



## Special Council Minutes

April 8, 2024, 5:30 p.m.  
Council Chambers  
Whitby Town Hall

Present: Mayor Roy  
Councillor Cardwell (Virtual Attendance)  
Councillor Leahy  
Councillor Lee  
Councillor Lundquist  
Councillor Mulcahy (Virtual Attendance)  
Councillor Shahid  
Councillor Yamada (Arrived at 5:38 p.m.)

Regrets: Councillor Bozinovski

Also Present: M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
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. Douglas, Sr. Legislative Specialist (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. Delegations

There were no delegations.

5. Items for Consideration

5.1 PDP-16-24, Planning and Development (Planning Services) Department Report

Re: Extension to Draft Approved Plan of Subdivision SW-2016-07, Uxbridge Nurseries Ltd., Part of 590 Myrtle Road West

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

- whether the applicant may seek an additional extension if they do not proceed with registering the Draft Plan of Subdivision within the proposed three year extension to the expiry date; and,
- notification of interested parties and residents regarding the proposed deadline extension.

**Resolution # 65-24**

Moved by Councillor Leahy

Seconded by Councillor Shahid

That Council approve the extension of the Draft Approved Plan of Subdivision SW-2016-07, by an additional 3 years, to April 20, 2027.

**Carried**

6. Closed Session

This portion of the minutes are closed to the public. [Refer to the Closed Minutes - Town Clerk has control and custody.]

Moved by Councillor Lundquist

Seconded by Councillor Shahid

That Council move in-camera in accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary

value, and (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**Carried**

6.1 FS 10-24, Confidential Financial Services Department and Legal and Enforcement Services Department Joint Report

Re: Update on the City of Pickering's Proposed Sale of Elexicon Shares

7. Rising and Reporting

Motion to Rise

Moved by Councillor Shahid

Seconded by Councillor Yamada

That Council rise from the closed portion of the meeting.

**Carried**

7.1 Reporting Out

Mayor Roy advised that during the closed portion of the meeting Council provided direction to Staff, received information that contained commercial, financial, and other confidential information, and received advice subject to solicitor-client privilege.

FS 10-24, Confidential Financial Services Department and Legal and Enforcement Services Department Joint Report

Re: Update on the City of Pickering's Proposed Sale of Elexicon Shares

**Resolution # 67-24**

Moved by Councillor Yamada

Seconded by Councillor Leahy

1. That the Town of Whitby's 32% ownership of Elexicon Corporation be retained as a long-term investment;
2. That the Town of Whitby reserves its right to purchase a pro-rata portion of Pickering's/other shareholders' shares subject to receipt of a Purchase Notice; and,

3. That the Town phase-out Elexicon dividend revenue from the annual operating budget over the next 10 years (2026 to 2035).

**Carried**

8. Confirmatory By-law

**Resolution # 68-24**

Moved by Councillor Shahid

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 special meeting held on April 8, 2024 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**

9. Adjournment

Moved by Councillor Yamada

Seconded by Councillor Leahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 6:32 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor