



## Regular Council Meeting Revised Agenda

Monday, March 20, 2023, 7:00 p.m.

Council Chambers

Whitby Town Hall

This meeting will be held in a hybrid in-person and virtual format. In accordance with Section 7 of Procedure By-law # 7462-18, Members of Council may choose to attend in-person or participate virtually.

Should you wish to provide comments regarding a matter being considered below, please submit written correspondence and/or a Delegation Request Form.

- **To submit written correspondence**, please email your correspondence to the Office of the Town Clerk at [clerk@whitby.ca](mailto:clerk@whitby.ca) by noon on the day of the meeting. Correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak during the Committee meeting either in-person or virtually**, please submit a Delegation Request Form online to the Office of the Town Clerk by noon on the Wednesday prior to the date of the meeting. Should you be unable to access a computer, please call 905.430.4315 to speak with a Staff Member in the Office of the Town Clerk.

The meeting will be available for viewing through the Town's **live stream feed** at [whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar) while the meeting is in progress.

A Revised Agenda may be published on a later date. Late items added or a change to an item will appear with an asterisk beside them.

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1. **Call To Order: The Mayor**
  2. **Call of the Roll: The Clerk**
  3. **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)

Recommendation:

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.

#### **5. Presentations**

5.1 Oshawa Vikings Rugby Club

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

#### **6. Delegations**

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**

**Note:** In accordance with Section 2.8.2 of the Procedure By-law, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

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**

**Note:** In accordance with Section 2.8.2 of the Procedure By-law, a Two Thirds Majority for a motion to hear this delegation is required as the delegation did not address Committee at the Committee of the Whole meeting.

#### **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

Recommendation:

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.

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

Recommendation:

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.

## 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

Recommendation:

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.

### 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)

Recommendation:

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.

- 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)

Recommendation:

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.

- 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

Recommendation:

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.



## 8.5 Municipal Housing Pledge

### Recommendation:

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 they 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.

- 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)

Recommendation:

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.

- 8.7 PDP 10-23, Planning and Development (Planning Services) Department Report  
Re: Envision Durham – Draft Regional Official Plan

Recommendation:

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.

- 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)

Recommendation:

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.

**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

Recommendation:

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.

- 9.2 CAO 05-23, Office of the Chief Administrative Officer Report  
Re: Roebuck Street Placemaking Project

Recommendation:

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.

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

Re: Community Development Funds - 2022 Annual Report

Recommendation:

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.

9.4 CAO 03-23, Office of the Chief Administrative Officer  
Re: Public Art Policy Framework

Recommendation:

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.

9.5 Durham Meadoway – Green Energy Projects

Recommendation:

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 Gattineau 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.

9.6 Protecting Whitby's Urban Forest Canopy

Recommendation:

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

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

Recommendation:

That Report CAO 08–23 be received for information.

- 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

Recommendation:

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.

- 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

Recommendation:

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

- 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

Recommendation:

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.

- 9.11 FS 09-23, Financial Services Department Report  
Re: Procurement Policy

Recommendation:

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.

- \*9.12 FS 10-23, Financial Services Department Report  
Re: Revision to Council Expense Policy (G 050)

**See also attached Memorandum from F. Wong, Commissioner of Financial Services/Treasurer, dated March 15, 2023 regarding Council Expense Policy Correction - Revised on March 20, 2023.**

Recommendation:

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.

- 9.13 Refrigerated Outdoor Ice Rinks or Skating Trails

Recommendation:

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.

- 9.14 Ocean Pearl Park Shade Structure  
**Note:** This item was referred at Committee.

- 9.15 School Zone Parking Enforcement Staff

Recommendation:

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.

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

Recommendation:

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.

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

11. Notice of Motion

12. New and Unfinished Business

13. By-laws

Recommendation:

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.

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.
- See also attached Memorandum from F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor, dated March 20, 2023 regarding By-law to Designate 9455 Baldwin Street North as being of Cultural Heritage Value**

- 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**
- See also attached Memorandum from F. Wong, Commissioner of Financial Services/Treasurer, dated March 20, 2023 regarding By-Law #7220-17 – Fees & Charges: Summary of Edits from Budget Book**
- 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**

Recommendation:

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.

**15. Adjournment**

Recommendation:

That the meeting adjourn.



## Regular Council Minutes

January 30, 2023, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Head of Operations & Fire Chief  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, 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 Pecuniary Interest

Councillor Lundquist declared a conflict of interest regarding Item 9.1, Appointment to the Durham Transit Advisory Committee due to the mandate of the committee to deal with operational issues which may impact collective

bargaining, noting that she is a Member of the Senior Leadership Team with Unifor which is the union that represents the operators. Councillor Lundquist did not take part in the discussion or voting on the matter.

4. Adoption of Minutes

Regular Council - December 12, 2022

Special Council - December 12, 2022 (Confidential Minutes Under Separate Cover)

Special Council - December 20, 2022 (Confidential Minutes Under Separate Cover)

Special Council - January 9, 2023 (6:15 p.m.) (Confidential Minutes Under Separate Cover)

Special Council - January 9, 2023 (7:00 p.m.) (Confidential Minutes Under Separate Cover)

Special Council - January 16, 2023

Special Council - January 23, 2023

**Resolution # 24-23**

Moved by Councillor Lee

Seconded by Councillor Cardwell

That the Regular Council Minutes of December 12, 2022, and the Special Council Minutes of December 12 and December 20, 2022, and January 9 (6:15 p.m.), January 9 (7:00 p.m.), January 16, and January 23, 2023 be approved.

**Carried**

5. Presentations

5.1 Cohen Lane

Recognition: Fundraising in support of SickKids Hospital

Mayor Roy attended the dais and was joined by Councillor Bozinovski. Cohen Lane was welcomed onto the dais and recognized for his efforts to raise over \$6,000 for SickKids Hospital by setting up a hot chocolate stand in his neighbourhood.

5.2 Trent Seton

Recognition: Oshawa Hawkeyes Football League Tier 1 (AAA) U14  
Provincial Champion & Football Ontario Most Valuable Player

Mayor Roy attended the dais and was joined by Councillor Cardwell. Trent Seton was welcomed onto the dais and recognized for his role in helping the Oshawa Hawkeyes, Tier 1 (AAA) U14, secure a Provincial Championship and for being awarded Most Valuable Player by Football Ontario.

### 5.3 S. Klein, Director of Strategic Initiatives

Re: New Lakeridge Health Hospital Update

S. Klein, Director of Strategic Initiatives, provided a PowerPoint presentation regarding the proposed new Lakeridge Health Hospital. Highlights of the presentation included:

- the need for a new hospital in the Region of Durham in consideration of the strain on the health care system and the Region's growing population;
- demographic information about the population of the Region, noting that an aging population will put additional strain on the health care system in the future;
- the purpose of the Hospital Task Force;
- an overview of the Lakeridge Health site selection process, noting that the process was led by an independent expert panel which ensured fairness in determining the best site on behalf of all residents in the Region;
- characteristics of the proposed Whitby hospital site, including its central location in the Region, its high level of connectivity to major roads and highways, and the expected population growth surrounding the site;
- the expected economic benefit of the new hospital including the number of construction and health care jobs the facility will create;
- Lakeridge Health's current priority to secure a planning grant in the amount of \$3 million from the Province; and,
- Whitby's Task Force current priority of acquiring the land for the hospital site from the Ministry of Transportation.

A question and answer period ensued between Members of Council and Ms. Klein regarding:

- next steps in the process and opportunities to work with the Province and Whitby's Member of Provincial Parliament to advance the hospital project;
- considering a delegation at the Association of Municipalities of Ontario conference if the project hasn't progressed by that time;
- the efforts of Lakeridge Health to advocate for the planning grant and how they have worked with the Ministry of Health to ensure grant funding is included in the upcoming Provincial budget;
- opportunities to work with the development community and other partners in the Region to build support for the hospital;
- confirmation that all eight Mayors in the Region authored a letter to the Province supporting including the planning grant in the upcoming budget;
- details about the Region's new Official Plan, timing for its approval, and ensuring the built boundary is expanded to include the hospital lands;
- the process to amend the Town's Official Plan through a secondary plan to encompass the hospital lands; and,
- developing a servicing plan for water and sewer services for the hospital lands, noting the lands will be at the edge of the built boundary.

## 6. Delegations

### 6.1 Max and George Lysyk, 1628755 Ontario Limited (In-Person Attendance)

Re: PDP 01-23, Planning and Development (Planning Services)

Department Report

Draft Plan of Subdivision and Zoning By-law Amendment Applications, 2068681 Ontario Inc. (Lakeview Homes Inc.), Northeast Corner of Ashburn Road and Columbus Road West, File Numbers: DEV-27-20 (SW-2020-06, Z-14-20)

#### **Refer to Item 8.2, PDP 01-23**

Max and George Lysyk, 1628755 Ontario Limited, appeared before Council and provided an update regarding the draft plan of subdivision for

the Lakeview Homes property adjacent to 320 and 360 Columbus Road West. Max Lysyk indicated that his engineer worked with the engineers from Lakeview Homes and received a proposal from Lakeview Homes regarding the boundary grade between the two properties. He added that the information has been shared with the Town, and Staff are reviewing the proposal for the grading, noting that the proposal meets Town criteria. He indicated that the proposal is a fair compromise to both draft plans, however there will be a need for a redline revision to the Lakeview Homes draft plan.

George Lysyk advised that he would like to move forward working in cooperation with Lakeview Homes, but would prefer that the Town add a condition to the draft plan regarding the grading issue. He added that he is confident that the proposal will work for both property owners.

6.2 Matthew Cory and Frank Marchio, Lakeview Homes (In-Person Attendance)

Re: PDP 01-23, Planning and Development (Planning Services)  
Department Report  
Draft Plan of Subdivision and Zoning By-law Amendment Applications, 2068681 Ontario Inc. (Lakeview Homes Inc.), Northeast Corner of Ashburn Road and Columbus Road West, File Numbers: DEV-27-20 (SW-2020-06, Z-14-20)

**Refer to Item 8.2, PDP 01-23**

Matthew Cory and Frank Marchio, representing Lakeview Homes Inc., appeared before Council and indicated they had recent discussions with the owners of 320 and 360 Columbus Road West and that they would continue to work with the neighbouring property owners to ensure that they develop a mutually beneficial grading and earth works design.

7. Correspondence

7.1 Correspondence

That the following request be endorsed:

- National 211 Day - February 11, 2023
- Scout-Guide Week - February 19 to 25, 2023
- Scouts Canada - Flag Raising - February 17 to 22, 2023
- Girl Guides of Canada - Flag Raising - February 22 to 27, 2023



**Resolution # 25-23**

Moved by Councillor Lundquist

Seconded by Councillor Mulcahy

That the proclamations for National 211 Day and Scout-Guide Week and the flag raisings for Scouts Canada and Girl Guides of Canada be endorsed.

**Carried**

- 7.2 Memorandum J. Romano, Commissioner of Community Services, dated January 20, 2023 regarding 2023 Days of Significance for Proclamations (January & February)

**Resolution # 26-23**

Moved by Councillor Shahid

Seconded by Councillor Bozinovski

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

**Carried**

- 7.3 Memorandum from K. Narraway, Sr. Manager of Legislative Services/Deputy Clerk, dated January 18, 2023 regarding Downtown Whitby Business Improvement Area Board of Directors and Revised Terms of Reference

**Resolution # 27-23**

Moved by Councillor Shahid

Seconded by Councillor Leahy

1. That Council appoint the following individuals to the Downtown Whitby Business Improvement Area Board of Management for the term ending November 14, 2026 unless otherwise stated or until a successor is appointed:
  1. Corina Contreras
  2. Diandra Persaud
  3. Jayne Flieler

4. Jeannie Dhun
  5. Jennifer Diguier
  6. Nella Noakes
  7. Robert McBride
2. That Council approve the revised Terms of Reference for the Downtown Whitby Business Improvement Area Board of Management included as an attachment to the Memorandum to Council from K. Narraway, Sr. Manager, Legislative Services/Deputy Clerk dated January 18, 2023.

**Carried**

8. Committee of the Whole Report - Planning and Development

Planning and Development - January 16 and 23, 2023

- 8.1 2022-679 - Correspondence from R. Ste-Croix, General Manager & Chief Operating Officer, Abilities Centre, dated December 14, 2022, regarding a Request to Rename Gordon Street north of Victoria Street to Jim Flaherty Street

**Resolution # 28-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the requested street name change from Gordon Street (north of Victoria Street West) to Jim Flaherty Street;
2. That Council exempt the street naming request from Town of Whitby Public Notice Policy CA 150;
3. That the fees related to a street name change be waived; and,
4. That a by-law to rename the public road north of Victoria Street West from Gordon Street to Jim Flaherty Street be brought forward for Council approval.

**Carried**

- 8.2 PDP 01-23, Planning and Development (Planning Services) Department Report

Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, 2068681 Ontario Inc. (Lakeview Homes Inc.), Northeast Corner of Ashburn Road and Columbus Road West, File Numbers: DEV-27-20 (SW-2020-06, Z-14-20)

**Resolution # 29-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the Draft Plan of Subdivision (File No. SW-2020-06), subject to the comments included in Report PDP 01-23 and the Conditions of Draft Approval included in Attachment #10;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision;
5. That the Clerk forward a Notice to those parties and agencies that requested to be notified of Council's decision;
6. That Council approve an amendment to Zoning By-law # 1784 (File Z-14-20), as outlined in Planning Report PDP 01-23;
7. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council;
8. That Council authorize the Clerk to issue a notice of intention to repeal By-law # 1998-86 under the Ontario Heritage Act, Section 32(2); and,
9. That the request to repeal the designation By-law # 1998-86 per Section 32(1) of the Ontario Heritage Act, be considered by Council after the 30-day objection period passes.

**Carried**

8.3 PDP 02-23, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, Hwy6773 Inc, Woodrow Court (Part 3 Plan 40R-30467), File Number: DEV-25-21 (Z-15-21)

### **Resolution # 30-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve an amendment to Zoning By-law # 1784, (File No. Z-15-21), as outlined in Planning Report PDP 02-23; and
2. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council.

### **Carried**

#### **8.4 PDE 02-23, Planning and Development (Engineering Services) Department Report**

Re: Consideration of Traffic Signals and Access on Lake Ridge Road

### **Resolution # 31-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That considering the Region's requirements for unwarranted traffic control signals, Council approve the temporary and permanent traffic signalization of Lake Ridge Road South at Churchill Avenue, in the amount of \$200,000 in 2023 (temporary signal) and \$175,000 in 2024 (permanent signal) to be funded from the 2023 and 2024 capital budgets as outlined in Report PDE 02-23;
2. That the on-going operating and maintenance costs related to the signals that do not meet the warrant threshold, in the annual amount of \$8,000 be included in the operating budget, beginning in 2024; and,
3. That staff continue to work with the Region on an acceptable solution for access for the homeowners that currently have access to Lake Ridge Road.

### **Carried**

#### **8.5 PDE 03-23, Planning and Development (Engineering Services) Department Report**

Re: Durham Meadoway Visioning Study

**Resolution # 32-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

That Report PDE 03-23 be received for information.

**Carried**

- 8.6 PDE 04-23, Planning and Development (Engineering Services)  
Department Report

Re: Des Newman Blvd. Grade Separation - Strategic Direction

**Resolution # 33-23**

Moved by Councillor Lee

Seconded by Councillor Leahy

1. That Council approve the strategic direction outlined in PDE 04-23, wherein the Des Newman Blvd. / CP Rail Grade Separation initiative will be constructed to a partial-height embankment including an access road in the short term with the remaining embankment and bridge works deferred to a future date, subject to need and funding;
2. That the current Engineering Consultants, Stantec and GHD, be engaged to revise the design and tender documents to address the revised approach and provide construction liaison support, funded from capital project 40130201; and,
3. That the \$14,750,000 of approved funding for capital project 40130201 Des Newman / CP Rail Grade Separation – Phase 1 (Embankments) be changed from long-term debt to the DC – Roads and Related (Townwide Infrastructure) Reserve Fund.

**Carried**

- 8.7 PDE 05-23, Planning and Development (Engineering Services)  
Department Report

Re: Trans Canada Pipelines Facility Upgrades at Roadway Crossings in North Brooklin

**Resolution # 34-23**

Moved by Councillor Lee  
Seconded by Councillor Leahy

1. That the proposed 2023 capital project #40236055 Columbus Road – Trans Canada Pipelines, in the amount of \$6,000,000, be pre-approved to allow for the pre-engineering phase of the project to proceed, as outlined in Report No. PDE 05-23; and,
2. That Council authorizes the Commissioner of Planning and Development to enter into an agreement with TCPL to include pre-engineering tasks associated with roadway crossings, as part of TCPL's larger project to upgrade pipelines through the Brooklin community.

**Carried**

8.8 PDP 04-23, Planning and Development (Planning Services) Department Report

Re: Zoning By-law Amendment Application, 305 St. John Street West, File Number:DEV-26-22 (Z-18-22)

**Resolution # 35-23**

Moved by Councillor Lee  
Seconded by Councillor Leahy

1. That Council approve an amendment to Zoning By-law No. 2585 (Z-18-22) as outlined in Planning Report PDP 04-23; and,
2. That a Zoning By-law Amendment be brought forward for consideration by Council.

**Carried**

9. Committee of the Whole Report - General Government

General Government - January 16 and 23, 2023

9.1 Appointment to the Durham Transit Advisory Committee

Having previously declared a conflict of interest, Councillor Lundquist did not take part in the discussion or voting on this matter.

**Resolution # 36-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Council recommend the following individual to the Durham Transit Advisory Committee:

1. Tim Ralph

**Carried**

9.2 Appointment to the Durham Environment and Climate Advisory Committee

**Resolution # 37-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Council recommend the following individual to the Durham Environment and Climate Advisory Committee:

1. Bryan Widner

**Carried**

9.3 LS 02-23, Confidential Legal and Enforcement Services Department & Planning and Development (Planning Services) Department Joint Report

Re: Request for Direction – OLT Appeal

**Resolution # 38-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That the recommendations included in Confidential Legal and Enforcement Services Department and Planning and Development (Planning Services) Department Joint Report LS 02-23, as recommended by Committee during the closed session portion of the Committee of the Whole meeting on January 16, 2023, be approved by Council.

[Refer to January 16, 2023 Committee of the Whole Confidential Minutes - Town Clerk has control and custody]

**Carried**

9.4 FS 01-23, Financial Services Department, Community Services Department, and Legal and Enforcement Services Department Joint Report

Re: Proposed Lease of Town-Owned Properties, 312 Colborne Street West and 117 King Street, to the Region of Durham

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

- arranging a tour of the facilities with the Region of Durham;
- confirmation that consultation with the community will be an ongoing effort;
- ensuring ongoing dialogue about the facilities with downtown organizations including businesses, the 55+ Recreation Centre, the library, the Business Improvement Area, and the Chamber of Commerce;
- recognizing challenges faced by the community including homelessness and food insecurity;
- advocating for people in need who may not otherwise approach Council;
- requesting the Region of Durham provide security in the area of the facilities to ensure the safety of residents;
- clarification that the 312 Colborne Street West facility will serve as a shelter for families;
- communicating with the Durham Regional Police Service about any concerns or calls for service related to the facilities;
- the importance of providing an opportunity for public input and feedback prior to making a decision to proceed with the long-term leases; and,
- opportunities for Regional Councillors to address concerns with the facilities at upcoming Regional Committee and Council meetings.

**Resolution # 39-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid



1. That the Mayor and Clerk be authorized to execute Lease Agreements with the Regional Municipality of Durham for 312 Colborne Street West and 117 King Street based substantially on the terms and conditions outlined in Attachments 2 and 3 to Staff Report FS 01-23;
2. That the Commissioner, Legal and Enforcement Services/Town Solicitor be authorized to make minor amendments to either Lease Agreement based on finalization of negotiations with the Regional Municipality of Durham;
3. That Staff be authorized to approve Sub-Leases or an assignment of the Lease for 117 King Street West during the term of the Lease, subject to the concurrence of the Commissioner, Community Services and Commissioner, Legal and Enforcement Services/Town Solicitor; and,
4. That the Commissioner, Financial Services/Treasurer and Commissioner, Legal and Enforcement Services/Town Solicitor be authorized to negotiate and execute any renewals of either Lease Agreement provided the renewal is based upon the same general terms and conditions as the initial term of the lease.

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

Moved by Councillor Leahy

Seconded by Councillor Yamada

That Report FS 01-23 be deferred to a future Special Council meeting to be scheduled in February 2023 to provide an opportunity for community consultation at the upcoming Centre Ward Town Hall event.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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		
<b>Results</b>	<b>4</b>	<b>5</b>	<b>0</b>

**Motion Lost on a Recorded Vote (4 to 5)**

The main motion was then carried.

9.5 CAO 01-23, Office of the Chief Administrative Office Report

Re: Booster Juice Inc. Naming Rights Sponsorship of Arena 6 at Iroquois Park Sports Centre

**Resolution # 40-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That Council approve entering into a three (3) year sponsorship agreement effective February 3, 2023 with Booster Juice Inc. for a Naming Rights Sponsorship at Iroquois Park Sports Centre (IPSC), including renaming Arena 6 to “Booster Juice Arena 6”, based on the sponsorship package and other terms and conditions identified in Report CAO 01-23.

**Carried**

9.6 CAO 02-23, Office of the Chief Administrative Officer Report

Re: Economic Development Strategy Annual Report 2022

**Resolution # 41-23**

Moved by Councillor Yamada  
Seconded by Councillor Shahid

1. That Report CAO 02-23 be received for information; and,
2. That Council direct Staff to develop a plan to implement Action Item 3.1 ‘Establish economic development fund’, as outlined in Report CAO 02-23, for consideration in the 2024 budget.

**Carried**

- 9.7 FOS(FES) 01-23, Fire and Operational Services (Fire and Emergency Services) Department Report

Re: Fire Master Plan - Implementation Update

**Resolution # 42-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid

That report FOS(FES) 01-23 be received as information.

**Carried**

- 9.8 Investigating Alternate Revenue Sources and Mitigating the Financial Impact of Bill 23, More Homes, Built Faster Act, 2022

**Resolution # 43-23**

Moved by Councillor Yamada

Seconded by Councillor Shahid

Whereas Provincial Bill 23, More Homes, Built Faster Act, 2022, reduces development-related fees paid by the development community to Ontario municipalities for the construction of infrastructure to support growth;

Whereas the Region of Durham ("Region") has passed a motion directing Regional Staff to report back on the feasibility and implications of municipalities receiving a 10% share of annual HST revenue from either the Federal and/or Provincial governments and to investigate the feasibility and impact of the Province providing a full rebate on the Provincial share of the HST paid by Municipal governments;

Whereas the purpose of the Region's motion is to investigate alternate revenue sources to assist with municipal infrastructure investments to accommodate the infrastructure deficit as well as significant new growth related capital funding shortfalls;

Whereas the options proposed in the Region's motion on alternate revenue sources may also mitigate Bill 23 impacts to the Town's revenues for growth-related infrastructure and assist in funding repairs and rehabilitation of existing aging infrastructure;

Now therefore be it resolved:

1. That Town of Whitby support the Region of Durham's motion; and,
2. That the Clerk circulate a copy of this resolution to the Minister of Finance, the Association of Municipalities of Ontario, all Durham Region MPPs, the Regional Municipality of Durham, and Durham Region municipalities.

**Carried**

10. Notice of Motion

10.1 New Lakeridge Health Hospital

Mayor Roy vacated the Chair to introduce a motion regarding the proposed new Lakeridge Health Hospital. Deputy Mayor Shahid assumed the Chair and presided over this portion of the meeting.

Discussion ensued between Members of Council regarding:

- the importance of a new hospital in the Region due to the aging population;
- the ideal location of the hospital site in Whitby in consideration of the projected growth areas in the Region;
- supporting the planning grant for Lakeridge Health and securing the land for the hospital site from the Ministry of Transportation;
- highlighting that the independent expert panel identified the Whitby site as the preferred location for a new hospital in the Region;
- challenges for residents of Brooklin to access a hospital, noting many drive to Scugog, Uxbridge, or Markham for health care;
- health care benefits to having a full-service hospital in Whitby; and,
- working with the community to advocate for the need for a new hospital in the Region.

**Resolution # 44-23**

Moved by Mayor Roy

Seconded by Councillor Shahid

Whereas Whitby Council wishes to reiterate its support following the 2022 Municipal Election for placement of the new Durham hospital by Lakeridge

Health at the northeast corner of Lake Ridge Road and Winchester Road in Whitby (the preferred site);

Whereas the preferred site was selected by an independent expert panel following a phased process that included a comprehensive public consultation on the criteria used to score site proposals, a public Call for Proposals to interested landowners, and a rigorous evaluation and scoring process;

Whereas the preferred site is located in the heart of Durham Region and is well connected to major roads and numerous highways, so when seconds and minutes count, those who need critical care can get it fast;

Whereas the new hospital is necessary to meet the health care needs of the growing community to access high-quality advanced care close to home and address the increasing demand for acute care services;

Whereas Whitby is the technology and innovation hub of Durham Region, which presents an opportunity to support a leading edge technology and innovation hospital;

Whereas Staff were provided the necessary direction to proceed with the required land acquisition for the preferred site at a Special Council meeting held on December 1, 2021 and Council wish to reaffirm its commitment to acquiring this property for the purposes of a hospital;

Whereas Lakeridge Health has requested a Provincial Planning Grant to advance the planning for the new hospital; and,

Whereas Whitby's Hospital Task Force is continuing to work to secure the land and support this important community initiative.

Now Therefore be it Resolved:

1. That the Council of the Town of Whitby confirms the support and direction provided by the previous Council regarding the placement of the new Durham hospital by Lakeridge Health at the northeast corner of Lake Ridge Road and Winchester Road in Whitby;
2. That Council is supportive of Lakeridge Health's request for a capital Planning Grant in the amount of \$3 million of the Province, to advance the planning for the new hospital and urges the Province to move forward with approving the Planning grant such that the planning process for a new hospital can commence;

3. That Council reiterates its support for the established Hospital Task Force, their continued leadership on this initiative, and efforts to secure the land for the future Durham hospital; and,
4. That the Mayor be requested to send correspondence advising of this resolution to the Premier, Minister of Health, Minister of Transportation, Durham MPPs, Region of Durham, Lakeridge Health, and all lower tier Durham municipalities.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>

**Carried Unanimously on a Recorded Vote (9 to 0)**

Mayor Roy resumed the Chair.

11. New and Unfinished Business  
There was no new and unfinished business.
12. By-laws

**Resolution # 45-23**

Moved by Councillor Mulcahy  
Seconded by Councillor Bozinovski

That leave be granted to introduce By-laws # 7955-23 to # 7961-23 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**

12.1 By-law # 7955-23

Being a by-law to change the street name for a section of Gordon Street, north of Victoria Street West.

**Refer to Memorandum from J. Taylor, Senior Manager of Zoning & Regulation, dated January 26, 2023 regarding Renaming Request – Gordon Street to Jim Flaherty Street, north of Victoria Street West**

12.2 By-law # 7956-23

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.

12.3 By-law # 7957-23

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

**Refer to PDP 59-22, Zoning By-law Amendment Application, EJB Holdings Inc., 513 Brock Street North, File Number: DEV-14-22 (Z-10-22)**

12.4 By-law # 7958-23

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

**Refer to PDP 02-23, Zoning By-law Amendment Application, Hwy6773 Inc, Woodrow Court (Part 3 Plan 40R-30467), File Number: DEV-25-21 (Z-15-21)**

12.5 By-law # 7959-23

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

**Refer to PDP 60-22, Brooklin Urban Expansion Area Zoning By-law, File Number: Z-05-22**

12.6 By-law # 7960-23

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.

12.7 By-law # 7961-23

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.

13. Confirmatory By-law

**Resolution # 46-23**

Moved by Councillor Cardwell

Seconded by Councillor Lundquist

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 January 30, 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**

14. Adjournment

Moved by Councillor Leahy

Seconded by Councillor Mulcahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:21 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor





## Special Council Minutes

January 30, 2023, 5:30 p.m.  
Council Chambers  
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Head of Operations & Fire Chief  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town 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 Pecuniary Interest

Mayor Roy declared a conflict of interest regarding Item 4.1, 2023 Budget – Council Education Session, noting that her daughter is seeking employment as a summer student with the Town of Whitby. Mayor Roy did not take part in the discussion of matters relating to summer student employment.

#### 4. Presentations

Councillor Mulcahy, Chair of Finance, provided opening remarks regarding the proposed 2023 Budget.

##### 4.1 F. Wong, Commissioner of Finance/Treasurer and A. McCullough, Director of Finance/Deputy Treasurer

Re: 2023 Budget – Council Education Session

F. Wong, Commissioner of Finance/Treasurer and A. McCullough, Director of Finance/Deputy Treasurer provided a PowerPoint presentation regarding the 2023 Budget. Highlights of the presentation included:

- the 2023 budget process timeline;
- top budget priorities according to public engagement feedback;
- participation rates in the Citizen Budget Tool;
- an overview of the proposed 2023 Budget, resulting in a 6% increase to the Town's portion of the property tax bill;
- budgetary pressures relating to maintaining Town facilities and service levels;
- the impact of inflation, estimated using the forecasted Municipal Price Index (MPI) and Consumer Price Index (CPI);
- proposed budgetary adjustments to mitigate the inflationary pressures of maintaining service levels;
- projected funding levels to keep infrastructure in a state of good repair, including the proposed contribution to the Asset Management Reserve fund;
- the impact of population growth on the 2023 Budget;
- the proposed contribution to the Growth Reserve Fund to accommodate growth-related infrastructure;
- an overview of decision items outlined in the 2023 Budget Book;
- prioritizing the maintenance of existing services and implementing new programs/services;

- the financial impact of hiring the proposed 23.01 Full-Time Equivalent (FTE) positions recommended in the Workforce Plan Study, included as a budget decision item;
- decision items that reduce the proposed 2023 Budget, including their impact on service levels;
- a detailed breakdown of the proposed 2023 Budget, including budget pressures and reductions;
- the anticipated financial impact of Bill 23, More Homes Built Faster Act;
- a summary of decision items that were not included in the proposed 2023 Budget;
- the proposed and approved 2023 Budget increases of comparator municipalities;
- the combined 2023 property tax bill increase and its financial impact on the average residential Whitby homeowner;
- the financial impact of applicable proposed or approved 2023 Budget increases on homeowners living in comparator municipalities;
- programs that support residents, including tax rebate programs, the tax deferral program for seniors, the Access Program, and support for Regional programs;
- results of the 2022 BMA Municipal Study, which indicates Whitby is below the municipal average for 2022 property taxes as a percent of household income;
- a summary of the proposed 2023 Capital Budget, funded by Asset Management Reserves, development charges, the Growth Reserve Fund, long term debt, and other sources such as program reserves, the one time reserve, and external contributions;
- additional investments required to reduce the Town's annual greenhouse gas emissions as part of the Zero Carbon Whitby Plan; and,
- next steps in the 2023 Budget process.

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

- clarification regarding the backlog in projected annual infrastructure investments, and how the Town compares to other municipalities;
- whether Elexicon will increase their dividend revenues within the forecasted period;
- a comparison of the average tax bill increase between neighbouring municipalities, considering the variation in average home values;
- the impact of commercial and industrial growth on future budgets;
- whether deferring larger projects due to inflation may lower the 2023 Budget;
- concerns regarding additional investments required to meet the goals of the Zero Carbon Whitby Plan;
- clarification regarding the allocation of funds proposed in the 2023 Capital Budget, specifically investments in Fire and Emergency Services and Active Transportation;
- clarification regarding funds that will be reallocated from Open Streets Whitby to operate the Brooklin Farmers' Market, National Indigenous People's Day, and Ghost Walks of Whitby;
- whether summer student positions are funded by federal grant programs;
- investments required to expand the Windrow and Sidewalk Snow Clearing Service to a greater number of residents;
- the impact of Bill 23 and the implications of spending reserve funds;
- provincial and federal grant applications to support the Town's sustainability initiatives; and,
- supporting Town and third-party events in Downtown Whitby.

5. Adjournment

Moved by Councillor Lee

Seconded by Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 6:49 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor



## Special Council Minutes

February 6, 2023, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
D. Speed, Head of Operations & Fire Chief  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Legislative Specialist (Recording Secretary)

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

Councillor Mulcahy declared a conflict of interest regarding Item 4.1, 2023 Budget Overview, advising that she owns the Brooklin Town Crier, which is impacted by Decision Item # 29 in the 2023 Budget Book. Chair Mulcahy did not take part in the discussion of matters relating to print advertisement.

Mayor Roy declared a conflict of interest regarding Item 4.1, 2023 Budget Overview, noting that a family member is employed in the Public Works Department. Mayor Roy did not take part in the discussion of matters relating to Public Works positions or salaries.

4. Public Meeting - 2023 Operating and Capital Budget

Councillor Mulcahy, Chair of Finance, provided opening remarks regarding the 2023 Budget and explained the purpose of the Budget Public meeting.

4.1 Presentation - 2023 Budget Overview

F. Wong, Commissioner of Financial Services/Treasurer

F. Wong, Commissioner of Financial Services/Treasurer provided a PowerPoint presentation regarding the proposed 2023 Budget. Highlights of the presentation included:

- the 2023 budget process timeline;
- top budget priorities according to Citizen Budget Survey participants, including revitalization of the Downtowns, more green space, and enhanced indoor/outdoor facilities;
- the impact of inflation on maintaining Town facilities and services, estimated using the Municipal Price Index (MPI) and Consumer Price Index (CPI);
- budget reductions, efficiencies, and proposed fee increases to mitigate inflationary and other budget pressures;
- infrastructure investments impacting the 2023 budget, including the cost to keep existing infrastructure in a state of good repair and the Town's contribution to the growth capital program;
- the financial impact of Bill 23, More Homes Built Faster Act;
- the resources required to service Whitby's projected population growth;
- an overview of the action items included in the Town's Business Plan;
- the financial impact of hiring the proposed 23.01 Full-Time Equivalent (FTE) positions recommended in the Workforce Plan Study, included as a budget decision item;

- assessment growth revenue and user fee increases that help offset budget pressures;
- a summary of the budgetary pressures, investments, and reductions that make up the proposed 2023 Budget;
- a summary of the proposed 2023 Capital Budget, funded by Asset Management Reserves, development charges, the Growth Reserve Fund, long term debt, and other sources such as program reserves, the one time reserve, and external contributions;
- proposed investments in the revitalization of the Downtowns, waterfront and green space, roadways and transportation, infrastructure and facility improvements, and sustainability initiatives;
- programs to support residents, including tax rebate programs, programs for seniors, the Access Program, and support for Regional Programs;
- proposed investments to reduce the Town's annual greenhouse gas (GHG) emissions as part of the Zero Carbon Whitby Plan;
- the combined 2023 property tax bill increase and its financial impact on the average residential Whitby homeowner;
- the proposed and approved property tax increases of comparator municipalities; and,
- next steps in the 2023 Budget process.

## 4.2 Delegations

### 4.2.1 Bryan Widner, Chair of Whitby Sustainability Advisory Committee (In-Person Attendance)

Re: Public Meeting - 2023 Operating and Capital Budget

Bryan Widner, Chair of Whitby Sustainability Advisory Committee (WSAC) provided a PowerPoint presentation outlining the Committee's support for the Zero Carbon Whitby Plan. Highlights of the presentation included:

- the Town's efforts in formally declaring climate change as an emergency and recognizing the need to take immediate



action through the Zero Carbon Whitby Plan and Carbon Costing Strategy;

- the benefits of approving the requested one-time funding for recommended sustainability initiatives; and,
- the potential impacts of deferring implementation of the Zero Carbon Whitby Plan.

#### 4.2.2 Akuah Frempong, Congress of Black Women - Oshawa/Whitby Chapter (Virtual Attendance)

Re: Public Meeting - 2023 Operating and Capital Budget

Akuah Frempong, Congress of Black Women - Oshawa/Whitby Chapter, provided an overview of the organization's initiatives. Ms. Frempong commended the Town's efforts to improve Diversity, Equity, and Inclusion (DEI), including a new IDEA Specialist position. She requested that additional funding be allocated toward community events in support of DEI.

A question and answer period ensued between Members of Council, Ms. Frempong, and Staff regarding:

- whether the Congress of Black Women is willing to collaborate with the Whitby Diversity and Inclusion Advisory Committee (WDIAC);
- funding and other resources allocated toward third-party cultural events, Town led events, and Town sponsored events;
- past cultural events supported by the Town, including the Town led National Indigenous People's Day;
- the number of requests received by the Town concerning support for cultural events; and,
- Culture Plan goals and initiatives.

It was the consensus of Council to hear Item 4.2.4, delegation from Ashley Collins, at this time.

#### 4.2.3 George Gadanidis, Resident (In-Person Attendance)

Re: Public Meeting - 2023 Operating and Capital Budget

George Gadanidis provided a PowerPoint presentation regarding the road culvert located under Dryden Boulevard. Highlights of the presentation included:

- the risk of flooding caused by the current culvert design;
- an overview of communication between Mr. Gadanidis, the Town's consultant, and Staff to date;
- proposed upgrades to the Anderson Street culvert included in the Town's budget; and,
- requested investments to resolve issues relating to the Dryden Boulevard culvert.

4.2.4 Ashley Collins, North Pringle Creek Residents Association (Virtual Attendance)

Re: Public Meeting - 2023 Operating and Capital Budget

Ashley Collins appeared on behalf of the North Pringle Creek Residents Association to discuss flooding concerns relating to the road culvert located under Dryden Boulevard. Ms. Collins requested that funding be allocated in the 2023 Budget toward converting the Dryden Boulevard culvert from a double to single culvert. She requested this work be completed in unison with upgrades to the Anderson Street culvert. Ms. Collins explained the potential risks associated with leaving the culvert in its current state and noted findings of the 2018 Pringle Creek Study.

It was the consensus of Council to hear Item 4.2.3, delegation from George Gadanidis, at this time.

4.2.5 Dr. Janette M. Hughes, Resident (Virtual Attendance)

Re: Public Meeting - 2023 Operating and Capital Budget

Dr. Janette M. Hughes appeared before Council to express her concern for the safety of residents and local school students due to the flooding risks associated with the existing Dryden Boulevard culvert. Dr. Hughes explained that the culvert is susceptible to the effects of climate change and extreme weather conditions, and requested that it be upgraded.

4.2.6 Question and Answer period between Council and Staff

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

- limiting the impact of the one-time funding to the Zero Carbon Revolving Reserve Fund on property taxes;
- the impact of the Anderson Street culvert upgrades on the Dryden Boulevard culvert and surrounding neighbourhood;
- the benefits of converting the Economic Development Officer position to permanent;
- clarification regarding the requested funding and resources required to implement the Economic Development Strategy;
- the financial impact of 2023 budget decision items on future budgets, including the long-term impact of hiring new full-time equivalent (FTE) positions;
- clarification regarding proposed investments in the Downtowns, including cycling facilities;
- costs associated with pickleball enhancements at Cullen Central Park;
- the estimated salary savings due to vacancies;
- working with Staff to prepare amendments to budget decision items, including those impacting the proposed new FTE positions;
- identifying the impact of budget reductions on service levels;
- the costs and benefits associated with hiring an additional Whitby Public Library Human Resources Associate;
- the current number of Whitby Public Library FTE positions;
- the process of allocating the annual grant to the Whitby Public Library;
- roadway safety measures included in the proposed 2023 Budget, and whether the Traffic Calming Action Plan will focus on improvements across the entire Town;

- the distribution of resources in accordance with the Traffic Calming Action Plan, and whether speed cameras were included as a traffic calming measure;
- the financial impact of reducing the proposed property tax increase by 0.5%;
- grant funding to offset the financial impact of summer student positions; and,
- whether Members of Council should identify the proposed FTE positions they wish to exclude from the 2023 Budget.

5. Adjournment

Moved by Councillor Shahid

Seconded by Councillor Cardwell

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:05 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor



## Special Council Minutes

February 13, 2023, 5:30 p.m.  
Council Chambers  
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Legislative Specialist (Recording Secretary)

- 
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. Presentations
    - 4.1 M. Trudel, Senior Manager of Procurement

## Re: Purchasing Policy

M. Trudel, Senior Manager of Procurement, provided a PowerPoint presentation regarding proposed revisions to the Town's Procurement Policy. Highlights of the presentation included:

- the purpose of revising the Procurement Policy;
- an overview of the proposed revisions such as the addition of a statement of ethics, modernized procurement thresholds, delegated authority to Senior Leadership staff, limited tendering, and clarity regarding emergency procurement;
- key definitions included in the proposed Policy;
- the current and recommended approval thresholds for competitive bids and sole source procurements;
- a summary of procurement awards reviewed by Council between 2019 and 2021, and how this process will be impacted by the proposed new Policy;
- the Council approved procurement awards of comparator municipalities;
- benefits of the changes proposed in the new Policy;
- exemptions to the Policy; and,
- next steps in the review and approval of the new Procurement Policy.

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

- the frequency and transparency of procurement updates to Council and Staff;
- clarification regarding the proposed changes to procurement thresholds;
- justification for the recommendation that Council approve any sole source procurements above the current Trade Agreement threshold;
- the sole source procurement threshold of comparator municipalities;

- redundancies identified when reviewing the current Procurement Policy;
- clarification regarding emergency procurement;
- criteria for vendor disqualification;
- the process for reviewing procurement awards regarding park refurbishments, and whether the recommended changes to the Procurement Policy will impact park consultation;
- the impact on the approved budget in the event no competitive bids are received for a given tender;
- consultation between Members of Council and Staff regarding the scope of work included in a given tender through the procurement process; and,
- ensuring public consultation on project proposals relating to public amenities and services.

#### 4.2 F. Wong, Commissioner of Financial Services/Treasurer

Re: Council Expense Policy

F. Wong, Commissioner of Financial Services/Treasurer, provided a PowerPoint presentation regarding proposed revisions to the Town's Council Expense Policy. Highlights of the presentation included:

- an overview of the current Council Expense Policy;
- business expense budgets for Members of Council in comparator municipalities;
- a recommendation that business expense budgets be indexed annually based on the April Consumer Price Index (CPI);
- a summary of expenses that qualify as corporate expenses;
- the eligibility of mileage and car allowance expenses of comparator municipalities, and proposed changes to the Town's Policy concerning eligible mileage expenses for travel outside Town limits;
- the eligibility of mobile phone expenses of comparator municipalities, and proposed changes to the Town's Policy to remove reimbursement of personal phone plans as an eligible expense;

- proposed changes to the eligibility of expenses relating to books and subscriptions, event tickets, training, seminars, conferences, and constituency meetings;
- an overview of the current Election Year Restrictions and proposed changes concerning Town-issued mobile phones; and,
- communication, advertising, and constituency meeting expenses that are eligible and ineligible for reimbursement under the Council Expense Policy.

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

- changing the effective date for Election Year Restrictions;
- eligible training, seminar, and conference expenses;
- indexing the annual expense limit for Members of Council with inflation;
- a preference to retain the taxable benefit for corporate mobile phones purchased by Members for personal use at the end of the Council term;
- aligning the effective date for Election Year Restrictions with the beginning of the nomination period as stipulated in the Municipal Elections Act;
- increasing the frequency of Town Hall meetings;
- revising expense restrictions pertaining to raffle tickets, silent auctions and table prizes at community events; and,
- differentiating the annual expense limits for Local Councillors, Regional Councillors, and the Mayor.

## 5. Adjournment

Moved by Councillor Cardwell

Seconded by Councillor Yamada

That the meeting adjourn.

**Carried**

The meeting adjourned at 6:57 p.m.



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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor



## Special Council Minutes

February 16, 2023, 9:30 a.m.  
Whitby Public Library  
Central Branch, Room 1B  
405 Dundas Street West

Present: Mayor Roy  
Councillor Bozinovski (Left at 2:02 p.m.)  
Councillor Cardwell (Left at 2:49 p.m.)  
Councillor Leahy (Arrived at 9:44 a.m.)  
Councillor Lee (Left at 12:30 p.m.)  
Councillor Shahid  
Councillor Yamada (Arrived at 12:35 p.m.)

Regrets: Councillor Lundquist  
Councillor Mulcahy

Also Present: M. Gaskell, Chief Administrative Officer (Left at 9:45 a.m.)  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
Erika Botond, Senior Manager of Communications & Creative Services  
Jillian Follert, Public Affairs Coordinator  
Erin Mikaluk, Manager of Communications & Creative Services

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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. Closed Session - Education and Training

In accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (3.1) and for the purpose of educating

or training Members of Council, parts of this meeting may be closed to the public and no decisions shall be made or considered.

Moved by Councillor Bozinovski

Seconded by Councillor Shahid

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 (3.1) and for the purpose of educating or training Members of Council.

**Carried**

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

4.1 Brian Lambie, President, Redbrick Communications

Re: Media and Social Media Training

5. Rising and Reporting Out

Motion to Rise

Moved by Councillor Leahy

Seconded by Councillor Yamada

That Council rise from the closed portion of the meeting.

**Carried**

5.1 Reporting Out

Mayor Roy advised that during the closed portion of the meeting, Council received training on using social media and managing media inquiries from Redbrick Communications.

6. Adjournment

Councillor Cardwell left at 2:49 p.m. Quorum was no longer present, and the meeting adjourned.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor





## Special Council Minutes

February 16, 2023, 7:00 p.m.

Council Chambers

Whitby Town Hall

2023 Operating and Capital Budgets

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

Also Present: M. Gaskell, Chief Administrative Officer  
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  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Legislative Specialist (Recording Secretary)

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

Councillor Mulcahy declared a conflict of interest regarding Item 6.2, Staff Report FS 06-23, advising that she owns the Brooklin Town Crier, which is impacted by

Decision Item # 29 in the 2023 Budget Book. Chair Mulcahy did not take part in the discussion or vote on this matter.

Mayor Roy declared a conflict of interest regarding Item 6.2, Staff Report FS 06-23, noting that a family member is employed in the Operational Services Division. Mayor Roy did not take part in the discussion or vote on matters relating to Operational Services salaries or benefits.

Councillor Mulcahy assumed the Chair for the remainder of the meeting.

#### 4. Presentations

##### 4.1 Opening Remarks by Councillor Mulcahy, Chair of Finance

Councillor Mulcahy, Chair of Finance, provided opening remarks regarding the 2023 Budget. Chair Mulcahy acknowledged Town Staff for their efforts in preparing the budget, residents for their feedback, and Members of Council for their collaboration and questions when reviewing decision items.

Matt Gaskell, Chief Administrative Officer, provided a summary of the 2023 Budget, which proposes a net property tax increase of 6%. Mr. Gaskell noted the challenges impacting the budget, including pandemic-related pressures, inflation, material and equipment shortages, high borrowing costs, and legislation. He explained that the proposed budget includes additional staffing resources to account for growth, the maintenance of infrastructure, and enhancement of services. Mr. Gaskell advised that the proposed budget includes a \$1 million draw from contingency reserves with a three year recovery plan. He thanked residents for their feedback, staff for their efforts in preparing the budget, and Members of Council for their consultation.

#### 5. Delegations

There were no delegations.

#### 6. Consideration of the 2023 Operating and Capital Budgets

##### 6.1 FS 04-23, Financial Services Department Report

Re: Reporting Requirement Per Ontario Regulation 284/09 – 2023 Budget

##### **Resolution # 47-23**

Moved by Mayor Roy

Seconded by Councillor Shahid

1. That Report FS 04-23 of the Commissioner of Financial Services/Treasurer be received as information;
2. That the full accrual accounting items identified in Report FS 04-23 be approved and included as budget figures in the December 31, 2023 audited financial statements;
3. That the Treasurer be authorized to make the required amendments to the budget figures in the Town's audited financial statements for any technical adjustments or amendments to the Town's budget approved by Council.

**Carried**

6.2 FS 06-23, Financial Services Department Report

Re: Recommended 2023 Operating and Capital Budget

**See also attached Memorandum from J. Romano, Commissioner of Community Services and F. Wong, Commissioner of Financial Services/Treasurer dated February 13, 2023 regarding Report FS 06-23 Recommended 2023 Operating and Capital Budget, User Fees Rates and Charges – Correction**

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

- the impact on service levels in the Legal and Enforcement Services Department should the proposed Compliance and Service Level Coordinator position be removed from the 2023 Budget;
- whether the City of Oshawa included conference and seminar fees as corporate expenses for Members of Council;
- deferring funding for a shade structure at Ocean Pearl Park to the 2024 Capital Budget;
- the importance of maintaining Seniors, Youth Services and CRC Health Club services;
- the need for a pedestrian crossover at the intersection of Dryden Boulevard and Steele Valley Court/Bakerville Street to enhance public safety;
- whether the proposed pedestrian crossover may be included in the Traffic Calming Action Plan;

- the urgency of addressing safety concerns at the intersection of Dryden Boulevard and Steele Valley Court/Bakerville Street compared to other intersections;
- funding for a bike and pedestrian crossing on the hydro corridor near Rossland Road and Manning Road;
- justification for the proposed increase to the 2023 Library Board Grant to support hiring additional Whitby Public Library staff;
- clarification regarding the Town's inability to decide how Library Board Grant funds are allocated;
- the 2022 Library Board Grant funding compared to the proposed increase in 2023;
- the importance of funding Zero Carbon Whitby initiatives, and clarification regarding the financial impact of doing so;
- whether savings incurred through Zero Carbon Whitby initiatives will be used to repay and grow the revolving fund;
- whether the Town may qualify for grant funding to support future Zero Carbon Whitby initiatives;
- using revenue projections to predict how long it will take to repay the revolving fund;
- the popularity of pickleball and the importance of enhancing facilities to support the sport;
- whether pickleball nets may be installed year-round at Cullen Central Park;
- the impact of withdrawing additional funds from the Contingency Reserve on operating costs and future budgets;
- the impact of new full-time equivalent (FTE) positions on future budgets; and
- the estimated annual savings for the average Whitby homeowner, should an additional \$220,000 be drawn from the Contingency Reserve.

Council recessed at 8:28 p.m. and reconvened at 8:39 p.m.



Discussion ensued between Members of Council and Staff regarding the inclusion of a Customer Service Analyst position in the 2023 Budget to initiate implementation of the Customer Service Strategy. Members of Council sought clarification from Staff regarding the timeline for implementing the Customer Service Strategy and the impact of including this position on the average Whitby homeowner's 2023 property taxes.

Council recessed at 8:49 p.m. and reconvened at 8:55 p.m.

The Mayor and Members of Council each made a concluding statement on the 2023 Budget prior to considering the final motion, as amended.

Moved by Councillor Lee

Seconded by Councillor Shahid

1. That the 2023 Operating Budget be approved at a net Town tax levy increase of \$6,688,604 (to a total tax levy of \$119,029,390 inclusive of estimated assessment growth) representing a 6% average residential increase to the Town levy or estimated 2% increase to the overall Whitby residential tax bill;
2. That the Town's 2023 operating budget, in the gross expense budget amount of \$165,166,559 inclusive of the recommended Operating Budget Decision Items as shown in Attachment 4 be approved and funded from the sources identified in Table 2 of report FS 06-23;
3. That the proposed user fee increases, and new fees as identified in Attachment 3 of report FS 06-23 be approved;
4. That staff 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 FS 06-23;
5. That the 2023 Capital Budget, in the gross capital budget amount of \$184,319,715, identified in Attachment 5, be approved and funded from the sources identified in Table 3 of report FS 06-23;
6. That the Treasurer's update of the Town's projected debt servicing charges as it impacts the Town's Annual Repayment Limit for all previously approved debentures and the proposed debentures, outlined in Staff Report FS 06-23, be received;
7. That the \$90,103,750 of proposed 2023 capital projects outlined in Table 1 of Report FS 06-23 be funded from debentures to be

issued through the Region of Durham, following substantial completion of each project;

8. That in accordance with s.s. 5(1) of the Development Charges Act, and S. 5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity provided by any of the capital projects will be paid for by future development charges;
9. That any donations, grants or subsidies applied in the 2023 capital program to projects with development charges funding are to offset the non-growth related costs of those projects;
10. That the transfers to and from reserves and reserve funds as identified in Attachment 6 of report FS 06-23 be approved;
11. That if the actual net taxable assessment growth is different than the estimated assessment growth of \$3,250,000, any excess be transferred to the Tax Rate Stabilization Reserve, or any shortfall be transferred from the Tax Rate Stabilization Reserve;
12. That the 2024 to 2032 capital forecast in the amount of \$1,382,005,017 be received for information and subject to future annual reviews as part of the capital budget process; and,
13. That Sub-Section 2.3 of By-law #7856-22, related to the Town's Low-Income Seniors and Low-Income Persons with Disabilities Tax Rebate Program, be amended to increase the rebate from \$462.00 (in 2022) to \$472.00 (in 2023).

**Carried later in the meeting**

Moved by Mayor Roy

Seconded by Councillor Shahid

That the main motion be amended by including Item 14 as follows:

14. That Items 1 to 13 above have been revised based on the following amendments:

- a) That the following Decision Items and amounts, totaling \$259,655, be removed from the Proposed 2023 Budget:
  - o Decision Item #2, for a Customer Service Analyst position, in the amount of \$54,530;

- Decision Item #4, for a Community Engagement Specialist, in the amount of \$54,464;
  - Decision Item #11, for a Compliance and Service Level Coordinator, in the amount of \$66,500;
  - Decision Item #25, for a Community IDEA Specialist, in the amount of \$84,161;
- b) That the following projects associated with removal of positions from the Proposed 2023 Budget be deferred or suspended until such time appropriate resource levels are achieved:
- Implementation of Community Engagement Strategy and Action Plan (including planned focus groups, community open houses, workshops and roundtables);
  - Developing Diversity Equity and Inclusion partnerships, planning and leading community education & community initiatives;
- c) That the Economic Development Officer position noted in Decision Item #7, in the amount of \$122,851, remain as a contract position for 2023, funded from the Long-Term Financing Reserve Fund;
- d) That additional budget efficiencies of \$178,680 (inclusive of \$170,000 of lower than projected health/dental costs and \$8,680 of Canada Summer Job Grant recovery) be incorporated into the 2023 budget.

**Carried later in the meeting**

Councillor Mulcahy vacated the Chair to move an amendment to the amendment. Mayor Roy assumed the Chair.

Moved by Councillor Mulcahy  
Seconded by Councillor Shahid

That the amending motion above be amended by striking decision Item #11, for a Compliance and Service Level Coordinator, in the amount of \$66,500 (so that it be added back into the 2023 Budget).

**Carried**

Councillor Mulcahy resumed the Chair.

**The amending motion, as amended, was then carried as follows:**

Moved by Mayor Roy

Seconded by Councillor Shahid

14. That Items 1 to 13 above have been revised based on the following amendments:

- a) That the following Decision Items and amounts, totaling \$259,655, be removed from the Proposed 2023 Budget:
  - Decision Item #2, for a Customer Service Analyst position, in the amount of \$54,530;
  - Decision Item #4, for a Community Engagement Specialist, in the amount of \$54,464;
  - Decision Item #25, for a Community IDEA Specialist, in the amount of \$84,161;
- b) That the following projects associated with removal of positions from the Proposed 2023 Budget be deferred or suspended until such time appropriate resource levels are achieved:
  - Implementation of Community Engagement Strategy and Action Plan (including planned focus groups, community open houses, workshops and roundtables);
  - Developing Diversity Equity and Inclusion partnerships, planning and leading community education & community initiatives;
- c) That the Economic Development Officer position noted in Decision Item #7, in the amount of \$122,851, remain as a contract position for 2023, funded from the Long-Term Financing Reserve Fund;
- d) That additional budget efficiencies of \$178,680 (inclusive of \$170,000 of lower than projected health/dental costs and \$8,680 of Canada Summer Job Grant recovery) be incorporated into the 2023 budget.

**Carried**

Moved by Councillor Lee

Seconded by Councillor Shahid

That Item 14 of the main motion be amended to include the following:

That Decision Item #47, in the amount of \$150,000, for a the development of a Traffic Calming Action Plan be added to the 2023 budget and that the base property tax funding, of \$150,000, be utilized as additional funding for the Town's annual capital program to implement traffic calming initiatives in 2024 and future years;

**Carried**

Moved by Councillor Lee

Seconded by Councillor Leahy

That Item 14 of the main motion be amended to include the following:

That \$45,000 be included in the 2023 budget to reflect a \$5,000 increase in the annual expense budget for each member of Council;

**Carried**

Moved by Councillor Shahid

Seconded by Councillor Bozinovski

That Item 14 of the main motion be amended to include the following:

That a new tax-funded capital project for a shade structure at Ocean Pearl Park be included in the 2023 capital budget in the amount of \$170,000.

**Motion Withdrawn**

Moved by Councillor Leahy

Seconded by Councillor Lundquist

That Item 14 of the main motion be amended to include the following:

That the service level reductions related to Decision Item #38, totaling a budget reduction of \$23,380, be included in the 2023 budget;

**Carried**

Moved by Councillor Leahy

Seconded by Councillor Yamada

That Item 14 of the main motion be amended to include the following:

That Decision Item #39 to expand the new Town service of Free Menstrual Products to the Civic Recreation Complex and Iroquois Park Sports Complex, in the amount of \$5,450 be included in the 2023 budget;

**Carried**

Moved by Councillor Bozinovski

Seconded by Mayor Roy

That Item 14 of the main motion be amended to include the following:

That capital project 35226411 for Pedestrian Crossovers be increased by \$70,000 (from \$316,525, to a total amount of \$386,525) to include a pedestrian crossover at the intersection of Dryden Boulevard and Steele Valley Court/Bakerville Street; and,

That the incremental property tax funding, of \$70,000, be utilized as additional funding for the Town's annual capital program to implement pedestrian crossover initiatives in 2024 and future years.

**Carried**

Moved by Councillor Lundquist

Seconded by Councillor Cardwell

That Item 14 of the main motion be amended to include the following:

That the 2023 Library Board Grant, funded from property taxes, included in the proposed 2023 budget be reduced by \$104,420.

**Motion Lost**

Moved by Councillor Lundquist

Seconded by Mayor Roy

That Item 14 of the main motion be amended to include the following:

That Decision Item #49 – “Zero Carbon Whitby One-Time Funding Request”, in the amount of \$757,568, be added to the 2023 Budget funded \$721,080 from the Zero Carbon Revolving Fund and \$36,488 from the Asset Management Reserve Fund;

That Sustainability Staff, in consultation with the Treasurer, be authorized to prioritize and substitute projects within the total funding envelope of

\$757,568 based on zero carbon priorities and the results of grant applications;

That substitution projects maintain the commitment of a minimum reduction of 165,373 kgCO<sub>2</sub>e per year;

That despite Policy F 460, the Zero Carbon Revolving Fund may have a negative balance of \$721,080 to fund Decision Item #49; and

That despite the Disposition of Operating Surplus Policy, Policy F 010, the Town's operating budget surplus for 2022 and future years, if required, be used to replenish the Zero Carbon Revolving fund up-to \$721,080.

**Carried**

Moved by Councillor Yamada  
Seconded by Councillor Leahy

That Item 14 of the main motion be amended to include the following:

That a new capital project for Cullen Central Park Pickleball Court Acrylic Floor Surfacing and Windscreens be included in the 2023 Budget in the amount of \$45,000 funded from the Long-Term Financing Reserve.

**Carried**

Moved by Councillor Cardwell  
Seconded by Councillor Lundquist

That Item 14 of the main motion be amended to include the following:

That an additional \$220,000 be drawn from the Contingency Reserve to offset 2023 budget pressures; and,

That the \$220,000 be included in the 2024 budget as a budget pressure.

**Motion Lost**

Moved by Councillor Leahy  
Seconded by Councillor Lee

That Item 14 of the main motion be amended to strike Decision Item #2, for a Customer Service Analyst position, in the amount of \$54,530 (so that it be added back into the 2023 Budget).

## **Carried**

**The main motion, as amended, save and except items related to Decision Item #29 and Operational Services salaries and benefits, was then carried unanimously on a recorded vote as follows:**

### **Resolution # 48-23**

Moved by Councillor Lee

Seconded by Councillor Shahid

1. That the 2023 Operating Budget be approved at a net Town tax levy increase of \$6,495,518 (to a total tax levy of \$118,836,304 inclusive of estimated assessment growth) representing a 5.8% average residential increase to the Town levy or estimated 2% increase to the overall Whitby residential tax bill;
2. That the Town's 2023 operating budget, in the gross expense budget amount of \$165,105,004 inclusive of the recommended Operating Budget Decision Items as shown in Attachment 4 be approved and funded from the sources identified in Table 2 (as amended by Recommendation 14) of report FS 06-23;
3. That the proposed user fee increases, and new fees as identified in Attachment 3 of report FS 06-23 be approved;
4. That staff 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 FS 06-23;
5. That the 2023 Capital Budget, in the gross capital budget amount of \$185,342,283, identified in Attachment 5 (as amended by Recommendation 14), be approved and funded from the sources identified in Table 3 (as amended by Recommendation 14) of report FS 06-23;
6. That the Treasurer's update of the Town's projected debt servicing charges as it impacts the Town's Annual Repayment Limit for all previously approved debentures and the proposed debentures, outlined in Staff Report FS 06-23, be received;
7. That the \$90,103,750 of proposed 2023 capital projects outlined in Table 1 of Report FS 06-23 be funded from debentures to be



issued through the Region of Durham, following substantial completion of each project;

8. That in accordance with s.s. 5(1) of the Development Charges Act, and S. 5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity provided by any of the capital projects will be paid for by future development charges;
9. That any donations, grants or subsidies applied in the 2023 capital program to projects with development charges funding are to offset the non-growth related costs of those projects;
10. That the transfers to and from reserves and reserve funds as identified in Attachment 6 (as amended by Recommendation 14) of report FS 06-23 be approved;
11. That if the actual net taxable assessment growth is different than the estimated assessment growth of \$3,250,000, any excess be transferred to the Tax Rate Stabilization Reserve, or any shortfall be transferred from the Tax Rate Stabilization Reserve;
12. That the 2024 to 2032 capital forecast in the amount of \$1,382,005,017 be received for information and subject to future annual reviews as part of the capital budget process; and,
13. That Sub-Section 2.3 of By-law #7856-22, related to the Town's Low-Income Seniors and Low-Income Persons with Disabilities Tax Rebate Program, be amended to increase the rebate from \$462.00 (in 2022) to \$472.00 (in 2023).
14. That Items 1 to 13 above have been revised based on the following amendments:
  - a. That the following Decision Items and amounts, totaling \$259,655, be removed from the Proposed 2023 Budget:
    - Decision Item #4, for a Community Engagement Specialist, in the amount of \$54,464;
    - Decision Item #25, for a Community IDEA Specialist, in the amount of \$84,161;
  - b. That the following projects associated with removal of positions from the Proposed 2023 Budget be deferred or suspended until such time appropriate resource levels are achieved:

- Implementation of Community Engagement Strategy and Action Plan (including planned focus groups, community open houses, workshops and roundtables);
  - Developing Diversity Equity and Inclusion partnerships, planning and leading community education & community initiatives;
- c. That the Economic Development Officer position noted in Decision Item #7, in the amount of \$122,851, remain as a contract position for 2023, funded from the Long-Term Financing Reserve Fund;
  - d. That additional budget efficiencies of \$178,680 (inclusive of \$170,000 of lower than projected health/dental costs and \$8,680 of Canada Summer Job Grant recovery) be incorporated into the 2023 budget;
  - e. That Decision Item #47, in the amount of \$150,000, for a the development of a Traffic Calming Action Plan be added to the 2023 budget and that the base property tax funding, of \$150,000, be utilized as additional funding for the Town's annual capital program to implement traffic calming initiatives in 2024 and future years;
  - f. That \$45,000 be included in the 2023 budget to reflect a \$5,000 increase in the annual expense budget for each Member of Council;
  - g. That the service level reductions related to Decision Item #38, totaling a budget reduction of \$23,380, be included in the 2023 budget;
  - h. That Decision Item #39 to expand the new Town service of Free Menstrual Products to the Civic Recreation Complex and Iroquois Park Sports Complex, in the amount of \$5,450 be included in the 2023 budget;
  - i. That capital project 35226411 for Pedestrian Crossovers be increased by \$70,000 (from \$316,525, to a total amount of \$386,525) to include a pedestrian crossover at the intersection of Dryden Boulevard and Steele Valley Court/Bakerville Street; That the incremental property tax funding, of \$70,000, be utilized as additional funding for the Town's annual capital

program to implement pedestrian crossover initiatives in 2024 and future years;

- j. That Decision Item #49 – “Zero Carbon Whitby One-Time Funding Request”, in the amount of \$757,568, be added to the 2023 Budget funded \$721,080 from the Zero Carbon Revolving Fund and \$36,488 from the Asset Management Reserve Fund; That Sustainability Staff, in consultation with the Treasurer, be authorized to prioritize and substitute projects within the total funding envelope of \$757,568 based on zero carbon priorities and the results of grant applications; That substitution projects maintain the commitment of a minimum reduction of 165,373 kgCO<sub>2</sub>e per year; That despite Policy F 460, the Zero Carbon Revolving Fund may have a negative balance of \$721,080 to fund Decision Item #49; That despite the Disposition of Operating Surplus Policy, Policy F 010, the Town’s operating budget surplus for 2022 and future years, if required, be used to replenish the Zero Carbon Revolving fund up-to \$721,080; and,
- k. That a new capital project for Cullen Central Park Pickleball Court Acrylic Floor Surfacing and Windscreens be included in the 2023 Budget in the amount of \$45,000 funded from the Long-Term Financing Reserve.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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**

**9**

**0**

**0**

**Carried (9 to 0)**

Having previously declared a conflict of interest, Mayor Roy did not take part in the discussion or vote on matters pertaining to Operational Services salaries and benefits.

**Resolution # 49-23**

Moved by Councillor Yamada

Seconded by Councillor Bozinovski

That the budget items related to the Operational Services salaries and benefits be approved.

**Carried**

Having previously declared a conflict of interest, Councillor Mulcahy vacated the Chair and did not take part in the discussion or vote on matters pertaining to Decision Item #29. Mayor Roy assumed the Chair.

**Resolution # 50-23**

Moved by Councillor Shahid

Seconded by Councillor Lundquist

That Decision Item #29, for Communications proposed efficiencies with service level changes, be approved.

**Carried**

Councillor Mulcahy resumed the Chair.

**7. By-laws**

**Resolution # 51-23**

Moved by Councillor Leahy

Seconded by Councillor Cardwell

That leave be granted to introduce By-law # 7963-23, as amended, and to dispense with the reading of the by-law 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**

7.1 By-law # 7963-23

Being a by-law to Adopt the 2023 Operating and Capital Budgets, as amended.

8. Adjournment

Moved by Councillor Yamada  
Seconded by Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 9:24 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor



## Special Council Minutes

February 27, 2023, 5:30 p.m.  
Council Chambers  
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Legislative Specialist (Recording Secretary)

- 
1. Call To Order: The Mayor
  2. Call of the Roll: The Clerk
  3. Declarations of Pecuniary Interest  
There were no declarations of pecuniary interest.
  4. Presentations
    - 4.1 Michael Blois, Phil Fenech, and Andrew Frontini, Perkins + Will

## Re: Whitby Sports Complex – Final Design

Michael Blois, Phil Fenech, and Andrew Frontini, Perkins + Will, provided a PowerPoint presentation regarding Whitby Sports Complex – Final Design. Highlights of the presentation included:

- feedback received from the community regarding the Whitby Sports Complex design concept and program spaces;
- an overview of the key design principles;
- a summary of the program elements, including aquatics amenities, arenas, viewing spaces, gymnasium, walking track, and multi-purpose program spaces;
- outdoor programs and facilities included in the park design;
- goals achieved by a LEED/Net Zero Carbon sustainable design, which includes a District Energy System;
- a design inspired by Whitby's unique identity, culture, and natural landscape;
- the geographic location of the building site and its proximity to nearby trails and conservation areas;
- an overview of the site concept, including outdoor program spaces, parking, placement of the storm water management garden, and landscaping;
- visual renderings of the exterior and interior of the building;
- the strategic use of natural and artificial lighting to support sustainability targets;
- details of the ground floor layout and program spaces, including a t-shaped atrium, reception counter, accessible ramp, unisex washrooms, and public art;
- key features of the aquatics and arena facilities, which include accessible changerooms and viewing spaces for spectators;
- details of the upper floor layouts, including an extension of the accessible ramp, sustainable features, and recreational amenities;
- the use of public art in program spaces and engagement with STEPS Art Consultants to lead an Indigenous Art process; and,

- next steps in preparing for tendering the project.

A question and answer period ensued between Members of Council, Staff, M. Blois, P. Fenech, and A. Frontini regarding:

- the risks of proceeding with construction in the current market;
- increasing indoor event and meeting spaces;
- clarification regarding the 'low impact' stormwater management pond;
- opportunity for the installation of additional solar panels in the future;
- visibility of amenities from the reception counter;
- limitations on programs and amenities that may operate near the District Energy System;
- whether the wood ceiling beams removed from the original design as a cost savings measure may be reconsidered;
- clarification regarding the project budget, including the \$129 million facility cost estimate;
- flexibility of seating in the outdoor event plaza;
- the size of the playground and District Energy System, and whether these spaces may accommodate a variety of sports such as cricket;
- whether the indoor facilities may accommodate badminton and squash;
- the availability and placement of parking spaces;
- rationale for excluding a full-service restaurant from the design;
- the impact of implementing cost reduction strategies on the project timelines; and,
- certainty regarding cost estimates.

#### 5. Delegations

There were no delegations.

#### 6. Items for Consideration



6.1 CMS 03-23, Community Services Department Report

Re: Final Design and Cost Estimate for the Whitby Sports Complex

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

- expectations regarding the grant application submitted to the Green and Inclusive Community Buildings Program, and opportunities for provincial grant funding;
- funding for the District Energy System and the anticipated long term financial savings;
- the impact of Bill 23, More Homes Built Faster Act, on the Whitby Sports Complex project timelines and cost estimates; and,
- offsetting ongoing operating costs through the acquisition of a naming rights sponsorship.

**Resolution # 52-23**

Moved by Councillor Mulcahy

Seconded by Councillor Lee

1. That Council approve the proposed final design for the Whitby Sports Complex and park, attached to this report as Attachment A;
2. That Staff be authorized to issue the final design documentation to the pre-qualified general contractors for bid submission; and,
3. That Staff report back to Council with the tender results for Council's direction.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
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		
<b>Results</b>	<b>7</b>	<b>2</b>	<b>0</b>

**Carried on a Recorded Vote (7 to 2)**

7. Closed Session

7.1 CAO 07-23, Confidential Office of the Chief Administrative Officer Report

Re: Appointment of Fire Chief

It was the consensus of Council to consider Staff Report CAO 07-23 regarding the Appointments of Fire Chief in open session.

Members of Council acknowledged Michael Hickey for his accomplishments and congratulated him on being appointed as Fire Chief of the Whitby Fire and Emergency Services department.

**Resolution # 53-23**

Moved by Councillor Shahid

Seconded by Councillor Bozinovski

1. That Confidential Report CAO 07-23, Appointment of Fire Chief, be received for information;
2. That Council confirm the appointment of Mr. Michael Hickey as the Fire Chief of the Whitby Fire and Emergency Services department pursuant to subsection 6 (1) of the Fire Prevention and Protection Act effective February 27, 2023; and,
3. That the Clerk be directed to bring forward an appointment by-law to the next Regular Council meeting on March 20, 2023.

**Carried**

8. Confirmatory By-law

**Resolution # 54-23**

Moved by Councillor Yamada  
Seconded by Councillor Leahy

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on February 27, 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**

9. Adjournment

Motion to Adjourn

Moved by Councillor Shahid  
Seconded by Councillor Bozinovski

That the meeting adjourn.

**Carried**

The meeting adjourned at 6:55 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor



## Special Council Minutes

March 6, 2023, 9:30 a.m.  
Iroquois Park Sports Centre  
Mezzanine Boardroom  
500 Victoria Street West

Present: Mayor Roy  
Councillor Bozinovski  
Councillor Cardwell  
Councillor Leahy (Left at 12:05 p.m.)  
Councillor Lee  
Councillor Shahid (Left at 11:55 a.m. and returned at 12:25 p.m.)  
Councillor Yamada

Regrets: Councillor Lundquist  
Councillor Mulcahy

Also Present: C. Harris, Town Clerk

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1. Call To Order: The Mayor  
The meeting was called to order at 9:46 a.m.
2. Call of the Roll: The Clerk
3. Declarations of Conflict of Interest  
There were no declarations of conflict of interest.
4. Closed Session  
This portion of the minutes are closed to the public. [Refer to the Closed Minutes - Town Clerk has control and custody.]  
Moved by Councillor Yamada  
Seconded by Councillor Cardwell

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 (3.1) and for the purpose of educating or training Members of Council.

**Carried**

4.1 Council Education and Training - governing through collaborative, strategic, and transformative leadership

5. Rising and Reporting

Moved by Councillor Yamada

Seconded by Councillor Lee

That Council rise from the closed portion of the meeting.

**Carried**

5.1 Reporting Out

Mayor Roy advised that during the closed portion of the meeting, Council held a facilitated teambuilding session that reviewed governing through collaborative, strategic, and transformative leadership.

6. Adjournment

Moved by Councillor Bozinovski

Seconded by Councillor Shahid

That the meeting adjourn.

**Carried**

The meeting adjourned at 12:35 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor



## Special Council Minutes

March 6, 2023, 5:30 p.m.  
Council Chambers  
Whitby Town Hall

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

Also Present: M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
R. Saunders, Commissioner of Planning and Development  
F. Wong, Commissioner of Financial Services/Treasurer  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Legislative Specialist (Recording Secretary)

- 
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. Delegations

4.1 Moe Pringle, Resident (In-Person Attendance)

Re: FS 08-23, Financial Services Department Report

Public Input and Next Steps in Declaration of Surplus: Part of Pt Lot 24, Conc. 1, being Part of PIN 26488-0153 (LT) – South-East Corner of Garden Street and Burns Street East for the Purpose of Conveyance to Town Brewery Inc.

**Refer to Item 5.1, FS 08-23**

Moe Pringle, Resident, expressed his concerns regarding the proposed conveyance of land to Town Brewery Inc. Mr. Pringle noted the potential impact on traffic and noise, as well as community safety. He requested additional information concerning the floodplain study.

A question and answer period ensued between Members of Council, Mr. Pringle, and Staff regarding:

- clarification regarding preferred noise barriers to mitigate the impact on neighbouring residents;
- whether Mr. Pringle has visited the current Town Brewery location to observe their operations;
- the year the floodplain study was conducted; and,
- opportunities for public consultation.

**5. Items for Consideration**

**5.1 FS 08-23, Financial Services Department Report**

Re: Public Input and Next Steps in Declaration of Surplus: Part of Pt Lot 24, Conc. 1, being Part of PIN 26488-0153 (LT) – South-East Corner of Garden Street and Burns Street East for the Purpose of Conveyance to Town Brewery Inc.

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

- the year the floodplain study was conducted;
- whether setback requirements may impact the preliminary development design;
- clarification regarding community safety concerns expressed by residents;
- mitigating traffic concerns during the site plan approval process;
- whether there are complaints from residents regarding the current Town Brewery location;

- addressing concerns regarding potential noise pollution and visual impact on the community;
- participation rates in public consultation;
- whether interested parties were notified of the meeting;
- whether Town Brewery has submitted a site plan application;
- the proposed use of additional surplus lands not being conveyed to Town Brewery;
- public consultation regarding noise mitigation measures and design elements; and,
- support for the proposed conveyance of land to Town Brewery to re-locate and expand their current Whitby business.

### **Resolution # 55-23**

Moved by Councillor Mulcahy

Seconded by Councillor Leahy

1. That public feedback received as part of the public notice requirements of Town Policy F 190 regarding the Acquisition, Sale or Other Disposition of Land Policy be received;
2. That a by-law be brought forward to authorize the sale/conveyance of approximately two (2) acres and not less than one (1) acre of land located at the south-east corner of Garden Street and Burns Street East, being a portion of Part of Lot 24, Concession 1, being part of PIN 26488-0153 (LT) (the "Sale Parcel") to Town Brewery Inc., or its associated company, subject to the concurrence of the Commissioners of Financial Services/Treasurer and Legal and Enforcement Services/Town Solicitor;
3. That the Mayor and Clerk be authorized to execute the necessary documents to complete the sale/conveyance of the Sale Parcel to Town Brewery Inc., or its associated company; and
4. That following the completion of the sale/conveyance of the Sale Parcel to Town Brewery Inc., or its associated company, the remainder of the Property shall automatically be deemed *not* to be surplus to the needs of the Town.

**Carried**



6. Closed Session

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

Moved by Councillor Bozinovski

Seconded by Councillor Yamada

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)(b) personal matters about an identifiable individual, including municipal or local board employees, (c) a proposed or pending acquisition or disposition of land by the municipality or local board, and (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**Carried**

6.1 CAO 09-23, Confidential Office of the Chief Administrative Officer Report

Re: Vacant Town Property - 580 Water Street Update

6.2 FS 07-23, Confidential Financial Services Department Report

Re: 16 and 18 Durham Street

6.3 Confidential Memorandum from C. Harris, Town Clerk, dated February 6, 2023 regarding Recommendation for Appointment to the Ashburn Community Centre Board of Directors

7. Rising and Reporting

Motion to Rise

Moved by Councillor Shahid

Seconded by Councillor Lee

That Council Rise from the closed portion of the meeting.

**Carried**

7.1 Reporting Out

Mayor Roy advised that during the closed portion of the meeting, Council discussed personal matters about an identifiable individual for the purpose of considering their appointment to a local board. Council also discussed the acquisition and disposition of land by the municipality, and negotiations to be carried on by the municipality.

Item 6.1, CAO 09-23, Confidential Office of the Chief Administrative Officer Report

Re: Vacant Town Property - 580 Water Street Update

**Resolution # 56-23**

Moved by Councillor Leahy

Seconded by Councillor Yamada

1. That Report CAO 09-23 be received for information;
2. That Council authorize staff to engage a land appraiser to determine the fair market value of 580 Water Street;
3. That Council authorize staff to proceed with negotiations relating to the disposition of 580 Water Street with Taggar Family Trust for the development of a convention centre, hotel, and office tower; and,
4. That Staff report back to Council to finalize the potential disposition of 580 Water Street.

**Carried**

Item 6.2, FS 07-23, Confidential Financial Services Department Report

Re: 16 and 18 Durham Street

**Resolution # 57-23**

Moved by Councillor Bozinovski

Seconded by Councillor Shahid

That the Town not proceed with the acquisition of 16 and 18 Durham Street.

**Carried**

Item 6.3, Confidential Memorandum from C. Harris, Town Clerk, dated February 6, 2023 regarding Recommendation for Appointment to the Ashburn Community Centre Board of Directors

**Resolution # 58-23**

Moved by Councillor Leahy

Seconded by Councillor Shahid

That Council appoint Nicole Emanuel to the Ashburn Community Centre Board of Directors a term ending November 14, 2026 or until a successor is appointed.

**Carried**

8. Confirmatory By-law

**Resolution # 59-23**

Moved by Councillor Cardwell

Seconded by Councillor Lee

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 March 6, 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**

9. Adjournment

Motion to Adjourn

Moved by Councillor Cardwell

Seconded by Councillor Lee

That the meeting adjourn.

**Carried**

The meeting adjourned at 6:55 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor

# Memorandum to Council

Community Services Department

Recreation Division



**To:** Mayor and Members of Council

**CC:** Sharon Meredith, Sr Manager, Recreation;  
Kim Evans, Supervisor, 55+ Recreation  
Services

**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

**From:** John Romano, Commissioner, Community  
Services

**Date:** March 20, 2023

**File #:** N/A

**Subject:** 2023 Days of Significance for  
Proclamations (March – December)

Annually, the Whitby Diversity and Inclusion Advisory Committee (WDIAC) recommends to Council days of significance for proclamations to raise awareness of culturally significant days and create community recognition, acceptance and support the development of an inclusive community.

Due to the recent election and process for appointing new members to Advisory Committees WDIAC's first meeting took place February 2, 2023. At this meeting, the Committee reviewed the 2023 days of significance and made a recommendation to Council for March to December days. To ensure dates in January and February were not missed, staff advanced the dates for proclamation by Council on January 20, 2023, in advance of WDIAC first meeting.

## 2023 Dates of Significance for Proclamation

### March 2023

Date	Observance	Overview
March	<a href="#">Greek Heritage Month</a>	An opportunity to recognize and celebrate the many achievements and contributions of Greek Canadians to Canada, and an occasion to mark and enjoy the history of Greek culture.

March	<a href="#"><u>Irish Heritage Month</u></a>	Celebrates the contributions of Irish Canadians to the story of Canada and serves as an opportunity to learn more about Irish Canadian history.
March	<a href="#"><u>Bangladeshi Heritage Month</u></a>	Honours the many significant contributions Bangladeshi Canadians have made and highlights their important role in strengthening Canada's multi-cultural fabric.
March	<a href="#"><u>Persian Heritage Month</u></a>	In the month of March, millions of people of Persian heritage celebrate Nowruz; the beginning of their new year, the day of the vernal equinox and the beginning of spring in the northern hemisphere. This millennia-old celebration is also a reminder of the importance of harmony between nature and life.
March 1	<a href="#"><u>Zero Discrimination Day</u></a>	A call to action to eradicate discrimination in all forms and promote social inclusion and tolerance.
March 8	<a href="#"><u>International Women's Day</u></a>	A global day celebrating the social, economic, cultural, and political achievements of women.
March 17	<a href="#"><u>Irish Heritage Day</u></a>	Celebrates Irish Heritage.
March 20	<a href="#"><u>International Francophonie Day</u></a>	Celebrates the French language and Francophone culture.
March 21	<a href="#"><u>International Day for the Elimination of Racial Discrimination</u></a>	A day to re-commit our efforts to combat all forms of racial discrimination, injustice, systemic racism and hate to ensure a world where everyone is respected, safe, and has equitable access to contribute meaningfully to all aspects of society.
March 21	<a href="#"><u>World Down Syndrome Day</u></a>	Encourages awareness about Down Syndrome and showcases the abilities of people with Down Syndrome.
March 25	<a href="#"><u>International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade</u></a>	A time to pay tribute to the millions of Africans who were torn from their homelands and communities through slavery and to stand up in solidarity against racism everywhere.

March 28	<a href="#">Earth Hour</a>	A symbolic event to show collective support for the planet.
March 31	<a href="#">International Transgender Day of Visibility</a>	Dedicated to celebrating trans people and raising awareness of discrimination faced by transgender people worldwide.

## April 2023

April	<a href="#">National Volunteer Month</a>	Celebrates the impact volunteers have on our lives and encourages active volunteerism in generations to come.
April	<a href="#">Genocide Remembrance, Condemnation and Prevention Month</a>	To honour the memory of the victims of genocide and reflect on the root causes of these tragedies, so that they never happen again.
April	<a href="#">Sikh Heritage Month</a>	To recognize the many past and current contributions of the Sikh community in Canada.
April 2	<a href="#">World Autism Awareness Day</a>	To raise awareness about Autism and recognize those on the Autism spectrum, their families, caregivers, and communities.
April 9	<a href="#">Vimy Ridge Day</a>	To remember Canadians who fought in the battle of Vimy Ridge in northern France during the First World War.
April 12	<a href="#">International Day of Pink</a>	A day to stand in solidarity with 2SLGBTQIA + communities in the continued fight for equality and acceptance for all.
April 22	<a href="#">Earth Day</a>	Honors the achievements of the environmental movement and raises awareness of the need to protect Earth's natural resources for future generations.
April 30	<a href="#">Journey to Freedom Day</a>	The commemoration of the exodus of Vietnamese refugees and their acceptance in Canada after the fall of Saigon and the end of the Vietnam War

## May 2023

May	<a href="#">Asian Heritage Month</a>	An opportunity to learn more about the many achievements and contributions of Canadians of Asian heritage.
May	<a href="#">Mental Health Awareness Month</a>	An opportunity to learn about mental illnesses, the effect on people's lives and learning more about how to reduce the stigma around mental illnesses.
May 5	<a href="#">Dutch Heritage Day</a>	To honour the sacrifices made by past members of the Canadian armed forces in the liberation of the Netherlands during the Second World War and an opportunity to celebrate the many contributions that generations of Dutch Canadians have made.
May 5	<a href="#">National Day of Awareness for Missing and Murdered Indigenous Women and Girls</a>	Also known as Red Dress Day, it is encouraged for people to wear red or display red clothing to honor and commemorate missing and murdered Indigenous women, girls, and two-spirit people.
May 17	<a href="#">International Day Against Homophobia, Transphobia and Biphobia</a>	To celebrate sexual and gender diversity and to condemn the discrimination, violence, and stigma that members of 2SLGBTQ+ communities continue to experience in Canada and globally.
May 21	<a href="#">World Day for Cultural Diversity for Dialogue and Development</a>	Provides an opportunity to deepen understanding of the values of cultural diversity and to advance the four goals of: <ul style="list-style-type: none"> <li>1) Supporting sustainable systems of governance for culture;</li> <li>2) Achieving a balanced flow of cultural goods and services and increase mobility of artists and cultural professionals;</li> <li>3) Integrating culture in sustainable development frameworks; and</li> <li>4) Promoting human rights and fundamental freedoms.</li> </ul>
May 31 – June 6	<a href="#">National AccessAbility Week</a>	An opportunity to celebrate Canadians with disabilities and raise awareness of the critical need for accessibility and inclusion for all in our communities and workplaces.

## June 2023

June	<a href="#">Filipino Heritage Month</a>	A time to recognize and highlight the many contributions Canadians of Filipino heritage make to Canada.
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June	<a href="#"><u>Italian Heritage Month</u></a>	A time to showcase the rich culture and heritage of Italian Canadians.
June	<a href="#"><u>National Indigenous History Month</u></a>	A time to recognize the rich history, heritage, resilience and diversity of First Nations, Inuit and Métis Peoples across Canada.
June	<a href="#"><u>Portuguese History and Heritage Month</u></a>	To highlight the many past and ongoing contributions of Portuguese Canadians, and to learn more about their traditions and culture.
June	<a href="#"><u>Pride Month</u></a>	Refers to the wide range of Pride events that take place over the summer (June to September) when 2SLGBTQI+ communities and allies come together to spotlight the resilience, celebrate the talent, and recognize the contributions of 2SLGBTQI+ communities.
June	<a href="#"><u>Seniors Month</u></a>	A time to recognize older Ontarians and the contributions they have made in communities across the province.
June	<a href="#"><u>Recreation and Parks Month</u></a>	A movement that promotes the benefits of recreation and parks for physical, social, and environmental health.
June 15	<a href="#"><u>World Elder Abuse Awareness Day</u></a>	A day that acknowledges the significance of elder abuse as a public health and human rights issue.
June 20	<a href="#"><u>World Refugee Day</u></a>	An international day designated by the United Nations to honour refugees around the globe. It celebrates the strength and courage of people who have been forced to flee their home country to escape conflict or persecution.
June 21	<a href="#"><u>National Indigenous Peoples Day</u></a>	A day for all Canadians to recognize and celebrate the unique heritage, diverse cultures and outstanding contributions of First Nations, Inuit and Métis peoples.
June 27	<a href="#"><u>Canadian Multiculturalism Day</u></a>	A day to honour the many cultural communities that help build a strong and vibrant Canadian society.



## July 2023

July 18	<a href="#"><u>Nelson Mandela International Day</u></a>	To honour the legacy of Nelson Mandela, South Africa's former President, and his values, through volunteering and community service.
July 30	<a href="#"><u>World Day Against Trafficking in Persons</u></a>	A day set aside to raise awareness of the plight of human trafficking victims and to promote and protect their rights.

## August 2023

August 1	<a href="#"><u>Emancipation Day</u></a>	Marks the actual day, in 1834, that the Slavery Abolition Act of 1833 came into effect across the British Empire. A time to reflect, educate and engage in the ongoing fight against anti-Black racism and discrimination.
August 9	<a href="#"><u>International Day of the World's Indigenous Peoples</u></a>	Marks the day of the first meeting, in 1982, of the UN Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights. To raise awareness and protect the rights of the world's Indigenous population.
August 12	<a href="#"><u>International Youth Day</u></a>	A day for bringing youth issues to the attention of the international community and celebrating the potential of youth as partners in today's global society.
August 22	<a href="#"><u>International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief</u></a>	A day to condemn continuing violence and acts of terrorism targeting individuals, including persons belonging to religious minorities, on the basis of or in the name of religion or belief.
August 23	<a href="#"><u>International Day for the Remembrance of the Slave Trade and its Abolition</u></a>	A day to honour and remember those who suffered and died at the hands of slavery.

## September 2023

September 7	<a href="#"><u>Ukrainian Heritage Day</u></a>	To celebrate the contributions of Ukrainians to economic, political, social and cultural life across Ontario.
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September 10	<a href="#"><u>World Suicide Prevention Day</u></a>	Focuses attention on death by suicide to reduce stigma and raise awareness among organizations, government, and the public, giving a singular message that suicide can be prevented.
September 18 – 24	<a href="#"><u>Gender Equality Week</u></a>	An opportunity to raise awareness of the important contributions women and gender diverse communities have made to the growth, development, character and identity of Canada,
September 21	<a href="#"><u>International Day of Peace</u></a>	A day devoted to strengthening the ideals of peace, through observing 24 hours of non-violence and cease-fire.
September 25	<a href="#"><u>Franco-Ontarian Day</u></a>	A time to celebrate the Franco-Ontarian community and its history.
September 30	<a href="#"><u>National Day for Truth and Reconciliation</u></a>	Honours the children who never returned home and Survivors of residential schools, as well as their families and communities. Public commemoration of the tragic and painful history and ongoing impacts of residential schools is a vital component of the reconciliation process.
September 30	<a href="#"><u>Orange Shirt Day</u></a>	In recognition of the harm the residential school system did to children's sense of self-esteem and well-being, and as an affirmation of people's commitment to ensure that everyone around us matters.

### October 2023

October	<a href="#"><u>German Heritage Month</u></a>	A celebration of the contributions Canadians of German heritage have made and continue to make in Canada.
October	<a href="#"><u>Hispanic/Latin American Heritage Month</u></a>	Recognizes the Latin American community's contribution to Canadian society.
October	<a href="#"><u>Islamic Heritage Month</u></a>	Recognizes the Muslim community's contribution to Canadian society.

October	<a href="#"><u>Somali Heritage Month</u></a>	Recognizes the contributions of the Somali Canadians have made in Canada.
October	<a href="#"><u>Women's History Month</u></a>	A celebration of the outstanding achievements of women and girls throughout Canada's history.
October 1	<a href="#"><u>International Day of Older Persons</u></a>	Celebrates and thanks older adults for the role they play in our communities.
October 4	<a href="#"><u>National Day of Action for Missing and Murdered Indigenous Women and Girls</u></a>	To honour the lives of missing and murdered Indigenous women, girls and gender diverse people by creating change and committing to ending the violence that disproportionately impacts their communities
October 10	<a href="#"><u>World Mental Health Day</u></a>	To raise awareness of mental health issues around the world and to mobilize efforts in support of mental health.
October 11	<a href="#"><u>International Day of the Girl Child</u></a>	A day dedicated to celebrating the voices and power of girls, championing their rights worldwide, and reflecting on the challenges they continue to face because of their gender.

### November 2023

November	<a href="#"><u>Albanian Heritage Month</u></a>	Recognizes Albanian Heritage and the contributions that the Somali Canadians have made in Canada.
November	<a href="#"><u>Hindu Heritage Month</u></a>	Recognizes Hindu Heritage and the contributions of that the Hindu community has made in Canada.
November 5 – 11	<a href="#"><u>Veterans Week</u></a>	An opportunity to honour all the brave Canadians who have served the country and defended the values Canadians hold dear.
November 11	<a href="#"><u>Remembrance Day</u></a>	Marks the end of hostilities during the First World War and an opportunity to recall all those who have served in the nation's defense.

November 20	<a href="#"><u>National Child Day</u></a>	To celebrate the rights of children.
November 20	<a href="#"><u>National Transgender Day of Remembrance</u></a>	An annual observance that honors the memory of the transgender people whose lives were lost in acts of anti-transgender violence.
November 25	<a href="#"><u>Days of Activism Against Gender-based Violence</u></a>	An annual international campaign that begins on November 25, the International Day for the Elimination of Violence Against Women, and goes until December 10, the Human Rights Day. This campaign started in 1991 to call out and speak up on gender-based violence, and to renew our commitment to ending violence against women, girls, and 2SLGBTQI+ individuals.
November 25	<a href="#"><u>Holodomor Memorial Day</u></a>	In remembrance of the millions of innocent people in Ukraine who suffered and died at the hands of Joseph Stalin's totalitarian Soviet regime during the Holodomor.
November 25	<a href="#"><u>International Day for the Eliminations of Violence Against Women</u></a>	A time to reflect on, renew, amplify, and strategize to achieve commitments to eliminate violence against women by 2030.

### December 2023

December 1	<a href="#"><u>World AIDS Day</u></a>	An opportunity to raise awareness of HIV/AIDS, support those living with HIV, and remember those who have passed away.
December 3	<a href="#"><u>International Day of Persons with Disabilities</u></a>	To promote the rights and well-being of persons with disabilities at every level of society and development, and to raise awareness of the situation of persons with disabilities in all aspects of political, social, economic, and cultural life.
December 6	<a href="#"><u>National Day of Remembrance and Action on Violence Against Women</u></a>	To remember those who have experienced or loss their lives to gender-based violence and to educate people and communities on gender-based violence and speak up against harmful behaviours.
December 10	<a href="#"><u>Human Rights Day</u></a>	To recognize the day when, in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights to guarantees human rights without distinction of nationality, place of residence, gender, national or ethnic origin, religion, language, or any other

		status.
December 18	<a href="#"><u>International Migrants Day</u></a>	A day set aside to recognize the important contribution of migrants while highlighting the challenges they face.
December 26 – January 1	<a href="#"><u>Kwanzaa</u></a>	An African American cultural holiday that has been adopted around the world, including in Canada, to celebrate African family, community, and culture.

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# Memorandum to Council

Financial Services Department



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**To:** Mayor and Members of Council  
**CC:** Jacqueline Long, Head of Organizational Effectiveness  
**From:** Fuwing Wong, Commissioner, Financial Services / Treasurer  
**Date:** March 15, 2023  
**File #:**  
**Subject:** Council Expense Policy Correction – Revised March 20, 2023

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**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

Please note that an earlier version of this memorandum indicated that edits and updates were made on Page 5 of the Corporate Expenses section of the Council Expense Policy Guideline document. In fact, these edits were made on Page 3 of the document.

At the March 6, 2023 Committee of the Whole agenda, a revised Council Expense Policy (Policy G 050) was included as part of Staff Report FS 10-23.

The March 6, 2023 Policy inadvertently omitted wording related to a past practice of Members of Council retaining Town-issued phones and portable computing devices at the end of a Council term for personal use with the residual value of the equipment being a taxable benefit for the Member.

References to a taxable benefit was previously included on the following pages of the March 6, 2023 Policy Guideline document (Attachment 2):

- Page 3 as part of the Corporate Expenses section;
- Page 10 as part of the Mobile Phone Expenses section; and
- Page 11 as part of the Computer Hardware, Software and Accessories section.

To avoid confusion and duplication, references to a taxable benefit have been removed from pages 10 and 11 and Page 3 has been updated to read as follows:

(note: redline and bolded text below are to emphasize the changes, specifically text added or deleted. The revised Council Expense Policy, attached to this memo, does not include the emphasis):

- Any Member who resigns, is disqualified, not re-elected, ~~or~~ dismissed from Office, **or has otherwise not opted to purchase their mobile phone and/or portable computing device by the end of the Council term**, shall have the option of transferring ownership of Town issued computing device(s) and/or mobile phone, eligible software and accessories as a taxable benefit, calculated as outlined above, at that time. **Costs to transfer the corporate phone number and/or plan shall be paid for by the Member.**

For completeness, a full copy of the corrected copy of Policy G 050 is attached:

Attachment 1 – Council Expense Policy (G 050) – not changed from March 6;

Attachment 2 – Guidelines for Expenses for members of Council – changes to pages 3, 10, and 11 as outlined in this memo.



# Town of Whitby Policy

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<b>Policy Title:</b>	Council Expense Policy
<b>Policy Number:</b>	G 050
<b>Reference:</b>	Municipal Act, Municipal Elections Act, Council Remuneration By-law #6500-11, as amended. Council Resolution #467-16, #526-17, #91-18, and #353-19
<b>Date Originated:</b>	October 11, 2016
<b>Date Revised:</b>	March 6, 2023
<b>Review Date:</b>	Not applicable
<b>Approval:</b>	Council
<b>Point of Contact:</b>	Commissioner of Financial Services/Treasurer

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## Policy Statement

The Council Expense Policy provides Members of Council with guidelines for eligible expenses incurred while fulfilling the Member's duties.

## Purpose

The purpose of this policy is to provide consistent rules and guidelines for Members of Council on expenditures that support Members of Council in fulfilling their duties as elected officials.

## Scope

This policy applies to the Mayor and Members of Council.

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## 1 Definitions

- 1.1 **Election Year** shall mean the calendar year (January 1<sup>st</sup> to December 31<sup>st</sup>) during which a regular municipal election is held in accordance with the Municipal Elections Act.
- 1.2 **Election Period** shall mean the first day prescribed for the filing of nominations in accordance with the Municipal Elections Act and ending when the new Council takes office.
- 1.3 **Eligible Expense** means an expense that the Town will reimburse or pay directly.
- 1.4 **Ineligible Expense** means an expense that is not provided for in this Policy and will not be reimbursed or paid by the Town.
- 1.5 **Members** shall include the Mayor and all Members of Council.

## 2 Responsibilities

- 2.1 Members are to:
  - a) Adhere to this policy;
  - b) Sign-off on all expenses submitted or paid by the Town directly; and,
  - c) Meet all financial, legal, and income tax obligations.
- 2.2 Chief Administrative Officer to:
  - a) Support the implementation of this policy.
- 2.3 Treasurer (or designate) to:
  - a) Approve expenditures in accordance with this policy;
  - b) Advise Members of the status of their budget, and if budget is exceeded, require Members to personally pay the over-expenditure;
  - c) Advise Members if any submitted or proposed expenditures are ineligible or breach this policy; and
  - d) Make sure that supporting documentation is in place, and that expenditures conform to this policy.

## 3 Annual Budget

- 3.1 Each Councillor will have an annual expense limit of \$13,000 and the Mayor will have an annual expense limit of \$17,000.

- 3.2** A corporate budget will be established for one Ward Town Hall meeting per ward per year in the amount of \$300 (or \$75 per Ward Town Hall meeting x 4 meetings hosted by a Ward and Regional Councillor team) for refreshments. Expenditures beyond the \$75 per Ward Town Hall meeting or in addition the Corporate support to be provided by staff referenced in the Ward Town Hall Meetings Policy will be allocated evenly to each Ward and Regional Councillor's Annual Budget, in accordance with this Policy, following each event. For clarity, for an expenditure of \$85 at a Ward Town Hall meeting, the \$10 in excess of the corporate budget will be allocated \$5 to the Ward Councillor and \$5 to the Regional Councillor hosting the Ward Town Hall meeting.
- 3.3** A corporate budget of \$25,000 will be established for one annual publication, organized by the Mayor's Office, to communicate the Town's achievements, current projects, and the Town of Whitby, overall.
- 3.4** Budget amounts noted in this Section shall be indexed annually, based on the Consumer Price Index (Ontario – All Items) in April of the previous year, and rounded to the nearest dollar starting in 2024. For clarity, 2024 budgets indexed based on April 2023 CPI.
- 3.5** Each Member may choose how to allocate their expenses within the limit established, based on their business needs, in accordance with what constitutes an eligible expense as per this policy.
- 3.6** Allocations are not transferrable between calendar years and cannot be accumulated and carried over.
- 3.7** If a Member exceeds their annual expense limit, the over-expenditure is the personal responsibility of the Member.

## **4 Excluded Expenses**

- 4.1** Council remuneration in the form of salary, benefits, and vehicle allowances are excluded from this policy as these items are accounted for through other Town of Whitby corporate policies, by-laws, or budget provisions.
- 4.2** Defence of court action brought against a Member, as such expenses are subject to and in accordance with the Indemnification By-law and/or the Town's insurance coverage.

## **5 Expense Guidelines**

- 5.1** Appendix 1 - Guidelines for Expenses for Members of Council forms part of this policy and provides Members with detailed guidelines of what expenses are eligible and ineligible.

- 5.2** Reimbursement or payment by the Town for an expense will not be made if it is not specifically provided for in this policy.
- 5.3** Expense reimbursements submitted by Members or expenditures incurred by the Town on behalf of Members will be charged to the Members' budget.
- 5.4** Member of Council claims for expenses must follow basic accounting and audit principles:
  - a) Expenses must relate to the business of the Town of Whitby;
  - b) A Member or the Town must directly incur the expense. Expenses incurred by third parties cannot be claimed;
  - c) Expenses must be consistent with what is permitted in this policy (see Appendix 1 – Guidelines for Expenses for Members of Council);
  - d) Members must provide proper documentation, including detailed original receipts, invoices, or e-bills for all expense claims. Credit card receipts or statements alone are not sufficient and will not be accepted.
  - e) Invoices must include a description of the goods purchased or services rendered, the cost, taxes and HST registration number, if applicable;
  - f) Expenses must be charged for the year in which they were incurred; Expenses cannot be carried forward to subsequent years; and,
  - g) Expenses must be submitted for reimbursement as soon as reasonably possible.

## **6 Election Year and Election Period Restrictions**

- 6.1** In accordance with the Municipal Elections Act, the Town cannot provide a subsidy to any candidate's election campaign. Therefore, special conditions for expense reimbursement for all Members of Council apply during an Election Year and, in the event of a by-election, for sitting Members of Council who are nominated in a by-election.
- 6.2** Members of Council shall adhere to the Use of Corporate Resources for Election Purposes Policy G 070 and shall not use corporate resources for campaigning as defined and specified therein.
- 6.3** In an Election Year or in the event that a by-election is held and a sitting Member of Council is nominated to run in the by-election, the following conditions shall apply to all Members of Council during an Election Year and to sitting Members who are nominated in a by-election effective at the start of the nomination period until the day after Election Day:
  - a) Annual budgets noted in Sub-Section 3.1 of this policy will be pro-rated for each term in an Election Year (11/12 months for Members of Council to the end of the term and 1/12 months for Members of Council starting the new Council term) or in the event of a by-election; and
  - b) Other expense restrictions may apply as specified within Appendix 1.

**6.4 During an Election Period:**

- a) Eligible Expenses under the heading “Communications, Advertising and Constituency Meetings” in Appendix 1 will not be paid or reimbursed by the Town;
- b) Ward Town Hall meetings will not be held and no annual printed publication, noted in Section 3 of this policy, will be produced and distributed.

**7 Interpretation**

- 7.1** Members of Council may consult with the Treasurer for guidance with respect to the eligibility of an expense and/or any interpretation on the application of this policy.

**8 Reporting**

- 8.1** Eligible expenses annually incurred by each Member shall be reported publicly in accordance with the requirements of the Municipal Act, as amended.

**9 Policy Review**

- 9.1** This policy shall be reviewed every four years prior to the budget meetings that follow the general municipal election, or as directed by Council.

**10 Related Documents**

- Council Code of Conduct
- Purchasing Policy
- Council Remuneration By-law #6500-11
- Ward Town Hall Meetings Policy
- Use of Corporate Resources for Election Purposes Policy G 070

**Appendices**

**Appendix 1** Guideline for Expenses for Members of Council

This Policy is hereby approved by Council Resolution # XXX-23 on this XX day of March 2023.



## **Guidelines for Expenses for Members of Council**

March 2023

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**CORPORATE EXPENSES:**

**Resources Available to Council – Items in this category are resources provided and paid for directly by the Town in order to facilitate the necessary conditions for Members to exercise their duties and are not considered to be expenses and will not be reported as such.**

**Office Space, Equipment, and Operations**

Office Space	<ul style="list-style-type: none"> <li>Office space for the Mayor and shared office space for Members of Council in the Mayor and Councillors' Office.</li> </ul>
Office Supplies	<ul style="list-style-type: none"> <li>General office supplies for use by the Mayor and Councillors' Office that are not intended for the exclusive use of a particular Member.</li> </ul>
Office Furniture	<ul style="list-style-type: none"> <li>Office furniture for use at Town Hall.</li> </ul>
Mobile Phone and Portable Computing Device	<ul style="list-style-type: none"> <li>Members of Council will be issued one Corporate Mobile phone and one Corporate Computing Device at the start of each term which may be replaced during the term based on the Town's standard replacement schedule to protect Town networks from obsolete/insecure devices.</li> <li>In an Election Year and at the end of each Council Term, Members of Council will have the option to purchase their mobile phone and/or portable computing device, at values based on the greater of:               <ol style="list-style-type: none"> <li>any outstanding hardware balance owed to the mobile phone carrier; or</li> <li>the unamortized value, calculated based on Revenue Canada's Capital Cost Allowance (Class 10) rates, for campaign use or personal use in accordance with this Policy.</li> </ol> </li> <li>Any Member who resigns, is disqualified, not re-elected, dismissed from Office, or has otherwise not opted to purchase their mobile phone and/or portable computing device by the end of the Council term, shall have the option of transferring ownership of Town issued computing device(s) and/or mobile phone, eligible software and accessories as a taxable benefit, calculated as outlined above, at that time. Costs to transfer the corporate phone number and/or plan shall be paid for by the Member.</li> <li>Mobile Phone and Portable Computing Device will be installed with Corporate Software and Applications, such as the electronic agenda management application and the Microsoft Teams messaging and virtual meeting platform</li> <li>Only Corporate Software and Applications installed by the Town will be supported by Town Technology and Innovation Services (TIS) staff</li> </ul>

Council Courier	<ul style="list-style-type: none"> <li>• Courier service is provided to Member's home address as scheduled by the Office of the Town Clerk.</li> </ul>
Staffing	<ul style="list-style-type: none"> <li>• Administrative support for Members is provided through the Mayor and Councillors' Office at a level that is in accordance with the annual operating budget and staffing resources allocated on that basis.</li> </ul>
Corporate Training	<ul style="list-style-type: none"> <li>• Corporate Training, including municipal conflict of interest and Council Orientation/education sessions, made available to all Members of Council and co-ordinated by the Chief Administrative Officer's or Town Clerk's office.</li> </ul>
Corporate Subscriptions	<ul style="list-style-type: none"> <li>• Subscriptions made available to all Members of Council where the Town pays a set fee (e.g., based on population) and there are no incremental costs to add Members of Council</li> </ul>
<b>Advice from the Integrity Commissioner</b>	
Corporate Expenses	<ul style="list-style-type: none"> <li>• Advice to a Member respecting their obligations under a procedure, rule or policy of the Town, governing the ethical behaviour of Members, including the Council Code of Conduct.</li> <li>• Advice to a Member respecting their obligations under the Municipal Conflict of Interest Act.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Advice is not available from the Integrity Commissioner if it pertains to a matter that is already being investigated by the Commissioner, is under review by a court, or is about an issue for which a formal complaint has been received.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>• Expenses associated with advice from the Integrity Commissioner to a Member shall be incurred corporately and not through a Member's expense allowance.</li> <li>• The total aggregated cost for advice provided by the Integrity Commissioner to Members shall be reported within the Integrity Commissioner's Annual Report.</li> </ul>

<b>Event Tickets</b>	
<b>Town Organized Event Tickets</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>• A ticket for a Member and one ticket for the Member's spouse or guest which shall be recorded as an expense based on the face value of the ticket.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Additional tickets other than those for the Member and their spouse or guest.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>• Tickets must be purchased through the Mayor and Councillors'</li> </ul>



	Office.
<b>Community Event Tickets</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>A ticket for a Member and one ticket for the Member's spouse or guest to attend a charitable or fund-raising event organized by a charitable/non-profit organization where funds raised will support services provided to the residents of Whitby and/or the Region of Durham.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>Additional tickets other than those for the Member and their spouse or guest.</li> <li>Raffle tickets, silent auction costs, and event tickets where each ticket holder is guaranteed a prize or gift other than token gifts, such as a souvenir or memento or a commemorative gift that is given in recognition of attending the event. For clarity, event tickets where all tickets are entered into a draw where the number of gifts/prizes is less than the total number of tickets entered into the draw are Eligible Expenses.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>Members should provide a copy of the event notice/flyer/e-mail/correspondence with information on the purpose of the event and event organizer.</li> <li>Events where there are no formal notices, flyers, or advertisements are readily available (such as dinner tickets in support of Legions) will be reviewed based on whether it is common knowledge that such an event was held by the reputable organizer in support of the community.</li> <li>Proof of ticket payment directly to the organization hosting the event when seeking reimbursement.</li> <li></li> </ul>

<b>Administrative Expenditures</b>	
<b>Council Portraits</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>Resitting for a Member's portrait if the Member is not satisfied with the original portrait.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>Portraits that do not use the photography services procured and approved by the Town for all Members.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>Council portraits are generally taken once per Council term, but may be retaken to accommodate a new Member during the Council term, with the cost for such sittings being borne by the Town as a corporate expense.</li> <li>Members may use their Council portrait for communications and duties related to their role as a Member of Council; however, in accordance with the Use of Corporate Resources</li> </ul>

	for Election Purposes Policy G 070, Members are prohibited from using their Council portrait for Campaigning or inclusion on Campaign Materials.
<b>Books and Subscriptions</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>Books, magazines, newspapers and periodicals (physical or electronic) that are related to the business of the Town or municipalities in general, or support Members in serving as elected officials.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>Books, magazines, newspapers and periodicals that have no demonstrated relation to municipal affairs, the Town, or to the role of Members as elected officials. Examples of ineligible books and subscriptions may include lifestyle or entertainment magazines such as sports, cooking, fashion, celebrity, and travel.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>Title of the publication should be included on the invoice.</li> <li>Members shall identify the business purpose for the book, magazine, newspaper and/or periodical when the business reason is not evident.</li> <li>Delivery address should be Town Hall or the Member's home address. For electronic subscriptions, the Members Corporate email address should be used.</li> <li>Members shall provide an original subscription invoice or renewal notice indicating delivery address of publication.</li> </ul>
<b>Office Supplies, Business Cards/Signs</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>Letterhead, signs, and business cards where design and content is in accordance with the Town's standards for accessibility and branding.</li> <li>General office supplies such as pens, paper clips, envelopes and notepads, if ordered for a Member's exclusive use and ordered through the Mayor and Councillors' Office.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>Stationary and office supplies for personal use or campaign use</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>Where procurement practices or procedures are in place, or when a preferred vendor has been identified, Members shall where applicable conform to such general practices when purchasing office supplies.</li> </ul>
<b>Town Attire</b>	
Complimentary	<ul style="list-style-type: none"> <li>Clothing widely distributed to a group for the purpose of attending or organizing a Town event (i.e., staff, volunteers, Members of Council) shall not be recorded as an expense against the Member.</li> </ul>
Eligible Expenses	<ul style="list-style-type: none"> <li>Up to two pieces of Town logoed or branded clothing per</li> </ul>

	calendar year for use by the Member at official functions or events.
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Additional clothing beyond the two pieces per calendar year.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>• Clothing will be provided through the promotional attire inventory held by the Town, or ordered based on pre-defined catalogue of available garments sourced by the Town through a preferred supplier without incurring additional setup and/or design fees.</li> </ul>

<b>Training, Seminars, and Conferences</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>• Registration cost.</li> <li>• Transportation (air, train or bus) to/from the training, conference, or seminar and ground transportation (car rental, taxi or transit) when there.</li> <li>• Mileage at the Canada Revenue Agency rate for mileage if the training, conference, or seminar, is outside of the Town of Whitby limits.</li> <li>• Parking.</li> <li>• Hotel at a single or double occupancy room rate.</li> <li>• Per diem for meals starting in 2022 are as follows: <ul style="list-style-type: none"> <li>- Breakfast - \$16.52</li> <li>- Lunch - \$27.55</li> <li>- Dinner - \$38.58</li> <li>- Per diem rates for meals shall be increased annually at the rate of inflation, as established by Statistics Canada</li> </ul> </li> <li>• Supplementary medical insurance for out of country travel.</li> <li>• Individual training for Members (e.g., media relations, leadership training, etc.)</li> <li>• Costs paid in advance to take advantage of early booking discounts. It is incumbent upon the Member of Council to reimburse the Town should the booking be cancelled and a refund was provided directly to the Member of Council</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Personal or spousal expenses.</li> <li>• Sightseeing expenses.</li> <li>• Mileage within the Town of Whitby.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>• A portion of expenses can be shared with a municipal, local or regional body to which the member is also appointed or elected.</li> <li>• Mileage is claimed in addition to any vehicle allowance provided through the Council Remuneration By-law or as otherwise approved by Council. Highway tolls may be claimed in addition to the per kilometer Canada Revenue Agency rate.</li> <li>• An original hotel invoice itemizing room costs and other incidentals must be submitted. Where a Member has requested</li> </ul>

	<p>a room above the double occupancy rate, the Town shall only reimburse the portion of costs associated with the advertised double occupancy rate (i.e. where a Member requests a suite to accommodate their accompanying family, the cost difference between the suite rate and the advertised double occupancy room rate shall be the responsibility of the Member).</p> <ul style="list-style-type: none"> <li>• No receipts are required to claim a per diem for meals. The meal per diem may only be claimed when a meal is not provided as part of the seminar or conference package or registration.</li> <li>• A Member of Council shall reimburse the Town for any discounts or refunds received, including refund of early booking costs, for which the Member of Council has received eligible business expense reimbursement for.</li> </ul>
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<b>Communications, Advertising, and Constituency Meetings</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>• Design, production and mailing of constituent newsletters, neighbourhood letters, and cooperative letters.</li> <li>• Creation and maintenance of a constituent website and social media accounts.</li> <li>• Advertising through print media, radio or television stations that have general circulation, listeners or viewership in the Town for the purpose of supplementing advertising by the Town to promote specific programs or events.</li> <li>• Meeting rooms to conduct constituency meetings.</li> <li>• Pay-per-use or subscription application/software costs related to conducting virtual/hybrid constituency meetings. Note: Microsoft Teams is the standard Town-issued and supported software for messaging and virtual meetings. Town TIS staff cannot provide technical support for third-party applications, including other virtual meeting platforms.</li> <li>• The catering of light snacks and refreshments, venue set-up fees, and additional cleaning charges for constituency meetings.</li> <li>• Costs may be shared between Members of Council.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Advertising or communications, regardless of the media, that promotes organizations, political parties and candidates or is partisan in nature.</li> <li>• Advertising or communications found to be in violation of the Council Code of Conduct as determined by an Integrity Commissioner appointed by Council.</li> <li>• Advertising or communications that criticize Members of Council or the decisions of Council.</li> </ul>

Conditions	<ul style="list-style-type: none"> <li>• A newsletter shall not be mailed or otherwise distributed beyond the boundaries of the constituency of a Member except where postal codes cross beyond such boundaries.</li> <li>• Members shall provide a copy of the communication or advertisement as an attachment to the expense submission.</li> <li>• Members should identify the business purpose of the advertisement or communication or show that it promotes specific Town programs or events.</li> <li>• Use of the Town logo or branding shall be approved by the Corporate Communications Division.</li> <li>• Town Staff and internal resources shall not be used to assist the Member with preparing and/or distributing advertising or communications.</li> <li>• Election Period Restrictions outlined in Council Expense Policy are applicable. Specifically, in an Election Year, expenses within this category are not reimbursable/not eligible expenses from the first day prescribed for the filing of nominations in accordance with the Municipal Elections Act and ending when the new Council takes office.</li> </ul>
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<b>Mobile Phone Expenses</b>	
Eligible Expenses – Corporate Devices and Phone Plans	<ul style="list-style-type: none"> <li>• Peripherals such as additional chargers or carrying cases.</li> <li>• Mobile phone plan to meet the Member's communication needs, including data.</li> <li>• Roaming charges, where not incurred for personal use, or add-on travel plans.</li> <li>• Replacement Corporate Phones and Corporate Portable Computing Devices outside of the Town's Standard Replacement Schedule subject to the Conditions in this section.</li> </ul>
Corporate Expense - Corporate Devices	<ul style="list-style-type: none"> <li>• A mobile phone in accordance with a predetermined list of mobile phone options made available through the Town's selected supplier.</li> </ul>
Ineligible Expenses – Corporate Devices and Phone Plans	<ul style="list-style-type: none"> <li>• Pay-per use calls.</li> <li>• Personal usage that incurs additional fees.</li> <li>• Charges related to the use of personal phones.</li> <li>• Campaign or election related usage.</li> </ul>
Conditions – Corporate Devices and Phone Plans	<ul style="list-style-type: none"> <li>• No replacement mobile phone shall be purchased or leased for a Member unless it is lost or stolen, or no longer operates and cannot be repaired at a reasonable cost to its initial operating specifications. The old equipment must be returned, and/or written confirmation provided that the equipment has been lost or stolen.</li> <li>• Device support is limited to the business functions for which the</li> </ul>

	<p>device is intended to be used (i.e., sending/receiving emails and use of the e-agenda app) and support will not be provided for personal use (i.e., third party apps and personal email).</p> <ul style="list-style-type: none"> <li>• The Member agrees to the application of established security protocols for mobile devices.</li> <li>• The Member agrees to follow all relevant Town-wide IT policies (including 500-050-01 Mobile Device Usage Policy).</li> <li>• Occasional or incidental personal use that does not incur additional fees is expected within reasonable limits. Members of Council are responsible for exercising good judgement regarding the reasonableness of personal use.</li> <li>• If, from the day of filing their nomination until Election Day, the Member wishes to use their corporate phone for campaign or election related purposes, the Member shall reimburse the Town for all costs associated with their corporate mobile phone for that period, and purchase the Town issued device based on the calculations outlined in the Corporate Expenses section of this Policy, as of the time of nomination.</li> </ul>
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<b>Computer Hardware, Software and Accessories</b>	
Corporate Expense	<ul style="list-style-type: none"> <li>• Town issued computing devices, software and accessories in accordance with a predetermined list of computing device options made available through the Town's selected supplier.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Personal computing devices, hardware, software and accessories not issued through the Town's Technology and Innovation Services (TIS) Division or acquired by a Member outside of the Town's purchasing processes and procedures.</li> </ul>
Conditions	<ul style="list-style-type: none"> <li>• The Member agrees to follow all relevant Town-wide IT policies (including 500-040-01 Technology Resource Acceptable Use Policy).</li> <li>• No replacement computer hardware, software and accessories shall be purchased or leased for Member unless it is lost or stolen, or no longer operates and cannot be repaired to its initial operating specifications. The old equipment must be returned, and/or written confirmation provided that the equipment has been lost or stolen. Replacement equipment issued in the fourth year of the Council term must be returned to the Town at the end of the Council term and may not be used for campaigning or election purposes.</li> <li>• Configuration of devices, including software, security and ongoing patching and management will be performed by the Technology and Innovation Services (TIS) Division. Device support is limited to the Town business functions for which the</li> </ul>

	<p>device is intended to be used (i.e., sending/receiving emails and use of the e-agenda software/app) and support will not be provided for personal use (i.e., third party software/apps and personal email). TIS will continue to support devices after they are transferred to a sitting Member up to the end of the Council term.</p> <ul style="list-style-type: none"> <li>• Occasional or incidental personal use that does not incur additional fees is expected within reasonable limits. Members of Council are responsible for exercising good judgement regarding the reasonableness of personal use.</li> <li>• If, after the day of filing their nomination, a Member wishes to use their Town device (e.g., iPad) for campaign or election related purposes, the ownership for such Town issued computing device(s), eligible software and accessories shall be transferred from the Town to the Member. If the Member chooses to exercise this option, the Member may purchase the Town issued device based on the calculations outlined in the Corporate Expenses section of this Policy, as of the time of nomination.</li> <li>• Computing devices, software and accessories remaining in Town ownership during the Election Period (i.e., when the Member elects not to transfer ownership) shall not be used for campaigning or election related purposes.</li> <li>• Software must be eligible to be transferred from a corporate account to a private account.</li> </ul>
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<b>Business Meetings and Hospitality</b>	
Eligible Expenses	<ul style="list-style-type: none"> <li>• Mileage at the Canada Revenue Agency rates for mileage if the business meeting is outside of the Town of Whitby limits.</li> <li>• Food and non-alcoholic beverages when attending a business meeting for the purpose of discussing matters of official Town business.</li> <li>• Food and alcoholic beverages for Economic Development purposes or hosted events by the CAO or Treasurer.</li> <li>• Meeting rooms to conduct official Town business.</li> <li>• The catering of light snacks and refreshments, venue set-up fees, and additional cleaning charges for business meetings or for hospitality at municipal events (i.e., annual AMO Conference).</li> </ul>
Ineligible Expense	<ul style="list-style-type: none"> <li>• Business meeting expenses of a personal nature and/or social meals or events.</li> <li>• Alcohol other than as noted above.</li> <li>• Mileage within the Town of Whitby.</li> </ul>

Conditions	<ul style="list-style-type: none"><li>• Aside from mileage, where the expense is for a business meeting, the full names of all participants attending the meeting, the date of the meeting and the purpose/circumstances of the meeting must be recorded and submitted.</li><li>• Trade missions or research/study trips shall be approved by Council and associated costs shall be in accordance with those allocated by Council for that purpose. General practices regarding expenses (hotel rooms, mileage, etc.) shall be followed where applicable.</li></ul>
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## Committee of the Whole Minutes

February 27, 2023, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

Present: Mayor Roy  
Councillor Bozinovski  
Councillor Cardwell  
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. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk  
L. MacDougall, Council and Committee Coordinator (Recording Secretary)

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The meeting commenced at 7:04 p.m. due to the Special Council Meeting held prior to the Committee of the Whole meeting.

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. Consent Agenda

5. Planning and Development

**Councillor Lee assumed the Chair.**

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Davina Jones, Resident (In-Person Attendance)

Re: 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

**Refer to Item 5.3.1, Correspondence # 2022-625**

Davina Jones and Wenda Abel, Residents, stated that they were speaking on behalf of residents in the Port Whitby area. Ms. Abel advised that over 200 residents signed the Port Whitby Community Traffic Petition, noting that it was included in the meeting agenda. She advised that there was an urgent need for action in the Port Whitby and waterfront areas to address longstanding risks to the community's peace, safety, health, and well-being. Ms. Abel noted that Whitby's waterfront has become the busiest attraction in Whitby, and that this has resulted in an increase of traffic volume during all hours of the day and evening year round. She noted that there has been an increase in people not adhering to traffic signage, speeding, aggressive and dangerous driving, transport trucks cutting through the community, and noise from vehicles with illegal modified mufflers. Ms. Abel stated that traffic concerns would only increase as existing development projects in the area were completed and as the Province mandated intensification. She advised that her property faces Victoria Street, noting that every day and night vehicles with illegal modified mufflers pass by and that she was not able to enjoy her balcony. She raised further concerns about residents in the community not being able to enjoy their properties, disruption of sleep, being anxious about walking on and crossing streets, and difficulty entering and exiting driveways.

Ms. Abel stated that the traffic concerns have been increasing since 2014 when Watson Street, Charles Street, and Front Street were widened and that they have become much worse since the waterfront was discovered during the COVID-19 pandemic. She advised that several actions were taken to raise awareness and to assist Members of Council and the Durham Region Police Service (DRPS) to understand and respond to the scope and severity of the situation. Ms. Abel stated that the addendum to the petition documented the correspondence to Council, Staff, and DRPS to affect change, noting that there has not been any constructive action to date and that the problem continues to grow. Ms. Abel requested that Whitby Council, Durham Region Council and DRPS take immediate measures to stop the illegal activities in the community. She requested that a meeting take place with the residents of Port Whitby to listen and to work with them to prepare and share a plan to enforce the laws and implement necessary traffic routing, calming, and control measures on the streets of Port Whitby as soon as possible. Ms. Abel asked that the tools, resources, and mandates to Staff and DRPS be provided to successfully implement the plan. Further, Ms. Abel requested that the Town work with other municipalities in the Region and DRPS to begin a region-wide campaign against dangerous and aggressive driving, to pressure the Province for stricter laws, harsher penalties, and to provide the resources to the Region, police services, and all municipalities in Ontario to enforce speeding and aggressive driving laws and to stop the use of illegal modified mufflers on vehicles. Ms. Abel stated that the enjoyment of residents' properties, their safety, peace of mind, and well being were all at stake.

A question and answer period ensued between Members of Committee, Ms. Jones and Ms. Abel regarding:

- whether there was a specific area of concern in Port Whitby or whether it was the entirety of Port Whitby that was impacted by traffic and noise;
- the timeline associated with the illegal activities experienced by Port Whitby residents; and,
- whether narrower streets and traffic calming measures would alleviate traffic concerns.

It was the consensus of the Committee to hear Item 5.3.1, 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, at this time

5.2.2 Max Lysyk, Resident (In-Person Attendance)

Re: PDP 61-22, Planning and Development (Planning Services) Department Report  
Final Recommended Official Plan Amendment, Downtown Whitby Community Secondary Plan, File Number: DEV-21-20 (OPA-2020-W/03)

**Refer to Item 5.4.1, PDP 61-22**

Max Lysyk stated that his family owns property located at 700 Dunlop Street, and that they have received notifications about the Downtown Whitby Community Secondary Plan throughout the entire process. Mr. Lysyk stated that his family participated in the process, that they have had numerous conversations with Town Staff, and many opportunities to review and provide comments throughout the process. He advised that he was in support of the Staff recommendation.

5.3 Correspondence

5.3.1 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

Discussion ensued between Members of Committee regarding:

- the persistent frustration of the residents in Port Whitby and long-term concerns about traffic issues in Port Whitby;
- the importance of using data for good decision making with respect to the management of these traffic issues; and,
- the need for traffic calming measures and speed enforcement on Victoria Street.

At the request of the Chair, Inspector Martin, Central West Division, Durham Region Police Service appeared before the Committee to provide statistics related to the traffic concerns on Victoria Street. Inspector Martin stated that he was aware of the traffic complaints

on Victoria Street, and that he had retrieved statistics on Victoria Street for the past 6 months. Inspector Martin advised that there was approximately 9.75 hours of enforcement on the Victoria Street corridor from Brock Street westerly to the Lynde Shores Conservation Area during that timeframe. He stated that 107 tickets were issued for various offences, that the number of tickets issued over the 9.75 hours was expected and unremarkable, and that it was similar to other high traffic areas within the Town. Inspector Martin advised that patrol was set up based on intelligence led policing. He further advised that patrol was based on statistics about collisions at intersections and complaints from the public received from partners such as the Region and the Town, and that the police provide enforcement in those areas. He noted that Victoria Street receives about the same amount of enforcement as other areas in the Town that also have complaints about traffic volume.

A question and answer period ensued between Members of Committee and Inspector Martin regarding:

- whether there were areas in Whitby that were of greater concern than Victoria Street;
- confirmation that Victoria Street was a Regional road and that enforcement matters should be considered/discussed at the Region;
- the criteria for the placement of automated speed cameras;
- whether the traffic volumes and speed on Victoria Street, an arterial throughfare road, were normal for that type of road;
- the willingness of Inspector Martin to attend/participate in a community meeting;
- the concerns about noisy mufflers in different areas of Whitby;
- sharing the proposed legislation with respect to modified mufflers with Members of Council;
- whether tickets have been issued for noisy modified mufflers in Whitby in the past 12 months, and the enforceability of the noise from the modified mufflers;

- how often vehicles were impounded in Whitby;
- the necessity for advocacy from Members of Council to assist with the noisy muffler issue; and,
- providing a presentation to Whitby Council with respect to traffic issues in Whitby.

Recommendation:

Moved by Councillor Lundquist

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**

#### 5.4 Staff Reports

##### 5.4.1 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)

Recommendation:

Moved by Councillor Lee

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**

5.4.2 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)

A brief question and answer period ensued between Members of Committee and Staff regarding opportunities to protect the existing residential area from the noise that would be generated from the industrial development as it becomes occupied.

Recommendation:

Moved by Councillor Yamada

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**

5.4.3 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

A brief question and answer period ensued between Members of Committee and Staff regarding whether conversations were taking place with Habitat for Humanity about their previous interest in a portion of Town-owned lands on Dunlop Street

Recommendation:

Moved by Mayor Roy

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**

## 5.5 New and Unfinished Business - Planning and Development

### 5.5.1 Municipal Housing Pledge

Councillor Lee vacated the Chair for this portion of the meeting.

Councillor Leahy assumed the Chair.

Councillor Lee introduced a motion regarding the Town of Whitby's Municipal Housing Pledge.

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

- details about the Town's Municipal Housing Pledge to the Province and the necessary initiatives/activities to facilitate the development of 18,000 new homes in Whitby by 2031;
- whether implementing/updating the Town of Whitby Official Plan could be achieved given the amount of time required for the completion of the Downtown Whitby Secondary Plan;
- clarification on the allocation of greenfield and intensification areas to provide proportionate shares for each area municipality;
- circulating the resolution to all municipalities in Durham Region; and,
- the impact of pausing the approval of the Regional Official Plan on Whitby and other area municipalities.



Recommendation:

Moved by Councillor Lee

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 they 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**

6. General Government

**Councillor Yamada assumed the Chair.**

6.1 Presentations

There were no presentations.

6.2 Delegations

There were no delegations.

6.3 Correspondence

There was no correspondence.

6.4 Staff Reports

6.4.1 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

A brief discussion ensued between Members of Committee regarding continuing the program and providing the opportunity for more musicians to perform.

Recommendation:

Moved by Mayor Roy

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**

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

Re: Roebuck Street Placemaking Project

A brief question and answer period ensued between Members of Committee and Staff regarding the possibility of expanding placemaking opportunities in Downtown Whitby.

Recommendation:

Moved by Councillor Lee

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**

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

Re: Community Development Funds - 2022 Annual Report

Discussion ensued between Members of Committee regarding:

- administrative changes to the Mayor's Community Development Fund and Performing Arts Community Development Fund Policy including renaming of the Mayor's Golf Tournament to the Mayor and Council's Golf Tournament, and including two recurring grants being the Mayor's Medal scholarship recipients and the Lakeridge Health Capital Campaign;
- encouraging more participation and applications, and recognizing that there were limitations related to the approval of the fund recipients; and,
- the importance of the transparency of the allocation of the funds.

A brief question and answer period ensued between Members of Committee and Staff regarding the period that decisions on grant applications are not made during a municipal election year and the possibility of shortening that time period.

Recommendation:

Moved by Mayor Roy

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**

#### 6.4.4 CAO 03-23, Office of the Chief Administrative Officer

Re: Public Art Policy Framework

A brief question and answer period ensued between Members of Committee and Staff regarding whether Staff would utilize attributes of the Region's Public Art Policy in the Town's policy.

Recommendation:

Moved by Mayor Roy

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**

## 6.5 New and Unfinished Business - General Government

### 6.5.1 Durham Meadoway – Green Energy Projects

Councillor Lundquist introduced a motion regarding exploring the possibility of green energy projects on the Gatineau Hydro Corridor.

Recommendation:

Moved by Councillor Lundquist

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**

### 6.5.2 Protecting Whitby's Urban Forest Canopy

Councillor Lundquist introduced a motion regarding protecting Whitby's urban forest canopy.

Recommendation:

Moved by Councillor Lundquist

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**

7. Adjournment

Motion to Adjourn

Moved by Councillor Lee

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:34 p.m.





## Committee of the Whole Minutes

March 6, 2023, 7:00 p.m.  
Council Chambers  
Whitby Town Hall

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

Regrets: Councillor Lundquist

Also Present: M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Director of Strategic Initiatives  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement  
Services/Town Solicitor  
F. Wong, Commissioner of Financial Services/Treasurer  
R. Saunders, Commissioner of Planning and Development  
M. Dodge, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Narraway, Manager of Legislative Services/Deputy Clerk  
L. MacDougall, Council and Committee Coordinator (Recording  
Secretary)

- 
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.

Mayor Roy requested that Staff provide an update on the winter storm event that occurred on March 3 and 4, 2023.

Paul Thistle, Director, Operational Services, and Hector Moreno, Manager, Operations – Roads and Traffic, provided a detailed update regarding the winter storm event, the pre-storm preparation and post-storm snow clearing and removal operations.

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

- the timeline to plow all streets in the Town after the snowfall has ended to meet minimum maintenance requirements;
- the ability of the Town's current Staff and equipment to provide snowplowing/clearing services within the minimum maintenance standards;
- clarification on the timeline for snowplowing/clearing tertiary roads when there was an accumulation of more than 10 centimetres of snow;
- confirmation that roads would not be entirely cleared within 24 hours following such a significant snowfall;
- whether the number of equipment breakdowns during this snowstorm event was normal;
- whether the annual winter maintenance review should include more robust equipment in anticipation of more intense storms with large snow accumulations;
- whether there was a way to minimize Staff down time;
- educating the public about what safe and passable roads mean versus bare pavement roads and the timelines associated with achieving safe and passable roads versus bare pavement;
- clarification on the responsibility of snow/ice clearing in front of bus stops, mailboxes, and private sidewalks;
- the communication with and involvement of Enforcement Services with respect to the enforcement of vehicles parked on roads and interfering

with snowplowing operations, and the timeline for a response by Enforcement Services;

- the management/removal of high snowbanks interfering with sightlines;
- whether Town Staff were responsible for the Windrow and Sidewalk Clearing Program and the possibility of the program being contracted to private companies;
- whether Staff rotated the windrow/sidewalk snow clearing route so that the service would not always be provided to the same residents first, the number of crews clearing windrows, and whether the order of the windrow clearing was determined geographically;
- whether the timeline for the commencement and completion of the Windrow and Sidewalk Program could be shortened;
- the number of the total inquiries/complaints that were about windrows and the number of inquiries that were residents on the windrow program, and the ability to respond and communicate to inquiries/complaints about the timeline for the completion of clearing windrows;
- providing information to Council about equipping the fleet with windrow eliminator blades prior to the 2024 budget process; and,
- a review of the online tool for reporting winter issues to determine usage and effectiveness.

4. Consent Agenda

5. Planning and Development

**Councillor Lee assumed the Chair.**

5.1 Presentations

There were no presentations.

5.2 Delegations

5.2.1 Maurizio Rogato representing Garden Street Developments Inc.  
(Virtual Attendance)

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

### **Refer to Item 5.4.1, PDP 09-23**

Maurizio Rogato representing Garden Street Developments Inc., appeared before the Committee and stated that he was in support of the Staff recommendation and that he was available to answer questions.

#### **5.3 Correspondence**

There was no correspondence.

#### **5.4 Staff Reports**

##### **5.4.1 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)

Recommendation:

Moved 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**

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

Re: Envision Durham – Draft Regional Official Plan

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

- a detailed overview of the Staff Report and the discussions that has been taking place at Regional Council;
- clarification on any crossover between Envision Durham and the Greenbelt, and the impact of considering the Greenbelt as part of Envision Durham;
- whether Staff would have discussions with Regional Councillors about Downtown Brooklin and Downtown Whitby with respect to the 150 targeted people and jobs per gross hectare to provide a better understanding about how to approach the matter at the Region;
- whether any of the lands to be removed from the Greenbelt for residential purposes were located in Whitby;
- confirmation that the Region is legislated by the Planning Act to undertake the Envision Durham process, and that the Province may step in and take over should the process be paused; and,
- whether the Town's comments to the Region would require a motion at Regional Council.

Recommendation:

Moved by Mayor Roy

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**

5.4.3 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)

Recommendation:

Moved by Councillor Lee

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**

5.5 New and Unfinished Business - Planning and Development

5.5.1 New and Unfinished Business - Planning and Development

There was no discussion on the new and unfinished business list.

6. General Government

**Councillor Yamada assumed the Chair.**

6.1 Presentations

- 6.1.1 Simon Gill, Director of Economic Development and Tourism,  
Region of Durham, and Paul Pirri, Senior Manager of Economic  
Development (In-Person Attendance)

Re: Ready Set Future – A PLACE Blueprint for Durham

**Refer to Item 6.4.1, CAO 08-23**

Simon Gill, Director of Economic Development and Tourism,  
Region of Durham, and Paul Pirri, Senior Manager of Economic  
Development appeared before the Committee and provided a  
PowerPoint presentation about Ready Set Future – A PLACE  
Blueprint for Durham. Highlights of the presentation included:

- the collaboration that has taken place with over 80 of the Region's economic partners to develop a long-term vision for Durham;
- the strategic vision of the 2023-2027 Economic Development and Tourism Strategy and Action Plan;
- detailed information about the eight economic growth principles that determine why and how the Region delivers on its goals;
- details about the five priority clusters to create opportunities and investment that would strengthen existing networks, have great global growth prospects, create high value jobs, and improve the Regional reputation; and,
- detailed information about the four long-term aspirations and the five-year goals as they relate to people, location, acceleration, and creativity.

A question and answer period ensued between Members of Committee, Mr. Gill, and Mr. Pirri regarding:

- the expectation and status of the partnership between Whitby and Durham Region;
- whether there would be equal opportunities for all municipalities in the Region as a result of Durham Region's Five-Year Economic Development and Tourism Strategy and Action Plan;
- an explanation of the meaning of delineation amongst the local municipalities;
- whether enablers have been identified and what the enablers were;
- the metrics and key performance indicators that would be used for benchmarking;
- strategies or incentives through the plan to support Downtown Whitby and Downtown Brooklin;
- the responsibility for the deployment of initiatives such as tourism, placemaking and cultural activations in the downtowns;

- the role of the Town in the development of fostering workforce diversity and encouraging inclusive talent development to enable underrepresented groups;
- how partnerships with post-secondary institutions could maximize connections with places like the Spark Centre or 1855 Accelerator to enable growth and success in the innovation community; and,
- how the skills of immigrants coming from other countries to Canada would be maximized to ensure they want to be part of the community and the culture.

It was the consensus of the Committee to hear Item 6.4.1, CAO 08-23, at this time.

6.1.2 Clorraine Dennie, Executive Director, and Kim Copetti, General Secretary, Downtown Whitby Business Improvement Area, and Bobby McBride, Member of the Downtown Whitby Business Improvement Area Board of Management (In-Person Attendance)

Re: FS 11-23, Financial Services Department and Office of the Chief Administrative Officer Joint Report  
Downtown Whitby Business Improvement Area (BIA) 2023 Budget and 2022 Reporting

**Refer to Item 6.4.2, FS 11-23**

Clorraine Dennie, Executive Director, Kim Copetti, General Secretary, Downtown Whitby Business Improvement Area, and Bobby McBride, Member of the Downtown Whitby Business Improvement Area Board of Management, appeared before the Committee and provided a PowerPoint presentation about the Downtown Whitby Business Improvement Area (BIA) 2023 Budget and Annual Report. Highlights of the presentation included:

- a detailed overview of the BIA's 2022 and 2023 beautification efforts, programs and events, and grants; and,
- detailed information about the 2023 proposed budget.

A question and answer period ensued between Members of Committee, Ms. Dennie, Ms. Copetti, and Mr. McBride regarding:



- the management/maintenance of the floral baskets and planters for summer 2023;
- the rationale for the expenditure versus the revenue for the Beer Festival and the Christmas Market in 2022, the shortfall of \$21,000 in the proposed 2023 budget for these two events, and the increase of \$10,000 in the 2023 budget considering the ongoing deficits;
- future initiatives for implementation in Downtown Whitby; and,
- whether businesses in Downtown Whitby were recovering from the COVID-19 pandemic.

## 6.2 Delegations

There were no delegations.

## 6.3 Correspondence

There was no correspondence.

## 6.4 Staff Reports

### 6.4.1 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

A question and answer period ensued between Members of Committee, Mr. Gill and Staff regarding:

- whether collaboration would take place with local libraries for new Canadians establishing businesses, and whether collaboration has taken place with companies in the innovative community such as 360insights, 1855 Accelerator, and Geekspeak Commerce;
- whether funding from the Region would be available for Downtown Whitby and Downtown Brooklin; and,
- how Whitby could promote tourism and filming to entice the filming industry and tourism to Whitby.

Recommendation:

Moved by Mayor Roy

That Report CAO 08–23 be received for information.

**Carried**

It was the consensus of the Committee to hear Item 6.1.2, Presentation by Clorraine Dennie, Executive Director, and Kim Copetti, General Secretary, Downtown Whitby Business Improvement Area, and Bobby McBride, Member of the Downtown Whitby Business Improvement Area Board of Management, at this time.

6.4.2 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

Recommendation:

Moved by Councillor Yamada

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**

6.4.3 FS 02-23, Financial Services Department Report

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

Recommendation:

Moved by Councillor Yamada

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

**Carried**

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

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

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

- whether residents would be notified about the installation of the streetlights; and,
- whether there were any updates from the Region with respect to the installation of streetlights on Taunton Road between Cochrane Street and Country Lane.

Recommendation:

Moved by Councillor Leahy

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**

6.4.5 FS 09-23, Financial Services Department Report

Re: Procurement Policy

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

- whether the changes to the Procurement Policy would have an impact on Council having the ability to provide input on parks and park development prior to awarding tenders; and,

- whether the timing for development of parks simultaneously with the development of residential areas would change as a result of the new Procurement Policy.

Recommendation:

Moved by Councillor Yamada

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**

#### 6.4.6 FS 10-23, Financial Services Department Report

Re: Revision to Council Expense Policy (G 050)

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

- clarification on the revised Council Expense Policy with respect to the options outlined for corporate phones and/or plans at the end of the term of Council should the Member of Council not be re-elected or not seek re-election; and,
- correcting the wording in the Policy regarding options for corporate phones to be consistent with past and current practice, and whether that correction would take place administratively.

Recommendation:

Moved by Councillor Leahy

That the revised Council Expense Policy (Policy # G050), Attachments 1 and 2 to Report FS 10-23, be approved.

**Carried**

6.4.7 CLK 03-23, Office of the Town Clerk Report

Re: Ward Teams and Proposed Policy for Ward Town Hall Meetings

**Note:** This item was withdrawn.

6.5 New and Unfinished Business - General Government

6.5.1 Refrigerated Outdoor Ice Rinks or Skating Trails

Councillor Mulcahy introduced a motion regarding refrigerated outdoor ice rinks or skating trails.

Recommendation:

Moved by Councillor Mulcahy

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**

6.5.2 Ocean Pearl Park Shade Structure

Councillor Shahid introduced a motion regarding a potential Ocean Pearl Park Shade Structure.

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

- whether the Ocean Pearl Park shade structure and other parks identified as needing improvements could be included in the Master Plan and/or another review process through Community Services;
- ensuring that attention would be given to the needs of older parks as well as modifications to newer parks;
- the style, endurance and longevity of existing shade structures in parks and a review of all existing shade structures;
- referring the Ocean Pearl Park shade structure to a review process that includes an assessment of all other parks, and the possibility of providing a comparison between a shade structure and planting larger, mature trees; and,
- confirmation that the Ocean Pearl Park shade structure, although referred to the annual parks playground condition assessment, would be included as a decision item in the 2024 budget.

Recommendation:

Moved by Councillor Shahid

That Staff be directed to review the opportunity to include a new tax-funded capital project for a shade structure at Ocean Pearl Park as a decision item in the 2024 budget.

**Note: The disposition of this matter, Item 6.5.2, was determined through the referral motion below.**

Recommendation:

Moved by Councillor Lee

That consideration of a shade structure at Ocean Pearl Park be referred to Staff to review as part of the annual parks playground condition assessment.

**Carried**

#### 6.5.3 School Zone Parking Enforcement Staff

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

- confirmation that the Town does not have an overnight contracting service for parking enforcement;
- whether resources would be available to provide parking enforcement in school zones in the fall, and whether consideration was being given to awarding a contract for parking enforcement services in the short term; and,
- the possibility of arranging a roundtable discussion in the fall with Durham Region Police Service, School Board Trustees, Members of Council, and Staff to review challenges related to parking around school zones.

Recommendation:

Moved by Councillor Leahy

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**

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

Councillor Shahid introduced a motion regarding urging the Province to require a Safe-Arrival Policy for provincially licenced child care providers.

Recommendation:

Moved 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**

#### 6.5.5 New and Unfinished Business - General Government

There was no discussion on the new and unfinished business list.

#### 7. Adjournment

Motion to Adjourn

That the meeting adjourn.

**Carried**

The meeting adjourned at 10:03 p.m.





# Town of Whitby

## By-law # 7967-23

### Appointment of Fire Chief

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

Whereas subsection 6(1) of the Fire Protection and Prevention Act, 1997, as amended, states that if a fire department is established for a municipality, the Council of the municipality shall appoint a fire chief for the fire department;

And Whereas the Council of The Corporation of the Town of Whitby considers it desirable to appoint a new Fire Chief.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. Michael Hickey is appointed as Fire Chief for The Corporation of the Town of Whitby.
- 1.2. The Fire Chief shall be responsible to the Council for delivery of fire protection services for The Corporation of the Town of Whitby and shall report to the Chief Administrative Officer for administration purposes on the financial control, management, coordination and efficient administration of Whitby Fire and Emergency Services and its employees within the policies, programs, and budgets approved by the Council.
- 1.3. The Fire Chief shall be responsible to the Council and report to the Chief Administrative Officer on,
  - 1.3.1. The efficient organization and administration of Whitby Fire and Emergency Services with respect to fire fighting and fire prevention services for the Town of Whitby.
- 1.4. The Fire Chief shall act as the principal advisor to the Council and the Chief Administrative Officer on Fire and Emergency Services' matters and shall perform such duties as may be required of the Fire Chief as provided for in applicable legislation.

#### 2. Repeal of Existing By-law

- 2.1. That By-law #6928-14 is hereby repealed in its entirety.

#### 3. Effective Date

- 3.1. The provisions of this by-law shall come into force and take effect on the 27th day of February, 2023.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 7968-23

### Zoning By-law Amendment

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

Whereas, pursuant to Section 34 and 36 of the Planning Act R.S.O. 1990 c.P13, as amended, Council has imposed the Holding symbol "H" in conjunction with a zoning category through By-law # 7362-18 on the Subject Land shown on Schedule "A-1" attached thereto;

And whereas, Council is satisfied that the conditions related to removing the Holding symbol has been satisfied and notice has been given of the intention to pass an amending By-law to remove the Holding symbol in respect of the Subject Land;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. Schedule "A" to By-law #2585 is hereby amended by removing the Holding symbol "H" and changing the zoning from H-M2-1 to M2-1 for the Subject Land shown on Schedule "A-1" attached to and forming part of this By-law.

By-law read and passed this 20th day of March, 2023.

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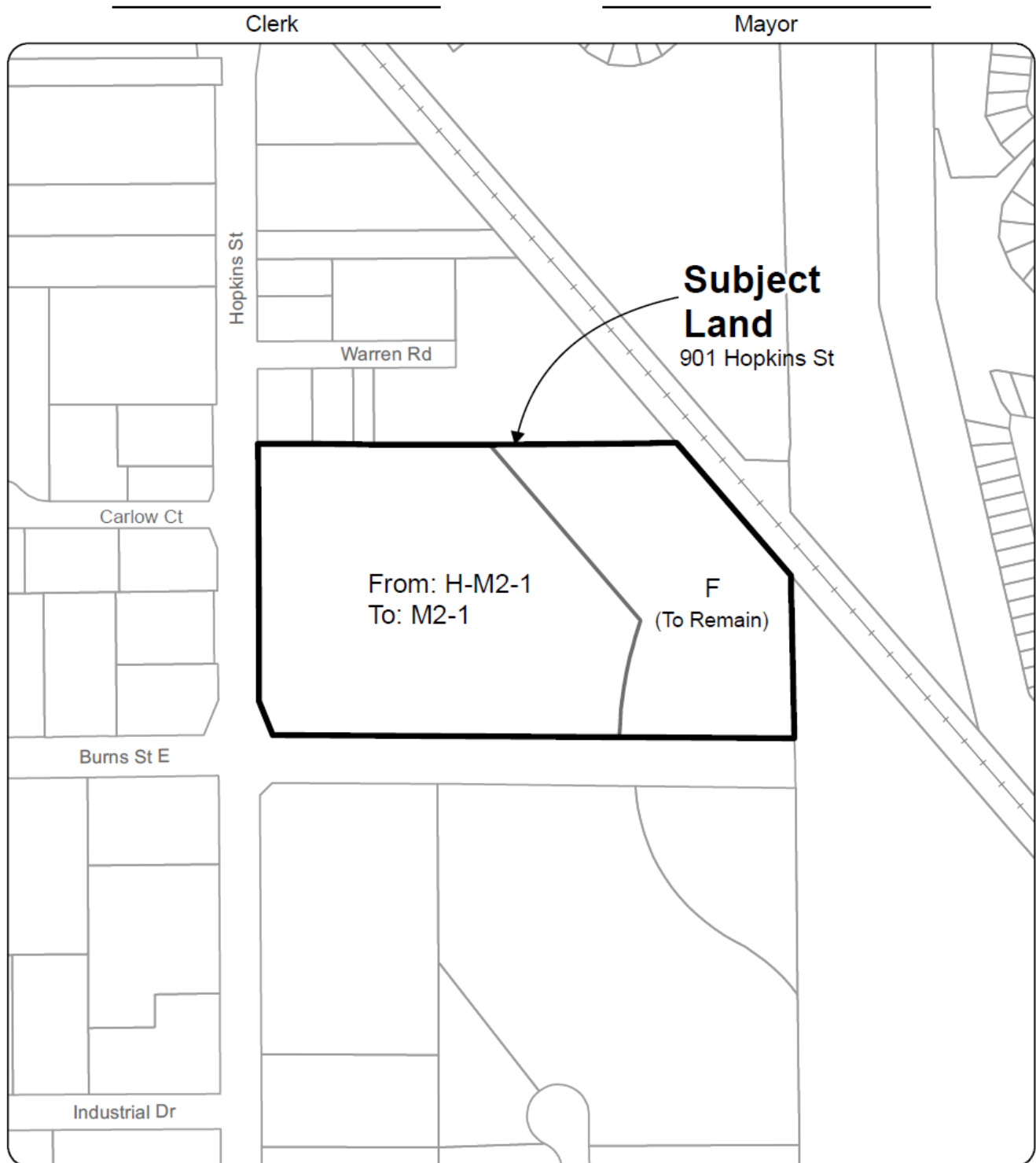
Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

**Schedule A-1**  
To By-law # 7968-23

This is Schedule A-1 to By-law # 7968-23 passed by the  
Council of the Town of Whitby this 20th day of March, 2023.





# Town of Whitby

## By-law # 7969-23

### Zoning By-law Amendment

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

Whereas, the Council of The Corporation of the Town of Whitby deems it advisable to amend By-law #2585;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. Schedule "A" to By-law #2585 is hereby amended by changing the zoning from R2-DT to R2-DT-11 for the land shown as the Subject Land on Schedule "A-1" attached to and forming part of this By-law amendment.
- 1.2. Subsection 26.4.3 Residential Type 2 – Downtown Zone – Exceptions to By-law #2585, as amended, is hereby further amended by adding thereto the following Exception:

#### **26.4.3.11 EXCEPTION 11: (R2-DT-11) 305 St. John Street West**

##### **1. DEFINED AREA**

The lands located on the south side of St. John Street West and east of King Street and zoned R2-DT-11 shall be subject to the provisions as hereinafter contained. Matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law #2585.

##### **2. USES PERMITTED**

Notwithstanding the uses permitted in the R2-DT Zone, in any R2-DT-11 Zone, the following additional use shall also be permitted:

- One dwelling unit situated within the existing accessory structure.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

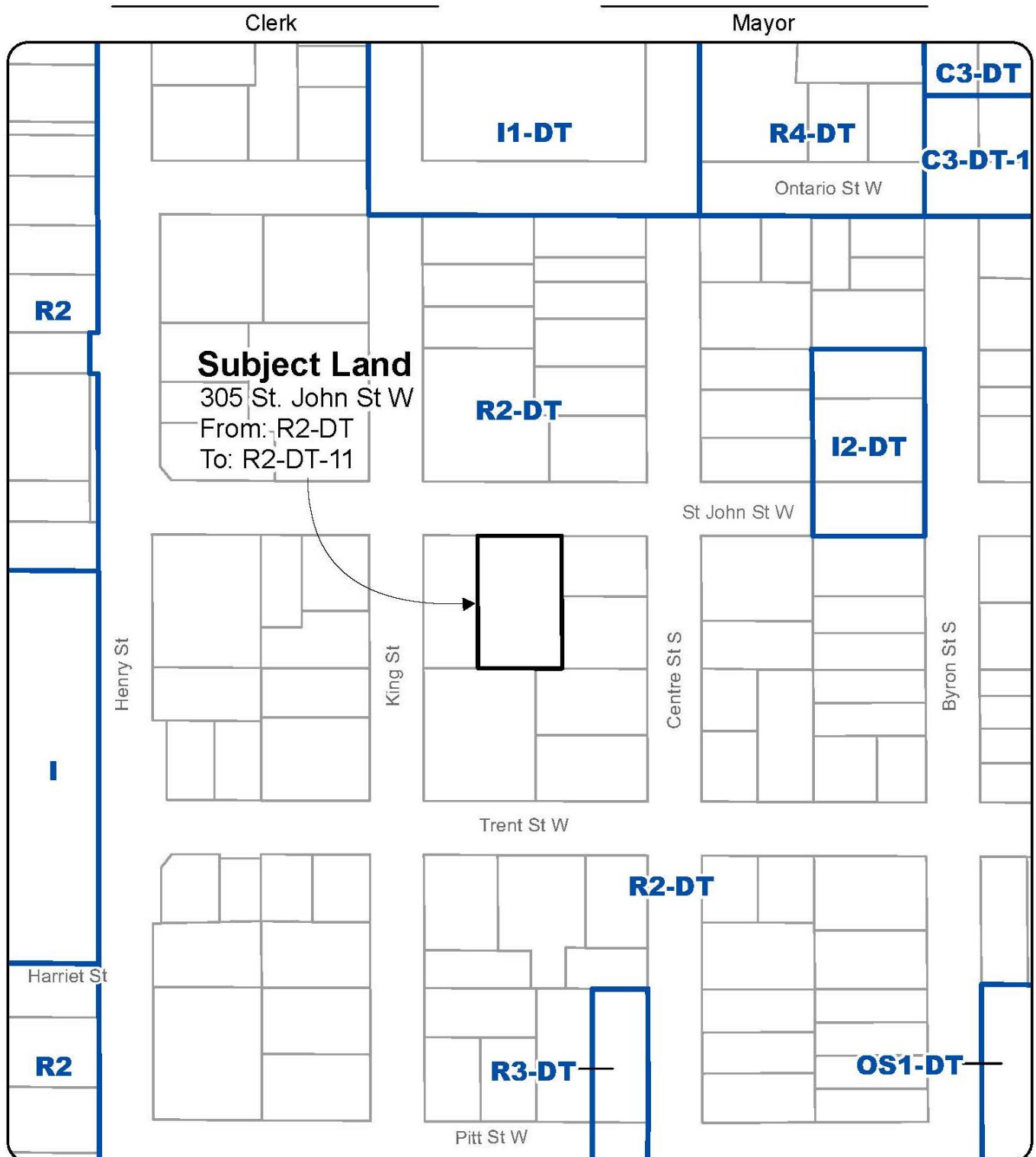
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Christopher Harris, Town Clerk

# Schedule A-1

To By-law # 7969-23

This is Schedule A-1 to By-law # 7969-23 passed by the  
Council of the Town of Whitby this 20th day of March, 2023.





# Town of Whitby

## By-law # 7970-23

### Part Lot Control By-law

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.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:

- (a) Block 1, Plan 40M-2722, being all of PIN 26485-0209 (LT);
- (b) Block 2 Plan 40M-2722, being all of PIN 26485-0210 (LT);
- (c) Block 3 Plan 40M-2722, being all of PIN 26485-0211 (LT); and,
- (d) Block 4, Plan 40M-2722, being all of PIN 26485-0212 (LT).

1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

#### 2. Effective Date

2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 20<sup>th</sup>, 2025.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 7971-23

### Part Lot Control By-law

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.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:
  - a) Firstly: Block 258, Plan 40M-1950; Block 99, Plan 40M-2194; Secondly: Part Block 259, Plan 40M-1950; Part 8, Plan 40R-19112, being all of PIN 16434-4610 (LT).
- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

#### 2. Effective Date

- 2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 20<sup>th</sup>, 2025.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk





# Town of Whitby

## By-law # 7972-23

### Part Lot Control By-law

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.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:

(a) Block 1, Plan 40M-2728, being all of PIN 26569-1821 (LT).

1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

#### 2. Effective Date

2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 20<sup>th</sup>, 2025.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 7973-23

### Part Lot Control By-law

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.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:

(a) Block 1, Plan 40M-2713, being all of PIN 26545-0551 (LT).

1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

#### 2. Effective Date

2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 20<sup>th</sup>, 2025.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 7974-23

### Part Lot Control By-law

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.

Whereas subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, do not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

And whereas, the Council of The Corporation of the Town of Whitby considers it appropriate to pass such a by-law relating to the lands hereinafter described.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

1.1. That subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Whitby, Regional Municipality of Durham:

- (a) Lot 140, Plan 40M-2672, being all of PIN 26547-2147 (LT);
- (b) Lot 141, Plan 40M-2672, being all of PIN 26547-2148 (LT);
- (c) Lot 142, Plan 40M-2672, being all of PIN 26547-2149 (LT);
- (d) Lot 143, Plan 40M-2672, being all of PIN 26547-2150 (LT); and,
- (e) Lot 144, Plan 40M-2672, being all of PIN 26547-2151 (LT).

1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title on the lands set out herein.

#### 2. Effective Date

2.1. The by-law shall be in force and effect upon final passage thereof, and shall remain in force and effect for a period of two (2) years from the date of its passing, ending March 20, 2025.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 7975-23

### Dedication By-law

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

Whereas Subsection 31(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, requires a municipality to enact a by-law in order to establish lands as a highway;

And whereas the Council of The Corporation of the Town of Whitby considers it desirable to dedicate lands as hereinafter described as a public highway.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. That the following lands in the Town of Whitby, Regional Municipality of Durham, be and are hereby established as a highway by the Town, and forming part of the highway known as McQuay Boulevard
  - a) Part Lot 31, Concession 2, designated as Part 19 on Plan 40R-14106, PIN 26545-0415 (LT).
- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title to the lands and highways set out herein.
- 1.3. That this By-law shall come into full force and effect upon final passage hereof.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Town of Whitby

## By-law # 7976-23

### Heritage Designation By-law

#### **Designation of the Malcolm McTaggart House, 9455 Baldwin Street North as being of Cultural Heritage Value and Interest**

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.

Whereas, in accordance with the provisions of Section 29 of the **Ontario Heritage Act**, R.S.O. 1990, c. 0.18, as amended, the Council of The Corporation of the Town of Whitby considers it desirable to designate the exterior of the building known as the Malcolm McTaggart House on the property hereinafter described to be of cultural heritage value and interest;

And whereas, the Council of the said Corporation has caused to be served on the owners of the property municipally known as 9455 Baldwin Street North, Whitby, Ontario, and upon the Ontario Heritage Trust, notice of its intention to designate the exterior of the Malcolm McTaggart House and the associated property at the aforesaid address to be of cultural heritage value and interest and has caused such notice to be published in a newspaper having general circulation in the Town of Whitby;

And whereas, a notice of objection was received to the proposed designation by the Clerk of the said Corporation, which has subsequently been withdrawn;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### **1. General**

- 1.1. The building known as the Malcolm McTaggart House and its associated property, municipally known as 9455 Baldwin Street North, PLAN 111 PT LOT 28, 29, 32, 38, east side of Baldwin Street North, and more particularly described in Schedule 'A' attached to and forming part of this by-law as a property of cultural heritage value and interest in the Town of Whitby, under Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended.
- 1.2. This designation shall not preclude any changes that may be deemed necessary for the efficient use of the building provided that any changes shall be in keeping with the current character of the building and shall be carried out in accordance with the applicable Heritage Permit processes at the Town of Whitby.

## **2. Schedule(s)**

2.1. Schedule 'A' – Legal Description

2.2. Schedule 'B' – Designation Report and Statement of Significance of 9455 Baldwin Street North, Whitby as prepared by D. Gardner.

## **3. Effective Date**

3.1. The provisions of this by-law shall come into force and take effect on the day of the final passing thereof.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

**Schedule 'A'**  
**To By-Law No. 7976-23**  
**Legal Description**

PLAN 111, PT LOT 28, 29, 32, 38; Town of Whitby

# **Schedule 'B'**

## **To**

### **By-Law No. 7976-23**

#### **Description Of Property – 9455 Baldwin Street North**

9455 Baldwin Street North is one-and-a-half storeys and of frame construction with a board and batten finish. The house is rectangular in plan with a rear extension and a side gable. The house was built in Myrtle Station in circa 1867 in the Ontario Gothic Cottage style for Malcolm McTaggart, a prominent local farmer. The style was one of the most pervasive Ontario residential styles in the late nineteenth century. The style was promoted in the Canadian Farmer in the 1860s and was extremely popular in rural architecture for farm residences.

#### **Statement of Cultural Heritage Value or Interest**

The cultural heritage value of 9455 Baldwin Street North is evident in its design, historical and associative values. The house is a well-preserved residential house form and historically authentic example of a late nineteenth century Ontario Gothic Cottage constructed in the mid to later 19<sup>th</sup> century in Whitby Township and throughout Ontario. Typical of the style, the well-proportioned building form along with its road setback and positioning on the roadway are all essential to its character. The house has design and physical value because it is a representative example of the Ontario Gothic Cottage style, one of the most pervasive Ontario residential styles promoted in the Canadian Farmer in the 1860s and extremely popular in rural architecture for farm residences.

The house was built in North Myrtle in circa 1867 for Malcolm McTaggart. 9455 Baldwin Street North has historical value because it has a direct association with the McTaggart family, early settlers, and farmers in the community. The multi-generational family were associated with several properties in the area including 9455 Baldwin Road North, the residence and farm of both Malcolm and his son, George McTaggart.

9455 Baldwin Street North has associative value due to its connection to the community and the McTaggart family, early settlers, landowners, farmers, and members of the neighbouring Methodist Church. Malcom McTaggart was a prominent local resident who served as Councillor and Reeve of Whitby Township and developed the Plan of Myrtle Village in 1894. The McTaggart family made a significant contribution to the local rural community.

#### **Description of Heritage Attributes**

Key exterior attributes that exemplify the heritage value of the Malcolm McTaggart House as an example of an Ontario Gothic Cottage style include:

- The setback, placement, and orientation of the building on Baldwin Street North
- The scale, form and massing of the building preserving the integrity of the original building design
- Rectangular plan with symmetrical front façade featuring a three-bay design and incorporating a medium pitched roof
- One-and-a-half-storey with a side gable and rear extension
- Exterior board and batten finish
- Original wooden window frames



- Centre pointed arch gable with pointed arch window opening

## **Context**

Whitby Township was part of Ontario County. Whitby Township and the town of Whitby were named for the town of Whitby in Yorkshire, England. Whitby Township was established as a municipality in 1849. In 1851, the large area identified as the Home District was divided into York, Peel and Ontario Counties and Whitby was included as part of Ontario County. In 1855, the south-west part of the Township was incorporated as the Town of Whitby. The eastern portion of the Township separated in 1858 and formed the Township of East Whitby. In 1968, the Town of Whitby and the Township amalgamated to form the Town of Whitby. In 1974, this amalgamation was incorporated in the newly created Regional Municipality of Durham which extends to the City of Oshawa in the east, to Pickering and Ajax in the west and to Scugog Township in the north.

## **Lot 20 And 21, Concession 9, Whitby Township**

In 1840, Donald McTaggart purchased 100 acres north of the ninth concession on the west side of the primary road known as the Centre Road (Highway 12). Over the next four years, more families arrived including the three Wells brothers, Mile, Jesse and Gardner, the Hodgson, Shearer and Briggs family, William Blight, Seth Hubbell, Ira Brown, Steven Hoyt, George Derby and John Carmichael. The families settled within a mile of the intersection of the Ninth Concession later named Myrtle Road and the road referred to as the Centre Road which ran north from Whitby. The road was planked between 1845 and 1848.

Myrtle was described in the Province of Ontario Directory of 1869: "A Post Office village in the Township of Whitby, County Ontario. It is situated on the grand road leading to the Town of Whitby and is distant from there 9 miles. Population 75. By the 1870s, Myrtle was an established hamlet at the crossroads of the intersection. The early settlers who had arrived in the area between 1833 to 1844 had established themselves.

External access to the community was provided by stagecoach. The Port Whitby & Port Perry Railway (PW&PP) was chartered on March 4, 1868, with authority to establish a railway from Whitby north to Port Perry on Lake Scugog. The Port Whitby & Port Perry Railway was established in 1871. Known as the Nip and Tuck locally, the train followed a course almost due north from a dock at Port Whitby to its own two-storey station in Whitby, then northward to stations at Brooklin, Myrtle, south of Manchester, south of Prince Albert and finally running northeast into Port Perry.

## **History of Myrtle and Myrtle Station**

In the 1840s at the intersection of the Centre Road (Highway 12) and the 9th concession of the Township of Whitby, a settlement was established. Many of the early settlers arrived in the mid-1830s. Donald McTaggart purchased Lot 21, Concession 9 in 1840, but may have settled in the area at an earlier date since his children were born in Canada.

Originally, the town was called Wells Corners due to the influence of Gardner Wells. In 1856 the name was changed to Lenwood and then in 1860 renamed Myrtle. The origins

of the name Myrtle is not known but it has been suggested the name referred to the Myrtle flower that grew in the church yard.



A view of the Myrtle General Store and Post Office c. 1880 - 1890. The general store was opened within the hamlet of Myrtle in 1873 by David A. Brown and David L. Briggs. David L. Briggs left the partnership in 1884. The store was situated on the north-west corner of the intersection. Prior to this building being built there was a store run by Mr. Bateman that was destroyed by fire. The people in the photo have been identified as many of the hamlet residents. The building was destroyed by fire about 1889. Whitby Archives Collection, #26-000-005.



(Left) View of Myrtle looking south, c. 1910. The building at left on the north east corner of Highway 12 and the 9th Concession was the general store. In 1910, the general store was operated by Thomas William Brookes. It was demolished in 1967. Whitby Archives Collection #26-000-030. (Right) T. W. Brookes General Store c. 1910. T.W. Brookes operated the general store and Post Office at Myrtle starting in 1903. Brookes later moved to Oshawa where he operated a grocery store on Celina Street. The Myrtle general store was demolished in 1967. Whitby Archives Collection #26-000-031.



(Left) The blacksmith shop in Myrtle c. 1908 which was located on the south-west corner of the 9th Concession (Myrtle Road) and Highway 12. The building was later modified and used as a garage. In 1984, the building was demolished. Whitby Archives Collection, #26-000-037. (Right) The blacksmith shop in c. 1910 with horse drawn carts and horses with Highway 12 in the foreground. Whitby Archives Collection d #26-000-029.

By-law Name: Heritage Designation By-law

By-law # 7976-23

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## Myrtle Public School, S.S. No. 4

The Myrtle Public School was built in 1880 on the south side of the 9<sup>th</sup> Concession (Myrtle Road) of Whitby Township west of Highway 12. It had a board and batten exterior finish. In July 1940, the building was raised, and a basement was added to the building and stairs were added to the front door. The school building was demolished in 1978. Whitby Archives Collection #29-000-011.



(Left) Class photo c. 1890 at Myrtle School. (Right) View of the school in 1940 after a basement and front stairs were added. The school had a board and batten finish and twelve-over-twelve sash.

## Methodist Episcopal Church

A log building was built to be used as a school and for church services. Land was purchased for a church building, driving shed and cemetery from Stephen Hoyt who had settled on the south-east corner of the intersection. There was an early cemetery on the property of Seth Hubbell one mile west of Myrtle. The Methodist Episcopal Church was completed in 1857. In June 1908, the church building was moved to Myrtle Station and was later used as a garage. The building was demolished in 1980.



(Left) View of Myrtle Methodist Church c. 1908. The church was built in 1857 on the east side of Highway 12, south of the 9<sup>th</sup> concession of Whitby Township intersection. In June 1908, the church building was moved to Myrtle Station and converted to a garage. The building was demolished in 1980. Whitby Archives Collection #26-000-009 (Right) Daniel Parrott was hired to move the former church to Myrtle Station. Whitby Archives Collection #29-000-28. The building was relocated to the east side of Highway 12 at Myrtle Station. In 1920, it was moved to the west side of the road north of the CPR tracks where it became a service station operated by Elmer Cooke (1895-1977) and demolished in 1980.



9465 Baldwin Street North is known as the Myrtle United Church and was built in 1908 in a Gothic Revival style. At the time of construction, the church was the Myrtle Station Methodist Church. The church is located on the east side of Highway 12 and is a distinct community landmark. View of Myrtle Station Methodist Church c. 1910. Whitby Archives Collection #27-000-029 and 27-000-30



View of the Myrtle United Church in c.1911 and a view from c. 1925 from Highway 12. 9455 Baldwin Street North with barn and picket fence is visible on the right beside the church. Whitby Archives Collection #27-000-015 and 27-000-040

At the turn of the century, the board of the Methodist Church at Myrtle decided the 1857 building was no longer repairable, and in the absence of two members sold the church building to John Bright, a resident of Myrtle Station. The board had to find a new site for a new church. Although Myrtle and Myrtle Station were only one mile apart, there was discord about the choice of a new location. Reverend Edwy E. Howard (1843-1922) made a private deal to purchase a piece of land from John Bright located on the corner lot beside 9455 Baldwin Street and the corner of Ontario Street. The congregation split at this point with some members attending services at the new church while many set up a service at the Temperance Hall with a visiting minister. The new Myrtle United Church was built at a cost of \$4,000 and was dedicated on January 31, 1909.



Inventory view of the Myrtle Church in 1978 with a view of the barn that was positioned behind 9455 Baldwin Street North.

## The Railways



(Left) View in 1908 of the railway station located in the 9<sup>th</sup> concession west of Myrtle used by the Nip and Tuck Railway from Port Whitby to Port Perry that was completed in 1871. The tracks were removed in 1941. (Right) The Nip and Tuck Railway Station in Myrtle Station in c.1920. Built in 1871 and torn down in 1937, Whitby Archive Collection 26-000-01 and 26-000-01.



(Left) C.P.R. Station, Myrtle Station c.1925. The grain elevator was built in 1887 and destroyed by fire on January 25, 1968. (Right) View of the station in 1966. The station was built in 1884 on the south side of the CPR tracks east of highway 12 and demolished in 1977. Whitby Archive Collection #27-000-009 and 27-000-013.

In 1884, the Ontario and Quebec Railway which was part of the Canadian Pacific Railway constructed a railway that passed through the area referred to as North Myrtle which was now known as Myrtle Station. The railway route extended from Toronto to Smith Falls. The Ontario and Quebec Railway intersected with the north-south 'Nip and Tuck' Railway just west of the village.

The station at Myrtle followed the design of the standard Van Horne station named after the C.P.R executive, William Cornelius Van Horne. Myrtle Station was one mile north of the hamlet of Myrtle. Several buildings were completed near the railway station at the time of construction of the railway including a hotel and store north of the tracks, and several new houses including the station masters house located at 25 Station Road. The Myrtle grain elevator was built in 1887 by William Ledingham (1834-1901) on the north side of the tracks for local farmers. <sup>1</sup> At the time, the cattle and grain market had a major impact on rail service. Myrtle Station was at its peak in the 1890s when as many

<sup>1</sup> Winter, Brian. *Chronicles of a County Town: Whitby Past and Present*. Published by the Author, 1999. Page 176-179

as 26 trains passed through Myrtle Station in a 24-hour period.<sup>2</sup> The elevator was purchased by Cephus Goode in 1890 and remained in the Goode family into the 1970s.

Land transactions indicate that Malcolm McTaggart sold land to the Ontario Quebec Railway for construction of the railway. The water supply for Myrtle Station needed during the steam engine era was brought from Mud Lake to a reservoir at the railway station by way of a pipe that was one and a half miles long. The pipe was constructed by Malcolm McTaggart running from the middle of Mud Lake which was near his residence on Mud Lake Road that he inherited from his father, Donald.



(Left) The Myrtle House Hotel in c. 1900. The hotel in this photo was destroyed by fire and a second hotel was built which was also destroyed by fire. (Right) J. W. Disney's Livery barn and house c. 1911 located on the south side of the CPR tracks. The livery barn was demolished in 1927. Whitby Archives Collection #27-000-033 and 27-000-037.



(Left) The Beacock General Store in c. 1906. The building was destroyed by fire on October 6, 1933 (Right) View of Station Street, south side, and 25 Station Road on the right. 25 Station Road was built in 1884 as the Station Master's House in a Gothic Revival style. The house was originally owned by the Ontario and Quebec Railway part of the C.P.R. The Myrtle Railway Station was built on the south side of the C.P.R. tracks east of Highway 12. Whitby Archives Collection # 27-000- 27-000-005.

<sup>2</sup> Winter, Brian. *Chronicles of a County Town: Whitby Past and Present*. Published by the Author, 1999. Page 176-179





(Left) Myrtle House Hotel and Myrtle Station store c. 1900. Myrtle Station was completed in 1884. The hotel and store were destroyed by fire before 1900 and a second hotel and store were destroyed by fire. (Right) View of the hotel and store from the top of the grain elevator in 1887. The house on the left in the distance is the Malcom McTaggart residence later owned by John Bright. Whitby Archives Collection 27-000-004 and 27-000-003.

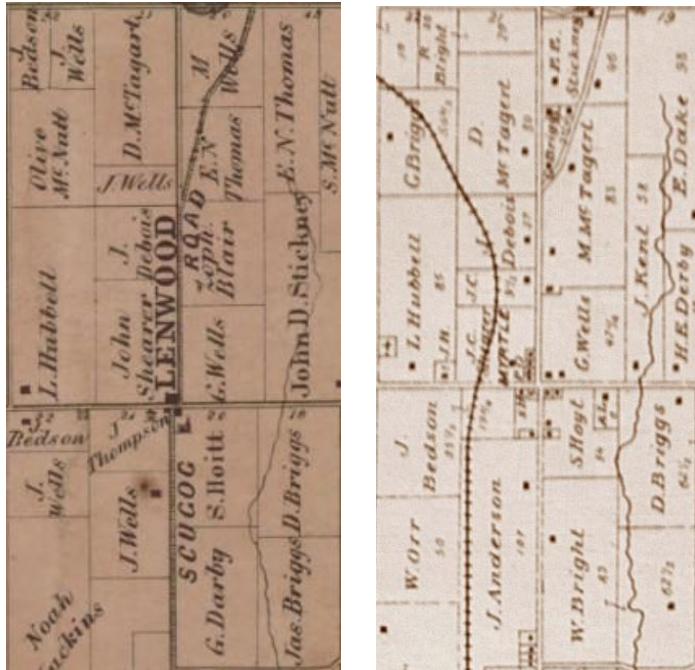


(Left) Postcard of the Myrtle Station in 1906 with the CPR station complex with grain elevator. The building at the far right was the livery stable operated by J.W. Disney until it was demolished in 1927. (Right) Beacock's General Store and Post Office at Myrtle Station in c. 1925 located on the east side of Highway 12 north of the CPR tracks. The store was destroyed by fire on October 6, 1933. Whitby Archives Collection 27-000-32 and 27-000-007.



(Left) Beacock's General Store and Post Office at Myrtle Station in c. 1911 (Right) Myrtle House Hotel c. 1910 located on the north side of the CPR tracks. Whitby Archives Collection #27-000-023 and 27-000-044.

## Land Transactions



(Left) Historical County Map of Ontario County from 1860 published by Tremain. Myrtle at this time was named Lenwood.  
(Right) Map of Ontario County from the 1877 Illustrated Historical Atlas.

The land transactions for Concession 9, Lot 20 and 21 are evident on the two historical maps of the area. In 1860, the Tremain Map shows Myrtle was called Lenwood and there are a few buildings drawn on the map. Lot 20 on the east side of the Centre Road (Highway 12) north of Concession Road 9 is owned by G. Wells, W. Blair and Eber N. Thomas. On the 1877 Illustrated Historical Atlas, the same property was owned by Malcolm McTaggart. On the Tremain Map of 1860, D. McTaggart is shown as owning a lot west of the Centre Road on Lot 21. On the illustrated Historical Atlas of 1877, Donald continues to be identified as the owner of this property. New to the map is a dot indicating a house had been constructed on the property. The 1877 Atlas indicated he owned 80 acres and included an illustration of his farm and house. This house is located at present-day 9560 Mud Lake Road and is a listed property (located at concession 9, part lot 21 and 22). 9560 Mud Lake Road was built in circa 1875.



View of Donald McTaggart's house on Mud Lake Road from the 1877 Illustrated Historical Map.



Donald McTaggart (1798–1884) was born in Scotland in 1798 and married Mary Armour in Campbelltown, Argyllshire, Scotland in 1827. Since the census of 1851 confirmed that their children were born in Upper Canada, they probably emigrated to Canada shortly after their marriage. They settled in Myrtle in circa 1840, settling on the north half of Lot 21, Concession 9. The census of 1851 lists the McTaggart family members as Donald (54) and Mary (56) born in Scotland, and their children John (20), Ann (18), Malcolm (16), Margaret (13), and Jane (10). In the 1851 census, the family's name is spelt Mc Tagert and Donald is listed as "Daniel". Spelling errors were often made in early census depending on the person completing the enumeration.

Donald was listed in the 1861 census as age 63, a farmer, married, and an Episcopal Methodist living in a one and half storey frame house. Donald died on the 18<sup>th</sup> of January 1884 and is buried in Hubbell's cemetery. His wife Mary (April 8, 1796 – February 27, 1882) is also buried there.



(Left) View of the McTaggart House later the John Bright House in c.1910 Whitby Archives Collection #27-000-003. An archival photo from c. 1910 showed a full width verandah with turned posts and decorative brackets. The house is in the Gothic Revival style. In 1884, the house transferred to Malcolm McTaggart, son of Donald and Reeve of Whitby Township. (Right) Present-day view of the house on Mud Lake Road.

Malcolm McTaggart purchased land on the east side of the Centre Road from Emer N. Thomas. Land transactions indicate that in 1867, Eber N. Thomas sold 35 acres of the south half of the north half of Lot 20 in the 9<sup>th</sup> concession to Malcom McTaggart. The Thomas family including the brothers, Stephen, Hiram, John, and Eber were early settlers to the area. 9455 Baldwin Street North was built on the property circa 1867. Around eight years later, Malcom McTaggart built another house on his property slightly north of 9455 Baldwin Street North. 9585 Baldwin Street North was probably completed in circa 1877 in a Gothic Revival style as a new house for Malcolm McTaggart. When the house was completed, the railway at Myrtle Station had not yet been established north of Myrtle having been completed in 1884.<sup>3</sup>

Malcolm McTaggart married Mary Barton. The 1871 Census lists the McTaggart Family as: Malcolm (34), Mary (66), Maggie (8), George (6), Louis (4) and William (2). The 1881 Census lists the family as: Malcolm (44), Mary (40), Maggie (18), George (16), Louis (14), William (12), Mary E. (9), Eva J. (7), Florence (5), Donald (82) and Mary (84).

<sup>3</sup> Historical Whitby by Brian Winter, Whitby Free Press, June 30, 1976, p.7

Malcolm McTaggart was active in local politics and served on the Whitby Township Council, as a councillor from 1872 to 1877, 1892 to 1896 and in 1898. In 1878, he was Deputy Reeve and he was acclaimed as Reeve in 1897 as noted in the Whitby Chronicle of January 1, 1897 when Mr. M.L. Smith “decided to retire from the reeveship and leave the field clear to Mr. McTaggart who has been an able and faithful councillor. This would cause Mr. McTaggart’s return by acclamation, an honour well deserved, and would enable the ratepayers to congratulate themselves upon having a good man for reeve.” <sup>4</sup>

Malcolm McTaggart was also a Director of the Midland Mutual Fire Insurance Co., a “company that insures nothing but farm buildings and their contents, isolated dwellings and their contents, churches and schoolhouses and pays all losses within 6 days” as noted in the Whitby Chronicle on June 7, 1895, page 6.<sup>5</sup>

According to land records, Malcom McTaggart purchased 50 acres of the N½ of Lot 20 Concession 9 in 1877 from John Almond and took out two mortgages (\$3,000 and \$1,000) on his other property (9455 Baldwin North) located on Lot 20, Conc. 9. This was probably when he built the house slightly north of 9455 Baldwin Street North.

The house located at 9585 Baldwin Street North was completed in a Gothic Revival style as a new house for Malcolm McTaggart and family. Based on the style of the house, and a later reference in a newspaper clipping to the house being Malcolm McTaggart’s, the house is known as the James Beacock House because he rented the house from Malcolm McTaggart for many years. James Beacock was the storekeeper and postmaster for the Town of Myrtle Station from 1906 to 1936. Part of this parcel of land with part of his land to the south where 9455 Baldwin Street North is located, was subdivided by Malcolm McTaggart in 1894 as village lots in the registered Plan of Myrtle Village.

Donald McTaggart built the brick Victorian farmhouse on Lot 21, Concession 9 (9560 Mud Lake Road) circa 1875. After his death in 1884, the house on Mud Lake Road transferred to Malcolm McTaggart. In 1902, it was sold to John Bright (1865-1917) a prominent resident of Myrtle Station and farmer specializing in the breeding of shorthorn cattle and Clydesdale horses.

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<sup>4</sup> Nominations Whitby Township, Whitby Chronicle, January 1, 1897, p.6

<sup>5</sup> Malcolm McTaggart, Whitby Chronicle, June 7, 1895, p.1

A newspaper article that appeared in the local paper in 1901 that references Mr. Beacock living on Mr. McTaggart's farm after having rented it for years. Malcolm's son George is referenced as moving onto his own fifty acres south of his father's farm (9455 Baldwin Street North) which he had been working for the last few years.

**MYRTLE.**  
Mr. Beacock has commenced to move on to Mr. McTaggart's farm, having rented it for a term of years.  
Mr. Wesley Wiles has moved to Port Perry, where he has engaged to Courrice & Jeffrey in the harness business.  
Mr. George McTaggart is about to move on his own fifty acres just south of his father's farm, which George has been working for the past few years.  
Mr. and Mrs. Thomas Downey arrived home Tuesday evening, after having spent about two weeks in Toronto, the guests of their daughter, Mrs. R. Campbell.  
Flags are flying in our village in honor of the Canadian boys who have taken such an active part in bringing about the surrender of Gen. Cronje in South Africa.  
Mr. and Mrs. Malcolm McTaggart came down from the city to attend their sale on the 27th inst., which was such a grand success. Mr. McTaggart was favored with good weather, a good crowd, good prices and an abundance of buyers.

In 1885, George McTaggart married Minnie Savage. The house at 9455 Baldwin North transferred to George in 1887 and remained in the George McTaggart family until George sold it in 1906. The family was listed in the 1901 census as: George (36), Minnie (35), Elmer A [Arthur] (13), Merle R. [Rena] (5). The George McTaggart family moved to Toronto around 1906 where George established himself as a builder in house construction at a time when Toronto was rapidly expanding and house construction was booming. In the 1911 census, the family included George (46), Minnie (45), Elmer (24) also a house builder, Rena [Merle] (14) and Barton Wesley (4) all residing at 268 Dovercourt Road.



View of 9585 Baldwin Street North known as the James Beacock's house in c. 1907. This house was known as Malcolm McTaggart's house and was probably built circa 1877 as a second, larger house for the McTaggart family. Whitby Archive Collection #27-000-03.

## Description of 9455 Baldwin Street North, Whitby

The house is one-and-a-half storeys and of frame construction with a board and batten finish. The house is rectangular in plan with a rear extension and a side gable. The roof is medium pitched with overhanging eaves. The front facade is symmetrical with a centre pointed arch gable with pointed arch window. There is a central door with two flanking windows with modern shutters. A front porch extends across the full width of the porch and wraps around extending over a one-storey addition on the south elevation which would have been a later modification. The north elevation has two ground floor windows, one central upper-storey window and a secondary side gable addition that extends across the rear elevation.



## Architectural Style



(Left) The Canadian Farmer, 1864, Vol 1, No. 22 drawing of Rural Architecture titled a Cheap Farm House. The style was popular in Ontario for rural architecture and farmhouses.

9455 Baldwin Street North was built in Myrtle Station in circa 1867 in the Ontario Gothic Cottage style for Malcolm McTaggart. The style was one of the most pervasive Ontario residential styles in the late nineteenth century. The style was promoted in the Canadian Farmer in the 1860s and was also popular because property tax in Upper Canada was based on the number of storeys in a residence. The Ontario Gothic Cottage provided a one and a half storey house with a window in the gable above the entrance door and often with a rear kitchen wing. The front façades were symmetrical with three bays often with a medium pitched

side gable and a centre pointed arch gable usually with decorative bargeboard and finials. The front doors were often four panelled sometimes with a transom and sidelights. The windows were usually two-over-two sash usually flat headed with board and batten finish and may include louvered shutters. The houses often would include full width verandahs or verandahs extending to rear wing. Typical exterior finishes included board and batten, vertical tongue and groove boards or clapboard.



View of 9455 Baldwin Street North in 1911 from Highway 12 with the Myrtle United Church on the left. Visible in the photo is the rear extension and former barn. Whitby Archives Collection #27-000-015.



## Designation

Under Ontario Regulation 9/06 of the Ontario Heritage Act for determining cultural heritage value or interest, which is required to designate a property under the provisions of Section IV, 9455 Baldwin Street North, Whitby meets the following criteria for designation:

1. The property has design value or physical value because it:

- i. is a rare, unique, representative or early example of a style, type, expression, material or construction method

The house has design and physical value because it is a representative example of the Ontario Gothic Cottage style, one of the most pervasive Ontario residential styles in the late nineteenth century. The style was promoted in the Canadian Farmer in the 1860s and was extremely popular in rural architecture for farm residences.

2. The property has historical value or associative value because it,

- i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community

9455 Baldwin Street North has historical and associative value because it has a direct association with the McTaggart family, early settlers to the community. The multi-generational family were associated with several properties in the community including 9455 Baldwin Road North, the residence of both Malcolm and George McTaggart, 9585 Baldwin Road North, the residence of Malcolm McTaggart and 9560 Mud Lake Road, the residence of Donald and Malcolm McTaggart.

- ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or

9455 Baldwin Street North is connected to the McTaggart family, early settlers in the community and members of the neighbouring Methodist Church. Malcom McTaggart was a prominent local farmer who served as Councillor and Reeve of Whitby Township and developed the Plan of Myrtle Village in 1894. The McTaggart family made a significant contribution to the local rural community.

In summary, the property has design value, physical value, historical value, and associative value.

## Land Transactions – McTaggart Family

### Lot 20 S ½ of N ½ Concession 9 (9455 Baldwin North)

1802 Patent George Lucas 100 acres N½ Lot 20 Concession 9

1845 Daniel Way

1850 Peter Perry purchased 35 acres from Daniel Way

1853 (June) William Blair from Robert Perry & Others

1853 (October) James Kennedy

By-law Name: Heritage Designation By-law

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1854 (September) Eber N. Thomas

1867 Donald McTaggart purchased 35 acres from Eber N. Thomas

1875 Malcolm McTaggart

1877 Malcolm McTaggart took out 2 mortgages for \$3,000 + \$1,000, possibly to build the house at 9585 Baldwin N.

1887 George McTaggart

1906 Alberta Tardiff for \$4,400

1934 Alvin E. Armstrong from Levi Tardiff

1936 Louisa Nattress

1950 Watson

1959 Wade

1962 Joseph Broady

### **Lot 20 N ½ Concession 9 (9585 Baldwin North)**

1840 patent James Henderson

1847 William Blair

1856 Zephania Blair

1862 Isabella Blair & others

1862 John Burns

1871 John Almond

1877 Malcolm McTaggart purchased 50 acres from William Almond. This land purchase was probably part of the land that he subdivided into village lots in 1894 as the Plan of Myrtle Village

### **Lot 21 Concession 9 (9560 Mud Lake Road)**

1832 Patent Canada Company – All (200 acres)

1840 John Shearer S½ (100 acres)

1840 Donald McTaggart N½ (100 acres)

1902 John Bright from Malcolm & George McTaggart through David Adams

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### **Archival Sources**

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Winter, Brian. *Chronicles of a County Town: Whitby Past and Present*. Published by the Author, 1999.

## **Articles**

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Nominations Whitby Township, Whitby Chronicle, January 1, 1897, p.6

# Memorandum to Council

Legal and Enforcement Services

Legal Services Division



**To:** Mayor and Members of Council

**CC:** Roger Saunders, Commissioner of  
Planning and Development Services

**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

**From:** Francesco Santaguida, Commissioner of  
Legal and Enforcement Services/Town  
Solicitor

**Date:** March 20, 2023

**File #:** 21007

**Subject:** By-law to Designate 9455 Baldwin Street  
North as being of Cultural Heritage Value

At its meeting on April 26, 2021, Council adopted Resolution # 95-21 approving the issuance of a Notice of Intention to Designate 9455 Baldwin Street North under the *Ontario Heritage Act*, R.S.O. 1990 c. O.18.

The Town received an objection to the designation from the owner of 9455 Baldwin Street, which was forwarded for review to the then Conservation Review Board (now Ontario Land Tribunal).

In advance of the Ontario Land Tribunal hearing of the objection to the designation, the objector withdrew their objection to the Town's designation of this property. There were no further objections to the designation of the property. As a result, staff bring forward the by-law to designate the property under Part IV, Section 29 of the *Ontario Heritage Act*.





# Town of Whitby

## By-law # 7977-23

### Amendment to the Fees and Charges By-law

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

Whereas the Council of The Corporation of the Town of Whitby considered Report FS 06-23, regarding the Recommended 2023 Operating and Capital Budget at its meeting on February 16, 2023 and adopted Resolution # 48-23;

And whereas Council considered a Memorandum dated February 13, 2023 regarding Report FS 06-23 Recommended 2023 Operating and Capital Budget, User Fees Rates and Charges – Correction at its meeting on February 16, 2023;

And whereas Council considered a Memorandum dated March 20, 2023 regarding By-Law #7220-17 – Fees & Charges Amendments at its meeting on March 20, 2023;

And whereas Council deems it necessary to repeal and replace Schedules A to S, and include Schedule T, Planning and Development (Engineering Services) Department Fees, in accordance with Resolution # 48-23, as well as the Memorandums dated February 13, 2023 and March 20, 2023.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

1.1. That Schedules A to S of By-law # 7220-17, as amended, be repealed and replaced with Schedules A to S attached hereto and forming part thereof.

1.2. That By-law # 7220-17, as amended, be amended to include Schedule T, Planning and Development (Engineering Services) Department Fees.

#### 2. Effective Date

2.1. This by-law shall come into force and effect on the date of its passing.

By-law read and passed this 20<sup>th</sup> day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

**Schedule A  
To By-law # 7220-17**

Office of the Town Clerk and General Fees

**(Effective March 20, 2023)**

<b>Fee No.</b>	<b>Fee Title</b>	<b>Fee (Excluding Taxes)</b>	<b>Fee Basis</b>	<b>HST Applicable</b>
CLK- 1	Photocopies	\$0.80	Per Page	Yes
CLK- 2	Commission Affidavits (Non-Residents)	\$30.00	Limit of 4 documents	Yes
CLK- 3	Certify True Copies (Non-Residents)	\$30.00	Limit of 4 documents or copies	Yes
CLK- 4	Commission Affidavits (Residents)	\$17.50	Limit of 4 documents	Yes
CLK- 5	Certify True Copies (Residents)	\$17.50	Limit of 4 documents or copies	Yes
CLK- 6	Film Permit	\$500.00	Fee per permit for commercial film production companies	Yes
CLK- 7	Pension Affidavits (Seniors)	Exempt	N/A	No
CLK- 8	Marriage Licence	\$150.00	Per Licence	No
CLK- 9	Marriage Ceremony	\$350.00	Per Ceremony	Yes
CLK- 10	Marriage Ceremony Cancellation Charge – prior to pre-consult	\$50.00	Per Cancellation	Yes
CLK- 11	Marriage Ceremony Cancellation Charge – following pre-consult	\$100.00	Per Cancellation	Yes
CLK- 12	Lottery Licence	3% of Prize	Per Licence	No
CLK- 13	Registration of Death (During Business Hours)	\$30.00	Per Registration	No
CLK- 14	Registration of Death (After Hours)	\$150.00	Per Registration	No
CLK- 15	Line Fence Dispute Administration	\$250.00	Per Application	No
CLK- 16	Records Search Not Freedom of Information	\$50.00	Per Hour	Yes

CLK- 17	Municipal Consent Forms for Liquor Licence Applications	\$55.00	Per Application	No
CLK- 18	Temporary Patio Initial Application (New)	\$150.00	Per Application	No
CLK- 19	Temporary Patio Annual Renewal (New)	\$100.00	Per Application	No

**Schedule B**  
**To By-law # 7220-17**  
Business Licence Fees  
**(Effective April 1, 2023)**

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
BYL- 1	Adult Entertainment Licences	Parlour Establishment	\$3,000.00	Per Licence	No
BYL- 2	Adult Entertainment Licences	Body-Rub Establishment	\$1,000.00	Per Licence	No
BYL- 3	Adult Entertainment Licences	Body-Rub Attendant	\$200.00	Per Licence	No
BYL- 4	Adult Entertainment Licences	Body-Rub Operator	\$300.00	Per Licence	No
BYL- 5	Adult Entertainment Licences	Body-Rub Owner	\$300.00	Per Licence	No
BYL- 6	Taxicab and Limousine Licences	Limousine Driver	\$75.00	Per Licence	No
BYL- 7	Taxicab and Limousine Licences	Limousine Owner	\$183.00	Per Vehicle	No
BYL- 8	Taxicab and Limousine Licences	Taxicab Broker	\$105.00	Per Licence	No
BYL- 9	Taxicab and Limousine Licences	Taxicab Driver	\$80.00	Per Licence	No
BYL- 10	Taxicab and Limousine Licences	Taxicab Owner	\$125.00	Per Vehicle	No
BYL- 11	Taxicab and Limousine Licences	Wheelchair Accessible Taxicab Owner	\$0.00	Per Vehicle	No
BYL- 12	Transportation Network Company	TNC Broker	\$15,000.00	Per Licence	No

(TNC)  
Licences

BYL- 13	Transportation Network Company (TNC) Licences	TNC Broker	\$0.10	Per Trip originating in the Town of Whitby, ordered through the TNC Broker, payable at the end of every month for all trips originating in the Town of Whitby that occurred in the previous month	No
BYL- 14	Retail Licences	Food Premises (New)	\$180.00	Per Licence	No
BYL- 15	Retail Licences	Food Premises - Renewal (New)	\$180.00	Per Licence	No
BYL- 16	Retail Licences	Pawnbroker	\$157.00	Per Licence	No
BYL- 17	Retail Licences	Salvage Yard/Shop and Second Hand Shop	\$157.00	Per Licence	No
BYL- 18	Retail Licences	Fireworks from a Mobile Sales Premise	\$235.00	Per Licence	No
BYL- 19	Other Licences	Auctioneer	\$105.00	Per Licence	No
BYL- 20	Other Licences	Exhibition	\$210.00	Per Licence	No
BYL- 21	Other Licences	Group Home Registry	\$130.00	Per Licence	No
BYL- 22	Other Licences	Lodging House	\$210.00	Per Licence	No
BYL- 23	Other Licences	Refreshment Vehicle - New	\$260.00	New Licence	No

BYL- 24	Other Licences	Refreshment Vehicle - Renewal	\$210.00	Renewal Licence	No
BYL- 25	Other Licences	Refreshment Vehicle - Short-Term Special Event	\$105.00	Per Licence	No
BYL- 26	Other Licences	Refreshment Vehicle - Town Tender	\$0.00	Per Licence	No
BYL- 27	Other Licences	Frozen Treat Vehicle - Non-Motor Vehicle	\$105.00	Per Licence	No
BYL- 28	Other Licences	Frozen Treat Vehicle - Motor Vehicle	\$210.00	Per Licence	No
BYL- 29	Administrative and Late Penalty Fees	Document Replacement	\$25.00	Per Document	No
BYL-30	Administrative and Late Penalty Fees	Licence renewal (Expired licenses)	\$52.00	Per Licence	No
BYL-31	Administrative and Late Penalty Fees	Vehicle Inspection (11 model years or older)	\$31.00	Per vehicle	Yes

**Schedule C**  
**To By-law 7220-17**  
Operational Services Department Fees  
**(Effective March 20, 2023)**

**Definitions**

1. **Municipal Consent Approval Fees:** This fee covers the cost of processing Municipal Consents for private utilities and all other for profit organizations.

Under several Provincial and Federal statutes the Town of Whitby is obliged to provide a location for the utilities in the road allowance. Municipal Consent approval is required by Provincial statute to install facilities with the Town of Whitby right-of-way or easement. The Municipal Consent approval process is intended to ensure that the location approved for the various utilities does not conflict with any existing utilities or municipal services as well as any future municipal requirements such as road widening or sewers.

The established fee is meant to recover staff time and other costs associated with the processing of Municipal Consents and are based on the average costs over previous years. The fees for Municipal Consent service is applicable to Bell Canada, other telephone companies, Rogers Cable TV, other cable television companies, Ontario Hydro, Hydro One, Enbridge, major oil and gas pipeline companies and all other for profit organizations.

2. **Curb Cutting:** This fee is applied to any individual property owner wishing to create or widen a driveway entrance on a Town of Whitby road which has curb and gutter. This work is performed as required by an independent Town of Whitby contractor.
3. **Road Occupancy Permits:** Utilities and Contractors frequently undertake various construction projects within the Town of Whitby road allowance which would include servicing for new development, major rehabilitation of existing plant, emergency repair to existing plant and major landscaping projects. It is a requirement of the Town of Whitby that a Road Occupancy Permit be obtained prior to any work proceeding within the public road allowance. The purpose of this permit is to:
  - Inform the Municipality and Emergency Services (if affected by any road work) of the date, time and type of work being performed;
  - Screen contractors to ensure they are qualified and have adequate liability insurance;
  - Provide a permanent record of work and location so the Town of Whitby can inspect the restoration and invoice the applicant for the cost of the permanent restoration by the Town of Whitby;

- Provide a permanent record for oversized loads through a single trip or yearly permit;
- Provide a permanent record for all site service and access locations for work being performed on private property;
- Obtain permission for the use of metered parking spaces to assist with private construction activities (waste containers, cranes, etc.)

It is the Town's policy to consider all restoration by the applicant, except sod, to be temporary only. The permanent restoration is completed by the Town as part of the annual concrete sidewalk construction contract. This ensures quality control to improve longevity and reduce future maintenance expenditures in repairing deficiencies.

4. **Field Locate Surcharge:** Road Occupancy Permit (ON1Call): This fee is intended to recover staff or consultant time to complete field locates of Town owned underground infrastructure. Through the Ontario Underground Infrastructure Notification System Act, 2012, the Town is required to provide field locates of Town owned infrastructure (streetlights and storm sewers) to any individual completing an excavation near the road allowance. Individuals are required to call Ontario One Call Centre (On1Call) before commencing excavation works, to received verification of underground facilities within the vicinity of the proposed excavation.
5. **Utilization of Right-of-Way:** This fee is intended to recover staff time to review traffic management plans and complete initial and periodic inspection of the traffic control required for the utilization of the Town's right-of-way.
  - Provide a permanent record for an exemptions to the Noise By-law as approved by the Commissioner of Public Works;
  - Provide a permanent record as approved of all locations where equipment or materials are being store on the public right of way and;

**Note:** This fee is in addition to the appropriate Road Occupancy Permit fee and is applicable if the works require the closure of vehicular travel lanes and/or boulevard facilities (sidewalks, multi-use paths, etc.).

6. **Driveway Entrance Culverts:** This fee is applied to any individual property owner wishing to create a new driveway entrance, widen an existing driveway entrance or put in a temporary entrance in a rural setting - and a culvert is required to accommodate road drainage. This work is completed by Town of Whitby Public Works staff.
7. **Refundable Deposits for Private Work:** Property owners may require access across the Town of Whitby's boulevard for construction purposes through a building permit, or pool enclosure permit. These deposits are used when damage (if any) to the sidewalk, curb and gutter, sodded boulevard and/or fencing has occurred and



requires restoration. Damage is assessed by Town staff and the cost for restoration calculated based on current road occupancy rates. The deposit balance, if any, is refunded to the owner. Permanent restoration is completed in the Town of Whitby contracts. Property owners are permitted to restore the sod and fencing only.

Infiltration trenches are shallow excavations with rubble or stone that creates a subsurface storage of stormwater runoff. The deposit amount is applied to all developments through a building permit application. Where new infiltration trenches are being constructed or required, the established deposit is meant to recover staff time and materials for the placement of such trench in the event it is not installed by the developer. Other options are available in addition to Infiltration Trenches. These Low Impact Development (LID) features can include underground storage tanks/units or vegetated filter strips and may be proposed to manage increased stormwater run-off. The deposit amount will be based on an engineering cost estimate included with application submission documents.

8. **Storm Sewer Connections:** The intent of this fee is to recover the cost to the Municipality for pre-installing (pre-stubbing) services for vacant and future lot severances or providing services to an existing lot. New storm sewer connection charges shall be based on actual contract prices.
9. **Sidewalk Installation:** The intent of this fee is to cover the cost to the Municipality for the construction of a sidewalk that will be completed by the Municipality at a future date.
10. **Illumination Equipment Installation (LED):** The intent of this fee is to cover the cost to the Municipality for the construction of Illumination equipment which will be completed by the Municipality at a future date.
11. **Streetlight Re-lamping and Cleaning:** This fee is applied to all new residential subdivision developments where new streetlights are being installed within Municipal public right-of-way. The established fee is meant to recover staff time and other costs associated with the annual Streetlight re-lamping and cleaning program and are based on the actual contract costs from the previous year. This fee, charged per newly installed streetlight, represents completion of two cleaning cycles within the time period and burn out rate of 10 per cent prior to assumption of the development by the Municipality.
12. **Newspaper Box Approval Fee:** This fee covers the cost of processing newspaper box approvals which includes regulating newspaper boxes within the Town's rights-of-way.
13. **Outdoor Sidewalk Patio Café Permit:** This fee covers the cost of processing an Outdoor Sidewalk patio Café Permit which includes Town of Whitby staff time and other costs to investigate and regulate outdoor areas used in association with an eating establishment and location on a sidewalk under the jurisdiction of the Corporation of the Town of Whitby.

14. **Sidewalk Snow Clearing:** This per metre fee covers the cost of removing snow and ice from sidewalks where adjacent property owners have not complied with a By-law Enforcement Order to remove snow and ice.
15. **Street Closure Permit:** The intent of this fee is to recover the staff and vehicle related costs for delivering and returning traffic barrels or barricades specific to a permitted street dance or party occurring within a Town of Whitby right of way. The
16. **Municipal Lot Closure Fees:** These fees are intended to recover the cost of staff time for both Operations and Parking services to close a Municipal Lot, remove any vehicles interfering with the lot closure, and reopen the lot. The fees include administration staff time to prepare notices of the lot closure. If the lot is being closed when paid parking is in effect an additional \$1.00/hour/space used will be applied.
17. **Retrieval of Unauthorized Items (Including Signs):** The intent of this fee is to recover the staff and vehicle related costs for removing unauthorized items (including signs) within a Town of Whitby right-of-way. Actual costs, if known, will be invoiced. These items are not permitted through the Town of Whitby Temporary Sign By-law 5696-05.
18. **Solid Waste Management Fees:** The intent of this fee is to recover the cost of additional services pertaining to the Waste Collection By-law.
19. **Permanent Pavement Markings:** This fee is applied to all new developments where new Municipal roads are being constructed or where existing Municipal roads are being altered and repainting of line markings is required. The established fee is meant to recover staff time and materials for the placement of permanent (plastic) pavement markings on new or altered Municipal roads. This fee represents the cost of labour and a full pail of plastic paint, which will cover 20 linear metres of line painting. Paint is sold in full pail increments only, due to spoilage after opening.
20. **Permanent Signage:** This fee is applied to all developments where new Municipal roads are being constructed or where new regulatory signage is otherwise required. The established fee is meant to recover staff time and materials for the placement of permanent posts and signage. This fee represents the cost of labour and materials.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
OPS- 6	Municipal Consent	Municipal Consent Approval Fee	\$600.00	Per street, Up to 250m Length	No
OPS- 7	Curb Cutting	Create/ Widen a Driveway Entrance	Actual Quotation Prices	Minimum Charge for the first 2.0 metres	Yes

OPS- 8	Curb Cutting	Create/ Widen a Driveway Entrance	Actual Quotation Prices	Cost Per Each Additional Metre	Yes
OPS- 9	Curb Cutting	Cutting Both Sides	Actual Quotation Prices	Additional Curb-Cutting Both Sides of Curb	Yes
OPS- 10	Curb Cutting	Rush Order	Actual Quotation Prices	Additional Cost Per Order	Yes
OPS- 11	Curb Cutting	Administration Fee	\$120.00	Per Fee	Yes
OPS- 12	Road Occupancy Permits	Road Occupancy Permit	\$130.00	Per Permit	No
OPS- 13	Road Occupancy Permits	Field Locate Surcharge – Local Roads (ON1Call)	\$60.00	Per Permit	Yes
OPS- 14	Road Occupancy Permits	Collector and Arterial Roads	\$500.00	Per Permit	No
OPS- 15	Road Occupancy Permits	Field Locate Surcharge – Collector and Arterial Roads (On1Call)	\$120.00	Per Permit	Yes
OPS- 16	Road Occupancy Permits	Single Trip Oversized Road Occupancy Permit	\$120.00	Per Trip	No
OPS- 17	Road Occupancy Permits	Yearly Oversized Road Occupancy Permit	\$345.00	Per Year	No
OPS- 18	Road Occupancy Permits	Site Service and Access Permit	\$225.00	Per Month	No
OPS- 19	Road Occupancy Permits	Use of Metered Parking Space	\$25.00	Per metre Per Day	Yes
OPS- 20	Road Occupancy Permits	Asphalt Pavement – (Arterial Roads)	\$180.00	Per m <sup>2</sup>	Yes
OPS- 21	Road Occupancy Permits	Asphalt Pavement – (Local and Collector)	\$165.00	Per m <sup>2</sup>	Yes

OPS-22	Road Occupancy Permits	Infrared Joint Treatment (per metre)	\$90.00	Per metre	Yes
OPS-23	Road Occupancy Permits	Infrared Treatment at Miscellaneous Locations (CB, MH, etc.)	\$490.00	Each	Yes
OPS-24	Road Occupancy Permits	Concrete Sidewalk	\$150.00	Per m <sup>2</sup>	Yes
OPS-25	Road Occupancy Permits	Impressed Concrete	\$180.00	Per m <sup>2</sup>	Yes
OPS-26	Road Occupancy Permits	Tactile Plates (in addition to above concrete sidewalk item)	\$570.00	Per metre	Yes
OPS-27	Road Occupancy Permits	Concrete Curb and Gutter	\$165.00	Per metre	Yes
OPS-28	Road Occupancy Permits	Brick Pavers	\$155.00	Per m <sup>2</sup>	Yes
OPS-29	Road Occupancy Permits	Asphalt Boulevard/Multi-Use Path	\$125.00	Per m <sup>2</sup>	Yes
OPS-30	Utilization of Right-of-Way	Affecting vehicle travel lanes on Collector and Arterial Roads	\$290.00	Per Lane/ Per Day Up to 250m length (Off-peak hours 9:00am to 3:00pm and/or 7:00pm to 5:00am)	No
OPS-31	Utilization of Right-of-Way	Affecting vehicular travel lanes on Collector and Arterial Roads	\$61.50	Per Lane/ Per Hour Up to 250m length (During peak hours 5:00am to 9:00am and/or 3:00pm to 7:00pm)	No

OPS-32	Utilization of Right-of-Way	Affecting travel lanes on Local Roads or boulevard, sidewalk, multi-use pathway	\$61.50	Per Lane/ Boulevard Per Day Up to 250m length	No
OPS-33	Utilization of Right-of-Way	Noise By-law Exemption Permit Fee	\$110.00	Per Day	No
OPS-34	Driveway Entrance Culverts	New Culverts - (460mm x 340mm)	\$8,694.10	Single Payment Length of 7.0m or less	Yes
OPS-35	Driveway Entrance Culverts	New Culverts - (460mm x 340mm)	\$1,242.00	Per metre (Additional lengths at time of installation)	Yes
OPS-36	Driveway Entrance Culverts	New Culverts - (460mm x 340mm) Culverts having larger diameter	Fee Prorated	Fee Prorated	Yes
OPS-37	Driveway Entrance Culverts	Extend Existing Culverts – (460mmx340mm)	\$1,863.00	Minimum charge for a length of 1.5m	Yes
OPS-38	Driveway Entrance Culverts	Extend Existing Culverts – (460mmx340mm)	\$1,242.00	Per metre (Additional lengths at time of installation)	Yes
OPS-39	Driveway Entrance Culverts	Extend Existing Culverts – (460mmx340mm) Culverts having larger diameter	Fee Prorated	Fee Prorated	Yes
OPS-40	Driveway Entrance Culverts	Temporary Culverts-(460mm x 340mm)	\$4,347.05	Single Payment Length of 7.0m or less	Yes
OPS-41	Driveway Entrance Culverts	Temporary Culverts-(460mm x 340mm)	\$621.00	Per metre (Additional lengths at time of installation)	Yes

OPS-42	Driveway Entrance Culverts	Temporary Culverts-(460mm x 340mm) Relocation of Existing Culverts	Actual Costs	Invoice Actual Costs	Yes
OPS-43	Driveway Entrance Culverts	Administration Fee	\$105.50	Each	Yes
OPS-44	Refundable Deposits for Private Works	Concrete Sidewalk	\$1,350.00	Each	Yes
OPS-45	Refundable Deposits for Private Works	Concrete Curb and Gutter	\$990.00	Each	Yes
OPS-46	Refundable Deposits for Private Works	Sodded Boulevard	\$410.00	Each	Yes
OPS-47	Refundable Deposits for Private Works	Fencing	\$2,090.00	Each	Yes
OPS-48	Storm Sewer Connections	150mm Diameter	\$220.00	Per metre (Invoice Actual Costs, if known)	No
OPS-49	Storm Sewer Connections	250mm Diameter	\$287.00	Per metre (Invoice Actual Costs, if known)	No
OPS-50	Storm Sewer Connections	300mm Diameter	\$318.00	Per metre (Invoice Actual Costs, if known)	No
OPS-51	Storm Sewer Connections	375mm Diameter	\$370.00	Per metre (Invoice Actual Costs, if known)	No
OPS-52	Storm Sewer Connections	450mm Diameter	\$385.00	Per metre (Invoice Actual Costs, if known)	No

OPS-53	Storm Sewer Connections	Administration Fee	\$120.00	Each (Invoice Actual Costs, if known)	Yes
OPS-54	Sidewalk Installation	Concrete Sidewalk/Boulevard (Removal and Replacement)	\$150.00	Per m <sup>2</sup>	Yes
OPS-55	Sidewalk Installation	Concrete Sidewalk/Boulevard (New)	\$410.00	Per m <sup>2</sup>	Yes
OPS-56	Sidewalk Installation	Concrete Sidewalk and Platform	\$520.00	Per m <sup>2</sup>	Yes
OPS-57	Illumination Installation (LED)	Light Installation on Existing Pole	\$1,845.00	Each	Yes
OPS-58	Illumination Installation (LED)	Streetlight Pole and Light Installation	\$7,100.00	Each	Yes
OPS-59	Streetlight Re-Lamping and Cleaning	Streetlight Re-Lamping and Cleaning	\$36.00	Each	Yes
OPS-60	Newspaper Box Approval Fee	Permit	\$420.73	Per Year	Yes
OPS-61	Newspaper Box Approval Fee	Reclaiming Newspaper Boxes	\$155.01	Each	Yes
OPS-62	Newspaper Box Approval Fee	Administration Fee	\$118.82	Each	Yes
OPS-63	Outdoor Sidewalk Café Permit	Outdoor Sidewalk Café Permit	\$205.00	Per Permit	No
OPS-66	Sidewalk Snow Clearing	Sidewalk Snow Clearing	\$50.00	Per metre (Per Occurrence)	Yes
OPS-67	Municipal Lot Closure Fees	During Office Hours	\$316.20	Per Closure	No
OPS-68	Municipal Lot Closure Fees	Outside of Office Hours	\$400.00	Per Closure	No
OPS-69	Municipal Lot Closure Fees	Use of Paid Parking Spaces	\$1.00	Per hour	No

OPS-70	Solid Waste Management Fees	Special Collection Services	\$25.00	Per Collection	No
OPS-71	Solid Waste Management Fees	Special Collections Cancellation Fee	\$3.00	Per Collection	No
OPS-72	Solid Waste Management Fees	Bag Tags	\$2.50	Per Tag	No
OPS-74	Permanent Pavement Markings	10 cm Wide any colours	\$430.50	Per 20 metres	Yes
OPS-75	Permanent Pavement Markings	40 cm Wide White Stop Bar	\$430.50	Each	Yes
OPS-76	Permanent Signage	General – Standard Application	\$225.00	Per Sign	Yes
OPS-77	Permanent Signage	Heritage Application	\$285.00	Per Sign	Yes
OPS-78	Permanent Signage	Stop Sign with Street Name Blade(s) – Standard	\$450.00	Per Sign	Yes
OPS-79	Permanent Signage	Stop Sign with Street Name Blade(s) - Heritage	\$745.00	Per Sign	Yes
OPS-81	Street Closure Permit	Street Closure Permit	Actual Costs	Actual Costs	Yes
OPS-82	Retrieval of Unauthorized Items	Retrieval of Unauthorized Items (Including signs)	\$53.00 (Actual costs, if known)	Per Item	Yes



**Schedule D**  
**To By-law #7220-17**  
**Legal and Enforcement Services Department Fees**  
**(Effective April 1, 2023)**

The Commissioner of Legal and Enforcement Services/Town Solicitor has the authority to waive the Fees set out in this Schedule D in exceptional circumstances.

**Description of Services and Activities**

1. **Accessory Apartment Registration Fees:** These fees cover the cost of processing an accessory apartment registration application which includes Town of Whitby staff time and other costs to investigate, regulate and require property owners to register accessory apartments.
2. **Animal Adoption Fees:** These fees cover the cost of sheltering, spaying or neutering, vaccinating and preparing an animal for adoption to the public from the Animal Services Centre.
3. **Animal Licences:** These fees cover the cost of processing an application for an animal licence for a cat or dog which includes staff time and other costs to investigate, regulate and require owners of cats and dogs to register animals with the Town.
4. **Cadaver Disposal Fees:** These fees cover the cost of picking up and disposing of a deceased domestic animal from private property or the cost of an animal owner bringing a deceased animal to Animal Services for disposal.
5. **Wildlife Trap Rental Fee:** This fee imposes a deposit to ensure the trap's return, and imposes a cost if the trap is not returned after a week of being borrowed.
6. **Impoundment Fees:** These fees cover the cost of picking up an animal found running at large and sheltering the animal at the Animal Services Centre. The after-hours fee is applicable when an Animal Services Officer is required to work after-hours and incur overtime to pick-up an animal found running at large. This fee helps to offset the costs incurred in providing this service to the Town's residents.
7. **Owner Surrender Fees:** These fees are applicable should an animal owner wish to transfer their animal to Animal Services for future adoption. Animal Services incurs costs to care for the animal and to have it spayed/neutered and vaccinated prior to making the animal available for adoption.
8. **Pool Enclosure Permit Fees:** These fees cover the cost of processing a pool enclosure permit application which includes staff time and other costs to investigate, regulate and require owners of privately-owned swimming pools to erect and maintain fences and gates around such swimming pools.

9. **Temporary Sign Permit:** This fee covers the cost of processing a sign permit application which includes staff time and other costs to investigate, prohibit and regulate temporary signs erected within the Town.
10. **Committee Appeal Fees:** This fee has been calculated to help cover the overhead costs for the Town in facilitating Property Standards and Animal Services Appeals.
11. **New Site Fee-Private Property Sign Inspection:** This fee is applied to all new private property sites, the cost covers staff labour to inspect the property to ensure proper signage for the ticketing and towing of vehicles.
12. **Private Property Site Renewal:** This fee is applied yearly to all private property locations seeking enforcement by an appointed security company. The fee covers the cost of application processing on a yearly basis.
13. **Private Property Parking Officer Training:** This fee is applied to all new private properties seeking authorization to appoint and issue Town parking tickets. The cost covers staff labour to inspect the property to ensure proper signage for the ticketing and towing of vehicles. The fee also covers the cost to provide training through Town of Whitby Legal and Enforcement Services staff to private property owners/agents, for the enforcement of private parking issues. The training will aim to ensure that those individuals appointed to enforce private property parking regulations are aware of their powers, limitations, and overall scope and ability while engaged under the authority granted to them by the Town of Whitby. Copies of all relevant Town By-laws will also be provided. Currently, the appointment of Municipal Law Enforcement Officers for the purpose of private property parking enforcement is undertaken in accordance with By-law #2916-90 and the existing appointment policy. The fee represents the cost of labour and materials to train all new parking enforcement appointees.
14. **Private Property Towing (Business Hours):** This fee is charged to all sites seeking a Town MLEO to remove a vehicle from their property. Cost includes staff labour and tow fees to remove a vehicle during business hours.
15. **Private Property Towing (Outside Office Hours):** This fee is charged to all sites seeking a Town MLEO to remove a vehicle from their property. Cost includes staff labour and tow fees to remove a vehicle outside of office hours.
16. **By-law Services Re-Inspection Fee:** This fee has been calculated based on the time required to conduct an inspection and includes the hourly rate of a By-law Officer and the overhead costs associated with a By-law Officer, including the cost of a municipal vehicle, uniform, mobile phone, laptop, and associated administrative support.
17. **Compliance Letters:** This fee covers the cost of processing and preparing a compliance letter, which includes staff time to investigate the history of a property, open files, and zoning compliance.

18. **General Legal Fees:** This fee sets the rate by which the Town may seek cost recovery for time spent by the Law Clerk or Town Solicitor on various legal matters, so that if the Town seeks costs in a litigation and needs to include the time spent by staff in Legal Services, it can establish the validity and existence of such cost through the fees and charges by-law.
19. **Land Titles Registration Administration Fee:** This fee covers the Town's time spent to register agreements or other instruments on title to property. The Teraview registration fees and search fees, which are charged to the Town, may also be recovered for search and registration fees outside of the normal Planning application process (e.g., easements, applications to delete agreements, postponements, demolition agreements, and enforcement orders).
20. **Legal Fees for Title Search:** This fee covers the Town's time spent to search title and obtain various related instruments on title to the property, exclusive of disbursements. Teraview search fees are charged in addition to the time spent to review the parcel register and determine the status of title and whether any additional documents need to be obtained.
21. **Legal Fees for Sale Transaction:** This fee covers the Town's actual costs with respect to the sale of Town-owned land and the time spent to prepare the necessary documentation, conduct the necessary title searches, prepare and register the necessary instruments on title to the property (exclusive of disbursements).
22. **Legal Fees for Purchase Transaction:** This fee covers the Town's actual costs with respect to the purchase of land and the time spent to prepare the necessary documentation, conduct the necessary title searches, prepare and register the necessary instruments on title to the property (exclusive of disbursements).
23. **Preparation and Registration of Subdivision Amending Agreement:** This fee covers the Town's actual costs for the preparation and registration of a subdivision amending agreement and the time spent to prepare the necessary documentation, conduct the necessary title searches, prepare and register the necessary instruments on title to the property (exclusive of disbursements).
24. **Encroachments:** This fee covers the Town's time for processing, preparing or releasing an encroachment agreement between a property owner and the Town, exclusive of disbursements. Teraview search and registration fees are charged in addition to any application or agreement preparation fees. Encroachments on Town property must go through the application process to confirm the size, type, risk and length of time the encroachment is required.
25. **Annual Encroachment Fees:** If an encroachment is permitted on Town property, an annual encroachment fee will be charged based on location, type and risk factor of the encroachment. Evidence of insurance will be required annually together with the encroachment fee as determined.

**26. Noise By-law Exemptions for Private Construction and for Special Events:**

This fee covers the Town's cost of processing and considering applications for exemptions to the Town's Noise By-law for private construction and special events, pursuant to Sections 3.8 to 3.10 of the Noise By-law.

**27. Preparation of Licensing Agreements:** This fee covers the Town's time spent to prepare licensing agreements (e.g. license agreement, permission to enter agreement, crane swing agreement, construction licensing agreement, etc.) and associated documentation, and conduct the necessary title searches (exclusive of disbursements). Teraview search fees are charged in addition to any licensing agreement preparation fee.

**28. Minor Fence Height Exemption Application:** This fee covers Staff time associated with processing minor fence height exemptions pursuant to the provisions of Fence By-law # 4394-99, as amended.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
LES- 1	Accessory Apartment Fees	Accessory Apartment Registration Permit	\$250.00	Per Permit	No
LES- 2	Accessory Apartment Fees	Transfer of Registration Permit	\$100.00	Per Transfer	No
LES- 3	Accessory Apartment Fees	Accessory Apartment Registration Permit-Violation (New)	\$500.00	Per Violation	No
LES- 4	Animal Adoption Fees	Cat Adoption Fee (General)	\$150.00	Maximum Fee Per Cat	Yes
LES- 5	Animal Adoption Fees	Cat Adoption Fee (Cat Under One Year Old)	\$250.00	Maximum Fee Per Cat	Yes
LES- 6	Animal Adoption Fees	Dog Adoption Fee (General)	\$309.74	Maximum Fee Per Dog	Yes
LES- 7	Animal Adoption Fees	Dog Adoption Fee (Dog Under One Year Old)	\$500.00	Maximum Fee Per Dog	Yes
LES- 8	Animal Adoption Fees	Other Animal Adoption Fee	\$100.00	Maximum Fee Per Animal	Yes
LES- 9	Animal Licences	Unaltered Dog or Cat	\$54.00	Per Licence, Annually	No
LES- 10	Animal Licences	Unaltered Dog or Cat, with Microchip	\$49.00	Per Licence Per Year	No

LES- 11	Animal Licences	Sterilized Dog or Cat	\$29.00	Per Licence Per Year	No
LES- 12	Animal Licences	Sterilized Dog or cat, with Microchip	\$24.00	Per Licence Per Year	No
LES- 13	Animal Licences	Replacement Animal Licence	\$7.00	Per Licence	Yes
LES- 14	Cadaver Disposal Fees	Cadaver Disposal at Animal Services Centre	\$50.00	Each Cadaver	Yes
LES- 15	Cadaver Disposal Fees	Cadaver Pick-up	\$75.00	Each Cadaver	Yes
LES- 16	Wildlife Trap Rental Fee	Wildlife Trap Rental Fee	\$50.00	Per Week	No
LES- 17	Wildlife Trap Rental Fee	Wildlife Trap Rental Deposit	\$50.00	Refundable cash deposit if returned within one week	No
LES- 18	Wildlife Trap Rental Fee	Wildlife Trap Rental Late Fee	\$5.00	Per Day Every Day Thereafter	No
LES- 19	Impoundment Fees	Impoundment of Dog or Cat Wearing Current Town of Whitby Animal Licence/Microchipped	No charge	1st Occurrence	No
LES- 20	Impoundment Fees	Impoundment of Dog or Cat Wearing Current Town of Whitby Animal Licence/Microchipped	\$150.00	2nd or subsequent occurrence	No
LES- 21	Impoundment Fees	Any Occurrence where the Dog or Cat is Picked- up by Animal Services After Regular Working Hours	\$200.00	If picked up after regular working hours	No
LES- 22	Impoundment Fees	Daily care	\$40.01	Per Animal Per Day	Yes
LES- 23	Impoundment Fees	Impoundment of Dog or Cat Not Wearing Current Town of Whitby Animal Licence/Not Microchipped	\$150.00	1st occurrence	No

LES- 24	Impoundment Fees	Impoundment of Dog or Cat Not Wearing Current Town of Whitby Animal Licence/Not Microchipped	\$150.00	2nd occurrence	No
LES- 25	Impoundment Fees	Any occurrence where the Dog or Cat is picked-up by Animal Services after regular working hours.	\$200.00	If picked up after regular working hours	No
LES- 26	Impoundment Fees	Daily care	\$35.00	Per Animal Per Day	Yes
LES- 27	Owner Surrender Fees	Transfer of ownership of a sterilized animal to Whitby Animal Services (resident)	\$75.00	Per Transfer	Yes
LES- 28	Owner Surrender Fees	Transfer of ownership of an unsterilized Dog to Whitby Animal Services (resident)	\$132.75	Per Transfer	Yes
LES- 29	Owner Surrender Fees	Transfer of ownership of an unsterilized Cat to Whitby Animal Services (resident)	\$88.50	Per Transfer	Yes
LES- 30	Owner Surrender Fees	Transfer of ownership of an unsterilized animal to Whitby Animal Services (non-resident)	\$150.00	Per Transfer	Yes
LES- 31	Owner Surrender Fees	Transfer of ownership of a sterilized animal to Whitby Animal Services (non-resident)	\$125.00	Per Transfer	Yes
LES- 32	Pool Enclosure Permit Fees	Pool Enclosure Permit	\$450.00	Per Permit	No
LES- 33	Pool Enclosure Permit Fees	Transfer of Pool Enclosure Permit	\$100.00	Per Permit	No
LES- 34	Pool Enclosure Permit Fees	Refund – Permit issued no construction commenced	\$180.00	40% Refund of Permit Fee	No
LES- 35	Pool Enclosure Permit Fees	Pool Enclosure Permit - Violation (New)	\$600.00	Per Permit	No
LES- 37	Temporary Sign Permit	Temporary Sign Application Fee	\$200.00	Per Application	No

LES- 38	Temporary Sign Permit	Temporary Sign - Borrowed Time Inquiry (New)	\$50.00	Annually	No
LES- 39	Committee Appeal Fee	Appeal to Property Standards Committee	\$100.00	Per Appellant	Yes
LES- 40	Committee Appeal Fee	Appeal to Animal Services Committee	\$100.00	Per Appellant	Yes
LES- 41	New Site Fee	Private Property Parking Sign Inspection	\$100.00	Per Site	No
LES- 42	New Site Fee	Private Property Site Renewal	\$25.00	Per Site	No
LES- 43	Training	Private Property Parking Officer Training	\$105.50	Per Person	No
LES-44	CAT - Individual Fee	Private Property Parking Officer Renewal Fee (New)	\$25.00	Per Person	No
LES- 45	Towing	Private Property Towing (Business Hours)	\$100.00	Per Vehicle Towed	No
LES- 46	Towing	Private Property Towing (Outside Business Hours)	\$200.00	Per Vehicle Towed	No
LES-47	Re-Inspection Fee	By-law Services Re-Inspection Fee	\$200.00	Per Re-inspection	No
LES-48	Compliance Letters	Compliance Letter (Residential)	\$150.00	Each Compliance Letter	Yes
LES-49	Compliance Letters	Compliance Letter (Any Other Zone)	\$225.00	Each Compliance Letter	Yes
LES-50	General Legal Fees	Law Clerk	\$160.00	Hourly	Yes
LES-51	General Legal Fees	Solicitor	\$330.00	Hourly	Yes
LES-52	Land Titles Registration Administration Fee	Registration of Agreements or Miscellaneous Documents (Not Related to a Planning Application Fee and Exclusive of Disbursements )	\$280.00	Per Document	Yes

LES-53	Land Titles Registration Administration Fee	Release of Agreements or Miscellaneous Documents – Development, Encroachment, License, Pre Servicing, Demolition, Model Home, Postponements, Notices, etc. (not related to a planning application fee) exclusive of disbursements	\$260.00	Per Document	Yes
LES-54	Legal Fees	Title Search (exclusive of disbursements)	\$160.00	Per Property	Yes
LES-55	Legal Fees	Sale Transaction (exclusive of disbursements)	\$680.00	Per Transaction	Yes
LES-56	Legal Fees	Purchase Transaction (exclusive of disbursements)	\$800.00	Per Transaction	Yes
LES-57	Preparation and Registration of Subdivision Amending Agreement	Preparation and Registration of Subdivision Amending Agreement	\$1,750.00	Per Document	Yes
LES-58	Encroachments	Encroachment Application Fee	\$375.00	Per Application	No
LES-59	Encroachments	Preparation of Encroachment Agreement - Legal Fee (exclusive of disbursements)	\$550.00	Per Agreement	Yes
LES-60	Encroachments	Release from Encroachment Agreement (exclusive of disbursements)	\$210.00	Per Agreement	Yes
LES-61	Annual Encroachment Fees	Downtowns – Residential and Non- Residential Under 10 m2	No charge	Downtown and Under 10 m2	No
LES-62	Annual Encroachment Fees	Downtowns – Residential and Non- Residential Over 10 m2	No charge	Downtown and Over 10 m2	No



LES-63	Annual Encroachment Fees	Residential Under 10 m2	\$115.00	Per Encroachment	No
LES-64	Annual Encroachment Fees	Residential Over 10 m2	\$210.00	Per Encroachment	No
LES-65	Annual Encroachment Fees	Non-Residential Under 25 m2	\$310.00	Per Encroachment	No
LES-66	Annual Encroachment Fees	Non Residential Over 25 m2	\$515.00	Per Encroachment	No
LES-67	Annual Encroachment Fees	Additional Fees Based on Risk Factor	As calculated by Legal Services	As Calculated by Legal Services	Yes
LES-68	Noise By-law Exemption Application	Private Construction and for Special Events	\$320.00	Per Application	Yes
LES-69	Preparation of Licensing Agreements	Permission to Enter/Licence Agreement (exclusive of disbursements)	\$260.00	Per Agreement	Yes
LES-70	Preparation of Licensing Agreements	Crane Swing Agreement (Exclusive of Disbursements)	\$260.00	Per Agreement	Yes
LES-71	Preparation of Licensing Agreements	Construction Licensing Agreement (exclusive of disbursements)	\$550.00	Per Agreement	Yes
LES-72	Preparation of Licensing Agreements	Extension of Construction Licensing Agreement (New)	\$275.00	Per Agreement	Yes
LES-73	Minor Fence Height Exemption Application	Minor Fence Height Exemption Application	\$500.00	Per Application	No
LES-74	Preparation of Lease Agreements	Lease Agreements for Town Properties (New)	\$500.00	Per Agreement	Yes
LES-75	Registration or Removal of Municipal Government Orders	Registration or Removal of Municipal Government Orders (Exclusive of Disbursements) (New)	\$260.00	Per Registration /Removal	Yes

**Schedule E**  
**To By-law # 7220-17**  
Whitby Fire & Emergency Services Department Fees  
**(Effective April 1, 2023)**

<b>Fee No.</b>	<b>Category</b>	<b>Fee Title</b>	<b>Fee (Excluding Taxes)</b>	<b>Fee Basis</b>	<b>HST Applicable</b>
FES- 1	General Fees	Emergency Response Report < 2 years	\$100.00	Per report	Yes
FES- 2	General Fees	Emergency Response Report > 2 years	\$150.00	Per report	Yes
FES- 3	General Fees	File Searches Residential	\$100.00	Per Search Including letter	Yes
FES- 4	General Fees	Multi Unit Buildings File Search (0-3 Units)	\$100.00	Per Unit Includes response letter	Yes
FES- 5	General Fees	Multi Unit Buildings File Search (4+ Units)	\$25.00	Per unit Includes response letter	Yes
FES- 6	Inspection Fees	Boarding/Lodging/Rooming House (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 7	Inspection Fees	Educational Institutions (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 8	Inspection Fees	Foster Care (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes

FES- 9	Inspection Fees	Group Home (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 10	Inspection Fees	Institutional (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 11	Inspection Fees	Licenced Day Care Centre (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 12	Inspection Fees	Private Home Day Care (upon request)	\$100.00	Per Hour Includes compliance letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 13	Inspection Fees	Fire Regulation Compliance Letter	N/A	This letter forms part of either the inspection or file search request process	N/A
FES- 14	Inspection Fees	Liquor Licencing Including Occupant Load Calculations (Upon Request)	\$100.00	Per Hour includes letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 15	Inspection Fees	Residential Occupancies (Not owner occupied)	\$100.00	Per Hour includes letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 16	Inspection Fees	Open Air Burning Request	\$80.00	Per Request	Yes
FES- 17	Inspection Fees	Two Unit Residential Retrofit (No Fee if Due to Complaint and No Contraventions)	\$100.00	Per Hour includes letter Min 2 hours	Yes

					+\$100/hr after 2 hrs
FES- 18	Inspection Fees	Fire Safety Plan Development/Approval	N/A	Included as inspection fees	Yes
FES- 19	Inspection Fees	Miscellaneous Inspections Not Otherwise Specified	\$100.00	Per Hour includes letter Min 2 hours +\$100/hr after 2 hrs	Yes
FES- 20	Inspection Fees	Propane Plan Review (Existing 5000 USWG or less)	\$276.00	Per application	Yes
FES- 21	Inspection Fees	Propane Plan Review (New or modified 5000 USWG or less)	\$553.00	Per application	Yes
FES- 22	Inspection Fees	Propane Plan Review (Existing greater than 5000 USWG)	\$2,487.00	Per application	Yes
FES- 23	Inspection Fees	Propane Plan Review (New/modified greater than 5000 USWG)	\$2,764.00	Per application	Yes
FES- 24	Inspection Fees	Propane Plan Review(If necessary to Retain Third Party Engineering or Other Firm)	Actual Costs	Per application	Yes
FES- 25	Emergency Services	Standby Requests by Private Companies, Developers, Industry, Provincial or Regional Government, other than Emergency Response	Maximum chargeable rate as set by MTO	Per vehicle per hour	Yes
FES- 26	Emergency Services	Emergency Response to Motor Vehicle Accidents on Ministry of Transportation Highways as per the Province of Ontario's Rates (cost recovery through MTO)	Maximum chargeable rate as set by MTO	Per Vehicle for first hour or part thereof	No

FES- 27	Emergency Services	Emergency Response to Motor Vehicle Accidents on Ministry of Transportation Highways as per the Province of Ontario's Rates (cost recovery through MTO)	Maximum chargeable rate as set by MTO	Per Vehicle for every 1/2 hour or part thereafter	No
FES- 28	Emergency Services	Emergency Response to Motor Vehicle Accidents on Ministry of Transportation Highways as per the Province of Ontario's Rates (cost recovery through MTO)	Actual Costs	Plus any additional clean-up costs	Yes
FES- 29	Emergency Services	Emergency Response to Motor Vehicle Accidents on Ministry of Transportation Highways as per the Province of Ontario's Rates (cost recovery through MTO)	Maximum chargeable rate as set by MTO	Per Vehicle for first hour or part thereof	No
FES- 30	Emergency Services	Emergency Response to transportation of dangerous goods incidents (cost recovery as per Transportation of Dangerous Goods Act)	Actual Costs	Actual Costs	Yes
FES- 31	Emergency Services	Emergency Response to transportation of dangerous goods incidents (cost recovery as per Transportation of Dangerous Goods Act)	Maximum chargeable rate as set by MTO	Per Vehicle for every 1/2 hour or part thereafter	Yes
FES- 32	Emergency Services	Emergency Response to a Hazardous Material Spill	Maximum chargeable rate as set by MTO	Per Vehicle for every 1/2 hour or part thereafter	Yes
FES- 33	Emergency Services	Plus any additional clean-up costs	Actual Costs	Actual Costs	Yes
FES- 34	Emergency Services	Damaged/Contaminated Equipment requiring replacement or specialized cleaning	Actual Costs	When hazardous materials are present	Yes

FES- 35	Emergency Services	Emergency Response to a Natural Gas Leak caused by a ruptured gas line	Maximum chargeable rate as set by MTO	Per Vehicle for every 1/2 hour or part thereafter	Yes
FES- 36	Emergency Services	Emergency Response to a Natural Gas Leak caused by a ruptured gas line	Actual Costs	Plus any additional clean-up costs	Yes
FES- 37	Emergency Services	Additional Expenses - to retain a private contractor or rent equipment not carried on fire apparatus (In order to suppress a fire, preserve property, prevent fire spread, remove materials creating a hazard, secure property for investigation, determine fire cause, conduct a fire watch, or otherwise eliminate an emergency or hazard)	Actual Costs	Actual Costs	Yes
FES- 38	Preventable Fires or Preventable Alarms	More than One Emergency response to unapproved open air burning	Maximum chargeable rate as set by MTO	Per Vehicle for every 1/2 hour or part thereafter	Yes
FES- 39	Preventable Fires or Preventable Alarms	Fires on or beside rail lines, caused by rail equipment, and failure to attempt to extinguish those fires that impinge on private or public properties	Maximum chargeable rate of actual costs	Per Vehicle for every 1/2 hour or part thereafter	Yes
FES- 40	Preventable Fires or Preventable Alarms	More than two preventable (malicious or false) alarms in a 12 month period	Maximum chargeable rate as set by MTO	Per Vehicle for every 1/2 hour or part thereafter	Yes
FES- 41	Preventable Fires or Preventable Alarms	Services Provided under the Specialty Rescue Services Agreement with the City of Oshawa (including trench rescue, confined space, high angle, etc.)	Actual Costs	Actual Costs	Yes

FES- 42	Indemnificatio n Technology ®	Per Vehicle for every 1/2 hour or part thereafter	Maximum chargeable rate as set by MTO	Per vehicle per hour	Yes
FES- 43	Indemnificatio n Technology ®	Additional Expenses - to retain a private contractor or rent equipment not carried on fire apparatus in order to suppress a fire, preserve property, prevent fire spread, remove materials creating a hazard, secure property for investigation, determine fire cause, conduct a fire watch, or otherwise eliminate an emergency or hazard.	Actual Costs	Actual Costs	Yes
FES- 44	Motor Vehicle Collision (MVC)	Attendance at MVC	Maximum chargeable rate as set by MTO	Per vehicle per hour, for at-fault, non-Whitby resident drivers	Yes
FES- 45	Motor Vehicle Collision (MVC)	ARIS Search	\$15.00	Per accident	Yes
FES- 46	Other Fees	Fire Safety Presentations	N/A	N/A	N/A
FES- 47	Other Fees	Fire Extinguisher Training (at Headquarters)	\$12.00	Per Person	Yes
FES- 48	Other Fees	On-Site Fire Extinguisher Training	\$17.00	Per Person	Yes
FES- 49	Other Fees	Discharging Fire Works - Consumer Grade	N/A	N/A	N/A
FES- 50	Other Fees	Discharging Fire Works – Display Grade	\$225	Per Request	Yes
FES- 51	Other Fees	Discharging Fire Works - Pyrotechnics	\$225	Per Request	Yes
FES- 52	Other Fees	Requests by Residential Home Owner (Exclusively Owner Occupied)	N/A	N/A	N/A
FES- 53	Other Fees	Fire Access Route Applications	N/A	N/A	N/A

FES- 54	Elevator Incident/Rescue	Attending a non-emergency elevator incident/rescue	Maximum chargeable rate as set by MTO	Per vehicle for every ½ hour or part thereof	Yes
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**Schedule F**  
**To By-law # 7220-17**  
Community Services Department Fees –  
Sports Fields, Lacrosse Box, Courts, Lighting and Arena Floors  
**(Effective November 1, 2023)**

**Definitions**

1. **Regular Rental Rates** are applied to all other rentals which do not qualify for the Minor Sport Organization Rates.
2. **Whitby Minor Sport Organization Rates** are applied to rentals for youth activities of Whitby based not-for-profit organizations.
3. **Non-Prime Time Fees** are applied to rentals between Monday and Friday from 11:00 p.m. to 5:00 p.m., and Saturday and Sunday from 11:00 p.m. to 6:00 a.m.
4. **Prime Time Fees** are applied to rentals between Monday and Friday from 5:00 p.m. to 11:00 p.m., and Saturday and Sunday from 6:00 a.m. to 11:00 p.m.
5. **Fees** are applicable until subsequently revised.
6. **Person** includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to the law.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
SCS-1	Ball Diamond	Whitby Minor Sports Organizations	\$8.49	Per Hour	Yes
SCS-2	Ball Diamond	Regular Rental	\$32.90	Per Hour	Yes
SCS- 3	Soccer Pitch	Whitby Minor Sports Organizations	\$8.49	Per Hour	Yes
SCS- 4	Soccer Pitch	Regular Rental	\$27.27	Per Hour	Yes
SCS- 5	Lacrosse Field	Whitby Minor Sports Organizations	\$8.49	Per Hour	Yes
SCS- 6	Lacrosse Field	Regular Rental	\$27.27	Per Hour	Yes
SCS- 7	Lacrosse Box	Peel Lacrosse Box – Whitby Minor Sport Organizations	\$21.78	Per Hour	Yes

SCS- 8	Lacrosse Box	Peel Lacrosse Box – Regular Rental	\$33.01	Per Hour	Yes
SCS- 9	Lacrosse Box	Willow Lacrosse Box – Whitby Minor Sport Organizations	\$0.00	Per Hour	Yes
SCS- 10	Lacrosse Box	Willow Lacrosse Box – Regular Rental	\$21.78	Per Hour	Yes
SCS- 11	Court Fees – Tennis, Bocce and Pickleball	Court Fee	\$5.15	Per Hour	Yes
SCS- 12	Court Fees – Tennis, Bocce and Pickleball	User Fee – Instructional	\$11.49	Per Hour	Yes
SCS- 13	Lighting	Ball Diamond	\$18.13	Per Hour	Yes
SCS- 14	Lighting	Soccer and Lacrosse Field	\$21.15	Per Hour	Yes
SCS- 15	Lighting	Peel Lacrosse Box	\$14.62	Per Hour	Yes
SCS- 16	Lighting	Court Fee	\$14.62	Per Hour	Yes
SCS- 17	Arena Floor Rentals	Prime – Whitby Minor Sport Organizations	\$85.56	Per Hour	Yes
SCS- 18	Arena Floor Rentals	Non-Prime – Whitby Minor Sport Organizations	\$51.10	Per Hour	Yes
SCS- 19	Arena Floor Rentals	Prime	\$110.23	Per Hour	Yes
SCS- 20	Arena Floor Rentals	Non-Prime	\$66.46	Per Hour	Yes
SCS- 21	Arena Floor Rentals	Floor Rental Surcharge	\$8.20	Per Hour	Yes
SCS- 22	Arena Floor Rentals	Daily Rental	\$1,653.34	Per Day (12 Hours Max.)	Yes
SCS- 23	Arena Floor Rentals	Set up or Break Down Fee	\$129.00	Per Hour	Yes
SCS- 24	Arena Floor Rentals	Special Event or Performance	\$2,150.80	Per Day	Yes

**Schedule G  
To By-law # 7220-17**

Community Services Department Fees –  
Hall and Facility Rental Fees  
**(Effective March 20, 2023)**

**Definitions**

1. **Resident Rates** are applied to all rentals for Whitby residents.  
**Regular Rental Rates** are applied to all other rentals which do not qualify for the Minor Sport Organization Rates.
2. **Non-Resident Rates** are applied to private rentals for those not living in Whitby.
3. **Community Group Rates** are for rentals for Whitby based not-for-profit organizations.
4. **Person** includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to the law.
5. **Fees** are applicable until subsequently revised.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
CS- 1	Brooklin Community Centre	Resident Fee	\$366.80	4+ Hours (Sun. to Thurs.)	Yes
CS- 2	Brooklin Community Centre	Non-Resident Fee	\$446.44	4+ Hours (Sun. to Thurs.)	Yes
CS- 3	Brooklin Community Centre	Community Group Fee	\$297.21	4+ Hours (Sun. to Thurs.)	Yes
CS- 4	Brooklin Community Centre	Resident Fee	\$456.57	After 4:00 p.m. (Fri. and Sat.)	Yes
CS- 5	Brooklin Community Centre	Non-Resident Fee	\$533.72	After 4:00 p.m. (Fri. and Sat.)	Yes
CS- 6	Brooklin Community Centre	Community Group Fee	\$371.84	After 4:00 p.m. (Fri. and Sat.)	Yes

CS- 7	Brooklin Community Centre	Upper Hall Fee - Resident	\$45.54	Hourly ( 3 Hours Min.)	Yes
CS- 8	Brooklin Community Centre	Upper Hall Fee - Non-Resident	\$48.06	Hourly ( 3 Hours Min.)	Yes
CS- 9	Brooklin Community Centre	Upper Hall - Community Group Fee	\$36.69	Hourly ( 3 Hours Min.)	Yes
CS- 10	Brooklin Community Centre	Resident Fee New Years	\$872.69	Daily	Yes
CS- 11	Brooklin Community Centre	Non-Resident New Years	\$1,030.77	Daily	Yes
CS- 12	Brooklin Community Centre	Community Group New Years	\$742.39	Daily	Yes
CS- 13	Brooklin Community Centre and Library – Board Room/Optimist Meeting Room	Resident Fee	\$39.51	Hourly	Yes
CS- 14	Brooklin Community Centre and Library – Board Room/Optimist Meeting Room	Non-Resident Fee	\$46.48	Hourly	Yes
CS- 15	Brooklin Community Centre and Library – Board Room/Optimist Meeting Room	Community Group Fee	\$30.83	Hourly	Yes
CS- 16	Brooklin Community Centre and Library – Board Room/Optimist Meeting Room	Resident Fee	\$284.46	Daily	Yes

CS- 17	Brooklin Community Centre and Library – Board Room/Optimist Meeting Room	Non-Resident Fee	\$334.66	Daily	Yes
CS- 18	Brooklin Community Centre and Library – Board Room/Optimist Meeting Room	Community Group Fee	\$221.86	Daily	Yes
CS- 19	Brooklin Community Centre and Library – Craft Room	Resident Room Fee	\$50.79	Hourly	Yes
CS- 20	Brooklin Community Centre and Library – Craft Room	Non-Resident Room Fee	\$59.75	Hourly	Yes
CS- 21	Brooklin Community Centre and Library – Craft Room	Community Group Fee	\$39.61	Hourly	Yes
CS- 22	Brooklin Community Centre and Library – Craft Room	Resident Day Fee	\$325.09	Daily	Yes
CS- 23	Brooklin Community Centre and Library – Craft Room	Non-Resident Day Fee	\$382.46	Daily	Yes

CS- 24	Brooklin Community Centre and Library – Craft Room	Community Group Day Fee	\$253.57	Daily	Yes
CS- 25	Brooklin Community Centre and Library – Gymnasium	Resident Full Gym Fee	\$70.43	Hourly	Yes
CS- 26	Brooklin Community Centre and Library – Gymnasium	Non-Resident Full Gym Fee	\$82.85	Hourly	Yes
CS- 27	Brooklin Community Centre and Library – Gymnasium	Community Group Full Gym	\$54.95	Hourly	Yes
CS- 28	Brooklin Community Centre and Library – Gymnasium	Resident Half Gym Fee	\$40.63	Hourly	Yes
CS- 29	Brooklin Community Centre and Library – Gymnasium	Non-Resident Half Gym Fee	\$47.80	Hourly	Yes
CS- 30	Brooklin Community Centre and Library – Gymnasium	Community Group Half Gym	\$31.70	Hourly	Yes

CS- 31	Brooklin Community Centre and Library – Gymnasium	Set Up or Clean Up	\$39.83	Hourly	Yes
CS- 32	Brooklin Community Centre and Library – Gymnasium	Resident Equipment Rental/Use	\$20.31	Hourly	Yes
CS- 33	Brooklin Community Centre and Library – Gymnasium	Non-Resident Equipment Rental/Use	\$23.92	Hourly	Yes
CS- 34	Brooklin Community Centre and Library – Gymnasium	Community Group Equipment Rental/Use	\$15.83	Hourly	Yes
CS-35	Brooklin Community Centre and Library – Multi-Purpose Room	Resident Fee	\$818.37	Daily (Sun. to Thurs.)	Yes
CS-36	Brooklin Community Centre and Library – Multi-Purpose Room	Non-Resident Fee	\$962.79	Daily (Sun. to Thurs.)	Yes
CS-37	Brooklin Community Centre and Library – Multi-Purpose Room	Community Group	\$638.32	Daily (Sun. to Thurs.)	Yes

CS-38	Brooklin Community Centre and Library – Multi- Purpose Room	Resident Fee	\$1,072.33	Daily(Fri. and Sat.)	Yes
CS-39	Brooklin Community Centre and Library – Multi- Purpose Room	Non-Resident Fee	\$1,261.57	Daily (Fri. and Sat.)	Yes
CS-40	Brooklin Community Centre and Library – Multi- Purpose Room	Community Group	\$836.43	Daily (Fri. and Sat.)	Yes
CS-41	Brooklin Community Centre and Library – Multi- Purpose Room	Resident Meeting	\$90.30	Hourly	Yes
CS-42	Brooklin Community Centre and Library – Multi- Purpose Room	Non-Resident Meeting	\$106.24	Hourly	Yes
CS-43	Brooklin Community Centre and Library – Multi- Purpose Room	Community Group Meeting	\$70.43	Hourly	Yes
CS-44	Brooklin Community Centre and Library – Multi- Purpose Room	Resident Fee	\$564.40	5 Hour Daily Fee(Mon. to Fri.)	Yes



CS-45	Brooklin Community Centre and Library – Multi- Purpose Room	Non-Resident Fee	\$679.93	6 Hour Daily Fee (Mon. to Fri.)	Yes
CS-46	Brooklin Community Centre and Library – Multi- Purpose Room	Community Group Fee	\$440.23	7 Hour Daily Fee (Mon. to Fri.)	Yes
CS-47	Brooklin Community Centre and Library – Multi- Purpose Room	Resident New Year's Eve	\$1,636.85	Daily	Yes
CS-48	Brooklin Community Centre and Library – Multi- Purpose Room	Non-Resident New Year's Eve	\$1,925.57	Daily	Yes
CS-49	Brooklin Community Centre and Library – Multi- Purpose Room	Community Group New Year's Eve	\$1,276.64	Daily	Yes
CS- 50	Brooklin Community Centre and Library – Seniors Room	Resident Meeting	\$64.50	Hourly	Yes
CS- 51	Brooklin Community Centre and Library – Seniors Room	Non-Resident Meeting	\$67.04	Hourly	Yes

CS- 52	Brooklin Community Centre and Library – Seniors Room	Community Group Meeting	\$60.70	Hourly	Yes
CS- 53	Brooklin Community Centre and Library – Seniors Room	Resident Fee	\$450.26	Daily	Yes
CS- 54	Brooklin Community Centre and Library – Seniors Room	Non-Resident Fee	\$459.09	Daily	Yes
CS- 55	Brooklin Community Centre and Library – Seniors Room	Community Group Fee	\$417.37	Daily	Yes
CS- 56	Celebration Square	Resident Day Fee	\$563.38	Daily	Yes
CS- 57	Celebration Square	Non-Resident Day Fee	\$659.16	Daily	Yes
CS- 58	Celebration Square	Community Group Day Fee	\$481.53	Daily	Yes
CS- 59	Celebration Square	Whitby Commercial Day Fee	\$574.65	Daily	Yes
CS- 60	Centennial Building – Regal Room	Resident Fee (Reynolds or McKay or Farewell Room)	\$34.15	Hourly	Yes
CS- 61	Centennial Building – Regal Room	Non-Resident Fee (Reynolds or McKay or Farewell Room)	\$39.21	Hourly	Yes
CS- 62	Centennial Building – Regal Room	Community Group Fee (Reynolds or McKay or Farewell Room)	\$29.29	Hourly	Yes

CS- 63	Centennial Building – Regal Room	Resident Fee (Prep Room or Room 103)	\$31.61	Hourly	Yes
CS- 64	Centennial Building – Regal Room	Non-Resident Fee (Prep Room or Room 103)	\$36.69	Hourly	Yes
CS- 65	Centennial Building – Regal Room	Community Group Fee Prep (Room or Room 103)	\$26.56	Hourly	Yes
CS- 66	Centennial Building – Regal Room	Resident Fee (Gould Room)	\$64.50	Hourly	Yes
CS- 67	Centennial Building – Regal Room	Non-Resident Fee (Gould Room)	\$67.03	Hourly	Yes
CS- 68	Centennial Building – Regal Room	Community Group (Gould Room)	\$60.71	Hourly	Yes
CS- 69	Centennial Building – Regal Room	Resident Fee (Attersley Room)	\$64.50	Hourly	Yes
CS- 70	Centennial Building – Regal Room	Non-Resident Fee (Attersley Room)	\$67.03	Hourly	Yes
CS- 71	Centennial Building – Regal Room	Community Group (Attersley Room)	\$60.71	Hourly	Yes
CS- 72	Centennial Building – Regal Room	Resident Fee (Attersley Room)	\$450.25	Daily (8+ hours)	Yes
CS- 73	Centennial Building – Regal Room	Non-Resident Fee (Attersley Room)	\$459.09	Daily (8+ hours)	Yes
CS- 74	Centennial Building – Regal Room	Community Group (Attersley Room)	\$417.37	Daily (8+ hours)	Yes

CS- 75	Centennial Building – Theatre Stage	Resident Fee	\$449.01	Daily (8+ hours) Sunday to Thursday	Yes
CS- 76	Centennial Building – Theatre Stage	Non-Resident Fee	\$461.36	Daily (8+ hours) Sunday to Thursday	Yes
CS- 77	Centennial Building – Theatre Stage	Community Group Fee	\$419.41	Daily (8+ hours) Sunday to Thursday	Yes
CS- 78	Centennial Building – Theatre Stage	Resident Fee	\$696.88	Daily (8+ hours) Friday and Saturday	Yes
CS- 79	Centennial Building – Theatre Stage	Non-Resident Fee	\$732.29	Daily (8+ hours) Friday and Saturday	Yes
CS- 80	Centennial Building – Theatre Stage	Community Group Fee	\$664.72	Daily (8+ hours) Friday and Saturday	Yes
CS- 81	Centennial Building – Theatre Stage	Wedding Ceremony (Including Regal Room Rental)	\$349.07	Daily	Yes
CS- 82	Cullen Central Park – Special Events Area	Resident Fee (1 to 100)	\$211.02	Daily Monday to Friday 5pm to 10pm	Yes
CS- 83	Cullen Central Park – Special Events Area	Non-Resident Fee (1 to 100)	\$246.73	Daily Monday to Friday 5pm to 10pm	Yes
CS- 84	Cullen Central Park – Special Events Area	Community Group Fee (1 to 100)	\$164.48	Daily Monday to Friday 5pm to 10pm	Yes
CS- 85	Cullen Central Park – Special Events Area	Resident Fee (101 to 200)	\$422.02	Daily Monday to Friday 5pm to 10pm	Yes
CS- 86	Cullen Central Park – Special Events Area	Non-Resident Fee (101 to 200)	\$493.44	Daily Monday to Friday 5pm to 10pm	Yes

CS- 87	Cullen Central Park – Special Events Area	Community Group Fee (101 to 200)	\$328.96	Daily Monday to Friday 5pm to 10pm	Yes
CS- 88	Cullen Central Park – Special Events Area	Resident Fee (201 to 250)	\$526.80	Daily Monday to Friday 5pm to 10pm	Yes
CS- 89	Cullen Central Park – Special Events Area	Non-Resident Fee (201 to 250)	\$617.71	Daily Monday to Friday 5pm to 10pm	Yes
CS- 90	Cullen Central Park – Special Events Area	Community Group Fee (201 to 250)	\$411.79	Daily Monday to Friday 5pm to 10pm	Yes
CS- 91	Cullen Central Park – Special Events Area	Commercial Fee (1 to 250)	\$679.47	Daily Monday to Friday 5pm to 10pm	Yes
CS- 92	Cullen Central Park – Special Events Area	Resident Fee (1 to 100)	\$289.57	Daily Saturday or Sunday	Yes
CS- 93	Cullen Central Park – Special Events Area	Non-Resident Fee (1 to 100)	\$336.54	Daily Saturday or Sunday	Yes
CS- 94	Cullen Central Park – Special Events Area	Community Group (1 to 100)	\$222.91	Daily Saturday or Sunday	Yes
CS- 95	Cullen Central Park – Special Events Area	Resident Fee (101 to 200)	\$573.52	Daily Saturday or Sunday	Yes
CS- 96	Cullen Central Park – Special Events Area	Non-Resident Fee (101 to 200)	\$673.07	Daily Saturday or Sunday	Yes
CS- 97	Cullen Central Park – Special Events Area	Community Group (101 to 200)	\$445.84	Daily Saturday or Sunday	Yes
CS- 98	Cullen Central Park – Special Events Area	Resident Fee (201 to 250)	\$723.94	Daily Saturday or Sunday	Yes

CS- 99	Cullen Central Park – Special Events Area	Non-Resident Fee (201 to 250)	\$843.15	Daily Saturday or Sunday	Yes
CS- 100	Cullen Central Park – Special Events Area	Community Group (201 to 250)	\$556.11	Daily Saturday or Sunday	Yes
CS- 101	Cullen Central Park – Special Events Area	Commercial Fee (1 to 250)	\$927.47	Daily Saturday or Sunday	Yes
CS- 102	Cullen Central Park – Log Cabin	Resident Fee	\$136.59	Daily	Yes
CS- 103	Cullen Central Park – Log Cabin	Non-Resident Fee	\$150.26	Daily	Yes
CS- 104	Cullen Central Park – Log Cabin	Community Group Fee	\$136.59	Daily	Yes
CS- 105	Gazebo and Picnic Shelters (BBQ permitted)	Resident Fee	\$103.21	Daily	Yes
CS- 106	Gazebo and Picnic Shelters (New - BBQ permitted)	Non-Resident Fee	\$322.34	Daily	Yes
CS- 108	Gazebo and Picnic Shelters	Community Group Fee	\$103.21	Daily	Yes
CS- 109	Gazebo and Picnic Shelters	Commercial Fee	\$318.27	Daily	Yes
CS- 110	General Park Permit	Resident Fee	\$51.85	Daily	Yes
CS- 111	General Park Permit	Non-Resident Fee	\$57.04	Daily	Yes
CS- 112	General Park Permit	Community Group Fee	\$51.85	Daily	Yes
CS- 113	Iroquois Park Sports Centre – Whitney Hall	Resident Fee	\$478.10	Daily (8+ hours) Sunday to Thursday	Yes
CS- 114	Iroquois Park Sports Centre – Whitney Hall	Non-Resident Fee	\$491.99	Daily (8+ hours) Sunday to Thursday	Yes

CS- 115	Iroquois Park Sports Centre – Whitney Hall	Community Group Fee	\$436.34	Daily (8+ hours) Sunday to Thursday	Yes
CS- 116	Iroquois Park Sports Centre – Whitney Hall	Resident Fee	\$812.86	Daily (8+ hours) Friday and Saturday	Yes
CS- 117	Iroquois Park Sports Centre – Whitney Hall	Non-Resident Fee	\$1,013.07	Daily (8+ hours) Friday and Saturday	Yes
CS- 118	Iroquois Park Sports Centre – Whitney Hall	Community Group Fee	\$761.37	Daily (8+ hours) Friday and Saturday	Yes
CS- 119	Iroquois Park Sports Centre – Whitney Hall	Resident Fee	\$61.38	Hourly	Yes
CS- 120	Iroquois Park Sports Centre – Whitney Hall	Non-Resident Fee	\$63.24	Hourly	Yes
CS- 121	Iroquois Park Sports Centre – Whitney Hall	Community Group Fee	\$58.83	Hourly	Yes
CS- 122	Iroquois Park Sports Centre – Whitney Hall	Resident New Year's Eve	\$1,623.22	Daily	Yes
CS- 123	Iroquois Park Sports Centre – Whitney Hall	Non-Resident New Year's Eve	\$1,689.69	Daily	Yes
CS- 124	Iroquois Park Sports Centre – Whitney Hall	Community Group New Year's Eve	\$1,500.00	Daily	Yes
CS- 125	Iroquois Park Sports Centre – Upper Mezzanine Large Meeting Room	Resident Fee	\$33.19	Hourly	Yes
CS- 126	Iroquois Park Sports Centre – Upper Mezzanine Large Meeting Room	Non-Resident Fee	\$38.50	Hourly	Yes

CS- 127	Iroquois Park Sports Centre – Upper Mezzanine Large Meeting Room	Community Group Fee	\$30.56	Hourly	Yes
CS- 128	Iroquois Park Sports Centre – Upper Mezzanine Small Meeting Room	Resident Fee	\$29.08	Hourly	Yes
CS- 129	Iroquois Park Sports Centre – Upper Mezzanine Small Meeting Room	Non-Resident Fee	\$32.91	Hourly	Yes
CS- 130	Iroquois Park Sports Centre – Upper Mezzanine Small Meeting Room	Community Group Fee	\$26.55	Hourly	Yes
CS- 131	Iroquois Park Sports Centre – Anne Ottenbrite Pool Boardroom	Resident Fee	\$32.08	Hourly	Yes
CS- 132	Iroquois Park Sports Centre – Anne Ottenbrite Pool Boardroom	Non-Resident Fee	\$35.77	Hourly	Yes
CS- 133	Iroquois Park Sports Centre – Anne Ottenbrite Pool Boardroom	Community Group Fee	\$25.91	Hourly	Yes
CS- 134	McKinney Centre – Dryland Training Room	Resident Fee	\$388.44	Daily ( 5+ hours)	Yes
CS- 135	McKinney Centre – Dryland Training Room	Non-Resident Fee	\$396.68	Daily ( 5+ hours)	Yes



CS- 136	McKinney Centre – Dryland Training Room	Community Group Fee	\$348.04	Daily ( 5+ hours)	Yes
CS- 137	McKinney Centre – Dryland Training Room	Resident Fee	\$60.70	Hourly	Yes
CS- 138	McKinney Centre – Dryland Training Room	Non-Resident Fee	\$61.98	Hourly	Yes
CS- 139	McKinney Centre – Dryland Training Room	Community Group Fee	\$54.38	Hourly	Yes
CS- 140	McKinney Centre – Upper Meeting Room	Resident Fee	\$202.37	Daily ( 5+ hours)	Yes
CS- 141	McKinney Centre – Upper Meeting Room	Non-Resident Fee	\$234.69	Daily ( 5+ hours)	Yes
CS- 142	McKinney Centre – Upper Meeting Room	Community Group Fee	\$186.14	Daily ( 5+ hours)	Yes
CS- 143	McKinney Centre – Upper Meeting Room	Resident Fee	\$31.62	Hourly	Yes
CS- 144	McKinney Centre – Upper Meeting Room	Non-Resident Fee	\$36.69	Hourly	Yes
CS- 145	McKinney Centre – Upper Meeting Room	Community Group Fee	\$29.09	Hourly	Yes
CS- 146	McKinney Centre – McKinney Meeting Room	Resident Fee	\$186.14	Daily ( 5+ hours)	Yes
CS- 147	McKinney Centre – McKinney Meeting Room	Non-Resident Fee	\$210.46	Daily ( 5+ hours)	Yes

CS- 148	McKinney Centre – McKinney Meeting Room	Community Group Fee	\$170.02	Daily ( 5+ hours)	Yes
CS- 149	McKinney Centre – McKinney Meeting Room	Resident Fee	\$29.09	Hourly	Yes
CS- 150	McKinney Centre – McKinney Meeting Room	Non-Resident Fee	\$32.90	Hourly	Yes
CS- 151	McKinney Centre – McKinney Meeting Room	Community Group Fee	\$26.56	Hourly	Yes
CS- 152	Whitby 55+ Recreation Centre – Boardroom	Resident Fee	\$22.77	Hourly	Yes
CS- 153	Whitby 55+ Recreation Centre – Boardroom	Community Group Fee	\$21.19	Hourly	Yes
CS- 154	Whitby 55+ Recreation Centre – Boardroom Premium	Resident Fee	\$34.77	Hourly	Yes
CS- 155	Whitby 55+ Recreation Centre – Boardroom Premium	Community Group Fee	\$32.38	Hourly	Yes
CS- 156	Whitby 55+ Recreation Centre – Classroom	Resident Fee	\$34.77	Hourly	Yes
CS- 157	Whitby 55+ Recreation Centre – Classroom	Community Group Fee	\$32.38	Hourly	Yes

CS- 158	Whitby 55+ Recreation Centre - Classroom Premium	Resident Fee	\$43.95	Hourly	Yes
CS- 159	Whitby 55+ Recreation Centre - Classroom Premium	Community Group Fee	\$40.91	Hourly	Yes
CS- 160	Whitby 55+ Recreation Centre - Craft Room	Resident Fee	\$34.77	Hourly	Yes
CS- 161	Whitby 55+ Recreation Centre - Craft Room	Community Group Fee	\$32.38	Hourly	Yes
CS- 162	Whitby 55+ Recreation Centre - Craft Room Premium	Resident Fee	\$43.95	Hourly	Yes
CS- 163	Whitby 55+ Recreation Centre - Craft Room Premium	Community Group Fee	\$40.91	Hourly	Yes
CS- 164	Whitby 55+ Recreation Centre - Dining Room	Resident Fee	\$65.78	Hourly	Yes
CS- 165	Whitby 55+ Recreation Centre - Dining Room	Community Group Fee	\$61.22	Hourly	Yes
CS- 166	Whitby 55+ Recreation Centre - Lower Activity Room	Resident Fee	\$46.48	Hourly	Yes
CS- 167	Whitby 55+ Recreation Centre - Lower Activity Room	Community Group Fee	\$43.26	Hourly	Yes

CS- 168	Whitby 55+ Recreation Centre - Lower Activity Room Premium	Resident Fee	\$65.78	Hourly	Yes
CS- 169	Whitby 55+ Recreation Centre - Lower Activity Room Premium	Community Group Fee	\$61.22	Hourly	Yes
CS- 170	Whitby 55+ Recreation Centre - Multi-Purpose Room	Resident Fee	\$46.48	Hourly	Yes
CS- 171	Whitby 55+ Recreation Centre - Multi-Purpose Room	Community Group Fee	\$43.26	Hourly	Yes
CS- 172	Whitby 55+ Recreation Centre - Multi-Purpose Room Premium	Resident Fee	\$65.78	Hourly	Yes
CS- 173	Whitby 55+ Recreation Centre - Multi-Purpose Room Premium	Community Group Fee	\$61.22	Hourly	Yes
CS- 174	Whitby 55+ Recreation Centre - Upper Activity Room	Resident Fee	\$990.29	Daily (8+ hours)	Yes
CS- 175	Whitby 55+ Recreation Centre - Upper Activity Room	Non-Resident Fee	\$1,193.51	Daily (8+ hours)	Yes
CS- 176	Whitby 55+ Recreation Centre - Upper Activity Room	Community Group Fee	\$741.14	Daily (8+ hours)	Yes
CS- 177	Whitby 55+ Recreation Centre - Upper Activity Room	Resident Fee	\$1,560.38	Daily	Yes

CS- 178	Whitby 55+ Recreation Centre - Upper Activity Room	Non-Resident Fee	\$1,890.85	Daily	Yes
CS- 179	Whitby 55+ Recreation Centre - Upper Activity Room	Community Group Fee	\$1,201.52	Daily	Yes
CS- 180	Whitby 55+ Recreation Centre - Upper Activity Room	Member Fee	\$415.79	Daily	Yes
CS- 181	Whitby 55+ Recreation Centre - Upper Activity Room	Resident Fee – No Dining Fee	\$119.51	Hourly	Yes
CS- 182	Whitby 55+ Recreation Centre - Upper Activity Room	Community Group Fee – No Dining Fee	\$112.35	Hourly	Yes
CS- 186	Port Whitby Marina Rental	Resident Fee	\$627.14	Daily (8+ hours) Sunday to Thursday	Yes
CS- 187	Port Whitby Marina Rental	Non-Resident Fee	\$640.72	Daily (8+ hours) Sunday to Thursday	Yes
CS- 188	Port Whitby Marina Rental	Community Group	\$567.26	Daily (8+ hours) Sunday to Thursday	Yes
CS- 189	Port Whitby Marina Rental	Resident Fee	\$1,070.59	Daily (up to 8 hours) Friday and Saturday	Yes
CS- 190	Port Whitby Marina Rental	Non-Resident Fee	\$1,319.51	Daily (up to 8 hours) Friday and Saturday	Yes
CS- 191	Port Whitby Marina Rental	Community Group	\$993.04	Daily (up to 8 hours) Friday and Saturday	Yes
CS- 192	Port Whitby Marina Rental	Resident Fee – Weddings	\$1,711.30	Daily (up to 16 hours)	Yes

CS- 193	Port Whitby Marina Rental	Non-Resident Fee – Weddings	\$2,062.27	Daily (up to 16 hours)	Yes
CS- 194	Port Whitby Marina Rental	Community Group Fee – Weddings	\$1,553.51	Daily (up to 16 hours)	Yes
CS- 195	Port Whitby Marina Rental	Resident Fee – Meeting	\$77.55	Hourly (3 hour maximum)	Yes
CS- 196	Port Whitby Marina Rental	Non-Resident Fee – Meeting	\$81.62	Hourly (3 hour maximum)	Yes
CS- 197	Port Whitby Marina Rental	Community Group Fee – Meeting	\$70.69	Hourly (3 hour maximum)	Yes

**Schedule H**  
**To By-law # 7220-17**  
Municipal Parking Lot Rates  
**(Effective June 1, 2023)**

<b>Fee No.</b>	<b>Category</b>	<b>Fee Title</b>	<b>Fee (Excluding Taxes)</b>	<b>Fee Basis</b>	<b>HST Applicable</b>
MPL- 1	Municipal Parking Lot Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$1.10	Per Hour 8:00 a.m. – 6:00 p.m., Monday to Friday Except Holidays	Yes
MPL- 2	Municipal Parking Lot Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$8.00	Maximum per day 8:00 a.m. – 6:00 p.m., Monday to Friday Except Holidays	Yes
MPL- 3	Leased Parking Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$110.00	Per Month 8:00 a.m. – 6:00 p.m., Monday to Friday Except Holidays	Yes
MPL- 4	Leased Parking Rates	Discounted Rate - 50% Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$55.00	Per Month 8:00 a.m. – 6:00 p.m., Monday to Friday Except Holidays	Yes
MPL- 5	Leased Parking Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$99.00	Per Month, for Six Months 8 a.m. – 6 p.m., (Monday to Friday, Except Holidays)	Yes
MPL- 6	Leased Parking Rates	Discounted Rate - 55% Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$54.45	Per Month, for Six Months 8 a.m. – 6 p.m. (Monday to Friday, Except Holidays)	Yes

MPL- 7	Leased Parking Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$88.00	Per Month, for Twelve Months 8 a.m. – 6 p.m. (Monday to Friday, Except Holidays)	Yes
MPL- 8	Leased Parking Rates	Discounted Rate - 60% Lots 1, 2, 3, 4, 5, 6, 7 and 9	\$52.80	Per Month, for Twelve Months 8 a.m. – 6 p.m. (Monday to Friday, Except Holidays)	Yes
MPL- 9	Merchant Hourly Discount Parking Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9(only available through Honk Mobile Application)	N/A	Hourly (1 – 99)	N/A
MPL- 10	Merchant Hourly Discount Parking Rates	Discounted Rate?? Lots 1, 2, 3, 4, 5, 6, 7 and 9 (only available through Honk Mobile Application)	N/A	Hourly (1 – 99)	N/A
MPL- 11	Merchant Hourly Discount Parking Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9 (only available through Honk Mobile Application)	\$0.83	Hourly (100 – 249)	Yes
MPL- 12	Merchant Hourly Discount Parking Rates	Discounted Rate - 25% Lots 1, 2, 3, 4, 5, 6, 7 and 9 (only available through Honk Mobile Application)	\$0.21	Hourly (100 – 249)	Yes
MPL- 13	Merchant Hourly Discount Parking Rates	Lots 1, 2, 3, 4, 5, 6, 7 and 9 (only available through Honk Mobile Application)	\$0.55	Hourly (250 +)	Yes
MPL- 14	Merchant Hourly Discount Parking Rates	Discounted Rate - 50% Lots 1, 2, 3, 4, 5, 6, 7 and 9 (only available through Honk Mobile Application)	\$0.28	Hourly (250 +)	Yes



**Schedule I**  
**To By-law # 7220-17**  
**On-Street Parking Rates**  
**(Effective June 1, 2023)**

Fee No.	Street	Direction	Intersection	Proposed Rate	Rate Basis	Max Permissible Parking Period
<b>Rates in effect between 9:00 a.m. to 6:00 p.m., Monday to Friday, except Holidays</b>						
SPR- 1	Ash Street	East	Dundas Street East and Mary Street East	\$1.65	Per Hour	120 Minutes
SPR- 2	Athol Street	West	Dundas Street East and Colborne Street East	\$1.65	Per Hour	120 Minutes
SPR- 3	Brock Street	East & West	Mary Street and Dunlop Street	\$1.65	Per Hour	120 Minutes
SPR- 4	Byron Street	East and West	Mary Street and Colborne Street	\$1.65	Per Hour	120 Minutes
SPR- 5	Centre Street	West	Mary Street West and Colborne Street South	\$1.65	Per Hour	120 Minutes
SPR- 6	Colborne Street	North and South	King Street and Athol Street	\$1.65	Per Hour	120 Minutes
SPR- 7	Dundas Street East	South	Green Street and Athol Street	\$1.65	Per Hour	120 Minutes
SPR- 8	Elm Street	North and South	Brock Street North & Byron Street	\$1.65	Per Hour	120 Minutes
SPR- 9	Green Street	East and West	Dundas Street East and Ontario Street	\$1.65	Per Hour	120 Minutes
SPR- 10	Kent Street	West	Dundas Street West and 33m North	\$1.65	Per Hour	120 Minutes
SPR- 11	King Street	West and East	Dundas Street West and Colborne Street West	\$1.65	Per Hour	120 Minutes
SPR- 12	Mary Street East	South	Brock Street North and Perry Street	\$1.65	Per Hour	120 Minutes
SPR- 13	Ontario Street	North	Brock Street and Green Street	\$1.65	Per Hour	120 Minutes
SPR- 14	Perry Street	East and West	Dundas Street East and Mary Street East	\$1.65	Per Hour	120 Minutes



**Rates in effect between 9:00 a.m. to 4:30 p.m., Monday to Friday, except Holidays**

SPR- 15	Dundas Street West	North and South	Brock Street and Henry Street/Euclid street	\$1.65	Per Hour	120 Minutes
SPR- 16	Mary Street West	South	Brock Street North and Byron Street North	\$1.65	Per Hour	120 Minutes

**Leased Parking Rates**

SPR- 17	Ash Street	East	Dundas Street and Mary Street	Monthly \$165.00 Bi-annual \$891.00 Annual \$1,584.00	Per Period	9:00 a.m. to 6:00 p.m., Monday to Friday, except Holidays
SPR- 18	Byron Street	East & West	Colborne Street and Ontario Street	Monthly \$165.00 Bi-annual \$891.00 Annual \$1,584.00	Per Period	9:00 a.m. to 6:00 p.m., Monday to Friday, except Holidays
SPR- 19	Green Street	East & West	Colborne Street and Ontario Street	Monthly \$165.00 Bi-annual \$891.00 Annual \$1,584.00	Per Period	9:00 a.m. to 6:00 p.m., Monday to Friday, except Holidays
SPR- 20	Ontario Street	North	Brock Street and Green Street	Monthly \$165.00 Bi-annual \$891.00 Annual \$1,584.00	Per Period	9:00 a.m. to 6:00 p.m., Monday to Friday, except Holidays

**Schedule J**  
**To By-law # 7220-17**  
Community Services Department Fees – Membership Fees and Admission Fees  
**(Effective March 20, 2023)**

**Definitions**

1. **Administration fees** include but are not limited to membership cancellations, refunds from account balances and monthly payments.
2. **Adult** means a person between the ages of 18 and 54.
3. **Child** means a person between the ages of 4 and 17.
4. **Family** means a least one (1) parent/guardian up to a maximum of two (2) adults (18 years and older) and children (17 years and younger) living in the same residence up to a maximum of five (5) persons.
5. **Semi-private swimming lesson** is a lesson offered for a group up to 3 persons.
6. **Senior** means a person 55 years of age or older for all programs and services.
7. **55+ Recreation programs** are available for persons with a Whitby 55+ Recreation Services Membership.
8. **Student Health Club Membership** is a membership for persons 18 years of age or older with proof of current enrollment in a full-time post-secondary educational program.
9. **Youth Health Club Membership** is a membership for persons 14 to 17 years of age.
10. **Fees** are applicable until subsequently revised.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
CMA - 1	Swim/Skate Youth/55+ Admissions	Pass	\$149.06	Per Year	Youth - No Senior - Yes
CMA - 2	Swim/Skate Youth/55+ Admissions	Pass	\$25.74	Per Month	Youth - No Senior - Yes

CMA - 3	Swim/Skate Youth/55+ Admissions	Pass	\$76.14	3 Months	Youth - No Senior - Yes
CMA - 4	Swim/Skate Youth/55+ Admissions	Pass	\$3.17	Per Use	Youth - No Senior - Yes
CMA - 5	Swim/Skate Youth/55+ Admissions	Pass	\$27.93	10 Uses	Youth - No Senior - Yes
CMA - 6	Swim/Skate Adult Admissions	Pass	\$239.16	Per Year	Yes
CMA - 7	Swim/Skate Adult Admissions	Pass	\$36.46	Per Month	Yes
CMA - 8	Swim/Skate Adult Admissions	Pass	\$105.09	3 Months	Yes
CMA - 9	Swim/Skate Adult Admissions	Pass	\$4.74	Per Use	Yes
CMA - 10	Swim/Skate Adult Admissions	Pass	\$41.72	10 Uses	Yes
CMA - 11	Swim/Skate Family Admissions	Pass	\$413.96	Per Year	Yes
CMA - 12	Swim/Skate Family Admissions	Pass	\$69.71	Per Month	Yes
CMA - 13	Swim/Skate Family Admissions	Pass	\$185.52	3 month	Yes
CMA - 14	Swim/Skate Family Admissions	Pass	\$12.76	Per Use	Yes
CMA - 15	Swim/Skate Family Admissions	Pass	\$105.77	10 Uses	Yes
CMA - 16	Shinny Youth Admission	Pass	\$4.83	Per Use	Yes

CMA - 17	Shinny Youth Admission	Pass	\$38.64	10 Uses	Yes
CMA - 18	Shinny 55+ Admissions	Pass	\$4.83	Per Use	Yes
CMA - 19	Shinny 55+ Admissions	Pass	\$38.64	10 Uses	Yes
CMA - 20	Shinny Adult Admission	Pass	\$7.13	Per Use	Yes
CMA - 21	Shinny Adult Admission	Pass	\$58.13	10 Uses	Yes
CMA - 22	Ticket Ice Admissions	Pass	\$7.67	Per Use	Yes
CMA - 23	Ticket Ice Admissions	Pass	\$62.58	10 Uses	Yes
CMA - 24	Parent and Tot Skate Admissions	Pass	\$4.83	Per Use	Yes
CMA - 25	Backyard Rink Admissions	Pass	\$0.00	Per Use	Yes
CMA - 26	Active Living Admissions Youth	League Drop In	\$3.17	Per Use	Yes
CMA - 27	Active Living Admissions Youth	League Drop In	\$28.53	10 Uses	Yes
CMA - 28	Active Living Admissions Adult	League Drop In	\$4.54	Per Use	Yes
CMA - 29	Active Living Admissions Adult	League Drop In	\$40.86	10 Uses	Yes
CMA - 32	Fitness Classes Adult	Drop In	\$10.61	Per Visit	Yes
CMA - 33	Fitness Classes - Youth/55+	Drop In	\$5.30	Per Visit	Yes
CMA - 34	Fitness Class Adult	Drop In	\$95.49	10 Classes	Yes
CMA - 35	Fitness Classes Youth/55+	Drop In	\$47.75	10 Classes	Yes

CMA - 36	Fitness Class Adult	Drop In	\$190.98	20 Classes	Yes
CMA - 37	Fitness Classes Youth/55+	Drop In	\$95.49	20 Classes	Yes
CMA - 38	Fitness Membership Youth	Membership	\$258.02	Per Year	Yes
CMA - 40	Fitness Membership Youth	Membership	\$103.27	3 Months	Yes
CMA - 43	Fitness Membership Student	Summer Membership	\$149.41	4 Months	Yes
CMA - 47	Fitness Membership Adult	Adult Membership	\$455.63	Per Year	Yes
CMA - 49	Fitness Membership Adult	Adult Membership	\$182.37	3 Months	Yes
CMA - 57	Fitness Membership Adult	Guest Pass	\$13.65	Per Use	Yes
CMA - 58	Fitness Membership Youth/55+	Guest Pass	\$6.83	Per Use	Yes
CMA - 61	Fitness Membership Senior (55+)	Membership	\$258.02	Per Year	Yes
CMA - 62	Fitness Membership Senior (55+)	Membership	\$103.27	3 months	Yes
CMA - 64	Fitness Membership Family	Family Membership	\$1,100.75	Per Year	Yes
CMA - 66	Fitness Services Administrative	Administrative Fee	\$40.33	Per Use	Yes
CMA - 67	Fitness Services Child	Child Care	\$5.93	Per Use	No

CMA - 70	Fitness Services Adult	Personal Training - Members	\$61.40	Per Use	Yes
CMA - 71	Fitness Services Adult	Personal Training - Members	\$256.39	5 Uses	Yes
CMA - 72	Fitness Services Adult	Personal Training - Members	\$477.18	10 Uses	Yes
CMA - 73	Fitness Services Adult	Personal Training - Group	\$349.13	Per Use	Yes
CMA - 74	55+ Recreation Membership	Membership	\$22.86	Per Year	Yes
CMA - 76	55+ Recreation Membership	90+ Membership	\$0.00	Per Year	No



**Schedule K**  
**To By-law # 7220-17**  
Community Services Department Fees -  
Marina and Harbour Facilities Division Fees  
**(Effective March 20, 2023)**

**Definitions**

- **Marina Reciprocal Membership** means a membership for marina customers to receive free overnight dockage at participating reciprocal clubs on Lake Ontario.
- **PWC** means Personal Watercraft

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
MHF- 1	Marina Boat Handling	Launch	\$10.54	Per Foot	Yes
MHF- 2	Marina Boat Handling	Launch 12 Month Boater	\$8.31	Per Foot	Yes
MHF- 3	Marina Boat Handling	Haul Out	\$10.54	Per Foot	Yes
MHF- 4	Marina Boat Handling	Haul out 12 Month Boaters	\$8.31	Per Foot	Yes
MHF- 5	Marina Boat Handling	Travel lift/boat Move In Yard	\$6.20	Per Foot	Yes
MHF- 6	Marina Boat Handling	Transport to Charles Street (One-Way)	\$264.18	Flat Rate	Yes
MHF- 7	Trailer-able Boat Storage with Ramp Access	Overnight Boat Storage	\$33.63	Overnight	Yes
MHF- 8	Trailer-able Boat Storage with Ramp Access	Weekly Boat Storage	\$111.49	Weekly	Yes
MHF- 9	Trailer-able Boat Storage with Ramp Access	Monthly Boat Storage	\$10.86	Monthly	Yes
MHF- 10	Trailer-able Boat Storage with Ramp Access	PWC (Single up to 12' LOA)	\$154	Flat Rate (Per Month)	Yes
MHF- 11	Trailer-able Boat Storage with Ramp Access	PWC (Double up to 12' LOA)	\$226.58	Flat Rate (Per Month)	Yes

MHF- 12	Trailer-able Boat Storage with Ramp Access	May 1 to Oct 31	\$39.84	Per Foot	Yes
MHF- 13	Trailer-able Boat Storage with Ramp Access	PWC (Single up to 12' LOA)	\$514.95	Flat Rate (May 1 to Oct 31)	Yes
MHF- 14	Trailer-able Boat Storage with Ramp Access	PWC (Double up to 12' LOA)	\$720.93	Flat Rate (May 1 to Oct 31)	Yes
MHF- 15	Marina Membership	Reciprocal Membership	\$69.45	Per Year	Yes
MHF- 16	Marina Seasonal Dockage	Pier 3 (0-18 feet)	\$665.92	Flat Rate	Yes
MHF- 17	Marina Seasonal Dockage	Pier 3 (19' to 22')	\$892.80	Flat Rate	Yes
MHF- 18	Marina Seasonal Dockage	Piers 2, 4, 6 (Un-Serviced)	\$60.21	Per Foot	Yes
MHF- 19	Marina Seasonal Dockage	Piers 2,4,6 (Includes 30A)	\$74.82	Per Foot	Yes
MHF- 20	Marina Seasonal Dockage	Piers 1, 5, 7, 8, 9 (Un-Serviced)	\$63.62	Per Foot	Yes
MHF- 21	Marina Seasonal Dockage	Piers 1, 5, 7, 8, 9 (Includes 30A)	\$77.82	Per Foot	Yes
MHF- 22	Marina Seasonal Dockage	Piers 1, 5, 7, 8, 9 (Includes 50A)	\$85.13	Per Foot	Yes
MHF- 23	Marina Seasonal Dockage	Piers 1, 5, 7, 8, 9 (Includes 60A)	\$92.43	Per Foot	Yes
MHF- 24	Marina Seasonal Dockage	Additional Hydro (30 AMP)	\$14.54	Per Foot	Yes
MHF- 25	Marina Seasonal Dockage	Additional Hydro (50 AMP)	\$21.82	Per Foot	Yes
MHF- 26	Other Services	Public Boat Launch Daily (Vehicle Only)	\$7.08	Flat Rate	Yes
MHF- 27	Other Services	Public Boat Launch Daily (Vehicle and Trailer)	\$13.27	Flat Rate	Yes
MHF- 28	Other Services	Public Boat Launch Seasonal	\$106.20	Flat Rate (Jan. 1 – April 30)	Yes
MHF- 29	Other Services	Public Boat Launch Seasonal	\$115.05	Flat Rate (May 1 to Dec 31)	Yes

MHF- 30	Other Services	Marina Ramp Commercial Use	\$3.10	Per Foot	Yes
MHF- 31	Other Services	Mast Up or Down Minimum	\$145.40	Flat Rate	Yes
MHF- 32	Other Services	Mast Up or Down	\$5.32	Per Foot	Yes
MHF- 33	Other Services	Multi-Spreader Masts (Additional Fee)	\$1.65	Per Foot	Yes
MHF- 34	Other Services	Mast Storage Non-member	\$151.79	Flat Rate	Yes
MHF- 35	Other Services	Pressure Rinse Hull	\$3.78	Per Foot	Yes
MHF- 36	Other Services	Blocking Material and Labour	\$9.14	Per Foot	Yes
MHF- 37	Other Services	Blocking Labour Only	\$4.56	Per Foot	Yes
MHF- 38	Other Services	Marina Labour	\$76.36	Per Hour	Yes
MHF- 39	Other Services	Visitor Pump Out	\$19.62	Per Tank	Yes
MHF- 40	Marina Storage	Cradle Storage (Up to 30' LOA)	\$116.63	Flat Rate	Yes
MHF- 41	Marina Storage	Cradle Storage (31' – 40' LOA)	\$145.29	Flat Rate	Yes
MHF- 42	Marina Storage	Cradle Storage (41'+ LOA)	\$173.91	Flat Rate	Yes
MHF- 43	Marina Storage	Trailer Storage	\$77.24	Flat Rate (Per Month)	Yes
MHF- 44	Marina Storage	Dinghy Trailer Storage (Up to 15')	\$105.05	Flat Rate (May 1 to Oct 31)	Yes
MHF- 45	Marina Storage	Trailer Storage	\$222.24	Flat Rate (May 1 to Oct 31)	Yes
MHF- 46	Marina Storage	Winter Storage	\$7.94	Per Foot (Monthly)	Yes
MHF- 47	Marina Storage	Outdoor Winter Storage (East or West Yard)	\$37.70	Per Foot (Nov 1 to Apr 30)	Yes
MHF- 48	Marina Storage (Winter - Nov. 1 to Apr. 30)	Outdoor Winter Storage 12 Month Boater (East or West Yard)	\$29.39	Per Foot (Nov 1 to Apr 30)	Yes
MHF- 49	Marina Storage	Outdoor Winter Storage Trailer-able up to 30' (North Yard Only)	\$30.41	Per Foot (Nov 1 to Apr 30)	Yes

MHF- 50	Marina Storage	Outdoor Winter Storage 12 Month Boater Trailer-able Boats Up to 30' (North Yard Only)	\$28.44	Per Foot Nov 1 to April 30	Yes
MHF- 51	Marina Storage	Indoor Summer/ Winter Storage (6 Month Season)	\$0.87	1 Square Metre (Based on Length x Beam of Vessel in Metres)	Yes
MHF- 52	Marina Storage	Summer Land Storage	\$14.05	Per Foot (Per Month)	Yes
MHF- 53	Marina Storage	Summer Storage (May 1 – Oct 31)	\$57.82	Per Period	Yes
MHF- 54	Marina Storage	Kayak/canoe/paddleboard Summer/ Winter Storage (Max 15' length)	\$253.06	Flat Rate (Per 6 Month Season)	Yes
MHF- 55	Marina Visitor Dockage	Up to 4 Hours Day Use(Includes 30 AMP)	\$0.87	Per Foot(May 1 to Sept 30)	Yes
MHF- 56	Marina Visitor Dockage	Overnight Use (Includes 30 AMP Hydro)	\$1.73	Per Foot (May 1 to Sept 30)	Yes
MHF- 57	Marina Visitor Dockage	Overnight Use (Includes 30 AMP Hydro, Ramp Use, Trailer Storage)	\$2.43	Per Foot (May 1 to Sept 30)	Yes
MHF- 58	Marina Visitor Dockage	Overnight Use (Includes 50 or 60 AMP Hydro)	\$1.99	Per Foot (May 1 to Sept 30)	Yes
MHF- 59	Marina Visitor Dockage	Overnight Use (Includes 30 AMP)	\$1.54	Per Foot (Oct 1 to Apr 30)	Yes
MHF- 60	Marina Visitor Dockage	Weekly Use (Includes 30 AMP)	\$6.43	Per Foot	Yes
MHF- 61	Marina Visitor Dockage	Weekly Use (Includes 30 AMP, Ramp Use, Trailer Storage)	\$9.00	Per Foot	Yes

MHF- 62	Marina Visitor Dockage	Weekly Use (Includes 50 or 60 AMP)	\$7.39	Per Foot	Yes
MHF- 63	Marina Visitor Dockage	Monthly Use (Includes 30 AMP)	\$17.94	Per Foot	Yes
MHF- 64	Marina Visitor Dockage	Monthly Use (Includes 30 AMP, Ramp Use, Trailer Storage)	\$25.12	Per Foot	Yes
MHF- 65	Marina Visitor Dockage	Monthly Use (Includes 50 or 60 AMP)	\$20.63	Per Foot	Yes

**Schedule L**  
**To By-law # 7220-17**  
Community Services Department Fees –  
Park Features Fees  
**(Effective March 20, 2023)**

<b>Fee No.</b>	<b>Category</b>	<b>Fee Title</b>	<b>Proposed Fee (Excluding Taxes)</b>	<b>Fee Basis</b>	<b>HST Applicable</b>
PFE- 1	Park Features	Gate permit	\$223.70	Per Permit	Yes

**Schedule M**  
**To By-Law # 7220-17**  
Planning Application Fees  
**(Effective March 20, 2023)**

**(Fees indexed at 2.5% on October 1 of each year)**

<b>Fee No.</b>	<b>Category</b>	<b>Fee Title</b>	<b>Fee (Excluding Taxes)</b>	<b>Fee Basis</b>	<b>HST Applicable</b>
PAP- 1	Plan of Subdivision	Residential	\$41,472.45	Base Charge	No
PAP- 2	Plan of Subdivision	Residential	\$828.97	\$/lot/block	No
PAP- 3	Plan of Subdivision	Residential	\$500.00	Max. lot/block	No
PAP- 4	Plan of Subdivision	Non-Residential	\$41,472.45	Flat Fee	No
PAP- 5	Plan of Subdivision	Major Redline	\$7,131.75	Base Charge	No
PAP- 6	Plan of Subdivision	Major Redline	\$475.74	\$/lot/block	No
PAP- 7	Plan of Subdivision	Minor Redline	\$7,131.75	Base Charge	No
PAP- 8	Plan of Subdivision	Minor Redline	\$309.07	\$/lot/block	No
PAP- 9	Plan of Subdivision	Subdivision Agreement + HST	\$6,291.73	Flat Fee	Yes
PAP- 10	Plan of Subdivision	Subdivision / Condominium Release	\$3,661.43	Flat Fee	No
PAP- 11	Minor Variance	Residential	\$974.66	Flat Fee	No
PAP- 12	Minor Variance	Non-Residential	\$2,759.53	Flat Fee	No
PAP- 13	Minor Variance	Tabling by Applicant	\$827.86	Flat Fee	No
PAP- 14	Minor Variance	Draft Approved and Registered Plans of Subdivision	\$5,739.83	Base Charge	No
PAP- 15	Minor Variance	Draft Approved and Registered Plans of Subdivision	\$579.50	\$/lot/block	No

PAP- 16	Minor Variance	Draft Approved and Registered Plans of Subdivision	\$28,699.14	Maximum	No
PAP- 17	Official Plan Amendment (includes preparation of By-law)	Simple (See Note 1)	\$24,835.79	Flat Fee	No
PAP- 18	Official Plan Amendment (includes preparation of By-law)	Complex	\$37,546.20	Flat Fee	No
PAP- 19	Official Plan Amendment (includes preparation of By-law)	Combined Applications for OPA/ZBA Simple	\$39,737.26	Flat Fee	No
PAP- 20	Official Plan Amendment (includes preparation of By-law)	Combined Applications for OPA/ZBA Complex	\$50,258.81	Flat Fee	No
PAP- 21	Condominium	Standard	\$9,904.52	Flat Fee	No
PAP- 22	Condominium	Condominium Conversion	\$9,904.52	Base Charge	No
PAP- 23	Condominium	Condominium Conversion	\$465.82	\$/unit	No
PAP- 24	Condominium	Condominium Agreement	\$2,437.22	Flat Fee	No
PAP- 25	Zoning Bylaw Amendment (includes preparation of By-law)	Simple (See Note 2)	\$14,855.11	Flat Fee	No
PAP- 26	Zoning Bylaw Amendment (includes preparation of By-law)	Complex	\$27,588.70	Flat Fee	No



PAP- 27	Zoning Bylaw Amendment (includes preparation of By-law)	Lifting an 'H' Holding Symbol	\$7,545.66	Flat Fee	No
PAP- 28	Zoning Bylaw Amendment (includes preparation of By-law)	Temporary Use	\$13,582.42	Flat Fee	No
PAP- 29	Zoning Bylaw Amendment (includes preparation of By-law)	Temporary Use for Second Residence	\$6,790.67	Flat Fee	No
PAP- 30	Zoning Bylaw Amendment (includes preparation of By-law)	Temporary Use Extension	\$6,366.80	Flat Fee	No
PAP- 31	Zoning Bylaw Amendment (includes preparation of By-law)	Oak Ridges Moraine	\$10,486.22	Flat Fee	No
PAP- 32	Site Plan	Residential (including Retirement Home with self-contained units)	\$10,698.16	Base Charge	No
PAP- 33	Site Plan	Residential (including Retirement Home with self-contained units)	\$475.74	\$/unit (first 25)	No
PAP- 34	Site Plan	Residential (including Retirement Home with self-contained units)	\$273.75	\$/unit (next 75)	No
PAP- 35	Site Plan	Residential (including Retirement Home	\$130.25	\$/unit (> 100)	No

		with self-contained units)			
PAP- 36	Site Plan	Residential (including Retirement Home with self-contained units)	\$71,320.67	Maximum	No
PAP- 37	Site Plan	Retirement Home (retirement units are not self-contained)	\$10,698.16	Flat Fee	No
PAP- 38	Site Plan	Commercial/Industrial	\$10,698.16	Base Charge	No
PAP- 39	Site Plan	Commercial/Industrial	\$5.24	\$/sq.mt.	No
PAP- 40	Site Plan	Commercial/Industrial	\$71,320.67	Maximum	No
PAP- 41	Site Plan	Institutional	\$10,698.16	Base Charge	No
PAP- 42	Site Plan	Institutional	\$4.63	\$/sq.mt.	No
PAP- 43	Site Plan	Institutional	\$71,320.67	Maximum	No
PAP- 44	Site Plan	Commissioner's Approval (minor amendment to plan and/or building up to 300 square metres)	\$1,188.81	Flat Fee	No
PAP- 45	Site Plan	Expansion to an existing building greater than 300 square metres	\$5,349.08	Flat Fee	No
PAP- 46	Site Plan	Sales Trailer/Model Home	\$832.27	Flat Fee	No
PAP- 47	Site Plan	Environmental/Hazard Land designation in accordance with the Official Plan and Oak Ridges Moraine in accordance with By-law 5581-05, as amended	\$5,519.07	Flat Fee	No
PAP- 48	Site Plan	Site Plan Agreement (all	\$2,649.15	Flat Fee	No

		types) (+ legal expenses)			
PAP- 49	Site Plan	Amending Agreement (+ legal expenses)	\$1,324.58	Flat Fee	No
PAP- 50	Site Plan	Communication Tower	\$5,942.93	Flat Fee	No
PAP- 51	Site Plan Heritage (Part IV and Part V)	Minor Amendments less than 100m2 for additions to existing non-residential	\$1,188.81	Flat Fee	No
PAP- 52	Site Plan Heritage (Part IV and Part V)	Major Amendments greater than 100m2 for additions to existing non-residential	\$5,349.08	Flat Fee	No
PAP- 53	Other Fees	Part Lot Control	\$1,491.25	\$unit/lot/block	No
PAP- 54	Other Fees	Additional Public Meetings	\$1,188.82	Flat Fee	No
PAP- 55	Other Fees	Sign Variance	\$2,428.39	Flat Fee	No
PAP- 56	Other Fees	Sign By-law Amendment	\$3,090.67	Flat Fee	No
PAP- 57	Other Fees	Annual Administrative Fee	\$1,655.72	Flat Fee	No
PAP- 58	Other Fees	Street Name Change Request (external)	\$1,324.58	Base Charge	No
PAP- 59	Other Fees	Street Name Change Request (external)	\$119.21	Per address	No
PAP- 60	Other Fees	Pre-consultation meeting in accordance with By-law 5967-07	\$607.10	Flat Fee	No
PAP- 65	Other Fees	Stage 2 Pre-Submission Review	\$607.10	Flat Fee	No
PAP- 61	Other Fees	Architectural Review (Working drawings / site plan / elevations / exterior colours)	\$165.57	\$/hr	No
PAP- 62	Other Fees	Extend Draft Approval	\$3,311.45	Flat Fee	No

PAP- 63	Other Fees	Letter of Undertaking	\$800.26	Flat Fee	No
PAP- 64	Other Fees	Land Division Release Fee	\$938.24	Flat Fee	No

**Note 1:**

Complex amendment – A proposal involving a change in land use designation or policy which requires major technical studies and extensive analysis and consultation.

Simple amendment – A site specific proposal which is small in scale and involves a land use with minor and predictable impacts.

**Note 2:**

Complex amendment – associated with an Official Plan Amendment, Plan of Subdivision Application, an application that requires the review of technical support documents or studies or any amendment deemed to be complex by the Commissioner of Planning and Development.

**Peer Review:**

An applicant is responsible for 100% of the Municipality's full costs of undertaking a Peer Review of a development application study/report. The review fees are to be paid in advance of any work being undertaken.

**Schedule N**  
**To By-Law # 7220-17**  
 Building Permit Fees  
**(Effective March 20, 2023)**

**(Fees indexed at 2.5% on October 1 of each year)**

<b>Fee No.</b>	<b>Category</b>	<b>Fee Title</b>	<b>Fee (Excluding Taxes)</b>	<b>Fee Basis</b>	<b>HST Applicable</b>
BGP- 1	Assembly	Assembly – New / Additions	\$33.12	Per m <sup>2</sup>	No
BGP- 2	Assembly	Assembly - Alterations	\$12.24	Per m <sup>2</sup>	No
BGP- 3	Assembly	Assembly (Pools) - New	\$12.24	Per m <sup>2</sup>	No
BGP- 4	Institutional	Institutional – New / Additions	\$35.22	Per m <sup>2</sup>	No
BGP- 5	Institutional	Institutional - Alterations	\$12.24	Per m <sup>2</sup>	No
BGP- 6	Residential	Residential (SFD, Semi, Town, Link) – New / Additions	\$20.43	Per m <sup>2</sup>	No
BGP- 7	Residential	Residential (Pre-Approved Model) – New / Additions	\$551.00	Flat	No
BGP- 8	Residential	Residential (Model) – New / Additions	\$20.43	Per m <sup>2</sup>	No
BGP- 9	Residential	Residential (Repeat) – New / Additions	\$14.77	Per m <sup>2</sup>	No
BGP- 10	Residential	Residential (Acc. Apt.) – New / Additions	\$9.72	Per m <sup>2</sup>	No
BGP- 11	Residential	Residential (SFD, Semi, Town, Link, Acc. Apt.) - Alterations	\$9.72	Per m <sup>2</sup>	No
BGP- 12	Residential	Residential (Apt./Condo & Hotel/Motel) – New / Additions	\$20.43	Per m <sup>2</sup>	No
BGP- 13	Residential	Residential (Apt./Condo & Hotel/Motel) - Alterations	\$9.72	Per m <sup>2</sup>	No
BGP- 14	Residential	Residential - Decks	\$269.00	Flat	No
BGP- 15	Residential	Residential - Garages	\$9.72	Per m <sup>2</sup>	No
BGP- 16	Business and Personal Services	Business & Personal Services – New / Additions (Finished)	\$23.19	Per m <sup>2</sup>	No

BGP- 17	Business and Personal Services	Business & Personal Services – New / Additions (Shell)	\$18.83	Per m <sup>2</sup>	No
BGP- 18	Business and Personal Services	Business & Personal Services - Alterations	\$12.24	Per m <sup>2</sup>	No
BGP- 19	Mercantile	Mercantile – New / Additions (Finished)	\$25.39	Per m <sup>2</sup>	No
BGP- 20	Mercantile	Mercantile – New / Additions (Shell)	\$19.77	Per m <sup>2</sup>	No
BGP- 21	Mercantile	Mercantile - Alterations	\$12.24	Per m <sup>2</sup>	No
BGP- 22	Industrial	Industrial – New / Additions (Finished)	\$15.90	Per m <sup>2</sup>	No
BGP- 23	Industrial	Industrial – New / Additions (Shell)	\$13.42	Per m <sup>2</sup>	No
BGP- 24	Industrial	Industrial - Alterations	\$10.63	Per m <sup>2</sup>	No
BGP- 25	Industrial	Industrial (Gas Station / Car Wash) - New/Additions	\$17.73	Per m <sup>2</sup>	No
BGP- 26	Industrial	Industrial (Canopy / Parking Garage) - New/Additions	\$9.28	Per m <sup>2</sup>	No
BGP- 27	Industrial	Industrial (Canopy / Parking Garage) - Alterations	\$6.83	Per m <sup>2</sup>	No
BGP- 28	Miscellaneous	Farm Buildings – New / Additions	\$4.43	Per m <sup>2</sup>	No
BGP- 29	Miscellaneous	Air Supported Structures	\$12.24	Per m <sup>2</sup>	No
BGP- 30	Miscellaneous	Tent	\$220.00	Flat	No
BGP- 31	Miscellaneous	Repair / Reclad Wall	\$0.57	Per m <sup>2</sup>	No
BGP- 32	Miscellaneous	Sales Pavilion/Temporary Building / Sales Trailer	\$25.47	Per m <sup>2</sup>	No
BGP- 33	Miscellaneous	Portable Classroom	\$331.00	Flat	No
BGP- 34	Miscellaneous	Solar Panels (Res)	\$149.00	Flat	No
BGP- 35	Miscellaneous	Solar Panels (ICI) (Maximum of \$5,000)	\$149.00	Per 10 panels	No
BGP- 36	Miscellaneous	Fire Alarm / Sprinklers - Part 9	\$551.00	Flat	No
BGP- 37	Miscellaneous	Fire Alarm / Sprinklers - Part 3	\$1,104.00	Flat	No

BGP- 38	Miscellaneous	Fire Alarm/ Sprinklers - Alterations Part 3 & 9	\$277.00	Flat	No
BGP- 39	Miscellaneous	Kitchen Exhaust	\$551.00	Flat	No
BGP- 40	Miscellaneous	Magnetic Locks	\$166.00	Per Item	No
BGP- 41	Miscellaneous	Miscellaneous Items (Comm. Tower / Fireplace/etc.)	\$220.00	Flat	No
BGP- 42	Signs	Signs	\$220.00	Flat	No
BGP- 43	Demolition	Demolition (ICI)	\$0.19	Per m <sup>2</sup>	No
BGP- 44	Demolition	Demolition (Residential)	\$220.00	Flat	No
BGP- 45	Other	Change of Use (includes all categories)	\$220.00	Flat	No
BGP- 46	Other	Alternative Solutions (+ any 3rd Party Consultants costs)	\$1,104.00	Flat	No
BGP- 47	Other	Conditional Permit	\$1,655.00	Flat	No
BGP- 48	Other	Resubmission of Application Found to be Incomplete	25% of Application Fee	% of Appl. Fee	No
BGP- 49	Other	Revision to Permit	\$220.00	Flat	No
BGP- 50	Other	Transfer of Permit	\$220.00	Flat	No
BGP- 51	Other	Additional Inspection (Residential)	\$220.00	Flat	No
BGP- 52	Other	Occupancy Permit / Agency Letters	\$371.00	Flat	No
BGP- 53	Other	Work Commenced Prior to Building Permit Application Submission	Greater of \$100.00 or 25%	% of Appl. Fee	No
BGP- 54	Other	Work Commenced Prior to Building Permit Application Issued	Greater of \$100.00 or 15%	% of Appl. Fee	No
BGP- 55	Other	Refund - Minimum	\$220.00	Flat	No
BGP- 56	Other	Refund - Application Administrative Functions Performed	75%	% of Appl. Fee	No
BGP- 57	Other	Refund - Application Reviewed but not Issued	60%	% of Appl. Fee	No
BGP- 58	Other	Refund - Permit Issued but no Construction Commenced	40%	% of Appl. Fee	No
BGP- 59	Plumbing	Plumbing Fixtures – ICI / Residential	\$25.39	Per Fixture	No
BGP- 60	Plumbing	Plumbing Drain Work	\$11.04	Per Linear Meter	No
BGP- 61	Plumbing	Manholes / Catchbasins / Interceptors / Sump Pump	\$111.00	Per Item	No

BGP- 62	Plumbing	Backflow Preventors (each)	\$220.00	Per Item	No
BGP- 63	Report	Building Permit Activity Report	\$13.00	Per Month	Yes
BGP-64	Report	Building Permit Activity Report	\$84.00	Per Year	Yes



**Schedule O**  
**To By-law # 7220-17**  
Community Services Department Fees –  
Recreation Program Fees  
**(Effective March 20, 2023)**

**Definitions**

1. **Administration fees** include but are not limited to membership cancellations, refunds from account balances and monthly payments.
2. **Adult** means a person between the ages of 18 and 54.
3. **Child** means a person between the ages of 4 and 17.
4. **Family** means a least (1) parent/guardian up to a maximum of two (2) adults (18 years and older) and children (17 years and younger) living in the same residence up to a maximum of five (5) persons..
5. **Semi-private swimming lesson** is a lesson offered for a group up to 3 persons.
6. **Senior** means a person 55 years of age or older for all programs and services.
7. **55+ Recreation programs** are available for persons with a Whitby 55+ Recreation Services Membership.
8. **Fees** are applicable until subsequently revised.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
REC -1	Instructional Swimming Child/Family	Swimmer 1- 2	\$106.97	Per 10 Uses	No
REC -2	Instructional Swimming Child/Family	Swimmer 3- 6	\$110.09	Per 10 Uses	No
REC -4	Instructional Swimming Child/Family	Child Preschool Lessons	\$106.97	Per 10 Uses	No
REC -5	Instructional Swimming Child/Family	Semi Private Lesson	\$218.13	Per 10 Uses	No

REC -6	Instructional Swimming Child/Family	Private Lesson	\$357.07	Per 10 Uses	No
REC -8	Instructional Swimming Youth	Fitness Swimmer	\$115.54	Per 10 Uses	Yes
REC -9	Instructional Swimming Adult	Adult Swimmer	\$115.54	Per 10 Uses	Yes
REC -10	Aquatics Leadership Programs	Corporate First Aid & CPR	\$44.05	Per 10 Uses	Yes
REC -11	Aquatics Leadership Programs	NLS Recertification	\$96.94	Per Use	Yes
REC -12	Aquatics Leadership Programs	LSS Instructor	\$95.04	Per Use	Yes
REC -13	Aquatics Leadership Programs	CPR Recertification	\$56.66	Per Use	Yes
REC -14	Aquatics Leadership Programs	Canadian Swim Patrol	\$115.17	Per 10 Uses	No
REC -15	Aquatics Leadership Programs	Bronze Star	\$115.17	Per 10 Uses	No
REC -16	Aquatics Leadership Programs	Bronze Medallion	\$205.44	Per 10 Uses	Yes
REC -17	Aquatics Leadership Programs	Bronze Cross, EFA and CPR C	\$213.88	Per 10 Uses	Yes
REC -18	Aquatics Leadership Programs	Swim for Lifesaving Society and Emergency First Aid Instructor	\$422.34	Per 10 Uses	Yes
REC -19	Aquatics Leadership Programs	NLS & Standard First Aid	\$352.19	Per 10 Uses	Yes

REC -21	Aquatics Leadership Programs	Examiners Standards Clinic	\$56.67	Per 10 Uses	Yes
REC -22	Aquatics Leadership Programs	Emergency First Aid CPR B	\$77.50	Per 10 Uses	Yes
REC -23	Aquatics Leadership Programs	Standard First Aid CPR C	\$157.20	Per 10 Uses	Yes
REC -24	Aquatics Leadership Programs	Specialty Course Adv. Leadership	\$188.91	Per 10 Uses	Yes
REC -25	Aquatics Leadership Programs	Leadership Limbo	\$125.51	Per 10 Uses	Yes
REC -26	Aquafit Adults	Specialty Class - Aquafit	\$87.02	Per 10 Uses	Yes
REC -27	Aquafit Seniors	Aquafit	\$50.48	Per 10 Uses	Yes
REC-28	Programs Child	Class	\$85.52	Per 10 Uses	No
REC -29	Fitness Programs Youth	Class	\$76.62	Per 10 Uses	No
REC -33	Fitness Classes Adult	Registered	\$85.00	Per 10 Uses	Yes
REC -34	Fitness Classes Youth/55+	Registered	\$42.50	Per 10 Uses	Yes
REC -35	55+ Programs	1 Hour Class for 10 Weeks	\$39.42	10 (One Hour Classes)	Yes
REC -36	55+ Programs	1.5 Hour Class for 10 Weeks	\$50.06	10 (1.5 Hour Classes)	Yes
REC -37	55+ Programs	2 Hour class for 10 Weeks	\$51.93	10 (2 Hour Classes)	Yes
REC -38	55+ Programs	Sports Leagues 10 weeks (Pickle ball & Badminton)	\$20.00	10 Weeks	Yes
REC -39	55+ Programs	Sports Leagues 20 weeks (Tennis)	\$20.00	20 Weeks	Yes
REC -40	55+ Programs	Guest Pass	\$4.66	Per Use	Yes

REC -41	55+ Programs	Group Personal Training	\$40.97	5 weeks	Yes
REC -42	55+ Programs	Workshop Fees A Where a sponsorship or grant is in place to cover direct costs	\$0.00	Single Visit	Yes
REC -43	55+ Programs	Workshop Fees B taught by volunteer/honourium	\$10.00	Up To 2 Hrs	Yes
REC -44	55+ Programs	Workshop Fees C Paid instructor/Presenter - Basic	\$20.00	Up To 2 Hrs	Yes
REC -45	55+ Programs	Workshop Fees D Paid instructor/Presenter intermediate	\$30.00	Up To 2 Hrs	Yes
REC -46	55+ Programs	Workshop Fees E Paid instructor/Presenter - advanced/speciality	\$40.00	Up To 6 Hrs	Yes
REC -47	Camps	Day Camp	\$173.19	4 Days	No
REC -48	Camps	Trip Camp	256.326	4 Days	No
REC -49	Camps	Kinder Camp	\$184.70	4 Days	No
REC -50	Camps	Day Camp	217.056	5 Days	No
REC -51	Camps	Trip Camp	\$320.74	5 Days	No
REC -52	Camps	Kinder Camp	229.3305	5 Days	No
REC -53	Camps	Extended Care	\$41.57	Per Week	No
REC -54	Camps	Youth CIT Camp	273.0315	5 Days	Yes

**Schedule P**  
**To By-law # 7220-17**  
Special Events Policy Fees  
**(Effective April 1, 2023)**

**Definitions**

1. **Special Events Permit Fee:** This fee covers the cost of processing a special events permit application as provided for in the Special Event Policy (MS 200)

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
SPE- 1	Special Events Permit Fee	Under 100 people	\$50.00	Per Event	No
SPE- 2	Special Events Permit Fee	Between 101 – 500 people	\$75.00	Per Event	No
SPE- 3	Special Events Permit Fee	Between 501 – 5,000 people	\$100.00	Per Event	No
SPE- 4	Special Events Permit Fee	More than 5,000 people	\$125.00	Per Event	No

**Schedule Q**  
**To By-law # 7220-17**  
Community Services Department Fees  
Arena Ice and Aquatic Pool Fees  
**(Effective March 20, 2023)**

**Definitions**

1. **Regular Rental Rates** are applied to all other rentals which do not qualify for the Minor Sport Organization Rates.
2. **Minor Sport Organization Rates** are applied to rentals for youth activities of Whitby based not-for-profit organizations.
3. Non-Prime Time Fees **are applied to rentals between Monday and Friday from 11:00 p.m. to 5:00 p.m., and Saturday and Sunday from 11:00 p.m. to 6:00 a.m.**
4. **Person** includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to the law.
5. **Prime Time Fees** are applied to rentals between Monday and Friday from 5:00 p.m. to 11:00 p.m., and Saturday and Sunday from 6:00 a.m. to 11:00 p.m.
6. **Fees** are applicable until subsequently revised.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
AIAP- 1	Arena Ice Rentals	Whitby Minor Sports Organizations – Prime Time	\$181.55	Per Hour	Yes
AIAP- 2	Arena Ice Rentals	Whitby Minor Sports Organizations – Non-Prime Time	\$112.93	Per Hour	Yes
AIAP- 3	Arena Ice Rentals	Prime Time	\$240.46	Per Hour	Yes
AIAP- 4	Arena Ice Rentals	Non-Prime Time	\$127.51	Per Hour	Yes
AIAP- 5	Arena Ice Rentals	Ice Rental Surcharge	\$22.12	Per Hour	Yes
AIAP- 6	Arena Ice Rentals	LVMA Ice Rental Surcharge – Whitby Minor Sports	\$13.27	Per Hour	Yes
AIAP- 7	Arena Ice Rentals	DDSB / DCDSB Whitby Schools – School Hours	\$18.58	Per Hour	Yes
AIAP- 8	Aquatic Pool Rentals	Swim Team Fee	\$87.23	Per Hour	Yes
AIAP- 9	Aquatics Rental Facilities – CRC Large/Small and Slide	Resident Fee – 1 to 30 people	\$232.71	Per Hour	Yes

AIAP- 10	Aquatics Rental Facilities – CRC Large/Small and Slide	Non-Resident Fee (1 to 30 people)	\$281.12	Per Hour	Yes
AIAP- 11	Aquatics Rental Facilities – CRC Large/Small and Slide	Community Group Fee (1 to 30)	\$196.04	Per Hour	Yes
AIAP- 12	Aquatics Rental Facilities – CRC Large/Small and Slide	Resident Fee (31 to 125 people)	\$271.92	Per Hour	Yes
AIAP- 13	Aquatics Rental Facilities – CRC Large/Small and Slide	Non-Resident Fee (31 to 125)	\$328.48	Per Hour	Yes
AIAP- 14	Aquatics Rental Facilities – CRC Large/Small and Slide	Community Group Fee (31 to 125 people)	\$225.13	Per Hour	Yes
AIAP- 15	Aquatics Rental Facilities – CRC Large/Small and Slide	Resident Fee (126 to 250)	\$302.27	Per Hour	Yes
AIAP- 16	Aquatics Rental Facilities – CRC Large/Small and Slide	Non-Resident Fee (126 to 250 people)	\$365.15	Per Hour	Yes
AIAP- 17	Aquatics Rental Facilities – CRC Large/Small and Slide	Community Group Fee (126 to 250)	\$260.54	Per Hour	Yes
AIAP- 18	Aquatics Rental Facilities – CRC Large/Small and Slide	Resident Fee (251 to 294 people)	\$338.94	Per Hour	Yes
AIAP- 19	Aquatics Rental Facilities – CRC Large/Small and Slide	Non-Resident Fee (251 to 294)	\$409.47	Per Hour	Yes

AIAP- 20	Aquatics Rental Facilities – CRC Large/Small and Slide	Community Group Fee (126 to 250 people)	\$289.63	Per Hour	Yes
AIAP- 21	Aquatics Rental Facilities – Large Pool Only or Small Pool	Resident Fee (1 to 30)	\$163.15	Per Hour	Yes
AIAP- 22	Aquatics Rental Facilities – Large Pool Only or Small Pool	Non-Resident Fee – (1 to 30 people)	\$197.03	Per Hour	Yes
AIAP- 23	Aquatics Rental Facilities – Large Pool Only or Small Pool	Community Group Fee (1 to 30 people)	\$130.27	Per Hour	Yes
AIAP- 24	Aquatics Rental Facilities – Large Pool Only or Small Pool	Resident Fee (31 to 125 people)	\$190.97	Per Hour	Yes
AIAP- 25	Aquatics Rental Facilities – Large Pool Only or Small Pool	Non-Resident Fee (31 to 125 people)	\$230.70	Per Hour	Yes
AIAP- 26	Aquatics Rental Facilities – Large Pool Only or Small Pool	Community Group Fee (31 to 125 people)	\$164.41	Per Hour	Yes
AIAP- 27	Aquatics Rental Facilities – Large Pool Only or Small Pool	Resident Fee (126 to 250 people)	\$225.13	Per Hour	Yes
AIAP- 28	Aquatics Rental Facilities – Large Pool Only or Small Pool	Non-Resident Fee (126 to 250 people)	\$271.96	Per Hour	Yes
AIAP- 29	Aquatics Rental Facilities – Large Pool Only or Small Pool	Community Group Fee (126 to 250 people)	\$198.55	Per Hour	Yes
AIAP- 30	Aquatics Rental Facilities – Slide	Resident Fee	\$37.93	Per Hour	Yes



AIAP- 31	Aquatics Rental Facilities – Slide	Non-Resident Fee	\$45.80	Per Hour	Yes
AIAP- 32	Aquatics Rental Facilities – Slide	Community Group Fee	\$37.93	Per Hour	Yes
AIAP- 33	Aquatics Rental Facilities – AOP	Resident Fee (1-30 people)	\$136.59	Per Hour	Yes
AIAP- 34	Aquatics Rental Facilities – AOP	Non-Resident Fee (1-30 people)	\$165.01	Per Hour	Yes
AIAP- 35	Aquatics Rental Facilities – AOP	Community Group Fee (1-30 people)	\$112.56	Per Hour	Yes
AIAP- 36	Aquatics Rental Facilities – AOP	Resident Fee (31-125 people)	\$172.20	Per Hour	Yes
AIAP- 37	Aquatics Rental Facilities – AOP	Non-Resident Fee (31-125 people)	\$209.33	Per Hour	Yes
AIAP- 38	Aquatics Rental Facilities – AOP	Community Group Fee (31-125 people)	\$147.97	Per Hour	Yes
AIAP- 39	Aquatics Rental Facilities – AOP	Resident Fee (126-192 people)	\$202.35	Per Hour	Yes
AIAP- 40	Aquatics Rental Facilities – AOP	Non-Resident Fee(126-192 people)	\$244.46	Per Hour	Yes
AIAP- 41	Aquatics Rental Facilities – AOP	Community Group Fee (126-192 people)	\$182.12	Per Hour	Yes

**Schedule R**  
**To By-law # 7220-17**  
Financial Services Department Fees  
**(In effect as of April 1, 2023)**

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
FIN- 1	Tax Service	Tax Certificates for Lawyers or Mortgage Companies - verbal confirmation provided upon request for purchase of tax certificate and mailed within 7 business days	\$75.00	Per Roll Number	No
FIN- 2	Tax Service	RUSH Tax Certificates for Lawyers or Mortgage Companies - verbal confirmation provided upon request for purchase of tax certificate and emailed or faxed within 2 business days	\$100.00	Per Roll Number	No
FIN- 3	Tax Service	Ownership Information Change	\$30.00	Per Roll Number (All Changes Except for Estates, Survivorship Applications, or Change in Marital Status)	No
FIN- 4	Tax Service	Income Tax/Duplicate Receipts	\$20.00	Per year/Per Roll Number	No
FIN- 5	Tax Service	Statement of Accounts - purchased in person	\$15.00	Per Roll Number	No
FIN- 6	Tax Service	Statement of Accounts - purchased electronically	\$20.00	Per Roll Number	No
FIN- 8	Tax Service	Cheque or Automatic Withdraw Returned from The Bank	\$50.00	Fee for Any Payment Returned by the Bank for Any Reason (Including Cheques and	No

					Automatic Withdrawals, etc)
FIN- 9	Tax Service	Processing a Refund or Transfer Between Tax Accounts of an Overpayment on a Tax Account (By Property Owner or Their Agent).	\$50.00	Any Refund or Payment Transfer Requested to be Processed (Written Confirmation of Agreement of Fee is Required. Not Applicable to Overpayment from Tax Appeal, Low Income Rebate Programs or Other Similar Situations)	No
FIN- 10	Tax Service	Incorrect Tax Roll Number for Electronic or Bank Payments	\$50.00	Per Payment that has to be Manually Corrected (No Fee if it is the Property Owner's First Time Making an Electronic Payment, Letter Sent to Inform Them. No Fee Waive for First Time Error on Part of Financial Institution or Lawyer)	No
FIN- 11	Tax Service	Copies of Adjustment Letters (Write Offs, Apportionment, Vacancy, Heritage, etc.)	\$15.00	Per Item (Includes Time to Research and Retrieve Item from Archives)	No
FIN- 12	Tax Service	Postdated Cheque removal from system or moving to a different date in the system	\$20.00	Maximum of \$120.00 per request, fee will be waived if owner is deceased.	No

FIN- 13	Tax Service	Additions to the Tax Roll Charge	\$50.00	Per Roll Number (Each Item Added to the Tax Roll for Non-Tax Items such as outstanding By-Law Charges, Other Municipal Liens, Region of Durham Water/Sewer Charges, etc)	No
FIN- 14	Tax Service	Farm Debt Fee	\$60.00	Each Tax Roll Number That Is Issued This Document As Part Of the Collection Process)	Yes
FIN- 15	Tax Service	Tax Billing for Mortgage Companies	\$10.00	Fee Per Roll Number for all accounts billed at Interim and Final billings.	No
FIN- 16	Tax Service	Set up Fee for New Tax Accounts	\$50.00	Fee Per Roll Number	No
FIN- 17	Treasury Services	Accounts Receivable Administration Fee on Invoices	Min. 10% unless specified higher	Added to All Invoices Prepared By Accounts Receivable Where The Fee is Applicable	Yes
FIN- 18	Application Fee	Application to Purchase Town-owned Land	\$260.00	Processing fee for circulating request to purchase Town land. Additional fees may apply if the request is approved as per the fees by-law	Yes
FIN- 19	Application Fee	Application to Purchase Town-owned Land (resident, not-for-profit, registered charity)	\$50.00	Processing fee for circulating request to purchase Town land. Additional fees may apply if the request is approved as per the fees by-law	Yes

FIN- 20	Application Fee	Development Charge Refund Request as per Section 25 and 19(2) of the Town's Development Charge By-law #7748-21	\$155.00	Per DC Refund/ Partial DC Refund Request	Yes
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**Schedule S**  
**To By-law # 7220-17**

Office of the Chief Administrative Officer – Strategic Initiatives Division

Electric Vehicle Charging Station Fees

**(Effective April 1, 2023)**

1. **Electric Vehicle (EV):** A vehicle that is propelled by one or more electric motors, using electrical energy stored in rechargeable batteries or another energy storage device and is capable of being plugged into an electric vehicle charging station, such as, but not limited to, plug-in battery electric cars, fuel cell battery electric vehicles and plug-in hybrid electric vehicles.
2. **Electric Vehicle Charging Station:** The vehicle charging equipment installed on Town of Whitby property, or those operated by the Town of Whitby, inclusive of the EV Charging Station pillar, electronic/physical parts, head, and the parking space designated for use when charging an EV.
3. **Fees:** Money required for the use of the EV Charging Stations used to cover all associated operational costs of the EV Charging Stations, including but not limited to repair and maintenance, replacement and upgrades, data management, snow removal, and administration as mentioned in EV Charging Station User Policy (MS 400).
4. **User:** A person who uses the EV Charging station for charging their personal electric vehicles.
5. **Zero Carbon Whitby Reserve Fund:** A sustainable fund reserved for approved eligible capital projects/expenditures which support the Zero Carbon Whitby Plan as per Zero Carbon Revolving Reserve Fund Policy (F 460).

Fee No.	Category	Fee Title	Fee(Excluding Taxes)	Fee Basis	HST Applicable
EVC- 1	Reserve Fund	Zero Carbon Whitby Reserve Fund - to be confirmed/approved	\$1.33	Per session fee	Yes
EVC- 2	Charging Station	EV Charging Cost Fee (up to 3 hours)	\$1.33	First 3 hours, prorated based on duration of the charging session to recover charging costs	Yes
EVC- 3	Charging Station	EV Charging Cost Fee (4+ hours)	\$3.54	After 3 hours, prorated based on duration of the charging session to recover charging costs and encourage user rotation at charging stations	Yes

**Schedule T**  
**To By-law # 7220-17**

Planning and Development (Engineering Services) Department Fees  
**(Effective March 20, 2023\* and January 1 of each year\*\*)**

1. **Town Benchmark Contribution:** This fee is applied to all new residential subdivision developments to assist in establishing/re-establishing local survey benchmarks (vertical and horizontal) throughout the Town. The established fee is meant to recover staff time and other costs associated with the annual Benchmark contract and are based on the actual contract costs from the previous year and the averaged residential building permits issued for the previous two years.
2. **Engineering Peer Review Administration Fee:** This fee is intended to recover staff time and costs for managing and administering Engineering Peer Review undertakings funded by the Developer/Subdivider which are not collected through other Town mechanisms.
3. **Engineering Structure Inspection Fee:** This fee is applied to all new developments where municipally owned structures (e.g. retaining walls, culverts, bridges, etc.) with a span equal to 3.0m or greater will be constructed. The established fee is to recover the costs associated with completing the mandatory inspection of each structure in accordance with the requirements of the Ontario Structures Inspections Manual. Structures of this size are required to be inspected every two years regardless of the timing for assumption through the subdivision process.
4. **Site Alteration Permit:** A permit issued by the Commissioner pursuant to the provisions of the Site Alteration By-law 7425-18 and the Site Alteration Guidelines for the purpose of dumping, removing of topsoil from land, or the alteration of the grade of land by any means including placing fill, clearing and grubbing, the compaction of soil or the creation of impervious surfaces, or any combination of these activities
5. **Permit Condition Amendment Fee:** Where the total permitted fill quantity is made up of multiple sources and/or the fill source is not initially confirmed at the time of permit issuance, the approved permit conditions may be amended with each accepted source site, up to the maximum permitted fill quantity. A Permit Condition Amendment Fee would apply for each request to amend the permit conditions.
6. **Permit Extension Fee:** A Permit Renewal Fee shall be required should additional time be required to complete the original approved scope of work, the approved permit may be extended one (1) time to double the permit term.
7. **Site Alteration Overfill Fee:** If through a site alteration permit, it has been determined that an applicant has placed more fill than what was approved, an additional fee shall be paid by the Applicant(s). Refer to Guidelines to Site Alterations in the Town of Whitby, Appendix E.
8. **Road Damage Contribution / Inspection Fee:** A per cubic meter of imported/exported material fee for degradation/long term damages of public infrastructure and staff inspection cost may be required prior to final approval of the Site Alteration Permit. Land developers are required to provide a financial security

equivalent to the applicable road damage contribution / inspection fee in lieu of the road damage contribution / inspection fee.

9. **Road Replacement Fee (Inc. Inspection and Administration):** If it is determined by the Town that the roads will not support the projected trucking activity, the Applicant will be required to pay a Road Replacement Fee which will cover the cost to reconstruct the roadway following completion of the trucking activities.
10. **Immediate Road Damage Refundable Deposit:** A refundable security is required for the potential repair/replacement of the roadway and entrance immediately in the vicinity of the site works due to trucking activity within the public right of way.
11. **Development Site Area:** The total area disturbed due to construction works.
12. **Residential Infill Development (or Infill Lot):** The development of a new or re-development of an existing lot with a new building or structure beyond that of the original footprint, that includes an increase of the lot imperviousness, altering of drainage pattern and/or grading of the lots. These developments are subject to a Building Permit Application and Engineering Review fee, as per the Town's Consolidated Fees & Charges By-law.

The Building Permit Application for Residential Infill Developments shall be supported, at a minimum, by Grading & Servicing Plans and a Stormwater Management Brief. Residential Infill Development may vary in size, consist of more than one residential unit/lot and include different types of residential dwellings, such as single, semi-detached, and townhouse blocks.

Other types of small-scale developments may fall under the Residential Infill Developments definition, at the sole discretion of the Director of Engineering Services.

\*The following proposed Engineering Services fee changes are **not** automatically indexed each year as per Council approved fee by-law and require Council approval.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
ENG-1	Refundable Deposits for Private Works	Lot Grading/Sodding Deposit (Semi, Link and Street Townhouses)	\$2,629.00	Each	Yes
ENG-2	Refundable Deposits for Private Works	Lot Grading/Sodding Deposit (Detached)	\$4,203.00	Each	Yes



ENG-3	Refundable Deposits for Private Works	Infiltration Trench Deposit	\$500.00	Per m <sup>3</sup>	Yes
ENG-4	Town Benchmark Contribution (per new residential lot)	Town Benchmark Contribution (per new residential lot)	\$15.90	Per New Residential Unit	Yes
ENG-5	Administration Fee	Engineering Peer Review Administration Fee	15 % of the total cost of the Peer Review Fee	Each	Yes
ENG-7	Engineering Structure Inspection Fee	Engineering Structure Inspection Fee	\$1,200.00	Per Inspection	Yes
ENG-8	Permit Condition Amendment Fee	Permit Condition Amendment Fee (e.g. Additional source site)	\$297.00	Per Amendment	Yes
ENG-9	Permit Extension Fee	One Time Permit Extension	50% Initial Application Fee	Each	Yes
ENG-10	Site Alteration Overfill Fee	Site Alteration Overfill Fee	\$2.20	Per m <sup>3</sup>	Yes
ENG-11	Road Damage Contribution Fee	Road Damage Contribution / Inspection Fee for Imported/Exported Material	\$2.20	Per m <sup>3</sup>	Yes
ENG-12	Road Replacement Fee (Inc. Inspection and Administration)	Road Reconstruction Low Class Bituminous (LCB) Roads	\$19.10	Per m <sup>2</sup>	Yes
ENG-13	Road Replacement Fee (Inc. Inspection and Administration)	Road Resurfacing High Class Bituminous (HCB) Roads	\$86.00	Per m <sup>2</sup>	Yes
ENG-14	Road Replacement Fee (Inc. Inspection and Administration)	Road Reconstruction High Class Bituminous (HCB) Roads	\$337.80	Per m <sup>2</sup>	Yes

ENG-15	Immediate Road Damage Refundable Deposit (New)	< 500 m <sup>3</sup>	\$3,000.00	Each	Yes
ENG-16	Immediate Road Damage Refundable Deposit (New)	≥ 500 m <sup>3</sup>	\$5,000.00	Each	Yes

\*\*The following Engineering Services fee changes are automatically indexed on January 1 each year by 2.5% as per Council the Fees and Charges By-law.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
ENG-17	Subdivision Design Review and Inspection Fees	Engineering Design Review Fee	1.89% of estimated cost of installation of public services for the Town of Whitby and other regulatory requirements Minimum fee \$19,373.00	Each	Yes
ENG-18	Subdivision Design Review and Inspection Fees	Engineering Inspection Fee Up to \$200,000.00	7.86% of the estimated cost of services	Each	Yes
ENG-19	Subdivision Design Review and Inspection Fees	Engineering Inspection Fee \$200,000.01 to \$500,000.00	6.95% of the estimated cost of services plus previous tier	Each	Yes
ENG-20	Subdivision Design Review and Inspection Fees	Engineering Inspection Fee \$500,000.01 to \$1,000,000.00	5.89% of the estimated cost of services plus previous tier	Each	Yes
ENG-21	Subdivision Design Review and Inspection Fees	Engineering Inspection Fee \$1,000,000.01 to \$2,000,000.00	4.99% of the estimated cost of services plus previous tier	Each	Yes
ENG-22	Subdivision Design Review and Inspection Fees	Engineering Inspection Fee \$2,000,000.01 to \$3,000,000.00	4.38% of the estimated cost of services plus previous tier	Each	Yes

ENG-23	Subdivision Design Review and Inspection Fees	Engineering Inspection Fee \$3,000,000.01 and over	3.93% of the estimated cost of services plus previous tier	Each	Yes
ENG-24	Subdivision Design Review and Inspection Fees	Underground Servicing Approval Only	11% of the total Engineering Design Review Fee plus 11% of the total Engineering Inspection Fee Minimum combined Fee \$18,860.00	Each	Yes
ENG-25	Subdivision Design Review Fee Surcharge	Additional Surcharge for a fourth Engineering Submission review	33.3% of the total Engineering Design Review Fee (Discounted by 50% should less than half of the total number of plans require revisions)	Each	Yes
ENG-26	Subdivision Design Review Fee Surcharge	Additional Surcharge for each Engineering Submission review after the fourth submission	20.0% of the total Engineering Design Review Fee (Discounted by 50% should less than half of the total number of plans require revisions)	Each	Yes
ENG-27	Delayed Assumption Surcharge	Delayed Assumption Surcharge (issued 1 year from the issuance of Final Deficiency Report, and each anniversary date thereafter)	2% of the initial Engineering Inspection Fee, annually, until all requirements addressed Minimum \$5,253.00	Each	Yes
ENG-28	Subdivision Assumption Fee	Subdivision Assumption Fee	\$7,939.00	Each	Yes
ENG-29	Site Plan Engineering Fees	Tier 1 Development	\$2,623.00	Each	Yes

Site Area: ≤ 1,000 m <sup>2</sup>					
ENG-30	Site Plan Engineering Fees	Tier 2 Development Site Area: 1,001 to 3,000 m <sup>2</sup>	\$7,809.00	Each	Yes
ENG-31	Site Plan Engineering Fees	Tier 3 Development Site Area: > 3,001 m <sup>2</sup> with Estimated Cost of Civil Works Up to \$200,000.00	12.38% of the estimated cost of services	Each	Yes
ENG-32	Site Plan Engineering Fees	Tier 3 Development Site Area: > 3,001 m <sup>2</sup> with Estimated Cost of Civil Works \$200,000.01 to \$500,000.00	10.95% of the estimated cost of services plus previous tier	Each	Yes
ENG-33	Site Plan Engineering Fees	Tier 3 Development Site Area: > 3,001 m <sup>2</sup> with Estimated Cost of Civil Works \$500,000.01 to \$1,000,000.00	9.28% of the estimated cost of services plus previous tier	Each	Yes
ENG-34	Site Plan Engineering Fees	Tier 3 Development Site Area: > 3,001 m <sup>2</sup> with Estimated Cost of Civil Works \$1,000,000.01 to \$2,000,000.00	7.86% of the estimated cost of services plus previous tier	Each	Yes

ENG-35	Site Plan Engineering Fees	Tier 3 Development Site Area: > 3,001 m <sup>2</sup> with Estimated Cost of Civil Works \$2,000,000.01 to \$3,000,000.00	6.90% of the estimated cost of services plus previous tier	Each	Yes
ENG-36	Site Plan Engineering Fees	Tier 3 Development Site Area: > 3,001 m <sup>2</sup> with Estimated Cost of Civil Works \$3,000,000.01 and over	6.19% of the estimated cost of services plus previous tier	Each	Yes
ENG-37	Site Plan Engineering Fee Surcharge	Site Plan Engineering Fee Surcharge: Tier 1 per submission for 4th Submission and beyond	\$3,895.00	Each	Yes
ENG-38	Site Plan Engineering Fee Surcharge	Site Plan Engineering Fee Surcharge: Tier 2 per submission for 4th Submission and beyond	\$11,480.00	Each	Yes
ENG-39	Site Plan Engineering Fee Surcharge	Site Plan Engineering Fee Surcharge: Tier 3 for 4th Submission	33% of the initial Site Plan Engineering Fee	Each	Yes
ENG-40	Site Plan Engineering Fee Surcharge	Site Plan Engineering Fee Surcharge: Tier 3 for each submission after the 4th	20% of the initial Site Plan Engineering Fee	Each	Yes

ENG-41	Engineering Review for Residential In-Fill Lots	Engineering Review for Residential In-Fill Lots - including all single family residential dwellings requiring a Site Plan Application	\$4,722.00	Each	Yes
ENG-42	Site Alteration Permits Application Fee	Alteration of Grade < 500 m <sup>3</sup>	N/A	N/A	N/A
ENG-43	Site Alteration Permits Application Fee	Alteration of Grade ≥ 500 m <sup>3</sup>	N/A	N/A	N/A
ENG-44	Site Alteration Permits Application Fee	Small Site Alteration < 500 m <sup>3</sup>	\$2,741.00	Each	Yes
ENG-45	Site Alteration Permits Application Fee	Large Site Alteration ≥ 500 m <sup>3</sup>	\$5,482.00	Each	Yes

# Memorandum to Council

Financial Services Department



**To:** Mayor and Members of Council

**CC:** Roger Saunders, Commissioner of Planning & Development  
John Romano, Commissioner of Community Services  
Francesco Santaguida, Commissioner of Legal Services

**From:** Fuwing Wong, Commissioner, Financial Services & Treasurer

**Date:** March 20, 2023

**File #:** N/A

**Subject:** By-Law #7220-17 – Fees & Charges:  
Summary of Edits from Budget Book

**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

The purpose of this memo is to advise Council of edits included in By-Law #7220-17 Fees & Charges since the last version of the Fee Schedule presented in the 2023 Budget Book (Appendix 1 – User Fees Rates and Charges, approved by Council on February 16, 2023 and can be found on [connectwhitby.ca/budget](https://connectwhitby.ca/budget)).

Summary of edits included in By-Law #7220-17:

- 1) Fee No. OPS- 81 and OPS- 82 have been added to the end of Schedule C Operational Services Department in the By-Law as they were accidentally omitted in the 2023 Budget Book. These two fees were previously included in the 2022 Fee By-Law and there are no proposed changes to these fees for 2023.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
OPS- 81	Street Closure Permit	Street Closure Permit	Actual Costs	Actual Costs	Yes
OPS- 82	Retrieval of Unauthorized Items	Retrieval of Unauthorized Items (Including signs)	\$53.00 (Actual costs, if known)	Per Item	Yes

- 2) In the 2023 Budget Book, Fee No. OPS- 64 and OPS- 65 were included under Schedule C Operational Services Department Fees. These fees have been

moved to Schedule N Building Permit Fees in the 2023 By-Law and renumbered BGP- 63 and BGP- 64.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
BGP- 63	Report	Building Permit Activity Report	\$13.00	Per Month	Yes
BGP- 64	Report	Building Permit Activity Report	\$84.00	Per Year	Yes

- 3) Fee No. OPS- 80 Traffic Count Data previously included under Schedule C Operational Services Department in the 2023 Budget Book, Appendix 1 – User Fees Rates and Charges, has now been deleted. This fee will no longer be charged.
- 4) There has been a revision to the wording for Fee No. OPS- 44, OPS- 45, OPS- 46, and OPS- 47 in Schedule C Operational Services Department. The word “Refundable” has been added to the beginning of the Fee Category and the wording “based on 6.0m frontage” has been deleted from the Fee Basis.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
OPS- 44	<b>Refundable</b> Deposits for Private Works	Concrete Sidewalk	\$1,350.00	Each (based 6.0m frontage)	Yes
OPS- 45	<b>Refundable</b> Deposits for Private Works	Concrete Curb and Gutter	\$990.00	Each (based 6.0m frontage)	Yes
OPS- 46	<b>Refundable</b> Deposits for Private Works	Sodded Boulevard	\$410.00	Each (based 6.0m frontage)	Yes
OPS- 47	<b>Refundable</b> Deposits for Private Works	Fencing	\$2,090.00	Each (based 6.0m frontage)	Yes

- 5) Fee No. PAP-65 – Stage 2 Pre-Submission Review fee has been added to Schedule M Planning Application Fees. This new fee was approved by Council on December 12, 2022, through report PDP 66-22, however due to timing was not included in the 2023 Budget Book.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
PAP-65	Other Fees	Stage 2 Pre-Submission Review	\$607.10	Flat Fee	No

- 6) There has been a correction to the wording in the Fee Category for Fee No. CS- 128, CS- 129, and CS- 130 in Schedule G Hall and Facility Rental Fees, from “Large” to “Small”.



Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
CS- 128	Iroquois Park Sports Centre – Upper Mezzanine Large <del>Small</del> Meeting Room	Resident Fee	\$29.08	Hourly	Yes
CS- 129	Iroquois Park Sports Centre – Upper Mezzanine Large <del>Small</del> Meeting Room	Non-Resident Fee	\$32.91	Hourly	Yes
CS- 130	Iroquois Park Sports Centre – Upper Mezzanine Large <del>Small</del> Meeting Room	Community Group Fee	\$26.55	Hourly	Yes

- 7) In Schedule D, Fee No. LES- 36 has been deleted since it is a duplicate of Fee No. LES-44. This is due to an administrative error.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
<del>LES- 36</del>	<del>Site Fee</del>	<del>Officer Record Renewal (New)</del>	<del>\$25.00</del>	<del>Per Renewal</del>	<del>No</del>
LES-44	CAT - Individual Fee	Private Property Parking Officer Renewal Fee (New)	\$25.00	Per Person	No

- 8) There is a correction in Schedule D for Fee No. LES- 38 in the Fee Basis for a Temporary Sign Permit from 'Per Inquiry' to 'Annually'.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
LES- 38	Temporary Sign Permit	Temporary Sign - Borrowed Time Inquiry (New)	\$50.00	Per Annually Inquiry	No

- 9) There is a correction in Schedule D for Fee No. LES- 68 in the Fee Category to add the word 'Application' and to the Fee Basis to replace 'Per Exemption Request' with 'Per Application'.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
LES-68	Noise By-law Exemptions <del>Application</del>	Private Construction and for Special Events	\$320.00	Per Application <del>Per Exemption Request</del>	Yes

- 10) In the 2023 Budget Book, Appendix 1 – User Fees Rates and Charges, the Schedule S Fee Basis for EVC-2 and EVC-3 states that the fees under these categories are rounded up to the full hour. In principle, the user fees are charged based on the duration of the charging session. This has been updated to indicate fees are prorated to reflect the duration of the charging session.

Fee No.	Category	Fee Title	Fee (Excluding Taxes)	Fee Basis	HST Applicable
EVC- 1	Reserve Fund	Zero Carbon Whitby Reserve Fund - to be confirmed/approved	\$1.33	Per session fee	Yes
EVC- 2	Charging Station	EV Charging Cost Fee (up to 3 hours)	\$1.33	First 3 hours, prorated based on duration of the charging session to recover charging costs	Yes
EVC- 3	Charging Station	EV Charging Cost Fee (4+ hours)	\$3.54	After 3 hours, prorated based on duration of the charging session to recover charging costs and encourage user rotation at charging stations	Yes

11) Schedule C (Engineering) in the 2023 Budget Book has now been renamed Schedule T and appears as the last Schedule in the 2023 By-Law. This is to present Operational Services fees and Engineering fees as separate schedules following the reorganization which occurred in 2022.



# Town of Whitby

## By-law # 7978-23

### Official Plan Amendment Number 127

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

Whereas, Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provide that the Council of a municipality may by by-law adopt amendments to its Official Plan;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. Amendment Number 127 to the Official Plan of the Town of Whitby, attached as Schedule "A" to this By-law, is hereby adopted.
- 1.2. The Clerk of the Corporation of the Town of Whitby is hereby authorized and directed to forward to the Regional Municipality of Durham the documentation required by Regional By-law 11-2000 and Regional Procedure: Area Municipal Official Plans and Amendments, for exempt Official Plan Amendments.
- 1.3. This By-law shall come into force and take effect in accordance with the provisions of the Planning Act.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

# Schedule ‘A’ to By-Law 7978-23

## Amendment # 127 to the Town of Whitby Official Plan

<b>Purpose:</b>	The purpose of this Amendment to the Town of Whitby Official Plan is to increase the maximum permitted density on the subject lands from 75 units per net hectare to 100 units per net hectare.
<b>Location:</b>	The lands subject to this Amendment are generally located on the south side of Mary Street and the west side of Garden Street, municipally known as 100 Garden Street (the “Subject Lands”) and designated Medium Density Residential.
<b>Basis:</b>	<p>The Amendment is based on an application to amend the Town of Whitby Official Plan (File: OPA-2021-W/08), as submitted by Bousfields Inc., on behalf of Brookfield Residential (Ontario) Garden Limited. The Amendment would permit an increase in the maximum density permitted on the portion of the subject lands designated Medium Density Residential, in order to permit the proposed development of stacked townhouses. The proposed residential development is consistent with the policies of the Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the overall goals and intent of the policies of the Regional Official Plan, in that it would support increased housing supply and residential densities on underutilized lots, take advantage of existing infrastructure and public services facilities, provide compact and pedestrian oriented development, and support active transportation and transit oriented development in proximity a Regional Transit Priority Corridor.</p> <p>The proposed development meets the overall intent of the policies of the Whitby Official Plan and Downtown Whitby Secondary Plan, by increasing residential density in the Downtown Whitby Intensification Area, and Downtown Whitby Major Central Area, where such residential intensification is planned to occur, and while providing an appropriate transition to the adjacent residential areas.</p>

The subject lands are serviceable and suitable for the proposed use and would be compatible with the existing and designated uses of surrounding lands.

Development of the subject lands would be subject to the provisions in the implementing Zoning By-law and Site Plan Control By-law.

**Actual Amendment:**

The Town of Whitby Official Plan is hereby amended as follows:

1) By amending the Downtown Whitby Secondary Plan, to add the following new section:

“11.3.6.7 Notwithstanding any other provisions of this Plan to the contrary, for lands designated Medium Density Residential, and identified by Assessment Roll number 018-09-030-018-10300-0000, the maximum permitted residential density shall be 100 units per net hectare.”

**Implementation:**

The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this amendment.

**Interpretation:**

The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the interpretation of the Plan shall apply in regard to this amendment.



# Town of Whitby

## By-law # 7979-23

### Zoning By-law Amendment

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

Whereas, the Council of The Corporation of the Town of Whitby deems it advisable to amend By-law #2585;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. Schedule "A" to By-law #2585 is hereby amended by changing the zoning from I1-DT and H-R6-DT to R6-DT-22, R6-DT-23 and F for the Subject Land shown on Schedule "A-1" attached to and forming part of this By-law amendment.
- 1.2. Subsection 26.8.3 – Residential Type 6 – Downtown Zone (R6-DT) – Exceptions of By-law #2585, as amended, is hereby further amended by adding thereto the following Exception:

#### **26.8.3.22 Exception 22 (R6-DT-22)** **100 Garden Street & 604 Dundas Street East**

##### **1. Defined Area**

The lands located south of Mary Street East and west of Garden Street and zoned R6-DT-22 shall be subject to the provisions as hereinafter contained. Matters not specifically dealt with in this By-law amendment shall be governed by the relevant provisions of By-law #2585.

##### **2. Zone Provisions**

Notwithstanding any provisions of this By-law to the contrary, any stacked townhouse dwelling situated within an R6-DT-22 Zone shall be established in accordance with the following provisions:

##### **(a) Determination of Lot**

Notwithstanding the definition of Lot in Section 2 and any other provisions of By-law #2585 and notwithstanding the obtaining of any severance by way of a consent under the provisions of the Planning Act, R.S.O. 1990, C. P. 13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision or conveyance with respect to any portion of the said land, the land zoned R6-DT-22 by this By-law shall be considered to be one lot.

(b) Lot Line Determination

The lot line abutting Mary Street East shall be deemed the front lot line and the opposite lot line shall be deemed the rear lot line. All other lot lines shall be deemed interior lot lines.

(c) Front Yard  
Minimum Depth 2.7 m

(d) Interior Side Yard  
Minimum Width 3.0 m

Except in the case of a setback to the F zone, where the minimum width shall be 1.5 m

(e) Location of Parking Areas and/or Parking Spaces

Any parking area and/or parking spaces not directly providing access to a dwelling unit shall be set back a minimum distance of 3.0 m from any public street line, 1.5m from the end wall of any building and 1.0 m from any other lot line.

(f) Decks, Porches, Steps, Patios and Balconies

(i) Decks, porches, patios and balconies are permitted to project from the exterior wall of a dwelling unit provided they are set back a minimum distance of 2.0 m from a street line or internal roadway.

(ii) Steps are permitted to project provide they are set back a minimum distance of 0.6 m from a street line or internal roadway.

(g) Accessory Structure

(i) Notwithstanding the definition of Accessory Structure in Section 2 Definitions of this By-law to the contrary, an accessory structure may be attached to a main building and may be used to house and store equipment and utility devices related to the principal uses on the lot.

(ii) The maximum height of an accessory structure measured from grade level to the ridge of any roof structure shall be 4.8 m.

(iii) The minimum setback to a street line shall be 2.7m.

(h) Private Amenity Space  
Minimum 8.0 m<sup>2</sup>/unit

(i) **Parking Requirements**

- (i) The minimum number of parking spaces for a stacked townhouse dwelling with an integral private garage and related driveway shall be:

- Resident 2 spaces/unit
- Visitor 0.25 spaces/unit

- (ii) The minimum number of parking spaces for a stacked townhouse dwelling without an integral private garage and related driveway shall be:

- Resident 1.75 spaces/unit
- Visitor 0.25 spaces/unit

**3. Zoning Provisions That Do Not Apply**

The following provisions of By-law # 2585 shall not apply to the lands zoned R6-DT-22 by this By-law amendment:

- 6 (2) (h) Satellite Dish
- 26.8.2.1.9 Floor Space Index
- 26.8.2.1.12 Separation Distances for Buildings on the Same Lot

- 1.3. Subsection 26.8.3 – Residential Type 6 – Downtown Zone (R6-DT) to By-law #2585, as amended, is hereby further amended by adding thereto the following Exception:

**26.8.3.23 Exception 23 (R6-DT-23)**  
**100 Garden Street & 604 Dundas Street East**

**1. Defined Area**

The lands located north of Dundas Street East and west of Garden Street and zoned R6-DT-23 shall be subject to the provisions as hereinafter contained. Matters not specifically dealt with in this By-law amendment shall be governed by the relevant provisions of By-law # 2585.

**2. Zone Provisions**

Notwithstanding any provisions of this By-law to the contrary, any use, building, or structure in an R6-DT-23 Zone shall be established in accordance with the provisions of subsection 26.8.2 except that the following provisions shall apply to stacked townhouse dwellings and an apartment building.



## Stacked Townhouse Dwelling

(a) Determination of Lot

Notwithstanding the definition of Lot in Section 2 and any other provisions of By-law #2585 and notwithstanding the obtaining of any severance by way of a consent under the provisions of the Planning Act, R.S.O. 1990, C. P. 13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision or conveyance with respect to any portion of the said land, the land zoned R6-DT-23 by this By-law shall be considered to be one lot.

(b) Lot Line Determination

The lot line abutting Dundas Street East shall be deemed the front lot line and the opposite lot line shall be deemed the rear lot line. All other lot lines shall be deemed interior lot lines.

(c) Front Yard  
Minimum Depth

3.0 m

(d) Interior Side Yard  
Minimum Width

3.0 m

Except in the case of a setback to the F zone, where the minimum width shall be 1.5 m

(e) Location of Parking Areas and/or Parking Spaces

Any parking area and/or parking spaces not directly providing access to a dwelling unit shall be set back a minimum distance of 3.0 m from any public street line, 1.5 m from the end wall of any building and 1.0 m from any other lot line.

(f) Decks, Porches, Steps, Patios and Balconies

(i) Decks, porches, patios and balconies are permitted to project from the exterior wall of a dwelling unit provided they are set back a minimum distance of 2.0 m from a street line or internal roadway.

(ii) Steps are permitted to project provide they are set back a minimum distance of 0.6 m from a street line or internal roadway.

(g) Accessory Structure

Notwithstanding the definition of Accessory Structure in Section 2 Definitions of this By-law to the contrary, an accessory structure may be attached to a main building and may be used to house and store equipment and utility devices related to the principal uses on the lot.

The maximum height of an accessory structure measured from grade level to the ridge of any roof structure shall be 4.8 m.

(h) Private Amenity Space  
Minimum 8.0 m<sup>2</sup>/unit

(i) Parking Requirements

(i) The minimum number of parking spaces for a stacked townhouse dwelling with an integral private garage and related drive way shall be:

- Resident 2 spaces/unit
- Visitor 0.25 spaces/unit

(ii) The minimum number of parking spaces for a stacked townhouse dwelling without an integral private garage and related driveway shall be:

- Resident 1.75 spaces/unit
- Visitor 0.25 spaces/unit

**Apartment Building**

(a) Determination of Lot

Notwithstanding the definition of Lot in Section 2 and any other provisions of By-law #2585 and notwithstanding the obtaining of any severance by way of a consent under the provisions of the Planning Act, R.S.O. 1990, C. P. 13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision or conveyance with respect to any portion of the said land, the land zoned R6-DT-23 by this By-law shall be considered to be one lot.

(b) Lot Line Determination

The lot line abutting Dundas Street East shall be deemed the front lot line and the opposite lot line shall be deemed the rear lot line. All other lot lines shall be deemed interior lot lines.

(c) Front Yard  
Minimum Depth 3.0 m

(d) Interior Side Yard  
Minimum Width 3.0 m

(e) Roof Top Appurtenances

The maximum height of any roof top appurtenances such as an elevator penthouse, mechanical room, stair tower, roof top access, activity room and any architectural features shall not exceed 6 metres.

(f) Accessory Structure

Notwithstanding the definition of Accessory Structure in Section 2 Definitions of this By-law to the contrary, an accessory structure may be attached to a main building and may be used to house and store equipment and utility devices related to the principal uses on the lot.

The maximum height of an accessory structure measured from grade level to the ridge of any roof structure shall be 4.8 m.

(g) Private Amenity Space  
Minimum 5.0 m<sup>2</sup>/unit

(h) Parking Requirements

(i) Minimum Number of Parking Spaces

- Resident 1.0 space/unit
- Visitor 0.15 spaces/unit

(ii) Tandem parking spaces shall be permitted and be counted as two parking spaces only where used by an owner or tenant of one dwelling unit.

(iii) The parking space dimensions for an accessible parking space shall be:

Type of Space	Min Length	Min Width	Min Height
Accessible Parking Space	5.8 m	3.4 m	2.4 m

### 3. Zoning Provisions That Do Not Apply

The following provisions of By-law # 2585 shall not apply to the lands zoned R6-DT-23 by this By-law amendment:

- 6 (2) (h) Satellite Dish
- 26.2.7 Height Exceptions
- 26.8.2.1.9.2 Floor Space Index
- 26.8.2.1.12 Separation Distances for Buildings on the Same Lot

- 1.4. Section 2 Definitions to By-law #2585, as amended, is hereby further amended by;

- (a) Adding the following definitions in alphabetic order,

**“Amenity Space, Common** means indoor or outdoor space including a roof area that is communal and available for use by the occupants of a building on a lot for recreational or social activities.”

**“Amenity Space, Private** means indoor or outdoor space including a roof area that is for the exclusive use of the occupants of a dwelling unit of a building on a lot for their personal recreational and social activities.”

- 1.5. Subsection 26.1 Downtown Secondary Plan – Definitions, as amended, is hereby further amended by deleting the definition of Private Amenity Space.

- 1.6. This By-law shall not come into force and effect until Amendment #127 to the Town of Whitby Official Plan has received final approval.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

# Schedule A-1

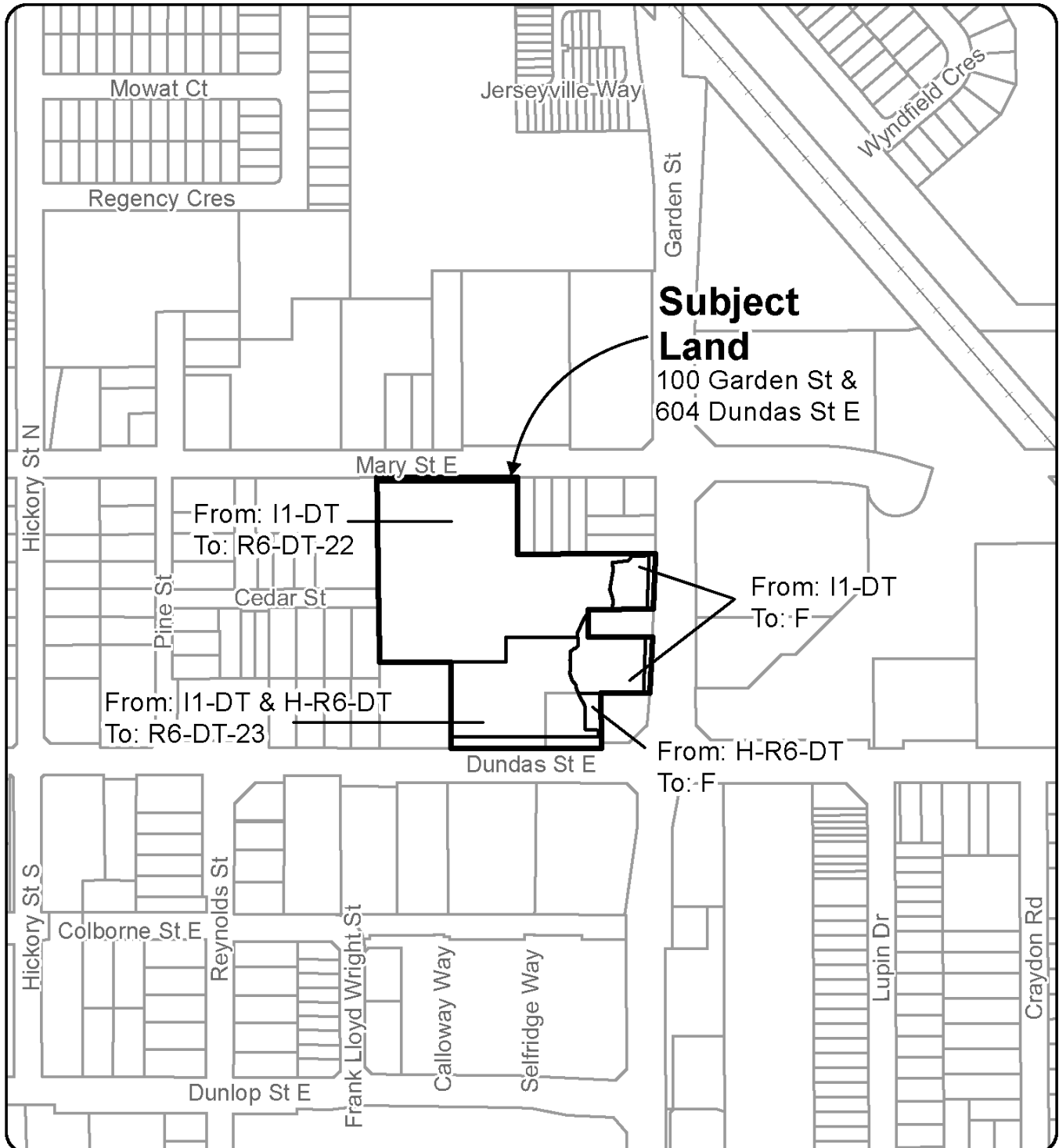
To By-law # 7979-23

This is Schedule A-1 to By-law # 7979-23 passed by the

Council of the Town of Whitby this 20th day of March, 2023.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor





# Town of Whitby

## By-law # 7980-23

### Zoning By-law Amendment

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

Whereas on April 10, 2017, the Council of The Corporation of the Town of Whitby passed By-law # 7272-17 which amended By-law # 2585, as amended, to grant the temporary use of a craft brewery within a unit of the existing building with the municipal address of 1632 Charles Street for three years until April 10, 2020.

And whereas on April 6, 2020, the Council of The Corporation of the Town of Whitby passed By-law # 7621-20 which amended By-law # 2585, as amended, to grant the temporary use of a craft brewery within a unit of the existing building with the municipal address of 1632 Charles Street for three years until April 10, 2023.

And whereas, the temporary use provisions on the Subject Land are scheduled to expire on April 10, 2023, and Council deems it advisable to further amend By-law # 2585, as amended, to grant a further period of three years for the temporary use for a craft brewery within a unit of the existing building with the municipal address of 1632 Charles Street until April 10, 2026.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. Subsection 24(3) Exception 2 to By-law # 2585, as amended, is hereby further amended by deleting from provision 3 the date "April 10, 2023" and replacing it with the date "April 10, 2026"

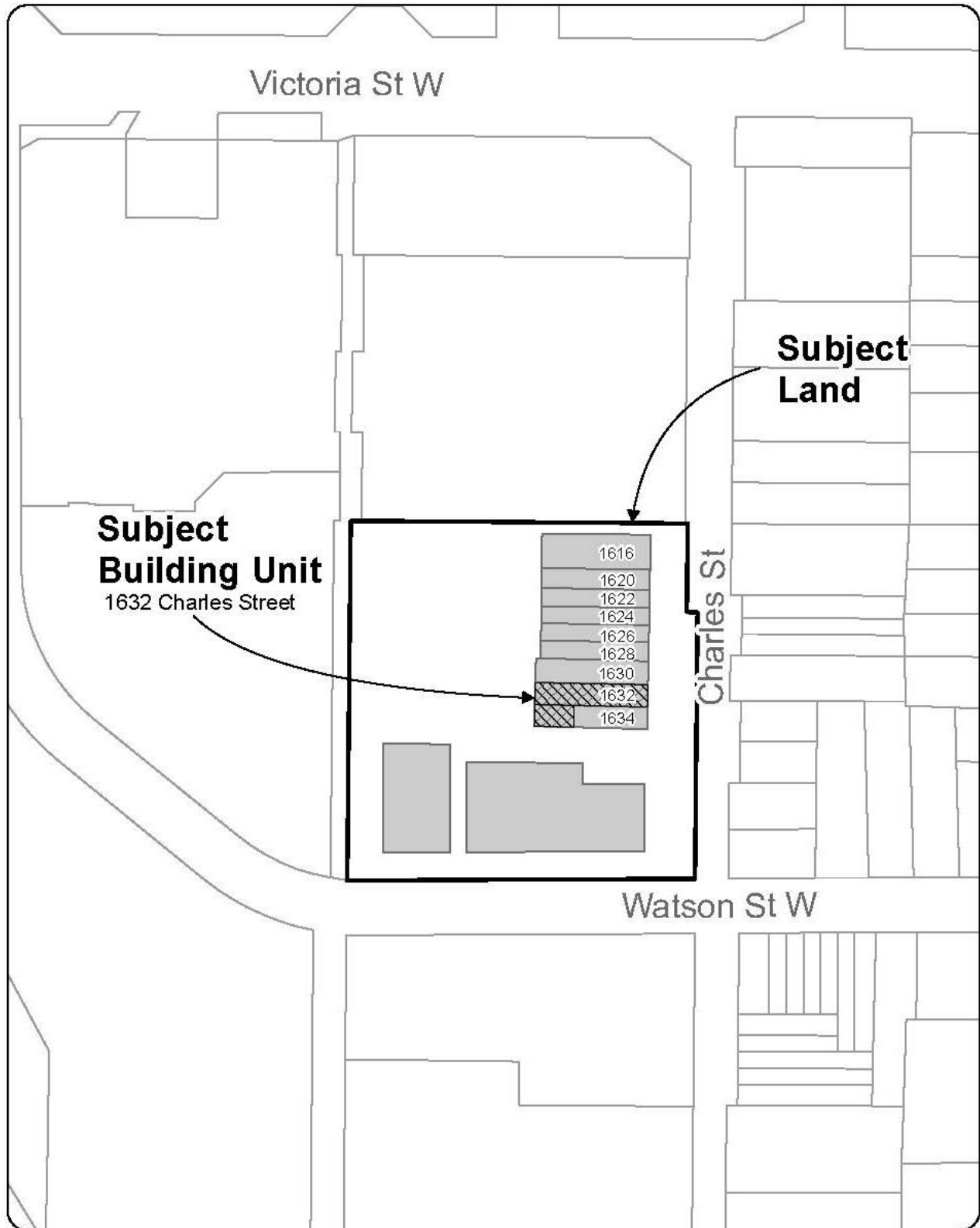
By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk





# **Town of Whitby**

## **By-law # 7981-23**

### **Official Plan Amendment Number 126**

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

Whereas Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provide that the Council of a municipality may by by-law adopt amendments to its Official Plan;

And whereas, the Council of The Corporation of the Town of Whitby deems it advisable to amend the Official Plan of the Town of Whitby;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### **1. General**

- 1.1. Amendment Number 126 to the Official Plan of the Town of Whitby, attached as Schedule "A" to this By-law, is hereby adopted.
- 1.2. The Clerk of the Corporation of the Town of Whitby is hereby authorized and directed to forward to the Regional Municipality of Durham the documentation required by Regional By-law 11-2000 and Regional Procedure: Area Municipal Official Plans and Amendments, for non-exempt Official Plan Amendments.
- 1.3. This By-law shall come into force and take effect in accordance with the provisions of the Planning Act.

By-law read and passed this 20th day of March 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk



# Schedule 'A' to By-Law 7981-23

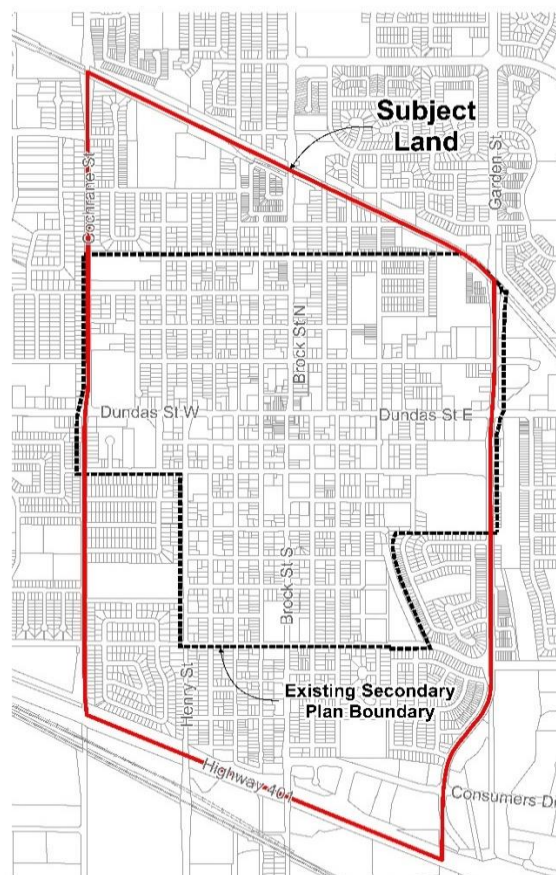
## Amendment # 126 to the Town of Whitby Official Plan

### Purpose:

The purpose of this Amendment to the Town of Whitby Official Plan is to repeal and replace Section 11.3 and Schedule H and Schedule I; provide a vision and detailed objectives, development policies and land use designations, in keeping with the intent of the Official Plan; and, amend the Official Plan accordingly, to incorporate changes that reflect the updated Downtown Whitby Community Secondary Plan, including amendments to Schedules "A", "E", "H" and "I"

### Location:

The Amendment applies to lands that are generally bound by the Canadian Pacific Rail line to the north, Garden Street to the east, Highway 401 to the south and Cochrane/Annes Street to the west.



**Basis:**

The Final Recommended Amendment is based on a Town initiated Official Plan Amendment (File: OPA-2020-W/03) to update the Downtown Whitby Secondary Plan as required by Official Plan policy 4.3.3.3.2.

The Downtown Whitby Secondary Plan Update Study comprised several phases including Background Review and Analysis; Evaluation of Land Use Concept Options; Preparation of a Preferred Land Use Concept; and Draft and Final Recommended Secondary Plan.

The study included an extensive public and agency consultation process.

The Final Recommended Amendment is consistent with the policies of the Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the overall goals and intent of the policies of the Regional Official Plan.

The Final Recommended Amendment meets the overall intent of the policies of the Whitby Official Plan, and will:

- guide future population and job growth, land use, and development in an appropriate manner for Downtown Whitby.
- maintain and enhance the area's unique cultural heritage, economic strengths, and sense of place.
- support a range of housing options and a mix of uses.
- improve access to transit and active transportation options.
- enhance public open space, walkability, and the natural environment; and
- promote a healthy, vibrant, and sustainable downtown core, offering a high quality of life for local residents, businesses, and visitors to the area.

**Actual Amendment:** The Town of Whitby Official Plan is hereby amended as follows:

- 1) By amending Schedule "A" – Land Use of the Town of Whitby Official Plan, by changing the land use designations accordingly to reflect the updated Downtown Whitby Community Secondary Plan, as shown on the attached Exhibit 'A'.
- 2) By amending Schedule "E" – Secondary Plans and Community Improvement Areas of the Town of Whitby Official Plan, by adjusting the boundary of the Downtown

Whitby Community Secondary Plan Area, as shown on the attached Exhibit 'B'.

- 3) By deleting existing Schedule "H" – Downtown Secondary Plan Land Use in its entirety and replacing it with a new Schedule "H" – Downtown Whitby Community Secondary Plan Land Use, as shown on the attached Exhibit 'C'.
- 4) By deleting existing Schedule "I" – Downtown Secondary Plan Building Height in its entirety and replacing it with a new Schedule "I" – Downtown Whitby Community Secondary Plan Building Height, as shown on the attached Exhibit 'D'.
- 5) By deleting Section 4.3.3.3.2, and renumbering the subsequent subsections accordingly.
- 6) By deleting existing Section 11.3 – Downtown Whitby Secondary Plan in its entirety, and replacing it with a new Section 11.3 – Downtown Whitby Community Secondary Plan, as contained on Exhibit 'E'.

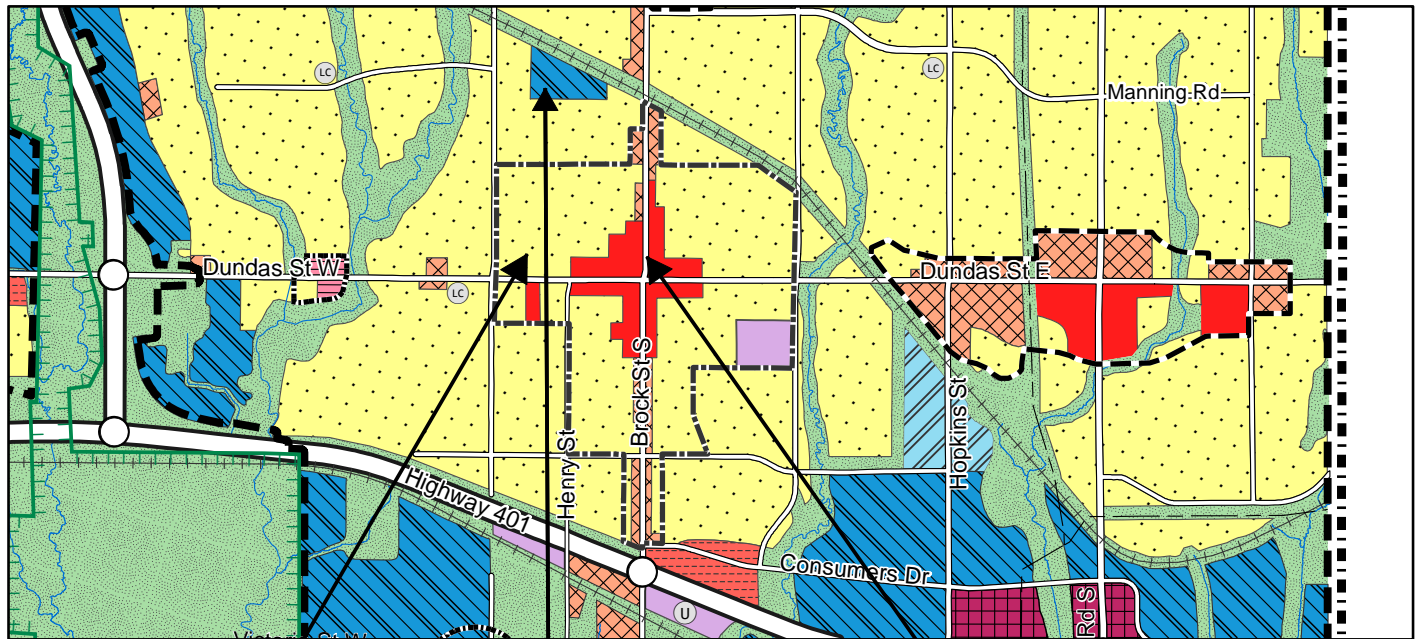
**Implementation:** The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this amendment.

**Interpretation:** The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the interpretation of the Plan shall apply in regard to this amendment.

Refer to Attachments:

- Attachment 1 - Schedule A-Exhibit A
- Attachment 2 - Schedule A-Exhibit B
- Attachment 3 - Schedule A-Exhibit C
- Attachment 4 - Schedule A-Exhibit D
- Attachment 5 - Schedule A-Exhibit E

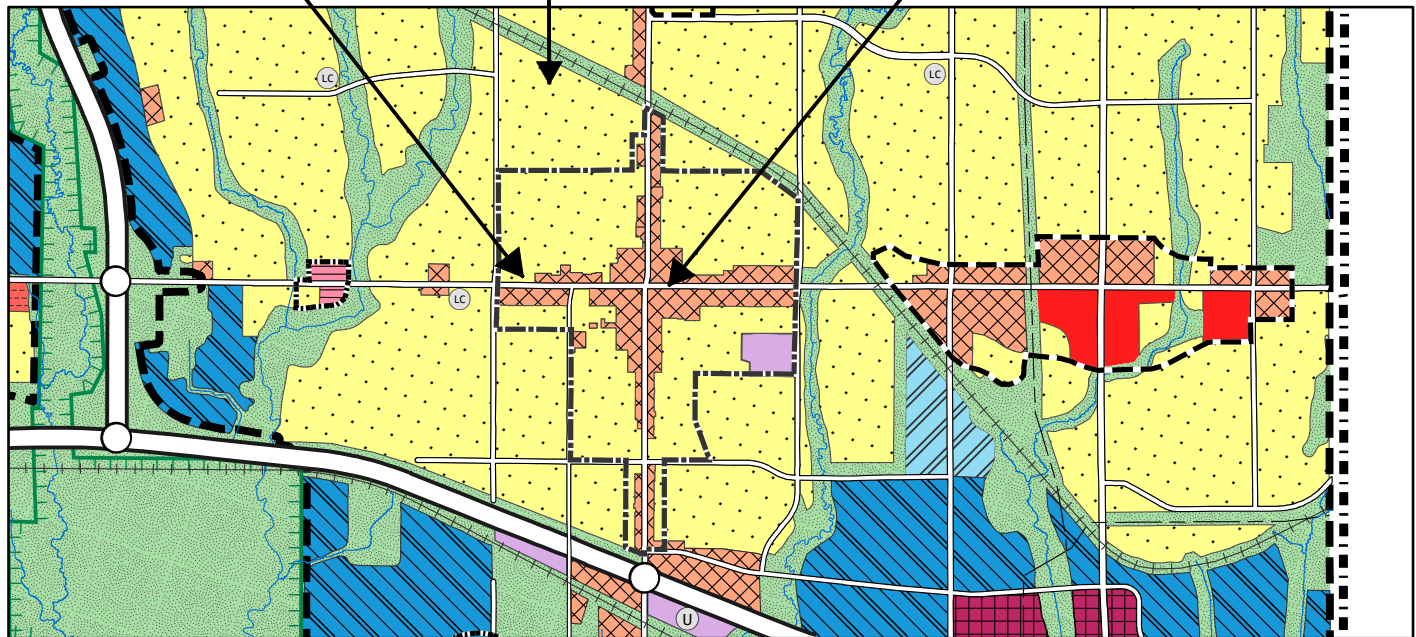
## Exhibit 'A' to Official Plan Amendment #126



Change from:  
'Residential'  
to 'Mixed Use'

Change from:  
'Prestige Industrial'  
to 'Residential'

Change from: 'Major Commercial'  
to 'Mixed Use'



## Legend

- |                            |   |                                   |
|----------------------------|---|-----------------------------------|
| Residential                | Lands Subject to Durham Regional Official Plan Policy 14.13.7 | D3 (Deferred by Region of Durham) |
| Major Commercial           | Deferred by the Region of Durham                              |                                   |
| Community Commercial       | Local Central Area  |                                   |
| Special Purpose Commercial | Resource Extraction Area (See Section 4.12)                   |                                   |
| Mixed Use                  | Utility   |                                   |
| Prestige Industrial        | 2031 Urban Area Boundary                                      |                                   |
| General Industrial         | Community Central Area Boundary                               |                                   |
| Special Activity Node      | Future Urban Development Area Boundary                        |                                   |
| Institutional              | Greenbelt Protected Countryside Boundary                      |                                   |
| Major Open Space           | Hamlet Boundary   |                                   |
| Agricultural               | Major Central Area Boundary                                   |                                   |
| Hamlet                     | Municipal Boundary  |                                   |
| Estate Residential         | Southern Boundary of Oak Ridges Moraine                       |                                   |
| Special Policy Area        | Urban Central Area Boundary                                   |                                   |
| Refer to section 11.5.31.6 |   |                                   |

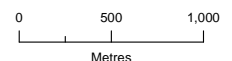
Notes: Refer to the applicable Secondary Plan for more detailed land use designations. Secondary Plan boundaries can be found on Schedule 'E', including the Oak Ridges Moraine Secondary Plan. Some legend items may not appear on the displayed figure extent.

Official Plan - Town of Whitby

Schedule

## Excerpt from Schedule 'A' Land Use

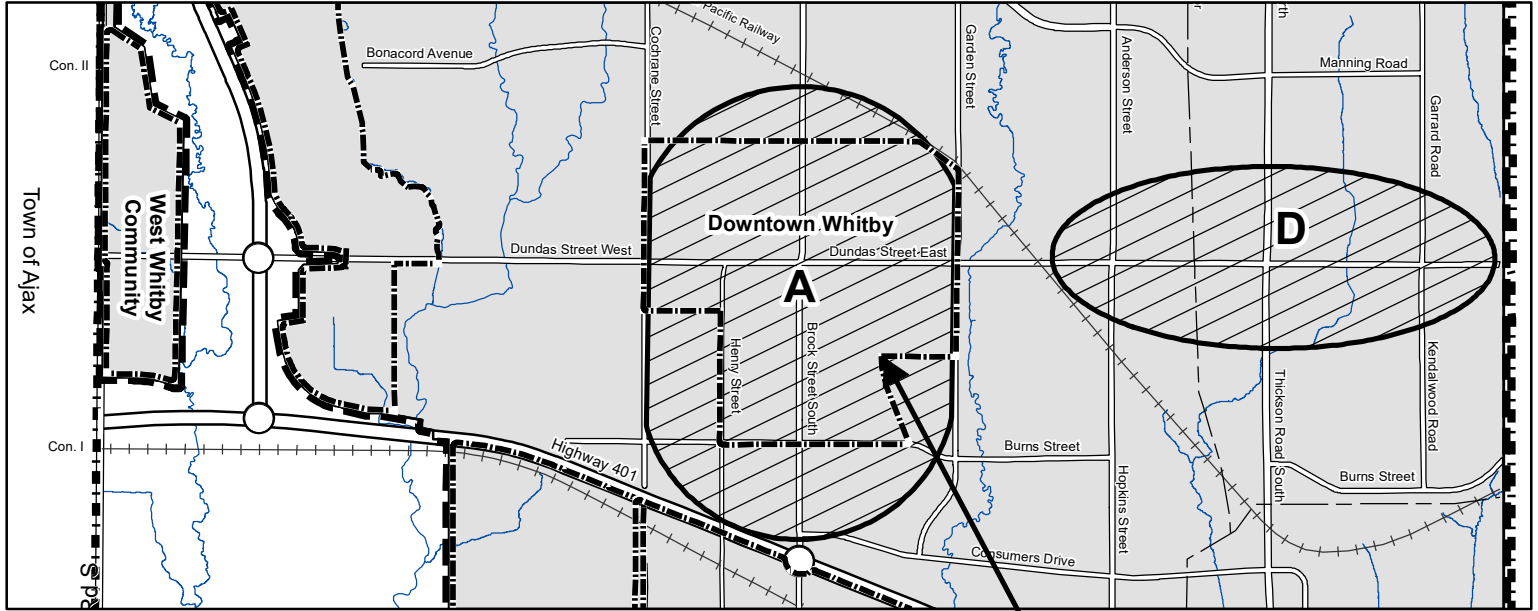
# A



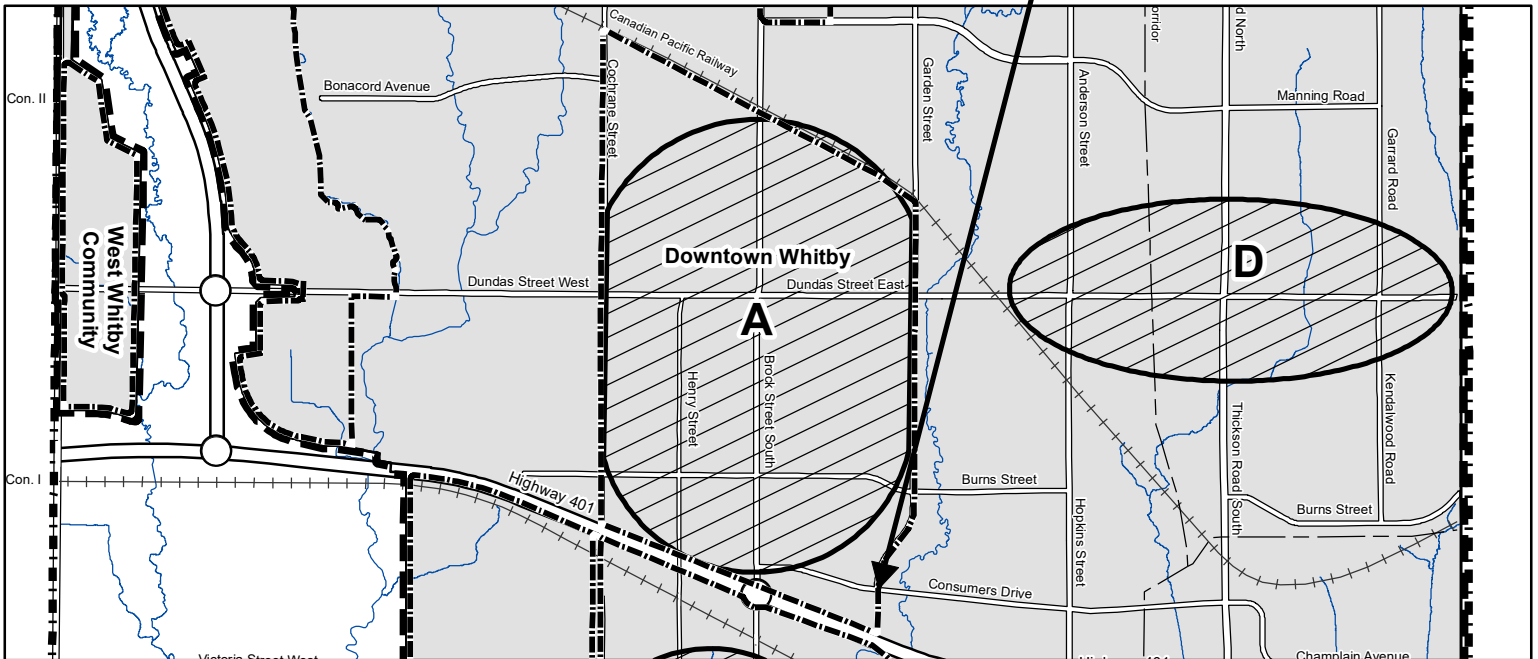
This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.

# Attachment #2

## Exhibit 'B' to Official Plan Amendment #126



Adjust Downtown Whitby  
Secondary Plan Boundary



### Legend

- 2031 Urban Area Boundary
- Municipal Boundary
- Secondary Plan Boundary
- Community Improvement Areas: A, B, C, and D
- Community Improvement Area: E
- Lands Subject to Durham Regional Official Plan Policy 14.13.7

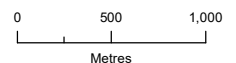
Note: Some legend items may not appear on the displayed figure extent.

Official Plan - Town of Whitby

**Excerpt from  
Schedule 'E'  
Secondary Plans  
and Community  
Improvement Areas**

Schedule

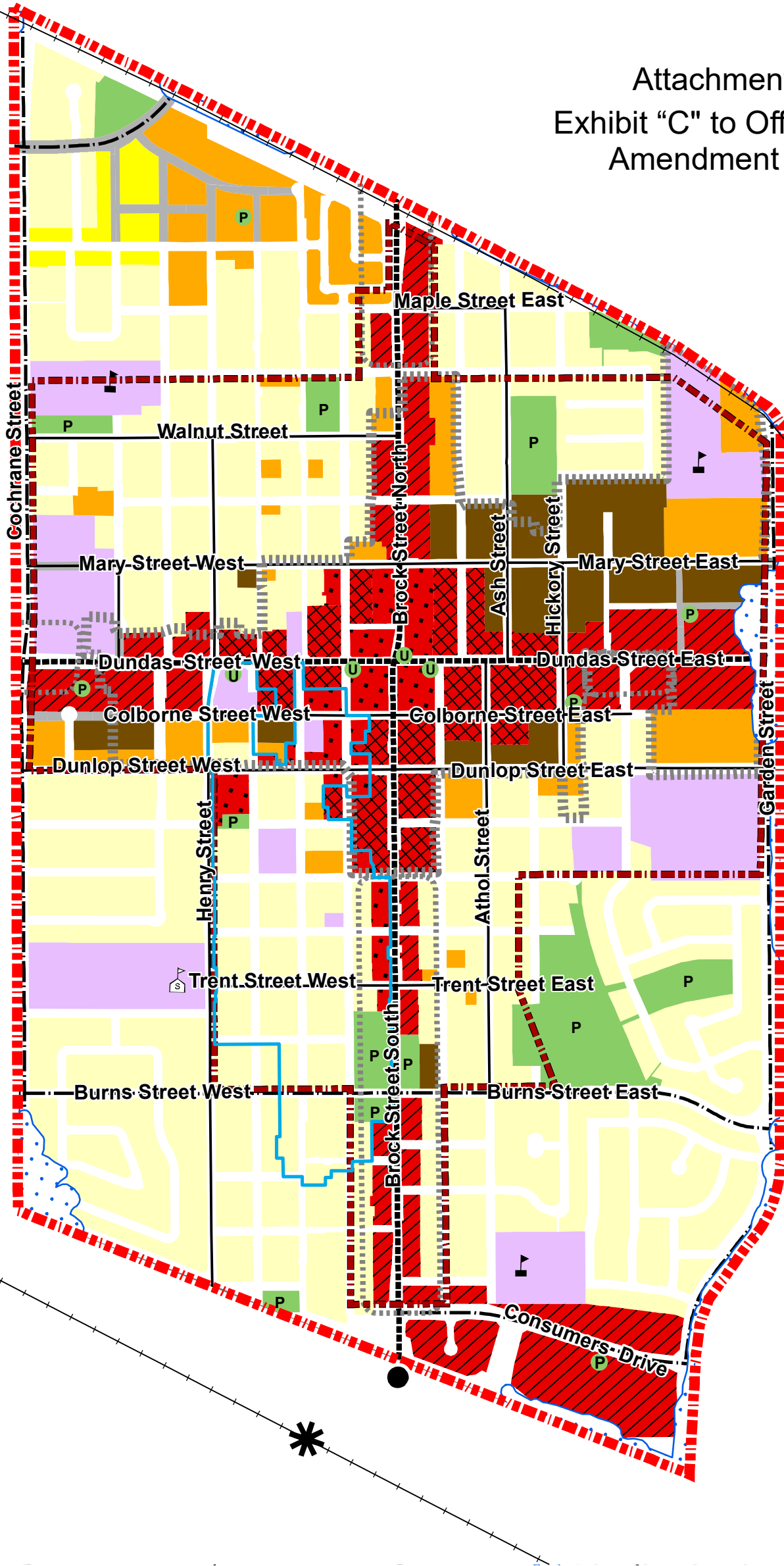
**E**



This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.



Attachment #3  
Exhibit "C" to Official Plan  
Amendment #126



Legend

- |  |                                  |                       |
|--|----------------------------------|-----------------------|
| Secondary Plan Area Boundary                               | Low Density Mature Neighbourhood | Proposed Park         |
| Major Central Area Boundary                                | Low Density Residential          | Urban Square          |
| Intensification Area                                       | Medium Density Residential       | Elementary Schools    |
| Intensification Corridor                                   | High Density Residential         | Secondary Schools     |
| Werden's Plan Neighbourhood Heritage Conservation District | Downtown Mixed Use Area          | Type B Arterial       |
| Natural Hazards  | Corridor Mixed Use Area          | Type C Arterial       |
|  | Heritage Mixed Use Area          | Collector Road        |
|  | Institutional                    | Proposed Connection   |
|  | Existing Park & Open Space       | Full Interchange      |
|  |                                  | Major Transit Station |

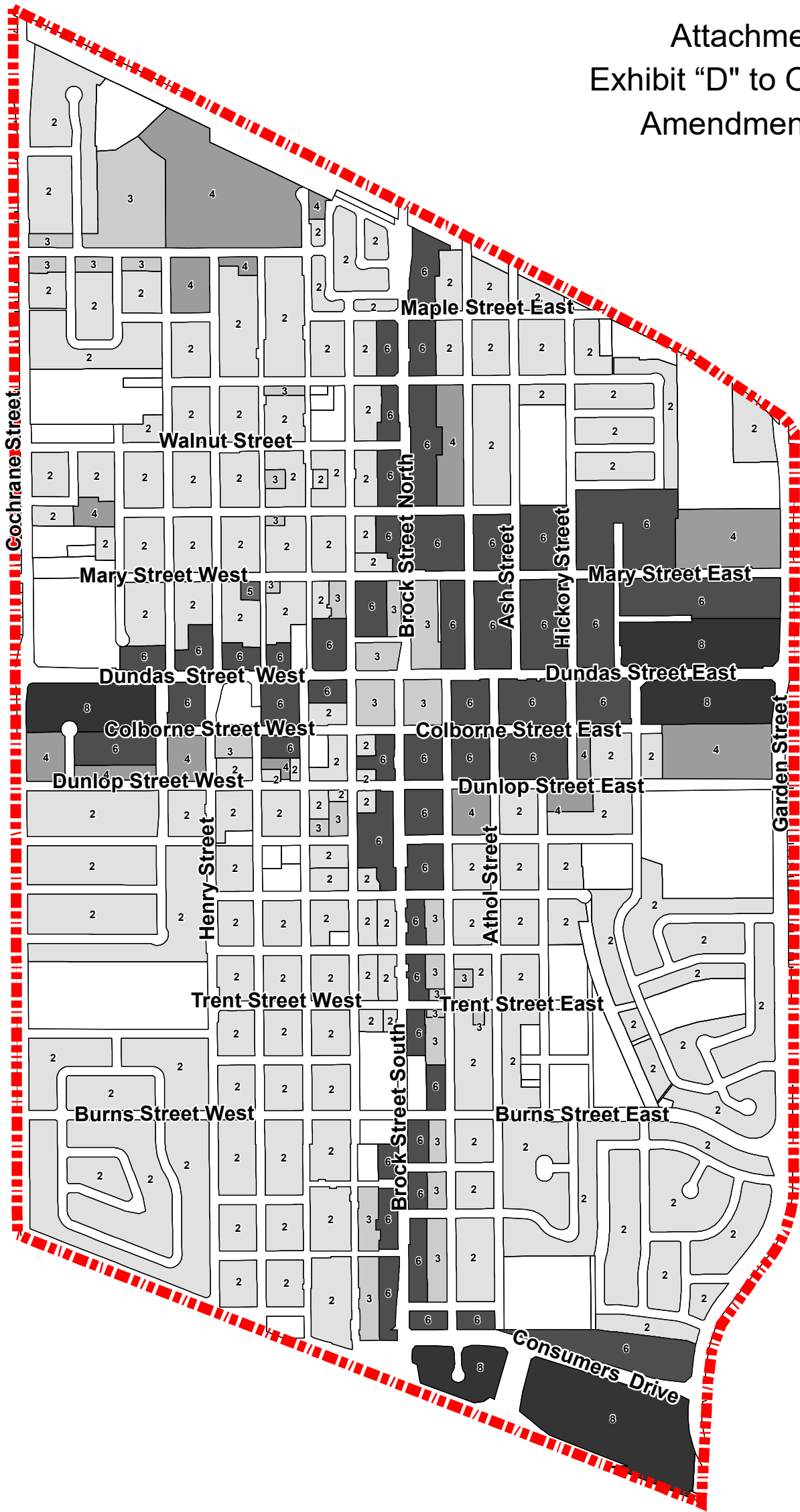
Downtown Whitby Community  
Secondary Plan  
Land Use

Schedule

**Official Plan**  
**Town of Whitby**

0 100 200 400 600 Metres

Attachment #4  
Exhibit "D" to Official Plan  
Amendment #126



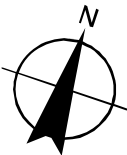
Legend

 Secondary Plan Area Boundary

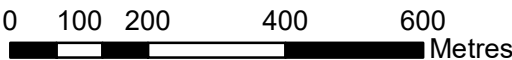
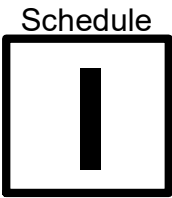
Maximum Building Height

 2 Storeys	 5 Storeys
 3 Storeys	 6 Storeys
 4 Storeys	 8 Storeys

Downtown Whitby Community  
Secondary Plan  
Building Height



Official Plan  
Town of Whitby



## Exhibit E to OPA 126: Downtown Whitby Community Secondary Plan

**11.3 Downtown Whitby Community Secondary Plan****11.3.1 Vision and Objectives****11.3.1.1 Vision**

- 11.3.1.1.1** Downtown Whitby is a vibrant, sustainable, innovative, inclusive and walkable urban destination, where our heritage is conserved and celebrated and where residents, employees and visitors are inspired to shop, live, work, play and connect.

**11.3.1.2 Objectives****11.3.1.2.1 Conserve and Enhance Cultural Heritage Resources:**

To enhance Downtown Whitby's historic character and respect cultural heritage resources through protection, adaptive re-use, sensitive integration with new developments, preservation of views and mature trees and appropriate built form transitions.

**11.3.1.2.2 Provide the Right Built Form in the Right Place:**

To provide for intensification that is supportive of transit, businesses and a variety of housing options.

To require appropriate transition to existing adjacent mature areas.

**11.3.1.2.3 Improve the Public Realm:**

To support public realm and streetscape improvements through features like expanded boulevards where possible, increased tree canopy, accessibility, additional street furniture and opportunities for flex streets and flex spaces.

**11.3.1.2.4 Increase Access to Parks and Open Space:**

To provide for additional parks and accessible private and public open spaces, which create opportunities for year-round community engagement and outdoor social interaction.

**11.3.1.2.5 Encourage Sustainability:**

To encourage innovative ideas that embrace principles of sustainability, resiliency and climate change adaptation and mitigation.



#### **11.3.1.2.6 Support Innovation and Technology in Downtown**

To support the Town's growing technology and innovation sectors and establish Downtown as an innovation district by encouraging technology companies, entrepreneurs, innovators, co-working spaces and post-secondary institutions to locate Downtown.

#### **11.3.1.2.7 Design for Accessibility:**

To ensure accessibility for people of all ages and abilities within Downtown Whitby by incorporating universal site and building design through development and redevelopment

#### **11.3.1.2.8 Enhance Road Networks and Connectivity:**

To maintain and enhance the existing roadway grid network configuration through provisions of "missing links" and discouraging the creation of cul-de-sacs or dead-end streets for new developments.

#### **11.3.1.2.9 Encourage Active Transportation:**

To improve active transportation facilities and connections through innovative transportation design, considering opportunities such as road diets, and flex streets, that focus on pedestrians and cyclists.

#### **11.3.1.2.10 Improve Parking:**

To ensure access and availability of parking, including bicycle and accessible parking, throughout Downtown Whitby.

#### **11.3.1.2.11 Establish a Transit Oriented Downtown:**

Recognize the opportunity to establish a transit-oriented Downtown to support existing and planned transit within and in the vicinity of Downtown Whitby.

#### **11.3.1.2.12 Enhance Vitality and Viability of the Downtown:**

To enhance Downtown Whitby as a focal point and destination for visitors, as well as a place that meets the needs of existing and future residents and employees through a mix of retail and service commercial businesses, a broader range of housing options and an animated public realm.

### **11.3.2 General Development and Redevelopment Policies**

- 11.3.2.1** The area to which this Secondary Plan applies is indicated by the Secondary Plan boundary on Schedule “H”. Any area shown on this Schedule, but lying outside of this boundary, is governed by the general land use designations and policies of Part I of this Plan.
- 11.3.2.2** Schedule “H” provides detailed land use designations for the Secondary Plan Area. The more detailed policies of Section 11.3, together with the general policies of Part I of this Plan, apply to the land use designations of the Downtown Whitby Community Secondary Plan area as shown on Schedule “H” subject to Policy 10.2.1.5.
- 11.3.2.3** Schedule “I” provides maximum permitted heights in storeys for buildings, which are in addition to the policies related to each land use.
- 11.3.2.4** The policies of the Downtown Whitby Community Secondary Plan are intended to implement the requirements of the Part I policies of this Plan regarding Intensification Corridors, Intensification Areas and Major Central Areas, by providing for a range of residential, commercial, employment and community uses at higher densities.
- 11.3.2.5** The unique character of Downtown Whitby, which is defined by heritage buildings, a vibrant retail main street, low to mid-rise built form and surrounded by low density mature neighbourhoods, should be maintained and enhanced.
- 11.3.2.6** Development and redevelopment within the Secondary Plan area should follow the objectives set out in Section 11.3.1 and be:
- a) Compact in form;
  - b) Pedestrian-oriented;
  - c) Supportive of active transportation options;
  - d) Accessible by, and supportive of, public transit;
  - e) Supportive of an active and vibrant mixed use core;
  - f) Compatible between different built forms through a transition of heights and densities, particularly abutting mature neighbourhoods;
  - g) Compatible with the heritage character of the downtown;
  - h) Efficient in the use of land, resources and municipal services; and
  - i) Supportive of healthy living for persons of all ages and abilities.
- 11.3.2.7** Development and redevelopment shall consider the design and built form policies of Section 6.2 of this Plan and relevant Town established urban design guidelines.

- 11.3.2.8** In accordance with Policy 4.3.3.3.3 of this Plan, new drive-through service facilities and automotive uses, including automobile sales, gas bars, car washes and service stations shall not be permitted within the Downtown Whitby Community Secondary Plan area. Such existing uses will be encouraged to relocate. Existing gas bars, car washes and automobile service stations may be recognized as permitted uses in the implementing Zoning By-law.
- 11.3.2.9** Residential development shall be encouraged within Downtown Whitby to help support the economic vitality of the area and provide a broader range of housing options.
- 11.3.2.10** Senior Citizen and Special Needs housing shall be encouraged to locate in Mixed Use, Medium Density Residential and High Density Residential designations within the Secondary Plan Area.
- 11.3.2.11** Affordable housing will be encouraged in Downtown Whitby in accordance with the policies of Section 7.7 of this Plan.

### **11.3.3 Sustainability**

- 11.3.3.1** The Municipality shall require new development and redevelopment to address the sustainability matters set out in Section 3.2 of this Plan and sustainable design measures set out in Section 6.2.3.22 of this Plan. On this basis, proponents of new development may be required to prepare a Sustainability Plan to demonstrate how the proposed development would advance sustainability objectives.
- 11.3.3.2** Green infrastructure and Low Impact Development techniques, such as permeable paving, infiltration trenches, rain gardens and other stormwater management techniques, shall be considered wherever possible in the design of new development and through retrofit opportunities to adapt existing buildings for sustainable design.
- 11.3.3.3** The Municipality shall use a wide selection of native trees, shrubs and wildflowers along street boulevards and in parks and encourage the planting of native trees, shrubs and wildflowers within the private realm through the development process.
- 11.3.3.4** All collector and local roads shall be planned to include a vibrant and healthy tree canopy that will provide shade and enhance and establish a vibrant urban environment, and comfortable pedestrian experience, where feasible. In order to maximum the amount of tree planting, the co-location of utilities is encouraged.

#### **11.3.4 Placemaking**

- 11.3.4.1** The unique grid street layout and short block pattern within Downtown Whitby should be maintained and enhanced wherever possible to facilitate walkability and support greater connectivity within the Downtown. Schedule “H” identifies several new connections that will expand upon the historic grid street layout in accordance with Section 11.3.9 of this Plan.
- 11.3.4.2** Streetscape features that enhance the pedestrian experience and encourage walkability shall be implemented in Downtown Whitby where feasible, including distinctive street furniture, unique paving features, public art, signage/wayfinding and seating areas.
- 11.3.4.3** Within the Downtown core, opportunities to enlarge and enhance the pedestrian realm shall be considered including bulb-outs at intersections, reduced traffic lane widths and conversion of on-street parking to patios for restaurants and cafes.
- 11.3.4.4** Distinctive placemaking features should be implemented at entry points into Downtown Whitby. These features will contribute to the image and identity of Downtown Whitby and include such features as special landscape treatments, plantings, signage and banners.
- 11.3.4.5** Landowners with properties abutting rear lanes are encouraged to include storefronts facing the rear lane, public building entrances, patio spaces, seating areas, plantings, public art and lighting, to improve the overall pedestrian experience and safety of laneways.
- 11.3.4.6** The implementation of public art at key intersections, areas of high pedestrian activity and within parks and urban squares, is encouraged to foster a unique sense of place in Downtown Whitby.
- 11.3.4.7** Urban squares and parks within Downtown Whitby, developed in accordance with Section 11.3.7.11 of this Plan and shown on Schedule H, provide opportunities to contribute to placemaking. The Town shall consider opportunities to program these spaces to animate public spaces and enhance placemaking.
- 11.3.4.8** New privately owned, publicly accessible open spaces are encouraged to increase the provision of public space within Downtown Whitby.

#### **11.3.5 Cultural Heritage Resources**

- 11.3.5.1** Development and redevelopment shall be in accordance with the cultural heritage and archeological resource policies of Section 6.1 of this Plan.
- 11.3.5.2** The adaptive re-use of cultural heritage resources is encouraged.

- 11.3.5.3** Any proposed demolition of a cultural heritage resource must demonstrate that all alternative options have been considered and demolition is the only viable option.
- 11.3.5.4** Development and redevelopment adjacent to or incorporating cultural heritage resources shall be respectful of the resource, having regard for scale, massing, setbacks, building materials and design features, following established Heritage Conservation District Plans where applicable. Development and redevelopment may require a heritage permit, Cultural Heritage Impact Assessment and/or other relevant documentation required through the development process.
- 11.3.5.5** The Werden's Plan Neighbourhood Heritage Conservation District is located within Downtown Whitby and is subject to the policies of Section 11.3.6.2 of this Plan, as well as the Heritage Conservation District Plan. The Town may establish additional Heritage Conservation Districts within the Downtown Whitby Community Secondary Plan area under Part V of the Ontario Heritage Act, including the adoption of Heritage Conservation District Plans.

## **11.3.6 Community Structure**

### **11.3.6.1 Downtown Whitby Major Central Area**

- 11.3.6.1.1** The boundary of the Downtown Whitby Major Central Area is delineated on Schedule "A" and also on Schedule "H". Occupying the core of the Downtown Secondary Plan, this area shall be planned to serve as a vibrant mixed use centre, providing an array of institutional, commercial, retail, services, residential, recreational, cultural, entertainment and office uses.
- 11.3.6.1.2** A portion of the Downtown Whitby Major Central Area is also identified as an Intensification Area on Schedule "B" and Schedule "H". These lands shall be developed in accordance with Section 4.3.3.3.3 of this Plan.
- 11.3.6.1.3** Schedule "B" and Schedule "H" also identify Brock Street and Dundas Street as Intensification Corridors. These Intensification Corridors shall be developed in accordance with Section 4.2.7 of this Plan.
- 11.3.6.1.4** Development and redevelopment within the Downtown Whitby Major Central Area shall maintain and conserve the historic commercial character and the low-rise built form within the Heritage Mixed Use designation, as delineated on Schedule "H". Denser forms of development are permitted and encouraged elsewhere within the Secondary Plan area.

- 11.3.6.1.5** Along Brock Street and Dundas Street, the unique main-street business environment shall be maintained, and the pedestrian experience enhanced through placemaking initiatives and public realm improvements. These areas should continue to function as destinations for shopping, dining and entertainment, as well as office and service uses, with encouragement for mixed use infill development that is comprised of ground level commercial units with residential units located above.
- 11.3.6.1.6** Offices, co-working spaces and flex offices, innovative industries, post-secondary institutions and health and social service agency facilities shall be encouraged to locate in Downtown Whitby.
- 11.3.6.1.7** The majority of residential intensification will be accommodated within the Downtown Whitby Major Central Area and the Intensification Area and Corridors within the Downtown. Limited infill and intensification will be permitted within the existing Low Density Mature Neighbourhoods.
- 11.3.6.1.8** Compatible residential intensification through the redevelopment of existing buildings and the infilling of vacant and underutilized properties shall be encouraged in the Downtown Major Central Area and along the Intensification Area and Corridors in order to achieve the intent of the designation and intensification targets set out within this Plan.
- 11.3.6.1.9** The permitted height and density of residential and mixed use intensification shall consider the local context and character of surrounding uses and built form, including surrounding mature neighbourhoods and cultural heritage resources, and should provide for appropriate built form transition to mature neighbourhoods and a built form character that fits in with the established character.

#### **11.3.6.2 Werden's Plan Neighbourhood Heritage Conservation District**

- 11.3.6.2.1** The boundary of the Werden's Plan Neighbourhood Heritage Conservation District (Werden's Plan HCD) is shown on Schedule "H". Significant built heritage resources within the Werden's Plan HCD shall be conserved.
- 11.3.6.2.2** The goal of the Werden's Plan HCD Plan is to preserve the neighbourhood's small-town historic character and manage physical change to the neighbourhood over the long term.
- 11.3.6.2.3** The primary land use designations in the Werden's Plan HCD are Low Density Mature Neighbourhoods and Heritage Mixed Use. The intent of these designations is to respect and maintain the historic low density character of the area.

- 11.3.6.2.4** Notwithstanding Policy 11.3.6.2.3, the Werden's Plan HCD Plan recognizes the opportunities for conversion of existing buildings to commercial uses and apartments in specific areas. These areas are designated Heritage Mixed Use.
- 11.3.6.2.5** Changes to buildings, the public realm or private open space shall be in accordance with the goals, objectives, policies and guidelines of the Werden's Plan HCD Plan, which includes direction for new development, redevelopment, infill and alterations.
- 11.3.6.2.6** Development and redevelopment within or adjacent to the Werden's Plan HCD, may require a heritage permit, a Cultural Heritage Impact Assessment, and/or any other relevant documentation required through the development process. Development and redevelopment shall have regard for scale, massing, setbacks, building materials and design features in accordance with the requirements of the Werden's Plan HCD Plan.
- 11.3.6.2.7** The Werden's Plan HCD Plan identifies five historic landmarks: the St. Mark's United Church, the former R.A. Sennett School, the former Ontario County Registry Office, the Centennial Building and the St. Arsenije Sremac Serbian Orthodox Church. Views of these historical landmarks should be maintained, wherever possible.

## **11.3.7 Land Use Designations**

### **11.3.7.1 Low Density Mature Neighbourhoods**

- 11.3.7.1.1** Lands designated as Low Density Mature Neighbourhoods on Schedule "H" shall be developed in accordance with the policies of Section 4.4.3.4 except as modified by the following additional policies.
- 11.3.7.1.2** The Low Density Mature Neighbourhoods designation recognizes existing residential development.
- 11.3.7.1.3** Limited residential infill and intensification will be permitted in Low Density Mature Neighbourhoods in accordance with Sections 4.4.3.4 , and 10.1.13.1, provided it fits in with, is context sensitive to and is compatible with the existing physical character of the neighbourhood.
- 11.3.7.1.4** The maximum permitted height shall not exceed 2-storeys or as shown on Schedule "I". The Zoning By-law may consider areas where a third storey above the roofline of a dwelling is permitted.
- 11.3.7.1.5** New development and redevelopment within Low Density Mature Neighbourhoods shall be compatible with and fit in with the existing physical character of the neighbourhood.

- 11.3.7.1.6** New development and redevelopment within the Low Density Mature Neighbourhoods designation shall follow the Residential Design policies of Section 11.3.7.5.

#### **11.3.7.2 Low Density Residential**

- 11.3.7.2.1** Lands designated as Low Density Residential on Schedule “H” shall be developed in accordance with Section 4.4.3.4 of this Plan, except as modified by the following additional policies.
- 11.3.7.2.2** The designation recognizes newer low density residential developments and future low density residential development on designated lands.
- 11.3.7.2.3** The lands on the north and south side of Beech Street are designated Low Density Residential on Schedule “H”. When the existing industrial uses leave over time, the lands shall be developed for residential uses. Mitigation measures may need to be incorporated in new development while existing industries remain.
- 11.3.7.2.4** The maximum permitted building height shall be 3-storeys as shown on Schedule “I”.
- 11.3.7.2.5** New development and redevelopment within the Low Density Residential designation shall follow the Residential Design policies of Section 11.3.7.5.

#### **11.3.7.3 Medium Density Residential**

- 11.3.7.3.1** Lands designated as Medium Density Residential on Schedule “H” shall be developed in accordance with Section 4.4.3.5 of this Plan, except as modified by the following additional policies.
- 11.3.7.3.2** The Medium Density Residential designation recognizes existing designated medium density developments as well as some areas for newer developments adjacent to the Mixed Use Corridors and along Beech Street.
- 11.3.7.3.3** The lands on the north and south side of Beech Street are designated Medium Density Residential on Schedule “H”. When the existing industrial uses leave over time, the lands shall be developed for residential uses. Mitigation measures may need to be incorporated in new development while existing industries remain.
- 11.3.7.3.4** The maximum permitted building height shall be 4-storeys or as shown on Schedule “I”.



**11.3.7.3.5** No maximum density is established for this designation as density will be a product of the built form requirements for height, setbacks and step backs.

**11.3.7.3.6** New development and redevelopment within the Medium Density Residential designation shall follow the Residential Design policies of Section 11.3.7.5.

#### **11.3.7.4 High Density Residential**

**11.3.7.4.1** Lands designated as High Density Residential on Schedule “H” shall be developed in accordance with Section 4.4.3.6 of this Plan, except as modified by the following additional policies.

**11.3.7.4.2** The High Density Residential designation recognizes existing apartment development, and also permits both residential development and redevelopment up to 6-storeys, and taller residential development and redevelopment up to 8-storeys in specific areas of the Secondary Plan Area.

**11.3.7.4.3** The minimum height of buildings shall be 4-storeys. The maximum permitted building height is identified on Schedule “I”, or as further restricted by Policy 11.3.7.4.5.

**11.3.7.4.4** No maximum density is established for this designation as density will be a product of the built form requirements for transition, height, setbacks and step backs.

**11.3.7.4.5** New development and redevelopment shall provide a transition in heights and densities adjacent to the Low Density Mature Neighbourhoods and any heritage properties, which may be achieved through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane from any property abutting a low density designation.

**11.3.7.4.6** New development and redevelopment within the High Density Residential designation shall follow the Residential Design policies of Section 11.3.7.5.

#### **11.3.7.5 Residential Design**

**11.3.7.5.1** Lands designated as Low Density Mature Neighbourhoods, Low Density Residential, Medium Density Residential, and High Density Residential shall be developed in accordance with the design policies of Section 6.2 of this Plan, Town established urban design guidelines and the additional policies of this Section.

- 11.3.7.5.2** To fit in with the physical character, new development or redevelopment in Low Density Mature Neighbourhoods shall reflect the predominant building type, height, scale, massing, and setbacks of the block and surrounding residential neighbourhood.
- 11.3.7.5.3** Development or redevelopment within the Werden's Plan HCD shall respect the prevailing front yard setback in the siting of new dwellings and additions should be to the rear of existing dwellings away from public view.
- 11.3.7.5.4** Front yard parking should be minimized in the Werden's Plan HCD. The creation of new parking bays, and new driveways, shall be permitted in side yards or rear yards, in accordance with policies of the HCD Plan.
- 11.3.7.5.5** Lot severances will be discouraged in the Werden's Plan HCD.
- 11.3.7.5.6** New buildings and additions to existing buildings in the High Density Residential designation shall provide for a building step back above the third storey for the portion of the building facing a public street or public park, in order to create a low-rise scale abutting the public realm.
- 11.3.7.5.7** New buildings and additions to buildings in the Medium Density Residential or High Density Residential designations should be massed to establish a continuous streetscape and promote pedestrian scale, with consistent minimum and maximum setbacks.
- 11.3.7.5.8** Principal entrances should face the sidewalk wherever possible and provide direct access onto the public sidewalk.
- 11.3.7.5.9** Site planning should emphasize the importance of landscaped areas, including the provision of shade structures, building entrances and active built spaces at the street line.
- 11.3.7.5.10** For lands designated High Density Residential, projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active streetscapes.
- 11.3.7.5.11** For lands designated Medium Density Residential and High Density Residential, off-street parking areas shall be located underground, at the surface at the rear of buildings, or within above ground parking structures so as to not impact the character of the area or impact pedestrian streetscapes. Common parking areas shall be appropriately screened by landscaping or built form features, or other techniques as may be required through site plan approval. The location of entrances and exists to off-street parking facilities should consider safety and visual impact and be located so as to minimize the interference with street traffic and pedestrian circulation and should not be close to major intersections.

- 11.3.7.5.12** Where side yard parking is exposed to the street on lands designated Medium Density Residential and High Density Residential, it shall be screened by low walls and landscaping to provide a sense of enclosure along the street.

**11.3.7.6 Heritage Mixed Use**

- 11.3.7.6.1** Lands designated as Heritage Mixed Use on Schedule “H” shall be developed in accordance with the policies of Section 4.6 of this Plan, except as modified by this Section.
- 11.3.7.6.2** This designation is intended to permit a broad range of commercial, office, service, and community, institutional and residential uses in a mixed use environment, while respecting and maintaining the historic low-rise character of the area designated on Schedule “H”.
- 11.3.7.6.3** The minimum height of buildings shall be 2-storeys. The maximum permitted building height is identified on Schedule “I”.
- 11.3.7.6.4** No maximum density is established for this designation, as density will be a product of the built form requirements for height, setbacks and step backs as applicable.
- 11.3.7.6.5** Development and redevelopment shall reinforce the “main street” historic character of Brock Street and Dundas Street by locating buildings and storefronts close to the public sidewalk, wherever possible.
- 11.3.7.6.6** Compatible infill development that respects and complements the existing historic built form is encouraged.
- 11.3.7.6.7** New residential units shall not be permitted on the main floor of buildings.
- 11.3.7.6.8** New development and redevelopment within the Heritage Mixed Use designation shall follow the Mixed Use Design policies of Section 11.3.7.9.

**11.3.7.7 Downtown Mixed Use**

- 11.3.7.7.1** Lands designated as Downtown Mixed Use on Schedule “H” shall be developed in accordance with the policies of Section 4.6 of this Plan, except as modified by this Section.
- 11.3.7.7.2** The intent of the Downtown Mixed Use designation is to provide a mix of residential and commercial uses in a pedestrian-oriented manner at a density that supports frequent transit service, creating an expanded, vibrant pedestrian experience within Downtown Whitby. Notwithstanding Policy 4.6.3.3, department stores, major retail uses and supermarkets may also be permitted within the Downtown Mixed Use designation, subject to appropriate provisions in the Zoning By-law.

- 11.3.7.7.3** New buildings shall accommodate retail, office and/or service commercial uses at grade, with residential or additional non-residential uses directed to the floors above. Indoor amenity areas, loading and vehicular access may not be permitted along Dundas Street, Brock Street and Colborne Street. Rather, these uses should be directed to frontages that face other streets or laneways, where possible.
- 11.3.7.7.4** Notwithstanding Section 11.3.7.6.7, where the Downtown Mixed Use designation abuts a residential designation, consideration will be given to permitting the portion of the mixed use development abutting the residential designation to contain residential uses at grade.
- 11.3.7.7.5** The minimum height of buildings shall be 2-storeys. The maximum permitted building height is identified on Schedule "I", or as further restricted by 11.3.7.7.7.
- 11.3.7.7.6** No maximum density is established for this designation as density will be a product of the built form requirements for height, setbacks and step backs.
- 11.3.7.7.7** New development and redevelopment shall provide a transition in heights and densities adjacent to Low Density Mature Neighbourhoods, and any heritage properties, which may be achieved through increased setbacks, intervening low-rise built form and the use of a 45-degree angular plane from any property abutting a low density designation.
- 11.3.7.7.8** New development and redevelopment within the Downtown Mixed Use designation shall follow the Mixed Use Design policies of Section 11.3.7.9.

#### **11.3.7.8 Corridor Mixed Use**

- 11.3.7.8.1** Lands designated as Corridor Mixed Use on Schedule "H" shall be developed in accordance with the policies of Section 4.6 of this Plan, except as modified by this Section.
- 11.3.7.8.2** The intent of the Corridor Mixed Use designation is to accommodate a mix of uses along the Dundas Street and Brock Street Intensification Corridors, providing an extension of the commercial, office and residential uses of the Downtown core. Notwithstanding Policy 4.6.3.3, department stores, major retail uses and supermarkets may also be permitted within the Corridor Mixed Use designation, subject to appropriate provisions in the Zoning By-law.

- 11.3.7.8.3** A mix of uses within the Corridor Mixed Use designation shall be accommodated on individual sites, either within the same building or as separate buildings on the lot. This mix of uses provides flexibility for the evolution of the Corridor Mixed Use area, allowing stand-alone residential, commercial and office uses, as well as mixed-use buildings. Consideration should be given as to how these land use elements will be phased through the development process. A phasing plan may be required to ensure a mix of uses is created in the initial stages of development.
- 11.3.7.8.4** In addition to the requirements of Section 4.6.3.9 of this Plan, where an existing single detached dwelling is converted to a sole commercial use, the conversion must also enhance the pedestrian streetscape, provide on-site parking within the interior of the lot or rear yard, and where a building of historic significance is involved, ensure the heritage attributes of the building are conserved.
- 11.3.7.8.5** The minimum height of buildings shall be 2-storeys. The maximum permitted building height is identified on Schedule "I", or as further restricted by Policy 11.3.7.8.7.
- 11.3.7.8.6** No maximum density is established for this designation as density will be a product of the built form requirements for height, setbacks, step backs and angular plane.
- 11.3.7.8.7** New development and redevelopment shall provide a transition in heights and densities adjacent to the Low Density Mature Neighbourhoods, and any heritage properties, which may be achieved through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane from any property abutting a low density designation.
- 11.3.7.8.8** New development and redevelopment shall enhance the pedestrian comfort along Brock Street and Dundas Street by locating new buildings close to the street, activating the street frontage and enhancing the public realm in front of buildings.
- 11.3.7.8.9** Prior to approval of any mixed use redevelopment for lands south of Consumers Drive, a Comprehensive Block Plan may be required in accordance with Section 6.2.4.2 of this Plan.
- 11.3.7.8.10** New development and redevelopment within the Corridor Mixed Use designation shall follow the Mixed Use Design policies of Section 11.3.7.9.

### **11.3.7.9 Mixed Use Design**

- 11.3.7.9.1** Lands designated as Heritage Mixed Use, Downtown Mixed Use and Corridor Mixed Use shall be developed in accordance with the design policies of Section 6.2 of this Plan, relevant Town established urban design guidelines and the additional policies of this Section.

- 11.3.7.9.2** Mixed use buildings shall be oriented to the street and massed to establish a continuous streetscape, wherever possible, that promotes a pedestrian scale, with consistent minimum and maximum setbacks.
- 11.3.7.9.3** A variety of architectural styles are encouraged in new buildings that compliment the historic built form character of the Heritage Mixed Use designation.
- 11.3.7.9.4** Mixed use buildings should provide active at-grade uses that animate the streetscape along both the frontage and flankage adjacent to public streets.
- 11.3.7.9.5** Within the Heritage Mixed Use and Downtown Mixed Use designations, retail buildings and the ground floor of mixed use buildings should be designed to:
- a) Maintain the existing character of small shops within the Heritage Mixed Use designation, which includes a fine grain of entrances, and/or windows along the street edge;
  - b) Contain clear glazing on windows and doors along front facades to ensure active store frontages;
  - c) Separate, where possible, residential entrances and lobbies along Brock Street and Dundas Street and direct them to side streets or rear entrances; and
  - d) Provide for ground floor heights that reflect the heights of other commercial and mixed use buildings on the block.
- 11.3.7.9.6** Principal entrances shall face the sidewalk, wherever possible, and provide direct access onto the public sidewalk. The primary windows and signage shall also face the street.
- 11.3.7.9.7** Development and redevelopment facing a residential designated area should provide a residential character, wherever possible.
- 11.3.7.9.8** Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in accordance with relevant Town established urban design guidelines.
- 11.3.7.9.9** The design of new development, infill and intensification adjacent to cultural heritage resources shall incorporate principles of heritage conservation and shall be sensitive to the existing resources in accordance with Section 11.3.6 of this Plan and where applicable the Werden's HCD.

- 11.3.7.9.10** Off-street parking areas shall be located underground, in above ground structures, at the rear of buildings or interior to the block, so as to not impact the character of the area or impact pedestrian streetscapes.
- 11.3.7.9.11** Above ground parking structures shall contain active commercial and community uses on the ground floor of a building's frontage and flankage, except facing a Residential designated area. Above ground parking structures in the Heritage Mixed Use designation shall be designed to reflect and fit in with the surrounding heritage character.
- 11.3.7.9.12** Where side yard parking is exposed to the street, it shall be screened by low walls, landscaping, and/or other techniques, to provide a sense of enclosure along the street. Implementation of these techniques may be required through site plan approval.
- 11.3.7.9.13** Parking, driveways, lanes or aisles shall not be permitted between the public sidewalk and the façade of buildings.
- 11.3.7.9.14** The location of entrances and exits to off-street parking facilities should be located so as to minimize the interference with street traffic and pedestrian circulation and should not be close to major intersections.
- 11.3.7.9.15** The development of mid-block entrances to pedestrian mews and pathways is encouraged.

#### **11.3.7.10 Institutional**

- 11.3.7.10.1** Lands designated as Institutional on Schedule "H" shall be developed in accordance with the relevant policies of Section 4.8 of this Plan, except as modified by the following additional policies.
- 11.3.7.10.2** The maximum building height in the Institutional designation will be governed by Schedule "I" and the applicable Zoning By-law with consideration given to the height of existing buildings on each site.

Notwithstanding Section 11.3.7.1, a private office may be permitted, as an exception, on the property located at 400 Centre Street South, identified as Assessment Roll #18-09-030-014-06900, subject to the inclusion of appropriate provisions in the Zoning By-law.

#### **11.3.7.11 Open Space**

- 11.3.7.11.1** Lands designated as Open Space on Schedule "H" shall be developed in accordance with Section 4.9 of this Plan, except as modified by the following additional policies.

- 11.3.7.11.2** New Parks and Urban Squares are shown symbolically on Schedule “H” and shall be further delineated at the time of development review and approval.
- 11.3.7.11.3** New park spaces should accommodate smaller scale uses and activities that can be used by people of all ages and abilities.
- 11.3.7.11.4** The Town will explore opportunities to incorporate interactive placemaking elements, in accordance with the policies of Section 11.3.4, in existing parks such as public art, games, tables, seating, skating rinks, water features, food vendors, outdoor markets, outdoor theatres and distinctive play structures.
- 11.3.7.11.5** Publicly accessible Urban Squares shall be provided, wherever possible, within the Heritage Mixed Use designation and Downtown Mixed Use designations through the redevelopment of existing spaces to:
- a) Promote the identity of the Downtown;
  - b) Allow for a variety of uses, such as spaces for gathering, hosting events, and markets;
  - c) Address the need for more park space in the Downtown; and
  - d) Provide vegetation and diversity in tree and shrub planting.
- 11.3.7.11.6** Urban Squares should be designed with edges that are defined by buildings or other structures where not bound by roads.
- 11.3.7.11.7** Urban Squares should be easily accessible and visible to the public, containing hard landscaping and natural elements, and provide passive recreation uses, programmed activities and a display of public art. Adjacent commercial uses should provide access to and from the Urban Square, wherever possible.
- 11.3.7.11.8** Public-private partnerships between landowners, as part of new development or redevelopment, are encouraged to establish privately owned publicly accessible open spaces.
- 11.3.7.11.9** Residential land uses within the Beech Street area shall include a new park within this new neighbourhood. The location of the new park on Schedule “H” is conceptual.



### **11.3.8 Natural Hazards**

- 11.3.8.1.1** Lands designated as Natural Hazards on Schedule “H” represent floodplain and erosion hazards as determined by the Central Lake Ontario Conservation Authority. These lands shall be developed in accordance with Section 5.3.10 of this Plan and the approval of the Conservation Authority.
- 11.3.8.1.2** Where detailed study in support of a development application confirms that the boundary of a Natural Hazards designation may be refined, development and site alteration may be permitted without amendment to this Plan provided the Conservation Authority concurs with the study findings. When the Natural Hazards designation is removed or reduced, the urban land use designation abutting the area removed or reduced shall apply.

### **11.3.9 Other Policy Directions**

#### **11.3.9.1 Parking**

- 11.3.9.1.1** The development and redevelopment of parking lots within Downtown Whitby will be based on Town Parking Master Plans that are specific to Downtown Whitby.
- 11.3.9.1.2** The Town shall consider means to reduce parking needs, which may include carpool incentives, cycling infrastructure, transit improvements, micro-transit support service and car share services.
- 11.3.9.1.3** Parking is encouraged to be shared between businesses for developments and uses that do not have competing parking needs to reduce overall parking requirements.
- 11.3.9.1.4** The Town may consider cash-in-lieu of non-residential parking where it can be demonstrated that the full parking requirement cannot be provided on-site or in an alternate location. In such cases, the Municipality and the Developer shall enter into an agreement providing for such payment. Within the Heritage Mixed Use designation, cash-in-lieu of parking may be encouraged for in order to retain the heritage character.
- 11.3.9.1.5** The Town shall work with property owners to encourage more efficient use of existing private parking areas for commercial uses and optimize the opportunity for new infill development and cohesive commercial main street development.

#### **11.3.9.2 Roads, Transit and Active Transportation**

- 11.3.9.2.1** The Secondary Plan Area shall be developed in accordance with Section 8.1 of this Plan, except as modified by the following additional policies.

- 11.3.9.2.2** Schedule “H” illustrates the road pattern for the Secondary Plan Area.
- 11.3.9.2.3** Road extensions, as shown on Schedule “H” shall be implemented in a coordinated manner, maintaining the historic grid street layout that is integral to the structure of Downtown Whitby, walkability and vehicular circulation. Local road extensions may be public, private or primary pedestrian connections as determined by the Town.
- 11.3.9.2.4** Development and redevelopment, including any road improvements or reconstruction projects, shall provide, wherever possible, enhanced pedestrian, cycling and other active transportation connections to existing and planned Regional and Provincial transit routes and stations.
- 11.3.9.2.5** Road improvements or reconstruction projects shall consider future transit infrastructure improvements such as bus shelters, bulb-outs and transit signal priorities.
- 11.3.9.2.6** Transportation Demand Management Plans may be required for new development and redevelopments to assist in reducing single occupant vehicle trips.
- 11.3.9.2.7** Arterial road rights-of-way shall consider the needs, safety and comfort of pedestrians, cyclists and automotive users. Priority shall be given to ensuring that public transit facilities and amenities, such as stops, large shelters, seating, posted route schedules and information and dedicated lanes are part of the overall design of the road network over the long term.
- 11.3.9.2.8** New and reconstructed arterial roads shall be built with sidewalks on both sides and cycling provided through on-road facilities and/or off-road multi-use paths.
- 11.3.9.2.9** The location of multi-use paths and the active transportation network will be based on the Town Active Transportation Master Plans in effect. The Town will consider opportunities to join existing disconnected trails and expand multi-use paths, as well as improve wayfinding signage for on and off-road facilities.
- 11.3.9.2.10** Within existing Residential areas, the provision of sidewalks on at least one side of the street should be considered for neighbourhoods that do not provide sidewalks in order to improve accessibility and support a safe and connected pedestrian environment.
- 11.3.9.2.11** Active transportation connections across arterial roads shall be planned at appropriate walking/cycling intervals to reduce barriers between neighbourhoods, improve safety and increase accessibility for all ages and abilities.

**11.3.9.2.12** Flex streets are portions of a public-right-of-way designed to function either wholly or partially, as desired, for pedestrian activities, and/or public events through the use of design elements including, but not limited to, bollards, flexible on-street parking configurations, pavement materials, enhanced streetscapes and/or modified curbs. Portions of Colborne Street and Brock Street within the Heritage Mixed Use and Downtown Mixed Use designations may be designed as a flex street.

**11.3.9.2.13** The Town may consider reducing Brock Street to two lanes between Burns Street and Maple Street in order to expand the pedestrian realm providing opportunities for wider sidewalks, benches, enhanced transit stops, sidewalk cafes and street trees for shading. The reduction of lanes will require a study of traffic impacts on the broader transit network and surrounding road network.

### **11.3.9.3 Servicing**

**11.3.9.3.1** The Secondary Plan Area shall be developed in accordance with the municipal servicing policies of Section 8.2.3 and the site servicing policies of Section 6.2.3.16.

### **11.3.10 Implementation and Interpretation**

**11.3.10.1.1** The implementation and interpretation of this Secondary Plan shall be in accordance with Section 10 of this Plan.

**11.3.10.1.2** Mitigation measures may need to be incorporated in new development in the Beech Street area, while existing industries remain.



# Town of Whitby

## By-law # 7982-23

### Dedication By-law

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

Whereas Subsection 31(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, requires a municipality to enact a by-law in order to establish lands as a highway;

And whereas the Council of The Corporation of the Town of Whitby considers it desirable to dedicate lands as hereinafter described as a public highway.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### 1. General

- 1.1. That the following lands in the Town of Whitby, Regional Municipality of Durham, be and are hereby established as a highway by the Town, and forming part of the highway known as Dufferin Street:
  - a) Part Lot 7, Block 1, Plan H50035, designated as Part 1 on Plan 40R-31906, PIN 26486-0217 (LT); and,
  - b) Part Lots 7 and 8, Block 1, Plan H50035, designated as Part 4 on Plan 40R-31906, PIN 26486-0220 (LT).
- 1.2. That a copy of this By-law be registered in the appropriate Land Registry Office on title to the lands and highways set out herein.
- 1.3. That this By-law shall come into full force and effect upon final passage hereof.

By-law read and passed this 20th day of March, 2023.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk