

Present: Mayor Mitchell
Councillor Alexander
Councillor Leahy
Councillor Lee
Councillor Mulcahy
Councillor Newman
Councillor Roy
Councillor Shahid
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer
S. Beale, Commissioner of Public Works
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
J. Romano, Acting Commissioner of Community Services
R. Saunders, Commissioner of Planning and Development
S. Klein, Director of Strategic Initiatives
H. Ellis, Executive Advisor to the Mayor
C. Harris, Town Clerk
K. Narraway, Manager of Legislative Services/Deputy Clerk (Recording Secretary)

Regrets: None noted

1. Declarations of Pecuniary Interest

- 1.1 Mayor Mitchell declared a pecuniary interest under the Municipal Conflict of Interest Act regarding Item 7.7, Office of the Chief Administrative Officer Report, CAO 31-19, Hospital Task Force Update, as the lands under discussion in relation to the matter abut or sit upon a portion of 5455 Ashburn Road, a property that is owned by Mayor Mitchell and his family. Mayor Mitchell left the meeting during the discussion and voting on this matter.

2. Adoption of Minutes

- 2.1** Regular Council - October 28, 2019
Special Council - October 28, 2019
Special Council - November 12, 2019
Special Council - November 18, 2019 (Confidential Minutes under separate cover)

Resolution # 316-19

Moved By Councillor Lee
Seconded By Councillor Newman

That the Regular Council Minutes of October 28, 2019, and the Special Council minutes of October 28, 2019, November 12, 2019 and November 18, 2019 be adopted.

Carried

3. Presentations

- 3.1** Nathan Scullion
Award/Recognition: 2019 Gold Medal for Individual Accomplishment and Bronze Medal with Team - Special Olympics Provincials

Mayor Mitchell attended the dais and was joined by Councillor Yamada. Nathan Scullion was welcomed onto the dais and recognized for his accomplishment of winning the gold medal for his individual performance and bronze medal with his team in 5-pin bowling at the 2019 Special Olympics Provincials.

- 3.2** Cathy Jordan, Seniors Programmer
Award/Recognition: Award of Merit - Older Adult Centres' Association

Mayor Mitchell attended the dais and was joined by John Romano, Acting Commissioner of Community Services and Deputy Mayor Mulcahy. Cathy Jordan, Seniors Programmer was welcomed onto the dais and recognized for receiving an Award of Merit from the Older Adult Centres' Association for her exceptional work developing and implementing seniors programs in Whitby for over 20 years.

- 3.3** Ken Nix, Commissioner of Corporate Services/Treasurer and Duane Ramkissoon, Investment & Financial Analyst
Award/Recognition: 2019 Leadership Award - Municipal Finance Officers' Association

Mayor Mitchell attended the dais and was joined by Matthew Gaskell, Chief Administrative Officer and Councillor Alexander. Ken Nix, Commissioner of Corporate Services/Treasurer and Duane Ramkissoo, Investment & Financial Analyst were welcomed onto the dais and recognized for receiving the 2019 Leadership Award from the Municipal Finance Officers' Association for their work on the Prudent Investor Standards.

4. Delegations

4.1 David A. McKay, MHBC Planning

Re: Planning and Development Department Report, PL 89-19 - Revised DEV-12-18, Applications for Draft Plan of Subdivision (SW-2018-06), Official Plan and Zoning By-law Amendment (OPA-2018-W/03 and Z-23-18), 4335 Garden Street, by Signature 4335 Garden Inc.

David A. McKay, representing Signature Communities, appeared before Council and stated that he and his client support the Staff recommendation and that he would be available to answer questions from Members of Council about the applications.

4.2 Sean Male and Anna Rita Barbosa representing Optilinx Systems Inc.

Re: Planning and Development Department Report, PL 65-19 Whitby Official Plan Amendment and Zoning By-Law Amendment Applications for 4560 Thickson Road North (Optilinx) Files: DEV-01-16, OPA-2016-W/04, Z-19-16; Regional Official Plan Amendment Application (Optilinx) Regional File: OPA-2016-003

Sean Male, representing Optilinx Systems Inc. and Nick Conforti, owner of Optilinx Systems Inc. appeared before Council and requested a further deferral of one year to allow additional time to address matters related to environmental concerns on the property with the Central Lake Ontario Conservation Authority.

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

- efforts to find a property to re-locate the business and the challenges encountered;
- the need for the business to be centrally located within the Region; and,
- difficulties the owner has encountered navigating the development process.

5. Correspondence

- 5.1** That the following requests be endorsed:
- December 19, 2019 - Whitby Jersey Day
 - December 28 and 29, 2019 - Rogers Hometown Hockey Weekend

Resolution # 317-19

Moved By Councillor Newman
Seconded By Councillor Lee

That the proclamations for Whitby Jersey Day and Rogers Hometown Hockey Weekend be endorsed.

Carried

6. Committee of the Whole Report
Planning and Development - November 12, 2019

- 6.1** Planning and Development Department Report, PL 89-19
Re: DEV-12-18, Applications for Draft Plan of Subdivision (SW-2018-06), Official Plan and Zoning By-law Amendment (OPA-2018-W/03 and Z-23-18), 4335 Garden Street, by Signature 4335 Garden Inc.

Resolution # 318-19

Moved By Councillor Roy
Seconded By Councillor Leahy

1. That Council approve Official Plan Amendment Number 116 to the Whitby Official Plan (File: OPA-2018-W/03), as included in Attachment #7;
2. That a By-law to adopt Official Plan Amendment Number 116 be brought forward for consideration by Council;
3. That Council approve an amendment to Zoning By-law 1784, (File Z-23-18) as outlined in Report No. PL 89-19;
4. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council;
5. That Council approve the Draft Plan of Subdivision (File SW-2018-06) subject to the comments included in Report PL 89-19 and the conditions of draft plan approval included in Attachment #11;
6. That Staff be authorized to prepare a Subdivision Agreement;
7. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision; and,

8. That the Clerk forward a Notice of Council's decision, and copy of Report No. PL 89-19, two (2) copies of the adopted Amendment, and a copy of the By-law to adopt Amendment Number 116 to the Whitby Official Plan, to the Region of Durham's Commissioner of Planning and Economic Development.

Carried

- 6.2** Planning and Development Department Report, PL 87-19
Re: Zoning By-law Amendment Application - 1056626 Ontario Inc.,
Garden Street, File DEV-16-18 (Z-29-18)

A brief question and answer period ensued between Members of Council and Staff regarding the approval process for the site plan related to the application.

Resolution # 319-19

Moved By Councillor Roy
Seconded By Councillor Leahy

1. That Council approve an amendment to Zoning By-law 2585 (Application Z-29-18) as outlined in Report No. PL 87-19; and,
2. That the Zoning By-law Amendment be brought forward for the consideration by Council.

Carried

- 6.3** Planning and Development Department Report, PL 88-19
Re: DEV-20-19, Zoning By-law Amendment Application Z-12-19, Barnes Memorial Funeral Home, 5295 Thicksen Road North

Resolution # 320-19

Moved By Councillor Roy
Seconded By Councillor Leahy

1. That Council approve an amendment to Zoning By-law 1784 (Application Z-12-19) to permit a funeral establishment on the property as an exception to the Prestige Industrial designation, subject to the conditions contained in report PL 88-19; and,
2. That the Zoning By-law Amendment be brought forward for consideration by Council.

Carried

- 6.4** Planning and Development Department Report, PL 90-19
Re: Update to the Heritage Property Tax Rebate Program

Resolution # 321-19

Moved By Councillor Roy
Seconded By Councillor Leahy

1. That Council repeal By-law Nos. 5642-05, 6437-11, 6520-11 and 6602-12 and replace with the Proposed By-law included as Attachment #5 to Report PL 90-19, which consolidates previous By-laws and adds lands within the Werden's Plan Neighbourhood Heritage Conservation District as being eligible for the Heritage Property Tax Rebate Program; and,
2. That the Clerk forward a copy of the approved By-law and Report PL 90-19 to the Minister of Finance and the Region of Durham as required by Section 365.2(5) and (6) of the Municipal Act, 2001.

Carried

- 6.5** Gas Tax Funds

A brief discussion ensued between Members of Council regarding the importance of stabilizing the sources of funding for the gas tax funds and the need to rename the funding source going forward.

Resolution # 322-19

Moved By Councillor Roy
Seconded By Councillor Leahy

Whereas Canada has responded to the climate change emergency through commitments to a zero carbon future;

And Whereas there are global and national shifts in reducing greenhouse gas emissions from transportation by reducing reliance on fossil fuel powered vehicles; and,

And Whereas the Gas Tax Funds, which are permanent and much-valued sources of funding for municipal infrastructure priorities, derives

funding from fossil-fuel taxation, the use of which will be reduced in the coming years as dependence on them decreases.

Now therefore be it resolved:

1. That the Council of the Town of Whitby requests the Federal Government and Provincial Government ensure that funding for municipalities through their Gas Tax Funds remains sustainable to facilitate effective service delivery and infrastructure maintenance by having the funds supplemented through means other than the taxation of gas and diesel;
2. That the Federal Government and Provincial Government consider renaming their Gas Tax Funds to reflect more sustainable sources of funding;
3. That the Federal Government and Provincial Government consider providing a set dollar amount or an increasing percentage of revenue to municipalities as the reliance on fossil fuels is reduced; and,
4. That the Clerk be directed to circulate this resolution to the Region of Durham, Durham Region local municipalities, MPP Lorne Coe, MP Ryan Turnbull, AMO and FCM.

Carried

6.6 Regional Heritage Property Tax Rebate

Resolution # 323-19

Moved By Councillor Roy

Seconded By Councillor Leahy

1. That the Region of Durham be requested to support heritage preservation by adopting a by-law to provide a Regional property tax rebate for designated heritage properties, including those properties within heritage conservation districts; and,
2. That a copy of this resolution be sent to area municipalities in the Region of Durham.

Carried

7. Committee of the Whole Report General Government - November 12 and 18, 2019

7.1 Legal and Enforcement Services Department and Planning and

Development Department Joint Report, LS 20-19

Re: Market / Transit-Oriented Development Investigation – Whitby GO Station

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

- the number of users of the Whitby GO Station;
- opportunities for dedicated office space and restaurants to be located in the area;
- if a stand-alone office building is viable at this time;
- increasing parking in the area to meet demand for use of the Whitby GO Station;
- the Town's lease of 800 parking spaces to Metrolinx;
- discussions that have taken place between Staff and Metrolinx regarding the recent parking challenges at the site;
- the potential for businesses in Toronto to locate in Whitby, rather than residents leaving Whitby each day for employment in Toronto;
- GO Transit helping to support inter-Regional transit across Durham;
- timing of when lands owned by the Town would be made available for sale;
- the vision for the site and the importance of finding the right partner in order to achieve that vision;
- potential parking solutions identified by Metrolinx, including a temporary parking structure;
- ensuring that Metrolinx is a partner in the development project in order to ensure full integration with the GO Station;
- transit-oriented development occurring in other locations within the Greater Toronto Area; and,
- intensification of the site being needed to provide density for Port Whitby which will help to protect nearby neighbourhoods from further intensification.

Resolution # 324-19

Moved By Councillor Yamada

Seconded By Councillor Leahy

1. That Council receive Report LS 20-19 for information, together with the attached report from Pricewaterhouse Coopers LLP; and,
2. That Council direct staff to take the initiatives set out in Report LS 20-19 to support the potential future sale of the Town's lands adjacent to the Whitby GO Station, and to support the Whitby

Transit Village vision on the site.

Carried

- 7.2** Legal and Enforcement Services Department Report, LS 17-19
Re: Proposed Amendments to the Property Standards By-law

Resolution # 325-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

That the Town Clerk be directed to bring forward a by-law to amend the Property Standards By-law to give effect to the recommendations contained in Report LS 17-19.

Carried

- 7.3** Legal and Enforcement Services Department Report, LS 18-19
Re: Proposed Amendments to the Private Transportation Services By-law

Resolution # 326-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That the Town Clerk be directed to bring forward a by-law to amend the Private Transportation Services By-law to give effect to the recommendations contained in Report LS 18-19; and,
2. That the Town Clerk be directed to bring forward a by-law to amend the Fees and Charges By-law to give effect to the recommendations contained in Report LS 18-19.

Carried

- 7.4** Legal and Enforcement Services Department Report, LS 21-19
Re: Business Licensing By-law Amendment - Pawnbrokers Act

Resolution # 327-19

Moved By Councillor Yamada

Seconded By Councillor Leahy

1. That the Town Clerk be directed to bring forward a by-law to amend the Business Licensing By-law to give effect to the recommendations contained in Report LS 21-19; and,
2. That Staff be directed to undertake a complete review of the Town's Business Licensing By-law to look for opportunities for improvement throughout the by-law.

Carried

7.5 Corporate Services Department Report, CS 60-19
Re: Downtown Whitby Business Improvement Area Sublease of Office Space from Whitby Chamber of Commerce – 209 Dundas Street East, Suite B4, Whitby

A brief discussion ensued between Members of Council regarding the importance of having the Downtown Whitby Business Improvement Area and the Whitby Chamber of Commerce together in one location.

Resolution # 328-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Council authorize the Downtown Whitby Business Improvement Area (BIA) to enter into a sublease agreement with the Whitby Chamber of Commerce for office space located at 209 Dundas Street East, Suite B4, Whitby (the "Premises"); and,
2. That for purposes of multi-year financial commitments by the BIA, the authority for approval be delegated to the Commissioner of Corporate Services/Treasurer and Town Solicitor.

Carried

7.6 Office of the Town Clerk Report, CLK 12-19
Re: Contribution Rebate Program Review

A discussion ensued between Members of Council regarding:

- voter engagement and the need for engagement to be an ongoing effort between election cycles;
- engaging a broader audience and reaching more potential voters;
- establishing an engagement advisory group made up of business members and residents;

- analyzing low voter turnout in municipal elections and developing strategies to engage younger voters;
- the City of Vancouver's engagement initiatives, including increased communications, more advanced voting locations, outreach events, and grants for community engagement events;
- leveraging Staff and past candidates to get feedback about engagement ideas;
- the need for debates between municipal election candidates;
- the Contribution Rebate Program allowing candidates to invest in their campaigns and the increasing use of the program over previous election cycles; and,
- the rebate program allowing for greater fundraising opportunities for candidates.

Resolution # 329-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Option 2 contained within Staff Report CLK 12-19 be approved to amend the Town's Contribution Rebate Program;
2. That the Clerk be directed to bring forward an amendment to the Contribution Rebate By-law to give effect to the recommendations contained in this report;
3. That Item MD 4919 be removed from the General Government New and Unfinished Business List; and,
4. That the deadline for a contribution to be made and qualify for a contribution rebate align with the conclusion of the candidate's campaign period, including any supplementary period if applicable.

Carried on a recorded vote as follows:

	For	Against	Abstained
Councillor Alexander	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		
	6	3	0

It was the consensus of Council to move to Item 7.8 at this time.

7.7 Office of the Chief Administrative Officer Report, CAO 31-19
Re: Hospital Task Force Update

Having previously declared a conflict, Mayor Mitchell left the meeting and did not take part in the discussion or voting on this matter. Deputy Mayor Mulcahy assumed the Chair for this portion of the meeting.

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

- having elected officials advocate for a hospital in Whitby;
- elected officials in the City of Oshawa publically advancing their business case for a hospital;
- elected officials galvanizing support from the community and reaching out to the business community;
- the objective process that will be used to determine the location of the new hospital, and that a final decision will be made by the Ministry of Health;
- Lakeridge Health appreciating the Town's moderated approach;
- involving Council in engaging the community in later steps in the process;
- letters of clarification provided by the educational institutions in the Region which indicate that they support a hospital in Durham Region, not in any particular municipality;
- Whitby's growing population supporting the business case for a hospital in the community;
- Whitby's former hospital; and,
- the importance of a coordinated approach to advocacy between the Town and the Region.

Resolution # 330-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Report CAO 31-19 regarding an update from the Hospital Task Force be received;
2. That initial funding for the 2020 Hospital Task Force initiative be referred to the 2020 Capital Budget as a decision item; and,
3. That the Town Clerk forward a copy of Report CAO 15-19 to the

Premier of Ontario, all Durham Region MPP's, the Minister of Health and Long Term Care, the Regional Chair and the CEO of Lakeridge Health.

Carried unanimously on a recorded vote as follows:

	For	Against	Abstained
Councillor Alexander	x		
Councillor Leahy	x		
Councillor Lee	x		
Councillor Mulcahy	x		
Councillor Newman	x		
Councillor Roy	x		
Councillor Shahid	x		
Councillor Yamada	x		
	8	0	0

Mayor Mitchell resumed the Chair. It was the consensus of Council to move to Item 8.1 at this time.

7.8 Community Services Department and Office of the Chief Administrative Officer Joint Report, CMS 28-19
Re: Culture Plan: Phase One - Background Report and Engagement Summary; and Phase Two - Draft Vision and Guiding Principles

Discussion ensued between Members of Council regarding:

- the quality of the work from the consultant and engagement with the community in the development of the Culture Plan;
- opportunities to recognize the arts, diversity, and to strengthen inclusivity within the community; and,
- opportunities to have additional cultural events in the Town.

Resolution # 331-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Council receive Report CMS 28-19 as information; and,
2. That Council endorse in principle the draft Vision and Guiding Principles as outlined in Section 4 of this report in order to guide the development of the Culture Plan through Phase Three.

Carried

7.9 Community Services Department, CMS 29-19
Re: Community Services Department - 2020 Programs and Services Fees

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

- enrollment and membership numbers for the Whitby Tennis Club;
- supporting the Tennis Club through the Town's communications channels, including the Whitby Perspective;
- leveraging the expertise of Staff to assist non-profit organizations with communications; and,
- user fees offsetting program costs rather than generating revenue for the Town.

Resolution # 332-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Council approve the proposed fees as outlined in Attachment 1, as attached to the memorandum from the Commissioner of Community Services dated November 20, 2019, and Attachments 2, 3, 4, 5, 6 and 7 with the effective dates as follows:
 - a. Sports Fields, Lacrosse Box, Courts, Lighting and Arena Floors adjustments effective November 1, 2020 to October 31, 2021 (Attachment 1);
 - b. Halls and Facility Rental Fees adjustments effective April 1, 2021 to August 31, 2022 (Attachment 2);
 - c. Camp, Membership and Admission Fees adjustments effective March 25, 2020 to August 31, 2021 (Attachment 3);
 - d. Port Whitby Marina Fees adjustments effective February 15, 2020 to February 14, 2021 (Attachment 4);
 - e. Park Features Fees adjustments effective September 1, 2020 to August 31, 2021 (Attachment 5);
 - f. Recreation Program Fees adjustments effective March 25, 2020 to August 31, 2021 (Attachment 6);
 - g. Arena Ice and Aquatic Pool Fees adjustments effective September 1, 2020 to August 31, 2022 (Attachment 7); and,
2. That the Clerk be authorized to amend the Consolidated Fees and Charges By-law # 7220-17 to include the new Community

Services Fees Schedules.

Carried

7.10 Legal and Enforcement Services Department Report, LS 19-19
Re: Regulating Short-Term Rental Accommodations

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

- implementation of the licensing program in Quarter 3 2020;
- the need to hold a statutory public meeting prior to proceeding with amendments to the Zoning By-law;
- the Town of Oakville's by-law and how it supports and protects established communities;
- challenges associated with short-term rentals, including noise and rowdyism;
- adopting a demerit point system similar to the Town of Oakville;
- ensuring that property owners live in homes being offered as short-term rentals;
- the process to amend the Zoning By-law and if it would be property specific or comprehensive; and,
- monitoring the progress made by the City of Toronto and the Town of Oakville with their short-term rental licensing framework.

Resolution # 333-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Council direct staff to proceed with Option 3 (create a regulatory framework and make Zoning By-law amendments to control short-term rental accommodations in Whitby), as set out in Section 4.4 of Report LS 19-19;
2. That Staff report back to Council with an update by the end of Q2 2020 in order for the Town to be able to provide an effective response to the challenge of regulating short-term rental accommodation for the summer of 2020 (even on an interim basis) and for subsequent years; and,
3. That Staff include in the update a report to Council on the consequences of restricting short-term rental accommodations to specified zones within the Town of Whitby.

Carried

7.11 Public Works Department Report, PW 32-19
Re: Final Emerald Ash Borer Action Plan Update

A brief question and answer period ensued between Members of Council and Staff regarding steps that have been taken to lessen the impact of invasive species in the future, including efforts to diversify tree species to reduce vulnerability.

Resolution # 334-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Public Works PW 32-19 is received as information; and,
2. That NUB - 4084 regarding Emerald Ash Borer Action Plan Update be removed from the New and Unfinished Business register.

Carried

7.12 Public Works Department Report, PW 33-19
Re: Follow-up on the Effectiveness of Scott Street Trial

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

- ensuring pedestrian safety, including the safety of students;
- reducing speeding in communities;
- the benefits of flexible bollards, including significant reductions in vehicle speeds; and
- adding a crosswalk in the area in the future.

Resolution # 335-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

1. That Report PW 33-19 be received as information;
2. That MD - 4185 be removed from the New and Unfinished Business listing;
3. That staff continue to install the seasonal flexible bollards and in-road signage on Scott Street adjacent to Dr. Robert Thornton Elementary Public School and review opportunities for other flexible solutions at such time the roadway is reconstructed;
4. That staff identify candidate sites for seasonal flexible bollards

- and undertake public consultation, as appropriate and budget requirements prior to any recommendations to Council; and,
5. That staff consider permanent traffic calming solutions as part of roadway reconstruction adjacent to schools where traffic conditions have been identified as a concern.

Carried

7.13 Multi-Use Path Winter Maintenance

This item was referred at Committee.

7.14 Procedure By-law Amendment

Resolution # 336-19

Moved By Councillor Yamada
Seconded By Councillor Leahy

That the Staff bring forward amendments to the Procedure By-law to require notice for motions under new and unfinished business at Committee of the Whole, with the deadline for such motions being noon on the Wednesday prior the meeting.

Carried

It was the consensus of Council to move to Item 7.7 at this time.

8. Notice of Motion

8.1 Speaking Limits at Committee of the Whole

Discussion ensued between Members of Council regarding:

- meeting efficiency and valuing and respecting the time of Staff;
- hearing different perspectives from Members of Council and the importance of being able to freely and openly ask questions and participate in dialogue;
- varying procedural rules in municipalities;
- ensuring debates are not personal and limiting cross-debate;
- empowering Committee Chairs to control meetings;
- the need for Members of Council to better understand procedure;
- developing a quick reference sheet for the Procedure By-law;
- tabling the motion for 6 months;

- asking questions of Staff in advance of meetings to increase meeting efficiency;
- Committee of the Whole being a forum to ask questions and better understand issues before they come before Council;
- Oshawa, Ajax, Pickering, and Durham Region having broader speaking limits that what is proposed;
- a 5 minute speaking limit being sufficient time to articulate a position; and,
- the ability to suspend the rules if a Member is providing information that is of value.

Moved by Councillor Mulcahy
Seconded by Councillor Roy

1. That the Procedure By-law be amended to delete Section 4.7.1 (b) and (c), which will default the speaking limits at Committee to the rules of Council, being that no Member shall speak more than once to the same motion, except that a reply shall be allowed to be made only by the Member who presented the motion; and,
2. That the rules of debate at Council be amended to permit a Member to speak more than once to the same Motion only with the permission of Council by majority vote.

Motion Tabled [see following motion]

Resolution # 337-19

Moved By Councillor Alexander
Seconded By Councillor Newman

That the main motion be tabled.

Carried

9. New and Unfinished Business

- 9.1** Planning and Development Department Report, PL 65-19
Re: Whitby Official Plan Amendment and Zoning By-Law Amendment Applications for 4560 Thickson Road North (Optilinx) Files: DEV-01-16, OPA-2016-W/04, Z-19-16; Regional Official Plan Amendment Application (Optilinx) Regional File: OPA-2016-003

A discussion ensued between Members of Council regarding:

- enforcement action undertaking by the Central Lake Ontario

Conservation Authority and the Town's By-law Services against the owner;

- environmental harm that has been caused to the property;
- demand for fibre optic cable in the Region;
- hardship for the company's employees should the business cease operations; and,
- providing a 6 month timeframe for the business to re-locate.

Resolution # 338-19

Moved By Councillor Shahid

Seconded By Councillor Newman

1. That the Official Plan Amendment and Zoning By-law Amendment applications (Files: DEV-01-16; OPA-2016-W/04; Z-19-16) should be refused;
2. That the Clerk forward a copy of Council's decision to the applicant, the Region of Durham, and those persons who requested further notification regarding the applications; and,
3. That the Clerk forward a copy of Planning and Development Department Report PL 65-19 to the Region of Durham Planning and Economic Development Department.

Carried later in the meeting [see following motion]

Moved By Councillor Yamada

Seconded By Councillor Leahy

That consideration of Staff Report PL 65-19 Re: Whitby Official Plan Amendment and Zoning By-Law Amendment Applications for 4560 Thickson Road North (Optilinx), be postponed for a period of 6 months.

Motion Lost

The main motion was then carried.

10. By-Laws

That the following by-laws be passed:

- 10.1** By-law # 7571-19, being a by-law to amend the Fees and Charges By-law # 7220-17, as amended

Refer to Report CMS 29-19, Community Services Department - 2020 Programs and Services Fees

- 10.2** By-law # 7572-19, being a by-law to designate certain portions of a registered Plan of Subdivision (SW-2013-02) as not being subject of Part Lot Control

- 10.3** By-law # 7573-19, being a by-law to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby

Refer to Report PL 74-19, Zoning By-law Amendment Application, 500 Dundas Street East, Castlview 500 Development Inc., File No. DEV-14-18 (Z-27-18)

- 10.4** By-law # 7574-19, being a by-law to amend By-law # 1784, as amended, being the Zoning By-law of the Town of Whitby

Refer to Report PL 88-19, DEV-20-19: Zoning By-law Amendment Application Z-12-19, Barnes Memorial Funeral Home, 5295 Thickson Road North

- 10.5** By-law # 7575-19, being a by-law to to amend By-law # 2585, as amended, being the Zoning By-law of the Town of Whitby

Refer to Report PL 63-19, Zoning By-law Amendment Application, 101 Victoria Street West, and 1510-1520 Brock Street South, Mobco Developments Inc., File Number DEV-20-18 (Z-32-18)

- 10.6** By-law # 7576-19, being a by-law to update a program to provide tax rebate or reductions in respect to eligible heritage properties

Refer to Report PL 90-19, Update to the Heritage Property Tax Program

- 10.7** By-law # 7577-19, being a by-law to amend the Fees and Charges By-law # 7220-17, as amended

Refer to Report LS 18-19, Proposed Amendments to the Private Transportation Services By-law

- 10.8** By-law # 7578-19, being a by-law to amend the Business Licensing By-law # 5545-04, as amended

Refer to Report LS 21-19, Business Licensing By-law Amendment - Pawnbrokers Act

10.9 By-law # 7579-19, being a by-law to amend the Property Standards By-law # 6874-14

Refer to Report LS 17-19, Proposed Amendments to the Property Standards By-law

10.10 By-law # 7580-19, being a by-law to amend the Private Transportation Services By-law # 7398-18

Refer to Report LS 18-19, Proposed Amendments to the Private Transportation Services By-law

10.11 By-law # 7581-19, being a by-law to adopt Amendment Number 114 to the Official Plan of the Town of Whitby

Refer to Report PL 47-19, Official Plan Amendment Application OPA-2018-W/05, Zoning By-law Amendment Application Z-30-18, Site Plan Application SP-44-18 (DEV-17-18), 7902484 Canada Inc c/o Trio Vest Realty Advisors, 304, 308, 368, 372, 374 and 378 Taunton Road East

Resolution # 339-19

Moved By Councillor Newman
Seconded By Councillor Leahy

That leave be granted to introduce By-laws # 7571-19 to # 7581-19 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

11. Confirmatory By-Law

11.1 Confirmatory By-law

Resolution # 340-19

Moved By Councillor Leahy
Seconded By Councillor Shahid

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 November 25, 2019 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

12. Adjournment

12.1 Motion to Adjourn

Resolution # 341-19

Moved By Councillor Mulcahy
Seconded By Councillor Alexander

That the meeting adjourn.

Carried

The meeting adjourned at 9:02 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor