



## Committee of the Whole Revised Agenda

Monday, October 28, 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](http://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 # 8081-24, 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](mailto:clerk@whitby.ca) by noon on the day of the meeting. Correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak during the Committee meeting either in-person or virtually**, please submit a **Delegation Request Form** online to the Office of the Town Clerk by 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. **General Government**
    - 5.1 Presentations

- 5.1.1 Erika Watson, Sr. Manager, Financial Planning/Deputy Treasurer, and Michael Latimer, Supervisor, Asset Management  
Re: FS 36-24, Financial Services Department Report  
Town of Whitby Municipal Asset Management Plan (MAMP) Status Update

**Refer to Item 5.4.1, FS 36-24**

5.2 Delegations

- \*5.2.1 Paul Mason, Resident (In-Person Attendance)  
Re: 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

**Refer to Item 5.3.1**

- \*5.2.2 Ronald King, Resident (In-Person Attendance)  
Re: FS 41-24, Financial Services Department, Community Services Department and Legal and Enforcement Services Department Joint Report Proposed Long-Term License of town-owned Property at 508 Colborne Street West

**Refer to Item 5.4.3, FS 41-24**

5.3 Correspondence

- 5.3.1 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 of Exception from Fee By-law # 7220-17 - Driveway Encroachment for 89 Garden Street, be received for information.

5.4 Staff Reports

- 5.4.1 FS 36-24, Financial Services Department Report  
Re: Town of Whitby Municipal Asset Management Plan (MAMP) Status Update  
Recommendation:  
That Report FS 36-24 regarding the Municipal Asset Management status be received.
- 5.4.2 FS 38-24, Financial Services Department Report  
Re: Declaration of Surplus – Town-owned lands at Cochrane Street and Highway 407

Recommendation:

1. That a portion of Town-owned lands being approximately 34.8 acres and legally described as Part of Lot 29, Concession 6, Township of Whitby, Part 1, Plan 40R-30411, PIN 26571-0280 (LT), save and except the most suitable two (2) acres for construction of a fire station, (the "Property") be declared surplus and sold as outlined in Staff Report FS 38-24;
2. That the Town provide public notice of its intention to declare the Property surplus and report back to Council on any written objections received, in accordance with Town Policy F 190;
3. That, should the Town proceed with the disposition of the Property, staff be directed to:
  - a. retain a third-party consultant to determine the optimal location on the land for a future two (2)-acre severance for a fire station;
  - b. retain an Ontario Land Surveyor to complete a new reference plan for the Property;
  - c. retain a registered real estate brokerage or agent to represent the Town and assist with the market sale of the Property;
  - d. negotiate an agreement and purchase and sale and that staff be authorized to conditionally accept the highest qualified bid received at or higher than the fair market value outlined in Staff Report FS 38-24, and subject to Council's approval of the terms of sale;
4. That the Chief Administrative Officer and the Commissioner, Financial Services and Treasurer be authorized to undertake the necessary actions to execute any real estate brokerage or agent documents, and execute the conditional agreement of purchase and sale with such documents and agreement in a form satisfactory to the Commissioner, Legal and Enforcement Services/Town Solicitor, or designate;
5. That a Hospital Reserve Fund be established and Staff bring forward a Hospital Reserve Fund Policy for Council approval; and,
6. That the Net Proceeds from the sale of the Property be allocated as follows:
  - a. \$1,812,511.33 to the Operations Development Charges Reserve Fund;
  - b. \$420,914.65 to the Fire Development Charges Reserve Fund; and,

c. The balance to the Hospital Reserve Fund.

5.4.3 FS 41-24, Financial Services Department, Community Services Department and Legal and Enforcement Services Department Joint Report  
Re: Proposed Long-Term License of town-owned Property at 508 Colborne Street West

Recommendation:

1. That staff be authorized to finalize negotiations with B'Nai Shalom v'Tikvah, Durham Region's Reform Jewish Synagogue or an alternate religious/non-profit organization for a long-term license of Town-owned property at 508 Colborne Street West in support of a Ukrainian refugee family;
2. That the Mayor and Clerk be authorized to sign a license agreement for 508 Colborne Street West between the Town and B'Nai Shalom v'Tikvah, Durham Region's Reform Jewish Synagogue (or an alternate religious/non-profit organization) and, if deemed necessary by the Town Solicitor, the occupant identified to receive support, substantially based on the principles outlined in Report FS 41-24 and subject to the satisfaction of the Commissioner of Legal and Enforcement Services/Town Solicitor, and Commissioner of Financial Services/Treasurer; and,
3. That a 2024 capital project for the renovation of 508 Colborne Street West be approved in the amount of \$120,000 and funded from the Asset Management Reserve Fund.

5.4.4 FS 43-24, Financial Services Department Report  
Re: Single Source Contract Award for Cell Phone Devices and Services

Recommendation:

That the Town's cellular phone contract be renewed and be awarded to Bell Canada, as a single source award contract, from August 1, 2024 to December 31, 2030 as outlined in Staff Report FS 43-24.

5.4.5 CMS 15-24, Community Services Department Report  
Re: Final Artist Selection - Indigenous Public Art Piece for the Whitby Sport Complex

Recommendation:

That report CMS 15-24 be received for information.

\*5.4.6 CMS 16-24, Community Services Department Report  
Re: Operations Centre Expansion Phase 2 - Design Update

Recommendation:

1. That Report CMS 16-24 be received for information;
2. That Council approve the proposed design concept for the new Parks Administration and Maintenance Facility, attached to this report as (Attachments 1-4); and,
3. That a single source contract be awarded to McCallum Sather Associates, for the detailed design and contract administration work, in the amount of \$926,300 (plus HST) and funded from capital project # 30211305.

5.5 New and Unfinished Business - General Government

**6. Adjournment**

# Memorandum to Council

Legal and Enforcement Services

Legal Services Division



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**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**

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## 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
<b>TOTAL</b>		<b>\$4,164.00</b>

\* 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

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**From:** Paul Mason <[pmason31@gmail.com](mailto:pmason31@gmail.com)>  
**Sent:** Sunday, June 23, 2024 10:07 PM  
**To:** Internet, Clerk <[clerk@whitby.ca](mailto:clerk@whitby.ca)>  
**Cc:** Narraway, Kevin <[narrawayk@whitby.ca](mailto: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](http://whitby.ca/CouncilCalendar)



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### Report Title: Town of Whitby Municipal Asset Management Plan (MAMP) Status Update

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**Report to:** Committee of the Whole

**Date of meeting:** October 28, 2024

**Report Number:** FS 36-24

**Department(s) Responsible:**

Financial Services Department

**Submitted by:**

Fuwing Wong, Commissioner, Financial Services and Treasurer, 905.430.4314

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

**For additional information, contact:**

Erika Watson, Sr. Manager of Financial Planning/Deputy Treasurer,  
905.444.2826

Michael Latimer, Supervisor, Asset Management, 905.706.1172

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### 1. Recommendation:

1. That Report FS 36-24 regarding the Municipal Asset Management status be received.

### 2. Highlights:

- The last update of the Town of Whitby's [MAMP was approved by Council in June, 2024](#). The June 2024 MAMP update outlined:
  - The Town's current funding levels (from various sources) for asset replacements is currently \$31 million per year;
  - the average (ten-year) annual funding requirement is \$41.8 million per year;
  - an annual funding gap deficit of \$10.8 million (=\$41.8- \$31).
- Provincial legislation (O. Reg. 588/17) for Municipal Asset Management Plans (MAMP) require Council approval of an updated MAMP by July 1, 2025;
- To comply with provincial legislation, the 2025 MAMP update will include:

- a ten-year outlook of the proposed levels of service (LoS) for all asset classes;
- the financial and risk implications;
- an analysis of different LoS scenarios;
- how the LoS recommendations can be funded, and,
- an analysis of the demand that growth might have on levels of service
- Financial Services' staff are working with departments to establish levels of service targets, required life cycle activities, associated risks, the annual costs and financial strategy.

### 3. Background:

The history of Asset Management Plans in Ontario date back to 2012 as outlined below:

2012 - The Ontario Ministry of Infrastructure launched its Building Together initiative, which provided guidelines on the development of AM Plans. The 2012 guidelines noted that going forward, the Provincial government will require that any municipality seeking Provincial capital funding assistance have a detailed AM Plan that shows how the proposed project fits within the asset management Plan.

2014 - The Association of Municipalities of Ontario (AMO) entered into a new gas tax agreement with the Federal government, on behalf of all municipalities, which required that detailed asset management plans be completed for all municipal asset inventories by the end of 2016.

2016 – The Town of Whitby completed its first Municipal Asset Management Plan and seven Service Area Asset Management Plans.

2017 - The Provincial Government of Ontario passed Ontario Regulation (O. Reg.) 588/17: Asset Management Planning for Municipal Infrastructure mandating due dates for various asset management deliverables for all municipalities.

2019 – The Town completed the Asset Management Policy and Asset Management Procedure. This was the first deliverable under O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure.

2021 – Due to the COVID Pandemic, the Province of Ontario extended the due dates for the final three O. Reg. 588/17 deliverables each by one year.

2022 – The Town of Whitby updated its Municipal Asset Management Plan, meeting all requirements for the O. Reg. 588/17 – July 1, 2022 deadline for the core assets (roads, bridges, structural culverts, and stormwater management assets).

2024 – The Town of Whitby updated its [Strategic Asset Management Policy and Procedure via the March 4, 2024 Staff Report FS 08-24](#), in accordance with the requirements of O. Reg. 588/17.

2024 – The Town updated its [Municipal Asset Management Plan, via the June 10, 2024 Staff Report FS 31-24](#), meeting all requirements for the O. Reg. 588/17 – July 1, 2024 deadline for all service area asset classes (Facilities, Fire Equipment, Fleet, Library Resources, Parks, Roads Right-of-Way, and Technology & Innovation Services).

**2025** – The Town is updating the Municipal Asset Management Plan to comply with O. Reg. 588/17, July 1, 2025, requirements, which includes the proposed levels of service to match financial capacity. This will include the following:

- Lifecycle Management Strategy,
- Financial Strategy which includes a 10-year expenditure forecast,
- Risk Analysis,
- Growth Analysis.

### **What is Asset Management?**

Asset Management is defined as an integrated business approach within an organization that minimizes the lifecycle costs of owning, operating, and maintaining assets, at an acceptable level of risk, while continuously delivering established levels of service for present and future residents, businesses, visitors and customers.

Asset Management includes the planning, design, construction, operation and maintenance of assets and infrastructure used to provide services. By utilizing AM processes, asset needs can be prioritized over time, while ensuring timely investments to minimize repair and rehabilitation costs and maintain municipal assets.

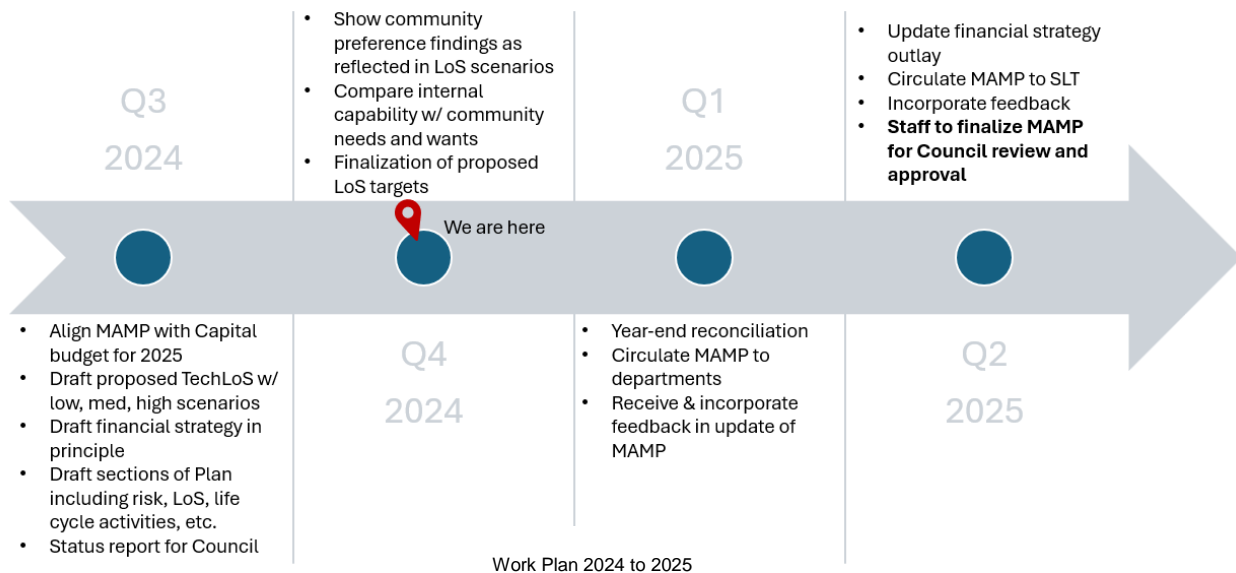
Key questions municipalities must ask themselves today as they continue to develop and refine their MAMPs and programs are the following:

- What do you have and where is it?
- How is it performing relative to expectations?
- What is it worth?
- What is its condition and expected remaining service life?
- What needs to be done?
- When do you need to do it?

- How much will it cost and what is the acceptable level of risk(s)?
- What are the overall life cycle needs/costs?
- What are the long-term sustainable financial needs?

4. Discussion:

Below is a timeline of milestones by quarter, detailing the progress of the MAMP leading up to its presentation to Council at the end of the second quarter in 2025:



Financial Services is on track to present the MAMP to Council in June of 2025 in compliance and including the requirement of O. Reg. 588/17. The work plan includes drafting LoS scenarios and updating associated forecast costs in the fourth quarter of 2024; obtaining senior leadership team endorsements by the end of the year for proposal to council in 2025; preparing the MAMP for Council review, feedback and eventual approval by the end of Q2, 2025.

The Town of Whitby’s 2024 MAMP update identified that the Town’s tax-funded contributions to the Asset Management Reserve Fund is underfunded by \$10.8 million annually. The 2025 update to the MAMP, to include a financial strategy for existing and future growth-related assets, may adjust the \$10.8 million funding gap (depending on the proposed Levels of Service to be approved by Council). While the \$10.8 million funding gap was identified following an analysis of the current asset-enabled service level needs (including historical underfunding that led to the present backlog), low, medium and high LoS scenarios are being examined to fulfil the proposed LoS requirements of the regulation. Forecasts LoS are being developed for the next ten years for all the Town’s asset classes and will include associated operating and capital funding requirements and present funding capability.

In accordance with the regulation, risks associated with meeting the Town's asset management objectives will also be detailed to further inform decision-making.

Finally, based on available insights, lifecycle activity needs will be forecast for anticipated growth-related assets.

The insights collected in the development of the 2025 MAMP may require an adjustment to the funding needs of the Asset Management Reserve Fund.

Funding asset-enabled service needs supports proactive asset management which costs less than reacting to asset failures. It also upholds the Town's reputation as a responsible steward of its assets and helps avoid potential service disruptions.

## 5. Financial Considerations:

The 2024 MAMP update identified a \$10.8 million funding gap between:

- the Town's annual contributions (inclusive of the Town's property-tax funded contributions to the Asset Management Reserve Fund and Canada Community Building Fund grant funds) toward asset management capital programs (\$30 million/year); and
- the projected average 10-year annual asset management spend (\$40.8 million/year) based on current service levels.

O. Reg. 588/17 requires municipalities to develop and obtain Council approval by July 1, 2025, a 10-year financial strategy that includes for each asset category the anticipated annual costs to undertake recommended lifecycle activities (maintenance and capital) to achieve the proposed LoS, a projection of the annual funding that will be available to undertake the lifecycle activities, and how the Town will manage possible risks associated with any funding shortfall.

This report outlines the status and plan to update the Town's MAMP for the July 1, 2025 deadline. In the interim, staff will be outlining the \$10.8 million asset management funding gap as budget pressures for 2025 and future years. An increase in property tax-based funding to the Asset Management Reserve Fund will be required to close this gap and to ensure that the Town's infrastructure is kept in a state of good repair.

## 6. Communication and Public Engagement:

There is no statutory requirement for consultation or public engagement regarding asset management planning. However, Financial Services is using the public engagement insights collected during the development of the Community Strategic Plan, the Parks & Recreation Master Plan, and the 2024 and 2025 annual budget when reviewing levels of service scenarios and to inform the recommended proposed levels of service. These insights are being used to inform recommendations contained with the 2025 MAMP.

The Regulation does require Council, the public's representatives, to be involved in the review and approval of the Municipal Asset Management Plan.

Additionally, it is a requirement to have the MAMP available to the public by posting it and as the Town's Asset Management Policy on the publicly available Town website.



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**7. Input from Departments/Sources:**

Staff from all departments continue to be instrumental in providing updates to the MAMP document. The updates that staff from the various service areas provided were:

- new assets,
- disposed assets,
- updated condition ratings,
- updated replacement costs,
- service level key performance metrics,
- capital lifecycle activities, and
- departmental progress, challenges and opportunities regarding climate change resilience and mitigation.

The asset management team continues to work with ERP implementation team to ensure the asset management needs of all service areas are incorporated into the Enterprise Resource Planning (ERP) solution. Some of the main goals of the ERP solution are having a centralized database to eliminate redundancies and chances of error from entering data into multiple software platforms; capturing significant operations activities such as pothole repair that can assist in determining the optimal time to resurface a road; and closing the financial process of planning, constructing, maintaining, rehabilitating and decommissioning/reconstructing the various infrastructure.

**8. Strategic Priorities:**

The Municipal Asset Management Plan (MAMP) furthers the Town of Whitby's 2023-2026 Community Strategic Plan Strategic Pillars and is closely connected to Strategic Pillars 2 (Whitby's Natural and Built Environment), and 4 (Whitby's Government).

**Strategic Pillar 2 Whitby's Natural and Built Environment**

Objective 2.1 - Demonstrate environmental leadership in sustainability and addressing climate change, through Actions 2.1.1 and 2.1.6, by enabling integrated asset management practices across the Corporation, providing the opportunity to incorporate climate mitigation measures proactively.

Objective 2.2 - Enhance community connectivity and beautification through Actions 2.2.2 and 2.2.5, by defining and monitoring service levels of various municipal asset types, including those promoting active transportation and community beautification.

Objective 2.3 - Invest in infrastructure and assets, is advanced by the MAMP through Actions 2.3.1 and 2.3.2. These major transportation and facility assets advanced by Actions 2.3.1 and 2.3.2 will require strategic asset management and planning into the future.

**Strategic Pillar 4 Whitby's Government –**

Objective 4.3 - Deliver exceptional customer service and community engagement, through Action 4.3.2, by defining, measuring, and maintaining consistent and transparent asset service levels, which promotes accountability, community engagement, and a commitment to meeting the defined service level targets. It also advances

Objective 4.4 - Ensure fiscal accountability and responsibly plan for growth, and specifically Actions 4.4.1 and 4.4.4, as strategic short-, medium-, and long-term planning of asset lifecycle activities to maintain defined service levels encourage financial sustainability and fiscal responsibility

**9. Attachments:**

n/a

# Town of Whitby

## Staff Report

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### Report Title: Declaration of Surplus – Town-owned lands at Cochrane Street and Highway 407

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**Report to:** Committee of the Whole

**Date of meeting:** October 28, 2024

**Report Number:** FS 38-24

**Department(s) Responsible:**

Financial Services Department

**Submitted by:**

Fuwing Wong, Commissioner, Financial Services / Treasurer

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

**For additional information, contact:**

Fuwing Wong, 905.430.4314

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#### 1. Recommendation:

1. That a portion of Town-owned lands being approximately 34.8 acres and legally described as Part of Lot 29, Concession 6, Township of Whitby, Part 1, Plan 40R-30411, PIN 26571-0280 (LT), save and except the most suitable two (2) acres for construction of a fire station, (the "Property") be declared surplus and sold as outlined in Staff Report FS 38-24;
2. That the Town provide public notice of its intention to declare the Property surplus and report back to Council on any written objections received, in accordance with Town Policy F 190;
3. That, should the Town proceed with the disposition of the Property, staff be directed to:
  - a. retain a third-party consultant to determine the optimal location on the land for a future two (2)-acre severance for a fire station;
  - b. retain an Ontario Land Surveyor to complete a new reference plan for the Property;

- c. retain a registered real estate brokerage or agent to represent the Town and assist with the market sale of the Property;
      - d. negotiate an agreement and purchase and sale and that staff be authorized to conditionally accept the highest qualified bid received at or higher than the fair market value outlined in Staff Report FS 38-24, and subject to Council's approval of the terms of sale;
  4. That the Chief Administrative Officer and the Commissioner, Financial Services and Treasurer be authorized to undertake the necessary actions to execute any real estate brokerage or agent documents, and execute the conditional agreement of purchase and sale with such documents and agreement in a form satisfactory to the Commissioner, Legal and Enforcement Services/Town Solicitor, or designate;
  5. That a Hospital Reserve Fund be established and Staff bring forward a Hospital Reserve Fund Policy for Council approval; and,
  6. That the Net Proceeds from the sale of the Property be allocated as follows:
    - a. \$1,812,511.33 to the Operations Development Charges Reserve Fund;
    - b. \$420,914.65 to the Fire Development Charges Reserve Fund; and,
    - c. The balance to the Hospital Reserve Fund.

**2. Highlights:**

- The Town-owned lands at the north-west corner of Cochrane Street and Highway 407 was originally acquired for a Fire station, Fire training facility and Operations satellite facility.
- Due to lack of servicing in the area, the planned Fire training facility design and construction has started at an alternate site. Further, an Operations satellite facility location further north would better match planned growth and service delivery requirements. Accordingly, it is recommended that the Property be declared surplus and sold.
- Two (2) acres of the lands will be retained by the Town for a future Fire station (Fire Hall #7).
- If the Town moves forward with the proposed property disposition, the Net Proceeds from the sale will first replenish development charge reserve funds with the balance to be allocated to a new Town Hospital Reserve Fund.
- The Hospital Reserve Fund will be used to pay for the Town's portion of a local share of costs for a future hospital to be located in Whitby (i.e. the portion of hospital development and equipment-related costs that is not funded by the Province of Ontario).

### 3. Background:

The Town owns a total of approximately 34.8 acres of land at the north-west corner of Cochrane Street and Highway 407 (see Attachment A to this report):

- the land is legally described as Part of Lot 29, Concession 6, Township of Whitby, being Part 1, Plan 40R-30411, Town of Whitby, PIN 26571-0280 (LT);
- Two (2) acres of the land described above is planned to be used for a future fire station (Fire Hall #7).
  - Subject to Council approval of this report, staff will retain a third-party consultant to determine the optimal location on the land, to sever approximately two (2) acres, for the future fire station (i.e. the Town will be retain two (2) acres for Fire Hall #7).
  - The balance of the Town-owned property, being approximately 32.8 (= 34.8 – 2) acres, (the "**Property**"), is considered surplus and proposed to be sold.

The approximately 34.8 acres was purchased in 2019 for \$4,785,000 with the intention of constructing a future Fire Hall (#7), Operations satellite facility, and Fire training complex. However, the site is still not serviced and the Town has started design and construction of a Fire training facility at the Town-owned property on McKinney Drive, near the Whitby Fire and Emergency Services headquarters. Further, the land at Highway 407 and Cochrane is relatively close to the existing Operations Centre at Taunton Road East and McKinney Drive. Given the planned growth in north Whitby, a satellite operations facility further north would better match service delivery requirements with future growth.

Accordingly, staff recommend that Council declare the Property surplus to the Town's needs and pursue a sale of the Property. Two (2) acres of the lands will be retained by the Town for a future Fire Hall, the seventh fire station within the Town. Once the optimal location of the two acres has been determined, the Town will hire an Ontario Land Surveyor to complete a Reference Plan for the Property such that the two acres may be retained by the Town and the remaining approximately 32.8 acres may be sold.

### 4. Discussion:

The disposition of Town-owned land (including sale or long-term lease) is guided by Town Policy F 190 - the "Acquisition, Sale or Other Disposition of Land Policy". Policy F 190 outlines the following process for the disposition of Town-owned land:

- Obtain the fair market value of the Property via an appraisal report from a qualified appraiser;
- Provide public notice which includes:
  - posting a sign on the Property for not less than ten days;
  - an advertisement in a newspaper having general circulation within the Town; and
  - posting notice on the Town's website;

- Provide the public an opportunity to submit written objections (including the person’s name, address and reason(s) for objecting) to the Town within 20 days after notice is provided;
- Staff are to prepare a report to Council outlining the objection(s) received and provide recommendations to Council regarding the subject Land.

Subject to Council approval of this report, Staff will prepare public notice in accordance with Town Policy F 190.

***Disposition of Property via Multiple Listing Service (MLS)***

Staff recommend retaining a real estate brokerage or agent and listing the Property on the Multiple Listing Service (“MLS”) and selling the Property at the highest offer received at or above the fair market value/list price as outlined in the Confidential Memo related to this report.

Should the Town proceed with the disposition of the Property, Staff will retain a commercial real estate brokerage or agent to list the Property and act on behalf of the Town for the real estate transaction.

***Fair Market Value***

The fair market value of the Property was determined through a land appraisal completed by Colliers International dated September 19, 2024. More information is available in the Confidential Memo related to this report (see the confidential memo on the October 28, 2024 Council and Standing Committee Correspondence agenda).

It is recommended that Staff be authorized to conditionally accept the highest qualified offer at or above the fair market value. The conditional acceptance allows for Staff to present the conditional Agreement of Purchase and Sale (and any related conditions) to Council for final review and approval.

**5. Financial Considerations:**

The original purchase of the land was funded via a debenture, issued through the Region of Durham, to be repaid from Fire and Operations Development Charges. Accordingly, it is recommended that the proceeds, net of costs such as appraisal, land surveyor, real estate broker commissioner/fees, and registration fees, (“**Net Proceeds**”) first be used to repay the Fire and Operations Development Charge reserve funds as follows:

\$1,812,511.33	Operations Development Charges Reserve Fund;
<u>\$ 420,914.65</u>	Fire Development Charges Reserve Fund
<u><u>\$2,233,425.98</u></u>	

Since the Town will retain a portion of the lands for a Fire Hall, the calculations above exclude repayment to the Fire Development Charges Reserve for the future Fire Hall #7.

It is further recommended that the balance of the Net Proceeds be allocated to a new reserve fund, a Hospital Reserve Fund, to be established for the Town's portion of a share of development and equipment-related costs for a future hospital, to be located in Whitby, that is not paid by the province (the "**Local Share**"). The Local Share is generally funded by the local/regional municipal contributions and hospital foundations (e.g. through fundraising campaigns). The amount of the Local Share is currently not determined as it is based on projected land, construction, and furniture, fixture & equipment costs for the Whitby hospital which is currently not available. However, Local Share's paid by other municipalities in recent years indicate that the Town of Whitby's portion of the Local Share could be quite significant:

- The City of Vaughan contributed \$86 million for the Cortellucci Vaughan Hospital land purchase (~ 2016). The Region of York contributed \$143 million.
- The City of Brampton contributed \$62.5 million for the redevelopment and expansion of Peel Memorial Hospital and a Cancer Care Centre (2022)

Beyond the Town's prior land purchase commitment for the hospital, the Town's portion of the Local Share might not be needed for over 10 years. Setting up the reserve now allows it to grow through compound interest and other investment income. Future reports will detail how the Town's portion of the Local Share could be raised and policies for the Hospital Reserve Fund.

## **6. Communication and Public Engagement:**

Town Policy F-190 regarding the Acquisition, Sale or Other Disposition of Land Policy, requires public notice following the Town's declaration of lands to be surplus, which includes:

- posting a sign on the Property for not less than ten days;
- an advertisement in a newspaper having general circulation within the Town – this will be the Brooklin Town Crier; and
- posting notice on the Town's website.

Further, in accordance with the Policy, any person may submit an objection, in writing, to the Clerk 20 days after notice is provided. The objection shall include the person's name, address and reason(s) for objecting. In accordance with the policy, staff will prepare a report to Council outlining objection(s) received, if any, and provide a recommendation to Council. If no objection is received, Council's decision to declare the Lands surplus shall be final.

## **7. Input from Departments/Sources:**

The proposed sale of the Property was circulated to all Town departments. Other than Whitby Fire and Emergency Services identifying a need to retain two (2) acres for a future Fire Hall (#7), no other concerns or Town needs for the Property were identified.

In addition, Legal Services has reviewed this report and has provided advice regarding this matter and will assist to retain the surveyor and real estate brokerage or agent and facilitate the negotiation of the agreement of purchase and sale of the Property, if approved by Council.

## **8. Strategic Priorities:**

The Net Proceeds from the sale of the Property will be allocated to a Town Hospital Reserve Fund to pay for the Town's portion of the Local Share of development and equipment-related costs for a future hospital to be located in Whitby. This supports Action 1.1.1 – Advocate for and secure property of a new hospital (Objective 1.1 Improve community safety, health, and well-being, Strategic Pillar 1: Whitby's Neighbourhoods) of the Town's Community Strategic Plan.

## **9. Attachments:**

Attachment 1 – Map of Town-owned subject lands



## Attachment 1 to Staff Report FS 38-24

Town-owned Property at the North-West corner of Cochrane Street and Highway 407



Legal Description: Part of Lot 29, Concession 6, Township of Whitby; Part 1, Plan 40R-30411  
Town of Whitby; PIN 26571-0280

Area: Approximately 34.8 acres

Zoning: A 1784

# Town of Whitby

## Staff Report

[whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar)



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### Report Title: Proposed Long-Term License of Town-owned Property at 508 Colborne Street West

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**Report to:** Committee of the Whole

**Date of meeting:** October 28, 2024

**Report Number:** FS 41-24

**Department(s) Responsible:**

Financial Services Department  
Community Services Department  
Legal and Enforcement Services

**Submitted by:**

Fuwing Wong, Commissioner, Financial Services / Treasurer  
John Romano, Commissioner, Community Services  
Francesco Santaguida, Commissioner, Legal and Enforcement Services / Town Solicitor

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

**For additional information, contact:**

Fuwing Wong, 905.430.4314;  
Francesco Santaguida, 905.430.4342;  
Catherine Bridgeman, Director, Facilities, 905.430.4319

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### 1. Recommendation:

1. That staff be authorized to finalize negotiations with B'Nai Shalom v'Tikvah, Durham Region's Reform Jewish Synagogue or an alternate religious/non-profit organization for a long-term license of Town-owned property at 508 Colborne Street West in support of a Ukrainian refugee family;
2. That the Mayor and Clerk be authorized to sign a license agreement for 508 Colborne Street West between the Town and B'Nai Shalom v'Tikvah, Durham Region's Reform Jewish Synagogue (or an alternate religious/non-profit organization) and, if deemed necessary by the Town

**Solicitor, the occupant identified to receive support, substantially based on the principles outlined in Report FS 41-24 and subject to the satisfaction of the Commissioner of Legal and Enforcement Services/Town Solicitor, and Commissioner of Financial Services/Treasurer; and,**

- 3. That a 2024 capital project for the renovation of 508 Colborne Street West be approved in the amount of \$120,000 and funded from the Asset Management Reserve Fund.**

## **2. Highlights:**

- B'Nai Shalom v'Tikvah, a Reform Jewish Congregation in Ajax, has expressed an interest to license the Town-owned property, at 508 Colborne Street West, to support a Ukrainian refugee family;
- Subject to Council approval of this report, the Town will complete required repairs/replacements at 508 Colborne Street West before starting a new license for up-to a four (4) year period.

## **3. Background:**

The Town owns a residential property at 508 Colborne Street West (the “**Property**”), legally described as Part Lot 29, 1st Range, Plan H50046, Whitby; Part Lot 30, 1st Range, Plan H50046, Whitby as In D99190; subject to CO76781; Whitby (PIN 26499-0061 (LT)).

According to a February 5, 2016 memo from the former Commissioner of Planning (see **Attachment 1**), the Property was:

- 1) purchased several decades ago to protect the long-term road needs within the downtown area (including providing for road improvements and public parking needs with the intensification of lands on the Dundas Street corridor); and,
- 2) recommended to be licensed to the Hebron Christian Reformed Church of Whitby (the “**Hebron Church**”) for a period of one (1)-year to support their planned sponsorship of a refugee family fleeing the conflict/a humanitarian crisis in Syria at the time.

Originally planned for a short-term, one (1) year license, the license to the Hebron Church has been renewed annually since November 3, 2016. The family that moved into the Property in 2016 has recently vacated the property on August 9, 2024. The Hebron Church’s Refugee Committee member, Mr. John Fayer, reports that the family is doing well and in their own home.

With the ongoing war in Ukraine, the Town was approached by B'Nai Shalom v'Tikvah, Durham Region’s Reform Jewish Synagogue, (“**BSvT**”) to support a Ukrainian refugee family seeking housing within the Town. A copy of a draft agreement, with similar terms and conditions as the 2016 license agreement with the Hebron Church, will be provided to BSvT subject to Committee/Council approval of this report. Normally, the Town would be further along in agreement discussions prior to bringing forward a report to Council. However, the BSvT has identified a Ukrainian Refugee family in need of

housing by the end of 2024 and given the time required for the Town to complete necessary renovations to the Property, this report is provided in advance of a final agreement with BSvT.

#### 4. Discussion:

Currently, there are no capital projects planned for the redevelopment of 508 Colborne Street West. Accordingly, BSvT's request to license the Property in support of a Ukrainian refugee family can be accommodated.

It is recommended that staff be authorized to negotiate with BSvT or another religious or non-profit organization to finalize a residential license of the Property in support of the organization's sponsorship of a Ukrainian refugee family. The proposed terms will be similar to the Hebron Church's agreement for the Property with the following proposed updates:

- 1) The term of the agreement be for a period of three (3) years with one (1) one-year extensions which would mean that the Property could be occupied for residential purposes for up-to four (4) years.
- 2) Annual license increases based on the Consumer Price Index.
- 3) Licensee is responsible for utilities, insurance, general maintenance including yard work, landscaping, gardening, snow removal.
- 4) Either party may terminate the agreement with 90-days prior written notice to the other party.

The license agreement shall be with the BSvT or a similar non-profit organization which will act as a Program Administrator in accordance with the *Residential Tenancies Act*. BSvT will be responsible for the License payments, insurance, and maintenance of the Property in accordance with the License agreement. Further, BSvT will be responsible for the qualification criteria and selection of a Ukrainian refugee family to support, including providing support services, such as employment and life skills development, assist with Property maintenance, insurance, license and utility expenses (if applicable).

#### 5. Financial Considerations:

The proposed annual license amount of \$15,383.40/year (or \$1,281.95 per month) is the same amount the Hebron Church was paying as of August 2024. The license amount is subject to an annual increase which is based on the All-items Ontario – Consumer Price Index available as of the month August prior to each anniversary date.

On Friday August 30, 2024, the Town's Facilities Division conducted a site visit and recommend approximately \$120,000 in required repairs and replacements to address assets at end of their useful lives, building code compliance, and safety reasons. The Facilities division reports that the building is a 1,255 sq. ft (excluding basement) single storey residential detached bungalow constructed in 1953 and the required work is recommended prior to any new occupancy. The Facilities Division's proposed repairs and replacements include:

- a) Windows and Doors – repair broken window panes, caulk, and paint window frames; paint and complete minor repairs to doors;

- b) Electrical – install new 100 amp and 32 circuit breaker panel
- c) Flooring – replacement on main level and new epoxy in basement;
- d) Replace gas furnace with high efficiency furnace;
- e) Paint main level and drywall repairs;
- f) Replace Kitchen counters, cabinets, sink, refrigerator, stove, rangehood and vent; and,
- g) Replace shingles, fascia, eaves and repair decking.

It is recommended that a 2024 (in-year) capital project for the renovation of 508 Colborne Street West be approved in the amount of \$120,000 and funded from the Asset Management Reserve Fund.

## **6. Communication and Public Engagement:**

Not Applicable

## **7. Input from Departments/Sources:**

The Legal & Enforcement Services and Community Services departments were consulted for this report and will assist with the License agreement and Property repairs/replacements (subject to Council approval of this report).

## **8. Strategic Priorities:**

The recommendations of this report support Objective 1.3 “Provide accessible and inclusive municipal services and programming” of the Town’s Community Strategic Plan. Specifically, the following Action Items of Object 1.3 are supported:

- Action Item 1.3.1 – “Continue to collaborate with non-profit organizations to anticipate and deliver changing community program and service needs”
- Action Item 1.3.6 – “6 Work with partners to support and connect individuals experiencing homelessness with shelter and support services”

## **9. Attachments:**

Attachment 1 – February 5, 2016 Memo recommending a short-term License for refugee housing



## Memorandum

### Planning and Development Department

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**To:** Mayor Mitchell & Members of Council

**CC:** R. Petrie, CAO  
C. Harris, Clerk  
K. Nix, Commissioner of Corporate Services

**From:** Robert B. Short, Commissioner of Planning

**Date:** February 5, 2016

**File #:** N/A

**Subject:** **Memo Report to Mayor Mitchell & Members of Council  
February 16 – Planning & Development Committee  
508 Colborne Street West – Whitby  
Short Term Lease for Refugee Housing**

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#### **RECOMMENDATION:**

“Authorize the Administration to make 508 Colborne Street West available to the Hebron Christian Reformed Church of Whitby to provide the opportunity for the future sponsorship of a refugee family for a period of one year; for a nominal sum and with the sponsor being responsible for the cost of utilities and the provision of appliances.”

#### **BACKGROUND:**

Recent reports indicate that the refugee families arriving in Canada, as a result of the crisis in Syria, are larger than anticipated.

508 Colborne Street West is owned by the Town. It was purchased several decades ago to protect the long term road needs within the downtown area. The retention of the property, to assist in meeting and providing for road improvements and emerging public parking needs with the intensification of lands on the Dundas Street corridor, continues to be considered of merit. The dwelling is presently vacant, without appliances, dated, but able to provide accommodation for a family.

The Durham Region was contacted to help identify possible private sponsors for refugee housing in Whitby. Only one group was identified as being associated that being the Hebron Christian Reformed Church of Whitby. Discussions have been pursued on an exploratory basis with Mr. John Fayer of the church's Refugee Program Committee. They have one active sponsorship application in process and are looking to advance one or more new applications.

Interest in having the dwelling available to the Hebron Christian Reformed Church to support their refugee program has been indicated. With the adoption of the recommendation, discussions will have to continue to finalize any arrangements to the satisfaction of the Town and the Church. Mr. Fayer was advised that the recommendation that being placed before Council for consideration was one year and that the details of the arrangement would be finalized in a manner satisfactory to both parties; the church and the Town.

**DISCUSSION:**

The subject property is located within one block of Dundas Street, has access to transit and is within walking distance of schools, shopping, library, theatre, and personal and financial services.

Approval, in principle, to provide for the opportunity to develop the lease arrangements is being requested at this time so that the residence is available so support a sponsorship application and to assure the arrangements have been finalized in advance of occupancy. The exact timing of an arriving family is dependent on approvals of the application, processing procedures and travel dates

Supporting refugees into the community is not new to the Hebron Christian Reform Church as it has sponsored refugees in the past and continues to support refugees that arrived prior to this crisis.

**FINANCIAL:**

An affordable housing solution is a major consideration for the sponsors. In this case, it is suggested that the contribution for rent be equivalent to the monthly maintenance plus a nominal amount and that the sponsor provide for the associated utility costs and insurance, grass cutting, etc.

**SUMMARY AND CONCLUSION:**

The subject property, 508 Colborne Street, has the potential to assist in the sponsorship of a refugee family upon their approval and arrival to Whitby. The Hebron Christian Reformed Church of Whitby and its Refugee Committee has past experience in supporting refugees settling in Canada. Staff's communications with the Region indicated that there was only one active sponsor in Whitby, the Hebron Christian Reformed Church of Whitby. Providing the opportunity to provide a one year lease to support the church in making their applications merits Council's consideration. Staff is recommending that 508 Colborne Street West be made available to the Hebron Christian Reformed Church of Whitby for one year at a nominal cost.

Sincerely,

Robert B. Short, MCIP, RPP  
Commissioner of Planning

RBS\mp



# Town of Whitby

## Staff Report

[whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar)



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### Report Title: Single Source Contract Award for Cell Phone Devices and Services

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**Report to:** Committee of the Whole

**Date of meeting:** October 28, 2024

**Report Number:** FS 43-24

**Department(s) Responsible:**  
Financial Services Department

**Submitted by:**

Fuwing Wong, Commissioner, Financial Services & Treasurer  
Jackie Long, Head of Organizational Effectiveness

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

**For additional information, contact:**

Ann-Marie Ricketts, Senior Buyer,  
Procurement, x2854

Christine Wood, Senior Manager  
Procurement and Risk, 905.430.4323

Steven Wilton, Senior Manager, Client Services, x2914

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### 1. Recommendation:

That the Town's cellular phone contract be renewed and be awarded to Bell Canada, as a single source award contract, from August 1, 2024 to December 31, 2030 as outlined in Staff Report FS 43-24.

### 2. Highlights:

- The Town's current mobile phone service through Bell Canada, a Provincial Vendor of Record ("**VOR**"), expired on July 31, 2024 with the expiration of the Province of Ontario's contract with Bell Canada.
- Despite no longer being a Province of Ontario's VOR, the proposed single source award matches Bell's previous pricing, discount structure, and specialized

services such as Push-To-Talk (to replace the use of secondary communications devices, such as two-way radios, for non-emergency staff) for the Town.

- Maintaining the Town's mobile phone contract with Bell ensures that monthly phone plan costs and device discounts remain the same as the Town's previous contract and avoids the cost of hardware replacements mid-contract/plan.

### 3. Background:

The Town of Whitby's existing cellular phone plan with Bell Canada expired on July 31, 2024. The Town's Procurement Policy allows for the procurement of goods or services from vendors on the Province of Ontario's Vendor of Record program.

The Town currently has over 500 cellular devices in active use across the organization. As of September 1st, 2024, 339 cellular phones are currently available for hardware upgrade. These upgrades are important to maintain device security as hardware vendors regularly stop supporting Operating Systems for older devices, making them potential vectors for malware and viruses.

Bell Canada does not directly sell or manage cellular devices such as cellphones, tablets, or cellular modems, and instead relies on a reseller network of vendors to purchase hardware. This reseller network is broken down into service areas. The Whitby area is serviced by Cellcom Communications, formerly Norcom Telecom. All purchases of devices as well as in warranty services are managed by this reseller at the authorization of Bell Canada.

### 4. Discussion:

To ensure consistency with existing phones and plans already in use, as well as to keep interoperability with key services which are dependant on being on the same platform provider, such as Push-to-talk two-way communications, the Town has negotiated directly with Bell Canada on a new cellular phone agreement.

The proposed single source award matches Bell's previous pricing and discount structure. This allows the Town to maintain the existing fleet of 500+ cell phones without additional expense of reconfiguring devices or having to swap out devices and SIM cards.

Further, devices on the old contract were eligible for upgrade every two (2) years. The new contract offered follows the Ontario VOR which has moved device eligibility for an upgrade to a three (3)-year cycle as improvements in hardware have slowed in the cellular space. This also allows for future cost savings by reducing the frequency of cellular device refreshes.

The Town's Procurement Policy, Policy # F 080, provides for Single Source Awards under certain circumstances. In this case, the justification for a single source award to an existing vendor is as follows: When the extension of an existing contract would prove more cost-effective / beneficial or if the change of supplier would cause inconvenience or duplication of costs.

As noted above, changing vendors due to the expiration of the Ontario VOR would result in significant costs for the Town to swap out devices (prior to the end of contracts), re-configure over 500 devices, and to swap SIM cards for over 500 devices.

Further, replacing 500 devices all at the same time would mean that all of the devices are on the same replacement cycle which is not practical and does not smooth out the financial impact of replacements.

The term of the proposed award is from August 1, 2024 to December 31, 2030. At that time, the Ontario VOR (which expires July 31, 2030) will have renewed, and the Town can review the cost/benefit of the Provincial program and pricing. Based on a three-year replacement cycle and the Town's existing 500+ cell phones, it is anticipated that the Town will spend an average of \$86,000 per year on cell phone replacements and approximately \$100,000 per year for cellular services. Accordingly, the estimated value of the contract is approximately \$1,171,800  $(\$86,000 + \$100,000) * 6.3$  years). 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).

**5. Financial Considerations:**

The budget for cell phone purchases and replacements are included in the Technology and Innovation Services ("TIS") capital budgets and may fluctuate annually based on the replacement cycle and age of the devices. Monthly plan costs are charged to the relevant department's operational account. Cellular devices are acquired out of TIS capital and managed as Town assets. Budgets are also adjusted as staffing needs change, staffing or new positions (that require cellular devices) are approved, or as projects requiring cellular mobile connectivity increase.

TIS Staff have reviewed the proposed award against the Ontario VOR program and have determined the proposed award provides more favourable pricing for device purchases, data plans, and push-to-talk services. Roaming costs are comparable to the Ontario VOR program. Throughout the term of the single source contract, Staff will compare pricing with the Ontario VOR program and, if required, start the process of migrating new and replacement devices based on a cost/benefit analysis.

**6. Communication and Public Engagement:**

Not Applicable

**7. Input from Departments/Sources:**

Technology and Innovation Services is making this recommendation to minimize the disruption to staff time, stay in alignment with industry best practices, and provide a stable foundation to allow for internal innovation and process improvements.

**8. Strategic Priorities:**

The recommendation in this report aligns with council's mandate of keeping Whitby's government accountable and responsive, as well as fiscally responsible, while still providing key technologies required for staff to meet the needs of residents.

**9. Attachments:**

Not Applicable

# Town of Whitby

## Staff Report

[whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar)



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### Report Title: Final Artist Selection - Indigenous Public Art Piece for the Whitby Sport Complex

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**Report to:** Committee of the Whole

**Date of meeting:** October 28, 2024

**Report Number:** CMS 15-24

**Department(s) Responsible:**

Community Services Department

**Submitted by:**

John Romano, Commissioner of  
Community Services

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

**For additional information, contact:**

Catherine Bridgeman, Director, Facilities,  
905.430.4319

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#### 1. Recommendation:

1. That report CMS 15-24 be received for information.

#### 2. Highlights:

- The Whitby Sports Complex Project (WSC) included for the commissioning of a landmark Public Art Piece from a Professional Indigenous Artist to be placed within or adjacent to the new facility.
- In September 2023 a call-to-artist was issued to all Professional Indigenous Artists and Artists teams residing in Canada. While this was a national competition, Local and Regional Artists were encouraged to apply.
- On September 27, 2024, the Selection Panel reviewed the proposals and selected Kathryn Corbiere as the successful candidate to complete the Indigenous Public Art for the WSC.

#### 3. Background:

The Town in collaboration with Steps Consulting invited Canadian-based Indigenous professional artists (including artist teams) to submit their Expression of Interest for a competition to complete public artwork(s) that will be installed within or adjacent to the forthcoming Whitby Sports Complex (WSC).

The Selection Panel reviewed and evaluated 19 submissions received during Stage One of the request for quotation (RFQ).

Shortlisted artists/artist teams were ranked by the Selection Panel individually with the top ranking three (3) artists/artist teams being shortlisted. Shortlisted artists were selected based on qualifications demonstrated from the artist's application including their curriculum vitae, connection to community, portfolio of past work, and letter of intent. The Selection Panel members shortlisted the following three (3) artists to proceed to Stage Two in accordance with the RFQ process:

- David M General (ON)
- Tessa Shank (ON)
- Kathryn Corbiere (ON)

### **Selection Panel Composition**

The Selection Panel members included representatives from:

- Town of Whitby
- Regional Indigenous Professional Artists

Each shortlisted artist/artist team was responsible for the following:

- Attending a virtual site walk through
- Preparing a draft proposal for Technical Review
- Preparing a three (3) minute video of their proposal for a virtual Community Open House hosted by STEPS
- Preparing a complete final proposal for review by the Selection Panel

### **Technical Review**

All proposals were reviewed by a technical team composed of Town of Whitby staff from relevant departments who commented on the technical feasibility, safety, and maintenance requirements of each proposal.

#### 4. Discussion:

The Indigenous public art at the Whitby Sports Complex (WSC) is intended to contribute to the character of the facility by enhancing the quality of public spaces and spaces that are publicly accessible and visible.

The Indigenous art piece selected for the WSC will facilitate an expression of Indigenous heritage and identity using the guiding principles:

- celebrate and recognize regional Indigenous culture and heritage;
- enhance the quality of life for both visitors and established neighbouring communities;
- add value to the cultural, aesthetic, and economic vitality of the facility;
- build civic engagement and social capital and encourage civic discourse;
- help reinforce a strong sense of community pride, ownership, and a sense of belonging.

Over the last few months, the Selection Panel reviewed the three artists' proposals using the following criteria:

- Artistic Vision
- Artistic Excellence
- Community Engagement
- Technical Merit, Feasibility, and Artist Capacity

On September 27, 2024, the Selection Panel reviewed the proposals and selected Kathryn Corbiere as the successful candidate to complete the Indigenous public art for the WSC.

The piece is called: We come from the stars – Anangoong Nidonjibaamin

This proposed work considers the network of corridors in the building's design as a constellation of pathways leading to a gathering place under a constellation of stars. In a time when we are facing a climate emergency and divisiveness, this work invites people to consider Indigenous teachings and knowledge, to join in community.



Upon award, Kathryn will begin the Community Engagement Plan for the piece that includes the following components:

A virtual conversation with 3-5 local knowledge keepers and elders from the Territory to discuss the sculpture and to learn what teaching stories, symbols, shapes and words are important to them to share in the sculpture, which should be prioritized for the shape of the constellations and the number of stars for each constellation.

A gathering – a gathering of community members, with a particular focus on elders and youth to enable intergenerational sharing, passing on traditional knowledge from elders to youth, and for youth to carry forward this knowledge and to integrate their perspectives hopes and dreams. A knowledge keeper from the Territory would be invited to share star stories to orient the gathering.

## **5. Financial Considerations:**

The project budget of \$150,000.00 for the public art piece is included in the Whitby Sports Complex Project Budget. This includes all costs directly associated with the artwork: including fees for design, fabrication, shipping, installation, engineering and professional services, insurance, permits, travel, and other incidental and production expenses.

## **6. Communication and Public Engagement:**

The Town in collaboration with Steps Consulting completed the Community Engagement for the three shortlisted Art Pieces from August 14, 2024, to September 5, 2024. The engagement provided an opportunity for residents to review the artists proposals comment on the three shortlisted pieces.

A survey was issued as part of the community engagement asking respondents for feedback on the following questions:

- Does the proposal resonate with you?
- Do you find it compelling?
- Would you be excited to see this artwork at the facility?

125 Responses were received with 79.2% in support of the proposed piece.

## **7. Input from Departments/Sources:**

In addition to Community Services, individuals from Strategic Initiatives were included through the development of this project

## **8. Strategic Priorities:**

The installation of Indigenous Public Art selected for the WSC is identified as a priority in the 2023-2026 Community Strategic Plan. This initiative is identified in Action 2.2.3 under the second Pillar: Whitby's Natural & Built Environment. It contributes towards achieving the objective of "Enhance community connectivity and beautification" and it demonstrates a commitment to investing in Public Art

Attachments:

N/A



# Town of Whitby

## Staff Report

[whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar)



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### Report Title: Operations Centre Expansion Phase 2 – Design Update

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**Report to:** Committee of the Whole

**Date of meeting:** October 28, 2024

**Report Number:** CMS 16-24

**Department(s) Responsible:**

Community Services Department

**Submitted by:**

John Romano, Commissioner,  
Community Services

<b>Acknowledged by M. Gaskell, Chief Administrative Officer</b>
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**For additional information, contact:**

Catherine Bridgeman, Director, Facilities  
905.430.4319

Brad Collard, Capital Project Manager  
905.444.1838

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#### 1. Recommendation:

1. That Report CMS 16-24 be received for information;
2. That Council approve the proposed design concept for the new Parks Administration and Maintenance Facility, attached to this report as (Attachments 1-4); and,
3. That a single source contract be awarded to McCallum Sather Associates, for the detailed design and contract administration work, in the amount of \$926,300 (plus HST) and funded from capital project # 30211305.

#### 2. Highlights:

- The existing Parks Administration and Maintenance Facility (Parks Depot) is over 45 years old and no longer meets the need of the Parks Team.
- Several design concept options for a new Parks Depot were investigated to meet the needs of the Parks Department. The proposed design concept (Attachment #1-4) to expand the current building and leverage the existing infrastructure (changerooms, cafeteria) was chosen.

- The proposed design concept maximizes the ability to accommodate growth and operate effectively within the current site.
- A Class D cost estimate completed in October 2024 confirms the feasibility of the proposed design concept within the approved project budget of \$10,260,000. Given the design is at the schematic stage and the Class D estimate accuracy is within plus or minus 30%, further development of the design and subsequent cost estimates may identify the need for additional funding.

### 3. Background:

In 1976, the Town of Whitby constructed a Works Yard on 50 acres of municipally owned property on the north side of Taunton Road. This site was selected because of its location between the urban areas of Whitby and Brooklin and due to the centrality of the area planned for Whitby's ultimate growth. Three (3) years later in 1979, a separate building known as the Parks Depot was constructed on the same site.

In 1993, the original Works Yard was replaced by a new Operations Centre main building and compound located at the north-end at the newly constructed McKinney Drive and consists of several buildings, works and storage areas. The two (2) primary buildings accommodating staff are the Operations Centre building and the Parks Depot. Other buildings and facilities on the site now include: two salt/sand domes, a soils storage and decanting facility, designated material storage, parking and outdoor equipment storage areas.

Over the years, the original 50 acres has been divided up for municipal purposes. Other municipal uses of the property include Hydro, Whitby Fire Department Headquarters, McKinney Centre, Broadleaf Avenue, and McKinney Drive. After these changes, the Operations Compound (which includes 1.47 acres of lands to the west) is now sited on 18.62 acres of property.

In 1993, even though the Town's population was 61,000 at that time, the main Operations Centre building was structurally designed with excess capacity and included plans for an expansion (i.e. 2nd floor and an additional mechanic's bay on the east side of building). Over the past 20 years since, the Town's population has more than doubled to 130,000+ and all spare capacity in the building for growth was utilized.

In 2012, the Town retained a consultant to complete the Whitby Operations Centre Expansion Business Case which formed part of the 2015 Master Plan Design Brief. This report identified that the existing Parks Depot was over 30 years old and at the end of its service life at the time of the report, and recommended replacement of the existing building with a new larger building or a consolidated expansion to the main Operations Centre building.

In October 2017, Council approved the design for the Operations Centre Phase 1 Expansion. In report (PW-24-17) staff provided a proposed phasing planning for future additions that included the New Parks Wing to the Main Operations Centre.

**4. Discussion:**

In 2016, McCallum Sather Architects (MSA) was the successful proponent for the Town of Whitby's Request for Proposal (RFP-148A-2016) to complete a Master Plan and Feasibility study for the Whitby Operations Centre.

RFP-148A-2016 identified that the Town, at its sole discretion, reserved the right to negotiate any or all future phases of the Operations facility, with the successful bidder.

As the successful proponent of RFP-148A-2016, MSA was awarded the Master Plan Update and Feasibility Study of an Operations Centre expansion in 2022.

A Project Team, including Staff from Community Services (Parks, Operations, Facilities) worked in collaboration with MSA to develop the proposed site concept plan, design, and building massing for the new Parks Administration and Maintenance Facility. During this process, Staff reviewed several design options to ensure that the proposed design concept will meet the current and future needs of the department. Based on these needs, the Project Team identified the following amenities to be included in the program for the new Parks Building:

- Workshop space for Parks Maintenance, Forestry, Horticulture & Turf, and Grounds Maintenance;
- Workspace including open office, hoteling, a small meeting room, a quiet room, and a centralized office to accommodate all Forepersons;
- Upgrades to the existing McIntyre meeting room for greater flexibility and interactive map viewing;
- Mud rooms at the shop entrances;
- A shop corridor with direct access to existing shops and the exterior loading area;
- Access within the operations center to existing shared amenity spaces like washrooms, change rooms, meeting rooms, training rooms, and lunchrooms;
- A reconfigured exterior loading area with improved access for greater flexibility and efficiency;
- A new dock lift at the exterior loading area for receiving deliveries;
- Renovate and repurpose the Existing Parks Depot building for storage.

**Proposed Design Concept:**

A site plan, floor plan and exterior massing views for the proposed design concept are contained in (Attachment #1-4) to this report.

The new Parks Administration and Maintenance Facility proposes a one storey addition to the Operations Centre that will see the Parks department fully integrated within the Operations Centre. The proposed design leverages the Town's existing assets and maximizes the ability to accommodate growth while operating effectively within the current site. The new facility, as an addition to the existing Operations Centre, serves to strengthen team building and collaboration

between various workgroups, takes advantage of shared facilities and resources, and supports the development of an inclusive, positive work environment and culture.

Densification of the existing Operations Centre footprint with a building addition also provides the advantage of reducing the building envelope area, utilizing shared resources, limiting any impact to parking, and freeing up valuable space within the site for future development.

Repurposing the existing Parks building for storage extends the life of the building as an asset and provides much needed storage space.

New workshops for Parks Maintenance, Forestry, Horticulture & Turf, and Grounds Maintenance are collocated with existing workshops and share convenient and direct access to the loading yard, office space, and common amenities within the Operations Centre. Recognizing the importance of the environment and its impact on staff's well-being and productivity, the proposed workshop design provides access to natural light and creates mud rooms and wash spaces at each entry for convenient cleaning, and lockable tool storage for each shop.

The expansion also includes dedicated meeting space for Parks staff, inspectors and Forepersons to be centrally located within the addition and adjacent to the existing office space within the Operations Centre. The existing elevator lobby in the main ground floor corridor serves as the main connection point between departments and facilities and provides barrier free access to the second floor.

A new enclosed shop corridor connects the existing workshops to the new office space and provides direct access to the loading yard from the existing Operations Centre.

The existing loading dock, ramps, and retaining walls will be removed and the loading yard will be leveled to provide improved access to new and existing workshops. This expands the functionality of the loading yard by creating a singular large space for flexible use and access by Parks, Roads, and Fleet. Parking currently located within the loading yard will be relocated on site.

While the existing Parks building has reached the end of useful life for workshops and offices, the proposed design recommends repurposing it for storage. This takes advantage of and extends the life of an existing asset.

Sustainable strategies have been integral to the proposed design of the new facility with its design goal to provide a healthy, safe, environmentally conscious and forward-thinking development with a focus on capital investment and operational costs. The following strategies and ideas have been considered at this stage of design and will continue to be developed as the project progresses.

- High performance enclosure with controlled use of glazing, utilizing local materials and recycled content;
- Proposed mechanical systems to be electrical and not fossil fuel supplied;

- Energy use targets which work towards the Canadian commitment to reduced carbon emissions;
- Low flow plumbing fixtures while not sacrificing process load needs; e.g. parts cleaning;
- Energy efficient and non-mercury containing light fixtures; e.g. LED;
- Low volatile organic chemical paints, sealants and adhesives;
- Consideration of site densification; reduced building envelope, shared amenities;
- Durable and low maintenance building materials and systems.

The project will be designed to meet the following standards:

- Town of Whitby Green Standard - Tier 3;
- CAGBC Zero Carbon Building Standard - design compliance;
- AODA compliance.

Consideration of the existing Operations Centre functionality during construction and post construction is important to ensure continuous operations of interior and exterior functions. A construction phasing strategy has been discussed with stakeholders to limit disruptions.

**Estimated Project Timelines:**

Deliverable	Estimated Timeframe
Design Concept Update to Committee of the Whole (COW)	October 28, 2024
Design Concept Approval from Council	November 11, 2024
Detailed Design and Construction Documentation Period	November 2024 to August 2025
Construction Tender	September 2025 to December 2025
Construction Period	January 2026 to April 2027
Facility Opening	May 2027

**Prime Consultant Fees:**

It is recommended that a single source contract to McCallum Sather Architects (MSA), to complete detailed design, construction documentation and contract administration for the new Parks Administration and Maintenance Facility, in the amount of \$926,300 (plus HST) funded from capital project 30211305 OPC - Expansion Phase 2.

The Town's Procurement Policy, Policy # F 080, provides for Single Source Awards under certain circumstances. Further, Council approval is required 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).

In this case, the justification for a single source award to MSA is as follows:

- The extension of an existing contract would prove more cost-effective / beneficial or if the change of supplier would cause inconvenience or duplication of costs.
  - MSA has completed the master plan and feasibility study, which includes a Class D cost estimate. Accordingly, they will be able to complete the detailed design and perform contract administration work without the additional time and cost to get up-to-speed on previous work, designs, and site-specific concerns.
- The expertise of the Prime Consultant is deemed specifically required by the municipality.
  - The experience of the Prime Consultant with the site due to the work completed to date is a benefit to the municipality.
- MSA was the successful proponent in the original request for proposal to complete the Operations Centre master plan (RFP-148A-2016) which included provisions for future phases of the project; and,
- The proposed fee aligns with the Royal Architectural Institute of Canada (RAIC) recommended guidelines for determining appropriate fees for the services of an architect, for the proposed scope of work, building type, complexity, and project delivery.

**5. Financial Considerations:**

As shown in Table 1, below, the estimated cost to complete the project, based on the Class D cost estimate, is within the approved budget for capital project # 30211305:

**Table 1**

<b>Project Breakdown</b>		
<b>Approved Capital Projects</b>		
Project # 30211305 - OPC - Expansion Phase 2	\$10,260,000.00	
<b>Total Approved Capital Project Budget</b>		<b>\$10,260,000.00</b>
<b>Project Expenditures</b>		
Costs Incurred to Date	\$299,355.00	
<b>Estimated Project Costs / Commitments</b>		
Consulting Fees	\$992,243.00	
Construction Cost	\$8,100,299.52	
Construction Contingency	\$405,004.80	
Permits and Approvals	\$39,109.42	
Other Project Costs (Utility Installations, Furniture, Fixtures & Equipment (FF&E), Temporary Staff, Consulting Fees, etc)	\$417,496.86	
<b>Total Estimated Expenditures &amp; Commitments</b>		<b>\$10,253,508.60</b>
<b>Budget Surplus/(Shortfall)</b>		<b>\$6,491.40</b>

Subject to Council approval of this report, MSA will complete the detailed design and construction documentation. Town staff will tender the construction for the project and award to the lowest compliant bidder if the project remains within the approved budget.

**6. Communication and Public Engagement:**

Not Applicable.

**7. Input from Departments/Sources:**

Staff from Community Services, TIS, and Planning have been consulted to ensure the requirements of the Site Plan Approval Process is achieved.

**8. Strategic Priorities:**

The development of the new Parks Administration and Maintenance building project supports Council goals, including Strategic Pillar 4 - Whitby's Government:

Accountable & Responsive, objective 4.4 - Ensure fiscal accountability and responsibility plan for growth, Action 4.4.1 - Deliver service that respond to community needs while balancing the impact to taxpayers.

To further align with Council's strategic vision for sustainability and climate change, several initiatives including Whitby's Green Standard, and Zero Carbon Building certification are incorporated into the project design.

**9. Attachments:**

Attachment 1 – Design Concept Site Plan

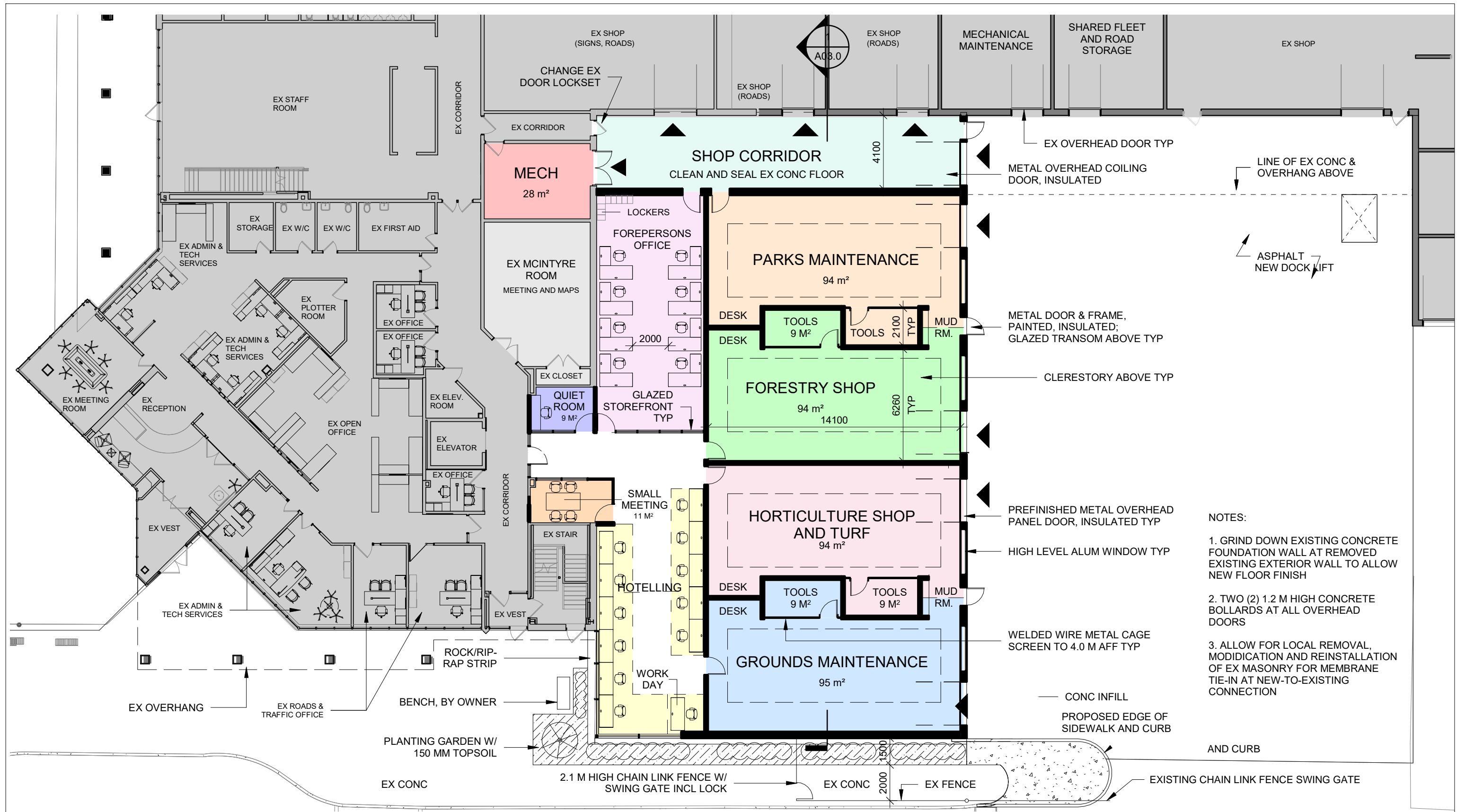
Attachment 2 – Design Concept Ground Floor Plan

Attachment 3 – Design Concept Existing Parks Depot Floor Plan

Attachment 4 – Design Concept Massing Perspective

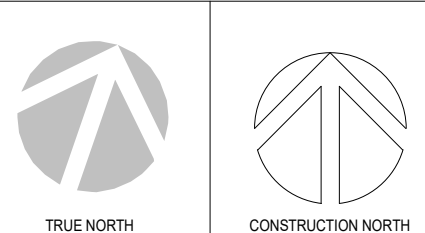






- NOTES:
1. GRIND DOWN EXISTING CONCRETE FOUNDATION WALL AT REMOVED EXISTING EXTERIOR WALL TO ALLOW NEW FLOOR FINISH
  2. TWO (2) 1.2 M HIGH CONCRETE BOLLARDS AT ALL OVERHEAD DOORS
  3. ALLOW FOR LOCAL REMOVAL, MODIFICATION AND REINSTALLATION OF EX MASONRY FOR MEMBRANE TIE-IN AT NEW-TO-EXISTING CONNECTION

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No.	DESCRIPTION	DATE
5	RE-ISSUED FOR SCHEMATIC DESIGN	24-09-13
4	ISSUED FOR SCHEMATIC DESIGN SUBMISSION	24-08-30
3	ISSUED FOR REVIEW	24-07-18
2	ISSUED FOR REVIEW	24-06-11
1	ISSUED FOR REVIEW	24-04-22

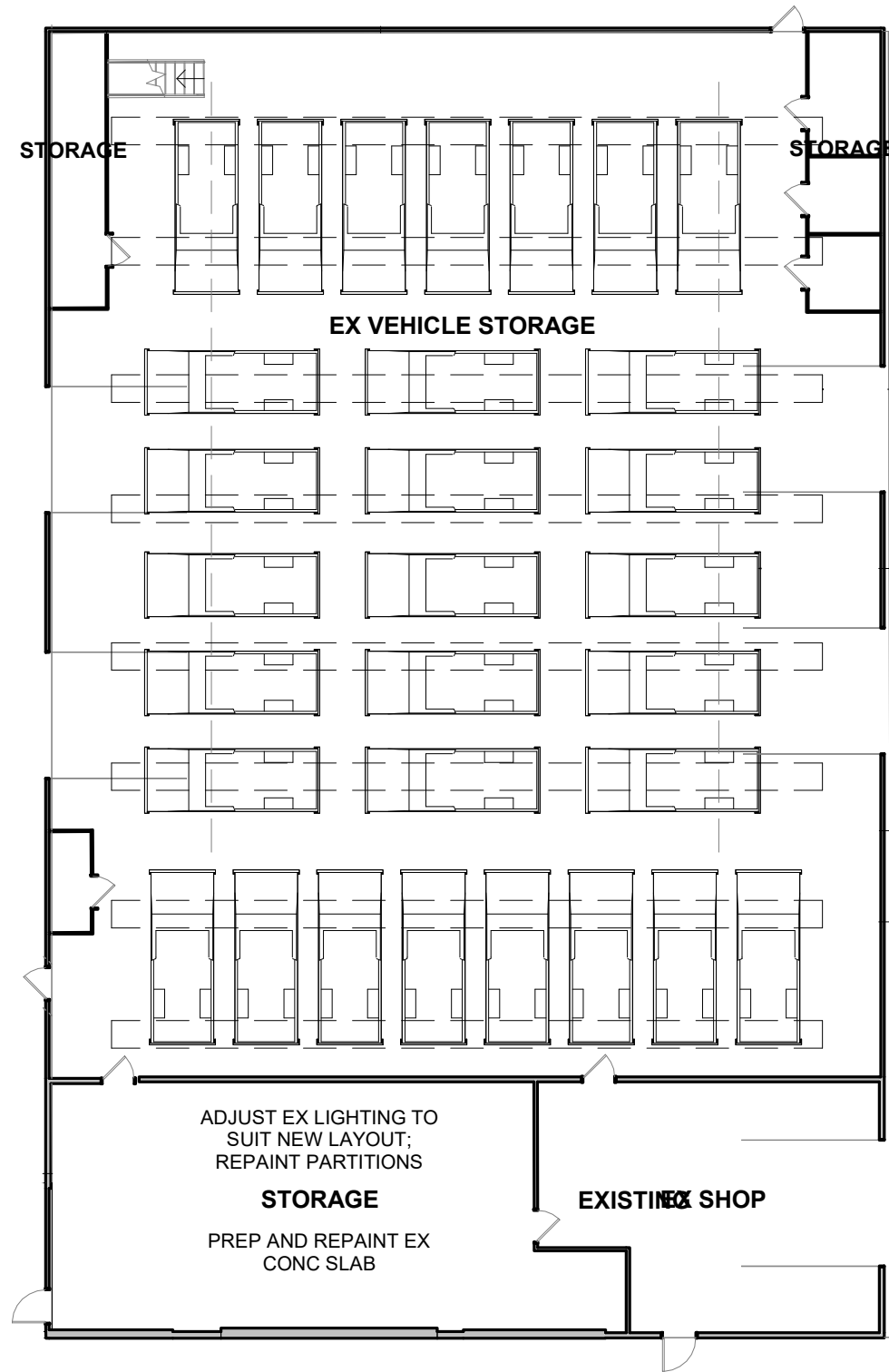
Page 50 of 57

DRAWING TITLE  
**OPERATION CENTRE GROUND FLOOR PLAN**

PROJECT NAME  
**WHITBY OPERATIONS - PARKS ADMINISTRATION AND MAINTAINANCE**

333 McKinney Drive, Whitby, ON L1R 3M2

DRAWN BY: SG/AB	CHECKED BY: DD/AA
SCALE 1 : 200	DATE 01/24/23
PROJECT NO. <b>22078</b>	REF
DRAWING NO.	<b>A01.2</b>



No.	DESCRIPTION	DATE
2	REVISED SCHEMATIC DESIGN REPORT	24-10-11
1	ISSUED FOR SCHEMATIC DESIGN SUBMISSION	24-08-30
REVISION		

DRAWING TITLE  
**EXISTING PARKS FLOOR PLAN**

PROJECT NAME  
**WHITBY OPERATIONS - PARKS ADMINISTRATION AND MAINTAINANCE**

333 McKinney Drive, Whitby, ON L1R 3M2

DRAWN BY:	Author	CHECKED BY:	Checker
SCALE	1 : 200	DATE	01/24/23
PROJECT NO.	<b>22078</b>	REF	
DRAWING NO.	<b>A01.5</b>		



**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	03 Mar 2025	Fishing to be addressed in Parks Bylaw Update
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	02 Dec 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
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	02 Dec 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	03 Mar 2025	

**New and Unfinished Business - General Government**

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
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	03 Mar 2025	Following the recommendations of the Parks and Recreation Master Plan.
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-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	02 Dec 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	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	4. 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		
GG-0036	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	That the Fence By-law exemption request be referred to the Town Clerk and Commissioner of Legal and Enforcement Services to review and report back in Q4 2024 to Council on the existing scope of delegated authority, expanding the percentage variance for delegated authority over existing fence heights, associated fees, and process to handle requests beyond the scope of authority delegated to Staff.	09 Oct 2024	02 Dec 2024		