

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

Also Present
(electronically): M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town
Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
J. Romano, Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
S. Dave, Legislative Specialist (Recording Secretary)

Regrets: None noted

C. Harris, Town Clerk, advised that due to the ongoing COVID-19 State of Emergency, the Council meeting is being held electronically. He further advised that the audio for the meeting would be broadcasted through the Town's live stream and that individuals live-streaming the meeting would be able to view the agenda. He provided Members of Council with an overview of meeting etiquette and procedures with respect to conducting the meeting electronically.

1. Declarations of Pecuniary Interest
 - 1.1 There were no declarations of pecuniary interest.
2. Adoption of Minutes

- 2.1** Regular Council - March 9, 2020
Special Council - March 13, 2020 (Confidential Minutes under separate cover)
Special Council - March 23, 2020

Resolution # 70-20

Moved By Councillor Lee
Seconded By Councillor Yamada

That the Regular Council minutes of March 9, 2020 and the Special Council minutes of March 13, 2020 and March 23, 2020 be adopted.

Carried Unanimously

3. Presentations

- 3.1** There were no presentations.

4. Delegations

- 4.1** There were no delegations.

5. Correspondence

- 5.1** That the following requests be endorsed:
- April 2020 - Limb Loss Awareness Month
 - October 2020 - RETT Syndrome Awareness Month

Resolution # 71-20

Moved By Councillor Newman
Seconded By Councillor Drumm

That the proclamations for Limb Loss Awareness Month and RETT Syndrome Awareness Month be endorsed.

Carried Unanimously

6. Committee of the Whole Report
Planning and Development - March 30, 2020

- 6.1** Planning and Development Department Report, PL 11-20

Re: Designation of the Spencer School at 7035 Country Lane, as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act, R.S.O. 1990 c. O.18.

Resolution # 72-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

That, in accordance with Section 29 (6) of the Ontario Heritage Act, the Clerk be authorized to introduce a By-law to designate the Spencer School property under Part IV, Section 29 of the Ontario Heritage Act, R.S.O 1990 c. 0.18, as being of cultural heritage value or interest.

Carried Unanimously

- 6.2** Planning and Development Department Report, PL 12-20
Re: Site Plan Agreement/Heritage Permit/Building Permit, 28
Winchester Road East, Brooklin

Discussion ensued with respect to:

- The importance of ensuring compliance with heritage stipulations in order to move forward with the completion of the project;
- Maintaining the Town's heritage sites in a responsible manner while ensuring that the Town remained "open for business"; and
- The types of processes in place to ensure that building permits are consistent with heritage permits.

Resolution # 73-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That, in order to resolve outstanding non-compliance with the registered Site Plan Agreement, approved Heritage Permit, and approved Building Permit, and as a condition of the Town's acceptance of the existing state of construction as outlined in Report PL 12-20, the owner be required to:
 - a. Construct a gateway/landscaping feature on the subject property or on the Region's right-of-way subject to meeting the Region's requirements, together with a commemorative heritage plaque visible to the general public, using original bricks that were removed from the existing building, or using reclaimed heritage bricks of

- equivalent style, colour and size; and,
 - b. Prepare a full set of matching, final redline-revised drawings for the Heritage Permit, Site Plan Agreement and Building Permit files, illustrating the full extent of all changes, for final approval; and,
2. That the Commissioner of Planning and Development be authorized to approve the final redline-revised drawings and the gateway/landscaping feature.

Carried Unanimously

- 6.3** Planning and Development Department Report, PL 13-20
Re: TFP Whitby Developments Inc. – Zoning By-law Amendment Application – Part of Lots 31 & 32, Concession 3 – DEV-17-19, SW-2013-02 (MR-02-19) and Z-10-19

Resolution # 74-20

Moved By Councillor Mulcahy
Seconded By Councillor Roy

1. That Council approve an amendment to Zoning By-law 1784, (File Z-10-19), as outlined in Planning Report PL 13-20; and,
2. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

Carried Unanimously

7. Committee of the Whole Report
General Government - March 30, 2020

- 7.1** Office of the Chief Administrative Officer Report, CAO 08-20
Re: Tree City of the World

Brief discussion ensued with respect to the hard work of Staff in receiving this designation, which was only awarded to four other municipalities in Ontario, and continuing to bring forward initiatives that would maintain the designation.

Resolution # 75-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

That Report CAO 08-20 be received as information.

Carried Unanimously

- 7.2** Office of the Chief Administrative Officer Report, CAO 09-20
Re: 2020 Earth Day & Provincial Day of Action on Litter Celebrations

Brief discussion ensued with respect to the importance of supporting initiatives that promote the reduction of litter in the Town.

Resolution # 76-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That Report CAO 09-20 be received as information;
2. That Council recognize April 22, 2020 as Earth Day;
3. That Council support the planting of 50 trees before April 22, 2021 in recognition of the 50th Anniversary of Earth Day; and,
4. That Council recognize May 12, 2020 as the Provincial Day of Action on Litter.

Carried Unanimously

- 7.3** Public Works Department Report, PW 11-20
Re: Garden Street Widening Environmental Assessment Study and future Garden Street Extension

Brief discussion ensued about the importance of maintaining as many trees as possible around Garden Street once the widening and extension were completed.

A question and answer period ensued between Members of Council and Staff with respect to:

- Resident concerns with respect to the project timelines and how those could be addressed;
- Traffic concerns at the intersection of Cork Drive and Garden Street and how those could be addressed;
- Ensuring two-way communication of any project updates and responses to resident concerns/queries in a timely manner through various media and open houses.

Resolution # 77-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That Report PW 11-20 regarding the status update on both the Garden Street Widening Environmental Assessment Study (MD-1346) and the future Garden Street Extension (MD-4961) be received for information; and,
2. That the Clerk be directed to remove MD-1346 and MD-4961 from the New and Unfinished Business (NUB) list.

Carried Unanimously

- 7.4** Public Works Department and Corporate Services Department Joint Report, CS 14-20
Re: T-11-2020 Two (2) Dual Stream Side Loader with Organics Buckets Refuse Trucks

Resolution # 78-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That the Town of Whitby accept the low tender bid of Shu-Pak Equipment Inc. in the amount of \$612,820.00 (plus applicable taxes) for the supply and delivery of two (2) replacement Dual Stream Side Loaders with Organics Buckets;
2. That the total estimated project cost of \$625,805.63 be approved; and,
3. That the Mayor and Clerk be authorized to execute the contract documents.

Carried Unanimously

- 7.5** Confidential Corporate Services Department and Legal and Enforcement Services Joint Report, CS 13-20
Re: Disposition of Parts 8 and 9, 40R-512, Town Owned Lands to the Rear of 310 and 320 Hopkins Street to Arnold J Heron Investments Limited (Timbren Industries)

Resolution # 79-20

Moved By Councillor Leahy
Seconded By Councillor Shahid

1. That Part Lot 29, Plan 63, being Parts 8 and 9, Plan 40R-512, (the "Property") be declared surplus;
2. That the Town waive the requirements of giving public notice of its intention to sell the Property;
3. That the confidential recommendations contained within the Confidential Corporate Services Department and Legal and Enforcement Services Joint Report, CS 13-20, be adopted.

Carried Unanimously

8. Notice of Motion

8.1 There were no notices of motion.

9. New and Unfinished Business

9.1 Corporate Services Department, Legal and Enforcement Services Department, Community Services Department and Planning and Development Department Joint Report, CS 16-20
Re: Proposed Regulatory Matters Pertaining to Community Benefit Charges under the Planning Act, the Development Charges Act, 1997, and the Building Code Act, 1992

A question and answer period ensued between Members of Council and Staff with respect to:

- Whether the property appraisal requirement will prolong the process;
- Challenges of the new regime proposed by the Province, particularly with respect to municipalities receiving the necessary monies to support growth and continue delivering services;
- Opportunities to suggest any further changes to the legislation through the Municipal Finance Officers Association of Ontario; and,
- Reasons for the Province undertaking this initiative.

Resolution # 80-20

Moved By Councillor Yamada
Seconded By Councillor Lee

That the Commissioner of Corporate Services / Treasurer be directed to submit the letter in Attachment 1 to the Province of Ontario as the Town's comments regarding ERO #019-1406 by the specified deadline.

Carried Unanimously

9.2 COVID-19 Updates and Questions

A detailed question and answer period ensued between Members of Council and Staff with respect to:

- Whether the Town would consider reviewing COVID-19 Task Force initiatives in other municipalities such as Brampton and Winnipeg, particularly their work during the recovery phase, in order to determine whether a similar Task Force would be useful in Whitby;
- Whether Whitby's 2008 Pandemic Plan been useful to inform the 2020 Pandemic response;
- Details on how the Town would be connecting with seniors and residents who don't have access to social media and internet;
- Whether the Town had considered creating a COVID-19 Hotline for municipal issues, similar to the one created by the DRPS;
- Details on safety measures to protect front-line workers such as firefighters and waste collectors;
- Support from Whitby Public Library and local businesses to donate supplies or manufacture personal protective equipment (PPE); and
- Details on future plans for opening Iroquois Park Sports Centre as a hygiene station for truckers.

10. By-Laws

That the following by-laws be passed:

10.1 By-law # 7621-20, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby

Refer to PL 09-20, Temporary Use Zoning By-law Amendment Application, 1632 Charles Street, Town Brewery, File DEV-10-19 (Z-05-19)

Brief discussion ensued with respect to the steps taken by Town Brewery to address community concerns with respect to noise and parking. Discussion further ensued about the possibility of limiting renewals of temporary permits in the future.

10.2 By-law # 7622-20, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-03) as not being subject of Part Lot Control (Arista Homes)

- 10.3** By-law # 7623-20, being a by-law to authorize the conveyance of a portion of PIN 26508-0344 (LT), Part Lot 29, Plan 63, Parts 8 and 9, 40R-512, Whitby (“the Lands”)

Refer to Report CS 13-20, Disposition of Parts 8 and 9, 40R-512, Town Owned Lands to the Rear of 310 and 320 Hopkins Street to Arnold J Heron Investments Limited (Timbren Industries)

Resolution # 81-20

Moved By Councillor Drumm
Seconded By Councillor Newman

That leave be granted to introduce By-laws # 7621-20 to # 7623-20 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 Unanimously

11. Closed Session

- 11.1** Appointments to the Property Standards Appeal Committee (PSAC), Road Watch Committee and Whitby Sustainability Advisory Committee (WSAC)

Resolution # 82-20

Moved By Councillor Shahid
Seconded By Councillor Mulcahy

That Council appoint the following individuals to the following Committees for the term ending November 14, 2022 or until a successor is appointed:

Property Standards Appeal Committee

- Alexander Wray

Road Watch Committee

- Anisa Capener
- Vanessa Hopman

Whitby Sustainability Advisory Committee

- Robynne Dunn
- Timothy Eric

- Erica Gale
- Laurie Kuchirka
- Luis Licsi

Carried Unanimously

12. Confirmatory By-Law

12.1 Confirmatory By-law

Resolution # 83-20

Moved By Councillor Roy
Seconded By Councillor Leahy

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 6, 2020 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 Unanimously

13. Adjournment

13.1 Motion to Adjourn

Resolution # 84-20

Moved By Councillor Yamada
Seconded By Councillor Mulcahy

That the meeting adjourn.

Carried Unanimously

The meeting adjourned at 7:58 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor

