

Regular Council Minutes  
January 25, 2021 - 7:00 PM  
Council Chambers/Virtual Meeting  
Whitby Town Hall

**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  
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 (Recording Secretary)

**Regrets:** None noted

---

1. Declarations of Pecuniary Interest

- 1.1 Councillor Newman declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 9.1, Community Services Report, CMS 01-21, West Whitby Unnamed District Park specifically related to naming the West Whitby District Park as it is proposed to be named 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.
- 1.2 Using the WebEx chat feature, Councillor Shahid declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 10.4,

By-law # 7713-21, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby, as her husband is a Board Member of the Durham Islamic Centre. Councillor Shahid did not take part in the discussion or voting on this matter.

2. Adoption of Minutes

- 2.1** Regular Council - December 14, 2020  
Special Council - January 18, 2021

**Resolution # 04-21**

Moved By Councillor Drumm  
Seconded By Councillor Newman

That the Regular Council minutes of December 14, 2020 and the Special Council minutes of January 18, 2021 be adopted.

**Carried**

3. Presentations

- 3.1** Eva Reti, Chair of the Board, Durham Region Hospice - Whitby  
Re: Durham Region Hospice - Whitby Residence Update

Eva Reti, Chair of the Board, Durham Region Hospice - Whitby provided a PowerPoint presentation regarding:

- the status of the three hospices under development in Durham Region, being the Oak Ridges Hospice, the Clarington Hospice, and the Whitby Hospice;
- the status of the Whitby Hospice including planning for construction to begin in summer 2021 with a targeted opening of autumn 2022;
- \$8,457,000 in financing required for construction, fixtures, furnishings, and an operating reserve for the Whitby Hospice; and,
- current fundraising for the Whitby Hospice, noting that an additional \$453,031 is required before construction can proceed with an additional \$1,700,000 to be raised during construction.

A question and answer period ensued between Members of Council and Ms. Reti regarding:

- how the remaining funds required for construction will be raised and if there is concern about reaching the fundraising goal;

- the composition of the Whitby Hospice fundraising committee, noting that there is a lead person who functions as the primary fundraising coordinator; and,
- opportunities to advertise the fundraising project and recognize those who have donated.

**3.2** Colin Thomson, Unit Leader and Duane Judd, Member, PARA Marine Search and Rescue  
Re: Annual Report

Colin Thompson, Unit Leader and Duane Judd, Member, PARA Marine Search and Rescue provided a PowerPoint presentation regarding:

- PARA's history and strategic plan, including their mission, values, and focus;
- PARA's 2021-2025 business plan, including strengthening the organization, developing their crews, ensuring search and rescue readiness, and planning for the future;
- organizational changes in 2020, including an expanded Board of Directors to include representatives from the Town of Ajax and the Town of Whitby;
- the 50 volunteers that serve with PARA, how volunteers are trained, and details about their partnerships with the Durham Regional Police Service, Toronto Police Service, the Town of Whitby, the Town of Ajax, the City of Pickering, the Royal Canadian Air Force, and the Canadian Coast Guard;
- statistics on the number of rescues conducted in past seasons, noting that there were 38 rescues in 2020 which is the highest number since the late 1980s;
- details about how the COVID-19 pandemic led to an increase in boating activity on Lake Ontario;
- the locations where PARA was deployed for rescues during the 2020 season; and,
- planning for a replacement rescue vessel in the next 5 to 10 years and the estimated replacement cost of between \$1,500,000 and \$2,000,000.

**4. Delegations**

**4.1** Mariam Boni  
Re: Community Services Department Report, CMS 01-21  
West Whitby Unnamed District Park

**Refer to Item 9.1, CMS 01-21**

Mariam Boni, 19 Kilmarnock Crescent, stated that she had concerns about the design of the proposed play equipment, noting that it would not be challenging or entertaining for children. She expressed a preference for playground equipment such as zip lines, rope webs, and higher climbing structures. She advised that she supported a honeybee theme for the design of the park, however would not support the design if it affected the quality of play equipment. She recommended that the proposed pickleball court be located in a different park, potentially through the renovation of existing tennis courts in other parts of the Town. Alternatively, she suggested that the proposed pickleball court be converted into a multi-purpose court to support both pickleball and basketball.

A brief question and answer period ensued between Members of Council and Ms. Boni regarding the play equipment and the age ranges it should be designed for, and the half court with a wall proposed to be added to the pickleball court, including the possibility of adding basketball nets in this area.

- 4.2** Astrid Poei  
Re: Community Services Department Report, CMS 01-21  
West Whitby Unnamed District Park

**Refer to Item 9.1, CMS 01-21**

Astrid Poei, 68 Westfield Drive, stated that the neighbourhood she lives in is very social and neighbours connect through social media, celebrations, and supporting community organizations. She indicated that the neighbourhood initially connected over a swarm of honeybees that landed on a stop sign in the area, advising that the honeybees were transferred to a beekeeper where they produce honey on an annual basis. She noted that neighbours have a yearly honey festival to mark the event and that she would like to hold this event in the new park once it's constructed. Ms. Poei advised that she would like the park to be named WhitBEE Park to recognize the honeybee swarm and her preference was for the park to have a honeybee theme.

A brief question and answer period ensued between Members of Council and Ms. Poei regarding the half court with a wall proposed to be added to the pickleball court, including the possibility of adding basketball nets in this area.

- 4.3** Alexander Wray  
Re: Community Services Department Report, CMS 01-21

West Whitby Unnamed District Park

**Refer to Item 9.1, CMS 01-21**

Alexander Wray, 31 Coho Drive, stated that he would encourage Members of Council to consider all options presented in the memorandum from the Commissioner of Community Services dated January 22, 2021, including the possibility of a multi-use court. He indicated that Staff had done an excellent job of finding a middle ground with proposed bee themed equipment and the potential multi-use court. He advised that the park would serve as a community hub and a gateway to the Town. He requested that the park design and amenities be considerate of the community's immediate and long-term needs, noting that pickleball courts could be added to future district parks.

A brief question and answer period ensued between Members of Council and Mr. Wray regarding the half court with a wall proposed to be added to the pickleball court, including the possibility of adding basketball nets in this area.

Moved By Councillor Roy  
Seconded By Councillor Yamada

That the rules of procedure be suspended to hear delegations from Alex Stojkov and Chet Couture regarding Item 9.1, Community Services Department Report CMS 01-21.

**Carried on a Two Thirds Vote**

- 4.4** Alex Stojkov  
Re: Community Services Department Report, CMS 01-21  
West Whitby Unnamed District Park

**Refer to Item 9.1, CMS 01-21**

Alex Stojkov, 24 Beadle Drive, stated that he works as a pickleball pro at the Abilities Centre and is part of Pickleball Canada. He provided an overview of pickleball, noting that it combines elements of table tennis, badminton, and tennis. He stated that the sport is growing as it's inclusive for all abilities and there is a low cost of entry. He noted that there are 350,000 pickleball players in Canada, with 164,000 in Ontario. Mr. Stojkov clarified that pickleball was enjoyed by people of all ages with 104,000 Ontario players being between the ages of 18 and 54. He advised that there are limited pickleball courts in Whitby and dedicated

courts are preferred in order to prevent conflicts between pickleball players and tennis players.

A brief question and answer period ensued between Members of Council and Mr. Stojkov regarding the challenges associated with playing pickleball on multi-purpose courts and the conflict between pickleball players and tennis players.

**4.5** Chet Couture  
Re: Community Services Department Report, CMS 01-21  
West Whitby Unnamed District Park

**Refer to Item 9.1, CMS 01-21**

Chet Couture, 39 Guthrie Crescent, stated that he was aware of a physical education teacher who believed that pickleball would be taught in all schools within the next few years. Mr. Couture noted that he knew of a 14 year old resident who found pickleball fun, inclusive, and a great way to stay active. Mr. Couture advised that Pickleball Ontario's inclusion statement referenced providing fair and equitable opportunities for all, along with welcoming and supporting those wishing to play the sport. He noted the low equipment costs associated with the sport. He further advised that the existing pickleball courts at Cullen Central Park are often full, leading players to go to other communities to play.

A brief question and answer period ensued between Members of Council and Mr. Couture regarding the approximate number of pickleball players who use the Cullen Central Park courts.

**5. Correspondence**

- 5.1** That the following requests be endorsed:
- January 2021 - Tamil Heritage Month
  - January 28, 2021 - Bell Let's Talk Day
  - January 28, 2021 - Flag Raising - Bell Let's Talk Day
  - January 29, 2021 - Durham Region Hospice Awareness Day
  - February 11, 2021 - National 211 Day
  - February 18 - 22, 2021 - Flag Raising - Scouts Canada
  - February 21 - 27, 2021 - Scout-Guide Week
  - February 22 - 26, 2021 - Flag Raising - Girl Guides of Canada
  - May 19, 2021 - Personal Support Worker Day

**Resolution # 05-21**

Moved By Councillor Shahid

Seconded By Councillor Lee

That the proclamations for Tamil Heritage Month, Bell Let's Talk Day, Durham Region Hospice Awareness Day, National 211 Day, Scout-Guide Week, and Personal Support Worker Day and the flag raisings for Bell Let's Talk Day, Scouts Canada, and Girl Guides of Canada be endorsed.

**Carried**

- 5.2** Correspondence # 2021-22, from J. Kendall, President, Board of Directors, Otter Creek Co-Operative Homes Inc., dated January 8, 2021  
Re: Lands - Plan M1067 - McQuay Blvd.

A brief discussion ensued between Members of Council regarding the urgent need to secure land for the proposed project, understanding how the project may be impacted by the Town's Interim Control By-laws, how financing for the project would be secured, and the importance of consulting with the surrounding community.

Moved By Councillor Newman  
Seconded By Councillor Leahy

That Correspondence # 2021-22 dated January 8, 2021 and received from Jill Kendall, President, Board of Directors, Otter Creek Co-Operative Homes Inc., Re: Lands – Plan M1067 – McQuay Blvd., be received for information.

**Carried later in the meeting [See following motion]**

Moved By Councillor Newman  
Seconded By Councillor Leahy

The main motion be amended to add the following as Item 2:

2. That Staff be directed to report to Council in Q1 2021 on the public consultation process and opportunity to declare land between 835 McQuay Boulevard and 855 McQuay Boulevard as surplus and offer this land to Otter Creek Co-operative Homes Inc. to build low-rise affordable housing.

**Carried**

**Resolution # 06-21**

Moved By Councillor Newman  
Seconded By Councillor Leahy

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

1. That Correspondence #2021-22 dated January 8, 2021 and received from Jill Kendall, President, Board of Directors, Otter Creek Co-Operative Homes Inc., Re: Lands – Plan M1067 – McQuay Blvd., be received for information; and,
2. That Staff be directed to report to Council in Q1 2021 on the public consultation process and opportunity to declare land between 835 McQuay Boulevard and 855 McQuay Boulevard as surplus and offer this land to Otter Creek Co-operative Homes Inc. to build low-rise affordable housing.

**Carried**

6. Committee of the Whole Report  
Planning and Development - January 11, 2021

- 6.1 Elaine Baxter-Trahair, Chief Administrative Officer, Stella Danos-Papaconstantinou, Commissioner, Social Services, Alan Robins, Director, Housing Services, Jenni Demanuele, Director, Business Services, Gary Muller, Director of Planning, John Henry, Regional Chair, Region of Durham, and Warren Price, Urban Strategies  
Re: Redevelopment Opportunity - 590 and 650 Rossland Road

**Resolution # 07-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

Whereas Council supports the need for affordable housing that is compatible and integrated with existing neighbourhoods; and,

Whereas Council supports the efforts of Staff to identify the need for all types of housing in Whitby;

Now Therefore be it Resolved:

That Staff report back on the site redevelopment opportunity for 590 and 650 Rossland Road East throughout the redevelopment process while ensuring ongoing consultation with the community.



**Carried**

- 6.2** Correspondence # 2020-919 received by C. Harris, Town Clerk, from S. Mitchell, Senior Development Manager, Land and Housing Development, Brookfield Properties, dated November 26, 2020 regarding Whitby Fire Hall Redevelopment - Station No. 3, Cash-in-Lieu of Parkland, Brookfield Residential (Ontario) Station No. 3 Limited

**Resolution # 08-21**

Moved By Councillor Yamada

Seconded By Councillor Mulcahy

Whereas the Town's Official Plan and the Planning Act provides for the payment of cash-in-lieu of parkland as an alternative when a developer cannot provide actual land for parks within a residential development;

Whereas, when cash-in-lieu of parkland is required before residential development can proceed, the amount to be paid to the Town is equal to the value of 1 hectare of land for each 500 dwelling units to be constructed;

Whereas the Town has adopted policies to support residential growth and economic development within Downtown Whitby, including policies contained in the Downtown Whitby CIP; and,

Whereas the current cash-in-lieu of parkland rate results in a payment that can exceed the value of the land being developed in the Historic Downtown Whitby Priority Area of the Downtown Whitby CIP, thereby discouraging the type of residential development that the Town is seeking to attract to this neighbourhood.

Now therefore be it resolved:

1. That Correspondence # 2020-919 received by C. Harris, Town Clerk, from S. Mitchell, Senior Development Manager, Land and Housing Development, Brookfield Properties, dated November 26, 2020 regarding Whitby Fire Hall Redevelopment - Station No. 3, Cash-in-Lieu of Parkland, Brookfield Residential (Ontario) Station No. 3 Limited, be received for information; and,
2. That staff be directed to report to Council as soon as possible regarding establishing a reduced alternative cash-in-lieu of

parkland rate for the Historic Downtown Whitby Priority Area within the Downtown Whitby CIP.

**Carried**

- 6.3** Planning and Development Department Report, PL 02-21  
Re: Envision Durham – Employment Area Conversion Requests

**Resolution # 09-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

1. That Planning Report PL 02-21 be endorsed as the Town's comments on the Employment Area Conversion Requests submitted to the Region of Durham, as part of the Envision Durham Municipal Comprehensive Review; and,
2. That the Clerk forward a copy of Planning Report PL 02-21 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

**Carried**

- 7.** Committee of the Whole Report  
General Government - January 11 and 18, 2021

- 7.1** Correspondence # 2020-920 received by C. Harris, Town Clerk, from D. Moller dated December 2, 2020 regarding a request for an exemption from Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side fences

**Resolution # 10-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That correspondence # 2020-920 from D. Moller dated December 2, 2020 regarding a request to amend Fence By-law # 4394-99 at 48 Flint Crescent related to the rear and side yard fences be received for information; and,
2. That Staff be directed to circulate notice of the exemption request to the neighbouring properties that are directly affected by the applicant's exemption request providing 20 days to indicate

support or objection to the request and that Staff be directed to report to Council recommending approval of the exemption should there be no objections registered.

**Carried**

- 7.2** Correspondence # 2020-964 received by C. Harris, Town Clerk, from S. Larochelle dated December 15, 2020 regarding a petition opposed to the Town of Whitby issuing parking tickets for vehicles parked sideways on the paved portion of the boulevard

**Resolution # 11-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Correspondence # 2020-964 received by C. Harris, Town Clerk, from S. Larochelle dated December 15, 2020 regarding a petition opposed to the Town of Whitby issuing parking tickets for vehicles parked sideways on the paved portion of the boulevard, be received for information; and,
2. That Staff provide a Report to Council regarding the petition with information on parking enforcement measures and associated Traffic By-law issues during the pandemic by the April 12, 2021 Committee of the Whole meeting.

**Carried**

- 7.3** Fire and Emergency Services Department Report, FR 01-21  
Re: Master Fire Plan – Implementation Update

**Resolution # 12-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That report FR 01-21 be received as information.

**Carried**

- 7.4** Financial Services Department Report, FS 02-21  
Re: Temporary Borrowing By-law

**Resolution # 13-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That a by-law be brought forward to authorize the external temporary borrowing of an amount up to \$50,798,000 from January 1, 2021 to September 30, 2021 and up to \$25,399,000 between October 1, 2021 and December 31, 2021.

**Carried**

- 7.5** Office of the Chief Administrative Officer Report, CAO 01-21  
Re: Corporate Information Technology Strategic Plan - Update

**Resolution # 14-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That the Corporate Information Technology Strategic Plan progress update report be received for information.

**Carried**

- 7.6** Correspondence # 2020-970 received by C. Harris, Town Clerk, from Karey Anne Large, Executive Director, Downtown Whitby Business Improvement Area dated December 16, 2020 regarding the Downtown Whitby Business Improvement Area Board of Management Director Appointments.

**Resolution # 15-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Jayne Flieler, Peter Nelis, and Sandra Welch be appointed as Directors to the Downtown Whitby Business Improvement Area Board of Management for a term ending November 30, 2022.

**Carried**

- 7.7** Office of the Town Clerk Report, CLK 01-21  
Re: Ward Population Review

**Resolution # 16-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Staff Report CLK 01-21 be received for information.

**Carried**

- 7.8** Community Services Report, CMS 02-21  
Re: Community Services Department – 2021 Marina Harbour Division Fees

**Resolution # 17-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Council approve the proposed fees as outlined in Attachment 1 to be effective February 15, 2021 to February 14, 2022; and,
2. That the Clerk be authorized to amend the Consolidated Fees and Charges By-law 7220-17 to include the new Marina Harbour Division Fees Schedule.

**Carried**

- 7.9** Financial Services Department Report, FS 01-21  
Re: 2020 Year End Projection, including an Overview of the Financial Implications of COVID-19, as at September 30

**Resolution # 18-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That report No. FS 01-21 regarding 2020 Year End Projection, including an Overview of the Financial Implications of COVID-19, as at September 30 be received;
2. That per the Safe Restart Agreement:
  - a. The \$2.75M municipal financial assistance funding received by the Town in phase 1 funding, be solely used to offset the financial impacts of the COVID-19 pandemic; and,
  - b. Any surplus phase 1 funds not utilized in 2020 be transferred to a COVID-19 pandemic reserve fund to offset financial impacts of the COVID-19 pandemic in 2021.
3. That any surplus in 2020 revenue received from Elexicon in excess of the \$4.3M base budget, be transferred to the Tax Rate Stabilization Reserve to be used to smooth out the forecasted budget impact of lower Elexicon revenue in 2022 and 2023;
4. That, notwithstanding the Disposition of Operating Surplus Policy, the remaining 2020 year end surplus be fully transferred to the Asset Management Reserve Fund;
5. That due to the COVID-19 pandemic, scheduled licensing agreement payments from the Whitby Football Club related to the repayment of the Town's up-fronted costs for the soccer facilities be deferred until normal operations are able to resume; and,
6. That staff be authorized to negotiate a revised payment schedule with the Whitby Football Club to be reflected in a future agreement amendment to be authorized by Council.

**Carried**

- 7.10** Financial Services Department Report, FS 03-21  
Re: 2020 Uncommitted Reserve and Reserve Fund Projection

**Resolution # 19-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That the Reserve and Reserve Fund uncommitted balance projection in Attachment 1 of this report be received for information.

**Carried**

- 7.11** Office of the Chief Administrative Officer and Financial Services  
Department Joint Report, CAO 02-21  
Re: Community Development Funds – 2020 Annual Report

**Resolution # 20-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Report CAO 02-21 regarding the 2020 Annual Report for the Mayor's Community Development Fund and the Performing Arts Community Development Fund be received.

**Carried**

- 7.12** Public Works Department Report, PW 06-21  
Re: Brooklin Infrastructure Resource Strategy Jan 2021

**Resolution # 21-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That staff report PW 6-21 be received for information;
2. That Public Works staff work with the Financial Services Department to initiate a 2021 review and update of Development Approval Application Process (DAAP) fees related to Engineering services for Council consideration and approval; and,
3. That staff continue to refine the Public Works Brooklin Infrastructure Resource Strategy and update Council prior to future budget cycles with recommended refinements and requirements.

**Carried**

- 7.13** Confidential Memorandum from C. Harris, Town Clerk, dated January 6, 2021 regarding Recommendation for Appointment to the Accessibility Advisory Committee

**Resolution # 22-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Naji Hassan's term on the Accessibility Advisory Committee be extended to November 14, 2022 or until a successor is appointed.

**Carried**

**7.14 Permanent Outdoor Ice Rinks**

**Resolution # 23-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

Whereas two ice rink locations were identified by staff for the winter of 2021; and,

Whereas Council and Staff have purchased materials and were in the process of building two temporary ice rinks this year, until the provincial Stay at Home Order changed the rules for Ontario residents; and,

Whereas the demand for more outdoor activities, recreation and the desire of residents to have multiple outdoor ice rinks exists in our community; and,

Whereas local businesses have been quick to express desire to sponsor permanent outdoor rinks; and,

Whereas local charitable organizations have had little opportunity in 2020 to fundraise at events and are now searching for opportunities.

Now therefore be it resolved:

1. That the Council of the Town of Whitby requests that Staff investigate the annual installation of two natural ice surfaces for the 2021/2022 winter season;
2. That Staff investigate opportunities to utilize volunteers and community groups such as Rotary for assistance in the ongoing maintenance and management of the natural ice surfaces;
3. That Staff investigate sponsorship opportunities to help offset any costs for the community outdoor rinks;
4. That Staff investigate opportunities for a permanent artificial ice surface and/or skating trail to be installed within five years; and,
5. That Staff report back on Items 1 through 5, including providing a proposed operating model and financial impacts, both capital and operating, by end of Q2 2021.



**Carried**

8. Notice of Motion

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

9. New and Unfinished Business

**9.1** Community Services Department Report, CMS 01-21  
Re: West Whitby Unnamed District Park

Having previously declared a pecuniary interest, Councillor Newman did not take part in the discussion or voting on any matters related to the naming of the park and was moved into the WebEx lobby during the portion of the meeting related to the naming of the park.

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

- timing for construction of other parks near the proposed West Whitby Unnamed District Park;
- distance of other proposed parks from the proposed West Whitby Unnamed District Park;
- the number of parking spaces at the park and a nearby proposed school;
- conducting a usage study to determine who is using the pickleball courts after they are constructed;
- whether the proposed half court with a wall would accommodate basketball;
- activities that could take place on the multi-purpose court currently planned for the park;
- operational challenges associated with providing a multi-purpose court that would accommodate both pickleball and tennis including switching nets and the alignment of the court which would result in tennis players looking into the sun;
- safety considerations related to a wood fibre base versus a rubberized base for the playground area;
- confirmation that the TFP Lynde Creek Park will have a rubberized base for the playground area;
- balancing feedback from West Whitby residents, other residents, and future residents as all ratepayers will share in the ongoing operating costs associated with the park;
- modifying the specifications for playground equipment to ensure it is suitable for a variety of age groups;
- locating a supplier to incorporate a honeybee theme into the park design;

- challenges associated with designing a park during a meeting of Council and clarifying that residents do not have full control over the design process;
- how the honeybee theme could be weighted in the development of the Request for Proposal;
- Staff working with the surrounding community to develop appropriate wording for commemorative honeybee signage for the park;
- confirmation from Staff that having two multi-purpose courts in a park is unusual;
- costs associated with converting the proposed pickleball court into a multi-purpose court;
- the possibility of moving forward with construction of the park while deferring a decision on the proposed pickleball court to a future meeting;
- how construction timelines would be impacted by deferring a decision on the proposed pickleball court;
- opportunities to construct pickleball courts at the TFP Lynde Creek Park;
- removing the proposed pickleball court to realize a savings of \$200,000 which would bring the overall budget for the project closer to the originally budgeted amount of \$2,200,000;
- introducing a pollinator garden in the space where the pickleball court is proposed to further build on the honeybee theme;
- balancing the desires of nearby residents with the needs of all residents while ensuring that parks are designed with sufficient amenities;
- clarification that basketball nets could be installed in the proposed half court area adjacent to the pickleball court;
- ensuring that the park field is well-lit to accommodate evening play of entry level cricket;
- details about the Municipal Property and Facility Naming Policy and confirmation that Staff can name the park after the street adjacent to the park, a nearby geographic feature, or a historical feature without Council approval;
- setting priorities for Staff and whether reviewing the Municipal Property and Facility Naming Policy is a productive use of resources;
- the significant accomplishments of former Mayor Des Newman and the merits of naming the park after him;
- additional funding in the amount of \$40,000 being required to construct the proposed half court area with an additional \$5,000 required for basketball nets; and,

- the portion of park construction financed through Development Charges and whether there is a cap on the amount of Development Charges that can be allocated to park construction.

Moved By Councillor Newman  
Seconded By Councillor Leahy

1. That Council approve the proposed design elements for the West Whitby Unnamed District Park outlined in Community Services Department Report CMS 01-21 and illustrated in Attachment 1, including a more modern design for park playground equipment;
2. That Council approve a pre-budget commitment request of \$2,847,000 within the 2021 Capital Budget for the development of the proposed West Whitby Unnamed District Park project;
3. That Mattamy Homes and Town Staff be authorized to proceed with the detailed construction drawings, tender documents and contractor selection, subject to pre-budget approval, and tender bid approval; and,
4. That residents participating in the virtual community engagement process be advised of the park project start up construction timing once determined.

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

Moved By Councillor Newman  
Seconded By Councillor Yamada

That the main motion be amended to add the following item:  
That Staff will use best efforts to achieve a bee-themed play structure which is functional for all ages and has a modern aesthetic if available and within the proposed budget for the Park.

**Carried**

Moved By Councillor Newman  
Seconded By Councillor Yamada

That the main motion be amended to add the following item:  
That the honey-bee theme be incorporated in signage etc. throughout the Park to commemorate the time that the honey bees landed in the area and brought the community together.

**Carried**

Moved By Councillor Newman  
Seconded By Councillor Leahy

That the main motion be amended to add the following item:  
That the proposed Pickleball courts in the West Whitby Unnamed Park  
“the Park” be converted to a multi-purpose court (e.g. pickleball/tennis,  
etc.) for players of all ages and abilities.

**Motion lost on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm		x	
Councillor Leahy	x		
Councillor Lee		x	
Councillor Mulcahy		x	
Councillor Newman	x		
Councillor Roy		x	
Councillor Shahid		x	
Councillor Yamada	x		
Mayor Mitchell		x	
	3	6	0

Moved By Councillor Lee  
Seconded By Councillor Shahid

That Item 1 of the main motion be amended to add the following after  
'playground equipment':  
'but not including the pickleball courts which instead shall be replaced  
with grass and/or a pollinator garden with the budget being reduced  
accordingly (less approximately \$200,000).

**Motion lost on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm		x	
Councillor Leahy		x	
Councillor Lee	x		
Councillor Mulcahy		x	
Councillor Newman		x	
Councillor Roy		x	
Councillor Shahid		x	

---

Councillor Yamada		x	
Mayor Mitchell	x		
	2	7	0

Moved By Councillor Shahid  
Seconded By Councillor Roy

That the main motion be amended to add the following item:  
That Staff ensure that the multi-purpose field is lit and is capable of accommodating entry level cricket, and consult with the local cricket community about their use of the field.

**Carried**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

That the main motion be amended to add the following item:  
That Staff report back on the naming of the proposed West Whitby Unnamed District Park in accordance with the Municipal Property and Facility Naming Policy MS 250 to allow Council to consider other naming opportunities, as the Policy provides that parks may also be named for other aspects of the area's geography, and/or for corporations, service clubs or individuals who have made a major contribution to the park's development either physically or financially.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm	x		
Councillor Leahy		x	
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada		x	
Mayor Mitchell	x		
	6	2	0

Moved By Councillor Leahy  
Seconded By Councillor Yamada

That the main motion be amended to add the following item:

That Council approve a multi-purpose wall and asphalt area along the west fence line of the pickleball courts at a cost of \$40,000 and direct Staff to work with area residents to develop commemorative and interpretative honeybee and pollinator signage to be installed in the park in accordance with the recommendations contained in the memorandum from the Commissioner of Community Services dated January 22, 2021;

**Carried later in the meeting [See following motion]**

Moved By Councillor Newman

Seconded By Councillor Yamada

That the motion noted above be further amended to add the following:  
after 'multi-purpose wall', 'two basketball courts'; and after 'cost of', '\$45,000'.

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm		x	
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy		x	
Councillor Shahid		x	
Councillor Yamada	x		
Mayor Mitchell	x		
	6	3	0

Moved By Councillor Leahy

Seconded By Councillor Yamada

The motion noted above, as amended, was then carried as follows:

That Council approve a multi-purpose wall, two basketball nets, and asphalt area along the west fence line of the pickleball courts at a cost of \$45,000 and direct Staff to work with area residents to develop commemorative and interpretative honeybee and pollinator signage to be installed in the park in accordance with the recommendations

contained in the memorandum from the Commissioner of Community Services dated January 22, 2021;

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
	9	0	0

Moved By Councillor Leahy  
Seconded By Councillor Mulcahy

That the main motion, as amended, be divided to consider Item 9 as separate from Items 1 to 8.

**Carried**

**Resolution # 24-21**

Moved By Councillor Mulcahy  
Seconded By Councillor Roy

9. That Staff report back on the naming of the proposed West Whitby Unnamed District Park in accordance with the Municipal Property and Facility Naming Policy MS 250 to allow Council to consider other naming opportunities, as the Policy provides that parks may also be named for other aspects of the area's geography, and/or for corporations, service clubs or individuals who have made a major contribution to the park's development either physically or financially.

**Carried**

**Resolution # 25-21**

Moved By Councillor Newman  
Seconded By Councillor Leahy

1. That Council approve the proposed design elements for the West Whitby Unnamed District Park outlined in Community Services Department Report CMS 01-21 and illustrated in Attachment 1, including a more modern design for park playground equipment;
2. That Staff ensure that the multi-purpose field is lit and is capable of accommodating entry level cricket, and consult with the local cricket community about their use of the field;
3. That Council approve a multi-purpose wall, two basketball nets, and asphalt area along the west fence line of the pickleball courts at a cost of \$45,000 and direct Staff to work with area residents to develop commemorative and interpretative honeybee and pollinator signage to be installed in the park in accordance with the recommendations contained in the memorandum from the Commissioner of Community Services dated January 22, 2021;
4. That Council approve a pre-budget commitment request of \$2,892,000 within the 2021 Capital Budget for the development of the proposed West Whitby Unnamed District Park project;
5. That Mattamy Homes and Town Staff be authorized to proceed with the detailed construction drawings, tender documents and contractor selection, subject to pre-budget approval, and tender bid approval;
6. That residents participating in the virtual community engagement process be advised of the park project start up construction timing once determined;
7. That Staff will use best efforts to achieve a bee-themed play structure which is functional for all ages and has a modern aesthetic if available and within the proposed budget for the Park;
8. That the honey-bee theme be incorporated in signage etc. throughout the Park to commemorate the time that the honey bees landed in the area and brought the community together.

**Carried**

## **9.2 Interim Control By-laws**

Councillor Roy indicated that she had been contacted by a number of residents who were impacted by the Town's Interim Control By-laws. She noted that there was a memorandum from Staff being developed about the impacts to residents in the process of home renovations and additions. She requested that a Special Council Meeting be called in the



near future to expeditiously consider exemptions to the Interim Control By-laws for individual projects.

A brief discussion ensued between Members of Council regarding the importance of protecting neighbourhoods from intensification while balancing the requirements of individual residents.

10. By-Laws

That the following by-laws be passed:

**10.1** By-law # 7710-21, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2015-03) as not being subject of Part Lot Control.

**10.2** By-law # 7711-21, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-04) as not being subject of Part Lot Control.

**10.3** By-law # 7712-21, being a by-law to authorize the temporary borrowing of a sum or sums to meet current expenditures of The Corporation of the Town of Whitby for the calendar year 2021.

Refer to FS 02-21, Temporary Borrowing By-law

**10.5** By-law # 7714-21, being a by-law to adopt Amendment Number 119 to the Official Plan of the Town of Whitby

Refer to PL 42-20, DEV-04-20: Official Plan Amendment Application OPA-2020-W/01, Zoning By-law Amendment Application Z-03-20, Star Residence Limited, 812, 816, 900, 904 & 908 Rossland Road East

**10.6** By-law # 7715-21, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby

Refer to PL 42-20, DEV-04-20: Official Plan Amendment Application OPA-2020-W/01, Zoning By-law Amendment Application Z-03-20, Star Residence Limited, 812, 816, 900, 904 & 908 Rossland Road East

**10.7** By-law # 7716-21, being a by-law to amend the Fees and Charges By-law # 7220-17, as amended.

Refer to CMS 02-21, Community Services Department – 2021 Marina Harbour Division Fees

**Resolution # 26-21**

Moved By Councillor Lee  
Seconded By Councillor Shahid

That leave be granted to introduce By-laws # 7710-21 to # 7712-21 and By-laws # 7714-21 to # 7716-21 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**

- 10.4** By-law # 7713-21, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 40-20, Temporary Use Zoning By-law Amendment Application, 4618 Country Lane, Durham Islamic Centre, File DEV-25-19 (Z-16-19) - REVISED

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

**Resolution # 27-21**

Moved By Councillor Lee  
Seconded By Councillor Roy

That leave be granted to introduce By-law # 7713-21 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**

**11. Confirmatory By-Law**

**11.1 Confirmatory By-law**

**Resolution # 28-21**

Moved By Councillor Leahy

Seconded By Councillor Drumm

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 January 25, 2021 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 # 29-21**

Moved By Councillor Mulcahy  
Seconded By Councillor Newman

That the meeting adjourn.

**Carried**

The meeting adjourned at 10:09 p.m.

---

Christopher Harris, Town Clerk

---

Don Mitchell, Mayor