



Committee of the Whole Minutes

March 3, 2025, 7:00 p.m.
Council Chambers
Whitby Town Hall

Present: Mayor Roy
Councillor Bozinovski
Councillor Cardwell
Councillor Leahy
Councillor Lee
Councillor Lundquist
Councillor Mulcahy
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Deputy Chief Administrative Officer
J. Long, Head of Organizational Effectiveness
J. Romano, Commissioner of Community Services
F. Santaguida, Commissioner of Legal and Enforcement
Services/Town Solicitor
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
M. Dodge, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Sr. Manager of Legislative Services/Deputy Clerk
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

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1. Call To Order: The Mayor
 2. Call of the Roll: The Clerk
 3. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

4. Consent Agenda

Prior to consideration of the Consent Agenda, Mayor Roy announced that the United States administration would be implementing 25 percent tariffs on Canadian exports on March 4, 2025 at 12:00 a.m. She advised that a meeting had taken place earlier in the afternoon between John Henry, Regional Chair, Durham Region and the Mayors of all municipalities within Durham Region.

M. Gaskell, Chief Administrative Officer provided a detailed update which included:

- sharing information/communications about the impact of the 25 percent tariffs on local businesses;
- a review of changes to local procurement policies to implement 'buy Canadian' and/or not to buy from American suppliers;
- the Association of Municipalities of Ontario requesting that municipalities participate in the development of a model by Oxford Economics estimating the impact of tariffs on the pipeline of municipal projects;
- comments from the Premier of Ontario asking the municipal sector to utilize the weight of the municipal procurement policy process to put pressure on the United States to reverse the decision with respect to tariffs;
- detailed information regarding the current direction to Staff including shutting down the Town's X social media account (formerly known as Twitter), cancelling a proposed Starlink contract with the Town, and prohibiting Staff from attending conferences in the United States of America; and,
- Staff updating Members of Council on an ongoing basis.

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

- whether there were any supplies procured by the Town where there was not a Canadian provider;
- the possibility of implementing a Canada First Policy approach to procurement indefinitely;

- whether information regarding current and future actions and initiatives undertaken by the Town would be shared with the public; and,
- the timeline for potential amendments to the procurement policy.

5. Planning and Development

Councillor Lee assumed the Chair.

5.1 Presentations

5.1.1 Nick Michael, N. Barry Lyon Consultants Ltd. (Virtual Attendance)

Re: PDP 15-25, Planning and Development (Planning Services)
Department Report
Housing Accelerator Fund (HAF) – Inclusionary Zoning
Assessment Report Update

Refer to Item 5.4.2, PDP 15-25

Nick Michael, N. Barry Lyon Consultants, appeared before the Committee and provided a PowerPoint presentation. Highlights of the presentation included:

- an explanation of inclusionary zoning and where it can be applied and when it would be most successful;
- the impact that requiring a proportion of units within new development as affordable housing has on development economics by lowering revenue;
- detailed information about the impact of the current market conditions on the feasibility of inclusionary zoning;
- detailed information about the four proposed options to implement inclusionary zoning; and,
- alternative options to create affordable housing.

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

- clarification about the City of Toronto's adoption and implementation of an inclusionary zoning policy;
- clarification on the percentage of required affordable housing units in an inclusionary zoning development and whether

there has been a recommendation to implement inclusionary zoning at a percentage rate lower than five percent in other municipalities;

- examples of where inclusionary zoning policy has been implemented successfully in Ontario; and,
- confirmation that inclusionary zoning would be successful when the market conditions were strong enough to compensate for the loss of revenue.

5.2 Delegations

There were no delegations.

5.3 Correspondence

There was no correspondence.

5.4 Staff Reports

5.4.1 PDE 01-25, Planning and Development (Engineering Services) Department Report

Re: Garden Street Parking Consideration

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

- confirmation of the cost for Option 2, lay-by parking on the west side of Garden Street;
- confirmation that the 16 homes on the east side of Garden Street have four parking spaces per house and that additional parking for visitors would be constructed at a cost of \$900,000;
- clarification about the original estimated cost of \$400,000 versus \$900,000 for the construction of lay-by parking on Garden Street; and,
- the timeline for completion of the project and confirmation that the no parking signs would be installed on Garden Street after the construction of the lay-by parking was complete.

Recommendation:

Moved by Councillor Lundquist

That Council direct Staff to proceed with Option 2 with no parking to occur following construction, as per Table 1 in Report PDE 01-25.

Carried

5.4.2 PDP 15-25, Planning and Development (Planning Services)
Department Report

Re: Housing Accelerator Fund (HAF) – Inclusionary Zoning
Assessment Report Update

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

- whether there would be a reason or need to reconsider inclusionary zoning in the future given the ability to develop affordable housing units without implementing inclusionary zoning; and,
- confirmation that the Town would continue to explore opportunities for affordable housing units when publicly owned lands were developed.

Recommendation:

Moved by Mayor Roy

That Inclusionary Zoning within the Town's Protected Major Transit
Station Area not be implemented at this time and that alternative
means of creating affordable housing units be explored.

Carried

5.5 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

6. General Government

Councillor Lundquist assumed the Chair.

6.1 Presentations

6.1.1 Dennis Croft, CEO, and Kaila Dimopoulos, Managing Director,
1855 Whitby (In-Person Attendance)

Re: CAO 05-25, Office of the Chief Administrative Officer Report
1855 Technology Accelerator - 2024 Update

Refer to Item 6.4.1, CAO 05-25

Dennis Croft, CEO, and Kaila Dimopoulos, Managing Director, 1855 Whitby, appeared before the Committee and provided a promotional video and PowerPoint presentation. Highlights of the presentation included:

- the rationale for creating 1855 Whitby and its focus;
- detailed information about 1855 Whitby's key performance indicators which include supporting the growth of high potential tech companies, supporting the technology community, and supporting an innovation ecosystem;
- joining the Intelligent Community Forum and working with Durham Region to continue making Durham Region a smart city, and the intent of creating connectivity through broadband innovation, inclusion, community engagement, and sustainability with a focus on technology;
- details about the future growth and expansion of 1855 Whitby;
- details about the Masterclass held in January 2024; and,
- the planned launch of a pitch competition.

A question and answer period ensued between Members of Committee, Mr. Croft, Ms. Dimopoulos regarding:

- the impact of tariffs on 1855 Whitby and its associated businesses;
- the benefit of 1855 Whitby to the municipality and taxpayers;
- the potential job growth over the next five years, and the number of jobs created in partnership with 1855 Whitby that have remained within Whitby;
- whether 1855 Whitby was still partnering with post secondary institutions; and,
- whether the businesses launching from 1855 Whitby were staying in Canada.

6.2 Delegations

There were no delegations.

6.3 Correspondence

- 6.3.1 Memorandum from K. Palilionis, Climate Change Coordinator dated March 3, 2025 regarding the Revised Whitby Sustainability Advisory Committee's 2023-2026 Work Plan and 2024 Annual Report

Recommendation

Moved by Councillor Lundquist

That the Memorandum from K. Palilionis, Climate Change Coordinator dated March 3, 2025 regarding the Revised Whitby Sustainability Advisory Committee's 2023-2026 Work Plan and 2024 Annual Report, be received for information.

Carried

- 6.3.2 Memorandum from J. Romano, Commissioner, Community Services dated February 21, 2025 regarding Cullen Central Park Master Plan (GG-0002)

A brief question and answer period ensued between Members of Committee and Staff regarding whether there was any risk that the development of the Cullen Central Park Master Plan would be further delayed apart from what was outlined in memorandum.

Recommendation:

Moved by Mayor Roy

That the Memorandum from J. Romano, Commissioner, Community Services dated February 21, 2025 regarding Cullen Central Park Master Plan (GG-0002), be received for information.

Carried

6.4 Staff Reports

- 6.4.1 CAO 05-25, Office of the Chief Administrative Officer Report

Re: 1855 Technology Accelerator - 2024 Update

Recommendation:

Moved by Mayor Roy

1. That Report CAO 05-25 1855 Technology Accelerator – 2024 Update be received as information; and,
2. That the Clerk be directed to forward a copy of Report CAO 05-25 to the Board Chair and CEO of 1855 Whitby Technology Accelerator; Director of Economic Development & Tourism, Region of Durham; CEO of the Whitby Chamber of Commerce; Member of Parliament for Whitby; and Member of Provincial Parliament for Whitby.

Carried

6.4.2 CAO 07-25, Office of the Chief Administrative Officer Report

Re: Whitby Tourism Development Corporation Terms of Reference

Recommendation:

Moved by Councillor Lundquist

That Council approve the Whitby Tourism Development Corporation (WTDC) Terms of Reference as outlined in Attachment 1 to Staff Report CAO 07-25.

Carried

6.4.3 CMS 01-25, Community Services Department Report

Re: Sports Field and Outdoor Court Allocation Policies

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

- whether there were concerns from the community about allocation and over subscribed programs;
- how residency requirements would be determined;
- the increase in capacity in amenities when the Whitby Sports Complex opens and whether the policy would create any challenges;

- whether the Sports Field and Outdoor Court Allocation Policies were consistent with other municipalities in Durham; and,
- confirmation that Whitby residents would receive priority over non-residents when registering for programs.

Recommendation:

Moved by Councillor Leahy

That Council approve the proposed attached Sports Field Allocation Policy, (Attachment 1); and the Outdoor Court Allocation Policy, (Attachment 2), of Report CMS 01-25.

Carried

6.4.4 FS 09-25, Financial Services Department Report

Re: Development Charge Interest Policy Amendment

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

- a proposed amendment to defer the Town's residential and commercial development charges for high density developments and the potential impact on interest revenue due to deferring development charges for multiple years; and,
- the rationale for a deferral of residential and commercial development charges without interest and receiving information from Staff about the impacts of not charging interest.

Recommendation:

Moved by Mayor Roy

1. That the amended Town Policy F430 Development Charge Interest Policy, included as Attachment 1 of Staff Report FS 09-25, be approved; and,
2. That Staff be authorized to make administrative amendments to Town Policy F410 Development Charge Annual Installment Payments Policy and Policy F420 Timing

of Development Charge Calculation for consistency with amendments to Town Policy F430.

Carried later in the meeting (See following motion)

Recommendation:

Moved by Mayor Roy

That the main motion be amended by including Items 3 and 4 as follows:

3. That staff review the development charge policy framework to consider a program to defer the Town's residential development charges, with or without interest, for eligible high density developments in support of the Town of Whitby's Provincial Housing Pledge and report to the April 14, 2025 Committee of the Whole meeting; and,

4. That staff co-ordinate with other Durham municipalities to review the Town's development charge policy framework, and prepare a report for the April 14, 2025 Committee of the Whole meeting, on a temporary Town commercial and industrial development charges installment program in support of industrial development starts despite tariffs proposed by the Federal Government of the United States of America.

Carried

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

Recommendation:

Moved by Mayor Roy

1. That the amended Town Policy F430 Development Charge Interest Policy, included as Attachment 1 of Staff Report FS 09-25, be approved;
2. That Staff be authorized to make administrative amendments to Town Policy F410 Development Charge Annual Installment Payments Policy and Policy F420 Timing of Development Charge Calculation for consistency with amendments to Town Policy F430;

3. That staff review the development charge policy framework to consider a program to defer the Town's residential development charges, with or without interest, for eligible high density developments in support of the Town of Whitby's Provincial Housing Pledge and report to the April 14, 2025 Committee of the Whole meeting; and,
4. That staff co-ordinate with other Durham municipalities to review the Town's development charge policy framework, and prepare a report for the April 14, 2025 Committee of the Whole meeting, on a temporary Town commercial and industrial development charges installment program in support of industrial development starts despite tariffs proposed by the Federal Government of the United States of America.

Carried

6.4.5 FS 11-25, Financial Services Department Report

Re: Whitby FC (Football Club) Amending Agreement

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

- confirmation that Whitby FC was asked to increase their annual Soccer Dome Reserve Fund contributions over a 12-year phase-in plan, and whether Whitby FC understood the rationale for the increase;
- whether there has been any discussions with Whitby FC about building additional soccer domes; and,
- Staff preparing a memorandum to Council to provide details about finances and ongoing discussions with Whitby FC.

Recommendation:

Moved by Councillor Leahy

1. That the Commissioner, Financial Services / Treasurer and Commissioner, Legal and Enforcement Services / Town Solicitor be authorized to execute the third Operating and Licensing Amending Agreement between the Town and the

Whitby Football Club, included as Attachment 1 of Report FS 11-25; and,

2. That the Treasurer be authorized implement the Soccer Dome Reserve Fund Strategy as outlined in Report FS 11-25.

Carried

6.4.6 LS 02-25, Legal and Enforcement Services Department Report

Re: Proposed New Additional Dwelling Unit Registration By-law

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

- confirmation that as of right, residential properties could have up to 3 additional residential dwelling units on ground related residential properties provided they complied with zoning requirements and other applicable legislation;
- whether other municipalities in Ontario have permitted 3 additional residential dwelling units on ground related residential properties; and,
- confirmation that Town would revisit the provincial requirement for funding through the Housing Accelerator Fund of 3 additional residential dwelling units should the Housing Accelerator Fund no longer exist.

Recommendation:

Moved by Councillor Leahy

1. That Report LS 02-25 be received for information;
2. That the proposed new Additional Dwelling Unit Registration (ADUR) By-law be brought forward to the next Council meeting on March 24, 2025 for consideration and adoption, substantially in accordance with Attachment # 1 to Report LS 02-25; and,
3. That the proposed Fees and Charges By-law amendment attached to this report as Attachment # 3 be brought forward to the next Council meeting for consideration and adoption.

Carried

6.4.7 LS 04-25, Legal and Enforcement Services Department Report

Re: Business Licensing Proposed Amendments - Lodging House and New Proposed Boarding House Provisions

A brief question and answer period ensued between Members of Committee and Staff regarding submitting questions about the report to Staff for a response prior the Council meeting on March 24, 2025.

Recommendation:

Moved by Councillor Shahid

1. That Report LS 04-25 be received for information;
2. That the proposed amendments to Business Licensing By-law # 5545-04, Schedule 8 “Lodging House”, be brought forward to the next Council meeting on March 24, 2025, for consideration and adoption, substantially in accordance with Attachment 1 to this Report;
3. That the attached proposed new Schedule 10 “Boarding House” to Business Licensing By-law # 5545-04, be brought forward to the next Council meeting on March 24, 2025, for consideration and adoption, substantially in accordance with Attachment 2 to this Report;
4. That the proposed amendments to the general provisions of the Business Licensing By-law captured in Table # 2 and Attachment 3, are brought forward to Council for consideration;
5. That the proposed Fees By-law amendments captured in Table # 4 are brought forward to Council for consideration; and,
6. That item number GG-0034 on the New and Unfinished Business – General Government listing be removed.

Carried

6.5 New and Unfinished Business - General Government

7. Closed Session

The Committee did not move into Closed Session to consider the Appointment of Whitby Tourism Development Corporation Industry Stakeholder Directors, Confidential Legal and Enforcement Services Department Report LS 03-25, or Confidential Legal and Enforcement Services Department and Financial Services Department Joint Report LS 05-25.

7.1 Confidential Memorandum from L. Toman, Manager, Events, Culture and Tourism dated March 3, 2025 regarding Appointment of Whitby Tourism Development Corporation Industry Stakeholder Directors

Recommendation:

Moved by Councillor Lee

That Adriana Barbary and Sarah Kostadinov be appointed as Directors on the Whitby Tourism Development Corporation Industry Stakeholder Directors for a three-year term.

Carried

7.2 LS 03-25, Confidential Legal and Enforcement Services Department Report

Re: Litigation Update - Uninsured Claims and OLT Matters

Recommendation:

Moved by Councillor Lee

That Report LS 03-25 be received for information.

Carried

7.3 LS 05-25, Confidential Legal and Enforcement Services Department and Financial Services Department Joint Report

Re: Columbus Road Phase 1 Project – Land Acquisitions for the Widening of Columbus Road West

Recommendation:

Moved by Councillor Lee

1. That Staff be authorized to undertake the necessary steps to acquire the Properties as outlined in Confidential Report LS 05-25, including outside of the expropriation process;
2. That a 2025 capital project be established for the acquisition of the Properties related to the Widening of Columbus Road Phase 1 Project, in the amount outlined in Confidential Report LS 05-25 and funded from the Roads and Related Townwide Infrastructure Reserve Fund (85%) and the Growth Reserve Fund (15%);
3. That in the event there is an inquiry (Hearing of Necessity) required to be conducted at the request of any of the owners of the Property, the Application for Approval to Expropriate Lands and the Report of the Ontario Land Tribunal be presented to Council for its consideration and decision as the approving authority under the Expropriations Act;
4. That should no Hearing of Necessity be requested within the statutory timeframe, the Commissioner of Financial Services /Treasurer (or designate) bring the requisite by-laws directly to Council, as the approving authority under the Expropriations Act, to approve the expropriation of any or all of the Properties in a form satisfactory to the Commissioner of Legal and Enforcement Services/Town Solicitor (or designate); and,
5. That should an amicable acquisition for any of the Properties be negotiated with any of the owners of the Properties, including any agreements made pursuant to Section 30 of the Expropriations Act, the Commissioner of Financial Services /Treasurer (or designate) bring the requisite by-laws directly to Council to facilitate the acquisition(s) in a form satisfactory to the Commissioner of Legal and Enforcement Services/Town Solicitor (or designate).

Carried

8. Rising and Reporting

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

9. Adjournment

Recommendation:

Moved by Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 8:53 p.m.