



Committee of the Whole Minutes

April 14, 2025, 7:00 p.m.
Council Chambers
Whitby Town Hall

Present: Mayor Roy
Councillor Bozinovski
Councillor Cardwell (Virtual Attendance)
Councillor Leahy (Virtual Attendance)
Councillor Lee
Councillor Mulcahy (Virtual Attendance)
Councillor Shahid

Regrets: Councillor Lundquist
Councillor Yamada (Leave of Absence)

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Deputy Chief Administrative Officer
J. Long, Head of Organizational Effectiveness
J. Romano, Commissioner of Community Services
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
M. Dodge, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Douglas, Supervisor, Legislative Services
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

1. Call To Order: The Mayor
2. Call of the Roll: The Clerk

3. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

4. Consent Agenda

5. Planning and Development

Councillor Lee assumed the Chair.

5.1 Presentations

There were no presentations.

5.2 Delegations

There were no delegations.

5.3 Correspondence

There was no correspondence.

5.4 Staff Reports

5.4.1 PDE 03-25, Planning and Development (Engineering Services)
Department Report

Re: Update Traffic By-law 8059-24, Bridge Weight Limits

Recommendation:

Moved by Councillor Lee

1. That Council approve the proposed amendments to Traffic By-law 8059-24, to incorporate the changes to Schedule T, as identified in Attachment No. 1 to Report No. PDE 03-25; and,
2. That a by-law to amend By-law 8059-24 be brought forward for the consideration of Council.

Carried

5.5 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

6. General Government

Councillor Bozinovski assumed the Chair.

6.1 Presentations

There were no presentations.

6.2 Delegations

6.2.1 Jeff Talmey representing Town Brewery Inc. (In-Person Attendance)

Re: FS 20-25, Financial Services Department Report
Pump House – Conversion from License to Lease

Refer to Item 6.4.5, FS 20-25

Jeff Talmey, representing Town Brewery Inc., appeared before the Committee and provided a PowerPoint presentation. Highlights of the presentation included:

- details about the Town Brewery's slogan, goals and vision;
- information about the revitalization of the Pump House property including its new use as a pop-up beer garden;
- the various community events, musicians and live performances hosted by Town Brewery;
- positive feedback received from the community survey regarding the Pump House;
- details about the financial investments into the Pump House property and its operations including electrical infrastructure, the food truck, lighting, landscaping, tables and umbrellas, sea containers, internet, portable toilets, pergolas, planters and signage;
- the future marketing of the Pump House outside of the Town of Whitby; and,
- upcoming events.

A brief question and answer period ensued between Members of Committee and Mr. Talmey regarding the possibility of expanding operations onto the beach front.

6.3 Correspondence

- 6.3.1 Memorandum from L. Toman, Manager, Events, Culture and Tourism dated March 14, 2025 regarding an update on Canada Day in Whitby

A brief question and answer period ensued between Members of Committee and Staff regarding the modifications to Whitby's Canada Day events, the fireworks display, and public communication regarding these changes.

Recommendation:

Moved by Mayor Roy

That the memorandum from L. Toman, Manager, Events, Culture and Tourism dated March 14, 2025 regarding an update on Canada Day in Whitby be received for information.

Carried

- 6.3.2 Memorandum from S. Malby, Senior Manager, Parks Planning and Development dated March 12, 2025 regarding Highway of Heroes, Vimy Memorial Park Update - New and Unfinished Business GG-0005

Recommendation:

Moved by Councillor Bozinovski

That the memorandum from S. Malby, Senior Manager, Parks Planning and Development dated March 12, 2025 regarding Highway of Heroes, Vimy Memorial Park Update - New and Unfinished Business GG-0005 be received for information.

Carried

6.4 Staff Reports

- 6.4.1 CAO 08-25, Office of the Chief Administrative Officer and Financial Services Department Joint Report

Re: Community Development Funds – 2024 Annual Report

Mayor Roy provided an update on the Mayor's Community Development Fund regarding:

- organization of the Mayor and Council's Golf Tournament and Mayor's Fundraiser and Gala;
- the Grant Review Committee's review of grant applications for the Mayor's Community Development Fund;
- the allocation of \$100,000 for five Lead causes;
- the amount of grant funds requested and the number of grants allocated to community groups;
- recurring grants for the Mayor's Medal scholarship and Lakeridge Health Foundation; and,
- challenges related to raising more funds to provide financial support within Whitby.

Recommendation:

Moved by Mayor Roy

That Report CAO 08-25 regarding the 2024 Annual Report for the Mayor's Community Development Fund and the Performing Arts Community Development Fund be received for information.

Carried

6.4.2 FS 17-25, Financial Services Department Report

Re: Phased Building Permit / Development Charge Deferral Program for High Density Development in Support of the Town's Housing Pledge

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

- how the proposed Phased Building Permit/Development Charges Deferral Program compares to programs offered by other Durham Region municipalities;
- potential Federal legislation impacting development charges along with recent and possible pending Provincial amendments to the Development Charges Act;
- clarification about the financial impact of expanding the program to include medium density residential development;

- confirmation that Staff do not recommend expanding the program to include medium density residential development;
- whether a future report to Council would reflect the estimated financial impact of including medium density residential development in the program;
- the possibility of increasing the amount of high density residential development due to the proposed deferral of development charges;
- the financial link between the types of housing and the development charges collected, and whether the timeline for the deferral of development charges would encourage an increase in building permit and development applications;
- confirmation that the program would be implemented as outlined in Report FS 17-25 unless it was referred back to Staff;
- the percentage of development charges revenue related to medium density residential development and the need to have development charge revenue at the time of permit issuance in order to pay for infrastructure to service land for development;
- utilization of interest income from the development charges deferral program, and confirmation that interest income was allocated to development reserve funds;
- confirmation of an anticipated increase in development applications for medium density residential development in the near future; and,
- the timeline for Durham Region Mayors to meet to discuss a Regional approach to development charges, with a subsequent report back to Council if the report was referred to Staff.

Recommendation:

Moved by Mayor Roy

1. That the Phased Building Permit/Development Charges Deferral Program, as outlined in Staff Report FS 17-25, be

established to provide High Density Residential Development (of a minimum of five storeys and a minimum of 10 dwelling units) applicants the option to phase building permits as below-grade and above-grade, and defer the payment of applicable Town development charges, with interest, until the earlier of:

- a. the date the above-grade building permit is issued; or,
 - b. 18 months after the issuance of the below-grade building permit.
2. That the Phased Building Permit/Development Charges Deferral Program for High Density Residential Developments end December 31, 2031, subject to reviews in 2027 and 2029;
 3. That the Treasurer be authorized to enter into agreements in accordance with Section 27 of the Development Charges Act with applicants, for the purpose of implementing the Phased Building Permit/Development Charges Deferral Program as outlined in Staff Report FS 17-25; and,
 4. That the proposed amendments to the Fees and Charges By-law included in Table 1 of Staff Report FS 17-25 be approved and a by-law amendment be brought forward to Council for consideration.

See following motions.

Recommendation:

Moved by Councillor Leahy

That the main motion be amended as follows so that it includes consideration of a deferral program for Medium Density Residential Development:

1. That the Phased Building Permit/Development Charges Deferral Program, as outlined in Staff Report FS 17-25, be established to provide High Density Residential Development (of a minimum of five storeys and a minimum of 10 dwelling units) applicants the option to phase building permits as below-grade and above-grade, and defer the

payment of applicable Town development charges, with interest, until the earlier of:

- a. the date the above-grade building permit is issued; or,
 - b. 18 months after the issuance of the below-grade building permit.
2. That a DC Deferral Program for Medium Density Residential Development (defined for this program as developments of Four-Plex, Back-to-Back Townhouse, Row Townhouse, Apartment, and Stacked Townhouse dwelling units included in the Town's DC By-law # 7748-21 and not exceeding a height of 4 storeys), be established allowing eligible applicants an option to defer the payment of Town development charges, with interest, until 18 months following the issuance of the first building permit for the development;
 3. That the Development Charges Deferral Programs for High and Medium Density Residential Developments end December 31, 2031, subject to reviews in 2027 and 2029;
 4. That the Treasurer be authorized to enter into agreements in accordance with Section 27 of the Development Charges Act with applicants, for the purpose of implementing the High and Medium Development Charges Deferral Program as outlined in Staff Report FS 17-25; and,
 5. That the proposed amendments to the Fees and Charges By-law included in Table 1 of Staff Report FS 17-25 be approved for High and Medium Density DC Deferrals and a by-law amendment be brought forward to Council for consideration.

Motion Lost

The main motion was then before Committee as follows:

1. That the Phased Building Permit/Development Charges Deferral Program, as outlined in Staff Report FS 17-25, be established to provide High Density Residential Development (of a minimum of five storeys and a minimum of 10 dwelling units) applicants the option to phase building permits as below-grade and above-grade, and defer the

payment of applicable Town development charges, with interest, until the earlier of:

- a. the date the above-grade building permit is issued; or,
 - b. 18 months after the issuance of the below-grade building permit.
2. That the Phased Building Permit/Development Charges Deferral Program for High Density Residential Developments end December 31, 2031, subject to reviews in 2027 and 2029;
 3. That the Treasurer be authorized to enter into agreements in accordance with Section 27 of the Development Charges Act with applicants, for the purpose of implementing the Phased Building Permit/Development Charges Deferral Program as outlined in Staff Report FS 17-25; and,
 4. That the proposed amendments to the Fees and Charges By-law included in Table 1 of Staff Report FS 17-25 be approved and a by-law amendment be brought forward to Council for consideration.

Note: The disposition of this matter, Item 6.4.2, was determined through the referral motion below.

Recommendation:

Moved by Mayor Roy

That Report FS 17-25 be referred to Staff for further review following consultation led by the Region of Durham with the area mayors and in the event that impacting legislation from the Province or Federal Government is introduced.

Carried

6.4.3 FS 18-25, Financial Services Department Report

Re: Proposed Industrial Development Charges Deferral and Installment Payment Program In Support of Tariff Relief

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

- the financial implications related to implementing the Development Charges Deferral and Installment Program for industrial development;
- whether the repayment period may be reduced from five years to two or three years to align with the Region of Durham's development charges repayment period; and,
- the number of potential industrial development applications and building permit applications.

Recommendation:

Moved by Mayor Roy

1. That the proposed development charges deferral and installment program be approved for eligible industrial developments, as outlined in Staff Report FS 18-25, up-to April 30, 2027;
2. That the Treasurer be authorized to enter into agreements in accordance with Section 27 of the Development Charges Act, with eligible industrial development applicants up-to April 30, 2027, for the purpose of implementing the deferral and installment program as outlined in Staff Report FS 18-25; and,
3. That the proposed amendments to the Fees and Charges By-law included in Table 1 of Staff Report FS 18-25 be approved and a by-law amendment be brought forward to a future Council meeting for consideration.

Carried

6.4.4 FS 19-25, Financial Services Department and Legal and Enforcement Services Department Joint Report

Re: Town of Whitby Procurement Restrictions in Response to Tariffs Imposed by the United States

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

- background on the Province of Ontario's Procurement Restriction Policy;

- criteria for determining whether a business was considered Canadian, including the number of full-time Canadian employees;
- whether restricting competition would increase procurement costs and limit the variety and/or quality of specialty products;
- whether purchasing goods or services from a Canadian company that purchases their products from a United States company would be permitted; and,
- the criteria and limitations for qualifying as a Canadian company.

Recommendation:

Moved by Mayor Roy

1. That Staff implement procurement restrictions designed to restrict United States businesses from accessing Town of Whitby procurements based on the Province of Ontario's Procurement Restriction Policy (Attachment 1 to Staff Report FS 19-25) and as outlined in Report FS 19-25;
2. That the Town's Procurement Policy F 080 be amended for the procurement restrictions and definition of U.S. Business outlined in Report FS 19-25;
3. That Staff be authorized to amend the Town's Procurement Policy F 080 based on adjustments to the Province of Ontario's Procurement Restriction Policy and that such restrictions be in effect until the earlier of March 31, 2026 or when the Province of Ontario's Procurement Restriction Policy is rescinded;
4. That the Commissioner of Financial Services/Treasurer, subject to the agreement of the Commissioner of Legal and Enforcement Services/Town Solicitor, be delegated authority, until March 31, 2026, to approve contract extensions where it is necessary or in the best interest of the Town; and,
5. That the Commissioner of Financial Services/Treasurer and the Commissioner of Legal and Enforcement Services/Town

Solicitor report back to Council on the use of their delegated authority through the regular reporting of the Purchasing Division of Financial Services.

Carried

6.4.5 FS 20-25, Financial Services Department Report

Re: Pump House – Conversion from License to Lease

Recommendation:

Moved by Councillor Bozinovski

1. That Staff be authorized to finalize a Lease Agreement with Town Brewery Inc. (or an affiliated company), for the period January 1, 2026 to December 31, 2027 as outlined in Staff Report FS 20-25 and in a form to the satisfaction of the Commissioner, Legal and Enforcement Services / Town Solicitor, or designate; and,
2. That the Mayor and Clerk be authorized to execute the Lease Agreement with Town Brewery Inc.

Carried

6.4.6 LS 06-25, Legal and Enforcement Services Department Report

Re: Proposed Rental Unit Vital Services By-law

Recommendation:

Moved by Councillor Bozinovski

1. That Report LS 06-25 be received for information;
2. That the proposed Rental Unit Vital Services By-law substantially in the form appended to Report LS 06-25 as Attachment # 1, be brought forward on May 26, 2025, for Council consideration; and,
3. That staff are directed to prepare amendments to the Town's Property Standards By-law # 6874-14, as amended to remove provisions of vital services from the by-law for Council's consideration.

Carried

6.4.7 LS 07-25, Legal and Enforcement Services Department Report

Re: Proposed Administrative Amendments to the Town's Property Standards By-law 6874-14, as amended

Recommendation:

Moved by Councillor Bozinovski

1. That Report LS 07-25 is received for information; and,
2. That the proposed administrative amendments to the Property Standards By-law substantially in the form appended to Report LS 07-25 as Attachment # 1, be brought forward to Council for consideration on May 26, 2025.

Carried

6.5 New and Unfinished Business - General Government

There was no new and unfinished business.

7. Closed Session

The Committee did not move into Closed Session to consider the Appointment to the Road Watch Committee.

7.1 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated April 14, 2025 regarding Recommendation for Appointment to the Road Watch Committee

Recommendation:

Moved by Councillor Bozinovski

That Council appoint Tom Marlow to the Road Watch Committee for the term ending November 14, 2026.

Carried

8. Rising and Reporting

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

9. Adjournment

Recommendation:

Moved by Councillor Shahid

That the meeting adjourn.

Carried

The meeting adjourned at 8:42 p.m.