

**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  
S. Beale, Commissioner of Public Works  
S. Klein, Director of Strategic Initiatives  
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor  
J. Romano, Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Fire Chief  
F. Wong, Commissioner of Financial Services/Treasurer  
H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

Recognition of Suzanne Beale, Commissioner of Public Works

Prior to the Adoption of Minutes, Mayor Mitchell, Members of Council, and CAO Gaskell recognized the upcoming retirement of Suzanne Beale, Commissioner of Public Works. CAO Gaskell provided an overview of Ms. Beale's career with the Town and highlighted her efforts to modernize the department while overseeing a number of large capital projects and serving as a key member of the Town's Senior Leadership

Team.

2. Adoption of Minutes

- 2.1** Regular Council - March 8, 2021 (Confidential Minutes Under Separate Cover)  
Special Council - March 8, 2021  
Special Council - March 29, 2021  
Special Council - April 19, 2021

**Resolution # 88-21**

Moved By Councillor Drumm  
Seconded By Councillor Newman

That the Regular Council minutes of March 8, 2021 and the Special Council minutes of March 8, March 29, and April 19, 2021 be adopted.

**Carried**

3. Presentations

- 3.1** Jim Lawrie, Accessibility Advisory Committee  
Award/Recognition: Longstanding Service on the Accessibility Advisory Committee

Mayor Mitchell and Members of Council recognized Jim Lawrie for his thirteen years of service on the Town's Accessibility Advisory Committee, including seven years as the Chair of the Committee. Councillor Yamada, as the Mayor's Designate to the Accessibility Advisory Committee thanked Mr. Lawrie for his leadership, guidance, and passion and his efforts to make the Town more inclusive, caring, and equitable.

- 3.2** Gerry Moote, Inspector, Durham Regional Police Service  
Re: 2021 Community Safety Plan

Gerry Moote, Inspector, Durham Regional Police Service, appeared before Council and provided a PowerPoint presentation regarding the 2021 Community Safety Plan. Highlights of the presentation included:

- an overview of the number of Staff working in Central West Division and the patrol area for the division;
- the seven desired outcomes for 2021 versus 2020 identified in the annual Strategic Operational Plan, including:

- a decrease in calls for crime and disorder in North Oshawa, and a decrease in serious incidents related to crimes against persons;
- a reduction in the number of motor vehicle collisions throughout the division;
- a five percent increase in the number of Provincial Offence notices that target the "big four killers" including distracted driving, seat belts, aggressive driving, and speeding;
- a reduction in collisions in the top four high collision intersections including the intersections of Victoria Street and Thickson Road, Thickson Road and Dundas Street, Brock Street and Taunton Road, and Lake Ridge Road and Dundas Street;
- a reduction in collisions involving impaired driving;
- a ten percent reduction in calls made from the downtown core of Whitby specifically during Friday and Saturday nights, although this initiative is on hold due to the pandemic and associated business closures; and,
- a ten percent reduction in calls for service in the Consumers Drive motel area and the surrounding business area.

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

- human trafficking occurring in motels along the Highway 401 corridor;
- a recent Staffing increase in the human trafficking unit as a result of Provincial funding;
- anti-mask and anti-lockdown protests that are upcoming in the community, including a potential protest at Baycliffe Park and details about how the police respond to these protests;
- the importance of residents locking their vehicles to prevent crimes of opportunity;
- how security cameras and doorbell cameras can aid in police investigations;
- details about how the police respond to speeding and street racing concerns and how they log complaints to identify trends;
- adding additional automated speed enforcement cameras in Whitby;
- intersections in the Town that are subject to a high volume of collisions;
- when and how residents can contact the police with concerns about illegal gatherings during the pandemic;
- how the police work with the Town's Enforcement Services Division to provide education and conduct enforcement related to

- the Provincial Stay at Home Order; and,
- the potential fines associated with organizers and participants at illegal gatherings.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 That the following requests be endorsed:

- April 2021 - World Autism Awareness Month
- April 28, 2021 - Day of Mourning
- May 1, 2021 - First Responders Day
- May 3 to 9, 2021 - Maternal Mental Health Week
- May 10 to 14, 2021 - Flag Raising - Nursing Week
- May 10 to 16, 2021 - Nursing Week
- May 14, 2021 - Apraxia Awareness Day
- May 17 to 21, 2021 - Flag Raising - International Day Against Homophobia, Transphobia and Biphobia
- May 28, 2021 - Bullying Elimination Day
- June 15, 2021 - World Elder Abuse Awareness Day

**Resolution # 89-21**

Moved By Councillor Shahid

Seconded By Councillor Lee

That the proclamations for World Autism Awareness Month, Day of Mourning, First Responders Day, Maternal Mental Health Week, Nursing Week, Apraxia Awareness Day, Bullying Elimination Day, and World Elder Abuse Awareness Day and the flag raisings for Nursing Week and International Day Against Homophobia, Transphobia and Biphobia be endorsed.

**Carried**

5.2 Memorandum from J. Romano, Commissioner of Community Services, dated April 20, 2021 regarding 2021 Dates of Significance for Proclamations

**Resolution # 90-21**

Moved By Councillor Shahid  
Seconded By Councillor Lee

That the proclamations from May 2021 to December 2021 outlined in the Memorandum from J. Romano, Commissioner of Community Services, dated April 20, 2021, be endorsed.

**Carried**

6. Committee of the Whole Report  
Planning and Development - April 12, 2021

**6.1** Memorandum from R. Saunders, Commissioner of Planning and Development, dated April 12, 2021 regarding the Heritage Whitby Advisory Committee's 2020 Annual Report

Councillor Newman, as the Mayor's Designate on the Heritage Whitby Advisory Committee recognized Stacey Kursikowski, Planner II, Downtown Development and thanked her for her diligence and passion with respect to heritage matters and for her support of the Committee.

**Resolution # 91-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

That the Heritage Whitby Advisory Committee's 2020 Annual Report be received for information.

**Carried**

**6.2** Planning and Development Department Report, PL 14-21  
Re: Sign By-law Variance to Permanent Sign By-law for 1615 Dundas Street East (McDonald's), File No. SB-01-21

**Resolution # 92-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law #7379-18 for McDonald's, located at 1615 Dundas Street East, given that the proposed signs will only be visible to persons who enter the McDonald's property for the purpose of

accessing the drive-through.

**Carried**

- 6.3** Planning and Development Department Report, PL 15-21  
Re: Sign By-law Variance to Permanent Sign By-law for 70 Thickson Road South (Taco Bell), File Number: SB-05-20

**Resolution # 93-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

That Council approve the request for a variance to the Town of Whitby Permanent Sign By-law # 7379-18 for Taco Bell, located at 70 Thickson Road South, given that the proposed signs will not be digital and will only be visible to persons who enter the Taco Bell property for the purpose of accessing the drive-through.

**Carried**

- 6.4** Planning and Development Department Report, PL 16-21  
Re: Interim Control By-law Study Work Plan

**Resolution # 94-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

That Report PL 16-21 be received for information.

**Carried**

- 6.5** Planning and Development Department Report, PL 17-21  
Re: Designation of the Malcolm McTaggart House at 9455 Baldwin Street North, as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18.

**Resolution # 95-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

1. That a Notice of Intention to Designate the property identified as the Malcolm McTaggart House at 9455 Baldwin Street North, be published as per Section 29 (1.1) of the Ontario Heritage Act, R.S.O. 1990 c. O.18, as amended;
2. That, if there are no objections to the designation in accordance with Section 29 (6) of the Ontario Heritage Act, the Clerk be authorized to introduce a by-law designating the property under Part IV, Section 29 of the Ontario Heritage Act; and,
3. That, if there are objections in accordance with Section 29 (7) of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Conservation Review Board.

**Carried**

- 6.6** Planning and Development Department Report, PL 18-21  
Re: Requests for exemptions from Interim Control By-law # 7699-20 and # 7700-20

**Resolution # 96-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

That Council approve the requests for exemptions from Town of Whitby Interim Control By-laws # 7699-20 and # 7700-20 for 205 Starr Avenue, 500 Henry Street, 247 Garrard Road, 72 Garrard Road, 44 Garrard Road, and 56 Meadow Crescent.

**Carried**

- 6.7** Planning and Development Department Report, PL 19-21  
Re: G & L Group Ltd., Devil's Den Golf Course, 745 Winchester Road West and 5515 Coronation Road

**Resolution # 97-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

1. That a By-law to adopt Official Plan Amendment No. 99, and a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council to permit the development of the Devil's

- Den Golf Course; and,
2. That MD-1970 be removed from the New and Unfinished Business List.

**Carried**

- 6.8** Planning and Development Department Report, PL 21-21  
Re: Draft Plan of Subdivision and Zoning By-law Amendment  
Applications, East Valley and Brooklin Development General Partner  
Limited, 6605 Cochrane Street, File Number: DEV-05-20 (SW-2020-02,  
Z-04-20)

**Resolution # 98-21**

Moved By Councillor Yamada  
Seconded By Councillor Mulcahy

1. That Council approve the Draft Plan of Subdivision (File No. SW-2020-02) subject to the comments included in Planning Report PL 21-21 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-04-20), as outlined in Planning Report PL 21-21; and,
7. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

**Carried**

7. Committee of the Whole Report  
General Government - April 12 and 19, 2021

- 7.1** Memorandum from J. Schofield, Project Manager - Sustainability and Climate Change, dated March 24, 2021 regarding the Whitby Sustainability Advisory Committee's 2020 Annual Report

**Resolution # 99-21**



Moved By Councillor Roy  
Seconded By Councillor Drumm

That the Whitby Sustainability Advisory Committee's 2020 Annual Report be received for information.

**Carried**

- 7.2** Memorandum from Andre Gratton, Manager of Enforcement Services, dated April 7, 2021 regarding the Update on Request for Fence By-law Exemption, Correspondence # 2020-090 for 48 Flint Crescent, Whitby, ON

**Resolution # 100-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That the Memorandum from A. Gratton, Manager of Enforcement Services, dated April 7, 2021 regarding a request for an exemption to Fence By-law # 4394-99 at 48 Flint Crescent related to rear and side yard fences be received for information; and,
2. Notwithstanding any other provisions of Fence By-law # 4394-99 to the contrary, a privacy fence 2.3 metres high is permitted in the side yard between 46 and 48 Flint Crescent, and a privacy fence 2.4 metres high is permitted in the rear yard between 40 and 42 Sutcliffe Drive and 48 Flint Crescent.

**Carried**

- 7.3** Legal and Enforcement Services Report, LS 02-21  
Re: Award to DocuPet Services Ltd. for Whitby Pet Licensing Services

**Resolution # 101-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Council approve the sole source award to DocuPet Services Ltd. for animal licensing services based on the terms outlined in Report LS 02-21;
2. That the Mayor and Clerk be authorized to execute the

agreement with DocuPet Services Ltd., together with any other documents necessary to give effect to the agreement, subject to the satisfaction of the Town Solicitor; and,

3. That staff bring forward an amendment to the Town's Fees and Charges By-law for animal licensing fees pursuant to Report LS 02-21.

**Carried**

**7.4** Office of the Chief Administrative Officer Report, CAO 09-21  
Re: Farmers' Market – 2021 Update

A brief discussion ensued between Members of Council regarding the importance of the Farmers' Market to Downtown Whitby and the new Farmers' Market being established in Downtown Brooklin in the summer.

**Resolution # 102-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That report CAO 09-21 be received for information; and,
2. That staff be authorized to prepare an agreement between the Durham Region Farmers' Market Association and the Town of Whitby, in accordance with the recommendations contained in Report CAO 09-21, for use of Municipal Parking Lot 9 in Brooklin and Celebration Square at the Whitby Public Library effective May 1, 2021 to October 31, 2024.

**Carried**

**7.5** Office of the Chief Administrative Officer, Community Services Department, and Public Works Department Joint Report, CAO 11-21  
Re: 2021 Earth Day and Provincial Day of Action on Litter Celebrations

**Resolution # 103-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Report CAO 11-21 be received as information;
2. That Council recognize May 11, 2021, as the Provincial Day of Action on Litter; and,

3. That this report be forwarded to Whitby Advisory Committees of Council as correspondence for information.

**Carried**

- 7.6** Public Works Department and Legal and Enforcement Services Joint Report, PW 9-21  
Re: No Parking within the Municipal Boulevard

**Resolution # 104-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Report PW 9-21 be received for information; and,
2. That MD-5659 be removed from the New and Unfinished Business listing.

**Carried**

- 7.7** Public Works Department Report, PW 11-21  
Re: Impact of COVID-19 on Curbside Waste Generation

**Resolution # 105-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Public Works report PW 11-21 be received as information.

**Carried**

- 7.8** Public Works Department Report, PW 13-21  
Re: Brooklin South Interim Resources Strategy [Revised]

**Resolution # 106-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Council approve staff report PW 13-21 recommendation for an Interim Resources Strategy for the Brooklin South Draft Plans

Review Stage which is to engage engineering consultants to be funded by the Brooklin South (C & A) Landowners Group (See Attachment 1).

2. That Council approve the list of consultants, as presented in staff report PW 13-21 to be retained by the Town as sole source consultants to provide Engineering Consultant services at the Draft Plan Application stage for the Brooklin South Developments as shown in Attachment 1; and,
3. That staff continue to provide status updates as required, to Council on the recommended resource strategy for the Brooklin expansion.

**Carried**

- 7.9** Community Services Department Report, CMS 06-21  
Re: Appointment of Members to the 55+ Recreation Advisory Committee and an Update on Current 55+ Recreation Activities

**Resolution # 107-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Council approve and appoint the following individuals to the Whitby 55+ Recreation Advisory Committee for a period of one year ending December 31, 2021:
  - Mary Poirier
  - Maureen Licsi
  - Joanne Smith
  - Sharon Bagatto
2. That Council receive as information an update on current activities offered by 55+ Recreation during the pandemic.

**Carried**

- 7.10** Confidential Legal and Enforcement Services and Public Works Department Joint Report, LS 03-21  
Re: Proposed Purchase of Storm Drain Easement at 122 Way Street, Whitby

**Resolution # 108-21**

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That staff be directed to proceed with Option 3 as set out in Report LS 03-21; and,
2. That the Mayor and Clerk are authorized to execute the easement agreement for 122 Way St. that is included as Attachment 1 to Report LS 03-21, together with any other documents necessary to give effect to the agreement.

**Carried**

- 7.11** Confidential Memorandum from C. Harris, Town Clerk dated March 29, 2021 regarding Recommendation for Appointment to the Property Standards Appeal Committee

**Resolution # 109-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Council appoint Ryan Peers to the Property Standards Appeal Committee for the term ending November 14, 2022 or until a successor is appointed.

**Carried**

- 7.12** Memorandum from J. Romano, Commissioner of Community Services, dated April 9, 2021 regarding Forest Heights Park basketball court relocation

A brief question and answer period ensued between Members of Council and Staff regarding concerns about people gathering on the basketball court during the pandemic, preliminary discussions that had taken place with the Durham District School Board about relocating the basketball court, and covering the basketball nets to prevent use of the courts during the Provincial Stay At Home Order.

**Resolution # 110-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That the Memorandum from J. Romano, Commissioner of

Community Services, dated April 9, 2021 regarding Forest Heights Park basketball court relocation be received for information; and,

2. That Staff be directed to continue to explore relocating the basketball court along the north side of the north soccer field adjacent to the Durham District School Board property and report to Council at a future date.

**Carried**

- 7.13** Correspondence # 2021-401 from the Mary Medeiros, City Clerk, City of Oshawa, dated April 8, 2021 regarding the process to establish the City of Oshawa including the lands in Oshawa operated by Hamilton-Oshawa Port Authority as a Foreign Trade Zone

**Resolution # 111-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Correspondence # 2021-401 from the Mary Medeiros, City Clerk, City of Oshawa, dated April 8, 2021 regarding the process to establish the City of Oshawa including the lands in Oshawa operated by Hamilton-Oshawa Port Authority as a Foreign Trade Zone be received for information.

**Carried**

- 7.14** Financial Services Department Report, FS 10-21  
Re: Remuneration and Expenses paid to Mayor and Members of Council and Council Appointees to Boards – 2020

**Resolution # 112-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

That Report FS 10-21 of the Commissioner, Financial Services/Treasurer be received for information.

**Carried**

- 7.15** Public Works Department and Financial Services Department Joint

Report, FS 15-21

Re: T-7-2021 – Garden Street Multi-Use Path and Tree Planting (from Dryden Boulevard to Taunton Road)

**Resolution # 113-21**

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Tender T-7-2021 be awarded to Wyndale Paving Co. Ltd, in the amount of \$431,382.75 (plus applicable taxes), funded from the capital project 40206009 – Garden Street Multi-Use Path and Tree Planting (from Dryden to Taunton);
2. That the revised cost estimate of \$670,396.00 for the Garden Street Multi-Use Path project (capital project 40206009) be approved;
3. That Staff continue to review further opportunities to plant additional trees in the adjacent boulevards, including along Chiltern Place, as part of the Garden Street Multi-Use and Tree Planting project and as part of the future widening of Garden Street; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

**7.16** Public Works Department and Financial Services Department Joint Report, FS 17-21

Re: T-513-2021 – Surface Treatment and Slurry Seal

**Resolution # 114-21**

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Tender T-513-2021 be awarded to Miller Paving Limited, in the amount of \$211,144.50 (plus applicable taxes), for 2021 surface treatment and slurry seal works, to be funded from the capital projects listed in Table 2 of Report FS 17-21;
2. That the revised cost estimates, totaling \$254,860.65, for the three capital projects noted in Table 2 of Report FS 17-21 be approved;
3. That approval be granted to extend this contract for one (1) additional term 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**

- 7.17** Community Services Department and Financial Services Department Joint Report, FS 19-21  
Re: T-11-2021 – Playground Improvements Davies, Ennisclare and Hannam Parks

**Resolution # 115-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Tender T-11-2021 be awarded to Gray's Landscaping & Snow Removal Inc. in the amount of \$260,493.45 (plus applicable taxes), for 2021 Playground Improvements for Davis, Ennisclare and Hannam Parks, to be funded from the capital projects listed in Table 2 of Report FS 19-21;
2. That the revised cost estimates totaling \$550,755.55, for the three capital projects noted in Table 2 of Report FS 19-21 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

**Carried**

- 7.18** Financial Services Department Report, FS 20-21  
Re: 2021 Final Tax Billing

A brief question and answer period ensued between Members of Council and Staff regarding the tax bill due dates recommended in the Staff Report and the availability of Provincial and Federal government support for businesses.

**Resolution # 116-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm



1. That the property tax rates for the year 2021, General Municipal Town Levies be approved as indicated in Schedule "A", attached to Report FS 20-21;
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 2021 Budget;
3. That the final tax bill due dates for the Residential, Farmland, Pipeline and Managed Forest tax classes be June 24, 2021 and September 24, 2021;
4. That the final tax bill due dates for the capped tax classes (Commercial, Industrial and Multi-Residential) also be established for June 24, 2021 and September 24, 2021;
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 bylaw for the Special Tax Levy in support of the BIA, to set the due dates and levy rates for 2021 in accordance with the approved budgets and regulations, be brought forward at a future Council meeting.

**Carried**

- 7.19** Financial Services Department Report, FS 21-21  
Re: Delegated Authority for Grant Applications and Procurements

**Resolution # 117-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That staff be delegated the authority to submit all Federal or Provincial grants applications, normally requiring Council authorization beforehand, until April 1, 2023 subject to the agreement of the Chief Administrative Officer, Commissioner responsible for the project, and the Treasurer;
2. That the Treasurer, Commissioner, and Senior Manager of Procurement be delegated authority to award all contracts related to Federal or Provincial grant projects, that are within budget and normally require Council authorization beforehand, until April 1, 2023; and,
3. That staff report on grant applications submitted, grant

agreements executed, and procurements awarded, that normally would require Council approval, at the earliest opportunity following the event.

**Carried**

- 7.20** Office of the Town Clerk Report, CLK 05-21  
Re: Boards and Committees Code of Conduct Update

**Resolution # 118-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That the Clerk be directed to bring forward a by-law to adopt the amendments to the Boards and Advisory Committees Code of Conduct as shown in Attachment 1 appended to Report CLK 05-21; and,
2. That the Clerk be directed to circulate a copy of Council's decision and Report CLK 05-21 to Mr. Guy Giorno, Integrity Commissioner, and to the relevant Board and Committee members.

**Carried**

- 7.21** Public Works Department Report, PW 15-21  
Re: Highway 7/12 Alternate Route Environmental Assessment Status Update and Short Term Project Management Strategy

**Resolution # 119-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Council receive status update for Highway 7/12 Alternate Route Environmental Assessment (EA) Study;
2. That Council approve the additional expenditure of \$75,000, to a total of \$125,000, to Bumstead Integrated Transportation Consulting Ltd. as Senior Project Manager for the project, funded from capital project 40160502 - EA Study for Highway 7/12 Alternate Route; and,
3. That Council approve the continuation of the sole source of Bumstead Integrated Consulting Ltd. as the Senior Project

Manager for the EA Study for Highway 7/12 Alternate Route, in accordance with the Purchasing Policy, as the consultant is already at work on the project.

**Carried**

- 7.22** Legal and Enforcement Services Report, LS 04-21  
Re: Stop Up and Close Part of Way Street to Correct Title Issue (68 Way Street)

**Resolution # 120-21**

Moved By Councillor Roy  
Seconded By Councillor Drumm

1. That Council stop up and close a portion of Way Street as a public highway being Part Lot 24, Concession 6, designated as Part 9 on Plan 40R-27926, Town of Whitby (PIN 26572-2372 (LT)) (the "Subject Lands");
2. That Council waive the Town's requirement of giving public notice of its intention to stop up and close the Subject Lands as a public highway; and,
3. That a by-law be brought forward authorizing the stopping up and closing of the Subject Lands as a public highway.

**Carried**

- 7.23** Legal and Enforcement Services and Office of the Town Clerk Joint Report, LS 05-21  
Re: Election Sign By-law Survey Results and proposed Election Sign By-law

Discussion ensued between Members of Council regarding:

- the separation distance required between signs for Provincial and Federal election candidates versus Municipal election candidates;
- feedback from the public obtained through the Election Sign By-law survey which generally supported the Staff recommended separation distance and supported an overall reduction in the number of election signs;
- adopting the Staff recommended separation distance of 500 metres between election signs rather than creating a different standard for Provincial and Federal election candidates;
- the difference between Provincial/Federal election campaigns versus Municipal campaigns noting that candidates in

Provincial/Federal elections generally have professional support and sign installation teams;

- the limited number of candidates in Provincial and Federal elections versus Municipal elections which results in less election signs during Provincial and Federal elections; and,
- how banning signs on local roads will lead to a significant reduction in the total number of election signs regardless of the separation distances applied to arterial and regional roads.

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Staff Report LS 05-21 be received for information;
2. That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.3 of Report LS 05-21, except that signs for candidates in provincial and federal elections be required to be separated by a minimum distance of 250 metres instead of 500 metres on arterial and regional roads;
3. That the Clerk be directed to bring forward a by-law to amend Temporary Sign By-law # 5696-05 to remove provisions in the by-law regulating election signs; and,
4. That Item MD-4917 be removed from the General Government New and Unfinished Business List.

**Carried later in the meeting [See following motions]**

Moved By Councillor Lee

Seconded By Councillor Roy

That Item 2 of the main motion be amended by striking, "except that signs for candidates in provincial and federal elections be required to be separated by a minimum distance of 250 metres instead of 500 metres on arterial and regional roads".

**Motion lost on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm		x	
Councillor Leahy		x	
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman		x	

Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada		x	
Mayor Mitchell		x	
	4	5	0

The main motion was then carried as follows:

**Resolution # 121-21**

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Staff Report LS 05-21 be received for information;
2. That the Clerk be directed to bring forward a stand-alone Election Sign By-law to give effect to the recommendations contained in Section 4.3 of Report LS 05-21, except that signs for candidates in provincial and federal elections be required to be separated by a minimum distance of 250 metres instead of 500 metres on arterial and regional roads;
3. That the Clerk be directed to bring forward a by-law to amend Temporary Sign By-law # 5696-05 to remove provisions in the by-law regulating election signs; and,
4. That Item MD-4917 be removed from the General Government New and Unfinished Business List.

**Carried on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee		x	
Councillor Mulcahy		x	
Councillor Newman	x		
Councillor Roy		x	
Councillor Shahid		x	
Councillor Yamada	x		
Mayor Mitchell	x		
	5	4	0

- 7.24** Fire and Emergency Services Department Report, FR 02-21  
Re: Provincial Grant Opportunity for Whitby Fire and Emergency

Services

**Resolution # 122-21**

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That the Town of Whitby Council endorse the Town's application for the 2020/2021 Fire Safety Grant provided by the Office of the Ontario Fire Marshal and Emergency Management (OFMEM);
2. That a new capital project be established in the amount of \$36,200 funded from the Fire Safety Grant; and,
3. That staff be authorized execute all agreements related to the Fire Safety Grant.

**Carried**

**7.25 Highway 412 and 418 Tolls**

**Resolution # 123-21**

Moved By Councillor Roy

Seconded By Councillor Drumm

Whereas the Council of the Town of Whitby has on four previous occasions requested that the Province remove tolls on Highway 412 (see attached Resolutions 602-16, 391-17, 181-18, and 232-19);

Whereas all other Ontario link highways to and from Highway 401 except those in Durham Region are non-tolled highways; and,

Whereas the municipality of Whitby and Council at the time of the decision making was aware of the tolls to the 407 but not that of the 412; and

Whereas Highway 427 has recently seen improvements valued at more than 600 million dollars funded provincially and not from tolls; and

Whereas tolls on Highway 412 and 418 are a distinct disadvantage and disincentive to Durham Region to efficiently move goods, services and people and to attract and retain prestige industrial and office investments and value added jobs for the employment lands abutting the provincial highway; and,

Whereas Highways 412 and 418 are underutilized because of the tolls, resulting in increased traffic on local collector roads and Highway 401;

Whereas in 2018 election promises were made to remove the tolls from the 412 and 418,

Whereas in the last four years of tolling operations, the toll rates have increased by 2.27% (page 37 of Ministry of Transportation Tolling Analysis Report April 2021);

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby requests that Lorne Coe, M.P.P. for Whitby, and all other Durham Area MPPs work with the Minister of Transportation to address the inequalities between Durham 400 series highways and other GTA 400 series highways, to eliminate the tolls on Highways 412 and 418 as was promised in 2018;
2. That Council and Staff work to develop a strategy for continued municipal advocacy surrounding the removal of the 412 and 418 tolls;
3. That the Clerk circulate this to all other area municipalities and Durham Region for endorsement;
4. That the Clerk be directed circulate a copy of this resolution to Premier Doug Ford; the Honourable Caroline Mulroney, Minister of Transportation and Minister of Francophone Affairs; the Honourable Peter Bethenfalvy, Minister of Finance and President of the Treasury Board; Lorne Coe, MPP Whitby; all Durham Region MPPs; John Henry, Regional Chair; and Durham Area Municipalities; and,
5. That the responsibility of changes to tolling contracts for the 412 and 418 should be borne by the province as the Municipality of Whitby were not involved or aware of the tolling decisions.

**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 # 7737-21, being a by-law to stop up and close part of the Public Highway known as Way Street.

Refer to LS 04-21, Stop Up and Close Part of Way Street to Correct Title Issue (68 Way Street)

- 10.2** By-law # 7738-21, being a by-law to Amend the Boards and Advisory Committees Code of Conduct By-law # 7246-17.

Refer to CLK 05-21, Boards and Committees Code of Conduct Update

- 10.3** By-law # 7739-21, being a by-law to Amend By-law 1862-85, being a By-law to Regulate Traffic on the Highways and on Certain Private Roadways in the Town of Whitby.

- 10.4** By-law # 7740-21, being a by-law to set and levy tax rates for the calendar year 2021 for the Town of Whitby and to set penalty and interest rates for unpaid taxes.

Refer to FS 20-21, 2021 Final Tax Billing

- 10.5** By-law # 7741-21, being a by-law to adopt Amendment Number 121 to the Official Plan of the Town of Whitby.

Refer to PL 06-21, Official Plan Amendment and Zoning By-law Amendment Applications, 20 Taunton Road East, Calloway REIT (Whitby NE), File No. DEV-16-20 (OPA2020-W/02, Z-11-20)

- 10.6** By-law # 7742-21, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 06-21, Official Plan Amendment and Zoning By-law Amendment Applications, 20 Taunton Road East, Calloway REIT (Whitby NE), File No. DEV-16-20 (OPA2020-W/02, Z-11-20)

- 10.7** By-law # 7743-21, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-04) as not being subject of Part Lot Control.



- 10.8** By-law # 7744-21, being a by-law to adopt Amendment Number 99 to the Official Plan of the Town of Whitby.

Refer to PL 19-21, G & L Group Ltd., Devil's Den Golf Course, 745 Winchester Road West and 5515 Coronation Road

- 10.9** By-law # 7745-21, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law for the Town of Whitby.

Refer to PL 19-21, G & L Group Ltd., Devil's Den Golf Course, 745 Winchester Road West and 5515 Coronation Road

**Resolution # 124-21**

Moved By Councillor Mulcahy  
Seconded By Councillor Shahid

That leave be granted to introduce By-laws # 7737-21 to # 7745-21 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 # 125-21**

Moved By Councillor Newman  
Seconded By Councillor Drumm

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on April 26, 2021 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**

**12. Adjournment**

**12.1** Motion to Adjourn

That the meeting adjourn.

Moved By Councillor Lee  
Seconded By Councillor Roy

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:31 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor