



## Regular Council Minutes

May 27, 2024, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

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

Regrets: Councillor Cardwell

Also Present: 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 - April 29, 2024

Special Council - April 29, 2024 (Confidential Minutes Under Separate Cover)

Special Council - May 6, 2024

Special Council - May 13, 2024 (Confidential Minutes Under Separate Cover)

**Resolution # 96-24**

Moved by Councillor Yamada

Seconded by Councillor Shahid

That the Regular Council Minutes of April 29, 2024, and the Special Council Minutes of April 29, May 6, and May 13, 2024 be approved.

**Carried**

5. Presentations

5.1 Inspector Gill Lock, Durham Region Police Service (DRPS) (In-Person Attendance)

Re: 2024 DRPS Update - Central West Division

Inspector Gill Lock, Durham Region Police Service (DRPS), provided a PowerPoint presentation regarding the 2024 DRPS Update - Central West Division. Highlights of the presentation included:

- statistics concerning roadway safety in Durham Region;
- increased police presence and engagement in downtown Whitby, as well as at Motel 6 and the surrounding business area;
- statistics concerning the number of Compliance Checks in Central West Division, including the use of a bail compliance dashboard for officers;
- DRPS vehicles equipped with Automated Licence Plate Reader technology;
- annual crime statistics and motor vehicle collision statistics;
- upcoming DRPS community events;
- the importance for citizens to report crimes to DRPS so they can analyze trends; and,

- recognition of the upcoming retirement of Staff Sergeant Paul Cummins.

A question and answer period ensued between Inspector Gill Lock and Members of Council regarding:

- proactive patrols occurring around the new 1635 Dundas shelter;
- how online police reports are investigated;
- increased calls for service in Downtown Whitby being related to wellbeing checks, theft, and unwanted persons;
- the primary calls for service in Brooklin being related to speeding, street racing, and vehicles with modified mufflers;
- potential causes for an increase in impaired driving being due to population growth and more calls from the community about suspected impaired drivers;
- confirmation that there have been a limited number of calls for service related to the new 1635 Dundas shelter;
- details about the Automated Licence Plate Reader technology and how it allows officers to locate stolen vehicles faster;
- how DRPS works with the Town and the Region of Durham to identify high collision intersections and address safety matters; and,
- educational programs provided by DRPS to newcomers to Canada aimed at reducing incidents of human trafficking.

## 6. Delegations

### 6.1 Carolyn McNabney, Resident (In-Person Attendance)

Re: PDP 15-24, Planning and Development (Planning Services)  
Department Report

Official Plan Amendment and Zoning By-law Amendment Applications,  
Devon Downs Developments Ltd., 2002 Rossland Road East, File  
Number: DEV-21-18 ( OPA-2018-W/06, Z-33-18)

#### **Refer to Item 12.1, PDP 15-24**

Carolyn McNabney, Resident, appeared before Council and indicated that residents and the developer had met and a number of her questions had been answered. She advised that she would prefer an eight foot wood

fence to separate the development from neighbouring properties and had remaining concerns about lighting in the parking areas impacting neighbouring residences. Ms. McNabney advised that the tree planting proposed was acceptable, however she would prefer more mature trees. She noted potential concerns with grading and drainage if the property were filled to make it level with surrounding lands and noted privacy issues with the proposed balconies. She inquired about how construction traffic and parking would be managed and expressed concerns about the potential volume of traffic upon occupancy. Ms. McNabney inquired about next steps in the development approval process and communication that would take place between the developer and neighbouring residents.

6.2 Carol Espie, Resident (In-Person Attendance)

Re: PDP 15-24, Planning and Development (Planning Services)  
Department Report

Official Plan Amendment and Zoning By-law Amendment Applications,  
Devon Downs Developments Ltd., 2002 Rossland Road East, File  
Number: DEV-21-18 ( OPA-2018-W/06, Z-33-18)

**Refer to Item 12.1, PDP 15-24**

Carol Espie, Resident, appeared before Council and expressed a desire for an eight foot wood fence to separate the development from neighbouring properties. She requested that mature trees be planted, to the extent possible. She noted that previous concerns about snow storage locations had been addressed. Ms. Espie inquired about the use of security cameras to monitor the parking area for the proposed development. She further inquired about the long-term maintenance of the fence surrounding the development and who would be responsible for upkeep.

6.3 Jarrett Foley, Nicole Mountain and Michael Fry representing Devon Downs Developments Ltd. (In-Person Attendance)

Re: PDP 15-24, Planning and Development (Planning Services)  
Department Report

Official Plan Amendment and Zoning By-law Amendment Applications,  
Devon Downs Developments Ltd., 2002 Rossland Road East, File  
Number: DEV-21-18 ( OPA-2018-W/06, Z-33-18)

**Refer to Item 12.1, PDP 15-24**

Jarrett Foley and Michael Fry representing Devon Downs Developments Ltd., appeared before Council and advised that a number of consultation meetings had taken place between the developer and neighbouring residents, with the most recent meeting occurring on May 14, 2024. The delegates noted that based on feedback from neighbouring residents the proposed building had been moved to the west side of the site, increasing the landscaped buffer between the properties located to the north and east. They advised that drainage and grading matters are being addressed by engineering staff and that the lighting plan for the development will minimize light trespass onto adjacent properties. The delegates clarified that the traffic study for the development noted peak hours for vehicles entering and exiting the development. They advised that they can commit to installing an eight foot wood fence to separate the development from neighbouring properties and would relocate the snow storage area.

A question and answer period ensued between Members of Council, Staff, Jarrett Foley and Michael Fry regarding:

- how drainage of stormwater would be managed;
- the likelihood of installing security cameras during the construction phase and after completion of the development;
- the methodology behind the traffic study;
- confirmation that detailed design elements including the design of balconies would occur later in the development process;
- opportunities to plant mature trees and enhanced plantings;
- confirmation that the Town requires full cutoff lighting fixtures to limit light trespass;
- whether the developer would assume responsibility for the ongoing maintenance of the wood fence;
- how construction impacts to neighbouring properties would be monitored; and,
- the estimated construction timeframe of approximately two years.

It was the consensus of Council to consider Item 12.1, Report PDP 15-24, at this time.

## 7. Correspondence

7.1 Correspondence

That the following request be endorsed:

- Islamic History Month - October 2024

**Resolution # 97-24**

Moved by Councillor Bozinovski

Seconded by Councillor Leahy

That the proclamation for Islamic History Month be endorsed.

**Carried**

8. Committee of the Whole Report - Planning and Development

Planning and Development - May 6 and 13, 2024

8.1 PDP 21-24, Planning and Development (Planning Services) Department Report

Re: Extension of Draft Approved Plan of Subdivision, Brooklin Development General Partner Limited / East Valley Farms Ltd., 6605 Cochrane Street, Whitby, File Number: DEV-05-20 (SW-2020-02)

**Resolution # 98-24**

Moved by Councillor Mulcahy

Seconded by Councillor Yamada

That Council approve the extension of the Draft Approved Plan of Subdivision SW-2020-02 by an additional 5 years, to October 19, 2029.

**Carried**

8.2 PDP 22-24, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, 1000091294 Ontario Ltd. and Fortress Management and Financial Corp., 700 Rossland Road East and 3115 and 3125 Garden Street, File Number: DEV-06-24 (Z-01-24)

**Resolution # 99-24**

Moved by Councillor Mulcahy

Seconded by Councillor Yamada

1. That Council approve the amendment to Zoning By-law #1784, (File No. Z-10-23), as outlined in Planning Report No. PDP 22-24; and,
2. That a by-law to amend Zoning By-law #1784 be brought forward for consideration by Council at such time as OPA 133 becomes final and binding and Site Plan Approval is issued by the Commissioner of Planning and Development.

**Carried**

8.3 PDP 23-24, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Condominium Application, 1606-1614 Charles Street East GP Inc., 1604 Charles Street, File Number: DEV-05-24 (CW-2024-01)

**Resolution # 100-24**

Moved by Councillor Mulcahy

Seconded by Councillor Yamada

1. That Council approve the Draft Plan of Condominium (File Number: CW-2024-01) subject to the comments included in Planning Report PDP 23-24 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**

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

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, 1631057 Ontario Inc., Northwest and Southwest Corners of Conlin Road at Anderson Street, File Numbers: DEV-17-21 (SW-2021-06, Z-11-21)

### **Resolution # 101-24**

Moved by Councillor Mulcahy

Seconded by Councillor Yamada

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-06) and approve an amendment to Zoning By-law #1784 (Z-11-21) subject to the comments included in Planning Report PDP 24-24 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 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,
5. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision.

### **Carried**

#### **8.5 PDP 27-24, Planning and Development (Planning Services) Department Report**

Re: Draft Plan Condominium Application, HarbourTen10 Residences Inc., 1010 Dundas Street, File Number: DEV-11-24 (CW-2024-02)

### **Resolution # 102-24**

Moved by Councillor Mulcahy

Seconded by Councillor Yamada

1. That Council approve the Draft Plan of Condominium (File No. CW-2024-02) subject to the comments included in the Planning Report PDP 27-24 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**

9. Committee of the Whole Report - General Government

General Government - May 13, 2024

9.1 CAO 13-24, Office of the Chief Administrative Officer, Legal and Enforcement Services Department, and Financial Services Department Joint Report

Re: Municipal Accommodation Tax

**Resolution # 103-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

1. That Report CAO 13-24 regarding Municipal Accommodation Tax (MAT) be received;
2. That the Clerk be directed to bring forward a Municipal Accommodation Tax (MAT) By-law, establishing a MAT rate of 4%, effective July 1, 2024, as appended to Report CAO 13-24 as Attachment 1;
3. That Staff be directed to formalize an agreement, and the Commissioner of Finance & Treasurer or designate be authorized to execute an agreement between the Town of Whitby and Ontario Restaurant Hotel & Motel Association (ORHMA) to collect the Municipal Accommodation Tax from Whitby accommodations in a form satisfactory to the Commissioner of Legal & Enforcement Services/Town Solicitor;
4. That Staff are authorized to incorporate a Tourism Municipal Services Corporation (MSC), named Whitby Tourism Development Corporation (WTDC), if available and as outlined in the Business Case Study (Attachment 2) and that the Commissioner of Finance & Treasurer be authorized to execute any supporting documents confirming consent;
5. That the following list be appointed as the interim Board Members to the Whitby Tourism Development Corporation:

- a. One (1) Member of Council, as appointed by the Mayor; and
  - b. Four (4) Staff Members.
- 6. That Staff bring forward in the fourth quarter of 2024, five (5) members to be appointed to the Whitby Tourism Development Corporation (WTDC) Board of Directors, and any required corporate by-laws, Operating Agreement, Asset Transfer Policy, budget, and other operational particulars to allow WTDC to conduct its affairs and transactions per its mandate, and applicable laws and regulations;
  - 7. That the Program Manager, Events, Culture & Tourism and Senior Manager, Economic Development be authorized to request and obtain the consent of the Regional Municipality of Durham to create the Whitby Tourism Development Corporation pursuant to Section 11(4) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended;
  - 8. That the Mayor and Clerk be granted the authority to enter into agreements with the MSC on behalf of the Town, including all necessary documents ancillary thereto, with Eligible Tourism Entity(ies) that receive(s) an amount of the Municipal Accommodation Tax respecting reasonable financial accountability matters in order to ensure that amounts paid to the entity are used for the exclusive purpose of promoting tourism, and the agreements may provide for other matters, all in a form satisfactory to the Commissioner of Legal & Enforcement Services/Town Solicitor; and,
  - 9. That a reserve fund, for the portion of the Municipal Accommodation Tax revenue that is retained by the Town, be established and that Staff bring forward a Municipal Accommodation Tax Reserve Fund Policy by the fourth quarter of 2024 for Council approval; and,
  - 10. That Staff report back to Council in the fourth quarter of 2024 on the progress of the new Municipal Accommodation Tax and implementation plan.

**Carried**

9.2 CLK 04-24, Office of the Town Clerk Report

Re: Procedure By-law Review

## **Resolution # 104-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

1. That the Clerk be directed to bring forward a revised Procedure By-law, as appended to Report CLK 04-24 as Attachment 1, which provides improved formatting, structure, and ease of reference;
2. That the revised Procedure By-law contain the following substantive revisions versus the current rules of procedure, based on feedback from the consultation sessions held with Members of Council:
  - a. an increased submission deadline for notices of motion, requiring Members to provide the Clerk with the topics of proposed motions 10 days in advance of meetings to allow the topics to be shared with all Members of Council prior to agenda publication;
  - b. defined meeting adjournment times, requiring Chair review at 10:30 p.m., with all meetings ending at 11:00 p.m. with no further ability to debate or extend the adjournment time, noting that matters not considered prior to the adjournment will be deferred to the next applicable meeting instance;
  - c. hearing of delegates only at Committee of the Whole meetings, unless a matter is being considered at a Regular Council meeting that was not previously considered at a Committee of the Whole meeting, or in instances where the effect of the Staff recommendation is altered by Council at Committee of the Whole;
  - d. a registration deadline for delegates of 8:00 a.m. on the day of a meeting, allowing members of the public to review agendas over the weekend prior to a meeting and to accommodate the revised Rules of Procedure that only allow delegations at Council for new matters or where the Staff recommendation was altered;
  - e. clarification regarding the role of the Chair, noting that the Chair has the responsibility to summarize discussion points raised by delegates, refer questions from delegates to Staff at the

appropriate point of a meeting, and has overall responsibility to manage questions from Members to delegates;

- f. clarification regarding the types of questions Members may pose to delegates, noting that questions may only seek to clarify discussion points raised by delegates that are unclear, and not expand the scope of a delegate's remarks or to summarize their comments;
- g. food shall continue to be prohibited in Council Chambers, however Members of Council shall be permitted to consume water and other drinks (e.g., coffee, tea, pop, etc.) noting that beverages consumed on the dais shall be in the provided drinkware;
- h. a general seating plan for Members of Council for Committee of the Whole and Council meetings, as detailed in Attachment 2 to Staff Report CLK 04-24;
- i. that the past practice of requiring Members to Stand while speaking at Council meetings be eliminated;
- j. prior to adjournment of Regular Council Meetings, each Member be provided up to one minute to make announcements regarding important achievements and/or milestones within the Town and/or inform the public of upcoming events to promote community awareness; and,
- k. where Council representation is required on a Committee or a Local Board, the Mayor shall designate the Member or Members to represent Council on such Committee or Local Board, and the Mayor's designates shall be brought forward as a report to receive for information.

**Carried**

9.3 LS 07-24, Office of the Chief Administrative Officer and Legal and Enforcement Services Department Joint Report

Re: Review of the Role of Mayor and Deputy Mayor under the Municipal Act, 2001

**Resolution # 105-24**

Moved by Councillor Lundquist  
 Seconded by Councillor Lee

1. That this Report LS 07-24 be received for information; and,
2. That Staff be directed to bring forward a draft policy on the appointment and responsibilities of the Deputy Mayor to the June 3 Committee of the Whole meeting that will include:
  - a. All Local and Regional Councillors shall be eligible to serve as Deputy Mayor; and,
  - b. The Deputy Mayor shall be selected by the Mayor annually and confirmed by a majority vote of Council.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski		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>3</b>	<b>0</b>

**Carried on a Recorded Vote (5 to 3)**

9.4 LS 06-24, Legal and Enforcement Services Department and Financial Services Department Joint Report

Re: Correcting Transfer to Acquire Parts 2, 3, 4, 5, 9 & 10 on Plan 40R-32247, being all of PIN 26487-0201(LT) from Metrolinx, and Dispose and Transfer Parts 2, 3, 4, 5, 9 & 10 on Plan 40R-32247, being all of PIN 26487-0201 (LT) to The Regional Municipality of Durham

**Resolution # 106-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

1. That Part Lot 22, Broken Front Concession, and part of the Road Allowance between Lots 22 and 23, Broken Front Concession, designated as Parts 2, 3, 4, 5, 9 and 10 on Plan 40R-32247, Town of Whitby (being all of PIN 26487-0201 (LT)), as shown in Attachment 2 outlined in green (the “Subject Property”) be acquired from Metrolinx and the Subject Property be declared surplus and conveyed to the Regional Municipality of Durham (the “Region”) subject to the conditions set forth in Legal Services Report 06-24;
2. That the Clerk bring forward by-laws authorizing the acquisition of the Subject Property from Metrolinx and the disposition of the Subject Property to the Region to the Council Meeting scheduled for May 27, 2024;
3. That the requirement to obtain an appraisal and give public notice in accordance with Town of Whitby Policy F-190 regarding the Acquisition, Sale or other Disposition of Land Policy be waived for the acquisition and disposition of the Subject Property herein; and,
4. That the Mayor and Clerk be authorized to execute any and all agreements and documents necessary to complete the acquisition of the Subject Property from Metrolinx and the disposition of the Subject Property to the Region.

**Carried**

9.5 FS 19-24, Financial Services Department Report

Re: Revision to Council Expense Policy (G050)

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

- being fiscally responsible by not providing additional funding for Council education and training programs;
- ensuring that the use of funds for Council education and training is transparent; and,
- how the education and training funds will be allocated between corporate training programs for all Members of Council and for

follow-up sessions with approved facilitators by individual Members of Council.

**Resolution # 107-24**

Moved by Councillor Bozinovski

Seconded by Councillor Shahid

That the revised Council Expense Policy (Policy # G050), Attachments 1 and 2 to Report FS 19-24, be approved.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Mayor Roy	X		
Councillor Bozinovski		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>3</b>	<b>0</b>

**Carried on a Recorded Vote (5 to 3)**

9.6 FS 17-24, Financial Services Department Report

Re: Enhanced Property Tax Payment Options

**Resolution # 108-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

1. That the Town implement two new property tax pre-authorized payment plans as outlined in Report FS 17-24;
2. That staff be authorized to adjust the terms & conditions of the Pre-authorized Payment plans as required;

3. That, despite the two (2) years provided for in the Municipal Act, the Town of Whitby only proceeds to Tax Registration with accounts that are three (3) years in arrears plus the current year;
4. That the Town initiate a process to search title on a tax roll prior to Tax Registration in the year the account is two (2) years in arrears plus current and notify interested parties of the impending Tax Registration; and,
5. That the Town's Fees and Charges By-law be amended to include a "Tax roll sub-search of Title" in the amount of \$150.00.

**Carried**

10. For information only - Committee of the Whole Minutes of May 6 and May 13, 2024

11. Notice of Motion

There were no notices of motion.

12. New and Unfinished Business

- 12.1 PDP 15-24, Planning and Development (Planning Services) Department Report

Re: Official Plan Amendment and Zoning By-law Amendment Applications, Devon Downs Developments Ltd., 2002 Rossland Road East, File Number: DEV-21-18 ( OPA-2018-W/06, Z-33-18)

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

- making the installation of an eight foot wood fence a condition of site plan approval;
- locating the fence on the developer's property so that the developer would be responsible for the ongoing maintenance of the fence;
- requiring enhanced plantings for landscaped areas and moving the snow storage location to the satisfaction of neighbouring residents;
- confirmation that a survey will be required to identify the property boundaries prior to installing fencing; and,
- creating urban design guidelines to assist developers with designing appropriate infill development.



## **Resolution # 109-24**

Moved by Councillor Leahy

Seconded by Councillor Yamada

1. That Council approve Official Plan Amendment Number 135 to the Whitby Official Plan (File Number: OPA- 2018-W/06), as shown on Attachment # 6, and that a By-law to adopt Official Plan Amendment Number 135 be brought forward for consideration by Council;
2. That the Clerk forward a copy of the Planning Report PDP 15-24, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number 135 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development;
3. That Council approve the amendment to Zoning By-law # 1784, (File Number: Z-33-18), as outlined in Planning Report PDP 15-24 and that a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council; and,
4. 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.

### **Carried**

It was the consensus of Council to consider Item 7.1, Correspondence, at this time.

#### **12.2 FS 23-24, Financial Services Department and Legal and Enforcement Services Department Joint Report**

Re: Acquisition of Land from MTO - South-West Corner of Baldwin Street and Winchester Road

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

- protecting the mature trees on the property to the extent possible;
- designing a gateway feature on the property that is complimentary to the surrounding community; and,
- next steps in the process for the design of a gateway feature.

## **Resolution # 110-24**

Moved by Councillor Mulcahy

Seconded by Councillor Lee

1. That the land at the south-west corner of Baldwin Street and Winchester Road, legally described as Part of the North Half Lot 25, Concession 5 and Part of the Road Allowance between Lots 24 and 25, Concession 5, being Part 1, Plan 40R-31677 (P-1410-0164, P-1771-0110, P-5120-0354) being part of PIN 26573-0002 (LT), in the Town of Whitby, Regional Municipality of Durham as shown in Attachment 1 (the “Property”) be acquired from the Minister of Transportation for the Province of Ontario (“MTO”) subject to the conditions set forth in Financial Services Report FS 23-24;
2. That a 2024 capital project be established for the acquisition of the Property, in the amount as outlined in the confidential memo from the Commissioner, Financial Services/Treasurer dated Friday May, 24, 2024, funded from the Town Property Reserve Fund;
3. That the Clerk bring forward a by-law authorizing the acquisition of the Property from MTO to the May 27, 2024 Council Meeting substantially in the form included as Attachment 2 to Report FS 23-24;
4. That the requirement to obtain an appraisal in accordance with Town of Whitby Policy F-190 regarding the Acquisition, Sale or other Disposition of Land Policy be waived for the acquisition of the Property herein;
5. That Council hereby delegate authority to the Chief Administrative Officer and the Commissioner, Financial Services/Treasurer to undertake the necessary actions and execute an agreement of purchase and sale and all other necessary documents to give effect thereto, with such actions and agreements in a form satisfactory to the Commissioner, Legal and Enforcement Services/Town Solicitor, or designate; and,
6. That the Town continue to negotiate with Fieldgate Developments on the installation of a Town of Whitby gateway/entrance feature on the Property.

**Carried**

13. By-laws

**Resolution # 111-24**

Moved by Councillor Bozinovski

Seconded by Councillor Lee

That leave be granted to introduce By-laws # 8081-24 to # 8088-24 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 # 8081-24

Being a By-law governing the calling, place and proceedings of meetings.

Refer to CLK 04-24, Procedure By-law Review

13.2 By-law # 8082-24

Being a By-law to establish a Municipal Accommodation Tax.

Refer to CAO 13-24, Municipal Accommodation Tax

13.3 By-law # 8083-24

Being a By-law to adopt Amendment Number 132 to the Official Plan of the Town of Whitby.

Refer to PDP 37-23, DEV-17-22: Official Plan Amendment Application OPA-2022-W/02, Draft Plan of Subdivision Application SW-2022-03, Zoning By-law Amendment Application Z-13-22, 1351637 Ontario Limited (Mansouri Group), 4400 & 4440 Garden Street

13.4 By-law # 8084-24

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

Refer to PDP 37-23, DEV-17-22: Official Plan Amendment Application OPA-2022-W/02, Draft Plan of Subdivision Application SW-2022-03, Zoning By-law Amendment Application Z-13-22, 1351637 Ontario Limited (Mansouri Group), 4400 & 4440 Garden Street

13.5 By-law # 8085-24

Being a By-law to authorize the acquisition of the lands municipally known as 2802 Thickson Road South and legally described as Part Lot 21, Broken Front Concession, Township of Whitby, Part 1, Plan 40R-6669, and Parts 1 and 2, Plan 40R-10732, T/W D184397, being all of PIN 26487-0043 (LT), in the Town of Whitby, Regional Municipality of Durham (the "Lands") from Equitable Bank under Power of Sale.

Refer to FS 33-24, Proposed Acquisition of Environmental Compensation Land

13.6 By-law # 8086-24

Being a By-law to authorize the disposition and conveyance of lands legally described as Part Lot 22, Broken Front Concession, and part of the Road Allowance between Lots 22 and 23, Broken Front Concession, designated as Parts 2, 3, 4, 5, 9 and 10 on Plan 40R-32247, (being all of PIN 26487-0201 (LT)), Town of Whitby, Regional Municipality of Durham (the "Lands") to the Regional Municipality of Durham.

Refer to LS 06-24, Correcting Transfer to Acquire Parts 2, 3, 4, 5, 9 & 10 on Plan 40R-32247, being all of PIN 26487-0201(LT) from Metrolinx, and Dispose and Transfer Parts 2, 3, 4, 5, 9 & 10 on Plan 40R-32247, being all of PIN 26487-0201 (LT) to The Regional Municipality of Durham

13.7 By-law # 8087-24

Being a By-law to authorize the acquisition of the lands described as Part Lot 22, Broken Front Concession, and part of the Road Allowance between Lots 22 and 23, Broken Front Concession, designated as Parts 2, 3, 4, 5, 9 and 10 on Plan 40R-32247, (being all of PIN 26487-0201 (LT)), in the Town of Whitby, Regional Municipality of Durham (the "Lands") from Metrolinx.

Refer to LS 06-24, Correcting Transfer to Acquire Parts 2, 3, 4, 5, 9 & 10 on Plan 40R-32247, being all of PIN 26487-0201(LT) from Metrolinx, and Dispose and Transfer Parts 2, 3, 4, 5, 9 & 10 on Plan 40R-32247, being all of PIN 26487-0201 (LT) to The Regional Municipality of Durham

13.8 By-law # 8088-24

Being a By-law to authorize the acquisition of lands described as Part of the North Half Lot 25, Concession 5, and Part of the Road Allowance between Lots 24 and 25, Concession 5, being Part 1, Plan 40R-31677 (P-

1410-0164, P-1771-0110, P-5120-0354) being part of PIN 26573-0002 (LT), in the Town of Whitby, Regional Municipality of Durham (the “Lands”) from the Minister of Transportation for the Province of Ontario (MTO).

Refer to FS 23-24, Acquisition of Land from MTO - South-West Corner of Baldwin Street and Winchester Road

14. Confirmatory By-law

**Resolution # 112-24**

Moved by Councillor Shahid

Seconded by Councillor Leahy

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 May 27, 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**

15. Adjournment

Moved by Councillor Leahy

Seconded by Councillor Bozinovski

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:40 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor