

Present: Mayor Mitchell
Councillor Drumm (participating electronically)
Councillor Leahy (participating electronically)
Councillor Lee (participating electronically)
Councillor Mulcahy (participating electronically)
Councillor Newman (participating electronically)
Councillor Roy (participating electronically)
Councillor Shahid (participating electronically)
Councillor Yamada (participating electronically)

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
D. Speed, Fire Chief
F. Wong, Commissioner of Financial Services/Treasurer
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

The meeting commenced at 7:30 p.m. due to the Special Council Meeting held prior to the Committee of the Whole meeting.

C. Harris, Town Clerk, advised that due to the ongoing COVID-19 pandemic, the Committee of the Whole meeting is being held in a hybrid meeting format, with a limited number of people attending. He provided Members of Council, delegates and

presenters 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

There were no declarations of pecuniary interest.

Planning and Development

Councillor Mulcahy assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

2.1 Murray Evans representing Star Residence Ltd.

Re: Memorandum from R. Saunders, Commissioner of Planning and Development, dated November 17, 2020 regarding a request to amend Fence By-law # 4394-99 at 812-908 Rossland Road East, Star Residence Ltd.

Refer to Item 3.1, Memorandum from R. Saunders, Commissioner of Planning and Development, dated November 17, 2020 regarding a request to amend Fence By-law # 4394-99 at 812-908 Rossland Road East, Star Residence Ltd.

Murray Evans, representing Star Residence Ltd., stated that he was speaking on behalf of his colleague, Mr. Layton, who previously appeared before the Committee regarding matters related to the property located at Rossland Road East and Garden Street. Mr. Evans noted that a development application for a 5-storey building was considered at Committee and subsequently adopted by Whitby Council. He advised that Mr. Layton has had discussions with Mr. Chitturi, the property owner of 11 Brimley Crescent, who raised concerns about privacy and screening. Mr. Evans further advised that Mr. Chitturi requested that an eight-foot high fence be constructed along the mutual property line. Mr. Evans stated that his client, Star Residence Ltd., consented to the request; however, the height of the proposed fence

would be in contravention of the maximum height of a privacy fence permitted in accordance Fence By-law # 4394-99. He requested that Council approve an exception to Fence By-law # 4394-99 to permit the construction of an eight-foot high fence along his client's easterly property line to assist in addressing Mr. Chitturi's privacy and screening concerns. Mr. Evans noted that the fence would not affect any other property owners in the area.

A brief question and answer period ensued between Members of Committee and Mr. Evans regarding confirmation of the agreement of Star Residence Ltd. to construct an eight-foot high fence along the easterly property line, and whether the height of the fence would assist in providing privacy for the property owner of 11 Brimley Crescent.

3. Correspondence

- 3.1** Memorandum from R. Saunders, Commissioner of Planning and Development, dated November 17, 2020 regarding a request to amend Fence By-law # 4394-99 at 812-908 Rossland Road East, Star Residence Ltd.

Recommendation:

Moved By Councillor Shahid

That the memorandum from R. Saunders, Commissioner of Planning and Development, dated November 17, 2020 regarding a request to amend Fence By-law # 4394-99 at 812-908 Rossland Road East, Star Residence Ltd., be received for information.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Shahid

The main motion be amended by including Item 2 as follows:

2. Notwithstanding any other provisions of Fence By-law 4394-99 to the contrary, a privacy fence 2.44 metres (8 ft.) high may be permitted in the side yard between 908 Rossland Road East and 11 Brimley Crescent.

Carried

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

Recommendation:

Moved By Councillor Shahid

1. That the memorandum from R. Saunders, Commissioner of Planning and Development, dated November 17, 2020 regarding a request to amend Fence By-law # 4394-99 at 812-908 Rossland Road East, Star Residence Ltd., be received for information; and,
2. Notwithstanding any other provisions of Fence By-law 4394-99 to the contrary, a privacy fence 2.44 metres (8 ft.) high may be permitted in the side yard between 908 Rossland Road East and 11 Brimley Crescent.

Carried

4. Staff Reports

- 4.1** Planning and Development Department Report, PL 53-20
Re: Draft Plan of Condominium Application – Zancor Homes (Parkview) Ltd. (Block 182 - Plan 40M-2352), 300 Carnwith Drive, File No. CW-2020-02 [Revised]

Recommendation:

Moved By Councillor Newman

1. That Council approve the proposed Draft Plan of Condominium (CW-2020-02) subject to the comments included in Planning Report PL 53-20 and the conditions of draft plan approval included in Attachment # 4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement for the subject land; and,
3. That the Clerk advise the Commissioner of Planning and Economic Development, at the Region of Durham, of Council's decision.

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 Dennis Croft, Chief Executive Officer, 1855 Re: Office of the Chief Administrative Officer Report, CAO 26-20 1855 Technology Accelerator 2020 Update

Dennis Croft, Chief Executive Officer, 1855, provided a PowerPoint presentation regarding an 1855 Technology Accelerator 2020 Update. Highlights of the presentation included:

- the importance of focusing on technology companies for the long term success of economic development within Whitby;
- a snapshot of the United States Fortune 500 companies over a 10-year period, and the accelerated speed, and projected growth and economic wealth of technology companies;
- details on Canadian companies experiencing accelerated speed, growth and economic wealth including Shopify Inc., OpenText Corporation, 360insights, and Predictive Success Corporation;
- virtual military training that will be provided by the company, Inventing Future Technology Inc. (IFTech), that is currently housed in 1855; and,
- the key roles and responsibilities of 1855 Whitby including investment attraction for companies to grow and thrive, targeted advice, creating business enablers for rapid progression in order to compete with other companies, and assisting to form an innovative ecosystem as a technology accelerator.

A question and answer period ensued between Members of Committee and Mr. Croft regarding:

- whether anticipated growth was expected for anchor clients, accelerating companies and high profile partners for 1855;
- whether the long term vision for 1855 was private-public partnerships;
- the challenges for 1855 associated with the COVID-19 pandemic and the potential prospects for 1855 in 2021;
- whether dialogue has taken place with the Abilities Centre, Lakeridge Health, Durham College, Ontario Tech University, or Trent University to establish further public-private partnerships;

- and,
- whether any connections have been made with local agricultural, environmental or advanced manufacturing sectors within Whitby.

It was the consensus of the Committee to hear Item 9.1, CAO 26-20, at this time.

7. Delegations

- 7.1** Max and George Lysyk
Public Works Department Report, PW 9-20
Re: Active Transportation Plan – Final Draft

Refer to Item 9.4, PW 9-20

Max Lysyk, 360 Columbus Road West, advised that he had previously addressed the Committee at the October 19, 2020 Committee of the Whole meeting regarding his concerns with the Active Transportation Plan (ATP). Mr. Lysyk advised that there have been ongoing communications with Staff with respect to his previous delegation. He stated that he understood that the ATP would be adopted at this meeting and that he had received clarification from Staff regarding the approval of the recommendation at Committee of the Whole, the consideration by Council for adoption of the draft plan at the Council meeting on December 14, 2020, and the period of time allocated for public input following the Council meeting. Mr. Lysyk noted that he had already provided comments on the ATP, and that he was looking forward to receiving and reviewing the revised ATP.

8. Correspondence

- 8.1** There was no correspondence.

9. Staff Reports

- 9.1** Office of the Chief Administrative Officer Report, CAO 26-20
Re: 1855 Technology Accelerator 2020 Update

Recommendation:

Moved By Councillor Mulcahy

1. That Report CAO 26-20 pertaining to an update on the 1855 Technology Accelerator be received as information; and,
2. That the Clerk be directed to forward a copy of Report CAO 26-

20 to the Chair of 1855 Board; CEO of 1855; Director of Economic Development, Region of Durham; CEO of the Whitby Chamber of Commerce; Ryan Turnbull, Member of Parliament for Whitby; and Lorne Coe, Member of Provincial Parliament for Whitby.

Carried

It was the consensus of the Committee to hear Item 7.1, Delegation by Max and George Lysyk, at this time.

- 9.2** Public Works Department and Corporate Services Department Joint Report, CS 52-20
Re: T-98-2020 Supply and Delivery of 4 Horticulture Tractors and 1 Port Whitby Marina Tractor

Recommendation:

Moved By Councillor Shahid

1. That the Town of Whitby accept the low tender bid of Hub International Equipment in the amount of \$260,600.00 (plus applicable taxes) for the supply and delivery of 5 Tractors;
2. That the total estimated project cost of \$266,786.56 be approved;
3. That the Treasurer be authorized to draw on reserve/reserve funds as required to address the budget overage; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 9.3** Corporate Services Department Report, CS 51-20
Re: 2021 Interim Tax Billing

A brief question and answer period ensued between Members of Committee and Staff regarding whether any consideration would be given to the interim tax payable dates as set out in the Staff report due to ongoing pandemic.

Recommendation:

Moved By Councillor Newman

That a by-law be brought forward to allow for the Interim Tax Billing for the 2021 taxation year.

Carried

9.4 Public Works Department Report, PW 9-20
Re: Active Transportation Plan – Final Draft

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

- the goal of prioritizing property needs, the timeline for the completion of land acquisitions needed to implement the Active Transportation Plan (ATP), and the financial implications of the land acquisitions on the tax base;
- confirmation of available funding for the land acquisitions and confirmation that the land acquisitions would not pose any pressure on the 2021 budget;
- extending the timeline for the public to review and comment on the ATP from 30 days to 60 days;
- whether modifications would be made to the ATP based on comments already received prior to the plan being available for public review and comment; and,
- the value of the ATP to the Town for the vision and comprehensive 20-year plan for active transportation from a strategic perspective with respect to policy, planning and finance.

Recommendation:

Moved By Mulcahy

1. That Report PW 9-20 regarding the Active Transportation Plan (ATP) study be received for information;
2. That the Final Draft Active Transportation Plan be made available for public review and comment for a period of at least 60 days;
3. That a copy of the Final Draft Active Transportation Plan report be provided to stakeholders and Town of Whitby divisions for review and comment; and,
4. That Staff report back to Council, following the public consultation period, with the Final Active Transportation Plan for Council's consideration and approval.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Yamada

That Item 4 of the main motion be amended by adding the following after 'Council's consideration and approval':
 , including considerations for prioritizing property needs to implement the Active Transportation Plan.

Carried

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

Recommendation:

Moved By Councillor Yamada

1. That Report PW 9-20 regarding the Active Transportation Plan (ATP) study be received for information;
2. That the Final Draft Active Transportation Plan be made available for public review and comment for a period of at least 60 days;
3. That a copy of the Final Draft Active Transportation Plan report be provided to stakeholders and Town of Whitby divisions for review and comment; and,
4. That Staff report back to Council, following the public consultation period, with the Final Active Transportation Plan for Council's consideration and approval, including considerations for prioritizing property needs to implement the Active Transportation Plan.

Carried

9.5 Public Works Department Report, PW 27-20
Re: Automated Speed Enforcement (ASE) Program

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

- the proposed removal of Item MD - 5142 from New and Unfinished Business List and whether there would be a further review of the Automated Speed Enforcement Program and a report back to Council; and,
- clarification on the budget amounts for 2021 and 2022.

Recommendation:

Moved By Councillor Yamada

1. That Report PW 27-20 regarding Automated Speed Enforcement (ASE) be received for information; and,
2. That Council direct the Clerk to remove MD-5142 from the New and Unfinished Business (NUB) listing.

Carried

9.6 Public Works Department Report, PW 29-20
Re: Comments Submitted to Environmental Registry (ERO) #019-2579
on Proposed Blue Box Regulation

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

- the proposed transfer of the Blue Box program to full Extended Producer Responsibility (EPR);
- the identification by Staff of uncertainties and clarification sought within the letter to the Ministry of the Environment, Conservation and Parks dated November 30, 2020;
- whether a response to the letter from Staff has been received by the Ministry of the Environment, Conservation and Parks;
- removal of the reference to the regulation within the proposed amendment;
- whether the Region of Durham and the City of Oshawa support the Blue Box Regulation in principle, the concerns expressed by the Region of Durham and the City of Oshawa, and whether Staff have consulted with the Region of Durham and the City of Oshawa;
- whether other municipalities within the Region of Durham have submitted comments;
- whether Staff support the proposed motion and whether the timing of the proposed motion would be appropriate; and,
- Town Staff support for the direction of the Province for the EPR in principle.

Recommendation:

Moved By Councillor Newman

That Report PW 29-20 be received as information.

Carried later in the meeting [See following motion]

Recommendation:

Moved By Councillor Newman

That the main motion be amended to read as follows:

Whereas the Ministry of Environment, Conservation, and Parks posted the proposed draft Blue Box Regulation ERO #019-2579 for comment;

Whereas the draft Blue Box Regulation will establish Ontario as a leader in moving the Province forward towards a circular economy;

Whereas Producer responsibility policies are fundamental to reducing waste and increasing the recovery of resources in Ontario;

Whereas comment on the draft Blue Box Regulation has been provided by the Town of Whitby to Jamelia Alleyne, Senior Policy Analyst, Resource Recovery Policy Branch, Ministry of the Environment, Conservation and Parks in a letter dated November 30, 2020; and,

Whereas comment on the draft Blue Box Regulation has also been provided in a joint submission of the Association of Municipalities of Ontario, the City of Toronto, the Regional Public Works Commissioners and the Municipal Waste Association to Jamelia Alleyne, Senior Policy Analyst, Resource Recovery Policy Branch, Ministry of the Environment, Conservation and Parks in a letter dated November 30, 2020.

Now Therefore be it Resolved:

1. That further to the referenced letter of November 30, 2020, the Mayor and Council of the Town of Whitby wish to express their support in principle for the draft Blue Box Regulation ERO # 019-2579 which establishes producer responsibility for a province wide common collection system of blue box materials and transition planning; and,
2. That a copy of the resolution be sent to the Region of Durham, Durham municipalities, the Association of Municipalities of Ontario (AMO), M.P.P. Lorne Coe, and the Minister of the Environment, Conservation and Parks.

The disposition of the above motion was determined by the motion to table below.

Recommendation:

Moved By Councillor Lee

That the motion be tabled.

Carried

The main motion that Report PW 29-20 be received as information was then carried.

- 9.7** Office of the Town Clerk Report, CLK 09-20
Re: Records Classification and Retention Bylaw and the Information Governance Policy

Recommendation:

Moved By Councillor Drumm

1. That Report CLK 09-20 of the Office of the Town Clerk be received for information;
2. That the Clerk be directed to bring forward a by-law to repeal By-law # 7350-17 and # 7456-18 and replace it with the Records Classification and Retention By-law substantially in the form appended as Attachment # 1 to Report CLK 09-20;
3. That Council repeal Records & Information Management Policy # CA 030 and replace it with the Information Governance Policy appended as Attachment # 2 to Report CLK 09-20; and,
4. That Council repeal the Transfer of Archival Records Policy # CA 220 and that the Town Clerk be delegated authority to adopt practices for the management of archival records through a subsidiary procedure under the Information Governance Policy.

Carried

10. New and Unfinished Business - General Government

- 10.1** There was no new and unfinished business.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 8:47 p.m.