

**Present:** Mayor Mitchell (participating electronically)  
Councillor Drumm (participating electronically)  
Councillor Leahy (participating electronically)  
Councillor Lee (participating electronically)  
Councillor Mulcahy (participating electronically)  
Councillor Newman (participating electronically)  
Councillor Roy (participating electronically)  
Councillor Shahid (participating electronically)  
Councillor Yamada (participating electronically)

**Also Present:** H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager, Legislative Services/Deputy Clerk  
(Recording Secretary)

**Regrets:** None noted

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1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

Moved By Councillor Newman  
Seconded By Councillor Leahy

That Council move in-camera in accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried**

2. Closed Session

2.1 Toronto-Guild Investments Limited v. Town of Whitby – LPAT Appeal

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

3. Rising and Reporting

**3.1 Motion to Rise**

Moved By Councillor Drumm  
Seconded by Councillor Newman

That Council rise from the closed portion of the meeting.

**Carried**

**3.2 Reporting Out**

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed matters related to litigation or potential litigation, including matters before administrative tribunals. They also received advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Moved By Councillor Newman  
Seconded By Councillor Leahy

That Council recess until the conclusion of the Committee of the Whole meeting at 7:00 p.m.

**Carried**

Council recessed at 6:51 p.m. and reconvened at 7:50 p.m.

Moved By Councillor Roy  
Seconded By Councillor Leahy

That Council suspend the rules of procedure to allow the introduction of a motion regarding the Region of Durham's potential return to modified stage 2 COVID-19 restrictions.

**Carried**

4. Potential Return to Modified Stage 2 COVID-19 Restrictions

- 4.1** Councillor Roy introduced the motion regarding the Region of Durham's potential return to modified stage 2 COVID-19 restrictions. She explained that the majority of businesses in the Region were trying to stay open by implementing safety protocols. She emphasized the need for the residents of Durham Region to continue to work diligently to keep the number of COVID-19 cases in the Region low. She indicated that the overall health of the community is the top priority, but that there is also a need to support the local economy while following COVID-19 safety protocols.

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

- how Staff could work with the Chamber of Commerce, the Downtown Whitby Business Improvement Area, the Region of Durham Health Department, and local businesses to identify ways to safely support local businesses;
- the need for continued enforcement when there is non-compliance with COVID-19 safety protocols to keep the community safe and to support keeping local businesses open;
- using objective measures and evidence to justify the closure of businesses when it can be demonstrably shown that certain business sectors contribute to the spread of COVID-19; and,
- contact tracing and the ability to determine which sectors contribute to the spread of COVID-19.

#### **Resolution # 209-20**

Moved By Councillor Roy

Seconded By Mayor Mitchell

Whereas the restaurant, hospitality, fitness and other personal service sectors in Whitby have been particularly impacted by lockdown measures intended to slow the transmission of COVID-19;

And whereas many business owners in these sectors have made substantial investments in a time of declining revenues to modify their spaces and acquire personal protective equipment to ensure a safe environment for their employees and customers;

And whereas most business owners in this sectors in Whitby have followed public health guidelines through the pandemic and have seen no evidence that they are a source of community transmission;

And whereas a further lockdown will then cause significant economic harm;

Now therefore be it resolved:

1. That the Province be requested to adopt a targeted approach, backed by conclusive local data, on the restaurant, hospitality, fitness and other personal service sectors in Whitby prior to requiring additional restrictions; and,
2. That in support of the Town's Economic Recovery Plan, that Staff continue ongoing collaboration with all stakeholders to ensure support for businesses and the health and safety of the community; and,
3. That the Clerk be directed to circulate a copy of this resolution to the Premier, Minister of Health, Minister of Finance, M.P. Ryan Turnbull, Durham Region M.P.P.s, Durham Region Chief Medical Officer of Health, and Durham Region municipalities.

**Carried unanimously on a recorded vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
Mayor Mitchell	x		
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5. Confirmatory By-law

5.1 Confirmatory By-law

**Resolution # 210-20**

Moved By Councillor Shahid

Seconded By Councillor Newman

That leave be granted to introduce a by-law and to dispense with the

reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on October 26, 2020 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**

6. Adjournment

**6.1** Motion to Adjourn

Moved By Councillor Newman  
Seconded By Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:08 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor