



Committee of the Whole Revised Agenda

Monday, September 23, 2024, 7:00 p.m.

Council Chambers

Whitby Town Hall

This meeting will be available for viewing through the Town's **live stream feed** while the meeting is in progress. Please visit whitby.ca/CouncilCalendar for more information about the live stream and archived videos.

This meeting will be held in a hybrid in-person and virtual format. In accordance with Section 8.1 of Procedure By-law # 8080-24, 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 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 8 a.m. on the day 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.

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. **Consent Agenda**
 5. **Planning and Development**
 - 5.1 Presentations
 - 5.2 Delegations
 - 5.3 Correspondence

- 5.3.1 Memorandum from T. Painchaud, Sr. Manager, Transportation Services, dated September 6, 2024 regarding Whitburn Street, Speed Hump Engagement Results
- Recommendation:
- That the memorandum from T. Painchaud, Sr. Manager, Transportation Services, dated September 6, 2024 regarding Whitburn Street, Speed Hump Engagement Results be received for information.

5.4 Staff Reports

- 5.4.1 PDE 09-24, Planning and Development (Engineering Services) Department Report

Re: Update to Traffic By-law 8059-24, Pedestrian Crossovers

Recommendation:

1. That Council approve the proposed amendment to Traffic By-law 8059-24, to incorporate the changes to Schedule "Q" of the By-law, as identified in Attachment 3; and,
2. That a By-law to amend By-law 8059-24 be brought forward for the consideration of Council.

5.5 New and Unfinished Business - Planning and Development

6. General Government

6.1 Presentations

- 6.1.1 John Henry, Regional Chair and Elaine Baxter-Trahair, Chief Administrative Officer, Regional Municipality of Durham (In-Person Attendance)

Re: Region of Durham Annual Update

6.2 Delegations

- *6.2.1 Mark Masri, Resident (Virtual Attendance)
- Re: Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated June 14, 2024 regarding a Fence By-law Exemption request for 101 Carnwith Drive West

Refer to Item 6.3.1, Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated June 14, 2024 regarding a Fence By-law Exemption request for 101 Carnwith Drive West

Note: In accordance with Section 11.17 of the Procedure By-law, a Two-Thirds Majority for a motion to hear this delegation is required as the delegation request was received after the deadline.

- *6.2.2 Mark Challenger, Resident (In-Person Attendance)
Re: Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated August 23, 2024 regarding a Fence By-law Exemption request for 1 Glencedar Crescent

Refer to Item 6.3.2, Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated August 23, 2024 regarding a Fence By-law Exemption request for 1 Glencedar Crescent

Note: In accordance with Section 11.17 of the Procedure By-law, a Two-Thirds Majority for a motion to hear this delegation is required as the delegation request was received after the deadline.

6.3 Correspondence

- 6.3.1 Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated June 14, 2024 regarding a Fence By-law Exemption request for 101 Carnwith Drive West

Recommendation:

That the Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated June 14, 2024 regarding a Fence By-law Exemption request for 101 Carnwith Drive West be received for information.

- 6.3.2 Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated August 23, 2024 regarding a Fence By-law Exemption request for 1 Glencedar Crescent

Recommendation:

That the Memorandum from A. Gratton, Sr. Manager of Enforcement Services, dated August 23, 2024 regarding a Fence By-law Exemption request for 1 Glencedar Crescent be received for information.

- 6.3.3 Memorandum from F. Santaguida, Commissioner, Legal and Enforcement Services/Town Solicitor, dated September 3, 2024 regarding a Request of Exception from Fee By-law # 7220-17 - Driveway Encroachment for 89 Garden Street

Recommendation:

That the Memorandum from F. Santaguida, Commissioner, Legal and Enforcement Services/Town Solicitor, dated September 3, 2024 regarding a Request for Exception from Fee By-law # 7220-17 - Driveway Encroachment for 89 Garden Street be received for information.

6.4 Staff Reports

- 6.4.1 LS 13-24, Legal and Enforcement Services Department Report
Re: Proposed Amendments to the Noise By-law

Recommendation:

1. That Report LS 13-24 be received for information; and,
2. That the proposed amendments to the Town's Noise By-law #6917-14 as appended to Report LS 13-24 as Attachment # 1 be brought forward to Council for consideration.

- 6.4.2 CAO 17-24, Office of the Chief Administrative Officer Report
Re: Sustainable Neighbourhood Action Program Pilot Project -
Neighbourhood Selection Report

Recommendation:

1. That Report CAO 17-24 be received for information; and,
2. That Council endorse the delivery of a SNAP Pilot Project in the preferred neighbourhood of West Lynde, as outlined in Report CAO 17-24.

- 6.4.3 CMS 10-24, Community Services Department Report
Re: Gateway Maintenance Program

Recommendation:

1. That Report CMS 10-24 be received for information;
2. That the Town's current level of service as identified as Option 1 in Staff Report CMS 10-24 for the maintenance of fencing, gateway features, decorative fencing and columns be continued; and,
3. That NUB Item GG-0022 "That Staff be directed to report to Council on the implementation of a gateway maintenance program, including additional resources required, to address the repair and rehabilitation of deteriorating gateway signage in subdivisions throughout the Town of Whitby" be removed from the New and Unfinished Business Listing.

- 6.4.4 CMS 11-24, Community Services Department Report
Re: 55+ Recreation Advisory Committee Terms of Reference - Revisions

Recommendation:

That Council approve the revised Terms of Reference for the 55+ Recreation Advisory Committee (Attachment 1).

- 6.4.5 CLK 07-24, Office of the Town Clerk
Re: 2025 Council, Committee, and Public Meetings Schedule

Recommendation:

That Council approve the 2025 Council, Committee, and Public Meetings schedule appended as Attachment 1 to this Report.

- *6.4.6 FES 04-24, Fire and Emergency Services Department Report
Re: Whitby Fire and Emergency Services - Equipment Standardization

Recommendation:

1. That Council approves the standardization of emergency response equipment and fire apparatus, as outlined in Table 1 of Staff Report FES 04-24; for a period of five (5) years, ending September 30, 2029; and,
2. That staff procure standardized equipment outlined in Table 1 of Staff Report FES 04-24 in accordance with the Procurement Policy, and staff be authorized to single source award contracts for items where there is only one authorized supplier/distributor for the Whitby geographical area.

6.5 New and Unfinished Business - General Government

7. Adjournment

Memorandum to Council

Planning and Development Department

Engineering Services



To: Mayor and Members of Council
CC: Roger Saunders, Commissioner, Planning and Development
Peter Angelo, Director, Engineering Services
From: Tara Painchaud, Senior Manager, Transportation Services
Date: September 6, 2024
File #: N/A
Subject: Whitburn Street, Speed Hump Engagement Results

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

The purpose of this memorandum is to update Members of Council on the Whitburn Street Speed Hump Engagement Results.

In 2022, in response to residents' requests, a series of eight speed humps were installed along Whitburn Street, between Rossland Road and Whitburn Park. The design of the humps considered industry standards, driveway locations, etc. The spacing of the speed humps is intentional to reduce travel speeds and limit drivers' ability to speed up between the speed humps. Since the installation of these speed humps, Members of Council have received requests to remove some, or all, of the speed humps.

Through ConnectWhitby, the community was surveyed on whether they wanted the current speed humps on Whitburn Street to be permanently removed, reduced in number, or to be maintained.

Letters requesting input were delivered to the homes on Whitburn Street, as well as Maple Edge Lane, Gilchrist Court, Woodhaven Crescent, Lockridge Street, Kapuscinski Court, Kerrigan Drive, Montrose Crescent, Longford Court, and Lyndhurst Crescent. A QR Code was provided to provide easy access to the ConnectWhitby Survey.

Summary of Results

A summary of the results and common themes are provided below. The results of the survey is also provided as Attachment No. 1. The results are separated by respondents that live on Whitburn Street, those who do not live on Whitburn Street, and combined.

Location and Feedback Received	Permanently Remove	Reduce in Number	Maintain	Total
Whitburn Street Resident	98 (42.4%)	52 (22.5%)	81 (35.1%)	231 (100%)
Non- Whitburn Street resident	134 (42.3%)	93 (29.3%)	90 (28.4)	317 (100%)
Combined	232 (42.3%)	145 (26.5%)	171 (31.2%)	548 (100%)

- A total of 549 responses were received. 231 responses were received from residents that live on Whitburn Street and 318 responses were received from others.
- There was no firm majority received from either Whitburn Street residents or non-Whitburn Street residents.
- Common themes that emerged from the comments received (500+) are as follows:
 - The speed humps are needed and have slowed traffic;
 - Additional traffic calming is needed in the neighbourhood;
 - Alternate traffic calming is needed (lane narrowing, bike lanes, etc.);
 - Speed humps have caused damage to vehicles;
 - Increase in noise as a result of the speed humps;
 - Questions regarding the cost to install and remove;
 - Speed humps are no longer needed as area construction is complete (Brock Street and Rossland Road construction);
 - Experienced increase to emergency vehicle response time;
 - Too many speed humps along the corridor and need to be reduced/removed;
 - Too close together and too close to (now) stop controlled intersections; and,
 - Speeding continues between the speed humps.

Recommendation

The cost to remove the speed humps and reinstall the asphalt surface is estimated to be in the order of \$50,000. Removal has not been considered in the 2025 capital programming. As there was no firm majority for any survey option presented, and considering that satisfying all residents is not possible, staff propose that the speed humps be maintained. The speed humps may be revisited when the road is reconstructed.

Additional traffic calming measures may be considered in the neighbourhood when the Traffic Calming Policy is complete and is being implemented.

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Update Traffic By-law 8059-24, Pedestrian Crossovers

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: PDE 09-24

Department(s) Responsible:

Planning and Development Department
(Engineering Services)

Submitted by:

Roger Saunders, Commissioner,
Planning and Development

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

For additional information, contact:

Peter Angelo, Director, Engineering
Services, x4918

Tara Painchaud, Senior Manager,
Transportation Services, x4937

1. Recommendation:

1. That Council approve the proposed amendment to Traffic By-law 8059-24, to incorporate the changes to Schedule “Q” of the By-law, as identified in Attachment 3;
2. That a By-law to amend By-law 8059-24 be brought forward for the consideration of Council.

2. Highlights:

- New pedestrian crossovers are planned across Whitby annually. Locations are identified based on residents’ requests and prioritizing schools and parks.
- The Traffic By-law requires updating to incorporate the pedestrian crossover locations.
- Capital budget is allocated annually to install pedestrian crossovers.
- There is No Stopping within 30 metres of pedestrian crossovers.
- Through the procurement process Staff will finalize the tender with anticipated installation in late 2024 or early 2025.

3. Background:

Pedestrian crossovers are a relatively new way for pedestrians to cross the road. By law, drivers and cyclists must stop and yield to pedestrians intending to cross the road and remain stopped until the pedestrian has completely reached the other side before driving ahead.

Pedestrian crossovers have ladder-style pavement markings and marked yield bars showing where drivers must stop. Some crossovers have flashing lights that are activated by pedestrian push buttons. Signs are also present instructing drivers to stop for pedestrians.

When there are flashing lights to activate, pedestrians push a button and cross when all vehicles (including cyclists) have come to a complete stop. Motorists must come to a complete stop when signals are flashing or when pedestrians are within the crossover and drivers must not proceed until pedestrians are no longer in the crosswalk.

The Level 2 Type B and Type C pedestrian crossovers are shown in **Attachment 1**. Type C crossovers include rectangular rapid flashing beacons and Type B PXO include side mounted flashing lights as well as overhead signage. Overhead flashing lights may be added to Type B PXO to improve visibility, considering factors such as road geometry, tree lines, and other potential obstructions that impact sightlines.

4. Discussion:

Table 1 presents the list of proposed PXO locations (refer to **Attachment 2** for the location map). The proposed PXO types are based on the provincial guideline, Ontario Traffic Manual (OTM) Book 15, which considers several factors including traffic volume, speed limit, location, and road geometry. Locations were identified based on residents' requests and prioritization of schools and parks. Refer to **Attachment 3** for the proposed amendment to Traffic By-law 8059-24, to incorporate the changes to Schedule "Q" of the By-law. It is noted that Staff have been in discussions with our current contractor for the construction of the Watson Street PXO as part of the spring tender.

Table 1: Pedestrian Crossover Locations

No.	Location	Level 2 Crossing Type	Rationale
1	Anderson Street at Promenade Drive	Type C	Supports students crossing Anderson Street (Type B Arterial)
2	Carnwith Drive at Bayern Drive	Type B	Supports elementary students crossing Carnwith Drive (Type C Arterial)
3	Carnwith Drive at Darius Harns Drive	Type B	Supports elementary students crossing Carnwith Drive (Type C Arterial)
4	Temporary Trail at Water Street	Type B	Supports the temporary Waterfront Trail Detour required for area development/construction

No.	Location	Level 2 Crossing Type	Rationale
5	Garrard Road at Rolling Acres Drive	Type C	Supports elementary students crossing Garrard Road (Type C Arterial)
6	Garrard Road at Westwood Road	Type C	Supports elementary students crossing Garrard Road (Type C Arterial)
7	Watson Street at Victoria Fields	Type C	Included with the spring construction but requires inclusion in the By-law

At the time of writing Report PDE 09-24, the tender document for the pedestrian crossovers was being finalized. Pending approval of the updated Traffic By-law, the tender may be awarded through the regular process. Construction may commence late fall 2024 or early spring 2025.

5. Financial Considerations:

There are six (6) new pedestrian crossovers recommended, via this report, to be installed and included in the Traffic By-law. Incremental costs to implement Level 2 Type C and Type B crossovers are projected to range from \$45,000 to \$60,000. The cost to construct the proposed crossovers are within approved capital projects with available budget (refer to Table 2). The PXO on Watson Street is anticipated to be completed through the spring PXO tender.

Table 2: Budget

Project No.	Project Name	Available Budget	Estimated Costs
35226411	Pedestrian Crossovers	\$694,961	\$315,000
35226001	Pedestrian Crossover – Anderson St. Corridor	\$250,000	\$100,000

6. Communication and Public Engagement:

Staff will continue to work with Communications and Creative Services to provide information to the community regarding the crossings, including driver, cyclist and pedestrian use and expectations. A page has been created on the Town’s website, which includes an informational video created by the Region of Durham.

7. Input from Departments/Sources:

Durham Regional Police Services would enforce any non-compliance of drivers not stopping or not remaining fully stopped until pedestrians have fully completed their crossing.

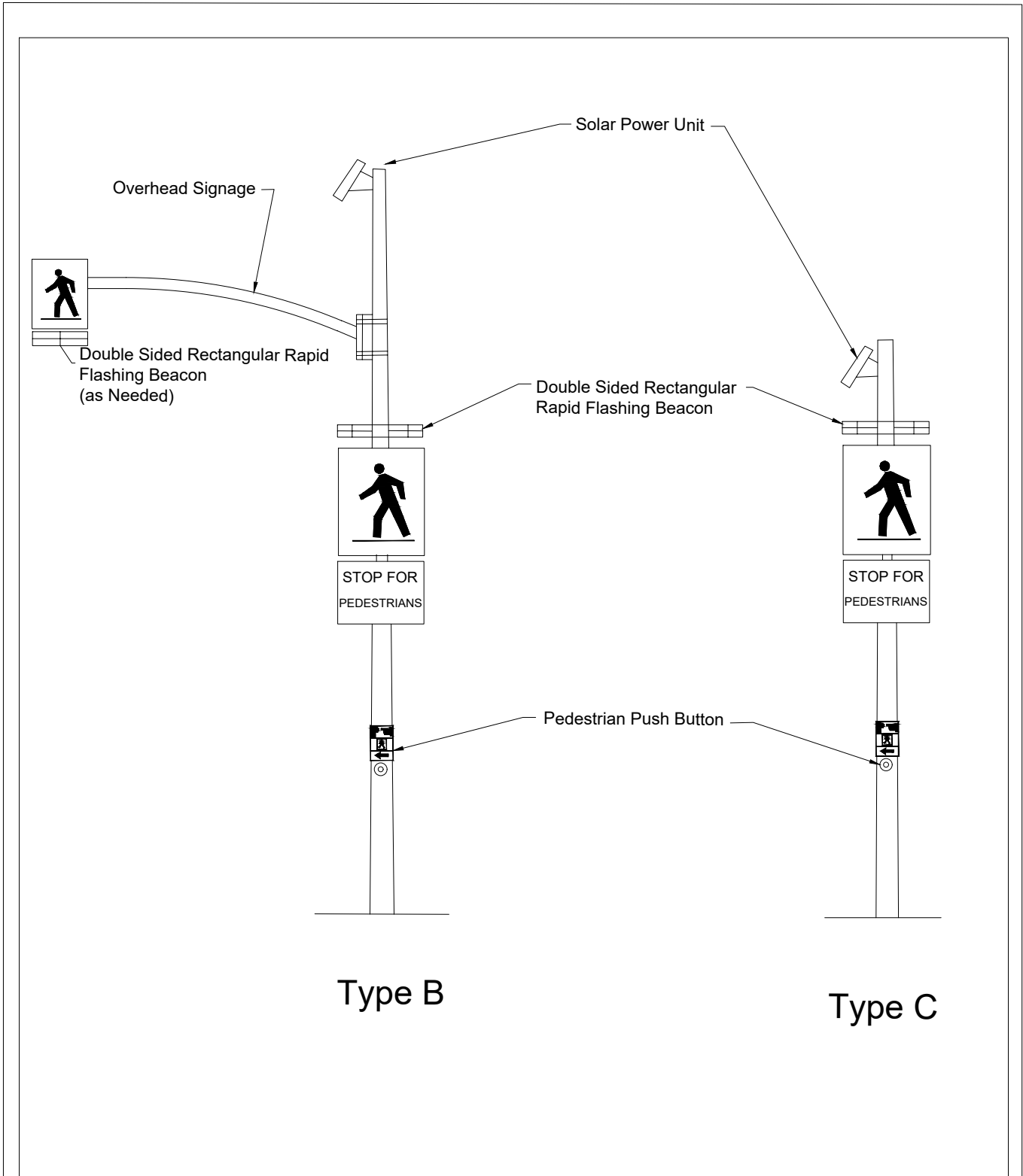
The Town’s Parking Services team would enforce the No Stopping restriction adjacent to the crossing.

8. Strategic Priorities:

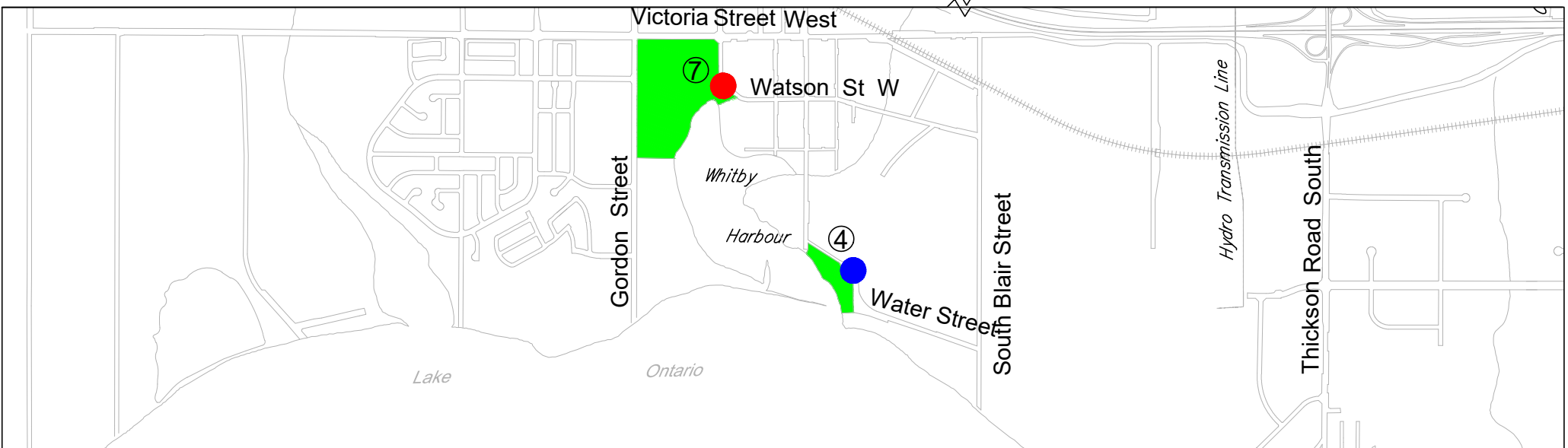
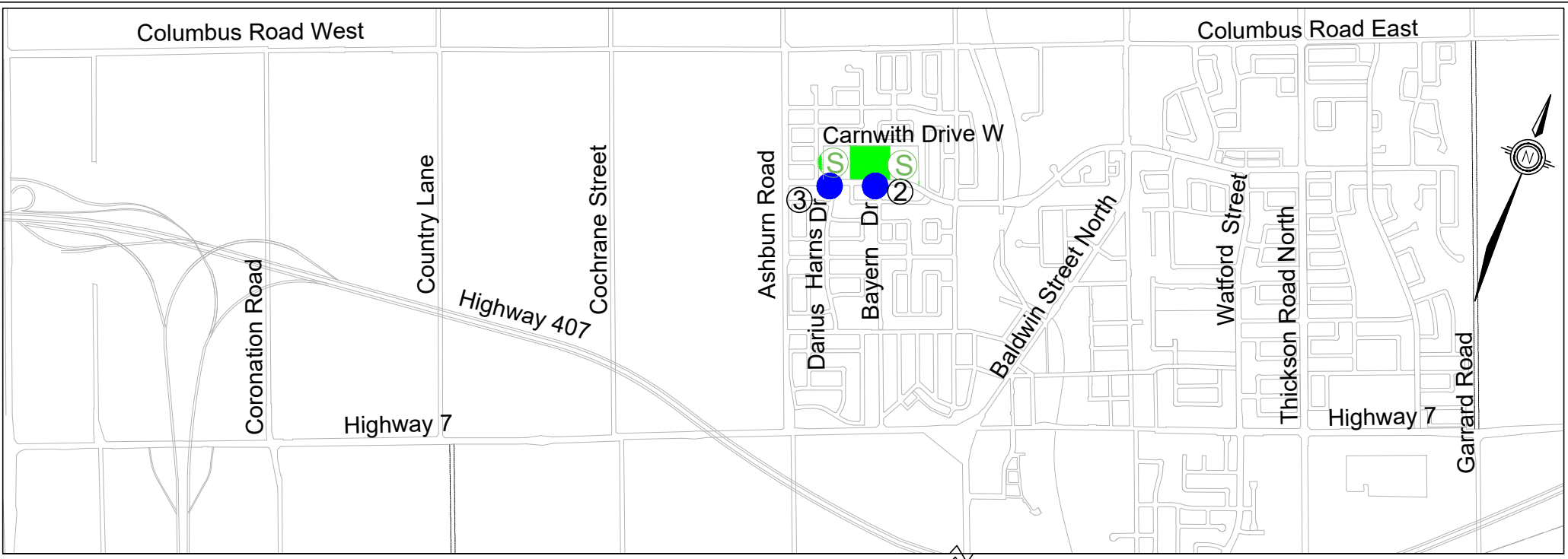
The recommendations contained in this report align with the Whitby's Neighbourhood and Government Pillars of the Community Strategic Plan. Whitby's Neighbourhood Pillar includes opportunities to improve road safety, while the Government Pillar recognizes responding to community needs. In addition, sustainable transportation such as supporting walkability is a key sustainability principle.

9. Attachments:

- Attachment 1 – Type B and Type C Pedestrian Crossovers
- Attachment 2 – Proposed PXO locations
- Attachment 3 – Draft By-law to Update Traffic By-law 8059-24



Pedestrian Crossover Design



Legend

- PXO Type B
- PXO Type C
- S School
- Adjacent Park

List of Proposed Pedestrian Crossover (PXO) Locations

1. Anderson Street at Promenade Drive
2. Carnwith Drive at Bayern Drive
3. Carnwith Drive at Darius Harns Drive
4. Water Street at Temporary Trail
5. Garrard Road at Rolling Acres Drive
6. Garrard Road at Westwood Road
7. Watson Street at Victoria Field (Spring 2024)





Town of Whitby

By-law # Insert Number

Traffic By-law Amendment

Being a By-law to Amend By-law 8059-24, being a By-law to Regulate Traffic and Parking on the Highways and on Certain Private Roadways in the Town of Whitby

Whereas the Council of The Corporation of the Town of Whitby has passed By-law 8059-24 to Regulate Traffic and Parking on Highways in the Town of Whitby;

And whereas, the Council of The Corporation of the Town of Whitby considers it desirable to amend the provisions of By-law 8059-24;

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

1. General

1.1. That Schedule Q, Pedestrian Crossovers, is hereby amended, as described in Schedule A hereto attached.

2. Effective Date

2.1. The provisions of this by-law shall come into force and take effect on the passing thereof and at such time as proper signage and pavement markings have been erected.

By-law read and passed this 7th day of October, 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule A

Schedule Q, Pedestrian Crossovers, to By-law 8059-24, as amended, is further amended by adding thereto the following:

Roadway	Location
Anderson Street	Promenade Drive
Carnwith Drive	Bayern Drive
Carnwith Drive	Darius Harns Drive
Water Street	Temporary Trail
Garrard Road	Rolling Acres Drive
Garrard Road	Westwood Road
Watson Street	Victoria Fields

Table 1 - Schedule Q, Pedestrian Crossovers, to By-law 8059-24, as amended, adding thereto

New and Unfinished Business - Planning and Development

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
P&D-0004	Automated Speed Cameras on Town Roads	That staff report to Council on the feasibility and cost of adopting an Automated Speed Enforcement program on Town Roads in School Safety Zones and Community Safety Zones.	29 Nov 2021	06 Mar 2023	02 Dec 2024	ASE will be considered through the Traffic Calming Policy. Details from the Region of Durham and area municipalities to support future consideration and help identify cost to implement.
P&D-0005	Planning and Development (Engineering Services) Department Report, PDE 02-22 Re: Boulevard Permit Parking Program	That Report PDE 02-22 be referred to Staff to review concerns raised by the Committee.	28 Feb 2022	13 Mar 2023	02 Dec 2024	Boulevard parking will be reviewed and considered as part of the residential parking permit program.
P&D-0007	Thistledown Crescent Emergency Access Review	That Staff be directed to report on the following issues: c. Following the opening of Thistledown Crescent to Taunton Road, the implementation of a monitoring program with 24/7 traffic counter device to obtain traffic data on speed, volumes, and other metrics and report back to Council within one year of the road opening regarding the traffic impacts of the development and whether any additional traffic calming measures are required.	07 Mar 2022	TBD		The road has not been constructed. Monitoring, through Radar Message Boards, and observations will occur following the opening of the roadway. Timing is currently unknown. Date to report back will continue to be delayed until construction/opening is known.

New and Unfinished Business - Planning and Development

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
P&D-0012	PDP 66-22, Planning and Development (Planning Services) Department, Financial Services Department, and Legal and Enforcement Services Department Joint Report Re: Ontario Bill 109, More Homes for Everyone Act, 2022	3. That staff report back to Council following completion of the Development Application Approval Process and Fee Review study regarding any further proposed process and fee changes required to adequately address the impacts of Bill 109.	12 Dec 2022	04 Dec 2023	21 Oct 2024	Report back following completion of DAAP in 2024.
P&D-0019	PDE 05-24, Planning and Development (Engineering Services) Department Report Re: Update Traffic By-law - No Parking on Hunter Street	This item was deferred at the Committee of the Whole meeting on June 10, 2024 to a future meeting to allow Town Staff and affected residents an opportunity to meet and review.	24 Jun 2024	28 Oct 2024		
P&D-0020	PDE 06-24, Planning and Development (Engineering Services) Department Report Re: Garden Street On-Street Parking Consideration	This item was deferred at the Committee of the Whole meeting on June 10, 2024 to a future meeting to allow Town Staff and affected residents an opportunity to meet and review.	24 Jun 2024	28 Oct 2024		

Confidential

Memorandum to Council

Legal and Enforcement Services

Enforcement Services Division



To: Mayor and Members of Council

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

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

From: Andre Gratton, Sr. Manager of Enforcement
Services

Date: June 14, 2024

File #: N/A

Subject: Fence By-law Exemption request for 101
Carnwith Drive West, Brooklin

Staff have received the June 10, 2024, Fence By-law height exemption request of Mark Masri of 101 Carnwith Drive West, Brooklin. The request letter is included as **Attachment 1** to this memorandum. Mr. Masri is requesting a height exemption for his rear yard fence beyond 2.2 metres, or 7 feet 2 inches.

Background

Staff responded to a complaint of an illegally constructed fence in April 2023. Staff educated the property owner on the maximum height restrictions and exemption sections contained within the Town's Fence By-law # 4394-99, as amended (the "**Fence By-law**"). For Mr. Masri's fence, the Fence By-law allows for a fence of no more than 2 metres (6 feet 7 inches) tall.

The Town's Fence By-law also delegates authority to the Commissioner of Legal and Enforcement Services/Town Solicitor to approve exemptions of up to 10% beyond the maximum fence height, or 2.2 metres (7 feet 2 inches). Mr. Masri requested, and was granted, an exemption for his fence by Commissioner Santaguida for a fence of up to 2.2 metres in keeping with the delegated authority. For areas of the fence above 2.2 metres tall, Mr. Masri had until March 4, 2024 to remove those sections of the fence. Mr. Masri did not remove those sections of the fence and has been issued an infraction under the Fence By-law for those areas.

The orientation of 99 and 101 Carnwith Dr. W is odd, where a long-narrow lot was subdivided into two lots, where 99 Carnwith Dr. W is behind the rear yard of 101 Carnwith Dr. W, as shown in Figure 1, below.



Figure 1

Next Steps

Should a Member of Council wish to have this request considered by Council, please contact the Town Clerk or Deputy Town Clerk to have this matter added to a Council or Committee Agenda. If the request is not pulled by Council by July 5, 2024, staff will consider Mr. Masri's request rejected.

Any questions related to this matter may be directed to the Author or the Commissioner of Legal and Enforcement Services/Town Solicitor.

August 26, 2024

Councillor's Steve Yamada & Chris Leahy
The Town of Whitby
575 Rossland Rd E
Whitby, ON

Re: Fence Allowance - 101 Carnwith Drive West, Brooklin

Dear Councillors Yamada & Leahy:

Firstly, thank you in advance for agreeing to review our situation and provide assistance with the matter contained herein.

I am writing to respectfully request an exemption for the height regulation on fencing within our neighbourhood. The peaceable enjoyment of our backyard has been significantly compromised due to several factors; notably vehicular disturbances and an unconventional lot severance that complicates following by-law requirements. It bears mentioning that we have gone through the process of applying for a variance with the Fence Department, however the Commissioner of Legal and Enforcement Services, Mr. Santaguida, was only authorized to grant a height of 7-feet, 2-inches.

Our family values privacy and tranquility, both of which would be jeopardized by the lack of a sufficient barrier. The incessant noise, from regular disturbances/ environmental concerns created by vehicles driving up/down the driveway on the abutting east side and around the back of our property, disrupts our peace and also imposes anxiety-inducing factors on our family. As I'm sure you can appreciate, this anxiety, stemming from the constant intrusion of external disturbances, impacts our quality of life and mental well-being.

Moreover, the unconventional lot severance we have to deal with, due to the abutting property's(99 Carnwith Drive W) front door/windows/driveway looking into our backyard, makes it challenging to adhere to the standard regulations without sacrificing our privacy.

Given these unique circumstances, we implore you to consider granting an exemption to accommodate a fence of 9-feet, 4-inches. Doing so would not only alleviate the disturbances we endure but also enable us to reclaim the peace and privacy essential for our family's well-being.

Thank you kindly,



Mark Masri



Confidential

Memorandum to Council

Legal and Enforcement Services

Enforcement Services Division



To: Mayor and Members of Council

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

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

From: Andre Gratton, Sr. Manager of Enforcement
Services

Date: August 23, 2024

File #: N/A

Subject: Fence By-law Exemption request for 1
Glencedar Crescent

Staff have received the August 9, 2024 Fence By-law height exemption request of Mark Challenger of 1 Glencedar Crescent. The request letter is included as **Attachment # 1** to this memorandum. Mr. Challenger is requesting a height exemption for his rear yard fence beyond 2.2 metres, or 7 feet 2 inches to construct a fence of up to 2.4 metre, or 8 feet.

Background

Staff responded to a complaint of a hedge which obstructs a sidewalk. Staff educated the property owner on the complaint received and applicable Encroachment By-law. The owner had several discussions with staff and indicated that he would remove the hedge. Staff and the owner noted that pruning may cause health and safety concerns as removing the vegetation would expose sharp stems. Staff have been working with the resident to encourage voluntary compliance and have given several time extensions to comply with the provisions of the by-law.

The owner has indicated that he wishes to install an 8-foot fence in place of the hedge once the hedge has been removed.

1 Glencedar is a corner lot which fronts onto Glencedar and Bridgewater Avenue. The hedge in question runs parallel with Bridgewater Avenue and lines the backyard of the residence (**See Figure # 1**).

Figure 1



Staff Comments

As the hedge in question does not border an adjacent property this request does not need to be calculated to any neighbouring properties. Staff do not have any opposition to the 8-foot fence request but recommend that the fence should only be erected in the backyard portion of the yard (directly replacing the existing hedge) and be placed onto Mr. Challengers property. It should be noted that, any replacement or repairs required to the fence in the future would be the responsibility of the owners of 1 Glancedar Crescent.

Next Steps

Should a Member of Council wish to have this request considered by Council, please contact the Town Clerk or Deputy Town Clerk to have this matter added to a Council or Committee Agenda. If the request is not pulled by a Member of Council by September 6, 2024, staff will consider Mr. Challengers' request denied.

Any questions related to this matter may be directed to the Author or the Commissioner of Legal and Enforcement Services/Town Solicitor.

Dear Whitby Council,

I am writing to request an exemption to the current fence by-law. I have been asked to comply with a by-law complaint to trim my hedge along the sidewalk at 1 Glencedar acres, and I am in the process of complying with this request.

Since the hedge is so large, trimming it has killed it, so I am removing it permanently. To ensure my family has privacy, since my backyard is on a slope, I plan to install an 8 ft. fence, which is higher than the current by-law permits.

Can you tell me what the process is for moving forward with the by-law exemption request? I have spoken to both of my adjacent neighbors and they are currently happy with my plan.

Thank You.

Mark Challenger



Memorandum to Council

Legal and Enforcement Services

Legal Services Division



To: Mayor and Members of Council

CC: Roger Saunders - Commissioner, Planning and Development Services
Peter Angelo – Director, Engineering

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

Date: September 3, 2024

File #: N/A

Subject: Request for Exception from Fee By-law #7220-17 – Driveway encroachment for 89 Garden Street

Acknowledged by M. Gaskell, Chief Administrative Officer

Background

Mr. Paul Mason, owner of the home located at 89 Garden Street, made a request to the Town to encroach into adjacent Town-owned land to expand his driveway to accommodate the parking of an additional vehicle at his property. Mr. Mason’s request is included as **Attachment 1** to this Memorandum. Mr. Mason would be losing a portion of the driveway apron due to the construction and capital improvements on Garden Street. A map of the property and the proposed encroachment is included as **Attachment 2** to this memorandum. The neighbouring Town-owned lands are a part of Lynde Creek and zoned “Open Space” (the “Town Lands”).

Staff have reviewed Mr. Mason’s request for an encroachment, and do not oppose his request. In order to facilitate the construction of the addition to his driveway, 89 Garden Street requires three (3) minor variances, two for his property and one for the Town Lands. An encroachment agreement with the Town would also be required.

Mr. Mason has asked that the Town’s fees pursuant to Fee By-law #7220-17 be waived to facilitate the extension of his driveway and encroachment, as he has indicated that it would not be needed but for the changes the Town is making to Garden Street.

Discussion

Mr. Mason would be liable for \$4,164 in Fees for his request

In order to facilitate the extension of his driveway into the Town Lands, Mr. Mason would be liable for the following fees:

Fee	Quantity	Cost (no HST applicable)
Minor Variances for 89 Garden Street	2 @ \$1,000.00 each	\$2,000.00
Minor Variances for Town Lands	1 @ \$1,000.00	\$1,000.00
Encroachment Application	1 @ \$385.00	\$385.00
Encroachment Agreement	1 @ 564.00	\$564.00
Encroachment Annual Fee*	1 @ \$215.00/year	\$215.00
TOTAL		\$4,164.00

* The annual fee is based on an encroachment area of greater than 10 square meters (100 square feet), and would be payable every year the encroachment is in place.

Staff support a reduction in the Encroachment Annual Fee, and do not support the exception of any other fees for 89 Garden Street

Both the fees for the minor variances and encroachments have been paid by multiple residents and businesses throughout the Town, and staff do not support an exception for those fees.

The fees are meant to recover the Town's costs in evaluating and preparing the applications and agreements, and a waiver or exception from the fees would mean those costs are recovered through the tax roll. Further, it would not be fair to the residents and businesses who willingly pay these fees to achieve their goals. While the need for additional parking and the encroachment may be a result of Town works, the lost parking area is within the boulevard (windrow) in front of 89 Garden Street, which is also owned by the Town and technically not permitted for vehicle parking. It is important to note that the property has a double car garage and a double car driveway, which exceeds the Town's minimum parking requirements outlined in the Zoning By-law.

A review of the Encroachment process is currently underway. The author anticipates that the review will result in annual residential encroachment fees being reduced. On a one-time basis, the author would be willing to waive the annual encroachment fee recognizing that Mr. Mason previously had the benefit of using the boulevard in front of his home for vehicle parking.

Although not related to the request for the encroachment, Engineering Staff have met with the Garden Street residents, including Mr. Mason, to receive input related to on-street parking and parking options for the residents fronting onto Garden Street. A report from the Engineering Division of Planning and Development Services is forthcoming in the Fall.

Next Steps

Any reduction or exception for minor variances under Fee By-law #7220-17 requires the authorization of Council. The author has the authority to waive fees related to encroachments in exceptional circumstances. In the opinion of the author, this is not an exceptional circumstance.

In order for the required fees to be reduced and/or waived, a Member of Council must contact the Office of the Town Clerk on or before **Friday, September 20, 2024** to request that this matter be considered by Council. Should no request be received by that date, Town staff will consider the request refused.

Should you have any questions, please contact the author.

From: [Narraway, Kevin](#)
To: [Narraway, Kevin](#)
Subject: FW: Encroachment agreement - 89 Garden St.
Date: August 23, 2024 6:54:56 PM

From: Paul Mason [REDACTED]
Sent: Sunday, June 23, 2024 10:07 PM
To: Internet, Clerk <clerk@whitby.ca>
Cc: Narraway, Kevin <narrawayk@whitby.ca>
Subject: Encroachment agreement - 89 Garden St.

[EXTERNAL EMAIL]

Good afternoon,

Over 2 years ago I inquired about an encroachment agreement for a small section of land to the north of my property. The reason I inquired was due to the loss of a section of our driveway apron due to modifications to Garden Street.

At the time I was led to believe my only cost would be if I were to pave that small piece of land.

I held off proceeding when I received a letter from the Town informing me it would be \$2000 just to apply, that it would likely be denied, and if approved would be another \$1,000 plus \$110 to \$220 per year.

I am now told the Town no longer has an objection to the minor loss of open green space. I am writing this email to ask that all fees in this project be waived.

To reiterate, the only reason I'm asking for an encroachment agreement is due to the shortening of our driveway apron. I found out about it accidentally when inquiring about the signal light being installed just north of our property. The town not notifying us of this has been frustrating. At no point did they ever send an official notice.

Furthermore, now that the project is complete, it is clear to me that modifications to the road widening project could have been made to reduce or even eliminate the loss of the apron by widening more on the west side. The town said they didn't want to incur any cost in redesign. I don't believe we should incur any cost either (except for eventually paving the space).

The shortened apron has decreased maneuverability and safety as we move vehicles around.

We can no longer have vehicles pull in after ours and not completely block the sidewalk. We also used to be able to park a vehicle perpendicularly across the apron when necessary. Now it's impossible with a large vehicle and at best unsafe with a small vehicle.

Thanks for your help with this. I look forward to hearing back from the Town Council.

Regards,
Paul



89 Garden Street
Encroachment Area

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Proposed Amendments to the Noise By-law

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: LS 13-24

Department(s) Responsible:

Legal and Enforcement Services

Submitted by:

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

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

For additional information, contact:

Andre Gratton, Sr. Manager of
Enforcement Services

1. Recommendation:

1. That Report LS 13-24 be received for information.
2. That the proposed amendments to the Town's Noise By-law #6917-14 as appended to Report LS13 24 as Attachment # 1 be brought forward to Council for consideration.

2. Highlights:

- The Town's Noise By-law # 6917-14 was adopted in 2017 and is a qualitative style by-law which prohibits certain general and defined noise after a certain time of day, i.e. no noise generally after 9:00p.m.
- The Town's Noise By-law # 6917-14 has been amended on two occasions to improve its enforcement and to better serve the community.
- Staff completed a substantial review of the Noise by-law in 2021 and 2022 which produced Reports [LS 11-20](#), [LS 05-22](#) and [LS 03-23](#).
- Staff have implemented several operational changes to improve noise response which included the implementation of Enforcement Services Officers (ESOs) in July 2023.

- The current language in the Enforcement and Penalties section limits Enforcement Services' ability to file Part III charges before the Ontario Court of Justice and requires amending.
- Staff also seek to amend the by-law to broaden the definition of "point of reception" to address concerns that have arisen from enforcement.

3. Background:

Staff continue to utilize the technology and tools available to enforce noise infractions

The Town of Whitby's Noise By-law # 6917-14 (the "**Noise By-law**") is a qualitative/objective style by-law that sets out prohibited types of noise that infringe on the reasonable enjoyment of others (e.g., the playing of instruments at such a volume that it is audible from the interior of a residence or business whose occupant has made every reasonable attempt to mitigate the reception of the noise). In addition, the Noise By-law contains restrictions on times at which certain noise is prohibited in residential and other areas (e.g. no music from musical instruments after 9:00 p.m.).

Currently, as a requirement of the Town's prosecutions and the Ontario Court of Justice, residents are required to log their observation of alleged Noise By-law infractions and attend the hearing of the infraction in court to give testimony. This process is similar to noise infractions in other municipalities in Durham Region.

Since 2022, Enforcement Services has taken the lead on gathering observations when noise complaints are received, where operationally feasible, to limit the need for residents to gather such observations and attend court to enforce the complaint. This lead role was increased by the implementation of Enforcement Services Officers in 2023 who regularly work overnights and can best respond to alleged noise violations afterhours.

To increase response as result of the needs of the community, staff implemented an after-hours auto-attendant in August 2024 that connects residents with an ESO on duty. Similar initiatives in previous years to address noise complaints were reasonably successful but were paused due to staffing challenges the Enforcement Services faced in previous years.

Charges under Part III of the *Provincial Offences Act*

Part III proceedings under the *Provincial Offences Act*, RSO 1990, P.33, as amended, involve more serious offences for which charges are laid through a sworn document called an "Information" and must be brought before a justice of the peace for a hearing. Part III proceedings can also result in the issuance of arrest warrants and more severe penalties (e.g., probation orders or imprisonment). In the Town, Part III offences may be laid for certain *Municipal Act, 2001* and *Planning Act* by-law contraventions, including noise, site alteration, and zoning offences.

Part III charges differ from Part I (minor offences) and Part II (parking offences) charges in that Parts I and II charges can be resolved through the payment of a set fine, which is usually less than the fine for Part III charges.

4. Discussion:

The Town has experienced challenges prosecuting Noise By-law charges under Part III of the *Provincial Offences Act*

Through a recent prosecution, staff were advised that the Enforcement and Penalties section of the Town's Noise By-law 6917-14 requires amendments to address laying of noise by-law charges under Part III of the *Provincial Offences Act*. The current language limits Enforcement Services ability to file Part III charges before the Ontario Court of Justice. Section 6.2 of The Enforcement and Penalty Section currently states:

Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a penalty as provided by the Municipal Act.

The above language is a challenge to enforce under a Part III charge, as the *Municipal Act, 2001*, does not have a penalty section but rather gives jurisdiction for the municipal by-law to establish a system of fines within the by-law provisions (see below). Unfortunately, the Town's Noise By-law #6917-14, as amended, does not contain a system of fines.

Section 429 of the Municipal Act provides the authority for the Town to establish a system of fines for offences under a by-law with the restrictions as set out in section 429(3).

Staff recommend that Section 6.2 of the Town's Noise By-law # 6917-14, as amended, be further amended to reference the general penalty section in the Provincial Offences Act s. 61 for Part III charges to a maximum fine of \$5,000 (see **Attachment # 1**). \$5,000 is the maximum fine permitted under Part III of the *Provincial Offences Act*.

Enforcement Services staff have had challenges tracking noise under the current definition of "point of reception"

In addition to the above, staff have identified language within the by-law which limits Enforcement Services staff action and take the lead on making noise observations. The language within the definition of "point of reception" implies observations are taken by a resident.

"point of reception" means any point on the premises of a person where noise, originating from other than those premises, is received;

Staff recommend the definition of a "point of reception" be amended to allow Officers to use their own discretion from a neutral area such as a nearby Park or Highway as a point of reception to determine, or to use a particular property as a point of reception. This amendment will assist Enforcement Services lead on alleged Noise By-law contraventions.

5. Financial Considerations:

N/A

6. Communication and Public Engagement:

N/A

7. Input from Departments/Sources:

N/A

8. Strategic Priorities:

This report generally advances Strategic Pillar 1: Whitby's Neighbourhoods, Objective 1.1: Improve community safety, health and well-being, Action 1.1.3: Identify opportunities to improve response to disruptive noise which affects the health and well being of the community and its residents.

This report also advances Strategic Pillar 4: Whitby's Government, Objective 4.3: Deliver exceptional customer service and community engagement, Action 4.3.1: 4.3.1 Continually improve the customer experience through the use of technology, more flexible payment and service options, and the implementation of a consolidated customer contact centre. Enforcement services is utilizing technology to create a simple and efficient way for residents to report noise disturbances and improve response by Enforcement Service to after-hours noise concerns.

9. Attachments:

Attachment # 1- Draft By-law - Proposed amendments to the Noise By-law # 6917-14, as amended.



Town of Whitby Draft By-law # XXXX-24

Amendment to Noise By-law # 6917-14

Being a By-law to amend Noise By-law # 6917-14, as amended.

Whereas the Council of The Corporation of the Town of Whitby considered Report LS-13-24 regarding the proposed amendments to Noise By-law # 6917-14, as amended at the Committee of Whole meeting on September 23, 2024; and,

Whereas Council deems it necessary to amend the Noise By-law to amend the Enforcement and Penalties section and to amend the definition of "Point of reception", in accordance with the recommendations contained in Report LS 13-24.

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

1. General

1.1 Section 1.13. "Point of reception" be deleted and replaced with the following

"point of reception" means any point on the premises of a person or a property, where noise originating from other than those premises, is received. For clarity, a point of reception may include, but is not limited to, a highway, right-of-way, boulevard, park or other area that an officer deems appropriate to observe noise under this by-law.

1.2 That Section 6.2 be deleted and replaced with the following;

6.2 Every person who contravenes a provision of this By-law is guilty of an offence and is liable on conviction to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended.

2. Effective Date

The provisions of this By-law shall come into force and take effect on the final passing of the By-law.

By-law read and passed this 7th day of October, 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Sustainable Neighbourhood Action Program Pilot Project - Neighbourhood Selection Report

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: CAO 17-24

Department(s) Responsible:

Office of the Chief Administrative Officer

Submitted by:

Sarah Klein

Director, Strategic Initiatives

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

For additional information, contact:

Junaid Khan, Project Manager,
Sustainability & Climate Change

1. Recommendation:

1. That Report CAO 17-24 be received for information; and,
2. That Council endorse the delivery of a SNAP Pilot Project in the preferred neighbourhood of West Lynde, as outlined in Report CAO 17-24.

2. Highlights:

- The Sustainable Neighbourhood Action Program (SNAP) has been identified as a priority in Whitby's Climate Emergency Response Plan, Phase 1: Resilience.
- The purpose of Whitby's SNAP is to identify and develop an action plan for neighbourhood revitalization to integrate local community interests and sustainability objectives such as stormwater management, energy conservation, and natural heritage.
- Whitby's SNAP has been divided into three (3) phases, and staff are currently focusing on Phase 1:
 - Phase 1 - Background research, neighbourhood selection, scoping of issues, and identification of stakeholders and interests of the community.

- Phase 2 - Defining motivational themes and action areas. Identifying project concepts and completing action plan.
- Phase 3 - Shaping signature projects, actions and implementation.
- Three candidate neighbourhoods: West Lynde, Fallingbrook, and Meadowcrest were identified based on Town documents and Town staff's knowledge of opportunities to meet the sustainability objectives of the SNAP Model.
- A Whitby SNAP Pilot Screening Analysis has been developed for the three neighbourhoods to identify a priority neighbourhood for the program. Six sustainable categories were selected to incorporate and assess information about building age and archetypes, infrastructure and mobility, flood safety and erosion risk reduction, natural environment and watershed systems, parks, recreation and culture, and human health and well-being.
- The Town has provided initial funding to Central Lake Ontario Conservation Authority (CLOCA) in 2023 in the amount of \$80,000. Additional funding may be provided by the Town from Capital Project 55217604 Durham Climate Change Adaptation Plan (DCCAP), should it be required.
- Based on the screening and selection process and in close consultation with staff from the Project Management Team, Town of Whitby staff recommend the West Lynde Neighbourhood for the Whitby SNAP Pilot Project.

3. Background:

Staff Report CAO 26-23 Whitby's Climate Emergency Response Plan (CERP) – Phase 1: Resilience, was endorsed by Council in September of 2022 and implementation of the Plan commenced in 2023. One of the major sub-actions of CERP initiated in 2023 is the development of a Sustainable Neighbourhood Action Program (SNAP) pilot project in partnership with the CLOCA. CLOCA's Board endorsed the delivery of a SNAP pilot project in the Town of Whitby in September 2023. As such, the Town entered a formal partnership with CLOCA for the delivery of a SNAP pilot project within a neighbourhood in Whitby through a Memorandum of Understanding. The SNAP pilot project was initiated as per sub-action 3.2.5 of the Implementation Plan: "Select a neighbourhood for a pilot project to install green infrastructure, with signage and community participation where possible."

SNAP is a replicable program and process developed by the Toronto and Region Conservation Authority (TRCA) that helps to implement complex and interconnected watershed plans, municipal strategies, and climate change adaptation and mitigation plans by bringing together a diverse group of stakeholders to encourage and support climate action. To date, TRCA has implemented SNAPS in neighbourhoods across Peel Region, York Region, Toronto, and Peterborough. In Durham Region, the Ajax SNAP was implemented in 2023 in partnership with the Region of Durham, TRCA, and the Town of Ajax. A communication piece, *Activating Neighbourhoods – Sustainable Neighbourhood Action Program, Toronto and Region Conservation Authority* prepared and published by the TRCA is provided in Attachment 1 for further details.

Using the SNAP's model of a multi-objective approach, several environmental and climate priorities can be addressed and informed to deliver significant social and economic benefits in the Whitby SNAP pilot project. The collaborative approach aims to build implementation partnerships and capacity in local leaders for sustained action. The following specific priority objectives have been identified for this project:

- Urban forest enhancements
- Improved stormwater management
- Energy efficiency and Greenhouse Gas (GHG) emissions reduction
- Infrastructure renewal
- Human health outcomes
- Reducing heat stress resulting from unnatural heat waves
- Supporting populations at risk of the impacts of climate change
- Community engagement

This program will also benefit Durham Region in delivering on commitments outlined in the Durham Climate Change Action Plan, Durham Community Climate Adaptation Plan, and the Durham Community Energy Plan.

Work related to climate change adaptation and resilience planning and action at the community level also directly supports several of CLOCA's core strategic priorities, including watershed planning and health, sustainable solutions to watershed management to build climate resilience, and community engagement and education. By taking a leadership role in the development and delivery of the Whitby SNAP pilot project, CLOCA staff will not only develop new expertise and capacity to leverage the delivery of future projects within the Town of Whitby but also to other Durham Region area municipalities within its jurisdiction.

The Whitby SNAP Pilot is divided into three phases, and this Report focuses on Phase 1.

Phase 1 - Background research, Neighbourhood selection, scoping of issues, and identification of stakeholders and interests of the community.

Phase 2 - Defining motivational themes and action areas. Identifying project concepts and completing action plan.

Phase 3 - Shaping signature projects and actions and implementation.

4. Discussion:

The Town of Whitby continues to demonstrate leadership in environmental sustainability by developing and implementing a diverse range of projects and programs that address air quality, waste management, natural cover, water quality, and climate change. These projects and programs require cross-collaboration between all divisions at the Town of Whitby and with external stakeholders. In 2023, the Town of Whitby worked with the Region of Durham and CLOCA to scope the Whitby SNAP pilot project, as the first in CLOCA's jurisdiction.

SNAP Governance

The project is governed by a Project Management Team (PMT) comprised of staff from relevant departments in the Region of Durham, the Town of Whitby, and CLOCA with the potential to include representatives from interested community organizations.

The purpose of the PMT is to provide overall leadership, strategic guidance, direction, and support for the initiation, development, and implementation of the Whitby SNAP pilot project. The PMT's involvement will support integrated implementation, ensure duplication is avoided, resources are efficiently leveraged, and foster cross-departmental and multi-level governmental coordination.

CLOCA will lead overall project responsibilities, including workplan development and delivery in collaboration with the PMT. As part of its role, CLOCA will lead stakeholder and community engagement, technical and design services as necessary, project design, implementation and documentation. The Region of Durham and the Town of Whitby will provide input/updates, assist in seeking relevant departmental approval and advocate for the project throughout their internal and external networks. They may lead special working groups and implementation projects, as appropriate, and assist with communications and engagement activities.

CLOCA has existing planning tools, data, a range of relevant technical experts to draw on, and the necessary internal infrastructure to support this type of program; however, this new program/service has required them to bring on a new dedicated SNAP Coordinator to develop and deliver the program on behalf of the partnership described above.

A Program Memorandum of Understanding (MOU) between the Town of Whitby and CLOCA has been executed, outlining roles and responsibilities, project scope, workplan and deliverables, and approved total budget. The agreement also outlines future funding needs to help develop and implement identified actions.

SNAP Deliverables

Recognizing that incorporating high-level technical and strategic planning documents is essential to getting it right, the Whitby SNAP pilot project will apply the guidance provided by those documents and truly focus on collaborative action planning and mobilization. Key project deliverables are as follows:

- Stakeholder and partner identification, characterization, and engagement. This includes engaging individuals from the Region, Town, CLOCA, residents, businesses, and organizations.
- Identification of community priorities related to climate change resilience.
- Initiation of at least one “quick start” implementation project within the first year of the program. This project could include home energy retrofits, lot-level stormwater management, urban forestry improvements, pollinator habitat creation, or other climate change resilience projects.
- Completion of a Neighbourhood Action Plan.

The Whitby SNAP pilot project will require meaningful engagement of the community and implementation partners throughout all three phases. To support this, the Whitby SNAP pilot project will integrate innovative approaches as well as lessons learned from other successful SNAP engagement programs implemented across the Greater Toronto Hamilton Area (GTHA). Final project documentation will include an Action Plan summary report, Neighbourhood Action Plan concept map(s), concept designs for implementation projects, expected outcomes and targets, and an implementation framework. The Action Plan will form the rationale for any future budget and/or funding requests.

Neighbourhood Selection Process

As an initial step toward selecting a neighbourhood for the Whitby SNAP pilot project, Town of Whitby staff identified three candidate neighbourhoods based on corporate documents and their knowledge of opportunities to meet the sustainability objectives of the SNAP Model. Total populations and geographical areas were also comparable to other implemented SNAP neighbourhoods across the GTHA.

The three candidate neighbourhoods are:

1. West Lynde – located north of Highway 401, south of Dundas Street between Henry Street on the east and Lynde Creek and Fothergill Court on the west.
2. Fallingbrook – located north of Rossland Road and south of Taunton Road; east of Garden Street and west of Thicksen Road with a portion located south of Dryden Boulevard to Rossland Road.
3. Meadowcrest – located in Brooklin, east of Ashburn Road, along Way Street and Heber Down Drive, with a block located in the north-west corner of Columbus Road West and Ashburn Road.

*Maps for the three neighbourhoods can be found in the Whitby SNAP Pilot Screening Analysis Executive Summary in Attachment 3.

A Whitby SNAP Pilot Screening Analysis has been developed for the CLOCA jurisdiction which has been applied to the three Neighbourhoods. This incorporates a fair and equitable comparison of high-level analysis of existing conditions to identify a priority Neighbourhood for the program. Six sustainable categories were selected to incorporate and assess information about building age and archetypes, infrastructure and mobility, flood safety and erosion risk reduction, natural environment and watershed systems, parks recreation and culture, human health and wellbeing.

This process identifies where and when planned capital projects are scheduled, priorities included in strategic plans and other known urban renewal or climate action plans prepared by various departments within the Town of Whitby, the Region of Durham, CLOCA and other agencies and not for profits with a vested interest in social, economic and environmental conditions.

The Whitby SNAP Pilot Screening Analysis Executive Summary, which provides an overview of the methodology and how each Neighbourhood scored for the indicators within the six sustainability categories noted above, can be found in Attachment 3. A full Whitby SNAP Neighbourhood Selection Methodology has been created and provides an important and relevant framework for future SNAP Neighbourhood selection efforts in the Town of Whitby and other municipalities within the CLOCA jurisdiction.

Priority Neighbourhood

The three identified neighbourhoods were scored using a high, high-medium, medium or low point system for the forty-two (42) indicators with consideration for issue severity and potential ability of the Whitby SNAP pilot program to support climate change adaptation and or mitigation outcomes.

Based on the screening and selection process and in close consultation with staff from the PMT, Town of Whitby staff recommend the West Lynde Neighbourhood for the Whitby SNAP pilot program. The West Lynde neighbourhood received the highest score and aligned strongly with planned projects, environmental, social and economic challenges, opportunities and strategic priorities. Some of the challenges facing this neighbourhood identified in the Whitby SNAP Pilot Screening Analysis Executive Summary, Attachment 3, can be addressed within the potential actions listed below:

- Plant and improve the urban forest canopy to strengthen watershed health, regional biodiversity, and climate resilience as identified by the Town of Whitby CERP Phase 1: Resilience and Phase 2: Mitigation, Region of Durham Community Climate Adaptation Plan, and CLOCA's Lynde Creek Watershed Management Plan
- Improve stormwater management with lot-level controls and Low-Impact Development projects for water quality and quantity and further support ecologically significant groundwater recharge areas as identified in the Lynde Creek Watershed Management Plan
- Address urban flood risks as identified in Durham's Urban Flood Vulnerability and Risk Assessment Study, the Town of Whitby Lynde Creek Master Drainage Plan and the Town of Whitby Bridge and Culvert Master Plan Environmental Assessment with new green technology
- Offer existing Durham Greener Homes retrofit program to reduce GHG emissions from homes built prior to 1980
- Model sustainability practices with improved transit linkages and enhanced local and regional hubs, making stronger connections for residents to Lynde Creek and its associated Provincially Significant Wetland
- Align SNAP programs to support improved outcomes for childhood and teenage health issues, asthma, cardio-vascular health among adults, and falls among seniors (Durham Region Health Neighbourhoods – Building on Health in Priority Neighbourhoods, 2015)
- Reduce the effects of urban heat islands and the associated risk of heat stress

- Support at-risk populations, including low-income residents, the unemployed and seniors, with programs that address challenges and bridge equity gaps
- Define a sense of place for this evolving neighbourhood by recognizing its aging infrastructure and its potential as a self-sufficient community that aligns well with an 8 to 80 concept – that if everything we do in our urban environment is great for an 8-year-old and an 80-year-old, it will be better for all people
- Engage Neighbourhood assets like schools, the Whitby Library (just on edge of boundary) and parks to enhance engagement and community partnerships toward action

Next Steps & Workplan

The PMT will further refine roles and responsibilities, project scope, workplan, and deliverables as identified in the MOU and finalize a Charter document to guide the delivery of the program. Once the implementation plan is developed, staff will come back to seek Council approval of the plan in Q3 of 2025.

With the Town of Whitby Council endorsement of the Whitby SNAP Pilot neighbourhood of West Lynde, the SNAP Coordinator will begin detailed community characterization to identify and contact appropriate stakeholders who will be vital in developing and implementing the program.

TABLE 1: Whitby SNAP Pilot Workplan

<i>Phase 1: Project Planning & Action Research</i>	Agreements, Project Team and Community partnership formation, Scoping key issues and Neighbourhood Context, Residential Program design considerations	Q1 2024 to Q3 2024 January to September 2024
<i>Phase 2: Detailed Design & Delivery</i>	Community Leaders Workshop #1, launch of Residential Retrofit Program, confirm motivating themes, and identify signature and quick-win project opportunities	Q4 2024 to Q3 2025 October 2024 to September 2025
<i>Phase 3: High-level SNAP Action Plan Concept</i>	Action Plan concept with integrating themes, shared goals, integrated signature projects and Implementation Framework. Review of Residential Retrofit Program pilot year 2.	Q4 2025 to Q2 2026 October 2025 to June 2026

5. Financial Considerations:

As per Report CAO 26-23, the Town has committed \$80,000 to the development of the SNAP, which was allocated within the 2023 budget for capital project # 55217604 Durham Climate Change Adaptation Plan (DCCAP). In addition to Town funding, the Region of Durham allocated \$120,000 for Phase 1 and 2 of the Whitby SNAP in 2024.

The Town will explore grants, with assistance from CLOCA, to fund the implementation of the actions developed through the Plan. Additional funding may be provided by the Town from capital project # 55217604 Durham Climate Change Adaptation Plan (DCCAP), should it be required.

6. Communication and Public Engagement:

This project is expected to garner significant positive feedback from the community based on the implementation of equitable climate action. Additionally, this project will provide opportunities for additional community engagement, including hosting community events, tree plantings, educating the public about the project and increasing their involvement in, and awareness of, the Town of Whitby's sustainability initiatives and the Region of Durham's Climate Change programs and accomplishments. CLOCA will be leading community engagement in Phase 2 of the project.

7. Input from other Departments & Sources

In the Fall of 2023, Sustainability staff had initial conversations with CLOCA and Town Staff, including Policy and Heritage Planning and Creative Communities. In June 2024, a formal internal project team was created to oversee the development of Whitby's SNAP. The Project Team ensures expertise from across the organization and includes representation from the following Departments:

- Community Services – Parks and Waste
- Organizational Effectiveness – Corporate Communications
- Strategic Initiatives – Creative Communities and Economic Development
- Planning & Development – Engineering, Stormwater and Transportation Services

Once the neighbourhood is approved, collaboration with the identified departments above will continue to successfully implement the SNAP pilot project.

8. Strategic Priorities

This project aligns with the following sections of the 2023-2026 Community Strategic Plan:

Strategic Pillar 2: Whitby's Natural & Built Environment – Connected & Resilient

Objective 2.1: Demonstrate environmental leadership in sustainability and addressing climate change

Action 2.1.3: Implement actions to increase community resilience to the impacts of climate change.

9. Attachments:

Attachment 1- Activating Neighbourhoods – Sustainable Neighbourhood Action Program - TRCA

Attachment 2 - Signed Memorandum of Understanding

Attachment 3 - Whitby SNAP Pilot Project Screening Analysis Executive Summary

Activating Neighbourhoods

To Improve Urban Renewal and Climate Action Outcomes



Sustainable Neighbourhood Action Program



A Progressive Approach to Program Implementation

SNAP helps Canadian municipalities, public agencies, and other organizations respond to the challenges of urban renewal and climate action by improving program efficiencies, building strong community support, and forging powerful new partnerships.

Its success is rooted in direct engagement with neighbourhood residents to align municipal priorities with prevailing neighbourhood needs and interests.



SNAP builds long-term resident trust and support through neighbourhood-focused initiatives that include:

- Renewable energy retrofits
- Water and energy conservation programs
- Revitalization of parks, roads and other public spaces
- Stormwater management
- Green and grey infrastructure
- Tower revitalization
- Flood protection
- Local food production
- Health and wellness promotion through connections with nature

SNAP is a program of Toronto and Region Conservation delivered in partnership with municipalities and other community collaborators. To date, SNAP neighbourhood programs are underway in:



With many more SNAPs under consideration in the Greater Toronto Area and beyond.

SNAP Starts with the Neighbourhood

Implementation of infrastructure renewal and sustainability plans in older urban areas faces a complex network of challenges. These include: coordination among many players, competing interests, a disengaged public, perceived high costs, limited resources and reluctance to try new approaches. Compounding the need to find break-through solutions to these challenges is the need to advance implementation of many other plans and strategies.

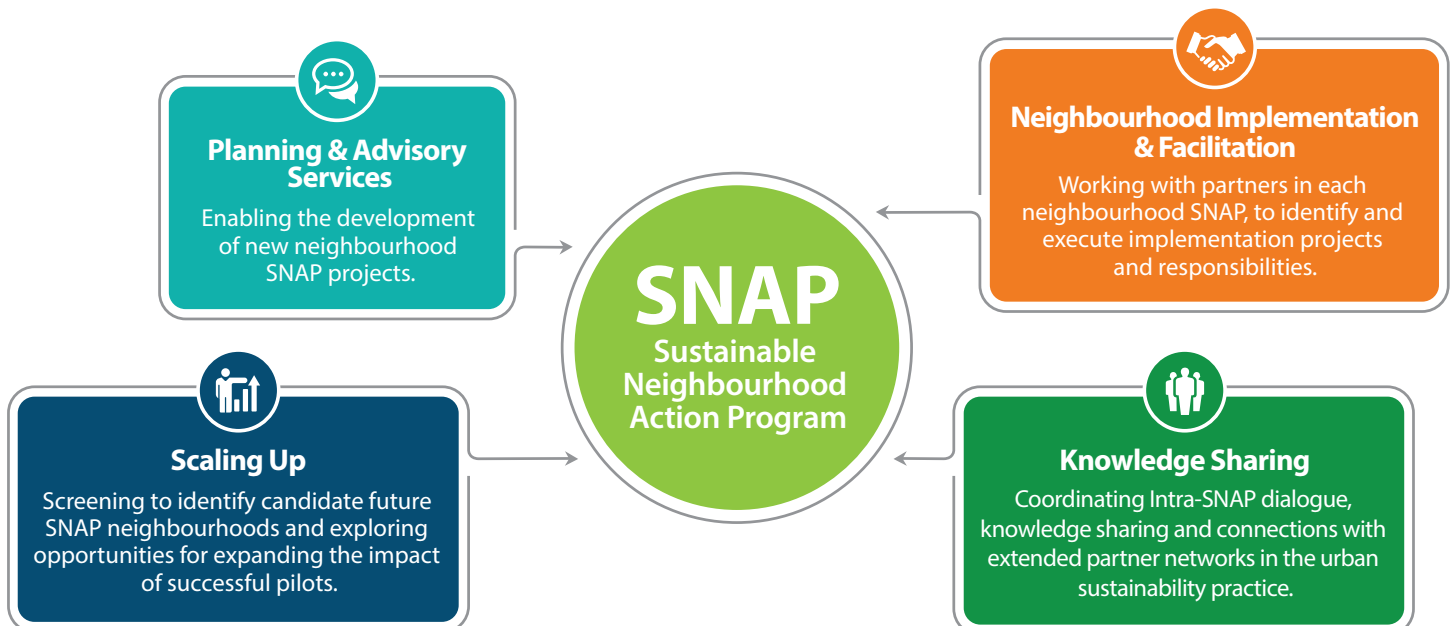
SNAP addresses these challenges by taking a collaborative, holistic approach to revitalizing older urban neighbourhoods. SNAP maximizes the value of planned projects and builds innovative implementation partnerships toward a shared vision. And it does this through one simple, but profound, change in focus - by placing neighbourhoods at the centre of the implementation framework.

By understanding municipal needs and community interests in the neighbourhoods and then designing and implementing programs that respond to them directly, **SNAP helps municipalities and other agencies deliver urban renewal and climate action programs with greater efficiency, stronger community support, and deeper trust for long term engagement.**



The SNAP Full Service Solution

Operated by an experienced team at Toronto and Region Conservation (TRCA) and drawing on its decades of experience in delivering urban sustainability programs, SNAP offers four program components that support municipal urban renewal and climate action programs. Each is customized and delivered in collaboration with municipalities and community partners.



SNAP Advantages

Efficiencies in Program Delivery

SNAP projects identify opportunities to integrate design for roads, parks and stormwater management facilities and other projects that address the diverse needs of multiple municipal departments and community interests. This can provide the basis for cost sharing, greater community support, and improved overall outcomes.



Co-benefits

Typical SNAP neighbourhood projects address common climate action and urban renewal goals. From these, SNAP delivers many of the following community co-benefits:



ECONOMIC

- Saving residents and businesses money.
- New opportunities for local employment & social enterprise.
- Increased property values.



HEALTH

- Physical health benefits from more active living.
- Mental health benefits from more contact with nature and stronger sense of community.
- Improved safety at home and in the neighbourhood.



SOCIAL

- Job skills training for local residents.
- Connected residents and more intergenerational and intercultural interaction.
- Increased use and community value of public space.

Join us! We always welcome new ideas and collaborators!

Work with our engaged communities, connections to market, established partnerships and local knowledge to propel existing SNAPs to become models of sustainability and climate readiness.

- Expand our growing network of SNAP neighbourhoods and replicate successful programs.
- Enable learning and knowledge sharing.

Contact us!

To learn more about SNAP, associated activities and ways to get involved contact:
Sonya Meek, Senior Manager, Sustainable Neighbourhoods
sonya.meek@trca.ca | 416.661.6600 x5253



trca.ca/social-media

www.trca.ca/SNAP

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made as of the 10th day of November, 2023 (the “**Effective Date**”).

BETWEEN:

THE CORPORATION OF THE TOWN OF WHITBY

(hereinafter, “the Town”)

AND

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

(hereinafter, “CLOCA”)

WHEREAS CLOCA is a conservation authority established under the *Conservation Authorities Act*, R.S.O. 1990, c. C.27 (“Act”) in providing programs and services that further the conservation, restoration, development and management of natural resources in its watersheds;

AND WHEREAS the Town is a lower-tier municipality within the Regional Municipality of Durham (“Region”), located wholly or partly within the area under the jurisdiction of CLOCA;

AND WHEREAS in carrying out its mandate under the Act, CLOCA provides programs and services to municipal partners within its jurisdiction including but not limited to natural hazard management, restoration planning and works, forest management, invasive species and wildlife management, watershed and subwatershed planning, biodiversity and ecosystem monitoring, community education and outreach, research and interpretation, events and nature-based programs;

AND WHEREAS under the Act, programs and services provided by conservation authorities at the request of a municipality are to be provided under a memorandum of understanding (“MOU”) or such other agreement(s) as may be entered into with the municipality in respect of the programs and services, and such MOUs or other agreement(s) are intended to be higher level parent agreements that govern the delivery of the programs and services;

AND WHEREAS the Act requires such MOU or other agreements to be reviewed at regular intervals and to be made available to the public;

AND WHEREAS the Town and CLOCA wish to create a Sustainable Neighbourhood Action Program (hereinafter “SNAP”) in the Town in order to accelerate the creation of sustainable neighbourhoods in older urban areas within the Town;

AND WHEREAS the Town and CLOCA have agreed to partner in the planning, development, advisory and implementation of a SNAP;

AND WHEREAS this MOU sets out the principles, terms and conditions governing the delivery of programs and services by CLOCA requested by the Town;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration the sufficiency of which is hereby acknowledged by the parties, the parties hereto agree as follows:

OVERVIEW

1. The SNAP takes a community level approach to dealing with climate change and urban renewal. It is meant to engage citizens by allowing them to contribute to the design and implementation of the SNAP.
2. The purpose of the SNAP is to accelerate the creation of sustainable neighbourhoods, generally in older urban areas. The aim is to provide neighbourhood-based solutions for achieving a greater impact in urban renewal and climate action. The SNAP takes a community level approach to dealing with climate change and engages citizens as it allows them to contribute to the design and implementation of the SNAP.
3. The SNAP is made up of four general activity areas:
 - a) Planning and Advisory Services;
 - b) Neighborhood Implementation and Facilitation;
 - c) Scaling Up; and
 - d) Knowledge Sharing.
4. CLOCA's involvement will primarily be in the Planning and Advisory Services and Neighbourhood Implementation and Facilitation areas. The intent is that CLOCA will provide planning and advisory services to a neighbourhood in the Town which has been selected as an ideal candidate for delivery of the SNAP initiative. To begin this initiative, CLOCA will apply a set of criteria to neighbourhoods within the Town to establish an ideal neighbourhood for delivery of the SNAP.
5. The SNAP is envisioned as a multi-year project, which will consist of two phases. Phase 1 will consist of the development of the SNAP through consultation with the Town and other stakeholders as deemed appropriate by CLOCA and/or the Town. Phase 2 will consist of the implementation of the SNAP. It is anticipated that Phase 1 will take 1 to 2 years. Phase 2 will begin once the Town and CLOCA mutually agree that the SNAP has been sufficiently developed to allow for implementation.,.
6. The specific details of the SNAP will be determined once a neighbourhood has been selected, as the details are meant to be developed by the neighbourhood with the support of CLOCA.

TERM

7. This MOU shall commence on the Effective Date and shall continue for three years (the "**Initial Term**"). Thereafter, this MOU shall automatically continue for one (1) additional three (3) year period ("**Renewal Term**") unless either party provides written notice of

termination to the other party at least thirty (30) days prior to the expiry of the Initial Term.

8. The following principles, terms and conditions shall govern the delivery of programs services requested by the Town:
 - a) Subject to complying with procurement and purchasing policies, the Town will give due consideration to CLOCA when procuring services related to CLOCA's mandate and areas of expertise.
 - b) CLOCA's or the Town's standard form of purchase order and procurement agreements will be used for the delivery of municipally requested programs and services.
 - c) CLOCA will maintain the insurance policies as set out in Article 8 below in respect of the delivery of programs and services provided pursuant to this MOU.
 - d) CLOCA will retain all financial and project records in connection with the programs and services for audit purposes by the Town for no less than seven years from the Expiry Date.
 - e) Programs and services provided pursuant to this MOU shall be in accordance with any standards and requirements that may be prescribed under subsection 21.1.1(4) of the Act.
 - f) Where programs and services delivered by CLOCA pursuant to this MOU involve user fees, such user fees shall only be imposed in accordance with CLOCA's fee policy and fee schedules adopted in accordance with the provisions of the Act or in accordance with provisions set out in an agreement between CLOCA and the Town.

ROLES AND RESPONSIBILITIES

9. The Town shall:
 - a) Provide a one-time payment of \$80,000.00 to CLOCA.
 - b) Provide additional funding should such funding be required and available. The Town shall not be obligated to provide any further funding. Any further funding provided by the Town will be determined based on the needs of the particular SNAP and the Town's ability to provide further funding.
 - c) Designate an employee to act as liaison with CLOCA with respect to the SNAP, be responsible for the management and administration of the SNAP and to take the lead on the implementation of the SNAP at the Town.
 - d) In consultation with CLOCA, and with CLOCA's support, select a neighbourhood for the implementation of the SNAP and communicate with residents regarding the SNAP. Selection of the neighbourhood for the SNAP

will be made by the Town.

- e) Assist CLOCA with communication with the residents who will be involved in the implementation of the SNAP, including but not limited to acting as a liaison between the residents and CLOCA.
- f) Ensure that residents in the selected neighbourhood are aware of the program, ensure that residents who wish to participate receive information required in order to participate and to the extent possible, encourage residents to participate in the development and implementation of the SNAP.
- g) Provide information and answer questions from residents regarding the development and implementation of the SNAP.
- h) The Town will apply with assistance from CLOCA for additional grants in order to fund the implementation of the actions developed through the Plan.

10. CLOCA shall:

- a) Hire or designate a staff member in order to coordinate the SNAP. The coordination will include working with staff at the Town on the development of the SNAP, the selection of the neighbourhood and the implementation of the SNAP once fully developed. This staff member will be an employee of CLOCA and will have their salary and any applicable benefits paid by CLOCA. The staff member will not, for any purposes, be considered an employee of the Town. CLOCA shall be responsible for any notice, pay in lieu of notice and severance in the event that the staff member is terminated.
- b) In the event that the staff member resigns, is terminated, is on an extended leave of absence, or is otherwise no longer actively employed by CLOCA, CLOCA shall designate another staff member or hire a staff member to assist with the SNAP. With the exception of a situation where there is insufficient funding, CLOCA shall ensure that there is no disruption to the development or implementation of the SNAP as a result of staffing issues at CLOCA.
- c) Develop a defensible/scientific process for identifying the neighbourhood for a SNAP pilot.
- d) Consult with and provide assistance to the Town in order to select one (1) neighbourhood for the initial SNAP pilot program. The final decision as to which neighbourhood is selected will be made by the Town.
- e) During the Phase 1 of the SNAP, provide quarterly reports to the Town outlining the steps taken in development of the SNAP, identify any successes since the previous quarter, identifying any issues experienced during the relevant quarter, provide an estimate of the remaining time required to complete Phase 1 and provide any other required information.
- f) During Phase 2 provide quarterly reports to the Town with respect to the

progress of the implementation including any successes, opportunities, and suggestions for improvements in the implementation of the SNAP.

- g) If further funding is required, to make such a request to the Town including the amount required, the reason for the request and identify any potential sources of funding.
 - h) Provide yearly financial reports to the Town which outlines the amounts spent on the development and implementation of the SNAP.
11. It is the intent of the Town and CLOCA that their respective roles and responsibilities evolve throughout the development and implementation of the SNAP. The above roles and responsibilities are meant to be a base outline of the respective duties of the Town and CLOCA. A formal amendment of this MOU will not be required to add or subtract roles and responsibilities from either Party however, any changes should to the extent possible be confirmed in writing.

FUNDING

12. The Town shall provide the initial funding in the amount of \$80,000.00. CLOCA may request, and the Town may provide, whether at the request of CLOCA or of its own initiative, additional funding as required or deemed appropriate.
13. All funds provided to CLOCA by the Town shall be used solely for the purpose of the development and implementation of the SNAP.
14. In order to request additional funding, CLOCA shall provide the Town with a written request for funds, which shall include:
- a) The amount requested;
 - b) Particulars of the reason for the request;
 - c) How the additional funds will be used if they are provided;
 - d) Details of any grants or other funding opportunities that may be available to the Town for the requested funding; and
 - e) Up to date financial information which sets out the receipt of any funds provided by the Town to CLOCA as of the date of the request and particulars as to the use of those funds in connection with the SNAP.
15. The Town shall not be obligated to provide further funds to CLOCA save and except for the amounts as set out in Article 12 of this MOU. The determination as to whether to provide any further funds requested will rest solely with the Town. If the Town does not provide the additional funds requested, the Agreement shall remain in full force and effect and such decision shall not impact the obligations of the Town or CLOCA under this Agreement.
16. If CLOCA is unable to obtain sufficient funding to carry out the obligations under this Agreement, CLOCA shall be entitled to immediately terminate this Agreement upon written notice to the Town.

INSURANCE AND INDEMNITY

17. CLOCA agrees to put in effect and maintain for the duration of the MOU, at its own cost and expense, all the necessary and appropriate insurance that a prudent person in the business of CLOCA would maintain including, but not limited to, the following:

a) commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than \$5,000,000 per occurrence, \$5,000,000 products and completed operations aggregate. The policy is to include the following:

- contractual liability coverage;
- cross-liability clause and severability;
- employers liability coverage;
- 30 day written notice of cancellation, termination or material change;
- Non-owned automobile coverage with blanket contractual coverage for hired automobiles; and,
- errors and omissions liability insurance, insuring liability for errors and omissions in the performance or failure to undertake the activities contemplated in this Agreement, in the amount of not less than \$2,000,000 per claim.

The Commercial General Liability policy shall include the Town as an additional insured in respect of all operations performed by or on behalf of CLOCA in relation to the MOU requirements and be endorsed to provide the Town with not less than thirty (30) days written notice in advance of any cancellation, change or amendment restricting coverage.

CLOCA shall provide a Certificate of Insurance on the Town's standard form, or on a form acceptable to the Town.

18. CLOCA hereby releases and shall defend, indemnify and save harmless the Town, its elected and appointed officials, agents, officers, employees, servants, volunteers, and contractors of, from and against all losses, damages, costs, liens, proceedings, actions, causes of action, suits, claims, demands, costs and expenses, including but not limited to legal fees, disbursements and taxes on a solicitor client basis, whatsoever in any way arising out of or allegedly attributable to the negligent acts or omissions, or wilful misconduct of CLOCA in connection with or in any way related to the delivery or performance of this MOU or in the performance of any Agreements entered into which are related to or contemplated by this MOU. However, CLOCA's obligation to indemnify, defend and hold harmless the Town shall not extend to the Town's negligence, or that of any of its elected and appointed officials, agents, officers, employees, servants, volunteers, and contractors for whom it is responsible.

19. The Town hereby releases and shall indemnify, defend and hold harmless CLOCA, its agents, officers, employees, servants, volunteers, contractors and appointed officials of, from and against all losses, costs, liens, proceedings, actions, suits, claims and

demands whatsoever in any way arising out of or allegedly attributable to the negligent acts or wilful misconduct of the City in connection with or in any way related to the delivery or performance of this Agreement. However, the Town's obligation to indemnify, defend and hold harmless CLOCA shall not extend to CLOCA's negligence, or that of any of its agents, officers, employees, servants, volunteers, contractors and appointed officials for whom it is responsible.

TERMINATION

20. If any of the following events occur, the Town shall be entitled to immediately terminate this Agreement upon written notice to CLOCA:

- a) CLOCA breaches any of the terms and conditions of this Agreement;
- b) CLOCA ceases operating, ceases to operate as a non-profit organization, winds up or dissolves, commences or has commenced against it any proceedings in bankruptcy, or is adjudged a bankrupt; or,

21. CLOCA uses any funds provided by the Town for purposes other than the development and implementation of the SNAP. In the event this MOU is terminated in accordance with Article 16 or 21, CLOCA shall be obligated to return any unused funds which have been advanced by the Town. In the event of a termination, CLOCA shall provide the Town with accounts indicating that amount of funding received, and the amount of money spent in connection with the SNAP, with sufficient detail to allow the Town to determine the amount of unused funds. In addition, CLOCA shall provide the Town any and all work material related to the SNAP that may have been created.

GENERAL

22. Nothing in this MOU obliges the Town to request the delivery of programs and services by CLOCA.

23. The Town and CLOCA will continue to work together to identify opportunities for further collaboration to the benefit of both parties and ensure efficiency, transparency and accountability in the use of public sector resources.

24. This MOU shall be reviewed by the Parties prior to the expiry of the Initial Term or Renewal Term. It is CLOCA's responsibility to initiate the review with the Town at least ninety (90) days prior to the expiry of the Initial Term or Renewal Term, as the case may be.

25. This MOU shall be made available to the public in accordance with the Act and any applicable regulations.

26. This MOU may be executed in counterparts and when each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all of such counterparts, when taken together, shall constitute one and the same agreement. The parties may sign this MOU by means of electronic signature and deliver this MOU by electronic transmission.

IN WITNESS WHEREOF, the parties have entered into this MOU as of the Effective Date.

**CENTRAL LAKE ONTARIO
CONSERVATION AUTHORITY**

Chris Darling

Per: Chris Darling
Title: Chief Executive Officer

Elizabeth Roy

Per: Elizabeth Roy
Title: Chair

**THE CORPORATION OF THE TOWN
OF WHITBY**

S. Klein

Per: Sarah Klein
Title: Director, Strategic Initiatives

Fuwing Wong

Fuwing Wong Commissioner, Financial
Services & Treasurer

Whitby Sustainable Neighbourhood Action Program (SNAP)

Whitby SNAP Pilot Neighbourhood Screening Analysis Executive Summary

The Neighbourhood Screening Analysis (NSA) for the Whitby Sustainable Neighbourhood Action Program (Whitby SNAP) Pilot Project is a process for capturing information and data on existing conditions using indicators that are scored to provide a baseline. Comparisons are made of the baseline information to select a Neighbourhood that would benefit the most from projects and programs that provide social, economic, and environmental benefits for a more climate ready community. The NSA as a framework, can now be applied to other Neighbourhoods in the Town of Whitby or other municipalities within the Central Lake Ontario Conservation Authority's jurisdiction to further expand the SNAP model in urban communities to better respond to and prepare for the impacts of climate change.

The NSA uses a standard scoring system under six (6) sustainability categories with fifty-one (51) indicators identified overall.

Note: data was not available for all fifty-one (51) indicators for this NSA, however, rationale and scoring criteria were established to accommodate future screenings and opportunities to expand on the indicators in new neighbourhoods where the data may be available or in some cases, more relevant.

Each neighbourhood was scored based on a point system which considers SNAP alignment opportunities for implementing actions. For example, one indicator measured the Urban Tree Canopy (UTC) for each neighbourhood and compared that to the Town of Whitby's current UTC. Scoring was assigned using four grades, High (3 points), High/Medium (2.5 points), Medium (2 points) and Low (1 point). A neighbourhood with less than 25% UTC would score high compared to a neighbourhood with more than 40% UTC which would score low. A backyard tree planting program could in fact increase UTC for a neighbourhood, which could be part of a SNAP Action Plan, which is the implementation deliverable for the Whitby SNAP Pilot Project. An existing program offered by the Region of Durham and LEAF (Local Enhancement and Appreciation of Forests Program) could be offered through the Whitby SNAP Pilot Project if the community identifies improving the UTC as a priority for action.

The NSA reviewed three priority neighbourhoods as per the mapping of Neighbourhood Boundaries (NB) in Appendix A. Reports, mapping resources, studies, strategies and other relevant data from local, regional, provincial, and federal government, NGO's, and post-secondary institutions were reviewed to provide a current snapshot of existing conditions. These were further organized as indicators under the six (6) sustainability categories to provide a fair and equitable comparison and evaluation of each neighbourhood. This furthered our perspective and helped to determine where the need for the Whitby SNAP Pilot was the greatest and presented the most opportunities.

Sustainability Categories for the Neighbourhood Screening Analysis

- 1.0 Built Environment
- 2.0 Infrastructure & Mobility
- 3.0 Flood Safety & Erosion Reduction
- 4.0 Natural Environment & Watershed Systems
- 5.0 Parks, Recreation & Culture
- 6.0 Health & Wellbeing

Background

Two primary documents have been created to articulate the process and outcomes of the Neighbourhood Screening Analysis (NSA). A full Whitby SNAP Pilot Neighbourhood Screening Analysis Report has been prepared to detail the framework and assessment process for each of the indicators. The report provides an explanation regarding the relationship of the indicator within the context of the SNAP model to support climate action and sustainability objectives. The report also explains the scoring system and outcomes which provide the basis for the Whitby SNAP Pilot project neighbourhood selection. The report complements the second document, a comprehensive database of existing conditions and their sources, which further informs the scores for each of the indicators. Some data was not available at this time or is pending, so this review is specific to what was known about the forty-two indicators when this summary was prepared in August, 2024.

1.0 Built Environment

The indicators for this sustainability category include energy consumption, in addition to retrofit opportunities presented by community centres, libraries, social housing, schools and early childhood education facilities. None of the three neighbourhoods have social housing in their communities, therefore a score was not calculated for this indicator.

All three neighbourhoods are scoring similarly out of a possible score of nine points. Information is pending on the residential water consumption hotspot indicator from the Region of Durham. The most significant opportunity for the Meadowcrest Neighbourhood under this sustainability category is a small portion of homes older than 60 years and a library community centre within the Neighbourhood Boundary (NB). Similarly, the West Lynde presents homes built between 1961 and 1980 which aligns well with retrofitting opportunities through the SNAP model.

West Lynde 6.5/9	Meadowcrest 6.5/9	Fallingbrook 6.0/9
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2.0 Infrastructure & Mobility

Indicators for this sustainability category include the presence and retrofits for Storm Water Management (SWM) Infrastructure, culverts and bridges, roads, active transit, recreational trails, municipal transit, public and private rail transit projects, and provincial infrastructure. Note: data for watermain and sewer retrofits were not included, pending further discussions with Region of Durham staff.

The West Lynde neighbourhood is scoring significantly higher than the Meadowcrest and Fallingbrook neighbourhoods primarily due to aging infrastructure (bridges & culverts) but also due to active transportation capital project opportunities presenting in the 1-3 year period within the Town of Whitby’s Strategic Growth Area along the Dundas Rapid Transit Corridor. This could influence active transit for residents in this neighbourhood as part of the Whitby SNAP Pilot action plan to reduce GHG emissions. The other opportunity in the West Lynde neighbourhood, is the impact and opportunities presented by improvements to the public and private rail transit culvert improvement priority associated with the GO/CN rail line, adjacent to the Neighbourhood Boundary.

West Lynde 22.0/27	Meadowcrest 18.0/27	Fallingbrook 16.0/27
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3.0 Flood Safety & Erosion Risk Reduction

The indicators for this sustainability category include urban and riverine flooding, flood remediation priority areas, erosion problem areas, Flood Damage Centres (FDC) and impervious surfaces.

The West Lynde and the Fallingbrook neighbourhoods score similar with a number of flood safety & erosion risks identified within their respective Neighbourhood Boundaries (NB), however the West Lynde neighbourhood scores higher, due to a flood remediation priority area (Michael Boulevard) within its NB. The Meadowcrest Neighbourhood scores lower, but still identifies urban and riverine erosion flooding vulnerable areas within its NB. Data for the impervious surface percentage indicator is pending and was not used in scoring at this time.

West Lynde 15.0/18	Meadowcrest 9.0/18	Fallingbrook 13.0/18
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4.0 Natural Environment & Watershed Systems

The indicators for this sustainability category include CLOCA’s targeted natural heritage system, significant natural heritage features, significant groundwater recharge areas, ecologically significant groundwater recharge areas, highly vulnerable aquifers, high volume and

Whitby Sustainable Neighbourhood Action Program (SNAP)

ecological and hydrological connectivity improvements, aquatic restoration opportunities, Species at Risk (SAR) and instream barrier.

The West Lynde neighbourhood is scoring significantly higher than Meadowcrest and Fallingbrook neighbourhoods which scored second and third, respectively, under this sustainability category. The West Lynde neighbourhood offers some opportunities for terrestrial and aquatic restoration with its proximity to the Lynde Creek Marsh, a Provincially Significant Wetland. This neighbourhood also has an important function as an ecologically significant groundwater recharge area, and its inclusion of a highly vulnerable aquifer. Highlights for the Meadowcrest neighbourhood include records of Species at Risk in this tributary of Lynde Creek and an instream barrier, which would provide significant opportunities for removal and subsequent improvements to water quality and fish habitat. The Fallingbrook neighbourhood scored lower for the indicators within this sustainability category, except for the prominence of a highly vulnerable aquifer within its Neighbourhood Boundary (NB) for which it scored the same as the West Lynde neighbourhood.

West Lynde 26.5/30	Meadowcrest 24.0/30	Fallingbrook 21.0/30
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5.0 Parks, Recreation & Culture

The indicators for this sustainability category include retrofits and improvements to parks and playgrounds, urban tree canopy (UTC), access to splashpads, pools and cooling centres, and places of worship. An indicator was developed for Cultural Heritage Conservation Districts in the NSA; however, this did not apply in this instance.

All three neighbourhoods scored equal however park retrofits in the Meadowcrest and Fallingbrook neighbourhoods are scheduled to occur later in the Town of Whitby Capital Budget schedule. Interestingly, the UTC for all three neighbourhoods scored high as they averaged a 20% UTC which is significantly less than the existing average UTC for Whitby of 25%. As noted above, opportunities will exist for increasing the UTC in support of the pending Town of Whitby's Urban Forestry Management Plan through tree planting programs on private and public land to reach the recommended target for cover. Each neighbourhood scored high for their limited access to cooling centres, splashpads and pools, which are key features to address the anticipated increase in un-natural heat waves in the future.

West Lynde 10.5/12	Meadowcrest 8.0/12	Fallingbrook 10.5/12
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6.0 Health & Wellbeing

The indicators for this sustainability category include community health and wellbeing, social vulnerability and community health priority neighbourhoods as identified by the Region of Durham. It also looks at heat vulnerability during unnatural heat events, walkability, active transit opportunities for all ages, access to public transit, greenspace, urban agriculture, farmers markets, and proximity to food banks.

Whitby Sustainable Neighbourhood Action Program (SNAP)

West Lynde scored significantly higher than Meadowcrest and Fallingbrook. Much of the data used for assessing health and wellbeing is derived from the online tool developed for Durham Region’s Health Neighbourhoods (2023). The Region has 50 Health neighbourhoods which presents ninety-six indicators by neighbourhood and municipality to determine the demographics and health of its communities. The intention of this study was to support strong, safe, and equitable neighbourhoods to improve the health and well-being of all residents across Durham Region.

The West Lynde neighbourhood is located within one (1) of seven (7) priority neighbourhoods identified by the Region as communities that require focus to build on health and wellbeing. While these priority neighbourhoods have the lowest income levels, they also have many positive attributes, community assets, resources, and strengths. We know from data (sourced from Environics platform) that the West Lynde neighbourhood has a higher population of seniors (65+) living alone, higher unemployment and lower median income. This along with Durham Health’s data indicate more health and well-being challenges exist in the West Lynde neighbourhood when compared to Meadowcrest and Fallingbrook.

There are a number of indicators in the West Lynde neighbourhood that align well with the Whitby SNAP Pilot Project objectives including a number of residents of all ages who choose active transportation options for attending school and work. Proximity to the GO station and a major bus route along the Dundas Transit Corridor contributes to more active transit options that would support improving sustainable practices even further in this neighbourhood.

Meadowcrest has a farmers market located within its Neighbourhood Boundary (NB) and the West Lynde neighbourhood has a farmers’ market just outside its NB, both of which could support more sustainable behaviour and associations with local food and community gardening. Opportunities for urban agriculture exist for all three neighbourhoods as there are no identified community gardens. It was also noted that a number of food banks are located adjacent to the West Lynde NB, which may be further complemented with community gardens to address local food insecurity.

West Lynde 29/33	Meadowcrest 24.5/33	Fallingbrook 21.5/33
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Final Scoring Summary

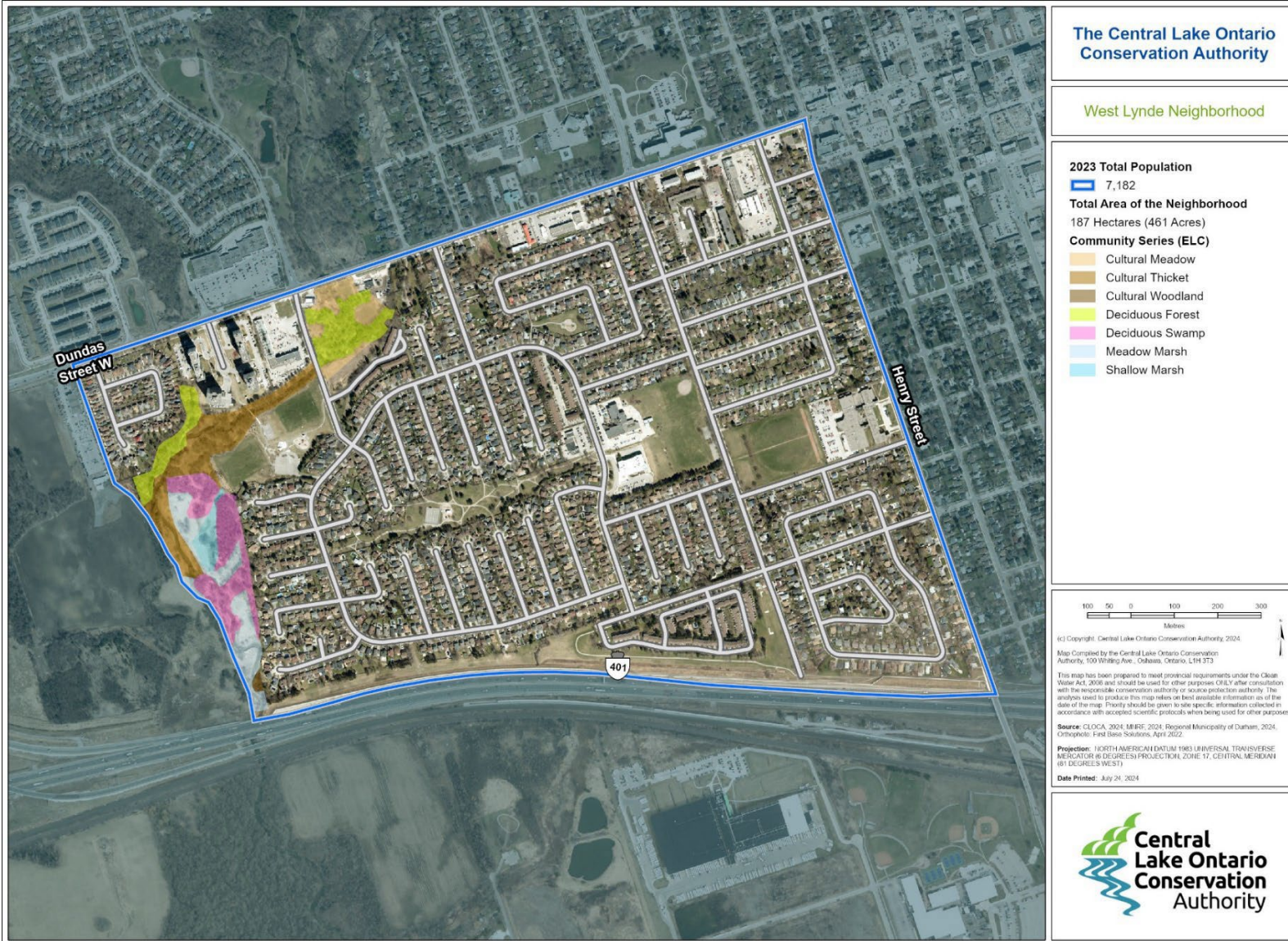
The final scoring summary below rolls up the points for each of the six (6) sustainability categories and the forty-two (42) indicators used for this Neighbourhood Screening Analysis to identify one priority neighbourhood for the Whitby SNAP Pilot. The West Lynde neighbourhood indicates a greater need with a combination of challenges and opportunities for supporting a more sustainable and climate ready community for the Whitby SNAP Pilot when compared to the Meadowcrest and Fallingbrook neighbourhoods. Both the Meadowcrest and Fallingbrook neighbourhoods are still challenged, and in some cases their scores were the same as the West Lynde neighbourhood and so should not be left behind. Efforts by the Town of Whitby to address their unique challenges need to be ongoing so they don't decline further. Targeting them with opportunities under existing programs offered across the municipality should be a priority. For example, to address the poor score of each neighbourhood under the indicator, Residential Energy Consumption, an effort to engage homeowners in the Durham Greener Homes program would be extremely beneficial and further support the Whitby Climate Emergency Response Plan Phase 2: Mitigation. Likewise, as mentioned in this summary, all three (3) neighbourhoods scored poorly for the indicator Urban Tree Canopy and will benefit from actions identified by the Urban Forestry Management Plan once developed. As well programs like the partnership with LEAF (Local Enhancement and Appreciation of Forests Program) and the Backyard Tree Planting Program for homes and businesses, could help improve the UTC for both neighbourhoods. This in turn contributes to climate adaptation and mitigation at a neighbourhood and community level. The table below shows the maximum and individual scores for each sustainability indicator in the three (3) neighbourhoods providing a high-level comparison.

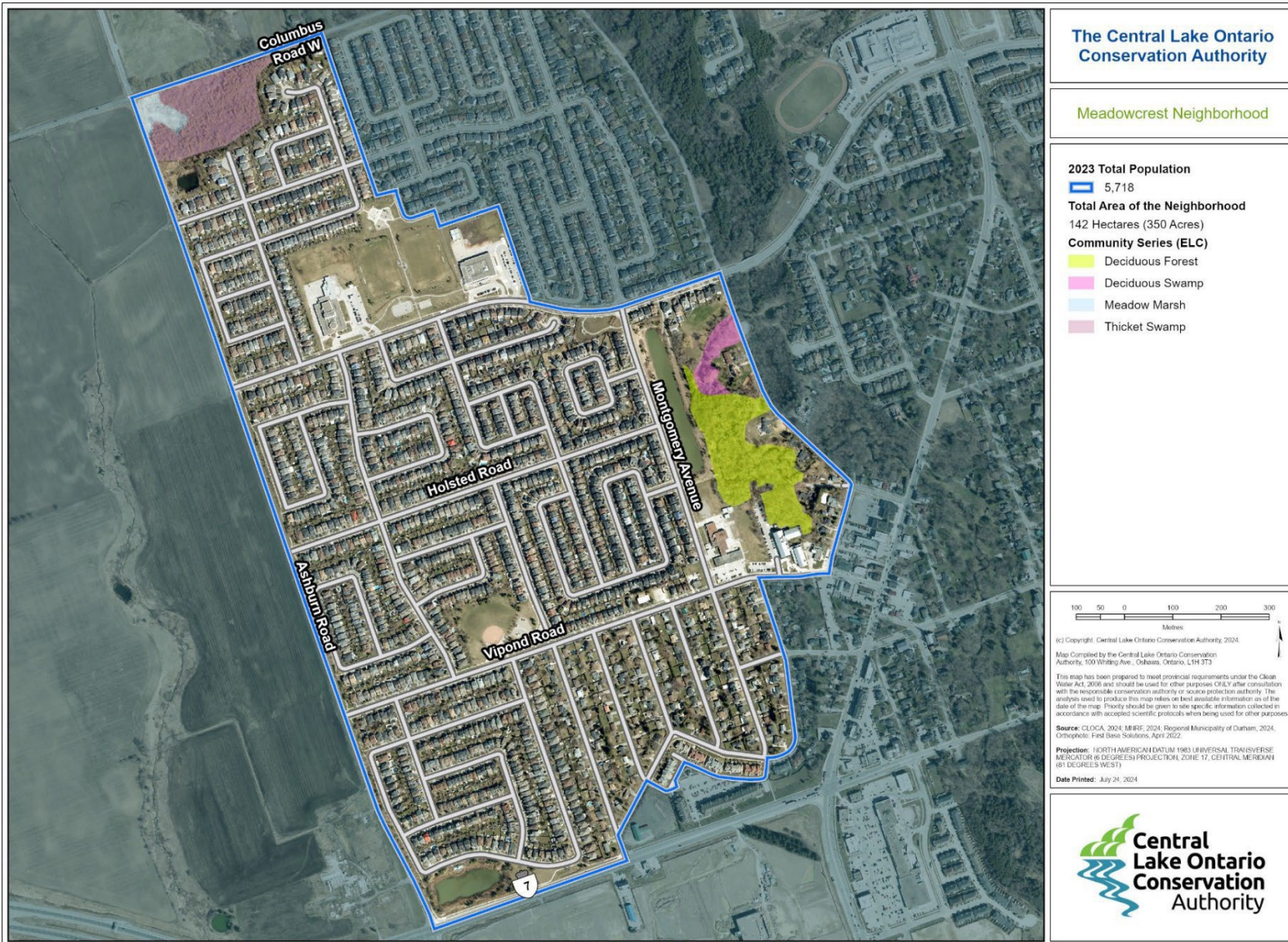
Category	Maximum Points	West Lynde	Meadowcrest	Fallingbrook
Built Environment	9.0	6.5	6.5	6.0
Infrastructure & Mobility	27.0	22.0	18.0	16.0
Flood Safety & Erosion Risk Reduction	15.0	15.0	12.0	12.0
Natural Environment & Watershed Systems	30.0	26.5	24.0	21.0
Parks Recreation & Culture	12.0	10.5	8.0	10.5
Health & Wellbeing	33.0	29.0	24.5	21.5
TOTAL SCORE	126.0	109.5	93.0	87.0

Conclusions

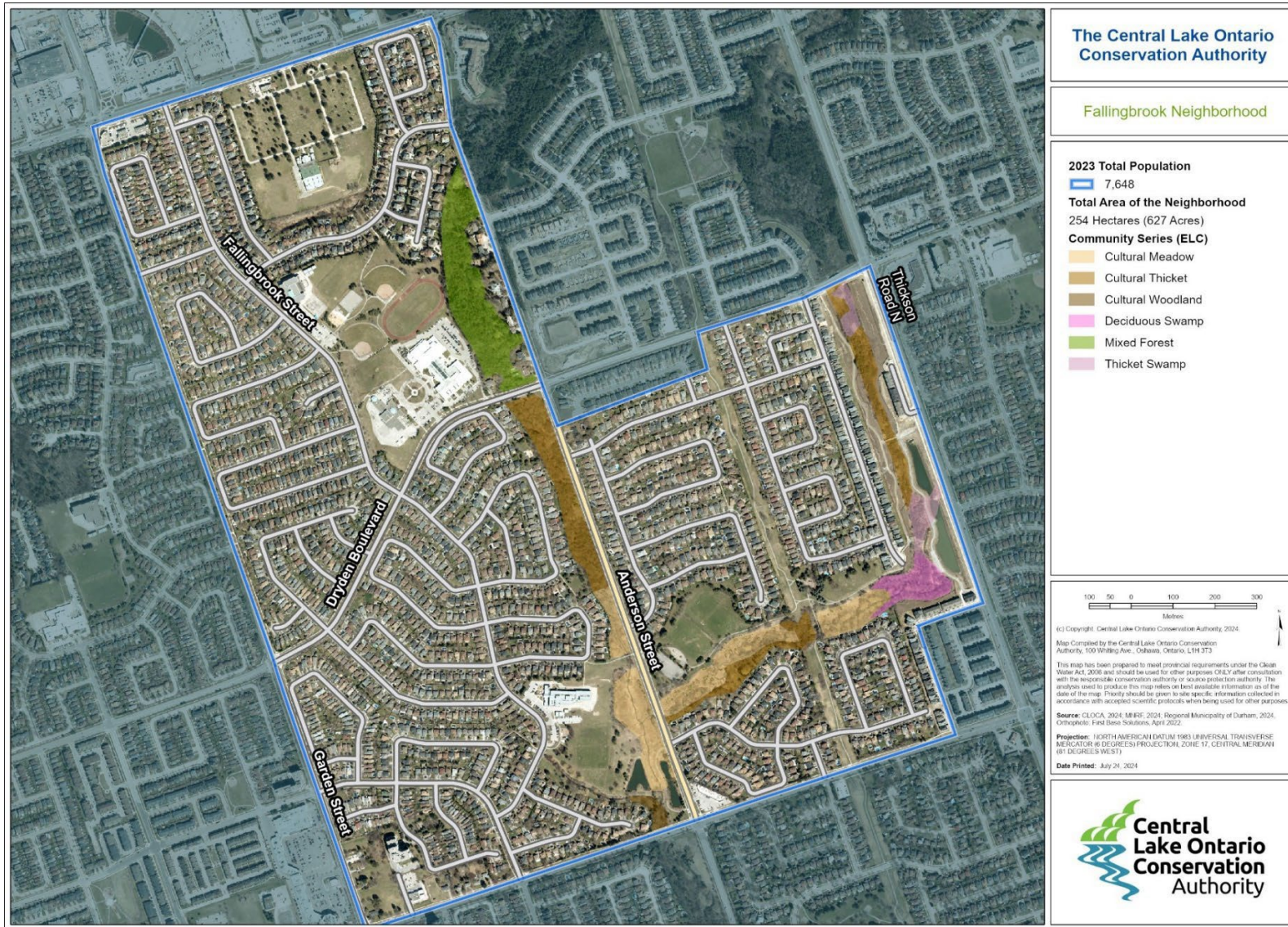
The intention of this process was to identify neighbourhoods having multiple urban renewal and climate action priorities. The process uses a framework of sustainable community attributes to guide comprehensive analysis. To create a more resilient neighbourhood, the collaborative, integrated approaches of the Whitby SNAP Pilot Project can bring efficiencies, opportunities for resource sharing and address critical needs by informing the delivery of many social and economic co-benefits alongside environmental projects. The process compiled input on the locations of planned capital projects, priorities identified in strategic plans and other known urban renewal or climate action opportunities, as provided by various departments within upper and lower tier municipalities, CLOCA, and data and statistics from a variety of other agencies and Not for Profit organizations and potential SNAP stakeholders.

Appendix A – Neighbourhood Boundaries





Whitby Sustainable Neighbourhood Action Program (SNAP)



Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Gateway Maintenance Program

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: CMS 10-24

Department(s) Responsible:

Community Services Department

Submitted by:

John Romano, Commissioner,
Community Services

Acknowledged by M. Gaskell, Chief Administrative Officer

For additional information, contact:

Paul Thistle, Director, Operational
Services, 905.430.4333

Ryen Carleton, Manager, Right of Way
Services, 905.430.4928

1. Recommendation:

1. That Report CMS 10-24 be received for information;
2. That the Town's current level of service as identified as Option 1 in Staff Report CMS 10-24 for the maintenance of fencing, gateway features, decorative fencing and columns be continued; and,
3. That NUB Item GG-0022 "That Staff be directed to report to Council on the implementation of a gateway maintenance program, including additional resources required, to address the repair and rehabilitation of deteriorating gateway signage in subdivisions throughout the Town of Whitby" be removed from the New and Unfinished Business Listing.

2. Highlights:

- Since the mid-2000s, all fencing in new subdivisions were required to be installed on private property with developers/builders being required to include clauses in agreements of purchase and sale identifying that fencing on both private and municipal land shall be maintained by property owners.
- There are 63 gateway features within the Town, 19 of which are showing cosmetic damage and 2 that are structurally failing.

- There are nearly 7 kilometres of decorative iron fencing throughout the Town.
- There are nearly 600 masonry piers (columns) located throughout the Town.
- The Region does not maintain any fencing located on their right-of-way.
- Gateway features on Town property that are structurally failing, are removed, and replaced with sod.
- A jurisdictional scan of Ajax, Pickering, and Oshawa shows that none have a gateway maintenance program, nor do they maintain fencing including gateway features, iron fencing or columns on the Region's right-of-way.

3. Background:

This report incorporates aspects of the Town's fence maintenance program to provide context relating to gateway features in subdivisions throughout the Town.

As early as the 1980's, the Town had assumed the financial responsibility for most fences installed through the development process, to control the access, aesthetics, maintenance, and consistency of fences along the roadways of Town owned property. However, as the fences became more common and elaborate, the financial burden of maintaining these fences and gateway features became unsustainable.

In 2008, staff identified in report PW 37-08 that the Town maintained approximately 85 kilometers of fencing along Town owned or leased property (i.e. Hydro & CP corridors) and 17 kilometers of Regional fences. The inventory then, as is still the case today, is made up of several different fence types for different purposes. Fence styles and heights vary depending upon their location and purpose. The various types of fences include:

- Noise attenuation barriers (**acoustic fences**) - typically wood fences that have a screening or noise abatement function and are located on roadways and railway corridors adjacent to municipal property.
- Roadside non-acoustic (**decorative fences**) - fences have been used historically at corner lots and within subdivision developments and have consisted of wrought iron, aluminum, steel, and wood. Masonry gateway features and columns have been incorporated to distinguish and create entry features into new subdivision developments. Included under decorative fences for the purposes of this report are masonry sections (walls) of acoustic fences.
- **Divisional fences** adjacent to Town property - parkland, open space, walkways and school properties, typically comprising of chain link fencing.

In 2008, Council approved the staff recommendation to discontinue fence maintenance and the replacement of fences that were located adjacent to regional roads due to increasing cost pressures. Effective January 2009, the practice of the Town conducting regional road fence maintenance ended, including all masonry gateway features, columns and iron fencing located on regional roadways. This reduced the total inventory of Town maintained fencing from over 102 kilometers to 85 kilometers. Other key changes to the fencing program implemented around this time include:

- The Town's Construction Group took over the oversight of subdivision fences.

- Engineering staff refined and enhanced the design standards for fences, i.e. what is permitted, and where.
- Road layout designs in subdivisions were modified to increase the utilization of “window” streets to reduce acoustic fence requirements.
- Other than chain link divisional fences, all acoustic, wood screen and decorative fences, including masonry gateway features and iron fencing for new subdivisions, were now required to be placed on private property. Additionally, developers/builders were now required to include acoustic and decorative fence clauses in development agreements and purchase and sale agreements, identifying that the acoustic and decorative fences are owned and shall be maintained by property owners.

Due to the changes outlined above, the Town’s current inventory of acoustic fences and decorative fences maintained by the Town has changed little since 2008, since new fences are now all built on private property. Only the inventory of divisional fences has increased since this time.

Current Status of Fencing and Gateway Features in Whitby

In 2023, Council approved New and Unfinished Business Item No. GG-0022:

That Staff be directed to report to Council on the implementation of a gateway maintenance program, including additional resources required, to address the repair and rehabilitation of deteriorating gateway signage in subdivisions throughout the Town of Whitby.

Staff conducted an audit of all masonry gateway features within the Town, which included a high-level assessment of their condition. In all, there are 63 masonry gateway features totaling approximately 0.94 km. This total does not include gateway features that are located on private commercial property. Of the 63 gateway features, 31 features totaling 0.49 km are located within the Town’s right-of-way or on the property line. The remaining 32 features totaling 0.45 km are located either on the Region’s right-of-way or completely within private property. Similarly, there are nearly 600 masonry piers (columns) incorporated into various fencing throughout the Town, both within the Town’s right-of-way, Region’s right-of-way, or private property.

Of the nearly 7 km of iron fencing within the Town, only 3% (0.21 km) is within the Town right-of-way and only 1% (0.06 km) is within the Regional right-of-way with the remaining 94% (6.72 km) located completely within private property.

The table below outlines the current inventory of fencing throughout the Town:

	Town Owned	Region Owned	Private
Acoustic Fences	19.01 km	16.5 km	N/A
Divisional Fences	77 km	Unknown	Unknown
Decorative – Masonry	31	23	9

Decorative – Iron	0.21 km	0.06 km	6.72 km
# of Masonry Columns	281	39	253

Current Practices and Assessment of Fences and Gateway Features

Currently, Operational Services has an annual capital budget of \$230,000 for the replacement of acoustic fencing located within the Town’s right-of-way. This budget is allocated each year to a contracted service provider through an annual tender. In 2023, the low bid and successful respondent provided pricing averaging \$393 per linear metre. Based on current tender pricing and the Council-approved budget of \$230,000 to replace fencing owned by the Town, it will take approximately 33 years to replace all Town-owned wood acoustic fencing. All acoustic fencing replaced through this program is completely at the Town’s cost, with no cost to the homeowner.

Town staff provide emergency repairs for small to medium segments of fences owned by the Town, with an annual \$13,000 operating budget for supplies. Also, the parks maintenance division has an annual operating budget of \$40,000 specifically for supplies and materials for divisional chain link fence repair.

Currently, there is no capital or operating budget to rebuild or repair masonry gateway features, columns or decorative iron fencing located on the Town’s right-of-way. Current and past practice has been that masonry features, columns or iron fences which are placed on Town property or property line, and which are structurally unsafe and failing, the features would be removed and replaced with sod. Where a masonry feature is incorporated into an acoustic fence, it is removed and replaced with wood fencing. The cost of these removals is drawn from the annual capital and operating budgets as needed, and each time result in decreased available funding towards the acoustic fence replacement program. There are several locations throughout the Town where these removals have occurred, with an example shown below.



Anderson St and Solmar Ave – Damaged Masonry Feature 2014



Anderson St and Solmar Ave – After Removal 2018

Of the 31 (Decorative Masonry) gateway features located within the Town's right-of-way:

- 18 are in excellent or very good condition;
- 6 are in fair condition; and,
- 7 have considerable cosmetic damage such as flaking brick surfaces.

None have been identified as a safety concern at this time. Of the 32 remaining (Decorative Masonry) gateway features located on Regional right-of-way's (23) or solely on private property (9):

- 15 are in excellent or very good condition;
- 3 are in fair condition;
- 12 have considerable cosmetic damage; and
- 2 locations are structurally failing.

Despite the deterioration of these assets, the Region of Durham has consistently advised Town staff and residents alike, that they do not maintain acoustic or decorative fencing on Regional right-of-way's including masonry gateway features.

Practices in other Durham Lakeshore Municipalities

The Town currently dedicates more resources to fence maintenance and replacement than neighboring municipalities. While Whitby, Oshawa and Pickering have relatively comparable operating budgets for fence repair (Ajax does not have a fence repair budget), only Whitby has additional funds dedicated for an acoustic fence replacement program. Of these municipalities, including Whitby, none have a gateway maintenance program, nor operating or capital budget for this purpose and none complete repairs to fences or gateway features located on the Region's right-of-way.

	WHITBY	OSHAWA	AJAX	PICKERING
Acoustic Fence Replacement Program	Yes	No	No	No
Acoustic Fence Replacement Program Budget	\$240,000	\$0	\$0	\$0
Gateway Feature Maintenance Program	No	No	No	No
Maintain Regional Fencing/Gateway Features	No	No	No	No

4. Discussion:

Options for the maintenance of Whitby Fences and Gateway Features

To provide high-level costing for the implementation of a gateway maintenance program, multiple options have been explored.

Option #1: Maintain the Current Fence and Gateway Feature Maintenance Program (Status-quo).

In this option, the Town would maintain its existing capital and operating budgets with respect to the repair and maintenance of Town-owned fencing. Gateway features, columns or iron fencing that are located on Town property and are structurally failing or have considerable cosmetic damage will be scheduled for removal, and replaced with sod or wood fencing, if part of an acoustic fence. The Town will not maintain gateway features, columns or iron fencing located on regional or private property.

The legal requirements to complete work beyond this scope and to enter onto private or Regional property would need to be assessed on a case-by-case basis. The Town would need to confirm whether each feature is on public or private property, which requires the services of a Land Surveyor. There are some examples where the gateway features cross over onto multiple properties. Features located on private property, or on a property line between Town property and private property, would require staff to prepare and execute a permission to enter agreement to access privately owned lands to inspect, maintain and if necessary, replace fences, features and/or columns. The Town does not typically undertake this kind of work on private property due to the potential liabilities involved.

An additional concern is that the Town often ends up in disputes with residents over the replacement of these types of structures (i.e. acoustic fencing), or of the result of the work completed on their property. While Town staff and contractors aim to return the area to what it was previously, work is often completed to the Town’s standard, which may be different from an individual homeowner’s standard. This creates discord

between the Town and its residents and takes a significant amount of staff time and resources to resolve.

Option #2: Expand the removal of Failing/Unsafe Fences, Masonry Columns and Gateway Features. This option would expand the current program to include gateway features, columns and iron fencing located on Regional or private property to remove those fences/features which are structurally failing or have considerable cosmetic damage and replace them with sod or wood fencing (if part of an acoustic fence). Iron fencing has been included in this option to provide a consistent approach regarding the aesthetics of fencing throughout the Town.

One-time costs to remove the additional masonry features and columns and replace with sod, based on their current condition, is estimated to be approximately \$474,000. One-time costs to remove iron fencing, based on their current condition, is estimated to be approximately \$105,000 (\$150/m for 0.7 km) to remove approximately 10% of the total iron fencing. Once these gateway features, columns and iron fencing have been removed, on-going costs for the remaining 18 features, nearly 300 columns and over 6 km of iron fencing located on Regional rights-of-way or private property are estimated to be approximately \$106,000 per year based on a 25-year lifecycle replacement schedule. All costs related to this increased service level would need to be added to future operating and capital budgets as they are not funded at this time.

A comprehensive review of the remaining features would need to be completed to more accurately determine the remaining lifecycle of each gateway feature, column, and section of iron fence. Future funding for an external consultant to complete this assessment would be required.

Option #3: Expand the Fence/Gateway Feature Maintenance and Replacement Program. This option would extend the fence maintenance program and to increase service levels for all gateway features, columns and iron fencing located on Town, Regional or private property to include full restoration or replacement if they are structurally failing or have considerable cosmetic damage. In this scenario, many features with significant cosmetic damage would likely need to be fully removed and re-built for a variety of reasons (e.g., internal water damage, footing damage, difficulty matching brick colours, etc.).

Because each gateway feature and column condition and design are unique, staff cannot provide a detailed estimate of replacement costs at this time. Based on pricing that the Town has received for 3 masonry gateway features, it is estimated that repair/replacement costs would range from \$80,000 to \$100,000 per feature plus \$7,500 per column. A high-level estimate based on the replacement costs received would total approximately \$1,817,500 to \$2,217,500 for 20 features, and 29 columns (10% of total) based on their current condition. One-time costs to remove and replace iron fencing based on current condition is estimated to be approximately \$455,000 at \$650/m for 0.7 km of fence.

Once these features, columns and iron fencing have been re-built, on-going costs are estimated to be approximately \$420,000 per year based on a 25-year lifecycle replacement schedule. Similar to Option #2, a comprehensive review of the remaining

features would be needed to more accurately determine remaining lifecycles; however, it is anticipated that ongoing costs would be considerably higher than Option #2.

5. Financial Considerations:

Option #1 is status quo with no financial impact. The Town would continue with a \$230,000 annual capital project for the replacement of acoustic fencing located within the Town's right-of-way. Staff recommend this option as the Town currently has an annual funding gap of approximately \$11 million per year to keep the assets and infrastructure (such as roads, sidewalks, bridges, storm water) in a state of good repair. As outlined in the [June 10, 2024 Staff Report FS 31-24 on the Town of Whitby Municipal Asset Management Plan Update](#):

- The Town's existing infrastructure is in generally good condition with an overall health grade of "B" (94.7% are in fair to very good condition and 5.3% are in poor to very poor condition.);
- For the Town's existing infrastructure assets, the 10-year average annual financial requirement/forecasted spend is \$41.8 million/year based on the Municipal Asset Management Plan.
- The Town's current funding levels (from various sources) for asset replacements is currently \$31.0/year.
- Therefore, there is an annual funding gap of \$10.8 million (= \$41.8 – 31.0).

Increasing the Town's service levels with respect to gateway/fence maintenance (as outlined in Options 2 and 3) would only increase the \$11 million infrastructure funding gap and increase the pressure to increase property taxes in order to fund the enhanced program.

Option #2 would require additional one-time funding of approximately \$579,000. This one-time funding will be required to remove the identified masonry gateway features, columns and iron fencing that have exceeded the ability to be repaired. The remaining 18 features, nearly 300 columns and over 6 km of iron fencing will require additional property tax-based funding support for the increased maintenance service level. This annual cost is estimated to be \$106,000 per year.

Option #3 would require additional one-time funding of approximately \$2,272,500 to \$2,672,500. This one-time funding is for 20 gateway locations, 29 columns (10% of total), and 0.7 km of iron fencing, based on their current condition. The restoration/replacement requirements in future years will need to be included as a capital budget request. Costs for on-going maintenance for all gateway features, columns and iron fencing will require additional property tax-based funding support for the increased service level. This annual cost is estimated to be \$420,000 per year.

6. Communication and Public Engagement:

N/A

7. Input from Departments/Sources:

Right-of-way Services has consulted with Legal Services, Financial Services and Operation's Roads/Traffic in the preparation of this report.

8. Strategic Priorities:

This Report supports the Town's Community Strategic Plan under:

Pillar 4: Whitby's Government, Accountable & Responsive

- Objective 4.3.2: Identify, establish, and report on service levels of interest to the community.
- Objective 4.4.1: Deliver services that respond to community needs while balancing the impact to taxpayers.

9. Attachments:

N/A

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: 55+ Recreation Advisory Committee Terms of Reference - Revisions

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: CMS 11-24

Department(s) Responsible:

Community Services Department

Submitted by:

John Romano, Commissioner,
Community Services

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

For additional information, contact:

Kim Evans, Manager, 55+ Recreation,
Diversity and Accessibility

Sharon Meredith, Director, Recreation

1. Recommendation:

1. That Council approve the revised Terms of Reference for the 55+ Recreation Advisory Committee (Attachment 1).

2. Highlights:

- The members of the 55+ Recreation Advisory Committee, in consultation with Staff, reviewed the Committee's Terms of Reference and have made updates to ensure that the role and responsibilities of the Committee are accurately depicted, and that the selection of the Committee's members represent a variety of interests and diversity.
- Changes were discussed over several meetings and were finalized and approved by Committee Members at the June 14, 2024, meeting of the 55+ Recreation Advisory Committee.
- These changes are necessary as the Committee has evolved over time and the current Terms of Reference speaks to past practice versus the current roles and responsibilities of the Committee.
- Four main changes were made including:

- Increasing Committee Members responsibilities to provide input on all 55+ programs rather than a select group of activities, as previously stated;
 - Clarifying that fees are determined by the by Council based on recommendations of the Community Services Department with input from the 55+ Committee through the annual budget process;
 - Clarifying that the 55+ Recreation Clerk supports the administrative tasks of the Committee, not a volunteer Secretary as stated; and,
 - That Committee Members will now be appointed by Council based on recommendations from Committee and Community Services Staff each year, replacing the previous election process.
- These changes ensure that the Terms of Reference are an accurate reflection of the roles and responsibilities of the Committee and that the selection of members serving on the Committee reflect diversity and a broad range of program interests.

3. Background:

The Whitby 55+ Recreation Advisory Committee, in consultation with 55+ Recreation staff, provides advice and perspective regarding the various 55+ Recreation programs offered by the Town of Whitby. The purpose of the Committee is to support all social and recreational programs and to advise the Town of Whitby on issues relating to membership of Whitby 55+ Recreation Services.

Programming for residents age 55+ began with the official opening of the Whitby Seniors Activity Centre in 1976. With the support of the Town, it started with approximately 100 members, 10 volunteers and an appointed Board of Directors. A few years later, services were expanded, and the Seniors' Centre and its programs became an official Recreation Department within the Town.

An Advisory Committee and the Terms of Reference were created based on the activities at the time and was mostly focused on membership and drop-in leisure activities ([ToR-O-03](#)). Since that time, programs and services have expanded and changed to meet the recreational needs of residents aged 55+. Currently, 55+ Recreation provides a variety of classes, sports leagues, health and wellness activities, special events and services to approximately 3,000 members.

The Terms of Reference have been revised with minor changes over the years, including a name change from Whitby Seniors' Services to Whitby 55+ Recreation, in 2020 ([Staff Report CMS 26-19](#)).

The current Committee has reviewed the Terms of Reference and found that some of the terms and processes were out of date and no longer accurately reflected the activities of the Committee and its membership. The Committee feels that these changes will provide a more accurate overview of the activities of the Committee and are in line with many of the other Town of Whitby Committees of Council, with a role that focuses on giving input and advice to staff and Council.

4. Discussion:

In spring of this year, the members of the 55+ Recreation Advisory Committee began a review of the Committee's Terms of Reference and found that some of the wording and actions within were no longer relevant. As a result, the Committee, in consultation with staff, updated the terms to accurately reflect the Committee's current work and operation. These changes were discussed over several months and approved by the Committee at the 55+ Recreation Advisory Committee Meeting held on June 14, 2024.

The four (4) main changes to the Terms are listed below:

1. A change to wording that focuses on the Committee giving general advice on all 55+ Recreation Programming versus on only specifically named programs.

In the previous Terms of Reference, specific programs and events were listed that the Committee could provide advice to (i.e. Drop-in programs, dances, choir, summer student activities). In reality, the Committee provides input and advice on all of the Town's 55+ programs and are not limited to a specific list. This ensures that Committee input is considered by Staff for any 55+ Recreation program. This also ensures that the Terms of Reference stay accurate and relevant since many of the previously listed programs no longer exist, having changed to meet contemporary 55+ programming needs.

Committee Terms of Reference # 2.1 now reads – "The Whitby 55+ Recreation Advisory Committee, in consultation with Community Services Staff provides advice regarding the various 55+ Recreation programs offered by the Town of Whitby."

2. A change to wording that clarifies that the establishment of 55+ program fees is done through the Staff budget process and approved by Council with the input of the 55+ committee.

Although wording in the Terms of Reference refers to the committee reviewing departmental related expenditures and revenue, this practice stopped years ago when Committee members determined that this was the role of Community and Financial Services staff. A review of program fees is a role the Committee does undertake each year through the budget process. Community Services Staff regularly consult the Committee's input on 55+ program fees.

Committee Terms of Reference # 3.1 now reads - "Fees for 55+ programs will be developed by the Community Services Department with input from the 55+ Committee".

3. Replacing the role of the Committee Secretary with Community Services Staff

The Secretary position within the Committee ceased to exist several years ago when new internal software and accessible document requirements made scribing minutes a challenge for volunteers. The Secretary would type up the minutes and a staff person would have to retype them. The Committee agreed that it was more efficient for staff to take minutes, distribute agendas and circulate correspondence. Currently the 55+ Recreation Clerk sits on the Committee at each meeting, takes minutes and ensures agenda and correspondence distribution. Therefore, the 55+ Recreation Clerk was added to the composition of the Committee.

Committee Terms of Reference #4.1 now reads – “The Committee shall consist of thirteen members; 10 voting members plus three non-voting members one being a member of Council appointed by the Mayor, another being the Manager of 55+ Recreation Services, and the other being the 55+ Recreation Clerk.”

4. Appointment of Members Instead of Elections

The current practice of election of Committee Members was discussed, and it was agreed that this type of approach to Committee Membership was more relevant to past practices when the Centre had one location, a Board of Directors, and mostly focused on Drop-In Leisure activities. At this time, the membership was a smaller, cohesive group that ran most of the activities.

Now, with approximately 3,000 members participating in hundreds of activities at multiple locations, it is a challenge for people to get to know everyone and feel confident to vote for candidates for the Committee. Members also expressed that seeing that the Committee is advisory in nature versus being a Board of Directors, that the election process was no longer in the Committee’s best interest and deterred people from volunteering.

Current Committee members agreed that appointments would be a better approach, which would be completed through an annual application and interview process conducted by the Committee in partnership with Staff. This will encourage members to come forward who are interested in volunteering and giving their input to 55+ programs. The Committee members also felt it was important to look for Committee Members who represent participation across a variety of programs and bring varying diverse perspectives.

Terms of Reference #9.1 now reads - “Appointments to the Committee will be recommended annually to Council through a fair interview process and determined by the Chair, Vice-Chair and Manager of 55+ Recreation with further approval by the Director of Recreation. This is to ensure that the member understands the role and responsibilities of the Committee and to ensure a broad spectrum of interests and diversity.”

Council approval will still be required as stated in the Terms of Reference #9.4 - “The newly appointed Committee will take office as of the first Committee

meeting in January of each year, subject to Council approving and appointing them prior to that date.”

5. Financial Considerations:

There is no impact on the budget with the implementation of these changes.

6. Communication and Public Engagement:

The changes to the Terms of Reference were finalized and passed by the 55+ Recreation Advisory Committee at their June 14, 2024, meeting and included with the June minutes. Once approved, the new Terms of Reference will be posted online at Whitby.ca/55plus and on the 55+ Committee bulletin board at the 55+ Recreation Centre.

7. Input from Departments/Sources:

The changes to the Terms of Reference were reviewed by the Legislative Services/Clerks Department who had no concerns.

8. Strategic Priorities:

The changes to the 55+ Recreation Advisory Committee Terms of Reference connect to the Community Strategic Plan through the following pillars:

- **Pillar 1 - Whitby’s Neighbourhoods: Safe, Healthy & Inclusive** – the 55+ Recreation Advisory Committee provides advice and perspective regarding the various 55+ Recreation programs offered by the Town of Whitby ensuring that adults age 55+ remain active, engaged and connected.
- **Pillar 4 – Whitby’s Government: Accountable & Responsive** - A review and accurate revision of the Committee’s Terms of Reference ensures that the Committee and the Town remain accountable and responsive to the needs of the 55+ community.

9. Attachments:

Attachment 1 – Draft Whitby 55+ Recreation Advisory Committee Terms of Reference (updated June 14, 2024)



Whitby 55+ Recreation Advisory Committee Terms of Reference

Number:	ToR-O-03
Reference:	Council Resolution #492-17
Date Approved:	October 30, 2017
Date Revised:	June 14, 2024
Approval:	Council
Point of Contact:	Manager, 55+ Recreation Services (Staff Liaison)

1.0 Enabling Legislation

The Municipal Act, 2001, provides the municipality with the authority to create advisory committees for specific purposes. The Town of Whitby Council has deemed it advisable to establish a Whitby 55+ Recreation Advisory Committee. The Town of Whitby supports and acknowledges the value of internal and external committees.

2.0 Mandate and Responsibilities

2.1 The Whitby 55+ Recreation Advisory Committee, in consultation with the Community Services Staff provides advice and perspective regarding the various 55+ Recreation programs offered by the Town of Whitby.

2.2 The purpose of the Committee is to support all social and recreational programs and to advise the Town of Whitby on issues relating to the membership of the Town of Whitby 55+ Recreation Services.

2.3 Objectives

2.3.1 To protect the mutual interests of its members.

2.3.2 To encourage all adults 55+ to participate in activities of Whitby 55+ Recreation Services to help keep them active, connected and engaged in the community.

2.3.3 To provide opportunities for friendly communications among adults 55+.

2.3.4 To promote involvement, goodwill and participation among groups and individuals within the membership.

2.4 Responsibilities

- 2.4.1 Offer input on 55+ programs, services and activities.
- 2.4.2 Advise the Manager of 55+ Recreation Services of problems and concerns related to the use of the building(s) which affect the members.
- 2.4.3 Work with the Manager of 55+ Recreation Services in evaluating the recreation and leisure needs for adults 55+ in the Town of Whitby.
- 2.4.4 Assist with the design and implementation of special events.
- 2.4.5 Share the responsibility with staff to advise members of approved operating policies of the Town of Whitby.
- 2.4.6 Communicate respectfully and constructively with members and staff and follow the Public Code of Conduct Policy.

3.0 Fees

- 3.1 Fees for 55+ programs will be developed by the Community Services Department with input from the 55+ Committee.

4.0 Membership and Composition

- 4.1 The Committee shall consist of thirteen (13) members: ten (10) voting members plus three (3) non-voting members of which one being a member of Council appointed by the Mayor, another being the Manager of 55+ Recreation Services, and the other being the 55+ Recreation Clerk.
- 4.2 A member of the Town of Whitby Council is appointed to the Committee to:
 - a) liaise between Council and the Committee;
 - b) respond to Committee members' questions;
 - c) interpret Council's direction to the Committee;
 - d) provide updates on Committee activities to Council; and,
 - e) provide updates on Council activities to the Committee.
- 4.3 The Manager of 55+ Recreation Services sits on the Committee to provide advice as well as to liaise with other Town departments and other sections within the Community Services Department affecting 55+ Recreation Services.

- 4.4 The 55+ Recreation Clerk sits on the Committee to take minutes, distribute agendas, correspondence, and minutes, and to assist with Committee administrative tasks.
- 4.5 A Chair and Vice-Chair shall be elected by a majority of Committee members for a one-year term at its first meeting of each calendar year.
 - 4.5.1 The Chair and Vice-Chair may serve for a maximum of two consecutive years unless the Committee determines otherwise with the unanimous consent of its members.
 - 4.5.2 In the event that a member and their partner are both members of the Committee, only one partner can serve in a Chair position at any one time.

#		
10	Citizen Appointments	Voting
1	Clerk (Administrative Support)	Non-Voting
1	Staff Liaison	Non-Voting
1	Member of Council	Non-Voting

5.0 Committee Leadership

5.1 Committee Chair

5.1.1 The Chair's role is to provide guidance and leadership to the Committee of Council in the completion of its mandate. The Chair shall ensure that decorum is maintained at each meeting and that the rules of procedure, as per the Procedure By-law or as otherwise established, are observed.

5.2 Vice-Chair

5.2.1 The Vice-Chair acts in the Chair's absence and assumes the roles and responsibilities of the Chair.

6.0 Member Qualifications

6.1 The following qualifications should be considered when appointing members to the Whitby 55+ Recreation Advisory Committee:

6.1.1 Current participation in 55+ Recreation programs, services and/or activities.

6.1.2 A member of Whitby 55+ Recreation Services.

6.1.3 Available to attend meetings regularly.

7.0 Committee Members

- 7.1 Committee members shall contribute time, knowledge, skill and expertise to the fulfillment of the Committee's mandate as required; work with Staff to implement Council's decisions relevant to the Committee's mandate and commit to attending regular meetings during the year.

8.0 Meetings

- 8.1 Regular meetings of the Committee shall be held on the second Friday of each month except for July and August, or as modified and determined by the Committee.
- 8.2 Notwithstanding the above, the Committee reserves the right to change the time, date or place of its meetings if circumstances warrant and the change shall be communicated in an email to the Committee members at least one week in advance.
- 8.3 Each member elected to the Committee serves a two-year term. Five members are appointed by Council each year, with five vacancies alternating.
- 8.4 After a member serves a two-year term, they may elect to stay on the committee for another (2) two-year term before having to re-apply.
- 8.5 The Committee has the right to recommend the removal of any Committee member who misses three consecutive regular meetings or is absent from over 50% of the meetings in one year; unless the subject member can satisfy the Committee that the absence was justified.
- 8.6 The Committee shall fill any vacancy which may occur in its number between terms. Such appointee shall hold office for the unexpired term of the replaced member subject to the approval by the Committee.
- 8.7 Special meetings shall be called by the Chair at the request of five members of the Committee.
- 8.8 A quorum shall consist of five members or a majority of the Committee. The Committee shall hold in confidence any information concerning individual members which they may be privy to.

9.0 Appointments to the Committee

- 9.1 Appointments to the Committee will be recommended annually to Council through a fair interview process and determined by the Chair, Vice-Chair and Manager of 55+ Recreation Services with further approval by the Director of Recreation. This is to ensure that the member understands the role and responsibilities of the Committee and to ensure a broad spectrum of interests and diversity.

- 9.2 Starting in September of each year, all Committee members shall assist with the recruitment of new members through word of mouth and paper and electronic promotion.
- 9.3 Interviews will occur in October of each year for prospective Committee Members. The interviews will be conducted by the Chair, Vice-Chair and Staff Liaison. If circumstances are that the Chair, Vice-Chair or Staff Liaison cannot attend, then a Committee member or 55+ Staff Member can be approved to take their place in the interviews. Approval of the substitution must be unanimous by the Chair, Vice-Chair and Staff Liaison.
- 9.4 The newly appointed Committee will take office as of the first Committee meeting in January, subject to Council approving and appointing them prior to that date.
- 9.5 The appointments will be posted at the 55+ Recreation Centre and communicated to the membership.
- 9.6 The names of all Committee members and their photos will be prominently displayed in the Whitby 55+ Recreation Centre.
- 9.7 Only resident members of The Town of Whitby 55+ Recreation Services are entitled to be appointed to the Committee.

10.0 Membership Feedback

- 10.1 The Committee is interested in providing an opportunity for members to express any concern(s) about the operation of the Town of Whitby 55+ Recreation Services. In order that an organized procedure is followed, the Committee will receive deputations at monthly Committee meetings based on the following guidelines:
 - 10.1.1 Deputations must be submitted to the 55+ Recreation Clerk in writing, dated and signed one week prior to the monthly Committee meeting. The Committee, by a 2/3 vote of the members present, can accept a deputation if submitted late.
 - 10.1.2 Only one person may verbally represent a deputation.
 - 10.1.3 The Committee reserves the right to ask questions but may elect to receive the information and give a formal response at a later date.
 - 10.1.4 Spectators attending deputations are not permitted to speak and may be asked to leave by the Chair if the meeting is disrupted.

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: 2025 Council, Committee, and Public Meetings Schedule

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: CLK 07-24

Department(s) Responsible:

Office of the Town Clerk

Submitted by:

C. Harris, Director, Legislative Services/Town Clerk

Acknowledged by M. Gaskell, Chief Administrative Officer

For additional information, contact:

K. Narraway, Sr. Manager, Legislative Services/Deputy Clerk

1. Recommendation:

That Council approve the 2025 Council, Committee, and Public Meetings schedule appended as Attachment 1 to this Report.

2. Highlights:

- The proposed 2025 Council, Committee, and Public Meetings schedule continues the four-week meeting cycle introduced in 2024, consisting of two Committee of the Whole Meetings, generally followed by a Public Meeting or Statutory Holiday (no meetings scheduled), followed by a Regular Council meeting.
- The 2025 meeting schedule maintains the same timing as the 2024 meeting schedule for the presentation, consideration, and adoption of a Strong Mayor Budget for the 2026 budget year.

3. Background:

Section 8.7 of Procedure By-law # 8081-24 requires Council to adopt a schedule for its meetings to be held the following year. The Town Clerk is responsible for publishing the schedule on the Town's website.

4. Discussion:

The 2025 Council, Committee, and Public Meetings schedule continues the four-week meeting cycle introduced in 2024 for Committee of the Whole, Public Meetings, and Council Meetings. In the four-week cycle, Committee of the Whole Meetings are scheduled on week one and week two. In week three of the cycle, either a Public Meeting is scheduled or there is no meeting scheduled due to a Statutory Holiday or for Council attendance at a conference. Week four of the cycle is then the Regular Council meeting to consider the recommendations stemming from the week one and week two Committee of the Whole meetings.

Moving to a four-week schedule has provided the following benefits:

- Council is provided with a minimum two-week period to consider discussion, debate, and recommendations from Committee of the Whole Meetings prior to making decisions at Regular Council Meetings.
- Staff are provided with additional time to respond to requests for information at Committee of the Whole Meetings, including preparing memorandums for Council's consideration.
- The public is provided with additional time to submit correspondence regarding matters being considered at Council.

Similar to previous schedules, no meetings are scheduled during the weeks of Family Day, March Break, Easter Monday, the Ontario Good Roads Association annual conference, Victoria Day, July and August, National Day for Truth and Reconciliation, Thanksgiving, and during the December holiday break.

Of note for the 2025 meeting schedule is the inclusion of a Public Meeting date on Wednesday, May 14, 2025 which differs from traditional Monday meetings. The purpose of this meeting is to reduce the gap between the Public Meeting dates scheduled on March 24, 2025 and June 16, 2025 in order to meet statutory timelines.

As is current practice, in instances where time-sensitive reports require urgent consideration, reports may be presented directly at Regular Council Meetings or the Mayor may call Special Council Meetings, including meetings during July and August.

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

The 2025 Council, Committee, and Public Meetings schedule will be published on the Town's website. Upcoming meetings are shared with the public through the website calendar and through the Town's social media channels.

7. Input from Departments/Sources:

The Senior Leadership Team was consulted when developing the 2025 Schedule. Additionally, the Commissioner of Financial Services/Treasurer has reviewed the proposed budget dates and the Commissioner of Planning and Development has reviewed the proposed Public Meetings dates.

8. Strategic Priorities:

Publishing the 2025 Council, Committee, and Public Meetings schedule in advance allows Staff to inform and engage the community about upcoming meetings. This supports Strategic Pillar 4 in the Community Strategic Plan: Whitby's Government – Accountable & Responsive.

9. Attachments:

Attachment 1 – 2025 Council, Committee, and Public Meetings schedule

2025 Whitby Council and Committee Meeting Schedule

January						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Council: 7:00 p.m.
- Committee of the Whole: 7:00 p.m.
- Public Meetings: 7:00 p.m.
- Budget Meetings: E&T (November 17, 5:30 pm), Council Amendments (November 27, 7:00 pm)
- Weekends and Statutory Holidays: Offices Closed

2025 Whitby Council and Committee Meeting Schedule

January 2025

January 6: Public Meetings 7:00 p.m.

January 13: Committee of the Whole 7:00 p.m.

January 20: Committee of the Whole 7:00 p.m.

February 2025

February 3: Council 7:00 p.m.

February 10: Public Meetings 7:00 p.m.

February 24: Committee of the Whole 7:00 p.m.

March 2025

March 3: Committee of the Whole 7:00 p.m.

March 17: Council 7:00 p.m.

March 24: Public Meetings 7:00 p.m.

April 2025

April 7: Committee of the Whole 7:00 p.m.

April 14: Committee of the Whole 7:00 p.m.

April 28: Council 7:00 p.m.

May 2025

May 5: Committee of the Whole 7:00 p.m.

May 14: Public Meetings 7:00 p.m.

May 12: Committee of the Whole 7:00 p.m.

May 26: Council 7:00 p.m.

June 2025

June 2: Committee of the Whole 7:00 p.m.

June 9: Committee of the Whole 7:00 p.m.

June 16: Public Meetings 7:00 p.m.

June 23: Council 7:00 p.m.

September 2025

September 8: Public Meetings 7:00 p.m.

September 15: Committee of the Whole 7:00 p.m.

September 22: Committee of the Whole 7:00 p.m.

October 2025

October 6: Council 7:00 p.m.

October 20: Committee of the Whole 7:00 p.m.

October 27: Committee of the Whole 7:00 p.m.

November 2025

November 3: Public Meetings 7:00 p.m.

November 10: Council 7:00 p.m.

November 17: Budget - Education & Training Session 5:30 p.m.

November 24: Committee of the Whole 7:00 p.m.

November 27: Budget - Council Amendments 7:00 p.m.

December 2025

December 1: Committee of the Whole 7:00 p.m.

December 8: Public Meetings – 7:00 p.m.

December 15: Council 7:00 p.m.

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Whitby Fire & Emergency Services – Equipment Standardization

Report to: Committee of the Whole

Date of meeting: September 23, 2024

Report Number: FES 04-24

Department(s) Responsible:

Fire and Emergency Services

Submitted by:

Chief Michael Hickey

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

For additional information, contact:

Deputy Chief Glenn Green

Deputy Chief Mike Tucker

1. Recommendation:

1. That Council approves the standardization of emergency response equipment and fire apparatus, as outlined in Table 1 of Staff Report FES 04-24; for a period of five (5) years, ending September 30, 2029; and,
2. That staff procure standardized equipment outlined in Table 1 of Staff Report FES 04-24 in accordance with the Procurement Policy, and staff be authorized to single source award contracts for items where there is only one authorized supplier/distributor for the Whitby geographical area.

2. Highlights:

- Standardization of equipment, for up-to five (5) years, is provided for in the Town's Procurement Policy.
- Emergency response equipment is vital to protecting the health and safety of firefighters while performing job duties on emergency scenes.

- As per legislative requirements, emergency response equipment is assigned a lifecycle in which equipment is required to be replaced within stipulated timeframe for safe and optimal performance.
- Equipment standardization provides for proficiency in the delivery of excellent customer service, while providing protection of life and property conservation across the Town.
- The emergency response equipment, as listed in Attachments - Table 1, has proven, over time, to meet the needs of WFES and the public with effectiveness and reliability.
- Standardization of fire apparatus, personal protective gear and equipment increases safety for WFES staff and provides WFES staff confidence during emergency responses through familiarization of its' operation and/or locations of tools/controls.
- Assists in smooth transition of WFES staff from one (1) apparatus to another which is often required for coverage and additional response during emergency situations.
- Overall, standardization of equipment provides required and familiar operational features, improves maintenance efficiencies, streamlines inventory, reduces the variety of specialized tools, reduces required training and leans the procurement process for new or replacement fleet/equipment.

3. Background:

The purpose of this report is to recommend Council approval to standardize emergency response equipment and apparatus used by the Whitby Fire and Emergency Services (“WFES”) for a period of five (5) years.

Standardization of equipment is provided for in the Town’s Procurement Policy, Policy # F 080 in situations where the Town has identified specific equipment/manufacturers that best fits the Town’s needs. Once equipment standardization has been approved, purchases must still follow the Town’s Procurement Policy but the process may be streamlined by only reviewing bids from suppliers of the standardized equipment and/or establishing long-term contracts with suppliers of the standardized equipment. The Procurement Policy only allows for standardization for a period of five (5) years before re-evaluation, by the department, is required.

Standardization of equipment and fire apparatus (i.e. aerials and pumpers) provides consistency for WFES staff. That is, in emergency situations, standardized equipment allows for WFES staff to rely on training and muscle memory to perform their duties efficiently and effectively.

WFES utilizes an internal committee, comprised of senior officers and firefighters, to identify, research, evaluate and test a variety of equipment. By forming an internal committee, WFES has been able to successfully rely on emergency responders seasoned experience and tactical knowledge to inform procurement of the most appropriate and required equipment.

Equipment used by our firefighters is annually budgeted, as per a ten (10) year forecast,

with procurements made in accordance with the Town of Whitby’s Procurement Policy. Over the years, increased delivery timelines have negatively impacted WFES’ ability to maintain required inventory; while also creating challenges with procurement and accurate budget allocations.

Standardization of equipment will also assist with streamlining the procurement process and allow for cost savings through multi-year purchase agreements, which in turn aligns with the Town of Whitby’s multi-year budget commitment.

4. Discussion:

Standardization of equipment as outlined in Attachment – Table 1, provides fleet maintenance and operating efficiencies in the following manner:

- Provides familiarity for WFES staff when transitioning between apparatuses in the course of a shift and/or on an emergency scene;
- Minimizes the number of specialized WFES apparatus/fleet equipment for Town fleet technicians to be trained on and that the Town must maintain parts for;
- Reduces the quantity and variety of required parts and/or equipment to be inventoried;
- Reduces the variety of specialized tools to service equipment;
- Provides for proficiency in the delivery of excellent customer service; and,
- Reduces the variety of test equipment and software platforms (and updates) required to service equipment.

Throughout WFES, movement of suppression staff between fire stations and/or apparatuses occurs regularly to best utilize the skillsets and training of individuals and to maintain appropriate staffing coverage due to vacations, illnesses or other absences. During emergency responses, it is imperative that firefighters have trust in both personal protective equipment and fire apparatus, while being extremely familiar with its operations and functions. For these reasons WFES test and train extensively on all elements of these key pieces of equipment. To best exploit this extensive training, equipment needs to be uniform across all apparatus a firefighter may be assigned to throughout a shift.

WFES recommends standardization on the following equipment:

Table 1 – Recommended Equipment Standardization:

Item	Manufacturer
Bunker Gear	Starfield Lion
Aerial Apparatus	Pierce
Pumper Apparatus	E-One

Self-Contained Breathing Apparatus (SCBA)	MSA
Thermal Imaging Camera	Flir
Fire Hose	Snaptitle

Subject to Council approval of this report, the equipment standardization will be effective for a five (5) year period. During this time, purchases of the equipment listed in Table 1 must still follow the Procurement Policy:

- If there is more than authorized supplier of the standardized equipment in Whitby, Ontario, Canada, quotes or tenders will be issued and award will be based on lowest price;
- If there is only one authorized supplier of the standardized equipment in Whitby, Ontario, Canada, the Town will single source award to that vendor for the one purchase or provide for a longer-term commitment in order to secure timely delivery and potentially better pricing.

The Procurement Policy requires Council approval for single source awards in excess of the Canadian Free Trade Agreement limits (i.e. \$133,800 for goods and services and \$334,400 for construction, effective from January 1, 2024 to December 31, 2025). It is recommended that where there is only one authorized supplier/distributor of standardized equipment (outlined in Table 1) in the Whitby geographical area (e.g. Whitby, Ontario, Canada, etc.), that Town Staff be authorized to procure the equipment via a single source award subject to the review and approval of WFES, Fleet (if applicable), the Chief Administrative Officer (if applicable based on value), and Financial Services staff. As outlined in the Procurement Policy, procurements \$250,000 or greater will be included in an information report to Council on a quarterly basis.

5. Financial Considerations:

There are no immediate financial implications related to this report. Procurements must have approved budgets prior to award.

6. Communication and Public Engagement:

Not Applicable

7. Input from Departments/Sources:

Whitby Fire and Emergency services utilizes internal committees comprised of both Management and Unionized staff for research and development including testing of equipment prior to purchase. Once standardization of equipment is approved, Fire and Emergency Services and Financial Services will work jointly throughout the purchasing process.

8. Strategic Priorities:

The recommendation contained in this report advances the following Strategic Pillar and Action identified in the Town's Community Strategic Plan:

- Whitby's Neighbourhoods – Safe, Healthy, & Inclusive
 - Objective 1.1 – Improve community safety, health, and wellbeing

As the Town's population continues to grow, and infrastructure continues to change, emergency service professionals are required to expand knowledge, technical skillset and mechanical aptitude. Standardization of equipment utilized by WFES' will assist in continuing to deliver exceptional customer service while efficiently and effectively responding to emergency incidences across the Town of Whitby.

9. Attachments:

Not applicable

New and Unfinished Business - General Government

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
GG-0001	Fishing in Town Parks	That Staff report back on legal fishing in Town parks, including Port Whitby, after consultation with the fishing community has occurred.	07 May 2018	11 Feb 2019	28 Oct 2024	
GG-0002	Community and Marketing Services Department Report, CMS 35-18 Re: Cullen Central Park Master Plan	2. That Council direct staff to commence the development of the Cullen Central Park Master Plan with the final Master Plan to be brought forward for Council approval in Q4 2019; and, 5. That Staff identify options to recognize former mayor Marcel Brunelle in Cullen Park.	25 Jun 2018	18 Nov 2019	17 Feb 2025	In the Whitby Sports Complex Construction Tender Results & Project Budget Approval - Parks projects (originally planned for 2024 in the 10-year forecast) will be impacted by this, includes the Cullen Central Park Redevelopment Phase 2. This project will be budgeted in 2025.
GG-0004	Correspondence # 2020-77 from Karey Anne Large, Executive Director, Downtown Whitby Business Improvement Area, dated January 2, 2020 regarding the Downtown Whitby Business Improvement Area's Annual Report, the 2020 Proposed Budget, and Disbursement Schedule.	That the Commissioner of Corporate Services/Treasurer be directed to report back on the development of a policy to deal with grant and in-kind requests, including predetermined criteria and scoring, in order to ensure grants are based on needs and targeted outcomes.	09 Mar 2020	21 Sep 2020	28 Oct 2024	

New and Unfinished Business - General Government

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
GG-0005	Public Works (Operations) Department Report, PW 17-21 Re: Vimy Memorial Park	3. That staff report back to Council on the progress of the park agreement along with refined budget implications prior to assumption.	21 Jun 2021	13 Jun 2022	28 Oct 2024	Planning & Development & Community Services Staff prepared a joint memo that went on the Aug 11, 2023 CII to update Council on the status of the Park. A report will come forward once all issues have been resolved and the park is moving forward.
GG-0006	Financial Services Department Report, FS 37-21 Re: Town-Owned Land Strategy	That the properties at Part of Lot 25, 26, Conc. 4, Portion of PIN 26569 0285 (LT), Broadleaf and McKinney, as shown on Attachment #15 and Part Lot 25, Con. 2, now 40R-1655, Part 6, PIN 26532 0244 (LT), known municipally as 500 Garden Street, as shown on Attachment #3 be referred to staff to investigate zoning opportunities that would maximize the land value.	27 Sep 2021	05 Jun 2023	28 Oct 2024	
GG-0007	Community Services Department Report, CMS 19-21 Re: Unnamed West Whitby Park – Park Name Survey Results	3. That staff be directed to review the Municipal Property and Facility Naming Policy (MS 250) and report back with any recommended revisions to update the policy.	29 Nov 2021	16 Jan 2023	28 Oct 2024	
GG-0019	Refrigerated Outdoor Ice Rinks or Skating Trails	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	20 Mar 2023	25 Mar 2024	02 Dec 2024	Following the recommendations of the Parks and Recreation Master Plan.

New and Unfinished Business - General Government

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
GG-0021	Protecting Whitby's Urban Forest Canopy	That staff report back on the opportunity to protect trees of significance on private lands in order to preserve Whitby's urban forest canopy.	20 Mar 2023	04 Dec 2023	02 Dec 2024	This recommendation is to create a plan that will help guide a Tree Protection By-law
GG-0022	Gateway Maintenance Program	That Staff be directed to report to Council on the implementation of a gateway maintenance program, including additional resources required, to address the repair and rehabilitation of deteriorating gateway signage in subdivisions throughout the Town of Whitby.	24 Apr 2023	20 Nov 2023	23 Sep 2024	
GG-0023	CMS 06-23, Community Services Department Report Re: Bill 23 Parkland Dedication Framework	4. That staff be directed to report to Council with options for the acquisition of land to support the development of sports fields as identified by the 2015 Sports Facility Strategy and updated by the 2023 Parks and Recreation Master Plan; and, 5. That Staff be directed to report to Council in September 2023 on the status of the parks master plan agreement.	19 Jun 2023	25 Sep 2023	02 Dec 2024	Memo re: the parks master plan agreement forthcoming.
GG-0026-0	CMS 09-23, Community Services Department Report Re: James Rowe House - Food and Beverage RFP	2. That staff enter negotiations with the respondents to the RFP and report back to Council with the results of those negotiations for approval by Council..	27 Nov 2023	03 Jun 2024	28 Oct 2024	A memo was provided on the May 31, 2024 CII with an update on the RFP
GG-0026	Installing lighting at Town parks within a 1-kilometre radius of 1635 Dundas Street	That Staff be directed to report to Council on the cost and timelines to install lighting at Town parks within a 1-kilometre radius of 1635 Dundas Street East.	18 Dec 2024	25 Nov 2024		

New and Unfinished Business - General Government

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
GG-0027	Replacing Town Park playground surfaces within a 1- kilometre radius of 1635 Dundas Street East	That Staff be directed to report to Council on the cost and timelines to replace Town park playground surfaces with alternative surfaces within 1-Kilometre radius of 1635 Dundas Street East.	18 Dec 2023	25 Nov 2024		
GG-0031	Requiring the Region of Durham to consult with the Town of Whitby prior to proposed expropriation requests or orders	That Staff report to Council through a memorandum on the Council Information Index on the legal feasibility of requiring Durham Region to consult with Town of Whitby Planning & Development Staff, CAO, and Council prior to a proposal of expropriation requests on private lands, or orders (for any buildings or lands) not being used for the purpose of providing utilities, (especially if the building is 70,000+ square feet). Which the purpose is to include a request for mandatory consultation with the Town and the Region.	18 Dec 2023	TBD		
GG-0032	Memorandum from H. Ellis, Council and Committee Coordinator, dated October 13, 2023 regarding the Joint Accessibility Advisory and Whitby Diversity and Inclusion Advisory Committee request to participate in the Leading Equitable and Accessible Delivery Program	That the memorandum from H. Ellis, Council and Committee Coordinator, dated October 13, 2023 regarding the Joint Accessibility Advisory and Whitby Diversity and Inclusion Advisory Committee request to participate in the Leading Equitable and Accessible Delivery Program be referred to Staff to report back on the opportunity to participate in this program given corporate resource constraints and commitments.	29 Jan 2024	13 May 2024	28 Oct 2024	

New and Unfinished Business - General Government

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
GG-0034	LS 13-23, Legal and Enforcement Services Department Report Re: Business Licensing By-law Exception Request - 417 Byron Street North	4. That Council direct staff to review the lodging house provisions within the Business Licensing by-law and report back on the merits of amending the By-law to ensure consistency with other applicable provincial legislation; and, 5. That Council direct staff to review the merits of adding provisions/schedules to the Business Licensing By-law to regulate Rooming Houses in the Town of Whitby.	18 Mar 2024	31 Mar 2025		
GG-0035	CMS 04-24, Community Services Department Report Re: Commemorative Tree and Bench Policy Update	1. That Staff be directed to investigate the installation of a commemorative dedication feature at the waterfront and report back to Council in Q4 2024.	29 Apr 2024	02 Dec 2024		