



## Regular Council Minutes

December 16, 2024, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

Present: Mayor Roy  
Councillor Bozinovski  
Councillor Leahy  
Councillor Lee  
Councillor Lundquist  
Councillor Mulcahy  
Councillor Shahid  
Councillor Yamada

Regrets: Councillor Cardwell

Also Present: M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Deputy Chief Administrative Officer  
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

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1. Call To Order: The Mayor
  2. Call of the Roll: The Clerk
  3. Declarations of Conflict of Interest

Mayor Roy declared a conflict of interest regarding Item 10, Committee of the Whole Minutes of November 25, 2024, noting her previous conflicts of interest declared at the November 25, 2024 Committee of Whole meeting related to the legal action of slander and libel filed against her and the Town by Councillor Leahy. Mayor Roy left the Chair during this portion of the meeting and did not take part in the discussion on this item.

Moved by Councillor Shahid  
Seconded by Councillor Mulcahy

That the Regular Council Meeting agenda of December 16, 2024 be reordered to consider Item 7, Correspondence after consideration of Item 13, By-laws.

**Carried**

4. Adoption of Minutes

Regular Council - November 4, 2024

Special Council - November 4, 2024 (Confidential Minutes Under Separate Cover)

Special Council - November 18, 2024

Special Council - November 28, 2024

**Resolution # 224-24**

Moved by Councillor Shahid  
Seconded by Councillor Mulcahy

That the Regular Council Minutes of November 4, 2024 and the Special Council Minutes of November 4, 18, and 28, 2024 be approved.

**Carried**

5. Presentations

5.1 Recognition: Whitby Warriors U9, U11 and U13 Lacrosse Teams

Re: Top A Provincial Championship Winners

Mayor Roy attended the dais and was joined by Deputy Mayor Lundquist. Members of the Whitby Warriors U9, U11, and U13 Lacrosse Teams and their coaching staff were welcomed onto the dais and recognized as the 2024 Top A Provincial Championship winners.

## 5.2 Shaun Collier, Chair, Durham Regional Police Service Board

Re: Community Safety in Our Region

Shaun Collier, Chair, Durham Regional Police Service Board provided a PowerPoint presentation regarding the Durham Regional Police Service Board and Community Safety. Highlights of the presentation included:

- an overview of the responsibilities of the Police Service Board as prescribed by the Community Safety and Policing Act;
- the membership and composition of the Durham Regional Police Service Board;
- current areas of focus of the Board, including undertaking community engagement, fulfilling objectives identified in the Durham Regional Police Service 2024 Strategic Plan, and implementing action items required by the Community Safety and Policing Act and associated Regulations; and,
- community safety priorities for the Durham Regional Police Service including dedicating resources towards firearms offences, auto theft investigations, mental health, and crimes against vulnerable populations including seniors and youth.

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

- hiring additional frontline police officers as part of the 2025 Durham Regional Police Service budget and how those officers may be deployed to address increasing crime rates;
- information about how the Durham Regional Police Service assigns police officers based on crime indicators;
- education campaigns delivered by the Durham Regional Police Service for vulnerable populations including seniors and youth;
- the recent restructuring of the Community Response Unit to improve connections with vulnerable populations;
- upcoming capital projects included in the Durham Regional Police Service budget including a dedicated training facility and undertaking maintenance on police stations;

- concerns about traffic safety in the Town and how additional frontline police officers could be deployed to conduct traffic enforcement;
- instances of persons on bail reoffending and how this is a growing focus for the police; and,
- re-evaluating the Durham Regional Police Service divisional boundaries in the future.

## 6. Delegations

There we no delegations.

It was the consensus of Council to consider Item 8, Committee of the Whole Report - Planning and Development, at this time.

## 7. Correspondence

### 7.1 Correspondence

That the following requests be endorsed:

- Bell Let's Talk Day - Flag Raising - January 22, 2025
- Kawasaki Disease Awareness Day - January 26, 2025
- Durham Region Hospice Awareness Day - January 29, 2025
- Durham Region Hospice Awareness Day - Flag Raising - January 27 to 31, 2025

### **Resolution # 249-24**

Moved by Councillor Bozinovski

Seconded by Councillor Yamada

That the proclamations for Kawasaki Disease Awareness Day and Durham Region Hospice Awareness Day, and the flag raisings for Bell Let's Talk Day and Durham Region Hospice Awareness Day be endorsed.

### **Carried**

- ### 7.2 Correspondence # 2024-734 received from Aird & Berlis LLP dated November 22, 2024 regarding Report on Closed Meeting Investigation 2024-01

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

- confirmation from Staff that the Closed Meeting Investigator determined that the gathering during a recess at the October 7, 2024 Council meeting was not an illegal meeting of Council, and as such, no action was required from Council with respect to the Closed Meeting Investigator's report;
- reviewing the Procedure By-law to determine if updates are needed in consideration of the Closed Meeting Investigator's report;
- developing a process to address disruptive behaviour in the Council Chambers, including recessing a meeting or ordering a Member of Council or the public to leave a meeting;
- the need for any process addressing disruptive behaviour to be flexible in order to appropriately respond to any particular situation;
- that the Procedure By-law already speaks to the open meeting provisions contained in the Municipal Act, and whether further duplicating the legislative requirements in the Procedure By-law served a purpose;
- adding text to the Procedure By-law prohibiting gatherings of Council where a quorum is present and how this would unduly restrict Council from attending permitted gatherings where decisions are not made and business is not materially advanced;
- various circumstances where a quorum of Council is permitted to be present including social events, meal breaks served in common areas during meetings, and in the event of a safety issue where evacuation of the Council Chambers may be required; and,
- confirmation from Staff that the Town is not able to recoup the cost of the Closed Meeting Investigation from the person who requested the investigation.

A discussion ensued between Members of Council regarding:

- the importance of reviewing the entirety of the Closed Meeting Investigator's report;
- ensuring that Council proceedings and decisions of Council are as transparent as possible;

- concerns about recent controversies and political infighting at Council and the need for all Members of Council to work on delivering priorities for the Town's residents; and,
- ensuring that the Council Chambers remains a space where democracy is protected and respected.

Moved by Councillor Leahy  
 Seconded by Councillor Lee

That Correspondence # 2024-734 received from Aird & Berlis LLP dated November 22, 2024 regarding Report on Closed Meeting Investigation 2024-01 be received for information.

**Carried later in the meeting (See following motions)**

Moved by Councillor Leahy  
 Seconded by Councillor Yamada

That the main motion be amended by adding the following as Item 2:

2. That the Town Clerk be directed to develop a clause to be added to the Town of Whitby Procedure By-law that embodies the advice in clause 49 so that the advice is codified in our by-laws and serves as a reminder that private gatherings of a quorum of Council should never happen during the conduct of a Council meeting unless they are done in accordance with the permitted exceptions under section 239 of the Municipal Act, 2001 and that such amendment be brought forward to Council for consideration at a meeting of the Committee of the Whole at a date no later than June of 2025.

**Motion lost later in the meeting (See following motions)**

Mayor Roy declined to put the above-noted amendment to a vote, indicating that the motion was out of order.

In accordance with Section 15.4 of the Procedure By-law, Councillor Leahy challenged the ruling of the Mayor.

Mayor Roy put the following vote to Council:

Will the ruling of the Chair be sustained?

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

**Motion Lost on a Tie Vote (4 to 4)**

Moved by Councillor Leahy  
 Seconded by Councillor Yamada

The amendment to the main motion to add the following as Item 2 was then immediately before Council as follows:

2. That the Town Clerk be directed to develop a clause to be added to the Town of Whitby Procedure By-law that embodies the advice in clause 49 so that the advice is codified in our by-laws and serves as a reminder that private gatherings of a quorum of Council should never happen during the conduct of a Council meeting unless they are done in accordance with the permitted exceptions under section 239 of the Municipal Act, 2001 and that such amendment be brought forward to Council for consideration at a meeting of the Committee of the Whole at a date no later than June of 2025.

**See following motions**

Moved by Councillor Bozinovski  
 Seconded by Councillor Leahy

That the amendment to the main motion be further amended be adding the following as Item 3:

3. That the Clerk be directed to review the Procedure By-law to address the circumstances that result from disruptive behaviour as referenced in the report.

	<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>8</b>	<b>0</b>	<b>0</b>

**Carried Unanimously on a Recorded Vote (8 to 0)**

Moved by Councillor Leahy  
 Seconded by Councillor Bozinovski

The amendment, as amended, to add Items 2 and 3 to the main motion, was then before Council as follows:

2. That the Town Clerk be directed to develop a clause to be added to the Town of Whitby Procedure By-law that embodies the advice in clause 49 so that the advice is codified in our by-laws and serves as a reminder that private gatherings of a quorum of Council should never happen during the conduct of a Council meeting unless they are done in accordance with the permitted exceptions under section 239 of the Municipal Act, 2001 and that such amendment be brought forward to Council for consideration at a meeting of the Committee of the Whole at a date no later than June of 2025; and,



3. That the Clerk be directed to review the Procedure By-law to address the circumstances that result from disruptive behaviour as referenced in the report.

	<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>2</b>	<b>6</b>	<b>0</b>

**Motion Lost on a Recorded Vote (2 to 6)**

**Resolution # 250-24**

Moved by Councillor Leahy  
 Seconded by Councillor Lee

The main motion was then before Council as follows:

That Correspondence # 2024-734 received from Aird & Berlis LLP dated November 22, 2024 regarding Report on Closed Meeting Investigation 2024-01 be received for information.

	<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>8</b>	<b>0</b>	<b>0</b>

**Carried Unanimously on a Recorded Vote (8 to 0)**

7.3 Correspondence # 2024-719 received from Mayor Roy dated December 4, 2024 regarding Appointment of Deputy Mayor for 2025

**Resolution # 251-24**

Moved by Councillor Shahid

Seconded by Councillor Lee

1. That Council receive Correspondence # 2024-719 from Mayor Roy, dated December 4, 2024 regarding Appointment of Deputy Mayor 2025 for information; and,
2. That Council confirm the appointment of Councillor Mulcahy as Deputy Mayor from January 1, 2025 to December 31, 2025.

	<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	

**Results**

**5**

**3**

**0**

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

7.4 Memorandum from C. Harris, Town Clerk dated December 16, 2024 regarding Mayor's Designates for Boards & Committees: January 1, 2025 to December 31, 2025

**Resolution # 252-24**

Moved by Councillor Mulcahy  
Seconded by Councillor Leahy

That the Memorandum from C. Harris, Town Clerk dated December 16, 2024 regarding Mayor's Designates for Boards & Committees: January 1, 2025 to December 31, 2025, be received for information.

**Carried**

8. Committee of the Whole Report - Planning and Development

Planning and Development - November 25, 2024 and December 2, 2024

8.1 PDP 51-24, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, William Feaver, 7595 Duffs Road, File Number: DEV-22-24 (Z-10-24)

**Resolution # 225-24**

Moved by Councillor Mulcahy  
Seconded by Councillor Lee

1. That Council approve an amendment to Zoning By-law # 1784 (File Number: Z-10-24) as outlined in Planning Report PDP 51-24; and,
2. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

**Carried**

8.2 PDP 52-24, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, 1628755 Ontario Limited, 320 & 360 Columbus Road West, File Numbers: DEV-24-22 (SW-2022-05 and Z-16-22)

**Resolution # 226-24**

Moved by Councillor Mulcahy  
Seconded by Councillor Lee

1. That Council approve the Draft Plan of Subdivision (File Number: SW-2022-05), subject to the comments included in Report PDP 52-24 and the Conditions of Draft Plan Approval included in Attachment #9;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That Council approve the amendment to Zoning By-law #1784 (File Number: Z-16-22), and that a Zoning By-law Amendment be brought forward for consideration by Council;
4. That John G. Williams Limited Architect be appointed as the Control Architect for the Draft Plan of Subdivision; and,
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.

**Carried**

8.3 PDP 53-24, Planning and Development (Planning Services) Department Report

Re: Official Plan Amendment and Zoning By-law Amendment Applications, Menkes Champlain Inc., Unaddressed Parcel North Side of Stellar Drive, East of Thickson Road South, File Numbers: DEV-18-24 (OPA-2024-W/07, Z-07-24)

**Resolution # 227-24**

Moved by Councillor Mulcahy  
Seconded by Councillor Lee

1. That Council approve Amendment Number 141 to the Whitby Official Plan (File Number: OPA-2024-W/07), as shown on

Attachment #8, and that a By-law to adopt Official Plan Amendment Number 141 be brought forward for consideration by Council;

2. That the Clerk forward a copy of Planning Report PDP 53-24, two (2) copies of the adopted Amendment, and a copy of the by-law to adopt Amendment Number 141 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development;
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; and,
4. That Council approve an amendment to Zoning By-law # 1784, (File Number: Z-07-24), as outlined in Report PDP 53-24.

**Carried**

8.4 PDP 54-24, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, CODR Holdings Limited, Unaddressed Property on Coronation Road, File Numbers: DEV-20-24 (SW-2024-02, Z-09-24)

**Resolution # 228-24**

Moved by Councillor Mulcahy

Seconded by Councillor Lee

1. That Council approve a Draft Plan of Subdivision (File Number: SW-2024-02), subject to the comments included in Report PDP 54-24 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 Council approve an amendment to Zoning By-law 1784 (File Number: Z-09-24), as outlined in Report PDP 54-24;

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 Limited Architect be appointed as the Control Architect for the Draft Plan of Subdivision.

**Carried**

8.5 PDP 55-24, Planning and Development (Planning Services) Department Report

Re: Town Initiated Official Plan Amendment and Zoning By-law Amendments - Changes to Accessory Apartment (Additional Dwelling Unit) Policies and Regulations, File Numbers: OPA-2024-W/01, Z-02-24

**Resolution # 229-24**

Moved by Councillor Mulcahy  
Seconded by Councillor Lee

1. That Council approve Amendment 143 to the Whitby Official Plan to permit up to 3 additional residential dwelling units on ground related residential properties in accordance with Attachment #1 to Report PDP 55-24, and that a by-law to adopt Amendment 143 be brought forward for Council's consideration;
2. That the Clerk forward a copy of Report PDP 55-24, two (2) copies of the adopted Amendment, and a copy of the By-law to Adopt Amendment 143 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development;
3. That Zoning By-law Amendments to implement legislative directives of Bill 108 and Bill 23, as well as Council Resolution # 222-23 with respect to the Federal Housing Accelerator Fund (HAF) to permit up to 3 additional dwelling units on parcels of land occupied by ground related dwelling units as shown on Attachments 2, 3, and 4 to Report PDP 55-24 be brought forward for consideration by Council; and,
4. That the Clerk forward a Notice of Council's decision to those parties and agencies, including the Region of Durham's Commissioner of Planning, that requested to be notified of Council's decision.

**Carried**

- 8.6 PDE 11-24, Planning and Development (Engineering Services)  
Department Report

Re: Traffic Calming Guide and Policy Status Update

**Resolution # 230-24**

Moved by Councillor Mulcahy

Seconded by Councillor Lee

That Report PDE 11-24 be received for information.

**Carried**

- 8.7 PDP 56-24, Planning and Development (Planning Services) Department  
Report

Re: Heritage Permit Application – Request for Demolition of 114 Keith  
Street, Designated under Part V of the Ontario Heritage Act; HP-17-24

**Resolution # 231-24**

Moved by Councillor Mulcahy

Seconded by Councillor Lee

That Council approve the Heritage Permit Application requesting  
demolition of the existing dwelling at 114 Keith Street (HP-17-24), as  
supported by the Heritage Whitby Advisory Committee, and in accordance  
with Section 42 of the Ontario Heritage Act.

**Carried**

- 8.8 PDP 57-24, Planning and Development (Planning Services) Department  
Report

Re: 780 Garden Street – Designation of a Property under Part IV, Section  
29 of the Ontario Heritage Act – Update #2

**Resolution # 232-24**

Moved by Councillor Mulcahy

Seconded by Councillor Lee

1. That Council mutually agree to the owner's request for further extension of the 90-day deadline under Section 29(8) of the Ontario Heritage Act and Section 1(2) 1. of Ontario Regulation 385/21, for passing the Part IV Heritage Designation By-law for the portion of the property containing the Mayfield House, located at 780 Garden Street in Whitby; and,
2. That the extension be in effect until May 31, 2025.

**Carried**

9. Committee of the Whole Report - General Government

General Government - November 25, 2024 and December 2, 2024

9.1 CMS 14-24, Community Services Department Report

Re: Implementation Plan for Provision of Waste Collection Services to Private Road Developments by 2026

**Resolution # 233-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

1. That Report CMS 14-24 be received for information; and,
2. That Council approve the implementation plan for providing municipal waste collection services at private townhomes and multi-residential locations as outlined in Staff Report CMS 14-24.

**Carried**

9.2 FS 44-24, Financial Services Department Report

Re: Commercial and Industrial Development Charges Calculation Protocol

A question and answer period ensued between Members of Council and Staff regarding how development charges are assessed, collected, and certified by the Town.

**Resolution # 234-24**

Moved by Councillor Mulcahy

Seconded by Councillor Lee



That Council approve the use of the proposed protocol for determining applicable commercial and industrial Town of Whitby development charges, as required.

**Carried**

- 9.3 Request the Redistribution of the Provincial Land Transfer Tax and GST to Municipalities for Sustainable Infrastructure Funding

**Resolution # 235-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

Whereas municipalities face growing infrastructure needs, including roads, bridges, public transit, water systems, and other critical services, which are essential to community well-being and economic development; and,

Whereas the current sources of municipal revenue, including property taxes and user fees, are insufficient to meet these increasing demands for infrastructure investment; and,

Whereas the Province of Ontario currently collects the Land Transfer Tax (LTT) on property transactions in municipalities across the province, generating significant revenue that is not directly shared with municipalities; and,

Whereas the Federal Government collects the Goods and Services Tax (GST) on property transactions, a portion of which could be directed to municipalities to address local infrastructure needs; and,

Whereas redistributing a portion of the LTT and GST to municipalities would provide a predictable and sustainable source of funding for local infrastructure projects without creating a new tax burden on residents or homebuyers; and,

Whereas a redistribution of a portion of the existing LTT and GST would allow municipalities to better plan and invest in long-term infrastructure initiatives, supporting local economic growth and improving the quality of life for residents.

Now therefore, be it resolved:

1. That the Council of the Town of Whitby formally requests the Provincial Government to consider redistributing a portion of the

Land Transfer Tax collected on property transactions to municipalities; and,

2. That the Council of the Town of Whitby calls on the Federal Government to allocate a percentage of the Goods and Services Tax collected on property sales to municipalities; and,
3. That this redistribution of the Land Transfer Tax and Goods and Services Tax should be structured to provide predictable and sustainable funding to municipalities, allowing for better long-term planning and investment in infrastructure projects that benefit local communities, thus ensuring that local governments receive a fair share of the revenue to address critical infrastructure needs; and,
4. That the Province of Ontario consider AMO's advocacy focused on the Housing Affordability Task Force recommendations, advocating for long-term and predictable infrastructure funding, and supporting on-going discussions around the importance of the development charge regime in funding housing-enabling infrastructure in many communities; and,
5. That copies of this resolution be forwarded to Prime Minister Justin Trudeau, Premier Doug Ford, the Ontario Minister of Finance, the Minister of Municipal Affairs and Housing, Durham Region MPs and Durham Region MPPs; and,
6. That copies of this resolution be forwarded to the local municipalities in Durham Region, the Region of Durham, the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO) for their endorsement and advocacy.

**Carried**

9.4 Reducing or Eliminating Tolls on Highway 407 East

**Resolution # 236-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

Whereas at a media appearance on October 25, 2024 Premier Ford fielded a question regarding the possibility of reducing or eliminating tolls

on Highway 407 as an alternative to constructing a tunnel under Highway 401; and,

Whereas in response to the question, Premier Ford indicated that he has requested that the Minister of Transportation review reducing or eliminating tolls on the provincially-owned portion of the highway, being Highway 407 East; and,

Whereas Premier Ford further indicated that the Province would do a feasibility study regarding reducing or eliminating tolls on Highway 407 East and that any toll adjustments could be made quickly; and,

Whereas the Get It Done Act, 2024 prohibits Ontario from introducing tolls on provincial highways; and,

Whereas Highway 407 East is the only tolled provincially owned highway in Ontario, resulting in unfair economic impacts to Durham Region residents and businesses; and,

Whereas the Council of the Town of Whitby has previously advocated for the removal of tolls on Highway 407 East through Resolution # 60-24 adopted at the March 18, 2024 Regular Council Meeting in order to boost economic development, improve travel times, and alleviate traffic impacts in Durham Region.

Now therefore be it resolved:

1. That the Council of the Town of Whitby requests that the Province of Ontario reduce or eliminate tolls on Highway 407 East from Brock Road in Pickering to Highway 35/115; and,
2. That the Mayor be requested on behalf of Council, to author a letter including this motion to the Premier of Ontario, the Minister of Transportation, all Durham Region MPPs, all Durham municipalities, the City of Kawartha Lakes, the Township of Cavan Monaghan, the City of Peterborough, the Ontario Trucking Association, and the Ontario Federation of Agriculture.

**Carried**

- 9.5 Memorandum from J. Romano, Commissioner, Community Services dated November 22, 2024 regarding 2025 Days of Significance for Proclamations

**Resolution # 237-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

That the proclamations for 2025 outlined in the Memorandum from J. Romano, Commissioner, Community Services dated November 22, 2024, be endorsed.

**Carried**

- 9.6 Memorandum from J. Romano, Commissioner, Community Services dated December 2, 2024 regarding Community Connection Terms of Reference Update

**See also Memorandum from J. Romano, Commissioner, Community Services dated December 16, 2024 regarding Community Connection Executive Board of Directors Terms of Reference Update #2.**

**Resolution # 238-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

That the memorandum from J. Romano, Commissioner of Community Services, dated December 2, 2024 regarding Community Connection Terms of Reference updates be received for information.

**Carried**

- 9.7 CLK 08-24, Office of the Town Clerk and Legal and Enforcement Services Department Joint Report

Re: Adjudication of Fence By-law Exemption Requests

**Note:** This item was referred at Committee.

- 9.8 CAO 23-24, Office of the Chief Administrative Officer Report

Re: Creative Communities Update

**Resolution # 239-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

That Report CAO 23-24, Creative Communities Update, be received for information.

**Carried**

9.9 CMS 17-24, Community Services Department Report

Re: Appointment of Members to the Whitby 55+ Recreation Advisory Committee

**Resolution # 240-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

That Council approve and appoint the following members to the Whitby 55+ Recreation Advisory Committee effective January 1, 2025:

- Sharon Bagatto (term ending December 31, 2026);
- Jane Hilton (term ending December 31, 2026);
- Carol James (term ending December 31, 2025);
- Deborah Nanton (term ending December 31, 2025);
- Mary Poirier (term ending December 31, 2026);
- Joanne Smith (term ending December 31, 2026); and,
- Lise Watt (term ending December 31, 2026).

**Carried**

9.10 FS 24-24, Financial Services Department Report

Re: 2025 Interim Property Tax Billing

**Resolution # 241-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

That a by-law be brought forward to allow for the Interim Tax Billing for the 2025 taxation year as outlined in Report FS 24-24.

**Carried**

9.11 FS 26-24, Financial Services Department Report

Re: Temporary Borrowing By-law

**Resolution # 242-24**

Moved by Councillor Lundquist

Seconded by Councillor Lee

That a by-law be brought forward to authorize external temporary borrowing of up to \$68,925,000 from January 1, 2025, to September 30, 2025, and up to \$34,463,000 between October 1, 2025, and December 31, 2025, if required for cash flow purposes.

**Carried**

9.12 FS 47-24, Financial Services Department Report

Re: Proposed Amendment to Policy F 190 – Acquisition, Sale, or Other Disposition of Land Policy to Expedite Housing Projects

**See also Memorandum from F. Wong, Commissioner, Financial Services/Treasurer dated December 16, 2024 regarding Revised Amendments to Town Policy F 190 Related to the Disposition of Town-owned Property for Residential Development.**

**Resolution # 243-24**

Moved by Councillor Leahy

Seconded by Councillor Bozinovski

That the amendments to Town Policy F 190 related to the sale or other disposition of land, as outlined in the Memorandum from F. Wong, Commissioner, Financial Services/Treasurer dated December 16, 2024 regarding Revised Amendments to Town Policy F 190 Related to the Disposition of Town-owned Property for Residential Development, be approved.

**Carried**

9.13 LS 16-24, Legal and Enforcement Services Department Report

Re: Proposed Amendments to the Traffic By-law 8059-24, as amended

**Resolution # 244-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

1. That Report LS 16-24 be received for information; and,
2. That a by-law be brought forward to Council on December 16, 2024 to authorize the proposed Traffic By-law amendments substantively as shown in Attachment 1 to this Report LS 16-24.

**Carried**

9.14 Temporarily Delegating Authority to Approve Fence By-law Exemption Requests

**Resolution # 245-24**

Moved by Councillor Lundquist  
Seconded by Councillor Lee

1. That Council delegate authority on a temporary basis to the Commissioner of Legal and Enforcement Services/Town Solicitor to approve exemption requests to the Fence By-law beyond a 10% variance; and,
2. That this delegated authority remain in place until such time as Staff can report back to Council to address questions on allowable exemptions, fees, and the process for considering Fence By-law exemption requests further to the referral at the December 2, 2024 Committee of the Whole meeting.

**Carried**

10. For information only - Committee of the Whole Minutes of November 25, 2024 (Confidential Minutes Under Separate Cover) and December 2, 2024

Having previously declared a conflict of interest, Mayor Roy left the Chair during this portion of the meeting and did not take part in the discussion regarding this Item.

**Deputy Mayor Lundquist assumed the Chair to inquire if there were any questions from Council on the minutes. Being no questions or discussion on the minutes, Mayor Roy resumed the Chair.**

11. Notice of Motion

## 11.1 Gateway Maintenance Program

Moved by: Councillor Bozinovski

Seconded by: Councillor Leahy

Councillor Bozinovski introduced a motion regarding receiving a report from Staff regarding a potential Gateway Maintenance Program.

A brief discussion ensued between Members of Council regarding establishing any such program as a pilot, funding the pilot through the budget allocated for fence maintenance, and setting an annual cap on the amount of funding available through the program.

### **Resolution # 246-24**

Moved by Councillor Bozinovski

Seconded by Councillor Leahy

Whereas through Staff Report CMS 10-24, re Gateway Maintenance Program, Council considered options for the Town to maintain gateway features, columns or iron fences and elected to continue with the status quo to not maintain gateway features, columns or iron fencing located on regional or private property; and,

Whereas there is the opportunity to establish a grant program whereby the Town could offset the costs associated with homeowners removing gateway and masonry features and columns located on private property;

Now therefore be it resolved:

1. That Staff be directed to report back on the opportunity for a grant program for homeowners to offset their costs of removing gateway and masonry features and columns located on private property prior to the introduction of the 2026 Strong Mayor Budget; and,
2. That the Clerk be directed to send correspondence to the Regional Municipality of Durham requesting that Regional Council consider a program for the maintenance of masonry features and columns located on Regional property.

**Carried**

## 12. New and Unfinished Business

There was no new and unfinished business.



13. By-laws

**Resolution # 247-24**

Moved by Councillor Leahy  
Seconded by Councillor Bozinovski

That leave be granted to introduce By-laws # 8127-24 to # 8143-24 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 # 8127-24

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

Refer to Town of Whitby Mayoral Decision # 02-2024 regarding the 2025 to 2027 Strong Mayor’s Budget. In accordance with subsection 7(14) of Ontario Regulation 530/22, the 2025 to 2027 Strong Mayor’s Budget was deemed adopted by The Corporation of the Town of Whitby effective November 29, 2024.

13.2 By-law # 8128-24

Being a By-law to provide for an interim tax levy for the year 2025.

Refer to FS 24-24, 2025 Interim Property Tax Billing

13.3 By-law # 8129-24

Being a By-law to Authorize the temporary borrowing of an amount not to exceed \$68,925,000 from January 1 to September 30, 2025, and \$34,463,000 from October 1 to December 31, 2025, 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 26-24, Temporary Borrowing By-law

13.4 By-law # 8130-24

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

Refer to PDP 51-24, DEV-22-24: Zoning By-law Amendment Application, William Feaver, 7595 Duffs Road, File No. Z-10-24

13.5 By-law # 8131-24

Being a By-law to appoint Kathryn Douglas as a Deputy Clerk.

13.6 By-law # 8132-24

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2019-01) as not being subject of Part Lot Control.

13.7 By-law # 8133-24

Being a By-law to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PDP 49-24, DEV-19-24: Zoning By-law Amendment Application, Brookfield Residential (Ontario) Brock St Limited, 1615 Brock Street South, File No. Z-08-24

13.8 By-law # 8134-24

Being a By-law to dedicate Parts 1 and 2 on Plan 40R-32594, as a Public Highway (Gathering Place).

13.9 By-law # 8135-24

Being a By-law to authorize the disposition and conveyance of approximately 0.637 acres of land being the westerly portion of the property municipally known as 150 Winchester Road West, legally described as part of Block 232, Plan 40M-1966, subject to an easement over Part 10, Plan 40R-19041 as in LT902785, being part of PIN 26572-0369(LT), Town of Whitby, Regional Municipality of Durham (the "Lands") to Elexicon Energy Inc. in accordance with Section 18 of the License Agreement, as may be amended.

Refer to FS 40-24, 150 Winchester Road West - Public Engagement on Surplus Land Declaration

13.10 By-law # 8136-24

Being a By-law to adopt Amendment Number #140 to the Official Plan of the Town of Whitby.

Refer to PDP 50-24, Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment, Nordeagle Development Ltd., vacant lands north of Victoria Street West, between Montecorte Street and Jim

Flaherty Street. File # DEV-03-18 (OPA-2018-W/02, SW-2018-01, Z-08-18)

13.11 By-law # 8137-24

Being a By-law to amend By-law #2585, as amended, being the Zoning By-law of the Town of Whitby.

Refer to PDP 50-24, Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment, Nordeagle Development Ltd., vacant lands north of Victoria Street West, between Montecorte Street and Jim Flaherty Street. File # DEV-03-18 (OPA-2018-W/02, SW-2018-01, Z-08-18)

13.12 By-law # 8138-24

Being a By-law to adopt Amendment Number 143 to the Official Plan of the Town of Whitby.

Refer to PDP 55-24, Town Initiated Official Plan Amendment and Zoning By-law Amendments – Changes to Accessory Apartment (Additional Dwelling Unit) Policies and Regulations (File: OPA-2024-W/01; Z-02-24)

13.13 By-law # 8139-24

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2014-04) as not being subject of Part Lot Control.

13.14 By-law # 8140-24

Being a By-law to amend Traffic By-law # 8059-24, as amended, being a By-law to Regulate Traffic and Parking on the Highways, Private and Municipal property within the Town of Whitby.

Refer to LS 16-24, Proposed Amendments to the Traffic By-law 8059-24, as amended

13.15 By-law # 8141-24

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

Refer to PDP 55-24, Town Initiated Official Plan Amendment and Zoning By-law Amendments – Changes to Accessory Apartment (Additional Dwelling Unit) Policies and Regulations (File: OPA-2024-W/01; Z-02-24)

13.16 By-law # 8142-24

Being a By-law to amend By-law # 2585, as amended, being the Zoning By-law for the Town of Whitby.

Refer to PDP 55-24, Town Initiated Official Plan Amendment and Zoning By-law Amendments – Changes to Accessory Apartment (Additional Dwelling Unit) Policies and Regulations (File: OPA-2024-W/01; Z-02-24)

#### 13.17 By-law # 8143-24

Being a By-law to amend By-law # 5581-05, as amended, being the Zoning By-law for the Town of Whitby.

Refer to PDP 55-24, Town Initiated Official Plan Amendment and Zoning By-law Amendments – Changes to Accessory Apartment (Additional Dwelling Unit) Policies and Regulations (File: OPA-2024-W/01; Z-02-24)

It was the consensus of Council to consider Item 7, Correspondence, at this time.

#### 14. Closed Session

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

Moved by Councillor Bozinovski  
Seconded by Councillor Leahy

That Council move in-camera in accordance with Procedure By-law # 8081-24, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(b) personal matters about an identifiable individual, including municipal or local board employees.

#### **Carried**

For Items 14.1 to 14.5, Council reviewed individual applicants for the purposes of considering suitability to serve on specific boards and/or committees.

14.1 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Renewal of Appointment and Appointments to the Accessibility Advisory Committee

14.2 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointment to the Whitby Sustainability Advisory Committee

- 14.3 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointments to the Road Watch Committee
- 14.4 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointments to the Spencer Community Centre Board of Directors
- 14.5 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointments to the Community Connection Executive Committee

15. Rising and Reporting

Motion to Rise

Moved by Councillor Bozinovski

Seconded by Councillor Shahid

That Council rise from the closed portion of the meeting.

**Carried**

15.1 Reporting Out

Mayor Roy advised that during the closed portion of the meeting, Council discussed matters related to personal matters about identifiable individuals.

- 15.2 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Renewal of Appointment and Appointments to the Accessibility Advisory Committee

**Resolution # 253-24**

Moved by Councillor Lee

Seconded by Councillor Leahy

- 1. That Council appoint the following individuals to the Accessibility Advisory Committee for the term ending November 14, 2026:
  - a. Larry Brual
  - b. Adam Lamplugh
  - c. Michael Richards

- d. Marta Swirydowicz
- 2. That Council appoint the following individuals to the Accessibility Advisory Committee for the term ending December 31, 2025:
  - a. Elizabeth Bryant
  - b. Magda Madsen
  - c. Rony Mathew

**Carried**

- 15.3 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointment to the Whitby Sustainability Advisory Committee

**Resolution # 254-24**

Moved by Councillor Lee  
Seconded by Councillor Leahy

That Council appoint Alex Van Camp to the Whitby Sustainability Advisory Committee for the term ending November 14, 2026.

**Carried**

- 15.4 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointments to the Road Watch Committee

**Resolution # 255-24**

Moved by Councillor Lee  
Seconded by Councillor Leahy

That Council appoint Colin Goodwin and Jay White to the Road Watch Committee for the term ending November 14, 2026.

**Carried**

- 15.5 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointments to the Spencer Community Centre Board of Directors

**Resolution # 256-24**

Moved by Councillor Lee  
Seconded by Councillor Leahy

That Council appoint Will Ellis and Colleen Quinn-Joyce to the Spencer Community Centre Board of Directors for the term ending November 14, 2026.

**Carried**

- 15.6 Confidential Memorandum from H. Ellis, Council and Committee Coordinator dated December 16, 2024 regarding Recommendation for Appointments to the Community Connection Executive Committee

**Resolution # 257-24**

Moved by Councillor Lee  
Seconded by Councillor Leahy

That Council appoint Sonya Narendra, Afzal Shaffeeullah, Will Ellis, Tina Fung, Tapabrata Neogi, and Daniel Singh to the Community Connection Executive Committee for the term ending November 14, 2026.

**Carried**

16. Confirmatory By-law

**Resolution # 258-24**

Moved by Councillor Shahid  
Seconded by Councillor Yamada

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 16, 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**

17. Announcements

18. Adjournment

Moved by Councillor Lee  
Seconded by Councillor Mulcahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:42 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor