

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

Also Present: M. Gaskell, Chief Administrative Officer
J. Romano, Commissioner of Community Services
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
L. MacDougall, Temporary Legislative Specialist (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Adoption of Minutes

2.1 Special Council - March 7, 2022
Regular Council - March 7, 2022
Special Council - April 4, 2022

Resolution # 80-22

Moved By Councillor Drumm
Seconded by Councillor Yamada

That the Regular Council minutes of March 7, 2022 and the Special Council minutes of March 7, and April 4, 2022 be adopted.

Carried

3. Presentations

3.1 Katherine Rogers

Award/Recognition: Heroic efforts in 2021 snow clearing incident at Julie Payette Public School

Mayor Mitchell attended the dais and was joined by Councillor Newman. Katherine Rogers was welcomed onto the dais, along with members of her family, and was recognized for her heroic efforts during a snow clearing incident that occurred on February 16, 2021 at Julie Payette Public School in Whitby.

**3.2 Clint Scott and Colin Thomson, PARA Marine Search and Rescue
Re: 2021 Annual Report**

Clint Scott, PARA Marine Search and Rescue, appeared before Council and provided a PowerPoint presentation regarding:

- PARA's history and strategic plan including their vision, mission, and values;
- PARA'S five-year business plan including strengthening the organization, developing their crews, ensuring search and rescue readiness, and planning for the future;
- organizational changes in 2021 including an expanded Board of Directors to include representatives from the Town of Whitby and the business community;
- the number of volunteers that serve with PARA, how volunteers are trained, and details about their partnerships with the Durham Regional Police Service, Toronto Police Service, the Town of Whitby, the Town of Ajax, the City of Pickering, the Royal Canadian Air Force, the Canadian Coast Guard, and the Joint Rescue Coordination Centre;
- details about PARA's financial strength and sustainability including how they were funded, other income for services, and donations in kind;
- statistics on the number of rescues conducted in past seasons, noting an increase in rescues in both 2020 and 2021;

- details about PARA'S readiness and availability, the number of hours of search and rescue service, and the decrease in response time;
- the locations where PARA was deployed for rescues during the past couple of years;
- planning for a replacement rescue vessel within the next 5 to 10 years, the estimated replacement cost of between \$1,500,000 and \$2,000,000, and the future addition of a vessel with a near shore operating capability; and,
- a brief video highlighting PARA'S re-branding efforts.

A question and answer period ensued between Members of Council and Mr. Scott regarding:

- whether the increase in the number of participants in water based activities and the related increase in rescues was attributed to the COVID-19 pandemic;
- the number of active volunteers, details about the volunteer recruitment process, and the number of search and rescue vessels;
- PARA's response time from Pickering to Oshawa in connection with the incident involving children in an inflatable device that was blown off shore;
- whether PARA services Oshawa in addition to Whitby, Ajax, and Pickering;
- how the proposed replacement vessel would be funded;
- whether PARA was a not-for-profit organization, opportunities for partnerships with municipalities and/or emergency services for potential Provincial or Federal funding, and opportunities for discussion with the Durham Regional Police Service about their vessel; and,
- the amount of the grant received from the Region of Durham and whether there have been annual increases in the amount of the grant.

4. Delegations

- 4.1** Cheryl Shindruk and Matthew Cory representing 2569565 Ontario Inc. c/o Geranium Corporation
Re: Planning and Development (Planning Services) Department Report, PDP 21-22
Draft Plan of Subdivision and Zoning By-law Amendment Applications, Malone Given Parsons on behalf of Geranium Corporation, 6760 and 6900 Baldwin Street North, File Numbers: DEV-07-21 (SW-2021-02, Z-04-21) - Revised

Refer to Item 6.5, PDP 21-22

Cheryl Shindruk and Matthew Cory, representing 2569565 Ontario Inc. c/o Geranium Corporation, advised that they were in support of the Staff recommendation and the implementation of the Zoning By-law Amendment listed as Item 10.13 on the Council agenda. Ms. Shindruk stated that the planning instruments reflect the efforts of their team working with Town Staff, the review agencies, and the residents of Camber Court to bring the vision of the Brooklin Secondary Plan to fruition, noting the principles of mixed-use and pedestrian oriented neighbourhoods offering a variety of housing options. Ms. Shindruk stated that the proposed development had evolved in response to comments from Town Staff and their neighbours since the submission of the applications in February 2021, and the May 31, 2021 Public Meeting, noting that they were pleased to have their support for the Draft Plan of Subdivision and Zoning By-law Amendment. She advised that the landscape and fence buffer along and between the proposed development and Camber Court was of the utmost importance to the residents of Camber Court, noting that they continue to work with Staff and their neighbours to expedite this work in the spring. She advised that they were working on the submission of the Site Alteration Permit Application to secure the required permit for site remediation in order for the remedial work to commence in the spring. Ms. Shindruk requested Council's approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications.

A brief question and answer period ensued between Members of Council, Ms. Shindruk, and Mr. Cory regarding expediting the landscape buffer and the planting of above-standard trees.

5. Correspondence

5.1 That the following requests be endorsed:

- Guillain-Barre Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Month - May 2022
- Maternal Mental Health Week - May 2 to 8, 2022
- Apraxia Awareness Day - May 14, 2022
- International Day Against Homophobia, Transphobia and Biphobia - May 17, 2022
- International Day Against Homophobia, Transphobia and Biphobia - Flag Raising - May 17 to 21, 2022
- Bike Month - June 2022
- Longest Day of SMILES® - June 19, 2022

Resolution # 81-22

Moved By Councillor Shahid
Seconded by Councillor Roy

That the proclamations for Guillain-Barre Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Month, Maternal Mental Health Week, Apraxia Awareness Day, International Day Against Homophobia, Transphobia and Biphobia, Bike Month, and Longest Day of SMILES® and the flag raising for International Day Against Homophobia, Transphobia and Biphobia be endorsed.

Carried

6. Committee of the Whole Report
Planning and Development - March 28, 2022 and April 4, 2022

- 6.1** Planning and Development (Planning Services) Department Report, PDP 17-22
Re: Draft Plan of Condominium Application, Acorn Taunton Whitby Inc. (Block 121, Plan 40M-2313), 665 Taunton Road East, File Number: CW-2021-05

Resolution # 82-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Condominium (CW-2021-05), subject to the comments included in Planning Report PDP 17-22 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

- 6.2** Planning and Development (Planning Services) Department Report, PDP 18-22
Re: Sign By-law Variance to Permanent Sign By-law for 1801 Dundas Street East (RioCan), File Number: SB-07-21

Resolution # 83-22

Moved By Councillor Newman
Seconded by Councillor Leahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for RioCan, located at 1801 Dundas Street East.

Carried

- 6.3** Planning and Development (Planning Services) Department Report, PDP 19-22
Re: Sign By-law Variance to Permanent Sign By-law for 5185 Garrard Road (Garrard Limited Partnership), File Number: SB-01-22

Resolution # 84-22

Moved By Councillor Newman
Seconded by Councillor Leahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for Garrard Limited Partnership, located at 5185 Garrard Road.

Carried

- 6.4** Planning and Development (Planning Services) Department Report, PDP 20-22
Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Winash Developments Limited (Phase 2), 145 Winchester Road West, File Numbers: DEV-23-21 (SW-2021-07, Z-13-21)

Resolution # 85-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-07), subject to the comments included in Planning Report PDP 20-22 and the conditions of draft plan approval included in Attachment #12;

2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision;
5. That Council approve the amendment to Zoning By-law # 1784 (File Number: Z-13-21), as outlined in Planning Report PDP 20-22; and,
6. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

- 6.5** Planning and Development (Planning Services) Department Report, PDP 21-22
Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Malone Given Parsons on behalf of Geranium Corporation, 6760 and 6900 Baldwin Street North, File Numbers: DEV-07-21 (SW-2021-02, Z-04-21) - Revised

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

- confirmation that the trees for the landscape buffer would be the size and type agreed upon during discussions between the residents of Camber Court and the developer, and that the matter of the treed buffer would be expedited;
- confirmation that the treed buffer would be planted on Town property, and the rationale for the Letter of Undertaking and the extended warranty on the trees;
- whether the Town would have a use for the property should it not be used for the landscape buffer; and,
- whether there were any anticipated concerns related to the landscape buffer or warranty on the trees.

Resolution # 86-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2021-02), subject to the comments included in Planning Report PDP 21-22 (Revised) and the Conditions of Draft Approval included in Attachment #12;

2. That Council approve an amendment to Zoning By-law # 1784 (File Number: Z-04-21), as outlined in Planning Report PDP 21-22;
3. That Staff be authorized to prepare a Subdivision Agreement;
4. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
5. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision; and,
6. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision.

Carried

6.6 Planning and Development (Planning Services) Department Report, PDP 22-22

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Abacus Equity Infusion Limited, 7400 Thickson Road North, File Numbers: DEV-03-20 (SW-2020-01, Z-02-20)

Resolution # 87-22

Moved By Councillor Newman

Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2020-01), subject to the comments included in Planning Report PDP 22-22 and the Conditions of Draft Approval included in Attachment #10;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Development be advised of Council's decision;
4. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law # 1784 (File Z-02-20), as outlined in Planning Report PDP 22-22;
7. That a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council,
8. That item number MD-6135 be removed from the New and Unfinished Business list; and,
9. That the delegated authority for site plan approval for the high density/mixed use block (Block 299) be rescinded.

Carried

6.7 Planning and Development (Engineering Services) Department Report, PDE 08-22

Re: Memorandum of Understanding with the Region of Durham for Development at 270 Water Street

A brief question and answer period ensued between Members of Council and Staff regarding the timeline for discussions on cost sharing arrangements between the Region and the Town.

A brief discussion ensued between Members of Council and Staff regarding the modifications to the original proposal, and the Region's commitment for this project to be an asset on Whitby's waterfront.

Resolution # 88-22

Moved By Councillor Newman

Seconded by Councillor Leahy

1. That Council approve in principle, the Memorandum of Understanding (MOU) between the Region of Durham and the Town of Whitby related to proposed development at 270 Water Street, as provided in Attachment 2 to Report PDE 08-22; and,
2. That the Mayor and the Clerk be authorized to sign any necessary documents.

Carried

6.8 Planning and Development (Planning Services) Department Report, PDP 23-22

Re: Envision Durham - Growth Management Study - Alternative Land Needs Scenarios Assessment Summary Report

Discussion ensued between Members of Council regarding:

- concerns about the impact of the Community Area Land Need Assessment on Whitby's development boundary;
- the establishment of the built boundary in 2006, the challenges associated with the ratio of the number of units built in the designated Greenfield Area versus the existing development boundary, and the resulting intensification within existing older neighbourhoods;
- the undertaking of the Mature Neighbourhoods Study to protect existing neighbourhoods from excessive intensification;

- intensification in mature neighbourhoods and historic areas of Whitby and expanding the existing development boundary;
- the Envision Durham - Growth Management Study setting the direction of growth in Durham Region from 2031 to 2051;
- the proposed population and the number of jobs created in Durham Region by 2051;
- the protection of the Town's vibrancy, identity, heritage and safety in relation to the significant rate of residential and commercial intensification proposed within the Community Area Land Need Assessment;
- the percentage of the number of high density units approved by Whitby Council over the last 10 years versus the percentage of the number of permits issued for high density units; and,
- the acceptability of a medium density type of housing in existing neighbourhoods and whether hyper-intensification would actually assist in resolving the housing shortage.

Moved By Councillor Newman

Seconded by Councillor Leahy

1. That Report PDP 23-22 be endorsed as the Town's comments on the Envision Durham – Growth Management Study – Release of Alternative Land Need Scenarios Assessment Summary Report # 2022-INFO-19 [Region of Durham File D-01]; and,
2. That the Clerk forward a copy of Report PDP 23-22 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried later in the meeting. (See following motion)

Moved By Mayor Mitchell

Seconded By Councillor Newman

That the main motion be amended by including Item 2 as follows, and that the remaining item be renumbered accordingly:

2. That the Built Boundary, which was established in 2006, be expanded/adjusted proportionate to any greenfield expansion to ensure that intensification within the Built Boundary is reasonable and respectful to the historic areas and mature neighbourhoods within the existing Built Boundary;

Carried

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

Resolution # 89-22

Moved By Councillor Newman
Seconded by Councillor Leahy

1. That Report PDP 23-22 be endorsed as the Town's comments on the Envision Durham – Growth Management Study – Release of Alternative Land Need Scenarios Assessment Summary Report # 2022-INFO-19 [Region of Durham File D-01];
2. That the Built Boundary, which was established in 2006, be expanded/adjusted proportionate to any greenfield expansion to ensure that intensification within the Built Boundary is reasonable and respectful to the historic areas and mature neighbourhoods within the existing Built Boundary; and,
3. That the Clerk forward a copy of Report PDP 23-22 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried

7. Committee of the Whole Report
General Government - March 28, 2022 and April 4, 2022

- 7.1** Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects

A brief discussion ensued between Members of Council regarding providing the resident an opportunity to address Council when the report was presented.

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects be received for information; and,
2. That Council shall direct staff to further investigate and research to determine best practices in neighbouring municipalities and report back to Council through a memo on the merits and financial implications of a residential construction dust permit system.

Carried later in the meeting. (See following motion)

Moved By Councillor Drumm
Seconded by Councillor Leahy

That Item 2 of the main motion be amended by replacing the word 'memo' with the word 'report'.

Carried

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

Resolution # 90-22

Moved By Councillor Lee
Seconded By Councillor Mulcahy

1. That Correspondence # 2022-133 received by C. Harris, Town Clerk, from John Semjan dated February 28, 2022 regarding Dry Saw Cutting Asphalt, Stone, and Concrete on Residential Home Improvement Projects be received for information; and,
2. That Council shall direct staff to further investigate and research to determine best practices in neighbouring municipalities and report back to Council through a report on the merits and financial implications of a residential construction dust permit system.

Carried

- 7.2** Financial Services Department Report, FS 24-22
Re: 2021 Remuneration and Expenses for Members of Council and Council Appointees to Boards

Resolution # 91-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

That Report FS 24-22 regarding 2021 Remuneration and Expenses for Members of Council and Council Appointees to Boards be received for information.

Carried

- 7.3** Office of the Chief Administrative Officer and Financial Services
Department Joint Report, CAO 09-22
Re: Celebration Square Placemaking Budget

Resolution # 92-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

That Council approve a new 2022 capital project, in the amount of \$155,400, for Celebration Square Placemaking (capital project 70222023) funded \$116,550 from a grant and \$38,850 from the Long Term Finance Reserve.

Carried

- 7.4** Virtual Attendance at Council and Committee Meetings by Members of Council

Resolution # 93-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

Whereas the pandemic has shown how we can operate virtually at Council and has provided efficiencies for Councillors and meetings;

Whereas the Town has the necessary technology in place to allow for virtual and hybrid meetings and has successfully ran virtual meetings for the past two years;

Whereas Regional Council currently has the option for Councillors to meet virtually should they choose at meetings; and,

Whereas the public and delegations already have and will continue to have the option to meet virtually moving forward at meetings.

Now therefore be it resolved:

1. That the Clerk be directed to bring forward a by-law to amend the Procedure By-law to allow Council Members to continue to meet virtually at Committee and Council meetings;

2. That the Office of Town Clerk provide a memo on the process, timeline and cost for full or partial video upgrade for live streaming Standing Committee and Council meetings; and,
3. That Staff report to Council on the effectiveness of hybrid meetings by the end of Q2 2022.

Carried

7.5 Humanitarian Aid Efforts for Ukraine

Resolution # 94-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

Whereas there are conflicts around the world, such as the Russian invasion of the Ukraine, resulting in millions of refugees; and,

Whereas the Region and the Town of Whitby have access to resources for refugees and those in war ravaged countries; and,

Whereas Whitby Fire and Emergency Services has firefighter bunker gear (including personal protective equipment) that has been in service for at least 10 years and is scheduled for disposal; and,

Whereas firefighter bunker gear greater than 10 years old is recommended to be replaced in accordance with National Fire Protection Association (NFPA) Standards; and,

Whereas the Town's Purchasing Policy provides guidance on the disposal of surplus goods and equipment where revenue from the sale of used goods and equipment is allocated back to Town reserve funds; and,

Whereas Firefighters Without Borders is a Canadian charitable organization that provides donated equipment and training to communities throughout Canada and in countries around the World; and,

Whereas Firefighters Without Borders is currently collecting equipment for delivery to Ukraine to assist with international humanitarian aid efforts.

Now therefore be it resolved:

1. That Council authorize the Corporation of the Town of Whitby's firefighter bunker gear scheduled to be disposed of in 2022 to be donated to the Firefighters Without Borders organization in support of the Ukrainian humanitarian aid effort; and,
2. That the Corporation of the Town of Whitby purposefully seek opportunities to aid, either monetarily or in kind, organizations identified by Durham Region's social services in supporting those fleeing countries of war as refugees.

Carried

- 7.6** Memorandum from J. Battersby, Manager, Revenue, dated March 15, 2022 regarding Downtown Whitby Business Improvement Area (BIA) 2022 Budget

Resolution # 95-22

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That the 2022 budget for the Downtown Whitby Business Improvement Area (BIA), in the amount of \$381,040, be approved;
2. That the Commissioner of Financial Services/Treasurer be directed bring forward a tax levy by-law to collect a Special Tax Levy, in the amount of \$200,000, from applicable businesses within the Downtown Whitby Business Improvement Area to fund the BIA's 2022 budget; and,
3. That the Commissioner of Financial Services/Treasurer be directed develop a payment schedule with the BIA for the 2022 Special Tax Levy for the BIA.

Carried

- 7.7** Office of the Chief Administrative Officer, Community Services Department, and Planning and Development (Engineering Services) Department Joint Report, CAO 07-22
Re: Zero Carbon Geo-Exchange District Energy Feasibility Study

Resolution # 96-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Council endorse the connection of the proposed Zero Carbon Geo-Exchange District Energy System to the Whitby Sports Complex;
2. That Council authorize an Agreement for the use of the Whitby Sports Complex lands for the development of the District Energy System and road allowance for the DES piping system via the mid arterial roadway on terms satisfactory to the Commissioners of Financial Services and Treasurer and Legal and Enforcement Services/Town Solicitor;
3. That Council direct staff to continue to support funding opportunities for the proposed District Energy System;
4. That staff be directed to develop a District Energy Connection By-Law to support the operation and connectivity of district energy systems;
5. That the Town partner with Elexicon and contribute a total of \$200,000, being half of the projected \$400,000 District Energy System initial design costs, via a payment to Elexicon, funded from the remaining budget in the original District Energy Feasibility Study Capital Budget (in the amount of \$94,625) and from the Whitby Sports Complex Construction project (in the amount of \$105,375); and,
6. That staff be authorized to enter into an agreement with Elexicon regarding the reimbursement of the \$200,000 and the Town's right to utilize the detailed designs as outlined in Report CAO 07-22 to the satisfaction of the Commissioners of Financial Services and Treasurer and Legal and Enforcement Services/Town Solicitor.

Carried

- 7.8** Financial Services Department and Planning and Development
(Engineering Services) Department Joint Report, FS 22-22
Re: T-501-2022 – Urban Road Resurfacing

Resolution # 97-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Tender T-501-2022 be awarded to Four Seasons Site Development Ltd., for the 2022 urban road resurfacing works, in

- the amount of \$4,132,237.20 (plus applicable taxes) to be funded from the capital projects listed in Table 2 of Report FS 22-22;
2. That the revised cost estimates totaling \$5,036,852.41 for the fourteen (14) capital projects noted in Table 2 of Report FS 22-22 be approved; and,
 3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

7.9 Office of the Chief Administrative Officer Report, CAO 08-22
Re: 2021 Annual Sustainability and Climate Change Report

Discussion ensued between Members of Council regarding:

- the establishment of the Town of Whitby as a municipal leader in climate change;
- details about the key achievements in 2021 and the key projects identified for 2022; and,
- the proposed Zero Carbon District Energy System and the Town's commitment to reduce greenhouse gas emissions.

Resolution # 98-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Report CAO 08-22 be received as information; and,
2. That the Clerk forward a copy of Staff Report CAO 08-22 to the Region of Durham's Sustainability Department.

Carried

7.10 Financial Services Department Report, FS 25-22
Re: New Financial Reserve Policies and Update of the Disposition of Operating Surplus Policy

Resolution # 99-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That Council approve the creation of the Engineering Development Fee Reserve and the affiliated reserve policy included in Attachment 1 of Report FS 25-22;
2. That Council approve the creation of the Planning Development Fee Reserve and the affiliated reserve policy included in Attachment 2 of Report FS 25-22; and,
3. That Council approve the updated Disposition of Operating Surplus Policy F 010 included in attachment 3 of Report FS 25-22.

Carried

7.11 Financial Services Department Report, FS 28-22
Re: 2022 Property Tax Rates and Final Billing Due Dates

Resolution # 100-22

Moved By Councillor Lee
Seconded by Councillor Mulcahy

1. That the property tax rates for the year 2022, General Municipal Town Levies be approved as indicated in Schedule "A", attached to Report FS 28-22;
2. That staff be authorized to calculate the special tax levy and tax rates for the properties located within the Downtown Whitby Business Improvement Area (BIA) for the purposes of a Special Tax Levy by-law for the BIA following Council receipt and approval of the BIA's 2022 Budget;
3. That the final tax bill due dates for the Residential, Farmland, Pipeline and Managed Forest tax classes be June 24, 2022 and September 26, 2022;
4. That the final tax bill due dates for the capped tax classes (Commercial, Industrial and Multi-Residential) also be established for June 24, 2022 and September 26, 2022;
5. That prior to the issuance of the final tax bills, the Treasurer be authorized to adjust the due dates for the capped tax classes only and notify Council at the earliest opportunity; and,
6. That a by-law for the General Municipal Town Levies and a separate by-law for the Special Tax Levy in support of the BIA, to set the due dates and levy rates for 2022 in accordance with the approved budgets and regulations, be brought forward at a future Council meeting.

Carried

7.12 Legal and Enforcement Services Department Report, LS 05-22
Re: Noise By-law Review and Proposed Amendments

Resolution # 101-22

Moved By Councillor Lee

Seconded by Councillor Mulcahy

1. That the Noise By-law amendments appended to this report as Attachment # 1 be brought forward to Council for consideration;
2. That Council approve the proposed pilot project outlined in Option # 2 of Report LS 05-22;
3. That staff be directed to implement operational changes to reduce the requirement for residents to attend court to give evidence; and,
4. That Staff report back to Committee on the success/outcome of the pilot project by Q2 of 2023.

Carried

8. Notice of Motion

8.1 There were no notices of motion.

9. New and Unfinished Business

9.1 There was no new and unfinished business.

10. By-Laws

That the following by-laws be passed:

10.1 By-law # 7872-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2016-08) as not being subject of Part Lot Control.

10.2 By-law # 7873-22, being a by-law w to designate certain portions of a registered Plan of Subdivision (SW-2013-03) as not being subject of Part Lot Control.

10.3 By-law # 7874-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2015-03) as not being subject of Part Lot Control.

10.4 By-law # 7875-22, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2017-07) as not being subject of Part Lot Control.

10.5 By-law # 7876-22, being a by-law to dedicate Block 129 on Plan 40M-1549, as a Public Highway (Braebrook Drive).

10.6 By-law # 7877-22, being a by-law to amend Property Standards By-law #6874-14, as amended.

Refer to LS 04-22, Amendments to Property Standards By-law # 6874-14, Hedge Heights and Management of Vermin

10.7 By-law # 7878-22, being a by-law to amend Noise By-law # 6917-14, as amended.

Refer to LS 05-22, Noise By-law Review and Proposed Amendments

10.8 By-law # 7879-22, being a by-law to authorize Staff to enter into a Contribution Agreement with the Federal Government of Canada.

Refer to CAO 09-22, Celebration Square Placemaking Budget

10.9 By-law # 7880-22, being a by-law to designate certain portions of a registered Plan of Subdivision (S-130-84) as not being subject of Part Lot Control.

10.10 By-law # 7881-22, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PDP 03-22, DEV-28-21: Zoning By-law Amendment
Application Z-18-21, 2751757 Ontario Inc., 1717 Brock Street South
and portion of 1716 & 1718 Dufferin Street

10.11 By-law # 7882-22, being a by-law to amend By-law # 1812-85 to amend the legal description of the Heritage Property known as the Emmanuel Sleep House, municipally known as 601 Victoria Street East, as being of cultural heritage value and interest.

Refer to PDP 07-22, Technical Amendment to By-law 1812-85 which Designated 601 Victoria Street East as being of Cultural Heritage Value

or Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18.

- 10.12** By-law # 7883-22, being a by-law to set and levy tax rates for the calendar year 2022 for the Town of Whitby and to set penalty and interest rates for unpaid taxes.

Refer to FS 28-22, 2022 Property Tax Rates and Final Billing Due Dates

- 10.13** By-law # 7884-22, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PDP 21-22, Draft Plan of Subdivision Application and Zoning Bylaw Amendment Applications for 6760 and 6900 Baldwin Street North, by Malone Given Parsons on behalf of Geranium Corporation File No. DEV-07-21 (SW-2021-02, Z-04-21) (REVISED)

- 10.14** By-law # 7885-22, being a by-law to set and levy tax rates for the Business Improvement Area (BIA) and to set penalty and interest rates for unpaid taxes.

Refer to Memorandum from J. Battersby, Manager, Revenue, dated March 15, 2022 regarding Downtown Whitby Business Improvement Area (BIA) 2022 Budget

- 10.15** By-law # 7886-22, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 91-19, DEV-04-17: Draft Plan of Subdivision Application SW-2017-08 and Zoning By-law Amendment Application Z-19-17, Winash Developments Limited, 5550 Baldwin Street South and a portion of 145 Winchester Road West

Resolution # 102-22

Moved By Councillor Roy
Seconded by Councillor Drumm

That leave be granted to introduce By-laws # 7872-22 to # 7886-22 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

11. Confirmatory By-Law

11.1 Confirmatory By-law

Resolution # 103-22

Moved By Councillor Yamada
Seconded by Councillor Shahid

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 regular meeting held on April 11, 2022 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

Prior to the adjournment of the meeting, Mayor Mitchell announced that he would not be running in the 2022 Municipal Election. Mayor Mitchell noted that he was in his 28th year as a Member of Whitby Council, and that he would be moving on to new adventures and experiences with his wife and family.

Members of Council expressed their gratitude for Mayor Mitchell's leadership, vision, dedication, compassion, advice, and candor during his tenure as a Member of Whitby Council.

12. Adjournment

12.1 Adjournment

Moved By Councillor Mulcahy
Seconded By Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 8:48 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor