

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

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
S. Klein, Director of Strategic Initiatives
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
S. Davé, Legislative Specialist (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Presentations

2.1 Stuart McReynolds, President & CEO and Mark Wafer, Chair, Abilities Centre Board of Directors
Re: Abilities Centre Partnership

Stuart McReynolds, President & CEO and Mark Wafer, Chair, Abilities Centre Board of Directors, provided a PowerPoint presentation with respect to exploring and discussing the prospect of a long-term strategic

partnership between Abilities Centre and the Town of Whitby. Highlights of the presentation included:

- Highlighting the assets and impact that the Abilities Centre can have in contributing towards supporting the Town in achieving Council Goals and Corporate Strategic Plan objectives, and supporting long-term COVID-19 recovery efforts, particularly for persons with disabilities and vulnerable populations;
- Identifying mutually beneficial areas of partnership, and determining concrete next steps in finalizing the framework for building this partnership with associated funding;
- Specifying particular programs for collaboration, including the 55+ Recreation Strategy, Accessibility and Inclusion, Accessible Tourism and Shared Use of Facility, Health and Wellness, and Training; and
- Details of the proposal, including the funding requested and next steps in the process.

A detailed question and answer period ensued between Members of Council and Mr. McReynolds with respect to:

- Overview of the Abilities Centre's finances, the impact of COVID-19 Pandemic and the shortfall that is expected;
- Details of the lease agreement between the Abilities Centre and the Town of Whitby, and how the Town currently subsidizes the Centre's operational costs through the lease;
- Whether the Abilities Centre has contacted other levels of government to facilitate partnerships;
- Details of the proposed partnership, including the possibility of in-kind support from the Town such as assistance in snow removal, groundskeeping, etc.;
- Whether any partnership opportunities exist with the 55+ Recreation Centre, Ontario Shores, and Lakeridge Health;
- The future of the rental space within Abilities Centre and how that would be managed post-Pandemic; and
- Whether Abilities Centre staff have been in contact with Town of Whitby staff to explore further avenues of partnership.

Resolution # 154-20

Moved By Councillor Roy

Seconded By Councillor Mulcahy

That the presentation from the Abilities Centre regarding the Abilities Centre Partnership with the Town of Whitby be referred to Staff to report back before year end on areas of potential partnership, including funding

and in-kind partnership services.

Carried

3. Delegations

- 3.1** Brian Moss and David Drake, representing 840 Rossland Road Developments Ltd. (Ace Developments Ltd.)
Planning and Development Department Report, PL 28-20
Re: Official Plan and Zoning By-law Amendment Applications, 840 Rossland Road West, 840 Rossland Road Developments Ltd. (Ace Developments Ltd.), Town File Nos. DEV-21-19 (OPA-2019-W/02, Z-13-19)

Brian Moss and David Drake, representing 840 Rossland Road Developments Ltd. (Ace Developments Ltd.) appeared before Council and provided a brief summary of the events that took place since this matter was deferred at the last Regular Council meeting on June 22, 2020, including discussions with the owner of 900 Rossland Road West regarding traffic implications and possible solutions available to move discussions forward. They advised Members of Council that they were in support of the recommendations contained within PL 28-20, and requested that Council make a decision on this matter so that the project could move forward in a timely manner. Mr. Moss further advised that they would continue to work with the owners of 900 Rossland Road West during the site planning stages, and review the details of the access to that property.

A question and answer period ensued between Members of Council, Mr. Moss and Mr. Drake with respect to:

- Details of the parking availability contained within the proposal;
- How any overflow parking would be addressed; and
- Overview of how concerns raised by the owner of 900 Rossland Road West would be resolved.

It was the consensus of Council to move to Item 5.1 at this time.

- 3.2** Michael Testaguzza representing 2322244 Ontario Inc.
Planning and Development Department Report, PL 28-20
Re: Official Plan and Zoning By-law Amendment Applications, 840 Rossland Road West, 840 Rossland Road Developments Ltd. (Ace Developments Ltd.), Town File Nos. DEV-21-19 (OPA-2019-W/02, Z-13-19)

The Clerk advised that Mr. Testaguzza had rescinded his request to

delegate, and had provided correspondence to Council instead.

3.3 Eric Saulesleja (GSP Group), Derek Boyne (Trioquest), Peter Gregor (NLG), Michael Dowdall (TMIG)

Planning and Development Report PL 32-20

Re: Site Plan Application, 7902484 Canada Inc., c/o Trioquest Realty Advisors & Nautical Lands Group, 304, 308, 368, 372, 374 and 378 Taunton Road East, File SP-44-18

Eric Saulesleja (GSP Group) introduced the other delegates, and advised that they were in support of the recommendations contained within Report PL 32-20. He indicated that he and the other delegates would be available to answer any questions from Council with respect to the proposal.

A detailed question and answer period ensued between Members of Council and Mr. Saulesleja with respect to:

- How pedestrian walk-ways would be addressed on the site;
- Whether the development was as pedestrian friendly as other sites that were similar in size and scale;
- The types of enhancements that would be made to the area to make it more pedestrian friendly;
- Whether the proponent would consider managing snow-shoveling for the pedestrian connection to Mantz Crescent;
- The possibility of installing speed bumps and flashing stop signs in order to mitigate traffic speeds;
- Any input on parking provided by the businesses in the plaza; and
- Installing shade covers or planting trees for shade as well as benches along the walk-ways to provide pedestrians with respite from the sun and places to rest while walking.

It was the consensus of Council to move to Item 5.2 at this time.

4. Correspondence

4.1 Correspondence from the Region of Durham

Re: The Dorsay Development Corporation and City of Pickering Request for a Minister's Zoning Order for Northeast Pickering

A question and answer period ensued between Members of Council and Staff with respect to:

- An overview of the process and the time-frame for the Minister's Zoning Order;
- Reasoning for providing Council input on a development process

taking place outside of Whitby;

- How the timelines for this development would impact Whitby;
- Whether any discussions have taken place with the Province regarding this matter;
- Whether any communication between Whitby and Pickering has taken place with respect to this matter;
- Past precedent with respect to other municipalities commenting on developments taking place within Whitby; and
- Impact of the development on employment lands within Whitby.

Resolution # 155-20

Moved By Councillor Mulcahy

Seconded By Councillor Drumm

1. That Correspondence #2020_591_from the Region of Durham to the Ministry of Municipal Affairs and Housing Re Request by Dorsay Development Corporation and the City of Pickering for a Minister's Zoning Order for Northeast Pickering be received for information;
2. That the Council of the Town of Whitby supports the request from the Region of Durham's Commissioner of Planning and Economic Development to pause any further consideration of the Minister's Zoning Order until receipt of the Region's position that will be forwarded following the Regional Council meeting on July 29, 2020; and,
3. That the Clerk be directed to advise the Ministry of Municipal Affairs and Housing, the Region of Durham, Durham area municipalities, and local MPPs of the decision of Council.

Carried on a recorded vote as follows:

	For	Against	Abstained
Councillor Drumm	x		
Councillor Mulcahy	x		
Councillor Leahy		x	
Councillor Lee	x		
Councillor Newman		x	
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada		x	
Mayor Mitchell	x		

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- 4.2** That the following request be endorsed:
- October 2020 - Caribbean Heritage Month

Resolution # 156-20

Moved By Councillor Newman
Seconded By Councillor Lee

That the proclamation for Caribbean Heritage Month be endorsed.

Carried

5. Items for Consideration

- 5.1** Planning and Development Department Report, PL 28-20
Re: Official Plan and Zoning By-law Amendment Applications, 840
Rossland Road West, 840 Rossland Road Developments Ltd. (Ace
Developments Ltd.), Town File Nos. DEV-21-19 (OPA-2019-W/02, Z-13-
19)

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

- How concerns raised by various parties would be resolved as the project progresses;
- Whether there was an expectation that adjacent land owners could request to double their permitted density if this proposal was passed by Council; and
- Whether any traffic implications had been mitigated prior to the report being brought forward.

Resolution # 157-20

Moved By Councillor Yamada
Seconded By Councillor Roy

1. That Council approve Official Plan Amendment Number 118 to the Whitby Official Plan (File: OPA-2019-W/02), as shown on Attachment #9;
2. That a By-law to adopt Official Plan Amendment Number 118 be brought forward for consideration by Council;
3. That Council approve an amendment to Zoning By-law No. 1784 (File # Z-13-19) as outlined in Report PL 28-20;

4. That the Clerk forward a copy of Planning Report No. PL 28-20, two (2) copies of the adopted Amendment, and a copy of the By-law to adopt Amendment Number 118 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development;
5. That the proponent be required to enter into and be a participant in good standing with the West Whitby Cost Sharing Agreement, and to bear its fair and equitable share of the costs and burdens related to the community lands and infrastructure from which the subject land will benefit; and,
6. A clearance letter from the West Whitby Landowners Group Inc. (the Trustee) will be required prior to the issuance of a building permit.

Carried

It was the consensus of Council to move to Item 3.2 at this time.

5.2 Planning and Development Report, PL 32-20
Re: Site Plan Application, 7902484 Canada Inc., c/o Triovest Realty Advisors & Nautical Lands Group, 304, 308, 368, 372, 374 and 378 Taunton Road East, File SP-44-18

A question and answer period between Members of Council and Staff ensued with respect to:

- Whether pedestrian cross-walks had been addressed in the site plan;
- How the current cross-walks within the site plan supported safe pedestrian movements; and
- Whether curb cut-outs would be added to all areas of the plaza or just to the areas near the apartment building.

Moved By Councillor Lee

Seconded By Councillor Newman

1. That Council approve the development plans for the subject land (Site Plan Application SP-44-18), subject to:
 - a. The completion of revisions to the proposed plans as identified in Planning Report PL 32-20; and,
 - b. The conditions of approval set out in Attachment #9 of Planning Report PL 32-20;
2. That Council approve the pedestrian circulation improvements as identified in Planning Report PL 32-20; and,
3. That the Commissioner of Planning and Development be

authorized to execute the Site Plan Agreement and any related documents.

Carried later in the meeting [see following motion]

Resolution # 158-20

Moved By Councillor Leahy
Seconded By Councillor Newman

That Item 2 of the main motion be referred to staff for further review and that staff be directed to report back to Council.

Carried

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

Resolution # 159-20

Moved By Councillor Lee
Seconded By Councillor Newman

1. That Council approve the development plans for the subject land (Site Plan Application SP-44-18), subject to:
 - a. The completion of revisions to the proposed plans as identified in Planning Report PL 32-20; and,
 - b. The conditions of approval set out in Attachment #9 of Planning Report PL 32-20; and
2. That the Commissioner of Planning and Development be authorized to execute the Site Plan Agreement and any related documents.

Carried on a recorded vote as follows:

	For	Against	Abstained
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		
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- 5.3** Office of the Chief Administrative Officer Report, CAO 16-20
Re: Durham Ensemble Climate Model: Climate Projections to 2100

Resolution # 160-20

Moved By Councillor Leahy
Seconded By Councillor Drumm

That Council receive Report CAO 16-20 titled “Durham Ensemble Climate Model: Climate Projections to 2100” for information.

Carried

- 5.4** Corporate Services Department Report, CS 31-20
Re: 2021 Budget Process and Calendar

A question and answer period ensued between Members of Council and Staff with respect to:

- Whether there would be opportunities for Council input on 2021 priorities prior to the Budget being brought forward;
- The importance of engaging with residents early in the 2021 Budget process so that they have an opportunity to review the information and provide feedback;
- Potential types and timing for engagement opportunities; and
- Determining the various avenues through which resident engagement can take place, including online platforms, and providing this information to Council.

Resolution # 161-20

Moved By Councillor Newman
Seconded By Councillor Drumm

1. The 2021 Budget Process and Calendar outlined in this report be approved by Council and that the Town Clerk establish the meeting dates; and
2. That the Commissioner of Corporate Services/Treasurer be authorized to initiate any changes to the 2021 Budget format that may enhance and ensure that the information supports the

guiding financial principles of:

- Incorporating a long term perspective;
- Establishing linkages to broad organizational goals;
- Focus decisions on results and outcomes;
- Involve and promote effective communication with stakeholders;and
- Promoting program efficiency and effectiveness.

Carried

5.5 Corporate Services Department Report, CS 33-20
Re: Development Charge Background Study Update [Revised]

A brief question and answer period ensued between Members of Council and Staff regarding any communication with the Province on the revised rules around development charges and what the details would look like. Further discussions ensued with respect to notifying the Province that development charges for the Town do not decrease, and the burden to offset those costs would fall on taxpayers.

Resolution # 162-20

Moved By Councillor Shahid
Seconded By Councillor Leahy

That Update Report CS 33-20 from the Commissioner of Corporate Services / Treasurer be received as information.

Carried

5.6 Legal and Enforcement Services Department Report, LS 08-20
Re: Review of the Current Town of Whitby Noise By-law

Discussion ensued between Members of Council with respect to:

- Ensuring that the by-law contains clear information and definition of unreasonable noise;
- The need to regulate outdoor machinery and loud music in the by-law; and
- Ensuring that noise infractions can be readily enforced by police officers and by-law officers without the victim having to log noise infractions.

Resolution # 163-20

Moved By Councillor Newman
Seconded By Councillor Shahid

That Report LS 08-20 be referred to Staff to investigate incorporating a general provision into the Noise By-law to regulate unreasonable noise and/or noise from powered outdoor equipment, and that Staff be directed to report back to Council in September 2020.

Carried

It was the consensus of Council to move to Item 4.1 at this time.

6. Closed Session

Moved By Councillor Newman
Seconded By Councillor Shahid

That Council move in-camera in accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

- 6.1** Office of the Chief Administrative Officer and Corporate Services
Department Joint Confidential Report, CS 34-20
Re: Lease of 312 Colborne Street West to 1855 Accelerator Program

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

7. Rising and Reporting

7.1 Motion to Rise

Moved By Councillor Leahy
Seconded By Councillor Shahid

That Council rise from the closed portion of the meeting.

Carried

7.2 Reporting Out

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed matters related to the potential disposition of land.

Resolution # 164-20

Moved By Councillor Shahid

Seconded By Councillor Drumm

1. That Council approve a ten (year) lease, subject to one five year renewal term, between the Town of Whitby and 1855 Accelerator Program, or its subsidiary company, for property located at 312 Colborne Street West, being a portion of PIN 26502-0012 (LT), Lots 21 and 22, Plan H-50032, as shown on Attachment 1 “the Property”, subject to the terms and conditions as set out in this report; and,
2. That the Mayor and Clerk be authorized to execute the required documents.

Carried

8. New and Unfinished Business

8.1 Reopening Playground Structures

A question and answer period ensued between Members of Council and Staff with respect to the stage three reopening of playground structures in Durham Region, in particular:

- Whether handwashing stations would be placed in busier parks;
- Cost implications of extra sanitation and handwashing stations; and
- Whether there will be any attempt at enforcing physical distancing in playgrounds.

Moved By Councillor Roy

Seconded By Councillor Shahid

That Council reconsider Resolution # 66-20 to close all playground structures for the duration of the COVID-19 Provincial State of Emergency.

Carried on a two-thirds vote

Resolution # 165-20

Moved By Councillor Roy
Seconded By Councillor Shahid

That staff be directed to reopen municipal playgrounds when the Region of Durham moves to Stage Three of the Province's Reopening Framework.

Carried

9. By-Laws

That the following by-laws be passed:

9.1 By-law # 7649-20, being a by-law to assume Braebrook Drive as shown on Plan 40M-2527 as a public highway (Medallion Developments (Dryden) Limited Phase One (S-130-84)).

9.2 By-law # 7650-20, being a by-law to amend By-law #2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to Report PL 76-19, Draft Plan of Subdivision, Zoning By-law Amendment and Site Plan Approval Applications – Block Andrin (Whitby) Developments Limited – 1601, 1605 Dufferin Street and Part of Block A, Registered Plan H-50035, File Numbers SW-2018-03, Z-17-18 and SP-16-18

9.3 By-law # 7651-20, being a by-law to adopt Amendment Number 118 to the Official Plan of the Town of Whitby.

Refer to Report PL 28-20, Official Plan and Zoning By-Law Amendment Applications, 840 Rossland Road West, 840 Rossland Road Developments Ltd. (Ace Developments Ltd.), Town File Nos. DEV-21-19 (OPA-2019-W/02, Z-13-19)

9.4 By-law # 7652-20, being a by-law to regulate the emission of dust from residential construction in the Town of Whitby.

Refer to Report LS 07-20, Dust Mitigation for Residential Construction in the Town of Whitby

9.5 By-law # 7653-20, being a by-law to amend By-law #1784, as amended, being the Zoning By-law for the Town of Whitby.

Refer to Report PL 28-20, Official Plan and Zoning By-Law Amendment Applications, 840 Rossland Road West, 840 Rossland Road Developments Ltd. (Ace Developments Ltd.), Town File Nos. DEV-21-19 (OPA-2019-W/02, Z-13-19)

Resolution # 166-20

Moved By Councillor Newman
Seconded By Councillor Drumm

That leave be granted to introduce By-laws # 7649-20 to # 7653-20 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

10. Confirmatory By-law

10.1 Confirmatory By-law

Resolution # 167-20

Moved By Councillor Leahy
Seconded By Councillor Drumm

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 special meeting held on July 20, 2020 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

11. Adjournment

11.1 Motion to Adjourn

Moved By Councillor Shahid
Seconded By Councillor Drumm

That the meeting adjourn.

The meeting adjourned at 9:42 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor