

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

**Also Present**  
**(electronically):** 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  
D. Speed, Fire Chief  
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

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C. Harris, Town Clerk, advised that due to the ongoing COVID-19 State of Emergency, the Committee of the Whole meeting is being held electronically. He noted that written correspondence was submitted by the public regarding item 4.7, CMS 03-20 on the agenda. He provided Members of Council 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

Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 4.7, Report, CMS 03-20, North Whitby Sports Complex – Update, as Mayor Mitchell and his family have an interest in the property at 5455 Ashburn Road, which abuts the location of the proposed North Whitby Sports Complex. Mayor Mitchell noted that he had spoken with the Integrity Commissioner who advised him that he was free to discuss amenities to be in the building but not other matters related to advancing the project. Mayor Mitchell did not take part in the discussion and voting on any matter related to advancing the project.

## **General Government**

### **Councillor Leahy assumed the Chair.**

#### **1. Presentations**

**1.1** There were no presentations.

#### **2. Delegations**

**2.1** There were no delegations.

#### **3. Correspondence**

**3.1** Correspondence # 2020-461 received by C. Harris, Town Clerk, from E. Tuinman, Resident, dated June 7, 2020 regarding the keeping of backyard chickens.

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

- investigating and initiating a pilot program on streets that have large lots such as Garrard Street or Powell Road;
- the importance of sustainable food production methods due to the impact of the COVID-19 Pandemic;
- municipalities that permit backyard chickens and obtaining information on the impact of chickens in other municipalities;
- whether backyard chickens on residential properties in Whitby

- has been investigated in the past;
- the current concerns about rodents in Downtown Whitby and Downtown Brooklin and the nuisance and attraction of rodents resulting from backyard chickens;
- waiting for the results of the pilot project undertaken by the City of Toronto and a Staff report back on the findings of Toronto's pilot project; and,
- the timeline for completion of Toronto's pilot project.

Recommendation:

Moved By Councillor Shahid

1. That Correspondence # 2020-461 received by the Town Clerk from E. Tuinman, Resident, dated June 7, 2020 regarding the keeping of backyard chickens be received for information.

**Carried later in the meeting [see following motion]**

Recommendation:

Moved By Councillor Drumm

That the main motion be amended by adding the following as Item 2:

2. That Staff be directed to review the City of Toronto's pilot for backyard chickens in residential areas once the pilot results are published and to report back with findings.

**The disposition of Item 2 was determined by the motion to table below.**

Recommendation:

Moved By Councillor Mulcahy

That Item 2 of the motion directing staff to review the City of Toronto's pilot for backyard chickens in residential areas once the pilot results are published and to report back with findings be tabled.

**Carried**

Item 1 of the main motion was then carried as follows:

Recommendation:

Moved By Councillor Mulcahy

1. That Correspondence # 2020-461 received by the Town Clerk from E. Tuinman, Resident, dated June 7, 2020 regarding the keeping of backyard chickens be received for information.

**Carried**

4. Staff Reports

**4.1** Public Works Department and Corporate Services Department Report, CS 27-20

Re: T-506-2020 – Miscellaneous Asphalt Patching

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

- details about the HST rebate as noted within the Staff Report;
- the history of the lowest bidder and whether they have previously completed work in Whitby; and,
- whether the contingency amount of \$20,000.00 includes any anticipated additional costs due to the COVID-19 Pandemic.

Recommendation:

Moved By Councillor Newman

1. That the Town of Whitby accept the low bid as submitted by Bond Paving & Construction Inc. in the amount of \$282,550.00, (plus applicable taxes) for all labour, materials, equipment and supervision necessary to complete miscellaneous asphalt patching as required by the Town of Whitby;
2. That the Total Project Cost of \$380,000.00 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**4.2** Public Works Department and Corporate Services Department Joint Report, CS 28-20

Re: T-279-2020 – Delivery of Sodium Chloride

Recommendation:

Moved By Councillor Drumm

1. That the Town of Whitby accept its portion of the low tender from 1035477 Ontario Limited- Glenn Windrem Trucking in the estimated amount of \$172,350.00 (excluding taxes) for a three (3) year term for the delivery of sodium chloride;
2. That the total estimated project cost for the Town of Whitby in the amount of \$175,383.36 be approved;
3. That approval be granted for the option to extend the contract for two (2) additional one (1) year term(s) based on satisfactory performance, service quality, acceptable proposed pricing for years four (4) and five (5) and budget approval; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**4.3** Corporate Services Department Report, CS 29-20  
Re: Building Permit Fees Annual Report 2019

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

- the status of building permit fees and the timeline for a review of the fees;
- confirmation that regular reviews of the Building Permit Reserve Fund take place to gauge the impact of an economic downturn associated with the COVID-19 Pandemic; and,
- whether a decrease in development was anticipated in West Whitby or other parts of Town due to the COVID-19 Pandemic.

Recommendation:

Moved By Councillor Newman

That Report No. CS 29-20 of the Commissioner of Corporate Services/Treasurer be received as information.

**Carried**

**4.4** Corporate Services Department Report, CS 30-20  
Re: Annual Statement of Development Charge and Parkland Reserve Funds as at December 31, 2019

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

- possible amendments to the Development Charges Act, whether there has been any communication received from the Province, and whether the Province would be providing an update regarding potential changes;
- the possibility that the annual tax impact of 1.5 percent would increase due to increased growth and expenses; and,
- the rationale for the cumulative total development charge collection for 2017-2019 being \$1,000,000.00 below the Development Charge Background Study projection.

Recommendation:

Moved By Councillor Shahid

1. The annual statement of Development Charge and Parkland Reserve Funds as of December 31, 2019 be received as information; and,
2. The annual update on the Non-Statutory and Statutory Development Charge exemptions and the total Development Charge collections be received as information.

**Carried**

**4.5** Public Works Department Report, PW 5-20  
Re: Urban Forestry Update - Spring 2020

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

- the deferral of the tree planting program until the fall;
- the possibility of tree planting while practicing social distancing;
- whether Staff were working with the supplier for the trees that would have been ordered for planting in the spring;
- the timeline for the completion of the University of Toronto study regarding the effect of tree removal on people;
- the possibility of establishing rules and regulations for the removal of trees on private property;
- the time frame for the review of tree by-laws in other municipalities;
- whether there was an increase in the number of emergency calls for tree service over the past few years and the likelihood of an increase in emergency calls in the future due to inclement

weather and climate change, and whether future budgets should anticipate an increase in emergency calls;

- the impact of the COVID-19 Pandemic on the deferral, suspension or cancellation of various projects during the spring and summer and whether there would be a cost savings for summer staff;
- whether Tree-Azin insecticide was an effective treatment on trees located on municipal property affected by the emerald ash borer, the cost effectiveness of the treatment, and whether those trees should be removed;
- whether the partnerships for educational programs and research projects were new partnerships and whether the Town was also partnering with Durham College and Fleming College;
- opportunities to utilize co-op students for various projects within the Town; and,
- how priority is given to repeated inquiries by residents for pruning or removal of Town trees that interfere with use and enjoyment of their property.

Recommendation:

Moved By Councillor Shahid

That Report PW 05-20 be received as information.

**Carried**

**4.6** Public Works Department and Corporate Services Department Joint Report, PW 20-20  
Re: Townline Road Culvert Replacement

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

- notifying residents in the area that would be impacted by the road closure;
- whether the reimbursement for 50 percent of the cost by the Township of Scugog for the project would be returned to the funding source;
- the possibility of additional costs for the project due to the COVID-19 Pandemic;
- whether the culvert replacement was an isolated repair or whether the replacement of the culvert would correct other underlying issues; and,
- whether damage to the culvert was caused by heavy truck traffic

and whether the new culvert would be able to accommodate the truck traffic.

Recommendation:

Moved By Councillor Mulcahy

1. That a budget of \$650,000 be approved for the replacement of the existing collapsed Corrugated Steel Pipe culvert on Townline Road, and the funding source(s) be determined by the Commissioner of Corporate Services/Treasurer;
2. That the Commissioner of Public Works and the Commissioner of Corporate Services/Treasurer be authorized to award the tender to the lowest compliant bidder provided such tender is within the approved budget amount or as amended per F 170 Capital Budget Management and Control Policy;
3. That a copy of this report be forwarded to the Township of Scugog; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**4.7** Community Services Department Report, CMS 03-20  
Re: North Whitby Sports Complex - Update

Having previously declared a pecuniary interest, Mayor Mitchell did not take part in the discussion or vote on any matters pertaining to the advancement of this project, save and except matters related to the amenities to be included in the complex.

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

- the amount of funding applied for and available through the Investing in Canada Infrastructure Program, and the anticipated timeline for a decision on the application;
- the rationale for the range in cost for the Design Consultant;
- the feasibility of including the suggested amenities received through consultation with stakeholders and the public within the project budget;
- opportunities for Council to provide feedback related to the design of the building and the amenities early in the process;
- sessions with the consultant to provide input based on what Council feels would be important to the community;
- details regarding the feedback provided through the public and



stakeholders consultation;

- suitable amenities for the exterior space versus the interior space, and the inclusion of additional amenities ;
- whether the North Whitby Sports Complex would be able to accommodate the anticipated population growth over the next 20 years;
- the inclusion of seating at one of the ice pads to accommodate large events;
- the impact an increased budget may have on taxpayers; and,
- whether an increase in the budget for this project could be recovered through Development Charges.

Recommendation:

Moved By Councillor Lee

1. That Community Services Report, CMS 03-20 be received as information;
2. That Staff be directed to issue a Request for Proposal (RFP) for the selection of the Design Consultant for the North Whitby Sports Complex (NWSC); and,
3. That the Design Consultant be instructed to make provision in the design for the potential for a connection to a future district energy plant, should Council decide to implement same, into the building design.

**Carried later in the meeting [see following motion]**

Recommendation:

Moved By Councillor Mulcahy

That the main motion be amended by adding the following as Item 4:  
That Staff report to Council on June 22, 2020 with a summary of comments from user groups on amenities requested to be included within the North Whitby Sports Complex.

**Carried**

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

Recommendation:

Moved By Councillor Mulcahy

1. That Community Services Report, CMS 03-20 be received as information;
2. That Staff be directed to issue a Request for Proposal (RFP) for the selection of the Design Consultant for the North Whitby Sports Complex (NWSC);
3. That the Design Consultant be instructed to make provision in the design for the potential for a connection to a future district energy plant, should Council decide to implement same, into the building design; and,
4. That staff report to Council on June 22nd with a summary of comments from user groups on amenities requested to be included within the North Whitby Sports Complex.

**Carried**

- 4.8** Office of the Chief Administrative Officer, Report CAO 14-20  
Re: Economic Recovery Plan - Interim Report

Note: This item was withdrawn and will be considered at the June 22, 2020 Regular Council meeting.

- 4.9** Legal and Enforcement Services Report, LS 06-20  
Re: Regulating Short-Term Rental Accommodations – Update

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

- whether the current Zoning By-law provides sufficient restrictions on short term rental accommodations for residents given that the Provincial ban on short term rentals was lifted on June 5, 2020 and that the permitted size of gatherings may be increased during the summer;
- whether the Town has received any complaints associated with short term rentals;
- the timeline for implementing a by-law and whether the implementation should be postponed due to the COVID-19 Pandemic.

Recommendation:

Moved By Councillor Newman

That Report LS 06-20 be received for information.

**Carried**

**4.10** Legal and Enforcement Services Report, LS 07-20

Re: Dust Mitigation for Residential Construction in the Town of Whitby

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

- the rationale for the proposed exception for construction of multi-residential buildings, subdivisions, or mixed-use developments, and commercial and industrial properties;
- the use of conditions in site plan agreements to provide for dust mitigation for larger construction projects;
- the objective of the proposed by-law to regulate dust from small scale construction projects in residential areas; and,
- implementing measures for dust mitigation particularly in infill developments within existing communities.

Recommendation:

Moved By Councillor Mulcahy

1. That staff be directed to bring forward a standalone by-law to regulate dust from residential construction in the Town of Whitby for Council consideration; and,
2. That Item MD-5183 be removed from the New and Unfinished Business List – General Government.

**Carried**

**5.** New and Unfinished Business - General Government

**5.1** New and Unfinished Business List - Item MD-5140

Councillor Newman inquired about the status of Item MD-5140 regarding improved effectiveness of the Noise By-law.

W. Mar, Commissioner of Legal and Enforcement Services advised that a report back on this matter would be presented at the July 20, 2020 Special Council meeting.

**5.2** Temporary Sign Exemption - Thanking Essential and Frontline Workers

Councillor Yamada introduced a motion regarding a temporary sign exemption for signs thanking essential and frontline workers.

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

- whether Staff have received any complaints regarding signage pertaining to essential and front line workers; and,
- acknowledging the achievements of graduates by including graduation signage in the motion.

Recommendation:

Moved By Councillor Yamada

Whereas the COVID-19 pandemic is forming a long-lasting impact on the lives of our residents, be it financially, mentally, physically, emotionally and even spiritually; now is the time to express our thanks to the Essential and Frontline Workers that are vital to the well-being of Whitby;

Whereas, some residents have decided to display signs on their property to show support and to thank Essential and Frontline Workers; and,

Whereas, the professionalism and hard work of Essential and Frontline Workers have allowed the Province of Ontario to begin with the reopening of our economy so that other residents can start working again.

Now Therefore Be It Resolved:

1. That the Town of Whitby hereby provides an exemption for temporary signs thanking Essential and Frontline Workers and temporary signs congratulating school graduates for the remainder of 2020; and,
2. That the Town continue to thank Essential and Frontline workers for their commitment and hard work through the Town of Whitby's social media outlets.

**Carried**

## **Adjournment**

Motion to Adjourn

Recommendation:

Moved By Councillor Yamada

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:06 p.m.