

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 Yamada (Participating Electronically)

Also Present: M. Gaskell, Chief Administrative Officer
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
D. Speed, Head of Operations & Fire Chief
F. Wong, Commissioner of Financial Services/Treasurer
S. Klein, Director of Strategic Initiatives
J. Long, Head of Organizational Effectiveness
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
(Recording Secretary)

Regrets: Councillor Shahid

1. Declarations of Pecuniary Interest

- 1.1 Councillor Mulcahy declared a conflict of interest regarding Item 2.1 of the Special Council minutes of December 6, 2021, noting that she had previously declared the conflict at that meeting. Councillor Mulcahy did not take part in the discussion or voting on any matters related to the Special Council minutes of December 6, 2021.
- 1.2 Councillor Newman declared a conflict of interest regarding Item 7.9 of the Regular Council minutes of November 29, 2021, noting that she had previously declared the conflict at that meeting. Councillor Newman did not take part in the discussion or voting on any matters related to the Regular Council minutes of November 29, 2021.

2. Adoption of Minutes

- 2.1** Special Council - November 29, 2021
Regular Council - November 29, 2021
Special Council - December 1, 2021
Special Council - December 6, 2021

Having previously declared a conflict of interest, Councillor Newman did not take part in the discussion or voting on this matter.

Resolution # 344-21

Moved By Councillor Drumm
Seconded By Councillor Lee

That the Regular Council minutes of November 29, 2021 be adopted.

Carried

Having previously declared a conflict of interest, Councillor Mulcahy did not take part in the discussion or voting on this matter.

Resolution # 345-21

Moved By Councillor Drumm
Seconded By Councillor Lee

That the Special Council minutes of December 6, 2021 be adopted.

Carried

Resolution # 346-21

Moved By Councillor Drumm
Seconded By Councillor Lee

That the Special Council minutes of November 29 and December 1, 2021 be adopted.

Carried

3. Presentations

- 3.1** There were no presentations.

4. Delegations

4.1 There were no delegations.

5. Correspondence

5.1 There was no correspondence.

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

6.1 Planning and Development Department Report, PL 76-21
Re: Zoning By-law Amendment Application, 870 Columbus Road West,
Richard & Ann Evans, File Number DEV-32-21 (Z-22-21)

Resolution # 347-21

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

1. That Council approve an amendment to extend the temporary use for a garden suite (File Number: Z-22-21) for a period of three (3) years at 870 Columbus Road West, and that a By-law to amend Zoning By-law # 1784, as amended, be brought forward for Council's consideration; and,
2. That Council authorize the Mayor and Clerk to execute the amending Site Plan Agreement to extend the permissions for the garden suite for a period of three (3) years.

Carried

6.2 Planning and Development Report, PL 77-21
Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Abacus Equity Infusion Limited, 7400 Thickson Road North, File Numbers: DEV-03-20 (SW-2020-01, Z-02-20)

Note: This item was referred at Committee.

7. Committee of the Whole Report
General Government - December 6, 2021

7.1 Public Works Department, Financial Services Department, and Community Services Department Joint Report, FS 59-21

Re: T-553-2021 - Supply and Delivery of Work Wear

Resolution # 348-21

Moved By Councillor Roy

Seconded By Councillor Drumm

1. That Tender T-553-2021 be awarded to Mark's Commercial, a division of Mark's Work Wearhouse Ltd., in the amount of \$190,320.51 (plus applicable taxes) for a three (3) year term for the supply and delivery of work wear, to be funded annually from the operating budget;
2. That approval be granted for the option to extend this contract for two (2) additional one (1) year terms subject to work wear requirements, budget approval and provided the Successful Bidder's annual performance, product quality and timely delivery are satisfactory, at a projected incremental amount of \$126,880.34 (plus applicable taxes and contract cost escalations for the extension term); and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

7.2 Financial Services Department Report, FS 27-21

Re: Update on Property Tax Assessment Appeals and Adjustments

Resolution # 349-21

Moved By Councillor Roy

Seconded By Councillor Drumm

That Report FS 27-21 be received as information.

Carried

7.3 Financial Services Department Report, FS 54-21

Re: 2021 Grant related Procurement Awards

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

- details of the Provincial My Main Street Grant program including the Town's investment in the program and the expected return on

- investment for businesses in Downtown Whitby and Downtown Brooklin; and,
- clarification that there will be two dedicated business development professionals assigned to Downtown Whitby and one to Downtown Brooklin to work with local businesses to submit up to 10 grant applications for new and existing businesses.

Resolution # 350-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Report No. FS 54-21 be received as information;
2. That, the Town provide the Business Advisory Centre of Durham a payment of \$50,000 for the Town's share of the Provincial My Main Street Grant, funded from the 2021 operating budget, account 799-MEDB-3980;
3. That a new service level related to Closed Circuit Television (CCTV) equipment in Downtown Whitby, at an annual cost of \$2,000 be approved and included in the 2022 operating budget; and,
4. That a new 2021 capital project, in the amount of \$40,000 be established for a Downtown Whitby CCTV system, funded \$20,000 from the grant received by the Durham Regional Police Service and \$20,000 from the Long Term Finance Reserve.

Carried

- 7.4** Financial Services Department Report, FS 62-21
Re: Capital Budget and Reserve/Reserve Fund Projection

Resolution # 351-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That staff report FS 62-21 be received for information; and,
2. That the Treasurer be authorized to make a lump sum payment, of up to \$20,875,000 to the West Whitby Landowners Group, funded from the Roads Development Charge reserve fund.

Carried

- 7.5** Financial Services Department Report, FS 64-21
Re: Temporary Borrowing By-law

Resolution # 352-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That a By-law is brought forward to authorize the external temporary borrowing of up to \$56,681,000 from January 1, 2022 to September 30, 2022, and up to \$28,340,000 between October 1, 2022 and December 31, 2022.

Carried

- 7.6** Financial Services Department Report, FS 66-21
Re: 2022 Interim Tax Billing

Resolution # 353-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That a by-law be brought forward to allow for the Interim Tax Billing for the 2022 taxation year as outlined in this report FS 66-21.

Carried

- 7.7** Financial Services Department, and Public Works (Operations) Joint Report, FS 68-21
Re: Fleet & Equipment Pre-Budget Approval

Resolution # 354-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That the Capital Projects listed as “2022 Budget (Delivery in 2022)” and “2022 Budget (Delivery in 2024)” in Table 1 of Report FS 68-21 be granted pre-budget approval;

2. That the Head of Organizational Effectiveness or Head of Operations and Treasurer be provided delegated authority to award the 2021 and 2022 Capital Projects identified in Table 1 of Report FS 68-21 following a procurement in accordance with the Purchasing Policy and provided such awards are within budgets;
3. That all awards made under Staff's delegated authority be summarized and reported to Council after- the-fact; and,
4. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

- 7.8** Public Works Department (Engineering) Report, PW 39-21
Re: Region of Durham's Proposed Study of the Current Policy/Practice for Street Lighting on Regional Roads

Resolution # 355-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Council endorse the draft Terms of Reference and approach for the Region of Durham's Proposed Study of the Current Policy/Practice for Street Lighting on Regional Roads;
2. That the Region's current practice with respect to street lighting on Regional roads, as described in the Region's Works Committee Report # 2021-W-36 (refer to Attachment 1), continue to prevail until the Region's proposed study is completed and any changes are approved and implemented;
3. That Staff review and report to Council as to the feasibility and cost for assumption by the Town of street lighting for Taunton Road between Country Lane and Cochrane Street, or as otherwise directed by Staff, given the upcoming opening of Thermea Spa, with the report to be provided by the end of Q1 of 2022; and,
4. That Public Works Report PW 39-21 be forwarded to the Region of Durham.

Carried

- 7.9** Public Works (Engineering) Department Report, PW 40-21
Re: Update Traffic By-law 1862-85: No Stopping on Foundry Lane, Tidewater Crescent and Wetherburn Drive

Resolution # 356-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Council approve an amendment to Traffic By-law # 1862-85, as identified in Attachment 2 to Report PW 40-21; and,
2. That a by-law to amend By-law # 1862-85 be brought forward for the consideration of Council.

Carried

- 7.10** Public Works (Engineering) Department, and Financial Services
Department Joint Report, PW 43-21
Re: Development Review Fee Study Update – Engineering Review and
Inspection Fees

Resolution # 357-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That the Development Fees Review Study prepared by Watson & Associates Economists Ltd. (Attachment 1) be received for information;
2. That the proposed amendments to the Engineering Review and Inspection Fees included in Attachment 2 of Report PW 43-21 be approved;
3. That the recommended fees take effect on January 1, 2022;
4. That all the Engineering Review and Inspection Fees be indexed by 2.5% on January 1 of each year;
5. That the Town Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law to give effect to the recommendations contained in Report PW 43-21; and,
6. That Council approve one additional staff resource for each of the following full-time positions, including the associated capital and operating costs identified in Tables 2 and 3 of Report PW 43-21:
 - Water Resource Engineer (Development)
 - Program Manager (Development)
 - Development Services Technician 2 (Development)
 - Supervisor of Development Construction
 - Construction Inspector 2
 - Construction Inspector 1

Carried

7.11 Chief Administrative Officer Report, CAO 33-21
Re: Whitby Climate Change Master Plan

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

- the importance of collaboration between all levels of government in order to develop a unified strategy to address climate change;
- strong leadership by the Town in developing programs to address climate change;
- confirmation that the Town is the first municipality in the Region to join both the Race to Resiliency and Race to Zero programs;
- engaging residents in developing climate change solutions and the importance of resident participation; and,
- how the ISeeChange app will serve as an important engagement tool and how the tool will be leveraged.

Resolution # 358-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Council receive Report CAO 33-21 for information; and,
2. That Council commit the Town of Whitby to join the Race to Resiliency and Race to Zero.

Carried

7.12 Office of the Chief Administrative Officer, and Financial Services
Department Joint Report, CAO 34-21
Re: Zero Carbon Whitby Costing Study Pre-Budget Approval

Resolution # 359-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Report CAO 34-21 be received for information;
2. That Council provide pre-budget approval of the planned 2022 capital project 55227607 in the amount of \$161,000 to complete a

Zero Carbon Whitby Costing Study funded from the Long Term Finance Reserve;

3. That Staff be directed to prepare a Zero Carbon Whitby Costing Study to be presented in May 2022 in alignment with the 2023 budget cycle; and,
4. That Council authorize staff to extend the existing Zero Carbon Whitby Contract and retain Sustainable Solutions Group to complete the Zero Carbon Whitby Costing Study in the amount of \$158,000 (plus HST) in accordance with Section 7.1 of the Purchasing Policy.

Carried

- 7.13** Office of the Chief Administrative Officer, Public Works (Engineering), and Legal and Enforcement Services Department Joint Report, CAO 35-21
Re: Electric Vehicle Charging Station User Policy and Traffic By-law Amendment

Resolution # 360-21

Moved By Councillor Roy
Seconded By Councillor Drumm

1. That Council approve the Draft Electric Vehicle Charging Station User Policy as outlined in Attachment 1;
2. That Council approve the proposed amendment to Traffic By-law # 1862-85 to incorporate the changes, as identified in Attachment 2; and,
3. That a By-law to amend By-law 1862-85 be brought forward for the consideration of Council.

Carried

- 7.14** Office of the Chief Administrative Officer, and Financial Services Department Joint Report, CAO 36-21
Re: Climate Change Mitigation Plan Contract Award

Resolution # 361-21

Moved By Councillor Roy
Seconded By Councillor Drumm

That Council authorize staff to extend the existing Climate Change Adaptation Plan Contract and retain Sustainable Solutions Group to complete the Climate Change Mitigation Plan in the amount of \$122,000 plus HST in accordance with Section 7.1 of the Purchasing Policy.

Carried

8. Notice of Motion

8.1 Warming Centre at a Town Facility

Councillor Roy introduced a motion regarding establishing a warming centre at a Town facility.

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

- the need for a dedicated warming centre in each local municipality in the Region;
- examining best practices from the City of Toronto regarding operating warming centres;
- the importance of providing resources at warming centres to assist people with finding shelter;
- operational challenges associated with housing people overnight; and,
- whether the warming centre will be operated by Town Staff, Region of Durham Staff, or volunteers.

Resolution # 362-21

Moved By Councillor Roy

Seconded By Councillor Newman

That Staff be directed to coordinate with the Region of Durham's Social Services Department and local not-for-profit agencies dedicated to helping the homeless and vulnerable populations to establish a warming centre at a Town facility during the winter months.

Carried

9. New and Unfinished Business

There was no new and unfinished business.

10. By-Laws

That the following by-laws be passed:

- 10.1** By-law # 7823-21, 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.
- 10.2** By-law # 7824-21, 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.
- 10.3** By-law # 7825-21, being a by-law to Authorize the temporary borrowing of an amount not to exceed \$56,681,000 from January 1 to September 30, 2022, and \$28,340,000 from October 1 to December 31, 2022, to meet current expenditures of The Corporation of the Town of Whitby (the Town) for the year, until taxes are collected, and other revenues received.

Refer to FS 64-21, Temporary Borrowing By-law

- 10.4** By-law # 7826-21, being a by-law to amend the Fees and Charges By-law # 7220-17, as amended.

Refer to PW 43-21, Development Review Fee Study Update – Engineering Review and Inspection Fees

- 10.5** By-law # 7827-21, being a by-law to adopt a Community Improvement Plan for the Downtown Whitby Community Improvement Project Area.

Refer to CAO 26-21, Downtown Whitby Community Improvement Plan Grant Program Uptake and Recommended Amendments

- 10.6** By-law # 7828-21, 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.

Refer to PW 40-21, Update Traffic By-law 1862-85: No Stopping on Foundry Lane, Tidewater Crescent and Wetherburn Drive

- 10.7** By-law # 7829-21, being a by-law to provide for an interim tax levy for the year 2022.

Refer to FS 66-21, 2022 Interim Tax Billing

- 10.8** By-law # 7830-21, being a by-law to amend the Traffic By-law # 1862-85.

Refer to CAO 35-21, Electric Vehicle Charging Station User Policy & Traffic By-Law Amendment

- 10.9** By-law # 7831-21, being a by-law to dedicate Parts 1 and 2 on 40R-31462 as a Public Highway (Kendalwood Road).

- 10.10** By-law # 7832-21, being a by-law to dedicate Parts 1 and 3 on Plan 40R-31261 as a Public Highway (Ash Street).

- 10.11** By-law # 7833-21, being a by-law to adopt Amendment Number 123 to the Official Plan of the Town of Whitby.

Refer to PL 59-21, Proposed Official Plan Amendment – Transportation Amendments, File No. DEV-06-21 (OPA-2021-W/01)

- 10.12** By-law # 7834-21, being a by-law to Amend Procedure By-law # 7462-18 to permit Members of Council to participate electronically in Council and Committee meetings if they are unwell in consideration of public health best practices, or if they are physically unable to attend in-person due to injury or other health consideration.

- 10.13** By-law # 7835-21, being a by-law to amend By-law #1784, as amended, being the Zoning By-law for the Town of Whitby.

Refer to PL 76-21, Zoning By-Law Amendment Application, 870 Columbus Road West, Richard & Ann Evans, File No. DEV-32-21 (Z-22-21)

- 10.14** By-law # 7836-21, being a by-law to Amend the Public Nuisance By-law # 6714-13, as amended.

- 10.15** By-law # 7837-21, being a by-law to Amend the Town Lands Encroachment By-law # 7389-18.

Resolution # 363-21

Moved By Councillor Leahy
Seconded By Councillor Newman

That leave be granted to introduce By-laws # 7823-21 to # 7837-21 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 # 364-21

Moved By Councillor Lee
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 December 13, 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

Moved By Councillor Newman
Seconded By Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 7:24 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor