

**Present:** Mayor Mitchell  
Councillor Leahy  
Councillor Lee  
Councillor Mulcahy  
Councillor Newman  
Councillor Roy  
Councillor Shahid (arrived at 7:01 p.m.)  
Councillor Yamada

**Also Present:** S. Beale, Commissioner of Public Works  
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor  
K. Nix, Commissioner of Corporate Services/Treasurer  
J. Romano, Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Fire Chief  
C. Harris, Town Clerk  
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

**Regrets:** Councillor Alexander

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Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

## **General Government**

**Councillor Yamada assumed the Chair.**

1. Presentations

**1.1 Paul Bumstead, Senior Project Engineer**  
Re: Public Works Department Report, PW 34-19  
Brooklin North Major Roads Environmental Assessment

Paul Bumstead, Senior Project Engineer, appeared before the Committee and provided a PowerPoint presentation regarding the Brooklin North Major Roads Environmental Assessment. Highlights of the presentation included:

- policy documents and policy studies related to transportation infrastructure and land use including the Whitby Transportation Master Plan, the Secondary Plan, the Brooklin Transportation Master Plan, the Region of Durham Official Plan, the Whitby Active Transportation Plan, and the Comprehensive Block Plan;
- the scope and timelines for the Major Roads Environmental Assessment and holding a Public Open House;
- initiatives including climate change to accommodate the potential for changes in local environment through design of facilities, including streets and behavior modification;
- ongoing sustainable guidelines, performance measures, and a development checklist for development;
- relevant opportunities including active transportation and transit oriented development, the use of local materials for construction and connecting significant/key activity nodes;
- emerging technology to provide flexibility to accommodate potential for future initiatives such as micro transit and autonomous vehicles;
- an overview of the Comprehensive Block Plan;
- the approximate timelines for the three development phases within the Comprehensive Block Plan;
- the preliminary findings of the Major Roads EA alignments;
- the Major Roads EA design including building on Town Standards; and,
- relevant key studies including Draft Plans of Subdivision, the Mid-Block Arterial Environmental Study, Highway 7/12 Alternate Route EA, and the Cochrane Street/Highway 407 interchange.

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

- the alignment and function of future roads and whether the roads would be owned by the Town;
- clarification on collector and arterial roads in the Assessment; and,
- whether the Active Transportation Master Plan would be

incorporated into Major Roads Environmental Assessment.

It was the consensus of the Committee to hear Item 4.4, PW 34-19, at this time.

## 2. Delegations

### 2.1 Ron Lalonde and Gary Carroll

Re: Public Works Department and Planning and Development  
Department Joint Report, PW 35-19  
Durham-Scarborough Bus Rapid Transit (BRT) Metrolinx

Ron Lalonde, 12 Winterberry Drive, and Gary Carroll, 88 Chipperfield Crescent, appeared before the Committee and stated that they were in attendance to provide comments on the recent BRT proposal intended to run along Dundas Street in Whitby. Mr. Lalonde provided detailed information leading up to the receipt of Metrolinx's proposal and the draft response from the Active Transportation and Safe Roads Advisory Committee. He advised that a copy of the response to Metrolinx was provided to Members of Council for review. Mr. Lalonde stated that he understood the deadline for comments was extended and that at the next Active Transportation and Safe Roads Advisory Committee meeting the Committee would review the draft response. Mr. Lalonde stated that by taking a complete streets approach, which aligns with Council's Goal to increase citizen involvement in building complete streets, they were suggesting the elimination of on-street parking, regulating buses to the center line and vehicle traffic to the curb lane with a sharp reduction in speed limits to 40 Km/H, widening the existing side walk and providing decorative bollards, green space and street furniture to separate vehicle traffic from green amenities, removing bus stops from the four corners to approximately 400 metres east and west of Downtown Whitby. Mr. Lalonde stated that suggestions for the east and west of Downtown Whitby included converting five lanes to six lanes while staying within the existing foot print, regulating bus traffic to the centre line of the corridor and consider off set stops to minimize space requirements and provide for pedestrian refuge, converting all traffic signals to a pedestrian first approach, converting two of the four traffic lanes to high occupancy vehicle lanes, supporting the Metrolinx proposal to construct a cycle track corridor across the entire Durham Scarborough segment as well as the new BRT corridor be regulated to a sole source operator. Mr. Lalonde outlined benefits of these suggestions including maximizing fleet utilization, reducing GHG emissions, minimizing bus traffic to 24 vehicles per hour, and eliminating dual operators across the corridor.

A question and answer period ensued between Members of Council, Mr.

Lalonde, and Mr. Carroll regarding:

- the deadline for the submission of comments to Metrolinx;
- the construction of bus lanes similar to that of York Region Rapid Transit in Newmarket, and,
- the center lane being used to wait for buses.

It was the consensus of the Committee to hear Item 4.6, PW 35-19, at this time.

**2.2** Jeffrey Beaton representing the Accessibility Advisory Committee  
Re: Office of the Chief Administrative Officer, CAO 37-19  
Accessibility Plan 2019-2022

Jeffrey Beaton, Vice Chair and James Lawrie, Chair of the Accessibility Advisory Committee (AAC), appeared before Committee raised concerns with regard to the 2019-2022 Accessibility Plan recommended by Staff. Mr. Lawrie stated that the plans to make the Town's website accessible should be occurring in an expedited timeframe. He further stated that documents were being included on the website on a regular basis that were not accessible and that process to become fully accessible would be more difficult. Mr. Beaton noted that there have been a number of non-compliant Accessibility Compliance Reports submitted to the Province and that there does not appear to be a plan in place to take steps to rectify non-compliant issues. Mr. Lawrie advised that the community would be needing the improvements that the Committee was hoping to have included in the Plan. Mr. Beaton stated that the AAC was anxious due to the deadline for website accessibility set by the Province, and requested that the Committee endorse the Accessibility Plan for 2019 to 2020, and that the AAC be provided an opportunity to review and endorse the Plan for 2021 to 2022.

A question and answer period ensued between Members of Council, Mr. Beaton and Mr. Lawrie regarding:

- whether discussion has taken place with communications staff regarding special events or the accessibility of the website;
- whether discussion with the staff liaison for the Committee had taken place in attempt to address some of the Committee's concerns;
- specific concerns around accessibility at events, and whether there was a willingness for the AAC to work with staff and to provide a list of accessible concerns at Town events in advance of the event;
- whether Mobi-matts were installed at the Canada Day event;
- the accessibility of events not operated by the Town such as Ribfest;

- the timeline for the website to be fully accessible;
- whether the opportunity for the AAC to provide input on the Accessibility Plan in twelve months would be acceptable;
- whether the AAC would view beacons in Town spaces as helpful; and,
- whether any members of the AAC have attended Rotary Club meetings to present their concerns regarding Ribfest.

It was the consensus of the Committee to hear Item 4.8, CAO 37-19, at this time.

### 3. Correspondence

#### 3.1 Memorandum from C. Harris, Town Clerk dated November 25, 2019 regarding the Whitby Diversity and Inclusion Advisory Committee's 2019 - 2022 Work Plan.

A brief question and answer period ensued between Members of Council and Staff about the availability of a newcomer package for residents with a diverse cultural and ethnic background.

Recommendation:

Moved By Councillor Shahid

That the Whitby Diversity and Inclusion Advisory Committee's 2019 - 2022 Work Plan be received for information.

**Carried**

### 4. Staff Reports

#### 4.1 Office of the Town Clerk Report, CLK 13-19 Re: Codes of Conduct and Governance Policy Updates

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

- the rationale for changing the process with respect to using staff resources to solve problems experienced by residents;
- whether a public request for the use of staff resources at events would have to be in writing to the Chief Administrative Officer (CAO), and if not, the rationale for Council to have to make the same type of request in writing to the CAO;
- how a family event would fit in to official duties;
- review of the staff report by the Integrity Commissioner;

- the differentiation and associated implications of Council Members' involvement in not-for-profit organizations and charity events to support community needs;
- reviewing previous advice received from the Integrity Commissioner associated with Members of Council with respect to the use of Town resources; and,
- clarification on the Integrity Commissioner's disclosure of names and the breakdown of costs for advice to Members of Council.

Recommendation:

Moved By Councillor Leahy

1. That the Council Expense Policy G 050 and the Guidelines for Expenses for Members of Council be amended as shown within Attachment 1 to Staff Report CLK 13-19;
2. That the Council Staff Relations Policy G 080 be amended as shown within Attachment 2 to Staff Report CLK 13-19;
3. That the Clerk be directed to bring forward a by-law to adopt the amendments to the Council Code of Conduct and Boards and Advisory Committees Code of Conduct as shown in Attachments 3 and 4 appended to Report CLK 13-19;
4. That the Integrity Commissioner be directed to disclose the names of Members requesting advice in confidence to the Clerk for auditing purposes, and include in their annual report of breakdown of costs by advice to Members, other requests, and investigations;
5. That the Clerk be directed to circulate a copy of Council's decision and Report CLK 13-19 to Mr. Guy Giorno, Integrity Commissioner; and,
6. That Item MD 5022 be removed from the General Government New and Unfinished Business List.

**See following motions**

Recommendation:

Moved By Mayor Mitchell

That the main motion be amended to read as follows:

1. That the Council Expense Policy G 050 and the Guidelines for Expenses for Members of Council be amended as shown within Attachment 1 to Staff Report CLK 13-19;
2. That the Council Staff Relations Policy G 080 be amended to add

a Section 3.3 as follows:

- A Member of Council who is requesting Staff participation or attendance at an event or meeting shall make such a request in writing to the CAO who will take into consideration the event and meeting logistics, purpose and outcomes, Staff's availability, and whether the topic(s) relate to the municipality's mandate and existing service levels when deciding whether to grant or deny such a request in whole or in part. The CAO shall advise all of Council of the decision and the basis for the decision.
3. That the Clerk be directed to bring forward a by-law to adopt the amendments to the Council Code of Conduct and Boards and Advisory Committees Code of Conduct as shown in Attachments 3 and 4 appended to Report CLK 13-19, with the definition of Official Duties in the Council Code of Conduct to read as follows:
    - Official Duties means those duties associated with the exercise of municipal power by the Council, or where applicable, by the Head of Council or under delegated authority to a Council Member(s) provided by Council in accordance with the Municipal Act, 2001. "Official duties" of Council Members encompass three broad functions: legislative (i.e., the policy and decision making function of Council as a body); representative (i.e., representing the issues and concerns of residents for matters under consideration by Council); and administrative (i.e., ensuring at a high level that the municipality is functioning in a manner that allows for the effective implementation of Council decisions, in compliance with all financial requirements). For further reference, please see Sections 224 and 225 and 226.1 of the Municipal Act, 2001.
  4. That the Integrity Commissioner be directed to disclose the names of Members requesting advice in confidence to the Clerk for auditing purposes, and include in their annual report of breakdown of costs by advice to Members, other requests, and investigations;
  5. That the Clerk be directed to circulate a copy of Council's decision and Report CLK 13-19 to Mr. Guy Giorno, Integrity Commissioner; and,
  6. That Item MD 5022 be removed from the General Government New and Unfinished Business List.

**The disposition of Items 2 to 6 of this matter, Item 4.1, was determined through the referral motion below.**

Recommendation:

Moved By Councillor Roy

That Items 2 to 6 of CLK 13-19 be referred back to staff to arrange an education and training session with the Integrity Commissioner and report back in Q2 of 2020.

**Carried**

**Item 1 of the main motion was then adopted as follows:**

Recommendation:

Moved By Councillor Leahy

1. That the Council Expense Policy G 050 and the Guidelines for Expenses for Members of Council be amended as shown within Attachment 1 to Staff Report CLK 13-19.

**Carried**

**4.2** Office of the Town Clerk, Report, CLK 15-19  
Re: Flag Raisings and Proclamations Policies Updates

A brief question and answer period ensued between Members of Council and Staff regarding whether there was a similar practice undertaken at the Region of Durham with respect to flags flown at half-mast at police stations for the death of police officers in the line of duty.

Recommendation:

Moved By Councillor Newman

1. That the Flag Raisings Policy CA 110 be amended as shown within Attachment 1 to Staff Report CLK 15-19; and,
2. That the Issuance of Proclamations Policy CA 120 be amended as shown within Attachment 2 to Staff Report CLK 15-19.

**Carried**

**4.3** Corporate Services Department Report, CS 63-19  
Re: 2020 Interim Tax Billing



Recommendation:

Moved By Councillor Leahy

That a by-law be brought forward to allow for the Interim Tax Billing for the 2020 taxation year.

**Carried**

**4.4** Public Works Department Report, PW 34-19  
Re: Brooklin North Major Roads Environmental Assessment

Recommendation:

Moved By Councillor Mulcahy

1. That Report PW 34-19 regarding the Brooklin North Major Roads Environmental Assessment study be received for information; and,
2. That Staff continue to provide Council with status updates on the Brooklin North Major Roads Environmental Assessment study and report back to Council in 2020 with the study findings and recommendations for Council's consideration and approval.

**Carried**

It was the consensus of the Committee to hear Item 2.1, Delegation by Ron Lalonde and Gary Carroll, at this time.

**4.5** Public Works Department and Corporate Services Department Joint Report, CS 61-19  
Re: RFP-83-2019 – Class Environmental Assessment Study – Highway 7/12 Alternative Route, Brooklin Area

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

- whether the Request for Proposal included four Community Open Houses (COH), and the ability to reduce the number of open houses, or remove any provisions from the Class Environmental Assessment to reduce the cost;
- whether the Province would assist in the cost of the Class Environmental Assessment Study and whether financial support from the Province would be requested;

- the source of funding for the additional \$500,000;
- whether the contingency allowance would be returned to the Development Charges Reserve should the contingency allowance not be used; and,
- providing updates to Council with respect to the utilization of the contingency allowance.

Recommendation:

Moved By Councillor Mulcahy

1. That the Town of Whitby accept the highest ranking proposal submitted by BT Engineering Inc. in the amount of \$1,064,305.00 (plus applicable taxes) for the provision of a Class Environmental Assessment Study for Highway 7/12 Alternative Route, Brooklin Area;
2. That the Total Project Cost of \$1,250,000.00 be approved;
3. That Council approve a budget increase of \$500,000.00 and that the funding source(s) be determined by the Treasurer; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**4.6** Public Works Department and Planning and Development Department  
Joint Report, PW 35-19  
Re: Durham-Scarborough Bus Rapid Transit (BRT) Metrolinx

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

- the meeting for staff, stakeholders and Metrolinx to review and develop alternate design options;
- whether a staff report would be forthcoming following the design meeting;
- whether the Town has provided comments on other Metrolinx projects within Whitby in the past; and,
- the reality of finding alternate solutions and the willingness of Metrolinx to consider alternative options.

Recommendation:

Moved By Councillor Leahy

1. That Council does not support a widening of Dundas Street to six

- (6) through traffic lanes in Whitby;
2. That Metrolinx be requested to consider the recommended alternatives as presented in Section 4C of this report as part of the proposed BRT through Whitby which extends between Oshawa and Scarborough along the Highway 2/Ellesmere Road corridor;
3. That staff meet with Metrolinx and Region of Durham officials to discuss the alternatives;
4. That Metrolinx be requested to attend a meeting of Council to discuss the project and recommendations; and,
5. That a copy of this report be forwarded to Metrolinx, Region of Durham and area Durham BRT municipalities as part of the Town's official comments on the Durham- Scarborough BRT Project.

**Motion Withdrawn (see following motion)**

Recommendation:

Moved By Mayor Mitchell

1. That Council does not support a widening of Dundas Street to six (6) through traffic lanes in Whitby;
2. That Metrolinx be requested to consider design alternatives for BRT through Downtown Whitby;
3. That Staff organize a meeting with Metrolinx and key stakeholders in the BRT project and in Downtown Whitby. The purpose of the meeting is to develop and review design options that best address the priorities and concerns of the key stakeholders; and,
4. That a copy of this resolution be forwarded to M.P.P Coe, Metrolinx, Region of Durham and area Durham BRT municipalities.

**Carried**

It was the consensus of the Committee to hear Item 2.2, Delegation by Jeffrey Beaton, at this time.

**4.7 Office of the Chief Administrative Officer Report, CAO 36-19  
Re: 2020 Special Events**

A brief question and answer period ensued between Members of Council and Staff regarding the inclusion of youth and senior events on the 2020 Special Event Calendar and whether the youth and senior

events would be listed as Town events.

Recommendation:

Moved By Councillor Newman

1. That report CAO 36-19 be received for information; and,
2. That the following Town events, coordinated through the Corporate Communications Division, continue to be hosted in 2020 as outlined in Section 4.1:
  - a. Family Day;
  - b. Canada Day;
  - c. Culture in the Square;
  - d. Music in the Park;
  - e. Whitby in Bloom Garden Tour and Speaker Series;
  - f. Movies in the Park;
  - g. Harvest Festival;
  - h. Christmas in the Village;
  - i. Whitby Tree Lighting; and,
3. That Council authorize staff to update the following Town events and dates as outlined in Section 4.2:
  - a. Doors Open;
  - b. Open Streets; and,
  - c. Fresh Air in the Square.

**The disposition of this matter, Item 4.7, was determined through the referral motion below.**

Recommendation:

Moved By Councillor Newman

That Report CAO 36-19, 2020 Special Events, be referred to the Council meeting on December 16, 2019 to permit staff to update 2020 Special Event Calendar to include youth and senior events.

**Carried**

**4.8** Office of the Chief Administrative Officer, CAO 37-19  
Re: Accessibility Plan 2019-2022

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

- the opportunity for the Accessibility Advisory Committee (AAC) to

review the Plan in twelve months to address concerns related to the website and special events;

- obtaining feedback from the AAC as the Accessibility Plan unfolds;
- whether there were other areas of non-compliance apart from the website and events;
- the provision of past non-compliant accessible compliance reports to the Council designate for the AAC; and,
- staff presentations at the AAC meetings to inform the Committee how non-compliant issues were being addressed.
- clarification on the cost of \$257,000.00 associated with upgrading the website in 2021, and the rationale for starting the project in 2021 versus 2020;
- opportunities for improvements to the website in 2020;
- reviewing best practices of hospitals related to website accessibility;
- whether Mobi-matts were exclusive to Town events or available for all events in the Town, and the cost associated with installing the Mobi-matts; and,
- establishing criteria or policy for third party organizers to provide accessible events within the Town.

Recommendation:

Moved By Councillor Leahy

1. That Council receive this report as information;
2. That Council adopt the Town of Whitby Accessibility Work Plan 2019-2022 as attached; and,
3. That staff be directed to post the Accessibility Plan 2019-2022 on the municipal website and be made available in alternate formats, upon request.

**Carried**

It was the consensus of the Committee to hear Item 3.1, Correspondence from the Town Clerk regarding the Whitby Diversity and Inclusion Advisory Committee's 2019 - 2022 Work Plan, at this time.

Moved By Councillor Leahy

That the Committee move into closed session in accordance with Procedural By-law #7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2) (c) a proposed or pending

acquisition or disposition of land by the municipality or local board.

**Carried**

5. Closed Session

- 5.1** Confidential Corporate Services Department and Public Works  
Department Joint Report, CS 64-19  
Re: Acquisition of Land for a Multi Use Path – 200 Garden Street – Part  
of Lot 25, Concession 2, being Part 1, Plan 40R-30704

This portion of the meeting was closed to the public. [Refer to the closed session minutes of the meeting – Town Clerk has control and custody.]

6. Rising and Reporting

**6.1** Motion to Rise

Recommendation:

Moved By Councillor Leahy

That the Committee rise from the closed session of the Committee of the Whole meeting.

**Carried**

**6.2** Reporting into Open Session

The Chair advised that the Committee discussed matters pertaining to the proposed or pending acquisition of land and provided direction to staff during the closed portion of the meeting.

7. New and Unfinished Business - General Government

**7.1** New and Unfinished Business - General Government

There was no new and unfinished business.

**Adjournment**

Motion to adjourn

Recommendation:

Moved By Councillor Leahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:03 p.m.