

**Present:** Mayor Mitchell  
Councillor Alexander  
Councillor Leahy  
Councillor Lee  
Councillor Mulcahy  
Councillor Newman  
Councillor Shahid  
Councillor Yamada

**Also Present:** M. Gaskell, Chief Administrative Officer  
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor  
K. Nix, Commissioner of Corporate Services/Treasurer  
J. Romano, Acting Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Fire Chief  
T. Painchaud, Manager of Transportation Services  
H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

**Regrets:** Councillor Roy

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Mayor Mitchell called the meeting to order and indicated that Council would receive the Remembrance Day Colour Guard comprised of members of Whitby Legion Branch 112 and Brooklin Legion Branch 152, listed as Item 3.1 on the agenda, at this time.

1. Declarations of Pecuniary Interest

- 1.1 Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding the Special Council Meeting held on October 21, 2019 at 5:30 p.m. regarding the Hospital Task Force Update, as the lands under discussion in relation to this matter abut or sit upon a portion of 5455 Ashburn Road, a property that is owned by Mayor Mitchell and his family. Mayor Mitchell did not attend the meeting.

2. Adoption of Minutes

- 2.1** Regular Council - September 23, 2019  
Special Council - September 27, 2019  
Special Council - September 30, 2019  
Special Council - October 7, 2019 (Confidential Minutes under Separate Cover)  
Special Council - October 21, 2019

**Resolution # 283-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

That the Regular Council Minutes of September 23, 2019, and the Special Council minutes of September 27, 2019, September 30, 2019, October 7, 2019 and October 21, 2019 be adopted.

**Carried**

3. Presentations

- 3.1** Remembrance Day Colour Guard comprised of members of Whitby Legion Branch 112 and Brooklin Legion Branch 152

A Remembrance Day Colour Guard comprised of members of Whitby Legion Branch 112 and Brooklin Legion Branch 152 was presented.

Mayor Mitchell attended the dais and welcomed Lorraine Duncan, President, Whitby Legion Branch 112, Jim McGrorey, President, Brooklin Legion Branch 152, and John Henry, Regional Chair and CEO, Regional Municipality of Durham.

Ms. Duncan advised that the Whitby Remembrance Day Parade takes place on November 11, 2019, commencing at 10:30 a.m. in front of the Royal Canadian Legion Branch 112, 117 Byron Street South, arriving at the Cenotaph in downtown Whitby at 11:00 a.m. for the Remembrance Day Service. Following the service, dinner will be served at the Royal Canadian Legion Branch 112 at 6:00 p.m.

Mr. McGrorey advised that the Brooklin Remembrance Day Parade takes place on November 11, 2019, commencing at 12:45 p.m. in front of the Royal Canadian Legion Branch 152, 56 Baldwin Street, arriving at the new Brooklin Cenotaph located the Brooklin Community Centre and Library, 8 Vipond Road at 1:00 p.m. for the Remembrance Day Service.

It was the consensus of Council to move to Item 1, at this time.

**3.2** Eniola Olaoye

Award/Recognition: 2019 Whitby Junior Fire Chief

Mayor Mitchell attended the dais and was joined by Councillor Yamada, and Dave Speed, Fire Chief. Eniola Olaoye was welcomed onto the dais and recognized for her contributions as the 2019 Whitby Junior Fire Chief.

**3.3** Annual Address by John Henry, Regional Chair and CEO, Regional Municipality of Durham

John Henry, Regional Chair and CEO, Regional Municipality of Durham, appeared before Council to give his annual address, providing highlights from the Region for 2019. Highlights of the address included:

- Regional Council and Regional Staff working with members of the public on a new Strategic Plan for 2020 to 2024;
- challenges experienced by the Region of Durham due to Provincial funding cuts to child care and public health;
- challenges stemming from changes in the proposed route for the GO train extension through the eastern portion of the Region due to planning work that has already been completed for the initial route;
- the importance of ensuring collaborative messaging between the Region, local municipalities, and local politicians to advocate for the GO train extension through the eastern portion of the Region;
- ongoing bus route expansion in the Region, including the Highway 2 Bus Rapid Transit project and a future rapid transit route planned for Simcoe Street;
- a review of Durham Vision Zero, a traffic safety campaign with the goal of reducing road fatalities and injuries by 10 percent over the next 5 years, which has been supported by the installation of 12 red light cameras and 22 automated speed enforcement devices across the Region;
- an overview of the Region's 2019 capital program which includes significant funding for sewers, water supply, roads, transit, and paramedic services;
- recently completed and ongoing road widening projects, including the intersection of Winchester Road and Thicksen Road, and Brock Street from Rossland Road to Taunton Road;
- ongoing new road projects, including the extension of Consumers Drive, known as Stellar Drive;
- the need for infrastructure to be resilient due to the risks

- associated with climate change;
- an overview of the Durham Community Energy Plan, the need to electrify transportation, and the new electric vehicle charging stations at the Region of Durham Headquarters;
- a review of the primary care outreach program, teaming an advanced care paramedic with a social worker to help vulnerable populations such as those with addictions or those experiencing homelessness;
- an overview of the Canada Learning Bonds initiative, helping low-income families apply for the \$2,000 Federal grant which can be used to purchase an RESP;
- economic development initiatives, including the Regional broadband strategy, promotion of a GTA east airport, and advocating for the removal of tolls on Highway 412 and Highway 418; and,
- projects completed by the Region, including the Community Justice Hub, which provides legal representation to those who otherwise couldn't afford representation, and the Centre for Financial Literacy, which helps those in need to get social insurance numbers and file their income taxes in order to access important government social programs and services.

A question and answer period ensued between Members of Council and Chair Henry regarding,

- the actions the Region will take to generate jobs locally by reaching out nationally and globally;
- opportunities to promote agriculture as a major employer in the Region;
- companies that are interested in coming to the Region to access the talent pool of skilled workers;
- the importance of training more students in the trades;
- the Region being recognized as the next Provincial growth centre; and,
- the need for support from the Regional Chair on the Bus Rapid Transit project in order to mitigate pedestrian impacts in Downtown Whitby.

#### 4. Delegations

- 4.1** Sean Male and Anna Rita Barbosa representing Optilinx Systems Inc.  
Re: Planning and Development Department Report, PL 65-19  
Whitby Official Plan Amendment and Zoning By-Law Amendment  
Applications for 4560 Thickson Road North (Optilinx) Files: DEV-01-16,  
OPA-2016-W/04, Z-19-16; Regional Official Plan Amendment  
Application (Optilinx) Regional File: OPA-2016-003

C. Harris, Town Clerk, advised that a request was received from the delegate to defer consideration of the matter to the next Council Meeting on November 25, 2019, due to a matter of personal concern.

It was the consensus of Council to move to Item 9.1, Planning and Development Department Report, PL 65-19, at this time.

5. Correspondence

5.1 There was no correspondence.

6. Committee of the Whole Report  
Planning and Development - October 7, 2019

6.1 Planning and Development Department Report, PL 81-19  
Re: DEV-11-18: Draft Plan of Subdivision Application SW-2018-05 and Zoning By-law Amendment Application Z-22-18, Sabrina Homes Inc., 400 and 414 Mary Street East and Vacant Land at Hickory Street North

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

- if the parking associated with the development complies with the parking requirements in the Zoning By-law;
- the discussions that have taken place between the developer and the surrounding community;
- monitoring of the condition of the foundation at 420 Mary Street before and after construction; and,
- preserving as many mature trees on the site as possible.

**Resolution # 284-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

1. That Council approve the Draft Plan of Subdivision (File SW-2018-05) subject to the comments included in Planning Report PL 81-19 and the conditions of draft plan approval included in Attachment #11;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision;
5. That Council approve an amendment to Zoning By-law 2585,

- (File Z-22-18) as outlined in Planning Report No. PL 81-19; and,
6. That a By-law to amend Zoning By-law 2585 be brought forward for consideration by Council.

**Carried**

- 6.2** Planning and Development Department Report, PL 83-19  
Re: Official Plan and Zoning By-law Amendment Applications, 201, 209, and 211 Brock Street South and 208 Green Street, Brookfield Residential (Ontario) Station No. 3 Limited, File Nos. DEV-06-19 (OPA-2019-W/01, Z-04-19)

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

- if the parking issues associated with the development have been addressed to the satisfaction of the Public Works Department;
- parking standards being reviewed in the future through the comprehensive Zoning By-law project; and,
- when the Zoning By-law amendment for this development will be considered by Council.

**Resolution # 285-19**

Moved By Councillor Lee

Seconded By Councillor Newman

1. That Council approve Official Plan Amendment Number 115 to the Whitby Official Plan (File: OPA-2019-W/01), as shown on Attachment #6;
2. That a By-law to adopt Official Plan Amendment Number 115 be brought forward for consideration by Council;
3. That Council approve an amendment to Zoning By-law No. 2585 (File #Z-04-19) as outlined in Report PL 83-19;
4. That a By-law to amend Zoning By-law 2585 be brought forward at such time as issues related to parking have been addressed to the satisfaction of the Public Works Department; and,
5. That the Clerk forward a copy of Planning Report No. PL 83-19, two (2) copies of the adopted Amendment, and a copy of the By-law to adopt Amendment Number 115 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

**Carried unanimously on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Alexander	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	8	0	0

**6.3** Planning and Development Department Report, PL 80-19  
Re: Sign By-law Variance to Permanent Sign By-law for Whitby Garden Plaza Development Inc. at 220 Taunton Road East (McDonald's) File No. SB-03-19

A brief question and answer period ensued between Members of Council and Staff regarding the Permanent Sign By-law, if Staff are reviewing the by-law to permit additional signs, and if a motion is required to direct Staff to review the by-law.

**Resolution # 286-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

That Council approve a variance to the Town of Whitby Permanent Sign By-law 7379-18 for Whitby Garden Plaza Development Inc. (McDonald's) at 220 Taunton Road East, to permit four electronic signs.

**Carried**

**6.4** Planning and Development Department Report, PL 78-19  
Re: Renewal of Sewage System Management Agreement with the Region of Durham

**Resolution # 287-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

1. That Council approve the renewal of an agreement with the

- Regional Municipality of Durham to delegate responsibilities under the Building Code Act with respect to private sewage systems with capacity of less than 10,000 litres per day; and,
2. That the Mayor and Clerk be authorized to execute the agreement on behalf of the Town of Whitby.

**Carried**

- 6.5** Planning and Development Department Report, PL 79-19  
Re: Downtown Whitby Secondary Plan Review and Update – Terms of Reference

A brief question and answer period ensued between Members of Council and Staff regarding opportunities for Members of Council to be involved in the review of the Secondary Plan from the outset of the project and how Members of Council will be engaged at key stages of the project.

**Resolution # 288-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

That Council authorize staff to issue a Request for Proposal (RFP) in accordance with the Terms of Reference for the Downtown Whitby Secondary Plan Update, as shown on Attachment #1 to this report, and to select a qualified and preferred consultant within the allocated funds of the approved capital budget.

**Carried**

- 6.6** Planning and Development Department Report, PL 82-19  
Re: Removal of 500 Dundas Street East from the Municipal Heritage Register

**Resolution # 289-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

1. That the property municipally known as 500 Dundas Street East be removed from the Town's Municipal Heritage Register;
2. That a Heritage Documentation Report be prepared prior to



- demolition and submitted to the Town to be deposited at the Whitby Archives; and,
3. That the final detailed design and wording for the commemoration element be reviewed by the Heritage Whitby Advisory Committee.

**Carried**

**6.7** Closure of Colborne Street between Brock and Green Streets

A brief question and answer period ensued between Members of Council and Staff regarding the timing of the potential closure of Colborne Street and that Council would receive a Staff Report for consideration in advance of the completion of the Brookfield development.

**Resolution # 290-19**

Moved By Councillor Lee  
Seconded By Councillor Newman

That Staff report back on the issue of closing Colborne Street between Brock and Green Streets simultaneously with the occupancy of the new Brookfield development to create a pedestrian friendly space.

**Carried**

**7.** Committee of the Whole Report  
General Government - October 7 and 21, 2019

**7.1** Office of the Chief Administrative Officer Report, CAO 26-19  
Re: Downtown Whitby Action Plan October 2019 Update

**Resolution # 291-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

That Report CAO 26-19, Downtown Whitby Action Plan October 2019 Update, be received as information.

**Carried**

**7.2** Office of the Chief Administrative Officer Report, CAO 27-19  
Re: Downtown Whitby Community Improvement Plan Grant Program  
Amendment

**Resolution # 292-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Council receive this report as information related to the uptake of the Downtown Whitby Community Improvement Plan;
2. That Council approve the recommended administrative changes to Appendix C Implementation Guidelines to the Downtown Whitby Community Improvement Plan as outlined in Attachment #4;
3. In accordance with the approach outlined in Section 4.4 of this report to reallocate funding towards projects in the Downtown Whitby Historic Priority Area, that staff be directed to transfer the remaining available funds from the Community Improvement Plan Cash-in-Lieu of Parking incentive program (\$217,500) and partial funds from the Tax Increment Equivalent Grant incentive program (\$250,000), Façade Improvement Grant incentive program (\$100,000) and the Brooklin Community Improvement Plan (\$100,000) to the Development Charge High Density Residential and Residential Mixed Use Development Program for the Historic Downtown Whitby Priority Area for a total of \$667,500;
4. That Staff be directed to report back on opportunities to allocate funding to Downtown Brooklin beautification in the 2020 budget given the reduction in CIP funding for Brooklin; and,
5. That Staff be directed to allocate \$1M from closing adjustments related to the merger of Whitby Hydro and Veridian Hydro into Downtown Whitby improvement projects with: \$500,000 allocated towards the Downtown Whitby Community Improvement Plan Development Charge High Density Residential and Residential Mixed Use Development Program for the Historic Downtown Whitby Priority Area; and \$500,000 allocated towards future capital projects focusing on Downtown Whitby improvements to support further implementation of the Downtown Whitby Action Plan to be included as a 2020 Capital Budget decision item.

**Carried**

**7.3** By-law Provisions to Mitigate the Impact of Dust from Construction

**Resolution # 293-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

Whereas construction activities involving the grinding, cutting, or breaking of materials such as brick, concrete, and tile create dust that can impact the health and well-being of nearby residents; and,

Whereas the Ministry of Labour has recognized that repeated unprotected exposure to dust in construction areas can create acute health issues for workers; and,

Whereas dust mitigation measures such as wetting the construction material, using a wet saw, using dustless saw technology, tarping or otherwise containing the source of dust, installing wind fencing or a fence filter, or using a vacuum attachment when cutting can reduce the amount of dust created during construction activities;

Now Therefore be it Resolved:

That Council direct staff to report back by Q2 2020 on by-law provisions or a standalone by-law to regulate and mitigate the impact of dust from construction activities.

**Carried**

- 7.4** Office of the Chief Administrative Officer Report, CAO 30-19  
Re: Clean Air Council 2019 – 2023 Inter-Governmental Declaration on Clean Air and Climate Change

**Resolution # 294-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

That Council endorse Whitby's inclusion as a signatory to the 2019 Inter-Governmental Declaration on Clean Air and Climate Change.

**Carried**

- 7.5** Office of the Chief Administrative Officer Report, CAO 29-19  
Re: Proposed Location of a Bronze Statue of Sir William Stephenson at

**Celebration Square - Revised**

A brief question and answer period ensued between Members of Council and Staff regarding how the Downtown Whitby Business Improvement Area Board of Directors and other interested stakeholders would be consulted when determining the exact location of the statue in Celebration Square.

**Resolution # 295-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Report CAO 29-19 regarding the proposed bronze sculpture of Sir William Stephenson be received;
2. That Council endorse the proposed location at Celebration Square as outlined in the staff report CAO 29-19;
3. That funding for the installation of the art piece be referred to the 2020 Capital Budget as a decision item;
4. That Council provide direction to Staff to receive and issue receipts for donations.

**Carried**

- 7.6** Community Services Department Report, CMS 26-19  
Re: Draft Whitby 55+ Recreation Strategy (2019 – 2023)

**Resolution # 296-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Council approve the Whitby 55+ Recreation Strategy (2019 – 2023) and the recommendations contained within;
2. That Council direct Staff to proceed with the implementation of the recommendations outlined; and,
3. That Council approve updating the name of Whitby Seniors' Services to Whitby 55+ Recreation Services and approve the renaming of the Whitby Seniors' Activity Centre to the Whitby 55+ Recreation Centre.

**Carried**

- 7.7** Community Services Department Report, CMS 27-19  
Re: 2018-19 Capital Projects Update

**Resolution # 297-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Council receive report CMS 27-19 as information;
2. That Council approve the capital project expenditures as outlined in Attachment 1; and,
3. That the Treasurer be authorized to draw on reserve/reserve funds as required to address the budget overage.

**Carried**

- 7.8** Corporate Services Department Report CS 54-19  
Re: Capital and Operating Budget Policies Update

**Resolution # 298-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Council approve the updated Annual Capital Budget and Capital Forecast Policy F 150 included in Attachment 1 of this report;
2. That Council approve the updated Capital Budget Management and Control Policy F170, as attached to the memorandum from the Commissioner of Corporate Services/Treasurer dated October 23, 2019;
3. That Council approve the updated Operating Budget Process Policy F140 included in Attachment 3 of this report; and,
4. That Council approve the updated Operating Budget Monitoring Policy F180 included in Attachment 4 of this report.

**Carried**

- 7.9** Public Works Department and Corporate Services Department Joint Report, CS 56-19  
Re: T-47-2019 – Operations Centre - Furniture

**Resolution # 299-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the low bid as submitted by Teknion Limited in the amount of \$264,478.00 (plus applicable taxes) for supply, delivery, installation and supervision of furniture and accessories for the Operations Centre Phase 1 Expansion project, as required by the Town of Whitby; and,
2. That the total project cost including contingency of \$300,000.00 be approved.

**Carried**

- 7.10** Public Works Department and Corporate Services Department Joint Report, CS 58-19  
Re: RFP-71-2019 for Contracted Services of Curbside Waste Collection

A brief question and answer period ensued between Members of Council and Staff regarding if an interim update could be provided to Council after the second year of the contract.

**Resolution # 300-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That the Town of Whitby accept the highest ranking proposal submitted by Miller Waste Systems Inc. for the provision of curbside waste and organics collection in West Whitby for a five (5) year term;
2. That the total estimated 5 year contract amount of \$1,020,000 be approved;
3. That as needed services will be subject to annual budget considerations;
4. That approval be granted to extend this contract for up to two (2) additional one (1) year terms based on satisfactory performance and continued budget approval; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.11** Public Works Department Report, PW 4-19

Re: Proposed Bike Route Parking Restrictions, Update Traffic By-law 1862-85

**Note:** Items 2(a) and 2(d) of the recommendation were referred at Committee.

A brief question and answer period ensued between Members of Council and Staff regarding consulting with the Active Transportation and Safe Roads Advisory Committee and if road widenings would be required to support two-way cycling on one side of streets.

**Resolution # 301-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Report PW 4-19 be received as information regarding the need for parking restrictions related to cycling infrastructure in key corridors;
2. That Council approve the proposed amendment to the Traffic By-Law 1862-85 to incorporate the following changes to Schedule "B" where streets having cycling infrastructure do not have strong parking demand:
  - b. Parking restrictions on the north and south side of Bonacord Avenue;
  - c. Parking restrictions on the north and south sides of Dryden Boulevard between Anderson Street and Thickson Road; and,
3. That where proposed cycling infrastructure will significantly impact on street parking, Staff be directed to review and report to Council on opportunities for contra flow cycling lanes on one side of the road;
4. That subject to Council receiving the report from Staff per Item 3, that staff engage in public consultation with residents of the following streets to provide them with the Town's recommendation and rationale to implement no parking and then report back to Council in December 2019 with recommended traffic bylaw changes:
  - a. Residents on the east and west sides of Civic Centre Drive between Rossland Road and Kenneth Hobbs Avenue;
  - b. Residents on the east and west sides of Cochrane Street between Rossland Road and its north limit;
  - c. Residents on the east and west sides of Hickory Street between Dunlop Street and Mary Street; and
  - d. Residents on the east and west side of McQuay Boulevard.

5. That Council authorize the Clerk to bring forward an amending by-law (see Attachment 1) to By-law 1862-85, for Council approval; and
6. That the cost for signage and installation, in the order of \$9,500, be funded from the Public Works Miscellaneous Signage and Pavement Markings account.

**Carried**

**7.12** Public Works Department Report, PW 29-19  
Re: Road Rationalization

**Resolution # 302-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That the Clerk circulate Report PW 29-19 to the Region of Durham;
2. That the Town formalize an agreement with the Region of Durham regarding road rationalization/transfer of the following road segments effective May 1, 2020:
  - a. Rossland Road between Lake Ridge Road and Cochrane Street;
  - b. Cochrane Street between Dundas Street and Rossland Road excluding the limits of the rail bridge; and,
  - c. Henry Street between Victoria Street and Dundas Street.
3. That staff be authorized to continue discussions with respect to road rationalization/transfer of additional road segments; and,
4. That NUB MD-2764 be removed from the New and Unfinished Business register.

**Carried**

**7.13** Public Works Department Report, PW 30-19  
Re: Winter Maintenance of Trails

A brief question and answer period ensued between Members of Council and Staff regarding how the Public Works Department notifies the public about which trails are maintained during the winter and if these communications could be shared with Members of Council.

**Resolution # 303-19**



Moved By Councillor Yamada  
Seconded by Councillor Leahy

1. That Report PW 30-19 be received as information;
2. That the recommended segments of trails identified within Report PW 30-19 be added to the Town's winter maintenance program starting in the upcoming winter season;
3. That staff report back after the 2019/2020 winter season on further expansion opportunities and budgetary impacts; and,
4. That NUB MD-4827 be removed from the New and Unfinished Business register.

**Carried**

- 7.14** Office of the Town Clerk Report, CLK 14-19  
Re: Update to the Consolidated Fees and Charges By-law - Revised

**Resolution # 304-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Report CLK 14-19 be received for information;
2. That the proposed Fees and Charges for the Office of the Town Clerk, Fire and Emergency Services Department, Legal and Enforcement Services Department, and Corporate Services Department outlined in this report and appended as Attachments 1, 2, 3, and 4 be approved; and,
3. That the Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law #7220-17 to give effect to the proposed changes contained in Report CLK 14-19.

**Carried**

- 7.15** Election of Regional Councillors by Ward

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

- the benefits of the broader perspectives gained by Regional Councillors when they have to campaign at large across the entire Town;
- the specific job responsibilities of Ward Councillors versus Regional Councillors;
- how Ward Councillors can consult with Regional Councillors on

Regional topics like transit, social services, and recycling services;

- clarification that the motion is requesting a Staff Report, as opposed to a decision from Council;
- the benefits of ward specific representation for Regional Councillors, including that members of the public will better understand who to contact for Regional issues;
- the need to review the current system as it has been in place for over 40 years;
- clarification that if the Town chose to increase the number of wards, the Region would not be bound to increase the number of Regional Councillors;
- the importance for Regional Councillors to have the ability to connect with residents across the Town, rather than only within a specific ward;
- that seeking election as a Regional candidate is a formidable barrier for new candidates due to the current at-large election format; and,
- receiving feedback from Councillors and Staff in other municipalities to see how their experience has been transitioning from at-large representation to by ward representation.

Moved By Councillor Yamada  
Seconded By Councillor Leahy

That the motion regarding the election of Regional Councillors by ward be tabled.

**Lost on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Alexander		x	
Councillor Leahy		x	
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman		x	
Councillor Shahid	x		
Councillor Yamada		x	
Mayor Mitchell	x		
	4	4	0

**Resolution # 305-19**

Moved By Councillor Leahy  
Seconded By Councillor Yamada

1. That Staff be directed to report back after the Regional Government Review on the process required to change the election of Regional Councillors from at-large to by ward, so that one Regional Councillor would be elected from each of the Town's 4 wards (providing the Regional Review results in Council remaining status quo through the province);
2. That Staff provide information on how Regional Councillors are elected in other GTA municipalities, considerations associated with changing their election from at-large to by ward, and impacts on the administration and conduct of the 2022 election; and,
3. That should the Provincial Regional Review result in a different direction of Council set-up, staff are to report back on the reorganization of Council based on population and best practices of other GTA municipalities.

**Lost on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Alexander		x	
Councillor Leahy		x	
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman		x	
Councillor Shahid	x		
Councillor Yamada		x	
Mayor Mitchell	x		
	4	4	0

**7.16** Single Use Recyclables

**Resolution # 306-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

Whereas in June 2019 the Government of Canada announced the ban of single-use plastics that cause harm by 2021 and efforts to develop consistent Extended Producer Responsibility (EPR) programs across

Canada;

Whereas in 2016 the Province of Ontario promulgated the Resource Recovery and Circular Economy Act (RRCEA);

Whereas the RRCEA contains provisions to require the producers of packaging to reduce the generation of plastic waste, promote better types of plastics, encourage the use of more sustainable alternatives to single-use plastics and to ban the use of unnecessary plastic packaging;

Whereas in fall of 2019 the Minister of MECP instructed both SO and RPRA to move towards wind down the Blue Box Program Plan for a full EPR program, to be implemented starting January 1, 2023;

Whereas the Province is engaging AMO, municipalities, producers and other stakeholders, in a consultation process to finalize the new Blue Box EPR regulation by summer of 2020; and,

Whereas Council, at its September 23, 2019 Council meeting, requested Staff to report back with a phased in plan to ban single use plastics in Q1 2020, which will include an evaluation of the use of single-use plastics in Town of Whitby facilities and Town sponsored community events, and the legal standing of the Town to impose such a ban on businesses.

Therefore, be it resolved that Council of Town of Whitby directs staff to:

1. Work in collaboration with the Region of Durham to ensure that all consumer packaging, including coffee pods and single use plastics, are covered by the new Blue Box EPR regulation;
2. Ensure the new Blue Box EPR system consider all residents living within the Town of Whitby, including those in multi-residential homes, have access to the new BB program established through the new EPR regulation;
3. Invite Regional staff to provide a presentation to the Council of the Town of Whitby outlining the planned timelines and implementation of the various EPR programs and their impact to the Region; and,
4. Provide a copy of this resolution to the Province of Ontario Ministry of Environment, Conservation and Parks, Association of Municipalities of Ontario, Regional Municipality of Durham and all lower tier municipalities within Durham Region.

**Carried**

**7.17 Trail Winter Maintenance**

**Resolution # 307-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

1. That Staff report on including the 23.5 kilometers of trails that are currently available to have winter maintenance as a decision item as part of the 2020 budget process; and,
2. That Staff report in Q4 2020 on the cost and timing to include the additional 36 kilometers of trails for winter maintenance that are not currently available to have winter maintenance due to infrastructure related impediments.

**Carried**

**7.18 VON Durham - Bereavement Support Space**

**Resolution # 308-19**

Moved By Councillor Yamada  
Seconded By Councillor Leahy

Whereas VON Durham has requested space to hold bereavement groups and/or one-to-one bereavement support for those clients facing barriers to access across Durham;

Whereas the Town's Community Use of Town Facilities Policy provides that Whitby based not-for-profit groups may use Town meeting space to meet and conduct regular business (not an event) for the organization for up to three hours per month at no cost; and,

Whereas VON Durham is requesting 2.5 hours of meeting space per week;

Now Therefore be it Resolved:

That Staff be directed to report back on the opportunity to provide complimentary Town facility meeting space to VON Durham, per their request, as an exception to what the Policy provides.

**Carried**

8. Notice of Motion

8.1 There were no notices of motion.

9. New and Unfinished Business

9.1 Planning and Development Department Report, PL 65-19  
Re: Whitby Official Plan Amendment and Zoning By-Law Amendment  
Applications for 4560 Thickson Road North (Optilinx) Files: DEV-01-16,  
OPA-2016-W/04, Z-19-16; Regional Official Plan Amendment  
Application (Optilinx) Regional File: OPA-2016-003

**Note:** This item was deferred at the Council meeting on June 24, 2019  
to the Council meeting on October 28, 2019.

**Resolution # 309-19**

Moved By Councillor Mulcahy  
Seconded By Councillor Shahid

That consideration of Staff Report PL 65-19 Re: Whitby Official Plan  
Amendment and Zoning By-Law Amendment Applications for 4560  
Thickson Road North (Optilinx), be postponed to the November 25,  
2019 Council Meeting.

**Carried**

It was the consensus of Council to move to Item 5, Correspondence, at  
this time.

9.2 Office of the Chief Administrative Officer and Corporate Services  
Department Joint Report, CAO 28-19  
Re: 2020-2022 Business Plan

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

- the possibility of Members of Council having additional time to  
discuss the business plan with Staff to better understand the  
financial impacts associated with the plan;
- the timing of the business plan report and if it should be delayed  
until after the tax rate guidelines are set for 2020;
- that the 2020 budget will be presented with options to reduce the

- financial implications associated with the business plan; and,
- the general consensus that exists between Members of Council about the projects identified within the business plan.

Moved By Councillor Newman  
Seconded By Councillor Shahid

1. That Council endorse the 2020-2022 Business Plan;
2. That Council approve, in principle, the associated forecasted financial implications as outlined in Report CAO 28-19;
3. That Council endorse the 2019-2022 Business Plan Themes; and,
4. That staff be directed to develop a process to gain Council direction regarding Council Workshop feedback for the projects for future consideration listed in Attachment 3.

**Carried later in the meeting [see following motions]**

Moved By Councillor Newman  
Seconded By Councillor Yamada

That consideration of Staff Report CAO 28-19, Re: 2020-2022 Business Plan, be postponed to the November 25, 2019 Council Meeting.

**Motion Lost**

Moved By Councillor Lee  
Seconded By Councillor Leahy

That the main motion be amended to remove Item 2 and that the remaining items be renumbered accordingly.

**Carried**

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

**Resolution # 310-19**

Moved By Councillor Newman  
Seconded By Councillor Shahid

1. That Council endorse the 2020-2022 Business Plan;
2. That Council endorse the 2019-2022 Business Plan Themes;

- and,
3. That staff be directed to develop a process to gain Council direction regarding Council Workshop feedback for the projects for future consideration listed in Attachment 3.

**Carried**

10. By-Laws

That the following by-laws be passed:

- 10.1** By-law 7561-19, being a by-law to authorize the use of mail-in ballots as an alternative method of voting for the 2022 Municipal Election.

Refer to Report CLK 11-19, 2022 Municipal Election – Method of Voting

- 10.2** By-law 7562-19, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2016-01) as not being subject of Part Lot Control (Matanda Homes)

- 10.3** By-law 7563-19, being a by-law to acquire an easement over lands described as Part of Lot 26, Concession 3, being Part 1, 40R-30630, Whitby PIN 26555-1270 (LT)

Refer to CS 50-19, Acquisition of Easement for Multi Use Path – Southeast Corner of Brock Street North and Taunton Road East

- 10.4** By-law 7564-19, being a by-law to amend the Fees and Charges By-law, # 7220-17

Refer to CLK 14-19, Update to the Consolidated Fees and Charges By-law

- 10.5** By-law 7565-19, being a by-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby (Garden/Taunton Commercial Area)

Refer to Report PL 47-19, Official Plan Amendment Application OPA-2018-W/05, Zoning By-law Amendment Application Z-30-18, Site Plan Application SP-44-18 (DEV-17-18), 7902484 Canada Inc c/o Trioquest Realty Advisors, 304, 308, 368, 372, 374 and 378 Taunton Road East

- 10.6** By-law 7566-19, being a by-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby (Manorgate Homes)



(Whitby) Inc.)

Refer to Report PL 53-18, Applications for Draft Plan of Subdivision and Zoning By-law Amendment – Recommendation Report – Manorgate Homes (Whitby) Inc. – 1010 Dundas Street West, File Nos. SW-2017-07, Z-17-17

- 10.7** By-law 7567-19, being a by-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby (West Whitby Holdings Inc.)

Refer to Report PL 39-19, Zoning By-law Amendment Application – 915 Rossland Road West - West Whitby Holdings Inc., File Z-05-18

- 10.8** By-law 7568-19, being a by-law to amend Downtown Whitby Community Improvement Plan By-law # 7424-18

Refer to Report CAO 27-19, Downtown Whitby Community Improvement Plan Grant Program Amendment

**Resolution # 311-19**

Moved By Councillor Newman  
Seconded By Councillor Shahid

That leave be granted to introduce By-laws # 7561-19 to # 7568-19 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. Confirmatory By-Law**

**11.1 Confirmatory By-law**

**Resolution # 312-19**

Moved By Councillor Lee  
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 regular meeting held on October 28, 2019 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**

12. Adjournment

12.1 Motion to Adjourn

**Resolution # 313-19**

Moved By Councillor Alexander  
Seconded By Councillor Mulcahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:55 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor