

Present: Mayor Mitchell
Councillor Drumm (Participating Electronically)
Councillor Leahy
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
C. Bridgeman, Director of Facilities
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor
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
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

Regrets: Councillor Lee

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Planning and Development

Councillor Newman assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

2.1 There were no delegations.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

**4.1 Planning and Development (Engineering Services) Department Report,
PDE 05-22**

Re: 2022 Lynde Creek Master Drainage Plan Update

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

- clarification on the meaning of the priority given to culvert improvements from the downstream portion of the watercourse upstream and confirmation that improvements to culverts closest (downstream) to Lake Ontario would take place first to ensure capacity for any water surges while carrying out work upstream (northerly);
- whether there were any recommendations within the Staff report for a flood mitigation plan in the area of Thickson Road South, and for improvements to the Dryden Boulevard and Anderson Street culverts;
- the possibility of altering high priority projected dates with respect to the watershed area due to the effects climate change;
- whether the approximate cost of \$19 million for work in the watershed would be covered by the Central Lake Ontario Conservation Authority, the Region of Durham, Metrolinx and the Canadian National Railway, and whether there was any risk for further financial impact on the Town within the 5 to 20-year period;
- the difference between riparian restoration and erosion protection sites; and,
- the timeline for the implementation of the Flood Protection Berm in the area near Michael Boulevard and a flood readiness plan for residents.

Recommendation:

Moved By Councillor Drumm

1. That the Planning and Development Report PDE 05-22 Lynde Creek Master Drainage Plan Update be received for information;
2. That the Final Environmental Study Report be filed in accordance with the Municipal Class EA process and be made available for agency and stakeholder review;
3. That staff advise Council if there are any significant comments or concerns following the public consultation; and,
4. That staff continue to develop and refine the implementation plan for the recommended projects and refer future departmental work plans, asset management plans and budgets 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 Mulcahy assumed the Chair.

6. Presentations

6.1 Sarah Hickman, Policy Advisor, Diversity, Equity and Inclusion Division, Region of Durham
Re: Refugee and Immigrant Settlement

Sarah Hickman, Policy Advisor, Diversity, Equity and Inclusion Division, and Allison Hector-Alexander, Director of Diversity, Equity and Inclusion, Region of Durham provided a PowerPoint presentation regarding refugee and immigrant settlement. Highlights of the presentation included:

- the Region of Durham being the fastest growing region in Canada with much of its growth due to immigration, a choice destination for immigrants to Canada, and typically a place of second landing;

- the reliance of Canada on immigration due to the significant demographic shifts namely the national stagnant birth rate and the number of baby-boomers leaving the workforce;
- the Government of Canada's ambitious immigration targets over the next 2 to 3 years resulting in over 1 million immigrants to Canada, and almost 100 percent of Canada's population growth by the year 2035 being from immigration;
- the percentage of the population of Whitby and the Region of Durham that were identified as immigrants according to the 2016 Census;
- the commitment of the Government of Canada for the resettlement of approximately 40,000 vulnerable Afghan nationals as refugees, and the announcements by the Government of Canada about immigration measures and support for people fleeing the war in Ukraine;
- detailed information about Government Assisted Refugees (GARs) and Privately Sponsored Refugees (PSRs);
- detailed information about Canadian immigration measures for Ukrainians commencing in February and March 2022 including the number of applications received and approved as of May 5, 2022 and the number of Ukrainians who have arrived in Canada since January 2022;
- the number of applications for Afghan nationals received, approved, and the number of arrivals for those who assisted the Government of Canada and through a humanitarian program since August 2021;
- detailed information about the GAR and the PSR programs;
- detailed information about the supports for Afghans and Ukrainians provided by the Federal and Provincial Governments through the GAR and PSR programs;
- the majority of Afghan refugees arriving into Canada falling under GARs which is supported under the Resettlement Assistance Program (RAP) for up to 12 months or until they were self sufficient;
- the Region of Durham not having a RAP at this time;
- details about the supports that PSR groups must provide to immigrants for a 12-month sponsorship period or until they were self sufficient;
- the eligibility of refugees after 12 months for supports such as Income Employment Assistance under the Ontario Works Program;
- concerns about the capacity of municipalities and community services to respond;

- the expectation that the number of Afghan refugees and Ukrainian immigrants would continue to increase in addition to the ongoing arrivals of other immigrants to the Region of Durham;
- detailed information about the Federal and Provincial supports for Ukrainian immigrants;
- detailed information about the Region of Durham and Durham Immigration and Settlement Services actions; and,
- continuous updates to the Durham Immigration Portal which are available via www.durhamimmigration.ca.

A question and answer period ensued between Members of Committee, Ms. Hickman, and Ms. Hector-Alexander regarding:

- whether there was information available about supports for Ukrainian immigrants by way of a hard copy document versus the portal and welcome centres;
- whether residents receiving Ukrainian immigrants should reach out directly to Staff at the Region of Durham or through the portal;
- the process for residents wishing to provide housing for Ukrainian immigrants and Afghan refugees, and whether there was a system in place for hotel or other accommodations should housing not be available;
- whether there were enough resources available at the Durham Welcome Centres to meet the demand of new arrivals;
- whether the Region has partnered/collaborated with the Whitby Diversity and Inclusion Advisory Committee;
- the possibility of re-implementing the newcomer bus tour and the availability of a video to introduce immigrants and newcomers to Whitby; and,
- whether there were any unforeseen barriers with respect to the approval of Ukrainian applications; and,
- whether the number of Ukrainian immigrant applications were increasing or decreasing as a result of the ongoing war.

6.2 Lara Scott, Program Manager, Events, Culture, and Tourism
Re: Office of the Chief Administrative Officer Report, CAO 11-22
2022-2025 Whitby Tourism Strategy

Refer to Item 9.7, CAO 11-22

Lara Scott, Program Manager, Events, Culture, and Tourism, provided a PowerPoint presentation regarding the 2022-2025 Whitby Tourism Strategy. Highlights of the presentation included:

- the rationale for tourism in Canada including its contribution to the economy, job creation, and the cultural and social benefits to the community;

- the support role of organizations in Ontario's tourism industry framework to maximize the economic benefits to communities;
- the need at the local municipal level to assist in coordinating and developing tourism experiences and products within the business community;
- detailed information about the Whitby Tourism Strategy development process including the partnership with Central Counties Tourism, the formation of a Tourism Steering Committee, and community engagement;
- detailed information about the implementation of the Destination Whitby Strategy including its vision, key objectives, goals, and action items;
- the six tourism sectors identified by the Steering Committee for Whitby;
- a brief video on tourism in Whitby, and Tourism Week from May 29 to June 4, 2022; and,
- the next steps.

A question and answer period ensued between Members of Committee, Mr. Thibault, and Ms. Cook, Central Counties Tourism, and Staff regarding:

- whether opportunities to apply for grants have been investigated;
- whether communications promoting/marketing staycations in Whitby would take place, and whether the Town would collaborate with businesses for information sharing on tourism in Whitby;
- how focus would be given to the rural aspects of tourism in Whitby;
- how the six tourism sectors would fit together to create Whitby as a unique place to visit, the strategic goal with respect to character to differentiate Whitby as a unique destination within Ontario, and how Destination Whitby would relate to the identity of the Town;
- opportunities to leverage the Ontario Ministry of Tourism and the Region of Durham with respect to partnerships and grants;
- whether the Coordinator of Culture & Tourism position has already been approved;
- the number of attendees at the Food Truck Frenzy and Rib Fest events and whether collaboration would take place with the Rotary Clubs of Whitby;
- whether there has been any collaboration with the Whitby Public Library and the 55+ Recreation Advisory Committee, and whether Staff would provide a presentation to the library and the committee in the future;
- whether components of Whitby's history and heritage would be included within the Destination Whitby Strategy;

- the timeline for the availability of the tourism video;
- the financial impact on the budget for the two new full-time coordinator positions within Strategic Initiatives Division; and,
- whether the cost for action items identified in the strategy would be covered within the budget amount of \$290,000.00 (\$40,000.00 operating and \$250,000 capital) over four years.

It was the consensus of the Committee to hear Item 9.7, CAO 11-22, at this time.

7. Delegations

7.1 There were no delegations.

8. Correspondence

8.1 Correspondence # 2022-247 received from Mayor Dan Carter, City of Oshawa dated April 7, 2022 regarding an Update on the Establishment of Noise Abatement Procedures and Restrictions for Oshawa Executive Airport under the Transport Canada Aviation Advisory Circular, and Correspondence # 2022-250 received from M. Medeiros, City Clerk, City of Oshawa dated April 8, 2022 regarding Proposed Noise Abatement Procedures for the Oshawa Executive Airport (Ward 2)

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

- whether there has been any communication with and/or updates from the City of Oshawa since their submission was made to Transport Canada;
- the status of the City of Oshawa's submission and whether there has been any response from Transport Canada regarding the proposed abatement procedures;
- the location for the flight training schools upon the closure of the Buttonville Municipal Airport; and,
- obtaining an update on the status of the commercial leases for the flight training schools at the Oshawa Executive Airport.

Recommendation:

Moved By Councillor Shahid

That Correspondence # 2022-247 received from Mayor Dan Carter, City of Oshawa dated April 7, 2022 regarding an Update on the Establishment of Noise Abatement Procedures and Restrictions for Oshawa Executive Airport under the Transport Canada Aviation

Advisory Circular, and Correspondence # 2022-250 received from M. Medeiros, City Clerk, City of Oshawa dated April 8, 2022 regarding Proposed Noise Abatement Procedures for the Oshawa Executive Airport (Ward 2) be received for information.

Carried later in the meeting (See following motion)

Recommendation:

Moved By Councillor Shahid

That the main motion be amended by including Items 2 and 3 as follows:

2. That Council requests that Transport Canada approve the Proposed Noise Abatement Procedures for the Oshawa Executive Airport submitted by the Airport Manager on behalf of the City of Oshawa; and,
3. That this resolution be forwarded to the Minister of Transport Canada, all Oshawa and Whitby MPs and MPPs, the City of Oshawa, and the Regional Municipality of Durham.

Carried

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

Recommendation:

Moved By Councillor Shahid

1. That Correspondence # 2022-247 received from Mayor Dan Carter, City of Oshawa dated April 7, 2022 regarding an Update on the Establishment of Noise Abatement Procedures and Restrictions for Oshawa Executive Airport under the Transport Canada Aviation Advisory Circular, and Correspondence # 2022-250 received from M. Medeiros, City Clerk, City of Oshawa dated April 8, 2022 regarding Proposed Noise Abatement Procedures for the Oshawa Executive Airport (Ward 2) be received for information;
2. That Council requests that Transport Canada approve the Proposed Noise Abatement Procedures for the Oshawa Executive Airport submitted by the Airport Manager on behalf of the City of Oshawa; and,
3. That this resolution be forwarded to the Minister of Transport Canada, all Oshawa and Whitby MPs and MPPs, the City of Oshawa, and the Regional Municipality of Durham.

Carried

9. Staff Reports

9.1 Planning and Development (Engineering Services) Department and Financial Services Department Joint Report, FS 23-22
Re: T-13-2022 - DeHart Bridge Rehabilitation

A brief question and answer period ensued between Members of Committee regarding clarification on whether the Dehart Bridge rehabilitation work would change the status of or use of the road.

Recommendation:

Moved By Councillor Shahid

1. That Tender T-13-2022 be awarded to 2274084 ONTARIO LTD o/a GMP Contracting, for the rehabilitation of DeHart Bridge, in the amount of \$448,377.25 (plus applicable taxes), to be funded from the capital project listed in Table 2 of Report FS 23-22;
2. That the revised cost estimates totaling \$814,231 for the DeHart Bridge rehabilitation as outlined in Table 1 of Report FS 23-22, be approved;
3. That the budget shortfall in the amount of \$164,231 be funded from the Canada Community Building Reserve Fund; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.2 Community Services Department and Financial Services Department Joint Report, FS 30-22
Re: Recommendation to Award Civic Recreation Complex (CRC) Renovations Provisional Items for Aquatics Hall Works

A brief question and answer period ensued between Members of Committee and Staff regarding the possibility of accommodating aquatic programming at designated times for females only.

Recommendation:

Moved By Councillor Shahid

1. That the proposed Civic Recreation Complex (CRC) Renovations Provisional items "C" and "D" for Aquatics Hall work identified in Tender T-1-2022, in the amount of \$370,000 (plus HST), be awarded to Steelcore Construction Ltd.;
2. That the revised scope and revised cost estimate for capital project #71201031 - CRC Pool Area Wall and Ceiling Refinish, in the amount of \$370,000, as outlined in report FS 30-22 be approved; and,
3. That the budget shortfall in capital project #71201031, in the amount of \$307,000, be funded from the Asset Management Reserve Fund.

Carried

9.3 Financial Services Department Report, FS 29-22
Re: Update on Property Tax Assessment Appeals and Adjustments

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

- confirmation that Town's portion of adjustments was offset by supplementary property tax revenue in 2021;
- whether the \$1.4 million for the school board tax assessment was on all tax bases;
- whether the number of property tax assessment appeals was consistent with the number of tax appeals in previous years;
- the average number of outstanding appeals in previous years prior to the COVID-19 pandemic;
- whether the Municipal Property Assessment Corporation (MPAC) was assessing all new homes at the 2016 assessment values; and,
- whether new homes constructed since 2016 would be assessed by MPAC at current market values.

Recommendation:

Moved By Councillor Newman

That Report FS 29-22 be received as information.

Carried

9.4 Financial Services Department Report, FS 34-22
Re: 2021 Year End Operating Variances and 2022 Year End Projection as at March 31

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

- whether the amount of \$509,720 was projected surplus and whether the projection for surplus in 2022 would be higher than the 2021 surplus amount; and,
- clarification on the funding amount of \$2.5 million in the Long Term Finance Reserve for the 2022 budgeted initiatives not being adequate without the transfer of funds in the amount of \$4.3 million in 2021.

Recommendation:

Moved By Councillor Shahid

1. That report FS 34-22 regarding 2021 Year End Operating Variances and 2022 Year End Projection as at March 31 be received;
2. That the 2021 surplus Engineering Fee revenues in the amount of \$509,720 be transferred from the Long Term Finance Reserve to the Engineering Development Fee Reserve; and,
3. That the 2021 surplus Planning Fees revenues in the amount of \$931,465 be transferred from the Long Term Finance Reserve to the Planning Development Fee Reserve.

Carried

9.5 Financial Services Department Report, FS 33-22
Re: Annual Statement of Development Charge and Parkland Dedication Cash-in-Lieu Reserve Funds as of December 31, 2021

A brief question and answer period ensued between Members of Committee and Staff regarding clarification on the Development Charge Reserve Fund final uncommitted funds at the end of December 2021.

Recommendation:

Moved By Councillor Newman

That Report FS 33-22, the Annual Statement of Development Charge and Parkland Dedication Cash-in-Lieu Reserve Funds as of December 31, 2022 be received as information.

Carried

9.6 Financial Services Department Report, FS 17-22
Re: 2021 Annual Investment Report

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

- whether the increase in the amount of funds in Long Term investments over 10 years was to align with the projected use of committed funds;
- confirmation that Town's funds in the ONE Joint Investment Board was approximately \$150 million;
- the total amount of the investment portfolio and whether it includes current operating cash or whether it is all reserves and the actual amount of the reserves after removing operating cash;
- whether slightly better returns were anticipated for the Short-Term Investment Portfolio;
- whether the overall return for 2021 of \$9 million met expectations;
- whether a coordinated effort between Financial Services and various departments to understand the anticipated cash flows related to capital expenditures and to help inform the Short-Term Investment strategy has taken place in the past year; and,
- whether Whitby's investment return related to the ONE Joint Investment Board was comparable to the returns for other municipalities.

Recommendation:

Moved By Councillor Newman

1. That Report FS 17-22, 2021 Annual Investment Report and Review and Update of Investment Policy Statement, be received;
2. That Investment Policy F 100 attached as Appendix C to report FS 17-22, be approved by Council; and,
3. That the Treasurer be directed to sign a copy of the Investment Policy F 100 to indicate Council's approval and to forward a copy of this Policy to the ONE Joint Investment Board.

Carried

9.7 Office of the Chief Administrative Officer Report, CAO 11-22
Re: 2022–2025 Whitby Tourism Strategy

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

- whether the 461 visitors to the Connect Whitby site was related specifically to the Tourism Strategy survey in 2021; and,
- whether the position for a Senior Manager of Community Advancements would be required in the future.

Recommendation:

Moved By Mayor Mitchell

1. That Report CAO 11-22 be received for information;
2. That Council endorse the 2022 – 2025 Whitby Tourism Strategy as outlined in Attachment 1 to Report CAO 11-22; and,
3. That a copy of the approved Whitby Tourism Strategy be circulated by Events staff to stakeholders and partners once adopted by Council.

Carried

It was the consensus of the Committee to hear Item 8.1, Correspondence # 2022-247 received from Mayor Dan Carter, City of Oshawa dated April 7, 2022 regarding an Update on the Establishment of Noise Abatement Procedures and Restrictions for Oshawa Executive Airport under the Transport Canada Aviation Advisory Circular, and Correspondence # 2022-250 received from M. Medeiros, City Clerk, City of Oshawa dated April 8, 2022 regarding Proposed Noise Abatement Procedures for the Oshawa Executive Airport (Ward 2), at this time.

**9.8 Office of the Chief Administrative Office Report, CAO 12-22
Re: Strategic Initiatives Restructuring**

A brief question and answer period ensued between Members of Committee and Staff regarding clarification on the annual salaries for the two coordinator positions including benefits and overhead costs, and confirmation that the impact on the budget would be up to \$20,000.00.

Recommendation:

Moved By Councillor Leahy

That the budget and approved full-time position for the vacant Senior Manager of Community Advancements position be removed and funds

be re-allocated to the following two new full-time positions: a Coordinator of Climate Change and a Coordinator of Culture & Tourism within the Strategic Initiatives Division.

Carried

9.9 Office of the Town Clerk Report, CLK 02-22
Re: Board and Advisory Committee Streamlining and 2022-2026
Recruitment Schedule

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

- whether there would be a review of the procedure to initiate appeals before the Municipal Licensing and Standards Committee and a review of the process of adjudication to ensure clarity and administrative fairness;
- whether the procedure would be presented to Council; and,
- whether the budget for Whitby in Bloom Committee would be transferred to the Town's Event Volunteer Program.

Recommendation:

Moved By Councillor Shahid

1. That Council authorize the establishment of a Municipal Licensing and Standards Committee to replace the Property Standards Appeal Committee and Animal Services Appeal Committee for the 2022-2026 Term and approve the Terms of Reference for the Municipal Licensing and Standards Committee appended to this Report as Attachment 1;
2. That Council direct the Clerk to bring forward administrative amendments to Town by-laws to replace references to the Property Standards Appeal Committee or Animal Services Appeal Committee (as the case may be) with the Municipal Licensing and Standards Committee;
3. That Council direct the Clerk to bring forward a by-law to amend Business Licensing By-law # 5545-04 to indicate that appeals for refusal to issue a licence under the by-law will be heard by the Municipal Licensing and Standards Committee;
4. That Council direct the Clerk to bring forward a by-law to set remuneration for the Municipal Licensing and Standards Committee at \$100 per meeting attended plus applicable mileage associated with site visits;
5. That Council direct the Clerk to amend the Terms of Reference for the Accessibility Advisory Committee and the Diversity and

Inclusion Advisory Committee to increase the frequency of joint meetings between the Committees to two times each year for the 2022-2026 Term;

6. That Council authorize the disbanding of the Whitby in Bloom Committee and endorse the transition of the Committee's functions to the Town's Event Volunteer Program; and,
7. That Council direct the Clerk to amend Boards and Committees Policy G 030 to provide delegated authority to the Clerk to update the Terms of Reference for Advisory Committees to reflect each Committee's preference for virtual, hybrid, or in-person meetings.

Carried

- 9.10** Office of the Town Clerk Report, CLK 03-22
Re: 2023 Council and Standing Committees Calendar

Recommendation:

Moved By Councillor Newman

That Council approve the 2023 Council, Committee, and Public Meeting Schedule appended as Attachment 1 to this report.

Carried

- 9.11** Fire and Operational Services (Fire and Emergency Services)
Department Report, FOS(FES) 02-22
Re: Report and Recommendations of Changes to the Bylaw to Regulate the Sales and Discharge of Fireworks

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

- the methods of public engagement and possible amendments to By-law # 6339-10 in 2023;
- the possibility of face to face engagement with residents during the Town's fireworks displays in Whitby;
- the rationale for another survey or more consultation;
- whether another survey would take place prior to a report back to Council in 2023; and,
- whether there were any concerns raised with respect to the use of fireworks on Diwali.

Discussion ensued between Members of the Committee regarding:

- the Diwali celebrations/fireworks continuing in 2022;

- concerns regarding setting off fireworks in school yards and parks prior to and following holidays late into the evenings;
- the identification and removal of the barrier for cultural celebrations in Whitby, and allowing fireworks on Diwali to continue;
- incorporating cultural celebrations into Town events;
- the growing diversity of the community and how cultural celebrations may be incorporated into Town events;
- the likelihood of additional celebrations in Whitby;
- the rationale for allowing fireworks in Whitby given the impact on the wildlife and disruption to residents; and,
- the addition of more cultural celebrations that have fireworks resulting in increased concerns/complaints.

Recommendation:

Moved By Councillor Shahid

1. That Council extend the 2021 by-law exemption to allow Consumer grade fireworks to be used as part of Diwali celebrations on October 24, 2022 without the requirement to obtain a permit; and,
2. That Council direct staff to review By-law # 6339-10, in consideration of the Connect Whitby fireworks public survey results, and provide recommendations in the first quarter of 2023 for further revisions to the by-law.

Carried

10. New and Unfinished Business - General Government

10.1 New and Unfinished Business - General Government

There was no new and unfinished business.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Yamada

That the meeting adjourn.

Carried

The meeting adjourned at 9:48 p.m.