

**Present:** Mayor Mitchell  
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. Beale, Commissioner of Public Works  
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor  
J. Romano, Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Fire Chief  
S. Klein, Director of Strategic Initiatives  
A. McCullough, Director of Finance/Deputy Treasurer  
H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

**1.1** Councillor Mulcahy declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 7.4, Office of the Chief Administrative Officer Report, CAO 23-20, 2020 Community Survey Results specifically related to advertising through local newspapers, as Councillor Mulcahy owns a newspaper in Whitby. Councillor Mulcahy did not take part in the discussion or voting on this matter.

**1.2** Mayor Mitchell declared a pecuniary interest under the Municipal

Conflict of Interest Act regarding Item 7.10, Legal and Enforcement Services Department Report, LS 16-20, Proposed Amendments to the Property Standards Bylaw and on Item 10.8, By-law # 7697-20, being a by-law to amend the Property Standards By-law (Town of Whitby By-law # 6874-14), specifically related to vacant buildings, as Mayor Mitchell and his family have an interest in 5455 Ashburn Road, which contains a building that is currently vacant. Mayor Mitchell did not take part in the discussion or voting on these matters.

2. Adoption of Minutes

- 2.1 Regular Council - November 2, 2020  
Special Council - November 23, 2020

**Resolution # 236-20**

Moved By Councillor Lee  
Seconded By Councillor Yamada

That the Regular Council minutes of November 2, 2020 and the Special Council minutes of November 23, 2020 be adopted.

**Carried**

3. Presentations

- 3.1 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 2020. Highlights of the address included:

- the construction of Amazon's industrial building located in Whitby and the jobs associated with the project;
- an overview of several transit modernization projects occurring in the Region that are supported by provincial and federal investments, including the Bus Rapid Transit System and the GO East Rail Extension;
- the federal and provincial funding for expanded broadband networks that may help achieve a more connected Durham Region; and,
- major infrastructure and roadway projects in Whitby, including the Whitby Water Supply Plant expansion and Stellar Drive extension.

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

- how the Region of Durham will work with the Province to ensure the expeditious receipt, storage, and distribution of COVID-19 vaccines in the Region;
- how the Region is supporting local businesses during the pandemic and how local businesses can connect with the Region for support;
- details about the Region of Durham's recently established diversity and inclusion department and how the department will work with the community and stakeholders;
- efforts to protect residents and staff in the Region of Durham's long-term care facilities from COVID-19; and,
- increasing demand for the services of food banks and how the Region of Durham and residents can support local food banks.

**3.2** Patrick McNeil, Chair of the Board of Directors, Elexicon Corporation, Lesley Gallinger, President & CEO, Elexicon Energy, and Karen Fisher, Interim President & CEO and Chair of the Board of Directors, Elexicon Group  
Re: Elexicon Update

Patrick McNeil, Chair of the Board of Directors, Elexicon Corporation, Lesley Gallinger, President & CEO, Elexicon Energy, and Karen Fisher, Interim President & CEO and Chair of the Board of Directors, Elexicon Group provided a PowerPoint presentation regarding:

- details about the formation of Elexicon Corporation and the primary objectives of its formation including serving customers effectively, seizing opportunities resulting from technological change, and continuing to provide ongoing dividends to its shareholder municipalities;
- the impact of COVID-19 on business operations and information about Elexicon Energy's Pandemic Response Plan;
- operational decisions made by Elexicon Energy to ensure the organization is able to continue to provide effective services should cash flow be impacted by residents who are unable to pay bills during the pandemic;
- details about Elexicon Energy's Community Report and how the organization communicates with customers;
- recovery efforts in 2021 and information about the launch and implementation of a new 5-year Strategic Plan;
- details about the structure, mission, vision, and values of Elexicon Group and information about their strategic plan and their focus on growth in non-regulated industries; and,

- information about projects that Elexicon Group has completed or proposed to date in their shareholder municipalities.

A question and answer period ensued between Members of Council and Mr. McNeil, Ms. Gallinger, and Ms. Fisher regarding:

- population growth in the Region of Durham and if growth will impact the corporate governance structure of Elexicon Corporation;
- the COVID-19 energy assistance program for small businesses and opportunities to work with the Province to expand the program to allow more small businesses to qualify;
- payment deferrals and long-term payment plans available to residents and small businesses;
- details about the deferral of dividends for shareholders and timing when the Board of Directors will consider providing deferred dividend payments;
- areas in the Town that have regular power outages and when Elexicon Energy is improving infrastructure in those areas; and,
- the growth rate of non-regulated customers, growth projections for Elexicon Group, and growth projections for dividends for shareholder municipalities from Elexicon Corporation in consideration of the impacts of the pandemic.

#### 4. Delegations

- 4.1** Akuah Frempong, Angela Todd Anderson, Judy Douglas, and Vanessa Reid representing the Congress of Black Women, Oshawa/Whitby Chapter  
Re: Community Services Department Report, CMS 07-20  
Whitby Diversity and Inclusion Advisory Committee Update

**Refer to Item 7.1, CMS 07-20**

Akuah Frempong, Angela Todd Anderson, Judy Douglas, and Vanessa Reid, representing the Congress of Black Women, Oshawa/Whitby Chapter appeared before Council and indicated that they had presented at a recent Whitby Diversity and Inclusion Advisory Committee meeting regarding anti-black racism. Ms. Frempong indicated that the Congress was supportive of the recommendation to provide training to Council and Staff regarding diversity and inclusion. Ms. Anderson indicated that the Congress was additionally supportive of the Whitby Diversity and Inclusion Advisory Committee forming a subcommittee to address anti-black racism.

A question and answer period ensued between Members of Council,

Ms. Frempong, Ms. Anderson, Ms. Douglas, and Ms. Reid regarding:

- the Terms of Reference for the Whitby Diversity and Inclusion Advisory Committee and that they allow for the formation of a subcommittee to address anti-black racism;
- details about the membership of anti-black racism subcommittees in other municipalities and the need for a Whitby subcommittee to reflect the black community in the Town; and,
- how a subcommittee could help address anti-black racism by identifying training opportunities and resources.

Moved By Councillor Shahid

Seconded By Councillor Leahy

That Council recess for 5 minutes.

**Carried**

Council recessed at 8:07 p.m. and reconvened at 8:12 p.m.

- 4.2** Cora Reid representing Black Rose Movement Durham  
Re: Community Services Department Report, CMS 07-20  
Whitby Diversity and Inclusion Advisory Committee Update

**Refer to Item 7.1, CMS 07-20**

Cora Reid representing Black Rose Movement Durham appeared before Council and indicated that she was supportive of the recommendation to provide training to Council and Staff regarding diversity and inclusion. She stated that a next step for the Town could be hiring a dedicated diversity and inclusion officer to support various administrative functions associated with diversity and inclusion training, programs, and consultation efforts. Ms. Reid indicated that she was in support of the Whitby Diversity and Inclusion Advisory Committee forming an anti-black racism subcommittee led by a member of the committee and made up of members of the community. She advised that ongoing consultation with residents and engaging the racialized community was important in order to understand the needs of the community.

A question and answer period ensued between Members of Council and Ms. Reid regarding details about how a diversity and inclusion officer would assist in community consultation, administrative tasks, communicating with the Whitby Diversity and Inclusion Advisory Committee, and organizing education and engagement events.

5. Correspondence

**5.1** There was no correspondence.

6. Committee of the Whole Report  
Planning and Development - November 16, 2020

**6.1** Planning and Development Department Report, PL 47-20  
Re: Zoning By-law Amendment Application, 2649408 Ontario Limited,  
1578 Victoria Street East, File Number: DEV-36-19 (Z-21-19) [Revised]

**Resolution # 237-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

1. That Council approve the amendment to Zoning By-law # 1784, (File Z-14-19) as outlined in Planning Report No. PL 47-20, subject to a holding provision that will only allow the Zoning By-law Amendment provisions to take effect at such time as acceptable mitigation measures have been adopted regarding noise and odour generated by neighbouring property owners; and;
2. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

**Carried**

**6.2** Planning and Development Department Report, PL 48-20  
Re: Request for an Extension to Draft Approved Plan of Subdivision  
SW-2016-03, Country Lane Estates Inc., 4275 Country Lane

**Resolution # 238-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That Council approve the extension of the Draft Approved Plan of Subdivision SW-2016-03 by an additional 3 years, to November 30, 2023.

**Carried**

**6.3** Planning and Development Department Report, PL 49-20

Re: Request for an Extension to Draft Approved Plan of Subdivision  
SW-2015-02, 1696352 Ontario Limited, 901 Hopkins Street

**Resolution # 239-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That Council approve the extension of the Draft Approved Plan of Subdivision SW-2015-02 by an additional 3 years, to November 30, 2023.

**Carried**

- 6.4** Planning and Development Department Report, PL 50-20  
Re: Sign By-law Variance to Permanent Sign By-law for 1208 Dundas Street East (A&W), File Number: SB-04-20

**Resolution # 240-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That Council approve the request for a variance and a site specific amendment to the Town of Whitby Permanent Sign By-law # 7379-18 for A&W, located at 1208 Dundas Street East, given that the proposed signs will not be digital and will only be visible to persons who enter the A&W property for the purpose of accessing the drive-through.

**Carried**

- 6.5** Planning and Development Department Report, PL 51-20  
Re: Proposed Official Plan Amendment – Transportation Amendments

**Resolution # 241-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That staff be authorized to initiate an Amendment to the Town of Whitby Official Plan regarding transportation related matters, as shown on Attachment #1, to conform to Durham Regional Official Plan

Amendment Number 171.

**Carried**

- 6.6** Planning and Development Department Report, PL 52-20  
Re: Taunton Gardens Pedestrian Improvements, 7902484 Canada Inc.,  
c/o Triovest Realty Advisors & Nautical Lands Group, 304, 308, 368,  
372, 374 and 378 Taunton Road East, File Number: SP-44-18

**Resolution # 242-20**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That staff report PL 52-20 be received for information.

**Carried**

7. Committee of the Whole Report  
General Government - November 16 and 23, 2020

- 7.1** Community Services Department Report, CMS 07-20  
Re: Whitby Diversity and Inclusion Advisory Committee Update

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

- the upcoming meeting of the Whitby Diversity and Inclusion Advisory Committee and timing about when recommendations from the committee would be considered by Council;
- the suggestion of a dedicated diversity and inclusion officer, the formation of a subcommittee, and potential impacts to the 2021 budget; and,
- details about how diversity and inclusion training for Council and Staff will be funded.

**Resolution # 243-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That report CMS 07-20 be received for information;
2. That staff report back by the end of Q2 2021 on a 2021 training plan for diversity and inclusion for Council and staff; and,



3. That funding for diversity and inclusion training and current state assessment be included in the 2021 budget.

**Carried**

- 7.2** Community Services Department Report, CMS 06-20  
Re: 55+ Van Service

**Resolution # 244-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That report CMS 06-20 be received as information;
2. That item MD 5333 pertaining to the Transportation Options for Seniors Programming be lifted from the New and Unfinished Business – General Government List; and,
3. That proceeds from the sale of the van (\$34,665) be maintained in the Seniors Transportation Reserve Fund and be used to fund opportunities as identified in the Age Friendly Strategy that are capital related or one-time operating costs.

**Carried**

- 7.3** Confidential Office of the Chief Administrative Officer Report, CAO 25-20  
Re: The Appointment of a Commissioner of Financial Services and Treasurer

**Resolution # 245-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That Fuwing Wong be appointed as the Commissioner of Financial Services and Treasurer; and,
2. That the Clerk be directed to bring forward a by-law to appoint Fuwing Wong as the Town's Treasurer in accordance with the Municipal Act.

**Carried**

- 7.4** Office of the Chief Administrative Officer Report, CAO 23-20

Re: 2020 Community Survey Results

Having previously declared a pecuniary interest, Councillor Mulcahy did not take part in the discussion or vote on this matter.

**Resolution # 246-20**

Moved By Councillor Leahy

Seconded By Councillor Shahid

1. That Report CAO 23-20 be received for information;
2. That staff utilize the 2020 Community Survey results to help inform development of the annual municipal budget and work plan items; and,
3. That staff continue to undertake a public opinion poll every two years in order to track resident satisfaction with Town programs and services.

**Carried**

- 7.5** Public Works Department and Corporate Services Department Joint Report, CS 47-20  
Re: T-559-2020 – Stormwater Management Pond Sediment Removal

**Resolution # 247-20**

Moved By Councillor Leahy

Seconded By Councillor Shahid

1. That the Town of Whitby accept the low bid as submitted by 2220742 Ontario Ltd. o/a Bronte Construction in the amount of \$865,325.55 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete stormwater management pond sediment removal;
2. That the Total Project Cost of \$1,025,555.28 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.6** Office of the Chief Administrative Officer Report, CAO 24-20  
Re: Whitby Civic Centre Project – Update

**Resolution # 248-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That Phase 1 of the Whitby Civic Centre Project be moved out of the 10 year capital plan and begin in 2021 with an Office Needs Assessment;
2. That staff be authorized to retain Moriyama & Teshima Architects (MTA) to update the Office Needs Assessment;
3. That the Office Needs Assessment Project Cost of \$6,106 be approved and funded by the Corporate Development Reserve; and,
4. That Staff report back to Council with recommendations on the future Office Needs Assessment.

**Carried**

- 7.7** Corporate Services Department Report, CS 46-20  
Re: Remuneration and Expenses paid to Mayor and Members of Council and Council appointees to Boards – 2019

**Resolution # 249-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That Report CS 46-20 of the Director, Finance & Deputy Treasurer be received for information.

**Carried**

- 7.8** Corporate Services Department Report, CS 49-20  
Re: Declare Surplus Part of Block A, Plan 595, & Part of High Street, Plan H50030, North of Walnut Street, Parts 1 and 2, Plan 40R-30843 for the Purpose of Transfer to the Durham District School Board – EA Fairman Public School

**Resolution # 250-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

1. That Part of Block A, Plan 595, PIN 26537-0100 (LT) and Part of High Street, Plan H50030, PIN 26537-0125 (LT), North of Walnut Street, Parts 1 and 2, Plan 40R-30843, Walnut Street West (the "Property") as outlined in red on Attachment 1 to this report be declared surplus for the purpose of conveyance to the Durham District School Board, subject to the conditions set out in Corporate Services Report CS 49-20;
2. That Council stop up and close a portion of High Street as a public highway being Part 2, Plan 40R-30843;
3. That Council waive the Town's requirement of giving public notice of its intention to convey the Property and to stop up and close High Street as a public highway;
4. That the conveyance be subject to an easement in favour of the Town over Parts 1 and 2 for the purposes of maintaining catch basins and street lights; and,
5. That a By-law be brought forward authorizing the sale of the Property and the stopping up and closing of High Street as a public highway.

**Carried**

- 7.9** Corporate Services Department Report, CS 50-20  
Re: Development Charge Background Study Update

**Resolution # 251-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

That the draft Development Charge Background Study information provided in report CS 50-20 be received as information and be used in the next phase of public consultation.

**Carried**

- 7.10** Legal and Enforcement Services Department Report, LS 16-20  
Re: Proposed Amendments to the Property Standards Bylaw

Having previously declared a pecuniary interest, Mayor Mitchell did not take part in the discussion or vote on this matter. Deputy Mayor Yamada assumed the Chair for this portion of the meeting.

**Resolution # 252-20**

Moved By Councillor Leahy  
Seconded By Councillor Drumm

That staff be directed to bring forward a by-law to amend the Property Standards By-law to give effect to the recommendations contained in Report LS 16-20.

**Carried**

Mayor Mitchell resumed the Chair.

**7.11 Metrolinx Public Information Centre # 3 – Durham-Scarborough Bus Rapid Transit Project**

**Resolution # 253-20**

Moved By Councillor Leahy  
Seconded By Councillor Shahid

Whereas Metrolinx is currently holding a virtual Public Information Centre about the Durham-Scarborough Bus Rapid Transit project;

Whereas the project as proposed will have a significant impact to Whitby residents and business owners, and in particular, residents and business owners in Downtown Whitby;

Whereas Metrolinx has agreed to attend a live Public Information Centre meeting to provide a project overview in more detail and be available to answer resident and business owner questions; and,

Whereas it is imperative that residents and business owners understand the full scope of the project and have an opportunity to have open dialogue with Metrolinx to answer their questions and respond to their concerns.

Now therefore be it resolved:

1. That the Council of the Town of Whitby requests Staff to coordinate hosting virtual community meeting(s) with Metrolinx for residents and business owners to help clarify the scope and impacts of the Durham-Scarborough Bus Rapid Transit Project and answer any questions regarding the project; and,
2. That the Clerk send a copy of this resolution to the Durham-

Scarborough Bus Rapid Transit Project team at Metrolinx, MPP Lorne Coe, and lakeshore municipalities in the Region of Durham.

**Carried**

8. Notice of Motion

**8.1** There were no notices of motion.

9. New and Unfinished Business

10. By-Laws

That the following by-laws be passed:

**10.1** By-law # 7690-20, being a by-law to assume Calistoga Drive, Petaluma Court, and Monterey Court as shown on Plan 40M-2398 as public highways (Brawley Estates Subdivision).

**10.2** By-law #7691-20, being a by-law to amend By-law # 1862-85, to regulate traffic on highways in the Town of Whitby [Schedule N].

**10.3** By-law # 7692-20, being a by-law to appoint a Treasurer for The Corporation of the Town of Whitby.

**10.4** By-law # 7693-20, being a by-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 45-20, Zoning By-law Amendment Application, 360 Columbus Road East, Charles H. Best Diabetes Centre, File Number: Z-06-20

**10.5** By-law # 7694-20, being a by-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 38-20, Zoning By-law Amendment Application, Dr. Michael Pellegrino, 121 Kendalwood Road, File: DEV-23-19 (Z-14-19)

**10.6** By-law # 7695-20, being a by-law to amend By-law #2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 43-20, Zoning By-law Amendment Application, Stacey Whittington and Keith Bryan, 108 and 110 Craydon Road, File Number:

DEV-17-20 (Z-12-20)

- 10.7** By-law # 7696-20, being a by-law to amend By-law #2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 8-19, Zoning By-law Amendment Application, 2528367  
Ontario Inc. 721 and 723 Dundas Street West, File Number: Z-03-18

**Resolution # 254-20**

Moved By Councillor Newman  
Seconded By Councillor Drumm

That leave be granted to introduce By-laws # 7690-20 to # 7696-20 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**

- 10.8** By-law # 7697-20, being a by-law to amend the Property Standards By-law (Town of Whitby By-law # 6874-14).

Refer to Report LS 16-20, Proposed Amendments to the Property Standards By-law

Having previously declared a pecuniary interest, Mayor Mitchell did not take part in the discussion or vote on this matter. Deputy Mayor Yamada assumed the Chair for this portion of the meeting.

**Resolution # 255-20**

Moved By Councillor Newman  
Seconded By Councillor Shahid

That leave be granted to introduce By-law # 7697-20 and to dispense with the reading of the by-law by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

**Carried**

Mayor Mitchell resumed the Chair.

11. Confirmatory By-Law

11.1 Confirmatory By-law

**Resolution # 256-20**

Moved By Councillor Yamada  
Seconded By Councillor Lee

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 November 30, 2020 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 # 257-20**

Moved By Councillor Drumm  
Seconded By Councillor Newman

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:42 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor