 Town of Whitby

Motion Form

**Council  Special Council  Committee of the Whole**

Date of Meeting: 12/14/2020

Moved By: Mayor Mitchell

Seconded By: Councillor Roy

**Note:** Due to this motion not meeting notice requirements or being added to the Regular Council meeting agenda in accordance with the Procedure By-law, Council must suspend the rules of procedure in order to consider, requiring a 2/3rds majority vote.

**9. New and Unfinished Business: Soccer and Recreational Programs Delivered in Air Support Structures (Domes)**

Whereas the Durham Region entered the Red Zone on November 23, 2020; and,

Whereas Red Zone O. Reg. 263/20 permits up to 10 people to participate in an indoor recreational facility class provided that a 2 metre physical distance can be maintained at all times; and,

Whereas Whitby Football Club (WFC), formerly Whitby Iroquois Soccer Club, has over 7,000 members and is the second largest soccer club in Ontario; and,

Whereas WFC operates two soccer domes - one with two full size fields and one with three full size fields; and,

Whereas WFC has responded to COVID-19 health concerns in multiple ways from the beginning of the pandemic, including installing continuous plastic dividers to separate the fields, by staggering start times and adding an extra 15 minutes between rentals to avoid congregating, by dedicated entrances and exits and by not allowing parents into the facility, in order to reduce numbers; and,

Whereas, as a result of these measures and practices, WFC has safely made soccer available for its members with 10 players per field since November 23, 2020; and,

Whereas other users of the WFC who have safely delivered programs in the domes during the COVID-19 pandemic include Whitby Minor Baseball, Durham Ultimate Frisbee, Whitby Cricket, Lady Blue Knights Lacrosse, Durham Rebels Volleyball, Rugby Ontario, Toronto Arrows Rugby Team (Professional), Team Canada Women’s Softball, NSA Baseball, Edge Lacrosse, the Oshawa 65’s, and the Durham District School Board (DDSB); and,

Whereas the provincial regulations have inequities and exemptions that unfairly discriminate against WFC in the delivery of its soccer programs and against other soccer organizations trying to deliver soccer programs in their domes; and,

Whereas the DDSB currently use the fields in the WFC domes for physical education classes in excess of 10 participants per field; and,

Whereas professional teams are exempt from the requirements of Regulation 263/20; and,

Whereas it is generally understood that the pandemic is having a negative impact upon the physical and mental health of children, teens and adults of all ages which can be mitigated in part by recreational activities like soccer; and,

Whereas Olympic athletes, including the Canadian National Softball Team and Canadian sprinters and hurdlers are permitted to use the same soccer fields for training at numbers in excess of the gathering limits applied to soccer; and,

Whereas it is in the best interests of the public that the COVID-19 regulations result in outcomes that are reasonable in application and equitable in outcome; and,

Whereas the Red Zone restriction provides no appeal mechanism to redress unreasonable and inequitable outcomes resulting from the strict wording of the regulations; and,

Whereas Durham Public Health officials advise they have no residual discretion to redress unreasonable and inequitable outcomes resulting from the strict wording of the regulations; and,

Whereas only allowing 10 players per dome is causing extreme economic hardship to WFC that threatens its ability to continue to operate;   
  
Now therefore be it resolved:

1. That the Council of the Town of Whitby requests the Province of Ontario to amend Red Zone O. Reg. 263/20 to allow sports and recreation programs delivered on full size fields in domes to have 10 players per field; and,
2. That the Clerk be directed to circulate this resolution to the Premier of Ontario, the Minister of Health, Lorne Coe, M.P.P., and to the Region of Durham’s Medical Officer of Health.