

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

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
A. McCullough, Director, Finance and Deputy Treasurer
M. Powers, Senior Manager, Parks, Parks Planning and Culture
R. Saunders, Commissioner of Planning and Development
H. Ellis, Executive Advisor to the Mayor
S. Klein, Director of Strategic Initiatives
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

Regrets: None noted

C. Harris, Town Clerk, advised that due to the ongoing COVID-19 pandemic, the Committee of the Whole meeting is being held in a hybrid meeting format, with a limited number of people attending in person and others attending virtually. He noted that written correspondence was submitted by the public regarding items on the agenda. Mr. Harris advised that the Committee would receive delegations regarding Item 4.1, PL 42-20, Item 4.2, PL 43-20, and Item 9.1, PW 9-20. He provided Members of Council with an overview of meeting etiquette and procedures with respect to conducting the meeting electronically.

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Planning and Development

Councillor Mulcahy assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

- 2.1** Adam Layton, representing Star Residence Limited
Re: Planning and Development Department Report, PL 42-20
Official Plan and Zoning By-law Amendment Applications, Star
Residence Limited, 812, 816, 900, 904, and 908 Rossland Road East,
File Numbers: DEV-04-20 (OPA-2020-W/01 and Z-03-20)

Refer to Item 4.1, PL 42-20

Adam Layton, representing Star Residence Limited, provided a PowerPoint presentation which included detailed information regarding the location, height and density of the proposed development, the surrounding land uses, the amendments to the Zoning By-law and Official Plan, and the Urban Design Plan endorsed by Council in June 2019. Mr. Layton advised that the proposed access to the development would be from Rossland Road East and that there would not be a vehicular connection from Brimley Court. He further advised that as many trees as possible would be retained along Brimley Court including the trees along the east property line adjacent to the existing homeowner on Brimley Court. He noted that concerns were raised by the existing homeowner on Brimley Court regarding animals accessing the roof of their home and debris falling from the trees. Mr. Layton advised that options were being investigated to prune the branches on the trees to eliminate any future impact on the homeowner. He noted that it was important to retain the existing trees to maintain both the feel along Brimley Court and provide privacy for the adjacent homeowner. He advised that changes to the proposal include the installation of a

multi-use path along Rossland Road East, the installation of a double row of trees along Brimley Court, and the proposed mixed uses which contemplates 17 live/work units as well as approximately 800 square metres of mixed use space for various non-residential uses such as offices, retail or daycare. Mr. Layton advised that he was working with staff to generate an acceptable list of uses in accordance with the amending zoning by-law. He noted that the owner of the property was seeking a standard of sustainability beyond LEED.

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

- concerns raised by the homeowner on Brimley Court adjacent to the proposed development regarding privacy and measures to ensure their privacy would not be affected by the proposed development;
- the distance between the foundation for Building "B" and the adjacent homeowner;
- an explanation of the grey lines on Building "A" and Building "B" as indicated on the conceptual aerial view within the proponent's presentation;
- confirmation that the only access to the proposed buildings would be via Rossland Road East and that there would not be a vehicular connection at the rear of the buildings;
- whether the existing unoccupied dwellings on the site would be removed expeditiously should the applications be approved;
- the results of the Transportation Study and the Traffic Impact Study related to vehicular entry and exit from the proposed development and the impact on the existing traffic blockage of the westbound lanes in front of the access to the condominium building;
- whether consideration had been given to providing affordable housing within the proposed development;
- the number of trees that would be retained on Teddington Crescent;
- the impact of shadowing from the proposed buildings on the houses located at the south end of Teddington Crescent;
- confirmation that Building "B" would abut the rear yard of the adjacent house;
- the distance between the fence located on the homeowners property on Brimley Court and the proposed building; and,
- whether the proponent has received the report from the Region of Durham regarding proposed affordable housing requirements in the future.

2.2 Sarath Chitturi and Praneetha Mulpuri

Re: Planning and Development Department Report, PL 42-20
Official Plan and Zoning By-law Amendment Applications, Star
Residence Limited, 812, 816, 900, 904, and 908 Rossland Road East,
File Numbers: DEV-04-20 (OPA-2020-W/01 and Z-03-20)

Refer to Item 4.1, PL 42-20

Sarath Chitturi and Praneetha Mulpuri, 11 Brimley Court, advised that their property was located adjacent to the proposed development. Ms. Mulpuri advised that she had raised concerns at the September 8, 2020 Public Meeting about the trees located on the property and the impact the trees have had on her eaves troughs. She noted that a blockage in the eaves troughs caused flooding in the basement and that the eaves troughs had to be replaced. She stated that the solution offered regarding the trees was to have them pruned, and inquired about who would be responsible for pruning the trees on an ongoing basis. Ms. Mulpuri suggested replacing the pine trees with another type of tree. She stated that she understood that the intent of retaining the trees was to provide privacy, but that the trees would not provide sufficient privacy. She noted that the height of the fence between her property and the proposed development would not offer any privacy. Ms. Mulpuri advised that retaining the trees would not be the best option, and requested that her concerns be considered and that other options be presented.

A brief question and answer period ensued between Members of Committee and Mr. Chitturi and Ms. Mulpuri regarding confirmation that it was pine needles and pine cones falling from the trees that was causing damage to the property.

A brief question and answer period ensued between Members of Committee and Mr. Layton regarding the concerns raised about the trees, the damage they have caused to the property located on Brimley Court, and the consideration of other options to ensure the trees would not have an impact on the property.

- 2.3** Rodger Miller representing Stacy Whittington and Keith Bryan
Re Planning and Development Department Report, PL 43-20
Zoning By-law Amendment Application, Stacey Whittington and Keith
Bryan, 108 and 110 Craydon Road, File Number: DEV-17-20 (Z-12-20)

Refer to Item 4.2, PL 43-20

Rodger Miller, representing Stacey Whittington and Keith Bryan, stated that he was advised of correspondence submitted to the Town which raised concerns about existing issues with snow melt and storm water at the location of the proposed development. Mr. Miller noted that full

reports were submitted to Town Staff addressing current storm water conditions on the site and proposed future solutions to deal with storm water. Mr. Miller advised that parking which supports the two existing buildings was located between the two buildings and that the remainder of the property drains to the west. He advised that the proposed development and drainage plan would reduce drainage to the west by 60 percent and the anticipated storm water that would be directed to the west would be reduced to 33 percent in the post development. He advised that along the west property line there was a rear yard catchbasin that takes water from the existing swale and collects the storm water so that it does not unduly impact the adjacent properties to the west. Mr. Miller further advised that should there be an issue with snow melt on site, an inspection of the existing catchbasin would take place to determine whether there were any blockages. He advised that another concern was raised about privacy due to the elevation of the proposed buildings. Mr. Miller stated that there was an existing 6-foot high privacy fence along the west limit of the property. He noted that both the current fencing, to determine whether it should be improved or replaced, and landscaping issues that may impact privacy could be addressed through the site plan review process.

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

- confirmation that changes to the proposed development include the removal of balconies facing existing residents and that balconies would only be located on the east side of the proposed buildings which face internally into the site and would not overlook adjacent properties;
- an explanation for the proposed reduction in the rear yard and interior side yard setbacks; and,
- the willingness to address residents' concerns about drainage/flooding issues.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development Department Report, PL 42-20
Re: Official Plan and Zoning By-law Amendment Applications, Star Residence Limited, 812, 816, 900, 904, and 908 Rossland Road East, File Numbers: DEV-04-20 (OPA-2020-W/01 and Z-03-20) [Revised]

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

- suggestions/options that would address the concerns raised about the trees on the property adjacent to the proposed development;
- the impact on the foundations of adjacent existing dwellings from the construction of the proposed development;
- addressing the issue of privacy for the homeowner on Brimley Court;
- how traffic flow/congestion at Rossland Road East and Garden Street would be addressed;
- whether Town Staff would review safety signage with Staff from the Region of Durham; and,
- whether the Whitby Green Standards checklist would be applied to the proposed development through the Site Plan process.

Recommendation:

Moved By Councillor Roy

1. That Council approve Official Plan Amendment Number 119 to the Whitby Official Plan (File: OPA-2020-W/01), as shown on Attachment #8, and that a By-law to adopt Official Plan Amendment Number 119 be brought forward for consideration by Council;
2. That the Clerk forward a copy of Report Number PL 42-20, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Official Plan Amendment Number 119, to the Region of Durham's Commissioner of Planning;
3. That Council approve the amendment to Zoning By-law # 1784, (File Z-03-20) subject to the conditions and comments outlined in Planning Report No. PL 42-20, subject to the approval of Amendment Number 119 to the Whitby Official Plan; and,
4. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

- 4.2** Planning and Development Department Report, PL 43-20
Re: Zoning By-law Amendment Application, Stacey Whittington and Keith Bryan, 108 and 110 Craydon Road, File Number: DEV-17-20 (Z-12-20)

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

- concerns about traffic flow;

- reviewing parking and traffic safety concerns on Craydon Road and the possibility of either widening the road or not permitting parking;
- assurances that water drainage from the proposed development into the rear yards of residents on Lupin Drive would be addressed;
- whether mature plantings would take place to ensure the privacy of residents on Lupin Drive from the proposed development; and,
- whether the proponent had provided a presentation or had any dialogue with the residents on Lupin Drive.

Recommendation:

Moved By Councillor Roy

1. That Council approve an amendment to Zoning By-law 2585, (File Z-12-20) as outlined in Planning Report No. PL 43-20; and,
2. That a By-law to amend Zoning By-law # 2585 be brought forward for consideration by Council.

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 Site Plan authority for this application be revoked and the site plan brought forward to Council for consideration.

Carried

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

Recommendation:

Mayor Mitchell

1. That Council approve an amendment to Zoning By-law 2585, (File Z-12-20) as outlined in Planning Report No. PL 43-20; and,
2. That a By-law to amend Zoning By-law # 2585 be brought forward for consideration by Council; and,

3. That Site Plan authority for this application be revoked and the site plan brought forward to Council for consideration.

Carried

4.3 Planning and Development Department Report, PL 44-20
Re: Permanent Sign By-law Review

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

- the number of Permanent Sign By-law variance requests for new businesses in Whitby;
- how the recommendations contained within the report would change the number of Permanent Sign By-law variance requests to Council;
- the process for the enforcement of signs that do not comply with the Permanent Sign By-law and whether the enforcement of non-compliant signs was complaint based;
- the outcome for businesses that do not apply for a sign permit, and whether proactive or complaint based enforcement takes place;
- restricting the size of digital signage outside of the downtown areas identified in Schedules A and B of By-law # 7379-18 to ensure that the impact of digital signs would be similar to the impact of traditional non-digital signage;
- whether businesses with existing digital signage would be impacted by changing the provisions within the Permanent Sign By-law;
- whether Staff would be consulting with businesses, institutions, and the community on the impact of digital signage;
- whether Staff would conduct a survey of businesses within Whitby and other municipalities to determine the preferred size of digital signs and the signage provisions in place in other jurisdictions;
- whether any businesses in Whitby have not opened because digital signage restrictions were in place;
- how digital signage has been used in Whitby;
- whether inspections on signage takes place prior to grand openings for businesses;
- whether variance requests for non-compliant drive-through menu board signs could be addressed by adjusting requirements to be more in line with industry standards; and,

- providing a summary of information on requested changes through applications received with respect to drive-through menu board signs in Whitby.

Recommendation:

Moved By Councillor Newman

1. That the Permanent Sign By-law (By-law # 7379-18) be revised as follows:
 - a. the Downtown Brooklin boundary identified on Schedule A to By-law # 7379-18 be revised consistent with the Downtown Brooklin Major Central Area boundary of the Brooklin Community Secondary Plan;
 - b. remove provisions that permit duplicate or identical ground or pylon signs on the same property; and,
 - c. update the definition of read-o-graph signs to include electronic message board type signs;
2. That a By-law be brought forward to repeal and replace Permanent Sign Bylaw # 7379-18 with the proposed revisions;
3. That Council provide direction to Staff regarding expanding digital signage restrictions to areas outside of the boundaries identified on Schedules A and B of By-law # 7379-18; and,
4. That item MD-5276 be removed from the New and Unfinished Business list.

Carried later in the meeting (See following motions)

Recommendation:

Moved By Mayor Mitchell

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

3. That Staff report back with a profile of how digital signage is being used and on reducing the size of digital signage outside of Schedules A and B of By-law # 7379-18 to ensure the attention impact of digital signage is not larger than the impact of traditional signage.

Carried

Recommendation:

Moved By Councillor Shahid

That the main motion be amended by including Item 5 as follows:

5. That Staff be directed to review and report to Council by January 2021 on comparator municipalities and industry standards with regard to size and height for menu board and directional signs to confirm appropriate regulations and restrictions within the Permanent Sign By-law.

Motion Lost

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

Recommendation:

Councillor Shahid

1. That the Permanent Sign By-law (By-law # 7379-18) be revised as follows:
 - a. the Downtown Brooklin boundary identified on Schedule A to By-law # 7379-18 be revised consistent with the Downtown Brooklin Major Central Area boundary of the Brooklin Community Secondary Plan;
 - b. remove provisions that permit duplicate or identical ground or pylon signs on the same property; and,
 - c. update the definition of read-o-graph signs to include electronic message board type signs;
2. That a By-law be brought forward to repeal and replace Permanent Sign Bylaw # 7379-18 with the proposed revisions;
3. That Staff report back with a profile of how digital signage is being used and on reducing the size of digital signage outside of Schedules A and B of By-law # 7379-18 to ensure the attention impact of digital signage is not larger than the impact of traditional signage; and,
4. That item MD-5276 be removed from the New and Unfinished Business list.

Carried

- 4.4** Planning and Development Department Report, PL 45-20
Re: Zoning By-law Amendment Application, 360 Columbus Road East, Charles H. Best Diabetes Centre, File Number: Z-06-20

A brief question and answer period ensued between Members of Committee and Staff regarding the difference between a local commercial zoning permission versus special purpose commercial.

Recommendation:

Moved By Councillor Roy

That Council approve an amendment to Zoning By-law # 1784 (File: Z-06-20), and that a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

5. New and Unfinished Business - Planning and Development

5.1 New and Unfinished Business List - Planning and Development - Item MD-4821

Councillor Newman inquired about the status of Item MD-4821 regarding the management of infill housing height transitions.

R. Saunders, Commissioner of Planning and Development, advised a report back on this matter would be presented in early 2021.

It was the consensus of the Committee to take a short recess. The Committee recessed at 9:05 p.m. and reconvened at 9:10 p.m.

General Government

Councillor Leahy assumed the Chair.

6. Presentations

6.1 Tara Painchaud, Senior Manager, Transportation Services, Chris Potvin, Supervisor, Active Transportation, and Peter Philips, Chair of the Active Transportation and Safe Roads Advisory Committee
Re: Public Works Department Report, PW 9-20
Active Transportation Plan - Final Draft

Tara Painchaud, Senior Manager, Transportation Services, and Peter Philips, Chair of the Active Transportation and Safe Roads Advisory Committee (ATSRAC) provided a PowerPoint presentation. Highlights of the presentation included:

- the Active Transportation Plan's vision and goals;
- details about the structure of the Active Transportation Plan;
- the guiding influences used for the development of the plan;

- the various Active Transportation Plan recommendation themes;
- highlights of key recommendations within the Active Transportation Plan;
- the various policies identified to be included in the Active Transportation Plan;
- details about the types of on and off-road Active Transportation infrastructure;
- key recommendations for Downtown Whitby;
- details on the cost to implement the Active Transportation Plan including infrastructure, social and institutional initiatives and maintenance and how implementation of the plan would be funded; and,
- an overview of the next steps.

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

- whether the plan contemplates how to address time pressures people face, seasonal challenges, the distance between home and work in the community, and a culture that gives priority to convenience;
- whether amenities such as water fountains have been considered for runners, walkers and cyclists and the possibility of installing drinking fountains in parks and along the waterfront in the Port Whitby area;
- how other plans such as the Transportation Master Plan were integrated into this plan;
- the timeline for the consultation period;
- the timeline for complete implementation of the plan;
- when the process started, and how long staff have been working on the plan in conjunction with the ATSRAC; and,
- whether the ATSRAC reviewed the plan prior to the presentation at Committee; and,
- clarification on the cost for implementation of the plan over the short-term, medium-term, and long-term.

7. Delegations

- 7.1** George and Max Lysyk, Residents
Re: Public Works Department Report, PW 9-20
Active Transportation Plan - Final Draft

Refer to Item 9.1, PW 9-20

George and Max Lysyk, 360 Columbus Road West, advised that their property was located at the northwest corner of Cedarbrook Trail and

Columbus Road, and that their family has owned and paid taxes on the property for over 60 years. Mr. Lysyk noted that the Active Transportation Plan indicates a proposed off-road trail through their property. He further advised that after speaking to Staff that he understood the Comprehensive Block Plan was used to determine the layout of trails and pathways in Whitby. However, the concept plan did not reflect the proposed layout for his property because his family were non-participants of the Brooklin Landowners Group. Mr. Lysyk advised that they were currently working with an engineering consulting firm and would be submitting a draft plan for their property early in the new year. He stated that the Comprehensive Block Plan shows a green finger through the property, but the verbiage within Brooklin Secondary Plan indicated that the green finger was to be removed because it was a hedgerow. He noted that his family hired environmental engineers, civil engineers and geomorphologists to prove that it was a drainage swale that has overgrown due to years of farming. He mentioned that with the green finger removed, there would not be a location for an off-road trail because the trail would be through the rear yards of residents in the area. Mr. Lysyk stated that based on the layout of lands surrounding his property, there would be more than enough active transportation routes. Mr. Lysyk provided a detailed list of multi-use paths and trails surrounding the area, noting that an off-road trail through his property was not needed and would not work. He advised that he had not provided input on the plan. Mr. Lysyk stated that he was a cyclist and would like to see this plan implemented, but would like it to be done properly.

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

- how Mr. Lysyk became aware about the Active Transportation Plan coming forward to Council for consideration; and,
- whether referring the plan back to Staff to provide time for comments on the plan would be agreeable to the delegate.

A brief question and answer period ensued between Members of Council and Staff regarding other landowners that may find themselves in a similar situation.

8. Correspondence

9. Staff Reports

9.1 Public Works Department Report, PW 9-20
Re: Active Transportation Plan - Final Draft

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

- concerns about the limited length of time Members of Council have had to review and understand the report;
- the availability of the report for public viewing on the Town's website;
- the amount of time and work invested in the plan over the course of 3 years;
- budget restrictions due to the COVID-19 pandemic and the impact the plan would have on the tax base;
- the cost for implementation of the plan over 20 years and the impact it would have on the budget;
- the various benefits of the Active Transportation Plan;
- the enthusiasm and engagement of the ATSRAC with respect to the Active Transportation Plan;
- the level of engagement with property owners, and determining whether other landowners may have a proposed trail through their properties;
- whether the plan would be considered a final Active Transportation Plan or a draft plan due to the possibility that other landowners that may have a proposed trail through their property;
- clarification on the total costs for active transportation per year for the capital infrastructure, sidewalks, and the operating cost to maintain existing sidewalks and multi-use paths including trails;
- funding portions of the plan through development charges;
- confirmation on the potential revenue impacts due to the COVID-19 pandemic; and,
- the feasibility of deferring the report until November 2020.

Recommendation:

Moved By Councillor Newman

1. That Report PW 9-20 regarding the Active Transportation Plan (ATP) study be received for information;
2. That the Final Draft Active Transportation Plan be made available for public review and comment for a period of at least 30 days;
3. That a copy of the Final Draft Active Transportation Plan report be provided to stakeholders and Town of Whitby divisions for review and comment; and,
4. That Staff report back to Council, following the public consultation period, with the Final Active Transportation Plan for Council's consideration and approval.

Note: The disposition of the matter, Item 9.1, was determined through the deferral motion below.

Recommendation:

Moved By Councillor Roy

That consideration of Staff Report, PW 9-20, Active Transportation Plan - Final Draft be postponed to the Committee of the Whole meeting on November 16, 2020.

Carried

9.2 Office of the Chief Administrative Officer Report, CAO 22-20
Re: Economic Recovery Plan

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

- whether Staff have a list of businesses located within the Town's boundaries;
- the number of businesses that have closed and the number of jobs lost in Whitby due to the COVID-19 pandemic;
- whether Staff would measure the number of closed businesses and the jobs that have been recovered, and the number of residents that have transitioned from working in an office to working from home as a result of the COVID-19 pandemic;
- which sectors within medium and large businesses have been most impacted by the COVID-19 pandemic;
- whether consideration has been given to support businesses such as returning a portion of the business licence fee for the time that the business closed in 2020 should provincial restrictions increase and businesses have to close a second time;
- the consideration of working with other organizations to facilitate collaboration of specific sectors on a voluntary basis to address common challenges and solutions;
- the consideration of using local sources and services as a priority given that every dollar spent locally affects the local economy and recovery;
- the best process to provide suggestions by businesses to the Economic Development Division;
- whether a summary of support organizations and resources would be made public and available on the Town's website;

- the possibility of extending the Farmers' Market until the end of October in the future;
- partnering with the Downtown Whitby Business Improvement Area and the Whitby Chamber of Commerce to collaborate with landlords to animate vacant storefronts or spaces;
- how support would be provided for not-for-profit organizations as part of the recovery plan;
- whether Town Staff would work with Staff from the Region of Durham to eliminate duplication within the recovery plans;
- the length of time that small businesses would have to survive another closure without financial support; and,
- whether tax relief support such as deferral or reduction of taxes would be offered to local businesses should the COVID-19 pandemic continue.

Recommendation:

Moved By Councillor Newman

1. That Report CAO 22-20 be received as information;
2. That the Economic Recovery Plan (Attachment #1) be approved; and,
3. That the Clerk forward a copy of Staff Report CAO 22-20 and the Whitby Economic Recovery Plan to the Region of Durham's Planning and Economic Development Department, Whitby Chamber of Commerce, 1855 Whitby, Downtown Whitby BIA, MPP Lorne Coe and MP Ryan Turnbull.

Carried

10. New and Unfinished Business - General Government

10.1 Body Worn Cameras

Councillor Roy introduced a motion regarding body worn cameras.

Discussion ensued between Members of Committee regarding:

- the lack of a report, recommendation, or request from the Region of Durham to endorse the project/expenditure;
- the budget cap of two (2) percent for the Region of Durham 2021 budget;
- the cost of \$4,400,000.00 annually plus upfront costs for implementing body worn cameras;

- the priority of ensuring businesses survive the COVID-19 pandemic, and that residents are not impacted by tax increases in 2021; and,
- deferring the matter until more information has been disseminated through the Region of Durham.

Recommendation:

Moved By Councillor Mulcahy

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

Carried

Discussion continued regarding body worn cameras including:

- the Pilot Evaluation Report indicating support from police officers for body worn cameras;
- the various issues that have occurred in 2020, including but not limited to, the COVID-19 pandemic and the Black Lives Matter movement;
- the resolve of potential conflicts though the use of body worn cameras;
- Whitby Council endorsing a matter before Regional Council prior to receiving any decision or report from the Region to support endorsing the matter;
- the possibility of referring the matter to the Whitby Diversity and Inclusion Advisory Committee as opposed to deferring it to a later time, and,
- whether the Whitby Diversity and Inclusion Committee could discuss the matter of body worn cameras should the matter not be referred to that Committee.

Recommendation:

Moved By Councillor Roy

Whereas the Durham Region Police Service (DRPS) released its Body-Worn Camera (BWC) Pilot Evaluation Report on September 14th for consideration by Durham Region Police Services Board ("the Board");

Whereas the report concludes that the deployment of BWCs to Frontline Members of DRPS will provide value to DRPS, its partners and the

community, and it aligns with the strategic plans of the Region and DRPS;

Whereas the report further states that an investment in BWCs has tremendous potential to be an enabler of transformative and restorative change for the DRPS;

Whereas the Board's Finance Committee recommended the following on September 14th:

"That the Finance Committee recommend that the Board approve in principle the adoption of body-worn cameras for the DRPS; and,

That cost details and a phased implementation plan be finalized for deployment beginning in 2021 and that the necessary funding be sought from Regional Council separate and apart from the budget process;"

Whereas Regional Council considered the BWC Pilot Evaluation Report at its meeting on September 30th and referred correspondence regarding to the 2021 budget process for consideration.

Now Therefore be it Resolved:

1. That Whitby Council supports the adoption of body-worn cameras (BWC) for the Durham Region Police Service, and recommends that the necessary funding for the program be allocated by Regional Council and/or through the reallocation of funds or resources from the DRPS budget; and,
2. That the Clerk circulate a copy of this resolution to the Whitby Diversity and Inclusion Advisory Committee, MP Ryan Turnbull, MPP Lorne Coe, the Region of Durham, the Durham Region Police Services Board, and all Durham municipalities.

Note: The disposition of the matter, Item 10.1, was determined by the deferral motion below.

Recommendation:

Moved By Councillor Yamada

That the motion regarding body worn cameras be deferred to the budget process or such earlier time as Regional Council has made a decision on the matter.

Carried

Recommendation:

Moved By Councillor Drumm

That a motion to introduce a matter pertaining to anti-mask protests and challenges to protecting health and well-being be allowed due to its timely and urgent nature.

Carried on a Two Thirds Vote

10.2 Anti-Mask Protests and Challenges to Protecting Health and Well-being

Councillor Leahy introduced the motion regarding anti-mask protests and challenges to protecting health and well-being.

M. Gaskell, Chief Administrative Officer, provided background information resulting in the proposed motion.

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

- concerns to Town Staff regarding the current mask exception orders and the impact on Town Staff working in public facilities;
- details about the exemptions for Staff to wear masks within Town Hall and public facilities;
- whether Staff consulted with Dr. Kyle, Durham Region Medical Officer of Health, regarding concerns about mask exemptions due to medical conditions, and the response received from Dr. Kyle; and,
- whether other municipalities have expressed concerns about medical exceptions for the use of masks.

Recommendation:

Moved By Councillor Drumm

Whereas Public Health Ontario has identified that mask-wearing in indoor enclosed public spaces is beneficial as a source control for persons shedding the infectious COVID-19 virus;

Whereas the Province of Ontario and the Durham Region Health Department have enacted orders requiring mask-wearing in indoor enclosed public spaces;

Whereas in consideration of the individual human rights of persons with underlying health conditions, exemptions to requirements for public mask-wearing are provided to persons who are unable to wear a mask or face covering due to health, age, or other reasons without the need to provide proof of an exemption;

Whereas recent anti-mask protests in Toronto, Vancouver, and Montreal demonstrate that there is a portion of the population who do not intend to comply with public health directives and do not believe in the source control benefits of public mask-wearing; and,

Whereas The Corporation of the Town of Whitby has a duty to protect the health and well-being of both residents and staff in indoor enclosed public spaces while respecting the individual human rights of facility users; and,

Whereas members of the public who protest the use of masks may use the exemptions of health, age, or other reasons to gain entry into indoor enclosed public spaces without a mask or face covering due to the broad scope of the exemptions and the inability for an organization to require proof of an exemption, thereby negating the Town's duty to protect residents and staff.

Now Therefore be it Resolved:

1. That Whitby Council requests that the Province's Chief Medical Officer of Health and the Region's Medical Officer of Health undertake a review of the exemptions to public mask-wearing with a view to providing organizations with a mechanism to verify exemption claims while respecting individual human rights; and,
2. That a copy of this resolution be sent to MPP Lorne Coe, the Honourable Christine Elliot - Minister of Health, and all Durham municipalities.

Carried

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 11:28 p.m.