

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

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

Regrets: None noted

Introductory Remarks Regarding the COVID-19 Pandemic

Prior to the Call of the Roll, Mayor Mitchell and Members of Council expressed their sympathy to those who had passed away from COVID-19 over the past year. Mayor Mitchell led Council in the observance of a moment of silence to reflect on those who had been lost, including those who had passed away in long-term care homes. Members of Council recognized the hardships experienced by the community during the pandemic and thanked the community for its vigilance, resiliency, compassion and support for each other.

1. Declarations of Pecuniary Interest

- 1.1** Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 2.1, Presentation, Doug Allingham and Leo Plue, Members, Hospital Task Force, Re: Hospital Task Force 2021 Update, and Item 4.1, Office of the Chief Administrative Officer and Planning and Development Department Joint Report, CAO 03-21, Re: Hospital Task Force Update on the February 22, 2021 Special Council Meeting Agenda as the lands under discussion in relation to these matters abut or sit upon a portion of 5455 Ashburn Road, a property that Mayor Mitchell and his family have an interest in. Mayor Mitchell did not attend the February 22, 2021 Special Council Meeting and as such, declared the pecuniary interest at the next meeting of Council, in accordance with the Municipal Conflict of Interest Act.

2. Adoption of Minutes

- 2.1** Regular Council - January 25, 2021
Special Council - February 1, 2021 (Confidential Minutes Under Separate Cover)
Special Council - February 8, 2021 (6:00 p.m.) (Confidential Minutes Under Separate Cover)
Special Council - February 8, 2021 (7:00 p.m.)
Special Council - February 22, 2021
Special Council - February 25, 2021

Resolution # 39-21

Moved By Councillor Drumm
Seconded By Councillor Lee

That the Regular Council minutes of January 25, 2021 and the Special Council minutes of February 1, February 8 (6:00 p.m.), February 8 (7:00 p.m.), February 22 and February 25, 2021 be adopted.

Carried

3. Presentations

- 3.1** Matthew Gaskell, Chief Administrative Officer
Re: Town of Whitby – COVID-19 Update

Matthew Gaskell, Chief Administrative Officer, appeared before Council and provided a PowerPoint presentation regarding impacts on the Town of Whitby due to the ongoing COVID-19 pandemic. Highlights of the

presentation included:

- challenges faced by the Town in 2020 and ongoing considerations related to the pandemic that are forecast to continue to affect the Town's operations throughout 2021;
- a timeline of actions taken by the Town and Staff in response to the pandemic and fluctuating public health restrictions;
- impacts to the Town's operations including service adjustments, a hiring freeze for new positions, reduced hiring of summer students, the closure of recreation facilities, project delays, and future unknown costs associated with the pandemic;
- stress and anxiety reported by Staff during the pandemic including an increase in anti-anxiety drug claims observed in the workforce;
- planning for the gradual reopening of Town facilities and services in accordance with the Province's COVID-19 response framework;
- focusing on the continued transition to the use of virtual tools to provide services in accordance with public demand; and,
- achievements of Staff during the pandemic including the Town's Culture Plan, the Whitby Green Standard, the new website, diversity and inclusion initiatives, Connect Whitby, the Active Transportation Plan, and the Customer Service Strategy.

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

- opportunities for the Town to assist the Region with the distribution of COVID-19 vaccines; and,
- grant money received from the Province, how those funds may be used to offset the financial impacts of the pandemic, and reserving funds for future unknown costs related to the pandemic.

4. Delegations

4.1 Aaron Platt, Partner, Davies Howe LLP on behalf of 70 Taunton Storage GP Corporation

Re: Planning and Development Department Report, PL 06-21
Official Plan Amendment and Zoning By-law Amendment Applications,
20 Taunton Road East, Calloway REIT (Whitby NE), File Number: DEV-16-20 (OPA-2020-W/02, Z-11-20)

Refer to Item 6.2, PL 06-21

Aaron Platt, Partner, Davies Howe LLP appeared before Council and stated that 70 Taunton Storage GP Corporation are the owners immediately to the east of the Calloway REIT property. He advised that

he had submitted correspondence regarding the application and had received a response from Staff. He indicated that about a year ago 70 Taunton Storage GP Corporation was before Council for approval of an Official Plan and Zoning By-law amendment for their property. He stated that their proposal had its principle building on the west side of their property with a drive aisle on the east side of the building. He noted that Staff raised concerns about the potential for connectivity of the two properties as both properties were commercial and were accessed by the same arterial road. He advised that at that time, the planner for Calloway REIT raised concerns about the proposed location of the building on the 70 Taunton Storage GP Corporation property as it would reduce opportunities for connectivity to Baldwin Street South. He indicated that these comments were made after Calloway REIT knew that their building would be constructed on the existing drive aisle through their site that could have connected the two properties. He stated that his client revised their proposal to allow for the continuation of the drive aisle in response to comments made at the Public Meeting by representatives of Calloway REIT. He noted that Calloway REIT then appealed 70 Taunton Storage CP Corporation's application on the basis of a lack of connectivity. He stated that the land use planner for Calloway REIT provided testimony about policies in the Official Plan and Secondary Plan about comprehensive planning for integrated site circulation and connectivity, shared access, and limiting the number of access points in this location. He reiterated that the application before Council forecloses on the opportunity for connectivity between the properties.

Moved By Councillor Newman
Seconded by Councillor Drumm

That the rules of procedure be suspended to allow the delegation to exceed the five minute speaking limit.

Carried

Mr. Platt continued his delegation and advised that the proposal would result in traffic having to circulate off of one site and onto the neighbouring site using the arterial road and that this would disrupt movement on sidewalks. He stated that the design of the site should be future-proofed and that it does not reflect the requirements in the Official Plan. He concluded by requesting that Council deny the applications and refer the matter to Staff to require the applicant to identify the location of a drive aisle in order to allow for connectivity between the properties and Baldwin Street South.

- 4.2** Allan Scully, SmartCentres, David Bronskill, Goodmans LLP, and Mike Dror, Bousfields
Re: Planning and Development Department Report, PL 06-21
Official Plan Amendment and Zoning By-law Amendment Applications,
20 Taunton Road East, Calloway REIT (Whitby NE), File Number: DEV-
16-20 (OPA-2020-W/02, Z-11-20)

Refer to Item 6.2, PL 06-21

David Bronskill, Goodmans LLP appeared before Council and advised that he would respond to the previous delegation. He indicated that comprehensive planning has occurred for the two properties. He referenced a memorandum from Staff which indicated that it is no longer necessary for the Town to require access between the two properties. He indicated that in the past his client wanted an opportunity to undertake comprehensive planning between the two sites and noted that the reason for his client's appeal was due to a failure to confirm the final access between the lands and easements that may be required. He noted that his client's appeal was referred to site plan approval to resolve these concerns. He indicated that the comments made by Mr. Platt regarding the approval process for easements and comprehensive planning are contrary to materials he and his planner filed at the Land Planning Appeal Tribunal (LPAT) and suggested that 70 Taunton GP Storage Corporation was attempting to delay approval of these applications. He requested that Council endorse the Staff recommendation and approve the applications, noting that LPAT has no ability to force the Town to decide whether to retain or extend easements.

- 4.3** Rodger Miller, Miller Planning Services, and Andrew Sgro, Broccolini Construction
Re: Planning and Development Department Report, PL 07-21
Official Plan and Zoning By-law Amendment Applications, Northeast Corner of Garrard Road and Conlin Road, Garrard Limited Partnership, File Number: DEV-22-20 (OPA-2020-W/04, Z-13-20)

Refer to Item 6.3, PL 07-21

Mr. Miller, Miller Planning Services appeared before Council indicating that he and Mr. Sgro were available to answer questions related to the applications. There were no questions to the delegate from Members of Council.

- 5.** Correspondence

- 5.1** That the following requests be endorsed:
- March 11, 2021 - Flags at Half-Mast for the National Day of Observance - To honour those who have passed away in the previous year due to COVID-19
 - March 27, 2021 - Earth Hour
 - April 2021 - Limb Loss Awareness Month
 - April 22, 2021 - Earth Day
 - May 2021 - Guillain-Barre Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Month

Resolution # 40-21

Moved By Councillor Shahid
Seconded By Councillor Lee

That the proclamations for Earth Hour, Limb Loss Awareness Month, Earth Day, and Guillain-Barre Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Month, and the flags at half-mast for the National Day of Observance to honour those who have passed away in the previous year due to COVID-19 be endorsed.

Carried

6. Committee of the Whole Report
Planning and Development - February 22, 2021

- 6.1** Planning and Development Department Report, PL 01-21
Re: Zoning By-law Amendment Application, Block 10 on Plan 40M-2554 (North Side of Rossland Road East, East of Brock Street North), Whitby (Brock and Rossland) Developments Inc., File Numbers: DEV-05-18 (Z-12-18)

Resolution # 41-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Council approve an amendment to Zoning By-law # 1784 (Application No. Z-12-18) for the subject land, to permit the proposed residential development as outlined in Report PL 01-21; and,
2. That a By-law to amend Zoning By-law # 1784, as amended, be brought forward for Council's approval.

Carried

- 6.2** Planning and Development Department Report, PL 06-21
Re: Official Plan Amendment and Zoning By-law Amendment
Applications, 20 Taunton Road East, Calloway REIT (Whitby NE), File
Number: DEV-16-20 (OPA-2020-W/02, Z-11-20)

Resolution # 42-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Council approve Official Plan Amendment Number 121 to Whitby Official Plan (OPA-2020-W/02), as shown on Attachment # 6, and that a By-law to adopt Official Plan Amendment Number 121 be brought forward for consideration by Council;
2. That Council approve an amendment to Zoning By-law # 1784 (Z-11-20), and that a By-law to amend Zoning By-law # 1784 be brought forward for consideration by Council;
3. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision; and,
4. That the Clerk forward a copy of the Planning Report PL 06-21, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number 121 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

Carried

- 6.3** Planning and Development Department Report, PL 07-21
Re: Official Plan and Zoning By-law Amendment Applications, Northeast Corner of Garrard Road and Conlin Road, Garrard Limited Partnership, File Number: DEV-22-20 (OPA-2020-W/04, Z-13-20)

A brief question and answer period ensued between Members of Council and Staff about the response by Staff to the correspondence received from the Durham Region Cycling Coalition.

Resolution # 43-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Council approve Official Plan Amendment Number 120 to the Whitby Official Plan (File: OPA-2020-W/04), as shown on Attachment # 7, and that a By-law to adopt Official Plan Amendment Number 120 be brought forward for consideration by Council;
2. That Council approve an amendment to Zoning By-law 1784 (File: Z-13-20), and that a by-law to amend Zoning By-law 1784 be brought forward for consideration by Council; and,
3. That the Clerk forward a copy of Planning Report No. PL 07-21, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number 120 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

Carried

6.4 Planning and Development Department, PL 08-21
Re: Envision Durham – Major Transit Station Areas Proposed Policy Directions

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

- maximum building heights permitted in Major Transit Station Areas;
- confirmation that the proposed policy directions will not result in greater building heights than those approved in the Port Whitby Secondary Plan;
- density targets in the Port Whitby Secondary Plan and whether they will achieve intensification mandated by the Provincial Places to Grow Act; and,
- confirmation that Council has the discretion to alter the Port Whitby Secondary Plan density targets and retains the ability to amend the Official Plan in any way deemed appropriate.

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Report PL 08-21 be endorsed as the Town's comments on the Major Transit Station Area Proposed Policy Directions, as part of the Envision Durham Municipal Comprehensive Review; and,
2. That the Clerk forward a copy of Report PL 08-21 to the Durham Region Planning and Economic Development Department and

the Durham area municipalities.

Carried later in the meeting [See following motion]

Moved By Councillor Roy
Seconded By Councillor Newman

That the main motion be amended by adding the following as Item 2 and that the remaining items be renumbered accordingly:

2. That the Town of Whitby has undertaken detailed planning following extensive public consultation for the entire Whitby MTSA area and does not support any MTSA provisions that may create an entitlement for additional height or density beyond that currently identified.

Carried

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

Resolution # 44-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Report PL 08-21 be endorsed as the Town's comments on the Major Transit Station Area Proposed Policy Directions, as part of the Envision Durham Municipal Comprehensive Review;
2. That the Town of Whitby has undertaken detailed planning following extensive public consultation for the entire Whitby MTSA area and does not support any MTSA provisions that may create an entitlement for additional height or density beyond that currently identified; and,
3. That the Clerk forward a copy of Report PL 08-21 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried

- 6.5** Planning and Development Department Report, PL 09-21
Re: Downtown Whitby Secondary Plan Update: Phase 1 - Background Review and Analysis

Resolution # 45-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

That Report PL 09-21 be received for information.

Carried

- 6.6** Planning and Development Department Report, PL 10-21
Re: Requests for Exemptions from Interim Control By-law # 7699-20

Resolution # 46-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Council approve the requests for exemptions from Town of Whitby Interim Control By-law # 7699-20 for 40 Meadow Court, 18 Hillcourt Avenue, and the property at the northern terminus of Hanover Court; and,
2. That Council not approve the request for an exemption from Town of Whitby Interim Control By-law # 7699-20 for 1509 and 1513 Rossland Road East.

Carried

- 7.** Committee of the Whole Report
General Government - February 22 and March 1, 2021

- 7.1** Memorandum from C. Chrus, Manager, Creative Communities, dated February 22, 2021 regarding the Downtown Whitby Development Steering Committee's 2020 Annual Report

Resolution # 47-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That the Downtown Whitby Development Steering Committee's 2020 Annual Report be received for information.

Carried

- 7.2** Memorandum from C. Chrus, Manager, Creative Communities, dated

February 22, 2021 regarding the Brooklin Downtown Development Steering Committee's 2020 Annual Report

Resolution # 48-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That the Brooklin Downtown Development Steering Committee's 2020 Annual Report be received for information.

Carried

- 7.3** Financial Services Department Report, FS 05-21
Re: 2020 Tender Awards

Resolution # 49-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That Report No. FS 05-21 of the Commissioner of Financial Services be received as information.

Carried

- 7.4** Financial Services Department Report, FS 08-21
Re: Declare Surplus Part of Byron Street Plan 173 North of Part 1, Plan 40R-25614, PIN 26541-0172 (LT) and Lot 187, Lot 188, Lot 189, Plan 173, Save and Except Parts 1, 6, 7 & 8, 40R-6470, PIN 26541-0092 (LT) for the Purpose of Transfer to the Regional Municipality of Durham – Southwest Corner of Brock Street North and Rossland Road West

Resolution # 50-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Part of Byron Street Plan 173 North of Part 1, Plan 40R-25614, PIN 26541-0172 (LT) ("Property #1") and Lot 187, Lot 188, Lot 189, Plan 173, Save and Except Parts 1, 6, 7 & 8, 40R-6470, PIN 26541-0092 (LT) ("Property #2) (collectively referred to as the "Properties") as outlined in red on Attachment 1 to this

report be declared surplus and be conveyed to the Regional Municipality of Durham, subject to the conditions set out Financial Services Report FS 08-21;

2. That Council waive the Town's requirement of giving public notice to convey the Properties;
3. That a by-law be brought forward authorizing the conveyance of the Properties; and,
4. That the Mayor and Clerk be authorized to execute any and all documents necessary to give effect to the conveyance of the Properties to the Regional Municipality of Durham.

Carried

- 7.5** Financial Services Department Report, FS 11-21
Re: Draft Development Charge Background Study

Resolution # 51-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That report FS 11-21 from the Commissioner of Financial Services/Treasurer be received as information.

Carried

- 7.6** Public Works Department Report, PW 5-21
Re: Brooklin North Major Roads Environmental Assessment

Resolution # 52-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Public Works Report PW 5-21 Brooklin North Major Roads Environment Assessment (EA) – Environmental Study Report be received for Information;
2. That staff report PW 5-21 be forwarded to the Central Lake Ontario Conservation Authority (CLOCA), Region of Durham, Elexicon, the Ministry of Transportation and the Ministry of Environment Conservation and Parks;
3. That the Final Environmental Study Report be filed in accordance with the Municipal Class EA process and be made available for

- agency and stakeholder review;
4. That MD-4149 and MD-5271 be removed from the New and Unfinished Business listing;
 5. That staff advise Council if there are any significant comments or concerns following the public consultation; and,
 6. That staff continue to develop the strategic 10 year implementation plan for detail design and construction of the new/modified Brooklin Road Network, including but not limited to: scope, staging strategies, further EA work for routes outside the Study Area, design and approvals, route timing, coordination with other agencies, who is doing what from a design and construction perspective, for consideration in future budgets, financial plans and capital programs.

Carried

- 7.7** Public Works Department and Office of the Chief Administrative Officer
Joint Report, PW 8-21
Re: AVIN Status Update

Resolution # 53-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That Report PW 8-21 be received for information.

Carried

- 7.8** Public Works Department and Office of the Town Clerk Joint Report,
PW 10-21
Re: Amendment to ToR-AC-02 Active Transportation and Safe Roads
Advisory Committee Terms of Reference: Meeting Schedule

Resolution # 54-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That Council amend ToR-AC-02 Active Transportation and Safe Roads Advisory Committee Terms of Reference to indicate that the Active Transportation and Safe Roads Advisory Committee shall meet on the second Thursday of the month, six (6) times per calendar year.

Carried

- 7.9** Office of the Town Clerk Report, CLK 02-21
Re: Amendment to Procedure By-law # 7462-18 - Petitions

Resolution # 55-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Staff Report CLK 02-21 be received for information; and,
2. That the Clerk be directed to bring forward the draft by-law appended to this Staff Report as Attachment 1 to amend Procedure By-law # 7462-18 in order to provide clarity around the acceptance of petitions.

Carried

- 7.10** Office of the Town Clerk Report, CLK 03-21
Re: Brock Street Distilling Company Ltd. – “By The Glass”
Manufacturer’s Limited Liquor Sales Licence Application to the AGCO

Resolution # 56-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That the Council of the Town of Whitby supports the application made by the Brock Street Distilling Company, located at 244 Brock Street South, Whitby, for a “By The Glass” Manufacturer’s Limited Liquor Sales Licence; and,
2. That the Clerk provide written notice to the Alcohol and Gaming Commission of Ontario (AGCO) and to Brock Street Distilling Company Ltd. notifying them of Council’s resolution confirming its support.

Carried

- 7.11** Permanent Traffic Calming Devices Including Speed Humps in New and Existing Neighbourhoods

Resolution # 57-21

Moved By Councillor Roy
Seconded By Councillor Drumm

Whereas Council has set a goal of making streets and neighbourhoods safer through traffic calming measures that reduce traffic speeds; and,

Whereas traffic speeds in residential neighbourhoods present a safety concern for communities and is a major concern for residents; and,

Whereas speed humps are an effective, low-cost tool that are proven to reduce traffic speeds 24 hours a day, 7 days a week with a minimal impact on cyclists and snow clearing; and,

Whereas the City of Toronto has developed a Traffic Calming Guide and Traffic Calming Policy that can be referenced by Staff in determining where traffic calming devices including speed humps should be installed in order to reduce impacts to transit and emergency services vehicles;

Now therefore, be it resolved:

1. That Staff identify for all new Brooklin and major development draft plans, recommended locations for the installation of permanent traffic calming devices, including but not limited to, speed humps, as part of road construction;
2. That staff review opportunities and locations to include permanent traffic calming measures, including but not limited to speed humps, for West Whitby developments where possible;
3. That staff as part of the status update report on the Robert Atterlsey Speed Hump Pilot, identify a path forward plan for installation of permanent speed humps on existing streets within the Town; and,
4. The Town staff utilize best practice traffic calming standards, including those used by the City of Toronto, in the application and design of speed humps and other traffic calming devices and update the Town standards where required.

Carried

- 7.12** Memorandum from K. Narraway, Manager, Legislative Services/Deputy Clerk dated February 19, 2021 regarding Temporary Patio Extensions - Public and Private Property

Resolution # 58-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That the Memorandum from K. Narraway, Manager, Legislative Services/Deputy Clerk dated February 19, 2021 regarding Temporary Patio Extensions - Public and Private Property be received for information; and,
2. That Staff be directed to report to Council on opportunities to expand the promotion and uptake of the public property patio program and to make the private property patio program permanent provided all safety, planning, and other compliance matters can be satisfactorily addressed.

Carried

- 7.13** Office of the Town Clerk Report, CLK 04-21
Re: Customer Service Strategy - Interim Report

A brief question and answer period ensued between Members of Council and Staff regarding customer service training for Staff including ongoing virtual training.

Resolution # 59-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That Staff Report CLK 04-21, Customer Service Strategy – Interim Report, be received for information.

Carried

- 7.14** Community Services Department Report, CMS 04-21
Re: Whitby Sports Complex (WSC) – Project Update and Next Steps

Resolution # 60-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That the Community Services Report, CMS 04-21 be received as

- information;
2. That Staff be directed to begin the Whitby Sports Complex Community Engagement process and present the three (3) Design Concepts; and,
 3. That Staff be directed to report back to Council with the recommended design option considering the feedback received through engagement on the project.

Carried

- 7.15** Community Services Department and Office of the Chief Administrative Officer Joint Report, CMS 03-21
Re: Whitby Culture Plan [Revised]

Resolution # 61-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Council approve the proposed Whitby Culture Plan, as outlined in Attachment 1 to Report CMS 03-21;
2. That a copy of the approved Whitby Culture Plan be circulated to stakeholders and partners once adopted by Council; and,
3. That an annual update report is presented to Council through a Whitby Culture Plan Report Card, as recommended in the Culture Plan, to monitor and measure implementation and continue community engagement.
4. That further to the correspondence received from the Whitby Public Library and the Whitby Diversity and Inclusion Advisory Committee, that Council endorse the Culture Plan Goal of the Town of Whitby joining the Coalition of Inclusive Municipalities by signing the Coalition's declaration that
 - a. The Town of Whitby agrees to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments and agrees to develop or adapt its own unique Plan of Action accordingly.
 - b. These Common Commitments and the Town's unique Plan of Action will be an integral part of the Town's vision, strategies and policies.
 - c. In developing or adapting and implementing its own unique Plan of Action toward progressive realization of the Common Commitments, the Town of Whitby will cooperate with other organizations and jurisdictions, including other

levels of government, Indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.

- d. The Town of Whitby will set its priorities, actions and timelines and allocate resources according to its unique circumstances, and within its means and jurisdiction. The Town will exchange its expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

Carried

- 7.16** Office of the Chief Administrative Officer Report, CAO 06-21
Re: Overview of Creative Communities Team in Strategic Initiatives, Office of the CAO

Mayor Mitchell commended the Chief Administrative Officer on the creation of the Creative Communities Team noting that the team will be responsible for implementing the Culture Plan, supporting downtown development, and promoting special events and tourism.

Resolution # 62-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That report CAO 06-21, Overview of Creative Communities Team in Strategic Initiatives, Office of the CAO, be received for information;
2. That Council fully supports the establishment of a Creative Communities Team within Strategic Initiatives for the Town of Whitby and the key initiatives from the Culture Plan that will be started this year by the Creative Communities team, including the priority of joining the Creative Cities Network of Canada; and,
3. That Staff report to Council on the progress of key initiatives of the Creative Communities Team in 2021 and ongoing as required.

Carried

- 7.17** Office of the Chief Administrative Officer Report, CAO 07-21
Re: Updates to the Special Events Policy

Resolution # 63-21

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Report CAO 07-21 be received for information;
2. That the updated Special Events Policy appended as Attachment 1 be approved;
3. That the Special Events User Guide (Attachment 2), Special Events Application Form (Attachment 3), and Special Events Procedure (Attachment 4) be received; and,
4. That the Clerk be directed to bring forward a by-law to amend the Special Events Policy By-law # 7506-19 to give effect to the proposed change contained in Report CAO 07-21.

Carried

- 7.18** Office of the Administrative Officer Report, CAO 08-21
Re: Diversity, Equity & Inclusion Training Plan 2021 [Revised]

Resolution # 64-21

Moved By Councillor Roy

Seconded By Councillor Drumm

That report CAO-08-21 be received for information.

Carried

- 7.19** Office of the Chief Administrative Officer Report, CAO 04-21
Re: Economic Recovery Plan – 2020 Summary

Resolution # 65-21

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Report CAO 04-21 be received as information;
2. That the Clerk forward a copy of Staff Report CAO 04-21 to the Region of Durham's Planning and Economic Development Department, Whitby Chamber of Commerce, 1855 Whitby Tech Accelerator, Downtown Whitby BIA, MPP Lorne Coe and MP

- Ryan Turnbull; and,
3. That the Mayor and Clerk be authorized to execute the Memorandum of Understanding with the Region of Durham to participate in the CityStudio pilot project.

Carried

- 7.20** Office of the Chief Administrative Officer Report, CAO 05-21
Re: Elevate-Talent Initiative

Resolution # 66-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Council receive Report # CAO 05-21 for information; and,
2. That Council endorse the BIPOC Connect Talent Initiative.

Carried

- 7.21** Financial Services Department Report, FS 07-21
Re: 2020 Investment Report

Resolution # 67-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Report No. FS 07-21 of the Commissioner, Financial Services and Treasurer be received for information; and,
2. That the Town of Whitby's Investment Policy, approved by Council on March 9, 2020, remain unchanged for 2021.

Carried

- 7.22** Public Works Department Report, PW 07-21
Re: Des Newman Boulevard Grade Separation Status Update

Resolution # 68-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Report PW 07-21 regarding the status of the Des Newman Boulevard Grade Separation project be received for information;
2. That a change order be issued to GHD (the Town's current Owner Engineer for the Project), in the amount of \$250,000 funded from the Des Newman Grade Separation Phase 1 capital project, to proceed with re-evaluation of the Subway (underpass) alternative; and,
3. That staff continue to keep Council updated on the Subway review and any cost related changes, and report back to Council in the summer/fall of 2021 with the results of the Subway review and recommended next steps for the project.

Carried

- 7.23** Legal and Enforcement Services and Office of the Town Clerk Joint Report LS 01-21
Re: Election Sign By-law

Note: This item was deferred to the next Committee of the Whole meeting scheduled for April 19, 2021.

- 7.24** 7-Eleven Canada's Proposal to Serve Alcohol

Resolution # 69-21

Moved By Councillor Roy
Seconded By Councillor Drumm

Whereas the Council of the Town of Whitby recognizes the ongoing hardships faced by restaurants, pubs and other food service businesses as a result of mandated closures and patron limits due to Covid-19; and,

Whereas municipalities have been working hard to implement and advocate for business supports (such as providing restaurants the ability to access wine, beer and spirits at wholesale or discounted pricing) to ensure more local businesses survive the pandemic; and,

Whereas convenience stores have not been mandated to close during the pandemic and have not endured undue hardship like other industries; and,

Whereas 7-Eleven Canada has applied to introduce in-store alcohol

service at 61 stores throughout Ontario to leverage their open status as a competitive advantage; and,

Whereas approval by the Alcohol and Gaming Commission of Ontario (AGCO) would mean exposing an already vulnerable and hard-hit restaurant/bar industry to further competition; and,

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby oppose 7-Eleven Canada's proposal to serve alcohol at this time, and ask that the AGCO defer any liquor licensing process until all restaurants/bars in Ontario are able to reopen at full capacity; and,
2. That the Clerk circulate a copy of this resolution to the AGCO; Hon. Doug Downey, Attorney General; Hon. Steve Clark, Minister of Municipal Affairs and Housing; Hon. Prabmeet Sarkaria, Associate Minister of Small Business and Red Tape Reduction; Hon. Peter Bethlenfalvy, Minister of Finance; and Durham Area Municipalities.

Carried

7.25 Durham Region Agriculture Centre of Excellence

Resolution # 70-21

Moved By Councillor Roy
Seconded By Councillor Drumm

Whereas Council's priority is to enhance economic development; and

Whereas Durham College has an existing feasibility study for an agricultural centre; and,

Whereas the Durham Region Federation of Agriculture has an existing feasibility study for a Durham Region agricultural centre of excellence including Luther Vipond Memorial Arena as a potential site; and,

Whereas the Federal Government has funding grants available for agricultural projects in conjunction with the Rouge River National Agriculture Park Lands; and,

Whereas the Provincial Government has funding grants available for

agricultural projects; and,

Whereas the Town of Whitby will undergo a Master Plan strategy for Brooklin Memorial Park in 2022; and,

Whereas hubs for various industries have proven to accelerate business and job opportunities; and,

Whereas agricultural technology is one of the fastest growing technologies; and,

Whereas the global pandemic has shown the need for local food resources and the weakness of the delivery chain; and,

Whereas the future growth of Whitby and Brooklin will absorb large spaces of farm fields; and,

Whereas global warming will change the way we produce food; and,

Whereas environmental sustainability is a priority for our municipality and the world; and,

Whereas a regional agriculture centre of excellence meets the following Council Goals:

- To deliver local jobs and prosperity through strategic planning and promotion that builds resilience and economic diversity.
- To continue the Whitby tradition of responsible financial management and respect for taxpayers; and to understand the importance of affordability and sustainability to a healthy, balanced community.
- To ensure Whitby is clearly seen by all stakeholders to be business and investment friendly and supportive; and to continuously improve the customer experience and the effectiveness and efficiency of communications, service delivery and approvals.
- To remain the community of choice for families and become the community of choice for job creators.
- To become the destination of choice for visitors; to realize the economic, cultural and social potential of our green spaces and major attractions; to support and facilitate new community events.

Now Therefore be it Resolved:

1. That Staff be directed to review and report about the possibility of incorporating a Durham Region Agricultural Centre of Excellence as a part of the redevelopment of Brooklin Memorial Park and Luther Vipond Memorial Arena, with a part of the centre to include a year-round public local market;
2. That Staff be directed to review both the Durham Region Federation of Agriculture and Durham College feasibility studies, and investigate all possible funding sources to support the creation of a Durham Region Agricultural Centre of Excellence; and,
3. That the Clerk be directed to circulate a copy of this resolution to the local M.P. and M.P.P.; Ontario Minister of Agriculture, Food and Rural Affairs; Federal Minister of Agriculture and Agri-Food; Regional Chair John Henry; Region of Durham Planning and Economic Development Department; 1855 Accelerator; Durham Region Federation of Agriculture; Brooklin Agricultural Society; Durham College; and, Ontario Tech.

Carried

7.26 Extension and Expansion of the Digital Main Street Program

Resolution # 71-21

Moved By Councillor Roy

Seconded By Councillor Drumm

Whereas the expansion of the Digital Main Street (DMS) program in 2020 has been a critical support in helping businesses adopt new technology during the COVID-19 pandemic; and

Whereas the Digital Main Street Program in Whitby is administered by the Business Advisory Centre Durham (BACD) and the Downtown Whitby Business Improvement Area (BIA); and,

Whereas these new DMS programs have helped both nurture new technology based businesses in our region and provided virtual hands on support and solutions for businesses to access new customers while managing new COVID-19 health and safety measures; and

Whereas the DMS base program has served 435 businesses across the region including 121 in the Town of Whitby, and the DMS ShopHERE program has served 585 businesses across the region including 107 in the Town of Whitby; and

Whereas current funding for the DMS program ends in March 2021; and

Whereas our small business community faces ongoing barriers to technology adoption and lack of resources to implement these technologies that are necessary to remain competitive in light of COVID-19 impacts to their business; and

Whereas Canada's economy will rely on entrepreneurs in both the technology and the main street business sectors to drive economic recovery, job creation and economic growth; and

Whereas the DMS program can continue providing virtual hands on support to small business to accelerate the adoption of new technology solutions that keep our businesses competitive.

Therefore be it resolved that:

1. The Town of Whitby, in partnership with the Downtown Whitby BIA, and the Business Advisory Centre Durham, call on the provincial and federal governments to:
 - Work to renew and expand funding to the Digital Main Street Program as soon as possible to help our businesses adopt new technologies to support their digital transformation and adapt their business model due to COVID-19;
 - Explore opportunities to provide additional support to our main street business sector in adopting digital technologies and future proofing their business models; and,
 - Support Canada's technology sector to develop and bring to market new technologies that can support businesses in Canada and globally to adapt to the new business realities following the impacts of COVID-19 to both Business-to-Consumer (B2C) and Business-to-Business (B2B) business models.

Further be it resolved that:

2. The Mayor on behalf of Council be directed to write a letter, jointly with the Downtown Whitby BIA, and the Business Advisory Centre Durham, advocating for the extension and expansion of the Digital Main Street Program to the Federal Minister of Economic Development and Official Languages and Minister of Small Business, Export Promotion and International Trade; and,
3. The Town Clerk be directed to send a copy of the letter and

resolution, once approved, to:

- Ryan Turnbull, Member of Parliament for Whitby
- Lorne Coe, Member of Provincial Parliament for Whitby
- Durham Regional Council
- Members of the Ajax, Brock, Clarington, Oshawa, Pickering, Scugog, and Uxbridge Councils
- Federation of Canadian Municipalities (FCM)
- Association of Municipalities of Ontario (AMO)
- Ontario Big City Mayor's Caucus (OBCM)
- Mayors and Regional Chairs of Ontario (MARCO)
- GTHA Mayors and Chairs
- Ontario Chamber of Commerce (OCC)
- Whitby Chamber of Commerce
- 1855 Whitby
- Durham Economic Recovery Taskforce

Carried

8. Audit Committee Report
Report of the Audit Committee - January 28, 2021

- 8.1** Financial Services Department Report, FS 06-21
Re: 2019 Year End Communication and Financial Statements

Resolution # 72-21

Moved By Councillor Leahy
Seconded By Councillor Lee

1. That Report FS 06-21 of the Commissioner of Financial Services be received for information;
2. That The Corporation of the Town of Whitby's Audited Consolidated Financial Statements for the year ended December 31, 2019 be approved; and,
3. That Deloitte LLP be engaged to perform the audit of the Town of Whitby's financial statements for the years ending December 31, 2021.

Carried

9. Notice of Motion

- 9.1** There were no notices of motion.

10. New and Unfinished Business

- 10.1** Councillor Roy acknowledged International Women's Day and recognized female Members of Council for their leadership and further recognized female leaders within the Town.

11. By-Laws

That the following by-laws be passed:

- 11.1** By-law # 7722-21, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2016-02) as not being subject of Part Lot Control.
- 11.2** By-law #7723-21, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-05) as not being subject of Part Lot Control.
- 11.3** By-law # 7724-21, being a by-law to amend Procedure By-law # 7462-18.

Refer to CLK 02-21, Amendment to Procedure By-law # 7462-18 -
Petitions

- 11.4** By-law # 7725-21, being a by-law to authorize the conveyance of Part of Byron Street, Plan 173, North of Part 1, Plan 40R-25614, being all of PIN 26541-0172 (LT), and Lots 187, 188, and 189, Plan 173, except Parts 1, 6, 7 & 8, Plan 40R-6470, being all of PIN 26541-0092 (LT) (the "Lands") to The Regional Municipality of Durham.

Refer to FS 08-21, Declare Surplus Part of Byron Street Plan 173 North of Part 1, Plan 40R-25614, PIN 26541-0172 (LT) and Lot 187, Lot 188, Lot 189, Plan 173, Save and Except Parts 1, 6, 7 & 8, 40R-6470, PIN 26541-0092 (LT) for the Purpose of Transfer to the Regional Municipality of Durham – Southwest Corner of Brock Street North and Rossland Road West

- 11.5** By-law # 7726-21, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control.
- 11.6** By-law # 7727-21, being a by-law to designate certain portions of a registered Plan of Subdivision (S-243-98) as not being subject of Part Lot Control.

11.7 By-law # 7728-21, 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.

11.8 By-law # 7729-21, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 47-20, DEV-36-19: Zoning By-law Amendment Application Z21-19, 2649408 Ontario Limited, 1578 Victoria Street East - REVISED

11.9 By-law # 7730-21, being a by-law to amend by-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 46-20, Applications Official Plan and Zoning By-law Amendment – N. E. Corner of Garrard Road and Conlin Road - Garrard Limited Partnership, File Nos. DEV-22-20, OPA-2020-W/04 & Z-13-20

Resolution # 73-21

Moved By Councillor Newman
Seconded By Councillor Mulcahy

That leave be granted to introduce By-laws # 7722-21 to # 7730-21 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

12. Closed Session

Moved By Councillor Newman
Seconded By Councillor Leahy

That Council move in-camera in accordance with Procedural By-law #7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(b) personal matters about an identifiable individual, including municipal or local board employees.

Carried

12.1 Confidential Memorandum from C. Harris, Town Clerk, dated March 2,

2021 regarding the Recommendation for Appointment to the Whitby Diversity and Inclusion Advisory Committee

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

Rising and Reporting

Motion to Rise

Moved By Councillor Leahy
Seconded By Councillor Drumm

That Council rise from the closed portion of the meeting.

Carried

Reporting Out

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed matters related to identifiable individuals.

Resolution # 74-21

Moved By Councillor Roy
Seconded By Councillor Leahy

That Council appoint Venita Anderson to the Whitby Diversity and Inclusion Advisory Committee for the term ending November 14, 2022 or until a successor is appointed.

Carried

- 12.2** Confidential Memorandum from C. Harris, Town Clerk, dated March 2, 2021 regarding the Recommendation for Appointments to the Road Watch Committee

Council did not move into Closed Session to consider the Recommendation for Appointments to the Road Watch Committee and the recommendation was moved and carried in Open Session.

Resolution # 75-21

Moved By Councillor Drumm
Seconded By Councillor Yamada

That Council appoint Shawnita Foster and Vincent Kang to the Road Watch Committee for the term ending November 14, 2022 or until a successor is appointed.

Carried

- 12.3** Confidential Memorandum from C. Harris, Town Clerk, dated March 2, 2021 regarding the Recommendation for Appointment to the Groveside Cemetery Board

Council did not move into Closed Session to consider the Recommendation for Appointment to the Groveside Cemetery Board and the recommendation was moved and carried in Open Session.

Resolution # 76-21

Moved By Councillor Lee
Seconded By Councillor Newman

That Council appoint Harry Agar to the Groveside Cemetery Board for the term ending November 14, 2022 or until a successor is appointed.

Carried

13. Confirmatory By-Law

- 13.1** Confirmatory By-law

Resolution # 77-21

Moved By Councillor Shahid
Seconded By Councillor Mulcahy

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 March 8, 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

14. Adjournment

14.1 Motion to Adjourn

Moved By Councillor Mulcahy
Seconded By Councillor Drumm

That the meeting adjourn.

Carried

The meeting adjourned at 8:20 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor