

Present: Mayor Mitchell (participating electronically)
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
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, Head of Operations
M. Perini, Acting 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 7:10 p.m. due to the Special Council Meeting held prior to the Committee of the Whole meeting.

Call to Order

Call of the Roll: The Clerk

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Planning and Development

Councillor Yamada assumed the Chair.

1. Presentations

1.1 There were no presentations.

2. Delegations

2.1 There were no delegations.

3. Correspondence

3.1 There was no correspondence.

4. Staff Reports

4.1 Planning and Development Department Report, PL 25-21
Re: Requests for exemptions from Interim Control By-law # 7699-20 and
7700-20

Recommendation:

Moved By Councillor Newman

That Council approve the requests for exemptions from Town of Whitby
Interim Control By-laws # 7699-20 and # 7700-20 for 300 Lyndevue
Drive and 221 Powell Road.

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 Roy assumed the Chair.

6. Presentations

6.1 There were no presentations.

7. Delegations

7.1 Stuart McReynolds and Mark Wafer representing the Abilities Centre
Re: Financial Services Department and Legal and Enforcement
Services Joint Report, FS 14-21
Abilities Centre Land Lease Agreement Amendment and Loan
Agreement

Refer to Item 9.1, FS 14-21

Stuart McReynolds and Mark Wafer, representing the Abilities Centre, stated that the Abilities Centre faces financial and operational challenges resulting from the COVID-19 pandemic. He advised that they were fortunate to be included in the 2021/2022 Provincial budget for a total amount of designated funding of \$6,000,000.00 over three years, noting that the funding would provide stability in the provision of some of their programs and services. Mr. Wafer stated that with the continued lock down measures and restrictions there would be a long road to recovery ahead. He noted that their partnership with the Town of Whitby has never been more important as they continue to rebuild revenue streams not covered through their existing government agreement. He advised that he was confident with the Town's continued support and in continuing to demonstrate the impact on the people they serve that they would navigate the immediate challenges faced, but would also continue the transformational impact on the lives of Whitby residents. Mr. Wafer stated that he was in support of the Staff recommendations contained within Staff Report FS 14-21. Mr. McReynolds advised that they were working with the Provincial Government on the exemption for people with disabilities to access therapy, and that the Abilities Centre has remained open to actively meet the needs of residents and continue with the delivery of virtual programs.

A question and answer period ensued between Members of Committee, Mr. McReynolds and Mr. Wafer regarding:

- whether the \$6,500,000.00 loan would cover all debt on the capital for the construction of the building, and whether there was any outstanding debts or loans against the capital;

- confirmation that grants received from the Province would allow the Centre to structure the organization so that it would not rely on income from the Town;
- whether the Abilities Centre was precluded from applying any of the Provincial grant funding against the capital expenses or capital loan repayment; and,
- details on future financial partnerships between the Town and the Abilities Centre outside of the repayment agreement.

It was the consensus of the Committee to hear Item 9.1, FS 14-21, at this time.

- 7.2** Matthew Cory representing Brooklin North Landowners Group
Re: Financial Services Department Report, FS 28-21
Development Charge By-law Final Recommendations [Revised]

Refer to Item 9.5, FS 28-21

Matthew Cory, representing Brooklin North Landowners Group, requested a deferral of the Staff report to provide additional time to complete their review of the proposed Development Charges By-law. He advised that the stakeholder meetings regarding the Development Charges Background Study were helpful and that a lot of progress was made, but that there were still a few matters that needed to be discussed. Mr. Cory stated that he had received updated information provided by Town Staff and consultants last week and that the Staff report included a lot of information to review. He noted that the Durham Region Home Builders' Association had also requested additional time to allow them to conduct a final review and to resolve any issues regarding the proposed by-law.

A brief question and answer period ensued between Members of Committee and Mr. Cory regarding the timeline for the deferral of the report.

It was the consensus of the Committee to hear Item 9.5, FS 28-21, at this time.

- 7.3** Rob Whitehouse
Re: Public Works Department Report, PW 18-21
Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Rob Whitehouse, 73 Willowbrook Drive, provided an image indicating where his property was located in relation to the curve on Willowbrook Drive, and requested consideration for the installation of a speed hump on Willowbrook Drive. Mr. Whitehouse described three separate occasions where drivers have lost control of their vehicles on the curve on Willowbrook Drive and landed on his front yard. He advised that he had contacted Staff at the Town who did not appear to be interested in installing a speed hump/speed bump, but suggested installing caution signs or slow down traffic signs. He noted that the signs have not yet been installed. Mr. Whitehouse noted that residents have installed their own slow down children playing signs. He stated that installing a speed hump with appropriate signage at the location noted in his presentation would slow vehicles down prior to arriving at the curve on the road.

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

- whether a speed hump would assist with slowing down traffic on Willowbrook Drive; and,
- the feedback received from neighbours regarding the traffic speed on Willowbrook Drive.

- 7.4** Mathew Kuruvilla
Re: Public Works Department Report, PW 18-21
Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

When called upon, Mr. Kuruvilla was not in attendance to make a delegation to the Committee.

- 7.5** Lennox Parkins
Re: Public Works Department Report, PW 18-21
Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Lennox Parkins, 9 Solmar Avenue, stated that Solmar Avenue consists of 300 metres of straight road, and that he has witnessed an increase in traffic volume and speed on the road. He advised that he and other residents from Solmar Avenue have complained about vehicles speeding to the Durham Regional Police Service over the years, noting that there have been several near accidents with vehicles, bicycles, and children playing. Mr. Parkins raised concerns about the increased risk of accidents and the safety of children due the new public school

scheduled to open in September 2021 and new residents moving into the area. He requested that the program be expanded to include speed humps on Solmar Avenue near the new public school.

A brief question and answer period ensued between Members of Committee and Mr. Parkins regarding whether the traffic volume and speed was due to vehicles accessing Solmar Avenue from Anderson Street.

- 7.6** Lindsay Clegg
Re: Public Works Department Report, PW 18-21
Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Lindsay Clegg, 90 William Stephenson Drive, raised concerns about excessive traffic speed in her neighbourhood. She stated that she was in support of the Staff recommendation. Ms. Clegg stated that the Staff report indicated that rubber based temporary speed humps, speed cushions, and signage were installed at four locations in Whitby, noting that there were reductions in vehicle operation speeds when speed humps and cushions were present. She stated that William Stephenson Drive shares many similarities and attributes with Robert Attersley Drive. Ms. Clegg requested that consideration be given to expand the program to include William Stephenson Drive due to stop sign non-compliance at the intersection of William Stephenson Drive and Erickson Drive, the length of William Stephenson Drive with only one stop sign, and the density in the area of William Stephenson Drive. She advised that the multi-use-path which runs the length of the hydro corridor and crosses at William Stephenson Drive would be completed in the summer of 2021. Ms. Clegg stated that she has witnessed a number of pedestrians that have almost been hit by vehicles at this location, noting that completion of the multi-use-path would result in increased pedestrian traffic. She advised that a central bus stop was implemented for the 2020/2021 school year by Durham Transportation Services at the location of the hydro corridor which resulted in approximately 50 children using this location daily to get on and off the school buses. Ms. Clegg raised concerns about the speed of vehicles during rush hour and the safety of children gathering at this location. She requested that consideration be given specifically to the stretch of road at the hydro corridor for inclusion in the project.

A question and answer period ensued between Members of Committee and Ms. Clegg regarding:

- whether William Stephenson Drive was used as by-pass for Thicksen Road and Anderson Street and whether the volume and

speed of traffic on the street was due to the road being used as a by-pass;

- whether there was a reduction in traffic volume and speed on the street as a result of the Stay-at-Home Order;
- the peak times for traffic volume and speed on the street;
- whether vehicles stop or roll through the stop sign located at the intersection of William Stephenson Drive and Erickson Drive and accelerate quickly from the stop sign; and,
- the feedback received from residents on William Stephenson Drive.

7.7 Stephen Foston

Re: Public Works Department Report, PW 18-21

Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Stephen Foster, 129 Halls Road, provided a PowerPoint presentation regarding the Speed Hump Pilot Project. Highlights of the presentation included:

- the installation of the Durham West Link GO Transit parking lot and sidewalk on the east side of Halls Road in 2017;
- the increase in traffic volume and speed on the street;
- photographs of Halls Road facing south, Halls Road facing east at the entrance to the Durham West Link GO Transit parking lot, Halls Road facing north in 2018 following the installation of the Durham West Link GO Transit parking lot, and the location on the street used as a drag strip;
- detailed information about monthly discussions with the customer relations representative from GO Transit;
- details about the portion of the road used as a drag strip;
- concerns previously raised about traffic speed, the safety of children playing on the street, and requests for speed hump installation;
- the impact of COVID-19 on traffic speed, racing, and traffic volume;
- a request to expand the speed hump program to install speed humps along Halls Road between the last house to the north, southerly to the end of Halls Road.

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

- the results of police presence on the street and whether vehicles were pulled over for speeding;

- whether drag racing has taken place on Halls Road;
- whether mechanics from the Subaru dealership were test driving vehicles on Halls Road;
- whether signage for the dead end was installed;
- the feedback from residents on Halls Road; and,
- whether continued requests for speed humps have been made to the Town since 2017.

7.8 Mark Frayne

Re: Public Works Department Report, PW 18-21

Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Mark Frayne, 863 Bradley Drive, advised that Bradley Drive connects Anderson Street and Garden Street and runs north and south between Dundas Street and Manning Road. He further advised that Bradley Street was used as a by-pass for Dundas Street and Garden Street. He raised concerns about the increased traffic volume and speed along the portion of Bradley Drive between Pringle Street and Garden Street, noting that Bradley Drive was surrounded by schools and parks. Mr. Frayne advised that over the years there has been a noticeable change in the character of the neighbourhood, with many young families moving onto side streets that use Bradley Drive exclusively as an access and exit to their home street. Mr. Frayne noted that there were a couple of recent medium density developments in the neighbourhood which resulted in increased traffic volume and speed. He requested that the program be expanded to include the implementation of traffic calming measures on Bradley Drive.

A brief question and answer period ensued between Members of Committee and Mr. Frayne regarding whether traffic volume and speed had increased due to development in Whitby.

7.9 Romolo Raponi

Re: Public Works Department Report, PW 18-21

Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Mr. Raponi advised the Committee that Debbie Marotta would address the Committee on behalf of residents on Powell Road with respect to this matter.

7.10 Debbie Marotta

Re: Public Works Department Report, PW 18-21

Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Debbie Marotta, 335 Powell Road, advised that she was representing residents that live on Powell Road. She advised that Powell Road was a long stretch of straight road that runs north from Hawkstone Crescent to Highway 2, that it does not have any stop signs, and that the speed limit was 50 km/hour. She raised concerns about the high rate of speed of vehicles travelling on Powell Road, noting that residents would like to see a reduction in speed on the street. Ms. Marotta stated that children play on the street, that there was an increase in speeding on the street, and that there has been police presence on the street to monitor traffic speed. Ms. Marotta requested that if speed humps could not be installed on Powell Road that three-way stop signs be installed at the intersections of Broadview Avenue and Powell Road, Northview Avenue and Powell Road, and Hunter Street and Powell Road.

A question and answer period ensued between Members of Committee and Ms. Marotta regarding:

- whether the speed limit sign has been relocated on Powell Road and whether residents were satisfied with its new location;
- whether the increased traffic and speed was due to Powell Road being used as a by-pass for other streets; and,
- the primary areas of concern with respect to traffic speed on Powell Road.

7.11 Lori Scott

Re: Public Works Department Report, PW 18-21

Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Lori Scott, 15 Whitburn Street, stated that she appreciated the work undertaken to date to install speed humps on several streets in Whitby. Ms. Scott advised that there was a public school located on Whitburn Street, that the street connects Brock Street and Rossland Road, and that the street was 1.3 kilometres in length with a hill. Ms. Scott advised that there was .6 kilometres of wide, straight road on Whitburn Street where drag racing occurs. She raised concerns about traffic speed and drag racing on the street. Ms. Scott advised that there has been police presence on the street, and that the street has been involved with Road Watch. Ms. Scott inquired about the decision to only install one speed

hump on the street, noting that speed humps need to be installed all the way through to Rossland Road. She further inquired about the location(s) where speed detection equipment was used, whether a study was undertaken on the southern portion of Whitburn Street, and whether one or two more speed humps could be installed. Ms. Scott stated that at one time there was a temporary speed hump located near Rossland Road. She advised that she was pleased to see some progress on the street, but that she was concerned about the .6 kilometre stretch of road.

A question and answer period ensued between Members of Committee and Ms. Scott regarding:

- clarification on the location of the delegate's property relative to Woodlands Avenue and whether it was located north or south of Woodlands Avenue;
- how long vehicles have been drag racing along Whitburn Street; and,
- whether there was consistency with respect to police presence on the street.

7.12 Jacqueline Forrester

Re: Public Works Department Report, PW 18-21

Robert Attersley Drive East Speed Hump Pilot Project Status Update

Refer to Item 9.7, PW 18-21

Jacqueline Forrester, Resident, advised that she resides at the corner of Bradley Drive and Wyndfield Crescent, and that her driveway was located on Bradley Drive. She raised concerns about the traffic speed on Bradley Drive, noting that Bradley Drive was being used by motorists as a by-pass for Garden Street and Anderson Street. Ms. Forrester stated that there was only one stop sign located at Pringle Drive which was 800 metres in from the point of access onto Bradley Drive from Garden Street. She stated that she has frequently witnessed vehicles passing by her driveway at well over safe or acceptable speeds for a residential road, noting that there were four schools in close proximity to the area. Ms. Forrester stated that the speed limit on Garden Street and Bradley Drive were both 50 km/hour, noting that Bradley Drive was a residential street and should not have a speed limit of 50 km/hour. She advised of the police presence on Garden Street near Julie Payette Public School, noting that dense residential areas where children live and play with speed limits of 50 km/hour need to be protected. Ms. Forrester advised that she had previously inquired about the installation of a 3-way stop at Bradley Drive and Martinet Street, noting that the traffic speed problem would only be worse once the pandemic was over.

She requested the project be expanded in 2021 to include speed humps on Bradley Drive between Garden Street and Pringle Drive since stop signs were not a deterrent for speeding.

A question and answer period ensued between Members of Committee and Ms. Forrester regarding:

- whether the traffic volume and speed have decreased with school children learning online at home;
- whether the traffic volume and speed was consistent;
- confirmation that the street was being used as a by-pass;
- whether the areas of concern on Bradley Drive were between Pringle Drive to Martinet Street or from Pringle Drive to Garden Street; and,
- the feedback received by residents in the area.

It was the consensus of the Committee to hear Item 9.7, PW 18-21, at this time.

7.13 Martin Field

Re: Legal and Enforcement Services Report, LS 07-21
Proposed Restrictions on Sales of Domestic Animals

Refer to Item 9.9, LS 07-21

Martin Field, 1134 Somerville Street, Oshawa stated he was Vice Chair of the Oshawa Animal Care Advisory Committee. He advised that the Ontario Municipal Act, 2001, S.O. 2001, c. 25 provides for lower tier municipalities to enact by-laws that relate to animals and consumer protection, and that a sourcing of animals by-law relates to three important matters including animal welfare, consumer protection, and public health including the spread of transmittable zoonotic diseases. Mr. Field stated that puppies raised in puppy mills are subject to appalling conditions and are often found with significant health and behavioural issues. He noted that the Staff report referenced the City of Oakville, but did not mention that the City of Oakville regulates the sourcing of cats and dogs through their municipal licensing provisions. He advised that 17 municipalities in Ontario have enacted similar by-laws. Mr. Field stated that a municipality that does not enact a by-law would be opening the door to exploitive pet shops who prey upon local residents. He noted that according to Humane Canada approximately 60 percent of residents were pet owners. Mr. Field advised that the City of Oshawa acknowledged potential liability issues, noting that if a person purchased a pet at a local pet shop that fell ill and they were successfully compensated through small claims court, they could then sue the municipality upon learning that the municipality had an

opportunity to enact a sourcing of animals by-law, but failed to do so. Mr. Field suggested that Staff review all Ontario municipalities for examples of such municipal legislation. He stated that the Staff report speaks to negative effects on local shops or businesses, and assured the Committee there have not been any negative effects in Oshawa. He further stated that negative effects could arise from not doing anything. Mr. Field noted that a smart business owner was aware that operating an ethical business would attract the trust and loyalty of customers, and that in the case of a pet shop, their success depends on catering to the life time of the pet rather than profiting from a single and questionable pet sale. He advised that Humane Canada, the Humane Society of Durham Region, the Ontario Veterinary Medical Association, and the Ontario Society for the Prevention of Cruelty to Animals all have statements relating to discouraging the sale of cats and dogs in pet shops. He commented on his difficulty understanding the assertion in the Staff report that a by-law would encourage online sales when online sales already exist. He requested that Staff prepare a report that addresses enacting a regulatory and licensing by-law which focuses on animal care, the training of pet shop staff, the implementation of a provision that would regulate the sourcing of cats, dogs, and rabbits for sale in pet shops, and that the report be presented to the Committee before the end of 2021.

A brief question and answer period ensued between Members of Committee and Mr. Field regarding whether he recommended the Town of Whitby referencing the City of Oshawa's by-law.

- 7.14** Liz White representing Animal Alliance of Canada
Re: Re: Legal and Enforcement Services Report, LS 07-21
Proposed Restrictions on Sales of Domestic Animals

Refer to Item 9.9, LS 07-21

Liz White, representing Animal Alliance of Canada, 101-221 Broadview Avenue, Toronto, advised that Animal Alliance of Canada was a federally incorporated non-profit organization dedicated to the protection of all animals and the environment. She stated that since 1990 they have worked to end the retail sale of dogs and cats through pet shops, replacing those animals with dogs and cats from animal shelters and rescue groups. Ms. White suggested that Staff bring a by-law forward by the end of 2021 that would ban the commercial sale of dogs, cats, and rabbits within the Town of Whitby, except for those animals from animal shelters, rescue agencies and humane societies. She advised that shelters face challenges finding homes for the dogs and cats in their care, and that dogs and cats were often euthanized by shelters due to

limited cage space. She stated that this was also the case in municipal pounds due to limited housing and an open admission policy which was compounded by increased births of kittens and puppies in the spring, summer and fall. Ms. White noted that an influx of unwanted animals at shelters was likely to increase as the pandemic ends, people return to work and can no longer care for the animals they acquired during the pandemic. She stated that shelters were often perceived as sad and difficult places, and presented a barrier to people who might otherwise provide loving homes to shelter animals. Ms. White advised that 17 municipalities in Ontario have passed by-laws regulating sales in pet stores. She cited an IBIS World Industry Report # 45391 which indicated that the sale of live animals was only a small portion of the overall pet business in a pet store, so replacing a retail animal with a rescue animal would maintain the retail relationship with the adopter by providing all the supportive needs such as pet supplies, food and services. Ms. White noted that making this change would not have an impact on pet store revenues.

7.15 Gillian Lauder

Re: Legal and Enforcement Services Report, LS 07-21
Proposed Restrictions on Sales of Domestic Animals

Refer to Item 9.9, LS 07-21

Gillian Lauder, 28 Glen Lawrence Crescent, Kingston, stated that she and Mr. Field had initially approached Town Staff for the purpose of establishing a by-law to regulate the sourcing of cats, dogs and rabbits for the sale in pet shops and other retail outlets who sell pets. She advised that they had raised concerns about the commercial sale of pets as a dog groomer business located in Whitby had sold pets for multiple years. Ms. Lauder provided detailed information about her experiences with the puppies at this location. She advised of an advertisement from the same business on Facebook in 2019 with pictures of puppies that would be arriving to the store in time for Christmas. She advised that she was aware of various puppy mill operations in Ontario, and that the initial reason for requesting the implementation of a pet sale by-law was based on the living and breeding conditions found in commercial kennels which were often referred to as puppy mills. Ms. Lauder stated that puppy mills and back yard breeders were the cause of pet overpopulation. She stated that the pet overpopulation was at epidemic numbers and that local humane societies and rescue organizations were at a breaking point in terms of resources. She advised of a report by the Humane Society Veterinary Medical Association which detailed over 2500 puppy buyer complaints including the number of puppies that suffered from illness, the number of puppies with congenital defects,

and, the number of puppies that died. She advised that the report further indicated that store owners often claim puppies were from small breeders when they actually were brokers who buy their puppies from puppy mills. Ms. Lauder stated that the customers who intentionally do not want to support puppy mills were being deceived by pet stores. She advised that when the City of Vaughan passed their by-law they did not have any stores selling pets, but they recognized that as more municipalities enacted similar by-laws that Vaughan would become more attractive to potential pet store owners in the absence of a by-law. Ms. Lauder suggested that Council consider that these animals that were not spayed/neutered would be entering the community. She requested that a comprehensive Staff report be brought back to Committee in 2021 for a fair opportunity for all stakeholders to contribute information.

- 7.16** Cindy Bennett representing Humane Society of Durham Region
Re: Re: Legal and Enforcement Services Report, LS 07-21
Proposed Restrictions on Sales of Domestic Animals

Refer to Item 9.9, LS 07-21

Cindy Bennett, representing Humane Society of Durham Region (HSDR), advised that the HSDR supports the proposed restriction on sales of domestic animals and the responsible sourcing of dogs, cats and rabbits. Ms. Bennett advised that there have been puppy mills in Durham Region. She provided details about the physical condition of dogs from puppy mills upon their rescue. She advised that HSDR rescued 110 dogs over a 3-week period from different puppy mills in Durham Region. She noted that every dog was spayed or neutered for free in vet clinics all over the Region of Durham, and that the dogs were adopted. Ms. Bennett advised that HSDR staff, volunteers, donors, and thousands of supporters care, and that HSDR staff were convinced that the animals going into pet stores and other outlets were from puppy mills. She noted that although the Town has only received one complaint, HSDR has received complaints from the public and has referred them appropriately. Ms. Bennett requested that the Town consider passing a by-law similar to the City of Oshawa's by-law which was supported by Humane Canada and the Ontario Society for the Prevention of Cruelty to Animals.

A question and answer period ensued between Members of Committee and Ms. Bennett regarding:

- the delegate's position on banning commercial and private pet sales;

- the qualifications for an organization to be designated a rescue; and,
- differentiating between reputable breeders and puppy mills.

It was the consensus of the Committee to hear Item 9.9, LS 07-21, at this time.

8. Correspondence

8.1 There was no correspondence.

9. Staff Reports

9.1 Financial Services Department and Legal and Enforcement Services Joint Report, FS 14-21
Re: Abilities Centre Land Lease Agreement Amendment and Loan Agreement

A brief question and answer period ensued between Members of Committee and Staff regarding confirmation that the proposed loan agreement with the Abilities Centre was similar to the Town's loan agreement with the Whitby Football Club for the soccer dome construction costs.

Recommendation:

Moved By Councillor Mulcahy

1. That the Town of Whitby provide a long-term loan to the Abilities Centre, to a maximum amount of \$6,500,000 funded from the Long-Term Finance Reserve;
2. That the Mayor and Clerk be authorized to sign a loan agreement with the Abilities Centre attached as Schedule 1 of report FS 14-21;
3. That the Mayor and Clerk be authorized to sign an amendment to the Ground Lease Agreement to extend the term to 2051 (from 2030) and to reflect the loan agreement;
4. That the Treasurer and Town Solicitor be authorized to negotiate and adjust conditions in the best interest of the Town of Whitby; and,
5. That item MD-5476 be removed from the New and Unfinished Business list.

Carried

It was the consensus of the Committee to hear Item 7.2, Delegation by Matthew Cory representing Brooklin North Landowners Group, at this time.

9.2 Public Works Department and Financial Services Department Joint Report, FS 16-21
Re: T-504-2021 – Pavement Routing and Crack Sealing

A brief question and answer period ensued between Members of Committee and Staff regarding the longevity of crack sealing.

Recommendation:

Moved By Councillor Mulcahy

1. That Tender T-504-2021 be awarded to Right Seal Inc., in the amount of \$78,764.00 (plus applicable taxes), for 2021 pavement routing and crack sealing works, to be funded from the capital projects listed in Table 2 of Report FS 16-21;
2. That the revised cost estimates, totaling \$110,150.24 for the two (2) capital projects noted in Table 2 of Report FS 16-21 be approved;
3. That approval be granted to extend this contract for up to two (2) additional one (1) year term(s) subject to budget approval and the Contractor's successful performance of the previous term including product quality and timely delivery; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.3 Financial Services Department Report, FS 22-21
Re: 2020 Year End Operating Variances and 2021 Projection as at March 31

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

- whether a financial report to Council would be forthcoming following the year end audit scheduled to take place in May 2021;
- whether the reduction of the investment revenues was related to the previously approved long-term investment through the Prudent Investor standard;
- clarification on whether there was a reduction in short-term investment revenue and not long-term investment revenue;

- confirmation on funds transferred to the Asset Management Reserve Fund, the possibility that some of those funds may be needed to offset potential losses for the remainder of 2021, and whether the Asset Management Reserve Fund would have to be used for future financial pressures related to COVID-19; and,
- whether there was uncertainty about the future COVID-19 pandemic costs, savings, and restarting programs to predict financial projections for the end of 2021.

Recommendation:

Moved By Councillor Leahy

That report No. FS 22-21 regarding the 2020 Year End Operating Variances and 2021 Projection as at March 31 be received as information.

Carried

9.4 Public Works Department and Financial Services Department Joint Report, FS 24-21
Re: T-501-2021 – Urban Road Resurfacing

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

- whether the Town has used Four Seasons Site Development Ltd. in the past; and,
- whether the project would be delayed due to COVID-19.

Recommendation:

Moved By Councillor Newman

1. That Tender T-501-2021 be awarded to Four Seasons Site Development Ltd., in the amount of \$2,176,154.50 (plus applicable taxes), for 2021 urban road resurfacing works, to be funded from the capital projects listed in Table 2 of Report FS 24-21;
2. That the revised cost estimates, totaling \$2,580,000.00 for the 13 capital projects noted in Table 2 of Report FS 24-21 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.5 Financial Services Department Report, FS 28-21
Re: Development Charge By-law Final Recommendations [Revised]

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

- the cost to the Town should the adoption of the proposed Development Charge By-law be delayed by a month;
- whether the option to phase in the proposed development charges was viable and the cost associated with a phased-in approach;
- the possibility of accepting bonds versus letters of credit;
- opportunities for financial support for small commercial development due to the proposed commercial development charge rates, and the impact of the COVID-19 pandemic on small businesses;
- whether communication had taken place with stakeholders requesting additional time to review the proposed Development Charge By-law; and,
- deferring consideration of the Staff report until the Council meeting on May 17, 2021.

Recommendation:

Moved By Councillor Mulcahy

1. That based on submissions received regarding the February 19, 2021 Development Charge Background Study, it is recommended that the revisions provided in Attachment 1, Attachment 2 and Attachment 3 of report FS 28-21 be included in the development charge calculations;
2. That Schedule B and Schedule C of the proposed by-law included in Attachment 4 be amended to reflect the calculated development charge rates outlined in Attachment 5 of report FS 28-21;
3. That the Town of Whitby Development Charge Background Study, dated February 19, 2021 completed in accordance with Section 10 of the Development Charges Act, 1997, and as modified by the above recommendations, be adopted, including the forecasts of development activity, the capital program and all calculations contained therein;
4. That approval of the capital program, included in the Background Study, as modified, indicates Council's intention that an increase

in the need for service will be met as required under paragraph 3 of Section 5(1) of the Development Charges Act, 1997 and Section 3 of Ontario Regulation 82/98. This approval shall be subject to further annual review during the capital budget process;

5. That in accordance with s.s.5(1)5 of the Development Charges Act, 1997 and Section 5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity identified in the Development Charge Background Study, as modified, shall be paid for by development charges contemplated in the said Development Charges Background Study, or other similar changes;
6. That having considered the submissions received on, before and during the public meeting held on March 8, 2021 in connection with the Development Charges Background Study, as modified, and the proposed Development Charge By-law, and taking into consideration any changes made to the proposed Development Charge By-law following the said public meeting, Council determines that no further public meeting under Section 12 of the Development Charges Act, 1997, S.O. 1997, c.27 is necessary with respect to the said Development Charges Background Study or the Development Charges By-law;
7. That having considered the use of more than one development charge by-law to reflect different needs for services in different areas, Council determines that for the services and associated infrastructure proposed to be funded by development charges under the Development Charge By-law, that it is fair and reasonable that the charges be calculated on a Town-wide uniform basis;
8. That Council approve the asset management plan outlined in the Development Charge Background Study, as modified (Attachment 6), and give consideration to incorporate the asset management plan outlined in the Development Charge Background Study within the Town's ongoing practices and corporate asset management strategy; and,
9. That the proposed Development Charge By-law included in Attachment 4, originally included in the Development Charge Background Study, dated February 19, 2021, prepared by Hemson Consulting Ltd. and as modified by the recommendations approved by Council in Financial Services report FS 28-21 be brought forward effective June 1, 2021.

Carried

It was the consensus of the Committee to hear Item 7.3, Delegation by Rob Whitehouse, at this time.

9.6 Community Services Department and Financial Services Department
Joint Report, FS 33-21
Re: T-3-2021 – Asphalt Trail and Parking Lot Construction

Recommendation:

Moved By Councillor Leahy

1. That Tender T-3-2021 be awarded to Dukon Construction Ltd. in the amount of \$230,674.70 (plus applicable taxes), funded from the capital projects listed in Table 2 of Report FS 33-21, for the following works:
 - Paving of the existing parking lot at the Cochrane Street Off-Leash Dog Park;
 - Constructing a new section of the Hydro Corridor Trail connecting Longwood Park to Thickson Road; and,
 - Constructing a new trail section connecting the Ash Creek Channel Trail to Brock Street through Bradley Park;
2. That the revised cost estimates totaling \$277,642.51, for the three capital projects noted in Table 2 of Report FS 33-21 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.7 Public Works Department Report, PW 18-21
Re: Robert Attersley Drive East Speed Hump Pilot Project Status Update

Discussion ensued between Members of Committee and Staff regarding;

- the importance of addressing traffic speed within the Town;
- when the Robert Attersley Drive East Speed Hump Pilot Project commenced, and the influx of correspondence from residents across Town;
- the reduction in speed on Robert Attersley Drive due to the installation of speed humps;
- lowering the speed limit on certain streets in Whitby which resulted in increased speed;

- the need to expand the program to encourage a reduction in speed and change driver behaviour;
- the damage to operational equipment resulting from speed humps; and,
- ensuring that all wards receive equal treatment through the expanded program.

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

- whether staff would consult with respective Ward Councillors, and how streets identified for the installation of speed humps would be determined;
- whether there was criteria that would be used to determine the locations for the installation of speed humps or other traffic calming measures;
- the possibility of delineating the technical criteria that would be used for selecting two streets for speed humps in each ward in 2021;
- a review of policies and procedures for Toronto and area municipalities that have implemented speed humps;
- clarification on the number of streets per ward in 2021 that would be reviewed for the installation of speed humps/speed bumps, and whether the speed humps/bumps would be simultaneously installed in all wards;
- clarification on the installation of speed humps on approximately 10 streets per year over 5 years;
- the timeline for the installation of the speed humps on Robert Attersley Drive and Whitburn Road;
- clarification on investigating traffic calming measures in addition to speed humps;
- the cost of installing speed humps on one street;
- clarification on the budget for traffic calming measures per annum;
- whether a report back on the long-term policy and plan could take place prior to the 2022 budget;
- whether the proposed amendments would delay the installation of speed humps on Whitburn Street; and,
- whether slow down signs would be provided on request.

Recommendation:

Moved By Councillor Newman

1. That permanent asphalt speed humps be installed on Robert Attersley Drive East, in accordance with the directions of Report No. PW 18-21;
2. That permanent asphalt speed humps be installed on Whitburn Street, in accordance with the directions of Report No. PW 18-21; and,
3. That the Clerk forward a copy of Report No. PW 18-21 to emergency services, the Durham District School Board and Durham Student Transportation Services.

Carried later in the meeting. [See following motions]

Recommendation:

Moved By Councillor Lee

That the main motion be amended by adding the following as Item 3 and that the remaining items be renumbered accordingly:

3. That two streets be identified per ward to have speed humps installed in 2021, with the streets being selected by Staff in consultation with the respective Ward Councillor, and that the funding source be determined by the Commissioner of Finance/Treasurer.

Carried

Recommendation:

Moved By Councillor Leahy

That the main motion be amended by adding the following as Item 4 and that the remaining items be renumbered accordingly.

4. That the 2022 Budget include a decision item to install speed humps on approximately 10 streets per year for the next 5 years, with the streets to be evaluated based on the development of a traffic calming policy that will identify traffic calming devices/opportunities and a warrant procedure.

Carried

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

Recommendation:

Moved By Councillor Newman

1. That permanent asphalt speed humps be installed on Robert Attersley Drive East, in accordance with the directions of Report No. PW 18-21;
2. That permanent asphalt speed humps be installed on Whitburn Street, in accordance with the directions of Report No. PW 18-21;
3. That two streets be identified per ward to have speed humps installed in 2021, with the streets being selected by Staff in consultation with the respective Ward Councillor, and that the funding source be determined by the Commissioner of Finance/Treasurer;
4. That the 2022 Budget include a decision item install speed humps on approximately 10 streets per year for the next 5 years, with the streets to be evaluated based on the development of a traffic calming policy that will identify traffic calming devices/opportunities and a warrant procedure; and,
5. That the Clerk forward a copy of Report No. PW 18-21 to emergency services, the Durham District School Board and Durham Student Transportation Services.

Carried

It was the consensus of the Committee to hear Item 7.13, Delegation by Martin Field, at this time.

- 9.8** Office of the Chief Administrative Officer Report, CAO 12-21
Re: Award to Bang the Table for its EngagementHQ Platform - Connect Whitby

Recommendation:

Moved By Councillor Newman

That Council approve the sole source award to EngagementHQ Platform by Bang the Table (branded as 'Connect Whitby') for a period of five years with an option to extend year-by-year after 2026, based on the terms as outlined in report CAO 12- 21.

Carried

- 9.9** Legal and Enforcement Services Report, LS 07-21
Re: Proposed Restrictions on Sales of Domestic Animals

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

- the rationale for waiting until the end of 2021 for a report back to Council, and whether the timeline for a report back at the end of 2021 would need to be extended;
- whether the City of Oshawa's by-law could be used to draft the Town's by-law; and,
- clarification on the content of the proposed policy and by-law.

Recommendation:

Moved By Councillor Newman

1. That Report LS 07-21 be received for information; and,
2. That staff report back by the end of 2021 on a possible pet shop regulatory and licensing by-law for Whitby, including staffing and budget impacts, that integrates the appropriate best practices of neighbouring municipalities in Durham Region and takes into account the interested party feedback that was received at the Committee of the Whole meeting on May 10, 2021.

Carried

It was the consensus of the Committee to hear Item 9.2, FS 16-21, at this time.

9.10 Community Services Department Report, CMS 07-21
Re: Accessibility Improvement Grant Program

Recommendation:

Moved By Councillor Mulcahy

1. That Council approve the Accessibility Improvement Grant Program Policy and Procedures and direct Staff to implement this program commencing in third quarter 2021; and,
2. That the Accessibility Advisory Committee report back to Council annually on the distribution of funds through the Accessibility Improvement Grant Program.

Carried

10. New and Unfinished Business - General Government

10.1 New and Unfinished Business - General Government

There was no new and unfinished business.

Adjournment

Motion to Adjourn

Recommendation:

Moved By Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 10:30 p.m.