



Committee of the Whole Minutes

March 6, 2023, 7:00 p.m.
Council Chambers
Whitby Town Hall

Present: Mayor Roy
Councillor Bozinovski
Councillor Cardwell
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Shahid
Councillor Yamada

Regrets: Councillor Lundquist

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Director of Strategic Initiatives
J. Romano, Commissioner of Community Services
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor
F. Wong, Commissioner of Financial Services/Treasurer
R. Saunders, Commissioner of Planning and Development
M. Dodge, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

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1. Call To Order: The Mayor
 2. Call of the Roll: The Clerk
 3. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

Mayor Roy requested that Staff provide an update on the winter storm event that occurred on March 3 and 4, 2023.

Paul Thistle, Director, Operational Services, and Hector Moreno, Manager, Operations – Roads and Traffic, provided a detailed update regarding the winter storm event, the pre-storm preparation and post-storm snow clearing and removal operations.

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

- the timeline to plow all streets in the Town after the snowfall has ended to meet minimum maintenance requirements;
- the ability of the Town's current Staff and equipment to provide snowplowing/clearing services within the minimum maintenance standards;
- clarification on the timeline for snowplowing/clearing tertiary roads when there was an accumulation of more than 10 centimetres of snow;
- confirmation that roads would not be entirely cleared within 24 hours following such a significant snowfall;
- whether the number of equipment breakdowns during this snowstorm event was normal;
- whether the annual winter maintenance review should include more robust equipment in anticipation of more intense storms with large snow accumulations;
- whether there was a way to minimize Staff down time;
- educating the public about what safe and passable roads mean versus bare pavement roads and the timelines associated with achieving safe and passable roads versus bare pavement;
- clarification on the responsibility of snow/ice clearing in front of bus stops, mailboxes, and private sidewalks;
- the communication with and involvement of Enforcement Services with respect to the enforcement of vehicles parked on roads and interfering

with snowplowing operations, and the timeline for a response by Enforcement Services;

- the management/removal of high snowbanks interfering with sightlines;
- whether Town Staff were responsible for the Windrow and Sidewalk Clearing Program and the possibility of the program being contracted to private companies;
- whether Staff rotated the windrow/sidewalk snow clearing route so that the service would not always be provided to the same residents first, the number of crews clearing windrows, and whether the order of the windrow clearing was determined geographically;
- whether the timeline for the commencement and completion of the Windrow and Sidewalk Program could be shortened;
- the number of the total inquiries/complaints that were about windrows and the number of inquiries that were residents on the windrow program, and the ability to respond and communicate to inquiries/complaints about the timeline for the completion of clearing windrows;
- providing information to Council about equipping the fleet with windrow eliminator blades prior to the 2024 budget process; and,
- a review of the online tool for reporting winter issues to determine usage and effectiveness.

4. Consent Agenda

5. Planning and Development

Councillor Lee assumed the Chair.

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Maurizio Rogato representing Garden Street Developments Inc.
(Virtual Attendance)

Re: Planning and Development (Planning Services) Department
Draft Plan of Condominium Application, Garden Street
Developments Inc., 4335 Garden Street, File Number: DEV-35-22
(CW-2022-02 and CW-2022-03)

Refer to Item 5.4.1, PDP 09-23

Maurizio Rogato representing Garden Street Developments Inc., appeared before the Committee and stated that he was in support of the Staff recommendation and that he was available to answer questions.

5.3 Correspondence

There was no correspondence.

5.4 Staff Reports

5.4.1 PDP 09-23, Planning and Development (Planning Services)
Department Report

Re: Draft Plan of Condominium Application, Garden Street Developments Inc., 4335 Garden Street, File Number: DEV-35-22 (CW-2022-02 and CW-2022-03)

Recommendation:

Moved by Councillor Leahy

1. That Council approve a Draft Plan of Condominium – Common Element (File No. CW-2022- 02) subject to the comments included in Planning Report PDP 09-23 and the Conditions of Approval, included in Attachment #5;
2. That Council approve a Draft Plan of Condominium - Standard (File No. CW-2022-03) subject to the comments included in Planning Report PDP 09-23 and the Conditions of Approval, included in Attachment #5;
3. That the Mayor and Clerk be authorized to execute the Condominium Agreements and any other necessary documents; and,
4. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham, of Council's decision.

Carried

5.4.2 PDP 10-23, Planning and Development (Planning Services)
Department Report

Re: Envision Durham – Draft Regional Official Plan

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

- a detailed overview of the Staff Report and the discussions that has been taking place at Regional Council;
- clarification on any crossover between Envision Durham and the Greenbelt, and the impact of considering the Greenbelt as part of Envision Durham;
- whether Staff would have discussions with Regional Councillors about Downtown Brooklin and Downtown Whitby with respect to the 150 targeted people and jobs per gross hectare to provide a better understanding about how to approach the matter at the Region;
- whether any of the lands to be removed from the Greenbelt for residential purposes were located in Whitby;
- confirmation that the Region is legislated by the Planning Act to undertake the Envision Durham process, and that the Province may step in and take over should the process be paused; and,
- whether the Town's comments to the Region would require a motion at Regional Council.

Recommendation:

Moved by Mayor Roy

1. That Report PDP 10-23 be endorsed as the Town's comments on the Envision Durham draft Regional Official Plan; and,
2. That the Clerk forward a copy of Report PDP 10-23 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried

5.4.3 PDP 11-23, Planning and Development (Planning Services)
Department Report

Re: Temporary Use Zoning By-law Amendment Extension, Town Brewery Inc., 1632 Charles Street, File Number: DEV-03-23 (Z-02-23)

Recommendation:

Moved by Councillor Lee

1. That Council approve a proposed Zoning By-law Amendment (Application #Z-02-23) for the extension of a temporary use at 1632 Charles Street. The temporary use is for the continuation of a craft brewery (Town Brewery) for an additional three year period; and,
2. That the Zoning By-law Amendment be brought forward for Council's consideration.

Carried

5.5 New and Unfinished Business - Planning and Development

5.5.1 New and Unfinished Business - Planning and Development

There was no discussion on the new and unfinished business list.

6. General Government

Councillor Yamada assumed the Chair.

6.1 Presentations

- 6.1.1 Simon Gill, Director of Economic Development and Tourism, Region of Durham, and Paul Pirri, Senior Manager of Economic Development (In-Person Attendance)

Re: Ready Set Future – A PLACE Blueprint for Durham

Refer to Item 6.4.1, CAO 08-23

Simon Gill, Director of Economic Development and Tourism, Region of Durham, and Paul Pirri, Senior Manager of Economic Development appeared before the Committee and provided a PowerPoint presentation about Ready Set Future – A PLACE Blueprint for Durham. Highlights of the presentation included:

- the collaboration that has taken place with over 80 of the Region's economic partners to develop a long-term vision for Durham;
- the strategic vision of the 2023-2027 Economic Development and Tourism Strategy and Action Plan;
- detailed information about the eight economic growth principles that determine why and how the Region delivers on its goals;
- details about the five priority clusters to create opportunities and investment that would strengthen existing networks, have great global growth prospects, create high value jobs, and improve the Regional reputation; and,
- detailed information about the four long-term aspirations and the five-year goals as they relate to people, location, acceleration, and creativity.

A question and answer period ensued between Members of Committee, Mr. Gill, and Mr. Pirri regarding:

- the expectation and status of the partnership between Whitby and Durham Region;
- whether there would be equal opportunities for all municipalities in the Region as a result of Durham Region's Five-Year Economic Development and Tourism Strategy and Action Plan;
- an explanation of the meaning of delineation amongst the local municipalities;
- whether enablers have been identified and what the enablers were;
- the metrics and key performance indicators that would be used for benchmarking;
- strategies or incentives through the plan to support Downtown Whitby and Downtown Brooklin;
- the responsibility for the deployment of initiatives such as tourism, placemaking and cultural activations in the downtowns;

- the role of the Town in the development of fostering workforce diversity and encouraging inclusive talent development to enable underrepresented groups;
- how partnerships with post-secondary institutions could maximize connections with places like the Spark Centre or 1855 Accelerator to enable growth and success in the innovation community; and,
- how the skills of immigrants coming from other countries to Canada would be maximized to ensure they want to be part of the community and the culture.

It was the consensus of the Committee to hear Item 6.4.1, CAO 08-23, at this time.

6.1.2 Clorraine Dennie, Executive Director, and Kim Copetti, General Secretary, Downtown Whitby Business Improvement Area, and Bobby McBride, Member of the Downtown Whitby Business Improvement Area Board of Management (In-Person Attendance)

Re: FS 11-23, Financial Services Department and Office of the Chief Administrative Officer Joint Report
Downtown Whitby Business Improvement Area (BIA) 2023 Budget and 2022 Reporting

Refer to Item 6.4.2, FS 11-23

Clorraine Dennie, Executive Director, Kim Copetti, General Secretary, Downtown Whitby Business Improvement Area, and Bobby McBride, Member of the Downtown Whitby Business Improvement Area Board of Management, appeared before the Committee and provided a PowerPoint presentation about the Downtown Whitby Business Improvement Area (BIA) 2023 Budget and Annual Report. Highlights of the presentation included:

- a detailed overview of the BIA's 2022 and 2023 beautification efforts, programs and events, and grants; and,
- detailed information about the 2023 proposed budget.

A question and answer period ensued between Members of Committee, Ms. Dennie, Ms. Copetti, and Mr. McBride regarding:

- the management/maintenance of the floral baskets and planters for summer 2023;
- the rationale for the expenditure versus the revenue for the Beer Festival and the Christmas Market in 2022, the shortfall of \$21,000 in the proposed 2023 budget for these two events, and the increase of \$10,000 in the 2023 budget considering the ongoing deficits;
- future initiatives for implementation in Downtown Whitby; and,
- whether businesses in Downtown Whitby were recovering from the COVID-19 pandemic.

6.2 Delegations

There were no delegations.

6.3 Correspondence

There was no correspondence.

6.4 Staff Reports

6.4.1 CAO 08-23, Office of the Chief Administrative Officer Report

Re: Ready Set Future: Durham Region's Five-Year Economic Development and Tourism Strategy and Action Plan

A question and answer period ensued between Members of Committee, Mr. Gill and Staff regarding:

- whether collaboration would take place with local libraries for new Canadians establishing businesses, and whether collaboration has taken place with companies in the innovative community such as 360insights, 1855 Accelerator, and Geekspeak Commerce;
- whether funding from the Region would be available for Downtown Whitby and Downtown Brooklin; and,
- how Whitby could promote tourism and filming to entice the filming industry and tourism to Whitby.

Recommendation:

Moved by Mayor Roy

That Report CAO 08–23 be received for information.

Carried

It was the consensus of the Committee to hear Item 6.1.2, Presentation by Clorraine Dennie, Executive Director, and Kim Copetti, General Secretary, Downtown Whitby Business Improvement Area, and Bobby McBride, Member of the Downtown Whitby Business Improvement Area Board of Management, at this time.

6.4.2 FS 11-23, Financial Services Department and Office of the Chief Administrative Officer Joint Report

Re: Downtown Whitby Business Improvement Area (BIA) 2023 Budget and 2022 Reporting

Recommendation:

Moved by Councillor Yamada

1. That Council receive the proposed 2023 Detailed Program of Improvement, and Beautification and Maintenance and the 2022 Annual Report, (Attachments 2 and 3 of Report FS 11-23), from the Downtown Whitby Business Improvement Area Board; and,
2. That Council approve the Downtown Whitby Business Improvement Area Board's proposed 2023 Budget, (as outlined in Attachment 1 of Report FS 11-23), inclusive of a \$210,000 special tax levy for businesses within the Downtown Business Improvement Area.

Carried

6.4.3 FS 02-23, Financial Services Department Report

Re: 2022 Remuneration and Expenses for Mayor and Members of Council and Council Appointees to Boards

Recommendation:

Moved by Councillor Yamada

That Report FS 02-23 regarding 2022 Remuneration and Expenses for Members of Council and Council Appointees to Boards be received for information.

Carried

6.4.4 FS 05-23, Planning and Development (Engineering Services) Department and Financial Services Department Joint Report

Re: T-25-2022 Streetlight Installation at Various Locations

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

- whether residents would be notified about the installation of the streetlights; and,
- whether there were any updates from the Region with respect to the installation of streetlights on Taunton Road between Cochrane Street and Country Lane.

Recommendation:

Moved by Councillor Leahy

1. That Tender T-25-2022 be awarded to Hard-Co Construction Ltd., for Streetlight Installation at Various Locations, in the amount of \$354,825.33 (plus applicable taxes) to be funded from the capital project listed in Table 3 of Report FS 05-23; and,
2. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

6.4.5 FS 09-23, Financial Services Department Report

Re: Procurement Policy

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

- whether the changes to the Procurement Policy would have an impact on Council having the ability to provide input on parks and park development prior to awarding tenders; and,

- whether the timing for development of parks simultaneously with the development of residential areas would change as a result of the new Procurement Policy.

Recommendation:

Moved by Councillor Yamada

1. That Council approve and endorse the new Procurement Policy (Policy # F 080) included in Attachment 1 of Report FS 09-23;
2. That the existing Purchasing Policy be repealed; and,
3. That Council direct staff to review the Procurement Policy every 5 years.

Carried

6.4.6 FS 10-23, Financial Services Department Report

Re: Revision to Council Expense Policy (G 050)

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

- clarification on the revised Council Expense Policy with respect to the options outlined for corporate phones and/or plans at the end of the term of Council should the Member of Council not be re-elected or not seek re-election; and,
- correcting the wording in the Policy regarding options for corporate phones to be consistent with past and current practice, and whether that correction would take place administratively.

Recommendation:

Moved by Councillor Leahy

That the revised Council Expense Policy (Policy # G050), Attachments 1 and 2 to Report FS 10-23, be approved.

Carried

6.4.7 CLK 03-23, Office of the Town Clerk Report

Re: Ward Teams and Proposed Policy for Ward Town Hall Meetings

Note: This item was withdrawn.

6.5 New and Unfinished Business - General Government

6.5.1 Refrigerated Outdoor Ice Rinks or Skating Trails

Councillor Mulcahy introduced a motion regarding refrigerated outdoor ice rinks or skating trails.

Recommendation:

Moved by Councillor Mulcahy

Whereas the ongoing pilot project for natural outdoor ice rinks has proved challenging due to fluctuating winter temperatures; and,

Whereas outdoor ice rinks provide the community with an affordable opportunity to be active during the winter months; and,

Whereas building the Whitby Sports Complex will provide the potential to reuse the refrigeration plant at the Luther Vipond Memorial Arena to offset some of the capital costs associated with a refrigerated outdoor ice facility.

Now therefore be it resolved:

That following the tender results for the Whitby Sports Complex and as part of the development of the Parks and Recreation Master Plan, that Staff be directed to report on opportunities to install refrigerated outdoor ice rinks or skating trails in the Town.

Carried

6.5.2 Ocean Pearl Park Shade Structure

Councillor Shahid introduced a motion regarding a potential Ocean Pearl Park Shade Structure.

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

- whether the Ocean Pearl Park shade structure and other parks identified as needing improvements could be included in the Master Plan and/or another review process through Community Services;
- ensuring that attention would be given to the needs of older parks as well as modifications to newer parks;
- the style, endurance and longevity of existing shade structures in parks and a review of all existing shade structures;
- referring the Ocean Pearl Park shade structure to a review process that includes an assessment of all other parks, and the possibility of providing a comparison between a shade structure and planting larger, mature trees; and,
- confirmation that the Ocean Pearl Park shade structure, although referred to the annual parks playground condition assessment, would be included as a decision item in the 2024 budget.

Recommendation:

Moved by Councillor Shahid

That Staff be directed to review the opportunity to include a new tax-funded capital project for a shade structure at Ocean Pearl Park as a decision item in the 2024 budget.

Note: The disposition of this matter, Item 6.5.2, was determined through the referral motion below.

Recommendation:

Moved by Councillor Lee

That consideration of a shade structure at Ocean Pearl Park be referred to Staff to review as part of the annual parks playground condition assessment.

Carried

6.5.3 School Zone Parking Enforcement Staff

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

- confirmation that the Town does not have an overnight contracting service for parking enforcement;
- whether resources would be available to provide parking enforcement in school zones in the fall, and whether consideration was being given to awarding a contract for parking enforcement services in the short term; and,
- the possibility of arranging a roundtable discussion in the fall with Durham Region Police Service, School Board Trustees, Members of Council, and Staff to review challenges related to parking around school zones.

Recommendation:

Moved by Councillor Leahy

That Staff be directed to review the opportunity for enhanced school zone parking enforcement through additional staffing resources, and include an analysis of whether such resources would be revenue neutral.

Carried

6.5.4 Urging the Province to Require a Safe-Arrival Policy for Provincially Licensed Child Care Providers

Councillor Shahid introduced a motion regarding urging the Province to require a Safe-Arrival Policy for provincially licenced child care providers.

Recommendation:

Moved by Councillor Shahid

Whereas the Government of Ontario instituted a Safe-Arrival Policy for schools in 1999 requiring each district school board, school authority, and the Provincial Schools Branch to develop a safe-arrival program to report unexplained student absences in a timely manner to parents, guardians, or caregivers; and,

Whereas there is no requirement for Provincially licensed child care providers to have safe-arrival programs in place; and,

Whereas requiring safe-arrival programs for Provincially licensed child care providers may help prevent avoidable tragedies involving children, such as the June 2022 death of a toddler who was unintentionally left in a hot car for a prolonged period of time when his parent reported to work after failing to deliver the child to his daycare provider.

Now therefore be it resolved:

1. That the Council of the Town of Whitby requests the Province of Ontario to require a Safe-Arrival Policy be developed and implemented by provincially licensed child care providers to enhance the safety of all children enrolled in their programs by reporting unexplained child absences in a timely manner to parents, guardians, or caregivers; and,
2. That the Clerk be directed to send this resolution to Premier Ford, the Minister of Education, the Regional Municipality of Durham, Durham Area Municipalities, and all Durham MPPs.

Carried

6.5.5 New and Unfinished Business - General Government

There was no discussion on the new and unfinished business list.

7. Adjournment

Motion to Adjourn

That the meeting adjourn.

Carried

The meeting adjourned at 10:03 p.m.