

**Present:** Mayor Mitchell (Participating Electronically)  
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  
J. Romano, Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Head of Operations & Fire Chief  
F. Wong, Commissioner of Financial Services/Treasurer  
S. Klein, Director of Strategic Initiatives  
J. Long, Head of Organizational Effectiveness  
H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk  
(Recording Secretary)

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Adoption of Minutes

2.1 Regular Council - December 13, 2021  
Special Council - December 17, 2021  
Special Council - January 10, 2022  
Special Council - January 17, 2022  
Special Council - January 24, 2022

**Resolution # 07-22**

Moved By Councillor Drumm  
Seconded By Councillor Yamada

That the Regular Council minutes of December 13, 2021 and the Special Council minutes of December 17, 2021, January 10, January 17, and January 24, 2022 be adopted.

**Carried**

3. Presentations

3.1 There were no presentations.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- Wear Red Canada Day - February 13, 2022
- Scout-Guide Week - February 20 to 27, 2022
- Scouts Canada - Flag Raising - February 18 to 22, 2022
- Girl Guides of Canada - Flag Raising - February 22 to 25, 2022
- National Deafblind Awareness Month - June 2022

**Resolution # 08-22**

Moved By Councillor Shahid  
Seconded By Councillor Roy

That the proclamations for Wear Red Canada Day, Scout-Guide Week, and National Deafblind Awareness Month, and the flag raisings for Scouts Canada, and Girl Guides of Canada be endorsed.

**Carried**

5.2 Correspondence # 2022-27 from Bryce Jordan on behalf of the Whitby Curling Club, dated January 14, 2022 regarding Part of Block E, Registered Plan M-1013, Bradley Drive

**Resolution # 09-22**

Moved By Councillor Drumm  
Seconded By Councillor Yamada

That Correspondence # 2022-27 from Bryce Jordan on behalf of the Whitby Curling Club, dated January 14, 2022 regarding Part of Block E, Registered Plan M-1013, Bradley Drive, be referred to Staff to prepare a report to Council.

**Carried**

6. Committee of the Whole Report  
Planning and Development - January 17 and 24, 2022

**6.1** Planning and Development (Planning Services) Department Report,  
PDP 08-22

Re: Downtown Whitby Secondary Plan Update: Phase 3 – Preferred  
Land Use Concept and Draft Policies for Public Engagement

A brief question and answer period ensued between Members of Council and Staff regarding how transitions between taller buildings and existing heritage and residential buildings would be managed.

**Resolution # 10-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

1. That Report PDP 08-22 be received for information; and,
2. That the Preferred Downtown Whitby Concept Plan Report, draft proposed schedules, and draft proposed policies, presented as Attachments to Report PDP 08-22, be used for obtaining public, stakeholder, and agency input during the third and final Community Open House for the Downtown Whitby Secondary Plan Update.

**Carried**

**6.2** Planning and Development (Planning Services) Department Report,  
PDP 03-22

Re: Zoning By-law Amendment Application, 2751757 Ontario Inc., 1717 Brock Street South and Portion of 1716 and 1718 Dufferin Street, File Number: DEV-28-21 (Z-18-21)

A brief discussion ensued between Members of Council regarding rescinding delegated authority for site plan approval for this application and the need to carefully consider the design of the development due to its proximity to existing residential buildings.

**Resolution # 11-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

1. That Council approve the amendment to Zoning By-law # 2585, (File Number: Z-18-21) as outlined in Planning Report PDP 03-22; and,
2. That a by-law to amend Zoning By-law # 2585 be brought forward for consideration by Council; and,
3. That Council rescind the delegated authority for site plan approval related to this application.

**Carried**

- 6.3** Planning and Development (Planning Services) Department Report, PDP 04-22  
Re: Zoning By-law Amendment Application to Extend a Temporary Use, Gordon Scadding Developments Limited, 402 Gordon Street, File Number: DEV-34-21 (Z-24-21)

A brief question and answer period ensued between Members of Council and Staff regarding discussions between the developer and Staff around timing associated with the extended temporary use and a commitment from the developer to cease the temporary use within this extension period.

**Resolution # 12-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

1. That Council approve a Zoning By-law Amendment to Extend a Temporary Use (Z-24-21) for a period of three (3) years, as set out in Planning Report PDP 04-22; and,
2. That the amending by-law be brought forward for Council's consideration.

**Carried**

- 6.4** Planning and Development (Planning Services) Department Report, PDP 05-22  
Re: Official Plan Amendment Application, Portion of the Southeast Corner of Roybrook Avenue and Chelmsford Drive (High Density Block 2), Madison Brooklin Developments Ltd., File Number: DEV-22-21 (OPA-2021-W/07)

**Resolution # 13-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

1. That Council approve Official Plan Amendment # 124 to the Town of Whitby Official Plan (OPA-2021-W/07), as shown on Attachment # 6, and that a by-law to adopt Official Plan Amendment # 124 be brought forward for consideration by Council;
2. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision; and,
3. That the Clerk forward a copy of the Planning Report PDP 05-22, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number # 124 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

**Carried**

- 6.5** Planning and Development (Planning Services) Department Report, PDP 06-22  
Re: Sign By-law Variance to Permanent Sign By-law for 1650 Victoria Street East (Burger King) File Number: SB-09-21

**Resolution # 14-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for Burger King located at 1650 Victoria Street East.

**Carried**

- 6.6** Planning and Development (Planning Services) Department Report, PDP 07-22  
Re: Technical Amendment to By-law # 1812-85 which Designated 601 Victoria Street East as being of Cultural Heritage Value or Interest Under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18.

**Resolution # 15-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

1. That Council approve a proposed amendment to By-law # 1812-85, which designates 601 Victoria St. E. under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18, as amended, to reflect the accurate legal description of the designated land;
2. That the Clerk provide written Notice of Intention to amend the designating By-law, to the property owner with an explanation of the proposed amendment as per Section 30.1(4) of the Ontario Heritage Act;
3. That, if the property owner objects to the proposed amendment in accordance with Section 30.1(6) of the Ontario Heritage Act, the Clerk be directed to refer the proposed amendment to the Review Board;
4. That, if there is no objection to the proposed amendment, the Clerk be authorized to provide a copy of the amended by-law to the property owner and Ontario Heritage Trust, and register the by-law on title, as per Section 30.1(9) of the Ontario Heritage Act; and,
5. That, if there are no objections to the proposed amendment, then the draft by-law to amend By-law # 1812-85, as shown on Attachment # 4 to Report PDP 07-22, be approved by Council.

**Carried**

- 6.7** Planning and Development (Planning Services) Department Report, PDP 09-22  
Re: Settlement Area Boundary Expansion Request to Facilitate the Protected Lakeridge Health Hospital Site in the Town of Whitby

A brief discussion ensued between Members of Council regarding the need for Council to work as a whole in support of the hospital project

and working with Regional Councillors across Durham Region to gain support for the hospital site in Whitby.

A brief question and answer period ensued between Members of Council and Staff regarding next steps for Lakeridge Health and the overall transparency of the process and autonomy of the Independent Expert Panel.

**Resolution # 16-22**

Moved By Councillor Newman  
Seconded by Councillor Leahy

1. That Council request a Settlement Boundary Expansion to the Whitby Urban Area Boundary through the Region of Durham's Municipal Comprehensive Review (MCR), to include lands that have been identified as the preferred site to be protected for a future Lakeridge Health hospital as identified on Attachment # 1 of Report PDP 09-22; and,
2. That a copy of Report PDP 09-22 be forwarded to the Region of Durham Planning Department as input into the MCR.

**Carried**

7. Committee of the Whole Report  
General Government - January 17 and 24, 2022

- 7.1 Memorandum from C. Harris, Town Clerk, dated November 10, 2021 regarding Whitby Diversity and Inclusion Advisory Committee Request to Rename Dundas Street

**Resolution # 17-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That the Memorandum from C. Harris, Town Clerk, dated November 10, 2021 regarding Whitby Diversity and Inclusion Advisory Committee Request to Rename Dundas Street be received for information; and,
2. That Town of Whitby staff be directed to prepare a report for Council for Q2 that will identify a process to begin community engagement including consultation with the advisory committees and stakeholders on the question of renaming Dundas Street

through the Town of Whitby, and highlight the public and private sector cost implications.

**Carried**

- 7.2** Office of the Chief Administrative Officer Report, CAO 03-22  
Re: 1855 Technology Accelerator - 2021 Update

**Resolution # 18-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That Report CAO 03-22 1855 Technology Accelerator – 2021 Update be received as information; and,
2. That the Clerk be directed to forward a copy of Report CAO 03-22 to the Board Chair and CEO of 1855 Whitby Technology Accelerator; Director of Economic Development, Region of Durham; CEO of the Whitby Chamber of Commerce; Ryan Turnbull, Member of Parliament for Whitby; and Lorne Coe, Member of Provincial Parliament for Whitby.

**Carried**

- 7.3** Office of the Chief Administrative Officer Report, CAO 01-22  
Re: The IDEA Project, Journey to Inclusivity, Final Report

Discussion ensued between Members of Council regarding:

- referring the IDEA Project to the joint Accessibility Advisory Committee and Diversity and Inclusion Advisory Committee meeting on February 3, 2022 for further review and comment;
- financial challenges associated with hiring the Staff positions noted in the report;
- the importance of supporting inclusivity, diversity, equity, and anti-racism initiatives;
- growth and increasing diversity in the Town and supporting the multicultural needs of the community;
- providing a defined period of time associated with a referral of the report so that community members know when the project will be considered; and,
- engaging existing Staff in the project to move it forward without further reliance on the consultants.



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

- next steps after consultation with the Accessibility Advisory Committee and Diversity and Inclusion Advisory Committee at their upcoming joint meeting;
- accessibility of the online survey that was launched in association with the project and efforts of Staff to be inclusive;
- the involvement of the Abilities Centre in the project and if the Abilities Centre was provided an opportunity to review the report recommendations;
- efforts to inform the community about the report recommendations including posting them on Connect Whitby and notifying interested parties;
- facilitated focus groups that were held to gain feedback and comments on the project and the recommendations;
- obtaining salary information from other municipalities to gain comparator information for the Staff positions recommended in the report;
- the funding envelop allocated for the Staff positions including salary, benefits, and pension contributions, and the need to refine the envelop as part of the job evaluation process; and,
- current Town Staff who support accessibility and diversity initiatives.

Moved By Councillor Lee

Seconded By Councillor Mulcahy

1. That Council receive for information The IDEA Project, Whitby's Journey to Inclusivity, Final Report (Attachment 1);
2. That the IDEA definitions contained in The IDEA Project, Whitby's Journey to Inclusivity, Final Report (page 3, Attachment 1) be adopted and used in policies, practices, and strategies that discuss diversity, equity, and inclusion;
3. That two (2) IDEA staff positions as identified in The IDEA Project, Whitby's Journey to Inclusivity, Final Report (Attachment 1) be included as Decision Items in the 2022 budget over and above the 2% target at an annual cost of approximately \$343,500 funded from the tax base;
4. That staff create a project plan to implement actions recommended by The IDEA Project, Whitby's Journey to Inclusivity, Final Report including a proposed implementation timeline for all recommendations, and report back to Council within 9 months of hiring the first dedicated IDEA staff resource, as outlined in Recommendation 3;

5. That the A Service Focused IDEA Lens (Attachment 2) be used as a resource guide for continuous improvement and review of service delivery planning and policy development; and,
6. That an annual update report be presented to Council and shared with the Coalition of Inclusive Municipalities to monitor progress, continue community engagement and fulfill obligations with the Coalition.

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

**Resolution # 19-22**

Moved By Councillor Roy  
Seconded by Councillor Yamada

That the IDEA Project, Whitby's Journey to Inclusivity, report be referred to Staff to undertake further consultation at the joint meeting of the Diversity and Inclusion Advisory Committee and the Accessibility Advisory Committee on Thursday, February 3, 2022 and that Staff provide a memorandum to Council highlighting the outcome of this consultation and financial impact.

**Carried**

- 7.4** Financial Services Department Report, FS 05-22  
Re: Dundas Street Land Lease by the Muslim Welfare Centre

**Resolution # 20-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

That the Mayor and Clerk be authorized to execute a land lease agreement between the Town and the Muslim Welfare Centre of Toronto based on the terms and conditions outlined in staff report FS 05-22.

**Carried**

- 7.5** Financial Services Department Report, FS 06-22  
Re: City of Pickering's Proposed Sale of Elexicon Shares

**Resolution # 21-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That a new capital project for the Town's consulting costs related to the City of Pickering's proposed sale of Elexicon shares be established, in the amount of \$100,000, funded from the 2021 Operating Budget;
2. That the Chief Administrative Officer and Treasurer be provided delegated authority, within the overall approved funding for the project, to obtain consulting and other services required to develop a recommended course of action for the Town, in a timely manner, related to the proposed sale of Elexicon shares; and,
3. That staff be authorized to pay the Municipality of Clarington the Town's proportionate share of consulting costs to perform valuation and other analysis related to the proposed sale of Elexicon shares.

**Carried**

- 7.6** Fire and Emergency Services Department Report, FR 01-22  
Re: Master Fire Plan – Implementation Update

**Resolution # 22-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

That report FR 01-22 be received as information.

**Carried**

- 7.7** Quebec's Bill 21 - Prohibiting the Display of Religious Symbols by Public Sector Workers in the Work Place

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

- funding support for the legal challenge coming from the long-term finance reserve or 2022 operating surplus funds;
- using funds from the Mayor's Community Development Fund to support the legal challenge;

- the guidelines for the Mayor's Community Development Fund and how the Fund is focused on supporting the local community;
- development of a policy to assist Council in considering these types of requests in the future;
- concerns about setting a precedent for requests for funds and the need to consider that the Town's primary responsibility is to focus on services within Whitby;
- challenges associated with providing in-kind services, such as access to Staff resources;
- opportunities for the Town to organize a community donation campaign and receiving a report from Staff on this possibility; and,
- Staff time associated with developing a fundraising initiative.

Discussion ensued between Members of Council regarding:

- the commitment from Council to advance initiatives that support inclusivity, diversity, and equity;
- supporting a financial contribution and the importance of a symbolic gesture of a contribution in order to gain additional support from residents;
- the ability for the Town to issue income tax receipts should a fundraising initiative proceed; and,
- encouraging resident to donate funds directly to the National Council of Canadian Muslims at [www.nccm.ca](http://www.nccm.ca).

Moved By Councillor Lee

Seconded by Councillor Mulcahy

Whereas the Town of Whitby consists of a diverse community, many of whom wear religious symbols including turbans, hijabs, Kippa, the cross and many others;

And Whereas the fundamental right of religious freedom is protected by the Charter of Rights and Freedoms;

And Whereas the Town of Whitby, as one of Canada's fastest growing and most multicultural and diverse municipalities, stands firmly to support religious freedom as this is aligned with our Freedom of Rights under the Canadian Charter of Rights;

And Whereas the Town of Whitby stands in solidarity with National Council of Canadian Muslims (NCCM) and the Canadian Civil Liberties Association (CCLA) in their legal challenge against Bill 21 in Quebec; and,

And Whereas Council believes that our Town and Durham Region are the cultural centre for diversity and Canadian multiculturalism and Council bears a responsibility to stand up in defence of the Canadian multicultural mosaic.

Now therefore be it resolved:

1. That Whitby Town Council support in principle the legal challenge against the discrimination of freedom of religion in Quebec's Bill 21; and,
2. That Staff be directed to report back on ways the Town of Whitby could financially support the legal challenge by providing one-time funding not to exceed \$10,000.

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

Moved By Councillor Newman  
Seconded By Councillor Mulcahy

That the main motion be divided to consider Items 1 and 2 as separate motions.

**Carried**

**Resolution # 23-22**

Moved By Councillor Lee  
Seconded By Councillor Mulcahy

Whereas the Town of Whitby consists of a diverse community, many of whom wear religious symbols including turbans, hijabs, Kippa, the cross and many others;

And Whereas the fundamental right of religious freedom is protected by the Charter of Rights and Freedoms;

And Whereas the Town of Whitby, as one of Canada's fastest growing and most multicultural and diverse municipalities, stands firmly to support religious freedom as this is aligned with our Freedom of Rights under the Canadian Charter of Rights;

And Whereas the Town of Whitby stands in solidarity with National Council of Canadian Muslims (NCCM) and the Canadian Civil Liberties

Association (CCLA) in their legal challenge against Bill 21 in Quebec;  
and,

And Whereas Council believes that our Town and Durham Region are the cultural centre for diversity and Canadian multiculturalism and Council bears a responsibility to stand up in defence of the Canadian multicultural mosaic.

Now therefore be it resolved:

1. That Whitby Town Council support in principle the legal challenge against the discrimination of freedom of religion in Quebec's Bill 21.

**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 Lee

Seconded By Councillor Mulcahy

2. That Staff be directed to report back on ways the Town of Whitby could financially support the legal challenge by providing one-time funding not to exceed \$10,000.

**This disposition of this matter was determined through the referral motion below.**

**Resolution # 24-22**

Moved By Councillor Mulcahy

Seconded By Councillor Newman

That Recommendation 2 of Item 7.7 be referred to Staff to investigate and prepare a memorandum before the next Regular Council meeting on opportunities to support community fundraising to support the Bill 21 legal challenge and the option for the Town to contribute the remaining shortfall.

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

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

**7.8** Annual Day of Remembrance - Quebec City Mosque Shooting

**Resolution # 25-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

Whereas six persons were killed and 19 persons were injured by a gunman who entered the Islamic Cultural Centre of the City of Québec shortly after the end of evening prayers on January 29, 2017 and opened fire;

Whereas this act of terror devastated the families and friends of the victims, Muslim communities in Quebec, across Canada and around the world, and all Canadians;

Whereas it is important that Canadians have an opportunity to honour the memory of the victims, to recognize those who selflessly and courageously put themselves in harm's way to protect others and to express solidarity with the survivors of this tragedy;

Whereas Islamophobia, racism, violent extremism, and the denial of these realities are at the root of this horrifying crime;

Whereas it is important that Canadians denounce Islamophobia and all other forms of racism, hate and religious discrimination and take action to combat them; and,

Whereas it is important that Canadians resolve to build a foundation for change by removing barriers and promoting a more inclusive and equitable country for all, where every person is able to participate and succeed fully and safely.

Now therefore be it resolved:

That the Town of Whitby acknowledge January 29 as an annual day of remembrance in honour of lives lost, people injured, and a day of reflection.

**Carried**

- 7.9** Memorandum from J. Romano, Commissioner of Community Services, dated December 9, 2021 regarding Forest Heights Park Basketball Court Relocation - Update

**Resolution # 26-22**

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That the Memorandum from J. Romano, Commissioner of Community Services, dated December 9, 2021 regarding Forest Heights Park Basketball Court Relocation - Update be received for information; and,
2. That Staff bring back a report to highlight the basketball net options and contact all residents within 200 metres of Forest Heights Park to ensure full community engagement before a decision is made by Council.

**Carried**

- 7.10** Memorandum from C. Harris, Town Clerk, dated January 10, 2022 regarding the Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee request to update the Committees'



Terms of Reference to include an Annual Joint Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee Meeting

**Resolution # 27-22**

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That the Memorandum from C. Harris, Town Clerk, dated January 10, 2022 regarding the Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee request to update the Committees' Terms of Reference to include an Annual Joint Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee Meeting be received for information; and,
2. That the Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee Terms of References be amended to include a Joint Accessibility Advisory Committee and Whitby Diversity and Inclusion Advisory Committee meeting in place of their regular annual February meeting.

**Carried**

- 7.11** Public Works (Operations) Department and Financial Services  
Department Joint Report, FS 02-22  
Re: T-512-2021 - Replacement and Installation of Wood Acoustic Fences (Spring 2022 Work)

A brief question and answer period ensued between Members of Council and Staff regarding the responsibility of the contractor to complete the project, despite potential supply chain challenges.

**Resolution # 28-22**

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That the Town of Whitby accept the low bid as submitted by ONIT Construction Inc. in the amount of \$303,232.31 (with removal of Provisional Locations, plus applicable taxes) for replacement and installation of Wood Acoustic Fences, to be funded from the capital project 30216401 Fence Replacement Program – Wood Acoustic Fencing; and,

2. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.12** Public Works (Operations) Department and Financial Services  
Department Joint Report, FS 03-22  
Re: T-506-2021 - Miscellaneous Asphalt Patching (Spring 2022 Work)

**Resolution # 29-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That the Town of Whitby accept the low bid as submitted by Appco Paving Ltd. in the amount of \$406,870.36 (plus taxes), for 2022 miscellaneous asphalt patching, to be funded from the capital project 40216048 Road Patching Program;
2. That the revised cost estimate for this project, totaling \$444,031.27 as outlined in Table 1 of Report FS 03-22, be approved;
3. That the budget shortfall, if contingency works are required, be funded from the Road Infrastructure Repair Reserve to an upset limit of \$129,031.27;
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.13** Public Works (Operations) Department and Financial Services  
Department Joint Report, FS 04-22  
Re: T-533-2022 – Rental of Seasonal Vehicles

**Resolution # 30-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That Tender T-533-2022 be awarded to Somerville National Leasing & Rentals Ltd., in the amount of \$91,020.00 (plus applicable taxes) for a one (1) seasonal term for the rental of seasonal vehicles, to be funded from the operating budget.

2. That the Town reserves the right to extend this contract on an annual basis thereafter for up to two (2) additional one (1) seasonal terms provided the Company's annual performance is satisfactory, subject to budget approval, and subject to meeting requirements for subsequent years. Additional seasonal terms are subject to Consumer Price Index increases as outlined in this report; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.14** Community Services Department and Financial Services Department Joint Report, FS 13-22  
Re: T-67-2021 – Supply and Installation of Backflow Preventers at Various Town Facilities

**Resolution # 31-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That Tender T-67-2021 be awarded to Antrim Mechanical Ltd. in the amount of \$273,100.00 (plus applicable taxes), funded from the capital projects listed in Table 2 of Report FS 13-22, for the supply and installation of Backflow Preventers at Various Town Facilities;
2. That the revised cost estimates totaling \$335,850.66 and the capital project adjustments to reflect the revised costs to complete, as outlined in Table 2 of report FS 13-22, be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.15** Public Works (Operations) Department and Financial Services Department Joint Report, FS 14-22  
Re: T-94-2021 – Streetlight Pole Replacement

**Resolution # 32-22**

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That Tender T-94-2021 be awarded to Alineutility Limited in the amount of \$736,644.00 (plus applicable taxes), funded from the Streetlight Pole Replacement capital project number 30206601, for all labour, materials, equipment and supervision necessary to complete pole replacements as outlined in Report FS 14-22;
2. That the revised cost estimate for capital project number 30206601, totaling \$787,089.38 as outlined in Table 1 of report FS 14-22, be approved;
3. That the budget shortfall in the amount of \$57,089.38 be funded from the Asset Management Reserve Fund; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.16** Community Services Department Report, CMS 01-22  
Re: Accessible Signage and Wayfinding Study

**Resolution # 33-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That Council approve the proposed Accessible Signage and Wayfinding Study as outlined in Attachment 1 to Report CMS-01-22; and,
2. That Council direct staff to report back with an Accessible Signage and Wayfinding policy, prioritized implementation plan of the recommended standard.

**Carried**

- 7.17** Financial Services Department Report, FS 01-22  
Re: 2021 Year End Projection as at September 30, 2021

**Resolution # 34-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That report FS 01-22 regarding the 2021 Year End Projection as at September 30th be received as information; and,
2. That, notwithstanding the Disposition of Operating Surplus Policy, the 2021 year end surplus be fully transferred to the Long Term Finance Reserve.

**Carried**

- 7.18** Financial Services Department Report, FS 09-22  
Re: Update on Low Income Property Tax Rebate Program and Investigation of a COVID-19 Pandemic Tax Deferral Program

**Resolution # 35-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That the 2022 Property Tax Rebate Program for Low Income Seniors and Low Income Homeowners with Disabilities be increased from \$400 to \$462 per year;
2. That the Property Tax Rebate Program for Low Income Seniors and Low Income Persons with Disabilities be indexed annually, starting in the 2023 budget, based on the previous year's budget increase; and,
3. That staff bring forward a by-law outlining the Town's Property Tax Rebate Program for low income seniors and low income homeowners with disabilities for Council approval.

**Carried**

- 7.19** Office of the Town Clerk Report, CLK 01-22  
Re: Compliance Audit Committee - 2022 Municipal Election

**Resolution # 36-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That the draft Terms of Reference as shown in Attachment 1 of Report CLK 01-22 be approved; and,
2. That the Clerk be authorized to bring forward a by-law to appoint a roster of individuals as per the draft Terms of Reference; and,

3. That, at such time as the above by-law is enacted by Council, that the 2022 Municipal Election Compliance Audit Committee be deemed to be established in accordance with the Municipal Elections Act.

**Carried**

- 7.20** Office of the Chief Administrative Officer and Financial Services  
Department Joint Report, CAO 02-22  
Re: Community Development Funds – 2021 Annual Report

**Resolution # 37-22**

Moved By Councillor Lee  
Seconded by Councillor Mulcahy

1. That Report CAO 02-22 regarding the 2021 Annual Report for the Mayor's Community Development Fund and the Performing Arts Community Development Fund be received for information;
2. That Council approve an increase of \$2,000 to the ongoing annual grant from the Mayor's Community Development Fund with \$1,000 to the Brooklin Royal Canadian Legion Branch 152 and \$1,000 to the Whitby Royal Canadian Legion Branch 112 to support the replacement of banners through the Honour our Veterans Banner Program, and that Council approve the corresponding revisions to the Mayor's Community Development Fund and Performing Arts Community Development Fund Policy as shown in Attachment 4; and,
3. That Council adopt the revisions to the Grants Review Committee Terms of Reference shown in Attachment 5 to Report CAO 02-22.

**Carried**

8. Notice of Motion

Moved by Councillor Newman  
Seconded by Councillor Lee

That Council reconsider Resolution # 209-21 adopted on June 21, 2021 regarding no-parking restrictions on Lyndbrook Road and suspend the rules of procedure to allow the introduction of a motion regarding amendments to the no-parking restrictions on Lyndbrook Road.

**Carried on a Two-Thirds Vote**

**8.1 No-Parking Zone on Lyndebrook Road**

Councillor Newman introduced a motion regarding amending the no-parking restrictions on Lyndebrook Road noting that parking near the Heber Down Conservation Area is unavailable during the winter months as the Central Lake Ontario Conservation Authority parking lot is only open on a seasonal basis.

Discussion ensued between Members of Council regarding:

- the limited impact to area residents if the no-parking restriction at the eastern terminus of Lyndebrook Road were removed;
- revenue considerations for the Central Lake Ontario Conservation Authority associated with the use of their paid parking lot; and,
- future opportunities to work with the Central Lake Ontario Conservation Authority on opening their parking lot year-round.

**Resolution # 38-22**

Moved By Councillor Newman

Seconded By Councillor Lee

That parking be permitted on the Lyndebrook Road dead end east of Country Lane on both sides east of the residential driveway at 450 Lyndebrook Road during the months that the Central Lake Ontario Conservation Authority parking lot off Lyndebrook Road is not available for use by the public.

**Carried**

**9. New and Unfinished Business**

**9.1** There was no new and unfinished business.

**10. By-Laws**

That the following by-laws be passed:

**10.1** By-law # 7843-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.

- 10.2** By-law # 7844-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.
- 10.3** By-law # 7845-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2011-01) as not being subject of Part Lot Control.
- 10.4** By-law # 7846-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.
- 10.5** By-law # 7847-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.
- 10.6** By-law # 7848-22, 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.
- 10.7** By-law # 7849-22, being a by-law to dedicate Part 2 on Plan 40R-30157 as a Public Highway (Littlewood Drive).
- 10.8** By-law # 7850-22, being a by-law to dedicate Parts 3, 5 and 6 on Plan 40R-30157 as a Public Highway (Ogston Crescent).
- 10.9** By-law # 7851-22, being a by-law to dedicate Part 2 on Plan 40R-31494 as a Public Highway (Charles Street).
- 10.10** By-law # 7852-22, being a by-law to dedicate Part 3 on Plan 40R-31515 as a Public Highway (Cedar Street).
- 10.11** By-law # 7853-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-05) as not being subject of Part Lot Control.

Moved By Councillor Roy  
Seconded By Councillor Leahy

That leave be granted to introduce By-laws # 7843-22 to # 7853-22 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**

11. Closed Session

Council did not move into Closed Session to consider the appointment to the Active Transportation and Safe Roads Advisory Committee or the appointment of the Commissioner of Legal and Enforcement Services/Town Solicitor.

- 11.1 Confidential Memorandum from C. Harris, Town Clerk, dated January 18, 2022 regarding Recommendation for Appointment to the Active Transportation and Safe Roads Advisory Committee

**Resolution # 40-22**

Moved By Councillor Mulcahy  
Seconded By Councillor Shahid

That Council appoint Terence Von Zuben to the Active Transportation and Safe Roads Advisory Committee for the term ending November 14, 2022 or until a successor is appointed.

**Carried**

- 11.2 Confidential Office of the Chief Administrative Officer Report, CAO 05-22  
Re: Appointment of Commissioner of Legal and Enforcement Services/Town Solicitor

**Resolution # 41-22**

Moved By Councillor Leahy  
Seconded By Councillor Yamada

1. That Confidential Report CAO-05-22, Appointment of Commissioner of Legal and Enforcement Services/Town Solicitor, be received for information; and,
2. That Francesco Santaguida be appointed as the Commissioner of Legal and Enforcement Services/Town Solicitor.

**Carried**

12. Rising and Reporting

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

13. Confirmatory By-Law

**13.1 Confirmatory By-law**

**Resolution # 42-22**

Moved By Councillor Shahid  
Seconded By Councillor Newman

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 31, 2022 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**

14. Adjournment

**14.1 Motion to Adjourn**

Moved By Councillor Mulcahy  
Seconded By Councillor Drumm

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:52 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor