund.

Park Operations anticipates that there will be an incremental annual operating cost of \$10,000 to provide increased maintenance to the park/cricket pitches and waste receptacles. This cost will be partially offset by projected incremental revenue of \$6,700 related to the permitting. The balance of 2022 costs will be offset by other 2022 budget savings. Staff will review the actual costs and revenues after the 2022 season to determine budget pressures, if any, for the 2023 budget related to the provision of cricket pitches at Brooklin Memorial Park.

6. Communication and Public Engagement:

Community Services staff have engaged Whitby Cricket in discussions regarding the suitability of the Brooklin Memorial Park location as well as field design to ensure proposed field will meet the needs of the organization and cricket players in general. Staff have also met with the President of Brooklin Spring Fair to discuss possible field amendments and to mitigate any issues relating to shared use of the park.

7. Input from Departments/Sources:

Parks Operations recognize the importance of working together to find a suitable temporary home for cricket in Whitby until a permanent location can be secured and developed.

In anticipation of the Brooklin Memorial site becoming the new temporary home for cricket, Parks Operations completed an initial round of turf aeration in November 2021. In 2022 and moving forward, additional incremental maintenance to this field will include: twice yearly aeration and fertilization; increased frequency of mowing from once every 16 days to once weekly (minimum); annual top-dressing and/or over seeding and/or sod repairs; field and turf repair each June following the Brooklin Spring Fair; increased placement of garbage receptacles and increased frequency of litter and debris collection.

Please note that due to the shared usage of this field with the Brooklin Spring Fair, additional resources will be required annually, over and above those normally required for a typical sports field, to maintain the field in a playable condition. It is anticipated that the field damage created annually by the heavy equipment at the Brooklin Spring Fair, will require that the cricket grounds are closed for up to two weeks after the fair to insure safe and suitable playing conditions.

8. Strategic Priorities:

This report aligns with Council's Goals 2018-2022 specifically:

- To ensure Whitby is clearly seen by all stakeholders to be business and investment friendly and supportive; and to continuously improve the

customer experience and the effectiveness and efficiency of communications, service delivery and approvals.

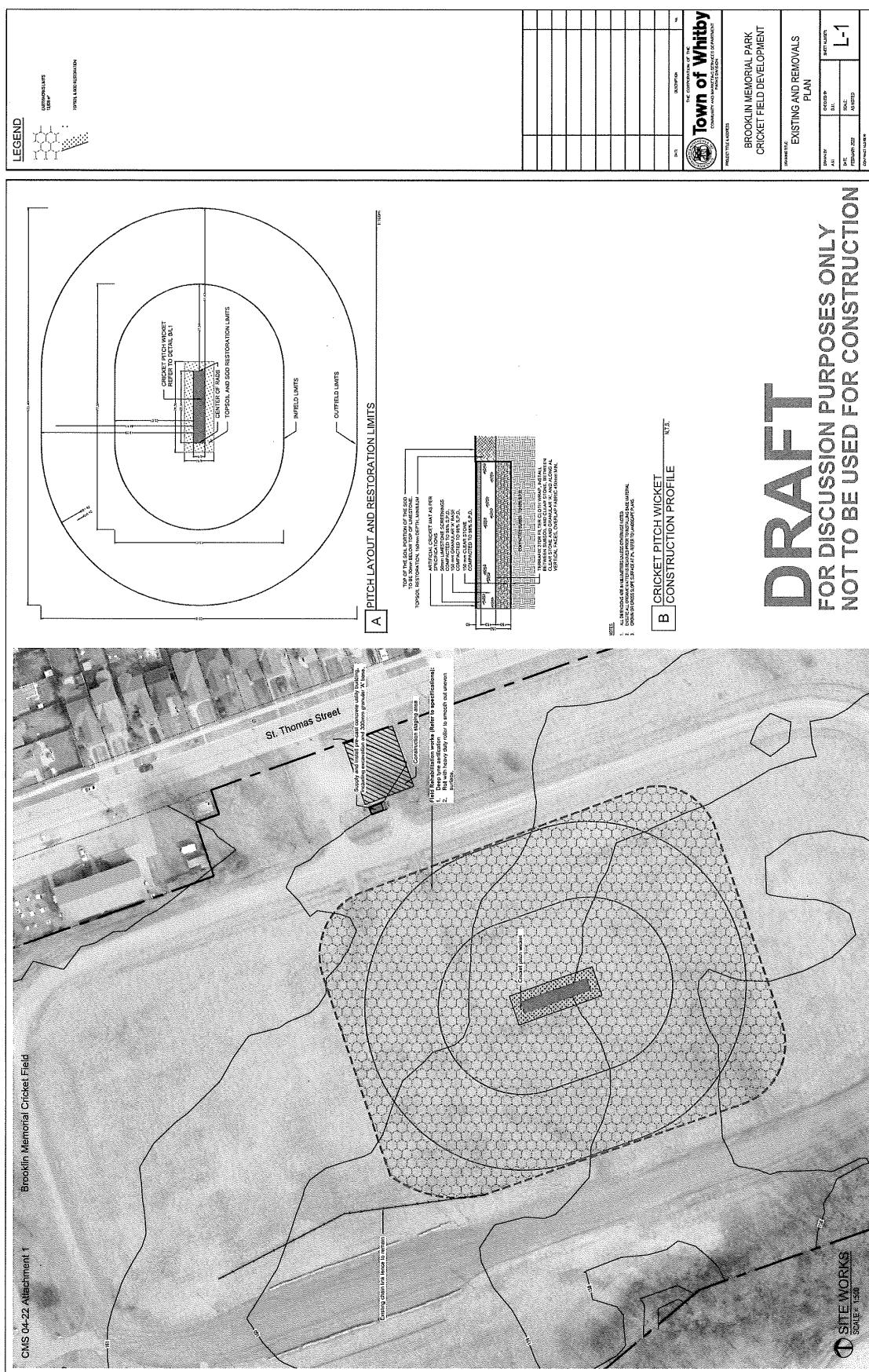
- To become the destination of choice for visitors; to realize the economic, cultural and social potential of our downtowns, waterfront, green spaces and major attractions; to support and facilitate new community events and increase recreational opportunities along our waterfront.

This report also aligns with the following strategic goals and priorities in the Town of Whitby Corporate Strategic Plan:

1. Customer: We will provide a consistent, optimized and positive customer service experience.

9. Attachments:

[Attachment 1 – Brooklin Memorial Cricket Field](#)



Memorandum to Council

Community Services Department
Recreation Division



To: Mayor and Members of Council
CC: Sharon Meredith, Sr. Manager, Recreation
Sarah-Lamb-Kirby, Supervisor, Recreation
Client Services
Sean Malby, Supervisor, Parks
Development

From: John Romano, Commissioner of
Community Services
Date: March 4, 2022
File #: N/A
Subject: Temporary Cricket Field at Brooklin
Memorial Park Report CMS-04-22-
REVISED

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

The purpose of this memo is to advise Council of amendments to CMS-04-22
Temporary Cricket Field at Brooklin Memorial Park.

The amendments being made include:

Page 2, Section 3 date change to correct administrative error from September 2020 to
January 2020

Page 6, Section 5 \$86,000 changed to \$52,000 to correct an administrative error

Staff Report CMS-04-22 REVISED has been updated to reflect these changes.



Town of Whitby By-law # 7859-22

Amendment to the Fees and Charges By-law

Being a By-law to amend the Fees and Charges By-law # 7220-17, as amended.

Whereas the Council of The Corporation of the Town of Whitby considered Report CMS 02-22, regarding Community Services Department – Proposed 2022 Marina and Harbour Facilities Division Fees at its meeting on February 14, 2022;

And whereas Council considered Report FS 16-22, regarding the Recommended 2022 Operating and Capital Budget at its meeting on February 17, 2022 and adopted Resolution # 44-22;

And whereas Council considered Report LS 03-22, regarding the Proposed Delegated Authority to Approve Minor Height Exemptions to Fence By-law # 4394-99 at its meeting on February 28, 2022;

And whereas Council deems it necessary to repeal and replace Schedules A, C, D, E, K, and R to the Fees and Charges By-law, as amended in accordance with Reports CMS 02-22, FS 16-22, and LS 03-22;

And whereas Council deems it necessary to amend Schedules F, G, J, L, O, and Q to the Fees and Charges By-law to have those schedules remain in effect until the fees are subsequently revised, in accordance with Report FS 16-22;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That Schedules A, C, D, E, K, and R to By-law # 7220-17, as amended, be repealed and replaced with Schedules A, C, D, E, K, and R attached hereto and forming part thereof.
- 1.2. That Schedules F, G, J, L, O, and Q to By-law # 7220-17, as amended, be further amended to remain in effect until the fees are subsequently revised.

2. Effective Date

- 2.1. This by-law shall come into force and effect on the date of its passing.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk

**Schedule A
To By-law # 7220-17**

Office of the Town Clerk and General Fees
(In effect as of April 1, 2022)

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
General Fees				
Photocopies	\$0.70	Yes	\$0.79	Per Page
Commission Affidavits (non-residents)	\$25.00	Yes	\$28.25	Limit of 4 documents
Certify True Copies (non-residents)	\$25.00	Yes	\$28.25	Limit of 4 documents or copies
Commission Affidavits (residents)	\$15.00	Yes	\$16.95	Limit of 4 documents
Certify True Copies (residents)	\$15.00	Yes	\$16.95	Limit of 4 documents or copies
Film Permit	\$500.00	Yes	\$565.00	Fee per permit for commercial film production companies
Pension Affidavits (Seniors)	Exempt	No	n/a	n/a
Marriage Licence	\$140.00	No	\$140.00	Per Licence
Marriage Ceremony	\$325.00	Yes	\$367.25	Per ceremony

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Marriage Ceremony Cancellation Charge – prior to pre-consult	\$50.00	Yes	\$56.50	
Marriage Ceremony Cancellation Charge – following pre-consult	\$100.00	Yes	\$113.00	
Lottery Licence	3% of Prize	No	n/a	Per Licence
Registration of Death (during business hours)	\$25.00	No	\$25.00	Per Registration
Registration of Death (after hours)	\$125.00	No	\$125.00	Per Registration
Line Fence Dispute Administration	\$250.00	No	\$250.00	Per Application
Records Search Not Freedom of Information	\$45.00	Yes	\$50.85	Per Hour
Municipal Consent Forms for Liquor Licence Applications	\$50.00	No	\$50.00	Per Application
Note: All disbursement costs incurred by the Town are in addition to any other fees required to be paid as set out in this by-law or otherwise assessed.				

Schedule C

To By-law 7220-17

Public Works Department Fees

(Effective March 31, 2022)

Definitions

1. **General Photocopying:** This fee covers the costs associated with photocopying of various materials or documents.
2. **Municipal Consent Approval Fees:** This fee covers the cost of processing Municipal Consents for private utilities and all other for profit organizations.

Under several Provincial and Federal statutes the Town of Whitby is obliged to provide a location for the utilities in the road allowance. Municipal Consent approval is required by Provincial statute to install facilities with the Town of Whitby right-of-way or easement. The Municipal Consent approval process is intended to ensure that the location approved for the various utilities does not conflict with any existing utilities or municipal services as well as any future municipal requirements such as road widening or sewers.

The established fee is meant to recover staff time and other costs associated with the processing of Municipal Consents and are based on the average costs over previous years. The fees for Municipal Consent service is applicable to Bell Canada, other telephone companies, Rogers Cable TV, other cable television companies, Ontario Hydro, Hydro One, Enbridge, major oil and gas pipeline companies and all other for profit organizations.

3. **Curb Cutting:** This fee is applied to any individual property owner wishing to create or widen a driveway entrance on a Town of Whitby road which has curb and gutter. This work is performed as required by an independent Town of Whitby contractor.
4. **Road Occupancy Permits:** Utilities and Contractors frequently undertake various construction projects within the Town of Whitby road allowance which would include servicing for new development, major rehabilitation of existing plant, emergency repair to existing plant and major landscaping projects. It is a requirement of the Town of Whitby that a Road Occupancy Permit be obtained prior to any work proceeding within the public road allowance. The purpose of this permit is to:
 - Inform the Municipality and Emergency Services (if affected by any road work) of the date, time and type of work being performed;
 - Screen contractors to ensure they are qualified and have adequate liability insurance;

- Provide a permanent record of work and location so the Town of Whitby can inspect the restoration and invoice the applicant for the cost of the permanent restoration by the Town of Whitby;
- Provide a permanent record for oversized loads through a single trip or yearly permit;
- Provide a permanent record for all site service and access locations for work being performed on private property;
- Obtain permission for the use of metered parking spaces to assist with private construction activities (waste containers, cranes, etc.)

It is the Town's policy to consider all restoration by the applicant, except sod, to be temporary only. The permanent restoration is completed by the Town as part of the annual concrete sidewalk construction contract. This ensures quality control to improve longevity and reduce future maintenance expenditures in repairing deficiencies.

Field Locate Surcharge – Road Occupancy Permit (ON1Call): This fee is intended to recover staff or consultant time to complete field locates of Town owned underground infrastructure. Through the Ontario Underground Infrastructure Notification System Act, 2012, the Town is required to provide field locates of Town owned infrastructure (streetlights and storm sewers) to any individual completing an excavation near the road allowance. Individuals are required to call Ontario One Call Centre (On1Call) before commencing excavation works, to received verification of underground facilities within the vicinity of the proposed excavation.

5. **Utilization of Right-of-Way:** This fee is intended to recover staff time to review traffic management plans and complete initial and periodic inspection of the traffic control required for the utilization of the Town's right-of-way.

- Provide a permanent record for an exemptions to the Noise By-law as approved by the Commissioner of Public Works;
- Provide a permanent record as approved of all locations where equipment or materials are being store on the public right of way and;

Note: This fee is in addition to the appropriate Road Occupancy Permit fee and is applicable if the works require the closure of vehicular travel lanes and/or boulevard facilities (sidewalks, multi-use paths, etc.).

6. **Driveway Entrance Culverts:** This fee is applied to any individual property owner wishing to create a new driveway entrance, widen an existing driveway entrance or put in a temporary entrance in a rural setting - and a culvert is required to accommodate road drainage. This work is completed by Town of Whitby Public Works staff.

7. **Deposits for Private Work (based on a 6.0m frontage):** Property owners may require access across the Town of Whitby's boulevard for construction purposes through a building permit, or pool enclosure permit. These deposits are used when damage (if any) to the sidewalk, curb and gutter, sodded boulevard and/or fencing has occurred and requires restoration. Damage is assessed by Town staff and the cost for restoration calculated based on current road occupancy rates. The deposit balance, if any, is refunded to the owner. Permanent restoration is completed in the Town of Whitby contracts. Property owners are permitted to restore the sod and fencing only.

Infiltration trenches are shallow excavations with rubble or stone that creates a subsurface storage of stormwater runoff. The deposit amount is applied to all developments through a building permit application. Where new infiltration trenches are being constructed or required, the established deposit is meant to recover staff time and materials for the placement of such trench in the event it is not installed by the developer
8. **Storm Sewer Connections:** The intent of this fee is to recover the cost to the Municipality for pre-installing (pre-stubbing) services for vacant and future lot severances or providing services to an existing lot. New storm sewer connection charges shall be based on actual contract prices.
9. **Sidewalk Installation:** The intent of this fee is to cover the cost to the Municipality for the construction of a sidewalk that will be completed by the Municipality at a future date.
10. **Illumination Equipment Installation (LED):** The intent of this fee is to cover the cost to the Municipality for the construction of Illumination equipment which will be completed by the Municipality at a future date.
11. **Streetlight Re-lamping and Cleaning:** This fee is applied to all new residential subdivision developments where new streetlights are being installed within Municipal public right-of-way. The established fee is meant to recover staff time and other costs associated with the annual Streetlight re-lamping and cleaning program and are based on the actual contract costs from the previous year. This fee, charged per newly installed streetlight, represents completion of two cleaning cycles within the time period and burn out rate of 10 per cent prior to assumption of the development by the Municipality.
12. **Newspaper Box Approval Fee:** This fee covers the cost of processing newspaper box approvals which includes regulating newspaper boxes within the Town's rights-of-way.
13. **Outdoor Sidewalk Patio Café Permit:** This fee covers the cost of processing an Outdoor Sidewalk patio Café Permit which includes Town of Whitby staff time and other costs to investigate and regulate outdoor areas used in association with an

eating establishment and location on a sidewalk under the jurisdiction of the Corporation of the Town of Whitby.

14. **Building Permit Activity Report:** This fee covers the cost of processing a Building Activity Report which includes Town of Whitby staff time and printing costs.
15. **Sidewalk Snow Clearing:** This per metre fee covers the cost of removing snow and ice from sidewalks where adjacent property owners have not complied with a By-law Enforcement Order to remove snow and ice.
16. **Street Closure Permit:** The intent of this fee is to recover the staff and vehicle related costs for delivering and returning traffic barrels or barricades specific to a permitted street dance or party occurring within a Town of Whitby right of way. The
17. **Municipal Lot Closure Fees:** These fees are intended to recover the cost of staff time for both Operations and Parking services to close a Municipal Lot, remove any vehicles interfering with the lot closure, and reopen the lot. The fees include administration staff time to prepare notices of the lot closure. If the lot is being closed when paid parking is in effect an additional \$1.00/hour/space used will be applied.
18. **Retrieval of Unauthorized Items (Including Signs):** The intent of this fee is to recover the staff and vehicle related costs for removing unauthorized items (including signs) within a Town of Whitby right-of-way. Actual costs, if known, will be invoiced. These items are not permitted through the Town of Whitby Temporary Sign By-law 5696-05.
19. **Solid Waste Management Fees:** The intent of this fee is to recover the cost of additional services pertaining to the Waste Collection By-law.
20. **Permanent Pavement Markings:** This fee is applied to all new developments where new Municipal roads are being constructed or where existing Municipal roads are being altered and repainting of line markings is required. The established fee is meant to recover staff time and materials for the placement of permanent (plastic) pavement markings on new or altered Municipal roads. This fee represents the cost of labour and a full pail of plastic paint, which will cover 20 linear metres of line painting. Paint is sold in full pail increments only, due to spoilage after opening.
21. **Permanent Signage:** This fee is applied to all developments where new Municipal roads are being constructed or where new regulatory signage is otherwise required. The established fee is meant to recover staff time and materials for the placement of permanent posts and signage. This fee represents the cost of labour and materials.
22. **Town Benchmark Contribution:** This fee is applied to all new residential subdivision developments to assist in establishing/re-establishing local survey benchmarks (vertical and horizontal) throughout the Town. The established fee is

meant to recover staff time and other costs associated with the annual Benchmark contract and are based on the actual contract costs from the previous year and the averaged residential building permits issued for the previous two years.

23. **Traffic Count Data – Intersection Turning Movement Count (TMC) or Automatic Traffic Records (ATR):** Public Works staff receive requests for traffic count data to assist new developments or businesses. This fee is intended to recover staff time and costs for providing the traffic count data.
24. **Engineering Peer Review Administration Fee:** This fee is intended to recover staff time and costs for managing and administering Engineering Peer Review undertakings funded by the Developer/Subdivider which are not collected through other Town mechanisms.
25. **Engineering Structure Inspection Fee:** This fee is applied to all new developments where municipally owned structures (e.g. retaining walls, culverts, bridges, etc.) with a span equal to 3.0m or greater will be constructed. The established fee is to recover the costs associated with completing the mandatory inspection of each structure in accordance with the requirements of the Ontario Structures Inspections Manual. Structures of this size are required to be inspected every two years regardless of the timing for assumption through the subdivision process.
26. **Site Alteration Permit:** A permit issued by the Commissioner pursuant to the provisions of the Site Alteration By-law 7425-18 and the Site Alteration Guidelines for the purpose of dumping, removing of topsoil from land, or the alteration of the grade of land by any means including placing fill, clearing and grubbing, the compaction of soil or the creation of impervious surfaces, or any combination of these activities.
- 27a. **Permit Condition Amendment Fee:** Where the total permitted fill quantity is made up of multiple sources and/or the fill source is not initially confirmed at the time of permit issuance, the approved permit conditions may be amended with each accepted source site, up to the maximum permitted fill quantity. A Permit Condition Amendment Fee would apply for each request to amend the permit conditions.
- 27b. **Permit Renewal Fee:** A Permit Renewal Fee shall be required should additional time be required to complete the original approved scope of work, the approved permit may be renewed one (1) time to double the permit term.
- 27c. **Site Alteration Overfill Fee:** If through a site alteration permit, it has been determined that an applicant has placed more fill than what was approved, an additional fee shall be paid by the Applicant(s). Refer to Guidelines to Site Alterations in the Town of Whitby, Appendix E.
- 27d. **Road Damage Contribution / Inspection Fee:** A per cubic meter of imported/exported material fee for degradation/long term damages of public infrastructure and staff inspection cost may be required prior to final approval of the

Site Alteration Permit. Land developers are required to provide a financial security equivalent to the applicable road damage contribution / inspection fee in lieu of the road damage contribution / inspection fee.

27e. Road Replacement Fee (Inc. Inspection and Administration): If it is determined by the Town that the roads will not support the projected trucking activity, the Applicant will be required to pay a Road Replacement Fee which will cover the cost to reconstruct the roadway following completion of the trucking activities.

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
1. Photocopying				
Engineering Drawings Prints (A1)	\$7.70	Yes	\$8.70	Per Sheet
Design Criteria & Engineering Standards	\$110.00	Yes	\$124.30	Per Book
Vertical Control	\$54.00	Yes	\$61.02	Per Book
Environmental Assessment Studies	\$110.00	Yes	\$124.30	Per Book
Watershed Reports	\$110.00	Yes	\$124.30	Per Book
2. Municipal Consent Approval Fee				
Per street, up to 250m length	\$555.00	No	\$555.00	Each
3. Curb Cutting (Actual quotation prices)				
Minimum charge for the first 2.0 metres	Actual Quotation Prices	Yes		First 2 Metres
Cost per each additional metre	Actual Quotation Prices	Yes		Additional Metres

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Additional curb-cutting both sides of curb	Actual Quotation Prices	Yes		Cutting Both Sides
Additional cost per order for a Rush Order	Actual Quotation Prices	Yes		Rush Order
Administration Fee	\$110.00	Yes	\$124.30	Each
4. Road Occupancy Permits				
Per Permit – Local Roads	\$120.00	No	\$120.00	Each
Field Locate Surcharge – Local Roads (ON1Call)	\$54.50	Yes	\$61.59	Each
Per Permit – Collector and Arterial Roads	\$485.00	No	\$485.00	Each
Field Locate Surcharge – Collector and Arterial Roads (On1Call)	\$110.00	Yes	\$124.30	Each
Single Trip Oversized Road Occupancy Permit	\$110.00	No	\$110.00	Per Trip
Yearly Oversized Road Occupancy Permit	\$320.00	No	\$320.00	Per Year
Site Service and Access Permit	\$210.00	No	\$210.00	Per Month
Use of Metered Parking Space	\$25.00	Yes	\$28.25	Per Day Per Meter
Asphalt Pavement – (Arterial Roads)	\$180.00	Yes	\$203.40	Per m ²
Asphalt Pavement – (Local and Collector)	\$165.00	Yes	\$186.45	Per m ²

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 11 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Infrared Joint Treatment (per metre)	\$90.00	Yes	\$101.70	Per metre
Infrared Treatment at Miscellaneous Locations (CB, MH, etc.)	\$490.00	Yes	\$553.70	Each
Concrete Sidewalk	\$150.00	Yes	\$169.50	Per m ²
Impressed Concrete	\$180.00	Yes	\$203.40	Per m ²
Tactile Plates (in addition to above concrete sidewalk item)	\$570.00	Yes	\$644.10	Per metre
Concrete Curb and Gutter	\$165.00	Yes	\$186.45	Per metre
Brick Pavers	\$155.00	Yes	\$175.15	Per m ²
Asphalt Boulevard/Multi-Use Path	\$125.00	Yes	\$141.25	Per m ²
5. Utilization of Right-of-Way				
Affecting vehicle travel lanes on Collector and Arterial Roads during off-peak hours (9:00am to 3:00pm and/or 7:00pm to 5:00am), up to 250m length	\$270.00	No	\$270.00	Per Lane Per Day
Affecting vehicular travel lanes on Collector and Arterial Roads during peak hours (5:00am to 9:00am and/or 3:00pm to 7:00pm), up to 250m length	\$57.50	No	\$57.50	Per Lane Per Hour

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Affecting travel lanes on Local Roads or boulevard, sidewalk, multi-use pathway, up to 250m length	\$57.50	No	\$57.50	Per Lane/ Boulevard Per Day
Noise By-law Exemption Permit Fee	\$110.00	No	\$110.00	Per Day
6. Driveway Entrance Culverts				
New Culverts - (460mm x 340mm)				
- Length of 6.0m	\$2,475.00	Yes	\$2,796.75	Lump Sum
- Additional lengths at time of installation	\$335.00	Yes	\$378.55	Per metre
- Culverts having larger diameter	Fee Prorated	Yes		Fee Prorated
Extend Existing Culverts – (460mmx340mm)				
- Minimum charge for a length of 1.5m	\$615.00	Yes	\$694.95	Lump Sum
- Additional lengths at time of installation	\$335.00	Yes	\$378.55	Per metre
- Culverts having larger diameter	Fee Prorated	Yes		Fee Prorated
Temporary Culverts- (460mm x 340mm)				
- Length of 6.0m or less	\$1235.00	Yes	\$1,395.55	Lump Sum
- Additional lengths at time of installation	\$205.00	Yes	\$231.65	Per metre

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 13 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Relocation of Existing Culverts	Actual Costs	Yes		Invoice Actual Costs
Administration Fee	\$105.50	Yes	\$119.22	Each
7. Deposits for Private Works (based 6.0m frontage)				
Concrete Sidewalk	\$1,350.00	Yes	\$1,525.50	Each
Concrete Curb and Gutter	\$990.00	Yes	\$1,118.70	Each
Sodded Boulevard	\$410.00	Yes	\$463.30	Each
Fencing	\$2,090.00	Yes	\$2,361.70	Each
Lot Sodding Deposit (Semi, Link and Street Townhouses)	\$2,565.00	Yes	\$2,898.45	Each
Lot Sodding Deposit (Detached)	\$4,100.00	Yes	\$4,633.00	Each
Infiltration Trench Deposit	\$300.00	Yes	\$339.00	Per m ³
8. Storm Sewer Connections (Invoice actual costs, if known)				
150mm diameter	\$220.00	No	\$220.00	Per metre
250mm diameter	\$287.00	No	\$287.00	Per metre
300mm diameter	\$318.00	No	\$318.00	Per metre
375mm diameter	\$370.00	No	\$370.00	Per metre
450mm diameter	\$385.00	No	\$385.00	Per metre
Administration Fee	\$105.50	Yes	\$119.22	Each
9. Sidewalk Installation				

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 14 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Concrete Sidewalk/Boulevard (Removal and Replacement)	\$150.00	Yes	\$169.50	Per m ²
Concrete Sidewalk/Boulevard (New)	\$410.00	Yes	\$463.30	Per m ²
Concrete Sidewalk and Platform	\$520.00	Yes	\$587.60	Per m ²
10. Illumination Installation (LED)				
Light Installation on existing pole	\$1,845.00	Yes	\$2,084.85	Each
Streetlight pole and light installation	\$7,100.00	Yes	\$8,023.00	Each
11. Streetlight Re-Lamping and Cleaning	\$36.00	Yes	\$40.68	Each
12. Newspaper Box Approval Fee				
Yearly Permit – per Newspaper Company	\$389.50	Yes	\$440.14	Per Year
Reclaiming Newspaper Boxes	\$143.50	Yes	\$162.16	Each
Administration Fee	\$110.00	Yes	\$124.30	Each
13. Outdoor Sidewalk Café Permit	\$205.00	No	\$205.00	Per permit
14. Building Permit Activity Report				
Monthly	\$13.00	Yes	\$14.69	Per Month
Annually (12 reports)	\$84.00	Yes	\$94.92	Per Year
15. Sidewalk Snow Clearing (Per Occurrence)	\$16.50	Yes	\$18.65	Per metre

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 15 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
16. Street Closure Permit	Actual Costs	Yes		(Invoice Actual Costs)
17. Municipal Lot Closure Fees				
During Office Hours	\$310.00	No	\$310.00	Per Closure
Outside of Office Hours	\$400.00	No	\$400.00	Per Closure
Use of Paid Parking Spaces	\$1.00	No	\$1.00	Per hour
18. Retrieval of Unauthorized Items (Including signs) (Invoice actual costs, if known)	\$53.00	Yes	\$59.89	Per Item
19. Solid Waste Management Fees				
Special Collection Services	\$25.00	No	\$25.00	Per Collection
Special Collections Cancellation Fee	\$3.00	No	\$3.00	Per Collection
Bag Tags	\$2.50	No	\$2.50	Per Tag
CFC Sticker	\$20.00	No	\$20.00	Per Sticker
20. Permanent Pavement Markings				
10 cm wide plastic pavement markings, any colour (fee in 20m increments due to spoilage after opening)	\$430.50	Yes	\$486.47	Per 20 metres
40 cm wide white stop bar	\$430.50	Yes	\$486.47	Each
21. Permanent Signage				

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 16 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
General – Standard Application	\$225.00	Yes	\$254.25	Each
Heritage Application	\$285.00	Yes	\$322.05	Each
Stop Sign with Street Name Blade(s) – Standard	\$450.00	Yes	\$508.50	Each
Stop Sign with Street Name Blade(s) - Heritage	\$745.00	Yes	\$841.85	Each
22. Town Benchmark Contribution (per new residential unit)	\$15.50	Yes	\$17.52	Per New Residential Unit
23. Traffic Count Data – Intersection Turning Movement Count (TMC) or Automatic Traffic Records (ATR)	\$51.25	Yes	\$57.91	Per Location
24. Engineering Peer Review Administration Fee	15 % of the total cost of the Peer Review Fee	Yes		Each
25. Engineering Structure Inspection Fee	\$1,085.00	Yes	\$1,226.05	Per Inspection
26. Site Alteration Permits Application Fee				
Alteration of Grade < 500 m ³	N/A	N/A	N/A	N/A
Alteration of Grade ≥ 500 m ³	N/A	N/A	N/A	N/A
Small Site Alteration < 500 m ³	\$2,741.00	Yes	\$3,097.33	Each

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 17 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Large Site Alteration ≥ 500 m ³	\$5,482.00	Yes	\$6,194.66	Each
Large Site Alteration ≥ 500 m ³ to CLOC regulated area	N/A	N/A	N/A	N/A
27a. Permit Condition Amendment Fee				
Permit Condition Amendment Fee (eg. Additional source site)	\$290.00	Yes	\$327.70	Per Amendment
27b. Permit Renewal Fee				
One Time Permit Renewal	50% initial Application Fee	Yes		Each
27c. Site Alteration Overfill Fee				
Site Alteration Overfill Fee	\$2.15	Yes	\$2.43	Per m ³
27d. Road Damage Contribution Fee				
Road Damage Contribution / Inspection Fee for imported/exported material	\$2.15	Yes	\$2.43	Per m ³
27e. Road Replacement Fee (Inc. Inspection and Administration)				

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 18 of 51

Agenda Item # 10.1

Fee Title	2022 Fee (Excluding Taxes)	HST Applicable	2022 Fee (Including Taxes)	Fee Basis
Road Reconstruction Low Class Bituminous (LCB) roads	\$18.60	Yes	\$21.02	Per m ²
Road Resurfacing High Class Bituminous (HCB) roads	\$74.40	Yes	\$84.07	Per m ²
Road Reconstruction High Class Bituminous (HCB) roads	\$292.20	Yes	\$330.19	Per m ²

Table 1 – Fees for Services and Activities

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 19 of 51

Engineering Design Review and Inspection Fees

General

- Applicants, at the time of executing any relevant Subdivision Agreement, Site Plan Agreement or other Development Agreement, or when otherwise required by the Town, shall pay to the Town the relevant fees as set out herein. HST shall be applied to all fees as set out herein.
- All Engineering Review and Inspection Fees will be indexed by 2.5% on January 1 of each year.

Subdivision Design Review and Inspection Fees

- The Engineering Design Review Fee to be paid by the Subdivider shall be 1.89% of the estimated cost of installation of public services for the Town of Whitby and other regulatory requirements administered by the Town of Whitby, with a minimum fee of \$18,900.00.
- The Engineering Inspection Fee to be paid by the Subdivider shall be based upon the following table relating to the estimated cost of public services to be installed for the Town of Whitby, the Region of Durham and other regulatory requirements administered by the Town of Whitby.

Estimated Cost of Services	Engineering Inspection Fee
Up to \$200,000.00	7.86% of the total estimated cost of services
\$200,000.01 to \$500,000.00	6.95% of the total estimated cost of services
\$500,000.01 to \$1,000,000.00	5.89% of the total estimated cost of services
\$1,000,000.01 to \$2,000,000.00	4.99% of the total estimated cost of services
\$2,000,000.01 to \$3,000,000.00	4.38% of the total estimated cost of services
\$3,000,000.01 and over	3.93% of the total estimated cost of services

Table 2 - Subdivision Design Review and Inspection Fees

- A fee for 'Underground Servicing Approval Only' equal to 11% of the total Engineering Design Review Fee plus 11% of the total Engineering Inspection Fee shall be paid by the Subdivider for underground servicing approval only of the Engineering Design in advance of the Full Engineering Design Approval. The minimum combined fee shall be \$18,400.00.

Subdivision Design Review Fee Surcharge

- The Subdivider shall pay an additional surcharge of 33.3% of the total Engineering Design Review Fee for a Fourth Engineering Submission review.
- The Subdivider shall pay an additional surcharge of 20.0% of the total Engineering Design Review Fee for each Engineering Submission review after the fourth submission.
- The above noted surcharges shall be discounted by 50% should less than half of the total number of plans require revisions.

Delayed Assumption Surcharge

- One year after placement of top asphalt, a final deficiency list will be issued by the Town. One year (12 months) from the issuance of this final deficiency report, and each anniversary date thereafter, the penalty fee of 2% (min. \$5,125.00) of the initial Engineering Inspection Fee will apply until the Subdivider/Developer has addressed all Subdivider/Agreement requirements.

Subdivision Assumption Fee

- This fee is applied to all new subdivisions at the time of assumption. The established fee of \$7,745.00 is intended to recover staff time and costs for completing the required tasks associated with assuming a subdivision, such as: updating GIS (record drawing) information, preparation of by-laws and document registration.

Site Plan Engineering Fees

- Tier 1: Development Site Area: $\leq 1,000 \text{ m}^2$, fix fee of \$2,559.00.
- Tier 2: Development Site Area: 1,001 to 3,000 m^2 , fix fee of \$7,618.00.
- Tier 3: Development Site Area: $> 3,001 \text{ m}^2$, sliding scale based on construction value of civil works as per the following table:

Estimated Cost of Civil Works	Site Plan Engineering Fee
Up to \$200,000.00	12.38% of the total estimated cost of services
\$200,000.01 to \$500,000.00	10.95% of the total estimated cost of services
\$500,000.01 to \$1,000,000.00	9.28% of the total estimated cost of services
\$1,000,000.01 to \$2,000,000.00	7.86% of the total estimated cost of services
\$2,000,000.01 to \$3,000,000.00	6.90% of the total estimated cost of services
\$3,000,000.01 and over	6.19% of the total estimated cost of services

Table 3 - Site Plan Engineering Fees

Site Plan Engineering Fee Surcharge

- Tier 1: Fix fee of \$3,800.00 per submission for 4th Submission (and beyond).
- Tier 2: Fix fee of \$11,200.00 per submission for 4th Submission (and beyond).
- Tier 3: 33% of the initial Site Plan Engineering Fee for 4th Submission, and 20% of the initial Site Plan Engineering Fee for each submission after the 4th submission.

Engineering Review for Residential In-Fill Lots

- Fix fee of \$4,607.00.

This fix fee shall also apply to all single family residential dwelling requiring a Site Plan Application, regardless of actual development site area.

Schedule D

To By-law #7220-17

Legal and Enforcement Services Department Fees
(In effect as of April 1, 2022)

The Commissioner of Legal and Enforcement Services/Town Solicitor has the authority to waive the Fees set out in this Schedule D in exceptional circumstances.

Description of Services and Activities

1. **Accessory Apartment Registration Fees:** These fees cover the cost of processing an accessory apartment registration application which includes Town of Whitby staff time and other costs to investigate, regulate and require property owners to register accessory apartments.
2. **Animal Adoption Fees:** These fees cover the cost of sheltering, spaying or neutering, vaccinating and preparing an animal for adoption to the public from the Animal Services Centre.
3. **Animal Licences:** These fees cover the cost of processing an application for an animal licence for a cat or dog which includes staff time and other costs to investigate, regulate and require owners of cats and dogs to register animals with the Town.
4. **Cadaver Disposal Fees:** These fees cover the cost of picking up and disposing of a deceased domestic animal from private property or the cost of an animal owner bringing a deceased animal to Animal Services for disposal.
5. **Wildlife Trap Rental Fee:** This fee imposes a deposit to ensure the trap's return, and imposes a cost if the trap is not returned after a week of being borrowed.
6. **Impoundment Fees:** These fees cover the cost of picking up an animal found running at large and sheltering the animal at the Animal Services Centre. The after-hours fee is applicable when an Animal Services Officer is required to work after-hours and incur overtime to pick-up an animal found running at large. This fee helps to offset the costs incurred in providing this service to the Town's residents.
7. **Owner Surrender Fees:** These fees are applicable should an animal owner wish to transfer their animal to Animal Services for future adoption. Animal Services incurs costs to care for the animal and to have it spayed/neutered and vaccinated prior to making the animal available for adoption.
8. **Pool Enclosure Permit Fees:** These fees cover the cost of processing a pool enclosure permit application which includes staff time and other costs to investigate, regulate and require owners of privately-owned swimming pools to erect and maintain fences and gates around such swimming pools.

9. **Temporary Sign Permit:** This fee covers the cost of processing a sign permit application which includes staff time and other costs to investigate, prohibit and regulate temporary signs erected within the Town.
10. **Committee Appeal Fees:** This fee has been calculated to help cover the overhead costs for the Town in facilitating Property Standards and Animal Services Appeals.
11. **New Site Fee-Private Property Sign Inspection:** This fee is applied to all new private property sites, the cost covers staff labour to inspect the property to ensure proper signage for the ticketing and towing of vehicles.
12. **Private Property Site Renewal (third party enforced):** This fee is applied yearly to all private property locations seeking enforcement by an appointed security company. The fee covers the cost of application processing on a yearly basis.
13. **Private Property Parking Officer Training:** This fee is applied to all new private properties seeking authorization to appoint and issue Town parking tickets. The cost covers staff labour to inspect the property to ensure proper signage for the ticketing and towing of vehicles. The fee also covers the cost to provide training through Town of Whitby Legal and Enforcement Services staff to private property owners/agents, for the enforcement of private parking issues. The training will aim to ensure that those individuals appointed to enforce private property parking regulations are aware of their powers, limitations, and overall scope and ability while engaged under the authority granted to them by the Town of Whitby. Copies of all relevant Town By-laws will also be provided. Currently, the appointment of Municipal Law Enforcement Officers for the purpose of private property parking enforcement is undertaken in accordance with By-law #2916-90 and the existing appointment policy. The fee represents the cost of labour and materials to train all new parking enforcement appointees.
14. **Private Property Towing (Business Hours):** This fee is charged to all sites seeking a Town MLEO to remove a vehicle from their property. Cost includes staff labour and tow fees to remove a vehicle during business hours.
15. **Private Property Towing (Outside Office Hours):** This fee is charged to all sites seeking a Town MLEO to remove a vehicle from their property. Cost includes staff labour and tow fees to remove a vehicle outside of office hours.
16. **By-law Services Re-Inspection Fee:** This fee has been calculated based on the time required to conduct an inspection and includes the hourly rate of a By-law Officer and the overhead costs associated with a By-law Officer, including the cost of a municipal vehicle, uniform, mobile phone, laptop, and associated administrative support.
17. **Compliance Letters:** This fee covers the cost of processing and preparing a compliance letter, which includes staff time to investigate the history of a property, open files, and zoning compliance.

18. **General Legal Fees:** This fee sets the rate by which the Town may seek cost recovery for time spent by the Law Clerk or Town Solicitor on various legal matters, so that if the Town seeks costs in a litigation and needs to include the time spent by staff in Legal Services, it can establish the validity and existence of such cost through the fees and charges by-law.
19. **Land Titles Registration Administration Fee:** This fee covers the Town's time spent to register agreements or other instruments on title to property. The Teraview registration fees and search fees, which are charged to the Town, may also be recovered for search and registration fees outside of the normal Planning application process (e.g., easements, applications to delete agreements, postponements, demolition agreements, and enforcement orders).
20. **Legal Fees for Title Search:** This fee covers the Town's time spent to search title and obtain various related instruments on title to the property, exclusive of disbursements. Teraview search fees are charged in addition to the time spent to review the parcel register and determine the status of title and whether any additional documents need to be obtained.
21. **Legal Fees for Sale Transaction:** This fee covers the Town's actual costs with respect to the sale of Town-owned land and the time spent to prepare the necessary documentation, conduct the necessary title searches, prepare and register the necessary instruments on title to the property (exclusive of disbursements).
22. **Legal Fees for Purchase Transaction:** This fee covers the Town's actual costs with respect to the purchase of land and the time spent to prepare the necessary documentation, conduct the necessary title searches, prepare and register the necessary instruments on title to the property (exclusive of disbursements).
23. **Preparation and Registration of Subdivision Amending Agreement:** This fee covers the Town's actual costs for the preparation and registration of a subdivision amending agreement and the time spent to prepare the necessary documentation, conduct the necessary title searches, prepare and register the necessary instruments on title to the property (exclusive of disbursements).
24. **Encroachments:** This fee covers the Town's time for processing, preparing or releasing an encroachment agreement between a property owner and the Town, exclusive of disbursements. Teraview search and registration fees are charged in addition to any application or agreement preparation fees. Encroachments on Town property must go through the application process to confirm the size, type, risk and length of time the encroachment is required.
25. **Annual Encroachment Fees:** If an encroachment is permitted on Town property, an annual encroachment fee will be charged based on location, type and risk factor of the encroachment. Evidence of insurance will be required annually together with the encroachment fee as determined.

- 26. Noise By-law Exemptions for Private Construction and for Special Events:**
 This fee covers the Town's cost of processing and considering applications for exemptions to the Town's Noise By-law for private construction and special events, pursuant to Sections 3.8 to 3.10 of the Noise By-law.
- 27. Preparation of Licensing Agreements:** This fee covers the Town's time spent to prepare licensing agreements (e.g. license agreement, permission to enter agreement, crane swing agreement, construction licensing agreement, etc.) and associated documentation, and conduct the necessary title searches (exclusive of disbursements). Teraview search fees are charged in addition to any licensing agreement preparation fee.
- 28. Minor Fence Height Exemption Application:** This fee covers Staff time associated with processing minor fence height exemptions pursuant to the provisions of Fence By-law # 4394-99, as amended.

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
1. Accessory Apartment Fees				
Accessory Apartment Registration Permit	\$250.00	No	\$250.00	each permit
Transfer of Registration Permit	\$100.00	No	\$100.00	per transfer
2. Animal Adoption Fees				
Cat adoption fee (general)	\$150.00	Yes	\$169.50	maximum fee for each
Cat adoption fee for cat under 1 year of age	\$250.00	Yes	\$282.50	maximum fee for each
Dog adoption fee (general)	\$309.74	Yes	\$350.00	maximum fee for each
Dog adoption fee for dog under 1 year of age	\$500.00	Yes	\$565.00	maximum fee for each

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Other animal adoption fee	\$100.00	Yes	\$113.00	maximum fee for each
3. Animal Licences				
Unaltered dog or cat	\$54.00	No	\$54.00	each licence, annual
Unaltered dog or cat, with microchip	\$49.00	No	\$49.00	each licence, annual
Sterilized dog or cat	\$29.00	No	\$29.00	each licence, annual
Sterilized dog or cat, with microchip	\$24.00	No	\$24.00	each licence, annual
Replacement animal licence	\$7.00	Yes	\$7.91	each licence
4. Cadaver Disposal Fees				
Cadaver disposal at Animal Services Centre	\$50.00	Yes	\$56.50	each cadaver
Cadaver pick-up	\$75.00	Yes	\$84.75	each cadaver
5. Wildlife Trap Rental Fee	\$50.00	No	\$50.00	rental fee per week
Wildlife Trap Rental Deposit	\$50.00	No	\$50.00	refundable cash deposit if returned within one week
Wildlife Trap Rental Late Fee	\$5.00	No	\$5.00	each per day every day thereafter
6. Impoundment Fees				

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 27 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Impoundment of dog or cat wearing current Town of Whitby animal licence/microchipped	-	-		
1 st occurrence	Free	No	n/a	no fee for the 1 st occurrence
2 nd or subsequent occurrence	\$150.00	No	\$150.00	fee after 1 st occurrence
Any occurrence where the dog or cat is picked-up by Animal Services after regular working hours	\$200.00	No	\$200.00	fee if picked up after regular working hours
Daily care fee/animal/per day	\$35.00	Yes	\$39.55	fee per animal per day
Impoundment of dog or cat not wearing current Town of Whitby animal licence/not microchipped	-	-	n/a	-
1 st occurrence	\$150.00	No	\$150.00	fee for 1 st occurrence
2 nd occurrence	\$150.00	No	\$150.00	fee for 2 nd occurrence
Any occurrence where the dog or cat is picked-up by Animal Services after regular working hours.	\$200.00	No	\$200.00	fee if picked up after regular working hours
Daily care fee/animal/per day	\$35.00	Yes	\$39.55	fee per animal per day
7. Owner Surrender Fees				
Transfer of ownership of a sterilized animal to Whitby Animal Services (resident)	\$75.00	Yes	\$84.75	each transfer

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 28 of 51

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Transfer of ownership of an unsterilized Dog to Whitby Animal Services (resident)	\$132.75	Yes	\$150.00	each transfer
Transfer of ownership of an unsterilized cat to Whitby Animal Services (resident)	\$88.50	Yes	\$100.00	each transfer
Transfer of ownership of an unsterilized animal to Whitby Animal Services (non-resident)	\$150.00	Yes	\$169.50	each transfer
Transfer of ownership of a sterilized animal to Whitby Animal Services (non-resident)	\$125.00	Yes	\$141.25	each transfer
8. Pool Enclosure Permit Fees				
Pool Enclosure Permit	\$450.00	No	\$450.00	per permit
Transfer of Pool Enclosure Permit	\$100.00	No	\$100.00	per transfer
Refund – Permit issued no construction commenced	\$180.00	No	\$180.00	40% refund of permit fee
9. Temporary Sign Permit	\$150.00	No	\$150.00	per sign permit
10. Committee Appeal Fee				
Appeal to Property Standards Committee	\$100.00	Yes	\$113.00	per appellant
Appeal to Animal Services Committee	\$100.00	Yes	\$113.00	per appellant
11. New Site Fee- Private Property Parking Sign Inspection	\$100.00	No	\$100.00	per site
12. Private Property Site Renewal (third party enforced)	\$25.00	No	\$25.00	per site

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 29 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
13. Private Property Parking Officer Training	\$105.50	No	\$105.50	per person
14. Private Property Towing (Business Hours)	\$100.00	No	\$100.00	per vehicle towed
15. Private Property Towing (Outside Business Hours)	\$200.00	No	\$200.00	per vehicle towed
16. By-law Services Re-Inspection Fee	\$200.00	No	\$200.00	per re-inspection
17. Compliance Letters				
Compliance Letter (Residential)	\$150.00	Yes	\$169.50	each compliance letter
Compliance Letter (Any other zone)	\$225.00	Yes	\$254.25	each compliance letter
18. General Legal Fees				
Law Clerk	\$150.00	Yes	\$169.50	per hour
Solicitor	\$315.00	Yes	\$355.95	per hour
19. Land Titles Registration Administration Fee (not related to a planning application fee) exclusive of disbursements				
Registration of Agreements or Miscellaneous Documents (exclusive of disbursements)	\$270.00	Yes	\$305.10	per document

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 30 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Release of Agreements or Miscellaneous Documents – Development, Encroachment, License, Pre Servicing, Demolition, Model Home, Postponements, Notices, etc. (exclusive of disbursements)	\$250.00	Yes	\$282.50	per document
20. Legal Fees for Title Search (exclusive of disbursements)	\$155.00	Yes	\$175.15	per property
21. Legal Fees for Sale Transaction (exclusive of disbursements)	\$650.00	Yes	\$734.50	per transaction
22. Legal Fees for Purchase Transaction (exclusive of disbursements)	\$775.00	Yes	\$875.75	per transaction
23. Preparation and Registration of Subdivision Amending Agreement	\$1,675.00	Yes	\$1,892.75	per document
24. Encroachments				
Encroachment Application Fee	\$360.00	No	\$360.00	per application
Preparation of Encroachment Agreement - Legal Fee (exclusive of disbursements)	\$525.00	Yes	\$593.25	per agreement
Release from Encroachment Agreement (exclusive of disbursements)	\$200.00	Yes	\$226.00	per agreement

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 31 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
25. Annual Encroachment Fees				
Downtowns – Residential and Non-Residential under 10 m ²	No charge	No	n/a	Downtown and under 10 m ²
Downtowns – Residential and Non-Residential over 10 m ²	No charge	No	n/a	Downtown and over 10 m ²
Residential under 10 m ²	\$110.00	No	\$110.00	per encroachment
Residential over 10 m ²	\$210.00	No	\$210.00	per encroachment
Non-Residential under 25 m ²	\$310.00	No	\$310.00	per encroachment
Non Residential over 25 m ²	\$515.00	No	\$515.00	per encroachment
Additional fees based on risk factor	As calculated by Legal Services	Yes	As calculated by Legal Services	As calculated by Legal Services
26. Noise By-law Exemptions for Private Construction and for Special Events	\$310.00	Yes	\$350.30	per exemption request
27. Preparation of Licensing Agreements				
Permission to Enter/Licence Agreement (exclusive of disbursements)	\$250.00	Yes	\$282.50	per agreement

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 32 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Crane Swing Agreement (exclusive of disbursements)	\$250.00	Yes	\$282.50	per agreement
Construction Licensing Agreement (exclusive of disbursements)	\$525.00	Yes	\$593.25	per agreement
28. Minor Fence Height Exemption Application	\$500.00	No	\$500.00	per application

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 33 of 51

Schedule E
To By-law # 7220-17
Whitby Fire & Emergency Services Department Fees
(In effect as of April 1, 2022)

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
General Fees				
Emergency Response Report < 2 years	\$100.00	Yes	\$113.00	Per report
Emergency Response Report > 2 years	\$150.00	Yes	169.50	Per report
File Searches Residential	\$100.00	Yes	\$113.00	Per Search Including letter
Multi Unit Buildings (Up to 3 Units file search)	\$100.00	Yes	\$113.00	Includes response letter
Multi Unit Buildings (4 units or more, file search)	\$25.00	Yes	\$28.25	Per unit, includes response letter
Inspection Fees				
Boarding/Lodging/Rooming House (upon request)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes compliance letter
Educational Institutions (upon request)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes compliance letter
Foster Care (upon request)	\$100.00/hr Min 2 hours	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 34 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
	+\$100/hr after 2 hrs			compliance letter
Group Home (upon request)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes compliance letter
Institutional (upon request)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes compliance letter
Licensed Day Care Centre (upon request)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes compliance letter
Private Home Day Care (upon request)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour Includes compliance letter
Fire Regulation Compliance Letter	none	n/a	none	This letter forms part of either the inspection or file search request process
Liquor Licensing (upon request - includes occupant load calculations)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour includes letter
Residential Occupancies (Not owner occupied)	\$100.00/hr Min 2 hours	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour includes letter

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 35 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
	+\$100/hr after 2 hrs			
Open Air Burning Request	\$80.00	Yes	\$90.40	
Two Unit Residential Retrofit (if due to complaint and no contraventions, no fee)	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour includes letter
Fire Safety Plan Development/Approval	none	Yes	none	Included as inspection fees
Miscellaneous Inspections Not Otherwise Specified	\$100.00/hr Min 2 hours +\$100/hr after 2 hrs	Yes	\$226.00 +\$113.00/hr after 2 hrs	Per Hour includes letter
Propane Plan Review (Existing 5000 USWG or less)	\$276.00	Yes	\$311.88	Per application
Propane Plan Review (New or modified 5000 USWG or less)	\$553.00	Yes	\$624.89	Per application
Propane Plan Review (Existing greater than 5000 USWG)	\$2,487.00	Yes	\$2,810.31	Per application
Propane Plan Review (New/modified greater than 5000 USWG)	\$2,764.00	Yes	\$3,123.32	Per application
Propane Plan Review (If necessary to retain 3rd party engineering or other firm)	Actual Costs	Yes	-	Per application

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 36 of 51

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Emergency Services				
Standby Requests (by private companies, developers, industry, provincial or regional government, other than Emergency Response)				
~Per Vehicle for every ½ hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Emergency Response to Motor Vehicle Accidents on Ministry of Transportation Highways as per the Province of Ontario's Rates (cost recovery through MTO)				
~Per Vehicle for first hour or part thereof	Maximum chargeable rate as set by MTO	No		Per vehicle per hour
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	No		Per vehicle per hour
Plus any additional clean-up costs	Actual Costs			
~Per Vehicle for first hour or part thereof	Maximum chargeable rate as set by MTO	No		Per vehicle per hour
Emergency Response to Transportation of Dangerous Goods Incidents				
Emergency Response to transportation of dangerous goods incidents (cost recovery as per Transportation of Dangerous Goods Act)	Actual Costs			

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Emergency Response to a Hazardous Material Spill				
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Plus any additional clean-up costs	Actual Costs			
Emergency Response to Any Call Involving Hazardous Materials				
Damaged/Contaminated Equipment requiring replacement or specialized cleaning	Actual Costs			When hazardous materials are present
Emergency Response to a Natural Gas Leak caused by a ruptured gas line				
Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Plus any additional clean-up costs	Actual Costs			
Additional Expenses - to retain a private contractor or rent equipment not carried on fire apparatus in order to suppress a fire,	Actual Costs			

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 38 of 51

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
preserve property, prevent fire spread, remove materials creating a hazard, secure property for investigation, determine fire cause, conduct a fire watch, or otherwise eliminate an emergency or hazard.				
Preventable Fires or Preventable Alarms				
More than one (1) emergency response to unapproved open air burning				
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Fires on or beside rail lines, caused by rail equipment, and failure to attempt to extinguish those fires that impinge on private or public properties				
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
More than two (2) preventable (malicious or false) alarms in a 12 month period				
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Services provided via the Specialty Rescue Services Agreement with the City of Oshawa				

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Services Provided under the Specialty Rescue Services Agreement with the City of Oshawa (including trench rescue, confined space, high angle, etc.)	Actual Costs			
Indemnification Technology ®				
~Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour
Additional Expenses - to retain a private contractor or rent equipment not carried on fire apparatus in order to suppress a fire, preserve property, prevent fire spread, remove materials creating a hazard, secure property for investigation, determine fire cause, conduct a fire watch, or otherwise eliminate an emergency or hazard.	Actual Costs			
Motor Vehicle Collision (MVC)				
Attendance at MVC	Maximum chargeable rate as set by MTO	Yes		Per vehicle per hour, for at-fault, non-Whitby resident drivers

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
ARIS Search	\$15	Yes	\$16.95	Per accident
Other Fees				
Fire Safety Presentations	N/A			
Fire Extinguisher Training (at Headquarters)	\$12.00	Yes	\$13.26	Per Person
Fire Extinguisher Training (on site)	\$17.00	Yes	\$19.21	Per Person
Discharging Fire Works - Consumer grade (family)	N/A			
Discharging Fire Works – Display grade	\$225	Yes	\$254.25	Per Request
Discharging Fire Works - Pyrotechnics	\$225	Yes	\$254.25	Per Request
Requests by Residential Home Owner (exclusively owner occupied)	N/A			
Fire Access Route Applications	N/A			

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 41 of 51

Schedule K**To By-law # 7220-17**

Community Services Department Fees – Marina and Harbour Facilities Division Fees
(Effective March 8, 2022)

Definitions

- **Marina Reciprocal Membership** means a membership for marina customers to receive free overnight dockage at participating reciprocal clubs on Lake Ontario.
- **PWC** means Personal Watercraft

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Marina Boat Handling				
Launch	\$10.04	Yes	\$11.35	1 foot
Launch 12 month boater	\$8.07	Yes	\$9.12	1 foot
Haul Out	\$10.04	Yes	\$11.35	1 foot
Haul out 12 month boaters	\$8.07	Yes	\$9.12	1 foot
Travel lift/boat move in yard	\$5.91	Yes	\$6.68	1 foot
Transport to Charles Street one way	\$251.62	Yes	\$284.33	1 flat rate
Trailer-able Boat Storage with Ramp Access				
Overnight	\$32.65	Yes	\$35.85	1 flat rate
Weekly	\$108.25	Yes	\$122.33	1 flat rate
Monthly	\$10.34	Yes	\$11.36	1 foot
Monthly – PWC – Single up to 12' LOA	\$150	Yes	\$169.50	1 flat rate

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Monthly – PWC – Double up to 12' LOA	\$220.00	Yes	\$248.60	1 flat rate
May 1 to Oct 31	\$38.68	Yes	\$43.71	1 foot
May 1 to Oct 31 – PWC – single up to 12' LOA	\$500.00	Yes	\$565.00	1 flat rate
May 1 to Oct 31 – PWC – double up to 12' LOA	\$700.00	Yes	\$791.00	1 flat rate
Marina Membership				
Reciprocal Membership	\$67.43	Yes	\$76.20	1 annual
Marina Seasonal Dockage				
Pier 3 - 18 feet and under	\$646.59	Yes	\$730.65	1 flat rate
Pier 3 – 19' to 22'	\$866.88	Yes	\$979.58	1 flat rate
Piers 2, 4, 6 – (un-serviced)	\$58.46	Yes	\$66.06	1 foot
Piers 2,4,6 – (includes 30A)	\$72.65	Yes	\$82.09	1 foot
Piers 1, 5, 7, 8, 9 (un-serviced)	\$61.77	Yes	\$69.80	1 foot
Piers 1, 5, 7, 8, 9 (includes 30A)	\$75.56	Yes	\$85.38	1 foot
Piers 1, 5, 7, 8, 9 (includes 50A)	\$82.66	Yes	\$93.41	1 foot
Piers 1, 5, 7, 8, 9 (includes 60A)	\$89.75	Yes	\$101.42	1 foot
Additional Hydro – 30 AMP	\$14.19	Yes	\$16.03	1 foot
Additional Hydro – 50 AMP	\$21.29	Yes	\$24.06	1 foot
Other Services				

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 43 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Public Boat Launch Daily (vehicle only)	\$7.08	Yes	\$8.00	1 flat rate
Public Boat Launch Daily (vehicle plus trailer)	\$13.27	Yes	\$15.00	1 flat rate
Public Boat Launch Seasonal January 1 – April 30	\$106.20	Yes	\$120.00	1 flat rate
Public Boat Launch Seasonal May 1 to December 31	\$115.05	Yes	\$130.00	1 flat rate
Marina Ramp Commercial Use	\$3.01	Yes	\$3.40	1 foot
Mast Up or Down Minimum	\$138.49	Yes	\$156.49	1 flat rate
Mast Up or Down	\$5.07	Yes	\$5.73	1 foot
Multi-spreader masts – additional fee	\$1.57	Yes	\$1.77	1 foot
Mast Storage Non-member	\$144.58	Yes	\$163.38	1 flat rate
Pressure Rinse Hull	\$3.67	Yes	\$4.14	1 foot
Blocking Material and Labour	\$8.87	Yes	\$10.02	1 foot
Blocking Labour Only	\$4.43	Yes	\$5.01	1 foot
Marina Labour	\$74.14	Yes	\$83.78	1 hour
Visitor Pump Out	\$18.69	Yes	\$21.12	tank
Marina Storage				
Cradle Storage up to 30' LOA	\$113.24	Yes	\$127.96	1 flat rate
Cradle Storage 31 – 40' LOA	\$141.07	Yes	\$159.41	1 flat rate
Cradle Storage 41'+ LOA	\$168.86	Yes	\$190.81	1 flat rate
Trailer Storage - Monthly	\$75.00	Yes	\$84.75	1 flat rate

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 44 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Dinghy Trailer storage – May 1 to Oct 31 - up to 15'	\$102.00	Yes	\$115.26	1 flat rate
Trailer Storage – May 1 to Oct 31	\$215.79	Yes	\$243.84	1 flat rate
Winter Storage Monthly	\$7.56	Yes	\$8.54	1 foot
Winter Storage – outdoor Nov 1 to April 30 East or West Yard	\$35.91	Yes	\$40.57	1 foot
Winter Storage – outdoor 12 month boater Nov 1 to April 30 East or West Yard	\$28.54	Yes	\$32.25	1 foot
Winter Storage – outdoor Nov 1 to April 30 North Yard Only – (Trailer-able up to 30')	\$28.96	Yes	\$32.72	1 foot
Winter Storage – outdoor 12 month boater Nov 1 to April 30 North Yard Only (Trailer-able boats up to 30')	\$27.61	Yes	\$31.34	1 foot
Indoor Storage – per 6 month season (summer/winter) based on length x beam of vessel in metres.	\$0.83	Yes	\$0.94	1 square metre
Summer Land Storage - Monthly	\$13.64	Yes	\$15.41	1 foot
Kayak/canoe/paddleboard storage max 15' length - Per	\$241.03	Yes	\$272.36	1 flat rate

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 45 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
6 month season (summer/winter)				
Marina Visitor Dockage				
May 1 to September 30 Day use up to 4 hours Includes 30 AMP	\$0.83	Yes	\$0.94	1 foot
May 1 to September 30 Overnight includes 30 AMP Hydro	\$1.65	Yes	\$1.86	1 foot
May 1 to September 30 Overnight includes 30 AMP Hydro, Ramp Use, Trailer Storage	\$2.31	Yes	\$2.61	1 foot
May 1 to September 30 Overnight includes 50 or 60 AMP Hydro	\$1.90	Yes	\$2.15	1 foot
October 1 to April 30 Overnight includes 30 AMP	\$1.47	Yes	\$1.66	1 foot
Weekly includes 30 AMP	\$6.12	Yes	\$6.92	1 foot
Weekly includes 30 AMP, Ramp Use, Trailer Storage	\$8.57	Yes	\$9.68	1 foot
Weekly includes 50 or 60 AMP	\$7.04	Yes	\$7.96	1 foot
Monthly includes 30 AMP	\$17.09	Yes	\$18.77	1 foot
Monthly includes 30 AMP, Ramp Use, Trailer Storage	\$23.93	Yes	\$27.04	1 foot
Monthly includes 50 or 60 AMP	\$19.65	Yes	\$22.20	1 foot

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 46 of 51

Schedule R
To By-law # 7220-17
 Financial Services Department Fees
(In effect as of April 1, 2022)

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Tax Certificates for Lawyers or Mortgage Companies	\$75.00	No	\$75.00	Cost per roll number
Income Tax/Duplicate Receipts	\$15.00	No	\$15.00	Cost per year/per roll number.
Statement of Accounts	\$15.00	No	\$15.00	Cost per roll number
Verbal Tax Information to Lawyers	\$75.00	No	\$75.00	Tax Certificate must be ordered
Cheque or Automatic Withdrawal returned from the bank	\$50.00	No	\$50.00	Fee for any payment returned by the bank for any reason, including cheques and automatic withdrawals etc.

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Processing a refund or transfer between tax accounts of an overpayment on a tax account (by property owner or their agent).	\$40.00	No	\$40.00	Fee for each refund or payment transfer requested to be processed. Written confirmation of agreement of fee is required. Not applicable to overpayment from tax appeal, low income rebate programs or other similar situations
Incorrect Tax Roll Number for Electronic or Bank Payments	\$40.00	No	\$40.00	Fee per payment that has to be manually corrected. No fee if it is the property owner's first time making an electronic payment(letter sent to inform them) No fee waive for first time error on part of financial institution or lawyer.

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 48 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Copies of Adjustment Letters (write offs, apportionment, vacancy, heritage etc.)	\$10.00	No	\$10.00	Fee per item, includes time to research and retrieve item from archives.
Ownership Information Change	\$30.00	No	\$30.00	Fee per roll number, for all changes except for estates, survivorship applications, or change in marital status.
Postdated Cheque removal from system or moving to a different date in the system	\$20.00, up to a maximum of \$120.00 per request.	No	\$20.00	Fee to move or remove a postdated cheque from the tax account, fee will be waived if owner is deceased.
Tax Billing for Mortgage Companies	\$10.00	No	\$10.00	Fee per roll number for all accounts billed at Interim and Final billings.
Set up Fee for New Tax Accounts	\$50.00	No	\$50.00	Fee per roll number

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 49 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Additions to the Tax Roll Charge	\$50.00	No	\$50.00	Fee per roll number for each item added to the tax roll for non-tax items such as outstanding by-law charges, other Municipal Liens, Region of Durham Water/Sewer charges etc.
Farm Debt Fee	\$60.00	Yes	\$67.80	Fee for each tax roll number that is issued this document as part of the collection process.
Accounts Receivable Administration Fee on Invoices	Min. 8% unless specified higher	Yes		Added to all invoices prepared by Accounts Receivable where the fee is applicable
Application to Purchase Town-owned Land	\$ 250.00	Yes	\$282.50	Processing fee for circulating request to purchase Town land. Additional fees may apply if the request is approved as per the fees by-law

By-law Name: Amendment to the Fees and Charges By-law
 By-law # 7859-22

Page 50 of 51

Agenda Item # 10.1

Fee Title	Fee (Excluding Taxes)	HST Applicable	Fee (Including Taxes, if applicable)	Fee Basis
Application to Purchase Town-owned Land (resident, not-for-profit, registered charity)	\$50.00	Yes	\$56.50	Processing fee for circulating request to purchase Town land. Additional fees may apply if the request is approved as per the fees by-law
Development Charge Refund Request	\$150.00	Yes	\$169.50	Per DC refund/partial DC refund request as per Section 25 and 19(2) of the Town's Development Charge By-law #7748-21

By-law Name: Amendment to the Fees and Charges By-law
By-law # 7859-22

Page 51 of 51



Town of Whitby By-law # 7860-22

Traffic By-law Amendment

Being a By-law to Amend By-law 1862-85, as amended, being a By-law to Regulate Traffic on the Highways and on Certain Private Roadways in the Town of Whitby.

Whereas the Council of The Corporation of the Town of Whitby has passed By-law 1862-85, as amended, to regulate traffic on highways in the Town of Whitby;

And whereas, the Council of The Corporation of the Town of Whitby considers it desirable to amend the provisions of By-law 1862-85, as amended;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That Schedule B, No Parking, is hereby amended as described in Schedule A hereto attached.

2. Effective Date

- 2.1. The provisions of this by-law shall come into force and take effect on the passing thereof and at such time as properly worded signs have been erected.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk

Schedule A

Schedule B, No Parking, to By-law 1862-85, as amended, is further amended by removing thereto the following:

Column 1 Highway	Column 2 Side	Column 3 Between	Column 4 Prohibited Times or Days
Lyndebrook Road	North and South	80 m west of Country Lane and the east terminus of Lyndebrook Road	Anytime

Table 1 - Schedule B, No Parking, to By-law 1862-85, as amended, removing thereto.

Schedule B, No Parking, to By-law 1862-85, as amended, is further amended by adding thereto the following:

Column 1 Highway	Column 2 Side	Column 3 Between	Column 4 Prohibited Times or Days
Lyndebrook Road	North and South	80 m west of Country Lane and 195 m east of Country Lane	Anytime
Lyndebrook Road	North and South	195 m east of Country Lane and the east terminus of Lyndebrook Road	May 1 – October 31

Table 2 - Schedule B, No Parking, to By-law 1862-85, as amended, adding thereto.



Town of Whitby By-law # 7861-22

Amendment to Responsible Pet Ownership By-law # 7294-17

Being a By-law to Amend Responsible Pet Ownership By-law # 7294-17.

Whereas the Council of The Corporation of the Town of Whitby considered Report LS 02-22 at its meeting on February 28, 2022;

And whereas Council deems it necessary to amend Responsible Pet Ownership By-law # 7294-17 in accordance with Report LS 02-22, to require pet shops to only sell dogs, cats, and rabbits sourced from municipal animal shelters, humane societies or registered animal rescue groups.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That the following definitions be added to Section 1, Definitions of By-law # 7294-17 in alphabetical order, and that the existing subsections be re-numbered accordingly:

"pet shop" means a shop, place or premise, where, in the calendar year, more than three (3) animals for use as pets are sold or kept for sale;

"pet shop owner" means a person who alone or with others, owns or controls the trade, calling, business or occupation carried on at a pet shop and "owner" includes a person who is the tenant or licensee in respect to premises which is utilized as a pet shop, and also includes the registered owner of the property;

"registered animal rescue group" means a recognized non-profit or charitable organization whose practices are specifically limited to the rescue and placement of animals via adoptions to members of the public, and who otherwise comply with all applicable animal welfare and care standards and legislation.

- 1.2. That the following be inserted into By-law # 7294-17, as Section 8, Pet Shop Regulations with the existing Sections 8, 10, and 11 re-numbered accordingly with Section 9 remaining the same as originally numbered.

8. Pet Shop Regulations

- 8.1 No pet shop owner shall, knowingly or not knowingly, sell, offer for sale, permit the sale, or give away any dog, cat or rabbit except one that has been sourced by from a municipal animal shelter, a humane society or from a registered animal rescue group.

1.3 That Section 9, Penalties of By-law # 7294-17 be renamed Offences and Penalties and the following be inserted as Section 9.2.

9.2. No person shall,

- 1) prevent, hinder or interfere, or attempt to prevent, hinder or interfere with an inspection or investigation undertaken in accordance with this by-law by an animal services officer;
- 2) fail to provide or produce documents or information to an animal services officer, including receipts or personal information that may be relevant to inspection or investigation; or,
- 3) in conjunction with subsection 2, an animal services officer may be required to inspect and remove documents or things, or parts thereof, relevant to an inspection or investigation for the purpose of making copies or extracts.

2. Effective Date

2.1 The provisions of this By-law shall come into force and take effect on the final passing of the By-law.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk



Town of Whitby By-law # 7862-22

Zoning By-law Amendment

Being a By-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby.

Whereas on April 15, 2019 the Council of The Corporation of the Town of Whitby passed By-law # 7496-19 which amended By-law # 2585, as amended, to grant the temporary use of one off site residential sales office on the lands municipally known as 402 Gordon Street for a period of three years to April 15, 2022;

And whereas the temporary use provision on the Subject Land is scheduled to expire on April 15, 2022 and Council deems it advisable to further amend By-law # 2585, as amended, to grant a further period of three years for the temporary use of one off-site residential sales office;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

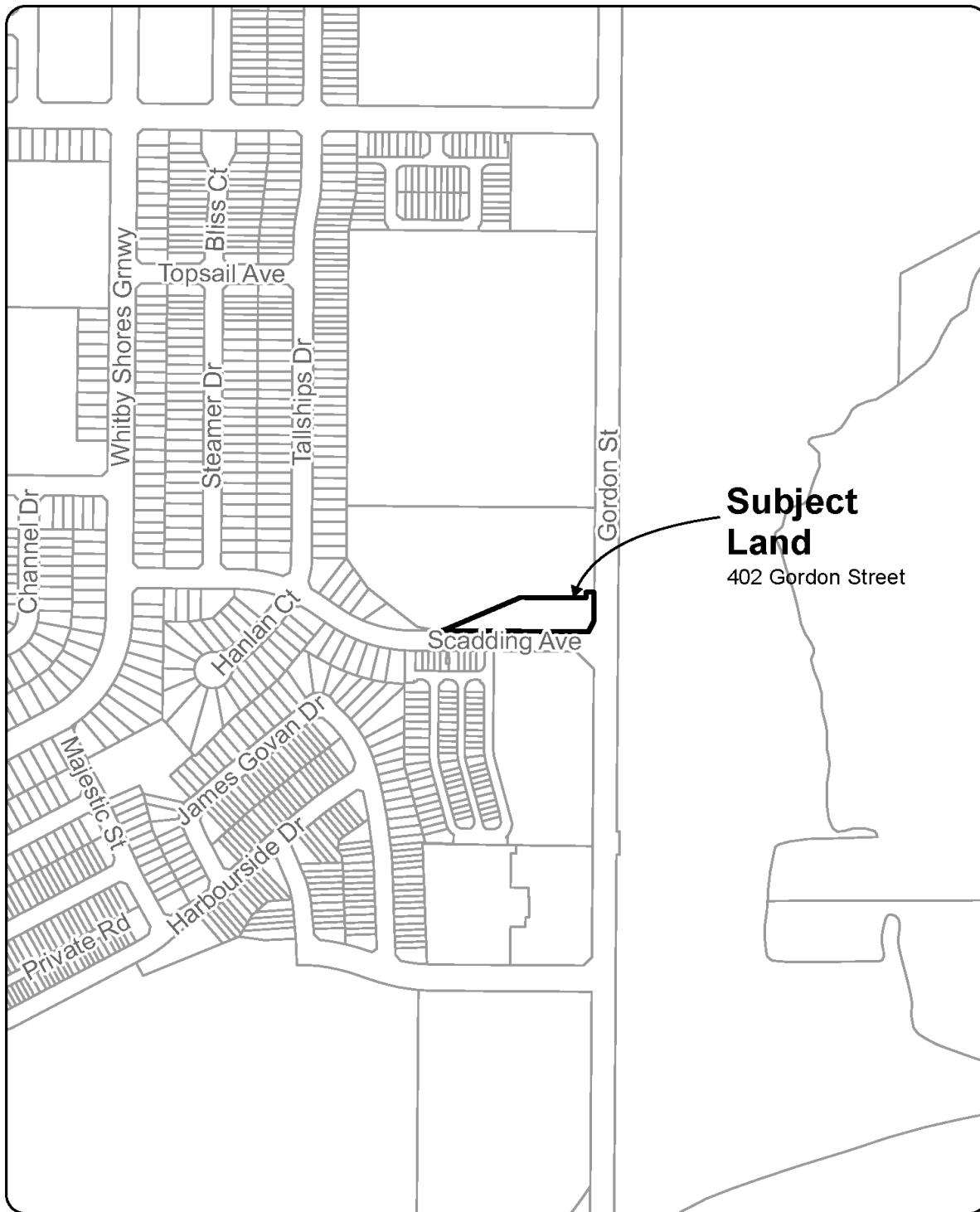
- 1.1. Section 13, Open Space (OS) Zone, subsection (3) Exceptions to By-law # 2585, as amended, is hereby further amended by deleting the sentence in provision 2(b)(iv) of Exception 1: OS-1 and replacing it with the following:
2(b)(iv) The temporary use of one off site residential sales office shall cease to be in effect as of April 15, 2025.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk

Key Map to By-Law # 7862-22



By-law Name: Zoning By-law Amendment
By-law # 7862-22

Page 2 of 2



Town of Whitby By-law # 7863-22

Amendment to Fence By-law # 4394-99

Being a By-law to amend the Fence By-law # 4394-99, as amended.

Whereas the Council of The Corporation of the Town of Whitby considered Report LS 03-22 at its meeting on February 28, 2022;

And whereas Council deems it necessary to amend Fence By-law # 4394-99, as amended, 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 Report LS 03-22.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That subsection 1(a) "Director of Public Works" of By-law # 4394-99, as amended, be repealed and replaced with the following definition:

"Commissioner of Legal and Enforcement Services/Town Solicitor" means the Commissioner of Legal and Enforcement Services/Solicitor for the Town of Whitby or their designate;

- 1.2. That all remaining references to "Director of Public Works" in By-law # 4394-99, as amended, be replaced with "Commissioner of Legal and Enforcement Services/Town Solicitor";
- 1.3. That the following be added as Section 7 to By-law # 4394-99, as amended, with the existing Sections 7, 9, 10, 11, and 12 re-numbered accordingly and Section 8 remaining as originally numbered:

7. Minor Fence Height Exemptions

- 7.1. The Commissioner of Legal and Enforcement Services/Town Solicitor is delegated the authority to approve exemptions from the 2 metre fence height maximum noted Sections 2(1), 2(2), and 5(1) of this By-law subject to the following:

- i) The height exemption being sought is no more than a maximum 10% variance;
- ii) The applicant provides the required information, as determined by the Commissioner, with their application and payment of the application fee as set out in the Town's Fees and Charges By-law;
- iii) The Commissioner circulates notice of the application for an exemption to adjacent property owners directly affected by the application to determine if there are objections to the application;

- iv) Upon receipt of an objection, the Commissioner shall review the objection, and if reasonable grounds for the objection are provided, the exemption request will be denied;
- v) In instances where a fence that is subject to an application for an exemption abuts or may otherwise potentially impact Town property, the Commissioner shall circulate the application for an exemption to relevant Town departments for review and comment;
- vi) Fences that are approved for exemptions to the height maximums of the Fence By-law remain subject to the provisions of the Division Fence By-law # 3657-95 and the Line Fences Act, R.S.O. 1990, c. L.17; and,
- vii) The Commissioner may provide for any matter that, in the Commissioner's opinion, is necessary for the assessment and determination of fence height exemption requests in accordance with this By-law.

2. Effective Date

- 2.1 The provisions of this By-law shall come into force and take effect on the final passing of the By-law.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk



Town of Whitby By-law # 7864-22

By-law to Stop Up and Close a Public Highway

Being a By-law to stop up and close part of the Public Highway known as Hickory Street.

Whereas the Council of The Corporation of the Town of Whitby pursuant to Corporate Services Report CS 21-18 and Council Resolution # 119-18 deemed it desirable to stop up and close a portion of the public highway known as Hickory Street;

And whereas Council waived the requirements of giving public notice of its intention to stop up and close pursuant to Public Notice Policy CA 150;

And whereas Section 34 of the Municipal Act, 2001, S.O. 2001, c.25 as amended provides that the Council of every municipality may pass by-laws for closing any highway or part of a highway.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That the following portion of the public highway known as Hickory Street is hereby closed:
 - (a) Part of Lots 295, 296 and 297, Plan H-50029, being Part 1 on Plan 40R-30953, Town of Whitby (being Part of PIN 26532-0210 (LT)).
- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title to lands and highways set out herein.

2. Effective Date

- 2.1. This by-law shall come into force and effect on the date of passing.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk

Memorandum to Council

Financial Services Department



To: Mayor and Members of Council
CC: Laura Scott, Real Estate Law Clerk
From: Fuwing Wong, Commissioner, Financial Services/Treasurer
Date: March 4, 2022
File #: By-law # 7864-22, By-law # 7865-22, Report CS 21-18
Subject: March 7, 2022 By-laws Related to Hickory Street and Conveyance of Lands to 10447889 Canada Inc.

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

This memo is to provide background on two by-laws listed on the March 7, 2022 Council agenda:

- 1) By-law # 7864-22 to Stop Up and Close a Public Highway (known as Hickory Street); and
- 2) By-law # 7865-22 to convey lands to 10447889 Canada Inc. (owner of 400 Mary Street East).

The by-laws relate to a 2018 Council report, confidential report CS 21-18 entitled "Declare Surplus Part of Lot 295, Part of Lots 296, 297, Plan H-50029, Part 23, 40R-6389 – Northeast Corner of Mary Street East and Hickory Street North", that provided the following:

- Part of Lots 295, 296, and 297, Plan H-50029, Part 23, 40R6389, was declared surplus for the purpose of sale to the adjoining landowner, subject to the conditions as set out in the report;
- The Town give public notice of its intention to sell the subject property by placing an advertisement in the newspaper one time;
- If no objection is received by the Town in connection with the proposed sale, and provided the owner of 400 Mary Street East enters into a satisfactory development agreement, a by-law be brought forward to authorize the sale;

- A by-law be brought forward to stop up and close the portion of the road allowance from the property to be sold; and
- The Mayor and Clerk be authorized to execute the necessary documents.

The by-laws, reflective of a new reference plan prepared subsequent to the 2018 report, are being brought forward now (in 2022) as the 2018 report noted that the conveyance was dependent upon the following conditions which have now been fulfilled:

- The owner of 400 Mary Street East entering into a development agreement satisfactory to the Town; and
- The site plan application includes the Town obtaining land for a 3 metre road widening along Mary Street East as well as a sight triangle.



Town of Whitby By-law # 7865-22

By-law to Authorize the Conveyance of Lands to 10447889 Canada Inc.

Being a By-law to authorize the conveyance of Part of Lots 295, 296 and 297, Plan H-50029, being Part 1 on Plan 40R-30953, Town of Whitby, being Part of PIN 26532-0210 (LT).

Whereas Section 9 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas the Council of The Corporation of The Town of Whitby has authorized the sale of the Lands to 10447889 Canada Inc. in accordance with Corporate Services Report CS 21-18.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That The Corporation of the Town of Whitby convey the following lands in the Town of Whitby, Regional Municipality of Durham, to 10447889 Canada Inc.
 - (a) Part of Lots 295, 296 and 297, Plan H-50029, being Part 1 on Plan 40R-30953, Town of Whitby (being Part of PIN 26532-0210 (LT)).
- 1.2. That the Mayor and Clerk are hereby authorized to execute all documents to give effect the sale of Lands.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk

Memorandum to Council

Financial Services Department



To: Mayor and Members of Council
CC: Laura Scott, Real Estate Law Clerk
From: Fuwing Wong, Commissioner, Financial Services/Treasurer
Date: March 4, 2022
File #: By-law # 7864-22, By-law # 7865-22, Report CS 21-18
Subject: March 7, 2022 By-laws Related to Hickory Street and Conveyance of Lands to 10447889 Canada Inc.

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

This memo is to provide background on two by-laws listed on the March 7, 2022 Council agenda:

- 1) By-law # 7864-22 to Stop Up and Close a Public Highway (known as Hickory Street); and
- 2) By-law # 7865-22 to convey lands to 10447889 Canada Inc. (owner of 400 Mary Street East).

The by-laws relate to a 2018 Council report, confidential report CS 21-18 entitled "Declare Surplus Part of Lot 295, Part of Lots 296, 297, Plan H-50029, Part 23, 40R-6389 – Northeast Corner of Mary Street East and Hickory Street North", that provided the following:

- Part of Lots 295, 296, and 297, Plan H-50029, Part 23, 40R6389, was declared surplus for the purpose of sale to the adjoining landowner, subject to the conditions as set out in the report;
- The Town give public notice of its intention to sell the subject property by placing an advertisement in the newspaper one time;
- If no objection is received by the Town in connection with the proposed sale, and provided the owner of 400 Mary Street East enters into a satisfactory development agreement, a by-law be brought forward to authorize the sale;

- A by-law be brought forward to stop up and close the portion of the road allowance from the property to be sold; and
- The Mayor and Clerk be authorized to execute the necessary documents.

The by-laws, reflective of a new reference plan prepared subsequent to the 2018 report, are being brought forward now (in 2022) as the 2018 report noted that the conveyance was dependent upon the following conditions which have now been fulfilled:

- The owner of 400 Mary Street East entering into a development agreement satisfactory to the Town; and
- The site plan application includes the Town obtaining land for a 3 metre road widening along Mary Street East as well as a sight triangle.



Town of Whitby By-law # 7866-22

Part Lot Control By-law

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2011-01) as not being subject of Part Lot Control.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:
 - (a) Block 47, Plan 40M-2689, being all of PIN 26570-2133 (LT);
 - (b) Block 48, Plan 40M-2689, being all of PIN 26570-2134 (LT);
 - (c) Block 59, Plan 40M-2689, being all of PIN 26570-2145 (LT); and,
 - (d) Block 60, Plan 40M-2689, being all of PIN 26570-2146 (LT).
- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

2. Effective Date

- 2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 7th, 2024.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk



Town of Whitby By-law # 7867-22

Part Lot Control By-law

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:
 - (a) Block 90, Plan 40M-2694, being all of PIN 26548-4916 (LT);
 - (b) Block 91, Plan 40M-2694, being all of PIN 26548-4917 (LT);
 - (c) Block 92, Plan 40M-2694, being all of PIN 26548-4918 (LT);
 - (d) Block 101, Plan 40M-2694, being all of PIN 26548-4927 (LT);
 - (e) Block 102, Plan 40M-2694, being all of PIN 26548-4928 (LT);
 - (f) Block 103, Plan 40M-2694, being all of PIN 26548-4929 (LT);
 - (g) Block 104, Plan 40M-2694, being all of PIN 26548-4930 (LT);
 - (h) Lot 47, Plan 40M-2694, being all of PIN 26548-4873 (LT);
 - (i) Lot 48, Plan 40M-2694, being all of PIN 26548-4874 (LT);
 - (j) Lot 49, Plan 40M-2694, being all of PIN 26548-4875 (LT);
 - (k) Lot 50, Plan 40M-2694, being all of PIN 26548-4876 (LT);
 - (l) Lot 54, Plan 40M-2694, being all of PIN 26548-4880 (LT);
 - (m) Lot 55, Plan 40M-2694, being all of PIN 26548-4881 (LT);
 - (n) Lot 56, Plan 40M-2694, being all of PIN 26548-4882 (LT);
 - (o) Lot 87, Plan 40M-2694, being all of PIN 26548-4913 (LT); and,
 - (p) Lot 88, Plan 40M-2694, being all of PIN 26548-4914 (LT).

- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

2. Effective Date

- 2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 7, 2024.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk



Town of Whitby By-law # 7868-22

Streamline Development Approval Fund Grant By-law

Being a By-law to authorize Staff to enter into a Transfer Payment Agreement with the Province of Ontario for the Provincial Streamline Development Approval Fund grant.

Whereas the Province of Ontario has recently announced a \$45 million new Streamline Development Approval Fund grant to help Ontario's 39 largest municipalities implement actions to get development approved faster so more housing can be built; and,

Whereas the funding program is consistent with Town of Whitby's plans to modernize and streamline the Town's development approval process and Staff have expressed an interest in participating in the grant program; and,

Whereas the Town of Whitby has been approved for a \$1 million Streamline Development Approval Fund grant from the Province;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. Authorization to Enter into the Agreement and Effective Date

- 1.1 That Staff be authorized to enter into a Transfer Payment Agreement with the Province of Ontario for the Streamline Development Approval Fund grant effective March 1, 2022.

By-law read and passed this 7th day of March, 2022.

Don Mitchell, Mayor

Christopher Harris, Town Clerk

Memorandum to Council

Financial Services Department



To: Mayor and Members of Council
CC: Roger Saunders, Commissioner, Planning and Development
Sarah Klein, Director, Strategic Initiatives
Jacqueline Long, Head of Organizational Effectiveness
Daniel Munns, Director, Technology & Innovation Services
From: Fuwing Wong, Commissioner Financial Services & Treasurer
Date: March 7, 2022
File #:
Subject: By-law 7868-22 - Streamline Development Approval Fund Grant by-law

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

The purpose of this memorandum is to provide background information related to By-law 7868-22, a by-law to authorize Staff to enter into a Transfer Payment Agreement with the Province of Ontario related to the Streamline Development Fund grant.

At the Ontario Housing Affordability Summit on January 19, 2022, the Province of Ontario announced a new \$45 million Streamline Development Approval Fund. The fund is intended to help Ontario's 39 largest municipalities to modernize, streamline and accelerate processes for managing and approving housing applications. All of this "to get shovels in the ground faster and unlock the supply of housing" per the letter from the Minister of Municipal Affairs and Housing.

The Town of Whitby's work plans already included projects related to the modernization and streamlining of the development application process so the Town confirmed interest in accessing this grant funding.

On February 7, 2022, the Town was provided a Transfer Payment Agreement (the "TPA") related to a \$1 million Streamline Development Fund grant for the Town of Whitby. The deadline to sign and send the TPA back to the Province was March 1, 2022. Given that March 7, 2022 is the first regularly scheduled Council meeting

following receipt of the TPA, there is a by-law on the March 7, 2022 Council agenda authorizing Staff to enter into the TPA with an effective date of March 1, 2022.

In accordance with the requirements of the TPA, the Town will submit an interim report to the Province by April 22, 2022 which will include a written description outlining how the Town intends to spend the grant funds, a workplan, timeline and budget for the project. The Town will be working through these details and will provide Council with a future memo outlining the plan prior to submitting the interim report to the Province.