

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
S. Klein, Director of Strategic Initiatives
J. Long, Head of Organizational Effectiveness
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
M. Perini, Acting Fire Chief
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
D. Speed, Head of Operations
F. Wong, Commissioner of Financial Services/Treasurer
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

Councillor Newman made a declaration of pecuniary interest under the Municipal Conflict of Interest Act regarding Item 4.20, Community Services Report, CMS 12-21, West Whitby Unnamed District Park, specifically related to the proposed naming of the West Whitby District

Park after a family member. Councillor Newman did not take part in the discussion or voting on any matters related to the naming of the park.

General Government

Councillor Roy assumed the Chair.

1. Presentations

- 1.1** Ian Shelley, Partner, Blackline Consulting
Re: Office of the Town Clerk Report, CLK 08-21
Customer Service Strategy – Final Report

Refer to Item 4.1, CLK 08-21

Ian Shelley, Partner, Blackline Consulting, provided a PowerPoint presentation regarding the Customer Service Strategy Final Report. Highlights of the presentation included:

- detailed information about the work completed through Phases 1 to 4;
- consultation with focus groups including the general public, developers, and community groups, and details of the feedback received with respect to customer service provided by Town Staff;
- the recommendation to create a dedicated to customer service function, and to phase the transfer of the customer service workload from Town departments;
- detailed information about the necessary steps required for the implementation of ServiceWhitby, and the timelines associated with the sequencing of the implementation phases; and,
- details about the Town's dependencies and integration with the Town's and Durham Region's operational systems for the implementation of the Customer Relationship Management system (CRM) and 311 for Town Services.

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

- whether there was an Enterprise Resource Planning (ERP) platform versus a CRM platform that the Town could use for the integration of systems;
- whether the CRM selected would be contingent on what the Region uses for its 311 system;

- the extent of the human and/or cultural environment that would need education and training on the proposed CRM technology; and,
- whether the centralized payment system would include all departments.

It was the consensus of the Committee to hear Item 4.1, CLK 08-21, at this time.

2. Delegations

- 2.1** Peter Phillips representing the Active Transportation and Safe Roads Advisory Committee
Re: Memorandum from T. Painchaud, Senior Manager, Transportation Services, dated May 31, 2021 regarding the Active Transportation and Safe Roads Advisory Committee's (ATSRAC) Annual Report and Committee Work Plan

Refer to Item 3.1, Memorandum from T. Painchaud, Senior Manager, Transportation Services, dated May 31, 2021 regarding the Active Transportation and Safe Roads Advisory Committee's (ATSRAC) Annual Report and Committee Work Plan

Peter Phillips, representing the Active Transportation and Safe Roads Advisory Committee (ATSRAC), stated the purpose of the Memorandum from T. Painchaud, Senior Manager, Transportation Services, was to present the ATSRAC's Annual Report and Work Plan to Council. Mr. Phillips provided details about the composition of the Committee and about Town Staff who currently support the Committee. Mr. Phillips stated that the Committee advises Council on matters related to safe roads, active transportation, and the implementation of the Active Transportation Plan. He advised that the Committee promotes and encourages walking and cycling. Mr. Phillips stated that the COVID-19 pandemic has highlighted the need for safe and comfortable active transportation infrastructure. He advised that it was important that the Town continue to construct infrastructure for active transportation users to reduce dependency on vehicles, noting that the construction of such infrastructure was vital to the health and well-being of residents. Mr. Phillips noted that the list of infrastructure improvements that took place in 2020 was provided in the memo. He advised that such improvements close gaps and expand the network. Mr. Phillips noted that although the pandemic created an increase in active transportation and users it has also hindered the Committee's outreach programs. He stated that the Committee was hopeful that 2022 would bring normalcy and allow the Committee to get back on track with programs. Mr. Phillips noted highlights of the Committee's Work Plan including the implementation of

the Active Transportation Plan, continued work with Staff on a traffic calming policy, and reviewing and providing feedback on development proposals from the perspective of active transportation. He advised that Town Staff were doing a good job via social media to keep active transportation users engaged

- 2.2** Stacey Leadbetter representing Otter Creek Co-operative Homes Inc.
Re: Financial Services Department and Legal and Enforcement
Services Joint Report, FS 38-21
Declare Surplus Block I, Plan M1067, PIN 26544-0215(LT) and Block B,
Plan M1067, PIN 26544-0214 (LT), Lands Between 835 and 855
McQuay Boulevard, for the Purpose of a Land Donation to Otter Creek
Co-operative Homes Inc.

Refer to Item 4.9, FS 38-21

Stacey Leadbetter representing Otter Creek Co-operative Homes Inc., stated that Otter Creek Co-operative Homes was a community where at least 35 percent of the members have resided since it was constructed in 1994, noting that the residents have raised their children there, and that they were active members of the co-op and the community. Ms. Leadbetter advised that the community was considered over-housed, and that the availability of one-bedroom units in Whitby was limited. She stated that the proposed apartment building would be for those residents that do not want to leave their community and for those members that may think they have to move once their children have grown up and moved out. She advised that although there were three separate compounds that the co-op was very much a community, noting that it would be reassuring to aging residents that they would have a place to live. Ms. Leadbetter stated that the proposed apartment building would address the need for one-bedroom units for seniors that do not need a long-term facility, that it would open up two and three-bedroom townhouses for younger families, and that it would assist in meeting the needs of the Otter Creek community and other communities. She advised that she has been working with a consultant to assist in navigating grant and funding processes, and that she was aware that Council approval of the recommendations would put her on a good path to obtain funding to proceed with the project.

A question and answer period ensued between Members of Committee and Ms. Leadbetter regarding:

- whether the intention was to seek funding from the Regional, Provincial, and Federal Governments; and,
- opportunities for the Town to assist in the future should the proposal be approved.

It was the consensus of the Committee to hear Item 4.9, FS 38-21, at this time.

- 2.3** Astrid Poei representing Queen's Common West Neighbours
Re: Community Services Department Report, CMS 12-21
Parks Name for West Whitby District Park in Mattamy Development

Refer to Item 4.20, CMS 12-21

Astrid Poei, representing the Queen's Common West Neighbours, stated that she was in attendance to speak about the name choices for the park in the community and the overall process on how the park progress was being communicated to the public. She advised that Staff were recommending Pollinator Park as the name of the park, noting that a poll of residents in the community, and who would be the primary users of the park, indicated that they favoured the name Whitbee Park or Queen's Common West Park. Ms. Poei stated that she liked the bee themed name, but that the name Pollinator Park would likely be abbreviated and would cause unfavourable results. She advised that the community was happy with the name Whitbee Park and that she hoped that a bee themed name would be selected. She noted that Whitby has a Bee City designation, that a swarm of honey bees landed in the community bringing residents together during challenging times, and that the bee theme would signify respect to the recent history of the neighbourhood. Ms. Poei stated that honey was a timeless cross cultural staple, and that the community was a diverse and multi-cultural neighbourhood that reflects the new residents coming into Whitby. She advised that she understood the desire to pay respects to the past and to honour Des Newman, but that the main street was already named Des Newman Boulevard. Ms. Poei advised that the community was not in favour of Atkinson Park, and suggested that the educational signage telling the story of the Atkinson land could be installed in the ravine pathway. Ms. Poei stated that the residents want to work with the Town, that she had previously requested notification of upcoming reports, and had inquired about the project through Staff. She stated that the lack of information provided to the community about the project was disappointing, and that she only became aware of the report being presented at the meeting by randomly searching agendas. Ms. Poei advised that the report indicated that Staff notified residents who previously requested notice of the report coming forward, and that the Connect Whitby page for the Mattamy District Park project was updated, noting that this communication did not occur. Ms. Poei stated that the community would be without a playground within walking distance for two COVID-19 summers and that would be delayed even longer with

Guthrie Park under construction . She requested that Staff provide the community with regular updates on the project. Ms. Poei referenced the wording in the background information provided about Atkinson District Park and requested that the reference to girl be revised to woman.

A brief question and answer period ensued between Members of Committee and Ms. Poei regarding confirmation that Ms. Poei was representing the community and that the preferred park name was Whitbee Park or Queen's Common West Park.

2.4 Nyree Franklyn

Re: Community Services Department Report, CMS 12-21
Parks Name for West Whitby District Park in Mattamy Development

Refer to Item 4.20, CMS 12-21

Nyree Franklyn, 28 Westfield Drive, stated that she appreciated the noticeable improvements that Staff have made to the District Park. Ms. Franklyn stated that her children nickname the parks, noting that the previous delegate's comment on naming the park Pollinator Park would not be appropriately addressed. She stated that the suggested names for the park were not as creative as they could have been, noting the dated way of naming parks. Mr. Franklyn advised that society has increasingly moved away from accepting places, roads, and buildings being named after people. She requested a more creative, modern, and inclusive approach seeking collaboration with the community to develop a unique name or a name that was more general in nature. She stated that she understand the desire to name a park after an individual that has contributed to the community, but that it should not be a right, an obligation or entitlement, noting that people contribute to the community to see change. Ms. Franklyn advised that names such as Whitbee Park or Queen's Common West Park were previously suggested. Ms. Franklyn stated the she felt like she has been chasing Town Staff to provide information and that she would not have known about this meeting unless she had been notified by the previous delegate. She stated that the community consists of hundreds of residents who want to be involved in the process, but that being apprised of meetings at the last minute did not permit their participation. She commented on her disappointment particularly because of the Town's direction for collaboration. She advised that she has four children, and that there was not a park or any green space in the area for the children to play outside, noting the importance of moving this project forward and getting construction underway as soon as possible. She stated that the existing park space was an unsafe, empty waste of space, and that it was not even sodded so that it could be used. She requested that the land be

levelled and sodded for the community children to have a place to play outside.

A brief question and answer period ensued between Members of Committee and Ms. Franklyn regarding whether the delegate has had an opportunity to take her children to the West Lynde Park.

It was the consensus of the Committee to hear Item 4.20, CMS 12-21, at this time.

2.5 Len Buttici representing Humane Society of Durham Region
Re: Legal and Enforcement Services Report, LS 08-21
Future of the Whitby Animal Services Centre

Refer to Item 4.22, LS 08-21

Len Buttici representing Humane Society of Durham Region (HSDR), provided a PowerPoint presentation regarding the future of the Whitby Animal Services Centre. Highlights of the presentation included:

- identifying and providing clarification/information on the Sheltering Agreement between the Town of Whitby and the Town of Ajax;
- the blending of animal services by-law enforcement and animal sheltering functions within the Staff report;
- clarification that the HSDR would only provide shelter pound services and would not provide enforcement of animal control by-laws, and that the costs associated with shelter resources, revenue and expenses should be used for comparison and financial modeling;
- the HSDR's level of expertise in service delivery;
- details about Whitby Animal Services Centre's (WASC) percentage of dogs and cats returned to their owners within a month, and the number of animals available for adoption over the year of 2019;
- detailed information about the services that the HSDR could provide including high volume sheltering and adoptions, in-shelter hospital, spay and neuter, and vaccination programs, experience working with and supporting by-law enforcement, and their location being 10 minutes away from WASC in Whitby;
- a detailed financial breakdown of the WASC without revenue from Ajax, and cost containment should Whitby partner with the HSDR between 2021 to 2026;
- the capital expenditure to renovate the WASC for accessibility and accommodations for cats;

- the HSDR's proposal to reduce the centre's operating budget and suggested re-purposing of the WASC; and,
- existing redundancies in services provided by the WASC and the HSDR including school programs, pet ownership education, special events, and volunteers.

A question and answer period ensued between Members of Committee and Mr. Butticci regarding;

- whether the delegate had an opportunity to review the Staff report and was aware that the WASC would need renovations to accommodate Staff should the Town Hall renovation be delayed;
- the rationale for omitting the Town's cost recovery from Ajax in calculating the Town's net cost;
- whether the HSDR's proposal for Whitby was significantly different from the proposal made to Oshawa and Clarington, and the differences in the proposal for Whitby that would make it more appealing;
- the concerns and the rationale related to the HSDR's previous drawdown in cash, capital and assets, and a high debt servicing cost, and how the Town would be assured of the HSDR's long-term viability;
- whether the HSDR has a reserve fund; and,
- confirmation that the HSDR would only manage and care for animals at the shelter, and whether the HSDR provides wildlife services.

It was the consensus of the Committee to hear Item 4.22, LS 08-22, at this time.

3. Correspondence

3.1 Memorandum from T. Painchaud, Senior Manager, Transportation Services, dated May 31, 2021 regarding the Active Transportation and Safe Roads Advisory Committee's (ATSRAC) Annual Report and Committee Work Plan

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

- the safety of the pedestrian crossings at Rossland Road from the Hydro corridor, and the timeline for the installation of safe pedestrian crossings; and,
- whether safety concerns have been identified at the pedestrian crossings at Manning Road and Hazelwood Drive.

Recommendation:

Moved By Councillor Mulcahy

That the Active Transportation and Safe Roads Advisory Committee's 2020 Annual Report be received for information.

Carried

3.2 Memorandum from C. Harris, Town Clerk, dated June 9, 2021 regarding Re-use and Rehabilitation of the Pump House

Discussion ensued between Members of Committee regarding:

- an update to Council on the work involved to stabilize the Pump House;
- determining an appropriate passive use for the building;
- the rationale for consulting with the Heritage Whitby Advisory Committee given its recommendation on the proposed use of the building as a COVID-19 reflection site;
- preservation of the Pump House and consulting with the Heritage Whitby Advisory Committee should plans evolve for the Pump House;
- including a separate recommendation that Staff consult with Economic Development for the purpose of a restaurant or other business use;
- the desire of the community via a survey for the lakefront to remain green and passive, and that the active uses take place at the harbourfront;
- previous discussions about the Waterfront Master Plan/Survey wherein the Pump House was discussed as a future shade structure;
- broadening the vision for potential uses of the Pump House;
- details about previous business proposals for the redevelopment of the Pump House; and,
- the cost associated with the rehabilitation of the Pump House for the purpose of a restaurant.

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

- clarification on the interest from the public for the economic development of the Pump House;
- the timeline for the Brookfield development in the harbourfront area;
- previous incentives used for the economic development of the Pump House;

- the timeline for the building to be stabilized for re-use;
- whether there has been any recent interest in the Pump House from an economic development perspective; and,
- whether economic development opportunities would be considered.

Recommendation:

Moved By Councillor Newman

1. That the Memorandum from C. Harris, Town Clerk, dated June 9, 2021 regarding Re-use and Rehabilitation of the Pump House be received for information;
2. That staff be directed to prepare a memo updating Council on the status of the work being undertaken to protect and stabilize the Pump House;
3. That staff be directed to consult with the Heritage Whitby Advisory Committee on the recommended future use of the Pump House;
4. That Staff provide a report to Council on the recommended future use of the Pump House including the timing and budget implications by the end of Q4 2021.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Shahid

That the main motion be amended to include a new Item 4 and that the remaining item be renumbered accordingly.

4. That staff be directed to consult with Economic Development.

Motion Lost

The main motion was then carried.

It was the consensus of the Committee to hear Item 3.1, Memorandum from T. Painchaud, Senior Manager, Transportation Services, dated May 31, 2021 regarding the Active Transportation and Safe Roads Advisory Committee's (ATSRAC) Annual Report and Committee Work Plan, at this time.

3.3 Memorandum from C. Harris, Town Clerk, dated June 10, 2021 regarding Centre Line Markings and User Symbols approach on Multi-Use Paths, In-Boulevard Networks, and Trail Core Spine Networks including Intersections, as identified in the Active Transportation Plan

A brief discussion ensued between Members of Committee regarding:

- safety concerns raised by the Active Transportation and Safe Roads Advisory Committee about the lack of centre lines on the multi-use paths in Whitby;
- training cyclists and pedestrians to use the right side of the multi-use paths; and,
- concerns raised by seniors about cyclists not sharing the multi-use paths.

Recommendation:

Moved By Councillor Mulcahy

1. That the Memorandum from C. Harris, Town Clerk, dated June 10, 2021 regarding Centre line markings and user symbols approach on multi-use paths, in-boulevard networks, and trail core spine networks, including intersections, as identified in the Active Transportation Plan be received for information;
2. That Staff be directed to adopt a "marked and marketed" centre line and user symbol approach on multi-use paths, in-boulevard networks, and trail core spine networks, including intersections, as identified in the new Active Transportation Plan using Ontario Traffic Manual Book 18 Guidelines; and,
3. That staff report back on the cost implications in the 2022 budget to retroactively address existing applicable MUPs to update them with these new specifications accordingly.

Carried

It was the consensus of the Committee to hear Item 4.3, CLK 07-21, at this time.

4. Staff Reports

4.1 Office of the Town Clerk Report, CLK 08-21
Re: Customer Service Strategy – Final Report

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

- the amount of the capital cost for the project that would be funded through development charges versus tax based funds;
- whether there were ways to capitalize on the investment for software expenses as a capital expense versus an operational expense;
- confirmation of the total cost for the project including labour, and capital costs for the 2022 to 2025 time period;
- the impact of the cost of the project on the 2022 budget;
- whether comparable municipalities have been able to stay within budget with respect to implementation of a Customer Relationship Management system;
- whether the Town would use the same system as the Region for the integration of the 311 system, and whether the same 311 system platform was used by Oshawa and Pickering;
- opportunities to re-purpose Staff versus new hires to provide efficiencies and to reduce the cost to taxpayers;
- the willingness of Staff to improve payment options, and the timeline for the implementation of the centralized payment system;
- the timeline for the implementation of the 311 system and whether the 311 system would resolve complaints about routing inquiries;
- whether consideration was given to the physical departmental space requirements at Town Hall; and,
- the potential mitigation of Town Hall renovations by utilizing space at the Whitby Sports Centre.

Recommendation:

Moved By Councillor Mulcahy

That the Customer Service Strategy appended to Report CLK 08-21 as Attachment 1 be endorsed, and the recommendations within referred to the 2022 budget for Council consideration as part of the Town's budget process.

Carried

It was the consensus of the Committee to hear Item 2.1, Delegation by Peter Phillips representing the Active Transportation and Safe Roads Advisory Committee, at this time.

- 4.2** Office of the Town Clerk Report, CLK 06-21
Re: 2022 Council, Committee, and Public Meetings Schedule

Recommendation:

Moved By Councillor Mulcahy

That Council approve the 2022 Council, Committee, and Public Meeting Schedule appended as Attachment 1 to this report.

Carried

- 4.3** Office of the Town Clerk Report, CLK 07-21
Re: Banter & Co. Brewing Ltd. – “By the Glass” Manufacturer’s Limited Liquor Sales Licence Application to the AGCO

A question and answer period ensued between Members of Committee and James Mercier, owner of Banter & Co. Brewing Ltd., regarding details about the new brewery in Whitby.

Recommendation:

Moved By Councillor Newman

1. That the Council of the Town of Whitby supports the application made by Banter & Co. Brewing Ltd., located at 66 Baldwin Street, Whitby, for a “By the Glass” Manufacturer’s Limited Liquor Sales Licence; and,
2. That the Clerk provide written notice to the Alcohol and Gaming Commission of Ontario (AGCO) and to Banter & Co. Brewing Ltd. notifying them of Council’s resolution confirming its support.

Carried

It was the consensus of the Committee to hear Item 4.2, CLK 06-21, at this time.

- 4.4** Financial Services Department Report, FS 29-21
Re: 2020 Capital Budget Year End and 2021 Reserve/Reserve Fund Projection

Recommendation:

Moved By Councillor Drumm

1. That FS 29-21 be received for information;
2. That the budget request of \$230,000 for repairs to the Brooklin Pond funded from the Asset Management Reserve Fund be approved; and.
3. That, in accordance with the arrangement with the Ministry of Transportation Ontario, funds in the amount up to \$230,000 be transferred from the Development Charge Roads and Related Town-wide Infrastructure Reserve Fund to the Asset Management Reserve Fund related to the Brooklin Pond work in lieu of payment for the sidewalk on Baldwin Street.

Carried

- 4.5** Public Works Department and Financial Services Department Joint Report, FS 30-21
Re: T-40-2021 – Superstructure Widening of Rossland Road Overpass at CP Rail

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

- confirmation that the extension would be attached to the side of the bridge in order to make the multi-use path wider; and,
- whether it was possible to attach the extension to the existing structure.

Recommendation:

Moved By Councillor Shahid

1. That Tender T-40-2021 be awarded to Marbridge Construction Ltd., in the amount of \$513,720.00 (plus applicable taxes), funded from the capital project 40201701 Rossland – CP Bridge;
2. That the cost estimate of \$860,000.00 for the Rossland – CP Bridge project (capital project 40201701) be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 4.6** Public Works Department and Financial Services Department Joint Report, FS 31-21
Re: T-576-2021 – Storm Sewer Inspection and Assessment

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

- whether this project would address complaints received from residents on Mount Pleasant Avenue about the pond;
- confirmation that the project would include inspecting, assessing and clean-up if required;
- confirmation that the project would be an ongoing permanent part of the storm sewer management planning, and that it would be included in future annual budgets; and,
- the rationale for the approval of the Staff report by Council.

Recommendation:

Moved By Councillor Mulcahy

1. That Tender T-576-2021 be awarded to Infrastructure Intelligence Services Inc., in the annual amount of \$89,053.70 (plus applicable taxes) for the inspection and assessment of the Town's storm sewer, to be funded from the capital project 40196501 Storm Sewer Inspection and Flushing;
2. That the revised cost estimate, totaling \$110,000.00, for capital project 40196501 be approved;
3. That approval be granted to extend this contract for three (3) additional one (1) year terms subject to budget approval and the Contractor's successful performance of the previous term including product quality and timely delivery; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

4.7 Financial Services Department Report, FS 34-21
Re: Consulting Services for the Replacement of White Bridge on Columbus Road

Recommendation:

Moved By Councillor Leahy

1. That the Town of Whitby accept the highest ranking proposal submitted by GHD Limited in the amount of \$347,407.00 (plus applicable taxes) for Phase 1, consulting services for the detailed

- design and tender preparation, funded from the capital project 40206111 BR A08 02 - White Bridge;
2. That the Total Project Cost (Phase 1) of \$597,304.61 be approved with the budget shortfall of \$197,304.61 to be funded by \$159,816.73 from the Growth Capital Reserve Fund and \$37,487.88 from the Roads and Related Development Charge Reserve Fund;
 3. That approval be granted to award Phase 2, contract administration and construction inspection to GHD Limited, in the amount of \$245,900.00 (plus applicable taxes, contingency), subject to satisfactory performance and budget approval; and,
 4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 4.8** Financial Services Department Report, FS 35-21
Re: Annual Statement of Development Charge and Parkland Reserve Funds as at December 31, 2020

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

- whether the 2020 foregone revenue loss was due to changes in the development charges exemptions or due to a lesser amount of high density residential or mixed use in a particular area;
- whether higher actual growth was planned due to the development in West Whitby; and,
- whether continued shortfalls in non-residential development would impact the Town's projections.

Recommendation:

Moved By Councillor Newman

That Report CS 35-21 - the Annual Statement of Development Charge and Parkland Reserve Funds as of December 31, 2021 be received as information.

Carried

- 4.9** Financial Services Department Report, FS 38-21
Re: Declare Surplus Block I, Plan M1067, PIN 26544-0215(LT) and Block B, Plan M1067, PIN 26544-0214 (LT), Lands Between 835 and

855 McQuay Boulevard, for the Purpose of a Land Donation to Otter Creek Co-operative Homes Inc.

Discussion ensued between Members of Committee regarding:

- affordable housing as defined by the Province of Ontario;
- the availability of one-bedroom apartments in Whitby;
- the opportunity to provide a low-rise 18-unit one-bedroom apartment building through this initiative;
- the need for affordable housing and the continued increase in the cost of housing; and,
- the construction of an apartment building for those residents who need it the most.

Recommendation:

Moved By Councillor Newman

1. That Block I, Plan M1067, PIN 26544-0215 (LT) and Block B, Plan 1067, PIN 26544-0214 (LT) (collectively, the "Properties") as shown on Attachment #1 be declared surplus for the purpose of a land donation to Otter Creek Co-operative Homes Inc. ("Otter Creek Co-op") or their affiliated company, subject to the conditions set out in report FS 38-21;
2. That the Mayor and Clerk be authorized to execute an agreement between the Town and Otter Creek Co-op as outlined in report F 38-21;
3. That the Town give public notice of its intention to convey the Properties pursuant to Policy F 190, by posting a sign on the Properties for not less than ten (10) days, placing an advertisement in a newspaper having general circulation in the Town and posting notice on the Town's website;
4. That a by-law be brought forward to Council authorizing the conveyance of the Properties; and,
5. That Item MD-5654 be removed from the New and Unfinished Business list.

Carried

It was the consensus of the Committee to hear Item 2.3, Delegation by Astrid Poei representing Queen's Common West Neighbours, at this time.

4.10 Financial Services Department Report, FS 39-21
Re: Annual Insured Claims

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

- whether there was any change in the volume of claims over the past few years;
- a comparison of the cost benefit to the Town by being a member of the Durham Municipal Insurance Pool (DMIP) pool versus outsourcing the program;
- confirmation on the budget for the annual insurance premium and the amount in the Insurance Reserve Fund, and whether increases or decreases in the Insurance Reserve Fund were dependent on the payout of claims from the previous year; and,
- whether the critical factor on the increase in the claims paid within the total deductible expenses was related to the timing of closing claims versus the impact of the COVID-19 pandemic.

Recommendation:

Moved By Councillor Mulcahy

That report FS 39-21 on Annual Insured Claims be received as information.

Carried

4.11 Financial Services Department Report, FS 40-21
Re: 2022 Budget Process and Calendar

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

- whether the timeline for the 2022 budget target report on October 18, 2021 would align with Council being informed about target budget rates for Whitby's peers;
- the value of the Staff time and work on the budget should Whitby's budget target rate be substantially higher than its peers; and,
- confirmation that the target budget rate within the Staff report in October 2021 would be a preliminary target rate and that Council would set a final target budget rate on January 24, 2022.

Recommendation:

Moved By Councillor Mulcahy

1. The 2022 Budget Process, Communication and Public Engagement Plan and Calendar outlined in this report be approved by Council and that the Town Clerk establish the meeting dates; and,
2. That the Commissioner of Financial Services and Treasurer be authorized to initiate any changes to the 2022 Budget format that may enhance and ensure that the information supports the guiding financial principles of:
 - a. Incorporating a long term perspective;
 - b. Establishing linkages to broad organizational goals;
 - c. Focus decisions on results and outcomes;
 - d. Involve and promote effective communication with stakeholders; and,
 - e. Promoting program efficiency and effectiveness.

Carried

- 4.12** Financial Services Department and Legal and Enforcement Services
Joint Report, FS 41-21
Re: Declare Surplus Part of the Road Allowance Between Lots 22 and 23, Concession 6 for the Purpose of Conveyance to Yucca Whitby Land Ltd. – Baldwin Street North

Recommendation:

Moved By Councillor Mulcahy

1. That the following Town-owned lands be declared surplus and that they be stopped up and closed as a public highway:
 - a. Part of the Road Allowance between Lots 22 and 23, Concession 6, being Part 4 on Plan 40R-1812, (PIN 16434-0015 (LT)) (“Property #1”);
 - b. Part of the Road Allowance between Lots 22 and 23, Concession 6 being Part 2 on Plan 40R-1812, (PIN 16434-0016 (LT)) (“Property #2”);
 - c. Part of the Road Allowance between Lots 22 and 23, Concession 6, being Part 3 on Plan 40R-1778, (PIN 16434-0014 (R)) (“Property #3”);

(collectively, the “Properties”);

2. That the Properties be conveyed to the adjoining land owner, Yucca Whitby Land Ltd., or its associated company on such terms and conditions as contained in Report FS 41-21;

3. That Council waive the Town's requirement of giving public notice of its intention to convey the Properties and its intention to stop up and close the Properties as a public highway; and,
4. That by-laws be brought forward to Council authorizing the conveyance of the Properties and authorizing the stopping up and closing of the Properties as a public highway.

Carried

4.13 Office of the Chief Administrative Officer Report, CAO 16-21
Re: Paid Advertising and Sponsorship Policy

Recommendation:

Moved By Councillor Shahid

1. That Report CAO 16-21 be received for information; and,
2. That Council approve the Paid Advertising and Sponsorship Policy (Attachment 1).

Carried

4.14 Office of the Chief Administrative Officer Report, CAO 17-21
Re: 2020 Sustainability Annual Report

Recommendation:

Moved By Councillor Yamada

1. That Report CAO 17-21 be received as information; and,
2. That the Clerk forward a copy of Staff Report CAO 17-21 to the Region of Durham's Sustainability Department.

Carried

4.15 Office of the Chief Administrative Officer Report, CAO 18-21
Re: LEAF Backyard Tree Planting Program Expansion 2021-2025

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

- the number of trees planted since the creation of the program;
- opportunities to expand the program through grants from the Provincial or Federal Governments;

- the number of outstanding tree plantings to be planted within the fiscal year and beyond;
- whether there was a cap on the Region's share of funding for the program, and whether the Region would match funding for the program should the Town increase its contribution;
- the types of shrubs that were purchased;
- whether the majority of plantable space located on privately owned property was due to the percentage of land owned privately being greater than land owned publicly; and,
- whether the program would facilitate tree planting in front yards.

Recommendation:

Moved By Councillor Newman

1. That Council receive the LEAF Backyard Tree Planting Program Interim Report - Dec 2020 (Attachment 1) as information;
2. That Council approve a new program/service level, a Backyard Tree Planting Program at the Town of Whitby;
3. That contract for the delivery of the Backyard Tree Planting Program be awarded to LEAF as a sole source contract for five years, in the amount of \$75,000 (or \$15,000 per year), subject to annual performance reviews;
4. That Council direct Town Staff to enter into a five-year program agreement with the Region of Durham, LEAF and participating local area municipalities to continue to deliver the backyard tree planting program between 2021-2025, with terms and conditions satisfactory to the Chief Administrative Officer, the Commissioner of Financial Services, and the Commissioner of Legal Services;
5. That the 2021 cost, in the amount of \$15,000, be funded from sponsorships and other operating budget savings in the 2021 Operating Budget for Strategic Initiatives; and,
6. That the on-going annual cost of this new program/service level, in the amount of \$15,000, be included in the 2022 Operating Budget.

Carried

- 4.16** Office of the Chief Administrative Officer Report, CAO 19-21
Re: Memorandum of Understanding between the Town of Whitby and the Ontarian Musicians Co-operative Inc. [Revised]

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

- the potential conflict due to music emanating from a patio near the Landmark Square at the time the performers were performing; and,
- whether Members of the Ontario Musicians Co-operative Inc. would be the only performers permitted to perform.

Recommendation:

Moved By Mayor Mitchell

1. That Report CAO 19-21 be received for information;
2. That the Town enter into a one year Memorandum of Understanding with the Ontario Musicians Co-operative Inc. (OMCI) effective June 22, 2021 to June 22, 2022;
3. That Council provide an exemption to the Public Nuisance By-law # 6714-13 for the duration of the year Memorandum of Understanding with respect to the ability for OMCI Performers to be able to receive a voluntary gratuity as part of the pilot program; and,
4. That staff report back to Council on the outcomes of the pilot program.

Carried

4.17 Office of the Chief Administrative Officer Report, CAO 21-21
Re: Corporate Media Relations Policy

Recommendation:

Moved By Councillor Shahid

1. That Report CAO 21-21 be received for information;
2. That the Corporate Media Relations Policy (CA 100) be repealed and replaced with the new Corporate Media Relations Policy (Attachment 1) attached to Report CAO 21-21; and,
3. That Item MD-4208 be removed from the New and Unfinished Business List

Carried

4.18 Office of the Chief Administrative Officer Report, CAO 22-21
Re: Corporate Social Media Policy

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

- whether the Corporate Social Media Policy applies to Members of Council;
- revising the wording within the policy under Section 3 - Responsibilities to reflect that Council give consideration to the items listed;
- whether Connect Whitby was part of the Corporate Social Media Policy and whether a communication through Connect Whitby would be linked to social media;
- whether data was collected from both social media and Connect Whitby and,
- confirmation that any information reported to Council would be from social media and Connect Whitby.

Recommendation:

Moved By Councillor Newman

1. That Report CAO 22-21 be received for information;
2. That the Social Media Policy (CA 020) be repealed and replaced with the new Social Media Policy (Attachment 1); and,
3. That Item MD-4789 be removed from the New and Unfinished Business List.

Carried

Recommendation:

Moved By Councillor Leahy

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

4.19 Community Services Department Report, CMS 11-21
Re: Community Services Department - 2022 Programs and Services Fees [Revised]

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

- the rationale for the increase in rates in a number of categories considering that Whitby's rates were already in the high end and that other municipalities were not increasing their rates;
- the impact of COVID-19 on inflationary costs, and whether the COVID-19 relief fund could be used to offset programming costs;
- setting Whitby's rates without increases through a recommendation;
- confirmation that all fees were existing fees and that there were not any new fees being proposed within the report;
- deferral of the report to the June 21 Council meeting, and providing direction to staff that Attachments 1 through 6 be updated to reflect a zero percent increase; and,
- investigating subsidies or voluntary contributions that may be available to offset the cost of programming.

Recommendation:

Moved By Councillor Shahid

1. That Council approve the proposed fees as outlined in Attachments 1, 2, 3, 4, 5 and 6 with the effective dates as follows:
 - a. Sports Fields, Lacrosse Box, Courts, Lighting and Arena Floors adjustments effective November 1, 2021 to October 31, 2022 (Attachment 1);
 - b. Halls and Facility Rental Fees adjustments effective April 1, 2022 to August 31, 2023 (Attachment 2);
 - c. Camp, Membership and Admission Fees adjustments effective September 1, 2021 to August 31, 2022 (Attachment 3);
 - d. Recreation Program Fees adjustments effective September 1, 2021 to August 31, 2022 (Attachment 4);
 - e. Arena Ice and Aquatic Pool Fees adjustments effective September 1, 2021 to August 31, 2022 (Attachment 5);
 - f. Parks Features adjustments effective September 1, 2021 to August 31, 2022 (Attachment 6); and,
2. That the Clerk be authorized to amend the Consolidated Fees and Charges By-law # 7220-17 to include the new Community Services Fees Schedules.

Note: The disposition of the matter, Item 4.19, was determined through the deferral motion below. [See following motion]

Recommendation:

Moved By Councillor Leahy

That consideration of Staff Report CMS 11-21, Community Services Department - 2022 Programs and Services Fees [Revised], be postponed to the Council meeting on June 21, 2021.

Carried

4.20 Community Services Department Report, CMS 12-21
Re: Parks Name for West Whitby District Park in Mattamy Development

Having previously declared a pecuniary interest, Councillor Newman did not take part in the discussion or voting specifically related to the naming of the District Park.

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

- methods used for communicating the Staff report to community members;
- clarification on the methods noted within the Staff report of communication to residents who previously requested notification of upcoming reports;
- whether naming the park could be delayed until the summer;
- consideration of the feedback received from the community in naming the park;
- deferring the naming of the park until the fall of 2021 and the possibility of naming the park West Whitbee Park;
- utilizing Connect Whitby as a method of consultation on naming of the park;
- the timeline for the commencement and completion of construction of the park and the possibility of expediting the timeline for construction of the park;
- providing an update to Members of Council by way of a memo on the outcome of the tender process and the schedule for the construction of the park;
- updating information about the project for members of the community via the Connect Whitby page; and,
- opportunities to level and sod the existing land.

Recommendation:

Moved By Councillor Mulcahy

1. That Community Services Department Report CMS 12-21 be received as information;
2. That Council approve Pollinator Park as the name of the new District Park located within the new Mattamy development within West Whitby; and,
3. That notification of the Council approved Park Name be communicated through the Town's website and social media communication tools, Town internal departments and external agencies where appropriate.

Note: The disposition of this matter, Item 4.20, was determined through the deferral motion below. [See following motion]

Recommendation:

Moved By Councillor Leahy

That consideration of Staff Report CMS 12-21, Parks Name for West Whitby District Park in Mattamy Development, be postponed until Q4 2021.

Carried

It was the consensus of the Committee to hear Item 2.5, Delegation by Len Buttici representing Humane Society of Durham Region, at this time.

4.21 Community Services Department Report, CMS 13-21
Re: Cullen Central Park Master Plan

Recommendation:

Moved By Councillor Mulcahy

1. That Council endorse the proposed Cullen Central Park Master Plan Guiding Principles, Community Engagement Strategy and work plan timelines as outlined in Report CMS 13-21;
2. That Council authorize Staff to issue a Request for Proposal (RFP) to select a qualified consultant to undertake the Cullen Central Park Master Plan; and,
3. That Staff report back to Council with the results of the community engagement input, proposed park concept including estimated capital and operating costs.

Carried

4.22 Legal and Enforcement Services Report, LS 08-21
Re: Future of the Whitby Animal Services Centre

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

- confirmation of the current annual net cost to the Town for the operation of animal services including the Ajax contribution and excluding enforcement costs;
- confirmation that the Town would make adjustments to operational expenses through the reduction of staff and vehicles should the agreement with Ajax not be extended beyond 2023;
- the cost for animal services without revenue from Ajax;
- whether the Town would be required to maintain wildlife services regardless of the organization operating the centre, the percentage of the animal services' cost allocated to wildlife services, the total savings by partnering with the HSDR or Pickering and the total net cost to the Town and the tax base;
- whether there would be redundant capacity in terms of overall sheltering services should the renovations be undertaken at the centre and the agreement with Ajax was not extended beyond 2023;
- whether there would be an actual cost savings for the Town should the Town partner with the HSDR due to the continued requirement for staff, vehicles, enforcement services and wildlife services;
- confirmation that the agreement with Ajax would expire in 2023, and whether negotiations would commence with Ajax in 2022;
- the possibility of delaying renovations and upgrades related to sheltering beyond 2023 or until the position of Ajax was known;
- the financial implications of breaking the contract with Ajax;
- whether there was any indication that Ajax would partner with another municipality;
- whether research and/or a comparison was undertaken on service delivery models in other municipalities, and how many of those municipality's partnered with Humane Society's within their region;
- whether improved services and/or impact on the tax base have been investigated through the possibility of a private program in collaboration with the HSDR; and,
- whether the Town's adoption system was robust, and the possibility for collaboration with the HSDR to improve Whitby's adoption system.

Recommendation:

Moved By Councillor Leahy

1. That Report LS 08-21 be received for information;
2. That Animal Services continue to operate as an in-house service of the Town, including sheltering and enforcement;
3. That Council endorse the implementation of operational changes at the Whitby Animal Services Centre to improve efficiency and cost savings as outlined in Report LS 08-21; and,
4. That staff engage the Town of Ajax to negotiate a possible extension of the existing sheltering agreement.

Carried

It was the consensus of the Committee to hear Item 3.2, Memorandum from C. Harris, Town Clerk, dated June 9, 2021 regarding Re-use and Rehabilitation of the Pump House, at this time.

4.23 Legal and Enforcement Services Report, LS 09-21
Re: Regulating Short-Term Rental Accommodations – Public and Stakeholder Consultations Update

Recommendation:

Moved By Councillor Newman

That Report LS 09-21 be received for information.

Carried

4.24 Public Works (Operations) Department Report, PW 01-21
Re: Urban Forest Management Plan – Terms of Reference

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

- whether a by-law would be implemented to protect all trees on public and private property; and,
- confirmation that an Urban Forest Management Plan only refers to trees on public property.

Recommendation:

Moved By Councillor Shahid

1. That Council approve the Terms of Reference for the development of an Urban Forest Management Plan (UFMP) appended as Attachment 1 to this report;
2. That Council authorize staff to issue a Request for Proposal (RFP) in accordance with the Terms of Reference;
3. That Council authorize staff to award the project to the highest ranking compliant bidder provided such proposals are within or do not exceed more than 10 percent of the budget of \$300,000; and,
4. That staff report back to Council at key milestones in accordance with the timeline developed as part of the project's work plan.

Carried

4.25 Public Works (Operations) Department Report, PW 02-21
Re: Urban Forestry Update - Spring 2021

Recommendation:

Moved By Councillor Newman

That Report PW 02-21 be received as information.

Carried

4.26 Public Works (Engineering) Department Report, PW 14-21
Re: Update to Traffic By-law 1862-85

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the proposed update to Traffic By-law # 1862-85, as identified in Attachment 1, to incorporate the following changes to Schedule "B" of the By-law:
 - a. No Parking (anytime) on the east side of Halls Road South from the south terminus to the Waterfront Trail entrance;
 - b. No Parking (anytime) within 15 metres of the Waterfront Trail access on the west side of Halls Road South;

- c. No Parking (anytime) on the north and south sides of Lyndebrook Road between 80 metres west of Country Lane and the east terminus of Lyndebrook Road;
 - d. No Parking (anytime) on the west side of Cochrane Street between the Heber Down Conservation Area Parking Lot (south terminus of Cochrane Street) and 100m north;
 - e. No Parking (anytime) on the east and west sides of Annes Street from the south terminus to 10m north;
- 2. That a By-law to amend By-law # 1862-85 be brought forward for the consideration of Council;
 - 3. That No Parking signage be installed in accordance with the directions of Report PW 14-21; and,
 - 4. That Report PW 14-21 be forwarded to the Durham Regional Police Service (DRPS) and the Central Lake Ontario Conservation Authority (CLOCA).

Carried in the meeting [See following motion]

Recommendation:

Moved By Councillor Newman

That the Item 1 of the main motion be amended by deleting the words 'as identified in Attachment 1'; and,

That Item 1 a. be amended by including the words 'and on the west side from the south terminus to 10m north, following the words 'Waterfront Trail entrance'.

Carried

The main motion, as amended was then carried as follows

Recommendation:

Moved By Councillor Mulcahy

- 1. That Council approve the proposed update to Traffic By-law # 1862-85 to incorporate the following changes to Schedule "B" of the By-law:
 - a. No Parking (anytime) on the east side of Halls Road South from the south terminus to the Waterfront Trail entrance and on the west side from the south terminus to 10m north;

- b. No Parking (anytime) within 15 metres of the Waterfront Trail access on the west side of Halls Road South;
 - c. No Parking (anytime) on the north and south sides of Lyndebrook Road between 80 metres west of Country Lane and the east terminus of Lyndebrook Road;
 - d. No Parking (anytime) on the west side of Cochrane Street between the Heber Down Conservation Area Parking Lot (south terminus of Cochrane Street) and 100m north; and,
 - e. No Parking (anytime) on the east and west sides of Annes Street from the south terminus to 10m north;
2. That a By-law to amend By-law # 1862-85 be brought forward for the consideration of Council;
 3. That No Parking signage be installed in accordance with the directions of Report PW 14-21; and,
 4. That Report PW 14-21 be forwarded to the Durham Regional Police Service (DRPS) and the Central Lake Ontario Conservation Authority (CLOCA).

Carried

4.27 Public Works (Engineering) Department Report, PW 19-21
Re: McQuay Boulevard Traffic Calming and By-law Update, No Stopping

Recommendation:

Moved By Councillor Newman

1. That flexible in-street signage and bollards and No Stopping signage, be installed on McQuay Boulevard, within the school zone adjacent to Colonel Farewell Elementary Public School;
2. That Council approve the proposed update to Traffic By-law 1862-85 to incorporate the following changes to Schedule "A" of the By-law:
 - a. No Stopping (Anytime) on the east and west sides of McQuay Boulevard between 10m south of Brookdale Crescent (south leg) and 10m north of Renfield Crescent (south leg);
 - b. No Stopping (September to June, Monday through Friday, 8:30 a.m. to 9:30 a.m., 11:00 am to 1:00 pm and 2:45 p.m. to 3:45 p.m.) on the north side of Brookdale Crescent (north leg) between McQuay Boulevard and 20m east of McQuay Boulevard;

- c. No Stopping (September to June, Monday through Friday, 8:30 a.m. to 9:30 a.m., 11:00 am to 1:00 pm and 2:45 p.m. to 3:45 p.m.) on the south side of Brookdale Crescent (north leg) between McQuay Boulevard and 55m east of McQuay Boulevard;
 - d. No Stopping (September to June, Monday through Friday, 8:30 a.m. to 9:30 a.m., 11:00 am to 1:00 p.m. and 2:45 p.m. to 3:45 p.m.) on the north side of Brookdale Crescent (south leg) between McQuay Boulevard and 75m east of McQuay Boulevard; and,
 - e. No Stopping (September to June, Monday through Friday, 8:30 a.m. to 9:30 a.m., 11:00 am to 1:00 p.m. and 2:45 p.m. to 3:45 p.m.) on the south side of Brookdale Crescent (south leg) between McQuay Boulevard and 45m east of McQuay Boulevard.
3. That a By-law to amend Traffic By-law 1862-85 be brought forward for consideration of Council;
 4. That flexible bollards and signage be installed in accordance with the directions of Report No. PW 19-21; and,
 5. That the Clerk remove the MD – 4915 from the New and Unfinished Business listing; and,
 6. That Report No. PW 19-21 be forwarded to the Durham Region Police Service, Durham District School Board, and Durham Student Transportation Service.

Carried

4.28 Public Works (Engineering) Department Report, PW 21-21
Re: Final Active Transportation Plan (ATP)

Recommendation:

Moved By Councillor Mulcahy

1. That the Final Active Transportation Plan (ATP) be adopted by Council;
2. That Item MD-5191 be removed from New and Unfinished Business;
3. That Item MD-4486 be removed from New and Unfinished Business; and,
4. That Item MD-4890 be removed from New and Unfinished Business.

Carried

4.29 Public Works (Engineering) Department Report, PW 22-21
Re: Town of Whitby Support for New Unnamed Elementary School

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

- confirmation that students on the west side of Anderson Street would be attending this school; and,
- confirmation from Durham Student Transportation Services that those students would be bused to school.

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve, in principle, a No Stopping restriction on Samandria Avenue and on Lazio Street;
2. That the Traffic By-law # 1862-85, Schedule A, be amended to incorporate a No Stopping restriction on Samandria Avenue and on Lazio Street reflective of the school bell times, when available;
3. That Traffic By-law # 1862-85, Schedule P, be amended to incorporate the following reduced speed limit:
 - a. 40 km/h on Lazio Street between Solmar Avenue and Juneau Crescent; and,
 - b. 40 km/h on Samandria Avenue.
4. That the No Stopping and 40 km/h signage be installed, in accordance with the directions of Report PW 22-21;
5. That up to three temporary Crossing Guards to service the new Unnamed Public School located at 51 Lazio Street be approved, funded by other operating budget savings in 2021 and the 2022, 2023, and 2024 Operating Budgets as outlined in Report PW 22-21; and,
6. That Report PW 22-21 be forwarded to the Durham District School Board, Durham Student Transportation Services, and Durham Regional Police Service.

Carried

4.30 Public Works (Engineering) Department Report, PW 26-21
Re: Update Traffic By-law 1862-85, No Parking for Durham Student Transportation Services

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

- whether consideration was given to the future installation of traffic signals north off Selkirk Drive and whether the parking restrictions would be reflective of the future traffic signals; and,
- whether no parking restrictions were previously implemented along Tavistock Avenue.

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the proposed amendment to the Traffic By-law # 1862-85 to incorporate the changes to Schedule "B" of the By-law, as identified in Attachment 1;
2. That a By-law to amend By-law # 1862-85 be brought forward for the consideration of Council; and,
3. That Report PW 26-21 be forwarded to the Durham Student Transportation Services.

Carried

5. New and Unfinished Business - General Government

5.1 Condemnation of London Terrorism and Support for the Muslim Community

Councillor Yamada introduced a motion regarding the condemnation of the London terrorism and support for the Muslim community.

Recommendation:

Moved By Councillor Yamada

That in accordance with the Town's Procedure By-law, the Committee of the Whole meeting continue to go past 11:30 p.m.

Carried on a Two Thirds Vote

Discussion ensued between Members of Committee regarding:

- the implementation of concrete solutions for racism and eliminating hate in Whitby;
- how Council could support the multi-cultural population in Whitby and address racism locally;

- the continuance of the Whitby Diversity and Inclusion Advisory Committee's (WDIAC) meetings to investigate how a work plan could be further expanded to include actions to address racism in the Muslim, Indigenous, Asian and Black communities, and ways to exhibit support and respect for community members as a whole;
- the WDIAC's commitment to work with the Muslim community and to connect with the leaders of the Muslim community; and,
- the interest expressed by the Whitby Chamber of Commerce to be involved in actioning dialogue to build relationships.

Recommendation:

Moved By Councillor Yamada

Whereas on June 6, 2021, an attack ended the lives of Salman Afzaal, 46, his 44-year-old wife Madiha, their 15-year-old daughter Yumna, and the children's 74-year-old grandmother and seriously injured the 9 year old son Fayez;

Whereas hatred rooted in Islamophobia is becoming a regular occurrence in Canada with attacks on Muslim women in Alberta, the IMO mosque killing, and the Quebec City mosque massacre;

Whereas community members in London, Ontario and those across Canadian mourn the loss of life of the Afzaal family and send their prayers and well wishes for the 9 year old's recovery; and,

Whereas Federal, Provincial and Municipal leaders are condemning this incident as a terrorist attack and pledging their support to the Muslim community.

Therefore Be It Resolved:

1. That the Town of Whitby condemn the June 6, 2021 act of terrorism in London, Ontario and pledge its support to the Muslim community here in Whitby, Durham and across Canada;
2. That the Whitby Diversity and Inclusion Advisory Committee examine ways to strengthen our ties with our growing Muslim population; and,
3. That a copy of this motion be sent to Prime Minister Justin Trudeau, Minister Bardish Chagger, Minister of Diversity, Inclusion and Youth, Premier Doug Ford, all Durham Region MPs

and MPPs, The Region of Durham, and all Durham local area municipalities.

Carried

5.2 Impact of Noise and Dust on Residents in West Whitby

Councillor Newman introduced a motion regarding the impact of noise and dust on residents in West Whitby.

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

- whether the removal of Sundays from developers construction schedules would result in longer construction time periods;
- whether developers have expressed concerns about the removal of construction on Sundays; and,
- whether residents working on their own property on Sundays would be impacted by this restriction.

Recommendation:

Moved By Councillor Newman

Whereas residents in West Whitby have experienced impact from significant noise and dust as a result of protracted construction from development over a number of successive years; and,

Whereas the significant noise and dust impact has affected, in varying degrees, the health and well-being of Whitby residents and the quiet enjoyment of their properties; and,

Whereas children have often been unable to play in the backyards of their homes during 2020 and 2021 because of the significant noise and dust impacts; and,

Whereas these impacts have escalated as a result of the restrictions and stay at home orders issued by the Province of Ontario in the management of the COVID-19 pandemic; and,

Whereas on April 7, 2020 the Province of Ontario adopted O. Reg. 131/20 which stated that a municipality does not have the power to prohibit and regulate noise made in connection with any type of construction activity between 6:00 am and 10:00 pm seven days a week; and,

Whereas O.Reg. 131/20 is effective until October 7, 2021, at which time, unless the regulation is extended by the province, normal municipal by-law construction noise restrictions will take effect.

Now therefore be it resolved:

1. That the Province be requested to amend O. Reg. 131/20 to require a pause of all construction activity from development on Sundays;
2. That Staff be directed to update the "Building Whitby Together" information sheet for residents related to dust and noise impacts from development, for broad distribution to Whitby residents via the Town of Whitby communication channels and designated distribution to impacted residents;
3. That Staff arrange a meeting with the West Whitby developers to discuss the significant noise and dust impacts for existing residents and to seek their cooperation and support for additional measures to reduce those impacts including a voluntary suspension of construction activity on Sundays;
4. That Staff review the opportunity to strengthen the standard conditions related to noise and dust suppression for Site Alteration Permits and report to Council on this and any other remedies to address the noise and dust impacts, including revisions to the Noise Bylaw, by the end of Q4 of 2021; and,
5. That the Clerk be directed to circulate a copy of this resolution to Premier Doug Ford, Minister of Municipal Affairs and Housing, Ontario Attorney General, and Lorne Coe, MPP Whitby.

Carried

Adjournment

Motion to Adjourn

Recommendation:

Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 11:48 p.m.