



Regular Council Minutes

March 20, 2023, 7:00 p.m.
Council Chambers
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer
M. Hickey, Fire Chief
S. Klein, Director of Strategic Initiatives
J. Long, Head of Organizational Effectiveness
J. Romano, Commissioner of Community Services
F. Santaguida, Commissioner of Legal and Enforcement
Services/Town Solicitor
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
M. Dodge, Executive Advisor to the Mayor
K. Narraway, Manager of Legislative Services/Deputy Clerk
K. Douglas, 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. Adoption of Minutes

Regular Council - January 30, 2023

Special Council - January 30, 2023

Special Council - February 6, 2023

Special Council - February 13, 2023

Special Council - February 16, 2023 (9:30 a.m.) (Confidential Minutes Under Separate Cover)

Special Council - February 16, 2023 (7:00 p.m.)

Special Council - February 27, 2023

Special Council - March 6, 2023 (9:30 a.m.) (Confidential Minutes Under Separate Cover)

Special Council - March 6, 2023 (5:30 p.m.) (Confidential Minutes Under Separate Cover)

Resolution # 60-23

Moved by Councillor Lee

Seconded by Councillor Bozinovski

That the Regular Council Minutes of January 30, 2023 and the Special Council Minutes of January 30, February 6, February 13, February 16 (9:30 a.m.), February 16 (7:00 p.m.), February 27, March 6 (9:30 a.m.) and March 6 (5:30 p.m.), 2023 be approved.

Carried

5. Presentations

5.1 Oshawa Vikings Rugby Club

Recognition: International Mixed Ability Rugby Tournament, 2nd Place Finishers

Mayor Roy attended the dais and was joined by Councillor Bozinovski. Members of the Oshawa Vikings Rugby Club were welcomed onto the dais and recognized for their 2nd place finish at the International Mixed Ability Rugby Tournament.

6. Delegations

Moved by Councillor Yamada
Seconded by Councillor Lee

That the rules of procedure be suspended to hear the delegations from Michael Testaguzza, The Biglieri Group, representing the owner of 1085 Columbus Road and Rachelle Larocque, The Biglieri Group, representing the owner of 6373 Country Lane regarding Item 8.7, Planning and Development Department Report, PDP 10-23.

Carried on a Two Thirds Vote

- 6.1 Michael Testaguzza, The Biglieri Group, representing the owner of 1085 Columbus Road (In-Person Attendance)

Refer to Item 8.7, PDP 10-23

Michael Testaguzza, The Biglieri Group, representing the owner of 1085 Columbus Road provided a PowerPoint presentation regarding Envision Durham - Draft Regional Official Plan and the proposed land use designation for 1085 Columbus Road. Highlights of the presentation included:

- the land use designation proposed by Envision Durham, being major open space areas and employment areas with a Regional corridor overlay;
- a request from the owner to Durham Region that a portion of the lands be designated as community areas; and,
- the land use designations of neighbouring properties.

A question and answer period ensued between Members of Council and Michael Testaguzza regarding communication between the property owner and the Region of Durham.

- 6.2 Rachelle Larocque, The Biglieri Group, representing the owner of 6373 Country Lane (In-Person Attendance)

Refer to Item 8.7, PDP 10-23

Rachelle Larocque, The Biglieri Group, representing the owner of 6373 Country Lane provided a PowerPoint presentation regarding Envision Durham - Draft Regional Official Plan and the proposed land use designation for 6373 Country Lane. Highlights of the presentation included:

- the land use designation proposed by Envision Durham, being employment areas;
- a request from the owner to Durham Region that the lands be designated as community areas; and,
- the land use designations of neighbouring properties.

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

- ownership of the adjacent properties to the north of the subject land;
- the number of residential units that the subject land may accommodate;
- communication between the owner and the Region of Durham; and,
- clarification regarding the process of requesting that the Region of Durham change the land use designation.

7. Correspondence

7.1 Correspondence

That the following requests be endorsed:

- International Dark Sky Week - April 15-22, 2023
- Earth Day - April 22, 2023
- Building Safety Month - May 2023
- Guillain-Barré Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Month - May 2023
- Fibromyalgia Awareness Day - May 12, 2023
- Menstrual Health Day - May 28, 2023
- Rett Syndrome Awareness Month - October 2023

Resolution # 61-23

Moved by Councillor Lundquist

Seconded by Councillor Leahy

That the proclamations for International Dark Sky Week, Earth Day, Building Safety Month, Guillain-Barré Syndrome and Chronic Inflammatory Demyelinating Polyneuropathy Awareness Month, Fibromyalgia Awareness Day, Menstrual Health Day, and Rett Syndrome Awareness Month be endorsed.

Carried

- 7.2 Memorandum from J. Romano, Commissioner of Community Services, dated March 20, 2023 regarding 2023 Days of Significance for Proclamations (March-December)

Resolution # 62-23

Moved by Councillor Shahid
Seconded by Councillor Cardwell

That the proclamations from March to December 2023 outlined in the Memorandum from J. Romano, Commissioner of Community Services, dated March 20, 2023, be endorsed.

Carried

8. Committee of the Whole Report - Planning and Development

Planning and Development - February 27 and March 6, 2023

- 8.1 2022-625 - Correspondence received by C. Harris, Town Clerk from D. Jones and W. Abel, residents, dated November 15, 2022 regarding Port Whitby Traffic Petition

Resolution # 63-23

Moved by Councillor Lee
Seconded by Councillor Leahy

1. That Correspondence 2022-625 received by C. Harris, Town Clerk from D. Jones and W. Abel, residents, dated November 16, 2022 regarding a Port Whitby traffic petition be received for information; and,
2. That Staff be directed to review the need for traffic calming in the Port Whitby neighbourhood using data driven decision making as part of the development of a Town-wide traffic calming strategy.

Carried

8.2 PDP 61-22, Planning and Development (Planning Services) Department Report

Re: Final Recommended Official Plan Amendment, Downtown Whitby Community Secondary Plan, File Number: DEV-21-20 (OPA-2020-W/03)

Resolution # 64-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council adopt Amendment 126 to the Whitby Official Plan, regarding the updated Downtown Whitby Community Secondary Plan, as outlined in Report PDP 61-22;
2. That the Clerk forward the necessary documentation for the Official Plan Amendment to the appropriate approval authority, within fifteen days of adoption of Amendment 126 to the Whitby Official Plan; and,
3. That the Clerk send a Notice of Council's adoption of Amendment 126 to those persons and agencies who have requested further notification regarding the Downtown Whitby Secondary Plan Update.

Carried

8.3 PDP 07-23, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application to Remove the Holding (H) Symbol, NF Hopkins Ltd., 901 Hopkins Street, File Number: DEV-29-22 (Z-20-22)

Resolution # 65-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve an Amendment to Zoning By-law # 2585 (File No. Z-20-22) for the removal of the Holding (H) Symbol, as outlined in Planning Report PDP 07-23; and,

2. That a by-law to amend Zoning By-law # 2585 be brought forward for consideration by Council.

Carried

- 8.4 PDP 08-23, Planning and Development (Planning Services)
Department and Office of the Chief Administrative Officer Joint Report
Re: Affordable Housing Initiative – Hickory Street South and Dunlop Street East

Resolution # 66-23

Moved by Councillor Lee
Seconded by Councillor Leahy

1. That Council direct staff to list the municipally owned property located at the northeast corner of Hickory Street and Dunlop Street East and a portion of the municipally owned property located on the south side of Dunlop Street East, as identified on Attachment #1 to Report No. PDP 08-23, on the Region of Durham's surplus land website for the potential creation of affordable housing; and,
2. That staff report back to Council on the interest received for affordable housing opportunities on the subject properties.

Carried

- 8.5 Municipal Housing Pledge

Discussion ensued between Members of Council regarding concerns with Envision Durham and the importance of public consultation.

Resolution # 67-23

Moved by Councillor Lee
Seconded by Councillor Leahy

Whereas on October 25, 2022 the Minister of Municipal Affairs and Housing issued a letter to the Town of Whitby recognizing the Province's commitment to build 1.5 million homes by 2031 and assigning a Municipal Housing Target of 18,000 new homes in Whitby to assist with achieving this target.

And whereas, the Minister also requested the Town to demonstrate its commitment to accelerating housing supply by developing a Municipal Housing Pledge and take the necessary steps to facilitate the construction of 18,000 new homes in Whitby by 2031, and delivering that pledge to the Minister by March 22, 2023.

And whereas, the Town has a considerable inventory of housing units approved or in the approval process (i.e. 18,118 units), including 4,123 low density, 4,925 medium density and 9,070 high density units.

And whereas, the Town has additional greenfield land inventory within the West Whitby and Brooklin Community Secondary Plan areas to accommodate draft plan of subdivision applications, and considerable infill/intensification opportunities, which will further increase the potential housing yield.

And whereas, the Town has experienced a considerable increase in the number of building permits for residential units in the recent past, including 2,360 permits in 2021 and 1,777 permits in 2022, with an expectation to continue such volume of permits into the future.

Now therefore, the Town of Whitby Council pledges its commitment to facilitate the development of 18,000 new homes by 2031 through the following initiatives/activities:

- Implement and/or update Official Plan Policies, including the following:
 - Continue to implement recent Official Plan policy adjustments to increase the proportionate share of medium and high density residential units in strategic areas of the Town, such as designated Centers, Corridors and the Whitby GO Station and Port Whitby areas;
 - Initiate an update to the Town of Whitby Official Plan to comply with recent changes to the Growth Plan for the Greater Golden Horseshoe and pending new Official Plan for the Region of Durham;
 - Initiate an update to strengthen the policy basis for medium and high density residential units within the Whitby GO Major Transit Station Area (MTSA).
- Complete the on-going Comprehensive Review and Update of the Town's Zoning By-laws, including the following:

- Including permissive policies to support accessory units in ground related housing forms;
- Including contemporary regulations to accommodate a wide range of housing types as-of-right.
- Develop a Housing Acceleration Strategy and Implementation Plan, including such matters as the following:
 - Confirmation and/or expansion of strategic development areas designated in the Whitby Official Plan;
 - Recognition of updated/contemporary zoning regulations through the Comprehensive Zoning By-law Review and Update;
 - Development of municipal fiscal resources to support the cost of new housing and related infrastructure;
 - Co-ordinate with the Region of Durham to develop a servicing plan to accommodate new growth in Whitby;
 - Identification of public lands with development or redevelopment potential.
- Capitalize on funding sources, such as the Streamline Development Fund to further advance on-line portal development for Planning Act and Ontario Building Code Act related applications, recognizing the on-line application resources have been established and will continue to be expanded upon.
- Continue to collaborate with the Region of Durham to ensure major servicing infrastructure (water, sewer, roads) is available when needed.

Notwithstanding the Town of Whitby's Municipal Housing Pledge herein, it is recognized that there are many influences outside the control of the Town, which should not reflect upon the Town's performance to achieve the Municipal Housing Target of 18,000 homes by 2031, including but not limited to the following:

- Interest rates;
- Inflation;
- Supply chain issues;
- Availability of labour force/skilled trades in housing construction;

- Housing market;
- Developer's desire to proceed with construction;
- Provision of Regional infrastructure;
- Planning approvals shifting to the Provincial level from the Region of Durham;
- Additional, unforeseen legislative changes to planning and building approvals processes;
- Shortage of talent pool for Planning, Engineering and Building professionals required to review and process development applications.

The Council of the Town of Whitby makes this pledge recognizing that there is a shared responsibility with the development community to deliver on the creation of desirable communities where residents can live, work and play, not just live. Also recognizing that the Town's responsibility to support new and existing residents will remain long after the new housing is constructed.

The Council of the Town of Whitby requests further dialogue with the Province regarding definitions related to Bill 23 and regulations thereto, and looks forward to further discussions with the Minister of Municipal Affairs and Housing in April 2023 regarding the impacts of Bill 23, and related Development Charge shortfalls, what legislative provisions will be directed at the development community to pass along, dollar for dollar, any savings achieved through Bill 23, and legislative amendments to incent developers to "use it or lose it" with respect to approved development applications or permits.

That the Clerk be directed to circulate a copy of this resolution to the Minister of Municipal Affairs and Housing, the Regional Municipality of Durham, Durham Area Municipalities, and all Durham Region MPPs.

Carried

8.6 PDP 09-23, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Condominium Application, Garden Street Developments Inc., 4335 Garden Street, File Number: DEV-35-22 (CW-2022-02 and CW-2022-03)

Resolution # 68-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve a Draft Plan of Condominium – Common Element (File No. CW-2022- 02) subject to the comments included in Planning Report PDP 09-23 and the Conditions of Approval, included in Attachment #5;
2. That Council approve a Draft Plan of Condominium - Standard (File No. CW-2022-03) subject to the comments included in Planning Report PDP 09-23 and the Conditions of Approval, included in Attachment #5;
3. That the Mayor and Clerk be authorized to execute the Condominium Agreements and any other necessary documents; and,
4. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham, of Council's decision.

Carried

8.7 PDP 10-23, Planning and Development (Planning Services) Department Report

Re: Envision Durham – Draft Regional Official Plan

Discussion ensued between Members of Council regarding concerns with the land use designations proposed by Envision Durham - Draft Regional Official Plan.

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

- employment land that has been re-designated for residential use along Highway 407;
- improving access to employment lands along Highway 407 through the construction of a service road;
- the availability of land proposed by Envision Durham to accommodate residential growth;
- ensuring the protection of employment land;

- clarification regarding road access to the proposed new employment area within the vicinity of Highway 407, west of Country Lane to Lake Ridge Road;
- communication with Durham Region to address challenges faced in Downtown Whitby concerning the Rapid Transit Corridor;
- ensuring Envision Durham supports population and employment growth;
- confirmation that Envision Durham does not impact the Greenbelt Plan Area within Whitby;
- whether Envision Durham supports affordable housing initiatives; and,
- whether Envision Durham impacts the creation and/or modification of policies concerning affordable housing.

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Report PDP 10-23 be endorsed as the Town's comments on the Envision Durham draft Regional Official Plan; and,
2. That the Clerk forward a copy of Report PDP 10-23 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried later in the meeting (See following motion)

Moved by Councillor Lee

Seconded by Councillor Leahy

That the main motion be amended to include a new Item 2 and that the remaining item be renumbered accordingly:

2. That the lands municipally known as 1085 Columbus Road and lands in the vicinity of 6373 Country Lane be designated Community Areas on Map 1. Regional Structure – Urban & Rural Systems, rather than Employment Areas as proposed in the new Regional Official Plan.

Motion Lost

The main motion was then carried as follows:

Resolution # 69-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Report PDP 10-23 be endorsed as the Town's comments on the Envision Durham draft Regional Official Plan; and,
2. That the Clerk forward a copy of Report PDP 10-23 to the Durham Region Planning and Economic Development Department and the Durham area municipalities.

Carried

8.8 PDP 11-23, Planning and Development (Planning Services) Department Report

Re: Temporary Use Zoning By-law Amendment Extension, Town Brewery Inc., 1632 Charles Street, File Number: DEV-03-23 (Z-02-23)

Resolution # 70-23

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve a proposed Zoning By-law Amendment (Application #Z-02-23) for the extension of a temporary use at 1632 Charles Street. The temporary use is for the continuation of a craft brewery (Town Brewery) for an additional three year period; and,
2. That the Zoning By-law Amendment be brought forward for Council's consideration.

Carried

9. Committee of the Whole Report - General Government

General Government - February 27 and March 6, 2023

9.1 CAO 04-23, Office of the Chief Administrative Officer Report

Re: Memorandum of Understanding between the Town of Whitby and the Canadian Musicians Co-operative

Resolution # 71-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

1. That Report CAO 04-23 be received for information;
2. That the Town enter into a three-year Memorandum of Understanding with the Ontario Musicians Co-operative Inc. (operating as the Canadian Musicians Co-operative) effective January 1, 2023 to January 1, 2026;
3. That the CAO and Commissioner Financial Services/Treasurer be authorized to execute the Memorandum of Understanding, and be delegated the authority to make amendments thereto subject to such amendments being mutually agreed upon by the Canadian Musicians Co-operative and the Town; and,
4. That Council provide an exemption to the Public Nuisance By-law \$ 6714-13 for the duration of the Memorandum of Understanding with respect to the ability of Canadian Musicians Co-operative Performers to be able to receive a voluntary gratuity as part of the program.

Carried

9.2 CAO 05-23, Office of the Chief Administrative Officer Report

Re: Roebuck Street Placemaking Project

Discussion ensued between Members of Council regarding support for the Roebuck Street Placemaking Project. Members of Council also inquired about whether similar placemaking projects will take place in the future.

Resolution # 72-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That Council approve the semi-permanent closure of Roebuck Street in Downtown Brooklin (June to mid-September) to support placemaking opportunities and create an outdoor community gathering space.

Carried

9.3 CAO 06-23, Office of the Chief Administrative Officer and Financial Services Department Joint Report

Re: Community Development Funds - 2022 Annual Report

Resolution # 74-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Report CAO 06-23 regarding the 2022 Annual Report for the Mayor's Community Development Fund and the Performing Arts Community Development Fund be received for information; and,
2. That Council approve the updated Mayor's Community Development Fund and Performing Arts Community Development Fund Policy as shown in Attachment 4.

Carried

9.4 CAO 03-23, Office of the Chief Administrative Officer

Re: Public Art Policy Framework

Resolution # 75-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Report CAO 03-23 be received for information;
2. That Council endorse the Public Art Policy Framework as presented in Report CAO 03-23; and,
3. That Staff be directed to prepare a final Public Art Policy to be presented to Council in Q4 2023.

Carried

9.5 Durham Meadoway – Green Energy Projects

A question and answer period ensued between Members of Council and Staff regarding the timeline for completion of the Durham Meadoway.

Resolution # 76-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Whitby Town Council urge the Region of Durham to broaden the scope of the Durham Meadoway Visioning Study to include the possibility of green energy projects on the Gatineau Hydro Corridor through Durham in addition to the proposed multi-use path for active transportation; and,
2. That the Clerk be directed to forward a copy of this motion to the Region of Durham and Whitby Sustainability Advisory Committee.

Carried

9.6 Protecting Whitby's Urban Forest Canopy

Discussion ensued between Members of Council regarding the importance of protecting trees of significance.

Resolution # 77-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

That staff report back on the opportunity to protect trees of significance on private lands in order to preserve Whitby's urban forest canopy.

Carried

9.7 CAO 08-23, Office of the Chief Administrative Officer Report

Re: Ready Set Future: Durham Region's Five-Year Economic Development and Tourism Strategy and Action Plan

Discussion ensued between Members of Council and Staff regarding the importance of collaborating with the Region of Durham to ensure alignment with the Town's Economic Development Strategy and Destination Whitby Tourism Strategy.

Resolution # 78-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

That Report CAO 08–23 be received for information.

Carried

9.8 FS 11-23, Financial Services Department and Office of the Chief Administrative Officer Joint Report

Re: Downtown Whitby Business Improvement Area (BIA) 2023 Budget and 2022 Reporting

A question and answer period ensued between Members of Council and Staff regarding the financial impact of the special tax levy on businesses within the Downtown Whitby Business Improvement Area (BIA).

Resolution # 79-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Council receive the proposed 2023 Detailed Program of Improvement, and Beautification and Maintenance and the 2022 Annual Report, (Attachments 2 and 3 of Report FS 11-23), from the Downtown Whitby Business Improvement Area Board; and,
2. That Council approve the Downtown Whitby Business Improvement Area Board's proposed 2023 Budget, (as outlined in Attachment 1 of Report FS 11-23), inclusive of a \$210,000 special tax levy for businesses within the Downtown Business Improvement Area.

Carried

9.9 FS 02-23, Financial Services Department Report

Re: 2022 Remuneration and Expenses for Mayor and Members of Council and Council Appointees to Boards

Resolution # 80-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

That Report FS 02-23 regarding 2022 Remuneration and Expenses for Members of Council and Council Appointees to Boards be received for information.

	For	Against	Conflict
Mayor Roy	X		

Councillor Bozinovski	X		
Councillor Cardwell	X		
Councillor Leahy	X		
Councillor Lee	X		
Councillor Lundquist		X	
Councillor Mulcahy	X		
Councillor Shahid	X		
Councillor Yamada	X		
Results	8	1	0

Carried on a Recorded Vote (8 to 1)

9.10 FS 05-23, Planning and Development (Engineering Services) Department and Financial Services Department Joint Report

Re: T-25-2022 Streetlight Installation at Various Locations

Resolution # 81-23

Moved by Councillor Yamada

Seconded by Councillor Shahid

1. That Tender T-25-2022 be awarded to Hard-Co Construction Ltd., for Streetlight Installation at Various Locations, in the amount of \$354,825.33 (plus applicable taxes) to be funded from the capital project listed in Table 3 of Report FS 05-23; and,
2. That the Mayor and Clerk be authorized to execute the contract documents.

Carried

9.11 FS 09-23, Financial Services Department Report

Re: Procurement Policy

Resolution # 82-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

1. That Council approve and endorse the new Procurement Policy (Policy # F 080) included in Attachment 1 of Report FS 09-23;
2. That the existing Purchasing Policy be repealed; and,
3. That Council direct staff to review the Procurement Policy every 5 years.

Carried

9.12 FS 10-23, Financial Services Department Report

Re: Revision to Council Expense Policy (G 050)

Resolution # 83-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That the revised Council Expense Policy (Policy # G050) be approved, in accordance with Report FS 10-23 and the Memorandum from F. Wong, Commissioner of Financial Services/Treasurer, dated March 15, 2023 regarding Council Expense Policy Correction - Revised on March 20, 2023.

Carried

9.13 Refrigerated Outdoor Ice Rinks or Skating Trails

Resolution # 84-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

Whereas the ongoing pilot project for natural outdoor ice rinks has proved challenging due to fluctuating winter temperatures; and,

Whereas outdoor ice rinks provide the community with an affordable opportunity to be active during the winter months; and,

Whereas building the Whitby Sports Complex will provide the potential to reuse the refrigeration plant at the Luther Vipond Memorial Arena to offset

some of the capital costs associated with a refrigerated outdoor ice facility.

Now therefore be it resolved:

That following the tender results for the Whitby Sports Complex and as part of the development of the Parks and Recreation Master Plan, that Staff be directed to report on opportunities to install refrigerated outdoor ice rinks or skating trails in the Town.

Carried

9.14 Ocean Pearl Park Shade Structure

Note: This item was referred at Committee.

9.15 School Zone Parking Enforcement Staff

Discussion ensued between Members of Council regarding support for enhanced school zone parking enforcement through additional staffing resources.

Resolution # 85-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

That Staff be directed to review the opportunity for enhanced school zone parking enforcement through additional staffing resources, and include an analysis of whether such resources would be revenue neutral.

Carried

9.16 Urging the Province to Require a Safe-Arrival Policy for Provincially Licensed Child Care Providers

Resolution # 86-23

Moved by Councillor Yamada
Seconded by Councillor Shahid

Whereas the Government of Ontario instituted a Safe-Arrival Policy for schools in 1999 requiring each district school board, school authority, and the Provincial Schools Branch to develop a safe-arrival program to report unexplained student absences in a timely manner to parents, guardians, or caregivers; and,

Whereas there is no requirement for Provincially licensed child care providers to have safe-arrival programs in place; and,

Whereas requiring safe-arrival programs for Provincially licensed child care providers may help prevent avoidable tragedies involving children, such as the June 2022 death of a toddler who was unintentionally left in a hot car for a prolonged period of time when his parent reported to work after failing to deliver the child to his daycare provider.

Now therefore be it resolved:

1. That the Council of the Town of Whitby requests the Province of Ontario to require a Safe-Arrival Policy be developed and implemented by provincially licensed child care providers to enhance the safety of all children enrolled in their programs by reporting unexplained child absences in a timely manner to parents, guardians, or caregivers; and,
2. That the Clerk be directed to send this resolution to Premier Ford, the Minister of Education, the Regional Municipality of Durham, Durham Area Municipalities, and all Durham MPPs.

Carried

10. For information only - Committee of the Whole Minutes of February 27 and March 6, 2023.

11. Notice of Motion

There were no notices of motion.

12. New and Unfinished Business

There was no new and unfinished business.

13. By-laws

Resolution # 87-23

Moved by Councillor Bozinovski

Seconded by Councillor Lee

That leave be granted to introduce By-laws # 7967-23 to # 7982-23 and to dispense with the reading of the by-laws by the Clerk and that the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

13.1 By-law # 7967-23

Being a By-law to appoint Michael Hickey as Fire Chief.

Refer to CAO 07-23, Appointment of Fire Chief

13.2 By-law # 7968-23

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

Refer to PDP 07-23, Zoning By-law Amendment Application to Remove the Holding (H) Symbol, NF Hopkins Ltd., 901 Hopkins Street, File Number: DEV-29-22 (Z-20-22)

13.3 By-law # 7969-23

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

Refer to PDP 04-23, Zoning By-law Amendment Application, 305 St. John Street West, File Number: DEV-26-22 (Z-18-22)

13.4 By-law # 7970-23

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2018-03) as not being subject of Part Lot Control.

13.5 By-law # 7971-23

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2002-06, and S-204-89) as not being subject of Part Lot Control.

13.6 By-law # 7972-23

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2018-06) as not being subject of Part Lot Control.

13.7 By-law # 7973-23

Being a By-law to designate certain portions of a registered Plan of Subdivision (SW-2017-03) as not being subject of Part Lot Control.

13.8 By-law # 7974-23

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.

13.9 By-law # 7975-23

Being a By-law to dedicate to dedicate Part 19 on Plan 40R-14106, as a Public Highway (McQuay Boulevard).

13.10 By-law # 7976-23

Being a By-law to designate the Malcolm McTaggart House on the property municipally known as 9455 Baldwin Street North, PLAN 111 PT LOT 28, 29, 32, 38, as being of cultural heritage value and interest.

13.11 By-law # 7977-23

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

Refer to PDP 66-22, Ontario Bill 109, More Homes for Everyone Act, 2022, FS 06-23, Recommended 2023 Operating and Capital Budget and the Memorandum dated February 13, 2023 regarding Report FS 06-23 Recommended 2023 Operating and Capital Budget, User Fees Rates and Charges – Correction

13.12 By-law # 7978-23

Being a By-law to adopt Amendment Number 127 to the Official Plan of the Town of Whitby.

Refer to PDP 39-22, Official Plan Amendment, Draft Plan of Subdivision, and Zoning By-law Amendment Applications, Brookfield Residential, 100 Garden Street and 604 Dundas Street East, File Numbers: DEV-26-21 (OPA-2021-W/08, SW-2021-09, Z-16-21)

13.13 By-law # 7979-23

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

Refer to PDP 39-22, Official Plan Amendment, Draft Plan of Subdivision, and Zoning By-law Amendment Applications, Brookfield Residential, 100 Garden Street and 604 Dundas Street East, File Numbers: DEV-26-21 (OPA-2021-W/08, SW-2021-09, Z-16-21)

13.14 By-law # 7980-23

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

Refer to PDP 11-23, Temporary Use Zoning By-law Amendment Extension, Town Brewery Inc., 1632 Charles Street, File Number: DEV-03-23 (Z-02-23)

13.15 By-law # 7981-23

Being a By-law to adopt Amendment Number 126 to the Official Plan of the Town of Whitby.

Refer to PDP 61-22, Final Recommended Official Plan Amendment, Downtown Whitby Community Secondary Plan, File Number: DEV-21-20 (OPA-2020-W/03)

13.16 By-law # 7982-23

Being a By-law to dedicate Parts 1 and 4 on Plan 40R-31906, as a Public Highway (Dufferin Street).

14. Confirmatory By-law

Resolution # 88-23

Moved by Councillor Cardwell
Seconded by Councillor Mulcahy

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 March 20, 2023 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

15. Adjournment

Moved by Councillor Yamada
Seconded by Councillor Bozinovski

That the meeting adjourn.

Carried

The meeting adjourned at 8:02 p.m.

Kevin Narraway, Deputy Clerk

Elizabeth Roy, Mayor