



Committee of the Whole Minutes

September 25, 2023, 7:00 p.m.
Council Chambers
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Director of Strategic Initiatives
J. Long, Head of Organizational Effectiveness
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, Sr. 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.

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 Xavier Lucas and Hailey Lucas, Residents (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Xavier Lucas and Hailey Lucas, Residents, appeared before the Committee. An outline of the delegation included:

- whether the remaining space at 1635 Dundas would be used for a safe injection site, how to deal with needles when found, and whether the Town would assist children/youth to abstain from drugs; and,
- concerns about safety at school and in the neighbourhood, and society's change in mindset from saying no to drugs to using drugs safely.

5.2.2 Oliver Ausustus, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Oliver Ausustus, Resident, appeared before the Committee. An outline of the delegation included:

- whether the agreement with respect to 1635 Dundas Street East included similar provisions as Beaverton's supportive housing agreement;

- the break down in communication between regional and municipal officials, Staff, and residents;
- concerns about safety in schools and the community, and ensuring the safety of children;
- the location of the low barrier shelter next to a marijuana, methadone, and suboxone dispensary, whether the 1635 Dundas Street East would have a safe injection site, and if not, where clients would go to use, sell, and acquire drugs;
- the negative implications shelters have on communities and that they were a temporary solution to reducing squatting and encampments;
- homelessness being a complex problem fueled by many underlying factors; and,
- passing the proposed Interim Control By-law (ICBL) to allow more time for a thorough needs analysis, conducting a social audit to determine suitability, and implementing supports needed to ensure success.

A question and answer period ensued between Members of Committee and Mr. Ausustus regarding:

- the role of the delegate while working with Durham Regional Police Service and the types of issues that were dealt with;
- clarifying that Members of Whitby Council had not voted on the low barrier shelter;
- clarification that the correspondence/agreement from the Region was not an executed agreement and that it was only a beginning point for discussions/negotiations;
- the collection of information about what the community wants, who the low barrier shelter would house, and what the low barrier shelter would look like for the community;
- whether the low barrier shelter would house people right away should the proposed ICBL not be passed; and,
- the timeline for the Township of Brock to negotiate their agreement regarding the Beaverton supportive housing project.

5.2.3 Soragia Stasinakis, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Soragia Stasinakis, Resident, appeared before the Committee. An outline of the delegation included:

- notifying residents about the low barrier shelter through signage;
- the decision of the Region of Durham to purchase 1635 Dundas Street East in August 2023 to open a shelter in the fall without providing any details about the services, number of people or, having a long-term plan;
- the lack of consultation prior to a decision, the importance of researching, educating, and considering the sentiments and desires of Whitby residents; and,
- the limited timeline associated with upcoming public engagement, and passing the proposed ICBL to listen to and provide information to the community, and to work together toward a solution.

A brief question and answer period ensued between Members of Committee and Ms. Stasinakis regarding the measures that the Region of Durham and the Town of Whitby could undertake to reassure residents, so they were comfortable about the project.

5.2.4 Gary Dunsmuir, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Gary Dunsmuir, Resident, appeared before the Committee. An outline of the delegation included:

- the proximity of the low barrier shelter to daycare centres, parks, veterinary clinics, and drug stores housing narcotics;

- concerns about the potential cost of break-ins, loitering, panhandling, and loss of business for businesses in the area of the low barrier shelter;
- the opening of a low barrier shelter without effective planning, proper research or implementation of appropriate supports which would result in high priced government failure at the taxpayer's expense; and,
- passing the ICBL to establish an effective plan for a successful homeless shelter.

A question and answer period ensued between Members of Committee and Mr. Dunsmuir regarding:

- locations where shelters have been successful;
- whether details about who would be housed in the low barrier shelter, the by-name list, and the application for the by-name list would assist in addressing concerns; and,
- whether the delegate would be attending the upcoming Community Engagement Sessions.

5.2.5 Rebecca Craig, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Rebecca Craig, Resident, appeared before the Committee. An outline of the delegation included:

- detailed information about the delegate's brother including his diagnosis and symptoms related thereto, his level of destruction and violence, his various charges and incarcerations, and his unwillingness to be helped;
- Whitby not being equipped to facilitate and provide the level of service required by people such as the delegate's brother;
- opening the low barrier shelter prematurely without having proper supports and plans in place that may result in

misconduct, destruction, and violence, and slowing down the process due to the high risk for failure.

A question and answer period ensued between Members of Committee and Ms. Craig regarding:

- whether the delegate's brother was on the by-name list, and the number of his arrests and convictions; and,
- improvements that would assist in the success of the low barrier shelter.

5.2.6 Diane Mackey, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Diane Mackey, Resident, appeared before the Committee. An outline of the delegation included:

- supporting the implementation of the proposed ICBL;
- the capacity of the building being too great to monitor;
- studies proving that low barrier shelters were unsafe and result in increased crime and degradation to the surrounding community;
- the rationale for treating addicts, persons with mental health challenges, individuals with criminal records, teen mothers, and seniors with disabilities as a whole;
- detailed information about the delegate's experiences with relatives and general homelessness, the cycle of trauma, abuse, and addiction and the shelter system only being a temporary fix for individuals using them who were not committed to following their programs;
- concerns about decriminalizing drugs and condoning drug use in public areas and the exposure of children/youth to drug use and abuse, and violence; and,

- the need to establish barriers to ensure the safety of the local community and the residents of the shelter.

A brief question and answer period ensued between Members of Committee and Ms. Mackey regarding whether she was in favour of passing the proposed ICBL.

5.2.7 Stephanie Leblanc, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Stephanie Leblanc, Resident, appeared before the Committee. An outline of the delegation included:

- opposition to the implementation of the proposed ICBL which would only delay services for community members that needed such services now;
- addressing the various concerns raised through research and education, and support for the Region of Durham's decision to open the facility;
- the availability of online information about the project including the rationale behind 1635 Dundas Street East as the optimal location, establishing best practices, indoor wrap around services, 24-hour access, indoor space for supportive programs, details about a phased opening plan, and short and long-term goals for the facility;
- the commitment of the Region of Durham to address safety concerns through a partnership with Durham Regional Police Service should the need arise;
- the Region of Durham's transparency about not finalizing details in terms of services and planning because they want input from the community, encouragement for members of the community to express concerns and provide recommendations for the facility through online surveys, attending community meetings or joining the Community Advisory Group; and,

- the need for support for vulnerable community members particularly as winter approaches.

A question and answer period ensued between Members of Committee and Ms. LeBlanc regarding:

- whether it would be beneficial to have a fully understood plan prior to opening; and,
- whether a three month ICBL to obtain information and create a better plan would be acceptable to the delegate.

5.2.8 Mike Leufkens, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Mike Leufkens, Resident, appeared before the Committee. An outline of the delegation included:

- the decisions made about the shelter without community involvement or studies to determine the impact of the shelter on the community;
- an opportunity for the community to provide input through the passing of the proposed ICBL;
- details about two cities that have implemented a 10-year plan to end homelessness, and the significant costs associated with the plans versus the cost of an ICBL;
- the possibility of utilizing the funds proposed for this project on youth programs which would reduce the need for shelters in the long-term;
- the existing homelessness problem in and around the community and the need for assistance for the vulnerable population; and,
- using the proposed ICBL as a tool to ensure a sound, cost effective, sustainable plan that ensures that community safety and security would be maintained, and ensures

community involvement prior to opening the doors of the low barrier shelter.

A question and answer period ensued between Members of Committee and Mr. Leufkens regarding:

- whether the delegate supported the exploration of cost effective options such as a negotiated Memorandum of Understanding prior to implementing an ICBL; and,
- whether the delegate was in support of the ICBL.

5.2.9 Rob McLeod, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Rob McLeod, Resident, appeared before the Committee. An outline of the delegation included:

- the ability to help people having difficult times while ensuring that the residents and businesses in the community were kept safe and protected from the negative aspects of shelters such as drugs and crime; and,
- the accountability of Council should the increase in crime, drug use, and overdoes result in harm to the community.

A question and answer period ensued between Members of Committee and Mr. McLeod regarding:

- whether the delegate was familiar with or had heard about wrap around services;
- whether the delegate's preference was to implement an ICBL with ongoing negotiations; and,
- whether the delegate trusted the Region of Durham in the process to date.

5.2.10 Ben Della Motta, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Ben Della Motta, Resident, appeared before the Committee. An outline of the delegation included:

- various articles, case studies, and reports indicating that victimization, crime, security, impact to property values, and the ineffectiveness of homeless shelters were all co-related;
- evidence that many of those who attend homeless shelters have prior criminal backgrounds resulting in an increase in police presence and calls to neighbourhoods, damage to residential property, drug use, public intoxication, assaults, and other dangers such as hypodermic needles used for drug injection, encampments, the inability to access sidewalks and parks, and prostitution; and,
- suggested solutions to solve homelessness including a rehabilitation centre which would provide life and job skills and allocating funds towards tax incentives to promote job growth.

A question and answer period ensued between Members of Committee and Mr. Della Motta regarding:

- clarification on a harm reduction centre and whether there was such a centre in Durham Region, whether the preference was that the Region of Durham focus on a rehabilitation facility versus a shelter;
- possible solutions to existing homelessness, encampments, and drug paraphernalia in Whitby if shelters do not work;
- whether there were concerns that a harm reduction centre or safe injection site would open at 1635 Dundas Street East; and,
- whether the delegate supported the proposed ICBL.

5.2.11 John Kehagias, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

John Kehagias, Resident, appeared before the Committee. An outline of the delegation included:

- the lack of by-laws or functioning framework to accommodate the homeless population in Whitby;
- the need for time to plan, consult, and the create policies and a functional framework to ensure that the impact of the shelter would be mitigated;
- the need for the ICBL to provide the opportunity for the Town to examine successes and failures of other communities dealing with homelessness;
- the number of Whitby individuals currently on the by-name list, the prioritization of Whitby's by-name list, and the number of people that the low barrier shelter can accommodate;
- concerns about the potential relocation of known criminals or drug dealers from other areas into Whitby due to overcrowded shelters;
- clarity on how to ensure the safety of families in a low barrier shelter with such an inclusive environment; and,
- passing the proposed ICBL.

A question and answer period ensued between Members of Committee and Mr. Kehagias regarding:

- how to restrict the capacity at the facility;
- addressing various issues as part of negotiating an agreement, and concerns about whether the proposed ICBL may stop negotiations altogether;
- whether members of the community would be interested in joining the Community Advisory Group; and,
- a reasonable timeline for an ICBL to create a framework for the operation of the facility.

5.2.12 Vickie Redden, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Vickie Redden, Resident, appeared before the Committee. An outline of the delegation included;

- the community's fear due to the lack of transparency;
- the likelihood of the residents using the facility to stay within the facility, and how the residents would be transitioned to living in their own home; and,
- concerns about increasing the number of people within the shelter, the lack of affordable housing and whether affordable housing was being built.

A question and answer period ensued between Members of Committee and Ms. Redden regarding:

- whether there would be more confidence if the plan for the entire facility was known;
- whether the Region of Durham has been transparent and accountable through this process and whether there was trust in the Region of Durham to limit the facility to 45 beds; and,
- whether the delegate supports the implementation of the proposed ICBL.

5.2.13 Tracey Kelly, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Tracey Kelly, Resident, appeared before the Committee. An outline of the delegation included:

- the devastating impact of low barrier shelters on surrounding communities in areas such as Toronto, Hamilton, and

Oshawa including the littering of a local parks with syringes, drug paraphernalia and alcohol bottles, pathways and public spaces used by drug dealers and users, and an increase in crime in the area;

- the lack of systems in place to provide residents at the low barrier shelter the supports they require;
- whether any benchmarking was undertaken prior to purchasing the property to learn from other shelters about successes and failures, and whether there were any examples of systems that have worked;
- clarification on wrap around services;
- whether the homeless community would be better served by low cost housing options;
- allocating more funds for improved mental health support and publicly funded rehabilitation centres;
- stopping the project until thorough investigations have been completed and safeguards were in place; and,
- reviewing the Minutes of Settlement for the shelter in the Township of Brock.

5.2.14 Karen Sim, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Karen Sim, Resident, appeared before the Committee. An outline of the delegation included:

- the establishment of a low barrier shelter backing onto Greenfield Crescent and the impact the shelter would have on the neighbourhood and community as a whole;
- the importance of addressing homelessness and offering services that address mental health issues, addiction, and access to stable housing;

- low barrier shelters having minimal restrictions on entry and occupancy which may attract individuals with severe substance abuse issues, mental health challenges and criminal history;
- the risk of perpetuating the cycle of homelessness without comprehensive planning in place for rehabilitation and transitioning to housing; and,
- implementing the proposed ICBL to reconsider the establishment of a low barrier shelter in the community and explore alternative solutions such as those in the At Home in Durham Plan.

A brief question and answer period ensued between Members of Committee and Ms. Sim about the elements of the At Home in Durham Plan.

5.2.15 Swapnil Sunbarkar and Prapik Sagar, Residents (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Swapnil Sunbarkar and Prapik Sagar, Residents, appeared before the Committee. An outline of the delegation included:

- concerns about the number of children living on Greenfield Crescent attending school in the area of the proposed low barrier shelter;
- the impact of the shelter on the safety of children and residents in the neighbourhood, the impact on parks, pathways and public places, and the anticipated increase in drug use and crime;
- the lack of consultation, accountability, transparency, and information to the public;
- utilizing the facility for its original purpose of housing seniors or retrofitting the structure to be used as a pediatric hospital or daycare centre;

- the petition signed by people in opposition to the proposed low barrier shelter; and,
- support for implementing the proposed ICBL.

A question and answer period ensued between Members of Committee, Mr. Sunbarkar, and Mr. Sagar regarding:

- whether a 10-foot high fence would be enough to address the concerns of the delegates, and whether there was any discussion about the proposed fence prior to this meeting;
- whether the Staff from the Region of Durham answered the questions of residents when they visited residents on Greenfield Crescent, and whether the delegates have contacted the Region of Durham;
- whether the delegates were aware that the Near North District School Board has a safety and well-being program whereby the custodian removes any drug paraphernalia on the school property prior to children attending school;
- whether the implementation of a community safety plan would address concerns; and,
- whether the delegates would provide input on the plan for the facility.

5.2.16 Sai Kiran Nookala, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Sai Kiran Nookala, Resident, appeared before the Committee. An outline of the delegation included:

- the dissatisfaction of residents about the decision making process and lack of consultation with the residents by either the Region of Durham or the Town of Whitby with respect to the project;
- details about the delegate's child's health, and the impact that exposure to needles or broken glass on his property

would have on his child, and ensuring the site would be kept safe and clean to protect children;

- whether people would be denied access to the shelter should it reach maximum capacity, and if so, where would they go; and,
- support to implement the proposed ICBL to ensure that proper planning takes place.

A question and answer period ensued between Members of Committee and Mr. Kiran Nookala regarding:

- whether any Staff from the Region of Durham visited his home; and,
- whether the delegate's property abuts the property at 1635 Dundas Street East.

5.2.17 Nancy Mellow, Resident (In-Person Attendance)

Re: Interim Control By-law – New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law – New Low Barrier Shelters and/or Transitional Housing

Nancy Mellow, Resident, appeared before the Committee. Details of the delegation included:

- support for the implementation of the proposed ICBL;
- whether specific uses for the proposed shelter have been determined and the varying needs of those being housed;
- the presumption that the shelter would predominantly house men with mental health issues or drug addiction;
- the number of people the shelter intends to serve, whether there would be a cap on the number of people being housed, the length of time people would be permitted to stay, and whether the shelter would provide short or long-term housing;
- the protocols in place for individuals seeking assistance in the shelter, whether the shelter would house people on a

first come, first served basis, and whether people would be referred to the shelter from within Whitby or coming from other communities or institutions across Durham Region;

- the need to provide safe housing for victims of trafficking;
- providing a safe space for those accessing the services of the low barrier shelter that would not jeopardise the safety and security of the community in which the low barrier shelter is located;
- using the low barrier shelter in a way that would help transition homeless single mothers into a more permanent home given the various amenities in the vicinity;
- the right of the community to know who their neighbours would be, and whether the residential community where the shelter would be located has been taken into consideration; and,
- the possibility of three levels of government reviewing the services at the Ontario Shores Centre for Mental Health Sciences and not duplicating services.

5.2.18 Saad Ashraf, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Saad Ashraf, Resident, appeared before the Committee. An outline of the delegation included:

- the support of the community for addressing homelessness and the desire to provide permanent housing solutions;
- the fear amongst the community about not having a plan in place for the low barrier shelter, the community not being approached to work with those entrusted to do the job, and not having any results with respect to homelessness thus far;
- the status of the 1,000 affordable housing units proposed in 2014 by the At Home In Durham Plan (10-year plan), and

the number of units dedicated to help address homelessness;

- whether Whitby applied for the Housing Accelerator Fund, and the number of affordable houses built through this program dedicated to help homelessness;
- housing and recovery oriented strategies for those in need being the solution to homelessness;
- concerns about the safety and security of the residents in the community due to the increase in property damage, crime, drug use, and break-ins in the area of shelters; and,
- clarification about who was on the by-name list.

A question and answer period ensued between Members of Committee and Mr. Ashraf regarding:

- how to improve sharing of information and communication; and,
- whether the delegate was in support of the proposed ICBL.

5.2.19 Dheeraj More, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Dheeraj More, Resident, appeared before the Committee. An outline of the delegation included:

- becoming aware of the Region's Open House on August 30, 2023 through signage posted on the community mailbox on Nichol Avenue;
- concerns about the lack of communication, information, transparency, consideration, and respect for the residents in the community;
- concerns about the location of the facility and the safety of children residing in the area; and,
- using the facility as a long-term care home for seniors.

A question and answer period ensued between Members of Committee and Mr. More regarding:

- whether Staff from the Region of Durham visited the delegate's home or left information regarding public consultation; and,
- whether the delegate was in support of passing the proposed ICBL.

5.2.20 Colin Cassidy, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Colin Cassidy was not in attendance when called upon to provide a delegation.

5.2.21 Narendra Singh, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Narendra Singh was not in attendance when called upon to provide a delegation.

5.2.22 Hemkiran Chowdary, Resident (Virtual Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Hemkiran Chowdary was not in attendance when called upon to provide a delegation.

5.2.23 Travis Tiedge, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Travis Tiedge, Resident, appeared before the Committee. An outline of the delegation included:

- concerns about the current plan effectively addressing the needs of those experiencing homelessness while providing peace of mind to the residents in adjacent communities;
- shelter residents having a better chance of prospering and integrating into communities that would support them in a facility or facilities that were small and well planned;
- a large heavily populated facility located in the middle of a densely populated residential neighbourhood would not benefit the portion of shelter residents trying to recover;
- the project creating a divide in the community which has been exacerbated by the Region of Durham's lack of transparency;
- passing the proposed Interim Control By-law to collectively reassess the current plan and if necessary, architect a new model with an innovative solution that brings community support and endorsement; and,
- detailed information about specific considerations for a new model.

A brief question and answer period ensued between Members of Committee and Mr. Tiedge regarding providing the proposed model via email to Members of Council.

5.2.24 Windhy Susanto, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Windhy Susanto, Resident, appeared before the Committee. An outline of the delegation included:

- the communities shared commitment to compassion and to helping those in need;
- the opposition to the low barrier shelter not originating from a lack of empathy, but from a genuine desire to ensure the safety and security of children in the community;
- concerns about the minimal shelter entry requirements which may include persons with untreated mental health challenges and addiction resulting in potential disruption to the peace and tranquility that the residents cherish; and,
- utilizing the facility as a long-term care facility for the elderly would alleviate the various concerns related to a low barrier shelter and would fulfill a need in the community.

A brief question and answer period ensued between Members of Committee and Mr. Susanto regarding acceptable uses of the facility related to unhoused support:

5.2.25 Jose Barbosa, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Jose Barbosa, Resident, appeared before the Committee. An outline of the delegation included:

- the details of the delegate's background and experiences and having a good understanding of the hardships many people face and the importance of support systems;
- the impact of shelters/temporary housing on surrounding neighbourhoods due to lack of funding from all levels of government and mismanagement by government bodies overseeing the facilities;
- visiting specific shelter locations in Toronto to understand the concerns of the community;
- using the proposed ICBL as a means to compel the Region of Durham to form a comprehensive plan including encompassing how the Region intends to operate/fund the

project, and the plan to seamlessly integrate it into the community ensuring that it becomes an integral part of the community versus an overpowering presence;

- the lack of transparency from the Region in the absence of an answer about the number of residents to be housed in the facility once it's fully realized;
- Members of Council exerting a maximum amount of pressure on the Region of Durham to prevent the development from becoming an immediate failure should the proposed ICBL not be passed;
- the Town of Whitby requesting a comprehensive written plan prior to anyone entering the building; and,
- advocating for Provincial and Federal funding and support for the construction of affordable housing in the Town of Whitby and broader Durham Region.

Moved by Councillor Shahid

That in accordance with the Town's Procedure By-law, the Committee of the Whole meeting continue to go past 11:00 p.m.

Carried

A question and answer period ensued between Members of the Committee and Mr. Barbosa regarding:

- clarification on how a detailed comprehensive plan would be developed and Whitby Regional Councillors advocating on behalf of residents;
- how to provide support for people with no where to go;
- whether the delegate was part of the Community Advisory Group;
- whether the delegate was in support of passing the proposed ICBL;
- the concerns about an ICBL only working if there was no permit or occupancy, and whether delaying the proposed ICBL was a reasonable risk; and,

- whether a tabled motion to repeal the ICBL upon receipt of an agreement from the Region of Durham would be acceptable.

5.2.26 Danielle Charette, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2 - Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Danielle Charette was not in attendance when called upon to provide a delegation.

5.2.27 Dianna Harrison, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Dianna Harrison, Resident, appeared before the Committee. An outline of the delegation included:

- the rationale for the delegate's opposition to the proposed ICBL;
- the ability to manage the cost of rental housing, and insufficient income being the number one cause of homelessness in Canada;
- the need for housing solutions and affordable housing;
- the low barrier shelter site provides indoor space for the unhoused to receive wrap around services which include housing, social workers, public health access, vocational supports which assist people to transition to living in their own home;
- the opportunity for 1635 Dundas Street East to provide a new start, and to offer stability and safety for residents in and around the community; and,

- implementing the proposed ICBL would only prolong leaving the unhoused on the streets, and it would not stop the low barrier shelter from opening.

A question and answer period ensued between Members of Committee and Ms. Harrison regarding:

- whether the delegate has confidence in the Region of Durham to work with Whitby to put a plan in place for the facility; and,
- whether the Region of Durham was negotiating reasonably to address the concerns of the residents.

5.2.28 Stratton Findlay, Oshawa Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Stratton Findlay was not in attendance when called upon to provide a delegation.

Moved by Councillor Mulcahy

That in accordance with the Town's Procedure By-law, the Committee of the Whole meeting continue to go past 11:30 p.m.

Carried on a Two Thirds Vote

5.2.29 Michael Hersch, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Michael Hersch, Resident, appeared before the Committee. An outline of the delegation included:

- concerns about how residents were informed about the development of the low barrier shelter;

- the percentage of Canadians experiencing homelessness that have mental health conditions and either alcohol or drug use addictions;
- concerns about children being exposed to drug use or handling used syringes;
- the total capacity of the facility and the likelihood that it would be used to house more than 45 people; and,
- negotiating with the Region of Durham from a position of strength by using tools such as the proposed ICBL.

A question and answer period ensued between Members of Committee and Mr. Hersch regarding:

- whether the delegate supports transitional housing at 1635 Dundas Street East;
- whether the delegate trusted the Region of Durham to negotiate an agreement with the Town of Whitby not to increase the number of beds in the facility; and,
- whether the Town would be in a better position to negotiate if the ICBL had an implementation date versus delaying the consideration of implementing the ICBL.

5.2.30 Sandy Hodder, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Sandy Hodder, Resident, appeared before the Committee. An outline of the delegation included:

- support for the implementation of the proposed ICBL;
- the lack of transparency and consultation with the community;
- the definition of a low barrier shelter and the limited requirements for entry; and,

- the safety the delegate's grandchildren while outside playing in the playgrounds or walking back and forth to school.

A question and answer period ensued between Members of Committee and Ms. Hodder regarding:

- confirmation of where the delegate and her grandchildren reside; and,
- whether the delegate believed that delaying approval of the ICBL to attempt to negotiate with the Region of Durham was worth the risk.

5.2.31 Stacey Leadbetter, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.2.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Stacey Leadbetter, Resident, appeared before the Committee. An outline of the delegation included:

- the lack of non-market housing being at the core of homelessness;
- that status of many residents prior to living at Otter Creek Co-operative Homes;
- the inaccurate public perception that all people experiencing homelessness have mental health or addictions challenges;
- the unlikelihood of a permit or occupancy at 1635 Dundas Street East due to the Region of Durham undertaking mold remediation, asbestos removal, and replacement of wiring;
- the low barrier shelter would support the unhoused from the LGBTQ+ community, and proposes two people per room, some transitional housing, and would provide rehabilitation for those experiencing abuse and addiction;
- the belief the ICBL would not provide the Town with any leverage, and the Town should act on any opportunity now to engage with the Region of Durham;

- the delegate's opposition the proposed IBCL out of concern that it may impact the Town's position, and a 30-day deferral would provide an opportunity for negotiations; and,
- the importance of working together to make the low barrier shelter what Whitby wants.

A question and answer period ensued between Members of Committee and Ms. Leadbetter regarding:

- whether residents living at Otter Creek Co-operative Homes came from low barrier shelters or transitional housing, and whether women's shelters were transitional housing shelters;
- whether Cornerstone Community Association was an emergency shelter strictly for men;
- elaboration on the issue between Beaverton and the Region of Durham that caused upset to the Region of Durham regarding the supportive housing project in that community;
- whether the low barrier shelter would be the first shelter in the Region of Durham that houses both men and women at the same time;
- whether the plans at 1635 Dundas Street East included transitional housing;
- clarification about shelters not attracting the homeless with drug or alcohol addictions unless the shelter provides services; and,
- whether shelters that provide treatment for drug and alcohol addiction would attract people with drug and alcohol addition, and what happens to the people that don't want help.

5.2.32 Emily Fern, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Emily Fern, Resident, appeared before the Committee. An outline of the delegation included:

- the existence of homelessness in all neighbourhoods in Whitby;
- locations where needles have been collected in Whitby, and where food has been delivered to unhoused living in tents in the new park in West Whitby;
- providing the unhoused with stable adequate shelter in a location with resources, access to community services and training, staffing, security, and oversight being a more successful option for all residents of Whitby;
- the majority of the unhoused want housing and do not engage in criminal activity or anti-social behaviour that would jeopardize opportunities for long-term housing;
- detailed information on planning a low barrier shelter;
- the Region of Durham could create a hub of multiple stakeholders including consumer led organizations and current social service agencies;
- the numerous steps between homelessness and helping someone move into affordable housing; and,
- the ICBL being a stall tactic when planning, evaluation, and program development should continue for the 1635 Dundas Street East site.

A question and answer period ensued between Members of Committee and Ms. Fern regarding:

- whether having an onsite security presence at the shelter 24-7 for a minimum of one year was sufficient;
- whether families typically access low barrier shelters; and,
- whether the delegate attended the stakeholders meeting on August 30, 2023.

5.2.33 Kamil Kluczewski, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Kamil Kluczewski, Resident, appeared before the Committee. An outline of the delegation included:

- information about the delegate's background;
- detailed information and examples of shelters in Toronto that work and do not work, and the amount of crime in adjacent neighbourhoods in relation to low barrier shelters;
- the delegates experience at Bellwood Public School near Kirby Park in May 2023 related to two individuals injecting and leaving the needles behind;
- the expected increase in crime and drug use in the neighbourhood following the opening of the low barrier shelter;
- the number of police officers currently working in Whitby and the impact one serious incident would have on the availability of the police; and,
- support for the ICBL to give the Town of Whitby leverage to go to negotiate with the Region of Durham.

A question and answer period ensued between Members of Committee and Mr. Kluczewski regarding:

- whether a low barrier shelter would be a safe environment for the integration of a family experiencing homelessness;
- the rationale for the shelters in Toronto that work versus the shelters that do not work;
- whether the Region of Durham should be researching successful shelters in Toronto prior to opening a shelter;
- whether the delegate would join the Community Advisory Group; and,
- whether the delegate was in support of the proposed ICBL.

5.2.34 Alexander Wilson, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Alexander Wilson, Resident, appeared before the Committee. An outline of the delegation included:

- the benefit of consultation between Members of Council, residents, organizations, and agencies that work with people experiencing homelessness to develop a plan;
- the shortage in housing and any delays with the project being problematic for the unhoused come winter; and,
- support for opening a shelter at 1635 Dundas Street East for the unhoused to have a place to go and live and obtain the services available to them.

5.2.35 Antoinette Tomasulo, Resident (Virtual Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Antoinette Tomasulo was not in attendance when called upon to provide a delegation.

5.2.36 Sidorela Kolziu, Resident (Virtual Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Sidorela Kolziu was not in attendance when called upon to provide a delegation.

5.2.37 Karen Huska, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Karen Huska was not in attendance when called upon to provide a delegation.

5.2.38 Wieslaw Karski, Resident (In-Person Attendance)

Re: Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Refer to Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing

Wieslaw Karski was not in attendance when called upon to provide a delegation.

5.3 Correspondence

5.3.1 Correspondence #2023-438 from E. Baxter-Trahair, Chief Administrative Officer, Region of Durham, regarding 1635 Dundas – Shelter Resolution and proposed agreement for a shelter and other future housing uses

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

- details related to the next steps with respect to 1635 Dundas Street East;
- whether anyone would be in the facility in October 2023;
- the Town's options should the Region of Durham obtain a permit and occupancy between now and October 30, 2023;
- whether requests would be made for details such as researching shelters that have worked as part of the development of the plan;
- whether the deferral of consideration of the ICBL to Council should be to the meeting on October 30, 2023;
- clarification for the audience that deferring consideration of the motion for the ICBL does not remove the possibility of an ICBL, but it does provide 30 days to negotiate with the

Region of Durham, and consideration of the ICBL would take place on October 30, 2023;

- assurances that local Councillors would have input when negotiating the agreement, and whether there would be an option for a formal process whereby all Members of Council provide input on the agreement that would go back to the Region;
- confirmation that Whitby does not have any by-laws or policies specifically related to shelters, and whether a cap could be placed on the number of beds that a shelter can have; and,
- whether Members of Council would be updated on the negotiations with the Region of Durham and how those updates would take place.

Recommendation:

Moved by Councillor Yamada

That Correspondence #2023-438 from E. Baxter-Trahair, Chief Administrative Officer, Region of Durham, regarding 1635 Dundas – Shelter Resolution and proposed agreement for a shelter and other future housing uses, be received for information.

Carried

5.4 Staff Reports

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

Re: Consolidated Linear Infrastructure – Environmental Compliance Approval Fees (CLI-ECA)

Recommendation:

Moved by Councillor Lee

1. That Council endorse the proposed Consolidated Linear Infrastructure- Environmental Compliance Approval Fees as outlined in Report PDE 09-23; and,

2. That staff be directed to update the Fees and Charges By-law (By-law 7220-17) to include proposed CLI-ECA, substantially as outlined in Report PDE 09-23.

Carried

5.4.2 PDE 12-23, Planning and Development (Engineering Services)
Department Report

Re: Update to Traffic By-law 1862-85, No Parking in Area
Surrounding Brooklin High School

Note: This item was withdrawn from the agenda.

5.4.3 PDE 13-23, Planning and Development (Engineering Services)
Department Report

Re: Update to Traffic By-law 1862-85, Watson Street

Note: This item was withdrawn from the agenda.

5.5 New and Unfinished Business - Planning and Development

5.5.1 New and Unfinished Business - Planning and Development

5.5.2 Interim Control By-law - New Low Barrier Shelters and/or
Transitional Housing

Councillor Leahy introduced a motion regarding consideration of an
Interim Control By-law – New Low Barrier Shelter and/or
Transitional Housing.

Discussion ensued between Members of the Committee regarding:

- concerns that passing an ICBL would place the Town directly into litigation and that all negotiation would come to a stop;
- how comments from residents and feedback from consultation with stakeholders would be considered when negotiating with the Region of Durham;
- the need for transparency and information from the Region of Durham;
- an outline of the next steps with respect to the shelter; and,
- whether a Community Advisory Group would be established.

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

- whether residents would be able to speak to the matter when it comes back to the Regular Council meeting on October 30, 2023;
- whether the implementation of an ICBL could take place in 30 days should the Region of Durham obtain a permit and occupancy in the meantime; and,
- whether current transitional housing and shelters in Whitby or an expansion to those facilities would be affected should the ICBL be passed.

Recommendation:

Moved by Councillor Leahy

Whereas Council wishes to ensure that the Town's Zoning By-law and Official Plan contain appropriate policies and standards to ensure that new low barrier shelters and/or transitional housing located within the Town are appropriately located, planned, and that it is understood what policies and measures need to be in place to mitigate impacts on surrounding communities.

Now Therefore be it Resolved:

That the Commissioner of Planning and Development be directed to:

1. Retain any consultants deemed to be necessary to undertake, on an expedited basis, a study to examine the land use policies in the Town's Official Plan and Town's Zoning By-law, related to new low barrier shelters and/or transitional housing to identify their ideal locations within the Town and any policies to mitigate impacts on surrounding communities, excluding the lands identified on Schedule "A" to By-law # 7699-20 and on Schedule "A" to By-law # 7700-20. The said study shall provide advice with respect to:
 - a. changes to the Town's Official Plan policies to identify the ideal locations for new low barrier shelters and/or transitional housing within the Town and any policies to mitigate impacts on surrounding communities;

- b. changes to the Town's Zoning By-law to identify the ideal locations for new low barrier shelters and/or transitional housing within the Town and any policies to mitigate impacts on surrounding communities;
 - c. appropriate strategies to reduce the impacts of new low barrier shelters and/or transitional housing on neighbouring communities; and,
 - d. such other recommendations as may be appropriate to implement Council's desire to identify ideal locations for new low barrier shelters and/or transitional housing within the Town and any policies to mitigate impacts on surrounding communities.
2. Report back to Council within two months' time with a work plan to give effect to the foregoing.
 3. Draft an Interim Control By-law under Section 38 of the Planning Act to be brought forward at the meeting of Council scheduled for October 2, 2023 and ensure that any currently operating low barrier shelters and/or transitional housing within the Town of Whitby are not subject to a proposed Interim Control By-law.

That the Commissioner of Financial Services and Treasurer be directed to:

4. Establish a 2023 capital project for the retainer of any consultants deemed necessary by the Commissioner of Planning and Development for Official Plan and Zoning By-law amendments related to new low barrier shelters and/or transitional housing, in the amount of \$100,000, funded from the Town's Long Term Finance Reserve Fund;
5. Establish a 2023 capital project for the retainer of any Legal Services deemed necessary by the Commissioner of Legal and Enforcement Services/Town Solicitor related the Town's defence of an Interim Control By-law on new low barrier shelters and/or transitional housing, in the amount of \$400,000, funded from the Town's Long Term Finance Reserve Fund.

That the Commissioner of Legal and Enforcement Services be directed to:

6. Retain external legal services and any other consultants necessary to defend any claims brought forward against Council's passage of an Interim Control By-law to a value not exceeding \$400,000.

Note: The disposition of this matter, Item 5.5.2, Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing, was determined through the referral motion below.

Moved by Mayor Roy

That the motion for an Interim Control By-law for new low barrier shelters and/or transitional housing be deferred to October 30, 2023 to allow additional time to negotiate an agreement with the Region of Durham relating to the use of 1635 Dundas Street East (the Dundas Street Shelter) in order to address the concerns raised by residents.

Carried

Note: In accordance with the Town's Procedure By-law, Councillor Leahy requested that his vote be recorded as being opposed (this note was added in accordance with a request at the October 2, 2023 Council meeting that the minutes be amended).

6. General Government

Councillor Yamada assumed the Chair.

6.1 Presentations

6.2 Delegations

6.3 Correspondence

6.4 Staff Reports

6.4.1 CLK 05-23, Office of the Town Clerk Report

Re: 2024 Council, Committee, and Public Meeting Schedule

Recommendation:

Moved by Councillor Yamada

That Council approve the 2024 Council, Committee, and Public Meetings Schedule appended as Attachment 1 to this Report.

Carried

6.4.2 FS 21-23, Financial Services Department Report

Re: Proposed Name Change of the Pioneer Baptist Cemetery to the Dryden Cemetery

Recommendation:

Moved by Councillor Yamada

1. That the Groveside Cemetery Board's recommendation to change the name of the Pioneer Baptist Cemetery to the Dryden Cemetery be received and approved;
2. That Staff provide public notice of the proposed cemetery name change and how written objections may be provided to the Town by way of signage posted at the, current, Pioneer Baptist Cemetery site and other advertisements as noted in Report FS 21-23; and,
3. That, subject to no objection being received in connection with the proposed cemetery name change, staff be authorized initiate the name change with the Bereavement Authority of Ontario and execute all documents to implement the cemetery name change.

Carried

6.4.3 FS 25-23, Financial Services Department Report

Re: Q2, 2023 Procurement Awards \$250,000 and Above

Recommendation:

Moved by Councillor Yamada

That Report FS 25-23, which outlines procurement awards of \$250,000.00 and above for second quarter of 2023, be received as information.

Carried

6.4.4 CAO 21-23, Office of the Chief Administrative Officer Report

Re: Downtown Whitby Action Plan September 2023 Update

Recommendation:

Moved by Councillor Yamada

That Report CAO 21-23 – Downtown Whitby Action Plan September 2023 Update, be received as information.

Carried

6.4.5 CAO 24-23, Organizational Effectiveness Report

Re: 2023 Workforce Plan Review

Recommendation:

Moved by Councillor Yamada

That Council receive report CAO-24-23 2023 Workforce Plan Review for information.

Carried

6.4.6 CMS 08-23, Community Services Department Report

Re: Winter Maintenance Contract Extension

Recommendation:

Moved by Councillor Yamada

1. That Council approve a sole source two-year contract extension of Contract No T-582-2015 issued to Melrose Paving Co. Ltd for front-end loaders with operators through the 2024/2025 winter maintenance season as outlined in Report CMS 08-23;
2. That Council approve the sole source award to add three (3) snowplow/salter combination trucks with operators from Melrose Paving Co. Ltd. under the same terms of Contract No T-581-2018 through the 2024/2025 winter maintenance seasons as outlined in Report CMS 08-23;
3. That staff be authorized to draw \$101,011 from the winter maintenance reserve fund, if required at the end of 2023, related to the sole source award of three additional

snowplow/salter combination trucks with operators, under Contract No T-581-2018; and,

4. That the 2024 base operating budget be increased by \$231,983 (plus a Consumer Price Index adjustment) related to the sole source award of the three additional snowplow/salter combination trucks with operators under contract No. T-581-2018.

Carried

6.5 New and Unfinished Business - General Government

6.5.1 New and Unfinished Business - General Government

7. Adjournment

Motion to Adjourn

Recommendation:

Moved by Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 2:33 a.m.