



## Regular Council Minutes

December 18, 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 (Left at 8:15 p.m., Returned at 8:17 p.m.)  
Councillor Shahid  
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor  
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 - November 27, 2023 (Confidential Minutes Under Separate Cover)

Special Council - December 11, 2023

**Resolution # 224-23**

Moved by Councillor Lee

Seconded by Councillor Shahid

That the Regular Council Minutes of November 27, 2023, and the Special Council Minutes of December 11, 2023 be approved.

**Carried**

5. Presentations

5.1 Mateo Narvaez

Recognition: 2023 Whitby Junior Fire Chief

Mayor Roy attended the dais and was joined by M. Hickey, Fire Chief and all Members of Council. Mateo Narvaez was welcomed onto the dais and recognized for being the 2023 Whitby Junior Fire Chief.

5.2 Whitby Canadians 12U AAA Baseball Team

Recognition: 2023 12U AAA Ontario Baseball Association (OBA) Championship Winners

Mayor Roy attended the dais and was joined by Councillor Cardwell. Members of the Whitby Canadians 12U AAA Baseball Team and their coaching staff were welcomed onto the dais and recognized for winning the 2023 12U AAA OBA Championship.

5.3 Whitby Rush Lacrosse Team

Recognition: 2023 Women's Major Series Lacrosse Championship Winners

Mayor Roy attended the dais and was joined by Councillor Mulcahy. Members of the Whitby Rush Lacrosse Team and their coach were welcomed onto the dais and recognized for winning the 2023 Women's Major Series Lacrosse Championship.

6. Delegations

There were no delegations.

7. Correspondence

7.1 Correspondence

That the following requests be endorsed:

- Wear Red Canada Day - February 13, 2024
- Dominican Republic Independence Day - Flag Raising - February 27, 2024
- Amyloidosis Awareness Month - March 2024

**Resolution # 225-23**

Moved by Councillor Lundquist

Seconded by Councillor Mulcahy

That the proclamations for Wear Red Canada Day and Amyloidosis Awareness Month, and the flag raising for Dominican Republic Independence Day be endorsed.

**Carried**

7.2 Correspondence # 2023-618 received from A. Harras, Regional Clerk, Region of Durham, regarding Durham Region's response to the proposed Affordable Homes and Good Jobs Act (Bill 134)

**Resolution # 226-23**

Moved by Councillor Mulcahy

Seconded by Councillor Shahid

1. That Correspondence # 2023-618 from A. Harras, Regional Clerk, Region of Durham regarding Durham Region's response to the proposed Affordable Homes and Good Jobs Act (Bill 134) be endorsed by Council; and,
2. That a copy of this resolution be forwarded to the Region of Durham, area municipalities in Durham Region, Members of Provincial Parliament in Durham Region, the Minister of Municipal Affairs and Housing, and the Associate Minister of Housing.

**Carried**

- 7.3 Correspondence # 2023-616 received from J. McWilliam, Manager of Legislative Services/Deputy Clerk, Town of Ajax regarding the resolution for Support for Adults with Autism Spectrum Disorder (ASD)

**Resolution # 227-23**

Moved by Councillor Shahid

Seconded by Mayor Roy

1. That Correspondence # 2023-616 from J. McWilliam, Manager of Legislative Services/Deputy Clerk, Town of Ajax regarding the resolution for Support for Adults with Autism Spectrum Disorder (ASD) be endorsed by Council; and,
2. That a copy of this resolution be forwarded to Premier Doug Ford, Sylvia Jones, Minister of Health, Peter Bethenfalvy, Minister of Finance, Michael Tibollo, Minister of Mental Health and Addictions, Lorne Coe, Whitby MPP, the Region of Durham, area municipalities in Durham Region, local school boards, the Association of Municipalities of Ontario, and Autism Ontario.

**Carried**

8. Committee of the Whole Report - Planning and Development

Planning and Development - December 4 and 11, 2023

- 8.1 PDP 40-23, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, Inuka Developer Inc., 1 Ferguson Avenue, File Number: DEV-25-22 (Z-17-22)

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

- timelines for Council to either approve or deny the Zoning By-law Amendment Application;
- the requirement to refund a portion of Planning fees if Council fails to render a decision regarding the application in accordance with prescribed timelines;
- the need to provide reasons for denying the application should Council decide to not support the Zoning By-law Amendment;

- concerns from residents about the ongoing Environmental Assessment (EA) being conducted by the Ministry of Transportation for Winchester Road and how the results of the EA may impact access to the proposed development;
- confirmation that the current access proposed onto Heber Down Crescent meets technical standards and is supported by Staff;
- the Official Plan designation for the property and confirmation that it was updated as part of the Brooklin Secondary Plan;
- removing driveway access from Heber Down Crescent and orienting units so driveway access is internal to the development;
- concerns about reducing on-site parking by reorienting driveway access from Heber Down Crescent;
- opportunities to have non-binding discussions with the developer about reducing the height of the units on the property from three storeys to two storeys;
- confirmation that applying a holding zoning designation is not appropriate for this development as infrastructure to support the development is already in place;
- reviewing traffic calming in the area immediately surrounding the development;
- the limited prospect for success should the applicant appeal a decision to deny the application to the Ontario Land Tribunal;
- reviewing traffic calming in the surrounding area in the future, noting that the design of the development will not prevent any solutions being evaluated through the Ministry of Transportation's ongoing EA;
- timelines associated with site plan approval; and,
- opportunities for Council to communicate with the Minister of Transportation to push for the ongoing EA to be advanced.

### **Resolution # 228-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve an amendment to Zoning By-law # 1784, (File Number: Z-17-22), as outlined in Report PDP 40-23; and,
2. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council at such time as the Site Plan Application has been approved.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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	
<b>Results</b>	<b>7</b>	<b>2</b>	<b>0</b>

**Carried on a Recorded Vote (7 to 2)**

## 8.2 PDP 41-23, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, Frontdoor Developments (Garrard) Inc., Garrard Road and Eric Clarke Drive, File Number: DEV-22-23 (SW-2023-01, Z-06-23)

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

- how construction impacts including noise, dust, and vibration would be managed during construction of the subdivision;

- the responsibility of the developer to prepare a construction management plan which would include monitoring of neighbouring properties; and,
- confirmation that the construction of a fence was included as a condition to approving the Draft Plan of Subdivision.

### **Resolution # 229-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2023-01), subject to the comments included in Report PDP 41-23 and the conditions of draft plan approval included in Attachment #9;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. 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;
4. That Council approve the amendment to Zoning By-law # 1784, (File Number: Z-06-23), as outlined in Report PDP 41-23;
5. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council at such time as the subdivision receives Draft Approval; and,
6. That John G. Williams Architect be approved as the control architect for the subdivision.

### **Carried**

- 8.3 Requiring mandatory consultation with the Town and Region of Durham on development matters

### **Resolution # 230-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

That Staff report to Council through a memorandum on the Council Information Index on the legal feasibility of enacting a planning by-law,

which the Durham Region shall comply with the Town of Whitby building codes, laws, rules, regulations, or requirements of any and all authorities having jurisdiction, irrespective of the Town of Whitby Zoning By-law 1784, Section 4 General Provisions, A (i) and (ii), B (i) and (ii) and C. With an emphasis on ensuring the Region must obtain building permits (if required), occupancy permits directly from the Town of Whitby (especially if the building is 70,000+ square feet). Which the purpose is to include a request for mandatory consultation with the Town and the Region.

**Carried**

- 8.4 Requiring the Region of Durham to consult with the Town of Whitby prior to proposed expropriation requests or orders

**Resolution # 231-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

That Staff report to Council through a memorandum on the Council Information Index on the legal feasibility of requiring Durham Region to consult with Town of Whitby Planning & Development Staff, CAO, and Council prior to a proposal of expropriation requests on private lands, or orders (for any buildings or lands) not being used for the purpose of providing utilities, (especially if the building is 70,000+ square feet). Which the purpose is to include a request for mandatory consultation with the Town and the Region.

**Carried**

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

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

**Resolution # 232-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the proposed amendment to Traffic By-law 1862-85, to incorporate the changes to Schedule "B" of the By-law, as identified in Attachment No. 2;



2. That a by-law to amend the Traffic By-law 1862-85 be brought forward for the consideration of Council; and,
3. That Council direct the Clerk to provide a copy of Report PDE 12-23 to the Durham District School Board (DDSB) and to the Brooklin High School administration.

**Carried**

8.6 PDE 14-23, Planning and Development (Engineering Services)  
Department Report

Re: Update Traffic By-law 1862-85 - Pedestrian Crossovers

**Resolution # 233-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the proposed amendment to Traffic By-law 1862-85, to incorporate the changes to Schedule “Q” of the By-law, as identified in Attachment No. 1;
2. That a by-law to amend the Traffic By-law 1862-85 be brought forward for the consideration of Council; and,
3. That future pedestrian crossovers be Level 2 Type B or Type C crossovers as outlined in Report PDE 14-23.

**Carried**

8.7 PDP 47-23, Planning and Development (Planning Services) Department  
Report

Re: Region of Durham Modifications to Official Plan Amendment 126 -  
Downtown Whitby Community Secondary Plan

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

- a recommendation to locate off-street parking at the rear of buildings in Downtown Whitby; and,
- designing structured parking facilities at the rear of properties so that the facilities have less impact on streetscapes.

**Resolution # 234-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council accept the proposed modifications by the Region of Durham in its decision to approve Official Plan Amendment 126 to update the Downtown Whitby Community Secondary Plan; and,
2. That the Clerk advise the Commissioner of Planning and Development at the Region of Durham, of Council's decision.

**Carried**

8.8 Port Whitby Pedestrian Crossovers

**Resolution # 235-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

That Staff Report back on the need and feasibility of adding appropriate cross walks to Port Whitby in areas identified during the December 11, 2023 Committee of the Whole meeting in the first quarter of 2024.

**Carried**

9. Committee of the Whole Report - General Government

General Government - December 4 and 11, 2023

9.1 CAO 26-23, Office of the Chief Administrative Officer Report

Re: Climate Emergency Response Plan Phase 2: Mitigation

**Resolution # 236-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Council endorse in principle the Whitby Climate Emergency Response Plan - Phase 2: Mitigation;
2. That the Whitby Climate Emergency Response Plan - Phase 2: Mitigation Implementation Plan be integrated into departmental work plans;

3. That Council direct staff to update the Whitby Climate Emergency Response Plan - Phase 2: Mitigation every five years; and,
4. That Council be advised that as a part of Implementation of Whitby Climate Emergency Response Plan - Phase 1: Resilience, the Town has entered into a formal agreement with Central Lake Ontario Conservation Area (CLOCA) for the delivery of a pilot Sustainable Neighbourhood Action Program (SNAP).

**Carried**

9.2 FS 23-23, Financial Services Department Report

Re: 2024 Budget Schedule, Engagement, Outlook, and Budget Target

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

- affordability concerns for residents, noting the increasing costs for necessities such as food and housing;
- identifying a budget target so that Staff are able to develop a budget for Council consideration;
- inflationary pressures facing the Town;
- confirmation that a 5% budget increase would represent a 1.8% overall increase to the average property tax bill;
- providing Council with options to reduce the budget increase below 5% when the budget is presented;
- clarification that deferring the approval of new positions effectively reduces service levels due to the Town's rapid growth; and,
- confirmation that requests for new positions will include information about the impact of not funding those positions.

Councillor Mulcahy left the meeting at 8:15 p.m.

**Resolution # 237-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That the 2024 Budget Process, Communication and Public Engagement Plan and Budget Calendar outlined in Report FS 23-23 be approved;
2. That the Budget Target for the Town's preliminary 2024 operating budget be 5% to provide staff guidance on finalizing details of a proposed 2024 budget for Council consideration in early 2024; and
3. That Item Number GG-0009 be removed from the New and Unfinished Business List.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski	X		
Councillor Cardwell		X	
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist	X		
Councillor Shahid	X		
Councillor Yamada		X	
<b>Results</b>	<b>6</b>	<b>2</b>	<b>0</b>

**Carried on a Recorded Vote (6 to 2)**

Councillor Mulcahy returned to the meeting at 8:17 p.m.

### 9.3 CAO 27-23, Office of the Chief Administrative Officer Report

Re: Culture Plan Update - December 2023

#### **Resolution # 238-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid

That Report CAO 27-23, Culture Plan Update - December 2023, be received as information.

**Carried**

- 9.4 Installing lighting at Town parks within a 1-kilometre radius of 1635 Dundas Street East

A brief question and answer period ensued between Members of Council and Staff regarding future reports from Staff about installing lighting and replacing park playground surfaces in the area surrounding 1635 Dundas Street East. Staff confirmed that the future reports will examine the need and efficacy of these measures and options will be presented for Council's consideration.

**Resolution # 239-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Staff be directed to report to Council on the cost and timelines to install lighting at Town parks within a 1-kilometre radius of 1635 Dundas Street East.

**Carried**

- 9.5 Replacing Town park playground surfaces within a 1-kilometre radius of 1635 Dundas Street East

**Resolution # 240-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Staff be directed to report to Council on the cost and timelines to replace Town park playground surfaces with alternative surfaces within 1-kilometre radius of 1635 Dundas Street East.

**Carried**

- 9.6 Enacting an Encampment by-law

**Resolution # 241-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Staff be directed to report to Council on the merits and feasibility of enacting an encampment by-law in the Town.

**Carried**

9.7 Prohibiting loitering, obstruction, panhandling, and resting/sleeping outdoors

A discussion ensued between Members of Council regarding:

- concerns about making homelessness illegal, noting that a by-law prohibiting loitering or resting/sleeping outdoors may disproportionately affect marginalized groups, including persons experiencing mental health or addictions challenges;
- the potential by-law and how it would not help address the root causes of poverty;
- clarification about existing legislation which prohibits loitering and aggressive panhandling, including the Town's Public Nuisance By-law; and,
- confirmation that a review by Staff will examine the Town's current by-laws and will review legislation in place in comparator municipalities.

**Resolution # 242-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid

That Staff be directed to report to Council on the merits and feasibility of enacting a by-law to prohibit loitering, obstruction, panhandling, and resting/sleeping outdoors in the Town.

**Carried**

9.8 Correspondence # 2023-587 from E. Underwood, Chief Executive Officer, Habitat for Humanity Greater Toronto Area, regarding Expression of Interest in Acquiring Surplus Sites at Dunlop Street East and Hickory Street for Affordable Housing Development

**Resolution # 243-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

1. That Correspondence # 2023-587 from E. Underwood, Chief Executive Officer, Habitat for Humanity Greater Toronto Area, regarding Expression of Interest in Acquiring Surplus Sites at Dunlop Street East and Hickory Street for Affordable Housing Development be received for information;
2. That Staff be directed to report to Council regarding the Expression of Interest received from Habitat for Humanity Greater Toronto Area for the proposed Affordable Housing Development at Dunlop Street East and Hickory Street; and,
3. That the Report back include an appraised value for the donated land.

**Carried**

- 9.9 Correspondence # 2023-550 from V. Lautan, Resident, regarding Fence By-law Exemption Request for 1000 McCullough Drive

**Resolution # 244-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

1. That Correspondence # 2023-550 from V. Lautan, Resident, regarding Fence By-law Exemption Request for 1000 McCullough Drive be received for information; and,
2. That an exemption to the one (1) metre fence height maximum in Fence By-law # 4394-99, as amended, be provided for the existing fence located in the front yard on the west side of the property located at 1000 McCullough Drive.

**Carried**

- 9.10 FS 27-23, Financial Services Department Report  
Re: 2024 Temporary Borrowing By-law

**Resolution # 245-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That a by-law be brought forward to authorize external temporary borrowing of up to \$64,798,000 from January 1, 2024 to September 30, 2024, and up to \$32,399,000 between October 1, 2024 and December 31, 2024, if required for cash flow purposes.

**Carried**

9.11 FS 29-23, Financial Services Department Report

Re: 2024 Interim Property Tax Billing

**Resolution # 246-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That a by-law be brought forward to allow for the Interim Tax Billing for the 2024 taxation year as outlined in Report FS 29-23.

**Carried**

9.12 LS 12-23, Legal and Enforcement Services Department Report

Re: Follow up re Prohibited & Regulated Animals By-law Exemption Request for Nova's Ark – 7505 Cedarbrook Trail

**Note:** Members of Council will resume consideration of Report LS 12-23 and hearing delegates registered prior to the December 11, 2023 deadline starting at 6:00 p.m. at the Committee of the Whole meeting on January 8, 2024.

9.13 LS 13-23, Legal and Enforcement Services Department Report

Re: Business Licensing By-law Exception Request - 417 Byron Street North

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

- upgrades required to the fire alarm system at the property should Council grant an exemption to the Business Licensing By-law to allow 17 residents at the property;



- granting an exemption to the by-law to allow 17 residents for a 12-month period subject to a review by Staff;
- confirmation that there have been limited visits to the property by the Durham Regional Police Service and the Town's Enforcement Services Division;
- concerns about providing an exemption to the by-law without knowing the past performance of the home, including information about Building and Fire Code compliance, and Social Services and Health Department compliance;
- the importance of providing interested parties with information about the home so they have an understanding of how the home operates;
- gaining a more thorough understanding of the home's operations, including the quality of care provided, including information on the physical space allocated to each resident; and,
- referring the matter to the Regular Council Meeting on January 29, 2024 to receive information from Staff regarding the fire alarm system upgrades needed, Building and Fire Code compliance, and to allow Staff to provide interested parties with information about the home.

Moved by Councillor Leahy

Seconded by Councillor Bozinovski

1. That this report be received for information;
2. That an exemption to Business Licensing By-law # 5505-04, as amended, be granted for 417 Byron Street upon the conditions set out in this Report;
3. That staff be directed to bring an amendment to the Business Licensing By-law # 5505-04, as amended, to codify this exemption and conditions for the January 29, 2024 Council meeting;
4. That Council direct staff to review the lodging house provisions within the Business Licensing by-law and report back on the merits of amending the By-law to ensure consistency with other applicable provincial legislation; and,

5. That Council direct staff to review the merits of adding provisions/schedules to the Business Licensing By-law to regulate Rooming Houses in the Town of Whitby.

**See following motions**

Moved by Councillor Leahy

Seconded by Councillor Bozinovski

That Item 3 of the main motion be amended by adding, 'save and except for condition 2' after, 'the January 29, 2024 Council Meeting'.

**Note: The disposition of this matter, Item 9.13, LS 13-23, was determined through the referral motion below.**

**Resolution # 247-23**

Moved by Councillor Mulcahy

Seconded by Councillor Yamada

That consideration of Report LS 13-23 be referred to the Regular Council Meeting on January 29, 2024.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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	
<b>Results</b>	<b>5</b>	<b>4</b>	<b>0</b>

**Carried on a Recorded Vote (5 to 4)**

- 9.14 CMS 10-23, Community Services Department Report  
Re: 2023-24 Winter Maintenance Service Improvements

**Resolution # 248-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Report CMS 10-23, 2023-24 Winter Maintenance Service Improvements be received for information.

**Carried**

10. For information only - Committee of the Whole Minutes of December 4 and 11, 2023

11. Audit Committee Report

Audit Committee - November 30, 2023

- 11.1 FS 22-23, Financial Services Department Report

Re: 2022 Year End Communication and Audited Financial Statements

A brief question and answer period ensued between Members of Council and Staff regarding the 2022 increase in tangible capital assets.

**Resolution # 249-23**

Moved by Councillor Mulcahy  
Seconded by Councillor Shahid

1. That Report FS 22-23 be received for information;
2. That the Corporation of the Town of Whitby's Audited Consolidated Financial Statements for the year ended December 31, 2022, Attachment 2 to Report FS 22-23, be approved; and,
3. That Deloitte LLP be engaged to perform the audit of the Town of Whitby's financial statements for the year ending December 31, 2023.

**Carried**

12. For Information only - Audit Committee Minutes of November 30, 2023
13. Notice of Motion

### 13.1 Condemning All Acts of Hate

Councillor Shahid introduced a motion regarding Condemning All Acts of Hate.

A discussion ensued between Members of Council regarding:

- support for the motion from the Whitby Diversity and Inclusion Advisory Committee;
- amending the motion to highlight the condemnation of various forms of hate, racism, and discrimination, in addition to condemning antisemitism and islamophobia;
- specifically condemning antisemitism and islamophobia at this point in time due to current world events;
- developing similar motions in the future to condemn other forms of hate, racism, and discrimination; and,
- Council making a statement condemning any act of hate, racism, and discrimination and the importance of Council serving as a voice for all residents.

#### **Resolution # 250-23**

Moved by Councillor Shahid

Seconded by Councillor Lundquist

Whereas the Council of the Town of Whitby vehemently condemns all acts of hate and any form of prejudice, including antisemitism and islamophobia; and,

Whereas any manifestation of racism or discrimination, be it through actions or speech that perpetuates such attitudes, is deemed abhorrent and unwelcome in our community and broader society; and,

Whereas Council, in its commitment to upholding the principles of the Charter for Inclusive Communities adopted during its meetings on January 30, 2017, and October 17, 2017, pledges to respect the dignity of every individual and actively calls for a concerted effort to combat prejudice and hate, including a broadened specific focus on the elimination of antisemitism and islamophobia; and,

Whereas the Council unequivocally condemns recent incidents of hate across Canada.

Now Therefore be it Resolved:

1. That Whitby Council, as leaders in the community, express their resolute belief that all acts of hate, racism, and discrimination, including antisemitism and islamophobia, are abhorrent and have no place in our community or society; and,
2. That Whitby Council calls on all levels of government, civil society, communities, and public officials to work together in developing policies, programs, and initiatives to reduce and eliminate all acts of hate, racism, and discrimination, with a specific focus on addressing antisemitism and islamophobia, and renew efforts to advance community safety; and,
3. That the Clerk be directed to send this resolution to the Whitby Diversity and Inclusion Advisory Committee, the Regional Municipality of Durham, Durham Area Municipalities, and all Durham MPs and MPPs.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

**Carried Unanimously on a Recorded Vote (9 to 0)**

14. New and Unfinished Business

There was no new and unfinished business.

15. Closed Session

Council did not move into closed session to consider the Memorandum from C. Harris, Town Clerk dated November 30, 2023 regarding Recommendation for Appointment to the Whitby Public Library Board.

15.1 Memorandum from C. Harris, Town Clerk dated November 30, 2023 regarding Recommendation for Appointment to the Whitby Public Library Board

**Resolution # 251-23**

Moved by Councillor Bozinovski  
Seconded by Councillor Yamada

That Kate Campbell be appointed to the Whitby Public Library Board for the remainder of the 2022-2026 term.

**Carried**

16. Rising and Reporting Out

There were no matters considered in closed session. Therefore, Council did not rise and report.

17. By-laws

**Resolution # 252-23**

Moved by Councillor Cardwell  
Seconded by Councillor Bozinovski

That leave be granted to introduce By-laws # 8032-23 to # 8038-23 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**

17.1 By-law # 8032-23

Being a By-law to provide for an interim tax levy for the year 2024.

Refer to FS 29-23, 2024 Interim Property Tax Billing

17.2 By-law # 8033-23

Being a By-law to Authorize the temporary borrowing of an amount not to exceed \$64,798,000 from January 1 to September 30, 2024, and \$32,399,000 from October 1 to December 31, 2024, to meet current expenditures of The Corporation of the Town of Whitby (the Town) for the year, until taxes are collected, and other revenues received.

Refer to FS 27-23, 2024 Temporary Borrowing By-law

17.3 By-law # 8034-23

Being a By-law to Amend By-law 1862-85, being a By-law to Regulate Traffic on Highways and on Certain Private Roadways in the Town of Whitby.

Refer to PDE 14-23, Update Traffic By-law 1862-85 - Pedestrian Crossovers

17.4 By-law # 8035-23

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2013-04) as not being subject of Part Lot Control.

17.5 By-law # 8036-23

Being a By-law to authorize the use of mail-in ballots as an alternative method of voting for the 2026 Municipal Election.

Refer to CLK 07-23, 2026 Municipal Election Voting Method

17.6 By-law # 8037-23

Being a By-law to Amend By-law # 1862-85, being a By-law to Regulate Traffic on the Highways and on Certain Private Roadways in the Town of Whitby.

Refer to PDE 12-23, Update Traffic By-law 1862-85, No Parking in Area Surrounding Brooklin High School

17.7 By-law # 8038-23

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

Refer to PL 29-21, Draft Plan of Subdivision and Zoning By-law Amendment Applications, 5095, 5125, and 5245 Anderson Street,

Conland Development Corporation, File Numbers: DEV-13-21 (SW-2021-03, Z-08-21)

18. Confirmatory By-law

**Resolution # 253-23**

Moved by Councillor Lee

Seconded by Councillor Lundquist

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 December 18, 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**

19. Adjournment

Moved by Councillor Leahy

Seconded by Councillor Cardwell

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:05 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor