

**Present:** Mayor Mitchell  
Councillor Alexander  
Councillor Leahy  
Councillor Lee  
Councillor Mulcahy  
Councillor Newman  
Councillor Roy  
Councillor Shahid  
Councillor Yamada

**Also Present:** 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, Acting Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
S. Klein, Director of Strategic Initiatives  
D. Speed, Fire Chief  
H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

**Regrets:** None noted

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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** Gaby Kalopos representing Clean Air Partnership  
Re: Office of the Chief Executive Officer Report, CAO 30-19  
Clean Air Council 2019 - 2023 Inter-Governmental Declaration on Clean Air and Climate Change

Gaby Kalopos, representing Clean Air Partnership, appeared before the Committee and provided a PowerPoint presentation regarding the Clean Air Council Update and 2019-2023 Inter-Governmental Declaration on Clean Air and Climate Change. Highlights of the presentation included:

- an overview of the Clean Air Partnership and the Clean Air Council;
- assisting municipalities to become sustainable communities by reducing greenhouse gas emissions and air pollution;
- to increase resiliency to extreme weather and making advancement towards a low carbon economy;
- outreach, awareness building and collaboration of the Partnership and municipalities;
- providing capacity building and implementation support as well as transferring actions and scaling up of actions;
- how the Clean Air Council works including identifying barriers to transfer and improvement of clean air/climate change actions across municipalities and support the transfer/implementation and improvement of actions;
- scaling-up low carbon buildings through the uptake and transfer of green development standards, energy efficiency retrofits, air quality improvements, resilient building measures, and building energy disclosure and labeling;
- carbon reductions through increased uptake of active transportation/complete streets/Vision Zero plans and integrated transportation and land use planning; and,
- broadening the stakeholder base to increase the understanding of the links between climate action, public health equity, community livability and financial sustainability.

A brief question and answer period ensued between Members of Council and Ms. Kalopos regarding whether there were any plans to support municipalities to obtain funding to implement actions associated with the Declaration on Clean Air and Climate Change.

It was the consensus of the Committee to hear Item 4.1, CAO 30-19, at this time.

2. Delegations

2.1 Sue Green

Re: Office of the Chief Administrative Officer Report, CAO 29-19  
Proposed Location of a Bronze Statue of Sir William Stephenson at  
Celebration Square - Revised

Refer to Item 4.2, CAO 29-19

Sue Green and Bryan Green, 1733 Dufferin Street, appeared before the Committee and advised that she has been in contact with Lynn Phillip Hodgson, the leading authority on Camp X and Sir William Stephenson, regarding the placement of the Sir William Stephenson statue. It was agreed that Intrepid Park would not be an appropriate location for a statue of this magnitude due to the threat of vandalism, the lack of exposure to a work of art of this value, and lack of parking. She further advised that a head study or a bust of Sir William Stephenson could be easily reproduced at minimal cost and placed in Intrepid Park. The bust would include information concerning the whereabouts of the larger, more comprehensive statue. Ms. Green advised that staff and other stakeholders were in agreement with Ruth Abernethy and Lynn Phillip Hodgson that the most appropriate location for the statue would be Celebration Square at the Central Library due to it being one of the most visited locations in Whitby. She stated that this location aligns with the criteria set out in the proposal for the vision of Downtown Whitby. She provided the measurements of the proposed statue which would be 8 feet, 3 inches long and 4.5 feet wide for a total of 37 square feet, noting that the estimated square footage of Celebration Square is 12,000 square feet. She suggested that positioning the statue near the corner of Dundas and Henry Streets would make it visible to vehicular traffic passing by on either of the two streets. She advised that Ruth Abernethy created the bronze statue of Len Cullen which prompted her to carry out research on Sir William Stephenson and subsequently suggested the creation of the bronze portrait of Sir William Stephenson and its location. Ms. Green noted that the Town of Whitby could own the Sir William Stephenson statue. Ms. Green advised that she, her husband and Lynn Phillip Hodgson were willing to raise funds to cover the cost for the commission as well as for two head studies with one head study to be placed at Camp X and one head study at Sir William Stephenson Public School. She stated that in order to raise funds for the commission the people willing to donate funds need to know where the statue would be located. She urged Council to move quickly to allow Ruth Abernethy to

be engaged in this commission immediately.

A question and answer period ensued between Members of Council and Mr. and Mrs. Green regarding:

- the collection of donations for the project by the Town and whether the Town would be issuing tax receipts for this project;
- the cost of the statue and whether there would be any impact on the tax base;
- the approach taken to raise funds to commission the project and what the outcome of the project would be should the Town of Whitby not approve the location;
- the possibility of fundraising for the cost of installing the statue so as not to impact tax payers;
- the challenges associated with the use of Celebration Square by other groups;
- whether the statue would become the property of the Town once installed.

The consensus of the Committee was to hear Item 4.2, CAO 29-19, at this time.

**2.2** Stan Mcgookin  
Re: Public Works Department Report, PW 4-19  
Proposed Bike Route Parking Restrictions, Update Traffic By-law 1862-85

Refer to Item 4.8, PW 4-19

Stan Mcgookin, 1 Tallships Drive, appeared before the Committee and stated that his home faces Whitby Shores Greenway. He advised that he has a large family and that they have frequent get-togethers which may include ten or more cars being parked along Whitby Shores Greenway. He raised concerns regarding the proposal to implement no parking on Whitby Shores Greenway as it would create additional parked vehicles on Tallships Drive which would create safety issues for children playing on the street and exacerbate the current parking issues on Tallships Drive. Mr. Mcgookin noted that the front entrances of the new condominiums in the area face Whitby Shores Greenway, and that residents from the condominiums park in front of their homes. He commented that vehicles were also parked on Whitby Shores Greenway in the area of Whitby Shores Public School. Mr. Mcgookin advised that he received the notice of the meeting on this matter on Friday prior to the meeting and raised concerns about the notification process and the timeline between receipt of the notification for the meeting and the meeting date.

The consensus of the Committee was to hear Item 4.8, PW 4-19, at this time.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Office of the Chief Administrative Officer Report, CAO 30-19  
Re: Clean Air Council 2019 – 2023 Inter-Governmental Declaration on Clean Air and Climate Change

A brief question and answer period ensued between Members of Council and Staff regarding whether the Town would establish a baseline measurement as a reliable reference point in order to assess progress and success.

Recommendation:

Moved By Councillor Leahy

That Council endorse Whitby's inclusion as a signatory to the 2019 Inter-Governmental Declaration on Clean Air and Climate Change.

**Carried**

The consensus of the Committee was to hear Item 4.3, CMS 26-19, at this time.

4.2 Office of the Chief Administrative Officer Report, CAO 29-19  
Re: Proposed Location of a Bronze Statue of Sir William Stephenson at Celebration Square - **Revised**

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

- liability for damages sustained to the statue during events at Celebration Square and the impact to the Town's insurance or on the event permit holders insurance;
- whether there would be a tax burden associated with the Town collecting donations and issuing receipts, and whether the Town has collected donations of this magnitude in the past;
- the possibility of consultation with affected stakeholders as well as the Accessibility Advisory Committee with respect to the

- placement of the statue;
- assurances that the Whitby Heritage Advisory Committee would be advised of any events honouring Sir William Stephenson; and,
- the anticipated long term maintenance costs associated with the statue.

Recommendation:

Moved By Councillor Mulcahy

1. That Report CAO 29-19 regarding the proposed bronze sculpture of Sir William Stephenson be received;
2. That Council endorse the proposed location at Celebration Square as outlined in the staff report CAO 29-19;
3. That funding for the installation of the art piece be referred to the 2020 Capital Budget as a decision item;
4. That Council provide direction to Staff to receive and issue receipts for donations.

**Carried**

It was the consensus of the Committee was to hear Item 4.4, CMS 27-19, at this time.

**4.3** Community Services Department Report, CMS 26-19  
Re: Draft Whitby 55+ Recreation Strategy (2019 – 2023)

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

- the 10 percent growth increase in the 55+ age group over the next five years and how that growth would be accommodated insofar as programs and space;
- details with respect to the Newcomers Social Group and its participants;
- whether consultation had taken place between Staff and the Diversity and Inclusion Advisory Committee with respect to the changing seniors demographics;
- the rationale for why residents who live outside of Whitby choose to become a member of the Whitby Seniors' Activity Centre; and,
- the dissatisfaction of residents pertaining to the program registration process and steps undertaken to rectify their dissatisfaction.

Recommendation:

Moved By Councillor Alexander

1. That Council approve the Whitby 55+ Recreation Strategy (2019 – 2023) and the recommendations contained within;
2. That Council direct Staff to proceed with the implementation of the recommendations outlined; and,
3. That Council approve updating the name of Whitby Seniors' Services to Whitby 55+ Recreation Services and approve the renaming of the Whitby Seniors' Activity Centre to the Whitby 55+ Recreation Centre.

**Carried**

The consensus of the Committee was to hear Item 2.2, Delegation by Stan McGookin, at this time.

**4.4** Community Services Department Report, CMS 27-19  
Re: 2018-19 Capital Projects Update

Recommendation:

Moved By Councillor Leahy

1. That Council receive report CMS 27-19 as information;
2. That Council approve the capital project expenditures as outlined in Attachment 1; and,
3. That the Treasurer be authorized to draw on reserve/reserve funds as required to address the budget overage.

**Carried**

**4.5** Corporate Services Department Report CS 54-19  
Re: Capital and Operating Budget Policies Update

Recommendation:

Moved By Councillor Alexander

1. That Council approve the updated Annual Capital Budget and Capital Forecast Policy F 150 included in Attachment 1 of this report;
2. That Council approve the updated Capital Budget Management

- and Control Policy F170 included in Attachment 2 of this report;
3. That Council approve the updated Operating Budget Process Policy F140 included in Attachment 3 of this report; and,
  4. That Council approve the updated Operating Budget Monitoring Policy F180 included in Attachment 4 of this report.

**Carried**

- 4.6** Public Works Department and Corporate Services Department Joint Report, CS 56-19  
Re: T-47-2019 – Operations Centre - Furniture

Recommendation:

Moved By Councillor Lee

1. That the Town of Whitby accept the low bid as submitted by Teknion Limited in the amount of \$264,478.00 (plus applicable taxes) for supply, delivery, installation and supervision of furniture and accessories for the Operations Centre Phase 1 Expansion project, as required by the Town of Whitby; and,
2. That the total project cost including contingency of \$300,000.00 be approved.

**Carried**

- 4.7** Public Works Department and Corporate Services Department Joint Report, CS 58-19  
Re: RFP-71-2019 for Contracted Services of Curbside Waste Collection

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

- the rationale for the hybrid service model of contracted services of curbside waste collection to be for a five year, plus two additional one-year term extensions as opposed to a shorter term;
- assessment of the Town's fleet per household in comparison to the Region's cost per household; and,
- whether the Town's cost includes the rolling cost of the fleet.

Recommendation:

Moved By Councillor Newman



1. That the Town of Whitby accept the highest ranking proposal submitted by Miller Waste Systems Inc. for the provision of curbside waste and organics collection in West Whitby for a five (5) year term;
2. That the total estimated 5 year contract amount of \$1,020,000 be approved;
3. That as needed services will be subject to annual budget considerations;
4. That approval be granted to extend this contract for up to two (2) additional one (1) year terms based on satisfactory performance and continued budget approval; and,
5. That the Mayor and Clerk be authorized to execute the contract documents

**Carried**

**4.8 Public Works Department Report, PW 4-19**

Re: Proposed Bike Route Parking Restrictions, Update Traffic By-law 1862-85

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

- whether consultation had taken place with residents from Whitby Shores Greenway, Bayside Gate, Bonacord Avenue, Dryden Boulevard in advance of the report being presented to Council;
- whether consultation with the Active Transportation and Safe Roads Advisory Committee had taken place prior to the report coming forward;
- the normal and best practices for sending out notifications, the timeline between publication of the agenda and sending out the notices for the Committee of the Whole meeting on October 21, 2019, and whether the notice was hand delivered; and,
- opportunities for a 2-way bicycle facility in order to remove parking from only one side of the street.

Recommendation:

Moved By Councillor Newman

1. That Report PW 4-19 be received as information regarding the need for parking restrictions related to cycling infrastructure in key corridors;
2. That Council approve the proposed amendment to the Traffic By-

Law 1862-85 to incorporate the following changes to Schedule “B” where streets having cycling infrastructure do not have strong parking demand:

- a. Parking restrictions on the east and west side of Bayside Gate;
  - b. Parking restrictions on the north and south side of Bonacord Avenue;
  - c. Parking restrictions on the north and south sides of Dryden Boulevard between Anderson Street and Thickson Road; and,
  - d. Parking restrictions on the north and south side of Whitby Shores Greenway between Gordon Street and Bayside Gate.
3. That staff engage in public consultation with residents of the following streets to provide them with the Town’s recommendation and rationale to implement no parking and then report back to Council in December 2019 with recommended traffic bylaw changes:
- a. Residents on the east and west sides of Civic Centre Drive between Rossland Road and Kenneth Hobbs Avenue;
  - b. Residents on the east and west sides of Cochrane Street between Rossland Road and its north limit;
  - c. Residents on the east and west sides of Hickory Street between Dunlop Street and Mary Street; and,
  - d. Residents on the east and west side of McQuay Boulevard.
4. That Council authorize the Clerk to bring forward an amending by-law (see Attachment 1) to By-law 1862-85, for Council approval; and,
5. That the cost for signage and installation, in the order of \$9,500, be funded from the Public Works Miscellaneous Signage and Pavement Markings account.

**Carried later in the meeting (see following motions)**

Recommendation:

Moved By Councillor Newman

That items 2 (a) and 2 (d) of the main motion be referred to Staff for further consultation with the Active Transportation and Safe Roads Advisory Committee and residents.

**Carried**

The main motion, save and except items 2 (a) and 2 (d), was then carried.

The consensus of the Committee was to hear Item 2.1, Delegation by Sue Green, at this time.

**4.9** Public Works Department Report, PW 29-19  
Re: Road Rationalization

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

- whether the Town would have the ability to enter into discussions more effectively with respect to the implementation of signalization from Old Lake Ridge Road to Lake Ridge Road to address safety concerns of residents should the Town enter into discussions to transfer the ownership of Old Lake Ridge Road from Almond Avenue to Cresser Avenue and Old Lake Ridge Road south of Highway 401;
- clarification on the future transfer of Victoria and Brock Streets from the Region to the Town;
- clarification on the jurisdiction of the intersection of Victoria and Brock Streets when Brock Street is transferred to the Town.

Recommendation:

Moved By Councillor Roy

1. That the Clerk circulate Report PW 29-19 to the Region of Durham;
2. That the Town formalize an agreement with the Region of Durham regarding road rationalization/transfer of the following road segments effective May 1, 2020:
  - a. Rossland Road between Lake Ridge Road and Cochrane Street;
  - b. Cochrane Street between Dundas Street and Rossland Road excluding the limits of the rail bridge; and,
  - c. Henry Street between Victoria Street and Dundas Street.
3. That staff be authorized to continue discussions with respect to road rationalization/transfer of additional road segments; and,
4. That NUB MD-2764 be removed from the New and Unfinished Business register.

**Carried**

**4.10** Public Works Department Report, PW 30-19  
Re: Winter Maintenance of Trails

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

- the type and size of equipment used to clear snow from multi-use paths and trails in the Town;
- whether the multi-use paths and trails could sustain the weight of the equipment, and whether the equipment could damage trail/path surfaces;
- the possibility of expanding winter maintenance on trails and the impact it would have on the budget; and,
- clarification on paved trails/paths not being available for winter maintenance due to infrastructure impediments.

Recommendation:

Moved By Councillor Shahid

1. That Report PW 30-19 be received as information;
2. That the recommended segments of trails identified within Report PW 30-19 be added to the Town's winter maintenance program starting in the upcoming winter season;
3. That staff report back after the 2019/2020 winter season on further expansion opportunities and budgetary impacts; and,
4. That NUB MD-4827 be removed from the New and Unfinished Business register.

**Carried later in the meeting (see following motion)**

Recommendation:

Moved By Councillor Mulcahy

That PW 30-19 be deferred to allow Staff time to provide additional information on expanding winter maintenance service levels to include trails identified in the report that are not currently being maintained.

**Motion withdrawn**

The main motion was then carried.

**4.11** Office of the Town Clerk Report, CLK 14-19 - Waiting for Report  
Re: Update to the Consolidated Fees and Charges By-law - **Revised**

Recommendation:

Moved By Councillor Newman

1. That Report CLK 14-19 be received for information;
2. That the proposed Fees and Charges for the Office of the Town Clerk, Fire and Emergency Services Department, Legal and Enforcement Services Department, and Corporate Services Department outlined in this report and appended as Attachments 1, 2, 3, and 4 be approved; and,
3. That the Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law #7220-17 to give effect to the proposed changes contained in Report CLK 14-19.

**Carried**

5. New and Unfinished Business

**5.1 Election of Regional Councillors by Ward**

Councillor Mulcahy raised the matter of the election of Regional Councillors by ward.

A detailed discussion ensued between Members of Council regarding:

- the advantages and disadvantages of an election of Regional Councillors by ward as opposed to an election of Regional Councillors at-large;
- campaigning for an election by ward versus at-large;
- the layout of the ballot and the confusion it may or may not create for residents;
- the timeline associated with communication from the Province regarding the results of the Regional Government Review; and,
- the proposal changing the role of Regional Councillors in Whitby.

Recommendation:

Moved By Councillor Mulcahy

1. That Staff be directed to report back after the Regional Government Review on the process required to change the election of Regional Councillors from at-large to by ward, so that one Regional Councillor would be elected from each of the Town's 4 wards (providing the Regional Review results in Council remaining status quo through the province);

2. That Staff provide information on how Regional Councillors are elected in other GTA municipalities, considerations associated with changing their election from at-large to by ward, and impacts on the administration and conduct of the 2022 election; and,
3. That should the Provincial Regional Review result in a different direction of Council set-up, staff are to report back on the reorganization of Council based on population and best practices of other GTA municipalities.

**Carried later in the meeting (see following motion)**

Recommendation:

Moved By Councillor Newman

That the matter of the election of Regional Councillors by ward or at-large be deferred until the outcome of the Regional Government Review.

**Motion lost**

The main motion was then carried.

**5.2 Single Use Recyclables**

Councillor Newman introduced a motion regarding single use recyclables.

Recommendation:

Moved By Councillor Newman

Whereas in June 2019 the Government of Canada announced the ban of single-use plastics that cause harm by 2021 and efforts to develop consistent Extended Producer Responsibility (EPR) programs across Canada;

Whereas in 2016 the Province of Ontario promulgated the Resource Recovery and Circular Economy Act (RRCEA);

Whereas the RRCEA contains provisions to require the producers of packaging to reduce the generation of plastic waste, promote better types of plastics, encourage the use of more sustainable alternatives to single-use plastics and to ban the use of unnecessary plastic packaging;

Whereas in fall of 2019 the Minister of MECP instructed both SO and RPRA to move towards wind down the Blue Box Program Plan for a full EPR program, to be implemented starting January 1, 2023;

Whereas the Province is engaging AMO, municipalities, producers and other stakeholders, in a consultation process to finalize the new Blue Box EPR regulation by summer of 2020; and,

Whereas Council, at its September 23, 2019 Council meeting, requested Staff to report back with a phased in plan to ban single use plastics in Q1 2020, which will include an evaluation of the use of single-use plastics in Town of Whitby facilities and Town sponsored community events, and the legal standing of the Town to impose such a ban on businesses.

Therefore, be it resolved that Council of Town of Whitby directs staff to:

1. Work in collaboration with the Region of Durham to ensure that all consumer packaging, including coffee pods and single use plastics, are covered by the new Blue Box EPR regulation;
2. Ensure the new Blue Box EPR system consider all residents living within the Town of Whitby, including those in multi-residential homes, have access to the new BB program established through the new EPR regulation;
3. Invite Regional staff to provide a presentation to the Council of the Town of Whitby outlining the planned timelines and implementation of the various EPR programs and their impact to the Region; and,
4. Provide a copy of this resolution to the Province of Ontario Ministry of Environment, Conservation and Parks, Association of Municipalities of Ontario, Regional Municipality of Durham and all lower tier municipalities within Durham Region.

### **Carried**

#### **5.3 Trail Winter Maintenance**

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

- budget implications associated with an increase in the service level of winter maintenance on trails within the Town;
- the possibility of including trails not identified in the report back to Council based on residents' feedback; and,

- reporting back on the additional 36 kilometers of trails for winter maintenance that are not currently available following the 2020 budget process.

Recommendation:

Moved By Councillor Mulcahy

1. That Staff report on including the 23.5 kilometers of trails that are currently available to have winter maintenance as a decision item as part of the 2020 budget process; and,
2. That Staff report in Q4 2020 on the cost and timing to include the additional 36 kilometers of trails for winter maintenance that are not currently available to have winter maintenance due to infrastructure related impediments.

**Carried**

Councillor Yamada vacated the Chair for this portion of the meeting.

Councillor Newman assumed the Chair.

#### **5.4 VON Durham - Bereavement Support Space**

Councillor Yamada introduced a motion regarding a request from VON Durham for bereavement support space.

A brief question and answer period ensued between Members of Council and Staff regarding whether an official request from VON Durham had been submitted to the Town. J. Romano, Acting Commissioner of Community Services advised that he had not received a request and that he would reach out to VON Durham.

Recommendation:

Moved By Councillor Yamada

Whereas VON Durham has requested space to hold bereavement groups and/or one-to-one bereavement support for those clients facing barriers to access across Durham;

Whereas the Town's Community Use of Town Facilities Policy provides that Whitby based not-for-profit groups may use Town meeting space to meet and conduct regular business (not an event) for the organization



for up to three hours per month at no cost; and,

Whereas VON Durham is requesting 2.5 hours of meeting space per week;

Now Therefore be it Resolved:

That Staff be directed to report back on the opportunity to provide complimentary Town facility meeting space to VON Durham, per their request, as an exception to what the Policy provides.

**Carried**

Councillor Yamada assumed the Chair.

## **Adjournment**

Motion to Adjourn

Recommendation:

Moved By Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:47 p.m.

## **Advisory Committee Minutes – For Information Only**

- Active Transportation and Safe Roads Advisory Committee Minutes - September 12, 2019
- Downtown Whitby Development Steering Advisory Committee Minutes - September 19, 2019
- Brooklin Downtown Development Steering Advisory Committee Minutes - September 26, 2019
- Accessibility Advisory Committee Minutes - October 1, 2019
- Whitby Sustainability Advisory Committee Minutes - October 2, 2019
- Whitby Diversity and Inclusion Advisory Committee Minutes -

October 3, 2019