

**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  
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  
S. Marouchko, Senior Manager, Development Engineering and Environmental Services  
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

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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 regarding Item 4.1, PL 19-20. 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

Councillor Mulcahy declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 9.2, Corporate Services Department Report, CS 06-20, Application for Cancellation, Reduction, Adjustment and/or Refund of Taxes, as the attachment, Schedule "A.1", 2019 Tax Write-Off Listing references 90 Consumers Drive which is a family property. Councillor Mulcahy did not take part in the discussion and voting on this matter.

## **Planning and Development**

### **Councillor Mulcahy assumed the Chair.**

#### **1. Presentations**

##### **1.1 There were no presentations.**

#### **2. Delegations**

- 2.1** Eric Saulesleja (GSP Group), Derek Boyne (Trioquest), Peter Gregor (NLG), and Michael Dowdall (TMIG)  
Re: Planning and Development Department Report, PL 19-20  
Zoning By-law Amendment Application (Z-05-20) to Remove the Holding (H) Symbol, 7902484 Canada Inc. c/o Trioquest Realty Advisors, 304, 308, 368, 372, 374 and 378 Taunton Road East

Eric Saulesleja (GSP Group), Derek Boyne (Trioquest), Peter Gregor (NLG), and Michael Dowdall (TMIG) addressed the Committee and stated that Nautical Lands Group was proposing two 18-storey residential towers on a commercial podium. Mr. Saulesleja noted that in 2019, Planning and Development Staff recommended full approval of the Official Plan Amendment and Zoning By-law Amendment without the holding provision. He advised that residents had raised concerns regarding the traffic that would be generated by the proposed seniors' apartments, and the speed of vehicular traffic along Robert Attersley Drive and Promenade Drive. At that time, Council directed that the Zoning By-law Amendment be amended to implement a holding provision which permitted one tower with the second tower being

permitted once Garden Street was extended northerly to intersect with the proposed new Mid-Block Arterial Road connecting Anderson Street to Baldwin Street South, or when Council otherwise agreed to removal of the Holding (H) symbol. Mr. Saulesleja advised that Nautical Lands Group (NLG) had submitted a Site Plan Application, noting that approval was nearing completion. He stated that the Site Plan Application approval includes both towers on a commercial podium. He referenced a justification letter, appended to the Staff report, prepared and submitted by GSP Group, and a Traffic Brief, prepared and submitted by TMIG, in support of the removal of the Holding (H) symbol. Mr. Saulesleja advised that the Traffic Brief considered the full development of 340 seniors apartment units in two towers and 14,500 square feet of ground floor retail. He referenced Tables 1 and 3 of the Traffic Brief which compares the trip generation between an as-of-right commercial development permitted on the site to the proposed full NLG development. He noted that NLG's development would create 20% less traffic on Robert Attersley Drive and Promenade Drive than that generated by the as-of-right retail permission on the land. Mr. Saulesleja advised of Transit Demand Management measures that would be undertaken including the provision of transit information in the lobby and common areas, short and long term bicycle parking spaces, the provision of pre-loaded PRESTO cards for the residents, and relocating an existing mid-block transit stop on Garden Street to the southeast corner of Garden Street and the site access road. He indicated that the location of the development in close proximity to multiple commercial and service amenities would further reduce total vehicle trips generated on the site. He advised of concerns raised regarding speed control measures, noting that Town Staff provided a memorandum to Council in November 2019 proposing the installation of speed humps on Robert Attersley Drive which was expected to take place during the summer of 2020. Mr. Saulesleja further referenced a staff report updating the Town's Traffic By-law to implement two all-way stop controls at the intersection of Promenade Drive and Rushlands Crescent, and Promenade Drive and Sandgate Street. He noted that although the stop controls were intended for safety issues, they could provide a means of speed control on Promenade Drive between Garden Street and Anderson Street. Mr. Saulesleja noted further concerns regarding construction traffic, and advised that NLG's construction team would be instructed to avoid the use of Robert Attersley Drive and Promenade Drive during construction. He further advised that the construction of the parking garage and podium being built as part of the Phase 1 tower would include the parking service space for Phase 2, and that having the Phase 1 and 2 parking service spaces constructed separately would add millions of dollars to the construction costs. He stated that the timeline to start the construction of the Garden Street extension was

2026, noting that this would cause a financial burden to the company. Further, he indicated that NLG cannot get financing approved to start construction with the hold on Phase 2. Mr. Saulesleja commented on the community benefits resulting from the project including the option for a satellite library within the common amenity spaces on the ground floors of the podium space, and the possibility of hosting events within the amenity spaces for the 55+ community. Mr. Saulesleja stated that the concerns raised when the Holding (H) symbol was put in place have been or will be addressed, that the approval to remove the Holding (H) symbol would allow the project to proceed, that it would provide additional community benefits, and that it would provide additional housing options for seniors within Whitby.

A question and answer period ensued between Members of Committee, Mr. Saulesleja, Mr. Boyne, Mr. Gregor, and Mr. Dowdall regarding:

- concerns related to the internal traffic flow through the site, and whether they were working with businesses on the property to address the traffic flow through the site;
- the projected timelines for construction completion and occupancy and whether there would be a partially constructed building, or partial occupancy should the removal of the Holding (H) symbol be approved;
- the rationale for a high quality restaurant in determining the as-of-right commercial trips, other types of commercial businesses that could exist, and the number of trips that could be generated by other businesses;
- costs related to the construction for all of the underground parking associated with Phase 1, and the additional funds that would have to be carried until Garden Street was extended should the removal of the Holding (H) symbol not be approved;
- whether the towers would be constructed one at a time or at the same time;
- the timeline for opening the tower (Phase 1), and whether the second tower (Phase 2) would open one year following the opening of the Phase 1 tower; and,
- implementing measures to ensure that walkability in the plaza would be safe for residents occupying the building.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development Department Report, PL 19-20

Re: Zoning By-law Amendment Application (Z-05-20) to Remove the Holding (H) Symbol, 7902484 Canada Inc. c/o Triovest Realty Advisors, 304, 308, 368, 372, 374 and 378 Taunton Road East

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

- confirmation that the two buildings would be seniors' rental buildings;
- whether the Town intends to work with the developer to implement the Transportation Demand Management measures, and whether the cost of implementing these measures would be borne by the Town or by the developer;
- whether the installation of speed humps on Robert Attersley Drive was on schedule for the summer of 2020, the cost to install the speed humps, and the number of speed humps that would be installed along Robert Attersley Drive;
- whether residents would have to purchase the pre-loaded PRESTO cards;
- whether the Town could secure a commitment on the design of the plaza to meet the expectation of being a walkable development prior to the Council meeting on May 11, 2020;
- achieving walkability in the existing plaza, and ensuring the safety of the residents walking to the amenities within the plaza;
- how to ensure that Triovest would make walkability improvements when they were not the developer for the site;
- assurances that there would be a balance of density in this neighbourhood, and that this high density development would not be precedent setting for future development;
- whether the proposed development would satisfy density requirements in the area of Whitby, and whether there would be less pressure for this type of development application in the area going forward;
- the possibility of modifying the entrance/exit into and out of the plaza onto Garden Street to ensure efficient traffic flow;
- traffic issues identified at existing seniors' buildings in Whitby;
- revisiting the traffic concerns raised by residents via the correspondence received prior to making a decision on the proposed development;
- clarification on the Regional jurisdiction of Taunton Road with respect to speeding and safety concerns;
- whether the speed enforcement camera located on Taunton Road at Sinclair Secondary School would assist with speed control in the area of the proposed development;
- confirmation on the timing of the construction of the Garden Street extension to the Mid-Block Arterial Roadway in 2026;

- details about the notice provided to area residents and to residents directly impacted by the proposed development;
- whether the developer would have an option to appeal Council's decision to the Local Planning Appeal Tribunal (LPAT) should the removal of the Holding (H) symbol not be approved, whether the Town would be responsible for the cost associated with defending Council's decision, and the likelihood of the Town's success in the appeal.

Discussion ensued between Members of Committee regarding:

- the lack of rental accommodation for seniors, and the likelihood of the proposed rental apartments being more affordable for seniors;
- the concerns about traffic congestion and traffic flow, pedestrian safety, and walkability within the site;
- implementation of traffic and safety mitigation measures, or the completion of the Garden Street extension prior to approving the application;
- the previous approval of the Official Plan Amendment and Zoning By-law Amendment;
- the amount of feedback received in support of the development;
- dialogue with Triovest about the internal needs on the site, and the reputation of Triovest's management of property;
- the proposed development supporting the economy and the community; and,
- the interest rates on borrowing funds to allow for construction of Phase 1 independently of Phase 2, and ability for the developer to carry the cost over a period of 36 months.

Recommendation:

Moved By Councillor Lee

1. That Council consider Zoning By-law Amendment Application (Z-05-20) for the removal of the Holding (H) symbol; and,
2. That Council support the removal of the Holding (H) symbol and a Zoning By-law be brought forward for Council's consideration.

**Carried**

5. New and Unfinished Business - Planning and Development

**5.1** New and Unfinished Business - Planning and Development

There was no new and unfinished business.

## **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** Community Services Department Report, CMS 02-20  
Re: Recreation Fee Assistance Program - Policy F 210

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

- the number of individuals that applied for the recreation subsidy;
- the possibility of increasing applications for the Region of Durham Recreation Program due to the financial impact of COVID-19, and whether discussion has taken place with Regional Staff regarding increasing funding for the Region of Durham Recreation Program;
- the eligibility of individuals with special needs, and whether there was separate criteria for individuals with special needs; and,
- the possibility of deferring the fee assistance for children for the fall, winter, and spring sessions until the full impact of COVID-19 is known.

Recommendation:

Moved By Councillor Mulcahy

1. That Council receive CMS Report 02-20 Recreation Fee Assistance Program for information; and,
2. That Council approve revisions to the Recreation Fee Assistance Program Policy F 210 (Attachment 1).

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

Recommendation:

Moved By Councillor Newman

That Item 2 of the main motion be amended to read as follows:  
That Council approve revisions to the Recreation Fee Assistance Program Policy F 210 (Attachment 1), save and except that the funding limit for children for the fall, winter and spring be deferred until June 2020.

**Motion lost**

The main motion was then carried.

**9.2 Corporate Services Department Report, CS 06-20**  
Re: Application for Cancellation, Reduction, Adjustment and/or Refund of Taxes

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

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

- whether the adjustments reflected for the 18-year period between 2002 to 2019 in the amount \$1,092,727.95 needed to be processed in 2019 due to all issues being addressed in 2019; and,
- whether the application for cancellation, reduction, adjustment and/or refund of taxes would be above or below average in 2021.

Recommendation:

Moved By Councillor Drumm

That application for cancellation, reduction, adjustment and/or refund of taxes be approved as listed in this report, in the amount of \$1,092,737.95 for the taxation years 2002 to 2019 inclusive.

**Carried**

**9.3 Corporate Services Department Report, CS 19-20**



Re: 2020 Final Tax Billing

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

- the opportunity for residents to continue to spread out municipal tax payments for the remainder of 2020 due to the COVID-19 pandemic;
- the number of tax payers that have taken advantage of the Tax Deferral Program;
- whether recent applications for Pre-authorized Payments (PAP) were related to the COVID-19 pandemic and whether they were residential properties;
- whether there were more commercial than residential properties using the PAP program;
- the percentage of tax payers that have requested a deferral for tax payments that have provided post-dated checks, or were currently enrolled in PAP;
- when the loss of revenue for the Town due to the COVID-19 pandemic response would be reported;
- opportunities to financially assist businesses and residents with municipal taxes apart from the PAP program should the pandemic be prolonged;
- whether the Town's financial position would be affected by the delay in the Municipal Property Assessment Corporation's reassessment for 2021;
- whether discussion has taken place with the Downtown Whitby Business Improvement Area (BIA) Board of Directors to revisit their tax levy for possible reductions in consideration of the pandemic;
- deferring the BIA component of the report due the impact of the COVID-19 pandemic and the possibility for the BIA to receive financial support from the Region of Durham;
- whether the BIA tax levy was linked to its budget, and whether the tax levy collected from businesses could be refunded; and,
- the average BIA tax levy amount for businesses on a monthly or annual basis.

Recommendation:

Moved By Councillor Newman

1. That the tax rates for the year 2020 General Municipal Town Levies be approved as indicated in Schedule "A", attached;
2. That the tax rates for the year 2020 Downtown Whitby Business

Improvement Area (BIA) Tax Levy be approved for the properties located within the BIA district as indicated in Schedule "B", attached;

3. That the tax due dates for the final tax bills for the Residential, Farmland, Pipeline and Managed Forest tax classes be July 24, 2020 and September 24, 2020;
4. That the Treasurer be authorized to set the appropriate due dates for the capped tax classes (Commercial, Industrial and Multi-Residential) once all billing factors are known;
5. That the due dates for the capped tax classes, as mentioned above, will be effective for both the General Municipal Town Levies and also for the BIA Tax Levies; and,
6. That a By-Law be brought forward to set the Town of Whitby due dates and levy rates for 2020 in accordance with the approved budgets and regulations for both the General Municipal Town Levies and BIA Tax Levy purposes.

**Note: The disposition of this matter, Item 9.3, was determined by the deferral motion below.**

Recommendation:

Moved By Councillor Roy

That consideration of Report CS 19-20, 2020 Final Tax Billing, be postponed to the May 11, 2020 Council meeting.

**Carried**

**9.4** Corporate Services Department Report, CS 07-20  
Re: 2019 Investment Report

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

- the frequency of the ONE Joint Investment Board providing an investment report to Council under the new Prudent Investor approach; and,
- whether there would be flexibility to deal with unplanned circumstances in the structuring of the Town's investment portfolio.

Recommendation:

Moved By Councillor Newman

That Report No. CS 07-20 of the Commissioner, Corporate Services & Treasurer be received for information.

**Carried**

**9.5** Public Works Department and Corporate Services Department Joint Report, CS 21-20  
Re: T-280-2020 – Supply of Sodium Chloride

Recommendation:

Moved By Councillor Drumm

1. That the Town of Whitby accept its portion of the low tender of K+S Windsor Salt Ltd. in the estimated amount of \$2,521,785.00 (excluding taxes) for a three (3) year term for the supply of sodium chloride;
2. That approval be granted for the option to extend the contract for two (2) additional one (1) year term(s) based on satisfactory performance, product quality, acceptable proposed pricing for years four (4) and five (5) and budget approval;
3. That the total estimated project cost for the Town of Whitby in the amount of \$2,566,168.41 be approved; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**9.6** Corporate Services Department Report, CS 23-20  
Re: Annual Insured Claims Report

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

- whether a review of the Annual Sidewalk Inspection Program should be undertaken due to the increase in the number of claims and the percentage of claims for trips and falls;
- a comparison of claims between Whitby and other municipalities that are similar in size and demographics to determine whether Whitby's number of claims are below or above average;
- the frequency of sidewalk inspections in Whitby;
- the timeline for the next review of the Insurance Program to address the increasing population and number of claims;
- whether the majority of claims arising from falls were related to

ice and snow on sidewalks or property maintained by the Town;  
and,

- whether trips on sidewalks occur as a result of the sidewalks heaving during the change of seasons, and whether increasing frost protection standards for future sidewalk installations would reduce the rate of sidewalk heaving.

Recommendation:

Moved By Councillor Yamada

That report CS 23-20 of the Commissioner of Corporate Services/Treasurer be received as information.

**Carried**

- 9.7** Office of the Town Clerk and Office of the Chief Administrative Officer  
Joint Report, CLK 02-20  
Re: Councillors in the Classroom – Grades 5 and 10 Civics Engagement Program

Discussion ensued between Members of Committee and Staff regarding:

- the opportunity to engage and educate primary and secondary school students about municipal politics and climate change initiatives;
- whether the program would be undertaken for a specific time period or whether it would be an ongoing program;
- whether the program would be structured, the types of programming/curriculum, and program materials that would be provided,
- ensuring that the program would not be too regimented in order to have open-ended discussions with students;
- whether Members of Council would provide presentations in schools within their respective wards; and,
- consulting with teachers about the content structure of the program.

Recommendation:

Moved By Councillor Drumm

That Council endorse the “Councillors in the Classroom” Grades 5 and 10 Engagement Program and direct Staff to proceed with establishing

the program.

**Carried**

**9.8 Office of the Town Clerk Report, CLK 04-20**  
Re: Customer Service Strategy – Draft Terms of Reference (RFP-20-2020)

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

- opportunities for additional consultation and input by Members of Council;
- including requirements for the consultant to provide a preliminary outline of the scope of the project for Council review, to provide an interim draft report for Council approval, and to provide a final report for Council approval;
- whether there was an opportunity for Members of Council to provide comments on the draft Terms of Reference prior to the report being presented to Council on May 11, 2020;
- whether the reduction in the Town's budget related to the Customer Service Manager position would impact the development of the Customer Service Strategy;
- whether a Customer Service Manager position would be included in the 2021 budget should the consultant recommend a Customer Service Manager position;
- the timeline for completion of the Customer Service Strategy and the report back to Council;
- the possibility of including a review/comparison of customer service strategies in other municipalities;
- whether consideration was given to Council representation on the Steering Committee;
- how staff would select representatives for the focus groups from the development industry, community organizations, local businesses, and user groups;
- the possibility of extending the timeline for the the Customer Service Strategy as it relates to consultation with the focus groups due to the COVID-19 pandemic, and,
- how the research would be obtained through consultation with focus groups and residents while recognizing the implications of the ongoing COVID-19 pandemic.

Recommendation:

Moved By Councillor Newman

That Council receive Report CLK 04-20 for information.

**Carried**

10. New and Unfinished Business - General Government

**10.1** Car Parade - Support for Front Line Health Care Workers

Recommendation:

Moved By Councillor Drumm

1. That Council endorse the organizing of a car parade to show support for front line health care workers at Lakeridge Health Whitby; and,
2. That Staff be directed to assist in organizing the proposed car parade.

**Carried**

**10.2** New and Unfinished Business List - Item MD-5140

Councillor Newman inquired about the due date for Item MD-5140 regarding improved effectiveness of the Noise By-law.

W. Mar, Commissioner of Legal and Enforcement Services advised that a report back on this matter would take place at the end of the second quarter of 2020.

**10.3** COVID-19 Recovery Plan

Councillor Roy commented on the announcement made by Premier Doug Ford earlier in the day, and inquired about the Town's readiness to implement a recovery plan for the Town of Whitby.

M. Gaskell, Chief Administrative Officer, advised that since the beginning of the pandemic Staff have been preparing for the return to work for Staff who were either laid off or working from home, readying and reopening facilities for the return of the public and re-establishing services. Mr. Gaskell stated that external recovery planning for the community includes consideration for the local economy and local businesses. He advised that Economic Development Staff have been working in conjunction with Staff from the Region of Durham, local municipalities, and all Chambers of Commerce, Boards of Trades, and

Business Improvement Areas in the region, to identify issues in the local economy and to assist local businesses. The planning for the recovery of the Town and for the return of Staff includes, but is not limited to, enhanced infection control measures, enhanced cleaning protocols at facilities, identifying the types of personal protective equipment (PPE) required for Staff and the public, staggering work schedules, and identifying tasks that may need to be modified due to the pandemic. Mr. Gaskell commented on preparing for a second wave of the pandemic to ensure that the Town has a well resourced PPE store for Staff and members of the public entering Town facilities. He advised that meetings would be ongoing over the next three weeks with key members of the Incident Management Group to plan for the strategic return of Staff and an eventual return to the full operation of Town services.

A brief discussion ensued between Members of Committee and Staff regarding whether discussion has taken place about the health and well-being of front line staff and staff working from home during the pandemic.

#### **10.4 Observation of Ramadan**

Councillor Shahid requested that Council acknowledge the observation of Ramadan, noting that Ramadan would be observed by Muslims worldwide. She stated that this Ramadan would be particularly difficult as it would not take place with loved ones due to the COVID-19 State of Emergency.

### **Adjournment**

Motion to Adjourn

Recommendation:

Moved By Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:54 p.m.

**Advisory Committee Minutes – For Information Only**

Whitby in Bloom Committee Minutes - April 14, 2020