

Present
(electronically): Mayor Mitchell
Councillor Drumm
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
Councillor Yamada

Also Present
(electronically): M. Gaskell, Chief Administrative Officer
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
H. Ellis, Executive Advisor to the Mayor
S. Klein, Director of Strategic Initiatives
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

Regrets: None noted

C. Harris, Town Clerk, advised that due to the ongoing COVID-19 State of Emergency, the Committee of the Whole meeting is being held electronically. He noted that written correspondence was submitted by the public regarding items on the agenda. Mr. Harris advised that the Committee would receive a delegation from the applicant's representative regarding Item 4.5, PL 18-20. He provided

Members of Council with an overview of meeting etiquette and procedures with respect to conducting the meeting electronically.

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Planning and Development

Councillor Mulcahy assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

2.1 Kurt Franklin, Weston Consultants, representing CSPAC Industrial Garrard GP, Inc.
Re: Planning and Development Department Report, PL 18-20
Zoning By-law Amendment Application, 4680 Garrard Road, CSPAC Industrial Garrard GP, Inc., File Number: DEV-32-19 (Z-20-19)

Kurt Franklin, Weston Consultants, representing CSPAC Industrial Garrard GP, Inc., addressed the Committee and stated that he had registered as a delegation in the event that concerns were raised by members of the public. He advised that the proposal was for an industrial development with a combined floor space of 770,000 square feet located at the southwest corner of Garrard Road and Conlin Road.

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

- whether the proponent would work with Town Staff to address concerns raised with respect to Conlin Road and Garrard Road being high traffic active transportation corridors and including features that would support safer cycling;
- whether 593 parking spaces, including 32 accessible parking spaces, would be sufficient for the number of employees that would be entering the facility;
- the timeline for construction to commence; and,
- whether there was an occupant for the facility.

It was the consensus of the Committee to hear Item 4.5, PL 18-20, at this this time.

3. Correspondence

3.1 There were no presentations.

4. Staff Reports

4.1 Planning and Development Department Report, PL 14-20
Re: Sign By-law Variance to Permanent Sign By-law for St. John's Anglican Church at 150 Victoria Street East, File Number: SB-01-20

A brief discussion ensued between Members of Committee regarding the subject land being zoned a Cemetery Zone, and the need for the variance to allow St. John's Anglican Church the same permissions as places of worship that are located on land zoned as Institutional.

Recommendation:

Moved By Councillor Drumm

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for St. John's Anglican Church, located at 150 Victoria Street East.

Carried

4.2 Planning and Development Department Report, PL 15-20
Re: Sign By-law Variance to Permanent Sign By-law for 1208 Dundas Street East (A&W), File Number: SB-02-20

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

- whether the Town would facilitate discussions with all three tenants to coordinate proposed signage on the subject land should the variance to the Town of Whitby Permanent Sign By-law be denied;
- whether applications for signage have been submitted by the other tenants;
- the rationale for the proposed signage and whether it was similar to signage at other A&W locations;
- whether A&W would have an opportunity to submit another application;

- clarification on the intent of Staff to have all three businesses coordinate signage for the property; and,
- the order of construction for the A&W building versus the construction of the other two businesses, and whether there would be sufficient time to have discussions with all tenants regarding signage.

Recommendation:

Moved By Councillor Shahid

That Council deny the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for A&W, located at 1208 Dundas Street East.

Carried

- 4.3** Planning and Development Department Report, PL 16-20
Re: Recommendation Report - Draft Plan of Subdivision and Zoning By-law Amendment Applications, HAW Partnership Limited, Concession 4, Part Lot 31 and 32, File Numbers: SW-2018-02 and Z-10-18

Recommendation:

Moved By Councillor Leahy

1. That Council approve the proposed Draft Plan of Subdivision (File SW-2018-02), subject to the comments included in Planning Report PL 16-20 and the Conditions of Draft Approval included in Attachment # 9;
2. That the Region of Durham Commissioner of Planning and Development be advised of Council's decision;
3. That Staff be authorized to prepare a Subdivision Agreement;
4. That Williams and Stewart Associates be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law 1784 (File Z-10-18), as outlined in Planning Report PL 16-20; and,
7. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

Carried

4.4 Planning and Development Department Report, PL 17-20
Re: Recommendation Report - Draft Plan of Subdivision and Zoning By-law Amendment Application, 4300 Country Lane Developments Limited, 4300 Country Lane, File Numbers: SW-2018-04 and Z-20-18

Recommendation:

Moved By Councillor Roy

1. That Council approve the proposed Draft Plan of Subdivision (File SW-2018-04), subject to the comments included in Planning Report PL 17-20 and the Conditions of Draft Plan Approval included in Attachment # 7;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That Williams and Stewart Associates be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law 1784 (File Z-20-18), as outlined in Planning Report PL 17-20; and,
7. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

Carried

4.5 Planning and Development Department Report, PL 18-20
Re: Zoning By-law Amendment Application, 4680 Garrard Road, CSPAC Industrial Garrard GP, Inc., File Number: DEV-32-19 (Z-20-19)

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

- concerns raised regarding the impact of the proposed development on septic systems, wells, and ground water, and how those issues have been addressed; and,
- whether the extension of water and sanitary services on Garrard Road to facilitate the proposed development would provide residents with an opportunity to connect the services to their properties.

Recommendation:

Moved By Councillor Lee

1. That Council approve an amendment to Zoning By-law 1784 (Application # Z-20-19) to permit a warehouse and distribution centre with associated offices at 4680 Garrard Road; and,
2. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

Carried

It was the consensus of the Committee to hear Item 4.1, PL 14-20, at this time.

5. New and Unfinished Business - Planning and Development

5.1 New and Unfinished Business List - MD-2359

Councillor Newman inquired about the due date for Item MD-2359 regarding accessible parking in Downtown Whitby.

S. Beale, Commissioner of Public Works, advised that the matter of accessible parking in Downtown Whitby would be included as part of the Master Parking Plan. She further advised that a report would be presented to Council in June 2020.

General Government

Councillor Leahy assumed the Chair.

6. Presentations

6.1 There were no presentations.

7. Delegations

7.1 There were no delegations.

8. Correspondence

8.1 There was no correspondence.

9. Staff Reports

9.1 Public Works Department and Corporate Services Department Joint

Report, CS 11-20

Re: T-16-2020 – Streetlight Installation at Various Locations

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

- whether a further report for the installation of streetlights would be presented to Council in 2020 or whether the report includes streetlight installations for the entire year; and,
- the status of the Region of Durham's streetlight review for regional roads including Taunton Road, in the area of West Whitby; and,
- whether the streetlights for Taunton Road would be in the Region's budget for 2021.

Recommendation:

Moved By Councillor Newman

1. That the Town of Whitby accept the low bid as submitted by Hastings Utilities Contracting Ltd. in the amount of 205,754.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete streetlight installations at various locations as required by the Town of Whitby;
2. That the Total Project Cost of \$350,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.2 Public Works Department and Corporate Services Department Joint Report CS 12-20

Re: T-501-2020 – Urban Road Resurfacing and Overlay

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

- the time between notification to residents and the commencement of construction; and,
- whether information on construction would be shared with the public through social media.

Recommendation:

Moved By Councillor Roy

1. That the Town of Whitby accept the low bid as submitted by IPAC Paving Limited in the revised amount of \$2,715,919.75, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete the Urban Road Resurfacing and Overlay Contract as required by the Town of Whitby;
2. That the Total Project Cost of \$3,650,000.00 be approved;
3. That the provisional streets, Renfield Crescent and Jacob Drive, be removed from this tender and be re-budgeted in 2021;
4. That Council approve the addition of the toplift of asphalt for Rossland Road West (Lake Ridge Road to the Canadian Pacific Railway Bridge) to the Urban Road Resurfacing and Overlay Contract; and,
5. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 9.3** Public Works Department and Corporate Services Department Joint Report, CS 22-20
Re: T-513-2020 – Surface Treatment and Slurry Seal

Recommendation:

Moved By Councillor Mulcahy

1. That the Town of Whitby accept the low bid as submitted by Miller Paving Limited in the amount of \$353,509.75 (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete surface treatment and slurry seal as required by the Town of Whitby;
2. That the Total Project Cost of \$384,566.04 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 9.4** Corporate Services Department Report, CS 17-20
Re: Changes to the Development Charges Act as of January 1, 2020

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

- whether there was a guarantee that Development Charges would be received by the Town due to the changes to the Development Charges Act;

- how residential property tax payers would be impacted due to the ability for developers to lock in the Development Charges rate; and,
- whether a 5% interest rate was a fair rate for the Town of Whitby.

Recommendation:

Moved By Councillor Newman

1. That report CS 17-20 be received for information;
2. That the Development Charge Annual Installment Payments Policy included in Attachment 2 of the report be approved;
3. That the Timing of Development Charge Calculation Policy included in Attachment 3 of the report be approved;
4. That the Development Charge Interest Policy included in Attachment 4 of the report be approved; and,
5. That Staff review opportunities to offer non-statutory Development Charge exemptions through other avenues (e.g. Community Improvement Plan, grant-in-lieu program, etc.) given the proposed removal of non-statutory Development Charge exemptions from the Development Charge By Law in the next update.

Carried

9.5 Corporate Services Department Report, CS 25-20
Re: 2019 Year End Capital Report and 2020 Uncommitted Reserve / Reserve Fund Contribution

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

- the number of projects that would not be completed in 2020 due to the COVID-19 pandemic; and,
- clarification on the 2019 released funds in the amount of \$9,940,000.

Recommendation:

Moved By Councillor Mulcahy

That report CS 25-20 be received for information.

Carried

9.6 Public Works Department Report, PW 12-20
Re: Fleet Strategic Master Plan Information

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

- reviewing the size and versatility of the fleet to easily and safely service compact communities;
- whether grants from the federal and provincial governments would be available to assist with upgrading the fleet;
- whether the focus of the Fleet Strategic Master Plan would be to maintain service levels for a growing population, or to upgrade the service levels to achieve sustainability goals; and,
- the timing for electric vehicles within the Fleet Strategic Master Plan.

Recommendation:

Moved By Councillor Newman

That Public Works Report PW 12-20, Fleet Strategic Master Plan be received as information.

Carried

9.7 Public Works Department Report, PW 15-20
Re: National Disaster Mitigation Program Intake 4 Update 1 - Whitby Coastal Flood Hazard Assessment

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

- the impact of shoreline erosion around Crystal Beach Boulevard and how the National Disaster Mitigation Program would assist residents in this area;
- the erosion of Crystal Beach Boulevard and the mitigation measures to be undertaken;
- how vegetation planting and sloping would address the hazards created by the undercut on the Reach 12 bluffs and how plantings would be effective against further erosion;
- the cost associated with the work to be carried out on Reach 12, and clarification on the locations for improved vegetation and mild sloping as it relates to Reach 12;
- providing additional information pertaining to the mitigation work for Reach 12 prior to the Council meeting on May 19, 2020;
- whether funding for the program assigned to the Town was

already allocated in a capital budget, or how the funding would be obtained;

- the removal of the current temporary fencing upon the completion of the work;
- the timeline for the commencement of the entire program;
- the availability of mapping that identifies the ownership of land in the affected area;
- whether the Town would be preparing a flood preparedness plan; and,
- an update on the Region of Durham's Emergency Preparedness Plan.

Recommendation:

Moved By Councillor Yamada

1. That Report PW 15-20 on the Whitby Coastal Flood Hazard Assessment Report be received for information;
2. That a copy of the Final Draft Report be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), Region of Durham, and the Ministry of Environment Conservation and Parks for their comment;
3. That the Final Whitby Coastal Flood Hazard Assessment Report, be filed in accordance with the Municipal Class EA process and be made available for agency and stakeholder use; and,
4. That Staff further develop implementation plans and costs associated with the recommendations for inclusion into future work plans and budgets for Council's consideration.

Carried

9.8 Office of the Chief Administrative Officer Report, CAO 12-20
Re: Subsidized Backyard Tree Planting Program

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

- whether the program was intended to be an ongoing annual program or a one-time program;
- whether other municipalities within the Region of Durham would be participating in the program;
- how residents would be selected for participation in the program;
- whether the number of participants would be capped at 40;
- feedback provided by residents in other municipalities;
- how many years it would take to achieve a 30% canopy coverage

- across the Region; and,
- a future report providing information on how existing trees could be protected.

Recommendation:

Moved By Councillor Yamada

1. That Council receive Staff Report CAO 12-20 - Subsidized Backyard Tree Planting Program for Information; and,
2. That Council direct Town Staff to enter into a program agreement with the Region of Durham, LEAF and participating local area municipalities to deliver the backyard tree planting program in 2020, with terms and conditions satisfactory to the CAO, Commissioner of Corporate Services and the Commissioner of Legal Services.

Carried

10. New and Unfinished Business - General Government

10.1 COVID-19 Update

Councillor Shahid inquired about the status of the COVID-19 State of Emergency extension and next steps to be undertaken by the Town.

M. Gaskell, Chief Administrative Officer, advised that Staff are planning for the eventual return to full operations at the Town, noting that some facility Staff previously working from home have returned to prepare for an eventual re-opening to the public. He further advised that a re-opening would likely be a phased-in approach. He stated that further planning was under way to ready the Town's facilities to permit the public to come back into the facilities while protecting the public and Staff. Mr. Gaskell advised that the provincial extension of emergency orders was being monitored, and that there was no deadline on the Mayor's declaration of emergency. He further advised that municipalities were coordinating the lifting of all declarations within the Region at the same time. He stated that he would provide a memo outlining further steps and deadlines later in the week.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 8:32 p.m.