



Regular Council Minutes

October 2, 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
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
M. Dodge, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Sr. Manager of Legislative Services/Deputy Clerk (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. Adoption of Minutes

Regular Council - June 19, 2023

Special Council - June 19, 2023

Special Council - July 26, 2023

Special Council - September 11, 2023 (Confidential Minutes Under Separate Cover)

Special Council - September 27, 2023 (Confidential Minutes Under Separate Cover)

Councillor Leahy requested that the Committee of the Whole minutes of September 25, 2023 be amended to note that he was opposed for the motion to defer the Interim Control By-law - New Low Barrier Shelters and/or Transitional Housing.

Resolution # 174-23

Moved by Councillor Lee

Seconded by Councillor Bozinovski

That the Regular Council Minutes of June 19, 2023, and the Special Council Minutes of June 19, July 26, September 11, and September 27, 2023 be approved.

Carried

5. Presentations

5.1 Teresa Shaver, Business Advisory Centre of Durham (In-Person Attendance)

Re: My Main Street Whitby - A Final Report

Teresa Shaver, Business Advisory Centre of Durham, provided a presentation regarding My Main Street - A Final Report. Highlights of the presentation included:

- an overview of My Main Street program goals;
- a \$10,000 grant application available to businesses located in participating main street neighbourhoods;

- the two funding streams for the program including the "Local Business Accelerator" stream and the "Community Activator" stream;
- notable impacts from the program including 30 successful grant recipients;
- an overview of the property inventory in Downtown Whitby and Downtown Brooklin;
- market data, including demographic information for Downtown Whitby and Downtown Brooklin;
- an overview of specific businesses in Downtown Whitby and Downtown Brooklin that received grant funding; and,
- top challenges and recommendations noted by businesses in the downtowns.

A question and answer period ensued between Members of Council, Teresa Shaver and Staff regarding:

- the boundaries established for Downtown Whitby and Downtown Brooklin "Main Street" businesses and confirmation that only businesses within the boundaries were eligible for grant funding;
- confirmation that the My Main Street program is now closed; and,
- whether the federal government may consider other grant programs with similar structures in the future.

6. Delegations

6.1 Ron Lalonde, Resident (In-Person Attendance)

Re: Noise at Oshawa Executive Airport

Refer to Item 11.1, Noise at Oshawa Executive Airport

Ron Lalonde appeared before Council and indicated that he was in support of the motion regarding noise at the Oshawa Executive Airport. Mr. Lalonde noted that noise associated with traffic at the airport has been increasing, primarily due to the operation of flight training schools. He advised that he had been in contact with the airport manager about his concerns. He noted that Whitby airspace is affected, and that aircraft associated with flight training schools operate in a circuit between 8:00 a.m. until after sunset. Mr. Lalonde advised that the aircraft used for flight

training are basic and are not equipped with muffling devices and use leaded fuel. He indicated that during flight training a plane touches down on the airport runway approximately once every minute. He further explained that touch-and-go landings are prohibited after 4:00 p.m., however aircraft circumvent this by touching down, coming to a full stop, and then taking off. Mr. Lalonde raised concern with the September 2023 announcement to expand flight training at the airport, noting that the airport handles 100,000 aircraft movements annually, with 70,000 of those movements attributed to flight school operations.

A question and answer period ensued between Members of Council and Mr. Lalonde regarding:

- the annual increase in airport traffic;
- challenges associated with controlling airport operations since the airport is federally regulated;
- the City of Oshawa's opposition to expanded flight training and the importance of the Town of Whitby supporting Oshawa's position;
- runway orientation at the airport and how Whitby residents are particularly affected by aircraft noise during certain weather and wind conditions; and,
- opportunities for the Town's Member of Parliament to support the concerns of Whitby residents and advocate on their behalf.

6.2 Vasco Rebuli, Resident (In-Person Attendance)

Re: Noise at Oshawa Executive Airport

Refer to Item 11.1, Noise at Oshawa Executive Airport

Vasco Rebuli appeared before Council and indicated that he was in support of the motion regarding noise at the Oshawa Executive Airport. Mr. Rebuli advised that noise associated with traffic at the airport has been increasing, primarily due to the operation of flight training schools, specifically the Canadian Flight Academy. He indicated that aircraft noise adversely affects the quality of life for residents. He further stated that conducting training flights over a densely populated area presents a potential safety concern. Mr. Rebuli noted that he has been in communication with staff at the airport since 2018, noting that flights occur outside of approved operating hours. He raised concern about the September 2023 announcement to expand flight training at the airport.

A question and answer period ensued between Members of Council and Mr. Rebuli regarding:

- a flight tracking app used by Mr. Rebuli to determine the operators of aircraft flying over his home;
- the broad impact of aircraft noise on Whitby residents; and,
- challenges associated with controlling airport operations as the airport is federally regulated.

7. Correspondence

7.1 Correspondence

That the following requests be endorsed:

- Child Care Worker & Early Childhood Educator Appreciation Day - October 17, 2023
- World Polio Day - Flag Raising - October 16 to 20, 2023
- World Polio Day - October 24, 2023
- National Children's Grief Awareness Day - November 16, 2023
- World Prematurity Day - November 17, 2023

Resolution # 175-23

Moved by Councillor Lundquist

Seconded by Councillor Mulcahy

That the proclamations for Child Care Worker & Early Childhood Educator Appreciation Day, World Polio Day, National Children's Grief Awareness Day, and World Prematurity Day, and the flag raising for World Polio Day be endorsed.

Carried

8. Committee of the Whole Report - Planning and Development

Planning and Development - September 18 and 25, 2023

8.1 PDP 36-23, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Condominium Application, Sixfive (VICDEV) Inc., 1450 Victoria Street East, File Number: DEV-11-23 (CW-2023-04)

Resolution # 176-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Condominium (File Number: CW-2023- 04) subject to the comments included in Planning Report PDP 36-23 and the Conditions of Approval, included in Attachment #4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement and any other necessary documents; and,
3. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham, of Council's decision.

Carried

8.2 PDP 37-23, Planning and Development (Planning Services) Department Report

Re: Official Plan Amendment, Draft Plan of Subdivision, and Zoning By-law Amendment Applications, 1351637 Ontario Limited (Mansouri Group), 4400 & 4440 Garden Street, File Number: DEV-17-22 (OPA-2022-W/02, SW-2022-03, Z-13-22)

Resolution # 177-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve Official Plan Amendment Number 132 to the Whitby Official Plan (OPA-2022-W/02), as shown on Attachment #7, and that a By-law to adopt Official Plan Amendment Number 132 be brought forward for consideration by Council;
2. That the Clerk forward a copy of the Planning Report PDP 37-23, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number 132 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development;

3. That Council approve the Draft Plan of Subdivision (File No. SW-2022-03), subject to the comments included in Planning Report PDP 37-23 and the conditions of draft plan approval included in Attachment #10;
4. That Staff be authorized to prepare a Subdivision Agreement;
5. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision, including the Region of Durham's Commissioner of Planning and Economic Development;
6. That Council approve the amendment to Zoning By-law # 1784, (File No. Z-13-22), as outlined in Planning Report No. PDP 37-23; and,
7. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

Carried

8.3 PDP 38-23, Planning and Development (Planning Services) Department Report

Re: Town-Initiated Official Plan Review: Terms of Reference

Resolution # 178-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That staff be authorized to commence the review and update of the Town of Whitby Official Plan, in accordance with the requirements of the Ontario Planning Act;
2. That staff be authorized to finalize the draft Terms of Reference and issue a Request for Proposal to retain the necessary consultant(s) to undertake the review and update of the Town of Whitby Official Plan, in accordance with the Town of Whitby Procurement Policy; and,
3. That staff be authorized to initiate the project once consultants are retained and report back to Council on key project milestones.

Carried

- 8.4 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 brief question and answer period ensued between Members of Council and Staff regarding how individual Members of Council could provide feedback regarding the proposed agreement between the Town and the Region and approximate timing to receive a revised draft of the agreement from the Region.

Resolution # 179-23

Moved by Councillor Lee

Seconded by Councillor Leahy

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

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

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

Resolution # 180-23

Moved by Councillor Lee

Seconded by Councillor Leahy

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

9. Committee of the Whole Report - General Government

General Government - September 18 and 25, 2023

9.1 LS 04-23, Legal and Enforcement Services Department and Community Services Department Joint Report

Re: Review of Animal Sheltering Options for the Town of Whitby

Resolution # 181-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Report LS 04-23 be received for information;
2. That staff be directed to proceed with the detailed design for Option 1B for the new Animal Services Centre and Enforcement Services Facility at McKinney Road and Broadleaf Avenue;
3. That a new capital project, in the amount of \$1,300,000, be established for the Design, Contract Management, and Project Management of the joint Animal Shelter/Enforcement Services facility (Option 1B) funded from the Asset Management Reserve;
4. That staff be authorized to negotiate with McCallum Sather Associates and award a single source contract, subject to budget, for the detailed design and contract management work for this project;
5. That staff be directed to report to Council for capital budget approval, following finalization of design, prior to tendering the work;
6. That staff investigate the sale of 4680 Thickson Road North to offset the cost of a new Animal Services Centre in accordance with Confidential Memorandum LS 04-23; and,
7. That staff will continue to make improvements to the operations of the Animal Services section to improve efficiencies, improve animal care and conditions, increase revenue, and reduce operational impacts.

Carried

9.2 CAO 25-23, Office of the Chief Administrative Officer Report

Re: Canadian Tire Whitby Naming Rights Sponsorship of Arena 1 at McKinney Centre

Resolution # 182-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That Council approve entering into a three (3) year sponsorship agreement effective November 1, 2023, with Canadian Tire for a Naming Rights Sponsorship at McKinney Centre, including renaming Arena 1 to “Canadian Tire Whitby Arena 1”, based on the sponsorship package and other terms and conditions identified in Report CAO 25-23.

Carried

9.3 Members of Council - Attendance at Business Openings

Resolution # 183-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That the Clerk be directed to report back with a draft policy that would create a process to have the Mayor and Councillors’ Office invite all Members of Council to every business opening where the presence of Members of Council is requested.

Carried

9.4 Council Education and Training Program

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

- referring the matter to Staff to prepare a report regarding the proposed Council Education and Training Program;
- balancing the need for transparency regarding use of funds associated with the program against confidentiality for individual Members of Council accessing the program;
- information about the existing Council Expense Policy and whether it would be modified to include the proposed Education and Training Program;

- clarification about the existing budget for Council education and confirmation that the proposed funding for the program would be in addition to existing funds;
- referring the proposed program to Staff to prepare a report to Council to discuss how the program would interact with the existing Council Expense Policy, how the program would work, and which vendors would be available for education and training;
- confirmation that individual Members of Council can currently undertake education and training through their expenses, without corporate approval of the education and training programs; and,
- information about how Staff currently identify and select vendors to provide education and training to Council.

Moved by Councillor Yamada

Seconded by Councillor Shahid

Whereas the Council Education and Training Program should become a permanent program for all Members of Council wishing to avail themselves to such services, advice, and training;

Now Therefore be it Resolved:

1. That Staff be authorized to draw up-to \$40,000 from the Town's contingency reserve fund, if required, to fund the program for fiscal year 2023;
2. That \$40,000 be incorporated in the Town's base 2024 operating budget as a "prior year [Council] decision" item for ongoing funding of the Council Education and Training Program;
3. That Members of Council may access resources as part of this program provided the vendor's services are made available to all Members of Council, Staff have completed the administrative processes to retain their services, and there is remaining budget in the program; and,
4. That the costs incurred by individual Members be reported on Mayor and Councillor expenses.

(See following motions)

Moved by Councillor Leahy

Seconded by Councillor Yamada

That Item 4 of the main motion be amended as follows:

4. That reporting for Corporate Council Education and Training be reported at the Council level and not as incurred by individual Members.

	For	Against	Conflict
Mayor Roy		X	
Councillor Bozinovski	X		
Councillor Cardwell		X	
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist		X	
Councillor Mulcahy		X	
Councillor Shahid	X		
Councillor Yamada	X		
Results	5	4	0

Carried on a Recorded Vote (5 to 4)

The disposition of this matter was determined through the referral motion below.

Resolution # 184-23

Moved by Councillor Mulcahy
Seconded by Councillor Lundquist

That consideration of the Council Education and Training Program be referred to Staff to prepare a Report to Council about the program in November 2023.

Carried

9.5 CAO 22-23, Confidential Office of the Chief Administrative Officer Report
Re: 580 Water Street Update

Resolution # 185-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That Report CAO 22-23 be received for information.

Carried

- 9.6 Confidential Memorandum to Council from C. Harris, Town Clerk, dated September 5, 2023 regarding Recommendation for Appointments to the Active Transportation and Safe Roads Advisory Committee

Resolution # 186-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That Swathilakshmi Miriyala and Dario Pranckevicius be appointed as Members of the Active Transportation and Safe Roads Advisory Committee for the remainder of the 2022-2026 term.

Carried

- 9.7 CLK 05-23, Office of the Town Clerk Report
Re: 2024 Council, Committee, and Public Meeting Schedule

Resolution # 187-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

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

Carried

- 9.8 FS 21-23, Financial Services Department Report
Re: Proposed Name Change of the Pioneer Baptist Cemetery to the Dryden Cemetery

Resolution # 188-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

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

9.9 FS 25-23, Financial Services Department Report

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

A brief question and answer period ensued between Members of Council and Staff about including the original budget amounts for projects in future reports regarding procurement awards.

Resolution # 189-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

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

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

Re: Downtown Whitby Action Plan September 2023 Update

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

- future financial investments in Downtown Whitby;

- initiatives that are being considered including replacing waste receptacles, improved weed trimming, graffiti removal, placemaking, enhanced snow clearing, and replacing parking meters;
- details about the ongoing Brock Street redesign project; and,
- engaging with residents in Downtown Whitby and the willingness of the community to get involved and share perspectives.

Resolution # 190-23

Moved by Councillor Yamada
 Seconded by Councillor Shahid

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

Carried

9.11 CAO 24-23, Organizational Effectiveness Report

Re: 2023 Workforce Plan Review

Resolution # 191-23

Moved by Councillor Yamada
 Seconded by Councillor Shahid

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

Carried

9.12 CMS 08-23, Community Services Department Report

Re: Winter Maintenance Contract Extension

Resolution # 192-23

Moved by Councillor Yamada
 Seconded by Councillor Shahid

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

10. For information only - Committee of the Whole Minutes of September 18 and September 25, 2023
11. Notice of Motion
- 11.1 Noise at Oshawa Executive Airport

A discussion ensued between Members of Council regarding:

- when flight training schools began operating at the airport;
- impacts to residents from noise associated with airport traffic;
- supporting the City of Oshawa and Mayor Carter;
- flight training schools being the primary source of airport traffic and noise;
- adding information about the Oshawa Executive Airport and how to report noise concerns to the Town's website; and,
- receiving an update from Staff about the ongoing litigation related to flight school operations at the airport.

Moved by Councillor Shahid
Seconded by Mayor Roy

Whereas noise complaints from Whitby residents relating to aircraft traffic activity at the Oshawa Executive Airport are frequently received by the Mayor and Members of Council; and,

Whereas noise complaints received by the City of Oshawa relating to the Oshawa Executive Airport has grown from a 10-year average (for the period 2006-2015) of approximately 50 complaints a year to 509 in 2021 and 344 in 2022; and,

Whereas on March 28, 2022 Oshawa Council authorized the Airport Manager to submit Proposed Noise Abatement Procedures and Restrictions to Transport Canada in accordance with Transportation Canada's Advisory Circular 302-002; and,

Whereas on May 16, 2022 Whitby Council requested through Resolution #122-22 that Transport Canada approve the Proposed Noise Abatement Procedures and Restrictions for the Oshawa Executive Airport as submitted by the Airport Manager on behalf of the City of Oshawa;

Whereas recent local media reports of a potential hanger expansion to be located at the Oshawa Executive Airport in support of additional flight school activity does not align with the 2021-2022 Oshawa Executive Airport Action Plan endorsed by City of Oshawa Council which addresses the impact of flight school training traffic on the surrounding neighbourhoods;

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby requests that the Proposed Noise Abatement Procedures and Restrictions adopted by the City of Oshawa's Council be implemented by Transport Canada; and,
2. That the Council of the Town of Whitby endorses Mayor Dan Carter's statement dated September 1, 2023 in support of not expanding flight school training at the Oshawa Executive Airport; and,
3. That as the requests from the City of Oshawa regarding noise abatement are federally regulated, that the Council of the Town of Whitby hereby requests an in-person Council update from Whitby M.P. Ryan Turnbull regarding Oshawa Executive Airport Noise Abatement issues, involvement, and solutions; and,

4. That a copy of this motion be sent to the Honourable Pablo Rodriguez, Minister of Transport, all Durham Region Members of Parliament, and the City of Oshawa.

Carried later in the meeting. See following motions.

Moved by Councillor Yamada
Seconded by Councillor Leahy

That the main motion be amended by adding the following as Item 5 and Item 6:

5. That an information page on the Town of Whitby's website be developed to provide residents with information about noise concerns at the City of Oshawa Executive Airport; and,
6. That Staff provide an update on ongoing litigation between the City of Oshawa and the Canadian Flight Academy.

Carried

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

Resolution # 193-23

Moved by Councillor Shahid
Seconded by Mayor Roy

Whereas noise complaints from Whitby residents relating to aircraft traffic activity at the Oshawa Executive Airport are frequently received by the Mayor and Members of Council; and,

Whereas noise complaints received by the City of Oshawa relating the Oshawa Executive Airport has grown from a 10-year average (for the period 2006-2015) of approximately 50 complaints a year to 509 in 2021 and 344 in 2022; and,

Whereas on March 28, 2022 Oshawa Council authorized the Airport Manager to submit Proposed Noise Abatement Procedures and Restrictions to Transport Canada in accordance with Transportation Canada's Advisory Circular 302-002; and,

Whereas on May 16, 2022 Whitby Council requested through Resolution #122-22 that Transport Canada approve the Proposed Noise Abatement Procedures and Restrictions for the Oshawa Executive Airport as submitted by the Airport Manager on behalf of the City of Oshawa;

Whereas recent local media reports of a potential hanger expansion to be located at the Oshawa Executive Airport in support of additional flight school activity does not align with the 2021-2022 Oshawa Executive Airport Action Plan endorsed by City of Oshawa Council which addresses the impact of flight school training traffic on the surrounding neighbourhoods;

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby requests that the Proposed Noise Abatement Procedures and Restrictions adopted by the City of Oshawa’s Council be implemented by Transport Canada; and,
2. That the Council of the Town of Whitby endorses Mayor Dan Carter’s statement dated September 1, 2023 in support of not expanding flight school training at the Oshawa Executive Airport; and,
3. That as the requests from the City of Oshawa regarding noise abatement are federally regulated, that the Council of the Town of Whitby hereby requests an in-person Council update from Whitby M.P. Ryan Turnbull regarding Oshawa Executive Airport Noise Abatement issues, involvement, and solutions; and,
4. That a copy of this motion be sent to the Honourable Pablo Rodriguez, Minister of Transport, all Durham Region Members of Parliament, and the City of Oshawa; and,
5. That an information page on the Town of Whitby website be developed to provide residents with information about noise concerns at the City of Oshawa Executive Airport; and,
6. That Staff provide an update on ongoing litigation between the City of Oshawa and the Canadian Flight Academy.

	For	Against	Conflict
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		

Councillor Lee	X		
Councillor Lundquist	X		
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
Results	9	0	0

Carried Unanimously on a Recorded Vote (9 to 0)

12. New and Unfinished Business

12.1 LS 11-23, Legal and Enforcement Services Department Report

Re: Stop Up and Close Part of the Public Highway Known as Rowe Street Being Part 14, Plan 40R-10885

Resolution # 194-23

Moved by Councillor Cardwell

Seconded by Councillor Lundquist

1. That Stop Up and Close By-law # 8021-23 be passed to stop up and close Part 14, Plan 40R-10885 as a public highway in accordance with Section 34 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended which provides that the Council of every municipality may pass by-laws for closing any highway or part of a highway.
2. That Council waive the requirement for giving public notice of its intention to stop up and close a public highway pursuant to Public Notice Policy CA 150.
3. That the Commissioner of Legal and Enforcement Services/Town Solicitor, or designate, be directed to register the By-law on title to the subject property.

Carried

13. By-laws

Resolution # 195-23

Moved by Councillor Bozinovski
Seconded by Councillor Mulcahy

That leave be granted to introduce By-laws # 8017-23 to # 8024-23 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

13.1 By-law # 8017-23

Being a By-law to dedicate Part 4 on Plan 40R-32085, as a Public Highway (Coronation Road).

13.2 By-law # 8018-23

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2013-03) as not being subject of Part Lot Control.

13.3 By-law # 8019-23

Being a By-law to amend Property and Boulevard Maintenance By-law # 6937-15, as amended.

13.4 By-law # 8020-23

Being a By-law to amend by-law # 6339-10, being a by-law to regulate the sale and discharge of fireworks.

13.5 By-law # 8021-23

Being a By-law to stop up and close part of the Public Highway known as Rowe Street.

Refer to LS 11-23, Stop Up and Close Part of the Public Highway Known as Rowe Street Being Part 14, Plan 40R-31932

13.6 By-law # 8022-23

Being a By-law to dedicate Parts 1, 2 and 3 on Plan 40R-31932, as a Public Highway (Ashburn Road).

13.7 By-law # 8023-23

Being a By-law to amend the Fees and Charges By-law # 7220-17, as amended.

Refer to PDE 09-23, Consolidated Linear Infrastructure – Environmental Compliance Approval Fees (CLI-ECA)

13.8 By-law # 8024-23

Being a By-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PL 21-21, Draft Plan of Subdivision and Zoning By-law Amendment Applications – East Valley and Brooklin Development General Partner Limited – 6605 Cochrane Street, File No. DEV-05-20 (SW-2020-02, Z04-20)

14. Confirmatory By-law

Resolution # 196-23

Moved by Councillor Mulcahy
Seconded by Councillor Cardwell

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its regular meeting held on October 2, 2023 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

15. Adjournment

Moved by Councillor Leahy
Seconded by Councillor Lundquist

That the meeting adjourn.

Carried

The meeting adjourned at 8:47 p.m.

Christopher Harris, Town Clerk

Elizabeth Roy, Mayor