



## Committee of the Whole Minutes

June 10, 2024, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

Present: Mayor Roy  
Councillor Bozinovski  
Councillor Cardwell (Virtual Attendance)  
Councillor Leahy  
Councillor Lee (Virtual Attendance)  
Councillor Lundquist  
Councillor Mulcahy  
Councillor Shahid  
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer  
B. Harasym, Associate Solicitor  
M. Hickey, Fire Chief  
S. Klein, Director of Strategic Initiatives  
J. Long, Head of Organizational Effectiveness  
J. Romano, Commissioner of Community Services  
R. Saunders, Commissioner of Planning and Development  
F. Wong, Commissioner of Financial Services/Treasurer  
M. Dodge, Executive Advisor to the Mayor  
K. Narraway, Sr. Manager of Legislative Services/Deputy Clerk  
K. Douglas, Sr. Legislative Specialist  
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 Mulcahy assumed the Chair.**

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Richard Bercuson, Resident (In-Person Attendance)

Re: PDE 04-24, Planning and Development (Engineering Services)  
Department Report  
St Thomas Street at Winchester Road Signalization Consideration

**Refer to Item 5.4.1, PDE 04-24**

Richard Bercuson, Resident, appeared before the Committee and stated that development in Brooklin has taken place with little consideration for traffic flow or access presenting challenging road and traffic issues that were expensive to mitigate. He noted current and future challenges including the lack of the mid-block arterial road, the refusal of the Province to remove the tolls on Highway 407, future multi-storey developments on Duke Street and Chelmsford Drive, and the construction of the new Whitby Sports Complex. Mr. Bercuson commented on Members of Committee being sufficiently versed in and aware of an issue to be able to discuss it and pose informed questions. Mr. Bercuson stated that heeding years of observations and fears of residents about safety was not bowing down to impulses. He advised that school buses transport children who must all leave the area and for those who walk have to cross at Winchester Road and Anderson Street which was the only option. Mr. Bercuson inquired how students attending Brooklin High School would safely cross Winchester Road. He advised that there was a church located on the corner of Winchester Road and St Thomas Street, and that about 140 children attended a daycare centre located on Winchester Road that has placed boulders around its fence to protect against cars careening off the road. He stated that the intersection at Winchester Road and St Thomas Street was a tragedy waiting to happen. He commented on the cost of the installation of the unwarranted traffic

signalization, noting that it was necessary at this intersection. He advised that he recently learned that the Region would cover 40 per cent of the cost leaving a total cost of \$150,000.00 to be borne by the Town. He noted the number of residential tax accounts in Whitby and the one-time cost per household of \$4.

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

- whether the Town should cover the cost for the installation of the traffic signalization prior to requesting the Region to cover the cost;
- the length of time that the intersection has been problematic and that the delegate has been advocating for the traffic signalization;
- whether the delegate has contacted the Region regarding the traffic signalization at the intersection of Winchester Road and St Thomas Street; and,
- whether the delegate was agreeable to the Town deferring the matter until further discussion takes place with the Region.

Recommendation:

Moved by Councillor Shahid

That the Committee take a five minute recess.

### **Carried**

The Committee recessed at 7:18 p.m. and reconvened at 7:24 p.m.

#### **5.2.2 Dennis Hywarren, Resident (In-Person Attendance)**

Re: PDE 04-24, Planning and Development (Engineering Services)  
Department Report  
St Thomas Street at Winchester Road Signalization Consideration

#### **Refer to Item 5.4.1, PDE 04-24**

Dennis Hywarren, Resident, appeared before the Committee and stated that he has resided in Brooklin for 25 years. He indicated that unfortunate incidents occur in Brooklin before action takes place. Mr. Hywarren stated that residents complained about the

intersection of Anderson Street/Watford Street and Winchester Road for a number of years, noting that traffic signalization was installed at that intersection following a fatal accident. He stated that there has been an increase in the number of motorists and people due to the growing community. Mr. Hywarren stated that residents have complained about not being able to exit side streets and the traffic congestion at the intersection of Winchester Road and St Thomas Street. He stated that he has observed the traffic at the intersection of St Thomas Street and Winchester Road, noting that it was very congested in the morning until 10:00 a.m. and then again at 3:00 p.m. Mr. Hywarren advised that motorists were unable to exit side streets during those times, and that they block the intersection at Anderson Street/Watford Streets and Winchester Road. He suggested that synchronizing the traffic signalization at the intersection of Winchester Road and Anderson Street/Watford Street with the pedestrian signal on Simcoe Street so they were red at the same time along with enforcement of and signage about blocking the intersection would alleviate the traffic congestion and that it would not be a huge expense.

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

- whether the delegate supported the installation of traffic signalization at the intersection of Winchester Road and St Thomas Street; and,
- whether the Region should bear the entire cost for the installation of the traffic signalization should it be approved.

#### 5.2.3 Tracey Mooradian, Resident (In-Person Attendance)

Re: PDE 04-24, Planning and Development (Engineering Services)  
Department Report  
St Thomas Street at Winchester Road Signalization Consideration

#### **Refer to Item 5.4.1, PDE 04-24**

Tracey Mooradian, Resident, appeared before the Committee and stated that she has professional experience in mass infrastructure, safety, traffic planning and personal experience of the traffic issues in the general vicinity. She stated that she was aware of traffic plans, risk management, and risk assessment and awareness. She

advised that she avoids the intersection of Winchester Road and St Thomas both on foot and by motor vehicle, noting that she has experienced several potential accidents. Ms. Mooradian advised there have been a number of occurrences where vehicles end up on the walking path adjacent to the road. She indicated that regional and municipal traffic plans approved in 2017 were aligned to economic development, noting that Winchester Road would become a busier road. Ms. Mooradian mentioned that the widening of Winchester Road to include turning lanes would create a greater risk. She noted that there were a number of reasons why the synchronization of a pedestrian signal and traffic signal would not work. Ms. Mooradian stated that there was risk that needed to be mitigated on Winchester Road between the traffic signalization at the intersections of Baldwin Street and Anderson Street/Watford Street, noting that there was not anything as severe as the danger at the intersections of Winchester Road and St Thomas Street and Winchester Road and Queen Street. She stated that she supported the installation of traffic signalization at the intersection.

Recommendation:

Moved by Councillor Yamada

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

### **Carried on a Two Thirds Vote**

Ms. Mooradian continued her delegation and stated the area was dangerous and needed to be addressed, noting that traffic signalization was highly advisable. Ms. Mooradian stated that the Region was aware of the concerns and that there was not any reason not to implement safeguards to ensure there would not be any further fatalities in the area.

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

- whether the delegation felt that the only option at the intersection of St Thomas Street and Winchester Road was the installation of traffic signalization;

- whether the delegate supported the installation of the traffic signalization and the removal of the pedestrian signal at Simcoe Street; and,
- whether the delegate had concerns about the Town attempting to have the Region cover the total cost versus Whitby paying for the signalization.

Recommendation:

Moved by Councillor Yamada

That the rules of procedure be suspended to hear a delegation from Katelyn Krisman, Resident, regarding Item 5.4.1, PDE 04-24.

**Carried on a Two Thirds Vote**

#### 5.2.4 Katelyn Krisman, Resident (In-Person Attendance)

Re: PDE 04-24, Planning and Development (Engineering Services)  
Department Report  
St Thomas Street at Winchester Road Signalization Consideration

#### **Refer to Item 5.4.1, PDE 04-24**

Katelyn Krisman, Resident, appeared before the Committee and raised concerns about the traffic and safety issues related to the intersection of St Thomas Street and Winchester Road, noting the importance of installing traffic signalization. She referenced a petition that was initiated in November 2002 which included approximately 500 signatures. She advised that many residents of Brooklin who signed the petition live in the south enclave of St Thomas Street and that they drop off and pick up their children at the daycare centre. She noted that pedestrians that walk in the area of Winchester Road have witnessed incidents and near accidents due to the poor design of the road. Ms. Krisman stated that she has witnessed several accidents at this location and was in an accident on this stretch of Winchester Road. Ms. Krisman noted that traffic barriers were installed to protect pedestrians walking along the southwest corner of the intersection but there were not any other safety measures in place. She noted that the intersection was used as a bypass, and that the sidewalk was used as an extension of the road to pass left hand-turning vehicles entering the

subdivision. Ms. Krisman stated that poor driving behaviour has significantly increased the risk for residents, particularly during peak traffic times. She advised that she was aware that Winchester Road would be widened to include two lanes, noting installation of traffic signalization would be critical. She requested that the Committee approve the installation of traffic signalization at the intersection of St Thomas Street and Winchester Road.

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

- the time of day the delegate witnessed the most challenges at the intersection; and,
- whether the delegate would support deferring the report for a few weeks to attempt to have the full cost of the traffic signalization covered by the Region.

It was the consensus of the Committee to hear Item 5.4.1, PDE 04-24, at this time.

#### 5.2.5 Paul Mason, Resident (In-Person Attendance)

Re: PDE 06-24, Planning and Development (Engineering Services)  
Department Report  
Garden Street On-Street Parking Consideration

#### **Refer to Item 5.4.5, PDE 06-24**

Paul Mason, Resident, appeared before the Committee and stated that he has raised various concerns about the Garden Street road widening including the elimination of parking on Garden Street, the location and distance where guests could park and their safety when jaywalking across a four-lane street to visit him. He advised that he raised further concerns about the removal of a portion of his and his neighbour's driveway aprons and that he was not informed that the driveway apron would be shortened. Mr. Mason stated that he inquired about the widening the west side of Garden Street where there were no homes instead of taking parking space and driveway aprons away from residents on the east side of the road. Mr. Mason stated that he requested permission to pave a small section of Town owned land to replace the loss of a portion of his driveway apron and that his request was denied. He advised that he expressed concerns about the installation of the traffic

signalization on Garden Street being too close to his property but that he was advised that significant queuing was not expected on Garden Street. He noted that Report PDE 06-24 indicated that there would be an increase in the volume of traffic on Garden Street resulting in vehicles stopped in front of his driveway. He stated that he was happy that the Town was looking for alternate parking, noting that of the five options presented in Report PDE 06-24 his preference was lay-by parking on the east side of Garden Street followed by lay-by parking on the west side of Garden Street. Mr. Mason stated that another option that would be effective and far less costly would be to not make any change to the on-street parking save and except in front of his and his neighbour's property to provide additional space for maneuvering vehicles prior to the installation of the traffic signalization. Mr. Mason stated that Report PDE 06-24 indicated that on-street parking was unexpected by motorists, noting that there has never been any warning signage and that a large caution sign along with caution lights could be installed. Ms. Mason stated that after living on Garden Street for five years that he had not seen or heard of any accidents in front of the houses. He stated that he hoped an appropriate alternative was selected that would consider the needs and safety of the residents on Garden Street. He further requested that if on-street parking must be removed that it not take place until an alternative has been created.

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

- whether the Garden Street parking options were communicated by Staff to the delegate;
- the delegate's preferred parking option;
- confirmation that three to three and a half feet of the driveway apron was lost due to the road widening; and,
- clarification about the delegate's request to replace the loss of space on the driveway apron with space next to his property.

#### 5.2.6 Ernie Sue, Resident (In-Person Attendance)

PDE 06-24, Planning and Development (Engineering Services)  
Department Report



Re: Garden Street On-Street Parking Consideration

**Refer to Item 5.4.5, PDE 06-24**

Ernie Sue, Resident, appeared before the Committee and stated that he had read Report PDE 06-24, noting that the cost of installing No Parking signage on Garden Street was \$2,500.00. He noted that of the five Garden Street parking options listed in Report PDE 06-24 that the least expensive option was \$300,000. Mr. Sue referenced Report PW 44-08 and stated that the estimated cost for the lay-by parking at that time was \$60,000. He stated that the same project should not now cost \$600,000. Mr. Sue noted that Report PW 3-17 referenced an increase in the number of collisions, noting that he has resided at 67 Garden Street since 1991 and has only witnessed one rear end collision and one side swipe during that time. He advised that the estimated 13,000 to 15,000 trips per day on Garden Street should have been broken down to peak and non-peak hours, noting that there were no parking restrictions on Garden Street during peak hours and that vehicles were seldom parked on Garden Street at anytime. Mr. Sue requested that on-street parking continue to be permitted on holidays and weekends. He stated that Report PDE 06-24 implied that motorists would use Garden Street as an alternate route should Brook Street be redesigned.

Recommendation:

Moved by Councillor Yamada

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

**Carried on a Two Thirds Vote**

Mr. Sue continued his delegation and noted that most people traveling from Brooklin were not likely to access Highway 401 via Garden Street but would access the highway via Taunton Road to Highway 412 or Thickson Road and that Report PDE 06-24 was not definitive that Brook Street would be redesigned. He suggested that the parking on Garden Street remain status quo, noting that implementing no parking restrictions was an easy and inexpensive solution but that it was not necessary to implement it now.

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

- whether the delegate was agreeable to defer the report; and,
- whether there was a consensus among the neighbours on Garden Street about a preferred option.

It was the consensus of the Committee to hear Item 5.4.5, PDE 06-24, at this time.

Recommendation:

Moved by Councillor Leahy

That the rules of procedure be suspended to hear a delegation from Steven Pellegrino regarding Item 5.4.4, PDE 05-24.

**Carried on a Two Thirds Vote**

#### 5.2.7 Steven Pellegrino, Resident

Re: PDE 05-24, Planning and Development (Engineering Services)  
Department Report

Re: Update Traffic By-law - No Parking on Hunter Street

#### **Refer to Item 5.4.4, PDE 05-24**

Steven Pellegrino, Resident, appeared before the Committee and stated that he and his brother own an office building located at the corner of Kendalwood Road and Hunter Street. He advised that he recently received a notice about no parking restrictions on the north side of Hunter Street and that he was opposed to the proposed no parking restrictions. He raised concerns about no parking restrictions being implemented on the north side of the street when most of the parking of vehicles occurs on the south side of Hunter Street. He suggested that to be fair that no parking restrictions be implemented on both sides of Hunter Street or that parking be permitted on both sides of Hunter Street.

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

- whether there was a parking lot at the delegate's property on Hunter Street and the number of parking spaces in the parking lot;
- the rationale for the delegate or his clients parking on the street;
- whether the delegate has noticed parking taking place on Hunter Street and whether the parking mostly takes place on the south side of Hunter Street; and,
- whether the delegate was agreeable to no parking restrictions if the restrictions did not target one side of the street.

It was the consensus of the Committee to hear Item 5.4.4, PDE 05-24, at this time.

### 5.3 Correspondence

There was no correspondence.

### 5.4 Staff Reports

#### 5.4.1 PDE 04-24, Planning and Development (Engineering Services) Department Report

Re: St Thomas Street at Winchester Road Signalization Consideration

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

- the Region of Durham's rationale for the traffic signalization at the intersection of St Thomas Street and Winchester Road being considered unwarranted;
- whether restricting Queen Street to a right-in/right-out through the raised centre median and the removal of the pedestrian signal at Simcoe Street would be included in the Winchester Road widening project;
- whether residents in the area were aware that Queen Street would be restricted to right-in/right-out should the traffic signalization be installed;

- how close the intersection of Winchester Road and St Thomas Street was to meeting the warrant threshold, and whether the time of year would impact traffic volumes and impact the Region's Traffic Study;
- confirmation that synchronizing the traffic signal at the intersection of Winchester Road and Anderson Street/Watford Street with the pedestrian signal located at Winchester Road and Simcoe Street was not possible;
- when the Region needed to be advised about securing the funding for the installation of the traffic signalization;
- the impact on the Winchester Road widening project should Report PDE 04-24 be deferred;
- whether the Town's cost of \$150,000.00 for the installation of the traffic signalization could be negotiated with the Region following approval of the proposed recommendation;
- whether police presence and enforcement would rectify concerns about the intersection of Winchester Road and St Thomas Street;
- the possibility of replacing the pedestrian signal with a pedestrian crossing at Simcoe Street and Winchester Road; and,
- adjusting the proposed recommendation to allow for negotiation on the cost of the signalization with the Region.

Recommendation:

Moved by Councillor Lee

1. That Council provide direction regarding traffic signalization of St Thomas Street at Winchester Road, and as appropriate, direct staff to include \$250,000 in the property tax-funded 2025 capital budget, as a pre-approved budget item, considering the Region's requirements for unwarranted traffic control signals;
2. That the operating and maintenance costs related to the signal, in the annual amount of \$8,000, be included in the property tax-funded operating budget, beginning in 2026, as appropriate; and,

3. That Report PDE 04-24 be provided to the Regional Municipality of Durham.

**Carried later in the meeting (See following motion)**

Recommendation:

Moved by Councillor Lee

That Item 1 and Item 2 of the main motion be amended to read as follows:

1. That Council approve traffic signalization of St Thomas Street at Winchester Road, and direct staff to include up to \$150,000 in the property tax-funded 2025 capital budget, per the memorandum from T. Painchaud, Sr. Manager, Transportation Services, dated June 10, 2024 regarding the reduced cost of the traffic signal at St Thomas and Winchester Road, as a pre-approved budget item, considering the Region's requirements for unwarranted traffic control signals;
2. That the operating and maintenance costs related to the signal, in the annual amount of \$8,000, be included in the property tax-funded operating budget, beginning in 2026;

**Carried**

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

Recommendation:

Moved by Councillor Lee

1. That Council approve traffic signalization of St Thomas Street at Winchester Road, and direct staff to include up to \$150,000 in the property tax-funded 2025 capital budget, per the memorandum from T. Painchaud, Sr. Manager, Transportation Services, dated June 10, 2024 regarding the reduced cost of the traffic signal at St Thomas and Winchester Road, as a pre-approved budget item, considering the Region's requirements for unwarranted traffic control signals;
2. That the operating and maintenance costs related to the signal, in the annual amount of \$8,000, be included in the

property tax-funded operating budget, beginning in 2026;  
and,

3. That Report PDE 04-24 be provided to the Regional Municipality of Durham.

**Carried**

It was the consensus of the Committee to hear Item 5.2.5, Delegation by Paul Mason, at this time.

5.4.2 PDP 34-24, Planning and Development (Planning Services)  
Department Report

Re: Zoning By-law Amendment Application, The Baird Team Royal Lepage Baird Real Estate, 55 Garrard Road and Block 33 on Plan 40M-1315, File Number: DEV-08-24 (Z-04-24)

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

- concerns about where the driveways would be located and that the location of the driveways on the conceptual plan would remain should the owner decide to sell the land prior to development;
- a detailed explanation related to the proposed zoning amendment on the parcels of land located on Garrard Road and Burnage Lane for the creation of three single detached lots; and,
- whether the construction management plan would include restrictions on the builder related to noise, traffic, dust, and timing of construction activity.

Recommendation:

Moved by Councillor Bozinovski

1. That Council approve an amendment to Zoning By-law # 1784 (Z-04-24) as outlined in Report PDP 34-24; and,
2. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

**Carried**

5.4.3 PDE 03-24, Planning and Development (Engineering Services)  
Department Report

Re: Mid-Block Arterial (Phase 2) – Single Source Award Report

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

- confirmation that Phase 2 included the future Garden Street extension to west of Anderson Street and the construction of a bridge over a large environmentally sensitive area;
- the construction timing for Phase 2 and whether Phase 3 may be complete prior to the completion of Phase 2; and,
- whether Phase 2 may be deferred in the future due to the cost of the bridge.

Recommendation:

Moved by Councillor Leahy

1. That Council authorize staff to move forward with the detail design for Phase 2 of the Mid-Block Arterial (MBA) project, as outlined in Report No. PDE 03-24;
2. That Council authorize the single source award to CIMA+ as the engineering consultant to complete the detail design for Phase 2 of the MBA project in the amount of \$899,560 funded from capital project 40236054; and,
3. That Council authorize the single source award to GHD as the technical reviewer to complete Phase 2 of the MBA project in the amount of \$189,298 funded from capital project 40236054.

**Carried**

5.4.4 PDE 05-24, Planning and Development (Engineering Services)  
Department Report

Re: Update Traffic By-law - No Parking on Hunter Street

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

- the rationale for the proposed no parking restrictions on Hunter Street;
- whether there was a specific time of day that parking on Hunter Street was an issue for the residents;
- whether there were Staff concerns about deferring the report;
- whether all properties on Hunter Street received notification about the proposed no parking restrictions; and,
- whether any correspondence was received related to Report PDE 05-24.

Recommendation:

Moved by Councillor Bozinovski

1. That Council approve the proposed amendment to Traffic By-law 8059-24, to incorporate the changes to Schedule B of the By-law, as identified in Attachment # 2; and,
2. That a by-law to amend By-law 8059-24 be brought forward for the consideration of Council.

**Note:** The disposition of this matter, Item 5.4.4, was determined though the deferral motion below.

Recommendation:

Moved by Councillor Bozinovski

That consideration of Report PDE 05-24 be deferred until such time as Town Staff and affected residents on Hunter Street have an opportunity to review the no-parking restriction proposed in the Report.

**Carried**

It was the consensus of the Committee to hear Item 5.4.2, PDP 34-24, at this time.

#### 5.4.5 PDE 06-24, Planning and Development (Engineering Services) Department Report

Re: Garden Street On-Street Parking Consideration



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

- deferring the report until Staff meet with the residents to discuss the proposed Garden Street parking options;
- the timing for the implementation of the no parking restrictions on Garden Street and whether the pressure to implement no parking on Garden Street was due to the installation of traffic signalization at the intersection of Dunlop Street and Garden Street;
- the feasibility of not implementing the no parking restrictions on Garden Street until there was a parking option installed and ready to use; and,
- whether leaving on-street parking for the homes with frontage on the east side of Garden Street could be justified.

Recommendation:

Moved by Councillor Lundquist

1. That Council approve the proposed amendment to the Traffic By-law 8059-24 to incorporate the following change to Schedule B: No Parking restrictions on Garden Street between Burns Street and Dundas Street East; and,
2. That Council provide direction to staff regarding parking opportunities to be constructed for residents whose properties have direct access to Garden Street between Dunlop Street East and Hyland Street.

**Note:** The disposition of this matter, Item 5.4.5, was determined through the deferral motion below.

Recommendation:

Moved by Councillor Lundquist

That consideration of Report PDE 06-24 be deferred until such time as Town Staff and affected residents on Garden Street have an opportunity to meet and review the options proposed in the Report.

**Carried**

It was the consensus of the Committee to hear Item 5.2.7,  
Delegation by Steven Pellegrino, Resident, at this time.

5.4.6 PDE 07-24, Planning and Development (Engineering Services)  
Department Report

Re: Update to Traffic By-law 8059-24 - Stop Control

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

- the timing for the installation of the all-way stop signs and pavement markings;
- the rationale for the selection of streets for the implementation of all-way stop control; and,
- clarification on the process for requests for all-way stop control on streets that were not included in the report.

Recommendation:

Moved by Councillor Leahy

1. That Council approve the proposed amendment to the Traffic By-law 8059-24 to incorporate changes to Schedule “N” of the By-law, as identified in Attachment 1;
2. That a by-law to amend By-law 8059-24 be brought forward for the consideration of Council; and,
3. That Item P&D-0018 be removed from the New and Unfinished Business list.

**Carried**

5.4.7 PDE 08-24, Planning and Development (Engineering Services)  
Department and Financial Services Department Joint Report

Re: Mid-Block Arterial – Phase 3 (Anderson Road to Thornton Road) – Detailed Design

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

- an estimated timeline for the completion of Phase 3 and confirmation that Phase 3 would be completed by 2030; and,

- whether there were many obstacles to overcome to complete Phase 3.

Recommendation:

Moved by Councillor Leahy

1. That a new 2024 Capital Budget, in the amount of \$2,250,000 for the Mid-Block Arterial – Phase 3 Detailed Design, be approved and funded \$25,780 from the Growth Capital Reserve Fund, and \$2,224,220 from the Development Charges Roads and Related Town-wide Infrastructure Reserve Fund;
2. That the Anderson Conlin Development Consortium (ACDC) be authorized to proceed with the Mid-Block Arterial Phase 3 Design work based on a commitment that the Town intends to negotiate a reimbursement agreement for the \$2,140,000 of detailed design works;
3. That Council provide the Chief Administrative Officer and Commissioner of Planning and Development delegated authority to enter into a reimbursement agreement with the ACDC for the Mid-Block Arterial Phase 3 Detailed Design works based on the principles outlined in Report PDE 08-24 and subject to terms satisfactory to the Commissioners of Financial Services/Treasurer and Legal and Enforcement Services/Town Solicitor;
4. That no ACDC reimbursements payments are processed by the Town until the reimbursement agreement with the ACDC for the Mid-Block Arterial Phase 3 Detailed Design works is fully executed; and,
5. That staff commence negotiations with ACDC for a future development charge credit and/or reimbursement agreement for the construction of Mid-Block Arterial based on the principles outlined in Report PDE 08-24.

**Carried**

## 5.5 New and Unfinished Business - Planning and Development

There was no new and unfinished business.

6. General Government

**Councillor Lundquist assumed the Chair.**

6.1 Presentations

There were no presentations.

6.2 Delegations

There were no delegations.

6.3 Correspondence

6.3.1 Memorandum from C. Chrus, Manager, Creative Communities, dated May 10, 2024 re: 2024 Roebuck Street Road Mural

A brief discussion ensued between Members of Committee regarding details about the Roebuck Street Road mural and the opportunity to have road murals throughout Whitby.

Recommendation:

Moved by Councillor Mulcahy

That the Memorandum from C. Chrus, Manager, Creative Communities, dated May 10, 2024 re: 2024 Roebuck Street Road Mural be received for information.

**Carried**

6.4 Staff Reports

6.4.1 CMS 08-24, Community Services Department Report

Re: Update to the Ice Allocation Policy

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

- how Whitby compares to area municipalities with respect to ice utilization and cost;
- whether there were any challenges associated with the residency requirements for ice user organizations increasing from a majority to 80 % Whitby residents;
- whether any comments have been received about the change to the ice return deadline; and,

- confirmation that Whitby charges more for ice than other municipalities and has a better utilization rate.

Recommendation:

Moved by Councillor Leahy

That Council approve the proposed amendments to the Ice Allocation Policy, Policy Number MS 010, Attachment 2 of Report CMS 08-24.

**Carried**

#### 6.4.2 CMS 09-24, Community Services Department Report

Re: Accessibility Plan

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

- whether Whitby meeting full accessibility compliance by 2025 was attainable; and,
- the status of the LEAD program and micromobility regulations.

Recommendation:

Moved by Councillor Leahy

1. That Council receive this report as information;
2. That Council adopt the Town's Accessibility Plan 2023-2026 as attached; and,
3. That a copy of the Accessibility Plan 2023-2026 be posted on the Town's website with alternate formats available upon request.

**Carried**

#### 6.4.3 FS 11-24, Financial Services Department Report

Re: Building Permit Fees Annual Financial Report 2023

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

- whether there was a risk of the funds in the Building Permit Reserve being high enough to result in having to refund building permit fees to developers and whether it would impact the ability to raise building permit fees in the future; and,
- confirmation that interest earned on the Building Reserve Fund must be allocated to the reserve fund.

Recommendation:

Moved by Councillor Leahy

That Report FS 11-24 on Building Permit Fees Annual Financial Report 2023 be received as information.

**Carried**

#### 6.4.4 FS 15-24, Financial Services Department Report

Re: 2023 Year End Operating Budget Variances and Reserve Funds

A brief question and answer period ensued between Members of Committee and Staff regarding the rationale for low surplus funds in the Operating Budget Variances and the Reserve Funds.

Recommendation:

Moved by Councillor Leahy

1. That Report FS 15-24 regarding 2023 Year End Operating Variances and Reserve Funds be received;
2. That notwithstanding the Disposition of Operating Surplus Policy F 010, the full amount of the 2023 operating surplus, in the amount of \$80,157 be transferred to the Long-Term Finance Reserve; and,
3. That \$100,000 be drawn from the Long-Term Finance Reserve in 2024 to fund an additional one-time payment towards the Town of Whitby's \$250,000 commitment to the Charles H. Best Diabetes Centre's capital campaign.

**Carried**

#### 6.4.5 FS 16-24, Financial Services Department Report

Re: Annual Statement of Development Charge and Parkland Dedication Cash-in-Lieu Reserve Funds as of December 31, 2023

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

- the risk associated with the decrease in applications and development charges;
- the decrease in the number of pulled permits and the value of the permits;
- whether there has been a decrease in housing permits pulled; and,
- confirmation that the interest earned on the Development Charge Fund and Parkland Dedication Cash-in-lieu Reserve Fund must be allocated to these reserves.

Recommendation:

Moved by Councillor Leahy

That Report FS 16-24, the Annual Statement of Development Charge and Parkland Dedication Cash-in-Lieu Reserve Funds as of December 31, 2023, be received for information.

**Carried**

#### 6.4.6 FS 18-24, Financial Services Department Report

Re: Annual Insured Claims Report

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

- whether there was a trend in the increase in the number of claims in municipal comparators and whether the increase in claims would have a financial impact on the Town; and,
- whether there were any financial risks associated with the increase in premium costs for the Durham Municipal Insurance Pool and whether the increasing premium cost was a potential cost pressure in the future.

Recommendation:

Moved by Councillor Leahy

That Report FS 18-24 regarding Annual Insured Claims be received as information.

**Carried**

#### 6.4.7 FS 21-24, Financial Services Department Report

Re: 2025 Budget Schedule and Engagement

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

- the ability to shorten the proposed three year multi-year budget;
- clarification on opportunities for Members of Council to review and amend the 2025 to 2027 multi-year budget; and,
- confirmation that the budget would default to the previous process of Council approval should a proposed budget not be provided by the Mayor by February 1 of each year.

Recommendation:

Moved by Councillor Leahy

1. That the 2025 to 2027 Multi-year Budget Process, (including incorporation of a budget process under Strong Mayor Powers), Communication and Public Engagement Plan and Budget Calendar outlined in Staff Report FS 21-24 be approved; and,
2. That the reduced timelines, as outlined in Report FS 21-24, for budget amendments and vetoes to the 2025 to 2027 Multi-year budget be approved.

**Note:** The disposition of this matter, Item 6.4.7 was determined through the deferral motion below.

Recommendation:

Moved by Councillor Leahy



That consideration of Report FS 21-24 be deferred to the Council meeting on June 24, 2024.

**Carried**

6.4.8 FS 29-24, Financial Services Department Report

Re: Update on Property Tax Assessment Appeals and Adjustments

Recommendation:

Moved by Councillor Lundquist

That Report FS 29-24 be received as information.

**Carried**

6.4.9 FS 31-24, Financial Services Department Report

Re: Town of Whitby Municipal Asset Management Plan Update

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

- confirmation that the funding for capital asset replacement was currently \$31 million per year, that the capital assets were worth approximately \$3 billion, and that the 10-year average for capital asset replacement should be about \$41 million leaving a funding deficit of about \$10.5 million;
- whether the interest earned on the Asset Management Reserve Fund could be used toward asset costs; and,
- risks associated with and the source of funding for the forecasted funding deficit for asset replacement.

Recommendation:

Moved by Councillor Leahy

1. That Council endorse the Town's 2024 Municipal Asset Management Plan which highlights the Community and Technical Levels of Service for all service areas (Facilities, Fire Equipment, Fleet, Library Resources, Parks, Roads Right-of-Way, and Technology & Innovation Services) as attached to Report FS 31-24;

2. That Council endorse the following recommendations as highlighted in Section 6 the Town's 2024 Municipal Asset Management Plan:
  - a. Refine existing levels of service for all other assets and propose sustainable levels of service for all service areas to be approved by Council by July 1, 2025;
  - b. Undertake community engagement surveys and public information sessions, to inform future asset management plans on Whitby residents' desired Levels of Service for municipal assets;
  - c. Assess and evaluate existing maintenance and repair activities and capture these in the Asset Management database in order to get a complete picture of future financial requirements;
  - d. Review consequence of failure ratings regularly;
  - e. Assess the costs of Climate Change resilience and the associated risks to assets;
  - f. Propose Climate Change adaptation and mitigation measures for all Service Areas; and,
3. That Staff continuously refine lifecycle treatments to ensure assets are being maintained as cost efficiently as possible.

**Carried**

6.4.10 CAO 10-24, Office of the Chief Administrative Officer Report

Re: Council Remuneration Market Review

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

- confirmation that Report CAO 10-24 regarding the Council Remuneration Market Review was for information purposes only;
- whether Council remuneration would be reviewed using the same comparator group used for the Market Compensation Review of Staff remuneration;

- confirmation that Whitby Council remuneration was based on the average Council remuneration of Durham Region lakeshore municipalities;
- freezing Council remuneration at the 2024 rate until the end of the 2022 to 2026 Term of Council and whether there would be a significant savings related to freezing Council remuneration; and,
- the cost savings related to the freeze on Council remuneration during the COVID-19 pandemic.

Recommendation:

Moved by Mayor Roy

That Council receive Report CAO-10-24, Council Remuneration Market Review for information

**Carried later in the meeting (See following motion)**

Recommendation:

Moved by Councillor Shahid

That Council remuneration be frozen at 2024 rates until the conclusion of the 2022 to 2026 Term of Council.

**Motion Lost**

The main motion was then carried.

#### 6.4.11 CAO 11-24, Office of the Chief Administrative Officer Report

Re: 2024 Workforce Plan Review

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

- how positions identified for consideration in the 2025 budget would be determined, and whether some of the positions were for the new Whitby Sports Complex; and,
- the funding source for the positions, whether some of the funding for the positions would be recovered through fees, and whether there would be a decrease in funds required for the summer students based on receiving the Summer Jobs Wage Subsidy from the Federal Government.

Recommendation:

Moved by Mayor Roy

That Council receive Report CAO-11-23 2024 Workforce Plan Review for information.

**Carried**

6.4.12 CAO 12-24, Office of the Chief Administrative Officer and Community Services Department Joint Report

Re: The IDEA Project - Journey to Inclusivity Status Update 2024

A brief question and answer period ensued between Members of Committee and Staff regarding whether the LEAD program was considered and whether there would be further reporting on the program in the future.

Recommendation:

Moved by Councillor Shahid

That Council receive Report CAO-12-24 The IDEA Project, Journey to Inclusivity Status Update 2024 for information.

**Carried**

6.4.13 CAO 16-24, Office of the Chief Administrative Officer and Financial Services Department Joint Report

Re: 2023 Annual Sustainability and Climate Change Report

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

- the possibility of using a geothermal energy system for Iroquois Park Sports Centre;
- opportunities to share a district energy system with the Abilities Centre;
- whether the user fees associated with the new Level 3 EV chargers were comparable to area municipalities, the purpose of the administration fees, and the anticipated usage of the Level 3 EV chargers; and,

- whether the EV charger rate was based on the amount of time used or the time of day.

Recommendation:

Moved by Councillor Leahy

1. That Report CAO 16-24 be received as information;
2. That the Clerk's office forward a copy of Staff Report CAO 16-24 to the Region of Durham's Sustainability Department; and,
3. That Schedule S of the Fees and Charges By-law 7220-17, as amended, be further amended to include the new Level 3 Electric Vehicle Charging Station Fees as outlined in Report CAO 16-24.

**Carried**

#### 6.4.14 FES 02-24, Fire and Emergency Services Department Report

Re: Updates – Emergency Response Automatic Aid Agreement with Ajax Fire & Emergency Services

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

- confirmation that automatic aid from Ajax Fire and Emergency Services would occur when Whitby Fire and Emergency Services needed assistance on a 400 series highway, Highway 401, Highway 412, and Highway 407 and exits were beyond the boundaries of Whitby;
- confirmation that the automatic aid responses would be reciprocal between municipalities, whether automatic aid response occurs often, and whether there was any cost associated with automatic aid; and,
- the difference between automatic aid and mutual aid and confirmation that mutual aid was a separate agreement.

Recommendation:

Moved by Councillor Leahy

1. That the updated by-law regarding the execution of an Automatic Aid Agreement with the Town of Ajax be presented to Council for approval; and,
2. That the attached agreement (ATT-1) between Ajax Fire & Emergency Services and Whitby Fire & Emergency Services be approved, effective June 19, 2024.

**Carried**

6.4.15 FES 03-24, Whitby Fire and Emergency Services Department Report

Re: Whitby Fire & Emergency Services – 2022 & 2023 Annual Report

Recommendation:

Moved by Councillor Lundquist

That Council receives, for information, and reviews Whitby Fire & Emergency Services (WFES) annual report for 2022 and 2023.

**Carried**

6.5 New and Unfinished Business - General Government

There was no discussion on the New and Unfinished Business List.

6.5.1 Provincial regulations needed to restrict keeping of non-native (“exotic”) wild animals

Councillor Mulcahy introduced a motion regarding Provincial regulations needed to restrict keeping of non-native (“exotic”) wild animals.

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

- whether and how restricting the keeping of non-native wild animals would impact Nova’s Ark; and,
- Staff providing information about whether there was a governing body and regulations restricting the keeping of native wild animals.

Recommendation:

Moved by Councillor Mulcahy

Whereas Ontario has more private non-native (“exotic”) wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province; and,

Whereas the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of non-native (“exotic”) wild animals in captivity; and,

Whereas non-native (“exotic”) wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province; and,

Whereas the keeping of non-native (“exotic”) wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife; and,

Whereas owners of non-native (“exotic”) wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns; and,

Whereas municipalities have struggled, often for months or years, to deal with nonnative (“exotic”) wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges; and,

Whereas the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection's campaign for provincial regulations of non-native (“exotic”) wild animals and roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry.

Now Therefore, be it Resolved:

1. That the Town of Whitby hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native (“exotic”) wild animals and license zoos in order to guarantee the fair

and consistent application of policy throughout Ontario for the safety of Ontario's citizens and the non-native ("exotic") wild animal population; and,

2. That this resolution will be forwarded to the Premier of Ontario, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, Region of Durham MPPs, all Durham Region municipalities, AMO, AMCTO, and MLEOA.

**Carried**

7. Adjournment

Recommendation:

Moved by Councillor Yamada

That the meeting adjourn.

**Carried**

The meeting adjourned at 10:47 p.m.